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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

SENATE—Friday, March 22, 2013

The Senate met at 9 a.m. and was called to order by the Honorable ANGUS S. KING, a Senator from the State of Maine.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of love and grace, our love is pale and fitful compared to Your infinite goodness. Inspire our lawmakers with Your guiding power so that they will pursue paths of peace and justice for all. Keep before them Your vision of bringing deliverance to captives, the recovery of sight to the blind, and permitting the oppressed to go free. Use them as healers and helpers and heralds of Your good tidings to our Nation and world. Assure them of Your love as You give them eyes to see Your saving truth.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ANGUS S. KING led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 22, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ANGUS S. KING, a Senator from the State of Maine, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. KING thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, it is my understanding that we are on the budget resolution, that it has been reported.

CONCURRENT BUDGET RESOLUTION ON THE BUDGET, FISCAL YEAR 2014

Under the previous order, the Senate will resume consideration of S. Con. Res. 8, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 8) setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

Pending:

Reid (for Mikulski) amendment No. 431, to establish a deficit-neutral reserve fund to require equal pay policies and practices.

Reid (for Ayotte/Thune) amendment No. 158, to prohibit the consideration of a budget resolution that includes revenue increases while the civilian unemployment rate is above 5.5 percent, the administration's prediction for the unemployment rate without the stimulus.

Reid (for Cruz) amendment No. 202, to establish a deficit-neutral reserve fund to provide for the repeal of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and to encourage patient-centered reforms to improve health outcomes and reduce health care costs, promoting economic growth.

Reid (for Murray) amendment No. 439, to amend the deficit-neutral reserve fund for tax relief to provide tax relief for low and middle-income families.

Reid (for Crapo) amendment No. 222, to establish a deficit-neutral reserve fund to repeal the tax increases enacted under the Patient Protection and Affordable Care Act that were imposed on low- and middle-income Americans.

Reid (for Shaheen/Stabenow) amendment No. 438, to establish a deficit-neutral reserve fund to protect women's access to health care, including primary and preventative health care, family planning and birth control, and employer-provided contraceptive

coverage, such as was provided under the Affordable Care Act (P.L. 111-148).

SCHEDULE

Mr. REID. Mr. President, from now until 11 a.m., there will be conversation on the floor. At 11 a.m., we will have six rollcall votes. The first vote will be 15 minutes and after that the votes will be 10 minutes each, as we said yesterday, and I enforced it. When the time is up, we are closing the vote. If the Republicans are not here, too bad; if the Democrats are not here, too bad. We are going to have a lot of votes today, so everyone should make sure they are here. Understand if you are not here in time, the clerk has been asked to turn the vote in.

After we complete the six rollcall votes starting at 11 a.m., there will be 2 hours of debate remaining on the resolution. Therefore, unless something untoward happens, the vote-arama is expected to begin at 3 p.m. this afternoon. I hope everyone will understand we have had about 400 amendments that have been filed. We are not going to vote on 400 amendments. The average is usually between 25 and 35 votes. So everyone should understand that is about where we should wind up.

Everyone is going to be tired. The two managers have worked very hard on this for a long time, so be considerate of their time, their thoughts, and their efforts also.

MEASURE PLACED ON THE CALENDAR

Mr. President, S. 649 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measure will be placed on the calendar.

RESERVATION OF LEADER TIME

Under the previous order, the leadership time is reserved.

Under the previous order, the time until 11 a.m. will be equally divided and controlled between the two managers or their designees.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I wish to thank Ranking Member SESSIONS once again for another good day of vigorous debate. There are clearly some differences between us in the Senate, but all our constituents benefit from having those views laid out and expressed clearly. I appreciate all he is doing to help us move along as well as have the good debate we are having.

Yesterday, the Senate did vote to reject the idea that balancing the budget by an arbitrary date should come before middle-class families and broad-based economic growth. Last night, the Senate voted to continue down the path toward a truly balanced approach to tackling our economic and fiscal challenges. It is the kind of approach that cuts spending responsibly and calls on the wealthiest Americans and biggest corporations to pay their fair share.

We voted on an approach that puts our economy first and foremost and makes sure we are protecting, not threatening, our fragile economic recovery. That is the kind of approach that is supported by the vast majority of the American people, and the Senate stood strongly behind that.

The Senate strongly rejected the budget that passed the House of Representatives yesterday. Their budget would meet the goal by balancing the budget with an arbitrary date but would do it in a way that would be devastating for our families and the economy. It would dismantle Medicare and end up cutting taxes for the rich while raising them on the middle class; not only that, but it did rely on gimmicks and tricks to hit that arbitrary date. There is nothing balanced about that kind of approach. I am very glad every Member of the Senate had an opportunity to be clear about where we stand on that.

The Senate also voted yesterday to specifically reject the idea that Medicare should be dismantled or voucherized. I am glad we had strong bipartisan support on that amendment. We also voted clearly for the idea that while both sides favor closing tax loopholes and ending wasteful deductions that favor the wealthiest Americans and biggest corporations, the Senate thinks some of that revenue should be used to tackle the deficit and invest in the middle class, not to be used to simply cut tax rates for the rich the way the House budget did.

We have a few more hours of debate this morning between now and 11 a.m., followed by some votes, and then we will close out the debate and move on

to all the rest of the votes we will take before final passage late tonight or early tomorrow morning.

As the majority leader said, we have hundreds of amendments. If we were to vote on all of them, we would be here every single hour voting between Monday and Tuesday. I think every Member knows that is probably not going to happen. I encourage every Member of the Senate to work with the manager on their side so we can get the amendments up sooner rather than later and vote on the ones each side wants us to.

I urge all my colleagues to work with us and our staff to make sure we know where the priorities are, how to proceed, and we will work with everyone to combine similar amendments. Obviously, among those 400 amendments, there are a number that are similar. We will clear as many noncontroversial amendments by voice vote as we can, and we will get through as many votes as possible in a fair and reasonable manner. We look forward to working with Senator SESSIONS to make sure we can do that.

I encourage our colleagues—there is a bit more time for them to have their say before we vote. If anyone would like to have their say, make sure our staffs know before making any statements.

With that, I yield to my colleague, Senator SESSIONS.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I have enjoyed working with Senator MURRAY. She is a strong leader. She makes clear decisions and sticks by them and executes them. I respect that. She has stayed within the rules as the chair of the committee. We disagreed on a number of things. Our vision for the financial future of America is quite different.

I understand how difficult it is to produce a budget. That is not an easy thing to accomplish. When there is a divergent caucus, it is particularly difficult.

Politico said the budget was written by the left of the Democratic caucus to the left of President Obama. I think that is probably correct. It is a very big spending, big tax budget. It is the wrong thing for America. It is the wrong thing for economic stability. It is the wrong kind of plan if made into law to help us grow our economy, create jobs, create wealth, get people overtime and bonuses and pay raises, the kind of thing we have when the economy is growing.

This budget is the wrong medicine. I have to say I strongly believe it takes us in the wrong direction. What does it do at the bottom? It raises taxes. It raises taxes, according to the chairman, by \$1 trillion—\$985 billion. That is almost \$1 trillion. We think it raises it \$1.5 trillion. There is a reserve fund to make it easy to raise more taxes. I

asked the chair to close that so it could not be used to raise taxes easily, but she declined, which continued to cause me to believe that is an additional part. Regardless, \$1 trillion in new taxes is a huge tax increase.

In January of this year, the President got a \$600 billion tax increase on the rich. Plus there is \$1 trillion in tax increase in the President's health care bill. So we are already at \$1.6 trillion in new taxes, and there is a proposal in this budget for at least another \$1 trillion. That is not healthy for the economy.

We all know when we extract more wealth out of the economy, it does have effects. One of them is it weakens the economy and strengthens the central government. The central government is not managing the people's money well. We have no interest, it appears from this budget, in listening to the American people and running their government better, leaner, more productive, get more bang for the buck. What do we do? We ask for more money. We haven't done anything wrong; send us more money.

I have to urge my colleagues to honestly examine what the budget does. In addition to raising taxes, we would think that would help us. They say they have a balanced approach. We started counting how many times my Democratic colleagues used the word "balance." I think it suggests a guilty conscience myself because the budget in no way comes close to balancing a budget. It doesn't pretend to. It explicitly rejects it. There is not an arbitrary date. There is not a date proposed to balance the budget. In fact, because it makes no changes in the drivers of our debt, the big entitlement programs, the big welfare programs, the interest on the debt, none of those are constrained by this budget. We know the next 10 years that are outside the budget window will be even worse. They will be on an unsustainable course, accelerating even off the course we are on today, which is unsustainable. So I am very disappointed.

Everybody who has been involved or who has participated—whether it is the Gang of 6 or the committee of 12, as our chairman did, the super committee—knows that nearly 60 percent of the money the government is now spending, such as Social Security, Medicare, Medicaid, interest on the debt, food stamps, those programs are out of control. They are entitlements, which means we set up legal standards that if those standards are met, anyone can walk into a government office and demand the money. They have to give it to them. If they don't, they can sue the government. I am 68 years old, I want my Social Security check. We can't say we don't have any money.

So this is the kind of thing that needs to be fixed now. It needs to be

discussed now. Every expert who is an independent adviser to the government has said: You guys need to get together and fix this.

So what the budget before us today says is, no, we are not going to fix any of that. We have no plans to construct any of that. And any of our Republican colleagues who suggest that these programs have to be changed, we say they don't like old people. We say they don't like poor people. We say they don't want people to have food.

That is what we say—attack, attack, attack, when everybody knows change must occur. We know that. It is not in this budget—nothing in the budget. So they don't change the programs within the budget. I suggest that is not responsible. I suggest that is not a budget worthy of a party that says they want to lead America. The great Democratic Party is absolutely refusing to confront the great financial issues of our time. No, we won't talk about it, and if our Republican colleagues do, we are going to attack PAUL RYAN because he has a creative, insightful way to preserve Medicare and make it more healthy in the future and put it on a sound path. We are going to say he is trying to destroy Medicare.

PAUL RYAN has a plan to save Medicare, bring it into the 21st century, and make things better. It ought to be discussed openly and fairly, not demonized. That is the level of debate we are in here.

In private when we talk to our colleagues, they say: Yes, we need to make changes. We really do.

Well, when? And when the paper is printed, when the budget is printed, it is not there. It is not there. So there is no reform of the fundamental drivers of our debt.

We also know that last year we spent \$750 billion on 83 government welfare programs, means-tested programs; that is, if a person's income is below a certain level, the government deems that person worthy of some subsidy of some kind. Many of these 83 programs are duplicative. There is not a coherent focus on them that endeavors to help the people, really, other than giving them money, giving them aid. There is not a sufficient focus in all of these programs in actually helping that struggling mother with children who is out of work, who lost her job, who can no longer get overtime or bonus pay, and young people who are struggling to get up on the ladder of work and prosperity. This is not helping them. And these programs are just temporary. We have billions going out for unemployment insurance, food stamps, temporary assistance to needy families, earned-income tax credit, all of these programs.

It is time for us to begin a massive overhaul, review all of these programs, and several things can happen. One thing that can happen is we can make

them better, and we can actually create programs that allow each person in their time of need to get temporary assistance, to be able to refocus their life, to move into the workforce, help them find the training they need to get into areas that need jobs right now, and help them move forward. But do my colleagues know what we have in our Senate and among a lot of the Members of the House? We have a goal to see how many more workers we can bring in without effectively helping American workers who are unemployed.

We have an immigration policy that says we have jobs but we don't have enough workers. That is what the businesses are telling us. We don't have enough workers. They all ought to add—when they send us that message, they ought to say: And by the way, you need to give more welfare and more aid to people who don't have jobs. Now, what is the disconnect there?

We need to be protecting American citizens who are here, out of work, and hurting today—minorities, Blacks and Whites and all colors and races that are hurting today with high unemployment, but we seem to be more focused on how we can ram through this Senate a bill that would legalize millions and create an even more robust guest worker program. There are not enough jobs now. Give me a break.

So we are talking about \$750 billion going out now for these 83 programs, projected to go up 80 percent in the next decade—the total of those programs—go up 80 percent in the next decade. We have calculated those numbers, and if it went up 60 percent, it would save \$1 trillion. I think we can make those programs more effective, more helpful, and organized in a way that really advances the needs of poor people and save \$1 trillion. That ought to be our goal. We will let it grow as much as we have to allow it grow to take care of people in need. We are going to make sure people have their needs met in America who are struggling out there, but at the same time, it can be done better, and every American knows it. They will talk to us when we ask them about it. They are uneasy about the easy money and the feeling that this system isn't working when it comes to government assistance, and I think they are right. I would ask my colleagues if they think they are right. I really think so. So what does that mean? That means we should be having hearings and doing work to fix it, which we are not doing.

The challenge of our time is the unsustainable debt course this country is on. The challenge of our time is for us to demonstrate that we made the changes necessary to place this economy on a sound footing.

I believe the great minds of our time are not as smart as they think they are. In 2001 Chairman Greenspan of the

Fed came before the Budget Committee and talked about what we were going to do when the entire debt of the United States was paid down, and he worried we wouldn't know what to do with the money. Of course, we were in a recession within a few months, and now we see demographically that we are on an unsustainable debt course. The new Fed Chairman, Mr. Bernanke, as the Wall Street Journal documented, at the time was promoting Mr. Greenspan to spend more money and keep losing money before the housing crisis—just exactly the wrong advice. He didn't see it coming. So we are not so smart around here.

I am worried about the future. What do I think responsible government policymakers should do? They should provide a good, solid framework for the vibrant, free market economy in this country to flourish. We can't be the kind of off and on again faucet for money and taxes and spending and not spending and bouncing around here trying to pass laws every few months to meet what is perceived as the financial goal of somebody on Wall Street at that moment. We are not able to do that.

What we should do is lay out a strong, clear policy, adhere to it, and let the businesspeople risk their money with some ability to ascertain what those risks are, not expecting the government to come in and alter the situation and the rules of the game a few months down the road. That is what we should do—create a sound framework. We are not doing that. I am concerned about it.

Finally, this budget increases spending. It increases spending very dramatically at a time when we don't need to be increasing spending at this rate. We are increasing spending above the rate we are currently set to operate by—the Budget Control Act line—which allows for increasing spending every year. But this budget spends more than that, and it raises \$1 trillion in taxes, at least, and it expends all of those new taxes, eats that up with new spending. If it called for us to stay on the current baseline of spending, growth that is going up, and we raised \$1 trillion in taxes, we would have \$1 trillion in reduced deficit over the next 10 years. But it spends more money, and it eats up the new taxes with new spending. It really does.

This is a failed plan that has been produced by the majority party in the Senate. When people heard this—this is what is being said to the American people, and we all know it: The Democratic leadership is saying, we have a budget that is balanced. What does that mean? It means we are going to pay down the debt, but it is not all going to be cutting spending. We are going to pay down the debt by raising taxes and cutting spending—raise taxes \$1 trillion, cut spending \$1 trillion, so

we have a \$2 trillion reduction in the deficit. Doesn't that sound good? That is the kind of thing the American people would like to hear. It is not enough. We could do more, and we don't have to do a lot more, and we will have a balanced budget.

But it doesn't do that, I say to my colleagues. It doesn't. It raises taxes \$1 trillion, but it raises spending \$1 trillion. It doesn't cut spending by \$1 trillion, it raises spending. Therefore, we have no deficit reduction at all, but we have a new \$1 trillion tax.

The government is saying to the American people: We need more money. We don't have any way to cut any spending, and if anybody proposes there are abuses in the food stamp program or there are abuses in other programs out there or that we are wasting money on energy loans by the billions—Solyndra and A123s and those kinds of companies—they are saying all of that, but we can't save any money. There is no money to be saved. You just send us more money, and then we will pass it around, and this will stimulate the economy.

I will conclude. I see we have some colleagues who are here. I would just say this: The debt we have today I have become absolutely convinced is too high. The gross debt of the United States is 104 percent of our economy. It is above our GDP, which is almost \$17 trillion—that debt is almost \$17 trillion now.

What we have seen from the Rogoff and Reinhart study and from recent reports by the International Monetary Fund and a report by the European Central Bank and a report by the Bank for International Settlements—they all say that when debt is as high as it is today in the United States, that begins to pull down growth.

So my colleagues claim they have a budget that will help create jobs. I would say with all respect that we have a disagreement. Democrats believe they can tax more and spend more and borrow more and that will somehow create growth and prosperity. I believe we have had 4 years of that experiment, which I fundamentally doubted and opposed from the beginning, and it hasn't worked. We can't take a bucket of water from one end of the pool and pour it in the other and gain from it, especially when the bucket is going to leak—a good bit of it—in the process.

So what I would say is that the debt now is so high—according to all of those reports, the debt of the United States is in the zone that they craft, that they have analyzed—when debt gets into that zone, we lose growth. All of those reports—Rogoff and Reinhart, IMF, European Central Bank, the Bank of International Settlements—say we are in that zone.

So if we want to have growth, we are going to have to make our government leaner. We are going to have to begin

to get our budget under control and balanced. And if we balance it by allowing growth to occur at 3.4 percent, without having to cut over 10 years—but if we allow our growth to increase at 3.4 percent instead of 5.4 percent, the budget balances. So we don't have to slash and burn, but we do have to get off the course we are on. It isn't easy, but that is what we are paid to do—to be responsible.

So if we get off that course and begin to see our debt-to-GDP go down, which a balanced budget—even over a 10-year, responsible period—would do, then we will be able to actually honestly say we have strengthened America, we have put us on a sound path, and we have allowed the economy to grow again.

There is no doubt in my mind, I say to my colleagues—and I doubt in theirs—that if the world were to see that the United States was on a path to a balanced budget, wow, they would say: Really? This debt spiral the United States and all of these big, fat Western nations have been on—maybe others can do this too. Maybe this is the place to invest our money.

I believe it would help growth, help investment, help put the country on a sound path. I am disappointed that this budget doesn't do it.

I respect my colleagues. We had a great time in the committee. We have had a good time on the floor. Senator MURRAY is a good chair. But I guess the left of the Democratic caucus has produced a budget that won't work. It does not meet the challenge of our time. It is deeply disappointing. I guess there is still some chance something might happen in conference. But from the looks of this budget, the chances are not very great, I have to say.

Mr. President, I thank the Chair for this opportunity and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Mr. President, I yield 10 minutes off the resolution to my friend and colleague, Senator MIKULSKI, the chair of the Appropriations Committee.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank Senator COONS.

I probably will not take 10 minutes, but what I will speak about is really compelling.

AMENDMENT NO. 431

Later on during the vote-arama we will be considering my amendment that will create a reserve fund that should we pass the Paycheck Fairness Act, it will in no way negate the spending within our budget. It is essentially the functional equivalent of a sense-of-the-Senate resolution that the Senate should pass the Paycheck Fairness Act.

We talk a lot about growing the economy. The economy will grow when people work. The people who are entering the workforce who have been one of the driving forces for the last 30 years

are women. Although we are in the workforce full force, we are still not being paid equal pay for equal work. It is outrageous. If you want to grow the economy, pass paycheck fairness so we are not harassed for simply trying to find out what our pay is and how we can get equal pay for the same job.

Women across America are worried about staying in the middle class if they are already there or getting to the middle class if they are not there. Nearly 50 years after passage of the Equal Pay Act, women still get paid less than men.

This budget is a reflection of our values and priorities, and eliminating the wage gap should be one. For years I and other colleagues have fought for paycheck fairness. Under that act, no longer would employers be able to retaliate against workers for sharing information about wages. Right now, if you ask someone what they get paid, you can get fired. This bill follows on from the famous Lilly Ledbetter Act. Lilly herself was humiliated and harassed because she tried to find out what she was making.

No longer will women be able to seek only backpay when they are discriminated against. Under this bill they could also seek punitive damages. No longer would employers be able to use almost any reason for paying a woman less: Oh, the men do harder jobs. Oh, they have a better education than you. In fact, the reverse is happening. Women entering the workforce are often better educated, with more academic and trade certifications than men who are doing it. Women are also doing hard and dangerous jobs. We can look at what they do in the military. We can look at them as firefighters, police officers, and prison guards.

Under the legislation I am proposing, no longer will women be on their own in fighting for equal pay for equal work. In this country we say: If you work hard and play by the rules, you will get ahead. We work hard every day, but we find that the rules are different for women than for men. Actually, the rules in many workplaces are rigged against us.

So I would hope that we would adopt my amendment today that would allow us to be able to go forward later on in the year and pass paycheck fairness. It is important to the women in the workplace, and it is important to our economy.

Much is being said about being progrowth. Who is not progrowth? Of course we want to grow our economy. If we look at the tax structure, I believe we should reward—right now, the tax structure is tilted and the tax breaks that we give are to reward people who make money off of money, not people who make money off of products or the sweat of their own brow. So I think we need to take a look at the Tax Code.

My State is an entrepreneurial-driven State. We are an innovation economy in biotech, cyber tech, space tech. At the same time, we have people who work hard every single day in agriculture, in poultry, in mining, in trying to earn a living by very hard work. I believe we should have a Tax Code that rewards it.

I yield the floor.

Mr. COONS. Mr. President, how many minutes are remaining on our side?

The ACTING PRESIDENT pro tempore. There is 48½ minutes remaining.

Mr. COONS. Thank you, Mr. President.

We have heard a great deal about balance in the debates on the Senate floor. As we move toward voting on a budget resolution, I just want to remind all of us in this Chamber today to keep in mind that a balanced path forward has broad support across all of America. Folks are looking for us to take a path toward steady and responsible deficit reduction, investing in growing our economy, investing in helping our private sector grow good jobs, while still honoring the pledges we have made to America's veterans, to our seniors, to those who rely on some of our most important and most treasured Federal programs—Medicare, Medicaid, and Social Security.

There is a sharp contrast—and that contrast will be clear and clearer as this day goes on—between the values embedded in the Ryan budget, passed by the House, and the budget led ably by Chairman MURRAY and the Senate Democrats in the Budget Committee that will be taken up later today. We will be considering dozens, perhaps hundreds, of amendments that will touch on a very wide range of issues—from paycheck fairness and gender equity, as referenced by Senator MIKULSKI just a few moments ago, to issues very widely ranging—ones that I have helped champion on the Budget Committee that would increase investment in manufacturing, making sure that our manufacturing sector is more competitive; ones that allow us to strengthen our R&D sector, strengthen our education sector; ones that ensure we preserve and protect these valued Medicare and Medicaid programs that I referenced.

More than anything, at the end of the day I think the challenge to all of us is to help the American people understand the fundamental difference in values reflected in these two different budgets.

I know I will be joined in just a few minutes by colleagues who are coming to speak to that point, to help lay out for the American people the fundamental difference between these two budgets. But if I might, sort of at the highest level for a moment, I want to remind folks who might be watching, folks in the Chamber, that a budget

resolution is quite different from the budgets that, Mr. President, you might have been used to as a Governor, that others of us were used to from the private sector or from State or county or city governments.

A budget resolution does not have every single item to be spent by this government in great detail. As State budgets are submitted to general assemblies or legislatures, they typically have exactly how the State will spend its funds in the year ahead in enormous detail. This budget resolution sets a framework. It sets sort of top-level spending targets and then directs the committees of jurisdiction to achieve either changes to the Tax Code in the Finance Committee or changes to vital programs in other committees, whether Defense or HELP or others.

So when we talk often about the values embedded in a budget resolution, that is, in part, because a budget resolution is just the beginning of a regular order, healthy budget process. It then has to be complemented with authorization bills and with appropriations bills.

But if you compare the budget resolution that has already been adopted in the House, and that was rejected by a vote on the floor last night, with the budget resolution that has come out of the Senate Budget Committee, I think you see a few simple, stark differences. Both budget resolutions raise a significant amount of revenue through tax reform by closing so-called tax loopholes or cutting spending through the Tax Code. This is spending that is not reviewed every year. This is spending that often has been stuck into the Tax Code through the efforts of the wealthy and well-connected powerful interests in our country, that does not get reviewed every year. It is time for us to look seriously at our Tax Code to make it leaner, easier to understand, easier to enforce, more efficient, and to make our country more competitive.

But a core question we have to address is, To what end do we put the revenue raised through changes to our Tax Code? In the House budget resolution, they raise, if I remember, roughly \$5.7 trillion over the 10-year budget period—all of which is dedicated to reducing the tax rates on the wealthiest Americans and on the most profitable corporations, reducing rates on corporations and individuals.

The much smaller amount raised in our budget plan—\$975 billion over 10 years, through cutting spending through the Tax Code—is dedicated to deficit reduction.

The balanced path we have talked about—that balances reduction in the deficit through new revenue raised by reforms to the Tax Code with comparable spending reductions across all areas of our budget—is the sort of balanced plan that was on the ballot, that was a critical part of the 2012 election

process, and that I frankly think the American people have broadly embraced.

We have put forward a budget that meets the values agenda that our Democratic Budget Committee stands behind: to invest in critical areas of our economy, whether infrastructure, education, or R&D; to help lift the private sector and help grow jobs again; to keep our most vital commitments to seniors and to veterans and to those most at risk in our society, while still making responsible, steady progress toward reducing our crippling deficit and debt. We get the deficit down to less than 3 percent of GDP. At the end of the 10-year period, we stabilize our publicly held debt at 70 percent of GDP. These are the targets broadly agreed on by every major bipartisan group that has looked at the challenges facing the United States, our economy, and our budget.

I will remind you that the Bowles-Simpson Commission—a bipartisan commission—came up with a rough target of \$4 trillion in savings over a decade. This plan, this budget resolution, would achieve—in fact, would exceed—that target in a way that has balance and, I believe, is responsible.

I would be happy to talk further then, if I might, Mr. President, about some of the other issues contained both within our budget resolution and, in contrast, within the budget resolution coming over from the House.

As a number of my colleagues have spoken about moving on the Senate floor in recent days, one of the most important differences is in the future of the fundamental entitlement programs that are a part of the progressive legacy of FDR and LBJ and that were put in place with both Republicans and Democrats over many years, strengthening and sustaining them. We see a fundamental difference in direction between what has happened in the House and what we have proposed in the Senate.

To put it simply, in the House they would change Medicare from a Federal guarantee, from a program that provides health care to millions of Americans, to a voucher program, one where what the Federal Government provides is not a guarantee but premium support, a voucher, something that would shift costs onto seniors, onto States, and onto communities. In Medicaid, in my view, even worse—because it supports the most vulnerable in our country—they would turn it into a block grant. This would shift more than \$800 billion onto the balance sheets of States.

To talk further about these important differences and the values between the House and the Senate budgets, and to talk about its impact on the future of the United States, I yield 7 minutes to my colleague from the State of Rhode Island, Senator WHITEHOUSE.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank Senator COONS.

The Senate budget resolution that we have worked so hard on would, first, replace the harmful budget sequester, the effects of which are only beginning to be felt in our communities—with balanced deficit reduction. Second, it would invest in our crumbling roads, bridges, and water infrastructure. Our engineers give our infrastructure a D-plus. Clearly, we need to make that investment, and it would support continued job creation and economic growth.

Despite this sensible, balanced approach, not a single Republican supported this budget in committee. Republicans prefer to raid the programs that the middle class depends on, while protecting the rich and the well-connected.

A CBS News poll conducted last September shows that 78 percent of Americans favor continuing the current guarantee of Medicare coverage for seniors—78 percent. But the Republican budget would gut Medicare, turning it into a voucher program for those 55 and under—basically putting Medicare into a death spiral. And it would end the Medicare guarantee that has been the pillar of American retirement for half a century.

More than 3 million seniors right now save an average of \$700 a year on prescriptions because we closed the dread doughnut hole. Well, the Republican budget throws them right back in the doughnut hole, forcing today's seniors to pay an additional \$700 a year, on average, out of pocket.

Sixty million Americans got to college and were able to seize their dreams because of Pell grants. The Republican plan cuts Pell grants, dropping an estimated million students in this vital program. This Ryan Republican plan to turn Medicare into a voucher program is so extreme and so radical that even Republicans are speaking out against it.

Congressman DAVID MCKINLEY voted against the Ryan budget. He said, "My home State of West Virginia has the highest percentage of Medicare beneficiaries in the country, and I cannot support a plan that the Congressional Budget Office has determined would nearly double out-of-pocket healthcare costs for future retirees."

Of course, former Speaker Newt Gingrich described this plan as "right-wing social engineering." This Republican budget makes enormous mystery cuts in the budget. Chairman RYAN claims he can cut \$900 billion of appropriated domestic spending over the next 10 years. That means border security, that means the FBI, that means medical research, that means student financial aid, that means the grants that support our efforts to combat violence against women.

Under the extreme radical Republican budget, domestic discretionary spending will fall to its lowest level as a share of GDP since we started keeping track in 1962. There were not even Pell grants in 1962. There was not even Medicare in 1962. Their future is our distant past.

Chairman RYAN would push \$810 billion onto our States to shift costs to the States for Medicaid, and find another mystery \$962 billion in unspecified entitlement grants. He boasts that the Republican budget repeals ObamaCare but he puts all of the savings from ObamaCare in the budget.

He cannot have it both ways. It is not even an honest budget. It is politically, mathematically, and logically unrealistic. It is not a balanced budget so much as magical thinking. Even if the unrealistic program cuts in the Republican budget could be made, the plan ignores the economic damage that would result.

We have had the austerity experience. We have had the austerity experience in Europe. The evidence is in. Deep austerity cuts in Spain, Greece and Portugal caused persistent double-digit unemployment and negative growth rates. We may be impatient with our unemployment rate, we may be impatient with our low positive growth rate, but the countries that tried what the Republicans want to do have double-digit, 26-percent unemployment rates. Their economic growth is negative. Their economies are shrinking.

The Wall Street Journal just reported that industrial production in the UK after its austerity plans has fallen to its lowest level in 22 years and the country is looking at a third recession. The Republicans who want to emulate European austerity should consider what Jeremy Warner said in the conservative Daily Telegraph.

This is a truly desperate state of affairs. . . . We seem to have the worst of all possible worlds, with nil growth, some very obvious cuts in the quantity and quality of public services, but pretty much zero progress in getting on top of the country's debts.

That should be a warning. Not only is the Ryan Republican budget's magical thinking unrealistic, it is unfair. It achieves 100 percent of its deficit reduction by cutting government programs that benefit lower and middle-income Americans, while getting nothing—not one dime—from wealthy Americans or corporations. In fact, it would cut the high-end tax rate for corporations and wealthy individuals. It adds more tax breaks for the rich and well-connected, and goes after the lower and middle-class families.

The Republican budget cuts total education and workforce training, for instance, by an estimated 47 percent. It cuts \$135 billion out of the food stamp program, which helps feed the poorest

Americans. At the same time, if you are making over \$1 million, it offers you an average tax cut of \$330,000.

For the kind of money the Ryan Republican budget wants to give to the rich and the well-connected, they have to come after the middle class. Chairman RYAN's tax cut would require \$5.5 trillion in new revenue. To cover that pricetag, President Clinton revealed the hard truth. I will quote President Bill Clinton:

. . . they'll have to eliminate so many deductions, like the ones for home mortgages and charitable giving, that middle-class families will see their tax bills go up.

That is the promise of the Ryan Republican budget—middle-class families will see their tax bills go up. We do not. We take 7 percent out of that, which means we can focus on the corporate tax spending, we can focus on the high-end deductions, on the carried interest exception, so we do not have to go after the middle-class tax cuts.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. WHITEHOUSE. Let me close by reading one thing. We have just welcomed a new Pope. The Conference of Catholic Bishops had this to say about the Ryan budget last year:

Congress faces a difficult task to balance needs and resources and allocate burdens and sacrifices. Just solutions, however, must require shared sacrifice by all, including raising adequate revenues, eliminating unnecessary military and other spending, and fairly addressing the long-term costs of health insurance and retirement programs. The House-passed budget resolution fails to meet these moral criteria.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I am pleased to yield up to 10 minutes to Senator CRUZ of Texas.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CRUZ. Mr. President, I want to thank my friend from Rhode Island for his stirring remarks and, indeed, his powerful arguments against this Nation going down the road of Greece and Spain and much of Europe. Those were indeed compelling statistics of 27-percent unemployment in Greece, and negative nearly 7-percent growth in Greece. I found myself moved looking at those statistics that all of us should act, and act with leadership, to prevent going down that road, to stop the out-of-control spending, the out-of-control debt that put Greece and Spain in those circumstances.

We are right now in a situation where our Nation faces debt larger than our entire economy, greater than 100 percent of our entire economy. That is where the United States is right now. I would suggest the irresponsible policies of this Congress and

this administration are why we are seeing stagnant growth. Last quarter, our economy grew 0.1 percent. I found the speech of my friend from Rhode Island quite powerful for arguing why every Member of this body should vote against the Democratic budget that will be coming up for a vote, because it is clear that raising taxes \$1.5 trillion on top of the \$1.7 trillion tax increase that has already been put in place will only accelerate our path to where Greece and Spain and much of Europe are.

Adopting a budget that never balances in perpetuity, as sadly the Democratic budget does, will only accelerate our path to where Greece and Europe are. So I thank my friend for that stirring recitation.

I would note also that tomorrow is an important milestone. Tomorrow is the 3-year anniversary of the adoption of ObamaCare. As we vote later today, I will be introducing an amendment to establish a deficit-neutral reserve fund to provide for the repeal of ObamaCare.

ObamaCare was passed with many promises. Yet the reality is it has not delivered. When ObamaCare was being proposed, the President told Americans, the average American family would see our premiums drop by \$2,500. Instead, today, the average American family has seen our premiums rise by \$3,000. That is a \$5,500 difference between what was promised and what has been delivered.

Young people in particular have been hit incredibly hard by ObamaCare. The actuaries predict that young people trying to climb the economic ladder could see their premiums rise anywhere between 145 percent and 189 percent.

Seniors also have been hit severely by ObamaCare. As a result of ObamaCare, some 14 million, nearly 15 million seniors are on Medicare Advantage. Half of them will lose their Medicare Advantage coverage as a result of ObamaCare. Seven million seniors will lose Medicare Advantage. I would note, a very large percentage of those are low-income seniors, are Hispanic seniors, are African-American seniors.

Every one of us should ask, when confronted with Hispanic seniors in our State, why is it that we are content to see 7 million seniors lose their Medicare Advantage program. I would suggest we should not be.

Last Wednesday, all 45 Republicans stood united voting in support of an amendment I offered to delay funding ObamaCare at least until our economy gets growing. Our economy is stagnant right now. It is not growing. Last quarter it was 0.8 percent. Sadly, every Democrat who voted to continue implementing ObamaCare even as the economy is gasping for breath and to risk very potentially knocking this Nation into a recession.

I would urge this body to reconsider this decision, when so many people are

hurting, not to put the kind of impact that could send this country backwards into a recession. ObamaCare itself includes some 20 tax increases, over \$1 trillion. Many in this body talk about the middle class. Many of those tax increases fall directly on the middle class.

Yesterday, over 70 members of this body voted against the medical devices tax. I celebrate that. That is a terrific recognition of the tax burdens of ObamaCare. I hope that amendment is not simply voted on in an aspirational sense, but that it becomes law and we repeal that amendment. But I would suggest the medical devices industry, a critical industry, employs a virtual army of lobbyists. The lesson yesterday illustrated is if you are wealthy, if you are connected, if you are an important industry with lobbyists that can get Senators to come to cocktail parties, you too can see some of the burdens of ObamaCare perhaps lifted from you.

But as we voted for that—I happily voted to lift that tax—it struck me, what about the millions of small businesses that do not have lobbyists in Washington, that do not have the ability to corral Senators and say: It is so important that this burden not fall on me. We respond, quite rightly, to the pleas from one power industry and yet we ignore the pleas from the mom-and-pop shops, from the millions who are struggling.

I will note, if you look at the Hispanic community, there are 2.3 million Hispanic small business owners in this country. Roughly one in eight Hispanic households is a small business owner. But you know what. They do not have lobbyists here who capture the attention of some 70 Senators. Instead, they face the costs and the burdens from ObamaCare.

I want to read to this body a couple of recent press stories illustrating that this is not a Republican talking point or a Democratic talking point. These are the facts. This is what is happening under ObamaCare. The Associated Press on March 13, 2013, so just earlier this month, reported—this is the opening line of the story:

Some Americans could see their insurance bills double next year as the health care overhaul laws expand coverage to millions of people.

It goes on to say:

The biggest price hikes are expected to hit a group that represents a relatively small slice of the insurance population. That includes some roughly 14 million people who buy their own insurance as opposed to being covered under employer-sponsored plans, and to a lesser extent some employees of smaller companies. Yet again, the impact of ObamaCare hitting small businesses, hitting the struggling entrepreneurs.

I would note, two-thirds of all new jobs in our economy come from small businesses. If this body continues to make it harder for small businesses to

survive, we will continue to see 23 million Americans out of work, because the new jobs are going to come from small businesses, and we cannot continue to put more and more costs and burdens on them.

The Associated Press continued:

Young people who currently have low-cost coverage may see some of the biggest hikes.

To all of the college kids right now who stood for “hope and change,” to all of the young people who are coming out of school struggling to find jobs and are not able to find jobs right now, I would point out that what the Associated Press reported is that alone, the ObamaCare impact could cause the premium for a 24-year-old who pays \$2,400 annually to jump \$1,800. As their resumes go up, as they see additional dollars taken out of their pockets, as they are struggling to climb the economic ladder, I hope the young people realize the cause for those impacts.

Just this week, the Washington Post, hardly a bastion for conservative thought, had a major story headlined “Health-care law uncertainty grips Old Town Alexandria cafe—and other small businesses.” It explained there is a cafe in Old Town Alexandria which employs 45 people. The owner says:

There is tremendous confusion and fear among many of my competitors and other business owners in my network, particularly about what you have to cover and how you have to report.

This comment was by Hugh Joyce, owner of James River Air Conditioning in Richmond. Continuing:

In speaking to them, I am convinced that the primary reason we aren't seeing a robust economic recovery is the uncertainty and costs associated with this health-care law.

This is from a small business owner saying why don't we see growth, why don't we see the economy blooming? Because ObamaCare stays in force and it is crippling jobs.

The Washington Post continues:

One in eight small-business owners who responded to a survey by the National Federation of Independent Business said their insurance providers had notified them that their plans would be terminated. A study released last week by Adecco, a human resources consulting firm, showed that nearly a third of employers said they stopped hiring or cut their workforce because of the law.

The ACTING PRESIDENT pro tempore. The Senator has used his 10 minutes.

Mr. CRUZ. I urge ObamaCare be repealed.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. I yield 5 minutes to the Senator from Vermont.

Mr. SANDERS. Mr. President, I rise to offer support for an amendment I will be offering, No. 198, which establishes a deficit-neutral reserve fund to protect the benefits of disabled veterans and their survivors, which may or may not include CPI.

This amendment is supported by the American Legion, which is the largest veterans organization in our country, AARP, the Veterans of Foreign Wars, AFL-CIO, Disabled American Veterans, National Committee to Preserve Social Security & Medicare, Gold Star Wives, and Alliance for Retired Americans. This amendment is supported by every veterans organization, every major senior organization, 12 million workers in the AFL-CIO, every disability organization, and the National Organization for Women.

Why are they all supporting this amendment? They understand at a time when millions and millions of veterans are struggling to keep their heads above water economically, when we have millions of seniors today who are having a difficult time purchasing the prescription drug they need, food they need, and the ability to heat their homes, it is cruel and immoral to turn our backs on veterans and seniors to make disastrous cuts for the benefits of disabled veterans and for seniors.

Under the chained CPI, a disabled veteran who started receiving disability benefits at age 30 would have their benefits cut by more than \$1,400 at age 25, \$2,300 at age 55, and \$3,200 at age 65.

Memorial Day is coming. I know many of my colleagues around the country will give speeches to veterans and tell veterans how much they support and respect the sacrifices they have made. It is time to go beyond fine rhetoric and fine speeches if we are serious about protecting the needs of veterans. Now is the time to stand tall. They have protected us. Now our job is to protect them. It is wrong to balance the budget on the backs of disabled veterans, pure and simple.

What the chained CPI would do to seniors on Social Security is equally bad. In my State we have many seniors—and I daresay in Maine as well—who this winter wonder how they will find the money they need to heat their homes and to purchase the prescription drugs they need. Many of them are living on \$13,000, \$14,000 or \$15,000 a year on Social Security benefits. The chained CPI would say to them, if you are 65 today, by the time you are 75, your benefits would be cut by some \$650 a year. By the time you are 85, your benefits would be cut by \$1,000 a year.

I will offer another amendment above and beyond the chained CPI, which makes the point every single year we are losing tens and tens of billions of dollars. The largest corporations in this country are putting their money in the Cayman Islands and Bermuda and paying zero—zero—in Federal income tax. One out of four profitable major corporations pays nothing in Federal income tax, including some of the Wall Street firms we bailed out a few years ago.

What this whole debate is about is how do we go forward with deficit re-

duction in a way which is fair, a way which is moral, and a way which calls for good economic policy. I would argue when some of the largest corporations in America pay zero in Federal income taxes, before we cut Social Security and benefits for disabled veterans, ask those people to start paying their fair share of taxes.

We are in a horrendous recession. Real unemployment is over 14 percent, counting those who have given up looking for work and are working part-time. Median family income since 1999 has gone down by \$5,000.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. SANDERS. Let us not balance the budget on the backs of the most vulnerable people in our country.

I ask unanimous consent to add Senator WHITEHOUSE to my amendment No. 198.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Delaware.

Mr. COONS. If I might, I simply wanted to reassure those who might be watching in the Chamber the Democratic budget and resolution which is pending on the floor reflects some of our most fundamental values and makes responsible progress toward reducing our deficit. We have already done more than \$2.4 trillion toward deficit reduction since the time the Bowles-Simpson Commission suggested an overall target in reduction of \$4 trillion in Federal spending. With this additional \$1.85 trillion, we will get to about \$4.25 trillion. We are making responsible progress.

As my colleague from Vermont and many others have come to the floor and spoken about, we need to do this in a way which still keeps our commitments to America's seniors, America's veterans, and the most low-income and vulnerable in our communities. We need to do it in a way which both stabilizes our deficit and debt, makes critical investments in growing our economy, and preserves the core of the programs on which Americans rely.

This is not just about numbers, it is also about values. It is also about priorities.

If I might, before I yield to the full committee chair, I wish to say I am grateful to Chairman MURRAY for everything she has done to bring us to this point. In the 3 years in which I have served in the Senate as a member of the Budget Committee, we have not had a budget resolution on this floor.

The very difficult and very long process we are about to go through may be a reminder of how challenging legislative compromise can be. It is my hope we may engage in a thorough and vigorous debate and yet by the end of this legislative day we will have a budget out of the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. As we consider the budget which is before us today, I would call my colleagues' attention to the fact that the Democratic budget, the Murray budget, was voted down in the House of Representatives 2 days ago by 107 votes. One-fifth of the Democrats, one out of five, 20 percent, voted against this budget. No Republicans voted for it.

This may be because, as Politico said, "to win over her caucus, MURRAY begins from the left of Obama himself." With regard to independent evaluations of the budget, the United States USA Today editorial on March 15 said this:

The plan produced by the Senate Budget Committee Chair, Patty Murray, D-Wash, is a disappointing document. It is a namby-pamby plan that underwhelms at every turn.

The Murray budget neither balances the budget nor reigns in entitlements.

It would help the Nation's Democrats if they were to embrace the goal of a Ryan budget.

This is the view of USA Today, the largest print in the country.

The Washington Post said on March 15: "This document, gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament."

The Wall Street Journal, Investment Business Daily, The Hill, all of these have comments in somewhat the same vein.

What is our problem? Our problem is spending.

People say: SESSIONS, this is just what Republicans say, and we say it is not taxing the rich enough.

There is a fundamental issue about spending. I dealt with and asked questions of Mr. Elmendorf, our CBO Director, on this very subject. It went to this point: Colleagues, we need to understand it. The American people need to understand it. Taxes, whatever rate they are, tend to grow with the economy. If the economy is going up 2 percent, more people make a little more money and taxes tend to go up 2 percent.

If the economy is growing at 2 percent and your spending is going up 5.4 percent, then you have a problem. You could raise taxes.

I asked Mr. Elmendorf about this. Even though we had a trillion-dollar deficit last year, a 1,000-plus billion-dollar deficit last year—unbelievable debt—almost 35 percent of the money we spent last year was borrowed. We will pay interest on that for decades to come. There is no plan to pay it down in any significant way.

I asked Mr. Elmendorf, if we raise taxes, instead of \$650 billion as we did in January, if we raised them enough to balance the budget, would we stay in balance.

He acknowledged, if the economy continues to grow at 2 percent and

growth of spending is at 5 percent, we will immediately be back into a problem area.

In one sense, this is the very definition of unsustainability. This is the very definition of the problem we have that spending is growing faster than the economy. It cannot maintain itself at that rate.

We can spend, and we can say we have a balanced plan, a balanced program, a balanced approach, as my colleagues have done. They know this budget never balances, not in 1 year, not in 10 years, not in 50 years. It will become worse in the second 10 years. It absolutely will be worse.

This is the path which, as Senator CRUZ just indicated, Greece, Spain, and Italy have followed. This is why they are in trouble.

My colleagues say the economy isn't growing well, and it is not. We had virtually zero growth last quarter, zero. We are supposed to be moving out of the recession. As I pointed out last night, the CBO, for the last several years, has been predicting 4 percent growth but not this year. After missing about 2 percentage points for the last several years, they are predicting low growth this year.

What do our colleagues say? They say they have a balanced approach. They keep stating this.

I grew up in the country, where I went to a great little school. There were 30 in my senior class. I am proud of my classmates. My classmate is now president of the University of Alabama—out of our little class.

I know what a balanced approach means. It means nothing. A balanced approach is an unaccountable statement. It provides no ability for the American people to ascertain whether we are doing anything they promise because they don't promise anything. We promised a balanced approach. What does that mean?

Does it mean we raise taxes and cut spending by the same amount, \$1 trillion each or does it mean we raise taxes by \$1 trillion and raise spending by \$1 trillion? They want us to believe they raise taxes by \$1 trillion, they cut spending \$1 trillion, and reduce the deficit \$2 trillion. That is what they are suggesting to the American people. They are using the word "balance" and they hope people will hear it and think this means we have a balanced budget. They know they do not have a balanced budget. They won't tell the American people they do not have one, they just use the word. But it is not in their document.

Where and when do we hold people accountable in this Senate for an accurate statement of legislation? It is wrong. We have counted so far—this is pretty incredible—I think they have used the word "balance" 191 times. Does that reflect a guilty conscience or something, that they want people to

think we have a balanced budget? We think we have a plan to get to a balanced budget. Oh, we have a balanced approach. But what does that mean? It means zero. The American people need to know this plan has no vision for America and it misrepresents what it does.

I know it is hard to write a budget with the Democratic Conference, which Politico says is being written from the left—by President Obama himself. I think that is probably accurate. The President's plan is irresponsible also. He has no real plan to do any of this, and he has publicly stated he does not think a balanced budget is important.

May I ask the Chair—we are moving along here, and I know there are other speakers coming, probably on both sides—to clarify our time situation and what the status is?

The ACTING PRESIDENT pro tempore. The Senator from Alabama has 17 minutes remaining and the Senator from Washington has 25 minutes 50 seconds remaining.

Mr. SESSIONS. All right, fair enough.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am very proud of the balance we have put forward in our budget that makes sure all Americans in this country participate in solving the great crisis in front of us in terms of managing our debt and deficit. We are doing exactly what the American people have asked us to do—making sure that everyone participates.

To me, as someone who has been involved for a long time in taking care of my own family and my community, balance is an important word, and I am very proud of the balance we put into this in terms of the American public.

Mr. President, I yield 5 minutes to the Senator from Iowa.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I want to speak to amendment No. 202 by Senator CRUZ, which we will be voting on shortly.

The Senator from Texas informed us that the amendment would repeal the Affordable Care Act. Well, that approach has already been rejected by the electorate, I would just reference, in the last election. Also, we have had more than 35 separate votes in the Congress about that and we have always upheld the Affordable Care Act. But I want to focus Senators' attention on something that is in the Cruz amendment that they may not know.

When we passed the Health Care and Education Reconciliation Act of 2010, not only did it contain the health care portion of it, but it also had a portion in there on education. What we did was to stop that old system of subsidizing banks for student loans and changed it into a direct loan program.

That was about a \$61 billion transfer from the banks getting these risk-free government subsidies to basically putting it in so that students could get more of the money. So under that provision, for example, \$36 billion of those savings went to increasing the Pell grants. So now we have a higher Pell grant award and it is indexed to the rising cost of living.

The Cruz amendment—maybe the Senator didn't understand it when he drafted it—in the drafting of it, does away with that. So if my colleagues vote for the Cruz amendment, they are, in fact, voting to cut Pell grants. Go back and tell your colleges and universities that. You may not know that, but that is what is in that Cruz amendment.

Also, \$2.55 billion went to investments in historically Black colleges and universities serving minority students. That would be cut out with the Cruz amendment. Another \$2 billion went to community colleges, and that would be cut out by the Cruz amendment.

So it is not just the Affordable Care Act, folks, that is being cut or done away with by the Cruz amendment but all of the things we did to bolster education for minority students and for disadvantaged students, and in raising the Pell grants. I would ask my colleagues to talk to their private colleges, talk to their universities in their States and see what they think about this. See what they think about cutting down on the Pell grants. That would be the exact result of passing the Cruz amendment.

There is one other thing we did in that portion of the reconciliation bill. We also put in place a more generous income-based repayment system so that students who graduate from college can base their repayment on a smaller portion of their discretionary income. We capped it. We capped the student loan repayment to 10 percent of discretionary income so that when students get out and get a job, they only have to pay a maximum of 10 percent of their discretionary income to repay their student loans. That would be done away with in the Cruz amendment. I wanted to point that out. Maybe the Senator didn't realize it when he drafted the amendment, but that is the way it is drafted and that is the way the vote will occur. So if my colleagues think they are just voting to do away with the Affordable Care Act, look again at the amendment. It is not just that, it is education funding also. So I wanted to point that out.

We are going to hear a lot about a lot of bad amendments coming up today, but this is truly a very bad amendment. Maybe it should have been drafted differently to accomplish what the Senator from Texas wanted. If that was a clean vote on doing away with the Affordable Care Act, fine, if he wants

to do that, but the way it is drafted it cuts Pell grants, assistance for community colleges, and all the things we did to help students get a higher education in this country. I wanted to let Senators know that.

If I have at least 30 seconds or 60 seconds left, Mr. President.

Mrs. MURRAY. Mr. President, I am happy to yield 3 additional minutes to the Senator from Iowa.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I invite all Senators, before we start voting today, to read the Washington Post this morning, the front-page story: "On Montana Reservation, Cuts Hit Hard." It talks about the Fort Peck reservation and what is going to happen there to these students and these families on this reservation. Please read it. Please.

How can we be so cruel? How can we be so heartless? How can we be so immune from understanding the impact of the sequester and what is happening to poor kids? This is one classic example.

As one teacher there said: You know, if you have a lot and you cut 5 percent, that is not much. But when you don't have anything, cutting 5 percent really hurts.

The article talks about how much they are going to lose in their Head Start Program, how many students are going to lose because they do not have support systems on the reservation. It tears your heart out to read this.

I think about the kind of votes we are going to be having today and the impact of those votes on these kids and these families on this reservation. They have no place else to turn. They have no place else to turn. It is not as though they have property taxes on the reservation. They do not have that. They do not have businesses there. They do not have anything. But you know what I would like most of all for colleagues to know? One person was quoted as saying: This is not something we are giving our Native Americans, this is something we owe them. This is something we owe them. Read your history—all the land we took from them. Helping them on reservations is not a gift. We owe them this. And now we are pulling the rug out from underneath them.

Read about this young girl whose mother committed suicide and her father is in a drug treatment program in Minnesota. She is 15 years old and she is trying to make it, yet we are telling her—basically, with our votes here and with this sequester—we don't care. I ask people to read that before we start voting today and let your conscience be your guide.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to thank the Senator from Iowa for his

long-time passion for young people in this country. As chair of the Education and Health Committee, he has committed his time to making sure those who are least among us have opportunity in this country. That is so important. He has spoken eloquently against the Cruz amendment, reminding all of us that amendment isn't just about repealing health care but actually taking away the ability for students to be able to go to college on Pell grants and student loans.

I would not be standing in front of us today if our country hadn't invested in me way back to give me the ability to go to college on student loans and Pell grants. So I want to thank him, on behalf of a very grateful country, for his long-time work on this. And as we all know, the Senator will be retiring. We will miss his voice, but his passion will always remain here.

With that, Mr. President, I suggest the absence of a quorum.

Mr. SESSIONS. I do have some remarks, and we will be having some speakers, who I think are on the way.

Mrs. MURRAY. I withhold my request.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Well, the Ryan budget is not going to get rid of Pell grants. Is that the level of debate we have degenerated to here? The Ryan budget says we are not going to try to balance the budget too quickly. We are going to do it over 10 years. We will reach a balance.

We have calculated—and it is not disputed—that you can increase spending every year 3.4 percent and the budget will balance. You don't have to cut spending. When they talk about cuts, they are talking about reducing the projected rate of growth, and that is why we are going broke. That is why this country is losing its moorings. We have defined cutting spending as reducing the rate of growth.

You cannot sustain 5-percent growth—5.4-percent growth—when your economy is growing at 2 percent. And the experts tell us we are at a new normal and we are not going to see 5-percent growth in the future—not likely. We might have a year or two of it. Bill Gross and his group at PIMCO, the great bond company, coined the phrase "the new normal," and the new normal is that a mature economy such as ours, with an aging population, is not going to sustain some of the 9- and 10-percent growth rates that new and developing nations that are down here can achieve. I think that is probably something we have to accommodate, but we need to have policies that create as much growth as possible. That is absolutely true.

We had no growth last quarter—zero. The Congressional Budget Office has been predicting 3- and 4-percent growth

the last 3 years. It is not there. It is not happening. The reason it is not happening is we have too much debt. The studies of the European Central Bank, the International Monetary Fund, the Bank of International Settlements, and the magnificent "This Time It's Different" by Rogoff and Reinhart demonstrate that statistically, empirically, when nations have this high a debt—we are at 104 percent of GDP, and Rogoff and Reinhart used the gross debt of America, which is almost \$17 trillion now, comparing the gross debt to the size of our economy—that the debt we are carrying is larger than our economy and we have to pay interest on that.

There are a lot of other ramifications and instabilities and concerns that ripple through businesses and foreign investors who are going to create jobs in America, but all sorts of people lose confidence in the country when the debt reaches that high. They say, from their studies of over 200 years of every country that has gone into fiscal crisis, that the debt began to pull them down. They conclude—these Harvard professors—that we could lose 1 to 2 percent of growth.

We are not growing. This is the slowest recovery from a recession since World War II, and I don't think this debt has been recognized in and of itself as a detriment to the economy. But what do our colleagues say the answer is? Tax more on the economy and borrow more. Don't reduce our debt. Get the sugar high now, as Mr. Gross at PIMCO said. All this borrowing and spending creates a sugar high and you have a hangover later.

This is so simple. You can't create something from nothing. You know, Julie Andrews had that great, great song in the "Sound of Music," "Nothing comes from nothing, nothing ever could."

I met a man in Evergreen, AL, in a townhall meeting, who said: My daddy always said that you cannot borrow your way out of debt.

We need to listen to that kind of logic. I don't know who these people are who say that Paul Krugman said we can borrow, borrow, borrow. The other day, he said he didn't care—even if the Defense Department had a wasteful program. He said that we should not cut those programs. How ridiculous is that? I think that kind of thinking is the drive behind this budget, that we have to keep spending even if we keep running up the debt and somehow that is going to make America better and create economic growth.

I am worried about our working people. They are not doing well. Wages have not gone up in a decade. They are slipping below inflation. It is an absolute fact that has happened. The smart people in high-tech companies are doing well. A lot of them are making money. There are certain sectors of the

economy that are doing well, but the economy itself is not moving, and I believe the net reason is revealed in the Rogoff-Reinhart analysis, which says that higher debt pulls down growth. So we have to do what families do and States have done and cities have done, and that is to tighten our belts a little bit.

We are proud of the food stamp program, also known as the SNAP program, but we find that it has all kinds of fraud and abuse in it, and it needs to be tightened up. I reject the idea that it is bad for the economy or will hurt people who are legitimately in need of food. We have not done anything like that since the 1996 welfare reform. We need to be doing that throughout the government.

One of the ways to create economic growth is to make American Government more productive and lean. Wouldn't that help? Let's ask this question: Is Mr. Krugman right? Should the government just spend regardless of whether the program is any good? Shouldn't we say to ourselves: Isn't it clear without any real dispute that if our government spent its money on things that are productive for America, this would make America stronger? We have to eliminate every single wasteful program. We don't have a single dollar to waste.

Our colleagues here are saying to the American people that there is nothing wrong. Our government is fine. We cannot cut any program. If we do, we will deny kids the right to go to college.

There is no reason Pell grants have to be salvaged, but maybe they need to be constricted a little bit. Maybe there are some abuses in those programs.

The growth of spending can increase every year at 3.4 percent. We are not required to damage, savage, or devastate the American economy to get the budget balanced. I appreciate the opportunity to share these remarks. I really believe the budget process is a bit messy and frustrating, but it is a good one. It has allowed us all to talk honestly about the great choices we face.

I am pleased to see Senator THUNE, a supporter of the leadership on the Republican side, an outstanding Senator and longtime member of the Budget Committee who has been engaged in the financial issues of our time for quite a number of years.

I yield to Senator THUNE at this time.

Mr. THUNE. If I might, I thank the distinguished ranking member of the Budget Committee for yielding, and I will pose a question to the Senator, if I might.

I heard Senator SESSIONS say earlier and put up a chart which suggested that the term "balanced" had been used 191 times by the other side in the course of this debate. Is that correct?

Mr. SESSIONS. That is correct. We probably missed a few.

Mr. THUNE. That may be an incomplete count, but nevertheless the Senator and his staff counted 191 times where the word "balanced" has been used. As the Senator from Alabama very fittingly pointed out, there is nothing balanced about this budget. In fact, this budget doesn't balance in 10 years; it doesn't ever balance.

The other thing I would suggest to my colleague from Alabama is that in the course of the debate, it has become clear to me—and I think clear to anybody who has been observing this—that the so-called balanced approach they advocate is anything but balanced.

We have a \$1.5 trillion tax increase. We have a spending increase that is at 62 percent over the course of the next decade—a net spending increase notwithstanding their assertions that somehow this is a reduction in spending. The whole idea that this is "a balanced approach" strikes me as a big charade. I think that is what this entire budget is. That is why all the editorial pages across the country, including those from newspapers that are not considered the least bit conservative—many of us in the Chamber who are on this side of the aisle expect most of the newspapers around the country and their editorial pages to attack Republicans and Republican budgets—have absolutely eviscerated in their editorial comments the budget that has been put forth by the Senate Democrats. I think it is simply because it is anything but balanced.

When they used the word "balanced" 191 times on the floor of the Senate with regard to this debate, if we think about the "balanced approach" they talk about—even when we were dealing with the fiscal cliff, they talked about a balanced approach, but there was no balance there. It was all tax increases. There was a \$620 billion tax increase. Over the course of the President's first term, we got a \$1 trillion tax increase with ObamaCare. If we add those together with some other tax increases that have been added on, we are at \$1.7 trillion in new taxes—or new revenues, as they say.

We want balance. Well, we have \$1.7 trillion in new revenue already, and then they are talking about another \$1.5 trillion in taxes. Really? Where is the balance in that? This is all about raising taxes and growing government at the expense of the economy.

I say to my colleague from Alabama, we are going to vote on an amendment pretty soon by the Senator from New Hampshire, Ms. AYOTTE, that raises a point of order against any tax increase that would occur until the unemployment rates gets back down to 5.5 percent, which is what the President and White House said in 2009 would be the unemployment rate by now without the stimulus. It is hard to imagine that after spending \$1 trillion that was borrowed from our children and grand-

children to "stimulate the economy" and still having an unemployment rate that hovers around 8 percent, they would be talking about yet more taxes when we know that raising taxes does nothing but hurt the economy and hurt job growth.

If the real goal is to get deficits and debt under control—my colleague from Alabama shares my view—the best way to do that is to expand the economy. We need to have people working again, investing, and paying taxes. We don't need less revenue, we need more revenue in order to have a growing economy. That is what we should have before us. This budget does the opposite. It adds \$7.3 trillion to the Federal debt and raises \$1.5 trillion in new taxes on top of the \$1.7 trillion tax increases we have already seen in the last 4 years under this administration. This is a completely wrongheaded approach, which is why it is not just the Republicans in this Chamber who are saying that, it is the so-called independent folks out there in the media who say it on their editorial pages. They are calling it what it is. It is a charade.

There is nothing about this exercise we are going through here on the Senate floor this week that will solve the Nation's fiscal problems or get people back to work or get this economy growing again. I say that in terms of a budget. The budget is supposed to confront harsh realities, and it is supposed to set a vision and blueprint and pathway for the future.

If this is their pathway—ignoring the problems and sweeping them under the carpet—as far as the long-term structural challenges we face with regard to Social Security and Medicare, this does nothing to protect those programs. It does nothing. There is no reform in here. There is not anything in here that prolongs the programs that people rely on today that are headed toward bankruptcy. At the end of this decade, according to the Congressional Budget Office, that is going to represent 91 percent of all Federal spending. Think about that—91 percent of all Federal spending will be composed of mandatory programs. Only 9 percent of the entire budget will be left over to pay interest on the debt, national security, and all the other discretionary things the government funds.

This budget does nothing to address the long-term structural fiscal imbalances that face this country. Yet it relies on the same old tried-and-failed policy: Well, let's just raise taxes a little more. It will be a tax increase on the rich because Lord knows we are the defenders of the middle class.

Let me tell the middle class in this country, they cannot raise taxes enough on the rich to do all the things they want to do in the form of growing government and increasing spending. This is going to hit and penetrate middle-income Americans. Middle-class

families are going to get hit with higher taxes because the appetite to spend on the other side is endless. It just goes on and on and on, and we are not doing anything to address that.

We have a spending problem in this country, not a revenue problem or a tax problem. It isn't that we spend too little or that we tax too little, it is that we spend too much, and that is what we need to address in this budget. That is where this budget falls terribly short.

It is an incredible disappointment to finally—after 4 years—have a budget on the floor of the Senate that is inadequate to the future of America and relies on the same old failed policy that raises taxes and hurts economic growth and hurts job creation.

We are still hovering at 8 percent unemployment. In the last 4 years, we have added \$6 trillion to the Federal debt. We have a sluggish economy that is growing at 1.5 to 2 percent, and for the 4-year average it has been less than 4 percent. The 60-year historical average is 3.3 percent economic growth. If we got back to the normal economic growth pattern average over the last 60 years, these fiscal challenges we face would be so much smaller by comparison simply because a growing economy helps address all of these problems we are talking about today. Unfortunately, the budget we have before us doesn't focus on growing the economy; rather, it focuses on growing the government, and that is where it falls so miserably short.

It is really unfortunate that is the vote we are going to have today. Many of the amendments we are going to vote on are an attempt to improve it. I hope that the Ayotte amendment will pass and that the tax increases included in this budget—that the point of order will be approved and will deny any tax increase until we get the unemployment rate back down to 5.5 percent. That is where it should be. If we have a growing economy, it would be closer to that number.

I support the good efforts of my colleague from Alabama. He has been here on the floor for many, many hours over the last couple of days doing yeoman's work by pointing out the shortcomings in this budget that we are considering before the Senate. The Senator from Alabama has laid out a very different vision for how we can solve these problems.

It is really ironic. I am sure this is—The ACTING PRESIDENT pro tempore. The minority time has expired.

Mr. THUNE. Mr. President, I yield back our time so our colleagues have an opportunity to use the term "balanced" a few more times before this debate concludes.

I yield the floor.

CHILDREN'S BUDGET

Mr. MENENDEZ. Mr. President, I ask to be recognized to engage in a col-

loquy with my good friend from Washington, the chairman of the Budget Committee, Senator MURRAY.

I want to commend the chairman's tireless efforts on this budget resolution. She has done the yeomen's work in crafting a document that reflects the values of our caucus in a balanced and pragmatic way. This stands in sharp contrast to the polarizing and ideologically driven budget our friends in the House passed earlier this week. As you know I have introduced legislation in the last three Congresses to create what I call the "children's budget." This bill would require that the executive branch agencies include in their annual budget request to Congress a detailed analysis on children's programs. This analysis would include a breakdown of the appropriations, spending levels, and obligational authority and outlays for each program specifically targeted towards children or that serve children as a major component of their mission. Importantly, this would include an analysis not only of the fiscal year for which the budget request is being made, but also the previous and current fiscal years, to provide the Budget Committees and the Appropriations Committees with a comprehensive look at how funding is affecting the youngest Americans.

I have filed an amendment to this concurrent resolution that seeks to address this very issue by encouraging the Appropriations Committees to request the analysis of children's programs contingent on the agencies' funding. However, I understand through conversations with the Senate Parliamentarian and others that indicate such an amendment might not comport with the strict requirements and procedures of a budget resolution. Is this the chairman's understanding as well?

Mrs. MURRAY. I want to thank my friend from New Jersey on his previous work to highlight how our budget impacts children and on his efforts to do so again today. I agree with him that it is important that we have a full accounting of how the Federal Government serves children throughout our Nation. However, my friend is correct, and due to the strict procedural guidelines of the budget resolution an amendment that is primarily focused on executive branch agencies falls outside the scope of a concurrent resolution such as the one we are debating today. However, I want to assure my friend that I will work closely with him to find a path forward on the children's budget and achieve our shared goal of ensuring that the government is doing its best to efficiently and effectively serve our Nation's children.

Mr. JOHANNIS. Mr. President, I rise today to seek support for an amendment to the budget resolution that would discourage aerial surveillance of farms by the Environmental Protection Agency.

Last year, we learned that EPA had been conducting aerial flyovers of livestock operations in Nebraska, Iowa, and other states. Needless to say, farmers and ranchers were not excited about EPA flying over their operations and taking pictures of their farms and homes, which are often the same thing. I tried to get straight answers from EPA about what they were doing, but they were never willing to be forthcoming about this program.

In an age when satellite imagery allows us to see the cars parked in our driveways, one might be tempted to ask, what's the big deal? Well, the problem is EPA's recent track record on agriculture and what they may do with this information. In spite of several high profile outreach events to farmers, I continually hear about EPA's dismissive attitude towards the people who work hard every day to put food on the plates of millions of people.

Some members of this Administration and the media have mocked us farm state Senators for "crying over spilled milk" and fretting about "phantom dust rules." But we were not using these fears to whip up farmers into an anti-EPA frenzy. Yes these rules were far-fetched, but what had farmers justifiably worried was that EPA was actually considering them.

It took months and several votes before EPA backed off on its attempt to regulate milk spills like oil spills. It's the same story on farm dust. Harvesting crops and driving down country roads is dusty work, especially when we have persistent drought like much of the country is in now.

But EPA still took months to decide that it would not regulate dust. Internal policy documents at EPA recommended that particulate matter standards be revised to include coarse particulate matter, also known as dust. We should have had a final answer from EPA right away that they would not regulate dust, but it took the threat of legislation to force their hand.

And that's just the low-hanging fruit. I've heard many stories of overly aggressive enforcement by EPA where they don't even need new regulations. Regulated entities can find themselves slapped with multiple fines with a time-consuming appeal process, in spite of their best efforts to comply with the numerous regulations we place on them.

The last EPA Administrator, Lisa Jackson, said that her biggest regret was her poor relationship with rural America. Well, that was certainly frustrating to me as well. But she found an odd way of expressing that regret. In the waning days of her tenure, she released private information on thousands of farms to several environmentalist groups.

It's no secret that environmental groups based in New York, Philadelphia, and San Francisco don't always

get along with farmers and ranchers in states like Nebraska. These groups do not regulate pollution. Congress has not told EPA to release information to them.

Their only interest in agriculture is in radically reinventing crop and livestock production based on idealistic notions and not on the reality of what it takes to feed the world. Why EPA decided it was prudent to release farmers' and ranchers' personal information to these groups is beyond me.

Is it really any wonder why farmers and ranchers don't believe EPA supports agriculture? They don't trust EPA . . . and they sure don't want them doing low-altitude surveillance flights over their private property.

These concerns are bipartisan—last year we voted on an amendment to stop this surveillance and it received fifty-six votes from members of both parties. Yet, EPA has not been forthcoming about this program and has never been willing to answer basic questions about the number of flights they conduct.

In fact, we never received any information from EPA headquarters—only from a regional office—despite multiple requests. The public deserves open and honest information about the agency's use of aerial surveillance across the country.

So, until EPA takes a more common-sense, transparent approach, we need to stop the EPA's aerial surveillance of our agricultural operations that has raised significant privacy concerns. This amendment does that, yet it does not hinder the use of traditional on-site inspections to ensure our waterways are clean.

I ask my colleagues to support this amendment.

Mrs. FEINSTEIN. Mr. President, the Senator from New Hampshire, Ms. AYOTTE, has filed Senate amendment No. 161, which reinforces the current requirement for the Department of Defense to be fully financially auditable by the year 2017. I fully support the amendment and have joined as a cosponsor, as auditability is an important step to managing a budget, especially one in the hundreds of billions of dollars.

I wish to clarify, however, that the amendment should not be seen as superseding existing requirements for agencies within the Intelligence Community, including those in the Department of Defense, to be fully auditable by 2016. The Select Committee on Intelligence, which I chair, has been pushing the intelligence community for years to improve its auditability, and I am pleased to say that recently there has been significant progress in this area. We will continue to conduct oversight and ensure that agencies have the tools and resources they need to be fully auditable by 2016, notwithstanding the 2017 date for auditability by the rest of the Defense Department.

The Intelligence Committee staff has confirmed with Senator AYOTTE's office that this is the Senator's understanding and intent with the amendment as well.

Mr. BEGICH. Mr. President, I rise in support of amendment No. 136, which creates a prohibition on funding for the Medium Extended Air Defense System, MEADS.

This amendment is consistent with the House Appropriations, House Armed Services, and Senate Armed Services Committee positions to stop wasting taxpayer dollars on this bloated, inefficient program the Department of Defense doesn't even intend to buy.

In February 2010, the Department of Defense stated in a memo, which is available online, that the program has "encountered significant schedule and cost overruns since its inception in the 1990s."

I want to stress that we have been investing in this system since the 1990s and it hasn't delivered. Billions and billions of dollars have been wasted.

As far as I can tell, more than two decades later, all we have bought with those billions is full page ads in newspapers that Senators and staff read asking us to give more money to the program.

It's time we stopped wasting valuable dollars on programs which do nothing for Americans, nothing for the warfighter and nothing to promote our national security.

This is simple really. The amendment places a prohibition on further funds for the program.

So I ask my colleagues, do you want to eliminate wasteful spending or not?

Do you want to support warfighter needs or Pentagon pork?

Do you really want to keep paying China for our debt because the Pentagon won't stop sinking money in a program that has no value to our troops when they are facing real threats overseas?

Working with my colleague, Senator KELLY AYOTTE, we made a law in the National Defense Authorization Act for Fiscal Year 2013 prohibiting funds from being spent on the program.

It's imperative we send a message to the Pentagon we won't tolerate more requests for fancy pictures in Capitol Hill newspapers. Our military needs equipment to help them defeat the enemy and equipment to protect them. Not pictures and power point slides two decades later.

I want to commend Senator AYOTTE's efforts on the floor the last couple of weeks to stop wasteful spending on this "missile to nowhere"—as she calls it.

Mr. President, I urge my colleagues to vote in support of the amendment.

Mr. BOOZMAN. Mr. President, I want to commend the majority for finally allowing us to have this debate. This is the first time since I was elected to the Senate that we will have the oppor-

tunity to vote on a Senate budget resolution. The budget they produced is far from what our country needs, but the fact that we are having this debate today is a very positive step in the right direction.

Passing a budget is the basic principle of a government. For too long now, Washington has been operating without one. The American people don't have this luxury. Arkansans ask me, almost daily, how we can spend money we don't have because they can't. They are forced to live within their means while Washington isn't. So I am pleased to see we are putting an end to this unacceptable trend.

Unfortunately, this budget plan falls far short of what we need to get our fiscal house in order and get our economy back on track.

At a time when we need to put Americans back to work, the majority has offered a budget that makes jobs disappear. At a time when we need to cut spending, the majority's proposal increases spending by 62 percent over the next decade. At a time when we need comprehensive reform to ease the tax burden hard-working Americans face, the majority raises taxes another \$1.5 trillion. And at a time when we need to be paying down the national debt, the majority's budget adds another 7.3 trillion to it.

I can tell you what the people of Arkansas think about this budget. Our State is required to balance its budget. Every year, the legislators who serve in Little Rock have to make the difficult decisions that come with that obligation. They make it work. Washington can too.

We need to stop looking to the Federal Government to solve all our problems. The majority's budget proposal not only perpetuates the myth that big government is the answer, but it doubles down on it. It is time to empower the American people by passing a budget that is a blueprint for economic growth and prosperity, rather than bureaucratic growth and massive debt.

Focusing on a progrowth budget is the only way we will speed up the slowest economic recovery since World War II. We aren't going to get there by continuing to do the status quo. It hasn't worked.

I don't say all of this to cast doubt on anyone's intentions. I believe everyone in this Chamber is working for what they believe is in the best interest of the American people. We all want to save future generations from the burden of debt; create an environment where the economy can grow; protect our entitlement programs for future generations; and create a fair tax system that allows every American to keep more of his or her hard-earned money.

These are all admirable goals. I believe they are goals every one of my colleagues would like to accomplish.

And the good news is that they are achievable.

If we balance the budget now, we save future generations from the burden of debt.

If we pursue policies that focus on growing the private sector economy, we can create rising wages and better jobs.

If we address the looming crisis with our entitlement programs, we can protect Social Security and Medicare for our children and grandchildren.

If we enact comprehensive tax reform, we can ensure that every American keeps more of his or her hard-earned money and help small businesses grow.

It all starts with a responsible budget. While I am pleased we are going to have a vote on a Senate-created budget, it fails on too many levels to warrant passage. I urge my colleagues to reject the majority's budget and focus our efforts on one that will help us accomplish our mutual goals.

Ms. HIRONO. Mr. President, a federal budget outlines our priorities as a Nation. On both sides of the aisle, we should be able to agree: We need to be wise about our Federal investments. We should be investing in what works—in what gives us the biggest bang for our buck.

For decades, study after study has shown what parents already know—that quality early education is foundational for success in school and life. Quality early education can help kids enter kindergarten ready to learn and avoid falling behind. Later in life, kids with quality early learning are more likely to avoid crime or teen pregnancy. They graduate high school and college, avoid poverty, earn more income, and pay more taxes. That is more revenue for our long-term fiscal picture.

We want to cut unnecessary public spending? Kids with preschool are less likely to need public services—from assistance for needy families . . . to prisons.

For a generation, long-term studies have found that investing \$1 in quality early learning brings a return on investment of between \$2 and \$17 after a generation. In Hawaii, a study for Good Beginnings Alliance found we would get \$4.20 for every dollar invested. Nobel prize winning economist Jim Heckman did the math over a full lifetime. He estimates an average 7 to 10 percent return on investment per year. In the private sector, business leaders would do anything for a return like that.

On Wall Street, you can't get a long-term return like that in the stock market. So it makes sense that business and financial leaders support quality early learning, from the Hawaii Business Roundtable to Federal Reserve Chairman Ben Bernanke, to leading CEOs, who know that to train tomorrow's workers we must start early.

Law enforcement officials know that quality early learning helps prevent kids from falling behind, dropping out of high school, or getting involved in crime. Military generals and admirals have stressed the importance of quality early education as a national security issue. Today 75 percent of Americans age 17 to 24 are ineligible for military service due to poor education, physical unfitness or involvement with crime. Quality early learning helps kids get on the right path—before they fall behind. Parents know the high cost of childcare is difficult to afford. But parents want more than just safety and supervision for their children. Parents want their children to be prepared academically, socially, and emotionally for success in school and in life.

Teachers and school administrators know firsthand that their students who come to kindergarten with quality preschool are more likely to succeed. We have special education professionals and advocates for students with disabilities. They know quality early learning can identify disabilities early and bring intervention to get kids on track with their peers. That can save billions of dollars in more expensive special education services down the line.

In our States, Governors from both red States and blue States know this is important. In Hawaii we have Governor Abercrombie. In Massachusetts we have Deval Patrick. But also in Louisiana, Governor Bobby Jindal is pushing for quality early education. In Georgia, Governor Nathan Deal is pushing for quality early education. In Alabama, Governor Bob Bentley is pushing for quality early education. Oklahoma is a bright red State and they have been doing quality early education for years.

In February, President Obama called for new support for quality early learning. This is the first time we have ever seen this in a State of the Union Address. States are asking their leaders in Congress to act. Today's Senate budget has a deficit-neutral reserve fund for early childhood education.

Here is what that means. It means let's find a way to pass legislation in this Congress. One of the best investments we can make long-term that does NOT hurt our deficit in the next 10 years. Let's invest in what works: high-quality pre-K for low-income children; high-quality childcare for working families; and high-quality home visiting programs serving low-income mothers-to-be and low-income families.

This helps get poor children the health and social services they need before it is too late.

PATTY MURRAY has been working to strengthen quality early education for a long time. She was a mom in tennis shoes. She was a preschool teacher. In the 1980s, she organized 13,000 parents to save a Washington State preschool

program. I thank PATTY for her work on this issue in the budget. I urge my colleagues on both sides of the aisle to work with us on early childhood education in this budget and in this Congress. It is one of the best things we can do for our long-term economic health and for our children.

AMENDMENT NO. 430

Mr. MCCAIN. Mr. President, for years many of the largest U.S. multinational corporations have been exploiting offshore tax haven loopholes in the U.S. Tax Code to avoid paying billions in U.S. corporate income tax.

According to a recent Bloomberg report analyzing publicly available U.S. corporate financial data, "Eighty-three U.S. companies have stockpiled \$1.43 trillion in untaxed profits in foreign countries." According to the same report, "THE six biggest U.S. drug-makers avoided paying \$7.05 billion in U.S. taxes last year by shifting their profits overseas," nearly doubling "the amount they saved using the same strategy 10 years earlier."

It is time for Congress to close the special interest loopholes that allow sophisticated multinational corporations to defer U.S. income tax through various foreign tax sheltering techniques and offshore tax havens. Senator LEVIN's amendment No. 430 supports legislation to end the abuse of offshore tax shelters. I am cosponsoring this amendment to begin the process of closing the egregious loopholes.

Mr. RUBIO. Mr. President, I support budgets that make tough but necessary spending reductions, save our safety net programs, and preserve our commitment to protecting Americans and our interests at home and abroad.

Facing our current debt disaster, there should be no sacred cows in the Federal budget. If there is waste, it should be eliminated. If government dependency is depressing individual initiative, we must reform those programs. Where important and valid programs are destined for bankruptcy, we must save them.

Senator PAUL deserves lots of praise for taking our debt problem seriously and coming up with a plan to solve it. While there are many objectives I support in his budget—including the repeal of ObamaCare and Dodd-Frank, allowing the Keystone Pipeline to move forward, and bringing our regulations under control through the REINS Act—I could not support it tonight.

One of the most solemn promises I made to Floridians was to work to save Social Security without implementing personal accounts, which would actually make it harder to get the programs finances in order. This budget plan calls for Social Security personal accounts, something I do not support.

On national security issues, we also can't walk away from our commitments abroad, which this budget would

do by drastically reducing the size and scope of the U.S. military by ending agreements with foreign partners, closing many overseas installations, and bringing troops home from Europe, Asia, and the Middle East. Military reductions would also result from a policy of attrition, a concerning factor because it means we would not be replacing the officer corps that leads our brave men and women.

Whereas the current fiscal year 13 budget for the Defense Department is \$614 billion, this budget would be \$546 billion, with \$554 billion in fiscal year 14—figures that would further strain readiness and impair force projection.

Especially during this dangerous time when our enemies would be emboldened to see us abandon our allies around the world, I cannot support a budget that would make the world less safe place because the U.S. defense capabilities and our ability to influence events around the world are diminished.

Mr. SCHUMER. Mr. President, the Senate will vote this evening on an amendment offered by Senator DURBIN to establish a deficit-neutral reserve fund supporting legislation that would allow States to enforce State and local use sales tax laws. I will vote in support of this amendment because I believe it is important to levy sales taxes fairly and consistently and because States, especially those currently facing budgetary challenges, need to have the tools necessary to collect revenues that are lawfully due. With that said, my support for this amendment should not be mistaken as support for any specific legislative proposal, including the Marketplace Fairness Act of 2013, S. 336. I look forward to working with Senators DURBIN and ENZI, the leaders of this effort, in the months ahead to craft a legislative proposal that meets these goals without unduly burdening small businesses or States, such as New York, that already have a system for collecting sales taxes from online retailers.

Mr. DURBIN. Mr. President, as we consider the budget resolution, laying out a blueprint for how we invest in our Nation's priorities, I urge my colleagues to support my amendment creating a deficit-neutral reserve fund to allow for the growth of the National Institutes of Health, NIH.

We all have benefited from medical innovations and cures supported by the NIH. If you have ever faced the diagnosis of an illness in your family and turned to the doctor to ask: "Is there a cure? Is there a treatment?" then you understand the importance of NIH research for your family. Great medical care is only as good as the science behind it. Drugs and devices work only as well as our understanding of the medical condition we are treating. NIH support has established the U.S. as a global leader in medical innovations

that save lives, and we are on the verge of so many life-changing discoveries.

We all remember the 1980s as the AIDS epidemic gripped our country and the world with a disease that was at that time a death sentence. But now thanks to drugs created with NIH support, people with HIV can live a long, productive life into old age. Ironically, the same week that sequestration took effect, a groundbreaking medical discovery supported by NIH was made in AIDS research. A 2-year old baby in Mississippi born with HIV may be the first child to be functionally cured of the disease after receiving a cocktail of drugs. This study was supported by the NIH, and NIH played a key role in the development of the drugs used to treat the toddler.

Our country is rich with promising research just like this and rich with bright minds, curious scientists, and innovative labs engaged in work that will lead to a cure for AIDS and treatments for diseases like cancer and Alzheimer's. But cuts to NIH could curb the promise of these medical discoveries.

The medical advancements for which we owe our thanks to NIH are many. Thanks to NIH-supported research, the likelihood that a child with leukemia will survive for 5 years is now 90 percent. And 152 new FDA-approved drugs and vaccines have been discovered with NIH support over the last 40 years. Just 2 weeks ago, I talked with a researcher at the University of Illinois Chicago who credited NIH-supported research that created a blockbuster new drug to treat HIV.

NIH-led research developed beta blockers, a commonly used drug to treat high blood pressure. And thanks to these drugs, fewer people are hospitalized for cardiovascular disease, saving lives and also saving costs to Medicare and the Federal Government of \$6,000 per patient. Investments from NIH in the Human Genome Project opened the door to countless medical discoveries and cures and generated \$796 billion in economic output—a return on investment of \$141 for every \$1. A promising NIH-supported project at the University of Pittsburgh School of Medicine is working to allow people with paralysis to move a mechanical arm with their minds. Imagine how this innovation could improve the lives of people paralyzed from a stroke and servicemembers with spinal injuries.

I would like to share the experience of Stevie Conti, a 25-year-old woman from Deerfield, IL, who has cystic fibrosis, a rare disease that impacts about 30,000 people in the U.S. Stevie loves cooking and hanging out with friends. Her twin sister says she is the last to complain about anything, including her health. Thanks to investments from the NIH, tremendous scientific breakthroughs in genetic mapping and drugs are improving the lives

of people with cystic fibrosis. A little over a year ago, FDA approved a groundbreaking new drug, called Kalydeco, which is the first drug to treat the genetic cause of cystic fibrosis in some people.

Since Stevie started taking Kalydeco her health has improved by leaps and bounds, and she is able to do simple things that many of us take for granted. She has gained 10 pounds and can run a mile without coughing or feeling short of breath. Stevie has landed her dream job and is able to work 40 hours a week without feeling tired and still has enough energy to hang out with friends after work. Stevie says this drug has changed her life. NIH-supported research and scientists are helping people, like Stevie, live healthier, more productive lives. Right now, when so much good research is showing us the way forward, we should be doubling down on biomedical research and infrastructure.

Due to several years of flat funding and cuts, the current NIH budget is insufficient to fund all of the critical research that needs to be done. Due to cuts to NIH funding and the failure to keep up with rising research costs, the number of research grants funded by NIH has declined every year since 2004. In 2012, NIH funded 3,100 fewer grants than in 2004. Cutting back on biomedical research is a shortsighted act that undermines everything we are trying to do for this country. Medical research saves lives, keeps America's place as a leader in science and medicine, and generates economic growth. Every State and the District of Columbia receive NIH funding. These awards go to universities, businesses, and research centers—engines of growth for local economies.

Not only is NIH dealing with years of insufficient funding, on March 1 sequestration went into effect imposing mindless, across-the-board cuts for critical, federally supported programs like defense, education, aviation safety, and scientific research. This is a manufactured crisis that never should have happened. We need to reduce our deficit in a thoughtful and sensitive way, but sequestration is a hatchet approach that cuts from vital programs that protect our Nation and economic growth. A \$1.6 billion cut to the NIH, due to sequestration, will cause 20,000 jobs to be lost. A cut of this magnitude will have a ripple effect that will hurt every State in our Union.

Last year, Illinois received \$746 million in NIH funding. Sequestration would cause Illinois to lose \$38 million. That translates to 700 fewer jobs, less innovation, and a slowdown of economic growth in my State. Our country is just starting to recover from a recession. We cannot afford a mindless cut that will lay off hard-working people and stall economic growth.

Every \$1 in NIH funding stimulates \$2.21 in business activity that develops

around research, such as biotech companies that provide supplies, food services and restaurants, building construction, and hiring support staff. As research projects slow and then stop, the companies that provide equipment and supplies and the construction projects to expand research facilities also slow and then stop. Some U.S.-based companies that provide lab supplies to researchers expect that a cut to NIH will cause a drop in sales and slow down production lines forcing companies to close sites and lay off workers.

Dr. Francis Collins, the Director of the NIH, says there is no question that sequestration will slow the development of an influenza vaccine and our progress with cancer research.

Eli Zerhouni, the head of NIH under President George W. Bush, says:

We are going to maim our innovation capabilities if you do these abrupt deep cuts at NIH. It will impact science for generations to come.

Insufficient funding and cuts to NIH will force the agency to not award some grants. And it may need to reduce awards that have already been announced. Research and clinical trials that have already started are less likely to be given funding to continue, so promising projects will be terminated, suspended or forced to lay off workers.

I would like to share the story of Dr. Teresa Woodruff, a researcher and professor at Northwestern University's Feinberg School of Medicine. Dr. Woodruff is leading one of the first major studies on the impact of superfund environmental toxins on reproductive health. Her work could help us understand the health risks of certain chemicals and how pollutants enter the human body. The Monday after sequestration took effect, Dr. Woodruff was delighted to learn that the NIH had awarded funding for her research, but disappointed to learn that—due to sequestration—the grant was cut by more than half.

Dr. Woodruff is thankful for the NIH funding, but this cut means she will have to drop key parts of her research, like studying the impact of toxins on men and children and how pollutants end up in the food we eat. Because of the drastic cut in funding, Dr. Woodruff will not hire new people and will have fewer training slots to teach the next generation of scientists. Dr. Woodruff's experience is being played out across the country as promising researchers are forced to stall clinical trials and lay off support staff.

The percent of NIH grants being awarded since the 1960s has dropped significantly. Currently, less than one in every five grants to the NIH is awarded funding. The primary reason for this decline is insufficient funding. Less funding will result in fewer grants being awarded, and the group of researchers most impacted by this cut is

young researchers. Once we add the \$1.6 billion cut due to sequestration, we risk losing a new generation of scientists in our Nation.

Less funding means fewer academic grants to educate young scientists. And more competition for grants makes it difficult for young scientists to win funding and dissuades new scientists from pursuing careers in research. When and if NIH funding eventually increases, projects will struggle to find and train talented scientists who will make tomorrow's discoveries.

For over a century, NIH-supported scientists have led the way for important breakthroughs to improve health and save lives through discoveries—discoveries such as development of the MRI, extending the life expectancy of people with cystic fibrosis, revolutionizing our thinking about cancer, and creating vaccines.

Two weeks ago, I received a letter from a man named Andrew Young from Vernon Hills, IL. His 16-year-old sister Emily has a rare disease called Friedreich's Ataxia, a rare disease that makes it hard to perform basic motor functions like walk, write, and speak. Most young people with FA need to use a cane or wheelchair by their teens. Emily's world was turned upside down in 2008 when she was diagnosed with FA, but she refuses to let it define her. She wants to go to college and practice medicine and hopes for a cure one day.

Now is not the time to disinvest in NIH and close the door to finding cures for people like Emily. Disinvestment in NIH would be a shortsighted act that risks forfeiting the U.S.'s position as a leader in biomedical research and reaping the economic and biomedical rewards of scientific research. These cuts don't make sense for—patients, local economies, or our Nation.

I urge my colleagues to support this amendment and to ensure our country creates and benefits from the life-changing medical discoveries supported by the National Institutes of Health.

I ask unanimous consent to have printed in the RECORD a list of organizations that support my amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ORGANIZATION THAT SUPPORT THE DURBIN-MORAN NIH AMENDMENT

Research!America
American Lung Association
American Heart Association
United For Medical Research
FASEB (Federation of American Societies for Experimental Biology)
American Society of Transplantation (AST)
The Endocrine Society
American Cancer Society Cancer Action Network, Inc.
Association of American Medical Colleges (AAMC)
American Association for Cancer Research
Association of Minority Health Professions Schools
Crohn's and Colitis Foundation of America

Digestive Disease National Coalition
Dystonia Medical Research Foundation
GBS/CIDP Foundation International
International Foundation for Functional Gastrointestinal Disorders
Interstitial Cystitis Association
Joint Advocacy Coalition
National Alopecia Areata Foundation
National Kidney Foundation
National Marfan Foundation
NephCure Foundation
Pulmonary Hypertension Association
Scleroderma Foundation
Sleep Research Society
US Hereditary Angioedema Association.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, how much time remains on both sides?

The ACTING PRESIDENT pro tempore. The majority has 17 minutes.

Mrs. MURRAY. Mr. President, I yield 5 minutes to the Senator from New Hampshire and 7 minutes to the Senator from Minnesota.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, the chairman of the Budget Committee has done an excellent job. While I appreciate the comments of my colleague from South Dakota, I actually think that in order to deal with the budget challenges facing the country, we have to look at both revenues and spending.

One of the areas of spending that have been the most problematic has been health care costs. It has been one of the fastest growing costs for the Federal Government, and what we have to do is look at how we can lower the health care costs.

The amendment I proposed that we are going to vote on this morning, amendment No. 438, is one that actually reduces health care costs.

In the 3 years since the Affordable Care Act was passed, women's access to affordable health care has improved. Women now have access to a wide range of preventive services, such as well-women appointments, screenings for cancer, diabetes, HIV, and counseling for domestic violence. All women now have access to contraceptive coverage for free through their insurance plans. Ninety-nine percent of women report that they have used birth control at some point in their lives, and access to birth control is directly linked to the decline in maternal and infant mortality. I think that is a really important message we need to get across to people. There is a direct connection between access to birth control and maternal and infant mortality. Access to birth control can also reduce the risk of ovarian cancer. It is linked to overall good health outcomes.

Sadly, the United States has one of the highest rates of unintended pregnancies in the industrialized world, and preventing unintended pregnancies just makes fiscal sense. Studies have found that medical services to women who

experience unintended pregnancies and to infants who are born as a result of such pregnancies can cost taxpayers up to \$12 billion a year.

My State of New Hampshire has one of the lowest teen birth rates in the country. As Governor, I was proud to sign a law that required health care plans to cover contraception. It was a law that passed with overwhelming bipartisan support in our legislature. The fact is that accessible family planning matters, and it can make a difference.

Despite the research which shows that investments in women's health make sense, we continue to see efforts to deprive women from receiving the most basic of care.

The amendment I am going to be offering this morning will protect women's access to primary and preventive health care, to family planning, and to birth control. At the most basic level, this amendment ensures that a woman's family planning decisions are ones she makes with her doctor and her family, and that they are not dictated by government or by her employer.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. SHAHEEN. Thank you. So I hope my colleagues will support the amendment.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, the Senator from Minnesota has requested 10 minutes, and I yield to him 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise to talk about the budget we are proposing. It has three basic guiding principles: First, we must protect our fragile economic recovery by creating jobs and investing in economic growth.

I remember when we did this during the Clinton administration. President Clinton proposed as a deficit reduction package raising income taxes on those who earned above \$250,000 at 39.6 percent. Every Republican voted against it, and many of them went on record saying it was going to cause a recession. Some Members of this body voted against it saying it was going to cause a recession and it would be Clinton's recession. So 22.7 million jobs later there was no deficit. We had a surplus.

This idea we hear from the other side that every time we raise taxes we hurt the economy just defies history. All we have to do is look at recent history, and especially now, at a time when there is a growing disparity in income in our country.

What we are trying to do is to promote growth. We promote growth by investing in that which creates growth. We know what they are. One is education. We are going to cut Pell grants? When my wife was 18 months old her father died in a car accident. He was a decorated World War II vet, leav-

ing her mom widowed at age 29, with 5 kids, four girls and a boy. The boy, my brother-in-law, went into the Coast Guard and he did 20 years in the Coast Guard and he still works for the Coast Guard. He is an electrical engineer in the Coast Guard. He is the second most important man in my son's life. My son was able to get a master's degree in mechanical engineering from MIT.

My three sisters-in-law and Franni went to college on Pell grants and scholarships. At that time the full Pell grant paid for 85 percent of a public college education. Now it pays for less than 35 percent. The Presiding Officer knows, because my mother-in-law ended up going to the University of Maine. But the Presiding Officer knows that today, kids who go to the University of Maine have debt. All of us know our kids, our students have debt. In Minnesota the average debt is \$29,000.

My wife's family lived on Social Security survivor benefits. My mother-in-law went to college on the GI bill. She got a loan on the GI bill. She became a teacher, teaching title I kids—because of Social Security, because of the GI bill. My wife's family was able to just barely get by. They barely made it. Sometimes there wasn't enough food on the table. Sometimes they turned the phone off, but they made it.

We have people now—they all made it into the middle class. The ladder was there. We are trying to preserve that. They tell us to pull ourselves up by our boot straps in this country. Sometimes people just need the boots first. The government gave my wife's family the boots, and they are all productive members of our society because of programs.

We had a hearing in the HELP Committee, and we had a witness whom the Republicans called, and he testified about what creates the middle class. They called a witness who was from the American Enterprise Institute. They are good people at the American Enterprise Institute. The witness's testimony ended with the idea that government can create jobs is a myth. So when it got to my turn to question him, I said: Have you heard of the Erie Canal? He had. The Erie Canal opened the Midwest to Europe. It made shipping our timber and our agricultural goods 97 percent more efficient. I asked him if he had heard of the Interstate Highway System. He had. I asked him if he understood that we were on C-SPAN, as we are right now, the Cable Satellite Public Affairs Network. I asked him if he knew who put up the first satellites; it was the Defense Department.

I noted that he had gone to the University of California at San Diego. I asked him if any of his professors had helped him at all. He said they had. He got his doctorate at UCLA. I asked him if he had heard of the Internet. He had.

By the end of my questioning, he said: To say that the government can't

create jobs would be absurd. It started with the idea that government can create jobs is a myth, and he ended his testimony with saying: To say the government can't create jobs would be absurd. There was a 180-degree difference except he added absurdity. So he injected it. That is what I used to do. I used to identify absurdity.

There is absurd stuff going on and being said here. We are hearing things cited that have been disproved so many times.

The budget we are proposing today is based on three guiding principles. First, we must protect our fragile economic recovery by creating jobs and investing in economic growth. Second, we must tackle our deficits in a responsible way. And finally, we need to honor the promises we have made to our seniors, our veterans, and our middle class families. This budget does all of those things—and in doing so, it reflects our values and our priorities. In contrast, the budget being debated in the House provides massive tax breaks for the wealthy and big corporations, while slashing critical investments that will endanger our economic recovery.

Everyone agrees we shouldn't saddle our children and grandchildren with insurmountable debt—addressing our debt is a responsibility we take very seriously. But at the same time, if we fail to make the necessary investments in economic growth, public health improvements, quality education, rural development, and clean energy, our children and grandchildren will inherit an equally unacceptable burden.

Drastic cuts to infrastructure, innovation, and education are penny wise and pound foolish. Even if we save a little on paper upfront, the realistic long-term effects are costly and devastating. That is why our budget includes a \$100 billion infrastructure recovery plan that will get workers back on the job, repairing our crumbling schools and bridges, and building up our technology infrastructure, so schools and small businesses, even in rural Minnesota, can stay competitive.

It also lays the groundwork to pass a comprehensive 5-year Farm Bill that will provide certainty and support for Minnesota's farmers. This budget plan protects Head Start, early childhood education, and Pell grants—which make a quality education possible for all students, regardless of background, and will prepare our children for the 21st century workforce.

This budget demonstrates our commitment to responsible deficit reduction. Since the Simpson-Bowles proposal, Congress has reduced the deficit by \$2.4 trillion—\$1.8 trillion coming from spending cuts, and \$600 billion from allowing tax rates for the wealthiest to return to prior levels. This budget builds on that deficit reduction with an additional \$1.85 trillion. That is a total of \$4.25 trillion in

deficit reduction—which exceeds the goal set out in Simpson-Bowles.

This budget shares other principles of Simpson-Bowles—that deficit reduction should be achieved through a mix of spending cuts and new revenues, and that deficit reduction should not be done on the backs of the most vulnerable.

At one point in time, there was enthusiasm among some of my Senate colleagues from the other side of the aisle for Simpson-Bowles. One such Senator said, “Say yes to Simpson-Bowles . . . I’m willing to say yes to Simpson-Bowles.” Another said, “Everybody knows what the solution is, and that’s Simpson-Bowles . . . I mean, everybody knows that that’s the template for what we need to do.” Another called the plan “a good starting point and should be seriously considered by Congress.” Our budget exceeds the deficit reduction goal in Simpson-Bowles, and follows the same general principles—yet my colleagues on the other side have not yet come around to supporting it.

Finally, in addition to growing our economy and responsibly addressing the deficit, our budget honors the promises we have made to our seniors, our veterans, and our most vulnerable. This is in sharp contrast to the budget being considered in the House.

My colleagues and I pay into Medicare every month, and so we are entitled to Medicare benefits when we reach age 65. The fact that we are entitled to these benefits is not a bad thing. In fact, it is a very important thing for millions of American seniors. In 1965, we created Medicare and Medicaid so seniors could count on having access to medical care in their retirement. As a nation, we promised our parents and grandparents they could count on Medicare and Medicaid as a safety net in their golden years. And the Senate Democratic budget protects that safety net.

However, the House Republican budget would undermine the very foundation of the promise, and end Medicare as we know it. Their budget would replace Medicare’s guarantee of health coverage with a voucher, and would raise the Medicare eligibility age. In my home State of Minnesota, this proposal would shift costs to more than 800,000 seniors when they can least afford to bear that burden. It would end the guarantee of health coverage that Medicare has made for decades. In fact, it would end Medicare as we know it.

The House Republican budget would also turn Medicaid into a block grant. Now, a lot of people think Medicare will provide long-term care services for seniors since Medicare is thought of as the health care program for seniors. But it is actually Medicaid that provides those long-term services and supports. Medicare does not cover those.

So when the House Republicans talk about turning Medicaid into a block

grant, what they are actually talking about is ending the guarantee that seniors can get the care they need when they need it most. In my home State of Minnesota, that means the nearly 100,000 seniors who depend on Medicaid would no longer be able to count on getting the care they need. Our Senate budget protects the Medicaid program so seniors can access that care when they need it.

I also want to talk for a moment about the SNAP program, or food stamps. The House Republican budget would cut the SNAP program by \$135 billion. This could mean that as many as 13 million people would be cut from the program. More than a quarter of these people would be low-income seniors and people with disabilities. That is as many as 3 million seniors who would no longer have the assistance they need to buy food. Fortunately, the Senate budget protects the SNAP program so that seniors can continue to buy food.

This budget also keeps our Nation’s promise to our veterans. We just marked the 10-year anniversary of the beginning of the Iraq War. We have responsibly brought that war to an end. We remain in Afghanistan, where we have been for well over a decade, though we are also bringing our participation in that war to a responsible end. Well over 2 million Americans have deployed during those wars as part of our all-volunteer force.

The budget funds veterans programs so that veterans can get the education they need, the jobs they are seeking, the homes every American should be able to depend on, and access to the health care they have earned and deserve.

I am proud of our budget, and of the values it reflects. It reflects a commitment to the success of future generations, and to the middle class. It puts the interests of regular people above those of our most profitable corporations. It tackles our budget deficits in a way that will promote growth and prosperity.

I have also filed several amendments that reflect priorities for Minnesota—in particular, the expansion of rural broadband, the promotion of college affordability, encouraging public-private partnerships in workforce training efforts, expanding access to skills courses for the unemployed, and promoting clean energy on tribal lands.

I thank Chairman MURRAY for her leadership during this process, and look forward to carrying out this budget’s priorities alongside her in the coming years.

I yield the floor.

Mrs. MURRAY. Mr. President, I wish to thank the Senator from Minnesota, as we prepare to go through a series of votes, for reminding us that a budget is not just numbers on a piece of paper. It really is a statement of our values and

what we care about and how we are going to invest in our country so we have strong jobs in the future and a strong economy. We really base this budget on those principles, and the Senator from Minnesota reminded us all of that so well today, and I thank him for his statement.

We are within a minute of beginning the vote, so I would remind my colleagues we have a busy day ahead of us. We on our side are very proud of the budget we have put forward that focuses on jobs and the economy, in this fragile time getting people back to work, getting them the resources they need to have a strong future, whether it is education or infrastructure or the research and development that creates the kind of jobs that the Senator from Minnesota has focused on. We on this side do deeply understand the need to manage our debt and deficit responsibly. It is why we have put forward a credible approach, a balanced approach, that makes sure we are cutting, in many programs the Presiding Officer and I care deeply about, but understanding this is the time we are in, where we have to relook at these programs and manage them effectively, and we have done that in our budget. There are many tough choices we have in front of us, but the tough choices we have put forward in this budget reflect the balance the American people have asked us to make in our budget approach.

I look forward to having it passed sometime, I am sure, in the wee hours of the morning. This budget moves us toward a place where we can work with colleagues on both sides of the aisle and both sides of this city to come together in a way that gets us back on a path so we are not managing this country from crisis to crisis, but are working effectively together to move forward in this country.

So with that, Mr. President, I yield back the remainder of our time.

AMENDMENT NO. 431

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 minutes equally divided prior to a vote on amendment No. 431, offered by the Senator from Maryland, Ms. MIKULSKI.

The Senator from Washington.

Mrs. MURRAY. Mr. President, on behalf of Senator MIKULSKI, the first amendment she has offered is a very important one.

We all know pay discrimination in the workplace is very real. We know women are nearly half of our workforce, but they still only earn about 77 percent of what men earn, and women of color are much worse off. African-American women make 70 cents on the dollar. Hispanic women make only 60 cents on the dollar. We want to make sure all of our families are strong and stable in the future, and pay discrimination is something that is holding

women and families and communities back.

So a “no” vote on this means you are actually OK with women earning less pay than men—women not being able to contribute to their families in a strong way so their children can be taken care of and they can pay their mortgage or their rent and put food on the table.

A “yes” vote on this amendment means you acknowledge this as a problem and agree that women must receive equal pay for equal work.

I want to thank the Senator from Maryland for her long-time advocacy on behalf of women in many ways, but particularly on making sure they have equal pay.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, we would urge our colleagues to support the Mikulski amendment. It sets the goal of equal pay for equal work. Fortunately, it does not specify any coercive method by government to compel that outcome. We think it is a worthwhile aspiration. As a father of two daughters, I certainly hope their work is rewarded by equal pay to that of their counterparts who are young men.

I urge all of our colleagues to support the Mikulski amendment, with that understanding that we are talking about the marketplace setting that outcome rather than coercive policies from the government.

The ACTING PRESIDENT pro tempore. Is there a request for the yeas and nays?

Mr. SESSIONS. Mr. President, I would suggest we take this amendment by voice vote.

Mrs. MURRAY. Mr. President, on our side I believe we are happy to have a voice vote on this amendment. And I urge a strong yes. It sets a great tone, by the way, for the rest of the day.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 431) was agreed to.

AMENDMENT NO. 158

The ACTING PRESIDENT pro tempore. There will now be 2 minutes equally divided on the Ayotte amendment.

The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I urge my colleagues to support the Ayotte amendment No. 158. We should not be increasing taxes now at the expense of jobs, so my amendment would simply bring a budget point of order to prohibit tax increases while unemployment is above 5.5 percent.

The President said if we passed his stimulus package—his team said we would be at 5.1-percent unemployment now. I have heard from so many businesses, with the \$1.7 trillion in tax increases that have already been brought by the President and the Democrats

here, jobs are hurting. Now is not the time to raise taxes. Our small businesses are being killed by this.

Mr. President, 23 million Americans are out of work. So many are struggling, with the unemployment rate at over 7 percent. That is why I have offered this amendment.

I urge my colleagues, let's not increase taxes at the expense of jobs. So please support my amendment.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, as I have said many times, this budget asks the wealthiest Americans and our biggest corporations to pay just a little bit more, both to get our fiscal house in order and to make critical investments that will help drive broad-based economic growth.

Economists across the political spectrum will tell you that raising revenues from those who can afford it most will not hurt our economy. In fact, our experience during the 1990s proves that fact. In fact, raising revenues by closing loopholes and cutting inefficient spending in the Tax Code for the wealthiest Americans, as our budget proposes, actually stands to boost the economy by removing tax breaks that distort the allocation of capital.

This amendment that is being offered would effectively end the privileged status of a balanced and fair budget plan, such as this one, that calls on the wealthiest Americans to pay their fair share in order to address our deficits and get our economy going again.

I strongly encourage my colleagues to oppose this amendment, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 50 Leg.]

YEAS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 158) was rejected.

AMENDMENT NO. 202

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 minutes equally divided prior to a vote on Amendment No. 202, offered by the Senator from Texas, Mr. CRUZ.

The Senator from Texas.

Mr. CRUZ. Mr. President, tomorrow is the 3-year anniversary of the passage of ObamaCare. ObamaCare is hurting. It is hurting seniors, it is hurting Hispanics, it is hurting African Americans, it is hurting single moms, and it is hurting the economy. It should be repealed.

Yesterday over 70 Members of this body voted to remove one of the most pernicious taxes in ObamaCare, the tax on medical device providers. I happily voted for the amendment, but I would point out this is a wealthy industry which can afford to hire lobbyists.

We should be responsive not only to wealthy corporate lobbyists but to the people and small businesses that are being hurt by ObamaCare and to the workers who are being hurt by ObamaCare. We should be responsive to the American people. For that reason, this amendment would create a deficit-neutral reserve fund to defund ObamaCare and repeal ObamaCare.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Washington.

Mrs. MURRAY. I yield to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, this will be the 36th time we have voted to repeal the Affordable Care Act. I know the Senators on the other side want to revote to repeal it. That is fine. I wish to warn you, due to the way this amendment is drafted, it also repeals what we put in that bill on education; to wit, we put in money to increase Pell grants. We put in money to increase funding for Historically Black Colleges and Universities. We put in money also to help the community colleges, \$2 billion. We also included the more generous income-based repayment system to ensure people don't

need to pay more than 10 percent of their discretionary income to pay back their student loans. All of that is wiped out in the Senator's amendment.

Again, maybe it is just a drafting error. But I think Senators should know you are not just voting to get rid of the Affordable Care Act. That is fine if you want to do that. I don't think Senators on the other side of the aisle who are here wish to vote to decrease Pell grants and to decrease funding for universities.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 202) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 439

The PRESIDING OFFICER. Under the previous order, there will be 2 min-

utes equally divided prior to a vote on amendment No. 439 offered by the Senator from Washington, Mrs. MURRAY.

The Senator from Washington.

Mrs. MURRAY. Mr. President, for the information of all Senators, we are going to have a lot of amendments, so if we have a lot of floor discussion, this is only going to delay it. I would encourage Senators throughout the day to please take their conversations off the floor after the votes so Senators who are speaking on the amendments on both sides of the aisle have the consideration of being heard.

I will take my 1 minute on this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, the Senate budget already includes a deficit-neutral reserve fund for tax relief. This amendment would make that relief for low- and middle-income Americans explicit, but it would do it in a way that preserves the health care benefits in the Affordable Health Care Act.

Unfortunately, the amendment that follows this one will gut the ACA and leave millions of Americans back in a position where they have to worry about a preexisting condition or a health illness that could bankrupt their household. We have to make sure taxes do not hit low- and middle-income families, but we should do it in a responsible way that doesn't take away health care for millions of Americans.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I yield to the distinguished Budget Committee member Senator TOOMEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I am not rising in opposition to this amendment because I oppose it. We Republicans don't want to raise taxes on low- and middle-income families because we don't want to raise taxes on anybody. But the irony of this is that this budget is an exercise in raising taxes on middle-income families. It is necessarily the case.

By the way, that is above and beyond the huge tax increases my colleagues imposed when they voted for ObamaCare—\$1.2 trillion of tax increases, much of which lands squarely on middle-income families.

The fact is the President showed how he wants to raise taxes on the wealthy, and he has a plan that does that. It raises \$600 billion. My colleagues have reconciliation instructions for \$1 trillion. The difference is going to inevitably come from the middle class. We don't want that to happen.

I would suggest we will accept this amendment. We could accept it on a voice vote. But it doesn't change the central fact that the Democratic budg-

et is all about raising taxes on middle-income families.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

Mr. SESSIONS. Mr. President, we can accept it on a voice vote.

The PRESIDING OFFICER. The yeas and nays have been requested.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—99

Alexander	Flake	Moran
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Graham	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Paul
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Burr	Hoeven	Rockefeller
Cantwell	Inhofe	Rubio
Cardin	Isakson	Sanders
Carper	Johanns	Schatz
Casey	Johnson (SD)	Schumer
Chambliss	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Toomey
Cowan	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 439) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 222

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes equally divided prior to a vote on amendment No. 222 offered by the Senator from Idaho, Mr. CRAPO.

The Senator from Idaho.

Mr. CRAPO. Mr. President, although it has been a couple of years now since we passed the health care law, it is becoming evident to all Americans that

there were in fact many new taxes—almost \$1 trillion of new taxes—in the health care law. And despite the President's firm pledge at that time not to raise taxes by even one dime on middle-income Americans, I at that time asked the Joint Tax Committee to evaluate the law and tell us if there were such taxes in the law.

The letter I received back from the Joint Tax Committee indicated there were at least seven taxes in the health care law that did squarely hit the middle class—and not just in a small way. It is at least a quarter trillion dollars of new taxes that the middle class will pay if we don't fix it. In fact, it is 73 million American families that will ultimately pay this new tax in the ObamaCare legislation if we don't reform it.

This is an amendment I brought during the consideration of the health care law. It was defeated then by a claim that there were no taxes in the bill. We now know there are taxes in the bill, and this is our chance, now that these taxes are beginning to be implemented, to remove them from the law.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, it is ironic that a number of those taxes are in the Ryan budget that our colleagues voted for last night. But let me say this. The ACA is going to extend health care coverage to nearly 30 million people. They are mostly low- and middle-income people who don't have access to affordable coverage. The law also fully pays for the costs of expanding health insurance coverage and does it without increasing taxes on our middle class.

I believe expanding health care insurance coverage is one of the most important things we can do for our country and for our economy. The amendment that is being offered would undermine the effort under way to bring health insurance to millions of currently uninsured people in a fiscally responsible fashion.

I urge our colleagues to oppose this amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 53 Leg.]

YEAS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 222) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 438

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes equally divided in the usual form prior to the vote on amendment No. 438, offered by the Senator from New Hampshire, Mrs. SHAHEEN.

Mrs. SHAHEEN. Mr. President, amendment No. 438 establishes a deficit-neutral reserve fund to protect women's access to basic health care, including family planning and birth control. It ensures that employers cannot deny coverage for contraceptives.

We have seen that improving access to preventive care, including contraception, is good health policy, and as a result it means healthier women, healthier children, and healthier families.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, every Senator supports expanding access to health care. We may have strong differences on the best way to do it, but no one should doubt that commitment. However, we must also ensure that we protect deeply held religious beliefs of our citizens.

In this regard, the Shaheen amendment—and the new health care law—gets it all wrong. In addition to grow-

ing government and slowing the economy, the law tramples on the rights of individuals.

Later this afternoon, Senator FISCHER will offer a side-by-side to this amendment.

I ask my colleagues to vote no on the Shaheen amendment.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 54 Leg.]

YEAS—56

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Kirk	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NAYS—43

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	Manchin	Wicker
Cruz	McCain	
Enzi	McConnell	

NOT VOTING—1

Lautenberg

The amendment (No. 438) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, we are now in a period of 2 hours of debate equally divided. I understand Senators on that side will begin.

I would like to notify all Senators we are now working through a process to get the next amendment set in order so that Members will know. We do have 2 hours of debate, but Members should know that we may yield back some of that time. So please be ready. I think everybody has a lot of amendments they want to have brought up, and the sooner we can get to that the sooner we will.

So, again, we will now move to 2 hours of debate equally divided.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, there will now be 2 hours of debate equally divided between the managers or their designees.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the number of Budget Committee staff for the minority granted access to the floor at one time be increased by two.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I wish to recognize Senator COBURN for 22 minutes. I also have on our schedule of Members, Senator COLLINS for 10 minutes, Senator CORNYN for 10 minutes, Senator INHOFE for 10 minutes, and Senator SESSIONS for 8 minutes.

At this time I yield to Senator COBURN for 22 minutes. First, I would note that Senator COBURN is doing something that every Member of this body should be inspired by. He is actually working hard every day to identify the problems we face with duplication and waste in our government. We do far too little of that, and this budget does virtually nothing about it. So I would like to thank Senator COBURN for being unparalleled in his commitment to financial responsibility, and I yield to the Senator 22 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, first of all, I ask unanimous consent to use oversized charts. I don't actually like to use oversized charts, but I cannot get all the information I need to present on one regular chart because I am looking at one subject area.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. First of all, I wish to thank the chairman of the Budget Committee for bringing a budget to the floor. It is great that we have done it.

We know the outcome of this budget vote already. The final budget vote will not come until sometime in the middle of the night. But in that budget we are going to spend \$47 trillion. There is a dispute between how we look at it and how our colleagues on the other side

look at it, but there is at least \$1 trillion in tax increases.

The new debt over the next 10 years is \$7.3 trillion despite \$1 trillion in tax hikes. The debt that has been added since the last budget passed this Senate is \$5.5 trillion.

The spending increase above the projected growth over 10 years is \$645 billion. The spending increase in this budget next year above today's budget level is \$162 billion.

The deficit increase next year relative to the fiscal year 2014 projection by CBO is a \$95 billion increase in our debt—we are not going the other way.

The growth rate in the Federal budget over 10 years is going to be 60 percent, and in the mandatory programs it is going to be 80 percent, so we are going to have the government growing at least 7 percent a year, continuing to grow at a rate faster than our economy, at a rate faster than personal income.

The net deficit reduction over that 10 years over what was projected may be \$270 billion. The deficit reduction achieved through spending cuts will be zero in this budget—zero through spending cuts.

The deficit reduction through elimination of duplication, fraud, and waste in this budget is zero.

The date this budget balances is never.

I am bringing these charts to the floor because I want the American people to know how we are not doing our job. We are going to get a vote on a lot of these things, I have told my colleagues. I haven't been allowed to offer a lot of these amendments on bills that have come to the floor, so we are going to vote on them tonight and into the early hours tomorrow morning. The reason it is important for us to vote on them is because the American people need to know whether or not we are going to act on them. Let me start to go through some of the programs and see if it matches any type of common sense that anybody in America might have about how we could go about helping American citizens.

Three years ago we forced the GAO to do a duplication study of the whole Federal Government. We are going to get that last report about 1½ weeks from now. They will have looked at the whole Federal Government. This is just the data based on the first two reports. Let me just go through it rather quickly so my colleagues can see.

We have 15 unmanned aircraft programs, 5 agencies, \$37 billion a year. Why do we have 15 of them? Does that make sense to anybody?

We have domestic food programs, 18 different programs, 3 different agencies, and we are spending \$62 billion.

We have 21 different homeless programs—21 different homeless programs. It is great that it is only one through one agency. Why do we have 21 sepa-

rate programs? Each one of these programs has a bureaucracy and office staff and overhead and administration. Why not have one or two?

Transportation services for transportation-disadvantaged persons: 80 separate, different, distinctly designed programs in 80 different agencies. Why not in the transportation agency alone? Why not run it out of the department it should be run through?

Job training and employment, 47 programs for the able-bodied, 9 different agencies, and it is actually \$18.9 billion. We have actually done all the oversight on this. In Oklahoma, we have 17 federally-run job training programs in a city that has less than 15,000 people and has 400 people unemployed, 17 separate offices run by the Federal Government.

Teacher quality, 82 separate teacher training and quality programs, not run within the Department of Education but run within the Department of Education and nine other agencies. How does that fit? When we are in a time when we are trying to make hard decisions to protect the future of this country and a fiscal balance, why won't we address this? None of this stuff has been addressed. This has been known for 2 years. None of it is in the budget. It is not even in the House budget.

Food safety, 30 different programs, 15 different agencies, \$1.6 billion. Do people realize if we buy a cheese pizza at the grocery store it is controlled by the Department of Agriculture, but if somebody buys a pepperoni pizza at the grocery store it is controlled by the FDA? Does that make sense to anybody? Why would we continue to be stupid? And we are the ones being stupid because we will not address these issues.

Military and veterans health services, we have four agencies running that. I would think we would want the VA to run that, not the VA plus three other agencies.

Economic development, we have 80 programs, 4 different agencies, and \$6.5 billion a year.

U.S.-Mexican border region water needs, all right, we have Arizona on that border, we have Texas on that border, and we have California on that border. We have seven different agencies that control that. Why? Why would we do that?

Financial literacy programs, I would make the point that we are not very good in financial literacy within the Federal Government because all one has to do is look at our budget. There are 13 different agencies, 15 programs, plus the new Financial Consumer Protection Board is going to create another one—another one. We are spending \$30 million a year on that.

Green buildings, 94 different programs, 11 different agencies, spending \$1 billion a year.

Housing assistance, 160 different programs, 20 agencies—20 Federal Government agencies—spending \$170 billion a

year the overhead that is associated with all of this, the duplication that is associated with it, the complications, the paperwork.

Department of Justice grant programs, 253 of them: They are within the Department of Justice, but they are run through 10 other Federal agencies, not the Department of Justice.

Diesel emissions, 14 different programs, 3 different agencies. Why three? Why do we have to interact with three different agencies to have our diesel emissions controlled, and why are there 14 different programs?

Early learning and child care, 50 programs, 9 agencies, \$16 billion.

Surface transportation, 55 programs, 5 agencies, \$43 billion.

Support for entrepreneurs, 53 programs, 4 different agencies. We have small business, but guess what. We have one at Agriculture, we have one at Treasury, we have one somewhere else I can't remember; \$2.6 billion.

Science, technology, education and math, we all agree it is important. The Pentagon has over 100 programs. The Pentagon itself has over 100 programs. Then we have another 105 or so programs spread across the rest of the agencies. Thirteen different agencies have a science, technology, engineering program. Why is that not within the Department of Education?

As I finish this, I will not go to the next chart just on the basis of time.

I outlined a whole bunch of different programs, and not one of them has a metric on it that says we are successful or unsuccessful—not one of them. So even the agencies that have these multiple programs, running across multiple agencies, have no endpoint to say: Are you doing anything?

What we have discovered on job training is we are real good in job training with Federal programs of employing people in job training. We are terrible in terms of giving them a life skill that will give them a lifetime work capability.

Let me take a short time to show some examples. Looking at this chart, we can see why we have such big charts.

Here are the Federal preschool and daycare programs. So if someone wants to provide that to somebody, look at the maze of bureaucracy they have to go through just to qualify.

The pink areas on this chart show the different departments that run them. The blue areas are the subagencies created out of the green ones. So we can see, in Federal preschool and daycare, we have the General Services Administration, that has four programs; we have the Department of Agriculture, that has this multitude of programs. But even if you have it at the Department of Agriculture, you cannot do anything because you have to talk to the Department of Education too, because they are interrelated in how they are controlled.

Early learning. The Justice Department has a multitude of programs. The Department of Health and Human Services has a multitude of programs. We even have a tax expenditure program for childcare and early learning. The Department of Labor has their own.

We can see what has happened to us is we have not done the oversight, the work to eliminate the problems that are causing us to spend at least \$200 billion more per year than we need to spend.

Here are the Federal programs for surface transportation and infrastructure. We can see why this is so big. Here is the Federal Highway Administration and here are all their subprograms for it. Then over here is the Office of the Secretary. Then we have the Federal Railroad Administration; we have the Maritime Administration; we have the Federal Motor Carrier Safety Administration. If you are a State transportation director, you have to meet the bureaucratic requirements of every one of these programs.

I talked about science, technology, engineering, and math. Look at what we have. What we have is a maze where nobody in the government knows what the other agency is doing. Nobody knows what somebody over here in the Mickey Leland Energy Fellowship funding is doing compared with the New Era Rural Technology Competitive Grants Program.

Here is the other thing we have found as we have gone through all these programs: We have people who apply for a grant and get it from one of these programs and then turn around and go over and apply for the same grant from another program.

It is easy to see, when we continue to see multiple programs—here, even to get efficient in our Federal fleet, we have 5 different programs, 20 different agencies, just to try to get fuel efficiency within the Federal Government. We started out with electronic health records systems for veterans and the military. We have 10 different programs within that—not 1 program, not 2, but 10.

Just one other. Here is a chart with green buildings. We listed that: a multitude of agencies, a multitude of programs. Every department in the Federal Government has a green building initiative separate and apart from a central area where it ought to be and probably associated with the National Institute of Standards and Technology. That ought to be who is running it, but it is not.

We have all these things. All these require rules for you to comply with if you are going to get a building permit or you are going to have any Federal contracts. It makes no sense.

I will end.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. COBURN. Nobody in their right mind will agree that what we are doing is smart, efficient, effective, and associated with common sense. But yet when it comes to doing the hard work of oversight and eliminating these duplications, nobody in the Senate wants to do the hard work of eliminating them. A conservative estimate is that we send out \$670 billion worth of grants a year. A conservative estimate is that \$200 billion of that is totally wasted, and we are sitting here squabbling about raising taxes. This budget raises \$1 trillion over 10 years. If we would do our hard work in terms of

Mr. President, there is so much distraction in the Senate I cannot talk.

The PRESIDING OFFICER. The Senate will be in order.

Mr. COBURN. If we would simply do our job, we would not have to have tax increases, we would not have to have spending cuts that will gut our military, although I can show a lot of waste in the military too, to the tune of \$50 billion a year. But if we would just do our job and actually look in detail—the way GAO has recommended and the way Homeland Security and Governmental Affairs has oversights through the years, thanks to the leadership of Lieberman, COLLINS, CARPER, and those who preceded them—what we will see is we have all this research, we have all this knowledge, we have all this stuff we know we can do, but we have no leadership in the Senate to get it done, and we bring a budget forward that perpetuates everything I just showed.

There is no mandate for every committee to eliminate total duplication in this budget. There is no mandate in this budget to consolidate like programs and eliminate cross-agency interference and duplication. There is no mandate in this budget that every grant program ought to have a metric on it to see if it actually accomplishes something. There is no metric in this budget to give the agencies the power and the resources to actually administer the grants effectively so we know what they are doing—none of that. This is all ignored.

As long as we say the only problem is saving Medicare and saving Social Security and saving the Defense Department, we are going to continue to waste \$200 billion a year. I do not know what it is. I do not know if it is that I am not an effective communicator or if people have other priorities. But our grandchildren are totally dependent upon us eliminating so much stupidity. Yet nobody—the Appropriations Committees do not want to. Most of the authorizing committees do not want to. They will not do the hard work of eliminating the duplication.

I did not show the housing. I showed the total amount we spend. Do you realize we had paid a housing administrator in Oklahoma for 2 years in a town that had no homes. Picher, OK—we cleaned it out because of lead contamination. But we kept paying the housing administrator for Picher for 2 years—until I found it. I said: Why are we paying this guy? There are no homes.

Those little things, multiplied by a billion times throughout government programs, happen every day, and then we tell Americans we are going to raise your taxes because we will not do the hard work of oversight. We deny our oath when we do that, but we also deny the best tendencies and the tradition of this country. We can do a whole lot more with a whole lot less money if we would take care of this problem. But leadership is lacking on doing it.

As long as we have our eye on the ball of saving Medicare and saving Social Security and do not have our eye on the ball of the things that are spending money that we are getting no value for—or very limited value—we are going to continue to be in trouble financially as a country, even if we do save Medicare and Social Security.

Every dollar the American taxpayer pays into this country should be precious to us. Our foreign aid budget, we never talk about it. Our foreign policy has not been reauthorized for years. There has not been a full-time inspector general in the State Department in 6 years. We have seven open spots for inspectors general to actually look at this stuff and to advise us and advise the agencies.

We are failing to do our job. My only wish for my colleagues is to get informed, and if they are on a committee, they do not have to solve it the way I solve it, but just solve it. It makes no sense to continue to duplicate things.

As a matter of fact, in job training, here is what GAO said: Of the 47 job training programs for nondisabled people—we have another 53 for the disabled—of the 47 all but 3 do exactly the same thing.

Either GAO is lying or they are not. If they are not lying, why wouldn't we, in the next 2 months in this place, fix those programs to make them where they are actually giving real skills, for a real livelihood, to people who need real job training. There is no effort at all to do that.

The House just passed a bill, and it barely passed because every one of these squares that we show on any one of these charts has a constituency. In other words, they are dependent on money coming from the Federal Government. So even though it is not efficient and not effective, our colleagues do not want to irritate anybody getting that money because we are more interested in getting reelected than

fixing the long-term problems of our country.

All you have to do is go to our Web site, coburn.senate.gov, and you will need a strong anti-emetic for the rest of the week if you read the waste and fraud and abuse and thievery that is going on with Federal Government programs. This budget does not address any of that waste.

Do you realize \$200 billion out of \$670 billion is \$2 trillion over the next 10 years. If we just fixed that, it would help pull us out of the big hole. That is \$2 trillion that has a very low economic multiplier in our economy versus \$2 trillion that might have a bit.

I will end on this last point: Last year we gave out \$4 billion to foreign countries that own more than \$100 billion of our debt. Ask the typical American—we are borrowing money from China, and we are giving them foreign aid. They own \$850 billion of our debt. Why would we do that? We are in debt, we are scrambling, we are borrowing \$40 million a minute, and we are taking the money we are borrowing from China and turning around and giving it back to them in foreign aid. Why would we do that? It just shows how out of control all the processes are in Washington because we fail to be informed and hold the administration—whether it is a Bush administration or an Obama administration, all of them are guilty. The reason they are guilty is because we are not raising the question.

I will tell my colleagues, they are going to get a vote on a lot of this stuff. A lot of my amendments have bipartisan support. But we are going to vote. They get to vote on whether they think we ought to eliminate duplication. They are going to have 17 separate votes on that. I am going to try to wind those into two votes. Vote against fixing it and then go home and tell Americans you want to raise their taxes \$1 trillion, and you do not want to eliminate the stupidity going on in Washington.

THE PRESIDING OFFICER. The Senator's time has expired.

Mr. COBURN. I thank the chairman and the ranking member for the time.

THE PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to just take one moment before I yield time to the Senator from Delaware.

(Disturbance in the Visitors' Galleries.)

THE PRESIDING OFFICER. There will be no expressions from the gallery.

Mr. WARNER. I commend my friend, the Senator from Oklahoma, who has made this a passion. I would acknowledge this is a challenge that transfers between administrations.

When I was Governor of Virginia, under the previous administration, we tried to consolidate workforce training programs. We still had those 47 pro-

grams and were not able at the State level to consolidate into a more meaningful approach.

I recall when I first came to this body, I thought let's at least find the low-hanging fruit, and we found those programs that both the Bush administration and the Obama administration had agreed were duplicative and unnecessary—16 programs, \$1 billion; but a billion here and a billion there and you are talking about real money.

I am happy to report 11 of those 16 programs have been eliminated. But the fact that there are those that both administrations agreed upon that have not been eliminated means there is more work to be done. I would simply point out to my friend from Oklahoma there has been legislation that he and the ranking member, the Senator from Delaware, who has also worked hard on these issues, supported 2 years back called the GPRMA bill, the Government Performance Results Modernization Act. In that bill for the first time ever, starting this year, there is a requirement that each agency of the Federal Government identify not only those programs that are the most successful, but those programs that are the least successful.

So regardless of which administration, Republican or Democratic, there will at least be some—beyond just OMB putting forward information that says where the actual agencies themselves think they are not getting good value for the dollar.

Mr. COBURN. Would the Senator, through the Chair, take a question? Does the Senator know the number of agencies in the Federal Government that actually know how many programs they have in their agency?

Mr. WARNER. I know the answer to this because we have talked about this in the past. We do not have a complete list of all of the various programs.

Mr. COBURN. There is one agency in the Federal Government that knows all its programs. Only one. The Department of Education. They actually publish it every year. They actually have done a great job. I compliment them. Not one other Federal agency actually knows all of the programs that run under their auspices.

Mr. WARNER. I turn now to my good friend, the Senator from Delaware. This has been an extraordinary passion of his. I know as chairman of the Homeland Security and Government Affairs Committee, along with the ranking member from Oklahoma, this will be an area of great interest and focus.

With that, I yield 10 minutes to the Senator from Delaware.

THE PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. It is ironic; this reminds me of our church. Every now and then our minister is going full steam and preaching to our congregation. He

says: I know I am preaching to the choir, but even choirs need to be preached to.

In this case, the folks, ironically, on the floor—Senator WARNER, Senator COLLINS, Senator SESSIONS, and I think myself and Dr. COBURN—there are probably no Democrats and Republicans more committed to figuring out how do we get better results for less money in everything we do. So even the choir needs to be preached to. We just had a pretty good sermon.

I have a couple of posters here I want to share. I think they might be of some interest and value in this discussion. I like to think of spending, as we are trying to rein it in and get it under control, in three elements. One of those is entitlement spending, which now is over 50 percent of what we spend in the Federal Government. It is growing. We have something called discretionary spending, which includes defense, and the domestic programs which are not entitlements, not Medicare, not Medicaid, not Social Security. Then you have got interest on the debt. That is pretty much it. That is pretty much it. If you look at, again, entitlement spending, Medicare, Medicaid, Social Security and other things that we are entitled to, it is over 50 percent and growing.

As it turns out, the part of our budget that is being squeezed is the discretionary spending. So about half of that is nondefense discretionary spending. That includes everything from transportation to agriculture, to housing, education, to homeland security, and a whole lot of other things as well. Then there is defense.

If you take a look at this chart, we find that this gray line here is actually nondefense discretionary spending. We start out in 1971. It is about 4 percent of spending as a percentage of GDP. Today it is about 4 percent as well. The budget that I believe we received from the House of Representatives actually—where they actually drop their spending is in that money. That includes workforce development, it includes education, it includes infrastructure—roads, highways, bridges, rail, ports, all of the above. It includes investing in R&D, research and development, through the National Science Foundation, National Institutes of Health, and creates among other things goods and services and products that we can sell all over the country and all over the world.

Under the House-passed budget, that money, instead of spending about 19 percent of our budget for nondefense discretionary spending, I think we would end up down around 4 percent for all nondefense discretionary spending—4 percent of our budget. That is not consistent with the priorities of many of us, including those on this side of aisle, include our own congressional delegation.

Here we have health care. This is good. Health care as a percentage of GDP. I mentioned Medicare as a percentage of our entitlements, including Medicare as a percentage of our budget, now is up over 50 percent and climbing. If you look at health care as a percentage of GDP in this country, we are the green line. What we see from 1961 down to about 2010, the green line keeps going up and up and up.

Today, health care as a percentage of GDP in this country is about 17, almost 18 percent. I think the next closest country is France. We are way ahead of anybody else. We are almost twice as high as the Japanese, for example. We spend about 17, 18 percent of GDP. They spend about 8 percent. They cover everybody. They get better results.

When you have health care, the big part of Medicaid spending, Medicare spending, in fact all of it, is growing as though it is toxic. Entitlement spending continues to grow. We have got to do something about that. The discretionary spending part of our budget has actually been going down over 40 years by a significant amount of money. Today it is less than one-third of our total spending, if you combine defense and nondefense nondiscretionary spending.

So what do we do about it? What we try to do about it in our side in the budget, created with a lot of input from Senator WARNER, a lot of input from Senator SANDERS on our side, great leadership by Senator PATTY MURRAY, who is the chair of the committee—they have come up with a budget that is before us today that says: All right, we know we cannot continue to spend as we are doing. We have got to rein in the spending, not only on the entitlement side but also on the discretionary spending side. We need to raise some revenues.

They go back to take a page out of the Clinton playbook from, gosh, 12, 13, 14 years ago, when we had a big deficit—not as big as this. But they adopted a deficit reduction plan engineered by Erskine Bowles, the Chief of Staff. They did a deficit reduction plan in 1997 with bipartisan support that said: For every dollar of spending that we cut, we raise a dollar of revenues.

We ended up with four balanced budgets in a row. The budget that comes out of the Budget Committee is similar in that it is dollar for dollar, a dollar of deficit reduction on the revenue side, a dollar on the spending cuts. But unlike what happened 12 years ago—15 years ago actually—we do not get to a balanced budget. If there is a fault in the budget that has come out of the Budget Committee, while it reduces our publicly held debt as a percentage of GDP from 73 percent, 72 percent down to about 70 percent in 10 years—it stabilizes and starts to bring it down as a percentage of GDP—we still will have a budget deficit of over a half a trillion

dollars 10 years from now. Is that good enough? No. We need to do better. In terms of entitlement program spending, we need to find ways to save more money. We need to do it without saving old people and poor people. We need to do it in a way that preserves these programs for the long haul.

We were in our caucus. We had some good presentations from a few of the smartest people, health economists, doctors and so forth, that have been around. They gave us a whole bunch of good ideas on how to get better health care results for less money. We need to do that and more.

On the discretionary spending side, Senator COLLINS, who has previously chaired the Homeland Security and Government Affairs Committee—Senator COBURN and I have the privilege of leading it today. We focus literally every day as an oversight committee, trying to do oversight of the whole Federal Government, which is a whole lot for one committee to do. We do it in conjunction with the GAO. We work off their high-risk list, high-risk ways of saving money. Every few years they give us these great to-do lists for the Federal Government. We work on it in our subcommittee. We work on it with GAO. We work with OMB, Office of Management and Budget, we work with the inspectors general across the agencies of the Federal Government. We work with nonprofit groups such as Citizens Against Government Waste.

Our whole idea is to focus on wasteful spending, as we ratchet down the spending, figuring out where are we going to get good results and where are we not. In the programs where we get the kind of results we want, we fund them more or we reduce them less. If we are not getting the results we need, we close those programs, we reduce those programs. That is the way it ought to be. That is the way it ought to be. That is the way we are trying to do it.

Let me see if I have another chart here that might be relevant. When Bill Clinton was President in the last 4 years of his administration, they negotiated a deficit reduction deal with the Republican House and Senate in 1997, dollar for dollar, a dollar of revenue, a dollar of deficit reduction on the spending side. And for those 4 years we had a balanced budget, revenues as a percentage of gross domestic product. I think it was about 19½ to 20 percent, right around 20 percent of GDP.

Last year, our revenues as a percentage of GDP were down around 16 percent, I think, between 15 and 16. Even with the fiscal cliff deal that was adopted earlier, we will be up to about 18 percent of GDP by the end of the 10-year period.

I would suggest there are three things we need to do here: No. 1, we can build on a plan that has come out of the Budget Committee. It is a good

start but it is not the finish line. We need to find additional savings in the entitlement programs that do not savage old people or poor people and preserve these programs for the long haul.

We need, in addition to that, revenue. We can do that by closing deductions, loopholes, credits. We can means-test a bunch of stuff. But we need to come up with the revenue to get closer to 20 percent.

The last thing, really in conjunction with what Senator COBURN was saying, is we need to look at every nook and cranny of the Federal Government—every nook and cranny of the Federal Government, from A to Z, from Agriculture to Transportation and everything in between. We need to ask this question: How do we get a better result for less money in everything we do? It is not just the responsibility of our committee, Homeland Security and Government Affairs, it is not just the Budget Committee, it is every committee. It is all of us who can win this together. It is the administration. It is the taxpayers groups. We are all in this together. If we are going to get to where we want to be, that is a fiscally sustainable roadmap to the future, it has to be all hands on deck. It has to be those three things: entitlement reform, additional reform, and to really squeeze every dime on the spending side and move from a culture of spend-thrift to a culture of thrift.

The budget resolution gets us going in the right direction. We are going to meet up in the House in a conference committee, their vision, our vision. That is where the real hard work begins. Out of that I hope we end up with a real focus on those three things. If we do and we can work together, and the administration and the President provide the leadership we need, we will get where we need to go in the future.

I yield back.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I yield 10 minutes to Senator COLLINS. I would note that she has been a leader in governmental reform through the committee that she chaired and has been ranking member on. I would value her insight at this time.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me thank the ranking member of the Budget Committee for all of his incredibly hard work on this issue. It is a hopeful sign that the Senate is finally debating a budget to set priorities for Federal spending and revenues in the coming year. While I am disappointed that we failed to perform this fundamental duty for the past 4 years, and that the budget reported by the Budget Committee is, unfortunately, a partisan one, I nevertheless welcome this budget debate.

I wish to describe the amendments I will be offering to the budget resolu-

tion later today. The first of these amendments is No. 144. It would create a deficit-neutral reserve fund for the purpose of correcting ObamaCare's definition of what is a full-time employee under the law. This amendment would allow employees to work more than 30 hours a week without triggering possible penalties on the businesses that hire them.

ObamaCare requires businesses with 50 or more full-time employees to provide qualified health insurance to their workers or face onerous penalties. These penalties begin at \$40,000 for businesses with 50 employees, plus \$2,000 for each additional "full-time equivalent" employee. These penalties are a huge disincentive for any small business that wishes to grow and add new jobs.

One Maine business I know has 47 employees, and it would like to hire more but won't because of these onerous penalties. Another employer told me she is better off financially if she were to cancel the health insurance she provides to her employees and instead pay the fines. The fines are cheaper than paying the health insurance premiums for her employees. What perverse incentives ObamaCare has.

Greatly adding to the problem, ObamaCare defines full-time employees as averaging just 30 hours of work a week. This definition is completely out of keeping with standard employment practices in the United States today. According to the Bureau of Labor Statistics, the average American works 8.8 hours per day, which equates to 44 hours per week. GAO, in looking at this issue, uses 40. We pay overtime after 40 hours per week. The number of hours set by ObamaCare as full time is nearly one-third lower than the actual practice.

By using this unreasonably low threshold of 30 hours per week to define a full-time employee, ObamaCare artificially drives up the number of full-time workers employed by a business, exposing the employer and business to the risks of substantial penalties.

The consequences are some businesses are restricting their employees to no more than 29 hours per week to ensure their workers are considered part-time under ObamaCare. If more businesses follow suit, millions of American workers could find their hours, and thus their earnings, are cut back at a time when many of them are already struggling.

My amendment would allow for legislation setting a sensible definition of a "full-time" employee for purposes of ObamaCare penalties. This will help protect workers who otherwise will find their hours curtailed and their earnings cut as a result of the requirements in the ObamaCare law.

I would note this affects a wide range of employees. This is why you have NAM, the National Association of Man-

ufacturers, and the NEA, the National Education Association—strange bedfellows indeed—both supporting my amendment.

The second amendment I am offering is amendment No. 459. It calls for sensible regulatory reform. Its provisions are based on legislation I have introduced in the past, the Clearing Unnecessary Regulatory Burdens Act or the CURB Act. This bill is designed to ease the regulatory burden on our Nation's job creators and is supported by the Nation's largest small business advocacy group, the National Federation of Independent Business.

My amendment would require Federal agencies to take into account the impact on small businesses and job growth before imposing new rules and regulations. It does this in three ways: First, it requires Federal agencies to analyze the indirect cause of regulations, such as the impact on job creation, the cost of energy, and consumer prices.

Second, it prohibits Federal agencies from circumventing the public notice and comment requirements by issuing unofficial rules known as "guidance documents" to avoid the review required under Executive orders. Third, it helps small businesses avoid unnecessary penalties for first-time, non-harmful paperwork violations.

The third amendment which I will offer is amendment No. 143. It would simply require the President, Vice President, and Cabinet-level officials to purchase their health insurance through the exchanges established by the Affordable Care Act or ObamaCare.

ObamaCare requires individuals to purchase qualified health insurance or face a penalty. Those who cannot obtain coverage through their workplace or another source are required to purchase insurance through the exchanges which would be created under this law. ObamaCare specifically requires most Members of Congress and their staff to obtain health insurance through exchanges. If the exchanges are good enough for Members of Congress and their staffs, then surely that same requirement should apply with respect to the President, Vice President and Cabinet-level officials. My amendment would extend this requirement to them.

Finally, I am also pleased to be co-sponsoring an amendment with my colleague Senator CASEY of Pennsylvania to prevent government waste in the Job Corps Program by requiring the long-overdue implementation of financial management, internal controls, and updated program integrity protocols at the Employment and Training Administration.

What has happened with the Job Corps Program is an utter disgrace. This program has significant shortfalls, which are caused entirely by the inexcusably poor management of this

program for 2 years in a row by the Department of Labor. Job Corps is expected to be in a shortfall again next year.

The impact has led the administration to suspend new student enrollment into the Job Corps Program. These programs are critical for at-risk youth. They provide education, training, and job skills. It is a disgrace the administration has had such terrible management in Washington that furloughs are happening and students are being denied services.

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. COLLINS. Mr. President, I urge my colleagues to adopt my amendments today.

Mrs. MURRAY. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Washington has 47 minutes remaining, and the Senator from Alabama has 23 minutes remaining.

Mrs. MURRAY. May I ask the Senator from Alabama if the Senator from Virginia may speak for 10 minutes? I see the Senator has some speakers on his side?

Mr. SESSIONS. I believe that would be appropriate.

Mrs. MURRAY. Mr. President, I wish to thank the Senator from Virginia for helping to craft this budget and for his intense focus on making sure we reach a balanced agreement for our Nation's future. This has been his lifelong passion, and he has done a great job. He is a great working partner, and I appreciate all of his experience.

I yield 10 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, let me thank the Chair for her good work and putting this budget together, which I believe is the first step as we try to resolve this issue.

The Senator from Washington has mentioned this has become my passion in this body. I absolutely believe getting our debt and deficit under control, getting the country's balance sheet right has almost become a proxy for whether our democratic institutions such as Congress may actually work in the 21st century. This debate we are going through is an important step in that direction.

We are about to proceed to the section of debate where a host of amendments will be put up, debated, and decided. It is my hope sometime later tonight or early tomorrow morning we will be able to conclude this process and move on to the next steps.

As I listen to my colleagues, particularly from the other side, I do wish to make three quick, brief points because there are actually a lot of agreements between us. I think we all realize that in addition to trying to get our tax policies and spending policies right—I

agree with the Senator from Oklahoma—there are areas of duplication which could be improved upon.

I would point out one amendment this Budget Committee put together in a bipartisan fashion—the majority and minority were working together—was looking at the area of workforce training programs for further consolidation. We are able, not just in workforce training but across government, to find better ways to combine our programs and obtain more effective use of our tax dollars. I look forward to working with Members on both sides of the aisle to do that.

I would also say while we have this problem about how we are going to raise our revenues and how we are going to spend, an important component of all of this is how we grow our economy. One of the challenges I find—and the proposal mostly from the House, which appears to be the proposal endorsed by many of our colleagues on the other side—I am not sure their budget proposal puts forth a growth agenda.

At the end of the day, countries, just as private companies—and I spent 20 years in business, longer than I have in public life—need a business plan. Any good business plan invests in three things: people, plant and equipment, and an investment plan to stay ahead of the competition. Companies do the same thing; namely, invest in education, infrastructure, and R&D.

Unfortunately, the proposal which has been put out by the other side of the House would cut our government's investment in domestic discretionary spending from what is already at a very meager rate, closer to the Eisenhower administration rates. We currently spend about 16 cents on every Federal tax dollar on all of our domestic discretionary budgets combined. Over a period of time their plan would take that 16 cents to less than 5 cents.

I spent 20 years investing in business. I would never invest in a business which spent less than 5 percent of its revenues on its workforce, its plant and equipment, staying ahead of the competition. No country can stay competitive against emerging nations such as China, India, and Brazil. And Europe, facing financial crises, is trying to reset itself as well. Any of those nations are spending a larger percentage of their Federal revenues or their national revenues on training the workforce, building their roads, airports, broadband, and ports. They are trying to do research and development, which creates the intellectual capital which will drive our economy in the 21st century. Every other nation in the world with which we compete has a much more aggressive business plan than the business plan that would have been put forward by the House. Unfortunately, it would be put forward by many of our colleagues on the other side if they

were allowed to cut domestic discretionary spending at the levels they propose.

We have often heard a lot of discussion on this floor about revenues. I don't think anyone on either side wants to be taxed more than is necessary.

The other side says we have a spending problem but refuses to look at the other side of the balance sheet. As a business guy, I find that troubling. I agree there are a number of areas where we need to cut back spending.

Look at revenues on a historic basis, look at revenues on the basis of when America had the fastest growth rate in recent time. During the 1990s, with President Clinton, our Nation added jobs at a record level. Our Nation made innovative grants, innovation and discovery of great new intellectual property at an unprecedented level. In the 1980s America was considered to have seen our best days. We came roaring back in the 1990s.

I didn't hear many complaints about our Tax Code in the 1990s during those periods of enormous growth because of those investments and because of that growth early in the beginning of this century. Around 2003, I think this body, and both parties, were part of it and made a mistake on assuming that the roaring good times were going to last forever. We cut \$4.5 trillion over a 10-year period out of the revenue side.

Anybody who runs a business knows you must look at spending and you must look at revenues. We took \$4.5 trillion out of our revenue stream at the very same time we doubled defense spending and increased spending on homeland security. We went to war twice entirely on the credit card. We provided new benefits for our seniors with prescription drugs, and seniors were going through the normal aging process. Many of those spending initiatives, again, were supported by both sides. But when the music stopped, we realized we had a structural budget deficit that now accounts for \$16.5 trillion in debt and it goes up by \$3 billion a night. While we have to take steps to rein in spending, we also have to realize not to grow government but, just to pay our bills, we have to put some of those revenues back into the revenue stream if we are ever going to get to some level of balance.

Well, what does this side of aisle propose? Have they said, You know, we need to go willy-nilly and go out and dramatically increase taxes even beyond what was proposed in the 1990s? No. Do the folks in this budget on the Democratic side say we at least ought to put 70 cents of that \$4.5 trillion back into the revenue stream? No. Do we say we ought to put half of the revenues back into the revenue stream that we took out? Again, the answer is no. This budget, combined with what we did on New Year's Eve, puts approximately

\$1.575 trillion over a 10-year period back into the revenue stream—literally only one-third of the revenues that were taken out under the so-called Bush tax cuts back into the revenue stream.

Yet to hear what folks on the other side say, it sounds as though this is apocalyptic. Well, I have to tell you, as somebody, again, who will match my business credentials against anybody in this body, you have to look at both sides of the balance sheet. We have to find ways to rein in spending but we also, finally, have to find ways to make sure we have a revenue stream to allow us to meet our obligations.

A final point I wish to make—because I know my colleague, my good friend from Oklahoma, wants to rise to speak as well—is that I believe very strongly we have to get a handle on our entitlement programs. Medicare and Social Security are the two most successful programs our government and, for that matter, probably any government around the world, has ever implemented and we need to make sure the promise of Medicare and Social Security is going to be here for our kids and our grandkids.

Around some of those programs some of the basic math has changed. When I was a young person, there were 16 people working for every 1 person who was on Medicare and Social Security. Today, it is 3. In 15 years, it will only be 2. So we do have to make changes. And this budget starts us down that path—\$275 billion in entitlement changes, on top of \$700 billion in entitlement changes that were part of the Affordable Care Act.

If we are going to make comparisons, apples to apples—and this gets a little bit technical, and I will again try to be very brief—I have not heard a lot of my colleagues acknowledge this. When this debate around debt and deficit really picked up steam—it started back in 2010 with a lot of very good bipartisan work done by the Simpson-Bowles Commission that pointed out we were on an unsustainable path and if we didn't take action we would send our Nation over a fiscal cliff. In the Simpson-Bowles report, they pointed out we needed to make substantial changes, for example, in Medicare and Medicaid. Well, they had some proposed changes that would have amounted to roughly over \$400 billion in savings over a 10-year period.

What is remarkable, and is not mentioned, is that because—whether it is recession or the Affordable Care Act—the rate of increase of our health care programs and our entitlement programs over the last 3 years has dropped dramatically, and independent of the \$275 billion of entitlement savings in this budget, based upon the assumptions that were made in 2010, based upon the Center for Budget Priorities, in 2020, because of the declining rate of

increase of cost, we will have an additional \$500 billion in health care savings that are already built into this proposal.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WARNER. I ask unanimous consent for an additional 30 seconds, and I will finish.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I would simply say that I want to commend this debate we are having and commend Members on both sides of the aisle. As I said at the outset, no budget is going to be perfect for every Member, but this is a credible, important first step in this process, and one of which I think we can all be proud. I look forward to finishing this debate and moving on to the next stage to make sure we put this question of our Nation's balance sheet in order and then move on to the other important issues our country faces.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I yield to my colleague and friend Senator INHOFE. I think Senator INHOFE was told he had 8 minutes but this says 5.

Mr. INHOFE. I would respond to my good friend and say I will take the 8.

Mr. SESSIONS. All right. There is 5 minutes, and if the Senator needs to go over that a little bit, I will understand.

Mr. INHOFE. I thank the Senator from Alabama very much.

We have been very much involved—not just myself but the Senator from Alabama and others—in this whole sequestration thing. The longer we have these hearings on this, the more we come to the realization we are not sure a lot of the things we are doing in these cuts are actually going to have the effect of cutting. If they did, our concern would be the fact that defense, which consumes 18 percent of the budget, would be getting 50 percent of the cuts, and that is over and above what this President has already done, projecting out in 10 more years at \$487 billion in cuts.

This sequestration is projected to be—the way it was drafted in the Obama sequestration—an additional $\frac{1}{2}$ trillion. I remember when the previous Secretary of Defense was there and he used the word “devastating.” It was devastating.

One thing that has not been observed is the possibility that some of the things that are on there and are designed to be done will actually cost more money. Let me share, if I may, some quotes by some of the military.

First of all, Department of Defense Comptroller Hale said—and this is very significant:

We would also be forced to disrupt as many as 2,500 investment programs, driving up costs at the very same time we are trying to hold them down.

In other words, he says that particular part of this could actually cost more than the cuts.

General Odierno said this at one of our hearings:

The Army agrees that the hidden costs of sequestration may actually nullify any savings anticipated to be gained through sequestration.

There again, it could actually cost us money, not save us money. Admiral Ferguson said the same thing. I like his statement. He said:

Much like an automobile owner who chooses to skip a series of oil changes today to realize near-term savings . . . eventually his decision will result in the need for a costly engine overhaul later, the downstream cost of cancelled maintenance . . .

And that is what is going to have to be done under sequestration—

. . . is both reduced operational availability and much higher depot-level type repairs in the future.

This is something that was understood by the chairman of the Armed Services Committee and myself when Senator LEVIN and I jointly signed a letter to the budget people saying we have a problem; that sequestration could cost more, and we recommended that in those areas where it costs more, then we would add \$16 million—that would be one-third—to the OCO account so that could be used in the event—only in the event—we find we are spending more money on that.

As I say, I did give a copy of this letter as a reminder to the chairman of the committee, Senator LEVIN. So all we are doing is what we requested be done some time ago. Most likely, it is not going to cost anything and it is not scored. This is the OCO account, and it is increasing it \$16 million more, to \$66 million. It is interesting that in the budget that came over from the House it was \$95 million, so this is considerably less than that.

I think this is a good thing to do, and I honestly believe it will enjoy enough support that we will be able to get it with a voice vote. I can't imagine anyone being against it. Because what we are saying is, in an area where it is costing more, we will have something to cover that rather than it coming out of the defense budget.

I will not take a long time on this other one. I don't have the assurance yet that we are going to have a vote on it, but I think it is very important. There are a lot of us here, and I dare say a majority of us in the Senate, who are looking at this United Nations arms trade treaty and thinking: Why in the world would somebody want to cede to the United Nations, or to any multinational group, the power to make determinations as to with whom we trade arms? We may have an ally out there that maybe the United Nations doesn't agree with and they would be able to keep us, through a treaty, from trading arms with our allies—an ally such as Israel, as an example.

So I have an amendment—amendment No. 139—that I will try to get a vote on because I think we should. This may end up being the only vote that is addressing this real hot issue of guns right now, and that is all we have heard about in the last few weeks. I am going to tell you the actual wording of this so we are not hiding anything.

If you are for gun control, you won't like this. If you are for the multi-nationalists being in a position to determine with whom we trade, you are not going to like this. And to show you what this is, I will read the new language in the bill. It says:

... upholding Second Amendment rights ... preventing the United States from entering into the United Nations Arms Treaty.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. INHOFE. I am going to try hard and encourage our leadership to allow a vote on this very significant amendment. And I would say, if we could pull out maybe 3 or 4 amendments of all the 200 or 300 amendments, this would have to be one that most people would consider to be a very significant amendment.

With that, I would only mention one other thing. I am not going to bring this up, but I do have an amendment—amendment No. 282. A lot of people in States such as Alabama and Oklahoma recognize that our banks were not the problem. We didn't have problems in my State of Oklahoma. So when we talked about State banks and community banks, we were in a position to take care of our own needs and we should not be a part of it. So this amendment—and then I will close—merely says we are going to come forth with legislation. We are going to draw a distinction, not just on Dodd-Frank and that type of legislation, but between community and State banks and Federal banks. The latter is where the problem is, so let's not try to correct something or fix something that doesn't need fixing.

Before I yield the floor, let me ask unanimous consent to have printed in the RECORD the letter from Senator CARL LEVIN and myself dated March 1.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

COMMITTEE ON ARMED SERVICES,

Washington, DC, March 1, 2013.

Hon. PATTY MURRAY,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

Hon. JEFF SESSIONS,
Ranking Member, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR PATTY AND JEFF: In accordance with your request, we are forwarding our recommendations for the FY 2014 budget resolution. As you know the Department of Defense races an unprecedented level of fiscal uncertainty. Congress has not completed action on FY 2013 appropriations, the government is operating under a continuing appropriations resolution that expires on March

27, and the FY 2014 budget has been delayed. Additionally, discretionary accounts face sequestration starting on March 1. Sequestration is expected to increase the cost of defense programs, placing additional demands on the DOD budget in the long run. We urge our colleagues to support passage of full-year FY 2013 appropriations as well as legislation that would eliminate sequestration in FY 2013.

Normally, the Committee would use the President's budget submission as the starting point for developing our recommendations for the FY 2014 budget resolution. While we do not have a 2014 request the Committee notes that last year's budget, submitted to the Congress on February 13, 2012, projected \$579.7 billion in discretionary budget authority for the Department of Defense in FY 2014. This total included \$535.5 billion for the base budget and \$44.2 billion for overseas contingency operations. The budget request also projected \$17.2 billion for defense programs in the Department of Energy in FY 2014. Last year's budget request, together with the out-year budget projections, was developed pursuant to a new defense strategy released in January 2012. We anticipate that meeting our national security requirements and providing for our men and women in uniform and their families will require the FY 2014 National Defense discretionary and mandatory budget projections that were included in last year's budget submission. We recommend that the budget resolution for fiscal year 2014 include the projected amounts of budget authority and the associated outlays (subject to any technical revisions by the Congressional Budget Office) for national defense.

If sequestration is implemented over the next seven months, it will impose significant long-term costs on the Department of Defense to recover acceptable readiness levels and carry out the national military strategy. Accordingly, if Congress is unable to enact legislation avoiding sequestration, we recommend that the base budget for the Department of Defense be increased by two to three percent to enable the Department to address these problems. If such legislation is enacted, the increase in funding will not be necessary.

The Committee recognizes the requirement pursuant to section 411 of the fiscal year 2010 budget resolution that directed Committees to review programs in their jurisdictions to eliminate waste, fraud, and abuse, and to include recommendations for improving government performance. Last year, the Committee was responsible for the enactment of the FY 2013 National Defense Authorization Act (NDAA) which reduced the authorization levels for the Department of Defense and the national security functions of the Department of Energy by \$29 billion when compared with the levels authorized in FY 2012.

The FY 2013 NDAA included a number of cuts to the President's budget request. For example, the FY 2013 NDAA: cut more than \$660.0 million from the President's budget for military construction and family housing projects; prohibited the obligation or expenditure of FY 2013 funds for the Medium Extended Air Defense System eliminating a \$400.9 million expenditure; cut \$200.0 million from the Commander's Emergency Response Program; cut \$197.0 million from Army and Marine Corps' ammunition procurement accounts; cut \$190.0 million for the Joint Tactical Radio System; cut \$175.0 million from excess unobligated balances; and cut \$77.1 million from the request for development of the KC-46A aircraft program.

In addition, the FY 2013 NDAA included a number of provisions to improve defense contracting and reduce waste in the operations of the Department of Defense. For example, the legislation:

Requires the Secretary of Defense to implement a plan to rebalance and reduce the DOD civilian employee workforce and service contractor workforce, achieving a savings of 5 percent in each workforce over a 5-year period while providing the Secretary flexibility to exclude critical elements of the workforce and to phase in reductions.

Improves the cost-effectiveness of DOD contracting by strictly limiting the use of cost-type contracts for the production of major weapon systems; enhancing protections for contractor employee whistleblowers; restricting the use of "pass-through" contracts; and clarifying DOD access to contractor cost-and price-information.

Strengthens the authority of the senior DOD official responsible for developmental testing on major defense acquisition programs.

Restricts the use of "pass-through" contracts by requiring a contracting officer determination to support any contract on which more than 70 percent of the work will be performed by subcontractors.

Requires DOD to review its existing profit guidelines and revise them as necessary to ensure an appropriate link between contractor profits and contractor performance.

Requires DOD and other agencies to conduct risk assessments and take steps to mitigate significant risks associated with contractor performance of critical functions in support of overseas contingency operations.

Requires DOD and other agencies to establish clear chains of responsibility for key acquisition functions in support of overseas contingency operations.

Added funds to support the DOD Corrosion Prevention and Control program. DOD estimates that corrosion in military equipment costs the Services over \$22.0 billion per year; expenditures in this area have yielded an estimated 14:1 return on investment by reducing the bill for repair and replacement of corroded systems and parts.

Added funds to support the DOD Inspector General (IG), to enable the IG to continue growth designed to provide more effective oversight and help identify waste, fraud, and abuse in DOD programs, especially in the area of procurement. DOD IG reviews resulted in an estimated \$2.6 billion savings in FY 11—a return on investment of \$8.79 for every \$1 spent.

The Committee will continue to develop recommendations to improve the efficient management of taxpayer funds, including identifying additional savings across the full range of defense programs.

The Committee notes that last year the Department of Defense submitted a program that included \$487 billion in budget cuts over ten years. The Secretary of Defense has testified that the additional cuts required by sequestration would be devastating to defense programs and would require a new strategy with an unacceptable degree of risk to our national security. The Chairman of the Joint Chiefs of Staff has also stated that the military cannot absorb such cuts without direct impacts to missions and capabilities. We agree with these assessments and urge the Budget Committee to develop a plan that avoids sequestration.

At this time, absent receipt of the FY 2014 budget request, we believe that the funding levels we are recommending will allow us to

meet our current national security requirements. We may wish to amend our recommendations after receipt of the budget request and we look forward to working with you to create a budget that supports our national security.

Sincerely,

JAMES INHOFE,
Ranking Member.
CARL LEVIN,
Chairman.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be divided equally between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I allot myself 5 minutes of the time allotted to Senator CORNYN.

The PRESIDING OFFICER. The Senator is recognized.

Mr. ENZI. Mr. President, I rise today to talk about the spending decisions that are crippling the long-term budget outlook and the futures of our children and grandchildren.

I am one of two accountants serving in the Senate, so the purpose of the budget resolution makes a lot of sense to me. It is like an accounting ledger—a blueprint that lays out spending priorities for the country for the next fiscal year. Back in my accounting days, I made sure that the ledger balanced. I would look carefully line by line at what was being spent and where it was being spent. If the ledger didn't balance, I looked at what could be trimmed from the overall budget. To do that, I would sit down and prioritize what was needed to make the business work, and what could be cut with the least impact on the business or its customers. I would also look at where the business might be duplicating some of its efforts and what could be cut there.

But that is not what we are doing in this exercise. We are not taking a serious look at spending and making the necessary and tough choices about what we can afford.

We aren't even able to vote on spending items that both sides agree are duplicative or wasteful, as we saw during the weeklong exercise with the continuing resolution that passed yesterday.

What we should be doing is asking every agency to prioritize what it does from the best to the worst, and then we would be able to compare that list to the wasteful and duplicative items that have been identified, including some by my colleagues, such as Senator COBURN. He has been tireless in his ef-

fort to identify these spending items and bring them to the attention not only of his fellow Senators but the American people. Then we should cut what the Federal Government isn't doing well.

We can also use the principle behind my One Percent Spending Reduction Act—also known as the penny plan. This is a bill that has a simple and direct plan to achieve the spending cuts necessary to balance the budget. It would accomplish the task by cutting a single penny from every dollar the government spends every year for 3 years and end with a balanced budget after those 3 years. Taking this approach, each agency and program within that agency could determine its priorities and decide where to cut 1 percent of its budget. Guaranteed, if given the choice, agencies and programs—I hope—would cut the least important, the least likely to affect staff and overall operations. In other words, they would cut what they could do without, and every business and every agency has those things.

The problem is that every program has a constituency. Every program has folks who are telling me or my colleagues: Yes, we understand the need to cut spending, but my program is an integral part. So don't cut me, cut someone else.

At this point we have to step to the plate and say that there are no easy choices left. If we all feel a little bit of pain now, we can avoid the pain we will face if we continue to kick the can down the road when it comes to our long-term budget outlook. We have to get serious about providing a blueprint for future spending that provides a path to a balanced budget. We need a blueprint that funds the government and necessary programs but takes an honest look at where taxpayer dollars are going and makes changes to spend less and spend more wisely.

Some of my colleagues across the aisle have talked about providing for future generations in the budget resolution. With this budget we are providing for future generations—we are providing them with less prosperity and fewer opportunities by refusing to make some hard decisions and saddling them with unpaid trillions of dollars in bills.

I have three children and four grandchildren who live in Wyoming. Many of my colleagues have children, grandchildren, nieces, and nephews. It is because of them and families across the country that we have to make tough choices on our spending priorities, and we have to make them now. This budget resolution doesn't do that. Instead, it is another missed opportunity, another ledger that just doesn't balance.

Mr. President, I yield the floor. I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER (Mr. SCHATZ). Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I would recognize Senator CORNYN for up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. CORNYN. Mr. President, tomorrow marks the third anniversary of the Affordable Care Act—the law that President Obama said would reduce health care costs and strengthen our economy without forcing anyone to lose their existing coverage and without raising taxes on anyone making less than \$200,000. Those were the promises of ObamaCare, but over the last 3 years we have seen the reality, which is far different.

Reality No. 1: Amid the slowest economic recovery and the longest period of high unemployment since the Great Depression, ObamaCare represents a \$1 trillion tax increase that will affect all Americans, not just those making less than \$200,000.

Indeed, ObamaCare is a tax increase that will affect everyone, from young people with health savings accounts, to middle-class workers with families, to senior citizens on fixed incomes. It is a tax increase that will punish investment and hinder medical innovation, a tax increase that is already discouraging job creation and already hurting the economy.

Reality No. 2: ObamaCare has not solved the problem of rising health care costs, and in the years ahead it will make the problem much, much worse.

Remember, during the 2008 campaign, President Obama told us his health care plan would reduce family premiums by \$2,500. Yet the cost of family premiums has increased by nearly \$2,400 between 2009 and 2012. And once the President's health care law is fully implemented, premiums will soar even higher.

All we need to do is look at the front page of the Wall Street Journal, which reports:

Health insurers are privately warning brokers that premiums for many individuals and small businesses could increase sharply next year because of the health-care overhaul, with the nation's biggest firm projecting that rates could more than double for some consumers buying their own health plans.

The truth is that young people will be hit the hardest, people the age of my daughters—31 and 30 years old. The American Action Forum recently projected that premium costs for young and healthy Americans will “increase

by an average of 169 percent.” Such a dramatic increase in health care premiums will come at a time when middle-class workers and families are already struggling to make ends meet. After all, the median household income in America has fallen more than \$2,400 since 2009.

Reality No. 3: Even if you like your existing coverage, you probably won’t be able to keep it.

According to the Congressional Budget Office, 7 million Americans will lose their health insurance because of ObamaCare. Another study estimated that 30 percent of employers would drop their employees from their employer-provided coverage. In short, millions and millions of Americans who want to keep their existing coverage will be forced to give it up.

Which brings me to reality number four. For starters, ObamaCare is a massive job killer. No. 1, it increases a new tax on medical devices that is already prompting companies to reduce investment in the United States and lay off workers, including in my home State of Texas.

The Michigan-based company Stryker has recently shut down two of its facilities and is cutting 5 percent of its workforce; the Indiana-based Cook Medical has cancelled plans to build five new U.S. manufacturing facilities; and New York-based Welch Allyn is slashing its workforce by 10 percent.

Texas has more than 66,000 jobs in the medical technology industry, which ranks as among the top 10 States nationwide. But those jobs are at risk. According to one study, the medical device tax could destroy as many as 1,400 jobs in Texas alone, and reduce our economic output by \$252 million. This tax will also hamper innovation and reduce patient access to advanced medical devices.

Not surprisingly, the medical device tax is now facing strong bipartisan opposition. In fact, last night 79 Members of this Senate—Republicans and Democrats alike—voted to repeal it. Seventy-nine out of one hundred Senators voted to repeal it.

Unfortunately, the medical device tax is not the only job killer in the President’s health care law. But as we consider this litany of broken promises and as we sort through all of the unintended consequences of ObamaCare, I can only shake my head in frustration.

Three years ago this Chamber had a unique opportunity to pass common-sense, market-driven reforms that would have made health insurance more affordable and health care more accessible, while safeguarding the doctor-patient relationship and boosting our economy. I still believe we can achieve those goals. But the President’s health care law—now 3 years after it was passed—remains a huge obstacle standing in our way.

That is why I supported an amendment to the continuing resolution that

would have defunded ObamaCare and an amendment to the budget that would have repealed it. Both of these amendments were introduced by my colleague Senator CRUZ. Along with Senator CRUZ, I will continue pushing to replace the President’s health care law with more sensible alternatives.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank Senator CORNYN for his remarks. I think it is a cautionary tale that when you pass a bill with the very stated idea from the Democratic leader in the House that “We will find out what is in it after we pass it” then you know we are in trouble.

ObamaCare is a monstrosity of a bill that has 1,700 references that say we will execute this legislation pursuant to regulations to be issued by some nameless, faceless government operative somewhere. It will bind and affect the very health care of millions of Americans. I have become more and more convinced it will not work.

The budget that has been presented to us today fails to meet the challenge of our time. It does not alter, confront, or reform and put on a safe path our important Social Security and Medicare Programs, both of which are heading to deficit and disaster. They need to be fixed now. The sooner we fix them, the better off we will all be. And it can be done. It just requires some willingness to stand up and be counted and do the right thing.

There is no reform of the wasteful government duplicative spending that goes on. Senator COBURN just went through a whole litany of duplicative programs: 47 job-training programs, many education programs, huge duplication in highway programs throughout different agencies and departments of the government. We know those exist, and nothing has been done about it. It does not alter the debt course we are on and, in fact, keeps it at the same rate.

It says we are going to raise \$1 trillion in taxes and we are going to cut spending \$1 trillion, and this is the balanced approach. We have been told that over and over: This is a balanced approach.

But that is not what the budget does. It does indeed raise taxes—at least \$1 trillion actually—and it increases spending. So the net result of this budget over 10 years is to have no effect on the deficit even though it raises taxes \$1 trillion. A balanced approach, in the terms of my Democratic colleagues, is to raise taxes \$1 trillion and raise spending \$1 trillion. This is irresponsible.

I am baffled by the willingness of my colleagues to proceed in that fashion, representing the budget to be something it is not. I think they have a guilty conscience, perhaps. We have

been trying to keep up with how many times they have used the word “balanced.” How many times in the last 2 days have the Democratic speakers all across the board—who have their poll-tested language used the word “balanced,” when in fact they have an unbalanced budget that does not change the debt course and leaves us on a financial path that the CBO Director said is unsustainable. But you know the American people want a balanced budget, so you say: We have got a balanced approach, a balanced plan, a balanced priority, and you use that word over and over, with the idea that it sinks into somebody’s mind and they begin to believe that you have a balanced budget. I can hear an ad agency explaining how this works.

But we don’t have a balanced budget. It never balances. It has no goal of balancing. It is no closer to balancing than the current baseline and current law we are spending on.

So we have calculated—and the numbers have gone up every hour—201 references on the floor of the Senate to “balanced.” It just now begins to highlight the fact of how unbalanced this is, how unbalanced this budget is, how it does not do what we need it to do.

Back when I opposed the nomination of Jack Lew, who was Chief of Staff and OMB Director, to be Secretary of the Treasury, we talked about his first budget. It was the same way. They decided in early 2011, after the 2010 shellacking, to produce a budget that did not come close to balance. They had a little problem because the American people had just whacked the big spenders in the 2000 election. So what did they decide to do? They just said it would balance. They said we are only spending money we have. We have a budget that does not add to the debt. We have a budget that begins to pay down the debt. All three of those things were utterly false. The lowest single deficit, in his own numbers he submitted to us, was \$600 billion. That was the least that he had in his entire 10-year budget of what the deficit would be that year—\$600 billion deficit. Yet he said we have a budget that pays down the debt, we have a budget that only spends money we have, and a budget you can be proud of.

That is what we have here. I hate to say it. My colleagues have produced a budget that utterly fails to alter the debt course we are on. It raises taxes, but it does not use the taxes to reduce the deficit. It uses the taxes to fund new spending. It truly does.

The PRESIDING OFFICER (Ms. HEITKAMP). The time of the Senator has expired.

Mr. SESSIONS. That is the concern we have today. We will head now into the votes. I thank Senator MURRAY for allowing us to have free ability to speak and debate. We do not agree on these issues, but we will head into an

afternoon that hopefully will allow our Members a full opportunity to get a vote on amendments, if they believe strongly in them. We hope we do not have needless amendments, that Members are looking and understand the needs of our time.

I yield the floor.

Mrs. MURRAY. Madam President, how much time do I have?

The PRESIDING OFFICER. The Senator has 30 minutes.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, the only time left in debate right now is Democratic time. But in a spirit of bipartisanship, I yield 5 minutes of our Democratic time to the Senator from Nevada.

Mr. HELLER. Madam President, I thank the Senator from Washington for providing time. I rise to discuss three of my amendments that I filed to the budget, amendment Nos. 293, 476, and 477.

My first amendment deals with an issue that is very important to my home State of Nevada and nearly one dozen Western States where a bird called the sage grouse is found.

The Department of the Interior has engaged Western States in developing State-specific Greater Sage-Grouse management plans to address the threat of an Endangered Species Act listing for the bird.

Nevada is one of several Western States have convened task forces to develop recommendations for their respective Governors to serve as a foundation for State-level sage-grouse management.

These State plans are designed to conserve the species and its habitat while maintaining predictable land use policies as well as the ability to foster a healthy economy and preserve the Western way of life.

These goals can only be achieved if the States, Federal Government, and other concerned stakeholders use this opportunity to forge a partnership under the ESA.

My amendment simply reaffirms the importance of this partnership. It ensures that States can continue to be drivers in ways to find a balance between economic development and reasonable protections for wildlife.

My two other amendments, Heller Nos. 476 and 477, deal with another issue important to Nevada, namely, veterans. My first amendment is a straight forward amendment that says that the Department of Veterans' Af-

fairs needs to ensure that they meet the needs of a growing veterans population, female veterans.

As the dynamics of our Armed Forces are changing so, too, are our veterans.

This measure simply calls on the VA to take into account the population of female veterans when planning, leasing or building infrastructures that will house veterans.

Ensuring that our female veterans have a lock on their door or a separate wing in the VA facility or separate restroom ensures a level of safety and privacy that should be provided without question.

Last Congress I introduced legislation that focused specifically on meeting the needs of female homeless veterans. My amendment builds upon this legislation to ensure that it includes all VA facilities.

Another important component of our growing homeless veterans population are their dependents. My other amendment, Heller No. 477 simply ensures that dependents of homeless veterans who are receiving services at a VA-funded shelter are eligible for services as well.

In Las Vegas last year, there were more than 1,300 homeless veterans roaming the streets. Some of these individuals have their children with them.

Right now if a homeless veteran brings their child to a VA facility for the night, that facility is not authorized by Congress to provide services to the child.

My amendment ensures that children of homeless veterans—veterans who bravely fought to preserve our freedoms—are not turned away from receiving services if they are with their parent at a VA facility.

I urge my colleagues to support these amendments.

I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

Mrs. MURRAY. Madam President, we have about 12 minutes remaining. I ask unanimous consent to give 2 minutes of my time to my colleague for his closing remarks, and I will take the last 10 minutes.

I want all of my colleagues to know that we will start votes right after we are finished with our closing remarks.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank Senator MURRAY. She has been a great person to work with. She is firm,

clear, and tough, and has moved us forward. I always felt that when she made a decision, it was justified. She kept us under control and let us fuss and complain a bit. The content of the plan that the majority has moved forward I think explains why they have had difficulty revealing it from the beginning. It is because it is not the kind of budget that can be defended effectively. Honest people can disagree on policy, but there can be no disagreement, I believe, on the need to change our Nation's debt course. A singular truth that no one can escape is that the House budget changes our debt course while the Senate budget does not.

The Senate budget increases taxes, increases spending, and during that 10-year period another \$7.3 trillion will be added to the debt. There will be no real deficit reduction, and it never balances. Republicans have given opportunity after opportunity, through votes, to produce a balanced budget, but that has been rejected.

The massive debt we racked up to finance our wasteful government is pulling down economic growth today. This is so important for us to understand. Gross debt—over 90 percent of GDP—weakens growth; not tomorrow, it is weakening growth today. In other words, continuing to borrow to bail out the government, and keep checks flowing, creates debt that pulls down wages, jobs, and job creation. It is time to stop shielding the government bureaucracy, which is hurting people today.

There is nothing virtuous about defending a broken welfare state that is trapping millions in poverty. Every time our colleagues raise taxes instead of reforming the government, they are enriching that bureaucracy at the expense of the people. When they demand more money, they are saying that reform is not important, just send us more money; we are not at fault.

I will conclude and say, we have to move away from a budget and a plan that enriches the bureaucracy at the expense of the American people.

I thank Senator MURRAY for her courtesy.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I want to thank all of my colleagues in the Senate—and in particular, my ranking member JEFF SESSIONS—for their valuable contributions to the debate we have had over the last few days and weeks. While there are clear areas of disagreement about how to restore our Nation's fiscal health, this is an important conversation, and one we can build on.

We all like the word "balanced." As chair of the Senate Budget Committee, a critical part of my role is making sure the voices of the American people are heard in the budget process. I believe that budgets are about far more

than numbers on a page. They are about the values and priorities of the American people. In their daily lives, families across our country will feel the impact of the plan we lay out in a budget, and they deserve a seat at the table. That is why at one of my first hearings as chairman, we invited inspiring Americans to speak about how the Federal budget impacts their day-to-day lives and the opportunities they have had to reach their own goals.

A young woman from New Hampshire named Katyanne Zink attended my hearing. She grew up in a low-income neighborhood in New Hampshire. Her parents didn't go to college themselves, but they desperately wanted the best for their children. Thanks to a great public school teacher who encouraged her to aim high, and with the help of Pell grants and student loans, Katyanne was able to go to college. She is now giving back to her community as an urgent care nurse. Tara Marks of Pittsburgh also spoke at our hearing. Tara never expected to find herself in poverty, but when she was suddenly hit by hard times, she temporarily depended on food stamps to feed herself and her young son. Tara firmly believes that without help when she needed it the most, she would not have been able to get back on her feet.

We heard from Patrick Murray, who is an Operation Iraqi Freedom veteran. Patrick explained that after suffering severe injuries while serving his country, Federal support helped him live independently so he could focus on finishing his degree.

The stories that Katyanne, Tara, and Patrick shared are just a few of the millions we must keep at the forefront of this discussion because the interest of hard-working Americans must come first in our decisionmaking. I am proud that the Senate budget my colleagues and I put forward does exactly that. The first priority of our Senate budget is creating jobs and economic growth from the middle out, not from the top down.

With an unemployment rate that remains stubbornly high and a middle class that has seen their wages stagnate for far too long, we cannot afford any threats to our fragile recovery. That is exactly why our budget responsibly replaces the harmful and arbitrary cuts from sequestration. It removes the unnecessary burden on our economy that would lower employment by almost 750,000 jobs this year alone. Following the advice of experts across the political spectrum, the Senate budget invests in education and job creation targeted through infrastructure and training initiatives while putting in place a responsible plan for deficit reduction over the long term. To secure strong economic growth in the future, our budget invests in our greatest resource, the American people, by strongly supporting high-quality edu-

cation from preschool through college and career training.

As my colleague Senator WARNER said so eloquently here earlier on the floor, we have to stay ahead of our competition. Our budget supports Federal R&D, which will help us make sure that growing industries and the jobs which come with them take root in the United States, not in China or India.

This budget also recognizes that getting our debt and deficit under control is crucial to our Nation's economic strength in the coming years. Our Senate budget puts forward serious, responsible deficit reduction that reflects the recommendations of bipartisan experts and the values and priorities of the American people.

Back in 2010, the Simpson-Bowles Fiscal Commission recommended finding about \$4 trillion in deficit reduction over 10 years. This has become, as we all know, the benchmark for other serious bipartisan proposals. Building on the \$2.4 trillion in deficit reduction put in place over the last 2 years, our Senate budget pushes us past that \$4 trillion benchmark with \$1.85 trillion in deficit reduction that is evenly divided between responsible spending cuts and new revenue from the wealthiest Americans and biggest corporations.

This budget cuts spending responsibly by \$975 billion, and we make some pretty tough choices to get there. By taking the balanced approach the American people have consistently called for, our Senate budget matches those responsible spending cuts with \$975 billion in new revenue, which is raised by closing loopholes and cutting unfair spending in the Tax Code for those who need it the least. This should not be controversial. There is bipartisan support for reducing the deficit by making the Tax Code more fair and more efficient.

If our Senate budget is enacted, the total deficit reduction since the Simpson-Bowles report will consist of 64 percent spending cuts, 14 percent tax rate increases on the rich, and 22 percent new revenue by closing loopholes and cutting wasteful spending in the Tax Code for the wealthiest Americans and biggest corporations. We will have put our debt and deficit on a downward, sustainable path. This is a responsible approach. It is a balanced and fair approach. It is one that is endorsed by bipartisan groups and experts, and it is one supported by the vast majority of American people.

The Senate budget takes the position that the solution to our fiscal challenges will not be found in deep cuts to programs vulnerable families depend on. It maintains crucial services that mothers such as Tara and millions of other families struck by hard times have used as a way to make ends meet while they recover. The Senate budget preserves and protects Medicare for seniors today and into the future.

As Senator STABENOW explained on the floor so well yesterday, Medicare is vital to the health and well-being of more than 50 million seniors and Americans with disabilities. Upholding our commitment to seniors and helping struggling Americans get back on their feet is not just good for our economy, it is the right thing to do.

I realize there are serious differences between the parties, and in the last few years it has been especially polarized here in Congress. But the House has now passed its budget resolution. We will be working here in the Senate to pass ours sometime late this evening. We have presented very different visions for how our country should work and who it should work for, but I am hopeful that we can bridge this divide.

As we look ahead now, I urge my colleagues to think of the millions of Americans such as Katyanne, Tara, and Patrick. I urge them to think of the millions of middle-class families across the country who are looking to all of us to get this right; families who want us to invest in them and their communities; who want us to focus on the economy and on opportunity and the future; who are not looking for a handout, just a hand up when they need it; a government that works for them during the good times and the bad; and who desperately want us to break through this gridlock and end the dysfunction that is hurting our economy and costing them jobs. They are what this debate is about. They are who sent us all here to represent them.

The Senate budget works for families. It is a balanced and responsible plan that will tackle our economic and fiscal challenges in a way that puts the middle class and broad-based economic growth first.

When this comes up for a final vote tonight, I am going to be proud to vote for it, and I hope all of my colleagues will do the same.

When this passes the Senate, by the way, the work is far from complete. I will be working with Chairman RYAN in the House and anyone else who is interested in coming together to make some compromises, and to get to a balanced and bipartisan deal that the American people expect and deserve. It is not going to be easy, but I am hopeful it can be done. I know the families who sent us here expect nothing less.

I wish to thank Senator SESSIONS again for working with me on this. We have different views on many issues, but I am proud of the work we did together to make sure we had a robust and fair debate in the committee and here on the Senate floor. I also wish to thank all of his staff who have worked so hard, all of our staff who are continuing to work—all of them—very hard behind the scenes to pull this together. I wish to thank all of my colleagues again on the Budget Committee for contributing their ideas and

their thoughts and their values to this resolution. I believe we have a very strong budget here. I am proud to vote for it, and I am very glad to have worked with so many people to get us to this point and, hopefully, in not too many hours we will pass the budget in the Senate and can go to work for the American people.

Thank you, Madam President. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. The Senator from Alabama has asked for 2 minutes and I would be happy to oblige him as we are trying to work out an agreement to get going on votes. I yield him 2 minutes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. How much time?

The PRESIDING OFFICER. Two minutes.

Mr. SHELBY. I will try to be careful and quick. I wish to thank the distinguished Senator from Washington for yielding the time.

I rise today to once again express my concerns about the fiscal problems facing our Nation. Thus far this year I have held public meetings in 61 of my State's 67 counties. Without exception, my State's top concern is our Nation's unsustainable debt and its effect on job creation and economic growth.

Alabamians know the Federal debt currently stands at nearly \$17 trillion. Yet they see that the Democratic budget before us does not balance—not in 10 years, perhaps not ever. They know the Federal debt has increased by \$6 trillion under President Obama. Yet they see that the Democratic budget proposes to pile on \$7 trillion more.

My constituents know that excessive taxes are choking job creation in this country. Yet they see that the Democratic budget costs \$1.2 trillion of new job-killing taxes. They know the stimulus package was an abject failure.

My constituents understand that the more we borrow, the more we must pay back in interest. Yet they see that under the Democratic budget, we will pay more in interest on the debt—\$791 billion—than we will spend on national defense. They know that fiscal reform without entitlement reform is meaningless. Yet they hear no mention of entitlements in the Democratic budget.

It has been 1,423 days since the Senate passed a budget. My constituents waited that long for this. There is little wonder that trepidation over our

Nation's future is so prevalent. No dominant power in world history has remained strong with a weak economy—not the Persians, not the Greeks, not the Romans, not the British, not anyone. Under the Democratic budget, our Nation would learn that lesson the hard way.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I thank all of our Members for their patience. I think we have an agreement put together, and we will be able to get going, so I would ask for everybody's attention.

I ask unanimous consent that the next amendments in order to be called up after the disposition of the Republican side-by-side amendments to Shaheen No. 438 be the following: Menendez No. 651, Coburn No. 409, Whitehouse No. 652, Blunt No. 261, Boxer No. 622, Hoeven No. 494, Durbin No. 578, Murray No. 653, and Collins No. 144; and that the only second-degree amendments in order prior to the votes in relation to the amendments listed above be the following amendments to the Durbin amendment No. 578: Enzi No. 656, Ayotte No. 657, and Baucus No. 658, to be offered in that order en bloc; that notwithstanding all time having expired on the resolution, there will be 2 minutes equally divided prior to each vote, with the exception of the vote prior to the Enzi second-degree amendment No. 656 to Durbin No. 578, where there will be 40 minutes—10 minutes each for Senators DURBIN, ENZI, AYOTTE, and BAUCUS, or their designees; that the order of votes with respect to the second-degree amendments to Durbin No. 578 be the following: Enzi, Ayotte, and Baucus; that upon disposition of the Collins amendment No. 144, the majority have the next amendment in order; finally, that all after the first vote will be 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. MURRAY. Madam President, we are now going to be starting a series of votes. I would ask Members to stay in the Chamber. We are going to be very strict on the time in making sure we move through these.

Again, I would ask all Senators to please respect those Senators who are

speaking so that they can be heard, keep the conversations in the cloakroom, and be ready to vote.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 239

Mr. UDALL of Colorado. Madam President, I would call up amendment No. 239.

Mrs. MURRAY. I yield 1 minute to the Senator from Colorado.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment. The legislative clerk read as follows:

The Senator from Colorado [Mr. UDALL], for himself and Mr. BARRASSO, and Mr. WYDEN proposes an amendment numbered 239.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide additional suppression resources to the Forest Service and the Department of the Interior for the protection of communities, homes, water supplies, utility infrastructure, and natural resources from catastrophic wildfires)

On page 20, line 19, increase the amount by \$100,000,000.

On page 20, line 20, increase the amount by \$100,000,000.

On page 46, line 11, decrease the amount by \$100,000,000.

On page 46, line 12, decrease the amount by \$100,000,000.

Mr. UDALL of Colorado. Madam President, wildfires threaten communities all across my part of the country, the West, but I daresay all around our great country. That is why I am proud to partner with my colleagues, Senators BARRASSO, WYDEN, BENNET, MERKLEY, and others from the West, to introduce what is a commonsense, bipartisan, and deficit-neutral amendment to the 2014 budget.

We need to reduce the Federal budget deficit. We all agree that is important. But if we don't invest in firefighting efforts and mitigation, that will levy an unacceptably steep and entirely avoidable cost upon Colorado and the entire country. So my amendment would allow for an increase of \$100 million in funding available for wildfire suppression.

I yield time to my friend and colleague and cosponsor Senator BARRASSO to speak on this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I am pleased to cosponsor Udall amendment No. 239. Communities in Wyoming and other Western States continue to be threatened by wildfires stemming from excessive fuel loads in our national forests, continued drought, and excess beetle-killed timber. I speak in favor of the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Madam President, I suggest we do this by voice vote.

Mrs. MURRAY. Madam President, our side is amenable. If both Senators agree, we will do this by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 239) was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 630

Mrs. FISCHER. Madam President, I have an amendment at the desk, No. 630, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Nebraska [Mrs. FISCHER], for herself Mr. CRUZ, Mr. ENZI and Mr. JOHANNIS, proposes an amendment numbered 630.

Mrs. FISCHER. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund to protect women's access to health care, including primary and preventive care, in a manner consistent with protecting rights of conscience)

At the appropriate place, insert the following:

SEC. ____ DEFICIT-NEUTRAL RESERVE FUND FOR DEFICIT RESERVE RELATING TO WOMEN'S HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to women's access to health care, which may include the protection of basic primary and preventive health care, in a manner consistent with the First Amendment to the Constitution, sections 506 and 507 of Division F of Public Law 112-74, the Religious Freedom Restoration Act of 1993, the protection of religious beliefs and moral convictions and without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

Mrs. FISCHER. Madam President, I rise today to offer a side-by-side amendment to Senator SHAHEEN's amendment No. 438.

My amendment defends the rights of employers opposed to subsidizing certain health care services because of conscience objections or religious beliefs.

We have all heard from employers, hospitals, and physicians who have told

us about their concerns about inadequate exemptions for those with religious objections to certain types of health care services. In my home State, the Nebraska Medical Association passed a resolution in 2012 calling for increased protection of conscience rights for licensed physicians. I am pleased that this amendment does just that.

The amendment does not add a dime to the deficit, it protects the quality of women's health care, and it defends the conscience rights and religious principles of employers and physicians. I strongly encourage my colleagues to support this important amendment.

I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, this amendment would allow any employer or insurance company to refuse to cover any health care services for women based on their own religious beliefs and moral convictions that have nothing to do with the health needs of those denied coverage.

The compromise put forward by President Obama ensures that religious liberty is respected while ensuring that women can get access to the health care they need. Last year, Judge Carol Jackson, who was appointed by President George H.W. Bush, ruled in support of this compromise, saying that Federal religious freedom law is "a shield, not a sword . . . it is not a means to force one's religious practices upon others."

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER (Mr. KAINE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 55, as follows:

[Rollcall Vote No. 55 Leg.]

YEAS—44

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Cochran
Corker
Cornyn
Crapo

Cruz
Enzi
Fischer
Flake
Graham
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johanns
Johnson (WI)

Lee
Manchin
McCain
McConnell
Moran
Paul
Portman
Pryor
Risch
Roberts
Rubio
Scott

Sessions
Shelby

Thune
Toomey

Vitter
Wicker

NAYS—55

Baldwin
Baucus
Begich
Bennet
Blumenthal
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Collins
Coons
Cowan
Donnelly
Durbin
Feinstein
Franken
Gillibrand

Hagan
Harkin
Heinrich
Heitkamp
Hirono
Johnson (SD)
Kaine
King
Kirk
Klobuchar
Landrieu
Leahy
Levin
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murphy

Murray
Nelson
Reed
Reid
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Warren
Whitehouse
Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 630) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Madam President, for the information of all the Senators, that vote went a little bit over. We will not let votes go over. Anyone who is not in the Chamber is going to miss a vote. We have to be able to do this in order to move expeditiously. I want to let all Senators know they leave at their own peril.

With that, I am going to turn to Senator MENENDEZ so he may offer his amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENT NO. 651

Mr. MENENDEZ. Mr. President, I call up amendment No. 651.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ], for himself, Mr. LAUTENBERG, Ms. WARREN, and Mr. COWAN, proposes an amendment numbered 651.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To call for a comprehensive approach for wage index reform)

At the end of title III, add the following:

SEC. 3 ____ DEFICIT-NEUTRAL RESERVE FUND TO MAKE COMPREHENSIVE IMPROVEMENTS TO MEDICARE HOSPITAL WAGE-RELATED PAYMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would adjust Medicare payments for hospitals, which may include adjustments to reflect area differences in wage levels, by the amounts provided in such legislation for those purposes, provided that

such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

Mr. MENENDEZ. Mr. President, this is a side-by-side to Senator COBURN's amendment, and while I stand in strong opposition to the underlying amendment of Senator COBURN, I do recognize the need for a comprehensive examination to the current Medicare wage index system. HHS and MedPAC and others have issued detailed reports highlighting that very fact, showing that the current system is full of special add-ons, reclassifications, and other provisions that distort the overall system.

In essence, that amendment would create such harm in so many hospitals across this Nation from Alaska to New Hampshire, to Nevada, California, Colorado, Connecticut, Rhode Island, just to mention a few. Our effort is to look at this comprehensively. We need to look at the entire Medicare hospital wage index system. We should not pick out one small provision that does so much harm to so many hospitals across the country instead of addressing the system as a whole.

I am joined in this with Senator WARREN, Senator COWAN, and Senator LAUTENBERG, among others, and I urge my colleagues to support the side-by-side amendment so we can address this in a comprehensive and responsible way.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. My colleagues might want to hear the other side of the story. My amendment reverses \$4.6 billion that was taken from rural hospitals all across this country and given to two States. Every Member's rural hospitals lose money based on the earmark placed in the Affordable Care Act. All this does is reverse that.

There is nothing in the amendment by the Senator from New Jersey about wage neutrality, which is the whole problem in the first place. The cosponsors, I am sure, of the two States have markedly benefited at the expense of every other rural hospital across this country.

A vote for the Menendez amendment keeps us in line to continue to take \$4.6 billion over the next 10 years out of rural hospitals. If Senators vote for my amendment, we go back to a fair distribution for the rural hospital payments.

The PRESIDING OFFICER. All time has expired.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 56 Leg.]

YEAS—49

Baldwin	Gillibrand	Pryor
Baucus	Harkin	Reed
Begich	Heinrich	Reid
Bennet	Heitkamp	Rockefeller
Blumenthal	Hirono	Sanders
Boxer	Johnson (SD)	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coons	Menendez	Udall (NM)
Cowan	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NAYS—50

Alexander	Flake	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Blunt	Hagan	Paul
Boozman	Hatch	Portman
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Klobuchar	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Warner
Enzi	McCain	Wicker
Fischer	McCaskill	

NOT VOTING—1

Lautenberg

The amendment (No. 651) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 409

Mr. COBURN. Mr. President, there are no tricks in this. All we are trying to do is reverse what was done inappropriately.

There is no question we need to do some adjustment on wages. That is for another time when we actually try to save Medicare.

This amendment requires all States but two over 10 years to increase the payments to rural hospitals back to what they would have been had the amendment by Senator Kerry in the Affordable Care Act not been there. So that is the whole purpose, to bring us back to where we were.

The PRESIDING OFFICER. Does the Senator offer the amendment?

Mr. COBURN. I ask to call up amendment No. 409.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mrs. MCCASKILL, and Ms. BALDWIN, proposes an amendment numbered 409.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund to sunset the provision of Patient Protection and Affordable Care Act that increases payments to hospitals in a few States by reducing payments to the majority of States through the Medicare hospital wage index)

At the appropriate place, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE STATE-WIDE BUDGET NEUTRALITY IN THE CALCULATION OF THE MEDICARE HOSPITAL WAGE INDEX FLOOR.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would adjust Medicare outlays, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

Mr. COBURN. Mr. President, if there is no opposition, nobody on my side wishes to speak.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise to speak in opposition.

First, there was an error made in the number for the Whitehouse amendment for this sequence of votes. I ask unanimous consent that the Whitehouse amendment No. 646 be put on the list instead of Whitehouse No. 652.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, the amendment the Senator has offered would reverse a provision in the Affordable Care Act which required that Medicare's area wage index changes be spread budget neutrally throughout the entire Nation.

I, as do many, recognize that Medicare's area wage index reimbursement system does require a thorough review and revision. But the amendment in front of us now singles out one provision that negatively affects some areas while ignoring the larger payment reform.

I believe Congress should have a larger discussion on area wage index reform within the committees of jurisdiction, and I urge my colleagues to oppose this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 57 Leg.]

YEAS—68

Alexander	Fischer	Merkley
Ayotte	Flake	Moran
Baldwin	Franken	Murkowski
Barrasso	Gillibrand	Nelson
Begich	Graham	Paul
Bennet	Grassley	Portman
Blunt	Hagan	Pryor
Boozman	Hatch	Risch
Burr	Heller	Roberts
Carper	Hoeven	Rockefeller
Casey	Inhofe	Rubio
Chambliss	Isakson	Schumer
Coats	Johanns	Scott
Coburn	Johnson (WI)	Sessions
Cochran	Kaine	Shelby
Collins	King	Thune
Coons	Kirk	Toomey
Corker	Klobuchar	Udall (CO)
Cornyn	Lee	Vitter
Crapo	Manchin	Warner
Cruz	McCain	Wicker
Donnelly	McCaskey	Wyden
Enzi	McConnell	

NAYS—31

Baucus	Heitkamp	Reid
Blumenthal	Hirono	Sanders
Boxer	Johnson (SD)	Schatz
Brown	Landrieu	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Levin	Tester
Cowan	Menendez	Udall (NM)
Durbin	Mikulski	Warren
Feinstein	Murphy	Whitehouse
Harkin	Murray	
Heinrich	Reed	

NOT VOTING—1

Lautenberg

The amendment (No. 409) was agreed to.

Mrs. MURRAY. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Mr. President, we are ready to call up the next amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 646

Mr. WHITEHOUSE. Mr. President, may I call up amendment No. 646. I believe it is the next one in order.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant bill clerk read as follows:

The Senator from Rhode Island [Mr. WHITEHOUSE] proposes an amendment numbered 646.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to ensuring that all revenue from a fee on carbon pollution is returned to the American people)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING THAT ALL REVENUE FROM A FEE ON CARBON POLLUTION IS RETURNED TO THE AMERICAN PEOPLE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the establishment of a fee on carbon pollution, provided that—

(1) all revenue from such fee is returned to the American people in the form of Federal deficit reduction, reduced Federal tax rates, cost savings, or other direct benefits; and

(2) such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

Mr. WHITEHOUSE. Mr. President and colleagues, we have a new Pope, Pope Francis, who said last week that our relation with God's creation is not very good right now. God's creation runs by laws—the laws of nature, the laws of physics, the laws of chemistry—and God gave us the power of reason to understand those laws. But they are not negotiable. They are not subject to amendment or repeal. And the arrogance of our thinking that they are is an offense to His creation.

We can ignore obvious facts, we can ignore the essentially unanimous science, we can ignore our generals and admirals, we can ignore the insurance industry's warnings, but we ignore carbon pollution at our peril, and we have subsidized it long enough. It is past time to wake up from our sleepwalking. This vote is a test. Whether we pass or fail is a measure of us.

I urge that we support this amendment that will allow us to put a price on carbon and protect the American people.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I would have some hesitation anyway about opposing my good friend from Rhode Island, but to have to oppose the Pope is really ominous.

I know the Pope also mentioned, more times than he mentioned carbon tax, helping the poor. This amendment says that if there is a carbon fee, we will use it to reduce the Federal deficit, to reduce Federal tax rates, to have other direct benefits.

I would just say, when the poor family cannot pay their utility bill—the family who is the last family to get the new refrigerator, the family who is the last family to get the insulated windows, the family who is the last family to insulate their ceiling—I guess we tell them there are going to be some Federal tax rates that will be added for a family who cannot pay their utility bill.

By the way, there are other direct benefits you might be able to use whenever you do not have heat or you do not have cooling.

This is a tax that slows down our ability to compete. The most vulnerable among us are the most impacted by this, and I oppose it.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 58, as follows:

[Rollcall Vote No. 58 Leg.]

YEAS—41

Baldwin	Franken	Nelson
Begich	Gillibrand	Reed
Bennet	Harkin	Reid
Blumenthal	Heinrich	Sanders
Boxer	Hirono	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Udall (CO)
Casey	Menendez	Udall (NM)
Coons	Merkley	Warren
Cowan	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	

NAYS—58

Alexander	Graham	Moran
Ayotte	Grassley	Murkowski
Barrasso	Hagan	Paul
Baucus	Hatch	Portman
Blunt	Heitkamp	Pryor
Boozman	Heller	Risch
Burr	Hoeven	Roberts
Chambliss	Inhofe	Rockefeller
Coats	Isakson	Rubio
Coburn	Johanns	Scott
Cochran	Johnson (SD)	Sessions
Collins	Johnson (WI)	Shelby
Corker	Kaine	Tester
Cornyn	Kirk	Thune
Crapo	Landrieu	Toomey
Cruz	Lee	Vitter
Donnelly	Manchin	Warner
Enzi	McCain	Wicker
Fischer	McCaskey	
Flake	McConnell	

NOT VOTING—1

Lautenberg

The amendment (No. 646) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 261

Mr. BLUNT. Mr. President, I have an amendment at the desk. I ask unanimous consent it be called up on behalf of Senator THUNE and me.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BLUNT], for himself and Mr. THUNE, proposes an amendment numbered 261.

Mr. BLUNT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To create a point of order against legislation that would create a Federal tax or fee on carbon emissions)

At the end of subtitle A of title IV, add the following:

SEC. ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD CREATE A TAX OR FEE ON CARBON EMISSIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that—

(1) would result in revenues that would be greater than the level of revenues set forth for the first fiscal year or the total of that fiscal year and the ensuing fiscal years under the concurrent resolution on the budget then in effect for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974; and

(2) for any year covered by such resolution, includes a Federal tax or fee imposed on carbon emissions from any product or entity that is a direct or indirect source of the emissions.

(b) WAIVER AND APPEAL.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

Mr. BLUNT. This amendment would protect consumers from energy price spikes and workers from significant job loss by providing a point of order against a carbon tax or a fee on carbon emissions.

Energy-intensive jobs are the first to go when your utility prices get uncompetitive. Your ability to compete in the world marketplace, the price of American-made goods, what families pay at the pump, what they pay for heating and cooling, what they pay for every American product they make would be impacted by a carbon tax.

I urge the support of this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield 1 minute to the Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, except perhaps in Congress, and in the boardrooms of ExxonMobil, it is no longer credible to deny what carbon pollution is doing to our atmosphere and to our oceans. We aid and abet that harm by subsidizing carbon, distorting the market, by violating the rule that the cost of a product should be in its price. Nonrepealable laws of nature, laws of physics, laws of chemistry are

at work. History's judgment will be harsh if we continue to fail in respecting those laws.

I urge a "no" vote and yield back to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I raise a point of order that the pending amendment is not germane to the underlying resolution and therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I move to waive section 305(b)(2) of the Congressional Budget Act for consideration of the pending amendment, No. 261, pursuant to 904(c)(2) of the Congressional Budget Act of 1974.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 46, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—53

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heitkamp	Pryor
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rockefeller
Coburn	Isakson	Rubio
Cochran	Johanns	Scott
Collins	Johnson (WI)	Sessions
Corker	Kirk	Shelby
Cornyn	Landrieu	Thune
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Donnelly	McCain	Wicker
Enzi	McCaskill	

NAYS—46

Baldwin	Hagan	Reed
Begich	Harkin	Reid
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Boxer	Johnson (SD)	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Stabenow
Cardin	Klobuchar	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Coons	Menendez	Warner
Cowan	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 46. Three-fifths of the Senators duly cho-

sen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and amendment No. 261 falls.

The Senator from Washington.

Mrs. MURRAY. I move to reconsider, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 622

Mrs. BOXER. Mr. President, I call up my amendment No. 622.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 622.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to protecting the interests of the United States in making a decision relating to the Keystone XL pipeline)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO PROTECT THE INTERESTS OF THE UNITED STATES IN MAKING A DECISION RELATING TO THE KEYSTONE XL PIPELINE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expeditiously analyzing and making decisions on the Keystone XL pipeline, which may include whether the pipeline is in the national interest if it increases oil prices, harms domestic energy security, including through exporting energy products, uses materials not manufactured in the United States, adversely affects individual property rights, otherwise adversely affects job creation in the United States, or our national security by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, my amendment simply ensures important issues will be addressed, such as how much oil will stay here versus how much will be exported and, therefore, will we suffer from higher energy prices? How much steel will be made in America? How many private property rights suits will result from this pipeline? We have had a lot of them on the southern lake.

How will this affect our national security, the dirty tar sands oil? Our American national security experts warn us against the instability worldwide caused by climate disruption.

I urge an "aye" vote on this amendment, regardless of how you feel about Keystone. These are essential issues which must be addressed.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask this amendment be opposed. It is an effort to prevent construction of the

most studied pipeline in the history of the United States. After four environmental impact statements, every one of the reports has shown no environmental impact. Every State on the route has approved this project. The studies which are asked for in this amendment have been done.

In 2011, the Department of Energy provided a report and said the oil will be used in this country, and we will need more. In addition, this would preclude local eminent domain laws which would prevent the pipeline from being constructed. It also says you can't use any materials manufactured in Canada for a pipeline which is built half in Canada and half in the United States.

I urge a "nay" vote.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 66, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—33

Baldwin	Heinrich	Reid
Bennet	Hirono	Rockefeller
Blumenthal	Leahy	Sanders
Boxer	Levin	Schatz
Cantwell	Menendez	Schumer
Cardin	Merkley	Stabenow
Durbin	Mikulski	Tester
Feinstein	Murphy	Warner
Franken	Murray	Warren
Gillibrand	Nelson	Whitehouse
Harkin	Reed	Wyden

NAYS—66

Alexander	Donnelly	Manchin
Ayotte	Enzi	McCain
Barrasso	Fischer	McCaskill
Baucus	Flake	McConnell
Begich	Graham	Moran
Blunt	Grassley	Murkowski
Boozman	Hagan	Paul
Brown	Hatch	Portman
Burr	Heitkamp	Pryor
Carper	Heller	Risch
Casey	Hoeven	Roberts
Chambliss	Inhofe	Rubio
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Cochran	Johnson (SD)	Shaheen
Collins	Johnson (WI)	Shelby
Coons	Kaine	Thune
Corker	King	Toomey
Cornyn	Kirk	Udall (CO)
Cowan	Klobuchar	Udall (NM)
Crapo	Landrieu	Vitter
Cruz	Lee	Wicker

NOT VOTING—1

Lautenberg

The amendment (No. 622) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 494

Mr. HOEVEN. Mr. President, this amendment is a bipartisan amendment. It puts the Senate on record in support of the Keystone Pipeline project, and that is just appropriate. As I said just a minute ago, every State has approved the project. The Department of State has done four environmental impact statements over the last 5 years—four—and has said there are no significant environmental impacts. So it is time the Senate stepped up with the American people.

In a recent poll 70 percent of the American public said: Build the pipeline. Only 17 percent said they opposed it. So it is time for us to enjoin every single State on the route to say we support this project. We support this pipeline. After 5 years, let's build it.

This is energy, this is jobs, this is getting our economy going and growing, and this is making sure we don't have to import oil from the Middle East. It is not just oil from Canada, it is oil from the great State of North Dakota and Montana—light, sweet crude we need to get to our refineries. Please join me in voting yea.

The PRESIDING OFFICER. Does the Senator call up the amendment?

Mr. HOEVEN. Mr. President, I call up the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from North Dakota [Mr. HOEVEN], for himself, Mr. BAUCUS, Mr. CORNYN, Mr. MANCHIN, Mr. ROBERTS, Ms. HETTKAMP, Mr. BARRASSO, Ms. LANDRIEU, Ms. MURKOWSKI, and Mr. BEGICH, proposes amendment numbered 494.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund to promote investment and job growth in United States manufacturing, oil and gas production, and refining sectors through the construction of the Keystone XL Pipeline)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROMOTION OF INVESTMENT AND JOB GROWTH IN UNITED STATES MANUFACTURING, OIL AND GAS PRODUCTION, AND REFINING SECTORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that may result in strong growth in manufacturing, oil and gas production, and refining sectors of the economy through the approval and construction of the Keystone XL Pipeline without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Well, Mr. President, the handwriting is on the wall. I see it. But I do believe when my colleague argued against my amendment—and he was quite successful—it was not an accurate argument.

The fact is his amendment has already made the decision for us that everything is hunky-dory with this pipeline. Well, it is not true that all the work has been done. We don't know how much of the steel will be American; we don't know how many of the jobs will be American; we don't know if our national security people think that dirty tar sands is going to create climate disruption.

Wake up. This is the only place in America where people don't understand that real climate disruption is very dangerous.

You want to talk about polls? Look at what the people think about extreme weather. Look at what the people think about too much carbon pollution. So there will be another day to fight, but I want to say to my friend—he is a good guy, and we have worked well together on this. But I hope we will vote no and allow the process to continue.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, before we go to this vote, I would just remind all Senators that at the end of this vote there will be up to 40 minutes of debate before the next amendment. I would ask all Senators who leave the floor to be back here by 6:30, maybe a little bit before that. But I would remind all of my colleagues that if you drift back in for half an hour on the first vote, it will be later and later as we get through this. So I would really ask everyone who leaves after they vote to be back here at 6:30 at the latest. We may yield a little bit back, but please be back by that time.

With that, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. (Mr. COWAN). Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—62

Alexander	Donnelly	McCaskill
Ayotte	Enzi	McConnell
Barrasso	Fischer	Moran
Baucus	Flake	Murkowski
Begich	Graham	Nelson
Bennet	Grassley	Paul
Blunt	Hagan	Portman
Boozman	Hatch	Pryor
Burr	Heitkamp	Risch
Carper	Heller	Roberts
Casey	Hoeven	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (SD)	Tester
Collins	Johnson (WI)	Thune
Coons	Kirk	Toomey
Corker	Landrieu	Vitter
Cornyn	Lee	Warner
Crapo	Manchin	Wicker
Cruz	McCain	

NAYS—37

Baldwin	Hirono	Rockefeller
Blumenthal	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Levin	Stabenow
Cowan	Menendez	Udall (CO)
Durbin	Merkley	Udall (NM)
Feinstein	Mikulski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Harkin	Reed	
Heinrich	Reid	

NOT VOTING—1

Lautenberg

The amendment (No. 494) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The Senator from Washington.

Mrs. MURRAY. I yield to the Senator from Illinois.

AMENDMENT NO. 578

Mr. DURBIN. Mr. President, I have an amendment at the desk, amendment No. 578. I ask the clerk to please call up the amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Michigan [Mr. DURBIN], for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, and Mr. UDALL of Colorado, proposes an amendment numbered 578.

Mr. DURBIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund to ensure marketplace fairness by allowing States to enforce State and local use tax laws)

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO ALLOW STATES TO ENFORCE STATE AND LOCAL USE TAX LAWS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to allowing States to enforce State and local use tax laws and collect taxes already owed under State law on remote sales by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 656 TO AMENDMENT NO. 578

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I call up amendment No. 656 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP, proposes an amendment numbered 656 to Amendment No. 578.

Mr. ENZI. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after “DEFICIT” on page 1, line 2, and all that follows, and insert the following:

-NEUTRAL RESERVE FUND TO ALLOW STATES TO ENFORCE STATE AND LOCAL USE TAX LAWS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of any committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to allowing States to enforce State and local use taxes already owed under State law on remote sales by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, it is my understanding under the unanimous consent request there was 40 minutes of debate allocated between those of us in support of the Marketplace Fairness Act and those who are offering amendments, Senator AYOTTE and Senator BAUCUS; is my understanding correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. Does the Senator mind if I say a word in opening?

The Marketplace Fairness Act is known to every Member of the Senate because I have spoken to everyone on this side of the aisle, and I think Senator ENZI and Senator ALEXANDER have spoken to everyone on the other side of

the aisle. First, give credit to the Senator from Wyoming, Mr. ENZI. He began this effort 14 years ago. He is a small businessman by profession and when he came to the Senate he saw a problem that needed to be solved and he has done yeoman's work to reach this point in the debate.

I salute him for that effort. I thank him for allowing me to join and bring it to the floor this day. Special thanks to Senator ALEXANDER from Tennessee, who has been an able partner in allowing us to bring this matter before the Senate.

This is an issue every American can understand. We now live in the Internet age. Internet retailers are selling things over the Internet that we are buying every single day. Estimates are that \$150 billion in sales are made each year over the Internet. That is part of America. It is part of our economy. But it has created an unfairness which we need to address with this legislation.

Back home in Massachusetts, in Illinois, in Tennessee, in Florida, there people with shops and businesses who get up every morning and open those shops, watch their employees file in and do business locally. When they make their sales of goods and services, they collect the sales taxes which each State requires and they collect other taxes as well. Their taxes sustain businesses, sustain schools and highways and police protection.

Unfortunately, a Supreme Court decision of almost 20 years ago, the Quill decision, basically said if we are going to require the Internet sales to collect sales tax, Congress has to do it. That is why we are tonight on this Marketplace Fairness Act.

What we are proposing is not a new tax. It is the collection of an existing tax, a sales tax that is basically owed in all but four States across the United States.

We believe this is a fair thing to do so those local businesses have a fighting chance; otherwise, they are competing against retailers who do not collect sales taxes and have that price advantage over them.

That is not fair to the businesses on Main Street across America. It isn't fair to our economy. What we are looking for is basic fairness.

At this point, I yield the floor to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank Senator DURBIN and Senator ENZI for their hard work. They have taken a problem and simplified it and solved it, in my opinion. This is an 11-page bill, a rarity. It does only one thing. It gives States and State legislatures the right to decide to collect sales and use taxes that are already owed from all the people who owe it rather than just some of the people who owe it.

I have a very conservative friend over here on the Republican side who said to me: I hate taxes, but the one thing I hate worse is people who owe taxes who do not pay them. That is what this is about. But for me as a former Governor, there is something even more important; that is, the importance that we respect our constitutional framework, which says Governors and legislatures should make their own decisions about their services and their taxes.

That is the spirit of the 10th amendment. That is the spirit of this country. We don't require States to play Mother May I to the Congress of the United States. So we say to the Governor of Tennessee and the legislature of Tennessee: You decide whether you want to allow people who owe the sales tax not to have to pay it because the sellers do not collect it.

That is why many Democratic Governors support this. But a growing number, an honor role of conservative leaders and Governors, support the Marketplace Fairness Act. Al Cardenas, chairman of the American Conservative Union, supports it. He says the system we have today is outdated and unfair. After that, Governor McDonnell of Virginia, Governor Corbett of Pennsylvania, Governor Haslam of Tennessee, Chris Christie of New Jersey, Mike Pence of Indiana, Mitch Daniels, Jeb Bush, Haley Barbour, Rick Snyder—they all say: Look, we are Governors of the States. We should have the responsibility for doing that.

There have been some strange arguments made against this, such as wait for tax reform. How can you do this in tax reform if it not in the Tax Code? Have we sunk to a new low where we use the State budgets to balance our own budget?

No, this is a straightforward issue. Are we going to respect, as we swore to do when we took an oath to this constitutional framework—are we going to respect the States, recognize that States have the right to be right and the States have the right to be wrong; that Illinois is different than Tennessee and Tennessee is different than Wyoming. Governors in those States can decide what their tax structure should be, how they want to direct it, and they should decide, in my opinion, although we do not have to decide that here, that they would not pick and choose between sellers, pick and choose between taxpayers and businesses. If I walk into the National Boot Company and try on a boot and buy it, the seller collects the tax, sales tax. If I order in a catalog the seller does not. The Governor of Tennessee wants to be able to treat them the same.

I think we should do this. I fly up here every week for an hour. That hour plane ride doesn't make me any smarter than I was when I left Nashville. I

think our Governor, our Lieutenant Governor, our legislature—very conservative, very Republican—understand that they do not like taxes, but they do not like, worse—they do not like, worse, people who owe taxes but do not pay them, and they want the right to fix that problem.

I am in strong support and stand with the 15 or so Senators on both sides of the aisle who endorse the Marketplace Fairness Act. I congratulate Senator DURBIN and Senator ENZI for their hard work.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Montana.

Mr. BAUCUS. Mr. President, I will yield a couple minutes to myself.

Different States have different regimes. Some States decide they want to have income tax. Other States have big property taxes. Other States say they want to have sales tax but not income tax. There are many States with no income tax and those States are States some people gravitate to because they do not want to pay State income taxes.

But I think States should have the right to choose their own taxation system, and we should not pass legislation which tends to force a certain State taxation system on the others. That is what this legislation does. It basically forces all States to have sales taxes, whether they want one or not. In my State of Montana, sales tax is anathema. Nobody touches a sales tax.

What this says is: OK. You can have a sales tax, eventually, in my State, because we don't have a sales tax, and, therefore, businesses in Montana don't collect sales tax, but they will have to collect tax on sales for other States. In effect, we are going to be forced to have one and we don't want one. We are going to fight it fiercely.

Second, basically, the language says, I will read it to you, allowing States to " . . . enforce State and local use tax laws and collect taxes already owed under State law on remote sales by the amounts provided in such legislation for those purposes. . . ."

Essentially, it says a person in California can use State law to enforce and collect—and audit even, probably—a businessperson in another State. I have never heard of this happening before. Just think of it. We are asking, and telling, and directing States to force law on another State, at least on another businessman in another State. I have never heard of this. This sets a terrible precedent. We don't want to do this.

Next is the complexity of this thing. The authors of this have been working on this issue for 12 years, saying they have all these computer programs that can do it. We have never seen it. There is no indication that all the bugs, over thousands of jurisdictions in States

and localities and municipalities—just put yourself in the position of a small businessperson trying to figure out what in the heck is the law in this jurisdiction. What about that? It is going to be changed this year or next year, changed in lots of jurisdictions all over the country. How are we going to deal with it? We are not going to be able to do it. It is just a maddeningly complex situation.

I have lots of other points I wish to make later, but those are two. I believe it makes much more sense, with all the complexity in this thing, for the committee of jurisdiction, the Finance Committee.

I disagree with my good friend from Tennessee. Of course it is a tax—not a State tax, not a payroll tax, it is a sales tax. It is a tax. We could easily deal with this in the Finance Committee. That is our jurisdiction. That is what we are supposed to be doing. Then he can deal with all these complexities that have not been addressed in this resolution. There are no protections in this resolution whatsoever.

I reserve the remainder of my time.

Mr. President, I yield 4 minutes to the Senator from New Hampshire to use in any way she wants.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I stand in opposition to this so-called Main Street Fairness Act. There is nothing fair about Federal intervention in the Internet marketplace. We have seen so much entrepreneurship in the Internet marketplace. Yet what this does is force the Internet marketplace and online businesses to become tax collectors.

This act should be called what it is—the Internet tax collection act. This act essentially forces States to become tax collectors for 9,600 State and local tax jurisdictions across this country. It tramples on States rights. It tramples on the rights of private businesses in all States but especially in States such as mine, New Hampshire. It creates a bureaucratic nightmare for these States that will have to comply with almost 10,000 tax jurisdictions across this country. Guess what. They could be subject to nearly 10,000 tax audits within those jurisdictions. One of the businesses in New Hampshire—and I see Senator SHAHEEN is here as well—said that it is a job killer. Compliance with this act is absolutely terrifying and another blow for so many small businesses that are using the Internet.

Finally, I say to my conservative friends, there is nothing conservative about this. It is the long arm of the Federal Government punishing States such as mine that don't have a sales tax and have made fiscally responsible choices. It picks winners and losers instead of letting the marketplace do it.

There are a whole host of conservative groups that have come out

against this act, including the Heritage Foundation and the Campaign for Liberty. The Americans for Tax Reform has, in fact, said this legislation can only be viewed as a tax increase. In addition to the group I just mentioned, the Cato Institute, the National Taxpayers Union, and The Heartland are against this as well. There is nothing conservative about this. This tramples on States rights. Think about it. This act turns online sellers into tax collectors because States are cash-strapped. It is wrong. I hope my colleagues will vote against it.

I yield the floor.

Mr. BAUCUS. Mr. President, I think it is time for those on the other side to say a word or two.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I appreciate the compliments from the two people who are from States that don't have the sales tax. We are not on the bill. This is an amendment to find out if a majority of the Senate is in favor of making sure we go through with some legislation that will actually solve the problem that is over 20 years old.

This is a problem the Supreme Court decided on and said Congress was the one that needed to fix it. They didn't say States should fix it, they said Congress should fix it. What we have been trying to do is fix it.

I had a complicated bill before called the streamlined sales tax bill. It took care of a lot of the problems we are talking about, such as multijurisdiction, and allows for one check to be dispensed to one location and then distributed to those who are participating.

Senator ALEXANDER had a better idea, and that is the one which is in the bill that is before us, and that is one which makes it States rights. It is where States can decide what they are going to do and how they are going to do it provided they follow a certain number of rules. This is not as definitive as that bill yet because that bill would have to pass through this body as well.

I can assure everyone that no person in a State that doesn't have a sales tax now would have to pay a sales tax. If there is a business selling into a State that does have a sales tax, yes, they would have to collect that sales tax and forward it to that State. If there are complexities or conflicts with that, those can be worked out as the legislation goes through too.

Nobody mentioned that there is a \$1 million exemption in the bill. So when we talk about small businesses, if they have less than \$1 million in sales, they don't have to do this. Once they reach \$1 million in sales, they have to do it the next year so it doesn't become a problem that starts in the middle of the year.

It also requires that the States provide the information and the programs

for them to do this. So it is a States rights issue, and that is what the Supreme Court suggested when they suggested we needed to fix this.

If Senators talk to their small businesses, they will find that they want it fixed because there is not fair competition anymore. People will come into a store—I was in the shoe business—and try on shoes. They get all the help they need, find out what they want, and then just order it over the Internet. I think it is kind of interesting when they say: Well, I got free shipping. When someone goes into a store and tries on shoes, they can get it that day. There is not even a day's delay; express shipping is not even needed.

I hope we are able to work on the bill and actually complete a bill and take care of the difference that is taking money away from States. They are not asking the Federal Government for a single dollar. They are not asking for the Federal Government to enforce this. They are asking for the right to have their States rights.

I yield the floor, and I will keep the remainder of my time.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. The Senator from Montana has 7 minutes, the Senator from New Hampshire has 7 minutes, the Senator from Wyoming has 7 minutes, and the Senator from Illinois has 5 minutes.

Mr. BAUCUS. Thank you. Mr. President, I yield 3 minutes to the Senator from Oregon. I might say that I yield 1 minute to the other Senator from Oregon as well. I urge the Senator not to use it all right now.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the Durbin-Enzi amendment forgets that we are in a global economy. This measure does not and cannot reach foreign retailers. A small business, for example, in Montana is sacked with the burdens of this bill. It is an administrative nightmare, which Senator BAUCUS and Senator AYOTTE have outlined. Some businesses are just going to say: Why not do business in Canada or Mexico or even China. Now, I know my colleagues who are advocating this don't intend this result, but their legislation really ought to be called the shop Mexico bill or the shop Canada bill or the shop China bill. I don't think that makes any sense.

Chairman BAUCUS handles these global economic kinds of questions in the Finance Committee, and that is the place we ought to look at it, and that is why we ought to reject this amendment today.

I yield the floor and reserve my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, in Oregon we don't like the sales tax, and

that is why we don't have one. It is regressive and more expensive to collect. What we hate even more is some State telling us what we have to do. I have heard people on this floor talking about States rights all the time, and now folks are standing up here and saying: We want your retailers to collect our tax, and we are not even going to compensate them for their time or effort. That is virtually a taking.

As my colleague pointed out, this is really about attacking business in America, small- and medium-sized businesses in America, which will just end up benefiting our foreign competitors. That is wrong, and we should oppose this for those multiple reasons.

I yield back time.

The PRESIDING OFFICER. Who yields time?

The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I yield 4 minutes to my colleague from New Hampshire, Senator SHAHEEN.

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleague from New Hampshire, Senator AYOTTE, and the other opponents of this amendment.

Senator ALEXANDER said that States should be able to decide what to do about taxes. Well, in New Hampshire we have decided. We don't want a sales tax. We don't collect one, and we don't ask our small businesses to collect one. And the fact is that this amendment would harm small, family-owned retail businesses in New Hampshire.

I talked to a business in Hudson, NH, which is along the border with Massachusetts. He has six employees, and he is about to reach \$1 million in sales. He said that under this legislation, his company would have to start collecting taxes not just in New Hampshire but for 45 other States. It would put him at such a disadvantage that he could not continue to grow. Just as Senator WYDEN said, what these businesses are going to do then is go look for someplace else where they don't have to worry about collecting these taxes over the Internet.

I agree with Senator ALEXANDER. I think we should ensure States rights and ensure that small businesses are protected, but we don't do that by passing this amendment.

I yield back my time.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I yield a couple of minutes to my colleague from Montana, Senator TESTER. I understand Senator AYOTTE is going to yield additional time.

Mr. TESTER. I thank the senior Senator from Montana. I thank the Senator for allowing me to be a part of this discussion.

This is an incredible overreach. The Senator from Wyoming talked about the fact that they are not forcing a sales tax on any State, but that is what this does. This amendment will require

our small businesses to collect taxes from other States. This is an incredible violation. It changes the entire standard for tax collection. It is not a road anyone wants to go down. Yet we are going to allow businesses in Tennessee or Illinois or Wyoming or any other State in the Union that has a sales tax to walk into my State and tell my small businesses that they are going to collect taxes for other States. Who is going to pay for that and who is going to do the audit?

The Senator from New Hampshire said it is a job-killing bill. Well, it is a job-killing bill, but it is a great job creator in the bureaucracy. We are going to create bureaucracy in this government for tax collection like we have never seen before. There will be auditing like we have never seen before. Who pays for it?

I guarantee it is not fair to force this kind of tax collection for another State and then tell another State what they have to do to collect taxes. It makes no sense.

There are State and local taxes. There are all sorts of different mechanisms here. If there is a State that collects a 5-percent tax and another one that collects 10 percent, the business that has a 5-percent sales tax will have to collect another 5 percent and bring it back to that other State. Does it sound complicated? It is. It is very complicated.

We do not want to go down this road. This is a bad, bad, bad public policy. I encourage everyone in this Chamber and everyone who is watching on C-SPAN to vote this amendment down.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, how much time remains on each side?

The PRESIDING OFFICER. The Senator from Montana has 2 minutes, the Senator from New Hampshire has 5 minutes, the Senator from Wyoming has 7 minutes, and the Senator from Illinois still has 5 minutes.

Mr. BAUCUS. Mr. President, I suggest their side has more time remaining, so they should speak next.

Mr. ENZI. Mr. President, I thought my colleagues from New Hampshire and Montana might share with us a little bit about the amendments they are proposing, but in light of them not doing that, I yield 2 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Wyoming. I will yield my time to the Senator from North Dakota, who was a party to the Quill decision, which was before the U.S. Supreme Court 20 years ago, and who has also served as tax commissioner in the State of North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I would like to make a couple of points

on foreign corporations. We already collect sales tax and impose use tax on foreign corporations all the time. In fact, North Dakota does require probating so long as they have a physical presence in North Dakota.

On the issue of New Hampshire and Montana, I will bet I could find small businesses that are in New Hampshire and in Montana that already collect sales and use taxes for other States. The only thing that this does is change the rules regarding what is required on nexus. What is the single thing that happens that requires a collection responsibility? For years, not just in the Quill case, but National Bellas Hess said there has to be a physical presence. The world has changed since we have physical presence. We now say economic presence is adequate for equal protection to be satisfied.

What we are asking for is that we look at economic presence the same way we do across the boundaries and create fairness for mainstream businesses. What do I mean by that? I mean Main Street businesses that every day compete against Internet sellers unfairly. Main Street business that are struggling, Main street businesses that put ads in fliers for local schools and contribute to their community but yet cannot survive because they cannot afford a 7-percent or 8-percent or 9-percent disadvantage in the marketplace. It is not fair. It is not fair to Main Street. We need to recognize the reality. We have heard about the global economy. My colleague is right, the economy has changed. How we do business doesn't depend on physical presence anymore, it is economic presence, and \$1 million is a lot of economic presence in the marketplace.

So I yield the remainder of my time back to the Senator from Illinois.

Mr. BAUCUS. Mr. President, things are getting a little down to the wire here. How much time is remaining?

Mr. DURBIN. Mr. President, is there any time remaining of the time yielded from the Senator from Wyoming?

The PRESIDING OFFICER. The Senator from Wyoming has 4 minutes remaining.

The Senator from Montana.

Mr. BAUCUS. I yield 1 minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I will be very brief. Under this amendment, we could not touch an online retailer that is wholly overseas shipping into the United States with UPS. We could not touch them.

What the Senator from North Dakota is talking about is obviously foreign corporations, people with physical presence. But if you are wholly overseas, an online Internet retailer shipping into this country, you get a free ride under this legislation. That is why it is going to create an incentive to

take American jobs from here and locate overseas where they get a free ride.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. I yield 3 minutes of my time to the Senator from Florida, Mr. RUBIO.

Mr. RUBIO. This is a very interesting debate. It is a very interesting topic to talk about. I have talked to a few Members who have had this debate internally with their staff, and from an intellectual perspective it is a very interesting issue. But I want Members to understand what they will have to explain to people in their States.

If something like this were to happen, there will be businesses in your State that at the end of the year will have to be audited by or interact with States across the country, on the other side of the country; places where they don't know anybody, places where they don't have a lawyer or a lobbyist or anybody representing them. They will have to deal with States they have nothing to do with. That is what Members will have to explain to the businesses in their States.

The businesses in your States are going to have to comply with laws and courts and regulatory agencies and others they have nothing to do with, other than the fact that someone who lived there happened to buy something from them. So try explaining that. It sounds great here, but try to explain that to a business man or woman in your community or in your State, and I guarantee you are going to get puzzled looks.

Here is another thing I will tell my colleagues, because I understand there is an exemption for businesses with \$1 million in revenue, but depending on what you sell, it may or may not be that much. I would say that over time, that figure is going to be less and less in terms of who doesn't have to comply.

I dealt with this issue when I was in the State legislature in Florida, especially the last 2 years when I was the Speaker. I will be frank. This is about the fact that according to some, there is \$23 billion of what they claim is uncollected sales tax receipts across the country. You don't think that gets their attention? You don't think that is what this is about? That is what this is about. I am not saying that on the retail side they are not interested in the way the business is conducted and what it means in comparison to their competitors, but I promise my colleagues from the governmental side this is about the money they think they can get their hands on and what it would mean for their government and their ability to function.

I yield back the remainder of my time.

Mr. BAUCUS. Mr. President, I will inquire again as to the time remaining.

The PRESIDING OFFICER. The Senator from Montana has 1 minute.

Mr. BAUCUS. Does the other side have any time?

The PRESIDING OFFICER. The Senators from Wyoming and Illinois have 5 minutes each.

The Senator from Wyoming.

Mr. ENZI. We have heard a lot of complaints from primarily the non-sales-tax States about the amendment we have proposed, but we haven't heard about the amendments they have proposed. I thought they would use part of their time to make the case for what they were proposing. I am still expecting them to do that, and when they do that, then we ought to have some time for rebuttal. That is why we have saved some of our time. So I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. In the interest of moving this forward, we have scheduled a vote on the Ayotte amendment next, after the vote on the Enzi amendment. I urge everyone who votes for the Enzi-Durbin-Alexander amendment to oppose the Ayotte amendment because she includes a provision in that amendment which absolutely destroys the whole effort here. She requires physical nexus.

As Senator HETTKAMP has said, that is what this debate is all about—whether one has to be physically present in order to have an obligation to pay sales tax.

So I urge all of my colleagues who support the Marketplace Fairness Act to oppose the Ayotte amendment. I hope she will explain why she wants—I think we understand from the arguments why she takes that position.

May I say one or two things about what has been said? To my friend from Oregon, Senator WYDEN, who talked about the impossibility of collecting sales tax from foreign entities, that is just not true. The same collection mechanisms presently available to States to obtain and enforce judgments against foreign entities would be available to States with respect to foreign entities failing to comply with the MFA. States currently have, and would continue to have, access to customs information on imported goods. Accordingly, States can and do use that information as a means of encouraging remote sellers to collect sales tax. States currently have, and would continue to have, the ability to impose liens on any property owned by remote sellers, even property in transit. So to argue we can't collect taxes from international entities is to ignore existing law.

Let me say a word about the small businesses in Montana. After the \$1 million exemption, I would ask my Senator friend from Montana if he knows how many Internet retail sellers would be affected by the Marketplace Fairness Act in Montana.

Mr. TESTER. Too many.

Mr. DURBIN. There are 3. There are 3 out of 975 Internet retailers with over \$1 million in sales. There are 3 in the State of Montana. This is an undue burden on the small businesses of Montana?

What I would say to the Senator from Florida and the Senators from Montana, what we are saying is very basic. You aren't forced to sell in Illinois. There is no reason you have to sell in Illinois. You choose to do it. If you choose to do it, all we say is follow our law. Our law says if you make a sale in our State, there is a sales tax to be paid. If you don't want to get involved in that, you don't have to sell in our State. Keep your marketplace limited to places where you want to do business. That is your right as a businessman. But if you want to sell in our States, you have a legal obligation to pay in our States.

If you want to open a business on Michigan Avenue in Chicago, you know you would have to pay plenty of taxes. Why is it if you want to sell to the same people living on Michigan Avenue, you have no obligation to pay a sales tax? That is what this is about.

I reserve the remainder of my time.

Ms. AYOTTE. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from New Hampshire has 3 minutes remaining.

Ms. AYOTTE. Mr. President, I would say this: I can't imagine that businesses in New Hampshire or businesses in Wyoming or other businesses now—if this is passed, not only are they going to have to collect—all businesses—all 9,600 tax jurisdictions. But, heaven forbid, they are audited because now they are going to have to get on a plane, find a lawyer in another State, and deal with some other State's jurisdiction. That is the nightmare of this. I can't imagine that people would want to support it.

I also want to mention the privacy implications of this. I know the Senator from North Dakota mentioned a case she had. I actually had a case when I was attorney general where New Hampshire refused to collect tax for Massachusetts. They tried to bring us into court and I won that case.

Do my colleagues know what one of the big issues was that won it? Privacy—asking our retailers to ask people who bought things from them, where are you from, what are you going to use it for, and that is exactly the problem. There are serious privacy implications with all of the information that we are going to be gathering with this so-called making our businesses across the country tax collectors.

Generally, States do collect taxes, but we don't generally ask private businesses to do the job of the State and become tax collectors.

My amendment is simple. It respects States rights. If anyone wants to re-

spect States rights and make sure there is a level playing field for all States to make their decisions in protecting data as well as to protect the rights of their States against foreign entities, that is what the amendment does.

I thank the Chair and I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. I yield 2 minutes to the Senator from Tennessee and then my final minute to the Senator from Illinois.

Mr. ALEXANDER. Thank you, Mr. President. We talked about how difficult this is. This is a good example of why we need to get this out of Washington and back in the States. For the last 15 years the States have been figuring out how to do this. They have it pretty well worked out, and in just a 20-minute debate we make it sound complicated.

Here is how hard it is. If I buy some ice cream ingredients from Williams Sonoma, and they are in another State, I use my credit card, I put in my ZIP Code, and the software automatically tells Williams Sonoma what the sales tax is that is owed. They collect it and they wire it to the State government. That is all that happens.

This debate sounds like it happened in 1890 before the horse and buggy, before the Internet. I mean, we live in a different world.

Here is what is fair. What is fair is allowing a State—not Washington—listen to the chairman of the American Conservative Union Al Cardenas. He says:

When it comes to state sales taxes, it is time to address the area where federally mandated prejudice is most egregious—the policy towards Internet sales, the decades-old inequity between online sales and in-person sales as outdated and unfair.

If I am trying to run the International Boot Company, I have to pay a 10-percent penalty to somebody who is out of State. If somebody is out of State and by catalog or by Internet they want to sell to the 6 million people in Tennessee, they don't have to do that. They can sell in Kentucky, they can sell in Ohio, they can sell everywhere else. But if they want to sell in our State, they should live by the same rules Tennesseans do.

We don't believe in picking and choosing winners and losers. We don't believe in treating one taxpayer this way and another one that way. We don't want to pick one business this way and another that way, and we don't like the idea of Washington making us play Mother May I to come up here and ask permission to decide whether we are going to collect a sales tax from everybody who already owes it rather than just some people who owe it.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from Tennessee for making that point. As to this notion that there is something fundamentally unfair that we would ask an Internet retailer that wants to sell in Illinois that they collect the same sales tax for that sale as the businesses in Illinois, for goodness' sake, you are asking for a safe haven, an advantage over a lot of good small businesses in my home State. As Senator ALEXANDER said, if you don't want to abide by the laws of Illinois, for goodness' sake, make your sales elsewhere.

The Marketplace Fairness Act levels the playing field for all retailers, Internet and direct. It provides software free of charge to help retailers calculate sales and use taxes.

I heard my friend, the Senator from Montana, talk about how complex this was, how difficult this was.

I just made a recent purchase on Amazon which endorses the Marketplace Fairness Act, and I paid sales tax. They didn't ask for any additional time to calculate it. It assumes I put in my ZIP Code, and they knew exactly what to collect from me. That is how easy and simple it is these days.

This bill will also provide liability protection to ensure that if the software calculates the wrong tax, Internet retailers are held harmless.

Finally, the bill protects small businesses, as we mentioned earlier, by exempting small sellers with less than \$1 million in annual remote sales nationwide.

I know as well that there are other elements of this that ought to be considered, but we ought to consider this: There was a time when we stayed away from this issue. I remember the Senator from Oregon, Mr. WYDEN, was in on this conversation about the Internet being brand new, the baby in the crib, let him get started, let's make sure they are solid and moving forward. We can't ask them to do certain things.

That day is over: \$150 billion in sales. It is in our lives, everybody's lives. We use the Internet every day. What is wrong with asking them to pay sales tax for the sales into the States where they are doing business? Otherwise, look at the disadvantage we create for businesses.

The State of Oregon, represented in this debate, the State of Montana, the State of New Hampshire, and one other have decided they don't want a State sales tax. There is nothing in this bill which will require the residents of that State to pay one penny in sales tax on anything they purchase, period. There is no requirement to change that.

I know, as Dale Bumpers used to say, they hate sales tax in your States like the devil hates holy water, but we are not imposing a sales tax on you, only if your New Hampshire business wants to sell in another State. Then, of course, I think they ought to play by the rules

of that State. That is basically what we are asking.

So at this point I ask how much time is remaining.

The PRESIDING OFFICER. The Senator from Illinois has 1 minute remaining.

Mr. DURBIN. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Is there any time remaining on my side?

The PRESIDING OFFICER. One minute remains.

Ms. AYOTTE. Mr. President, I wish to say this: The Senator has it all wrong because when the business from New Hampshire—when the person from Illinois buys from the business in New Hampshire, it should be up to Illinois to enforce against their own residents because they are essentially buying from New Hampshire.

I yield the remainder of my time to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I yield 1 minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank Senator BAUCUS.

Senator DURBIN is right. Things have changed. The Internet now is the shipping lane of the 21st century, and foreign retailers are going to get an advantage.

Colleagues, if this were enforceable as Senator DURBIN and Senator ENZI are saying, Europe would go out and put it in place tomorrow and do it to our sellers.

It is not enforceable. It violates the World Trade Organization. It advantages foreign retailers at our expense. I hope my colleagues will reject the amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, the Senator from Oregon is right. And I see the Senator from North Dakota shaking her head. With all due respect, I think she is not correct. This is either enforceable on foreign countries or it is not. It is impossible to force our laws on other countries unless other countries consent. Just to say so in a statute here does not make it true, in a bill does not make it true. There has to be a treaty, a tax treaty. There has to be some way for the foreign jurisdiction to agree; otherwise, we cannot possibly enforce this in other jurisdictions or on the other side, if we do, then those other countries can come back and do the same thing to the United States.

Do we want Chinese direct sellers to come back to the United States or, vice versa, for the Chinese to collect in the United States? The Senator from New Hampshire had it exactly right: It should be the purchaser who pays the

tax, and that is where it should be enforced, not the tax collector, the small businessman in another State.

I might sum up by saying, we will take this up in the Finance Committee and work out all these different kinks and wrinkles on it, but that is where it should be done.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Illinois.

Mr. DURBIN. Mr. President, do I have the last minute remaining?

Let me just say, my friend, Senator HEITKAMP from North Dakota, knows this subject so well. The case you want to read is *Buckley v. State of California* as to whether State laws are enforceable against foreign companies. And they are. That decision has already been reached. This argument does not hold water.

What does hold water is this: There is no reason why any State retailer should have an unfair advantage doing business in my State or any other State. If they want to compete with my businesses that pay their taxes, as they are supposed to do, let them do business under the laws of the State of Illinois. If they do not want to play by these rules, then they do not have to come to Illinois. This is a question of fairness.

The last point I will make is this: This is voluntary—voluntary—under the Marketplace Fairness Act. States have to voluntarily decide that they want to be under this act. If they do not care to be, they do not have to be. So there is no heavy hand of the Federal Government here. The States can make this decision. It is up to them. I hope that all of those who support the Marketplace Fairness Act will support the Enzi-Durbin amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. Mr. President, my understanding is that all the debate time on this has expired, all the time has expired.

The PRESIDING OFFICER. The Senator is correct.

Mrs. MURRAY. And that the Enzi amendment is pending.

The PRESIDING OFFICER. The Senator is correct.

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 24, as follows:

[Rollcall Vote No. 62 Leg.]

YEAS—75

Alexander	Feinstein	Menendez
Baldwin	Fischer	Mikulski
Begich	Franken	Moran
Bennet	Gillibrand	Murphy
Blumenthal	Graham	Murray
Blunt	Hagan	Nelson
Boozman	Harkin	Portman
Boxer	Heinrich	Pryor
Brown	Heitkamp	Reed
Burr	Hirono	Reid
Cantwell	Hoeven	Risch
Cardin	Isakson	Rockefeller
Carper	Johanns	Sanders
Casey	Johnson (SD)	Schatz
Chambliss	Johnson (WI)	Schumer
Coburn	Kaine	Sessions
Cochran	King	Shelby
Collins	Kirk	Stabenow
Coons	Klobuchar	Thune
Corker	Landrieu	Udall (CO)
Cowan	Leahy	Udall (NM)
Crapo	Levin	Warner
Donnelly	Manchin	Warren
Durbin	McCain	Whitehouse
Enzi	McCaskill	Wicker

NAYS—24

Ayotte	Hatch	Roberts
Barrasso	Heller	Rubio
Baucus	Inhofe	Scott
Coats	Lee	Shaheen
Cornyn	McConnell	Tester
Cruz	Merkley	Toomey
Flake	Murkowski	Vitter
Grassley	Paul	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 656) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Mr. President, it is my understanding that Senator AYOTTE and Senator BAUCUS, who are next, are not going to call up their amendments. The question now is on the Durbin amendment, as amended.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the Durbin amendment.

The amendment (No. 578), as amended, was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

AMENDMENT NO. 144

Mrs. MURRAY. Mr. President, the next amendment that is in order is my amendment. I would like to yield to Senator COLLINS to speak on the amendment following mine, Amendment No. 144.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, my amendment is No. 144. I ask unanimous consent that it be called up at this time.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 144.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund to restore a sensible definition of full-time employee for purposes of the Patient Protection and Affordable Care Act)

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE DEFINITION OF FULL-TIME EMPLOYEE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to employer penalties in the Patient Protection and Affordable Care Act, which may include restoring a sensible definition of “full-time employee”, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

Ms. COLLINS. Mr. President, my amendment would allow for legislation setting a more sensible definition of “full-time employee” under the Affordable Care Act. Under the Affordable Care Act, also known as ObamaCare, the definition of a full-time employee averages just 30 hours a week. That definition is not found in other areas of the law. It is creating this perverse incentive where employers are actually reducing the number of hours their employees work in order to keep under that 30-hour threshold and thus avoid penalties.

All this amendment does, however, is call for a more sensible definition of what a full-time employee should entail. I ask unanimous consent that we voice vote the amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I was going to offer amendment No. 653, but I am not going to call up that amendment.

I would agree with Senator COLLINS on her amendment and ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 144) was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Mr. President, for the information of all Senators, we have now gone through all of the amendments from the unanimous consent

agreement. We are within a couple of minutes of having a unanimous consent request for the next group of amendments. I would ask that all Senators stay in the Chamber because it will just be a matter of several minutes and we will ask unanimous consent for the next group of amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent the next amendments in order to be called up be the following: Begich No. 341, Alexander No. 51, Merkley No. 398, Rubio No. 292, Hagan No. 278, and Isakson No. 138; that there be no second-degree amendments prior to the votes in relation to any of these amendments; that notwithstanding all time having expired on the resolution, there will be 2 minutes equally divided prior to each vote; that upon disposition of the Isakson amendment No. 138, the majority have the next amendment in order; finally, all these votes be 10-minute votes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Reserving the right to object, I think this is a good list. I look forward to moving on. I will try to work with Senator MURRAY and others. Perhaps we may avoid the gaps we have been experiencing. We have a lot of Senators here, a lot of things to do. There is an anxiousness we shouldn't be having so much downtime, and we will be working toward that.

I thank the Chair and would not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

Mrs. MURRAY. I would agree with the Senator. We are trying to work through. Members have a lot of priority amendments. We are trying to make sure our lists match. Our staffs are working very hard to go back and forth so everybody has equal time on the amendments which are a priority to each side. I apologize for taking time to do it. We are trying to come to an agreement, and sometimes it takes a few minutes.

I yield the floor to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 341

Mr. BEGICH. Mr. President, I call up amendment No. 341.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. BEGICH], for himself, Ms. CANTWELL, and Ms. MURKOWSKI, proposes an amendment numbered 341.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to the labeling of genetically engineered fish)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE LABELING OF GENETICALLY ENGINEERED FISH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the labeling of genetically engineered fish, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on amendment No. 341 offered by the Senator from Alaska, Mr. BEGICH.

The Senator from Alaska is recognized.

Mr. BEGICH. Mr. President, this amendment deals with labeling genetically engineered fish, the first hybrid animal being proposed for human consumption. The FDA is reviewing this precedent-setting action not as a food but as a drug. They haven't studied the long-time health impacts and I can see why because all of these chemicals are added to this fake fish.

At a minimum, this fish should be labeled. Consumer Reports indicates 95 percent of the population want products labeled. Last year 1 million people wrote to the FDA asking for this product to be labeled. Labeling is done in 60 other countries. Three weeks ago, major retailers, Whole Foods, Trader Joe's, have assured they are not going to sell this fake fish.

We urge support for this amendment and ask it be passed.

I yield time to Senator MURKOWSKI.

Ms. MURKOWSKI. I join my colleague in urging Members to support this amendment. All it does is require labeling of this fish, this fake fish. If you are going to be serving your family a good-quality product, you want to know it is good and it is quality. Allow us to label this fish.

I ask my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I believe we can pass this amendment on a voice vote, unless there is an objection. Seeing none, I suggest we do this by voice.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 341) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. I believe Senator ALEXANDER's amendment is up.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, Senator ALEXANDER is off the floor. Senator MERKLEY is here. I would ask unanimous consent to reverse the order of these two amendments and go to Senator MERKLEY and then back to Senator ALEXANDER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I yield to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 398

Mr. MERKLEY. Mr. President, I call up amendment No. 398.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes an amendment numbered 398.

The amendment is as follows:

(Purpose: To increase investment in high-impact breakthrough clean energy technologies through the Advanced Research Projects Agency-Energy of the Department of Energy)

On page 18, line 23, increase the amount by \$50,000,000.

On page 18, line 24, increase the amount by \$3,000,000.

On page 19, line 3, increase the amount by \$5,000,000.

On page 19, line 7, increase the amount by \$10,000,000.

On page 19, line 11, increase the amount by \$18,000,000.

On page 19, line 15, increase the amount by \$13,000,000.

On page 19, line 19, increase the amount by \$2,000,000.

On page 19, line 23, increase the amount by \$1,000,000.

On page 46, line 11, decrease the amount by \$50,000,000.

On page 46, line 12, decrease the amount by \$3,000,000.

On page 46, line 16, decrease the amount by \$5,000,000.

On page 46, line 20, decrease the amount by \$10,000,000.

On page 46, line 24, decrease the amount by \$18,000,000.

On page 47, line 3, decrease the amount by \$13,000,000.

On page 47, line 7, decrease the amount by \$2,000,000.

On page 47, line 11, decrease the amount by \$1,000,000.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on amendment No. 398.

The Senator from Oregon is recognized.

Mr. MERKLEY. Mr. President, this amendment increases the Advanced Re-

search Projects Agency-Energy of the Department of Energy by \$50 million. This is essentially what we know as ARPA-E. This is the most basic research to create breakthroughs in areas which range from renewable energy to energy conservation, so on and so forth. Energy is the lifeblood of our economy. It is the lifeblood of putting ourselves in a position to be one of the nations which sells technology to the world, rather than buying it from the world. This is a huge leverage issue, and I encourage my colleagues to support it.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I request Senators be recognized to speak at this moment.

Mr. President, I believe, as I indicated last night, Mr. Lomberg of Europe, who has done a lot of research on these issues—energy research is preferable to mandating requirements which would utilize inefficient sources and oversubsidizing. Breakthroughs might happen. This is a paid-for amendment. I would suggest we take it by voice vote.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 398) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Mr. President, Senator ALEXANDER is on the floor, and I will yield to him to offer his amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 515

Mr. ALEXANDER. I call up amendment No. 515.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for himself and Mr. PAUL, Mr. TOOMEY, Mr. RUBIO, and Mr. MCCONNELL, proposes an amendment numbered 515.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund related to the education of low-income children, which may include allowing funding under the Elementary and Secondary Education Act of 1965 to follow children from low-income families to the school the children attend)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR SCHOOL CHOICE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports

related to the education of low-income children, which may include allowing funding under the Elementary and Secondary Education Act of 1965 to follow children from low-income families to the school the children attend, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on amendment No. 515 offered by the Senator from Tennessee, Mr. ALEXANDER.

Mr. ALEXANDER. Mr. President, I offer this amendment on behalf of Senator PAUL and myself, with Senators TOOMEY and MCCONNELL cosponsoring. It is designed to help 11 million low-income children in this country. We appropriate \$14.5 billion every year through our title I Federal funding. It is supposed to go to them but it doesn't get there. That is agreed upon by both the left and the right.

For example, Marguerite Roza, writing for the Center for American Progress, says the difference between school expenditures is often substantial, and she pointed out the money goes to schools where teachers are paid more but the children aren't necessarily the poorer children. So the poorer children—the ones we intend to help—are left in schools with less money. And sometimes the money can add up to quite a bit.

The same analysis has been found by the Fordham Foundation—I would say that is a center-right organization—because of the Federal formula we use.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ALEXANDER. So we are suggesting to let the money follow the child to the school, whether it is public or private and accredited.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield our time to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, the way this amendment is drafted means the money that goes to title I could then be taken and go to private schools. That is the first thing.

Secondly, we have tried this before. The District of Columbia has a voucher program that we passed in Congress in 2003. And guess what they have found since 2003? It made no impact whatsoever on student achievement, and now the program is to the point it is being phased out.

Again, at this point in time when we are worried about uncertainty in our schools, teacher salaries, and we have the sequester taking money from schools, this isn't the time to take

even more money out of our public school system.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 60, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—39

Alexander	Enzi	McConnell
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—60

Baldwin	Gillibrand	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Blunt	Hirono	Reed
Boxer	Johnson (SD)	Reid
Brown	Kaine	Rockefeller
Cantwell	King	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Fischer	Mikulski	Whitehouse
Franken	Moran	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 515) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 292

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on amendment No. 292, offered by the Senator from Florida, Mr. RUBIO.

Mr. RUBIO. Mr. President, I call up amendment No. 292.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes an amendment numbered 292.

The amendment is as follows:

(Purpose: To express the sense of the Senate to enact the Child Interstate Abortion Notification Act)

At the end of title V, add the following:

SEC. 5. SENSE OF THE SENATE REGARDING CHILD INTERSTATE ABORTIONS.

(a) FINDINGS.—The Senate finds that—

(1) laws requiring parental notification or consent prior to an abortion, or in the alternative judicial waiver, are in effect in more than half of the States, but these laws are often circumvented by interstate activity in which minors travel or are transported across State lines to avoid laws requiring parental involvement;

(2) abortion providers use targeted advertising to minors across State lines, using avoidance of parental notification requirements as a selling point;

(3) when an abortion provider performs an abortion on a minor without parental notification, the provider is likely to lack the complete medical history of the minor, and parents of the minor are unaware of the need to watch for complications that may develop after the abortion when the minor is sent back to her State of residence, far from the provider; and

(4) parental notification and parental consent laws are supported by overwhelming majorities of the public in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) a physician who performs or induces an abortion on a minor who is a resident of a State other than the State in which the abortion is performed should be required by Federal law to provide, or cause an agent of the physician to provide, at least 24 hours advance notice to a parent of the minor before the abortion is performed;

(2) such a Federal requirement for interstate parental notification should not apply if—

(A) the minor declares in a signed written statement that she is the victim of sexual abuse, neglect, or physical abuse by a parent, and, before an abortion is performed on the minor, the physician notifies the authorities specified to receive reports of child abuse or neglect by the law of the State in which the minor resides of the known or suspected abuse or neglect;

(B) the abortion is necessary to save the life of a minor whose life is endangered by a physical disorder, physical injury, or physical illness, including a life endangering physical condition caused by or arising from the pregnancy itself, provided that the attending physician or an agent of the physician notifies a parent of the minor in writing that an abortion was performed on the minor and of the circumstances of the abortion within 24 hours;

(C) the abortion is performed or induced in a State that has in force a law requiring parental involvement in the abortion decision of a minor and the physician complies with the requirements of that law;

(D) the physician is presented with documentation that shows with a reasonable degree of certainty that a court in the State of residence of the minor has authorized that the minor be allowed to procure an abortion; or

(E) the minor is physically accompanied by a person who presents the physician or an agent of the physician with documentation showing with a reasonable degree of certainty that he or she is in fact a parent of that minor;

(3) a parent who suffers harm by a violation of the interstate notification requirement should be entitled to obtain appropriate relief in a civil action, unless that parent has committed an act of incest with the minor;

(4) whoever has committed an act of incest with a minor and knowingly transports the minor across a State line with the intent that the minor obtain an abortion should be subject to imprisonment of up to 1 year for such transportation, in addition to any other penalties; and

(5) Congress should enact S. 369, the Child Interstate Abortion Notification Act (CIANA), to accomplish these purposes.

Mr. RUBIO. Mr. President, abortion is a divisive issue in this country, and I deeply respect everyone's opinions with regard to this issue. But there is one thing that is not dividing us. There is one thing we are united upon as a people, and that is the idea that parents should know what their children are being involved in, especially when it comes to a medical procedure of this magnitude. That is why so many States have passed parental notification laws that require parents to be notified before their child—a minor—undergoes an abortion.

Unfortunately, in this country there are people who are transporting these children across State lines in order to avoid these notification laws. This sense of the Senate is based on a bill I have filed, and others have supported in the past, that makes that illegal, that does not allow that to happen.

You will hear arguments against this in terms of maybe the child is living in a very unstable environment or a dangerous environment. Maybe one of the parents—God forbid—is involved in the pregnancy that led to this, and that is why there are judicial overrides at the State level, so they can go to courts to override it. That is why this sense of the Senate is built on a bill that has exceptions for things like rape or incest or medical emergencies or a hostile home. So this is an important point, and I hope it can garner the support of as many Members as possible.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield my time to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, the Rubio amendment hurts families. It is opposed by respected doctors organizations and many women's groups.

Colleagues, under the Rubio amendment, a doctor and a grandmother would go to jail if the grandmother brought her grandchild across State lines, say, after she was raped. Senator RUBIO insists that only a parent be there. But what if the mom is ill or the dad is in Afghanistan or she is scared to death to tell her mom or her dad? Colleagues, there are cases of daughters dying due to their desperation and fear of telling their parents. Let's not

endanger our children and place government against our grandmothers. Please vote no.

Mr. President, I raise a point of order that the pending amendment is not germane to the underlying resolution. It, therefore, violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. I move to waive the rule with regard to the applicable portion of the act and ask for the yeas and nays.

The PRESIDING OFFICER (Mr. SCHATZ). Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 51, as follows:

[Rollcall Vote No. 64 Leg.]

YEAS—48

Alexander	Enzi	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Pryor
Burr	Hatch	Reid
Casey	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Lee	Thune
Crapo	Manchin	Toomey
Cruz	McCain	Vitter
Donnelly	McConnell	Wicker

NAYS—51

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Shaheen
Carper	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Udall (CO)
Cowan	Levin	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mrs. BOXER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 278

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote in relation to amendment No. 278, offered by the Senator from North Carolina, Mrs. HAGAN.

The Senator from North Carolina.

Mrs. HAGAN. Mr. President, this amendment establishes a deficit-neutral reserve fund for families of servicemembers and veterans. My home State has the third largest military footprint in the Nation. One out of every three people is in the military, a veteran or related to a servicemember or veteran. We are proud that we make military families welcome in North Carolina because supporting military families is one of the best ways we can support our troops.

This amendment is deficit neutral. It will not add one penny to our deficit. It helps to create room in the budget for legislation to help military families in areas ranging from health care to housing and from education to job placement while their loved ones are serving our country away from home.

A vote for this amendment is a vote for our military families, for the sons, daughters, husbands, wives, and families who sacrifice for this Nation alongside our troops.

The PRESIDING OFFICER. The Senator will be in order. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I call up amendment No. 278.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from North Carolina [Mrs. HAGAN] proposes an amendment numbered 278.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund for the families of United States servicemembers and veterans)

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND FOR THE FAMILIES OF AMERICA'S SERVICEMEMBERS AND VETERANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to support for the families of members of the Armed Forces and veterans, including—

- (1) expanding educational opportunities;
- (2) providing increased access to job training and placement services;
- (3) tracking and reporting on suicides of family members of members of the Armed Forces;
- (4) ensuring access to high-quality and affordable healthcare; or
- (5) improving military housing;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

Mrs. HAGAN. Mr. President, I ask my colleagues to consider our military families who serve this Nation. They just don't do it in uniform.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, unless there are any Senators who wish to speak in opposition to this amendment, I know we are all in very strong support of veterans. This amendment would make it easier to pass legislation, but that legislation would be required to be deficit neutral. I think we have to know that nothing comes from nothing. If we start new programs, they have to be paid for. But we certainly support the goal of this amendment. I suggest we could take it by voice vote.

Mrs. MURRAY. Mr. President, if there is no objection, I suggest we voice vote this amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 278) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. I believe the Senator from Georgia is next.

AMENDMENT NO. 138

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote in relation to amendment No. 138 offered by the Senator from Georgia.

Mr. ISAKSON. Mr. President, I call up amendment No. 138.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Georgia [Mr. ISAKSON], for himself and Mrs. SHAHEEN, proposes an amendment numbered 138.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to establishing a biennial budget and appropriations process)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ESTABLISHING A BIENNIAL BUDGET AND APPROPRIATIONS PROCESS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to establishing a biennial budget and appropriations process, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

Mr. ISAKSON. Mr. President, this is an Isakson-Shaheen budget amendment that creates a deficit-neutral fund for the purpose of converting our appro-

priations and budget process to a 2-year process where we budget and appropriate in odd-numbered years.

We would budget and appropriate in odd-numbered years and do oversight for efficiencies, finding abuses and finding those programs that are not working in even-numbered years. This is a process asked for by every President, from Ronald Reagan to our current President, and endorsed by Democrats and Republicans in this body. The person who knows the most about it is Ms. JEANNE SHAHEEN, former Governor of New Hampshire and a Senator, who is my partner.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank my colleague Senator ISAKSON. I was a Governor for three budgets, and we were able to balance them every other year every cycle because biennial budgeting gives us an opportunity to prioritize scarce resources and provide more oversight to the budgeting process.

This is idea whose time has come. We need this reform and I urge my colleagues to support it.

Mr. ISAKSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mrs. MURRAY. Is there a Senator who wishes to speak in opposition?

Seeing none, I yield our time.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 65 Leg.]

YEAS—68

Alexander	Fischer	McCaskill
Ayotte	Flake	McConnell
Barrasso	Franken	Moran
Begich	Gillibrand	Murkowski
Bennet	Graham	Murphy
Blumenthal	Grassley	Portman
Blunt	Hagan	Reid
Boozman	Harkin	Risch
Burr	Hatch	Roberts
Cardin	Heinrich	Schatz
Carper	Heitkamp	Scott
Chambliss	Hoeven	Sessions
Coats	Inhofe	Shaheen
Coburn	Isakson	Shelby
Cochran	Johanns	Tester
Collins	Johnson (SD)	Thune
Coons	Johnson (WI)	Toomey
Corker	Kaine	Udall (CO)
Cornyn	King	Vitter
Crapo	Klobuchar	Warner
Cruz	Leahy	Warren
Donnelly	Manchin	Wyden
Enzi	McCain	

NAYS—31

Baldwin	Kirk	Reed
Baucus	Landrieu	Rockefeller
Boxer	Lee	Rubio
Brown	Levin	Sanders
Cantwell	Menendez	Schumer
Casey	Merkley	Stabenow
Cowan	Mikulski	Udall (NM)
Durbin	Murray	Whitehouse
Feinstein	Nelson	Wicker
Heller	Paul	
Hirono	Pryor	

NOT VOTING—1

Lautenberg

The amendment (No. 138) was agreed to.

Mrs. MURRAY. I move to reconsider the vote and move to lay the motion on the table.

For the information of all Senators, we have worked through a lot of amendments, and I appreciate everybody's hard work. I am about to ask for unanimous consent that will lock in the next 16 amendments, which will take us well past midnight. I suggest that any Senator who is going to need a vote and wants to keep the Senate later talk to either Senator SESSIONS or myself very soon.

AMENDMENTS NOS. 693, 307, 198, 697, 482, 263, 314, 247, 606, 689, 537, 535, 442, 514, 273, AND 373 EN BLOC

Mrs. MURRAY. Mr. President, I ask unanimous consent that the next amendments in order to be called up be the following: Warner amendment No. 693, Thune amendment No. 307, Sanders amendment No. 198, Burr amendment No. 697, Reed of Rhode Island amendment No. 482, Paul amendment No. 263, Landrieu amendment No. 314, Cornyn amendment No. 247, Menendez amendment No. 606, Vitter amendment No. 689, Tester amendment No. 537, Toomey amendment No. 535, Casey amendment No. 442, Coats amendment No. 514, Cardin amendment No. 273, and Lee amendment No. 373; that there be no second-degree amendments in order prior to the votes in relation to any of these amendments; that notwithstanding all time having expired on the resolution, there be 2 minutes equally divided prior to each vote; that upon disposition of the Lee amendment No. 373, the majority have the next amendment in order; finally, that all of these votes be 10-minute votes and the Chair report en bloc.

The PRESIDING OFFICER. Is there objection?

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I believe this is a good list, and I support this list. I would advise that a number of Senators have amendments that they have waited patiently on and that they are entitled to get votes on, so we need to move forward. The more effectively we can do so, the sooner we can finish. There are some very serious matters that have not yet been put on this list that will need to be voted on.

With that, I withdraw my objection.

Mr. INHOFE. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I reserve the right to object. The Senator from Alabama talked about Senators who have been waiting for a long time. It happens that I was among the very first to put all of mine in—I was ready to go—and cut it down to two votes. I am still waiting. I will not wait beyond the next time; I am serving notice.

At this time, I do not object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we finalize these amendments, and we will have disposed of 41 amendments. Senators are going to have to understand that this is not going to go on forever. The average is about 30 or 35 votes. After we finish, it will be 41. Everyone should understand that we had 400 amendments that had been offered, and we are not going to do that.

Mr. DURBIN. Voice votes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mrs. MURRAY. Thank you, Mr. President.

I will again remind Senators that if anyone has an amendment, please let us know very quickly.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. We look forward to working hard as we go forward and take up new amendments. It is unfortunate that we are coming to the end of the week as we have. We still would have a week when we come back—the week of April 8—but I know the majority leader wants to finish. So we are going to try to cooperate, and I know he will cooperate with us as we seek to get as many amendments done and as many people satisfied with the issues they are concerned about as is possible.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, if the clerk could call up the amendments en bloc.

The PRESIDING OFFICER. The clerk will report the amendments en bloc.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc: for Mr. WARNER, an amendment numbered 693; for Mr. THUNE, an amendment numbered 307; for Mr. SANDERS, an amendment numbered 198; for Mr. BURR, an amendment numbered 697; for Mr. REED, an amendment numbered 482; for Mr. PAUL, an amendment numbered 263; for Ms. LANDRIEU, an amendment numbered 314; for Mr. CORNYN, an amendment numbered 247; for Mr. MENENDEZ, an amendment numbered 606; for Mr. VITTER, an amendment numbered 689; for Mr. TESTER, an amendment numbered 537; for Mr. TOOMEY, an amendment numbered 535; for Mr. CASEY, an amendment numbered 442; for Mr. COATS, an

amendment numbered 514; for Mr. CARDIN, an amendment numbered 273; for Mr. LEE, an amendment numbered 373.

The amendments are as follows:

AMENDMENT NO. 693

(Purpose: To repeal or reduce the estate tax, but only if done in a fiscally responsible way)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE REPEAL OR REDUCTION OF THE ESTATE TAX.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the repeal or reduction of the estate tax, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 307

(Purpose: To establish a deficit-neutral reserve fund to permanently eliminate the Federal estate tax)

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO PERMANENTLY ELIMINATE THE FEDERAL ESTATE TAX.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may permanently eliminate the Federal estate tax without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 198

(Purpose: To establish a deficit-neutral reserve fund to protect the benefits of disabled veterans and their survivors, which may not include a chained CPI)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND FOR DISABLED VETERANS AND THEIR SURVIVORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to protecting the benefits of disabled veterans and their survivors, which may not include a chained CPI, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 697

(Purpose: To create a point of order against legislation that would raise taxes on veterans, and for other purposes)

Beginning on page 49, strike line 20 and all that follows through page 50, line 2.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,650,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,650,000,000.

At the end of subtitle A of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD RAISE TAXES ON VETERANS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase taxes on United States veterans or their survivors.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 482

(Purpose: To provide funding for low-income weatherization and energy efficiency retrofit programs)

On page 18, line 23, increase the amount by \$50,000,000.

On page 18, line 24, increase the amount by \$3,000,000.

On page 19, line 3, increase the amount by \$5,000,000.

On page 19, line 7, increase the amount by \$10,000,000.

On page 19, line 11, increase the amount by \$18,000,000.

On page 19, line 15, increase the amount by \$13,000,000.

On page 19, line 19, increase the amount by \$2,000,000.

On page 19, line 23, increase the amount by \$1,000,000.

On page 46, line 11, reduce the amount by \$50,000,000.

On page 46, line 12, decrease the amount by \$3,000,000.

On page 46, line 16, decrease the amount by \$5,000,000.

On page 46, line 20, decrease the amount by \$10,000,000.

On page 46, line 24, decrease the amount by \$18,000,000.

On page 47, line 3, decrease the amount by \$13,000,000.

On page 47, line 7, decrease the amount by \$2,000,000.

On page 47, line 11, decrease the amount by \$1,000,000.

On page 57, after line 25, insert the following:

(4) low-income weatherization and energy efficiency retrofit programs;

On page 58, line 1, strike “(4)” and insert “(5)”.

On page 58, line 3, strike “(5)” and insert “(6)”.

On page 58, line 4, strike “(6)” and insert “(7)”.

On page 58, line 7, strike “(7)” and insert “(8)”.

On page 58, line 9, strike “(8)” and insert “(9)”.

On page 58, line 10, strike “(9)” and insert “(10)”.

AMENDMENT NO. 263

(The amendment is printed in the RECORD of Thursday, March 21, 2013, under “Text of amendments.”)

AMENDMENT NO. 314

(Purpose: To modify the deficit-neutral reserve fund for America’s servicemembers and veterans to include leases of major medical facilities of the Department of Veterans Affairs)

On page 59, line 25, insert after “space” the following: “, to include leases of major medical facilities.”.

AMENDMENT NO. 247

(Purpose: To ensure that if the President fails to submit his budget by the deadline set in law the Director of the Office of Management and Budget does not get paid until he submits a budget; and that any savings will reduce the deficit)

At the end of title III, add the following:

SEC. ____ . DEFICIT REDUCTION FUND FOR NO BUDGET, NO OMB PAY.

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to the federal budget process, which may include prohibiting paying the salaries of either the Director of the Office of Management and Budget (OMB), the OMB Deputy Director, or the OMB Deputy Director for Management, or all three officials, for the period of time after which the President fails to submit a budget, pursuant to section 1105 of title 31, United States Code, and until the day the President submits a budget to Congress.

AMENDMENT NO. 606

(Purpose: To establish a deficit-neutral reserve fund to provide funding for the purposes of embassy or diplomatic security)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FUNDING FOR EMBASSY OR DIPLOMATIC SECURITY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference

reports that would provide funding for the purposes of embassy or diplomatic security, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 689

(Purpose: To end “Too Big To Fail” subsidies or funding advantage for Wall Street mega-banks (over \$500 billion in total assets)

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO END “TOO BIG TO FAIL” SUBSIDIES OR FUNDING ADVANTAGE FOR WALL STREET MEGA-BANKS (OVER \$500 BILLION IN TOTAL ASSETS).

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to any subsidies or funding advantage relative to other competitors received by bank holding companies with over \$500,000,000,000 in total assets, which may include elimination of any subsidies or funding advantage relative to other competitors resulting from the perception of federal assistance to prevent receivership, or any subsidies or funding advantage relative to other competitors resulting from the perception of federal assistance to facilitate exit from receivership, or to realign market incentives to protect the taxpayer, except in the case of Federal assistance provided in response to a natural disaster, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

AMENDMENT NO. 537

(Purpose: To establish a deficit-neutral reserve fund relating to authorizing children who are eligible to receive health care furnished under laws administered by the Secretary of Veterans Affairs to retain such eligibility until age 26)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING CHILDREN ELIGIBLE FOR HEALTH CARE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS TO RETAIN SUCH ELIGIBILITY UNTIL AGE 26.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to authorizing children who are eligible to receive health care furnished under laws administered by the Secretary of Veterans Affairs to retain such eligibility until age 26, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 535

(Purpose: To repeal the tax increase on catastrophic medical expenses created by Obamacare)

On page 49, strike lines 20 through line 2 on page 50

The levels in this resolution are amended by—Reducing total revenues by the following amounts

On page 4, line 6, reduce the amount by \$300,000,000.

On page 4, line 7, reduce the amount by \$1,400,000,000.

On page 4, line 8, reduce the amount by \$1,400,000,000.

On page 4, line 9, reduce the amount by \$2,000,000,000.

On page 4, line 10, reduce the amount by \$3,400,000,000.

On page 4, line 11, reduce the amount by \$3,700,000,000.

On page 4, line 12, reduce the amount by \$4,100,000,000.

On page 4, line 13, reduce the amount by \$4,400,000,000.

On page 4, line 14, reduce the amount by \$4,800,000,000.

On page 4, line 15, reduce the amount by \$5,100,000,000.

And reducing the amounts by which federal revenues should be changed by the following amounts

On page 4, line 20, reduce the amount by \$300,000,000.

On page 4, line 21, reduce the amount by \$1,400,000,000.

On page 4, line 22, reduce the amount by \$1,400,000,000.

On page 4, line 23, reduce the amount by \$2,000,000,000.

On page 4, line 24, reduce the amount by \$3,400,000,000.

On page 4, line 25, reduce the amount by \$3,700,000,000.

On page 5, line 1, reduce the amount by \$4,100,000,000.

On page 5, line 2, reduce the amount by \$4,400,000,000.

On page 5, line 3, reduce the amount by \$4,800,000,000.

On page 5, line 4, reduce the amount by \$5,100,000,000.

AMENDMENT NO. 442

(Purpose: To establish a deficit-neutral reserve fund for State and local law enforcement)

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND FOR STATE AND LOCAL LAW ENFORCEMENT.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report to support State and local law enforcement, which may include investing in State formula grants, to aid State and local law enforcement and criminal justice systems in implementing innovative, evidence-based approaches to crime prevention and control, including strategies such as specialty courts, multi-jurisdictional task forces, technology improvement, and information sharing systems, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 514

(Purpose: To establish a deficit-neutral reserve fund to enable prompt action relating to the Presidential exemption for the rule of the Environmental Protection Agency commonly known as the Mercury and Air Toxins Standard for affected electric utility steam generating units that need additional time to install the major emissions control equipment, construct replacement generation, or implement other mitigation measures in order to ensure the reliability of the grid)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENABLE PROMPT ACTION FOR PRESIDENTIAL EXCEPTION FOR MERCURY AND AIR TOXINS STANDARD.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that may allow the Environmental Protection Agency to enable the President to be adequately informed and take prompt action to issue, on a case-by-case basis, Presidential exemptions, which may include exemptions under section 112(i)(4) of the Clean Air Act (42 U.S.C. 7412(i)(4)), without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 273

(Purpose: To establish a deficit-neutral reserve fund to improve oral health care for children with Medicaid coverage)

On page 76, between lines 9 and 10, insert the following:

(c) ORAL HEALTH CARE FOR CHILDREN WITH MEDICAID COVERAGE.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that improve the oral health outcomes for children covered by Medicaid, including legislation that may allow for risk-based disease prevention and comprehensive, coordinated chronic disease treatment approaches, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 373

(Purpose: To provide a point of order against budgets spending more on net interest payments on the debt than on national defense, and to ensure the United States government funds its military at higher levels than the militaries of foreign holders of its debt)

At the end of subtitle A of title IV, insert the following:

SEC. 4. SENATE POINT OF ORDER AGAINST BUDGET PROVIDING OUTLAYS FOR INTEREST ON THE DEBT IN EXCESS OF OUTLAYS FOR NATIONAL DEFENSE.

(a) IN GENERAL.—In the Senate, it shall not be in order to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that in-

cludes outlays for function 900 in any fiscal year that exceed outlays for function 050 in the same fiscal year.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

AMENDMENT NO. 693

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 693, offered by the Senator from Virginia, Mr. WARNER.

The Senator from Virginia.

Mr. WARNER. Mr. President, in the spirit of what our leader said about us trying to move along, I think while we may have a variety of views, we all know we are \$16.5 trillion in debt—a debt that goes up by \$3 billion every night. The last thing we should do is dig this hole any deeper.

This amendment is paired actually with an amendment that will be offered by the Senator from South Dakota, Mr. THUNE. The Thune amendment would repeal the estate tax without the ability to offset with additional revenue.

I believe the estate tax is actually a meaningful part of our Tax Code. We put in place appropriate exemptions: \$5 million a person, \$10 million a couple. That means the estate tax right now only applies to about 3,800 people a year. Yet, if we were to repeal the estate tax without any offset, that would add \$600 billion to our debt.

We have spent a lot of time over these last number of months talking about the dramatic cuts in defense from sequester—\$550 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WARNER. Mr. President, I urge my colleagues, if we want to repeal the estate tax and pay for it, to vote for the Warner amendment No. 693.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from South Dakota.

Mr. THUNE. Mr. President, I appreciate the effort being made by the Senator from Virginia. He is moving in the right direction. We do need to get rid of this once and for all. I would be happy to accept his amendment by voice if he would be willing to do that. But I think it is important to have a vote on eliminating the death tax.

The death tax is a punitive tax. It hits farmers and ranchers squarely in the face at a time when they are trying to pass on their farm or ranch operation to the next generation of Americans.

By the way, the amendment I will offer is a deficit-neutral reserve fund; it would be offset. The point the Sen-

ator from Virginia made about it not being offset is not accurate.

The way we would approach this, it would have to be offset, but it is time that we put a stake in the heart of the death tax and end it once and for all.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I believe we need a balanced approach. The notion that we can continue to take away revenue sources is not a responsible way to address this budget.

I urge my colleagues to support amendment No. 693.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 80, nays 19, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—80

Alexander	Feinstein	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Murray
Baucus	Graham	Nelson
Begich	Grassley	Paul
Bennet	Hagan	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Burr	Hirono	Rubio
Cantwell	Hoehn	Schatz
Cardin	Inhofe	Scott
Carper	Isakson	Sessions
Casey	Johanns	Shaheen
Chambliss	Johnson (WI)	Shelby
Coats	Kaine	Stabenow
Coburn	Kirk	Tester
Cochran	Klobuchar	Thune
Collins	Landrieu	Toomey
Corker	Leahy	Udall (CO)
Cornyn	Lee	Vitter
Cowan	Manchin	Warner
Crapo	McCain	Warren
Cruz	McCaskill	Wicker
Donnelly	McConnell	Wyden
Enzi	Mikulski	

NAYS—19

Baldwin	Johnson (SD)	Rockefeller
Brown	King	Sanders
Coons	Levin	Schumer
Durbin	Menendez	Udall (NM)
Franken	Merkley	Whitehouse
Gillibrand	Murphy	
Harkin	Reed	

NOT VOTING—1

Lautenberg

The amendment (No. 693) was agreed to.

Mrs. MURRAY. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 307

The PRESIDING OFFICER. Under the previous order, there now will be 2

minutes of debate equally divided prior to a vote in relation to amendment No. 307, offered by the Senator from South Dakota, Mr. THUNE.

The Senator from South Dakota.

Mr. THUNE. Mr. President, this amendment will create a deficit-neutral reserve fund to completely—completely—eliminate the Federal estate tax burden that is facing America's family farmers and small businesses. There are lots of reasons to support elimination of this destructive and inefficient tax, but for me the issue comes down to being able to tell the farmers and ranchers I represent that I am doing everything I can to make sure they can pass on their family farm to the next generation without a double tax imposed from Washington, DC.

Behind me is a chart. This is data selected from the latest Agriculture Department report on farmland values. Farmers in the States represented on this chart truly are land rich and cash poor. These farmers literally have to sell off land or spend large sums in financial planning solely because of the estate tax—all of that to bring in less than one-half of 1 percent of all Federal revenue.

Next year the estate tax will generate \$15 billion—that is all—relative to all the harm that it causes to farms, ranches, and small businesses in this country. It is time to end this tax. It is time to put a stake through the heart of this tax. I ask my colleagues to support the repeal with this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time in opposition?

Mrs. MURRAY. Mr. President, I yield to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, there are strong feelings of opinion in this body about the estate tax. I personally believe the current estate tax—with a very generous \$5 million-per-person exemption, and \$10 million per family; an estate tax that only applies to 3,800 families per year—is a fair part of our Tax Code. Others may disagree.

But in our previous amendment, Warner amendment No. 693, we said if you are going to replace the estate tax, you have to pay for it. The unfortunate thing about the Senator's amendment is it says if you repeal the estate tax, you cannot use revenues to replace that. It will only have to be replaced with additional cuts.

The problem we have at this point—\$16.5 trillion in debt—is because we have not recognized to get a budget balanced you have to look at both sides of the balance sheet, revenue and spending. You cannot just keep taking revenue away on every item. So I would urge my colleagues to oppose the Thune amendment.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 67 Leg.]

YEAS—46

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Baucus	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	Manchin	Wicker
Cruz	McCain	
Enzi	McConnell	

NAYS—53

Baldwin	Hagan	Nelson
Begich	Harkin	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—1

Lautenberg

The amendment (No. 307) was rejected.

Mrs. MURRAY. I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 198

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote in relation to amendment No. 198 offered by the Senator from Vermont.

Mr. SANDERS. Mr. President, I call up amendment No. 198.

The PRESIDING OFFICER. The amendment is pending.

Mr. SANDERS. Mr. President, this amendment would create a deficit-neutral reserve fund to protect disabled veterans and their survivors, which may not include a chained CPI—no chained CPI.

This amendment is cosponsored by Senators HARKIN, HIRONO, and WHITE-

HOUSE. This amendment is strongly supported by the American Legion and all of the veterans organizations. It is supported by the AARP and all of the senior organizations because they do not want to see cuts in Social Security. It is supported by the AFL-CIO and the National Organization for Women, among many other groups.

After all of the fine Memorial Day speeches about how much we love and support our veterans, the Disabled Veterans of America, the Gold Star Wives—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SANDERS. They want to know if we are going to balance the budget on the backs of disabled veterans. I hope very much we will not do that.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I rise in support of the Sanders amendment. I urge my colleagues to support it. I support chained CPI, just as the President, as it relates to entitlement reform. The fact is, if we want to protect veterans, then the important amendment is the next one. It is the amendment that bans excessive taxes from being applied to our country's veterans. It shields them from the massive tax increases found in this budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I believe we can take this on a voice vote.

Mr. SANDERS. If Mr. BURR supports this amendment, I ask for a rollcall vote.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment there is not a sufficient second. At this time, there is not a sufficient second.

The question is on the amendment.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I ask for a voice vote on the Sanders amendment.

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the amendment.

The amendment (No. 198) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 697

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior

to a vote in relation to amendment No. 697.

Mr. BURR. Mr. President, I rise today to offer an amendment that will actually protect veterans, one that will protect them from the massive tax increases in this budget. The budget before us today raises \$1 trillion but does not tell us how. My amendment would ensure that the Democrats in the Chamber cannot raise a dime of that trillion dollars on the backs of our Nation's veterans. It would strike their ability to fast-track any tax increases through this body.

I encourage all Members to vote for the amendment that will actually protect veterans from the threat before them. That threat is higher taxes that will come from this budget.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I strongly oppose this amendment. Repealing this budget's revenue increase and striking reconciliation would be irresponsible. Our budget would not raise taxes on veterans.

I yield back the remainder of my time to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. What this amendment basically says is it does away with the revenue that the committee has put into the bill. It says the only way to do deficit reduction is to cut, cut, cut—cut Social Security, veterans programs, Medicare, Medicaid. One out of four corporations does not pay a nickel in taxes today. No problem. We are losing \$100 billion with companies putting their money in the Cayman Island's tax havens. No problem. The only way to go forward is to cut, cut, cut. The American people do not support that concept. This amendment should be defeated.

Mr. President, I raise a point of order that the pending amendment is not germane to the underlying resolution and therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I move to waive section 305(b)(2) of the Congressional Budget Act for consideration of the pending amendment No. 697 pursuant to section 904(c) of the Congressional Budget Act of 1974.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 45, nays 54, as follows:

[Rollcall Vote No. 68 Leg.]

YEAS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Cooms	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 45 and the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and amendment No. 697 falls.

Mrs. MURRAY. I move to reconsider the vote and lay that motion on the table.

The motion to reconsider was agreed to.

AMENDMENT NO. 482

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to amendment No. 482, offered by the Senator from Rhode Island, Mr. REED.

The Senator from Rhode Island.

Mr. REED. This bipartisan amendment, cosponsored by Senator COLLINS, Senator MERKLEY, and others, would add resources to energy programs for the purpose of increasing support for the Weatherization Assistance Program. It would also include weatherization in the investments under the deficit-neutral reserve fund on clean energy and environmental protection.

Weatherization does several things: It puts people to work, helps low-income people control their energy bills, and helps us move toward energy independence. We need to do more of this, not less. This amendment will put us back on the track of doing more, not less.

I would urge passage of this amendment.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator and his cosponsors for their work on this amendment. I note it would double the budget number for the weatherization program. Also, the Recovery Act of a few years ago, the stimulus bill, provided \$5 billion for the weatherization program. While I am dubious about the wisdom of the doubling of this program, it is offset. Therefore, I would accept a voice vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Without objection, we will move to a voice vote on this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 482) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider and lay that motion on the table.

The motion to reconsider was agreed to.

AMENDMENT NO. 263

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote on amendment No. 263 offered by the Senator from Kentucky, Mr. PAUL.

The Senator from Kentucky.

Mr. PAUL. Mr. President, the President is fond of calling for a balanced approach. Today, I rise in this body to offer a balanced approach to budgets. I offer a budget that balances in 5 years.

This budget is called the Revitalize America Budget. It reforms and saves Social Security and Medicare, making them solvent for 75 years; it creates millions of jobs by letting taxpayers keep an additional \$600 billion of their income; it repeals ObamaCare; and it requires Congress to vote to approve or disapprove all major regulations.

Our ever-expanding debt is costing us millions of jobs a year. It is time to stop burying our kids in debt. I suggest a vote for this 5-year balanced budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, the budget resolution before the Senate represents the values and priorities of the pro-middle-class agenda. The Paul budget that is being offered includes tax savings for the wealthy and eliminates the programs that strengthen our economy and support our middle class.

I strongly urge my colleagues to vote against this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 18, nays 81, as follows:

[Rollcall Vote No. 69 Leg.]

YEAS—18

Barrasso	Flake	Paul
Coburn	Inhofe	Risch
Cornyn	Johnson (WI)	Scott
Crapo	Lee	Sessions
Cruz	McConnell	Shelby
Enzi	Moran	Vitter

NAYS—81

Alexander	Franken	Mikulski
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Baucus	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeben	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Kaine	Shaheen
Chambliss	King	Stabenow
Coats	Kirk	Tester
Cochran	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 263) was rejected.

Ms. LANDRIEU. Mr. President, I move to reconsider the vote, and I lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 314

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to a vote on amendment No. 314 offered by the Senator from Louisiana, Ms. LANDRIEU.

Ms. LANDRIEU. Mr. President, I am proud to offer this amendment on behalf of myself, Senator CHAMBLISS, Senator VITTER, Senator BLUMENTHAL, Senator ISAKSON, Senator MURPHY, and Senator UDALL of New Mexico that will fix a problem in the way CBO is scoring the leasing of veterans clinics.

This amendment, if adopted, will have no impact on the deficit. It will allow veterans clinics in 30 States to be able to finance their buildings. It is something that must be done in order to solve this problem for our veterans, and I think we can take this by voice vote.

Mr. SESSIONS. Mr. President, I believe Senator COBURN wished to speak on this amendment.

Mr. COBURN. Mr. President, I understand what the Senator from Louisiana is trying to do, but it goes toward the bigger problems of GSA. I will give you a great example.

In my hometown they are building a brand new U.S. Attorney's Office with four other sites that are available that could have been leased, and they are going to lease this one as well. So leasing doesn't solve the problem. What we need to attack is the inefficiencies and ineffectiveness of GSA.

I am sure we will take a voice vote on this, but I am not sure I agree with the solution of the Senator from Louisiana.

Ms. LANDRIEU. This is only for veterans clinics, and I ask for a voice vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, if there is no discussion, we will take this by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 314) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. SESSIONS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 247

The PRESIDING OFFICER. There are now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 247, offered by the Senator from Texas, Mr. CORNYN.

Mr. CORNYN. Mr. President, I ask unanimous consent to call up amendment No. 247 and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is pending.

Mr. CORNYN. Mr. President, this is an amendment which would facilitate passage of legislation that would deny pay to the personnel at the Office of Management and Budget for such time as they delay in the statutory requirement for the President to submit a budget for consideration by the Senate.

As we all know, the law requires the President to submit a budget the first Monday in February, but the President has not done so 4 out of the last 5 years, nor will he do so this year reportedly until April. The problem with that is we will finish our work here this week, the House will finish their work, and the President has rendered himself entirely irrelevant.

We know because the House passed the No Budget No Pay bill that it prompted the first budget in the Senate in more than 1,400 days, and that is good, that is progress. We would like to do the same now with the Office of Management and Budget to encourage the President to be relevant to the budget debate and require him to submit his budget on a timely basis.

So I would ask my colleagues for their vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, there is no opposition. We suggest a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 247) was agreed to.

AMENDMENT NO. 606 WITHDRAWN

AMENDMENT NO. 483

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Menendez amendment listed in the previous order, amendment No. 606, be replaced with Udall amendment No. 483.

The PRESIDING OFFICER. Without objection, it is so ordered. Amendment No. 606 has been withdrawn.

The clerk will report amendment No. 483.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] for Mr. UDALL of New Mexico, proposes amendment numbered 483.

The amendment is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to hardrock mineral royalty and fee reform)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING HARDROCK MINING REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal land management, which may include provisions relating to budget deficit reduction, establishment of a reclamation fund, imposition of a locatable mineral royalty, revenue sharing with States, and improvements to the permitting process, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 483

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on amendment No. 483, offered by the Senator from New Mexico, Mr. UDALL.

Mr. UDALL of New Mexico. Mr. President, let me just say that I very much appreciate the help on this amendment from both Senator WYDEN, who is here and is the chairman of the committee, and also Senator MURKOWSKI, who has been working with me on this amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. Is all time yielded back?

The Senator from Washington.

Mrs. MURRAY. Mr. President, if there is no opposition, I would suggest a voice vote.

Mr. SESSIONS. Mr. President, I understand there have been discussions about this, and it is on the agreed list for a voice vote. I would have no objection unless others do.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 483) was agreed to.

AMENDMENT NO. 689

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on amendment No. 689, offered by the Senator from Louisiana, Mr. VITTER.

Mr. VITTER. Mr. President, I call up amendment No. 689.

The PRESIDING OFFICER. The amendment is pending.

Mr. VITTER. Mr. President, there have been at least three independent studies now recently that underscore that too-big-to-fail is still alive and well, and that too-big-to-fail policies give Wall Street megabanks a subsidy in comparison to their competitors—an unfair advantage, creating an uneven playing field. And not coincidentally, that is why these megabanks dominate the market—the biggest market share ever in history.

This amendment is very simple. It says we should do away with the Federal policies that create that subsidy, the uneven playing field. It doesn't say we forcibly break up the banks, it doesn't say we tax them, it just says that.

I yield the remainder of my time to Senator BROWN of Ohio.

Mr. BROWN. Mr. President, we ask support for the Vitter-Brown-Corker-Pryor amendment. The community banks of America support it because they know the playing field isn't level.

One real quick statistic. Eighteen years ago, the six biggest U.S. banks had assets equal to 18 percent of GDP. Today it is 65 percent of GDP.

I ask for your support of the amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I don't believe there is any opposition to this amendment. I would ask the Senator if we could have a voice vote on this amendment as well.

Mr. VITTER. Mr. President, we believe this is an important matter, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At this moment there is not a sufficient second.

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 70 Leg.]

YEAS—99

Alexander	Flake	Moran
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Graham	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Paul
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Burr	Hoeven	Rockefeller
Cantwell	Inhofe	Rubio
Cardin	Isakson	Sanders
Carper	Johanns	Schatz
Casey	Johnson (SD)	Schumer
Chambliss	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Toomey
Cowan	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 689) was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 537

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 537, offered by Mr. TESTER.

Mr. TESTER. I rise on behalf of amendment No. 537.

First of all, I thank Senator COONS and Senator HELLER for cosponsoring this amendment. It would allow the children under the Civilian Health and Medical Program of the Department of Veterans Affairs, otherwise known as CHAMP-VA, to remain eligible for coverage until their 26th birthday. These children are the children of veterans who have been rated permanently and totally disabled and children of veterans who have died from a service-connected disability or service-connected disease.

With the enactment of the Affordable Health Care Act, children up to 26 years of age can now be covered on their parents' health insurance if they are unable to receive health insurance from their employers. In contrast to private insurance plans, or TRICARE, children under the CHAMP-VA program are only eligible for coverage until age 18 or 23 if they are a full-time enrolled student. This amendment is offered on their behalf to allow them to be on the CHAMP-VA program up to age 26.

The PRESIDING OFFICER. The Senator from Alabama?

Mr. SESSIONS. This is a budget-neutral reserve fund, and it essentially says, using that language, if the authorizing committee can pay for this bill, it will not be subject to a budget point of order. It should be offset to avoid that. This is certainly a worthy goal. We would like to see if this can be done. It would be a challenge for the authorizers because nothing comes from nothing. It could well end up cutting other veterans benefits. But I think this is a worthy goal. I think the Senator would suggest we take it by a voice vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Seeing no opposition, I suggest we take this by a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 537) was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 535

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 535, offered by the Senator from Pennsylvania, Mr. TOOMEY.

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I call up amendment No. 535.

The PRESIDING OFFICER. The amendment is pending.

Mr. TOOMEY. As we know, the ObamaCare bill raises taxes by \$1.2 trillion. Much of that is on middle-income families. One in particular is a tax increase on people who incur and then deduct catastrophic medical expenses.

Imagine a woman slips and falls at home, is seriously injured, runs up huge medical costs which she pays for out her own pocket, and then on top of her personal and physical misery ObamaCare hits her with a double whammy by reducing the amount of medical expenses she is allowed to deduct. Who does this hurt? Disproportionately, middle-income taxpayers; 96 percent of these deductions are for people who earn less than \$200,000. It adds up to \$30 billion over 10 years. Madam President, 60 percent of these deductions are by senior citizens. The fact is the ObamaCare tax increase imposes this tax on people who can least afford it, the sick, elderly, middle-income folks.

My amendment repeals this ill-conceived tax on victims of catastrophic illness and repeals the reconciliation instructions in the budget.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, again, for our colleagues, the goal of our budget is to tackle our deficit and debt responsibly in a way that works for our middle-class families and our economy. That means a balanced mix of responsible spending cuts and new revenue from those who can afford it most.

I remind all Senators every bipartisan group who has examined our budget situation has acknowledged that reality. Simpson-Bowles, the Gang of 6, Domenici-Rivlin—all recommend several times more revenue than the roughly \$600 billion that was generated by the yearend deal. In fact, Simpson-Bowles and the Gang of 6 each recommend well over \$2 trillion in new revenue. So striking this reconciliation instruction, which is what this amendment does, and reducing the revenue level, goes in exactly the wrong direction. I ask for a strong “no” vote and oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 535) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 442

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 442, offered by Mr. CASEY of Pennsylvania.

Mr. CASEY. I call up amendment No. 442.

The PRESIDING OFFICER. The amendment is pending.

Mr. CASEY. This amendment creates a neutral reserve fund that supports the Edward Byrne memorial justice assistance grants. It helps every one of our States. It has been cut by one-third over the last 2 years. We provide support for local and State law enforcement. The money is used to support innovative, evidence-based approaches to public safety—by way of example, special courts that have new technological innovations to help reduce and fight crime in our communities.

In part, it is supported by—and this is only a partial list—the National Sheriffs' Association, the International Association of Chiefs of Police, the Fraternal Order of Police, and the National Narcotics Officers' Association.

I am grateful for the work that was done by so many people on this amendment—especially Senator GRASSLEY—and urge for its adoption.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I hope all of us begin to think a little bit here. We have a lot of votes that have gone forward. Each one seems to be an attempt to spend more money. It sets deficit-neutral reserve funds that require offsets. In my view, we are really thinking too much with a mindset that we have money, and I believe we are in denial about the financial condition of our country. Truly, we should be looking to have more amendments that save some money and use that money to pay down the debt rather than fund some new spending program.

This country is on an unsustainable debt path. We have to get off of it, and it cannot be done all by tax increases. Trust me, we have to have some spending reductions. Our spending rate of growth is more than two times the rate of economic growth, and that really—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I suggest a voice vote. I appreciate my colleague's work on this amendment.

Mrs. MURRAY. Madam President, I believe we can take this by a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 442) was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to a vote in relation to amendment No. 273, offered by the Senator from Maryland, Mr. CARDIN.

Mrs. MURRAY. Madam President, I believe the pending amendment is Coats amendment No. 514.

The PRESIDING OFFICER. The Chair stands corrected.

AMENDMENT NO. 514

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided in the usual form prior to a vote in relation to amendment No. 514, offered by Mr. COATS of Indiana.

The Senator from Indiana.

Mr. COATS. Madam President, I call up amendment No. 514. It is a bipartisan amendment with Senator MANCHIN. It clarifies that a Presidential exemption exists for utilities that despite their good-faith efforts have been unable to complete the necessary measures to comply with the standards of the EPA regarding the mercury toxic elements issue. That deadline is 2016.

This amendment does not repeal or weaken the existing standard, the MATS rule. It simply allows powerplants that qualify for a Presidential exemption additional time to finish their upgrades and provides much-needed stability and reliability to the electric grid.

It is the President's decision, and if he sees that a utility is acting in good faith and needs a little more time to complete it to meet those standards, he can make that decision to provide that additional time.

It is a bipartisan amendment supported by both sides, and I urge our colleagues to vote for this.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I strongly oppose this amendment. I agree with the Senator from California, and I yield her my time in opposition.

Mrs. BOXER. Madam President, the Coats amendment allows open-ended exemptions to the mercury air toxic rule. This is not a 1-year extension, it is a permanent extension if any President, now or in the future, simply decides it. It doesn't even require any finding.

Let me tell my colleagues a little bit about mercury. It is dangerous. It is poison. It harms the brain, the nervous system, and childhood development. It is especially damaging to infants and pregnant women. Mercury harms a child's ability to speak, to hear, to walk, to see, and to think. Can't we protect our children?

I want to give my colleagues 11,000 reasons to oppose the Coats amendment. That is how many premature deaths will be avoided with the rule he wants to eviscerate. Just last June we held on this rule. Let's vote no on the Coats amendment.

Thank you very much.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—46

Alexander	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Pryor
Burr	Heitkamp	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Donnelly	McCain	Wicker
Enzi	McConnell	
Fischer	Moran	

NAYS—53

Ayotte	Gillibrand	Murray
Baldwin	Hagan	Nelson
Baucus	Harkin	Reed
Begich	Heinrich	Reid
Bennet	Hirono	Rockefeller
Blumenthal	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Kirk	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Landrieu	Tester
Casey	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	McCaskey	Warner
Cowan	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murphy	

NOT VOTING—1

Lautenberg

The amendment (No. 514) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 273

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 273, offered by the Senator from Maryland, Mr. CARDIN.

The Senator from Maryland.

Mr. CARDIN. Madam President, this amendment would set up a deficit-neutral reserve fund.

I ask unanimous consent that Senator HENRICH be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. It would improve the oral health care for our children who are Medicaid-eligible. We still have major problems. The majority of our children who are Medicaid-eligible have untreated tooth decay, which affects their general health.

Let me respond to my good friend from Alabama, Senator SESSIONS, and tell him why this amendment will not add to the deficit but will save us money.

I will give the example of Deamonte Driver, a 12-year-old who died in my State of Maryland from untreated tooth decay. He needed an \$80 tooth extraction. Instead, we spent \$¼ million dollars in unnecessary operations and he lost his life.

This amendment gives us a chance to find ways to save money in order to expand oral health for our children, and I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank Senator CARDIN for his hard work. He is correct that oral care for children is important. It does require that it be paid for if a new program is advanced.

I suggest a voice vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, hearing no opposition, I suggest we have a voice vote on it.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 273) was agreed to.

Mrs. MURRAY. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 373

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes equally divided prior to a vote in relation to amendment No. 373, offered by the Senator from Utah, Mr. LEE.

The Senator from Utah.

Mr. LEE. Madam President, under this budget, by the year 2020 we will be spending more every year on interest on our national debt than we spend on our national defense. This is alarming and ought to be a concern to every one of us. This amendment creates a point of order that would address this problem and all similar problems in the future with other budgets that have the same defect.

While we are on this note, I would like to add that I am concerned about the amendment process. I heard from our majority leader a few minutes ago a statement suggesting that he might cut off debate, cut off the amendment process—this after he promised us at the beginning of the week that there would be unlimited amendments. And he repeated that phrase twice.

It is imperative that we finish this job. Each of us was elected to do a job. Each of us deserves to have our amendments called up. We have no business taking a 2-week vacation until we have gone through every amendment that any Senator from either side of the aisle wants to present.

Thank you.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I too am committed to meeting the needs of our military to defend the Nation and our interests abroad. That is exactly what this budget does.

We should not be linking defense funding with unrelated benchmarks. This amendment is unnecessary. The Senate budget does fund defense above net interest in fiscal year 2014 and over both the 5- and 10-year windows.

I recommend that my colleagues oppose the amendment.

Madam President, may I just respond and say that we have been very hard at work here. We have had a number of amendments come before us. All of our staffs are working together to have as many amendments as we can put together for the next group of votes.

Really, I do want to thank all of our Senators. I know everybody has been working really hard to get their amendments up so we can have them in order. I think we are going to keep working on that, and I appreciate everybody's focus.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBURG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—46

Alexander	Chambliss	Cornyn
Ayotte	Coats	Crapo
Barrasso	Coburn	Cruz
Blunt	Cochran	Enzi
Boozman	Collins	Fischer
Burr	Corker	Flake

Graham
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johanns
Johnson (WI)
Kirk

Lee
Manchin
McCain
McConnell
Moran
Murkowski
Paul
Portman
Risch
Roberts

Rubio
Scott
Sessions
Shelby
Moran
Thune
Toomey
Vitter
Wicker

NAYS—53

Baldwin
Baucus
Begich
Bennet
Blumenthal
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Coons
Cowan
Donnelly
Durbine
Feinstein
Franken
Gillibrand

Hagan
Harkin
Heinrich
Heitkamp
Hirono
Johnson (SD)
Kaine
King
Klobuchar
Landrieu
Leahy
Levin
McCaskill
Menendez
Merkley
Mikulski
Murphy
Murray

Nelson
Pryor
Reed
Reid
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Warren
Whitehouse
Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 373) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Madam President, a lot of progress has been made. We are doing extremely well. I admire the progress made by the two managers of this bill.

Over the last two decades, after the expiration of debate time on those budget resolutions, the Senate has offered and the Senate disposed of an average of 35 amendments. Today, since the expiration of that debate time on this resolution, we have now disposed of 33 amendments. We have considered and disposed of 44 amendments on the resolution in total, counting those we did yesterday.

We need to continue working. There are a lot of things that people want to have offered. But, you know, there are 400 amendments that have already been filed. Senator Byrd, whom we all revere, said, and I will quote:

I once described vote-aramas as pandemonium, which was the Palace of Satan in Milton's Paradise Lost. But that term fails to describe the ignominy of the Senate when it becomes engulfed in these budget vote carnivals.

So we are doing fine. We are not at the carnival stage yet. Let's proceed and try to finish this with a lot of dignity. I again tell Senator MURRAY and Senator SESSIONS what a good job they have done. We need to proceed to see what else we can get done.

AMENDMENTS NOS. 366, 213, 455, AND 597

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the next amendments in order to be called up be the following: McCaskill No. 366, John-

son of Wisconsin No. 213, Brown No. 455, and Scott No. 597; that there be no second-degree amendments in order prior to the votes in relation to any of these amendments; that notwithstanding all time having expired on the resolution, there be 2 minutes equally divided prior to each vote; that upon disposition of Scott 597, the majority have the next amendment in order; finally, all these votes be 10-minute votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I ask unanimous consent that the amendments be reported en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc: for Mrs. MCCASKILL, an amendment numbered 366; for Mr. JOHNSON of Wisconsin, an amendment numbered 213; for Mr. BROWN, an amendment numbered 455; for Mr. SCOTT, an amendment numbered 597.

The amendments are as follows:

AMENDMENT NO. 366

(Purpose: To establish a deficit-neutral reserve fund to support the transition of servicemembers to the civilian workforce by streamlining the process associated with Federal and State credentialing requirements)

On page 60, line 7, insert "Federal and State" before "credentialing".

AMENDMENT NO. 213

(Purpose: To force Congress to ensure the solvency of the Social Security and Medicare programs)

At the end of subtitle A of title IV, add the following:

SEC. ____ . POINT OF ORDER AGAINST CONSIDERING BUDGET RESOLUTIONS THAT ASSUME THE INSOLVENCY OF THE SOCIAL SECURITY AND MEDICARE PROGRAMS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon whose revenue and outlay assumptions do not assume that Social Security and Medicare will be solvent for the seventy-five years following the year in which the budget resolution is considered.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 455

(Purpose: To establish a deficit-neutral reserve fund to establish a national network for manufacturing innovation that leverages private and public sector investments for proven United States based manufacturing industries)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO ESTABLISH A NATIONAL NETWORK FOR MANUFACTURING INNOVATION.

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to accelerating the development and deployment of advanced manufacturing technologies, advancing competitiveness, improving the speed and infrastructure with which small- and medium-sized enterprises and supply chains commercialize new processes and technologies, and informing industry-driven education and training, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 597

(Purpose: To establish a deficit-neutral reserve fund relating to the prohibition of taxpayer dollars and resources being used to automatically deduct union dues from the pay of Federal employees)

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE PROHIBITION OF TAXPAYER DOLLARS AND RESOURCES BEING USED BY FEDERAL AGENCIES TO AUTOMATICALLY DEDUCT UNION DUES FROM THE PAY OF FEDERAL EMPLOYEES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the prohibition of taxpayer dollars and resources being used by Federal agencies to automatically deduct union dues from the pay of Federal employees without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I would add to what the majority leader said. Senators have been very good in helping us work through our list on both sides. We will have some more amendments to be offered in a unanimous consent in a short while once we work through these four.

Again, I would ask all Senators to please work with the leader on your side, Mr. SESSIONS on the Republican side, and myself. We need to know which amendments you have to have votes on so we can start letting Senators know where we are going to end up here. I would ask everybody to continue cooperating with us. I appreciate everybody who has been working so hard.

AMENDMENT NO. 366

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 366 offered by the Senator from Missouri, Mrs. MCCASKILL.

Mrs. MCCASKILL. Madam President, the budget already includes a deficit-neutral reserve fund to assist servicemembers and veterans. It contains a

provision supporting the transition of our military to the workforce by recognizing the process is too cumbersome for them in terms of credentialing requirements and licensing requirements.

What my amendment does is it clarifies this section to ensure that a servicemember's military training, education, and experience shall be taken into account for both Federal and State licensing requirements.

These men and women have performed technical jobs in the most difficult circumstances imaginable. We should recognize that and accept their service and their experience and their training and allow them to be easily credentialed when they return home. It helps them so much in the search for jobs.

I would ask for a voice vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, hearing no opposition, I suggest we voice vote this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 366) was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 213

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 213, offered by the Senator from Wisconsin, Mr. JOHNSON.

Mr. JOHNSON of Wisconsin. Madam President, I would call up my amendment No. 213.

The PRESIDING OFFICER. The amendment is pending.

Mr. JOHNSON of Wisconsin. Madam President, this is a very simple amendment. It recognizes I think what most of us recognize; that is, the entitlement programs, Social Security and Medicare, are the primary drivers of our debt and deficit. So it is a very simple amendment. It establishes a budget point of order that any budget resolution that is brought forward that does not count or does not prepare for a 75-year solvency for both Medicare and Social Security would be considered out of order.

We in the next 20 years will be paying out \$5.1 trillion in benefits in excess of what we are bringing in in terms of dedicated revenue through the payroll tax. The unfunded liabilities of Social Security alone are \$20.5 trillion. For Medicare the unfunded liability is \$42.8 trillion. Those programs must be reformed so they are saved for future generations.

Again, I would hope everybody would support a budget point of order for any budget that does not have a 75-year sol-

veny for Medicare and Social Security.

Mrs. MURRAY. Madam President, Social Security and Medicare have played a very critical role in providing a foundation of financial security and health care for millions upon millions of Americans over the decades. Democrats are committed to preserving and protecting them. When analyzing the solvency of these programs, it must be over more than just a 10-year budget window; we must measure them over a 75-year window.

This amendment, however, does nothing to protect the integrity of the Medicare and Social Security trust funds, and it does not do anything to improve their solvency. We should have a debate about the solvency of these programs but not on the budget resolution.

I urge my colleagues to oppose this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—46

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heiler	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	Manchin	Wicker
Cruz	McCain	
Enzi	McConnell	

NAYS—53

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—1

Lautenberg

The amendment (No. 213) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote and lay that motion upon the table.

The motion to lay upon the table was agreed to.

AMENDMENT NO. 455

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to amendment No. 455, offered by the Senator from Ohio, Mr. BROWN.

Mr. BROWN. Madam President, I rise and join with Senator BLUNT in a bipartisan amendment, No. 455, in support of a national network for manufacturing innovation.

I ask unanimous consent to have printed in the RECORD letters from the National Association of Manufacturers, Semiconductor Industry Association, United Auto Workers, and others.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF MANUFACTURERS,

March 22, 2013.

DEAR SENATOR: The National Association of Manufacturers (NAM)—the nation's largest industrial trade association—appreciates efforts in the Senate this year to advance a budget plan for fiscal year 2014 (S. Con. Res. 8). Manufacturers remain extremely concerned about the impact of the historically high levels of the federal deficit and the national debt on manufacturing and the overall U.S. economy and believe that we need a budget plan that puts us on a path to reduce the federal debt and deficits, focusing both on real and immediate spending cuts and longer term structural changes to our nation's entitlement programs. In addition to advocating for debt and deficit reduction, the NAM also supports comprehensive tax reform to promote economic growth and U.S. competitiveness.

Unfortunately, the budget blueprint approved by the Senate Budget Committee on March 15, 2013, does not adequately address needed spending cuts and also would impose roughly \$1 trillion in job-killing, anti-growth tax increases on the American economy. During the Senate's consideration of the budget plan, we strongly urge you to support the amendments described below that would improve the Senate budget and reject the amendments below that would make the plan even more anti-growth and anti-manufacturing.

PROMOTING U.S. MANUFACTURING AND ECONOMIC GROWTH

NAM members strongly believe that our current tax system discourages economic growth and U.S. competitiveness and that comprehensive, revenue neutral reform of our current system is critical to our nation's economic future. In contrast, tax reform that increases the tax burden on U.S. businesses and individuals will discourage job creation, investment and economic growth. Consequently, we strongly support amendments that would eliminate provisions in S. Con. Res. 8, as approved by the Budget Committee, that call for more than \$1 trillion in tax increases on American businesses and families and allow Congress to advance pro-

growth, revenue-neutral tax reform that would spur job creation and investment. We also support an amendment offered by Senator John Cornyn (R-TX) that would require a supermajority of the Senate to increase tax rates on businesses and individuals.

In addition, it is critically important that tax reform addresses the tax treatment of both corporations and individuals. Thus, Manufacturers oppose an amendment filed by Senator Rob Portman (R-OH) that provides for corporate-only reform. About two-thirds of manufacturers are organized as “flow throughs” and pay taxes at individual rates. Any tax reform effort that includes a higher tax burden for these flow through companies would negatively impact their ability to invest in their business and create and retain jobs.

Manufacturers also have long led the business community in providing quality retirement benefits, including defined benefit and defined contribution plans to their employees. As such, we support amendments offered by Senator Richard Burr (R-NC) that would protect these benefits from being a source of revenue for additional government spending.

Innovation is the lifeblood of U.S. manufacturing and the NAM strongly supports policies to ensure that manufacturers in the United States are the world's leading innovators. To that end, the NAM strongly supports an amendment filed by Senator Orrin Hatch (R-UT) that would preserve and make permanent the R&D tax credit. A strong, permanent and competitive R&D credit will allow manufacturers in the United States to continue as global leaders in technology and innovation.

Similarly, NAM strongly supports public-private partnerships that promote manufacturing research efforts focused on base-building technologies and processes. The NAM supports an amendment to the budget blueprint filed by Senators Sherrod Brown (D-OH) and Roy Blunt (R-MO) that will accelerate the development of advanced manufacturing technologies without adding to the deficit. This will result in innovative products going to market faster, providing an overall benefit to the U.S. economy.

NAM also supports an amendment filed by Senator John Thune (R-SD) that will allow for the full and permanent repeal of the estate tax. Many small and medium size manufacturers are family-owned businesses. Planning for and paying estate taxes take away important resources from these important job creators. While NAM supports the reforms of the existing system enacted at the beginning of 2013, our long term goal is full repeal of the estate tax, which is the best solution to protect family-owned businesses from the estate tax.

Manufacturers however, oppose efforts to increase taxes on U.S. global companies. Current U.S. tax laws make it difficult for U.S. companies with worldwide operations to thrive and compete in the global marketplace. If American companies cannot compete abroad, where 95 percent of the world's consumers are located, the U.S. economy suffers from the loss of both foreign markets and domestic jobs that support foreign operations. In order to make U.S. multinationals more competitive, the NAM supports the adoption of a competitive territorial tax system. In contrast, increasing taxes on U.S. companies with overseas operations will make it even more difficult for them to compete in the world markets while reducing their ability to grow and add jobs in the United States.

THE AFFORDABLE CARE ACT

NAM members also support amendments to the budget plan that would improve our

current tax system by eliminating job-killing taxes on manufacturers. In particular, amendments that would eliminate several tax increases that were included in the Affordable Care Act (ACA). Thus, we applaud the Senate for recently approving, a bipartisan amendment offered by Senators Orrin Hatch (R-UT) and Amy Klobuchar (D-MN) that would repeal the current 2.3 percent excise tax on the gross sales of medical devices.

By increasing the costs of medical devices, the excise tax—which took effect at the beginning of 2013—hurts the device manufacturers and their workers and also stifles the research and innovation that leads to the development of medical products that contribute to the health and well-being of all Americans. The additional costs imposed by the tax make it more difficult for U.S. medical device manufacturers to compete in the global marketplace and threaten U.S. jobs, investment and our nation's leadership in life sciences.

Manufacturers also support an amendment to repeal the Health Insurance Tax (HIT) included in ACA filed by Senator John Barrasso (R-WY). This new tax—to be levied on health insurance companies beginning in 2014—will have the unintended result of increasing costs for many small manufacturers that provide health care benefits for their employees.

Recent analysis by the Joint Committee on Taxation confirms that this additional cost for insurers will be shifted to consumers in the form of higher premiums for private coverage. Manufacturers will bear a significant burden from this cost shifting. Based on a recent survey, nearly 70 percent of NAM's small and medium-size manufacturers buy health insurance in the fully insured marketplace. Moreover, this additional cost for companies will be on top of the nearly 10 percent average health insurance premium increases experienced last year by NAM's small and medium-size members.

The NAM also supports an amendment offered by Senator Dan Coats (R-IN) that would repeal the 3.8 percent investment income surtax also included in ACA. The investment income surtax, which took effect at the beginning of the year, will discourage savings and investment. When the surtax is added to the recent increases in the top tax rates on investment income, some taxpayers now pay a tax rate of 23.8 percent on capital gains and dividends, up from just 15 percent last year, an increase of over 50 percent. Manufacturers strongly support the repeal of this burdensome tax that would increase the tax on savings and investment and reduce the amount of capital business owners have available to invest in their companies. This tax will ultimately result in the loss of vital funds needed for business operations and job creation and for that reason we support the amendment.

Beyond the tax area, the NAM also supports amendments that address other shortcomings of the ACA. Specifically, the NAM supports amendments filed by Senator Susan Collins (R-ME) to clarify the definition of a full-time employee, Senator Pat Roberts (R-KS) to protect patients from using data collected as a part of comparative effectiveness to deny coverage under federal programs, and Senator Orrin Hatch (R-UT) to repeal the employer mandate.

REDUCING COSTS FOR MANUFACTURERS

The NAM also supports several amendments that protect manufacturers against new costs and burdens that would result from poorly-crafted proposals to regulate greenhouse gases (GHGs). It is, on average,

20 percent more expensive to manufacture in the U.S. than any of our nine largest trading partners. Placing unilateral restrictions or prices on U.S. GHG emissions, without similar regulations in operation on other major emitting nations, would further disadvantage U.S. manufacturers, costing jobs in the process. For instance, a recent NAM study performed by NERA Economic Consulting found that a carbon tax would impact millions of jobs and result in higher prices for natural gas, electricity, gasoline and other energy commodities. The resulting net negative effect on consumption, investment and jobs would lead to lower federal revenues from taxes on capital and labor. The NAM study concluded that any revenue raised by a carbon tax would be far outweighed by the negative impacts to the overall economy. Thus, the NAM supports an amendment filed by Senators Roy Blunt (R-MO) and John Thune (R-SD) opposing a carbon tax.

Manufacturers also support an amendment filed by Senator John Barrasso (R-WY) that would protect exports from being blocked by unnecessarily broad environmental reviews under the National Environmental Policy Act (NEPA). Expanding NEPA to consider the environmental impact of the cargo could hamper exports of many products, such as cars, tractors, agricultural products, electronics, toys, steel, chemicals, pumps, air conditioners, elevators and airplanes.

The NAM also supports amendments that would enhance North American oil and gas production by expanding and accelerating onshore and offshore leasing, as well as an amendment from Senator Mitch McConnell (R-KY) that would support final approval and construction of the Keystone XL Pipeline. Construction of Keystone XL would create tens of thousands of jobs and keep manufacturers competitive by providing access to crude oil from Canada and the Bakken formation in North Dakota and Montana. The states along the pipeline route have signed off and the federal government has found that the project will have no significant environmental impact. The delay and red tape for this project is inexcusable; Keystone XL is shovel-ready and it is time for Washington to get out of the way.

In addition, an amendment from Senator Joe Manchin (D-WV) supported by Manufacturers would encourage diversification of sources of rare earth metals. Rare earths are used in a wide range of applications, from consumer electronics to renewable energy to aerospace and defense. Until very recently, the U.S. imported 100 percent of the rare earths it used; as recently as 2009, 96 percent of this supply came from China. Senator Manchin's amendment, would encourage research into alternative technologies, promotion of recycling, and encouragement of domestic production.

U.S. TRADE AND COMPETITIVENESS

The NAM also supports amendments that will strengthen America's competitiveness in the global economy through trade agreements and export promotion. In particular, the NAM supports amendments offered by Senators Orrin Hatch (R-UT) and Rob Portman (R-OH) to renew trade promotion authority to enable the United States to negotiate and implement trade agreements eliminating barriers to greater access overseas. The NAM also supports amendments offered by Senator Hatch to maintain a strong Office of the United States Trade Representative and to strengthen U.S. government efforts promoting innovation and protecting intellectual property rights worldwide. Similarly, Manufacturers support amendments

offered by Senators Jeanne Shaheen (D-NH), Kay Hagan (D-NC) and Deb Fischer (R-NE) that would make improvements in export promotion programs for small businesses to increase commercial opportunities and support and grow jobs.

In contrast, the NAM strongly opposes amendments that will undermine manufacturers' ability to access foreign markets. In particular, NAM opposes an amendment offered by Senator Mike Lee (R-UT) to defund the Export-Import Bank, which supported more than \$170 billion in exports in 2012. Manufacturers also oppose an amendment offered by Senator Lee to defund efforts to implement the Law of the Sea Convention that is an important framework, which the United States should ratify, to help create greater predictability for offshore resources and operations.

OVERREACH BY NLRB

Manufacturers have long been concerned about the direction of the National Labor Relations Board and recent actions taken by the NLRB have borne out this concern. In particular, manufacturers are troubled by the Board's apparent disregard for the U.S. Appeals Court decision regarding the appointments of Members Block and Griffin. The New Process Steel Supreme Court ruling made it clear that the NLRB cannot make case decisions or promulgate regulations without a properly constituted quorum of at least three members. As such, the NAM supports the amendments by Senators Lamar Alexander (R-TN), Lindsey Graham (R-SC) and Ted Cruz (R-TX) to limit funds available to the Board.

In addition, the Board's decision in the Specialty Healthcare case represents the most dramatic change in labor law in over 70 years. The decision sets forth a new standard for determining which group or "unit" of employees will vote in the union election. By establishing a new standard, a bargaining unit could now consist of as little as two employees. These "micro-unions," could cripple an employer's ability to manage operations in an effective way, and result in a facilities operating with separate unions for each job category and unnecessarily dividing employees. The NAM support, an amendment filed by Senator Johnny Isakson (R-GA) to prevent funding to implement the new "micro union" standard established by the Specialty Healthcare decision.

ADDRESSING MANUFACTURERS' WORKFORCE NEEDS

World-class manufacturing demands world-class talent. Today, approximately 600,000 manufacturing jobs go unfilled because of the skills gap. Consequently, NAM members strongly support efforts to develop a more productive and skilled workforce. S.Con.Res. 8, as approved by the Budget Committee, does include provisions for improving workforce development, job training, and other reemployment programs. Manufacturers also support an amendment offered by Senator Kay Hagan (D-NC) that would also ensure that training leading to nationally recognized post-secondary credentials would be included as one of the goals of new legislation. This amendment clearly supports NAM's policy of promoting industry-recognized credentials.

CONCLUSION

Thank you in advance for considering the views of Manufacturers. Clearly our nation's fiscal challenges are of critical importance not only to the future of American manufacturers, but to the future of all Americans. NAM members firmly believe that it is criti-

cally important that any budget blueprint puts the country on a path to address these important issues without raising taxes on manufacturers and other job creators and American families. We look forward to working with you and your colleagues to advance a pro-growth, pro-manufacturing budget plan for fiscal 2014 that addresses our nation's fiscal challenges.

Sincerely,

ARIC NEWHOUSE,
Senior Vice President.

SEMICONDUCTOR INDUSTRY
ASSOCIATION,
March 22, 2013.

Hon. SHERROD BROWN,
U.S. Senate, Washington, DC.
Hon. ROY BLUNT,
U.S. Senate, Washington, DC.

DEAR SENATOR BROWN AND SENATOR BLUNT: I am writing in support of the bipartisan amendment to establish a deficit neutral reserve fund for the National Network for Manufacturing Innovation. This network could bring together industry, universities and community colleges with federal, state and local governments to accelerate manufacturing innovation.

Public-private institutes to leverage investments in industrially-relevant manufacturing technologies bridge the gap between basic research and product development, provide shared assets to help companies all along the supply chain and can stimulate manufacturing and jobs. Including students from community colleges and training facilities to build a workforce with the advanced manufacturing skills we need.

We have seen the success of regional hubs in California, Massachusetts, New York, North Carolina, and Texas, and we believe this model can be broadened locally and replicated nationally to create manufacturing excellence. Manufacturing is an important sector in our economy, and continued U.S. leadership in advanced manufacturing of semiconductors is in the national interest.

Given the bipartisan nature of this deficit neutral amendment, we believe it should be accepted by the Senate.

Sincerely,

BRIAN TOOHEY,
President & CEO.

INTERNATIONAL UNION, UNITED
AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS
OF AMERICA—UAW,

March 22, 2013.

DEAR SENATOR: On behalf of the UAW's more than one million active and retired members, I write to strongly urge you to vote in support of the Amendment to S. Con. Res. 8 to be offered by Senators Brown (D-OH) and Blunt (R-MO) when it comes to the floor. The purpose of this amendment is to establish a deficit-neutral reserve fund to create a national network for manufacturing innovation. This fund would bring together the best minds from both the private and public sectors. It would create joint public-private institutes that leverage investments to broadly applicable manufacturing technologies for proven manufacturing industries within the United States.

This type of partnership would help bridge the gap between basic research and product development, and provide assets to particularly help small and medium sized manufacturing businesses access cutting-edge technology and create a 21st century pipeline for the education and training of students and workers in advanced manufacturing skills.

A strong manufacturing sector is critical for our economy. The resurgence of the domestic auto industry has proven the resiliency of the U.S. manufacturing base, leading the way towards the retention and creation of tens of thousands of good-paying middle class jobs through the worst of the recession. The continued growth and prosperity of manufacturing sectors like the auto industry is directly reliant on a shared public and private commitment to developing the next generation of advanced manufacturing technologies.

In our global economy, we must invest in the next generation of workers and technologies to ensure we remain a step ahead of our international competitors. Similar programs have already been successfully deployed in other countries. The model offered by this amendment would help fill the gap between U.S. manufacturing innovation and infrastructure and we must not miss the opportunity to make a vital investment in the future of our domestic manufacturing sector. We strongly encourage you to vote in support of the Brown-Blunt amendment when it comes to the floor.

Sincerely,

JOSH NASSAR,
Legislative Director.

THE ASSOCIATION FOR
MANUFACTURING TECHNOLOGY,
March 21, 2013.

Hon. SHERROD BROWN,
Hart Senate Office Building, Washington, DC.
Hon. ROY BLUNT,
Russell Senate Office Building, Washington, DC.

DEAR SENATORS BROWN AND BLUNT: On behalf of AMT—The Association For Manufacturing Technology and its over 600 member companies, I am writing in support of your efforts to establish a National Network for Manufacturing Innovation (NNMI) by offering an amendment to the Fiscal Year 2014 Senate Budget Resolution. I sit on the board of the pilot institute, the National Additive Manufacturing Innovation Institute, located in Youngstown.

AMT members are the innovators that make modern life possible—from lightning speed communications and efficient transportation to revolutionary medical procedures and new energy exploration. In order to continue to outpace, out-innovate and outperform the global competition, these mostly small and medium-sized companies need access to the best research tools and talent available. Public-private collaborations, such as the NNMI, that focus on providing that access and accelerating the pace of manufacturing technology innovation are the best multipliers of government R&D dollars.

AMT's Manufacturing Mandate urges a three-pronged approach to strengthening manufacturing for economic growth and job creation. First, increase global competitiveness by leveling the playing field for U.S. businesses. Next, build an educated and trained manufacturing workforce that can meet the challenges of today's workplace. AMT calls it the "Smartforce." Finally, support R&D and rapid innovation through collaborative projects like the NNMI.

Thank you again for your leadership in getting this exciting program off the ground. I am taking the liberty of letting AMT members in Ohio and Missouri know of your support for boosting American manufacturing innovation.

Sincerely,

DOUGLAS K. WOODS,
President.

THE OHIO STATE UNIVERSITY,
March 22, 2013.

Hon. SHERROD BROWN,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR: On behalf of The Ohio State University, I write to express my support for your amendment to the FY 2014 Senate Budget Resolution to establish a deficit-neutral funding source for the National Network for Manufacturing Innovation (NNMI). I appreciate your continued support of manufacturing in Ohio, and of the University's role as a critical industry partner. The proposed NNMI will address critical needs facing our nation's manufacturing sector and represents a worthwhile and necessary investment by our federal government.

Manufacturing continues to be a vital sector of our economy and one that must adapt to the evolving structures of industry, workforce, and technology on which it depends. The NNMI targets these needs by bringing together industry, government, and academia to enhance our national competitiveness and economic security. This is especially important to a state like Ohio, which is ranked third in the nation in manufacturing output and workforce, and in which nearly 18% of the state domestic product is impacted by manufacturing.

As you know, Ohio State's land-grant mission drives our faculty to engage in research that supports industry from discovery to deployment. As a national leader in industry-sponsored research, Ohio State recognizes the importance of connecting with those who will help carry scientific discoveries beyond the laboratory, and the NNMI will foster these partnerships across the country. Equally important is our commitment to training and ensuring opportunities for the next generation of manufacturing innovators. The NNMI will strengthen our manufacturing sector to better serve not only today's workforce but tomorrow's as well.

I recognize that leaders in Washington are making difficult choices regarding the federal budget. I believe this is the right time for establishing a national resource such as the National Network for Manufacturing Innovation. The Ohio State University firmly supports this effort.

Sincerely,

E. GORDON GEE,
President.

Mr. BROWN. Madam President, this amendment—the NNMI—offers one commonsense approach by partnering with private industry to bring together companies, small businesses, research institutions, and community colleges so we can out-innovate the rest of the world.

I ask for its support and yield the remainder of my time to Senator BLUNT.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I would just say these entities would allow basic research to come together with product development. It brings the research elements, the universities, and others together with private capital, and even some government agencies, in ways that let things happen that wouldn't otherwise.

I am pleased to join Senator BROWN in offering this to the Senate.

The PRESIDING OFFICER. The Senator in Washington.

Mrs. MURRAY. Madam President, I don't believe there is any opposition to this amendment and I ask that we take it by a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 455) was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mr. ENZI. I move to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 597

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate equally divided prior to a vote in relation to amendment No. 597 offered by the Senator from South Carolina, Mr. SCOTT.

The Senator from South Carolina.

Mr. SCOTT. Madam President, my amendment is very simple. It prohibits the automatic deduction of union dues from Federal employees' paychecks.

I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Washington.

Mrs. MURRAY. Madam President, the Senator has yielded back his time?

The PRESIDING OFFICER. He has.

Mrs. MURRAY. Madam President, I would speak in opposition.

Gains in quality, productivity, and efficiency year after year, in department after department, would not have been possible without the reasonable and sound use of collective bargaining and worker representation. This amendment is just another in a long line of attempts to kill public-sector unions—unions that represent and ensure quality public service.

I strongly recommend that my colleagues oppose this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—43

Alexander	Chambliss	Cornyn
Ayotte	Coats	Crapo
Barrasso	Coburn	Cruz
Blunt	Cochran	Enzi
Boozman	Collins	Fischer
Burr	Corker	Flake

Graham	Kirk	Scott
Grassley	Lee	Sessions
Hatch	McCain	Shelby
Heller	McConnell	Thune
Hoeven	Paul	Toomey
Inhofe	Portman	Vitter
Isakson	Risch	Wicker
Johanns	Roberts	
Johnson (WI)	Rubio	

NAYS—56

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Coons	Manchin	Tester
Cowan	McCaskill	Udall (CO)
Donnelly	Menendez	Udall (NM)
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Moran	Whitehouse
Gillibrand	Murkowski	Wyden
Hagan	Murphy	

NOT VOTING—1

Lautenberg

The amendment (No. 597) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mr. CARDIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 706, 359, 705, 614, 696, 187, 619,
AND 152 EN BLOC

Mrs. MURRAY. Madam President, I ask unanimous consent the next amendments in order to be called up be the following: Cardin No. 706, Inhofe No. 359, Menendez No. 705, Sessions No. 614, Merkley No. 696, Roberts No. 187, Menendez No. 619, Portman No. 152; that there be no second-degree amendments in order prior to the votes in relation to any of these amendments; that notwithstanding all time having expired on the resolution there be 2 minutes equally divided prior to each vote; upon disposition of Portman No. 152, the majority have the next amendment in order; all these votes be 10 minutes; and we report them en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc.

The assistant bill clerk read as follows:

The Senator from Washington [Mrs. MURRAY], proposes for Mr. CARDIN, amendment

numbered 706; for Mr. INHOFE, amendment numbered 359; for Mr. MENENDEZ, amendment numbered 705; for Mr. SESSIONS, amendment numbered 614; for Mr. MERKLEY, amendment numbered 696; for Mr. ROBERTS, amendment numbered 187; for Mr. MENENDEZ, amendment numbered 619; for Mr. PORTMAN, amendment numbered 152.

The amendments are as follows:

AMENDMENT NO. 706

(Purpose: To establish a deficit-neutral reserve fund to ensure that any carbon emissions standards must be cost effective, based on the best available science, and benefit low-income and middle class families)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURE THAT ANY CARBON EMISSIONS STANDARDS MUST BE COST EFFECTIVE, BASED ON THE BEST AVAILABLE SCIENCE, AND BENEFIT LOW-INCOME AND MIDDLE CLASS FAMILIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to carbon emission standards, that any such standards must be cost effective, based on best available science and benefit low-income and middle class families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 359

(Purpose: To reduce spending and decrease the risk of drastic energy price increases by prohibiting further greenhouse gas regulations for the purposes of addressing climate change)

On page 20, line 19, reduce the amount by \$26,000,000.

On page 20, line 20, reduce the amount by \$10,000,000.

On page 20, line 23, reduce the amount by \$26,000,000.

On page 20, line 24, reduce the amount by \$22,000,000.

On page 21, line 2, reduce the amount by \$27,000,000.

On page 21, line 3, reduce the amount by \$26,000,000.

On page 21, line 6, reduce the amount by \$27,000,000.

On page 21, line 7, reduce the amount by \$27,000,000.

On page 21, line 10, reduce the amount by \$28,000,000.

On page 21, line 11, reduce the amount by \$27,000,000.

On page 21, line 14, reduce the amount by \$28,000,000.

On page 21, line 15, reduce the amount by \$28,000,000.

On page 21, line 18, reduce the amount by \$29,000,000.

On page 21, line 19, reduce the amount by \$28,000,000.

On page 21, line 22, reduce the amount by \$29,000,000.

On page 21, line 23, reduce the amount by \$29,000,000.

On page 22, line 2, reduce the amount by \$30,000,000.

On page 22, line 3, reduce the amount by \$29,000,000.

On page 22, line 6, reduce the amount by \$30,000,000.

On page 22, line 7, reduce the amount by \$30,000,000.

AMENDMENT NO. 705

(Purpose: To address the eligibility criteria for certain undocumented immigrant individuals with respect to certain health insurance plans)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE ELIGIBILITY CRITERIA FOR CERTAIN UNLAWFUL IMMIGRANT INDIVIDUALS WITH RESPECT TO CERTAIN HEALTH INSURANCE PLANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to limiting undocumented immigrants from qualifying for federally subsidized health insurance coverage, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 614

(Purpose: To establish a deficit-reduction reserve fund to achieve savings by prohibiting illegal immigrants or illegal immigrants granted legal status from qualifying for federally subsidized health care)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-REDUCTION RESERVE FUND TO ACHIEVE SAVINGS BY PROHIBITING ILLEGAL IMMIGRANTS OR ILLEGAL IMMIGRANTS GRANTED LEGAL STATUS FROM QUALIFYING FOR FEDERALLY SUBSIDIZED HEALTH CARE.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings in health care that may be related to prohibiting illegal immigrants or aliens who were unlawfully present in the United States prior to receiving a grant of legal immigration status from qualifying for Medicaid or the exchange subsidies established by the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119), without raising revenues, provided that such legislation would reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 5 and 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be the amount of deficit reduction achieved.

AMENDMENT NO. 696

(Purpose: To establish a deficit-neutral reserve fund to facilitate the criminal prosecutions of financial institutions operating in the United States, regardless of size)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO ENSURE NO FINANCIAL INSTITUTION IS ABOVE THE LAW REGARDLESS OF SIZE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate,

and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to criminal liability of a financial institution operating in the United States, which may include measures to address the criminal prosecution of a large financial institution operating in the United States or executives of a large financial institution operating in the United States, including for wrongdoing relating to money laundering or violation of sanctions laws, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 187

(Purpose: To prohibit the use of funds for promotional or marketing materials promoting the Patient Protection and Affordable Care Act or its benefits)

At the end of title III, add the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT MARKETING MATERIALS RELATING TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that prohibit the use of funds for promotional or marketing materials promoting the Patient Protection and Affordable Care Act or its benefits, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 619

(Purpose: To establish a deficit-neutral reserve fund relating to helping homeowners and small businesses mitigate against flood loss)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO HELPING HOMEOWNERS AND SMALL BUSINESSES MITIGATE AGAINST FLOOD LOSS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing better coordination among flood mitigation programs to meet the unmet mitigation needs of homeowners and small businesses, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 152

(Purpose: To provide reconciliation instructions to reduce the deficit by \$63,860,000,000 for the period of fiscal years 2014 through 2023)

At the end of title III, add the following:

SEC. 3 ____ . MEDICAL MALPRACTICE REFORM.

(a) MODIFICATION OF FUNCTIONAL LEVELS.—
(1) FUNCTION 920.—The levels for function 920 in this resolution are amended by—

(A) reducing the budget authority for each fiscal year by—

- (i) \$100,000,000 in fiscal year 2014;
- (ii) \$880,000,000 in fiscal year 2015;
- (iii) \$3,070,000,000 in fiscal year 2016;
- (iv) \$5,240,000,000 in fiscal year 2017;
- (v) \$6,510,000,000 in fiscal year 2018;
- (vi) \$6,980,000,000 in fiscal year 2019;
- (vii) \$7,450,000,000 in fiscal year 2020;
- (viii) \$8,000,000,000 in fiscal year 2021;
- (ix) \$8,570,000,000 in fiscal year 2022; and
- (x) \$9,160,000,000 in fiscal year 2023; and

(B) reducing the outlays for each fiscal year by—

- (i) \$100,000,000 in fiscal year 2014;
- (ii) \$880,000,000 in fiscal year 2015;
- (iii) \$3,070,000,000 in fiscal year 2016;
- (iv) \$5,240,000,000 in fiscal year 2017;
- (v) \$6,510,000,000 in fiscal year 2018;
- (vi) \$6,980,000,000 in fiscal year 2019;
- (vii) \$7,450,000,000 in fiscal year 2020;
- (viii) \$8,000,000,000 in fiscal year 2021;
- (ix) \$8,570,000,000 in fiscal year 2022;
- (x) \$9,160,000,000 in fiscal year 2023.

(2) FEDERAL REVENUES.—The levels for Federal revenues in this resolution are amended by increasing the level for each fiscal year by—

- (A) \$10,000,000 in fiscal year 2014;
- (B) \$90,000,000 in fiscal year 2015;
- (C) \$350,000,000 in fiscal year 2016;
- (D) \$640,000,000 in fiscal year 2017;
- (E) \$730,000,000 in fiscal year 2018;
- (F) \$1,010,000,000 in fiscal year 2019;
- (G) \$1,160,000,000 in fiscal year 2020;
- (H) \$1,230,000,000 in fiscal year 2021;
- (I) \$1,300,000,000 in fiscal year 2022; and
- (J) \$1,380,000,000 in fiscal year 2023.

(b) RECONCILIATION.—Not later than October 1, 2013, the Committee on Judiciary shall report changes in laws, bills, or resolutions within its jurisdiction to reduce the deficit by \$110,000,000 in fiscal year 2014 and \$63,860,000,000 for the period of fiscal years 2014 through 2023.

AMENDMENT NO. 706

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 706, offered by the Senator from Maryland, Mr. CARDIN.

The Senator from Maryland.

Mr. CARDIN. Madam President, we have two amendments that are going to be considered, one I am offering, one Senator INHOFE is offering.

Senator INHOFE's amendment is a rather extreme amendment. It cuts the funds to the Environmental Protection Agency and basically prohibits them from regulating carbon emissions. I would hope most of us would consider that a rather extreme position to take, to prevent the Environmental Protection Agency from protecting the environment.

My amendment is an amendment that says the carbon emissions standards must be cost-effective—and we all agree they should be cost-effective—it should be based upon best-available science and benefit low-income and middle-class families. I would hope we can all agree on the amendment I would offer, and I would hope we would do that and allow the Environmental Protection Agency to carry out its critical mission on behalf of the people of this country.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I wish to ask one question of the author. First of all, this does not authorize the EPA to regulate in any way. This sets the standards. Is that correct?

Mr. CARDIN. The Senator is correct.

Mr. INHOFE. Madam President, I support this amendment. I suggest we voice vote it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 706) was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 359

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote in relation to the amendment numbered 359, offered by Mr. INHOFE of Oklahoma.

Mr. INHOFE. Madam President, people at home are going out of business every day—I think everybody knows that—from the overregulation that is out there. A lot of people talk about the problem with the taxes. I contend that the imposition of these regulations is even worse than the taxes. And this regulation does one thing: It stops the EPA from having the jurisdiction over the regulation of carbon.

Madam President, I retain the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mrs. MURRAY. Madam President, I yield to the Senator from Maryland.

Mr. CARDIN. Madam President, Senator INHOFE's amendment will cut money from the Environmental Protection Agency that has already gone through, I think, three rounds of cuts from sequestration, and then prevents it from carrying out its mission to regulate our environment.

It is a very extreme approach. We have already approved the Cardin amendment that establishes the right standards for regulating carbon emissions.

I urge my colleagues to reject the Inhofe amendment, and I reserve the remainder of my time.

Mrs. MURRAY. I ask for the yeas and nays.

Mr. INHOFE. Madam President, did I have 30 seconds?

The PRESIDING OFFICER. The Senator is correct, he has 30 seconds.

Mr. INHOFE. They have been trying to regulate carbon now legislatively for 10 years and have been unable to do it. I actually had a bill up where we got 50 votes, but it took a 60-vote threshold to make it happen. So we know the votes are here and the people are concerned about the regulation.

I would only leave you with a quote from Dr. Richard Lindzen from MIT,

who said that regulating carbon is the bureaucrat's dream. "If you regulate carbon, you regulate life."

The PRESIDING OFFICER. The Senator's time has expired.

Mr. INHOFE. I suggest you vote in favor of this amendment.

Mrs. MURRAY. Madam President, has all time been used on our side?

The PRESIDING OFFICER. Senator MURRAY has 30 seconds.

Mrs. MURRAY. I yield to the Senator from Maryland.

Mr. CARDIN. Madam President, let me point out that the framework that is set up to protect our health has to be based upon best science, it has to protect low-income and middle-income families, and it has to be done in a cost-effective way. That should be our mission, and that is what we have already approved.

I would urge us to reject the Inhofe amendment.

Mr. INHOFE. Madam President, I think I had 5 seconds remaining.

The PRESIDING OFFICER. All time has expired.

Mrs. MURRAY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—47

Alexander	Flake	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Pryor
Burr	Hoeven	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Scott
Cochran	Johnson (WI)	Sessions
Corker	Kirk	Shelby
Cornyn	Landrieu	Thune
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Enzi	McCain	Wicker
Fischer	McConnell	

NAYS—52

Baldwin	Donnelly	Leahy
Baucus	Durbin	Levin
Begich	Feinstein	McCaskill
Bennet	Franken	Menendez
Blumenthal	Gillibrand	Merkley
Boxer	Hagan	Mikulski
Brown	Harkin	Murphy
Cantwell	Heinrich	Murray
Cardin	Heitkamp	Nelson
Carper	Hirono	Reed
Casey	Johnson (SD)	Reid
Collins	Kaine	Rockefeller
Coons	King	Sanders
Cowan	Klobuchar	Schatz

Schumer
Shaheen
Stabenow
Tester

Udall (CO)
Udall (NM)
Warner
Warren

Whitehouse
Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 359) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 705

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 705, offered by the Senator from New Jersey, Mr. MENENDEZ.

Mr. MENENDEZ. Mr. President, is my amendment called up, No. 705?

The ACTING PRESIDENT pro tempore. The amendment is pending.

Mr. MENENDEZ. Mr. President, this side-by-side with Senator SESSIONS is very straightforward. It restates current law. Let me repeat that. It restates current law, which already explicitly excludes undocumented immigrants who are in this country from obtaining benefits such as tax credits and cost-sharing subsidies when obtaining health insurance coverage.

We debated this policy at length during health care reform, and this exemption was included in the final bill to address concerns of some of our Republican colleagues that undocumented immigrants would somehow be able to receive the benefits we included in the law. That is why we specifically and explicitly excluded them from being able to gain this type of coverage.

Finally, addressing the issues of immigrant families is currently being done in a bipartisan fashion. The last thing we need to do in this budget process is to try to muck that up.

This is not a great way to do your outreach to the Hispanic and immigrant community. I urge our colleagues just to stay with present law. Let's restate it once again, support our amendment, and reject the Sessions amendment.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I agree that the Senator's amendment restates current law. I have no objection to that. I would accept that. But the question is and what has been suggested in the paper from what I have seen is that if a person is in our country illegally and they are rewarded with some legal status, do they then immediately become eligible for Federal health care benefits? It is a different situation than somebody who came legally and has legal status.

So I would say I would accept a voice vote on this.

Mr. MENENDEZ. Mr. President, I ask for the yeas and nays.

Mr. SESSIONS. My amendment will deal with the next question.

Mrs. MURRAY. Mr. President, I believe there is no opposition. If we could take a voice vote on this?

The PRESIDING OFFICER. Is there any further debate? Hearing none, the question is on agreeing to the amendment.

The amendment (No. 705) was agreed to.

AMENDMENT NO. 614

The ACTING PRESIDENT pro tempore. There now is 2 minutes equally divided prior to a vote in relation to amendment No. 614, offered by the Senator from Alabama.

Mr. SESSIONS. Mr. President, under current law, if a person is here unlawfully and becomes "lawfulized," in some fashion, they then become qualified for this program. That is what we are talking about. So the question is, Should they then become qualified for ObamaCare or Medicaid? I think the answer is no. I think that is what people have said they believe.

My amendment would simply say that if you are here illegally, did not enter legally, and you get a lawful status in the United States, you then do not qualify for the Federal programs of ObamaCare and Medicaid.

Mrs. MURRAY. Mr. President, I yield time to the Senator from New Jersey.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, nothing changes present law, and nothing is contemplated to change—which I think the Group of 8 wouldn't mind me saying—what the Senator is concerned about in our negotiations. It would have to come before this body before, in fact, it could be changed.

The current law is very clear. They do not have access to any of the benefits that the Senator is worried about because present law prohibits an undocumented immigrant from having access to those benefits. That is why this is unnecessary. It is just the need of some to have an immigration amendment.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—43

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	
Enzi	McConnell	

NAYS—56

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Collins	Levin	Tester
Coons	Manchin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NOT VOTING—1

Lautenberg

The amendment (No. 614) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 696

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 696, offered by the Senator from Oregon, Mr. MERKLEY.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, under the American system of justice where Lady Justice is blindfolded, there should never be a prosecution-free zone. But that is what the Department of Justice announced there is on Tuesday, December 11 of last year. They said they would fine but they would not indict and they would not prosecute Hongkong and Shanghai Banking Corporation for laundering \$800 million in illicit drug money; for laundering \$600 million in transactions that violated U.S. sanctions against Iran, Sudan, Cuba, and other countries against American law; and for allowing \$200 trillion to bypass the sanctions and money-laundering filters.

As the New York Times reported, the Department of Justice decided not to indict HSBC "over concerns that criminal charges could jeopardize one of the world's largest banks, ultimately destabilizing the global financial system." Our Attorney General repeated this justification on March 6, 2013, before the Senate Judiciary Committee, saying: I am concerned that the size of

some of these institutions becomes so large, it does become difficult to prosecute them.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MERKLEY. I ask unanimous consent for 20 more seconds.

The ACTING PRESIDENT pro tempore. Is there objection?

Mrs. MURRAY. Mr. President, is there opposition?

Mr. SESSIONS. How much time?

Mr. MERKLEY. I ask for 20 seconds.

Mr. SESSIONS. Twenty seconds.

Mr. MERKLEY. Thank you.

Too-big-to-jail is wrong under our Constitution. It promises equality under the law. Let's send a strong message by supporting this.

I thank my Republican sponsors, Senators GRASSLEY, HELLER, CORNYN, and SHELBY; and Democrats TESTER, WARREN, BEGICH, and LEVIN; and our Independent Senators, SANDERS and KING.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, there may be someone else here, but I have prosecuted banks before and big institutions and put some people in jail. But we have—this is serious. I don't think the deficit reserve fund is the way to go about it, frankly, but it is an issue worthy of discussion. It should be brought up in the authorizing committee—the Judiciary Committee—and considered. And I am very inclined to believe we have had too little prosecution in these cases. But I think the right thing to do is to take this by voice vote. People can decide how they want to vote on it.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I believe there is no opposition. We can take it by a voice vote. Senator MERKLEY has asked for a loud vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 696) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 187

The ACTING PRESIDENT pro tempore. There is now 2 minutes of debate divided equally on amendment No. 187.

Who yields time?

The Senator from Kansas.

Mr. ROBERTS. Mr. President, this amendment would prohibit funds for promotional and marketing materials that promote the affordable health care act and its benefits at taxpayer expense.

According to HHS's own documents obtained by the House Ways and Means

Committee, which issued the subpoena last year, HHS spent almost \$52 million in behalf of the affordable health care act public relations work using outside contractors. That is just not right. When the media is reporting more and more problems, more costs, more regulations, more lost jobs, higher premiums, this is a gratuitous use of taxpayer dollars. It sets a very bad precedent for the Department of Health and Human Services stretching the truth, at best, at public expense.

This administration should not be using American taxpayer dollars to fund marketing and promotional campaigns promoting a law and regulations that a majority of Americans oppose.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. I yield to the Senator from Iowa.

Mr. HARKIN. Mr. President, this ought to be known as the Harry Potter invisibility cloak amendment.

Anyone who has read "Harry Potter" knows he had this invisibility cloak he put over himself and people couldn't see him. They have tried 36 separate times to get rid of the Affordable Care Act. They can't do that, so now they want to put an invisibility cloak over it.

The Roberts amendment says we can't tell people, for example, that their kids can stay on their policy until they are 26; we can't tell people that now they can get coverage even though they have a preexisting condition; we can't tell people they can go on the exchange starting this October, where they can get good health care.

Let's vote down the Harry Potter invisibility cloak amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mrs. MURRAY. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

Mr. ROBERTS. No, I accept it on a voice vote. Harry Potter accepts it on a voice vote.

Mrs. MURRAY. Mr. President, I ask for a voice vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 187) was rejected.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I have a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Kansas will state his parliamentary inquiry.

Mr. ROBERTS. I respectfully ask the Parliamentarian if the official Senate decibel meter indicates that the ruling by the distinguished Parliamentarian that the count—or that the vote was not accurate on the last vote.

The ACTING PRESIDENT pro tempore. In the opinion of the Chair, the noes had it.

Mr. ROBERTS. Perhaps a hearing problem.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 619

The ACTING PRESIDENT pro tempore. There is 2 minutes equally divided prior to a vote in relation to amendment No. 619, offered by the Senator from New Jersey, Mr. MENENDEZ.

Mr. MENENDEZ. Mr. President, this amendment would allow for better coordination of our flood mitigation programs to meet the unmet needs of victims of disaster.

As homeowners along the Jersey Shore seek to recover from Superstorm Sandy, they are not just faced with the task of rebuilding, they also have to comply with new, incredibly costly elevation requirements. Seniors who have lived in their modest homes their entire lives now face tens of thousands of dollars in unanticipated costs, all in addition to the costs of rebuilding. And while there are Federal programs available to help coordination among these programs, it is incredibly poor and leads to a lot of victims never being helped. For example, there are hazard mitigation grants available, but homeowners will lose eligibility if they begin work before their application was approved, even if they complied with every other rule and regulation.

My amendment would allow coordination and fine tuning of these mitigation programs so they operate more effectively and meet the unmet needs of disaster victims. The amendment would not cost any money, nor would it add another penny to the deficit. It just encourages the use of current programs in a more wise and coordinated fashion.

I urge my colleagues to vote for the amendment.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from Alabama.

Mr. SESSIONS. I think we can accept this by a voice vote.

I would note that the House has non-reserved funds. The Senate now has about 50 we have adopted already. We have reserve funds adopted for education, clean energy, infrastructure, farm payments, food stamps, health care, pensions, housing, tooth decay, and now homeowners. So these create 50 ways to pass taxes more easily. It turns the budget discipline, if we don't watch it, into mush and makes it difficult to maintain the integrity of the Budget Act and avoids really in some ways the hard work of setting priorities.

So I think we should do this by voice vote, but I did want to call the attention of my colleagues to the fact that reserve funds too readily used can undermine the integrity of the budget process.

The ACTING PRESIDENT pro tempore. Is there any further debate?

The question is on agreeing to the amendment.

The amendment (No. 619) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 152

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 152 offered by the Senator from Ohio, Mr. PORTMAN.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, this is an amendment that actually saves some money. It is an amendment that instructs the Judiciary Committee to produce savings of over \$60 billion by cutting back on frivolous lawsuits through medical malpractice reform.

Today, patients and physicians alike are held hostage by a broken medical liability system that continues to incentivize defensive medicine, which leads to a lot of wasteful spending and unnecessary tests and studies. PricewaterhouseCoopers has released a study showing that the estimated cost of this defensive medicine is about \$210 billion a year.

Comprehensive medical malpractice reform has been proposed by Simpson-Bowles, by Rivlin-Domenici, and by other bipartisan deficit-reduction groups. It has also been examined in depth as a means for deficit reduction by the nonpartisan Congressional Budget Office. In fact, CBO has told us that sensible medical malpractice reform could reduce the deficit by over \$62 billion over 10 years. CBO also points out that comprehensive reform could alleviate shortages of certain kinds of physicians around the country.

The amendment provides maximum flexibility for the Judiciary Committee in allowing the committee to determine the best way to achieve deficit reduction by reforming the current system. This flexibility, by the way, includes the ability to enact reforms that would only come into effect if States fail to act.

ObamaCare has not only led to rising insurance premiums and loss of employer-sponsored coverage, but it has also missed this crucial opportunity to reduce costs while maintaining access to critical specialty care.

So let's set this reform in motion today as part of this budget process.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I oppose this amendment. Malpractice premiums and claims and claim payouts have all gone down in recent years,

partly as a result of steps many of our States have already taken. Caps on noneconomic damages limit compensation for such harms as loss of fertility or severe disfigurement or loss of mobility or loss of a spouse or a child. Damage caps do not affect frivolous lawsuits but, rather, impact the victims who have been seriously injured and who would win in court.

Tort reform can create enormous risks and costs. Immunizing health care providers against accountability for their mistakes risks increasing the number of preventable medical errors.

So this proposal would cut losses for insurers by curbing our patients' right to sue, but there is no requirement in these proposals for insurers to pass on any savings to the doctors who pay their premiums.

So I recommend a "no" vote on this amendment and ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—43

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Manchin	Vitter
Crapo	McCain	Wicker
Cruz	McConnell	
Enzi	Moran	

NAYS—56

Baldwin	Graham	Murray
Baucus	Hagan	Nelson
Begich	Harkin	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Coburn	Leahy	Tester
Coons	Lee	Udall (CO)
Cowan	Levin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murphy	

NOT VOTING—1

Lautenberg

The amendment (No. 152) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, for the information of all Senators, we have had very good cooperation. We are working this list down. I have another unanimous consent request. I believe most of these will go by voice vote, and I appreciate everybody's cooperation.

AMENDMENTS NOS. 624, 295, 232, 538, 412, AND 340

EN BLOC

I ask unanimous consent that the next amendments in order to be called up be the following: JOHANN'S No. 624, CORKER No. 295, BURR No. 232, WICKER No. 538, COBURN No. 412, and SHELBY No. 340; that there be no second-degree amendments in order prior to the votes in relation to any of these amendments; that notwithstanding all time having expired on the resolution, there be 2 minutes equally divided prior to each vote and that all the votes be 10-minute votes; that upon disposition of the Shelby amendment No. 340, the next amendment in order be an amendment from the majority; and I ask unanimous consent they be reported en bloc.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc.

The bill clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc: for Mr. JOHANN'S, amendment numbered 624; for Mr. CORKER, amendment numbered 295; for Mr. BURR, amendment numbered 232; for Mr. WICKER, amendment numbered 538; for Mr. COBURN, amendment numbered 412; for Mr. SHELBY, amendment numbered 340.

The amendments are as follows:

AMENDMENT NO. 624

(Purpose: To establish a deficit-neutral reserve fund to restore families' health care flexibility by repealing the \$2,500 federal cap on flexible spending accounts and the requirement that individuals obtain a prescription from a physician before purchasing over-the-counter drugs with their own flexible spending account or health savings account dollars in order to safeguard families' capacity to plan ahead for the rising cost of care, make their own health care decisions, and ensure children who have special needs can receive adequate care)

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO RESTORE FAMILY HEALTH CARE FLEXIBILITY BY REPEALING THE HEALTH SAVINGS ACCOUNT AND FLEXIBLE SPENDING ACCOUNT RESTRICTIONS IN THE HEALTH CARE LAW

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that restore

families' health care flexibility, which may include repealing tax increases on tax-advantaged accounts in the Patient Protection and Affordable Care Act (Public Law 111-148; Stat. 119), without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

AMENDMENT NO. 295

(Purpose: To end a scoring gimmick that allows changes in mandatory program spending that do not save money to offset increased spending)

At the end of subtitle A of title IV, insert the following:

SEC. ____ . BUDGET SCORING RULE RELATING TO CERTAIN CHANGES IN MANDATORY PROGRAM SPENDING.

In the Senate, a bill, resolution, amendment, motion or conference report that includes a provision that reduces direct spending that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not be scored by the Chairman of the Senate Committee on the Budget as new negative budget authority if such provision does not result in net outlay savings over the total of the period of the current year, the budget year, and all fiscal years covered under the most recently adopted concurrent resolution on the budget.

AMENDMENT NO. 232

(Purpose: To protect the American people and strengthen our national security by fully funding the Biomedical Advanced Research and Development Authority (BARDA) and the BioShield Special Reserve Fund)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND FOR BARDA AND THE BIOSHIELD SPECIAL RESERVE FUND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may provide for full funding for the Biomedical Advanced Research and Development Authority under section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) and the Special Reserve Fund under Section 319-F2 of the Public Health Service Act (42 U.S.C. 247d-6b) without raising new revenue by the amounts provided in such authorizing legislation for those purposes, provided that such legislation does not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 538

(Purpose: To increase the vote threshold required to waive a budget point of order prohibiting unfunded mandates in excess of limit)

At the appropriate place, insert the following:

SEC. ____ . SUPERMAJORITY ENFORCEMENT.

Section 425(a)(1) and (2) of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974.

AMENDMENT NO. 412

(Purpose: To create a deficit-reduction reserve fund that addresses the nonprofit postal discount for State and national political committees)

At the appropriate place, add the following:

SEC. 3 ____ . DEFICIT-REDUCTION RESERVE FUND FOR POSTAL REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the United States Postal Service, which may include measures addressing the nonprofit postal discount for State and national political committees and use such savings to reduce the deficit. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

AMENDMENT NO. 340

(Purpose: To establish a deficit-neutral reserve fund for legislation that requires financial regulators to conduct rigorous cost-benefit analyses on all proposed rules)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE FINANCIAL REGULATORS TO CONDUCT RIGOROUS COST-BENEFIT ANALYSES ON ALL PROPOSED RULES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to the finalization of rules with positive cost-benefit analyses promulgated by a financial regulator, including the Board of Governors of the Federal Reserve System, the Bureau of Consumer Financial Protection, the Commodity Futures Trading Commission, the Federal Deposit Insurance Corporation, the Federal Housing Finance Agency, the Financial Stability Oversight Council, the Office of the Comptroller of the Currency, the Office of Financial Research, the National Credit Union Administration, and the Securities and Exchange Commission, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 624

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 624, offered by the Senator from Nebraska, Mr. JOHANNIS.

The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, this amendment restores a family's ability to plan ahead for health care costs and afford care. It eliminates a cap on flexible spending accounts.

It also eliminates the silly requirement that Americans get a doctor's prescription to purchase over-the-counter medications with their FSA or health savings account.

In addition, the health savings account can be used for people who have disabilities, so this eliminates the possibility of doing that beyond the cap.

I ask my colleagues to support me in eliminating the cap and eliminating this crazy requirement about getting a doctor's prescription to use a common medication.

It is supported by the National Downs Syndrome Society, the National Center for Learning Disabilities, and the Chamber of Commerce. I urge my colleagues to support this amendment.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have looked at this amendment. I do have some concerns about the implementation, but I think we can work them out. I would be willing to accept this on a voice vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 624) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 295 WITHDRAWN

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 295 offered by the Senator from Tennessee, Mr. CORKER.

Mr. CORKER. Mr. President, we saw during this last CR that there is a process called CHIMPS where you can take money out of mandatory spending temporarily and spend more in discretionary spending, which over the last 2 years has allowed us to spend \$35 billion more than the Budget Control Act allowed. Senator MIKULSKI and Senator SHELBY both agree that there is a problem here. They have agreed to try to work toward a solution to keep this gimmick from being used in the future. I will say that this came over from the House this way. It is not something that originated here in the Senate. But because they have agreed to work toward a solution, I withdraw my amendment and thank them for their cooperation.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I want to thank the Senator from Tennessee first for consulting with Senator SHELBY and me. You are exactly right, he has identified a problem. We are concerned. I promise the Senator we will definitely work with him. I appreciate the Senator withdrawing the amendment. I am going to say publicly in front of my colleagues, we will definitely work with the Senator.

AMENDMENT NO. 232

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to

amendment No. 232 offered by the Senator from Alabama, Mr. SHELBY.

Mrs. MURRAY. Mr. President, I believe that the next amendment in order is the Burr amendment No. 232.

The ACTING PRESIDENT pro tempore. The Senator is correct.

The Senator from North Carolina.

Mr. BURR. Mr. President, very quickly, the purpose of my amendment is very simple. It is to protect the American people and strengthen our national security by fully funding the Biomedical Advanced Research and Development Authority and the BioShield Reserve Fund. BARDA and Bioshield are critical components of our Nation's medical countermeasure enterprise. Today these programs ensure that we have the countermeasures necessary to protect the American people against the full range of chemical, biologic, radiological, and nuclear threats whether natural or the result of manmade attacks. After 9/11 Congress established Bioshield to encourage the development of these countermeasures. Supporting BARDA and Bioshield at their authorized levels is a matter of national security and should be a priority.

I urge my colleagues to support this amendment.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am speaking for my counterpart. This is another deficit-neutral fund, which I know Senator SESSIONS has been expressing his concern about all evening. I am delighted to accept this amendment on a voice vote.

The ACTING PRESIDENT pro tempore. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 232) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 538

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 538 offered by the Senator from Mississippi, Mr. WICKER.

Mr. WICKER. This amendment simply puts us back where we were several years ago, at a 60-vote point of order for unfunded mandates. Washington should not use extensive unfunded mandates to shove the weight of irresponsible government growth down to State and local governments. The threshold now is 51 votes to wave a point of order on unfunded mandates. This amendment would simply put it back the way it used to be in the law to 60 votes.

I urge a "yes" vote.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I think this amendment is unnecessary. We already have proper points of order. I will not hold it up. I will not oppose it if you want to do a voice vote.

The ACTING PRESIDENT pro tempore. Is there any further debate?

The question is on agreeing to the amendment.

The noes appear to have it.

Mr. WICKER. Division. Mr. President, the Chair accepted the amendment. If we are going to start enforcing this, I will marshal my forces and we will learn to yell louder. But the Chair accepted my amendment.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I believe that the voice vote was a "yes" vote. I would ask my colleagues if we can redo the vote so we can hear it.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 538) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 412

The ACTING PRESIDENT pro tempore. There is now 2 minutes prior to a vote in relation to amendment No. 412 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. President, this is a simple vote. The Postal Service lost \$15.8 billion last year. Political parties contributed to that loss by our getting a discount on all of our mail. All this will do is put us at the same rate as everybody else commercially in terms of the mailing. It is probably about \$50- to \$60 million if we pass this amendment that we will increase the revenue to the Postal Service.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I will not oppose this amendment. I am delighted to see another deficit-neutral reserve fund put into place on this bill that I know my colleagues on the other side of this aisle have not been very happy about throughout the process. But in the spirit of good will, I am happy to accept this amendment on a voice vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 412) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 340

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally

divided prior to a vote in relation to amendment No. 340 offered by the Senator from Alabama, Mr. SHELBY.

Mr. SHELBY. Mr. President, this amendment would create a deficit-neutral reserve fund for legislation that requires financial regulators to perform rigorous cost-benefit analysis of their proposals. If this analysis determines that a proposed rule's cost exceeds its benefits, the rule should not be implemented. Given the far-reaching scope many new financial rules will have on our markets, I believe it is imperative that regulators conduct thorough cost-benefit analysis to fully understand how these rules will affect our economy.

Independent final regulators operate under a patchwork of Federal laws that require varying degrees of economic analysis and provide too much discretion to regulators. As a result, American job creators are under siege from capricious rulemaking activities. Regulations should be based on solid evidence and supported by robust economic analysis, not the arbitrary preferences of bureaucrats.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. MURRAY. Mr. President, I yield my time to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I rise in strong opposition to amendment No. 340. The amendment is another attempt to block Wall Street reform. This amendment would slow down rulemaking and invite Wall Street to bring lawsuits against their financial regulators.

GAO recently found that the recent financial crisis may have cost us over \$13 trillion. We should not hamstring the cops on the beat as they try to prevent another crisis. Efforts to undermine sensible regulations are opposed by many organizations, including AARP, CFA, and the AFL-CIO. I oppose this amendment and I urge my colleagues to do so as well.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I join my colleague in opposing this amendment. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 52, as follows:

(Rollcall Vote No. 79 Leg.)

YEAS—47

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Rubio
Cochran	Johanns	Scott
Collins	Johnson (WI)	Sessions
Corker	King	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McCaskill	Wicker

NAYS—52

Baldwin	Hagan	Pryor
Baucus	Harkin	Reed
Begich	Heinrich	Reid
Bennet	Heitkamp	Rockefeller
Blumenthal	Hirono	Sanders
Boxer	Johnson (SD)	Schatz
Brown	Kaine	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Cowan	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—1

Lautenberg

The amendment (No. 340) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 225, 329, 293, 527, 153, AND 136
EN BLOC

Mrs. MURRAY. I have another group of amendments for which I will ask unanimous consent.

I ask unanimous consent the next amendments in order to be called up will be the following: Flake amendment No. 225, Graham amendment No. 329, Heller amendment No. 293, Boozman amendment No. 527, Portman amendment No. 153, and Ayotte amendment No. 136; that there be no second-degree amendments in order prior to the votes in relation to any of these amendments, but notwithstanding all time having expired on the resolution, there be 2 minutes equally divided prior to each vote, and that all votes be 10-minute votes; that upon the disposition of Ayotte amendment No. 136, the next amendment be an amendment from the majority.

I ask the amendments be called up en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. I would ask the chairperson of the Budget Committee how many more tranches there might be.

Mrs. MURRAY. I would answer the Senator, we are working through between the majority and minority as fast as we can. I don't think anybody

here will say I have not been working very hard to get up their amendment.

We are doing our best to get everybody considered from both sides. If we keep going, I am happy to do this.

Mrs. BOXER. Parliamentary inquiry: May I ask the Chair how many amendments we have voted on in this budget, both voice and actual votes?

The ACTING PRESIDENT pro tempore. It will take some time to answer that.

Mrs. MURRAY. May I make a suggestion?

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. I think a lot of people want to know the answer to that question. If we could move to the Flake amendment, ask me any question you have, and I will have the answer for you.

Mrs. BOXER. I have the answer. It is 61.

The ACTING PRESIDENT pro tempore. The Senator from Washington has a unanimous consent request. Is there objection? Hearing none, so ordered.

The ACTING PRESIDENT pro tempore. The clerk will report the amendments en bloc.

The bill clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc: for Mr. FLAKE, amendment numbered 225, for Mr. GRAHAM, amendment numbered 329, for Mr. HELLER, amendment numbered 293, for Mr. BOOZMAN, amendment numbered 527, for Mr. PORTMAN, amendment numbered 153, for Ms. AYOTTE, amendment numbered 136.

The amendments are as follows:

AMENDMENT NO. 225

(Purpose: To prohibit earmarks)

At the appropriate place, insert the following:

SEC. _____. SENATE POINT OF ORDER AGAINST LEGISLATION THAT CONTAINS EARMARKS.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a bill or resolution introduced in the Senate or the House of Representatives, amendment, amendment between the Houses, or conference report that includes an earmark.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) CONSIDERATION.—

(1) PROCEDURE.—Upon a point of order being made by any Senator pursuant to subsection (a) against an earmark, and such point of order being sustained, such earmark shall be deemed stricken.

(2) CONFERENCE REPORT AND AMENDMENT BETWEEN THE HOUSES PROCEDURE.—When the Senate is considering a conference report on, or an amendment between the Houses, upon a point of order being made by any Senator pursuant to subsection (a), and such point of

order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable under the same conditions as was the conference report. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(d) DEFINITIONS.—

(1) EARMARK.—For the purpose of this section, the term "earmark" means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives as certified under paragraph 1(a)(1) of rule XLIV of the Standing Rules of the Senate—

(A) providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process; or

(B) that—

(i)(I) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(II) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

(ii) modifies the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(2) DETERMINATION BY THE SENATE.—In the event the Chair is unable to ascertain whether or not the offending provision constitutes an earmark as defined in this subsection, the question of whether the provision constitutes an earmark shall be submitted to the Senate and be decided without debate by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(e) APPLICATION.—This section shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality or congressional district.

AMENDMENT NO. 329

(Purpose: To establish a deficit-neutral reserve fund to broaden the effects of the sequester, including allowing Members of Congress to donate 20 percent of their salaries to charity or to the Department of the Treasury during sequestration)

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND TO BROADEN THE EFFECTS OF THE SEQUESTER, INCLUDING ALLOWING MEMBERS OF CONGRESS TO DONATE A PORTION OF THEIR SALARIES TO CHARITY OR TO THE DEPARTMENT OF THE TREASURY DURING SEQUESTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference

reports that are related to broadening the impact of the sequester, which may include allowing Members of Congress to donate 20 percent of their salaries to charity or to the Department of the Treasury if the enforcement procedures established under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 901(e) of the American Taxpayer Relief Act of 2012 go into, or remain in effect, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 293

(Purpose: To establish a deficit-neutral reserve fund to ensure that the Bureau of Land Management collaborates with States in efforts to promote sustainable sage-grouse populations and the conservation of sage-grouse habitat by developing and approving State plans that prevent the listing of the bird under the Endangered Species Act of 1973 and preserve the way of life in, and economic health of, the impacted areas)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THE BUREAU OF LAND MANAGEMENT COLLABORATES WITH WESTERN STATES TO PREVENT THE LISTING OF THE SAGE-GROUSE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that would improve the management of public land and natural resources, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 527

(Purpose: To establish a deficit-reduction reserve fund to protect private property rights by discouraging eminent domain abuse by State and local governments, while providing for continued economic development assistance eligibility where eminent domain is used for customary purposes, including to acquire property for public use, for public rights of way, to acquire abandoned property, or to remove immediate threats to public health and safety, and to provide that any savings will reduce the deficit)

At the appropriate place, insert the following:

SEC. DEFICIT-REDUCTION RESERVE FUND FOR EMINENT DOMAIN ABUSE PREVENTION.

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to federal economic development assistance, which may include amendments to the eligibility of a State or local government to receive benefits, including restricting benefits when eminent domain has been used to take private property and transfer it to another private use, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of

fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

AMENDMENT NO. 153

(Purpose: To establish a deficit-neutral reserve fund to promote exports.

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR EXPORT PROMOTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to promoting exports, which may include providing the President with trade promotion authority, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 136

(Purpose: To establish a deficit-neutral reserve fund for the prohibition on funding of the Medium Extended Air Defense System)

At the appropriate place, insert the following:

SEC. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROHIBITION ON FUNDING OF THE MEDIUM EXTENDED AIR DEFENSE SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports relating to prohibiting use of funds for defense programs not authorized by law, which may include the Medium Extended Air Defense System (MEADS), without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 225 WITHDRAWN

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 225, offered by the Senator from Arizona, Mr. FLAKE.

The Senator from Arizona.

Mr. FLAKE. I have not yet delivered my maiden speech. I will be very brief. I plan to withdraw this amendment, and I understand there will be a point of order raised against germaneness with a 60-vote threshold I can't overcome. I just want to make the point this body has done good work in the last 2 years on a bipartisan basis to get rid of the scourge of earmarks and the abuse of earmarks which has taken place in both this Chamber and the House.

This amendment would have simply been for a point of order to be raised if earmarks were contained in legislation. I would encourage this body to continue the practice which has oc-

curred over the past 2 years and not have congressional earmarks. I thank you for your indulgence.

I ask unanimous consent to withdraw my amendment.

The ACTING PRESIDENT pro tempore. The amendment is withdrawn.

AMENDMENT NO. 329

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 329, offered by the Senator from South Carolina, Mr. GRAHAM.

The Senator from South Carolina.

Mrs. MURRAY. Mr. President, the next amendment is offered by Senator GRAHAM, amendment No. 329.

Mr. GRAHAM. Yes. We need to vote on this.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. This amendment will get your attention.

About 500,000 or 600,000 Federal employees will be furloughed because of sequestration. They are going to miss 1 day a week of pay. We can't dock our own pay constitutionally, but I am asking through this amendment that all of us, beginning in April, take 20 percent of our salary and give it to the charity of our choice or anybody we would like so that we would feel what other people are feeling because of sequestration.

Thank you. Have a good night.

The ACTING PRESIDENT pro tempore. Is there an amendment?

Mr. GRAHAM. What is the question? I will take a voice vote, absolutely.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. I am happy to take a voice vote on this amendment.

The ACTING PRESIDENT pro tempore. Is there any further debate?

The question is on agreeing to the amendment.

The Chair is in doubt.

The question is on agreeing to the amendment.

The noes appear to have it.

Mr. GRAHAM. Wait a minute. I ask for a rollcall vote.

Mrs. MURRAY. Mr. President, may I have the floor for a moment?

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I was really trying to focus on what the Senator was saying. It was very difficult for me to understand, and I think many of us were confused about the amendment. I support the amendment, and I ask for a voice vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 329) was agreed to.

AMENDMENT NO. 293

The ACTING PRESIDENT pro tempore. There is 2 minutes of debate equally divided prior to a vote in relation to amendment No. 293, offered by the Senator from Nevada, Mr. HELLER.

Mr. HELLER. Mr. President, my amendment reinforces the important role of States having primary responsibility for wildlife management. If the sage-grouse is listed as an endangered species, it will hurt most States in the western portion of the country. It will make important activities, such as renewable energy and grazing, in many cases impossible.

I need help and support. I urge support for this amendment, and I appreciate the help and support I have gotten from Senators HATCH, CRAPO, and RISCH.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, this actually is a commonsense approach, and I do urge my colleagues to support this amendment.

I will be happy to accept it on a voice vote.

The ACTING PRESIDENT pro tempore. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 293) was agreed to.

AMENDMENT NO. 527

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 527, offered by the Senator from Arkansas, Mr. BOOZMAN.

Mr. BOOZMAN. Mr. President, this amendment would discourage the taking of private property to transfer to another private, nongovernmental use. It does not diminish the use of eminent domain for customary purposes, including the acquiring of property for public use, for public rights-of-way, to acquire abandoned property, or to remove immediate threats to public health or safety.

In the past, we have had significant bipartisan support in regard to protecting property rights, so I would encourage us to vote in favor of the amendment.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I do not oppose this amendment, and I am happy to have a voice vote.

The ACTING PRESIDENT pro tempore. Is there further debate?

The question is agreeing to the amendment.

The amendment (No. 527) was agreed to.

AMENDMENT NO. 153

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 153, offered by the Senator from Ohio, Mr. PORTMAN.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, this is a jobs amendment. This is about having authority to knock down barriers to trade.

I am offering this in connection with Senator WYDEN today and also Senator

HATCH. Expanding exports and enforcing our trade laws go hand in hand. That is why later I will be supporting the ENFORCE Act offered by Senator WYDEN.

The bottom line is that not since 2007 have we had trade promotion authority in this country, and without it we can't complete trade agreements. As a result, America is falling behind because other countries are completing agreements, and the people who are getting hurt the most are our workers, our farmers, and our service providers.

So if you want to give our workers in this country a fair shake, a level playing field by knocking down barriers to trade, you can vote for this amendment.

I yield to my colleague from Oregon. The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, very briefly, I think this is an opportunity to update our laws, particularly looking at environmental protection, labor rights, and digital trade. So I urge all colleagues to support this amendment.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am willing to accept this on a voice vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 153) was agreed to.

AMENDMENT NO. 136

The ACTING PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote in relation to amendment No. 136, offered by the Senator from New Hampshire, Ms. AYOTTE.

The Senator from New Hampshire. Ms. AYOTTE. Mr. President, my amendment would establish a deficit-neutral reserve fund to prohibit funding for the Medium Extended Air Defense System, known as MEADS. This is a system our Army has said would never work. We have already spent \$3 billion on this system. It is essentially a missile to nowhere. In fact, the chairman of the Armed Services Committee, Senator LEVIN, has said he feels strongly that it is a waste of money. We have already appropriated \$380 million in 2013 for something our troops will never use.

Some have argued there is an agreement that we have to pay termination fees. That is false. The actual agreement says the responsibility of the participants will be subject to the availability of funds appropriated for such purposes. The language is clear.

With \$16 trillion in debt, I would urge my colleagues to stop funding the missile to nowhere and make sure our taxpayer dollars are used wisely.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Ms. AYOTTE. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. I yield to the Senator from Illinois.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to suggest that the amendment being offered by the Senator from New Hampshire is unnecessary. It relates to fiscal year 2014. There will be no request for this missile system in fiscal year 2014.

I suggest that if she wants to pass this, she might, but perhaps she can do it by voice vote because her amendment won't apply to any suggested funding for this missile system in this next fiscal year.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. I am amenable to a voice vote.

Mr. COBURN. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I ask that the chairman be recognized. She tried to get recognition, and she couldn't.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, before we go to the rollcall vote on this, I want to turn to all my colleagues and remind all of us that what we are here trying to do is to pass a budget out of the Senate.

I have heard from so many people for so many months about how important it is that we get a budget out so we can move to the next process in this whole thing of getting our country back on track, and we are trying to do it in a responsible way.

We have had a really great debate in our committee, out here on the floor, and many Senators have participated in it. We have now had I believe 62 or 63 amendments, and I think we have a responsibility to work toward final passage.

I am aware that not every Senator had an opportunity to have an amendment, but I think many, many Senators have to say they were able to get their amendments. We have had amendments on virtually every topic here tonight, including the budget, but I would really ask all Senators to stop and think about what we are showing the American public.

What we would like the American public to think is that the Senate as a group of 100 people can have a process to move a budget forward and vote on it, whether we agree with it or we disagree with it. And I think we are pretty much there in showing the American public that we can have a good debate, have numerous amendments, have our voices heard. At the end of the day, it is a "yes" or "no" vote.

So while we have this next vote, I would really like everyone to take a second and think about how we look to the American people and how important it is that we move this process along so that we can come to a final conclusion and hopefully get bipartisan agreement to get our country back on track.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Chairman MURRAY for her leadership and for her fairness in helping us move a lot of amendments fairly and equitably tonight. We are in a situation where—no need to debate it into the night—I wish we had not been in a position where the majority leader was determined to finish this weekend. I wish we could have started earlier in the week or to come back on April 8, but that is not possible.

We have gone 4 years without a budget, and Members have been constricted in the filing of amendments this year more than any other time in probably the history of the Senate. One has to ask or beg permission to be allowed to have an amendment. Senator AYOTTE is one of those. Senator MORAN and others had amendments. So they are frustrated, and they want their votes.

So I would just say, let's keep going. Let's keep in good humor. Let's try to get as many of these votes in as possible. I have had several Members suggest that we might vote from our chairs and not leave the Chamber and cut these rollcall votes down to a much shorter period of time. Maybe we could discuss that. But I think the list needs to be continued to be produced. A number of Senators haven't had amendments, and they really feel as though they have a right to. And this may be their only opportunity, the way things are going this year, to even get a vote on something they care about.

So that is my observation.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, we do have a vote that needs to occur but a final word here. I would just say that we want to get a budget passed, and I know the minority wants us to pass a budget. We have been told that time and time again. We can't pass a budget if we are filibustered by amendments for the rest of the night.

So I would urge all our colleagues to have this vote, and let's have some discussions and see if we can come to a final conclusion.

With that, I ask for the yeas and nays.

Mr. VITTER. Mr. President, point of information.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. I would like to ask the distinguished budget chair through the Chair what delay or what conflict with any other event could this possibly

pose until at least 6 or 7 a.m.? I don't understand what delay that would cause, to allow more votes on amendments, or what conflict that could possibly pose with any other events, including airplane flights, at least until several hours from now. None of us wants to delay the process, and none of us wants to prevent a vote. Clearly, that is not an issue for several hours. I would just ask that of the distinguished chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Washington wish to respond?

Mrs. MURRAY. Mr. President, I can keep on standing all night. I am sure a number of Senators can. I do have respect for a number of our Senators here who may not be able to stand as long as some of us or who are elderly, and I would ask consideration of them. That is just my request.

With that, I do think we need to get to a vote here.

The ACTING PRESIDENT pro tempore. There has been a request for the yeas and nays.

Is there a sufficient second? There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 5, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—94

Alexander	Franken	Murkowski
Ayotte	Gillibrand	Murphy
Baldwin	Graham	Murray
Barrasso	Grassley	Nelson
Baucus	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Johanns	Sanders
Cardin	Johnson (SD)	Schatz
Carper	Johnson (WI)	Schumer
Casey	Kaine	Scott
Coats	King	Shaheen
Coburn	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Landrieu	Thune
Corker	Leahy	Toomey
Cornyn	Lee	Udall (CO)
Cowan	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden
Fischer	Mikulski	
Flake	Moran	

NAYS—5

Chambliss	Isakson	Shelby
Cochran	Sessions	

NOT VOTING—1

Lautenberg

The amendment (No. 136) was agreed to.

The ACTING PRESIDENT pro tempore. Under the order, the majority has the next amendment.

The Senator from Washington.

Mrs. MURRAY. Mr. President, we have been working throughout the last vote. I am hoping we are getting to a very short list in the near future.

I recognize there are Senators who are frustrated and that want an opportunity to speak out. I know there are a number of Senators who are very tired. Everybody's patience is wearing thin. I would just ask everybody to hold your patience for just a few more minutes. I am going to put us into a quorum call. I am hoping we can get an agreement and give everybody some certainty.

I know on our side we want to get a budget passed. We have been working for a great deal of time. We want to move this process forward. We know there are Senators on the other side who may not agree with our budget but agree with us that we have to move to a process to get our country back on track.

So I would ask everybody's patience for just a short while; hopefully, we can get this resolved and we can get a budget passed.

I suggest the absence of a quorum.

Mr. SESSIONS. Mr. President, will the Senator from Washington yield for a question?

Mrs. MURRAY. Mr. President, I will hold the floor and yield for a question.

Mr. SESSIONS. If the Senator will yield for a question with regard to the possibility of us starting one of the votes that will probably be a rollcall vote, and let's get started on that while we work out the further details.

Mrs. MURRAY. Mr. President, I would be willing to get an amendment going, but I haven't seen it yet. I would like the ability to take a look at it, so I suggest the absence of a quorum. It will only be for a very few minutes—patience, please—and then we will come back in and see if we can get to a vote.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I am proud of our Senators for having patience for exactly 30 seconds.

I yield to the Senator from Idaho to offer an amendment.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

AMENDMENT NO. 318

Mr. CRAPO. Mr. President, I ask unanimous consent to call up amendment No. 318.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the amendment.
The bill clerk read as follows:

The Senator from Idaho [Mr. CRAPO] proposes an amendment numbered 318.

Mr. CRAPO. Mr. President, I ask unanimous consent to dispense with further reading of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the reconciliation instruction to include instructions to the Committee on Finance to achieve the Budget's stated goal of \$275 billion in mandatory health care savings)

On page 50, line 1, after the number "\$975,000,000,000" insert the following: "and sufficient to reduce outlays by \$275,000,000,000"

The ACTING PRESIDENT pro tempore. Without objection, there is now 2 minutes of debate.

The Senator from Idaho.

Mr. CRAPO. Mr. President, in the budget that has been put forward, there is a reconciliation instruction for almost \$1 trillion of new taxes. On the spending side there is, I think, a relatively modest amount—not adequate—but there is an amount of health care savings in the amount of \$275 billion. Interestingly, that is not in a reconciliation instruction. We do not have the protection and assistance of a reconciliation instruction for the economy reforms that are in the budget but we do for the tax increases that are in the budget which results in this interesting circumstance. The tax increases by this budget would be guaranteed to occur because the filibuster would be avoided through reconciliation, and the reforms of the entitlement system would be guaranteed not to occur because they would face a 60-vote margin, having been kept out of the reconciliation instructions.

What this amendment does is it would put the health care savings in the budget into a reconciliation instruction so we can at least start down the path of dealing with reforms of our entitlement system.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Washington.

Mrs. MURRAY. Let me thank the Senator from Idaho, who has been very involved in a lot of discussions over time in trying to manage us toward a better place with our Federal debt and deficit. I understand his dedication, but I oppose this amendment. Over the last several years we have enacted \$1.8 trillion in spending cuts on a bipartisan basis. We do not have any trouble cutting spending in this body right now. We do seem to have trouble locking in the revenue necessary to achieve a balanced revenue reduction. I recommend our colleagues oppose this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—47

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Pryor
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Udall (CO)
Crapo	McCain	Vitter
Cruz	McConnell	Wicker
Enzi	Moran	

NAYS—52

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murphy	

NOT VOTING—1

Lautenberg

The amendment (No. 318) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. I ask unanimous consent that the following package of amendments, 17 Democratic and 13 Republican amendments, be considered and agreed to en bloc: Shaheen No. 149, Blumenthal-Moran No. 577, Johnson No. 593, Manchin No. 316, Wyden No. 394, Baucus No. 267, Hagan No. 269, Franken No. 353, Cardin No. 453, Udall of New Mexico No. 192, Franken No. 479, Baucus No. 581, Casey No. 265, Sanders No. 594, Wyden-Portman No. 618, Levin No. 430, as modified, Manchin No. 499, Toomey No. 434, Coats No. 195, Hoeven No. 319, Ayotte No. 161, Kirk No. 671, Murkowski No. 672, Rubio No. 623, Alexander No. 348, Boozman No. 389, Heller No. 477, Hoeven No. 217, Enzi No. 489, and Hoeven No. 655.

This is a package that has been agreed to by both managers, and I urge the Senate to accept them.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object, it is understood that we are having a side-by-side that would be on there.

No objection.

Mr. MENENDEZ. Reserving the right to object, does the Senator have foreign affairs amendments there?

Mrs. MURRAY. That is different.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 149

(Purpose: To establish a deficit-neutral reserve fund to increase the capacity of Federal agencies to ensure effective contract management and contract oversight)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE THE CAPACITY OF AGENCIES TO ENSURE EFFECTIVE CONTRACT MANAGEMENT AND CONTRACT OVERSIGHT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase the capacity of Federal agencies to ensure effective contract management and contract oversight, including efforts such as additional personnel and training for Inspectors General at each agency, new reporting requirements for agencies to track their responses to and actions taken in response to Inspector General recommendations, urging the President to appoint permanent Inspectors General at agencies where there is currently a vacancy, and any other effort to ensure accountability from contractors and increase the capacity of Inspectors General to rout out waste, fraud, and abuse in all government contracting efforts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 577

(Purpose: To establish a deficit-neutral reserve fund for legislation to ensure operation of all contract air traffic control towers receiving funding through the contract tower program of the Federal Aviation Administration as of March 20, 2013, and that are located at airports still in service as of the date of the introduction of such legislation)

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AIR TRAFFIC CONTROL SERVICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to Federal investment in civil air traffic control services, which may include air traffic management at airport towers across the United States or at facilities of

the Federal Aviation Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 593

(Purpose: To establish a scorekeeping rule to ensure that increases in guarantee fees of Fannie Mae and Freddie Mac shall not be used to offset provisions that increase the deficit)

At the appropriate place, insert the following:

SEC. ____ . PROHIBITING THE USE OF GUARANTEE FEES AS AN OFFSET.

(a) **PURPOSE.**—The purpose of this section is to ensure that increases in guarantee fees charged by Fannie Mae and Freddie Mac shall not be used to offset provisions that increase the deficit.

(b) **BUDGETARY RULE.**—In the Senate, for purposes of determining budgetary impacts to evaluate points of order under this resolution and the Congressional Budget Act of 1974, this resolution, any previous resolution, and any subsequent budget resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that increases any guarantee fees of Fannie Mae and Freddie Mac shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation.

AMENDMENT NO. 316

(Purpose: To address prescription drug abuse in the United States)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS PRESCRIPTION DRUG ABUSE IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to addressing prescription drug abuse, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 394

(Purpose: To ensure that chronic illness is addressed as part of health care improvement)

On page, 62, line 12, insert “focus on chronic illness,” after “efficiency.”

AMENDMENT NO. 267

(Purpose: To establish a deficit-neutral reserve fund to support rural schools and districts)

On page 76, after line 25, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT RURAL SCHOOLS AND DISTRICTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the establishment of the Office of Rural Education Policy within the Department of Education, which could include a clearinghouse for information related to the challenges of rural schools and districts or providing technical assistance

within the Department of Education on rules and regulations that impact rural schools and districts, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 269

(Purpose: To establish a deficit-neutral reserve fund to strengthen the enforcement of provisions of free trade agreements that relate to textile and apparel articles)

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN ENFORCEMENT OF FREE TRADE AGREEMENT PROVISIONS RELATING TO TEXTILE AND APPAREL ARTICLES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to strengthening the enforcement of provisions of free trade agreements that relate to textile and apparel articles, which may include increased training with respect to, and monitoring and verification of, textile and apparel articles, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 353

(Purpose: To amend section 308 relating to broadband infrastructure investments in rural areas)

On page 59, line 1, after “telecommunications,” insert “including promoting investments in broadband infrastructure to expedite deployment of broadband to rural areas.”

AMENDMENT NO. 453

(Purpose: To provide for a deficit-neutral reserve fund on health care improvement)

On page 62, line 13, insert “improve overall population health, promote health equity or reduce health disparities,” after “nation.”

AMENDMENT NO. 192

(Purpose: To modify the deficit-neutral reserve fund for America's servicemembers and veterans to increase access to health care for veterans in rural areas)

On page 60, strike line 7 and insert the following: credentialing requirements; or

(6) supporting additional efforts to increase access to health care for veterans in rural areas through telehealth and other programs that reduce the need for such veterans to travel long distances to a medical facility of the Department of Veterans Affairs;

AMENDMENT NO. 479

(Purpose: To provide an additional use for the deficit-neutral reserve fund for higher education)

On page 60, line 22, insert “standardize financial aid award letters,” after “students.”

AMENDMENT NO. 581

(Purpose: To exempt remote sales of business inputs)

On page 2, line 10, insert “and provided that such legislation may include requirements that States recognize the value of small businesses to the United States economy by exempting the remote sales of business inputs from sales and use taxes” after “2023”.

AMENDMENT NO. 265

(Purpose: To prohibit certain revisions of allocations for workforce investment measures that lack program integrity controls for the Job Corps program)

On page 76, line 18, strike “reduce” and all that follows through “job training,” on lines 19 and 20 and insert “ensure effective administration, reduce inefficient overlap, improve access, and enhance outcomes of Federal workforce development, youth and adult job training.”

AMENDMENT NO. 594

(Purpose: To establish a deficit-neutral reserve fund relating to the Older Americans Act of 1965, which may include congregate and home-delivered meals programs, or other assistance to low-income seniors)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO ASSIST LOW-INCOME SENIORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the Older Americans Act of 1965, which may include congregate and home-delivered meals programs, or other assistance to low-income seniors, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 618

(Purpose: To provide for the enforcement of the trade remedy laws of the United States)

On page 52, line 18, strike “, or international” and insert “(including requiring timely and time-limited investigations into the evasion of antidumping and countervailing duties), or international”.

AMENDMENT NO. 430, AS MODIFIED

At the end of title III, add the following:

SEC. ____ . RESERVE FUND TO END OFFSHORE TAX ABUSES BY LARGE CORPORATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to corporate income taxes, which may include measures to end offshore tax abuses used by large corporations, or measures providing for comprehensive tax reform that ensures a revenue structure that is more efficient, leads to a more competitive business environment, and may result in additional rate or deficit reductions, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023”.

AMENDMENT NO. 499

(Purpose: To establish a deficit-neutral reserve fund to ensure that abundant domestic energy sources and technologies can meet present and future greenhouse gas emissions rules)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT DOMESTIC ENERGY SOURCES CAN MEET EMISSIONS RULES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that are related to the research, development, and demonstration necessary for domestically abundant energy sources and current energy technologies to comply with present and future greenhouse gas emissions rules while still remaining economically competitive, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 434

(Purpose: To establish a deficit-neutral reserve fund relating to increasing funding for the inland waterways system)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING FUNDING FOR THE INLAND WATERWAYS SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to funding the inland waterways system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 195

(Purpose: To require fuller reporting on possible costs to taxpayers of any budget submitted by the President)

At the end of title V, add the following:

SEC. 5. TO REQUIRE FULLER REPORTING ON POSSIBLE COSTS TO TAXPAYERS OF ANY BUDGET SUBMITTED BY THE PRESIDENT.

When the Congressional Budget Office submits its report to Congress relating to a budget submitted by the President for a fiscal year under section 1105 of title 31, United States Code, such report shall contain—

(1) an estimate of the pro rata cost for taxpayers who will file individual income tax returns for taxable years ending during such fiscal year of any deficit that would result from the budget; and

(2) an analysis of the budgetary effects described in paragraph (1).

AMENDMENT NO. 319

(Purpose: To provide additional resources to Criminal Investigations and Police Services of the Bureau of Indian Affairs)

On page 28, line 3, increase the amount by \$3,500,000.

On page 28, line 4, increase the amount by \$3,500,000.

On page 46, line 11, decrease the amount by \$3,500,000.

On page 46, line 12, decrease the amount by \$3,500,000.

AMENDMENT NO. 161

(Purpose: To establish a deficit-neutral reserve fund for achieving full auditability of the financial statements of the Department of Defense by 2017)

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR ACHIEVING FULL AUDITABILITY OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE BY 2017.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to achieving full auditability of the financial statements Department of Defense by 2017, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 671

(Purpose: To establish a deficit-neutral reserve fund relating to sanctions with respect to Iran)

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SANCTIONS WITH RESPECT TO IRAN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to Iran, which may include efforts to clarify that the clearance and settlement of euro-denominated transactions through European Union financial institutions may not result in the evasion of or otherwise undermine the impact of sanctions imposed with respect to Iran by the United States and the European Union (including provisions designed to strictly limit the access of the Government of Iran to its foreign exchange reserves and the facilitation of transactions on behalf of sanctioned entities), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 672

(Purpose: To permit a deficit-neutral reserve fund to provide assistance for fishery disasters declared during 2012)

On page 58, between lines 11 and 12, insert the following:

(10) to provide assistance for fishery disasters declared by the Secretary of Commerce during 2012;

AMENDMENT NO. 623

(Purpose: To express the sense of the Senate on underutilized facilities of the National Aeronautics and Space Administration and their potential use)

At the appropriate place, insert the following:

SEC. . SENSE OF SENATE ON UNDERUTILIZED FACILITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND THEIR POTENTIAL USE.

(a) FINDINGS.—The Senate finds the following:

(1) The National Aeronautics and Space Administration (NASA) is the ninth largest real property holder of the Federal Government, with more than 124,000 acres and more than 4,900 buildings and other structures with a replacement value of more than \$30,000,000,000.

(2) The annual operation and maintenance costs of the National Aeronautics and Space Administration have increased steadily, and, as of 2012, the Administration has more than \$2,300,000,000 in annual deferred maintenance costs.

(3) According to Office of Inspector General (OIG) of the National Aeronautics and Space Administration, the Administration continues to retain real property that is underutilized, does not have identified future mission uses, or is duplicative of other assets in its real property inventory.

(4) The Office of Inspector General, the Government Accountability Office (GAO), and Congress have identified the aging and duplicative infrastructure of the National Aeronautics and Space Administration as a high priority and longstanding management challenge.

(5) In the NASA Authorization Act of 2010, Congress directed the National Aeronautics and Space Administration to examine its real property assets and downsize to fit current and future missions and expected funding levels, paying particular attention to identifying and removing unneeded or duplicative infrastructure.

(6) The Office of Inspector General found at least 33 facilities, including wind tunnels, test stands, airfields, and launch infrastructure, that were underutilized or for which National Aeronautics and Space Administration managers could not identify a future mission use and that the need for these facilities have declined in recent years as a result of changes in the mission focus of the Administration, the condition and obsolescence of some facilities, and the advent of alternative testing methods.

(7) The Office of Inspector General found that the National Aeronautics and Space Administration has taken steps to minimize the costs of continuing to maintain some of these facilities by placing them in an inactive state or leasing them to other parties.

(8) The National Aeronautics and Space Administration has a series of initiatives underway that, in the judgment of the Office of Inspector General, are “positive steps towards ‘rightsizing’ its real property footprint”, and the Office of Inspector General has concluded that “it is imperative that NASA move forward aggressively with its infrastructure reduction efforts”.

(9) Existing and emerging United States commercial launch and exploration capabilities are providing cargo transportation to the International Space Station and offer the potential for providing crew support, access to the International Space Station, and missions to low Earth orbit while the National Aeronautics and Space Administration focuses its efforts on heavy-lift capabilities and deep space missions.

(10) National Aeronautics and Space Administration facilities and property that are underutilized, duplicative, or no longer needed for Administration requirements could be utilized by commercial users and State and local entities, resulting in savings for the Administration and a reduction in the burden of the Federal Government to fund space operations.

(b) SENSE OF SENATE.—It is the sense of the Senate that the levels in this concurrent resolution assume—

(1) the National Aeronautics and Space Administration should move forward with plans to reduce its infrastructure and, to the greatest extent practicable, make property available for lease to a government or private tenant;

(2) the National Aeronautics and Space Administration should pursue opportunities for streamlined sale or lease of property and facilities, including for exclusive use, to a private entity, or expedited conveyance or transfer to a State or political subdivision, municipality, instrumentality of a State, or Department of Transportation-licensed launch site operators for the promotion of commercial or scientific space activity and for developing and operating space launch facilities; and

(3) leasing or transferring underutilized facilities and properties to commercial space entities or State or local governments will reduce operation and maintenance costs for the National Aeronautics and Space Administration, save money for the Federal Government, and promote commercial space and the exploration goals of the Administration and the United States.

AMENDMENT NO. 348

(Purpose: To establish a deficit-neutral reserve fund to prevent restrictions to public access to fishing downstream of dams owned by the Corps of Engineers)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT RESTRICTIONS TO PUBLIC ACCESS TO FISHING DOWNSTREAM OF DAMS OWNED BY THE CORPS OF ENGINEERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports relating to prohibiting the Corps of Engineers from restricting public access to waters downstream of a Corps of Engineers dam, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 389

(Purpose: To establish a deficit-neutral reserve fund to address the disproportionate regulatory burdens on community banks)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE DISPROPORTIONATE REGULATORY BURDENS ON COMMUNITY BANKS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to alleviating disproportionate regulatory burdens on community banks, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 477

(Purpose: To establish a deficit-neutral reserve fund to authorize the provision of per diem payments for the provision of services to dependents of homeless veterans under laws administered by the Secretary of Veterans Affairs)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO AUTHORIZE PROVISION OF PER DIEM PAYMENTS FOR PROVISION OF SERVICES TO DEPENDENTS OF HOMELESS VETERANS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to care, services, or benefits for homeless veterans, which may include providing per diem payments for the furnishing of care for dependents of homeless veterans, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 217

(Purpose: To establish a deficit-neutral reserve fund to support programs related to the nuclear missions of the Department of Defense and the National Nuclear Security Administration)

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT PROGRAMS RELATED TO THE NUCLEAR MISSIONS OF THE DEPARTMENT OF DEFENSE AND THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that support programs related to the nuclear missions of the Department of Defense and the National Nuclear Security Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 489

(Purpose: To establish a deficit-neutral reserve fund to phase-in any changes to the individual or corporate tax systems)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PHASE-IN ANY CHANGES TO INDIVIDUAL OR CORPORATE TAX SYSTEMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the phase-in of any changes to the individual or corporate tax systems, including any changes to individual or corporate income tax exclusions, exemptions, deductions, or credits, by the amounts provided in such legislation for those purposes, provided that such legislation would

not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 655

(Purpose: To establish a deficit-neutral reserve fund relating to increases in aid for tribal education programs, including the Tribally Controlled Postsecondary Career and Technical Institutions Program administered by the Department of Education)

On page 76, after line 25, add the following:
SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASES IN AID FOR TRIBAL EDUCATION PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to increases in aid for tribal education programs, including the Tribally Controlled Postsecondary Career and Technical Institutions Program administered by the Department of Education, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

Mrs. MURRAY. I am now going to ask for unanimous consent for a number of amendments to get to final passage. I would say to all Senators that we are going to have a number of votes. We would like to tell everyone to sit in your seat. We will get through these faster if we can have the rollcalls and be done quickly. So I encourage everyone to be in this room.

Mr. REID. Madam President, I ask unanimous consent that on the next block of amendments—we have talked to everybody who was talkable—we would vote from our desks. There would be no recapping of the votes by the tally clerks, and that they be 7 1/2-minute votes.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Madam President, I thank the leader. I think it has real potential. There still would be some votes that could go by voice vote, we would hope. But if we do this pressure in this way I think it would speed up things. I thank the leader for that suggestion. I have heard it from our side for a while. I think it is a good idea.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 184, 382, 526, 338, 471, 702, 673, 521, 414, 416, 709, 154, 710, AND 139, EN BLOC

Mrs. MURRAY. I ask unanimous consent that the next amendments in order to be called up be the following: Barrasso No. 184, Paul No. 382, Vitter No. 526, Vitter No. 338, Cruz No. 471, Cruz No. 702, Lee No. 673, Lee No. 521, Coburn No. 414, Coburn No. 416, Coburn No. 709, Portman No. 154, Leahy No. 710, a side-by-side to Senator INHOFE's No. 139, and Inhofe No. 139; that there be no second-degree amendments prior

to votes in relation to any of those amendments; that none of the amendments be divisible; that notwithstanding all time having expired under the resolution, there be 2 minutes equally divided prior to each vote, and that all votes be 10-minute votes; that upon disposition of the Inhofe amendment No. 139, the Senate proceed immediately to vote on adoption of S. Con. Res. 8, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. MENENDEZ. Reserving the right to object, I will not object, but I do want our colleagues to understand that some of these amendments the chairwoman just asked to be put in order are incredibly fundamental important foreign policy issues that you do not do at 3 in the morning and change the dynamics of the Middle East, and change the dynamics of our national security and interests in international organizations.

That is what some of these amendments will do. You do not do it in a budget process, you do it through regular order in a committee that ultimately can hear both sides as we have succeeded so far this session in a very bipartisan way. So I will not object because of the chairwoman's effort to get us to a conclusion. But I will be urging all of our colleagues to oppose all of those amendments because this is foreign policy on the fly. It is dangerous. We send very important messages when we cast votes in certain ways that can affect the balance of stability in the Middle East, that can affect our relationships across the world, that can affect our effectiveness in institutions that we need at the end of the day to promote our national security, our national interests.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, I would hope that we would defeat these amendments. If there is no objection—

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. We will then move to these amendments. Again, all Senators sit in your seats and vote. We will get through these as quickly as possible.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. I have an inquiry. I would like to make a unanimous consent request that we be able to use our electronic devices while we are sitting at our desks on the floor so that we might get any communication that we need from our staff, and also so we can be productive.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will report the amendments en bloc.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc: For Mr.

BARRASSO, No. 184, for Mr. PAUL No. 382, for Mr. VITTER No. 526, for Mr. VITTER No. 338, for Mr. CRUZ No. 471, for Mr. CRUZ No. 702, for Mr. LEE No. 673, for Mr. LEE No. 521, for Mr. COBURN No. 414, for Mr. COBURN No. 416, for Mr. COBURN No. 709, for Mr. PORTMAN No. 154, for Mr. LEAHY No. 710, for Mr. INHOFE No. 139.

The amendments are as follows:

AMENDMENT NO. 184

(Purpose: To establish a deficit-neutral reserve fund to expedite exports from the United States through reform of the National Environmental Policy Act of 1969 in such a manner that greenhouse gas emissions produced outside the United States by any good exported from the United States are not subject to the requirements of that Act)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE EXPORTS FROM THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports related to promoting the export of goods, including manufactured goods, from the United States through reform of environmental laws, which may include the regulation of greenhouse gas emissions produced outside the United States by goods exported from the United States, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 382

(Purpose: To provide funding to the Department of Transportation for interstate bridge infrastructure projects and to reduce the Federal deficit by decreasing the amounts available for foreign assistance and loan guarantee programs administered by the Department of Energy)

On page 5, line 9, reduce the amount by \$8,000,000,000.
On page 5, line 10, reduce the amount by \$8,000,000,000.
On page 5, line 11, reduce the amount by \$8,000,000,000.
On page 5, line 12, reduce the amount by \$8,000,000,000.
On page 5, line 13, reduce the amount by \$8,000,000,000.
On page 5, line 14, reduce the amount by \$8,000,000,000.
On page 5, line 15, reduce the amount by \$8,000,000,000.
On page 5, line 16, reduce the amount by \$8,000,000,000.
On page 5, line 17, reduce the amount by \$8,000,000,000.
On page 5, line 18, reduce the amount by \$8,000,000,000.
On page 5, line 23, reduce the amount by \$8,000,000,000.
On page 5, line 24, reduce the amount by \$8,000,000,000.
On page 5, line 25, reduce the amount by \$8,000,000,000.
On page 6, line 1, reduce the amount by \$8,000,000,000.
On page 6, line 2, reduce the amount by \$8,000,000,000.
On page 6, line 3, reduce the amount by \$8,000,000,000.
On page 6, line 4, reduce the amount by \$8,000,000,000.

On page 6, line 5, reduce the amount by \$8,000,000,000.
On page 6, line 6, reduce the amount by \$8,000,000,000.
On page 6, line 7, reduce the amount by \$8,000,000,000.
On page 6, line 12, reduce the amount by \$8,000,000,000.
On page 6, line 13, reduce the amount by \$8,000,000,000.
On page 6, line 14, reduce the amount by \$8,000,000,000.
On page 6, line 15, reduce the amount by \$8,000,000,000.
On page 6, line 16, reduce the amount by \$8,000,000,000.
On page 6, line 17, reduce the amount by \$8,000,000,000.
On page 6, line 18, reduce the amount by \$8,000,000,000.
On page 6, line 19, reduce the amount by \$8,000,000,000.
On page 6, line 20, reduce the amount by \$8,000,000,000.
On page 6, line 21, reduce the amount by \$8,000,000,000.
On page 15, line 7, reduce the amount by \$15,000,000,000.
On page 15, line 8, reduce the amount by \$15,000,000,000.
On page 15, line 11, reduce the amount by \$15,000,000,000.
On page 15, line 12, reduce the amount by \$15,000,000,000.
On page 15, line 15, reduce the amount by \$15,000,000,000.
On page 15, line 16, reduce the amount by \$15,000,000,000.
On page 15, line 19, reduce the amount by \$15,000,000,000.
On page 15, line 20, reduce the amount by \$15,000,000,000.
On page 15, line 23, reduce the amount by \$15,000,000,000.
On page 15, line 24, reduce the amount by \$15,000,000,000.
On page 16, line 2, reduce the amount by \$15,000,000,000.
On page 16, line 3, reduce the amount by \$15,000,000,000.
On page 16, line 6, reduce the amount by \$15,000,000,000.
On page 16, line 7, reduce the amount by \$15,000,000,000.
On page 16, line 10, reduce the amount by \$15,000,000,000.
On page 16, line 11, reduce the amount by \$15,000,000,000.
On page 16, line 14, reduce the amount by \$15,000,000,000.
On page 16, line 15, reduce the amount by \$15,000,000,000.
On page 16, line 18, reduce the amount by \$15,000,000,000.
On page 16, line 19, reduce the amount by \$15,000,000,000.
On page 18, line 23, reduce the amount by \$1,000,000,000.
On page 18, line 24, reduce the amount by \$1,000,000,000.
On page 19, line 2, reduce the amount by \$1,000,000,000.
On page 19, line 3, reduce the amount by \$1,000,000,000.
On page 19, line 6, reduce the amount by \$1,000,000,000.
On page 19, line 7, reduce the amount by \$1,000,000,000.
On page 19, line 10, reduce the amount by \$1,000,000,000.
On page 19, line 11, reduce the amount by \$1,000,000,000.
On page 19, line 14, reduce the amount by \$1,000,000,000.

On page 19, line 15, reduce the amount by \$1,000,000,000.

On page 19, line 18, reduce the amount by \$1,000,000,000.

On page 19, line 19, reduce the amount by \$1,000,000,000.

On page 19, line 22, reduce the amount by \$1,000,000,000.

On page 19, line 23, reduce the amount by \$1,000,000,000.

On page 20, line 2, reduce the amount by \$1,000,000,000.

On page 20, line 3, reduce the amount by \$1,000,000,000.

On page 20, line 6, reduce the amount by \$1,000,000,000.

On page 20, line 7, reduce the amount by \$1,000,000,000.

On page 20, line 10, reduce the amount by \$1,000,000,000.

On page 20, line 11, reduce the amount by \$1,000,000,000.

On page 26, line 6, increase the amount by \$8,000,000,000.

On page 26, line 7, increase the amount by \$8,000,000,000.

On page 26, line 10, increase the amount by \$8,000,000,000.

On page 26, line 11, increase the amount by \$8,000,000,000.

On page 26, line 14, increase the amount by \$8,000,000,000.

On page 26, line 15, increase the amount by \$8,000,000,000.

On page 26, line 18, increase the amount by \$8,000,000,000.

On page 26, line 19, increase the amount by \$8,000,000,000.

On page 26, line 22, increase the amount by \$8,000,000,000.

On page 26, line 23, increase the amount by \$8,000,000,000.

On page 27, line 2, increase the amount by \$8,000,000,000.

On page 27, line 3, increase the amount by \$8,000,000,000.

On page 27, line 6, increase the amount by \$8,000,000,000.

On page 27, line 7, increase the amount by \$8,000,000,000.

On page 27, line 10, increase the amount by \$8,000,000,000.

On page 27, line 11, increase the amount by \$8,000,000,000.

On page 27, line 14, increase the amount by \$8,000,000,000.

On page 27, line 15, increase the amount by \$8,000,000,000.

On page 27, line 18, increase the amount by \$8,000,000,000.

On page 27, line 19, increase the amount by \$8,000,000,000.

AMENDMENT NO. 526

(Purpose: To establish a deficit-neutral reserve fund to ensure election integrity by requiring a valid government-issued photographic ID for voting in federal elections)

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE A PHOTOGRAPHIC ID FOR VOTING IN FEDERAL ELECTIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would create a system for requiring a valid government-issued photographic ID for voting in federal elections without raising new revenue, by the amounts provided in such legislation for those purposes, provided that

such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 338

(Purpose: To end the mobile phone welfare program)

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR ENDING SUBSIDIES FOR MOBILE PHONE SERVICE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would prohibit the Universal Service Fund from subsidizing commercial mobile service, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 471

(Purpose: To establish a deficit-neutral reserve fund to reduce foreign assistance to Egypt and increase funding for an east coast missile defense shield)

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND TO REDUCE FOREIGN ASSISTANCE TO EGYPT AND INCREASE FUNDING FOR AN EAST COAST MISSILE DEFENSE SHIELD.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to reducing foreign assistance to Egypt and increasing funding for the Missile Defense Agency to establish a land-based missile defense capability on the east coast of the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 702

(Purpose: To create a point of order against any legislation that would provide taxpayer funds to the United Nations while any member nation forces citizens or residents of that nation to undergo involuntary abortions)

At the appropriate place, insert the following:

SEC. _____. SENATE POINT OF ORDER AGAINST LEGISLATION FUNDING THE UNITED NATIONS WHILE MEMBER NATIONS FORCE THEIR CITIZENS OR RESIDENTS TO UNDERGO ABORTIONS.

(a) In General.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that would make public funds available to the United Nations, or to any affiliate organization of the United Nations, while any member nation compels citizens or residents of that nation to involuntarily undergo abortions in any year covered by the budget resolution.

(b) Supermajority Waiver and Appeal in the Senate—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

AMENDMENT NO. 673

(Purpose: To create a point of order against legislation that would further restrict the right of law-abiding Americans to own a firearm)

At the appropriate place, insert the following:

SEC. _____. POINT OF ORDER AGAINST LEGISLATION THAT WOULD FURTHER RESTRICT THE RIGHT OF LAW-ABIDING AMERICANS TO OWN A FIREARM.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that further restricts the right of law-abiding individuals in the United States to own a firearm in any year covered by the budget resolution.

(b) DEFINITION.—In this section, the term “further restriction on the right of law-abiding individuals in the United States to own a firearm” means any further restriction on the right of law-abiding individuals in the United States to own a firearm not contained in law prior to the consideration of the concurrent resolution on the budget, including but not limited to any legislation that—

(1) prohibits, increases restrictions on, or regulates the manufacture or ownership of any firearm that is permitted under Federal law prior to the consideration of the concurrent resolution on the budget;

(2) prohibits the manufacture or possession of specified categories of firearms based on the characteristics of such firearms that are permitted to be manufacture or possessed under Federal law prior to the consideration of the concurrent resolution on the budget;

(3) prohibits specific firearms or categories of firearms that are permitted under Federal law prior to the consideration of the concurrent resolution on the budget;

(4) limits the size of ammunition feeding devices or prohibits categories of ammunition feeding devices that are permitted under Federal law prior to the consideration of the concurrent resolution on the budget;

(5) requires background checks through a Federal firearms licensee for private transfers of firearms if the transfers do not require a background check under Federal law prior to the consideration of the concurrent resolution on the budget;

(6) establishes a record-keeping system for the sale of firearms not established prior to the consideration of the concurrent resolution of the budget; or

(7) imposes prison sentences for sales, gifts, or raffles of firearms to veterans who are unknown to the transferor as a person prohibited from possessing a firearm that would not otherwise be imposed under Federal law prior to the consideration of the concurrent resolution on the budget.

(c) SUPER MAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of two-thirds of the Members of the Senate, duly

chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 521

(Purpose: To establish a deficit-neutral reserve fund relating to supporting the reauthorization of the Payments in Lieu of Taxes program at levels roughly equivalent to property tax revenues lost due to the presence of Federal land)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING THE REAUTHORIZATION OF THE PAYMENTS IN LIEU OF TAXES PROGRAM AT LEVELS ROUGHLY EQUIVALENT TO PROPERTY TAX REVENUES LOST DUE TO THE PRESENCE OF FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to that make changes to or provide for the reauthorization of the Payment in Lieu of Taxes program at levels roughly equivalent to lost tax revenues due to the presence of Federal land without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 414

(Purpose: To create a deficit-neutral reserve fund to eliminate tax loopholes and special interest tax breaks for the PGA tour, the NFL, NASCAR, Hollywood, fish tackle box manufacturers, and Eskimo whaling captains)

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND CLOSING TAX EXPENDITURES FOR THE PGA TOUR, THE NFL, NASCAR, HOLLYWOOD, FISH TACKLE BOX MANUFACTURERS, AND WHALING CAPTAINS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to closing certain tax expenditures, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 416

(Purpose: To establish a deficit-neutral reserve fund to eliminate non-defense related spending by the Department of Defense)

At the appropriate place, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND FOR THE PREVENTION OF NON-DEFENSE RELATED SPENDING BY THE DEPARTMENT OF DEFENSE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports re-

lated to the Department of Defense, which may include measures eliminating non-defense related programs at the Department, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 709

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 154

(Purpose: To require the Congressional Budget Office to include macroeconomic feedback scoring of tax legislation)

At the end of subtitle B of title IV, add the following:

SEC. 4 ____ . CONGRESSIONAL BUDGET OFFICE ESTIMATES.

(a) REQUEST FOR SUPPLEMENTAL ESTIMATES.—In the case of any legislative provision to which this section applies, the Congressional Budget Office, with the assistance of the Joint Committee on Taxation, shall prepare, to the extent practicable, as a supplement to the cost estimate for legislation affecting revenues, an estimate of the revenue changes in connection with such provision that incorporates the macroeconomic effects of the policy being analyzed. Any macroeconomic impact statement under the preceding sentence shall be accompanied by a written statement fully disclosing the economic, technical, and behavioral assumptions that were made in producing—

(1) such estimate; and
(2) the conventional estimate in connection with such provision.

(b) LEGISLATIVE PROVISIONS TO WHICH THIS SECTION APPLIES.—This section shall apply to any legislative provision—

(1) which proposes a change or changes to law that the Congressional Budget Office determines, pursuant to a conventional fiscal estimate, has a revenue impact in excess of \$5,000,000,000 in any fiscal year; or

(2) with respect to which the chair or ranking member of the Committee on the Budget of either the Senate or the House of Representatives has requested an estimate described in subsection (a).

AMENDMENT NO. 710

(Purpose: To establish a deficit-neutral reserve fund to ensure that the United States will not negotiate or support treaties that violate Americans' Second Amendment rights under the Constitution of the United States)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT THE UNITED STATES WILL NOT NEGOTIATE OR SUPPORT TREATIES THAT VIOLATE AMERICANS' SECOND AMENDMENT RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the implementation of treaties, including upholding the constitutional rights of citizens of the United States when treaties are negotiated, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 139

(Purpose: To uphold Second Amendment rights and prevent the United States from entering into the United Nations Arms Trade Treaty)

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO UPHOLD SECOND AMENDMENT RIGHTS AND PREVENT THE UNITED STATES FROM ENTERING INTO THE UNITED NATIONS ARMS TRADE TREATY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to upholding Second Amendment rights, which shall include preventing the United States from entering into the United Nations Arms Trade Treaty, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 184

The PRESIDING OFFICER (Mr. DURBIN.) There is now 2 minutes equally divided prior to a vote.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, in 2010, President Obama set forth a goal of doubling our Nation's exports in 5 years. Three years later we are not on the pace to achieve that goal. One problem is the EPA is blocking exports. EPA is blocking exports on account of the greenhouse gas emissions those exports would produce outside of the United States; that is after they leave our shores.

This is a dangerous precedent. It will hurt exports of automobiles, aircraft, and heavy equipment such as tractors. This amendment prohibits Federal agencies from blocking exports on account of greenhouse gas emissions those exports would produce after they leave the United States.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mrs. MURRAY. Mr. President, before we go to the yeas and nays, can I just say, in setting an example for the evening, I will be less than 1 minute. We believe this is current law. We will accept a voice vote.

The PRESIDING OFFICER. The yeas and nays were already ordered on this amendment. Does the Senator from Wyoming seek recognition?

Mr. BARRASSO. A voice vote will be acceptable.

The PRESIDING OFFICER. Without objection, the yeas and nays are vitiated.

The question is on agreeing to the amendment.

The amendment (No. 184) was agreed to.

AMENDMENT NO. 382

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. On behalf of Senator MCCONNELL and myself, I have to introduce this amendment to create a

bridges fund. We have done considerable nation building abroad. I think it is time we do some nation building at home.

We have two bridges in our State, Brent Spence as well as the Sherman Minton Bridge, that need to be repaired and replaced. We do not have enough money in our highway trust fund. This would create a new bridges fund. It would come from money we are currently sending overseas to build bridges overseas. So it would bring foreign aid money back home to the United States where it is needed. It would also take some money from the Department of Energy loans, which I think can be more useful at home to build bridges.

So I urge adoption of this amendment which would allow a new creation of a bridges fund, which I think our country desperately needs.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. The Senate budget resolution that is in front of us, that we are hoping to get passed tonight, provides strong investments in transportation infrastructure. It fully funds MAP-21, the recent highway bill. It provides \$50 billion for urgent transportation needs and another \$10 billion for an infrastructure bank.

We could put more funding toward transportation projects and fund some good projects but not without making cuts to other vital programs. The amendment before us will make unnecessary and deep cuts to foreign aid and energy programs. I oppose this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 26, nays 72, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—26

Barrasso	Heller	Roberts
Coats	Inhofe	Rubio
Coburn	Johnson (WI)	Scott
Cochran	Lee	Sessions
Crapo	McConnell	Shelby
Cruz	Moran	Thune
Enzi	Paul	Toomey
Grassley	Portman	Vitter
Hatch	Risch	

NAYS—72

Alexander	Begich	Boozman
Ayotte	Bennet	Boxer
Baldwin	Blumenthal	Brown
Baucus	Blunt	Burr

Cantwell	Heinrich	Murphy
Cardin	Heitkamp	Murray
Carper	Hirono	Nelson
Casey	Hoeven	Pryor
Chambliss	Isakson	Reed
Collins	Johanns	Reid
Coons	Johnson (SD)	Rockefeller
Corker	King	Sanders
Cornyn	Kirk	Schatz
Cowan	Klobuchar	Schumer
Donnelly	Landrieu	Shaheen
Durbin	Leahy	Stabenow
Feinstein	Levin	Tester
Fischer	Manchin	Udall (CO)
Flake	McCain	Udall (NM)
Franken	McCaskill	Warner
Gillibrand	Menendez	Warren
Graham	Merkley	Whitehouse
Hagan	Mikulski	Wicker
Harkin	Murkowski	Wyden

NOT VOTING—2

Kaine	Lautenberg
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The amendment (No. 382) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. WYDEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 526

The PRESIDING OFFICER. Without objection, there is 2 minutes equally divided prior to a vote on amendment No. 526 offered by Mr. VITTER.

Mr. VITTER. Mr. President, this amendment would require photo IDs to participate in Federal elections, which is allowed now by States. However, the Justice Department is trying to virtually shut down this practice unreasonably by opposing it in many States. This would be a clarification to mandate the Federal IDs, just as we do in many other less consequential acts such as air travel.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Voter photo identification laws are overly burdensome and have the ability to disenfranchise voters. We should not attempt to implement these policies nationwide, especially at 3:15 in the morning on a budget resolution.

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—44

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Wicker
Enzi	McCain	

NAYS—54

Baldwin	Gillibrand	Murray
Baucus	Hagan	Nelson
Begich	Harkin	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Collins	Levin	Tester
Coons	McCaskill	Udall (CO)
Cowan	Menendez	Udall (NM)
Donnelly	Merkley	Warner
Durbin	Mikulski	Warren
Feinstein	Murkowski	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Kaine	Lautenberg
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The amendment (No. 526) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 338

The PRESIDING OFFICER. There are two amendments equally divided prior to a vote on amendment No. 338 offered by Mr. VITTER.

The Senator from Washington.

Mrs. MURRAY. I would just note there is nothing in a unanimous consent which precludes a Senator from withdrawing an amendment.

The PRESIDING OFFICER. The Chair thanks the Senator from Washington.

The Senator from Louisiana.

Mr. VITTER. I certainly thank the honorable chairwoman for that kind note, but I do wish to move forward with my amendment.

This amendment is simple. It ends the cell phone welfare entitlement. I yield back my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Access to a telephone is beneficial for anyone trying to get a job or attempting to communicate with their family or receiving help in an emergency. Since 1985, the Lifeline

Program has made it easier for low-income Americans to have a phone by providing a small monthly subsidy toward basic service. The program has seen an influx in new users over the past several years after the eligibility expanded to include mobile phones.

The FCC issued an order in January 2012 to attack waste, fraud, and abuse in the program, and that order has been successful.

I recommend my colleagues oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—46

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker
Cruz	McCaskill	
Enzi	McConnell	

NAYS—53

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—1

Lautenberg

The amendment (No. 338) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 471

The PRESIDING OFFICER. There is 2 minutes equally divided prior to the vote on amendment No. 471 offered by Mr. CRUZ.

The Senator from Texas.

Mr. CRUZ. Mr. President, this amendment would create a deficit-neutral reserve fund to reduce foreign assistance to Egypt and to increase funding for an east coast missile defense shield.

Just 2 weeks ago, the Secretary of State announced he had freed an additional \$250 million in an unconditional economic support fund for the Government of Egypt. This was in the midst of the sequester and at the same time the American people were told there were insufficient funds to pay for police officers, firefighters and teachers, and even White House tours.

All of us are concerned about the situation in Egypt—a nation that, among other things, has repeatedly turned a blind eye to the abuse of women and to the persecution of Christians.

Last week the European Union threatened to hold its 5 million euro pledge of economic aid to Egypt absent meaningful reforms. We should do at least as well as the EU. This amendment would reduce, in an unspecified amount, the foreign aid to Egypt and allow that money to be put to vital national security ends here at home; namely, missile defense.

I ask the amendment be adopted.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield my time to the Senator from New Jersey, the chairman of the Foreign Relations Committee.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, that money the Senator referred to was money that was already existing and it was at a critical time.

The United States and Egypt have a longstanding security relationship that is vital to the stability of the Middle East and the security of the region. Our aid to Egypt is tied directly to the Camp David Accord which has acted to stabilize the Middle East and has helped to serve America and Israel's security for the past 35 years. It is vital and it can't be put at risk.

We also have significant interests in Egypt in countering terrorism, addressing the deteriorating security in the Sinai, and maintaining preferential access to the Suez Canal.

We cannot give the Egyptian leaders a blank check, but we also cannot have a collapse of the Egyptian economy which Israel would face the immediate consequences of.

This is the type of amendment that does not consider the checks and balances necessary and the complexities of the issue, which we will handle in the committee.

I urge my colleagues to vote against the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 25, nays 74, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—25

Barrasso	Heller	Rubio
Burr	Inhofe	Scott
Coburn	Johnson (WI)	Sessions
Collins	Kirk	Shelby
Crapo	Lee	Thune
Cruz	Moran	Toomey
Enzi	Paul	Vitter
Fischer	Risch	
Grassley	Roberts	

NAYS—74

Alexander	Flake	Merkley
Ayotte	Franken	Mikulski
Baldwin	Gillibrand	Murkowski
Baucus	Graham	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Boozman	Heitkamp	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Rockefeller
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Kaine	Shaheen
Chambliss	King	Stabenow
Coats	Klobuchar	Tester
Cochran	Landrieu	Udall (CO)
Coons	Leahy	Udall (NM)
Corker	Levin	Warner
Cornyn	Manchin	Warren
Cowan	McCain	Whitehouse
Donnelly	McCaskill	Wicker
Durbin	McConnell	Wyden
Feinstein	Menendez	

NOT VOTING—1

Lautenberg

The amendment (No. 471) was rejected.

AMENDMENT NO. 702

The PRESIDING OFFICER. There is 2 minutes equally divided prior to the vote on amendment No. 702 offered by Mr. CRUZ.

The Senator from Texas.

Mr. CRUZ. Mr. President, this amendment would create a budget point of order prohibiting any measure that provides taxpayer funds to the United Nations while any member nation forces citizens to undergo involuntary abortions.

I recognize Members of this body have differing views on the right to life, but surely all of us can be agreed that for a woman to be forced against her will to abort her child is a horrific evil. Yet the world was shocked when photographs surfaced last year of 23-year-old Feng Jianmei and her aborted child.

China recently acknowledged under its one-child policy it has carried out

336 million abortions, more than the entire population of the United States. Those are 336 million lives that never breathed a breath of life on this Earth.

In 1997, the House passed a Forced Abortion Condemnation Act that, unfortunately, died in the Senate. This body should condemn that policy.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield my time to the chairman of the Foreign Relations Committee, the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, no one—no one—in this body supports forced abortions. No one. However, the United Nations has no authority to control the acts of any individual nation.

Instead of punishing the country that is carrying out the bad policy, this amendment would go after an entity that has no control over the policy and all the while negatively impacting our national interests because it takes away all funding to the United Nations if such a member country is engaged in such acts. It would impact funding for peacekeeping operations in the Golan Heights, in Darfur, in Congo; funding for Syrian refugees, which now exceeds 1 million and is threatening the political and economic instability of Jordan and Lebanon; funding to the International Atomic Energy Agency that we need to go after Iran.

These are all reasons this amendment should be voted against.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 61, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—38

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	

NAYS—61

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Blunt	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Kirk	Sessions
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	McCain	Udall (NM)
Cowan	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wicker
Flake	Murkowski	Wyden
Franken	Murphy	
Gillibrand	Murray	

NOT VOTING—1

Lautenberg

The amendment (No. 702) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 673

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on amendment No. 673, offered by Mr. LEE.

Mr. LEE. Mr. President, my amendment would establish a point of order for any piece of legislation brought before this body that would undermine the sacred right protected by the second amendment to bear arms. It is important that we safeguard this right so the government doesn't intrude upon it. That is why I have introduced this amendment, and I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I raise a point of order that the pending amendment is not germane. The underlying resolution therefore violates section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I move to waive section 305(b)(2) of the Congressional Budget Act for the consideration of the pending amendment No. 673 pursuant to section 904(c) of the Congressional Budget Act of 1974, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—50

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Baucus	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hagan	Pryor
Burr	Hatch	Risch
Chambliss	Heitkamp	Roberts
Coats	Heller	Rubio
Coburn	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Wicker
Donnelly	McCain	

NAYS—49

Baldwin	Heinrich	Reed
Begich	Hirono	Reid
Bennet	Johnson (SD)	Rockefeller
Blumenthal	Kaine	Sanders
Boxer	King	Schatz
Brown	Kirk	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coons	McCaskill	Udall (NM)
Cowan	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	
Harkin	Nelson	

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 50 and the nays are 49. Three-fifths of the Senators not having voted in the affirmative, the motion is not agreed to, the point of order is sustained, and the amendment falls.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 521

The PRESIDING OFFICER. Without objection, there is now 2 minutes equally divided prior to a vote on amendment No. 521, offered by Mr. LEE. The Senator from Utah.

Mr. LEE. Mr. President, the Payments in Lieu of Taxes Program was established to compensate local taxing authorities, such as counties, for the tax revenue lost due to the presence of Federal public land. Unfortunately, the funding for this program has never been offered to the degree necessary that it would, in fact, offset this revenue. In States such as mine, where most of the land is owned by the Federal Government, this is a big problem because our taxing authorities are not able to get the revenue they need from this land. As a result, programs ranging from public education to fire and safety programs—the basic services of government—are not able to be met because of inadequate revenue.

This amendment seeks to ensure that funding for the Payments in Lieu of Taxes Program is at least roughly equivalent to the actual lost property

tax revenues due to the presence of Federal public land. I urge each of my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. We will take this on a voice vote.

Mr. LEE. I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I would ask that the Senator accommodate us. We are willing to give it to him.

Mr. LEE. Let's do it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 521) was agreed to.

AMENDMENT NO. 414 WITHDRAWN

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on amendment No. 414, offered by Mr. COBURN.

Mr. COBURN. I ask unanimous consent to withdraw the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 416

There is now 2 minutes equally divided prior to a vote on amendment No. 416, offered by Mr. COBURN. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, with a lot of consternation, we are worried about how the sequester affects everybody—the Defense Department and all the other agencies. But in fact the Pentagon spends \$67 billion on things that have absolutely nothing to do with defense. All we will be doing is creating a deficit-neutral reserve fund to move this nondefense spending—either move it or eliminate it from the Defense Department.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it is important to reduce wasteful spending and ensure all Federal funding is spent efficiently and effectively. The budget resolution is not the appropriate place for funding decisions at a subprogrammatic level.

I recommend we oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 88 Leg.]

YEAS—43

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	
Enzi	McConnell	

NAYS—56

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Collins	Levin	Tester
Coons	Manchin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NOT VOTING—1

Lautenberg

The amendment (No. 416) was rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THANKING THE SENATE PAGES

Mrs. MURRAY. Mr. President, before we go to the next vote, I would like to thank all the pages. They have been here all night working, and I would like to thank them: Austin Hall, Patrick Irby-Bailey, Emma Duhnke, Andrew Brennen, Stewart Maxfield, Britany Robertson, and Katie Robinson.

(Applause, Senators rising.)

AMENDMENT NO. 709

The PRESIDING OFFICER. There is 2 minutes equally divided prior to a vote on amendment No. 709, offered by Mr. COBURN.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, 3½ years ago we instructed the GAO to tell us where the government problems were, what are the government programs, and where was there duplication. We have yet to pass one piece of legislation that would eliminate any of the duplication in the Federal Government—not one. What this does is combine 17 different amendments that I had offered on this budget to create a deficit-neutral reserve fund to cause us—to force us—to look at all these programs by area and consolidate them.

What this amendment would do, very specifically—it doesn't say you eliminate; it says you consolidate. You get efficiency, you get effectiveness, and you look to make sure when we are spending tax dollars that they are actually accomplishing something and they are doing it in the most efficient and effective ways.

I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mrs. MURRAY. The budget already includes a deficit reduction reserve fund for the elimination, consolidation, and reform of Federal programs to achieve savings. Our budget goes even further to instruct committees to review the GAO report on duplication and asks committees to use this information to reduce overlap and identify efficiencies. The budget does not single out individual programs because we believe that sorting through duplication should be the role of our authorizing committees. That is why we have specifically instructed committees to review GAO's findings on duplication in their high-risk list.

Therefore, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—62

Alexander	Fischer	Merkley
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Nelson
Begich	Hagan	Paul
Bennet	Hatch	Portman
Blunt	Heller	Pryor
Boozman	Hoeven	Risch
Burr	Inhofe	Roberts
Casey	Isakson	Rubio
Chambliss	Johanns	Scott
Coats	Johnson (WI)	Sessions
Coburn	Kaine	Shaheen
Cochran	King	Shelby
Collins	Kirk	Tester
Corker	Klobuchar	Thune
Cornyn	Lee	Toomey
Crapo	Manchin	Vitter
Cruz	McCain	Warner
Donnelly	McCaskill	Wicker
Enzi	McConnell	

NAYS—37

Baldwin	Carper	Gillibrand
Blumenthal	Coons	Harkin
Boxer	Cowan	Heinrich
Brown	Durbin	Heitkamp
Cantwell	Feinstein	Hirono
Cardin	Franken	Johnson (SD)

Landrieu	Reed	Udall (CO)
Leahy	Reid	Udall (NM)
Levin	Rockefeller	Warren
Menendez	Sanders	Whitehouse
Mikulski	Schatz	Wyden
Murphy	Schumer	
Murray	Stabenow	

NOT VOTING—1

Lautenberg

The amendment (No. 709) was agreed to.

AMENDMENT NO. 154

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to a vote in relation to amendment No. 154, offered by Mr. PORTMAN.

Mr. PORTMAN. Mr. President, this should be an easy one. It is simply an amendment that says that here in the Senate we should have better information to be able to legislate better. By the way, it is information that the House of Representatives already has. Surely we would want to have the same information in the Senate that the House of Representatives as they pursue tax reform.

This says the Congressional Budget Office should provide the Joint Tax Committee macroeconomic analysis of tax reform. It only applies to tax bills over a certain amount, \$5 billion a year. I worked with the Joint Committee on Taxation and the Congressional Budget Office to ensure this would not require more work because the analysis is already done, but it is not provided to us.

Under a 2003 rule in the House, it is provided to the Ways and Means Committee. It is required to be provided but not to us. We heard a lot of discussion over the last several days about the need for tax reform—Democrats and Republicans agree on that—and we agree it ought to be progrowth. The President called for it. This would enable us to legislate more wisely.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield to the Chair of the Finance Committee.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, the amendment requires something called dynamic scoring. The Joint Committee on Tax, which provides us with information on how to score revenue measures, uses conventional scoring, and has been doing this for years and years. And they do utilize the secondary effects when they do conventional scoring.

Dynamic scoring goes many steps farther. It tries to dissipate the macroeconomic effect down the road, which is basically what Ben Bernanke does. It is very difficult and arbitrary and very hard to do. It would cause great swings. It may be close to the mark, it may be off the mark.

In addition, this amendment required dynamic scoring only with respect to

revenue measures, but not required with respect to spending measures. When CBO does spending, they use conventional scoring. I might also say that in the footnote, the Joint Committee on Tax already gives its best guess of what the dynamic scoring would be, although that is not the numbers they use when they try to estimate the revenue effect.

I think it would be a big mistake to do that at this time.

Mr. LEVIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—51

Alexander	Fischer	McCain
Ayotte	Flake	McCaskill
Barrasso	Graham	McConnell
Begich	Grassley	Moran
Blunt	Hagan	Murkowski
Boozman	Hatch	Paul
Burr	Heitkamp	Portman
Chambliss	Heller	Risch
Coats	Hoeven	Roberts
Coburn	Inhofe	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kaine	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	Manchin	Wicker

NAYS—48

Baldwin	Gillibrand	Pryor
Baucus	Harkin	Reed
Bennet	Heinrich	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Coons	Menendez	Udall (CO)
Cowan	Merkley	Udall (NM)
Donnelly	Mikulski	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Franken	Nelson	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 154) was agreed to.

AMENDMENT NO. 710

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote in relation to amendment No. 710 offered by Mr. LEAHY.

Mr. LEAHY. Mr. President, this amendment is very clear, and it anticipates another amendment coming up by another Senator. The United States

negotiates treaties, for example, the Arms Trade Treaty. But under the Supreme Court, *Reid v. Covert*, 1956, our Constitution trumps any agreement made in a treaty by our government.

So all my amendment does is make clear that the United States should not agree to any arms trade treaty that would violate our second amendment rights. It is straightforward, it respects our constitutional rights, but it also gives our government the flexibility it needs to negotiate treaties.

I would be happy with a voice vote.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I think this is a good amendment. I want to make it very clear that this has nothing to do with my amendment No. 139, which comes up next. This is merely talking about negotiating treaties. Mine is about opposing second amendment rights.

I have no objection to taking this by voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 710) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 525

Mrs. MURRAY. Mr. President, before going to the next amendment, I have one unanimous consent request. Senator SESSIONS and I have been able to clear Durbin-Moran amendment No. 525. I ask unanimous consent that it be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 525) was agreed to, as follows:

AMENDMENT NO. 525

(Purpose: To establish a deficit-neutral reserve fund to increase funding for the National Institutes of Health)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE FUNDING FOR FEDERAL INVESTMENTS IN BIOMEDICAL RESEARCH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to Federal investments in biomedical research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AMENDMENT NO. 139

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided in the usual

form prior to our final vote on amendment No. 139 offered by Mr. INHOFE.

Mr. INHOFE. Mr. President, I want to make sure that everyone understands what the United Nations trade treaty is. The trade treaty is a treaty that cedes our authority to have trade agreements with our allies in terms of trading arms.

I want to very briefly read this so nobody over there or over here misunderstands what this amendment does. This is right out of the amendment. Uphold the second amendment rights, that is one thing. And secondly, prevent the United States from entering into the United Nations arms trade treaties.

I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield to the Chairman of the Judiciary Committee, the Senator from Vermont.

Mr. LEAHY. Mr. President, we are presently negotiating an arms trade treaty which will help to keep illicit firearms out of the hands of war criminals and terrorists. It is a humanitarian issue. We have people such as Joseph Kony who is out murdering children. He is able to do it because he is taking part in the international arms trade. We are trying to stop those things.

My earlier amendment makes it very clear, we cannot trump our own second-amendment rights, but we can stop these children from being killed because of this, and that is why I oppose the Inhofe amendment. Let our negotiators negotiate. Any treaty still has to come back here to get a two-thirds vote anyway.

The PRESIDING OFFICER. The Senator from Oklahoma has 18 seconds remaining.

Mr. INHOFE. Mr. President, first of all, the idea that we would have to go to the international body to decide whether we would trade arms with Israel is pretty disgusting. I want to make sure everyone understands. This is the first time—probably the last time this year that we are going to have a chance, an opportunity to vote for our second amendment rights. I think my colleagues should take advantage of it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. INHOFE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—53

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Begich	Grassley	Paul
Blunt	Hagan	Portman
Boozman	Hatch	Pryor
Burr	Heinrich	Risch
Chambliss	Heitkamp	Roberts
Coats	Heller	Rubio
Coburn	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johanns	Tester
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Donnelly	Manchin	Wicker
Enzi	McCain	

NAYS—46

Baldwin	Harkin	Reed
Baucus	Hirono	Reid
Bennet	Johnson (SD)	Rockefeller
Blumenthal	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Udall (CO)
Casey	McCaskill	Udall (NM)
Coons	Menendez	Warner
Cowan	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—1

Lautenberg

The amendment was agreed to.

The PRESIDENT pro tempore. There is now 2 minutes equally divided prior to a vote on the concurrent resolution.

The majority leader.

Mr. REID. Mr. President, first of all, over the last two decades the average budget resolution considered 78 amendments. We have done 101. The average vote-arama is 35 amendments. We have done 70—twice as many. Doing this has been a Herculean feat, but it has been done by the leadership of Senator MURRAY, with Senator SESSIONS. I think we all should recognize how hard this has been for Senator MURRAY.

(Senators applauding.)

Mr. MCCONNELL. Would the majority leader yield?

Mr. REID. Yes, of course. I would be happy to yield.

Mr. MCCONNELL. Mr. President, I want to commend Senator MURRAY, Senator SESSIONS, and the majority leader for conducting an open and complete and full debate. I know everyone is exhausted, and people may not feel it at the moment, but this is one of the Senate's finest days in recent years, and I commend everyone who has participated in this extraordinary debate.

Mr. REID. Mr. President, we don't have to have a quorum call. We are not going to be voting from our desks, so everybody can go back to regular disorder.

The PRESIDENT pro tempore. There will now be 2 minutes for debate equally divided prior to a vote on the concurrent resolution.

The Senator from Washington.

Mrs. MURRAY. It is late—early in the morning. I want to take this opportunity to thank my colleague Senator SESSIONS for a vigorous debate and for all of our colleagues participating in this debate. I am very proud of my colleagues. I urge a “yes” vote.

The PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I have so enjoyed working with the chairman. She has done a great job. She has managed this group as we needed to be managed.

I am disappointed in the budget. It does not do the job for our times.

I thank the Chair and look forward to the vote.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution, as amended.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The PRESIDING OFFICER (Ms. HIRONO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—50

Baldwin	Heinrich	Nelson
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden
Harkin	Murray	

NAYS—49

Alexander	Enzi	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Baucus	Graham	Portman
Begich	Grassley	Pryor
Blunt	Hagan	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Collins	Johnson (WI)	Toomey
Corker	Kirk	Vitter
Cornyn	Lee	Wicker
Crapo	McCain	
Cruz	McConnell	

NOT VOTING—1

Lautenberg

The concurrent resolution (S. Con. Res. 8), as amended, was agreed to.

(The concurrent resolution will be printed in a future edition of the RECORD.)

Mrs. MURRAY. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, the Senate has passed a budget. I want to thank all of my colleagues. I especially want to thank our staff who have literally spent weeks and weeks and days and hours on this—Evan Schatz and Mike Spahn and John Righter and the others who are sitting behind us tonight—as well as Senator SESSIONS and all of his staff.

It is a tribute to their hard work and my lost voice that we are sitting here tonight ready to take the next step to get our country back on a better fiscal path.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I also would like to thank the staff. My group is here. And I say to Senator MURRAY, your team is fabulous.

We work hard on bills that come through the Senate, and there are a lot of challenges. But few are bigger than this, with all these amendments—hundreds of them that came through—and it was a real challenge.

I congratulate the staff, I congratulate the Senator's team, and I hope we can continue to have good relations as we go forward and work together.

I would mention Marcus Peacock, my staff director, who was fabulous. He enjoyed every minute of this. I asked him how he was doing, and he said: I am going to be sorry tomorrow when it is over. But maybe that is a sign of sickness. I do not know.

I want to express my appreciation to my staff: Dan Kowalski, Bill Beach, Greg D'Angelo, Gene Emmans, George Everly, Matt Giroux, Brittany Godwin, Tori Gorman, Graham Hixon, Andrew Herther, Chris Jackson, Cari Kelly, Joseph McCormack, Greg McNeill, Carlton Milsap, Marcus Peacock, Kim Proctor, John Selden, William Smith, Paul Winfree, Stephen Miller, Andrew Logan, Garrett Murch, and Katie Moses. I think that is everybody. Tori Gorman has been back there in the center of that zoo and did a great job for us trying to work on these amendments.

So, again, I would like to thank Senator MURRAY for her leadership, helping us get through this difficult time, and it is good to say that as of this time, 5 a.m., there has not been a day without a budget being passed in the Senate.

(Laughter.)

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. PRYOR. Madam President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT ANNIVERSARY

Mr. LEAHY. Mr. President, three years ago tomorrow, President Obama signed into law the Affordable Care Act. This landmark law will extend health insurance coverage to millions of uninsured Americans when the reforms are fully implemented next year. Getting to this point has been an arduous process. But in the end, this achievement proved that real reform is possible, and that the voices of so many Americans who over the years have called on their leaders to act have finally been heard.

Since its passage, Americans have seen the immediate benefits of the Affordable Care Act and 3 years later, those improvements continue. Seniors on Medicare who have high-cost prescriptions are continuing to receive help when trapped within the coverage gap known as the doughnut hole. The Affordable Care Act completely closes the coverage gap by 2020, and the new law makes it easier for seniors to afford prescription drugs in the meantime. In 2010, more than 7,000 Vermonters received a \$250 rebate to help cover the cost of their prescription drugs when they hit the doughnut hole. Last year alone, nearly 6,400 Vermonters with Medicare received a 50-percent discount on their covered brand-name prescriptions, resulting in an average savings of \$765 per person. Since the Affordable Care Act was signed into law, more than 5,000 young adults in Vermont have gained health insurance coverage under these reforms, which allow young adults to stay on their parents' plans until their 26th birthdays. The improvements we are seeing in Vermont go on and on: in 2011 and 2012, 71 million Americans and 151,000 Vermonters with private insurance gained access to and received preventative screening coverage with no deductible or copay, including more than 80,000 Medicare beneficiaries. These are just a few of the dozens of consumer protections included in the law that are benefiting Vermonters and all Americans every day, and in many ways.

The law goes into full swing next year as even more consumer protections are implemented and millions more Americans gain access to health insurance coverage. Beginning in Janu-

ary, insurance companies will no longer be allowed to deny coverage to individuals with preexisting health conditions or to charge higher premiums based on health status or gender. Unfortunately, estimates show that 44,000 Vermonters currently do not have health insurance, but with the Medicaid expansion contained in the Affordable Care Act, 84 percent of these Vermonters will qualify for Medicaid or a premium tax credit. Also important to Vermonters, to assist Vermont with our State's work on implementing Vermont's State-based health insurance exchange—or marketplace—Vermont has received more than \$125,000,000 in grants for research and for information technology development, as well as almost \$3,480,000 for maternal health programs. These tangible initiatives help at-risk families gain the support they need to improve their children's health and ability to learn, and they help prevent child abuse.

I was proud as well to work with Senator GRASSLEY and others to include strong anti-fraud provisions in the law that already have helped prevent and detect fraudulent activities that in the past have cost American taxpayers multiple millions of dollars each year. Thanks in part to these efforts, \$4.2 billion was returned to taxpayers last year alone.

In only 3 years, Vermonters across our State have seen the many benefits of health care reform unfold in their lives. I see and hear about these improvements and pocketbook savings in visits to every corner of our State. At home in Middlesex and throughout Vermont, whether I am in the grocery store, at the gas pump, or at church, I am constantly reminded of how important access to quality affordable health care is to individuals and families. I applaud Vermont's efforts to expand the Affordable Care Act's reach even further to help every resident secure health insurance. I am proud that the Affordable Care Act offers Vermont the foundation it needs to reach this goal, and I look forward to working to see that it is met.

Regrettably, opponents of the Affordable Care Act continue to misleadingly attack the law in an attempt to undermine its implementation. The moment President Obama signed this bill into law, opponents sought to continue their political battle by challenging the landmark legislation in the courts. With the legal challenges now nearly resolved, we are now seeing amendments filed to every bill we consider on the floor, aimed at repealing or gutting the Affordable Care Act. In fact, on the budget resolution we are considering today, dozens of amendments have been filed in an effort to block the Affordable Care Act's implementation, to undermine its success in making lives better across the land, or to repeal the

law completely. This is unfortunate, it is shortsighted, and it is cynical. Even more shameful is the budget resolution considered and passed by the House this week. The House-passed budget would make drastic changes to the Medicaid Program causing 14 to 20 million Americans to lose health coverage; it would replace Medicare with a voucher scheme costing seniors at least \$6000 more per year; and would completely repeal all the consumer protections included in the Affordable Care Act.

The Affordable Care Act is not perfect, but in the true interests of the people we represent we should be working together to ensure its success. We can make improvements where necessary, but we must allow full implementation to continue. Already the Affordable Care Act has changed so many lives for the better, and we must not turn our backs on the millions more who will have access to health care next year because of these reforms.

The Affordable Care Act is a tremendous achievement that will improve the lives of Americans for generations to come. This anniversary is a time to renew our commitment to completing this important work on behalf of the American people, who are counting on us to do the right thing. With each year that we move forward to implement the features of this landmark health care reform law, the stories of families not being able to gain access to affordable coverage are becoming fewer and fewer and are being replaced by stories of the success of these reforms, one family at a time, all across Vermont and all across America. I look forward to continuing to work with Vermont and with the administration as the law moves forward in its fourth year.

BRATTLEBORO REFORMER CENTENNIAL

Mr. LEAHY. Mr. President, in visiting with fellow Vermonters in and around Brattleboro in southern Vermont last weekend, I appreciated the opportunity to be in town during the month The Brattleboro Reformer marked its centennial anniversary. Local newspapers serve their communities in so many vital ways, and we in Vermont are blessed to have so many that have endured and served for so long.

These are challenging times for newspapers, as newsrooms and publishers adapt to rapidly changing technologies and public preferences. The Brattleboro Reformer has been quick on its feet to meet these challenges. I join with all Vermonters in congratulating The Reformer's hard-working staff on this historic anniversary, and we wish them many more.

I ask unanimous consent to have printed in the RECORD a recent news article about this milestone.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE BRATTLEBORO REFORMER TURNS 100
[From the Vermont Digger, Mar. 10, 2013]
(By Randolph T. Holhut)

BRATTLEBORO—The Brattleboro Reformer celebrated its 100th anniversary as a daily newspaper with cake, coffee, and an open house for well-wishers on March 1.

For Publisher Ed Woods, the fact that a small town in Vermont has held on to its daily newspaper while other major cities have seen their daily papers cut back in publishing frequency, or close down altogether, is a testament to the uniqueness of Windham County.

"Southern Vermont is different from the rest of the country," said Woods, who has been the Reformer's publisher since 2008. "We're providing news and information in the way that our customers request it."

That means delivering a paper-and-ink edition of the Reformer every day but Sunday, while gradually building up an audience that wants its news online.

According to the most recent circulation figures for the Reformer by the Audit Bureau of Circulations, the paper's total average daily circulation was 6,756 print editions and 1,093 digital editions, or a total of 7,849 as of March 31, 2012.

For the Saturday Weekend Reformer, circulation was 8,155 print and 1,091 digital for a total of 9,246.

By comparison, in the March 31, 2007, report, total average circulation was 9,684 on weekdays and 10,709 on Saturdays.

Although print circulation is down, Executive Editor Tom D'Errico is quick to point out that the digital reach of the paper is growing.

The paper currently has 6,000 followers of its Facebook page, which D'Errico said it is using as a breaking news site that complements www.Reformer.com, and there are 1,200 subscribers to the paper's Twitter feed.

"These things didn't exist for us two and a half years ago," said Woods. "Social media is bringing our news to a new audience. The transition to digital is going to happen, but it's going to happen more slowly here." He cited the slow progress of bringing universal broadband coverage to southern Vermont, and the older population of the county that still prefers a paper-and-ink news source.

D'Errico, who became the managing editor of the Reformer in 2007, said that social media—Facebook, Twitter, and the like—has become critical to the way his paper gathers and disseminates the news. "That's how people tip us off to stories now," he said. "It's easy and instantaneous, compared to email or a phone call."

And, with a newsroom that is smaller than it used to be, it allows the four full-time reporters to cover more ground than before.

LONG HISTORY

Although the Reformer published its first daily edition on March 3, 1913, the paper had long history prior to that date.

Charles Davenport, a stalwart Democrat, started The Windham County Reformer in 1876 as a weekly paper to counter what Davenport believed was the pro-Republican bias of The Vermont Phoenix—then the dominant weekly newspaper in Brattleboro.

Howard C. Rice bought an interest in the paper from Davenport in 1905, and two years later, moved it into the American Building on Main Street—the Reformer's home for the next seven decades until it moved to its present location on Black Mountain Road in October 1981.

Few had faith that Brattleboro could support its own daily paper, but Rice eventually convinced Windham County that it could consume its news in daily bites, and like it. That began in 1913, when the Phoenix and Reformer merged. The Phoenix continued as the weekly edition of the Reformer until it was discontinued in 1955. By that point, the daily Reformer's circulation had grown from less than 2,500 to more than 7,000.

Rice stepped down as editor and publisher in 1950 and was succeeded by John S. Hooper. The Rice family continued to own the paper until 1966, when it was purchased by the Miller family, owners of The Berkshire Eagle in Pittsfield, Mass.

Under the Millers, the changes came fast and frequent. Offset printing was introduced in 1969, and molten lead and Linotypes gave way to computerized typesetting and paste-up. Typewriters gave way to video display terminals in the late 1970s. The biggest change of all, besides the move to the new plant off Putney Road, was the switch from afternoon to morning publication in 1982.

All of these changes were overseen by Norman Runion, who started at the Reformer as Hooper's assistant in 1969 and became the managing editor in 1971.

By the time the Reformer celebrated its 75th anniversary as a daily in 1988, circulation had grown to more than 10,000. Runion retired two years later, leaving a legacy of building what former Boston Globe editor Tom Winship once called the best small newspaper in New England.

But the next big change came in 1995, when the Miller family sold the paper to Denver-based MediaNews Group (MNG), ending more than eight decades of local ownership.

CHANGE IS CONSTANT

In the years since the sale of the paper to MediaNews Group, the paper has made the change from analog to digital, in the design of its news pages as well as its photography.

Delivery of the news changed also. The World Wide Web went from a curiosity to a disruptive force in publishing in the space of a decade, and papers large and small have scrambled to keep up.

Meanwhile, MNG acquired the Town Crier family of free weeklies in the late 1990s, and expanded the Black Mountain Road plant to accommodate their new purchase. They also bought the Original Vermont Observer, another weekly, in the mid-2000s. The papers were ultimately merged into one weekly, and were discontinued in 2012.

But for all the turmoil of a changing industry, and changing economics, the Reformer endures. With MNG joining the Journal Register Company to form Digital First Media in 2011, there has been a greater emphasis on transforming the two newspaper companies into one online media company.

"John Paton [the CEO of Digital First] has brought to us a business model to make the transition to digital media," said Woods. "We are beginning to see the resources arrive here to make that transition. Our mission to provide the news hasn't changed, just the way we deliver the news."

And both Woods and D'Errico say they have come to realize what a humbling experience it is to run a newspaper that people still feel passionate about, and are quick to offer an opinion about.

"A lot is changing in this industry, and it is impossible not to embrace the change," said Woods. "But our core responsibility is not changing at all."

"Small-town newspapers offer something that can't be found anywhere else," said D'Errico. "While big city newspapers are

struggling, our focus on local news makes us as valuable today as we were in 1913.”

PATUXENT RIVER NAVAL AIR STATION

Mr. MCCAIN. Mr. President, I rise to speak on the 70th anniversary of the commissioning of Naval Air Station, NAS, Patuxent River. On April 1, 1943 the base was commissioned and the Navy Department issued the following press release:

“Naval Air Station, Patuxent, situated on a 6,500-acre tract at Cedar Point, Maryland, was commissioned today with Rear Admiral John S. McCain, U.S.N., Chief of the Bureau of Aeronautics; Rear Admiral F. L. Reichmuth, U.S.N., Commandant of the Potomac River Naval Command, and Representative Landsdale G. Sasser of Maryland speaking at the commissioning exercises.

The commissioning address was made by Rear Admiral Reichmuth who turned the situation over to Commander William T. Rassieur, U.S.N., of 1429 South Westmoreland Avenue, Los Angeles, California.

Naval Air Station, Patuxent, will be one of the finest and largest Navy aviation establishments in the East when construction work is completed. It will combine and concentrate flying and operating aspects of experimental work previously conducted at Naval Air Station, Anacostia, and Norfolk, and at the Naval Aircraft Factory, Philadelphia. It will serve also as the East Coast terminal for Naval Air Transport Service, now located at Norfolk.

The new station is 60 airline miles southeast of Washington, D.C. Six thousand people have been employed constructing the station, beginning work on March 1, 1942.

Facilities for both land and seaplanes have been installed, while docks also have been constructed for vessels which will handle freight in connection with activities of the air transport unit.

In addition to seaplane ramps, the field has three runways for land plane. The largest is 10,000 feet in length and 500 feet wide, while the remaining two are 6,000 feet long and 300 feet wide. Four hangars for all types of planes are among the 45 buildings of the station.

When fully staffed the station will have several thousand officers and men.”

Mr. President, as noted earlier in the Navy’s press release, my Grandfather then Rear Admiral McCain, was a speaker at the commissioning in 1943. In his speech he said, “I have every reason to expect that under your expert guidance this work will be done more rapidly and more efficiently, and that it will rapidly increase in scope and its effectiveness, as it must do for naval aviation to meet its present problems and to hold its proper place

as an outstanding major air service of the world.”

Mr. President, today NAS Patuxent River, commonly referred to as Pax River, hosts over 17,000 people, including active-duty servicemembers, civil-service employees, defense contractor employees, and military dependents. NAS Patuxent River is home to the Naval Air Systems Command, NAVAIR, Headquarters, Air Test Wing Atlantic, U.S. Naval Test Pilot School, Scientific Development Squadron 1, Air Test and Evaluation Squadron 20, Rotary Wing Test Squadron 21, and Air Test and Evaluation Squadron 23.

For nearly 70 years, the dedicated men and women of NAS Pax River have made the impossible possible, turning theory into experiment and experiment into operational capability. The dedicated and skilled workforce of NAS Patuxent River has made innumerable contributions to the aerospace industry, the Naval Aviation Enterprise, and the economic and national security of the United States. Their attention to detail is directly reflected in the record of excellence of United States Naval Aviation. During both war and peace their meticulous and exacting work to support the defense of our Nation has continued, ensuring, as my grandfather expected, that naval aviation meets its present problems and holds its proper place as an outstanding major air service of the world.

While the historic sites, natural resources, and technology contained within its gates make it a unique destination; it is undoubtedly the people of Naval Air Station Patuxent River and their distinguished service that make it an irreplaceable National asset. On April 1, 2013, they will celebrate the 70th anniversary of the base commissioning. In recognition of this major milestone I wish them continued success in their future endeavors.

REMEMBERING CASSANDRA WOODS

Mr. LEVIN. Mr. President, earlier this month, I, my staff, and the entire State of Michigan lost someone very special. Cassandra Woods, my longtime State staff director, passed away after fighting cancer for two decades.

Cassandra Woods was one of the most extraordinary people I have ever known.

She became the heart and soul of my Michigan offices. After beginning as an intern more than 30 years ago, she served as my State director for the last 12. She led a staff of 25 in 7 offices around the State into becoming a cohesive team serving the public.

In countless efforts to bring growth and hope to our people, she pressed forward and never wavered—from river-front projects, to M-1 Rail on Woodward Avenue, to Focus:HOPE, to our effort to bring a baseball academy for

kids adjacent to the old Tiger Stadium field, and oh so much more in so many places around our state.

She was an invaluable source of advice and counsel to me and to my Washington staff. She represented me at public events and in meetings with State and local officials. All the while, she kept adding her energy and her way of looking at life to her own personal missions.

Cassandra brought to her family and to our community her unique combination of great inner strength and an outward gentleness, an iron will with a smiling demeanor, a way of being direct and blunt in an engaging and positive way, imparting tough love and discipline with compassion and almost always with that wonderful laugh of hers.

Cassandra’s legendary courage in her two-decade battle with cancer and the way she inspired others to take on that adversity with fierce calm left an indelible impact on the countless people whom she lifted up.

I am fortunate enough in my job to meet some incredibly brave people. I have traveled many times to Afghanistan and other places where American troops are in harm’s way. I have met young men and women who have done incredible things, shown unfathomable courage, faced dangers so great that, had they simply turned and fled in terror, none of us could really blame them. And I have heard and remembered the stories of those who chose not to flee, knowing that by standing their ground, they would risk or even give up their lives.

Cassandra Woods’ life was worthy of a different kind of awe. John F. Kennedy once wrote, “Without belittling the courage with which men have died, we should not forget those acts of courage with which men have lived.” Cassandra had an unflinching courage to live and to pass that courage on to others. She became a tireless and effective advocate for cancer patients. After defeating cancer for the first time almost 20 years ago, she felt a responsibility, with God’s help, to assist others, in her words, to “come through the fire and come out whole.”

Her life-affirming commitment was present when she was on the frontlines a few years ago in the electoral battle to permit stem cell research in Michigan and, of course, in her joyous activities in her church.

When Barb and I visited with Cassandra a few days before she passed away, she reminisced about many things. More than anything else, she spoke to us about her love of her family, her mother and her children. With special passion, she spoke of her two grandchildren: Justin, with whom she spent so much time and whom she took so much joy in watching grow; and Bianca, who slept in Cassandra’s bed after the two of them would sing songs together to help Bianca fall asleep.

Cassandra applied a sense of family to our community. One Christmas, the staff, who loved her so much and whom she loved so much, was discussing how long to close our offices over the holidays. Some wanted our offices closed for the whole week between Christmas and New Year's. Cassandra wouldn't hear of such a thing. Christmas is a time of year when some of Senator LEVIN's constituents need our help the most, she said. We shouldn't close the office more than a day or two. And that was the end of the discussion. It was so typical of Cassandra; she was always thinking of others who might need help.

The poet Dylan Thomas urged us not to go "gentle into that good night" but rather to "rage against the dying of the light." Cassandra Woods chose another way to leave us—by going gently, guided by her brave heart and her abiding faith and with the same grace and confidence that marked her life, a life so full of a light that will not die but will shine always in the hearts of all of us who loved her.

50TH ANNIVERSARY OF GIDEON V. WAINWRIGHT

Mr. HARKIN. Mr. President, Monday marked the 50th anniversary of the Supreme Court's landmark decision in *Gideon v. Wainwright*. That decision recognized that every person accused of a crime, whether wealthy or poor, is guaranteed the right to counsel. At its core, *Gideon* is the promise of justice for all, including the most vulnerable citizens of our society.

We need to celebrate that landmark ruling and to recognize Clarence Gideon. In many instances throughout our history, it has been ordinary citizens who have led to the most profound changes in our country, and that is certainly the case here.

Clarence Gideon was a poor drifter with a history of drinking and gambling. He was charged in Florida with breaking and entering into a pool hall and stealing money from vending machines. When he requested a lawyer be appointed to represent him, because he could not afford to hire an attorney, he was told that a lawyer was only provided to defendants facing the death penalty.

From his prison cell at the Florida State Prison, Gideon wrote a handwritten note to the U.S. Supreme Court seeking to overturn his conviction because he had not been appointed a lawyer. That note read, simply: "The question is I did not get a fair trial. The question is very simple. I requested the court to appoint me attorney and the court refused."

That handwritten note led, 50 years ago Monday, to the Court unanimously declaring the "obvious truth" that "lawyers in criminal court are necessities, not luxuries." As the Court made clear:

In our adversary system of criminal justice, any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him.

From the very beginning, our state and national constitutions and laws have laid great emphasis on procedural and substantive safeguards designed to assure fair trials before impartial tribunals in which every defendant stands equal before the law. This noble idea cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him.

Mr. President, since *Gideon*, there has been progress. Since 1963, governments have expended greater resources in defending accused persons, and many more criminal defendants receive fairer trials with due process of law. And, we must acknowledge the thousands of lawyers, many of whom have the education and skills to command much higher salaries in the private sector, who have chosen to dedicate their careers to ensuring the rights of our most vulnerable citizens, those accused of a crime. As just one example, I am proud that I recently recommended Jane Kelly, a career Federal defender in Iowa, to the Eighth Circuit Court of Appeals, and I look forward to her speedy confirmation.

While we rightly celebrate *Gideon* and the progress over the last 50 years, we must acknowledge that we have much work still to do. As Attorney General Holder recently said,

[a]cross the country, public defender offices and other indigent defense providers are underfunded and understaffed . . . Millions of Americans still struggle to access the legal services that they need and deserve—and to which they are constitutionally entitled.

Even when a defendant is provided an attorney, too many are represented by attorneys who do not have the time, training, or tools to do their jobs properly. Many defendants are "represented" by lawyers who have hundreds of other cases and who lack requisite expertise and sufficient support staff. Too often the representation is perfunctory and so deficient as not to amount to representation at all.

According to a 2011 report by the Justice Policy Institute, only 27 percent of county-based public defender offices and 21 percent of state public defender systems have enough attorneys to meet national guidelines. Only 7 percent of county-based public defender offices have enough investigators to meet national guidelines, and 87 percent of small county-based public defender offices do not have a single full-time investigator.

As a result, too many defenders lack access to sufficient resources to interview key witnesses, collect or test physical evidence, or generally prepare a quality defense. A 2009 investigation by the Constitution Project, the National Legal Aid & Defender Association, and the National Right to Counsel Committee found documented in-

stances in which public defenders carried as many as 500 active felony cases at a time—the American Bar Association recommends 150—and as many as 2,225 misdemeanor cases. The ABA recommends 400.

According to a Brennan Center report, the average amount of time spent by a public defender at arraignment is often less than 6 minutes per case. And, the National Law Journal article examining *Gideon*'s anniversary highlighted the fact that in Wisconsin, private lawyers who are hired to represent indigent defendants are paid \$40 an hour—unchanged since 1978. In Maryland, a State court of appeals last year ruled defendants are entitled to counsel at bail hearings. Rather than paying to ensure this right, the State legislature repealed the law instead.

Unfortunately, sequestration is exacerbating the problem. In Iowa, the Federal defender has notified the Federal courts that because of the sequester, each Federal defender employee will need to be furloughed for 20 to 24 days between April 8 and September 30. The Federal defender is being forced to close the Southern District Office on Mondays and the Northern District Office on Fridays. These furloughs and closings will put a strain on already overworked public servants and has the risk of jeopardizing the quality representation every defendant in Iowa deserves.

When criminal defendants lack quality representation, there is a heightened risk of our justice system making egregious mistakes. We have learned all too well, especially with the advent of DNA evidence, that an unknowable number of genuinely innocent persons have been wrongly convicted. For innocent persons to lose their liberty or, in the case of the death penalty, their lives, is a travesty of justice. It is a national shame. And, as Attorney General Janet Reno once said, "in the end, a good lawyer is the best defense against wrongful conviction." There is no more telling example than *Gideon* himself. After the Supreme Court ruled in his favor, he was retried, only this time with a lawyer. The jury took 1 hour to acquit him.

Recognizing that we must improve our system of representation for indigent Americans, I am proud to cosponsor the *Gideon's Promise* Act, introduced Monday by Senator LEAHY.

Not only does the basic right guaranteed for criminal defendants in *Gideon* five decades ago remain not yet fully realized, it is also outrageous that there remains no guaranteed right to counsel in the civil context. As James Sandman, president of the Legal Services Corporation, recently said,

Most Americans don't realize that you can have your home taken away, your children taken away and you can be a victim of domestic violence but you have no constitutional right to a lawyer to protect you.

This issue is personal for me. Before I was elected to Congress, I practiced law with Polk County legal aid in Iowa. I can honestly say the work I did with legal aid is some of the most important and rewarding of my career. I learned firsthand that, without access to an attorney, the poor are often powerless in the face of injustice and wrongdoing, even within a judicial system that purports to ensure equal justice under law.

At the Federal level, since the administration of President Nixon, we as a nation have supported civil legal aid programs through the Legal Services Corporation. And, make no mistake: these programs have made a crucial difference to millions of low-income Americans. Recipients of LSC funding help clients secure basic human needs, such as wrongly denied Society Security benefits and health care. Low-income Americans receive aid with consumer, housing and employment issues. LSC-funded attorneys help parents obtain and keep custody of their children, assist parents in enforcing child support payments, and help women who are victims of domestic violence. In addition, LSC has greatly expanded its capacity to meet the legal needs of veterans, active-duty servicemembers and their families, and has been critical in providing legal assistance to Americans impacted by deadly natural disasters.

Unfortunately, however, too many Americans today cannot afford critical civil legal representation. In many parts of the Nation, more than 80 percent of those who need an attorney go without one. Nationally, over 50 percent of applicants for federally funded legal services who request legal aid are turned away because programs lack adequate funding. In other words, American citizens are being denied justice not because of the facts of their case or because of governing law, but solely because they cannot afford an attorney. This is not justice. And, to state the obvious, it makes a mockery of the principle of equal justice under the law.

I want to thank Senators MIKULSKI and SHELBY for all of their hard work and effort with respect to the fiscal year 2013 appropriations bill and for protecting critical funds for LSC. That bill provided \$358 million for LSC, a \$10 million increase over fiscal year 2012, which itself was a \$56 million cut from fiscal year 2011. This is still far less than the amount appropriated in fiscal year 1995, which would be about \$594 million in today's dollars, and even further below the amount appropriated in fiscal year 1981—about \$800 million in today's dollars. But this week's bill was a critical increase in a difficult budget environment and I am grateful.

At the same time, however, it is long past time for us as a nation to make clear that all Americans, whether

wealthy or poor, have the right to legal representation. It was President Nixon who created the Legal Services Corporation and who said,

I would suggest there is no subject which is more important to the legal profession, that is more important to this nation, than . . . the realization of the ideal of equal justice for all.

As my former Republican colleague Pete Domenici declared:

I do not know what is wrong with the United States of America saying to the needy people of this country that the judicial system is not only for the rich. What is wrong with that? . . . That is what American is all about.

On Clarence Gideon's gravestone in Hannibal, MO, is a quote drawn from the letter he wrote to Abe Fortas, who was appointed to represent him before the Supreme Court. It reads, "Each era finds an improvement in law for the benefit of mankind."

Directly across from the Senate stands the marble judicial temple of the Supreme Court, and above its entrance is engraved the most fundamental principle and ideal of our system of criminal justice. It says, simply, "Equal Justice Under Law." Let us as a nation continue to strive to fulfill the promise of our Constitution, for both criminal and civil litigants. "Equal Justice Under Law" must be more than an aspiration chiseled on a marble façade; it must be a concrete reality for ALL of our fellow citizens.

TRIBUTE TO GEORGE "CHIP" WALTER, JR.

Mr. CHAMBLISS. Mr. President, today I wish to pay tribute to George "Chip" Walter, Jr. Chip, a career veteran of the Navy, currently serves as the Director of the Office of Congressional Affairs at the Central Intelligence Agency, CIA. As the vice chairman of the Senate Select Intelligence Committee, I have had the pleasure to work with Chip in this position and have greatly appreciated his professionalism, knowledge, and dedication, which has benefited not only me but also numerous other Members and staff here in Congress. He is an exemplar of public service to our country.

Prior to his position at the CIA, he held numerous legislative affairs positions within the Department of Defense, including director of Legislative Affairs for Central Command, which included a year tour in Kabul, Afghanistan, as the legislative adviser to the commander of the International Security Assistance Force. It was in Kabul where I and many other Members met Chip as we traveled on codels to Afghanistan at the height of the war. His professionalism and affable nature made a great impression on me and others.

His work with the Senate Select Committee on Intelligence began with

the nomination and confirmation of GEN David Petraeus to be Director of the CIA. Soon after, he was named director of the Office of Congressional Affairs at the CIA, where he managed the day-to-day relationship between Congress and the Agency. The Congressional Affairs position at the CIA is always a difficult job, but these last few months have been particularly challenging with the confirmation of a new CIA Director, along with implementing lessons learned in the aftermath of the September 11, 2012, Benghazi attacks. Chip showed a resolute trustworthiness through these difficult times that many Members of Congress appreciated. Chip has given much to this Nation through his dedicated and selfless service. Let me take a minute to recount some of his other accomplishments which include a long and distinguished career as a naval aviator, from which he retired as a captain in 2011.

Chip, a native of Sudbury, MA, graduated from the U.S. Naval Academy in May 1983. He was designated a naval aviator in 1985. His first assignment was in Brunswick, ME, where he served as an instructor pilot, mission commander, and formation instructor. During that assignment he completed three deployments to the Mediterranean and North Atlantic. In the summer of 1989, he reported to Fleet Replacement Squadron, FRS, THIRTY in Jacksonville, FL, where he earned the designations of FRS instructor pilot, advanced training instructor, formation instructor, and alternate naval aviation training and operations procedures standardization, NATOPS, evaluator for Naval Air Forces Atlantic.

He served as the flag secretary of Carrier Group TWO in 1991, and in October 1992, he deployed in the USS *John F. Kennedy* Battle Group to the Mediterranean in support of OPERATIONS PROVIDE PROMISE and PROVIDE COMFORT. In August 1993, he attended the Naval War College, Newport, RI, and graduated with distinction in June 1994. In November 1994, he reported to Patrol Squadron TEN while deployed to Naval Air Station Sigonella, Sicily and later completed a tri-site deployment to Keflavik, Iceland; Roosevelt Roads, Puerto Rico; and Howard Air Force Base in Panama, serving as the operations officer. In November 1996, Captain Walter began work in the Bureau of Naval Personnel as the assistant Washington placement officer.

Following his tour in the Bureau, he was assigned as the executive assistant to the Chief of Navy Legislative Affairs. In the spring of 2000, Captain Walter reported to Patrol Squadron ONE as the executive officer. He assumed command of the "Screaming Eagles" Squadron in February 2001 and completed a Western Pacific deployment. After his command tour, he reported to the Joint Staff and served in the Force Structure, Resources, and

Assessment Directorate, J8, and later as the Chairman's deputy director of Legislative Affairs. In September 2005, he was assigned as the executive assistant for director of Air Warfare, N88. In June 2006, he assumed duties as commander TASK FORCE SIX SEVEN. In addition to traditional duties of the commander TASK FORCE SIX SEVEN, he was designated commander of the Black and Caspian Sea for Naval Forces Europe. In July 2008, he assumed the duties as the director, CENTCOM Legislative Affairs. He deployed to Kabul, Afghanistan, in July 2010, for a year tour as the legislative adviser to the commander, General Petraeus. Captain Walter became director of Congressional Affairs for the Central Intelligence Agency on September 26, 2011.

Over the course of his career, Chip has consistently served in highly selective and challenging assignments, demonstrating the quality of his character and abilities. Because of men like Chip, we have an able and ready military that truly is a global force for good. Throughout his distinguished career he has represented our country and Navy with dignity and honor, and this is why I am so privileged to pay tribute to this fine sailor and American.

In a few weeks, Chip will be moving on to another assignment. I speak for many of us who have worked with him when I say he will be missed and not easily replaced. I want to thank his wife, Kim, along with his three children, Kristyn, Bethany, and Griffin, who have lovingly supported him throughout his career in the military and government. Chip, thank you for your distinguished service to our country. I wish you and your family Godspeed and continued happiness as you start a new chapter in your lives.

REMEMBERING GOVERNOR BOOTH GARDNER

Mrs. MURRAY. Mr. President, I wish to pay tribute to a great American governor, dedicated public servant, and community leader from the State of Washington, Governor Booth Gardner.

He was born August 21, 1936 in Tacoma, WA and was a leader of tremendous compassion, dignity, and bravery whose service to our State will live on far into the future. Booth was generous in sharing his wisdom and his time, and I will never forget the lessons he taught me when I was just beginning my political career in Olympia many years ago.

I learned so much from Booth because he was a man that led by example. He demonstrated governing was about the people you served and served with, by learning everyone's name, what issues they cared deeply about, and by taking the time to work with anyone who shared his desire to make Washington State a better place to live.

Booth also showed compromise and compassion were not competing ideals by being pragmatic when he needed to be, but by always working to protect the needs of the most vulnerable.

Governor Gardner passed away on March 15, 2013 in Tacoma at the age of 76, after a long battle with Parkinson's. While I am deeply saddened by his passing, Booth's imprint on our State will long be seen in our classrooms and the many open spaces he fought to protect.

Up until the very end of his life, Booth remained a fighter for the issues he cared most about. Those of us who knew him couldn't have imagined it any other way. I miss him greatly.

I ask my colleagues to join me in paying homage to Governor Booth Gardner. He lived a full life, and the people of Washington State will always be indebted to him for his role in shaping the future of our State. Our thoughts are with his loved ones at this time of great loss.

ADDITIONAL STATEMENTS

REMEMBERING L.S. "SAM" SKAGGS

• Mr. HATCH. Mr. President, today I wish to pay special tribute to a man I have admired, L.S. "Sam" Skaggs. Sam was a private and quiet man yet had a resounding impact on Utah's business climate and many community initiatives that will be felt for generations. Sadly, Sam recently passed away leaving a void to many.

Sam was part of a large family dynasty whose name became known throughout the country in the food and drug industry. Sam was just a young man when the sudden death of his father threw him into the leadership of the family corporation. It was apparent early on that his aptitude for business and his strength as a leader would serve the family and its businesses well for many years to come.

During his leadership the chain of less than a dozen drugstores grew to more than 200 stores. He also oversaw the transition to the larger American Stores brand. His name became synonymous with expertise in the growth of business employing the strategy of a low, high volume approach and the rapid expansion of many common outlets.

Sam was not only known for his business acumen—he was also a tremendously generous philanthropist. He helped found the L.S. Skaggs Pharmacy Institute at the University of Utah College of Pharmacy to provide students and future students of pharmacy to excel. He also made a generous contribution to fund the Special Collections Section of Brigham Young University's Harold B. Lee Library.

His family's ALSAM Foundation has helped many Catholic charities which

were close to his heart. He donated the Skaggs Catholic Center, a 57-acre complex that houses Juan Diego Catholic High School, John the Baptist Elementary and Middle School, and the Guardian of Angel Daycare. Galey Colosimo, principal of Juan Diego High School, had this to say about his passing: "It is a sad day, but we remember him with gratitude for all he has done for us."

Sam also served his country and left his studies at Utah's Westminster College to enlist in the Army in World War II. It has been said that it was during his days of military service that he witnessed many acts of compassion by Roman Catholic chaplains, which led to his conversion to the Catholic Church and prompted many of his kind acts of service and generosity.

I am grateful that Utah was home to this great business and philanthropic leader. He was a good man, and a true neighbor and friend to many. His memory will live on through the success of the businesses he led and most significantly through the generosity he exhibited to so many wonderful and worthwhile causes that he loved.●

ARTS FOR LEARNING WEEK

• Mr. BROWN. Mr. President, over 60 years ago, the Young Audiences organization was founded with a mission to promote arts-integrated education. Each year the Young Audiences Arts for Learning impacts more than 5 million students in over 8,000 schools and communities. In honor of its commendable work around arts education, through its 30 affiliates across the United States, I am pleased to recognize the week of March 24, 2013 as National Young Audiences Arts for Learning Week.

I would especially like to highlight the work of the Young Audiences of Northeast Ohio, YANEO, which reaches more than 240,000 students across 18 counties in my home State. YANEO's 120 professional artists assist young Ohioans by teaching dance, theater, music, visual arts, literary, and media arts. Additionally, the Young Audiences Artworks in Cleveland successfully pairs Ohio teenagers with local artists to mentor students and provide them with college and career advice.

Art programs help keep students engaged in their schools and communities. Music and visual arts not only serve as a form of personal expression, but enable dynamic collaboration. Learning to dance, sing, and perform in front of a group can instill confidence in children. Learning to edit a film, record a song, or create a graphic design can provide individuals with an invaluable set of skills which are transferable to the workplace. Contributing to local communities through the arts—from outdoor murals to large theatrical performances—offers young people a new sense of belonging, purpose, and achievement. The arts help

to look at the world, and themselves, anew.

Including arts and music in a student's curriculum may also greatly improve his or her grasp of math and scientific problems. It has been demonstrated exposure to the arts endows children with insight, reason, and technical proficiency. Art education improves communication skills, academic achievement, encourages discipline, and discourages high-risk behavior. Students' ability to innovate and utilize new technologies through arts activities will not only better prepare students for 21st century jobs, but is also key to our Nation's competitiveness in the global economy.

I commend both the students who participate in Young Audiences and the hard-working parents, teachers, volunteers, and artists of Young Audiences who inspire future generations of artists and musicians. Your passion and commitment should be celebrated.●

TRIBUTE TO DEANNA LONDON

(By request of Mr. REID, the following statement was ordered to be printed in the RECORD:)

● Mr. LAUTENBERG. Mr. President, today I wish to pay tribute to one of New Jersey's great local leaders: Deanna London.

At the end of this month, Ms. London will end a remarkable 25-year tenure at the Human Needs Food Pantry in Montclair, NJ, a period that saw her rise from volunteer to executive director. On any typical day, she can be found meeting with families and individuals who have come for a meal, courting community members for support, and overseeing the large operation she has helped to expand. No job is too small for her to tackle and no person unworthy of help.

When she first walked into the Human Needs Food Pantry in Montclair 2½ decades ago, Ms. London was just looking for a volunteer opportunity, restless and eager for the chance to "communicate with people," as she said in a recent interview. Yet, as a volunteer opportunity turned into a quarter century and an executive directorship, London built a legacy that should inspire every American to serve. And in explaining that, "I always thought that I got more out of it, because there is something fabulous to being able to help somebody," London has offered a model of service that all Americans should aspire to emulate.

Her dedication to her fellow New Jerseyans and the compassion she has shown for her neighbors in need is an inspiring example of an American putting everything aside to do all she can for others. It is what America is all about—that we are all in this together.

I know that when Deanna London hands over the reins to former Tenafly police chief Michael Bruno, the pantry

will be in good hands. And I also know that when she leaves in just a few weeks, her service to New Jersey and this country will only continue.

New Jersey is a stronger State because of residents like Deanna London, and I wish her my very best as she completes one chapter of her life and begins another.●

REMEMBERING THOMAS MADOLE

● Ms. MURKOWSKI. Mr. President, in law enforcement there is spirited debate over who walks the toughest beat in America. The village public safety officers, or VPSOs, our first responders in the last frontier, are rarely part of that debate because they largely function out of sight and out of mind of the broader community of law enforcement officers.

Alaska's VPSOs wear all four hats of first response. They are at the same time police officers, firefighters, emergency medical technicians and search and rescue coordinators. They are the sole first responders in the bush villages of Alaska—villages with populations that might number 400 to 600 people—and carry out their dangerous work with no backup in the immediate community. The closest backup is often an Alaska State Trooper in a rural hub, who must fly in to the village by air—assuming weather conditions allow the troopers to fly. I would submit to you that our village public safety officers, who patrol unarmed, in fact walk the toughest beat in America.

This week the people of Alaska are mourning the line of duty death of Thomas Madole, age 54, the village public safety officer in Manokotak, AK. Officer Madole was killed while responding to a report of a possibly suicidal person. He was unarmed. His assailant was not. The name Manokotak is an English transliteration of a Central Alaska Yupik word, and 94 percent of its residents are Alaska Native descendants of the original people to occupy the Bristol Bay region.

Officer Madole is the second VPSO to give his life in the protection of his village. The first was Officer Ronald Zimin, whose end of watch was October 22, 1986. A sad coincidence that Officer Zimin also lost his life responding to a domestic violence call while serving in another village in Alaska's Bristol Bay region. Officer Zimin's name appears on the National Law Enforcement Officers Memorial in Judiciary Square, Washington, DC. I suspect that a delegation of Officer Madole's friends and colleagues will journey from the Bristol Bay region to Washington, DC, to honor Officer Madole when his name is added to the memorial in May 2014. I expect to join them.

The heroes of law enforcement are remembered for how they gave their lives and not the manner in which their

lives were ended. There is much to say for how Officer Madole lived his life. He will be remembered as a man of peace. An ordained minister of the Assemblies of God Church, he preached and mentored in the Yupik hub community of Bethel, AK for 6 years before moving to Manokotak. Patricia Zulkosky, a board member of the Bethel Assemblies of God Church referred to Madole as "a man of God, he walked his talk." And in the community of Manokotak, Madole is remembered as a friend and a role model for the youth as much as a cop.

Officer Madole leaves behind a wife and a son. On behalf of my Senate colleagues, I extend condolences to Officer Madole's survivors and the people of Manokotak on this tragic loss.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:27 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 25. Concurrent resolution establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023.

ENROLLED BILL SIGNED

At 1:29 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 933. An act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 649. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 25. Concurrent resolution establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-919. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2011-0624)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-920. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1172)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-921. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Costruzioni Aeronautiche Tecnam srl Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1173)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-922. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0861)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-923. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0091)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-924. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0421)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-925. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0036)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-926. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Reims Aviation S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1274)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-927. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. and Bell Helicopter Textron Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0145)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-928. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Robinson Helicopter Company" ((RIN2120-AA64) (Docket No. FAA-2013-0159)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-929. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0909)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-930. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2011-1037)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-931. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1164)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-932. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0860)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-933. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0720)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-934. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1157)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-935. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1159)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-936. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1106)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-937. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-1015)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-938. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft-Manufactured Model S-64F" ((RIN2120-AA64) (Docket No. FM-2012-0689)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-939. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1224)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-940. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0721)) received in the Office of the President of the Senate on March 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-941. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules Governing Certain Aviation Ground

Station Equipment, et al., in WT Docket Nos. 10-61 and 09-42 and RM-11503 and RM-11596" (FCC 13-30) received in the Office of the President of the Senate on March 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-942. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; High Cost Universal Support" ((RIN3060-AF85) (FCC 13-16)) received in the Office of the President of the Senate on March 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-943. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules to Improve Wireless Coverage Through the Use of Signal Boosters" (FCC 13-21) received in the Office of the President of the Senate on March 20, 2013; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-8. A joint resolution adopted by the House of Representatives of the State of Colorado recognizing the bravery and sacrifice of the crew of the U.S.S. *Pueblo* and designating January 23rd each year as "U.S.S. *Pueblo* Day"; to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION 13-1008

WHEREAS, The U.S.S. *Pueblo* was originally launched as a United States Army cargo ship in 1944 but was transferred to the United States Navy and renamed the U.S.S. *Pueblo* in 1966; and

WHEREAS, The U.S.S. *Pueblo* was named for the city of Pueblo, Colorado, and the county of Pueblo, Colorado, and was the third ship in the naval fleet to bear the name Pueblo; and

WHEREAS, After leaving Japan in early January 1968 on an intelligence mission, the U.S.S. *Pueblo* was attacked by the North Korean military on January 23, 1968; and

WHEREAS, According to United States Naval authorities and the crew of the U.S.S. *Pueblo*, the ship was in international waters at the time of the attack; and

WHEREAS, One crew member of the U.S.S. *Pueblo* was killed during the attack, and eighty crew members and two civilian oceanographers were captured and held for eleven months by the North Korean government; and

WHEREAS, This year marks the forty-fifth anniversary of North Korea's attack on the U.S.S. *Pueblo* and her crew; and

WHEREAS, The U.S.S. *Pueblo* is still in commission in the United States Navy but continues to be held by the North Korean government and is currently a museum in Pyongyang, North Korea; now, therefore,

Be It Resolved by the House of Representatives of the Sixty-ninth General Assembly of the State of Colorado, the Senate concurring herein:

(1) That we, the members of the General Assembly, recognize the bravery and sacrifice of the crew of the U.S.S. *Pueblo*; and

(2) That we take pride in the fact that the U.S.S. *Pueblo* bears the name of a city and a county in Colorado, and, therefore, the citi-

zens of Colorado should be aware of the incident that occurred with the U.S.S. *Pueblo* forty-five years ago;

(3) That we recognize the recent passing of North Korean leader Kim Jong II, and that we take this occasion to renew the call for the return of the U.S.S. *Pueblo* to the people of the United States; and

(4) That we hereby designate January 23 each year as "U.S.S. *Pueblo* Day" as a day to remember and honor the brave crew of the U.S.S. *Pueblo*.

Be It Further Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Governor John W. Hickenlooper, President Pro Tempore of the United States Senate Patrick Leahy, Speaker of the United States House of Representatives John Boehner, and the members of Colorado's Congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. FEINSTEIN, from the Select Committee on Intelligence:

Special Report entitled "Report of the Select Committee on Intelligence Covering the Period January 5, 2011 to January 3, 2013" (Rept. No. 113-7).

By Mr. MENENDEZ, from the Committee on Foreign Relations:

Special Report entitled "Legislative Activities Report of the Committee on Foreign Relations, One Hundred Twelfth Congress" (Rept. No. 113-8).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET:

S. 651. A bill to provide for the withdrawal and protection of certain Federal land in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN:

S. 652. A bill to protect investors by fostering transparency and accountability of attorneys in private securities litigation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself, Mr. LEVIN, and Mr. BLUMENTHAL):

S. 653. A bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia; to the Committee on Foreign Relations.

By Ms. LANDRIEU (for herself, Mr. ENZI, Mr. CARPER, and Mr. ROBERTS):

S. 654. A bill to amend the Internal Revenue Code of 1986 to provide for collegiate

housing and infrastructure grants; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. FRANKEN, Mr. LAUTENBERG, and Ms. WARREN):

S. 655. A bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 656. A bill to promote the domestic development and deployment of natural gas and clean energy technologies; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. INHOFE):

S. 657. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND (for herself, Mr. VITTER, Mr. COONS, Mr. BLUNT, Ms. LANDRIEU, Mr. LEAHY, Mr. WARNER, and Mrs. MURRAY):

S. 658. A bill to amend titles 10 and 32, United States Code, to enhance capabilities to prepare for and respond to cyber emergencies, and for other purposes; to the Committee on Armed Services.

By Mr. WYDEN:

S. 659. A bill to reauthorize the Reclamation States Emergency Drought Relief Act of 1991, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 660. A bill to amend the Trade Act of 1974 to establish the position of Chief Innovation and Intellectual Property Negotiator in the Office of the United States Trade Representative to ensure the protection of United States innovation and intellectual property interests, and for other purposes; to the Committee on Finance.

By Mr. THUNE:

S. 661. A bill to amend the Health Forests Restoration Act of 2003 to promote timely emergency rehabilitation and restoration of Federal forest land impacted by catastrophic events, to redirect for a 5-year-period funding normally made available for land acquisition to mechanical forest treatment and salvage operations due to catastrophic events, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 662. A bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 663. A bill to provide for the inclusion of the State of California as a separate Federal milk marketing order upon the petition and approval of California dairy producers of such inclusion; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. SHAHEEN:

S. 664. A bill to require reports by Federal Government entities regarding responses to Inspector General recommendations on potential cost-saving measures or on reimbursement for poor contractor performance, cost overruns, or other reasons, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MURRAY (for herself, Mr. BROWN, Mr. FRANKEN, Mr. HARKIN, Mr. LAUTENBERG, Mr. ROCKEFELLER,

Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr.

CASEY, Ms. WARREN, and Mr. CARDIN):

S. 665. A bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or their family members, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself, Mr. CARDIN, and Mr. FLAKE):

S. Res. 90. A resolution standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts; to the Committee on Foreign Relations.

By Mr. UDALL of New Mexico (for himself, Mr. CARDIN, Mr. BROWN, Mr. WYDEN, Mr. TESTER, and Mr. BLUMENTHAL):

S. Res. 91. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. Con. Res. 10. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha; to the Committee on Rules and Administration.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 11. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 113

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 114

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 169

At the request of Mr. HATCH, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 218

At the request of Mr. LEVIN, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 232

At the request of Mr. HATCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 248

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 248, a bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of genetically engineered fish.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MKULSKI) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 294

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 333

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 333, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes.

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 333, *supra*.

S. 336

At the request of Mr. ENZI, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Virginia (Mr. WARNER) were added as cosponsors

of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 337

At the request of Ms. STABENOW, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 337, a bill to provide an incentive for businesses to bring jobs back to America.

S. 338

At the request of Mr. SCHATZ, his name was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 375

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 422

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 422, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 470

At the request of Mr. TESTER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 496

At the request of Mr. PRYOR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 528

At the request of Mrs. HAGAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 528, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. 617

At the request of Mr. CASEY, the name of the Senator from Delaware

(Mr. COONS) was added as a cosponsor of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 642

At the request of Mr. ENZI, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 642, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 650

At the request of Ms. LANDRIEU, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Mr. BEGICH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

AMENDMENT NO. 136

At the request of Ms. AYOTTE, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of amendment No. 136 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 138

At the request of Mr. ISAKSON, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 138 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 139

At the request of Mr. INHOFE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 139 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 142

At the request of Mr. BARRASSO, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 142 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 149

At the request of Mrs. SHAHEEN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of amendment No. 149 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 150

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 150 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 153

At the request of Mr. PORTMAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 153 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 155

At the request of Mr. PORTMAN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 155 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting

forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 158

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 158 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 161

At the request of Ms. AYOTTE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 161 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 162

At the request of Ms. AYOTTE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 162 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 164

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 164 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 167

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 167 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 168

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 168 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 169

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 169 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 170

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 170 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 171

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 171 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 184

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 184 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 185

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 185 intended

to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 187

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 187 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 188

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 188 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 189

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 189 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 192

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 192 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

At the request of Mr. UDALL of New Mexico, the names of the Senator from Delaware (Mr. COONS), the Senator from Hawaii (Ms. HIRONO) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 192 proposed to S. Con. Res. 8, *supra*.

AMENDMENT NO. 198

At the request of Mr. SANDERS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 198 proposed

to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 202

At the request of Mr. CRUZ, the names of the Senator from Nevada (Mr. HELLER) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of amendment No. 202 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 210

At the request of Mr. MANCHIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 210 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 211

At the request of Mr. JOHNSON of Wisconsin, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 211 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 213

At the request of Mr. JOHNSON of Wisconsin, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 213 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 222

At the request of Mr. CRAPO, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 222 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal

year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 238

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 238 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 239

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 239 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

At the request of Mr. UDALL of Colorado, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of amendment No. 239 proposed to S. Con. Res. 8, *supra*.

AMENDMENT NO. 244

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 244 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 247

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 247 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 248

At the request of Mr. CORNYN, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 248 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 249

At the request of Mr. BARRASSO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 249 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 252

At the request of Mr. LEE, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of amendment No. 252 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 261

At the request of Mr. BLUNT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 261 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 262

At the request of Mr. ROBERTS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 262 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 265

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 265 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 266

At the request of Mr. CASEY, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of amend-

ment No. 266 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 267

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of amendment No. 267 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 273

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 273 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 277

At the request of Mr. MERKLEY, his name was added as a cosponsor of amendment No. 277 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 278

At the request of Mrs. HAGAN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 278 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 293

At the request of Mr. HELLER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 293 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 311

At the request of Mr. UDALL of New Mexico, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Delaware (Mr. COONS) were added as cosponsors of amendment No. 311 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 313

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 313 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 314

At the request of Ms. LANDRIEU, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of amendment No. 314 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 341

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 341 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

At the request of Mr. BEGICH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 341 proposed to S. Con. Res. 8, *supra*.

AMENDMENT NO. 349

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 349 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 353

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a co-

sponsor of amendment No. 353 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 360

At the request of Mr. INHOFE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 360 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 364

At the request of Mr. KIRK, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 364 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 369

At the request of Mr. INHOFE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 369 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 389

At the request of Mr. BOOZMAN, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of amendment No. 389 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 406

At the request of Mr. COBURN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of amendment No. 406 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary lev-

els for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 408

At the request of Mr. COBURN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of amendment No. 408 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 409

At the request of Mr. COBURN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of amendment No. 409 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 411

At the request of Mr. COBURN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of amendment No. 411 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 425

At the request of Mr. MERKLEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 425 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 430

At the request of Mr. LEVIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 430 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 434

At the request of Mr. TOOMEY, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from

Louisiana (Ms. LANDRIEU), the Senator from Iowa (Mr. HARKIN), and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 434 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 438

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 438 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 441

At the request of Mrs. MCCASKILL, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 441 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 442

At the request of Mr. CASEY, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Montana (Mr. BAUCUS), and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 442 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 457

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 457 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 458

At the request of Mr. MANCHIN, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Indiana (Mr. COATS), and the Senator from Nebraska (Mrs. FISCHER) were

added as cosponsors of amendment No. 458 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 478

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 478 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 482

At the request of Mr. REED, the names of the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 482 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

At the request of Mr. COONS, his name was added as a cosponsor of amendment No. 482 proposed to S. Con. Res. 8, *supra*.

AMENDMENT NO. 483

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 483 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 484

At the request of Mrs. MCCASKILL, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 484 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 486

At the request of Mr. COBURN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 486 intended to be

proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 488

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 488 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 494

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 494 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 496

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 496 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 497

At the request of Ms. CANTWELL, the names of the Senator from Florida (Mr. NELSON), the Senator from Hawaii (Mr. SCHATZ), the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN), the Senator from Massachusetts (Ms. WARREN), the Senator from Hawaii (Ms. HIRONO), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 497 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 499

At the request of Mr. MANCHIN, the names of the Senator from Indiana (Mr. COATS), the Senator from North Dakota (Mr. HOEVEN), the Senator from

Oklahoma (Mr. INHOFE) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of amendment No. 499 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 504

At the request of Mrs. McCASKILL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 504 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 505

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Delaware (Mr. COONS), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 505 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 656

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 656 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 652. A bill to protect investors by fostering transparency and accountability of attorneys in private securities litigation; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Securities Litigation Attorney Accountability and Transparency Act”.

SEC. 2. DISCLOSURES OF PAYMENTS, FEE ARRANGEMENTS, CONTRIBUTIONS, AND OTHER POTENTIAL CONFLICTS OF INTEREST BETWEEN PLAINTIFF AND ATTORNEYS.

(a) SECURITIES EXCHANGE ACT OF 1934.—Section 21D(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-4(a)) is amended by adding at the end the following:

“(10) DISCLOSURES REGARDING PAYMENTS.—

“(A) SWORN CERTIFICATIONS REQUIRED.—

“(i) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

“(I) be personally signed by such plaintiff and each such attorney, respectively;

“(II) be filed with the complaint; and

“(III) identify any direct or indirect payment, or promise of any payment, by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, beyond the pro rata share of any recovery received by the plaintiff, except as ordered or approved by the court in accordance with paragraph (4).

“(ii) COURT ACTIONS.—Upon disclosure of any payment or promise of payment described in clause (i), the court shall disqualify the attorney from representing the plaintiff.

“(B) DEFINITION.—For purposes of this paragraph, the term ‘payment’ includes the transfer of money and any other thing of value, including the provision of services, other than representation of the plaintiff in the private action arising under this title.

“(11) DISCLOSURES REGARDING LEGAL REPRESENTATIONS.—

“(A) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

“(i) be personally signed by such plaintiff and each such attorney, respectively;

“(ii) be filed with the complaint; and

“(iii) identify the nature and terms of any legal representation provided by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, other than the representation of the plaintiff in the private action arising under this title.

“(B) COURT ACTIONS.—The court—

“(i) may allow certifications under subparagraph (A) to be made under seal;

“(ii) shall review such certifications to determine whether cause exists to believe that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in the private action arising under this title;

“(iii) may conduct a factual inquiry or refer the question to a magistrate, if the court makes a finding described in clause (ii); and

“(iv) shall disqualify the attorney from representing the plaintiff in any action arising under this title, if the court finds, after such inquiry, that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in any such action.

“(12) DISCLOSURES REGARDING CONTRIBUTIONS.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

“(A) be personally signed by such plaintiff and each such attorney, respectively;

“(B) be filed with the complaint; and

“(C) identify any contribution made during the 5-year period preceding the date of filing of the complaint by such attorney, any person affiliated with such attorney, or any political action committee controlled by such attorney, to any elected official with real or apparent authority to retain counsel for such plaintiff or to select or appoint, influence the selection or appointment of, or oversee any individual or group of individuals with that authority.”.

(b) SECURITIES ACT OF 1933.—Section 27(a) of the Securities Act of 1933 (15 U.S.C. 77z-1(a)) is amended by adding at the end the following:

“(9) DISCLOSURES REGARDING PAYMENTS.—

“(A) SWORN CERTIFICATIONS REQUIRED.—

“(i) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

“(I) be personally signed by such plaintiff and each such attorney, respectively;

“(II) be filed with the complaint; and

“(III) identify any direct or indirect payment, or promise of any payment, by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, beyond the pro rata share of any recovery received by the plaintiff, except as ordered or approved by the court in accordance with paragraph (4).

“(ii) COURT ACTIONS.—Upon disclosure of any payment or promise of payment described in clause (i), the court shall disqualify the attorney from representing the plaintiff.

“(B) DEFINITION.—For purposes of this paragraph, the term ‘payment’ shall include the transfer of money and any other thing of value, including the provision of services, other than representation of the plaintiff in the private action arising under this title.

“(10) DISCLOSURES REGARDING LEGAL REPRESENTATIONS.—

“(A) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

“(i) be personally signed by such plaintiff and each such attorney, respectively;

“(ii) be filed with the complaint; and

“(iii) identify the nature and terms of any legal representation provided by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, other than the representation of the plaintiff in the private action arising under this title.

“(B) COURT ACTIONS.—The court—

“(i) may allow certifications under subparagraph (A) to be made under seal;

“(ii) shall review such certifications to determine whether cause exists to believe that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in the private action arising under this title;

“(iii) may conduct a factual inquiry or refer the question to a magistrate, if the court makes a finding described in clause (ii); and

“(iv) shall disqualify the attorney from representing the plaintiff in any action arising under this title, if the court finds, after such inquiry, that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in the private action arising under this title.

“(11) DISCLOSURES REGARDING CONTRIBUTIONS.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

“(A) be personally signed by such plaintiff and each such attorney, respectively;

“(B) be filed with the complaint; and

“(C) identify any contribution made during the 5-year period preceding the date of filing of the complaint by such attorney, any person affiliated with such attorney, or any political action committee controlled by such attorney, to any elected official with real or apparent authority to retain counsel for such plaintiff or to select or appoint, influence the selection or appointment of, or oversee any individual or group of individuals with that authority.”

SEC. 3. SELECTION OF LEAD COUNSEL.

(a) SECURITIES EXCHANGE ACT OF 1934.—Section 21D(a)(3)(B)(v) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-4(a)(3)(B)(v)) is amended by adding at the end the following: “In exercising the discretion of the court over the approval of lead counsel, the court shall employ a competitive bidding process as one of the criteria in the selection and retention of counsel for the most adequate plaintiff, unless the court determines on the record that such a process is not feasible.”

(b) SECURITIES ACT OF 1933.—Section 27(a)(3)(B)(v) of the Securities Act of 1933 (15 U.S.C. 77z-1(a)(3)(B)(v)) is amended by adding at the end the following: “In exercising the discretion of the court over the approval of lead counsel, the court shall employ a competitive bidding process as one of the criteria in the selection and retention of counsel for the most adequate plaintiff, unless the court determines on the record that such a process is not feasible.”

SEC. 4. STUDY OF AVERAGE HOURLY FEES IN SECURITIES CLASS ACTIONS.

(a) STUDY AND REVIEW REQUIRED.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study and review of fee awards to lead counsel in securities class actions during the 7-year period preceding the date of enactment of this Act, to determine the effective average hourly rate for lead counsel in such actions. Such study and review shall also consider lead counsel perquisites, including travel and accommodation.

(b) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the results of the study and review required by this section. The Comptroller General shall submit an updated report every 3 years thereafter.

(c) DEFINITION.—For purposes of this section, the term “securities class action” means a private class action arising under the Securities Act of 1933 (15 U.S.C. 77 et seq.) or the Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) that is brought as a plaintiff class action pursuant to the Federal Rules of Civil Procedure.

By Mr. LEAHY (for himself and Mr. INHOFE):

S. 657. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

Mr. LEAHY. Mr. President, I am very pleased to join today with the senior Senator from Oklahoma, Senator INHOFE, in reintroducing legislation

that has already attracted broad support from across the social and political spectrum. An almost identical version was reported by the Foreign Relations Committee two years ago, and then last December it was cleared by both sides for passage by unanimous consent but the Senate adjourned shortly before it could be adopted.

This bill, titled the Foreign Prison Conditions Improvement Act of 2013, seeks to address a much neglected, global human rights and humanitarian problem—the inhumane treatment of people in foreign prisons and other detention facilities.

On any given day, millions of people are languishing in foreign prisons, many in pretrial detention having never been brought before a judge or formally charged or proven guilty of anything, deprived of their freedom in abysmal conditions, often for years longer than they could have been sentenced to prison if convicted.

Others are imprisoned after being convicted of offenses, often after woefully unfair trials, including for nothing more than peacefully expressing political or religious beliefs or defending human rights. Regardless of their status they have one thing in common. They are deprived of the most basic rights and necessities—safe water, adequate food, essential medical care, personal safety, and dignity.

Anyone who has been inside one of these facilities, or seen photographs or press reports of what they are like, understands that this is about the mistreatment of human beings in ways that are reminiscent of the Dark Ages.

A few examples illustrate the point. In Haiti’s National Penitentiary before the 2010 earthquake, more than 4,100 prisoners were confined in a space built for less than 900. Many did not have room to lie down and had to sleep standing up. Sanitation was practically non-existent. Deadly contagious diseases were rampant. The overwhelming majority of inmates had never been formally charged, never seen a lawyer or a judge. The earthquake damaged the prison and the prison guards fled, leaving the inmates to fend for themselves without food or water. They managed to get out, but the squalid facility filled up again.

Senator WHITEHOUSE and I visited that facility just last month. It currently holds more than 3,700 prisoners of which more than 3,400 are awaiting trial. Thanks to the State Department, the U.S. Agency for International Development, and a small Florida-based organization, Health Through Walls, a new infirmary and X-ray machine have dramatically reduced the incidence of HIV and tuberculosis. A small Vermont-based organization, the Rural Justice Center, is using USAID funds to chip away at the pretrial detention problem. These are examples of how modest funding can save lives and im-

prove access to justice for prisoners in facilities plagued by abysmal conditions.

I recall a newspaper article about how in Benin, in West Africa, the skin of prisoners was ragged from the extraction of fly larvae, an affliction that is symptomatic of the deplorable conditions. Many inmates suffer from tuberculosis, scabies, parasites, lung infections or other illnesses. The prison in Abomey, located in southern Benin, was built in 1904 to house a maximum of 150 prisoners. A year or two ago, more than 1,000 were reportedly confined there.

Last February, a fire at the Comayagua Prison in Honduras killed 360 inmates. In one overcrowded cell block only four of 105 prisoners survived. More than half of those who died were waiting to be charged or tried.

It is common in prisons from Latin America to the Middle East, Africa, and Asia for inmates to be severely malnourished and to go for months without being able to wash. Many prisoners depend for survival on food brought to them by relatives. In many countries individuals awaiting trial, young and old, are housed together with convicted, violent criminals.

Prisoners and other detainees in many countries are also routinely victimized by poorly trained, abusive guards who are virtually unsupervised and unaccountable to any higher authority. Sexual abuse of men, women and children is common.

Prisoners in many countries die in prison from lack of proper medical care. Inmates suffer from AIDS and other illnesses in facilities with no medical records, where doctors do not enter. Prisoners intentionally cut or otherwise harm themselves in the hope of receiving medical attention for life-threatening illnesses. If and when they are released they infect the local population.

A New York Times article described how prisoners in one African country were punished by being stripped naked and held in solitary confinement in small, windowless cells, sometimes for days on end, in ankle-to-calf-high water contaminated with their own excrement. It is like something out of *The Count of Monte Cristo*, only worse because it is happening in the 21st Century. But the article went on to describe how that country’s prison service conducted its own audit, appointed a new medical director, and allowed human rights workers access to its facilities. The legislation Senator INHOFE and I are introducing seeks to provide incentives for those kinds of improvements. Our bill would do the following:

First, it calls attention to this long ignored problem. Most people know little if anything about what goes on inside foreign prisons, and many would prefer not to know.

Second, it sets forth primary indicators for the elimination of inhumane

conditions in foreign prisons and other detention facilities, such as human waste facilities that are sanitary and accessible, and adequate ventilation, food and safe drinking water.

Third, it requires the Secretary of State to report annually on the conditions in prisons and other detention facilities in at least 30 countries receiving United States assistance or under sanction by the United States, selected by the Secretary's determination that such conditions raise the most serious human rights or humanitarian concerns.

Fourth, it encourages the Secretary and the Administrator of the U.S. Agency for International Development to furnish assistance for the purpose of eliminating inhumane conditions where such assistance would be appropriate and beneficial.

For countries that are not making significant efforts to eliminate such conditions, the Secretary is to enter into consultations with their government to achieve the purposes of the Act.

The legislation also provides for training of Foreign Service Officers, and directs the Secretary to designate, within the Department of State's Bureau for Democracy, Human Rights, and Labor, an official with responsibility for implementing the provisions of the Act.

Finally, it authorizes the expenditure of funds to implement the Act.

Once enacted, the Foreign Prison Conditions Improvement Act of 2013 will help foreign governments ensure that prisoners in their countries are treated as any people deprived of their freedom should be—as human beings, with dignity, in safety, and provided the basic necessities of life.

In countries around the world, the United States is helping to reform justice systems and strengthen the rule of law. No justice system can claim to deliver justice if prisoners and other detainees are treated like animals, or worse. By helping to change attitudes, and showing how with relatively little money prison conditions can be significantly improved, we can help advance the cause of justice more broadly.

Millions of people around the world look to the United States as a defender of justice. This legislation will further that goal and it reflects the best instincts of the American people. It has been endorsed by a wide range of groups, including Amnesty International, USA; Baptist World Alliance, Division of Freedom and Justice; Ethics and Religious Liberty Commission of the Southern Baptist Convention; Human Rights First; Human Rights Watch; International CURE; International Justice Mission; International Prison Chaplains' Association; Jewish Council for Public Affairs; Just Detention International; Justice Fellowship/Prison Fellowship Ministries; National

Association of Evangelicals; National Religious Campaign Against Torture; New Evangelical Partnership for the Common Good; Open Society Policy Center; Penal Reform International; Religious Action Center of Reform Judaism; United Methodist Church, General Board of Church and Society; and the United States Conference of Catholic Bishops. I want to thank these groups for their support and their efforts to focus attention on this urgent problem.

Identical legislation is planned for reintroduction in the House by Representative CHRIS SMITH who cares deeply about this issue, so this is a bipartisan, bicameral effort.

Finally, I want to thank Senator INHOFE, who has visited many African countries and has witnessed the problems this legislation seeks to address, as well as his staff, who have been very helpful throughout this process. At a time when some people seem to get satisfaction from calling Washington broken, this is another example of how two Senators, of different parties, whose political views often differ, can work together in furtherance of a just cause.

Mr. INHOFE. Mr. President, it is with great pleasure that I join my friend Senator LEAHY from Vermont in introducing, the Foreign Prison Conditions Improvement Act of 2013.

As I stated when we introduced this bill in the 112th Congress, our bill seeks to identify and eliminate unhealthy and unsafe prison conditions found in developing countries like Haiti and on the African continent where millions suffer inhumane conditions as well as to address the dysfunctions in their legal systems.

The introduction of this bill comes at an appropriate time because Jon Hammer, the imprisoned U.S. Marine being held in the Cedes Prison in Matamoros, Mexico was freed this past December 21st.

Corporal Hammer, who served in Iraq and Afghanistan, was arrested in August and charged with a Federal weapons felony—facing up to 15 years in prison, for carrying an antique gun into Mexico on his way to Costa Rica for a hunting trip, despite, as I understand it, having a required permit and attempting to declare the gun. During the past 90 days, he faced the same harsh conditions that our bill is trying to address. Namely, Hammer was housed in an overcrowded and unsanitary prison, beaten by fellow inmates who were members of the murderous Mexican drug cartels, threatened with death in an extortion attempt by these inmates and chained to a bed.

I had been involved in seeking Jon's release for several weeks, and I was heartened when he was released. His treatment, however, serves as an excellent example of the deficiencies found everyday in foreign prisons worldwide

from Africa to no further away than our southern border.

Our bill focuses on eliminating excessive pre-trial detention and dysfunctional justice systems which frequently result in prisoners and other detainees spending years in unhealthy prison conditions before their cases are even adjudicated. Tragically, inadequate, misplaced or lost records often result in the incarcerated being held indefinitely because their cases have never been heard. Unbelievably, such poor recordkeeping has kept many in prison long after their sentences have been served. Our bill also encourages these nations to provide humane and sanitary prison conditions so that prisoners can be released in good health, and thus stem one of the causes of the spread of HIV and tuberculosis among the general public.

Our bill calls upon the Department of State to submit to Congress an annual report for five years that describes inhuman prison conditions at least 30 countries receiving U.S. foreign assistance. It gives the Secretary of State and Administrator of the U.S. Agency for International Development the discretion to restructure, reprogram or reduce U.S. foreign assistance to these countries based upon whether they are making "significant efforts" to eliminate inhuman conditions in their prisons and other detention facilities.

The goals of this bill are noble, but it will take close monitoring and hard work by our U.S. Foreign Service personnel on the ground overseas to fulfill this work. That is why our bill directs the Secretary of State to provide training to these embassy and consulate personnel so that they can effectively investigate and assess prison conditions in foreign prisons as well as assist these foreign governments to adopt substantive prison reforms. The Secretary is also directed to designate and task a Deputy Assistant Secretary of State within the Bureau of Democracy, Human Rights and Labor with the responsibility for gathering the information for the annual report and make recommendations to the Secretary based off its conclusions.

I have made 128 African country visits over the past 16 years, and I believe that given the chance, the majority of Africa's leaders will welcome the opportunity to interact with our embassy and consulate personnel and adopt the best practices for achieving the elimination of unhealthy and unsafe conditions in their prisons and other detention facilities. It is also my hope that our neighbors to the south will adopt safe and sanitary prisons conditions and correct the dysfunctions in their justice systems so that another U.S. citizen does not have to spend 90 days in prison for a paperwork error.

The task at hand reminds me of the teaching of Jesus in Matthew 25:39:40 when he said, "When did we see you

sick or in prison and visit you?' And the King will answer them, 'Truly, I say to you, as you did it to one of the least of these my brothers, you did it to me.'"

We are all our brothers' keepers.

By Mrs. GILLIBRAND (for herself, Mr. VITTER, Mr. COONS, Mr. BLUNT, Ms. LANDRIEU, Mr. LEAHY, Mr. WARNER, and Mrs. MURRAY):

S. 658. A bill to amend titles 10 and 32, United States Code, to enhance capabilities to prepare for and respond to cyber emergencies, and for other purposes; to the Committee on Armed Services.

Mrs. GILLIBRAND. Mr. President, I am pleased to join Senators VITTER, COONS, BLUNT, LANDRIEU, LEAHY, WARNER, and MURRAY in introducing the Cyber Warrior Act of 2013 to build Cyber and Computer Network Incident Response Teams in the National Guard.

This bill would establish a Cyber and Computer Network Incident Response Team, CCNIRT, in each state and the District of Columbia, which could provide a scalable response, called into support by the Governor in case of a domestic initial response or by the Secretary of Defense in a Title 10 status when the situation warrants it. These teams would combine both Active and Traditional Guard Members, thereby leveraging the private sector IT expertise and experience. The use of the Guard would also support the goal of retaining the cyber training of military personnel when they retire.

The bill would allow the Guard to further develop cyber capabilities to address existing and potential future surge needs. This bill would also allow the National Guard to support existing DHS, DOJ, Secret Service, and State and Local cyber efforts with their unique capabilities and expertise, as well as leverage their private sector expertise.

The Guard members under this bill would add to existing Guard end strengths. The funding to support this mission is intended to be born by the active duty, but not incur any new budgetary authority.

The bill would also authorize Governors to ask their National Guard to help train State and Local Law Enforcement and other Cyber Responders in cyber security, and help them develop sound best practices that allow more cohesive interaction with Federal-level responders.

The bill requires cyber Guard Members to receive the same level of training that is available to the Active Duty cyber personnel, to the extent practicable. The bill would require the Secretary of Defense to report on such training.

The bill would also require the Secretary of Defense to report to committees of jurisdiction on the following

ways to attract and retain more cyber warriors.

The bill requires description and assessment of various mechanisms to recruit and retain members of the regular and reserve components of the Armed Forces; an assessment of the use virtual and/or short term deployments in case of cyber incident responses; and a description of the training requirements and physical demands in the cyber specialties.

By Mr. WYDEN:

S. 659. A bill to reauthorize the Reclamation States Emergency Drought Relief Act of 1991, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I would like to speak for a few minutes today on the importance of reauthorizing the Reclamation States Emergency Drought Relief Act.

This past year was the warmest on record and we are witnessing more climate-driven events, including drought. Over 60 percent of the nation experienced some form of drought during 2012. In my home State of Oregon, serious drought is likely to persist in the southeastern part of the State.

Last summer marked the Nation's most widespread drought in 60 years, stretching across 29 States and threatening crop production and power plant operations. The levels in many lakes and reservoirs have declined putting at risk a crucial part of our Nation's drinking water supplies. The impacts of the drought are profound and the outlook for this summer isn't any better.

The Drought Act was originally reported out of the Senate Energy and Natural Resources Committee in 1992. Since then it has provided over \$74 million in drought assistance activities to States across the West. It not only authorizes the Bureau of Reclamation to undertake construction, management and conservation activities that will minimize and mitigate the losses and damages resulting from drought conditions, but it also gives specific considerations to the needs of fish and wildlife.

My proposed legislation would reauthorize the Reclamation States Emergency Drought Relief Act, which expired last year, for an additional 5 years. Given the drought last year and the forecast for prolonged drought in parts of this country, it is reasonable to raise the authorization level by \$20 million, which this legislation does. As one indication of the associated costs of drought, in 2012 the drought caused an estimated \$50 billion in damages.

In closing, I look forward to working with this administration and my colleagues in the Senate to reauthorize this vital program and to ensure the Bureau of Reclamation has the resources it needs to adequately address the drought conditions.

By Mrs. FEINSTEIN:

S. 663. A bill to provide for the inclusion of the State of California as a separate Federal milk marketing order upon the petition and approval of California dairy producers of such inclusion; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Mr. President, I rise today, on behalf of myself and Senator BOXER, to introduce the California Federal Milk Marketing Order Act. This legislation will allow California's dairy industry to operate on a system that is consistent with the industry in other states.

The bill is as simple and straight forward as it gets—it's only two paragraphs long.

The first paragraph allows the California dairy producers to create their own "regional order" within the existing Federal Milk Marketing Order Program, if they elect to do so.

If California dairy farmers do elect to join the Federal order, the second paragraph allows California to maintain its existing "quota system," which I will explain in a moment.

It is important for me to say up front how non-controversial this legislation should be.

The legislation has broad bi-partisan support among the diverse California congressional delegation.

The bill would likely add no new burden to the Federal taxpayer.

Congress enacted an identical provision in 1996.

But the provision expired along with the 1996 Farm Bill. So essentially, the legislation I am introducing today is simply the reauthorization of that no-cost provision.

More importantly though, this legislation can help the struggling dairy industry. Prices have dipped back to near historic lows, and farmers are often milking their cows at or below the cost of production.

In California, this has resulted in a drastic consolidation of the industry. Forty-eight dairies went out of business in 2011. Eleven left the business in 2010. And 100 more left the business in 2009.

With only 1,668 dairies left in the state in 2011, those losses represent more than a 10 percent contraction in just three years.

But this legislation has the potential to begin the turnaround for California by bringing the milk pricing formulas in line with the rest of the nation.

To explain how the turnaround could occur, I'd like to start with the basics.

USDA operates 10 regional Federal Milk Marketing Orders for dairy farmers in 42 States. The order sets up a system to pay farmers a set price for their milk, even though food manufacturers pay different prices based on how the milk is used. For instance, farmers in the Federal order receive the same price for milk that is put in

a carton for drinking as milk that is converted into dry milk powder. This is true even though these products sell for significantly different prices at the grocery store.

However, California, the Nation's largest milk producing State, operates under a different system. The State elected to run its own milk marketing order, so California farmers are paid different values for their products, and they are playing by different rules.

One unique characteristic of the California Marketing Order, and the reason for this legislation, is the system known as "quota," which I mentioned earlier.

Producers who own a portion of the "quota" receive a premium for their milk, roughly five percent more than other producers. Rights to quota can be bought or sold on the open market, and economists estimate that the combined value associated with quota is roughly \$900 million.

It is this \$900 million value that the California Federal Milk Marketing Order Act authorizes to be converted into a Federal order.

Inclusion of the quota will not come at taxpayer expense. Producers who own quota receive a higher price for their milk, but the additional payment is offset by a marginal increase in prices paid by dairy processors.

I know that dairy support programs can be convoluted and controversial. But I want to make sure that my colleagues know that this legislation is not.

The bill simply gives California dairy farmers the option of entering into the Federal order, at the time of their choosing. It does not mandate a thing.

I hope my colleagues will see the sense in this legislation and join me in supporting our dairy farmers by enacting this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 663

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "California Milk Marketing Order Act".

SEC. 2. INCLUSION OF CALIFORNIA AS SEPARATE MILK MARKETING ORDER.

(a) INCLUSION AUTHORIZED.—Upon the petition and approval of California dairy producers in the manner provided in section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary of Agriculture shall designate the State of California as a separate Federal milk marketing order.

(b) SPECIAL CONSIDERATIONS.—If designated under subsection (a), the order covering California shall have the right to reblend and distribute order receipts to recognize quota value.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 90—STANDING WITH THE PEOPLE OF KENYA FOLLOWING THEIR NATIONAL AND LOCAL ELECTIONS ON MARCH 4, 2013, AND URGING A PEACEFUL AND CREDIBLE RESOLUTION OF ELECTORAL DISPUTES IN THE COURTS

Mr. COONS (for himself, Mr. CARDIN, and Mr. FLAKE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 90

Whereas the Government and people of the United States stand with the people of Kenya following their national and local elections on March 4, 2013;

Whereas the Governments of the United States and Kenya have long shared a strong bilateral partnership, and Kenya plays a critically important role as a cornerstone of stability in East Africa and as a valued ally of the United States;

Whereas Kenya's disputed 2007 presidential election threatened the country's stability and its democratic trajectory, triggering an explosion of violence that resulted in the deaths of some 1,140 civilians and displaced nearly 600,000, some of whom have still not returned home;

Whereas a mediation effort by former United Nations Secretary-General Kofi Annan and an African Union Panel of Eminent African Personalities, supported by the United States, led to the signing of the National Accord on February 28, 2008, which facilitated a power-sharing arrangement and led to a series of constitutional, electoral, and institutional reforms to address underlying causes of the crisis;

Whereas, as part of that reform process, the citizens of Kenya participated in a national referendum in August 2010, approving a new constitution that mandated significant institutional and structural changes to the government;

Whereas those constitutional changes have led to important reforms in the judicial sector and the electoral system in Kenya that aim to build greater public confidence in government institutions, and which demonstrate meaningful progress;

Whereas Kenya's Independent Commission of Inquiry into the Post-Election Violence (the "Waki Commission") concluded from its investigation in 2008 that there had been "no serious effort by any government" to punish perpetrators of previous incidents of ethnic and political violence, leading to a culture of impunity that contributed to the crisis that followed the 2007 elections, and, since then, despite laudable judicial reforms, few perpetrators or organizers of that violence have been held accountable for their crimes in Kenyan courts;

Whereas, based on the findings of the Waki Commission, mediator Kofi Annan submitted a list of key suspects to the Office of the Prosecutor of the International Criminal Court (ICC) in 2009, and several have been subsequently charged at the ICC with crimes against humanity;

Whereas the Department of State's 2011 Human Rights Report on Kenya notes, "Widespread impunity at all levels of government continued to be a serious problem. The government took only limited action against security forces suspected of unlawful

killings, and impunity in cases of corruption was common. Although the government took action in some cases to prosecute officials who committed abuses, impunity . . . was pervasive";

Whereas President Barack Obama's Strategy on Sub-Saharan Africa, released in June 2012, states that the United States will not stand by while actors " . . . manipulate the fairness and integrity of democratic processes, and we will stand in steady partnership with those who are committed to the principles of equality, justice and the rule of law";

Whereas, prior to the March 2013 elections, concerns about political violence in Kenya were high, and in the months preceding there had been strong indications that local politicians in various parts of the country were involved in organizing or inciting violence in order to influence local electoral outcomes;

Whereas, in a February 2013 message to the people of Kenya, President Obama highlighted the power Kenyan communities have to reject intimidation and violence surrounding the upcoming election, resolve disputes in the courts as opposed to the streets, and "move forward towards prosperity and opportunity that unleashes the extraordinary talents of your people";

Whereas, five years after Kenya's post-election crisis, the country held its first general elections under the new constitution on March 4, 2013, which were largely peaceful; and

Whereas Kenya's presidential candidates and their political parties committed themselves to a peaceful electoral process, and to resolving any resulting disputes through the judicial process, which is now underway with the filing of cases before the Kenyan Supreme Court on March 16, 2013: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people of Kenya on their commitment to peaceful elections, as demonstrated on March 4, 2013;

(2) calls on the people of Kenya to continue to reject intimidation and violence, and encourages the peaceful and credible resolution of electoral disputes in the courts;

(3) urges restraint on all sides, while recognizing the right of the people of Kenya to peacefully exercise their constitutional rights to freedom of expression, assembly, and demonstration;

(4) urges accountability for anyone found to be complicit in promoting violence or manipulating electoral processes or results;

(5) notes that many of the underlying grievances that have underpinned ethnic divisions and fueled the 2007–2008 violence remain largely unaddressed;

(6) affirms that accountability for the 2007–2008 post-election violence is a critical element to ensure Kenya's democracy, peace, and long-term stability;

(7) calls on the Government of Kenya to respect commitments to seek justice for the victims of political violence, including by honoring its obligations under the Rome Statute to cooperate fully with the International Criminal Court with regard to the three cases that remain before the Court slated to go to trial in 2013;

(8) recognizes that, while the Government of Kenya has made important progress since the 2007 election, aspects of the Kenyan reform agenda specified in the National Accord and 2010 constitution remain unfinished, particularly with regard to police reform, devolution, land reform, and security;

(9) encourages the people and Government of Kenya to support ongoing implementation

of constitutional reforms, rule of law, and efforts to strengthen governing, security, and judicial institutions that respect the dignity and rights of all the people of Kenya and ensure protection for judges;

(10) congratulates the many candidates elected to office in the March 2013 election—including those at the newly-formed county level—and expresses hope that newly-elected members of government will herald a new generation of responsible leadership in Kenya; and

(11) reaffirms that the people of the United States will continue to stand with the people of Kenya in support of democracy, partnership, and peace.

SENATE RESOLUTION 91—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK

Mr. UDALL of New Mexico (for himself, Mr. CARDIN, Mr. BROWN, Mr. WYDEN, Mr. TESTER, and Mr. BLUMENTHAL) submitted the following resolution; which was:

S. RES. 91

Whereas the week of April 1, 2013 through April 7, 2013 is National Public Health Week, and the theme for 2013 is “Public Health is ROI: Save Lives, Save Money”;

Whereas, since 1995, public health organizations have used National Public Health Week to educate the public, policymakers, and public health professionals about issues that are important to improving the health of the people of the United States;

Whereas the value of a strong public health system is in the air people breathe, the water they drink, the food they eat, and the places where they live, learn, work, and play;

Whereas each 10 percent increase in local public health spending contributes to a 6.9 percent decrease in infant deaths, a 3.2 percent decrease in cardiovascular deaths, a 1.4 percent decrease in deaths due to diabetes, and a 1.1 percent decrease in deaths due to cancer;

Whereas routine childhood immunizations save \$9,900,000 in direct health care costs, save 33,000 lives, and prevent 14,000,000 cases of disease;

Whereas childhood health problems linked to preventable environmental exposures, such as lead poisoning, asthma complications, and developmental disabilities, cost the United States \$76,600,000,000 in 2008, and those costs increased from 2.8 percent of total health care costs in 1997 to 3.5 percent in 2008;

Whereas the cost of providing dental care for Medicaid-eligible children who live in communities without water fluoridation is twice as high as the cost for providing dental care for Medicaid-eligible children who receive the oral health benefits of drinking water with fluoridation;

Whereas a \$52 investment in a child safety seat prevents \$2,200 in medical costs, resulting in a return of \$42 for every \$1 invested;

Whereas an investment in workplace wellness initiatives reduces sick leave and results in a return of \$3.27 in medical costs alone for every \$1 invested;

Whereas health problems linked to hunger and food insecurity cost \$130,500,000,000 annually;

Whereas, from 1991 to 2006, investments in HIV prevention averted more than 350,000 infections and saved more than \$125,000,000,000 in medical costs; and

Whereas, by adequately supporting public health and prevention, the people of the United States can transform a health system focused on treating illness into a health system focused on preventing disease and promoting wellness: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Public Health Week;

(2) recognizes the efforts of public health professionals, the Federal Government, States, municipalities, local communities, and individuals in preventing disease and injury;

(3) recognizes the role of public health in improving the health of people in the United States;

(4) encourages increased efforts and investment of resources to improve the health of people in the United States through—

(A) interventions to promote community health and prevent disease and injury; and

(B) strengthening the public health system of the United States; and

(5) encourages the people of the United States to learn about the role that the public health system plays in improving health in the United States.

SENATE CONCURRENT RESOLUTION 10—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA

Ms. HIRONO (for herself and Mr. SCHATZ) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 10

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 9, 2013, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

SENATE CONCURRENT RESOLUTION 11—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution, which was:

S. CON. RES. 11

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, March 22, 2013 through Tuesday, March 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 8, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn,

or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on Monday, March 25, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, April 9, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 517. Mr. TOOMEY (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table.

SA 518. Ms. MURKOWSKI (for herself, Ms. CANTWELL, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 519. Mr. DONNELLY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 520. Mr. HEINRICH (for himself, Mr. ALEXANDER, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 521. Mr. LEE proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 522. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 523. Mr. ALEXANDER (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 524. Mrs. MCCASKILL (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 525. Mr. DURBIN (for himself, Mr. MORAN, Mr. CARDIN, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. CASEY, Ms. COLLINS, and Ms. KLOBUCHAR) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 526. Mr. VITTER proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 527. Mr. BOOZMAN proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 528. Ms. MURKOWSKI (for herself, Ms. CANTWELL, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 529. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 530. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 531. Mr. MCCONNELL (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 532. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 533. Mr. GRASSLEY (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 534. Mr. TOOMEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 535. Mr. TOOMEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 536. Mrs. SHAHEEN (for herself, Mrs. HAGAN, Mrs. FISCHER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 537. Mr. TESTER (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 538. Mr. WICKER proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 539. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 540. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 541. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

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SA 543. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 544. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 545. Mr. VITTER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 546. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 547. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 548. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

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concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

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SA 555. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 556. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 557. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 558. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 559. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

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SA 562. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 563. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 564. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 565. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 566. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 567. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 568. Mr. COBURN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 569. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 570. Mr. ISAKSON submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 571. Mr. ISAKSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 572. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 573. Mr. MENENDEZ (for himself, Mr. RUBIO, and Mr. HELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 574. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 575. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 576. Mr. UDALL, of Colorado (for himself, Mr. MANCHIN, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 577. Mr. BLUMENTHAL (for himself, Mr. ROCKEFELLER, Mr. MORAN, Mr. MURPHY, Ms. KLOBUCHAR, Mrs. HAGAN, Mrs. SHAHEEN, and Mr. MANCHIN) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 578. Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 579. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 316, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; which was ordered to lie on the table.

SA 580. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table.

SA 581. Mr. BAUCUS (for himself, Mrs. SHAHEEN, and Ms. AYOTTE) proposed an amendment to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra.

SA 582. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of

Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 583. Mr. BAUCUS (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 584. Mr. TESTER (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 585. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 586. Mr. BAUCUS (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 587. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 588. Mr. BAUCUS (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 589. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 590. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 591. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 592. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 593. Mr. JOHNSON, of South Dakota (for himself, Mr. CRAPO, Mr. WARNER, Mr. CORKER, Ms. WARREN, Mr. VITTER, Mr. MENENDEZ, Mr. SHELBY, Mr. BROWN, Mr. JOHANNES, Mr. TESTER, Mr. TOOMEY, Mrs. HAGAN, Mr. HELLER, Ms. HEITKAMP, Mr. MANCHIN, Mr. MERKLEY, Mr. SCHUMER, Mr. REED, Mr. COBURN, Mr. KIRK, Mr. MORAN, Mrs. SHAHEEN, and Ms. KLOBUCHAR) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 594. Mr. SANDERS (for himself, Mr. BEGICH, Mr. BLUMENTHAL, Mr. JOHNSON of South Dakota, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. MERKLEY) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 595. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 596. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 597. Mr. SCOTT (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 598. Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 599. Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 600. Ms. AYOTTE (for herself, Mr. CORNYN, Mrs. FISCHER, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 601. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 602. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 603. Ms. AYOTTE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 604. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 605. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 606. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 607. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 261 submitted by Mr. BLUNT (for himself, Mr. THUNE, Mr. CORNYN, and Mr. ROBERTS) and intended to be proposed to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 608. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 609. Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 610. Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 611. Mrs. GILLIBRAND (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 612. Mr. BENNETT (for himself, Mr. HEINRICH, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 613. Mr. KIRK (for himself, Mr. MANCHIN, Mr. MENENDEZ, Mr. RUBIO, Mr. HELLER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 614. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 615. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 616. Mr. WICKER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 617. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 618. Mr. WYDEN (for himself and Mr. PORTMAN) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 619. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 620. Mr. MANCHIN (for himself and Mr. INHOFE) submitted an amendment intended

to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 621. Mr. MANCHIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 622. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra.

SA 623. Mr. RUBIO proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 624. Mr. JOHANNES proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 625. Mr. JOHANNES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 626. Mr. JOHANNES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 627. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 628. Mr. VITTER (for himself, Mr. FRANKEN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 629. Mrs. FISCHER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 630. Mrs. FISCHER (for herself, Mr. CRUZ, Mr. ENZI, and Mr. JOHANNES) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra.

SA 631. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 632. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 633. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 634. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 635. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 636. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 637. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 638. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 639. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 640. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 641. Mr. COBURN submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 642. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 643. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 644. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 645. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 646. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 647. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 648. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 649. Mr. HARKIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 650. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 651. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. WARREN, and Mr. COWAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 652. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 653. Mrs. MURRAY submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 654. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 655. Mr. HOEVEN proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 656. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra.

SA 657. Ms. AYOTTE (for herself, Mr. BAUCUS, Mrs. SHAHEEN, Mr. WYDEN, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolu-

tion S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 658. Mr. BAUCUS (for himself, Ms. AYOTTE, Mrs. SHAHEEN, Mr. WYDEN, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 659. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 660. Mr. TESTER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 661. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 662. Mrs. SHAHEEN (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 663. Mr. CRAPO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 664. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 665. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 666. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 667. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 668. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 669. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 670. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 671. Mr. KIRK (for himself, Mr. MANCHIN, Mr. MENENDEZ, Mr. JOHNSON of South Dakota, Mr. HELLER, Mr. RUBIO, Mr. CARDIN, Mr. CASEY, Mr. MERKLEY, and Mr. COONS) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 672. Ms. MURKOWSKI (for herself, Ms. WARREN, Ms. AYOTTE, Mr. WICKER, Mr. COCHRAN, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. BEGICH, Mr. REED, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. COLLINS, Mr. COWAN, Mr. SCHUMER, and Mr. KING) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 673. Mr. LEE (for himself and Mr. VITTER) proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 674. Mr. VITTER (for himself and Mr. BROWN) submitted an amendment intended

to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 675. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 430 proposed by Mr. LEVIN (for himself, Mr. MCCAIN, and Mr. WHITEHOUSE) to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 676. Mr. COBURN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 677. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 678. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 679. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 680. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 681. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 682. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 683. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 684. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 685. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 686. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 687. Mr. PAUL (for himself, Mr. LEAHY, Mr. BAUCUS, and Mr. TESTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 688. Mr. BLUNT (for himself, Mr. THUNE, Mr. CORNYN, Mr. ROBERTS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 689. Mr. VITTER (for himself, Mr. BROWN, Mr. CORKER, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 690. Mr. SCOTT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 691. Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 692. Mr. THUNE (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 693. Mr. WARNER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 694. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 695. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 696. Mr. MERKLEY (for himself, Mr. GRASSLEY, Mr. SANDERS, Ms. WARREN, Mr. HELLER, Mr. TESTER, Mr. CORNYN, Mr. SHELBY, Mr. BEGICH, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 697. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 698. Mr. ENZI submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 699. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 700. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 701. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 702. Mr. CRUZ proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 703. Mr. REID (for himself, Mr. MENENDEZ, Ms. LANDRIEU, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 704. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 705. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 706. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra.

SA 707. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 708. Mr. LEVIN (for himself, Mr. HATCH, Mr. MCCAIN, Mr. WHITEHOUSE, Mr. HARKIN, Mr. MANCHIN, Mr. BLUMENTHAL, and Mr. KAINE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, supra; which was ordered to lie on the table.

SA 709. Mr. COBURN proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

SA 710. Mr. LEAHY proposed an amendment to the concurrent resolution S. Con. Res. 8, supra.

TEXT OF AMENDMENTS

SA 517. Mr. TOOMEY (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate

budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 4. PROHIBITION ON THE USE OF MEDICARE SAVINGS TO SATISFY CONDITIONS FOR BUDGET POINTS OF ORDER.

In the Senate, provisions contained in any bill, resolution, amendment, motion, or conference report that reduce Medicare outlays or increase Medicare revenues and use those savings to offset other increases in spending or reductions in revenues outside of Medicare shall not be scored for purposes of determining budgetary effects to evaluate points of order set out under this resolution, any previous budget resolution, any subsequent budget resolution, or the Congressional Budget Act of 1974.

SA 518. Ms. MURKOWSKI (for herself, Ms. CANTWELL, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING ADVANCED APPROPRIATIONS FOR THE INDIAN HEALTH SERVICE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to authorizing advanced appropriations for the Indian Health Service and Indian Health Facilities accounts of the Indian Health Service, without raising new revenue, and may include maximizing the accountability and financial integrity in the delivery of health-care services, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 519. Mr. DONNELLY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or that otherwise establish a process to review Federal programs that are inefficient or duplicative," after "property,".

SA 520. Mr. HEINRICH (for himself, Mr. ALEXANDER, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING THE ECONOMY BY ACCELERATING THE TRANSFER OF TECHNOLOGIES FROM DEPARTMENT OF ENERGY LABORATORIES TO THE MARKETPLACE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening the economy by accelerating the transfer of technologies from Department of Energy laboratories to the marketplace, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 521. Mr. LEE proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING THE REAUTHORIZATION OF THE PAYMENTS IN LIEU OF TAXES PROGRAM AT LEVELS ROUGHLY EQUIVALENT TO PROPERTY TAX REVENUES LOST DUE TO THE PRESENCE OF FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to that make changes to or provide for the reauthorization of the Payment in Lieu of Taxes program at levels roughly equivalent to lost tax revenues due to the presence of Federal land without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 522. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which

was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

SEC. 4. SENSE OF THE SENATE REGARDING A BALANCED BUDGET AMENDMENT.

It is the sense of the Senate that Congress should pass and the States should agree to an amendment to the Constitution of the United States requiring a Federal balanced budget.

SA 523. Mr. ALEXANDER (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REPEAL THE MEDICAL DEVICE TAX AND THE WIND PRODUCTION TAX CREDIT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that are related to tax reform, which may include repealing the excise tax on medical devices and tax credit for the production of electricity from wind, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 524. Mrs. MCCASKILL (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 15, line 7, decrease the amount by \$500,000,000.

On page 15, line 8, decrease the amount by \$25,000,000.

On page 15, line 12, decrease the amount by \$150,000,000.

On page 15, line 16, decrease the amount by \$125,000,000.

On page 15, line 20, decrease the amount by \$90,000,000.

On page 15, line 24, decrease the amount by \$25,000,000.

On page 16, line 3, decrease the amount by \$15,000,000.

On page 16, line 7, decrease the amount by \$10,000,000.

On page 16, line 11, decrease the amount by \$8,000,000.

On page 16, line 15, decrease the amount by \$5,000,000.

On page 16, line 19, decrease the amount by \$5,000,000.

On page 26, line 6, increase the amount by \$500,000,000.

On page 26, line 7, increase the amount by \$25,000,000.

On page 26, line 11, increase the amount by \$150,000,000.

On page 26, line 15, increase the amount by \$125,000,000.

On page 26, line 19, increase the amount by \$90,000,000.

On page 26, line 23, increase the amount by \$25,000,000.

On page 27, line 3, increase the amount by \$15,000,000.

On page 27 line 7, increase the amount by \$10,000,000.

On page 27, line 11, increase the amount by \$8,000,000.

On page 27, line 15, increase the amount by \$5,000,000.

On page 27, line 19, increase the amount by \$5,000,000.

SA 525. Mr. DURBIN (for himself, Mr. MORAN, Mr. CARDIN, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. CASEY, Ms. COLLINS, and Ms. KLOBUCHAR) proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE FUNDING FOR FEDERAL INVESTMENTS IN BIOMEDICAL RESEARCH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to Federal investments in biomedical research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 526. Mr. VITTER proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE A PHOTOGRAPHIC ID FOR VOTING IN FEDERAL ELECTIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would create a system for requiring a valid government-issued photographic ID for voting in federal elections without raising new

revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total fiscal years 2013 through 2023.

SA 527. Mr. BOOZMAN proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFICIT-REDUCTION RESERVE FUND FOR EMINENT DOMAIN ABUSE PREVENTION.

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to federal economic development assistance, which may include amendments to the eligibility of a State or local government to receive benefits, including restricting benefits when eminent domain has been used to take private property and transfer it to another private use, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SA 528. Ms. MURKOWSKI (for herself, Ms. CANTWELL, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING ADVANCED APPROPRIATIONS FOR THE INDIAN HEALTH SERVICE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that may authorize advanced appropriations for the Indian Health Service without raising new revenue, and may include maximizing the accountability and financial integrity in the delivery of health-care services, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 529. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 405. POINT OF ORDER AGAINST PER FLIGHT USER FEES ON GENERAL AVIATION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget for any budget year or any amendment, amendment between Houses, motion, or conference report thereon that assesses a per flight user fee with respect to general aviation in any year covered by the resolution.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 530. Mr. McCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 2.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,650,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,630,000,000.

SA 531. Mr. McCONNELL (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 52, line 19, strike “, by the amounts” and insert the following: “or international agreements that provide for the nondiscriminatory treatment of agricultural products relative to the treatment of other agricultural products under those or similar agreements, by the amounts”.

SA 532. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 15, line 7, decrease the amount by \$10,595,000.

On page 15, line 8, decrease the amount by \$17,827,000.

On page 15, line 11, decrease the amount by \$11,260,000.

On page 15, line 12, decrease the amount by \$18,151,000.

On page 15, line 15, decrease the amount by \$12,030,000.

On page 15, line 16, decrease the amount by \$14,337,000.

On page 15, line 19, decrease the amount by \$12,800,000.

On page 15, line 20, decrease the amount by \$13,453,000.

On page 15, line 23, decrease the amount by \$13,605,000.

On page 15, line 24, decrease the amount by \$13,221,000.

On page 16, line 2, decrease the amount by \$14,410,000.

On page 16, line 3, decrease the amount by \$13,503,000.

On page 16, line 6, decrease the amount by \$15,215,000.

On page 16, line 7, decrease the amount by \$14,037,000.

On page 16, line 10, decrease the amount by \$16,020,000.

On page 16, line 11, decrease the amount by \$14,697,000.

On page 16, line 14, decrease the amount by \$16,860,000.

On page 16, line 15, decrease the amount by \$15,451,000.

On page 16 line 18, decrease the amount by \$17,700,000.

On page 16, line 19, decrease the amount by \$16,242,000.

SA 533. Mr. GRASSLEY (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him

to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURE ACCOUNTABILITY AND TRANSPARENCY AT THE BUREAU OF CONSUMER FINANCIAL PROTECTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to creating a separate and independent Inspector General for the Bureau of Consumer Financial Protection, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 534. Mr. TOOMEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 49, strike lines 20 through line 2 on page 50.

The levels in this resolution are amended by—

Reducing total revenues by the following amounts:

On page 4, line 6, reduce the amount by \$200,000,000.

On page 4, line 7, reduce the amount by \$205,000,000.

On page 4, line 8, reduce the amount by \$210,000,000.

On page 4, line 9, reduce the amount by \$215,000,000.

On page 4, line 10, reduce the amount by \$220,000,000.

On page 4, line 11, reduce the amount by \$225,000,000.

On page 4, line 12, reduce the amount by \$230,000,000.

On page 4, line 13, reduce the amount by \$235,000,000.

On page 4, line 14, reduce the amount by \$240,000,000.

On page 4, line 15, reduce the amount by \$245,000,000.

And reducing the amounts by which federal revenues should be changed by the following amounts:

On page 4, line 20, reduce the amount by \$200,000,000.

On page 4, line 21, reduce the amount by \$205,000,000.

On page 4, line 22, reduce the amount by \$210,000,000.

On page 4, line 23, reduce the amount by \$215,000,000.

On page 4, line 24, reduce the amount by \$220,000,000.

On page 4, line 25, reduce the amount by \$225,000,000.

On page 5, line 1, reduce the amount by \$230,000,000.

On page 5, line 2, reduce the amount by \$235,000,000.

On page 5, line 3, reduce the amount by \$240,000,000.

On page 5, line 4, reduce the amount by \$245,000,000.

SA 535. Mr. TOOMEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 49, strike lines 20 through line 2 on page 50.

The levels in this resolution are amended by—

Reducing total revenues by the following amounts:

On page 4, line 6, reduce the amount by \$300,000,000.

On page 4, line 7, reduce the amount by \$1,400,000,000.

On page 4, line 8, reduce the amount by \$1,400,000,000.

On page 4, line 9, reduce the amount by \$2,000,000,000.

On page 4, line 10, reduce the amount by \$3,400,000,000.

On page 4, line 11, reduce the amount by \$3,700,000,000.

On page 4, line 12, reduce the amount by \$4,100,000,000.

On page 4, line 13, reduce the amount by \$4,400,000,000.

On page 4, line 14, reduce the amount by \$4,800,000,000.

On page 4, line 15, reduce the amount by \$5,100,000,000.

And reducing the amounts by which federal revenues should be changed by the following amounts:

On page 4, line 20, reduce the amount by \$300,000,000.

On page 4, line 21, reduce the amount by \$1,400,000,000.

On page 4, line 22, reduce the amount by \$1,400,000,000.

On page 4, line 23, reduce the amount by \$2,000,000,000.

On page 4, line 24, reduce the amount by \$3,400,000,000.

On page 4, line 25, reduce the amount by \$3,700,000,000.

On page 5, line 1, reduce the amount by \$4,100,000,000.

On page 5, line 2, reduce the amount by \$4,400,000,000.

On page 5, line 3, reduce the amount by \$4,800,000,000.

On page 5, line 4, reduce the amount by \$5,100,000,000.

SA 536. Mrs. SHAHEEN (for herself, Mrs. HAGAN, Mrs. FISCHER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate

budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ASSISTANCE FOR SMALL BUSINESSES IN ACCESSING FOREIGN MARKETS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing assistance to small businesses in accessing foreign markets through exports, which may include educational programs, marketing services, or participation in a foreign trade mission, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 537. Mr. TESTER (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING CHILDREN ELIGIBLE FOR HEALTH CARE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS TO RETAIN SUCH ELIGIBILITY UNTIL AGE 26.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to authorizing children who are eligible to receive health care furnished under laws administered by the Secretary of Veterans Affairs to retain such eligibility until age 26, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 538. Mr. WICKER proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. . SUPERMAJORITY ENFORCEMENT.

Section 425(a)(1) and (2) of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974.

SA 539. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT PEER REVIEW PANELS HAVE SUFFICIENT EXPERTISE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would ensure that peer review panels have sufficient real world expertise by not allowing financial interests alone to determine participation eligibility, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 540. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LENGTHENING THE DELIVERY TIME OF A SURFACE TRANSPORTATION PROJECT.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would lengthen the delivery time of any surface transportation project.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 541. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE SOLVENCY IN THE HIGHWAY TRUST FUND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that provide for legislation that would improve the solvency of the Highway Trust Fund by amounts resulting from the imposition of fees on any Federal agency that fails to meet specified deadlines relating to surface transportation projects under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 542. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE THE SOLVENCY OF THE HIGHWAY TRUST FUND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would improve the solvency of the Highway Trust Fund by the amounts provided by the net increase in Federal revenues from onshore and offshore domestic energy leasing on Federal land without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 543. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT THE ATTORNEY GENERAL FROM PROSECUTING ENERGY PRODUCERS FOR INCIDENTAL KILLINGS OF MIGRATORY BIRDS UNTIL SUCH TIME AS THE ATTORNEY GENERAL SUBMITS TO CONGRESS A REPORT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that will prevent the Attorney General from prosecuting energy producers for incidental killings of migratory birds until the Attorney General submits to Congress a report explaining prosecutions of wind energy producers whose turbines have killed eagles by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 544. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE CONGRESSIONAL APPROVAL OF NATIONAL MONUMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that prohibits the President from designating any area in a State as a national monument under section 2 of the Act of June 8, 1906 (commonly known as the "Antiquities Act of 1906") (16 U.S.C. 431) without congressional approval, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 545. Mr. VITTER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO REINSTATE THE RESERVATION OF USE AND OCCUPANCY AND SPECIAL USE PERMITS TO CONDUCT CERTAIN COMMERCIAL OPERATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that will reinstate, for a period of not less than 10 years, the reservation of use and occupancy and special use permits to conduct commercial operations within Point Reyes National Seashore in the State of California held by Drakes Bay Oyster Company, which expired on November 30, 2012, subject to the terms and conditions contained in those permits (as in effect on November 29, 2012) by the amounts provided in

such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 546. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT CERTAIN OFFSHORE WIND LEASES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would prevent the Secretary of the Interior from offering offshore wind leases if the royalty rate for the leases is below the value of the wind production tax credit, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 547. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO VOID A MAJOR RULE RELATING TO THE USE OF PRIVATE OR ALIAS EMAILS IN DRAFTING THE RULE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that vacates any major rule (as defined in Executive Order 12866 (5 U.S.C. 601 note) of the Environmental Protection Agency for which the primary staff involved in drafting the rule used private or alias email accounts in drafting the rule, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 548. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revis-

ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT AGENCY ADVISORY BOARDS HAVE A BALANCED PERSPECTIVE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that clarify existing laws governing agency advisory boards so that the composition of each advisory board is equally balanced with representatives from academia, nongovernmental organizations, and industry, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 549. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT ENVIRONMENTAL PROTECTION AGENCY FROM PROMULGATING CERTAIN RULES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that prohibit the Administrator of the Environmental Protection Agency from proposing, promulgating, or finalizing any economically significant rule if the Unified Agenda of Federal Regulatory and Deregulatory Actions has not been published by April or October, as applicable, of the relevant calendar year, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 550. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE THE ISSUANCE BY ALL FEDERAL AGENCIES OF MANDATORY GUIDELINES ON THE USE OF ELECTRONIC COMMUNICATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that requires each head of a Federal agency to issue mandatory guidelines on the use of electronic communications to ensure that the Federal agency is fully compliant with Federal laws relating to transparency, including chapters 22 and 31 of title 44, United States Code, and section 552 of title 5, United States Code (commonly known as the "Freedom of Information Act"), by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 551. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE INCREASED DOMESTIC OFFSHORE LEASING AND PRODUCTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would reject the final 5-year Outer Continental Shelf Oil and Gas Leasing Program for fiscal years 2013 through 2018 of the Administration and replace the plan with a 5-year plan that is more in line with the energy and economic needs of the United States, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 552. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 76, after line 25, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE ECONOMIC-IMPACT ANALYSES FOR A SPECIES LISTING AT THE TIME OF THE LISTING DECISION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that will require an economic-impact analysis for a species listed as an endangered species or threatened species under section 4(a) of the Endangered Species Act of 1973 (16 U.S.C. 1533(a)) at the time the species is listed under that section by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 553. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT RAISES THE PRICE OF ENERGY DURING HIGH UNEMPLOYMENT.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that raises the price of energy when the average national unemployment rate, as determined by the Bureau of Labor Statistics of the Department of Labor, is greater than 5.5 percent.

(b) WAIVER AND APPEAL.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 554. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROHIBIT THE PAYMENT OF ATTORNEYS' FEES UNDER CERTAIN SETTLEMENT AGREEMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would prohibit the payment of attorneys' fees under settlement agreements for civil litigation under the Clean Air Act (42 U.S.C. 7401 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) when impacted State and local governments

are not a party to the settlement agreement, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 555. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT CERTAIN CLOSED-DOOR SETTLEMENT AGREEMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would prohibit the Administrator of the Environmental Protection Agency and the Director of the United States Fish and Wildlife Service from entering into any closed-door settlement agreement without seeking approval from all State, county, and local governments that would be directly impacted by the agreement, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 556. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or the reduction of duplicative Federal economic development programs" after "property".

SA 557. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or the reduction of duplicative Federal support for entrepreneurs programs," after "property".

SA 558. Mr. COBURN submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert after "property" the following: "or the reduction of duplicative preparedness grants by the Federal Emergency Management Agency".

SA 559. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or the reduction of duplicative Federal green building programs," after "property".

SA 560. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or the reduction of duplicative Federal diesel emissions programs," after "property".

SA 561. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or the reduction of duplicative early learning and child care programs," after "property".

SA 562. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or the reduction of duplicative domestic food assistance programs," after "property".

SA 563. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or the reduction of duplicative teacher quality programs,” after “property.”.

SA 564. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or the reduction of duplicative food safety programs,” after “property.”.

SA 565. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or the reduction of duplicative Defense language and cultural training programs,” after “property.”.

SA 566. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or the reduction of duplicative nuclear nonproliferation programs,” after “property.”.

SA 567. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or reducing the number of general and flag officers of the Armed Forces,” after “property.”.

SA 568. Mr. COBURN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or increasing government transparency,” after “property.”.

SA 569. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or reducing duplication of federal counter-IED efforts,” after “property.”.

SA 570. Mr. ISAKSON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO PREVENT FUNDING TO IMPLEMENT, CREATE, APPLY, OR ENFORCE CERTAIN STANDARDS FOR INITIAL BARGAINING UNIT DETERMINATIONS GOVERNED BY THE NATIONAL LABOR RELATIONS BOARD.

The Chairman of the Senate Budget Committee on the Budget may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions or conference reports that related to standards for initial bargaining unit determinations that may include, but are not limited to, preventing the proliferation or fragmentation of bargaining units, prohibiting employees considered for such bargaining units from being excluded from the unit, or the consideration of the interests of the group or unit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 571. Mr. ISAKSON submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 66, strike line 2 through line 3 and insert “amendments, amendments between the Houses, motions, or conference reports to strengthen and reform the pension system, which may include preventing the Department of Labor from promulgating any further definitions or expansions of the term ‘fiduciary’ under the Employee Retirement Income Security Act of 1974, by the amounts provided”.

SA 572. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE TAX CREDITS TO BUSINESSES WHO FINANCE TRAINING FOR LONG-TERM UNEMPLOYED IN PROGRAMS THAT PRODUCE CERTIFICATES OR CREDENTIALS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provides tax credits to businesses that finance training for long-term unemployed persons in programs that produce certificates or credentials, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 573. Mr. MENENDEZ (for himself, Mr. RUBIO, and Mr. HELLER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place in the resolution, insert the following:

SEC. ____ . SENSE OF THE SENATE ON THE CREATION OF A FUTURE SMITHSONIAN AMERICAN LATINO MUSEUM.

(a) FINDINGS.—The Senate finds the following:

(1) The Census Bureau estimates the Latino population in the United States at nearly 50,500,000 people, making Hispanic

Americans the largest ethnic minority within the United States.

(2) The United States has grown into a symbol of democracy, freedom, and economic opportunity around the world, and the legacy of American Latinos is deeply rooted in the very fabric of the democracy, freedom, and economic opportunity of the United States.

(3) There exists no national museum within the Smithsonian Institution that is devoted to the documentation of American Latino life, art, history, and culture.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this concurrent resolution assume—

(1) a Smithsonian American Latino Museum should be created in order to acknowledge and educate all people in the United States about the contributions of Hispanic Americans to the United States;

(2) the Smithsonian Latino Center and the Smithsonian Latino Center's goal of promoting the inclusion of Latino contributions in Smithsonian Institution programs, exhibitions, collections, and public outreach is important; and

(3) in accordance with the recommendations provided to Congress and the President of the United States in the May 2011, report by the National Museum of the American Latino Commission (created by the Consolidated Natural Resources Act of 2008 (Public Law 110-229)), collaboration between the Smithsonian Institution and appropriate Federal and local organizations to increase Latino programming, exhibitions, collections, and outreach at the Smithsonian Institution is encouraged.

SA 574. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO CLOSE WASTEFUL BIG OIL TAX SUBSIDIES FOR THE BIG 5 OIL COMPANIES AND INVEST IN ENERGY CONSERVATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that allow for investment in clean energy and energy efficiency through changes to the tax code with respect to companies that were major integrated oil companies as of 2011, or their successors in interest, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 575. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revis-

ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO CLOSE WASTEFUL BIG OIL TAX SUBSIDIES FOR THE BIG 5 OIL COMPANIES AND REDUCE THE DEFICIT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that allow for deficit reduction through changes to the tax code with respect to companies that were major integrated oil companies as of 2011, or their successors in interest, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 576. Mr. UDALL of Colorado (for himself, Mr. MANCHIN, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5 ____ . SENSE OF THE SENATE RELATING TO A REASONABLE PATH TO A BALANCED BUDGET.

It is the sense of the Senate that eliminating the deficit through a balanced approach requiring shared sacrifice while protecting the middle class should be comprised of the following components:

(1) Total outlays for any fiscal year should not exceed total receipts for that fiscal year, unless three-fifths of the whole number of each House of Congress provide by law for a specific excess of outlays over receipts by a roll call vote.

(2) Prior to each fiscal year, the President should transmit to the Congress a proposed budget for the United States Government for that fiscal year in which total outlays do not exceed total receipts.

(3) The requirements described in paragraphs (1) and (2) should not apply during any fiscal year in which a declaration of war is in effect or in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

(4) The Congress should enforce and implement these requirements by appropriate legislation, which may rely on estimates of outlays and receipts.

(5)(A) Except as described in subparagraph (B), total receipts should include all receipts of the United States Government other than those derived from borrowing, and total outlays should include all outlays of the United States Government other than those for repayment of debt principal.

(B) The receipts (including attributable interest) and outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, or any fund that is a successor to either such fund, should not be considered to be receipts or outlays.

(6) Congress should not pass any bill that provides a net reduction in individual income taxes for those with incomes over \$1,000,000 (as may be adjusted by Congress to account for inflation) if, after enactment, total outlays would exceed total receipts in any fiscal year affected by the bill.

(7) No court of the United States or of any State should enforce these requirements by ordering any reduction in the Social Security benefits authorized by law, including any benefits provided from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or any fund that is a successor to either such fund.

SA 577. Mr. BLUMENTHAL (for himself, Mr. ROCKEFELLER, Mr. MORAN, Mr. MURPHY, Ms. KLOBUCHAR, Mrs. HAGAN, Mrs. SHAHEEN, and Mr. MANCHIN) proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AIR TRAFFIC CONTROL SERVICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to Federal investment in civil air traffic control services, which may include air traffic management at airport towers across the United States or at facilities of the Federal Aviation Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 578. Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO ALLOW STATES TO ENFORCE STATE AND LOCAL USE TAX LAWS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to allowing States to enforce State and local use tax laws and collect taxes already owed under State law on remote sales by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 579. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 316, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Collinsville Renewable Energy Production Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) LICENSE.—The term “license” means—

(A) the license for Commission project number 10822;

(B) the license for Commission project number 10823; or

(C) both.

(3) TOWN.—The term “Town” means the town of Canton, Connecticut.

SEC. 3. REINSTATEMENT, EXTENSION, AND TRANSFER OF EXPIRED LICENSES.

Notwithstanding the termination of the license, the Commission may, at the request of the Town, in accordance with section 4(a), and after reasonable notice—

(1) reinstate the license;

(2) extend for 2 years after the date on which the license is reinstated the time period during which the licensee is required to commence the construction of the project subject to the license; and

(3) subject to section 4, transfer the license to the Town.

SEC. 4. CONDITIONS OF TRANSFER.

(a) APPLICATION FOR TRANSFER.—The Town may request the reinstatement, extension, and transfer of the license by filing an application for approval of the transfer.

(b) CONTENTS OF APPLICATION.—The application for approval of the transfer shall set forth in appropriate detail the qualifications of the Town to hold the license and to operate the property under license, which qualifications shall be the same as those required of applicants for the license.

(c) COMMISSION APPROVAL.—The Commission may approve the transfer on a showing that the transfer is in the public interest.

(d) TERMS AND CONDITIONS OF LICENSES.—The Town shall be subject to—

(1) all the conditions of the license and all the provisions and conditions of the Federal Power Act (16 U.S.C. 791a et seq.), as though the Town were the original licensee; and

(2) any additional terms and conditions the Commission determines to be necessary, in-

cluding conditions for the protection, mitigation, and enhancement of fish and wildlife and related habitat under sections 10(j) and 18 of the Federal Power Act (16 U.S.C. 803(j), 811).

SEC. 5. ADMINISTRATION.

The Commission shall supplement the environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) prepared in connection with the issuance of the original license to examine all new circumstances and information relevant to environmental concerns and bearing on the reinstatement of the license or the impact of the license.

SA 580. Mr. BARRASSO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5 _____. SENSE OF THE SENATE REGARDING THE LEVEL OF PUBLIC DEBT IN THE UNITED STATES.

It is the Sense of the Senate that the levels of public debt outlined in section 101(5) of this resolution are responsible, reasonable, and in a sustainable place.

SA 581. Mr. BAUCUS (for himself, Mrs. SHAHEEN, and Ms. AYOTTE) proposed an amendment to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 2, line 10, insert “and provided that such legislation may include requirements that States recognize the value of small businesses to the United States economy by exempting the remote sales of business inputs from sales and use taxes” after “2023”.

SA 582. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution

S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may encourage growth of small businesses by exempting uniforms required for employment from sales and use taxation” after “2023”.

SA 583. Mr. BAUCUS (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may include requirements that States recognize the harmful effects sales taxes have on families by exempting food for home consumption and school supplies from remote collection of sales and use taxation” after “2023”.

SA 584. Mr. TESTER (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may not include requirements for any State to subject a person to a State sales or use tax-related audit unless that person has sufficient physical nexus in that State” after “2023”.

SA 585. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT,

Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may not include requirements for domestic online sellers to collect sales taxes unless foreign businesses are subject to the same uniform collection procedures, rules, and standards” after “2023”.

SA 586. Mr. BAUCUS (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that the Congressional Budget Office provides estimates of the cost for businesses to comply with such legislation and the amount of unfunded mandates on States as a result of complying with such legislation” after “2023”.

SA 587. Mr. WYDEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may recognize the value that pharmaceutical drugs and healthcare products play in our national economy and exempt those products from sales and use taxation” after “2023”.

SA 588. Mr. BAUCUS (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms.

HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that no Federal taxpayer dollars may be used in the enforcement of such laws” after “2023”.

SA 589. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may allow States to protect their own businesses against audit and tax collection enforcement by other States” after “2023”.

SA 590. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may include requirements allowing States to opt out of the transfer of data relating to the audit and collection of sales and use taxes” after “2023”.

SA 591. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation may recognize the value that natural resources and building supplies play in our national economy and exempt those products from sales and use taxation” after “2023”.

SA 592. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 10, insert “and provided that such legislation recognize the impact of sales taxes and ensures that states that benefits from such legislation do not raise sales taxes before 2023” after “2023”.

SA 593. Mr. JOHNSON of South Dakota (for himself, Mr. CRAPO, Mr. WARNER, Mr. CORKER, Ms. WARREN, Mr. VITTER, Mr. MENENDEZ, Mr. SHELBY, Mr. BROWN, Mr. JOHANNES, Mr. TESTER, Mr. TOOMEY, Mrs. HAGAN, Mr. HELLER, Ms. HEITKAMP, Mr. MANCHIN, Mr. MERKLEY, Mr. SCHUMER, Mr. REED, Mr. COBURN, Mr. KIRK, Mr. MORAN, Mrs. SHAHEEN, and Ms. KLOBUCHAR) proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITING THE USE OF GUARANTEE FEES AS AN OFFSET.

(a) **PURPOSE.**—The purpose of this section is to ensure that increases in guarantee fees charged by Fannie Mae and Freddie Mac shall not be used to offset provisions that increase the deficit.

(b) **BUDGETARY RULE.**—In the Senate, for purposes of determining budgetary impacts to evaluate points of order under this resolution and the Congressional Budget Act of 1974, this resolution, any previous resolution, and any subsequent budget resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that increases any guarantee fees of Fannie Mae and Freddie Mac shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation.

SA 594. Mr. SANDERS (for himself, Mr. BEGICH, Mr. BLUMENTHAL, Mr. JOHNSON of South Dakota, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. MERKLEY) proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO ASSIST LOW-INCOME SENIORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the Older Americans Act of 1965, which may include congregate and home-delivered meals programs, or other assistance to low-income seniors, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 595. Mr. FRANKEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO COMMUNITY BANK AND SMALL INSTITUTION REGULATIONS.

The Chairman of the Senate Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions or conference reports that relate to streamlining regulations for community banks and other smaller financial institutions to promote safety and

soundness, financial stability and consumer protection, which may include legislation to consider alternatives to a one-size-fits-all approach to capital requirements established under international agreements, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 596. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN THE NATIONAL SURFACE TRANSPORTATION NETWORK.

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this concurrent resolution for 1 or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that would make changes or provide for the authorization of competitive grant programs, such as New Starts and TIGER, to invest in rail, highway, transit, transportation alternatives, and other surface transportation projects by the amounts provided in such legislation for those purposes if such legislation would not increase the deficit during—

(1) the 6-year period ending on September 30, 2018; or

(2) the 11-year period ending on September 30, 2023.

SA 597. Mr. SCOTT (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE PROHIBITION OF TAXPAYER DOLLARS AND RESOURCES BEING USED BY FEDERAL AGENCIES TO AUTOMATICALLY DEDUCT UNION DUES FROM THE PAY OF FEDERAL EMPLOYEES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the prohibition of taxpayer dollars and resources being used by Federal agencies to automatically deduct union dues from the pay of Federal employees without raising new revenue, by the

amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 598. Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 17, line 3, increase the amount by \$158,000,000.

On page 17, line 4, increase the amount by \$158,000,000.

On page 46, line 11, decrease the amount by \$158,000,000.

On page 46, line 12, decrease the amount by \$158,000,000.

SA 599. Mr. HOEVEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 35, line 11, increase the amount by \$1,000,000,000.

On page 35, line 12, increase the amount by \$1,000,000,000.

On page 46, line 11, decrease the amount by \$1,000,000,000.

On page 46, line 12, decrease the amount by \$1,000,000,000.

SA 600. Ms. AYOTTE (for herself, Mr. CORNYN, Mrs. FISCHER, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVEMENT OF THE GROUND-BASED MISSILE DEFENSE SYSTEM OF THE UNITED STATES TO BETTER DEFEND AGAINST BALLISTIC MISSILE THREATS FROM THE MIDDLE EAST.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports relating to improving the ground-based missile defense system of the United States to better

defend against ballistic missile threats from the Middle East, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 601. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO ELIMINATE CORPORATE WELFARE.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to the elimination of government-granted advantages that benefit corporations, which may include loan guarantee programs, direct subsidies, tax preferences, regulatory preferences, trade preferences, or sole source contracts, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 602. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT THE FEDERAL REGULATION OF FOOD AND BEVERAGES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to the Federal regulation of food or beverages, which may include preventing the Federal regulation of the size and quantity thereof, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 603. Ms. AYOTTE submitted an amendment intended to be proposed by

her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 5, line 9, decrease the amount by \$78,000,000.

On page 5, line 10, decrease the amount by \$83,000,000.

On page 5, line 11, decrease the amount by \$89,000,000.

On page 5, line 12, decrease the amount by \$95,000,000.

On page 5, line 13, decrease the amount by \$99,000,000.

On page 5, line 14, decrease the amount by \$104,000,000.

On page 5, line 15, decrease the amount by \$108,000,000.

On page 5, line 16, decrease the amount by \$113,000,000.

On page 5, line 17, decrease the amount by \$118,000,000.

On page 5, line 18, decrease the amount by \$123,000,000.

On page 5, line 23, decrease the amount by \$57,500,000.

On page 5, line 24, decrease the amount by \$73,000,000.

On page 5, line 25, decrease the amount by \$86,000,000.

On page 6, line 1, decrease the amount by \$92,000,000.

On page 6, line 2, decrease the amount by \$97,000,000.

On page 6, line 3, decrease the amount by \$102,000,000.

On page 6, line 4, decrease the amount by \$106,000,000.

On page 6, line 5, decrease the amount by \$111,000,000.

On page 6, line 6, decrease the amount by \$116,000,000.

On page 6, line 7, decrease the amount by \$121,000,000.

On page 6, line 12, decrease the amount by \$57,500,000.

On page 6, line 13, decrease the amount by \$73,000,000.

On page 6, line 14, decrease the amount by \$86,000,000.

On page 6, line 15, decrease the amount by \$92,000,000.

On page 6, line 16, decrease the amount by \$97,000,000.

On page 6, line 17, decrease the amount by \$102,000,000.

On page 6, line 18, decrease the amount by \$106,000,000.

On page 6, line 19, decrease the amount by \$111,000,000.

On page 6, line 20, decrease the amount by \$116,000,000.

On page 6, line 21, decrease the amount by \$121,000,000.

On page 26, line 6, decrease the amount by \$78,000,000.

On page 26, line 7, decrease the amount by \$57,500,000.

On page 26, line 10, decrease the amount by \$83,000,000.

On page 26, line 11, decrease the amount by \$73,000,000.

On page 26, line 14, decrease the amount by \$89,000,000.

On page 26, line 15, decrease the amount by \$86,000,000.

On page 26, line 18, decrease the amount by \$95,000,000.

On page 26, line 19, decrease the amount by \$92,000,000.

On page 26, line 22, decrease the amount by \$99,000,000.

On page 26, line 23, decrease the amount by \$97,000,000.

On page 27, line 2, decrease the amount by \$104,000,000.

On page 27, line 3, decrease the amount by \$102,000,000.

On page 27, line 6, decrease the amount by \$108,000,000.

On page 27, line 7, decrease the amount by \$106,000,000.

On page 27, line 10, decrease the amount by \$113,000,000.

On page 27, line 11, decrease the amount by \$111,000,000.

On page 27, line 14, decrease the amount by \$118,000,000.

On page 27, line 15, decrease the amount by \$116,000,000.

On page 27, line 18, decrease the amount by \$123,000,000.

On page 27, line 19, decrease the amount by \$121,000,000.

SA 604. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(1) The levels for Function 800 of this resolution are reduced as follows:

(A) Reduce budget authority by the following amounts:

(i) \$93,000,000,000 in 2014.

(ii) \$95,000,000,000 in 2015.

(iii) \$97,000,000,000 in 2016.

(iv) \$99,000,000,000 in 2017.

(v) \$101,000,000,000 in 2018.

(vi) \$103,000,000,000 in 2019.

(vii) \$105,000,000,000 in 2020.

(viii) \$107,000,000,000 in 2021.

(ix) \$108,000,000,000 in 2022.

(x) \$109,000,000,000 in 2023.

(B) Reduce outlays by the following amounts:

(i) \$93,000,000,000 in 2014.

(ii) \$95,000,000,000 in 2015.

(iii) \$97,000,000,000 in 2016.

(iv) \$99,000,000,000 in 2017.

(v) \$101,000,000,000 in 2018.

(vi) \$103,000,000,000 in 2019.

(vii) \$105,000,000,000 in 2020.

(viii) \$107,000,000,000 in 2021.

(ix) \$108,000,000,000 in 2022.

(x) \$109,000,000,000 in 2023.

(2) Reduce recommended levels of revenues in this resolution by the following amounts:

(A) \$68,000,000 in 2014.

(B) \$69,000,000 in 2015.

(C) \$70,000,000 in 2016.

(D) \$71,000,000 in 2017.

(E) \$72,000,000 in 2018.

(F) \$73,000,000 in 2019.

(G) \$74,000,000 in 2020.

(H) \$75,000,000 in 2021.

(I) \$76,000,000 in 2022.

(J) \$77,000,000 in 2023.

SA 605. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S.

Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REFORM FEDERAL EMPLOYEE RETIREMENT PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reform Federal employee retirement programs, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 606. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FUNDING FOR EMBASSY OR DIPLOMATIC SECURITY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide funding for the purposes of embassy or diplomatic security, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 607. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 261 submitted by Mr. BLUNT (for himself, Mr. THUNE, Mr. CORNYN, and Mr. ROBERTS) and intended to be proposed to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 8, insert “, unless all revenue from such tax or fee is returned to the American people in the form of Federal deficit reduction, reduced Federal tax rates, cost savings, or other direct benefits” before the period.

SA 608. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST EXPANDING THE WORKFORCE OF THE ENVIRONMENTAL PROTECTION AGENCY TO ENFORCE REGULATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report relating to the provision of budgetary resources to the Environmental Protection Agency to hire additional staff to promulgate, implement, or enforce any new regulation in any of fiscal years 2013 through 2023.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 609. Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO HEALTH CARE FOR LOW-INCOME POPULATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to low-income populations, which may include provisions directing the Secretary of Health and Human Services not to withhold or reduce funding, to States that choose not to expand Medicaid, for programs that existed prior to the enactment of the Patient Protection and Affordable Care Act and which serve predominantly low-income populations, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 610. Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional

budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING OR DELAYING REGULATIONS PROMULGATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES THAT REDUCE ACCESS TO HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving or delaying regulations promulgated by the Department of Health and Human Services that reduce access to health care without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 611. Mrs. GILLIBRAND (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRESUMPTIVE BENEFITS COVERAGE FOR EXPOSURE TO AGENT ORANGE FOR VIETNAM VETERANS WHO SERVED IN THE TERRITORIAL SEAS OF THE REPUBLIC OF VIETNAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to extending eligibility for health care for disabilities under laws administered by the Secretary of Veterans Affairs to veterans who served on active duty in the territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, who may have been exposed during such service to dioxin or was exposed during such service to a toxic substance found in a herbicide or defoliant used for military purposes during such period notwithstanding that there is insufficient medical evidence to conclude that such disability may be associated with such exposure, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 612. Mr. BENNET (for himself, Mr. HEINRICH, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS HEALTH CARE ACCESS PROBLEMS IN RURAL AREAS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would address health care access problems in rural areas, which may include access to primary care and outpatient services, hospitals, or an adequate supply of providers in the workforce, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 613. Mr. KIRK (for himself, Mr. MANCHIN, Mr. MENENDEZ, Mr. RUBIO, Mr. HELLER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SANCTIONS WITH RESPECT TO IRAN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Iran, which may include efforts to ensure that the clearance and settlement of euro-denominated transactions through European Union financial institutions does not result in the evasion of or otherwise undermine the impact of sanctions imposed with respect to Iran by the United States and the European Union (including provisions designed to strictly limit the access of the Government of Iran to its foreign exchange reserves and the facilitation of transactions on behalf of sanctioned entities, thus obliging financial institutions and clearinghouses to be vigilant and take transparency measures to avoid being used for the transfer of funds to or from sanctioned entities or the holding of funds for the benefit of sanctioned entities in violation of sanctions laws), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over ei-

ther the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 614. Mr. SESSIONS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-REDUCTION RESERVE FUND TO ACHIEVE SAVINGS BY PROHIBITING ILLEGAL IMMIGRANTS OR ILLEGAL IMMIGRANTS GRANTED LEGAL STATUS FROM QUALIFYING FOR FEDERALLY SUBSIDIZED HEALTH CARE.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings in health care that may be related to prohibiting illegal immigrants or aliens who were unlawfully present in the United States prior to receiving a grant of legal immigration status from qualifying for Medicaid or the exchange subsidies established by the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119), without raising revenues, provided that such legislation would reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 5 and 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be the amount of deficit reduction achieved.

SA 615. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

Beginning on page 59, strike line 25 and all that follows through page 60, line 7, and insert the following:

space and maintenance of Department facilities;

(5) supporting the transition of servicemembers to the civilian workforce, including by expanding or improving education, job training, and workforce development benefits, or other programs for servicemembers or veterans, which may include streamlining the process associated with credentialing requirements; or

(6) improving programs and tax credits, including credits such as the work opportunity tax credit, to expand the availability of employer incentives to hire qualified veterans, including those who have been recently discharged;

SA 616. Mr. WICKER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO FEDERAL GREEN BUILDING POLICIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring Federal green building policies are based on the best available science, do not arbitrarily discriminate against products or source materials from the United States, are developed through a process of consensus, and achieve cost-effective savings in energy and water use without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 617. Mr. WICKER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REFORMING THE MANAGEMENT OF NATURAL RESOURCES ON FEDERAL LAND AND WATERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reforming the management of natural resources on Federal land and waters (including the management of mineral, timber, and onshore and offshore energy resources), reforming the distribution of the receipts from Federal land and waters, and maximizing the job creation potential of the natural resources of the United States in an environmentally safe manner, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 618. Mr. WYDEN (for himself and Mr. PORTMAN) proposed an amendment to the concurrent resolution S. Con.

Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 52, line 18, strike “, or international” and insert “(including requiring timely and time-limited investigations into the evasion of antidumping and countervailing duties), or international”.

SA 619. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO HELPING HOMEOWNERS AND SMALL BUSINESSES MITIGATE AGAINST FLOOD LOSS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing better coordination among flood mitigation programs to meet the unmet mitigation needs of homeowners and small businesses, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 620. Mr. MANCHIN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO UPHOLDING SECOND AMENDMENT RIGHTS AND PROHIBITING THE ESTABLISHMENT OF A NATIONAL FIREARM REGISTRY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to upholding Second Amendment rights, which shall include prohibiting the establishment of a national firearm registry, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the pe-

riod of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 621. Mr. MANCHIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN AMERICAN INFRASTRUCTURE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to infrastructure, which may include directing any additional savings or revenues achieved beyond those outlined in this resolution toward deficit reduction or toward investment in the Nation's infrastructure, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 622. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO PROTECT THE INTERESTS OF THE UNITED STATES IN MAKING A DECISION RELATING TO THE KEYSTONE XL PIPELINE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expeditiously analyzing and making decisions on the Keystone XL pipeline, which may include whether the pipeline is in the national interest if it increases oil prices, harms domestic energy security, including through exporting energy products, uses materials not manufactured in the United States, adversely affects individual property rights, otherwise adversely affects job creation in the United States or our National Security, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 623. Mr. RUBIO proposed an amendment to the concurrent resolu-

tion S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF SENATE ON UNDERUTILIZED FACILITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND THEIR POTENTIAL USE.

(a) FINDINGS.—The Senate finds the following:

(1) The National Aeronautics and Space Administration (NASA) is the ninth largest real property holder of the Federal Government, with more than 124,000 acres and more than 4,900 buildings and other structures with a replacement value of more than \$30,000,000,000.

(2) The annual operation and maintenance costs of the National Aeronautics and Space Administration have increased steadily, and, as of 2012, the Administration has more than \$2,300,000,000 in annual deferred maintenance costs.

(3) According to Office of Inspector General (OIG) of the National Aeronautics and Space Administration, the Administration continues to retain real property that is underutilized, does not have identified future mission uses, or is duplicative of other assets in its real property inventory.

(4) The Office of Inspector General, the Government Accountability Office (GAO), and Congress have identified the aging and duplicative infrastructure of the National Aeronautics and Space Administration as a high priority and longstanding management challenge.

(5) In the NASA Authorization Act of 2010, Congress directed the National Aeronautics and Space Administration to examine its real property assets and downsize to fit current and future missions and expected funding levels, paying particular attention to identifying and removing unneeded or duplicative infrastructure.

(6) The Office of Inspector General found at least 33 facilities, including wind tunnels, test stands, airfields, and launch infrastructure, that were underutilized or for which National Aeronautics and Space Administration managers could not identify a future mission use and that the need for these facilities have declined in recent years as a result of changes in the mission focus of the Administration, the condition and obsolescence of some facilities, and the advent of alternative testing methods.

(7) The Office of Inspector General found that the National Aeronautics and Space Administration has taken steps to minimize the costs of continuing to maintain some of these facilities by placing them in an inactive state or leasing them to other parties.

(8) The National Aeronautics and Space Administration has a series of initiatives underway that, in the judgment of the Office of Inspector General, are “positive steps towards ‘rightsizing’ its real property footprint”, and the Office of Inspector General has concluded that “it is imperative that NASA move forward aggressively with its infrastructure reduction efforts”.

(9) Existing and emerging United States commercial launch and exploration capabilities are providing cargo transportation to the International Space Station and offer the potential for providing crew support, access to the International Space Station, and

missions to low Earth orbit while the National Aeronautics and Space Administration focuses its efforts on heavy-lift capabilities and deep space missions.

(10) National Aeronautics and Space Administration facilities and property that are underutilized, duplicative, or no longer needed for Administration requirements could be utilized by commercial users and State and local entities, resulting in savings for the Administration and a reduction in the burden of the Federal Government to fund space operations.

(b) SENSE OF SENATE.—It is the sense of the Senate that the levels in this concurrent resolution assume—

(1) the National Aeronautics and Space Administration should move forward with plans to reduce its infrastructure and, to the greatest extent practicable, make property available for lease to a government or private tenant or report the property to the General Services Administration (GSA) for sale or transfer to another entity;

(2) the National Aeronautics and Space Administration should pursue opportunities for streamlined sale or lease of property and facilities, including for exclusive use, to a private entity, or expedited conveyance or transfer to a State or political subdivision, municipality, instrumentality of a State, or Department of Transportation-licensed launch site operators for the promotion of commercial or scientific space activity and for developing and operating space launch facilities; and

(3) leasing or transferring underutilized facilities and properties to commercial space entities or State or local governments will reduce operation and maintenance costs for the National Aeronautics and Space Administration, save money for the Federal Government, and promote commercial space and the exploration goals of the Administration and the United States.

SA 624. Mr. JOHANNIS proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO RESTORE FAMILY HEALTH CARE FLEXIBILITY BY REPEALING THE HEALTH SAVINGS ACCOUNT AND FLEXIBLE SPENDING ACCOUNT RESTRICTIONS IN THE HEALTH CARE LAW.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that restore families' health care flexibility, which may include repealing tax increases on tax-advantaged accounts in the Patient Protection and Affordable Care Act (Public Law 111-148; Stat. 119), without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 625. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO RESTORE FAMILY HEALTH CARE FLEXIBILITY BY REPEALING THE HEALTH SAVINGS ACCOUNT AND FLEXIBLE SPENDING ACCOUNT RESTRICTIONS IN THE HEALTH CARE LAW.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to increasing families' capacity to use their own resources for expenses related to their families' care, without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 626. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO RESTORE FAMILY HEALTH CARE FLEXIBILITY BY REPEALING THE HEALTH SAVINGS ACCOUNT AND FLEXIBLE SPENDING ACCOUNT RESTRICTIONS IN THE HEALTH CARE LAW.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to repealing tax increases on tax-advantaged accounts in the Patient Protection and Affordable Care Act (Public Law 111-148; Stat. 119), without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 627. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States

Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND RELATED TO SAVING MEDICARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to protecting those in or near retirement from any disruptions to their Medicare benefits, which may include offering future beneficiaries health care options like those available to Members of Congress, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 628. Mr. VITTER (for himself, Mr. FRANKEN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND TO PREVENT OR DISCOURAGE PAY-FOR-DELAY DEALS THAT DELAY ENTRY OF GENERIC DRUGS TO MARKET.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to preventing or discouraging patent settlements that may result in delayed marketing of a drug (such as a generic drug) by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 629. Mrs. FISCHER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND FOR DEFICIT RESERVE RELATING TO WOMEN'S HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to women's access to health care, which may include the protection of basic primary and preventative health care, family planning and birth control, or employer-provided contraceptive coverage for women's health care, in a manner consistent with the First Amendment to the Constitution, sections 506 and 507 of Division F of Public Law 112-74, the Religious Freedom Restoration Act of 1993, the protection of religious beliefs and moral convictions and without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 630. Mrs. FISCHER (for herself, Mr. CRUZ, Mr. ENZI, and Mr. JOHANNES) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND FOR DEFICIT RESERVE RELATING TO WOMEN'S HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to women's access to health care, which may include the protection of basic primary and preventive health care, in a manner consistent with the First Amendment to the Constitution, sections 506 and 507 of Division F of Public Law 112-74, the Religious Freedom Restoration Act of 1993, the protection of religious beliefs and moral convictions and without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 631. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING TO RESPECTING THE SECOND AMENDMENT RIGHTS OF LAW-ABIDING CITIZENS WHILE PROVIDING TRULY MEANINGFUL SOLUTIONS TO THE ISSUE OF GUN VIOLENCE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to respecting the Second Amendment rights of law-abiding citizens while providing truly meaningful solutions to the issue of violence, including efforts to improve school safety, the operation of the current NICS system, the causes of mass shootings, the reasons the Justice Department continually fails to prosecute individuals that violate current laws, promote law enforcement efforts to recognize and respond to mental illness, ensure Justice Department operations do not let guns walk without executive-level approval, and laws relating to criminal use of firearms, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 632. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, after "initiatives," insert "or use of the Federal Strategic Sourcing Initiative."

SA 633. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, after "initiatives," insert "or the establishment of a database to check for duplicative Federal research grants."

SA 634. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, after "initiatives" insert "or reforms reducing the voluntary payments to the United Nations,".

SA 635. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert "or the reduction of duplicative Federal programs addressing reliance on petroleum fuel in the Federal fleet" after "property".

SA 636. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, insert after "initiatives," the following: "or prohibiting the use of funds for the National Aeronautics and Space Administration for duplicative activities."

SA 637. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, insert after "initiatives" the following: "which may include requiring the disposal by auction of surplus property of the Department of Defense".

SA 638. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, insert after "initiatives" the following: "which may include reducing unnecessary moving costs of enlisted members of the Armed Forces".

SA 639. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States

Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 15, insert after “initia- tives” the following: “which may include converting certain logistics and support services for the Department of Defense from performance by military personnel to per- formance by civilian personnel”.

SA 640. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as fol- lows:

On page 77, line 17, strike “three-fifths” and insert “two-thirds”.

SA 641. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as fol- lows:

On page 58, strike lines 9 through 11, and insert the following:

- (8) wildland fire management activities;
- (9) the restructuring of the nuclear waste program; or
- (10) the transfer of responsibility for exist- ing renewable energy initiatives from the Department of Defense to the Department of Energy or other appropriate agencies;

SA 642. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as fol- lows:

On page 65, line 13, after “programs” insert “, which may include prioritizing funding for the critical maintenance backlog”.

SA 643. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which

was ordered to lie on the table; as fol- lows:

On page 69, line 16, after the word “prop- erty,” insert the following: “or the reduction of duplicative Federal military and veterans’ health services”.

SA 644. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as fol- lows:

On page 69, line 16, after “payments,” in- sert “which may include payments to de- ceased individuals, prisoners, and individuals with seriously delinquent tax liability”.

SA 645. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as fol- lows:

At the end of title V, add the following:

SEC. 5. CHILDREN’S PROGRAMS.

The Committees of the Senate, in carrying out the provisions of this resolution, may re- quest that each agency submit an analysis identifying the amounts of gross and net ap- propriations, obligational authority, and outlays that are directed to individuals under 19 years of age within the United States and territories in such a manner as to provide Congress with an accounting of all Federal activities affecting those under 19 years of age.

SA 646. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as fol- lows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RE- LATING TO ENSURING THAT ALL REVENUE FROM A FEE ON CARBON POLLUTION IS RETURNED TO THE AMERICAN PEOPLE.

The Chairman of the Committee on the Budget of the Senate may revise the alloca- tions of a committee or committees, aggre- gates, and other appropriate levels in this resolution for one or more bills, joint resolu- tions, amendments, amendments between the Houses, motions, or conference reports relating to the establishment of a fee on car- bon pollution, provided that—

- (1) all revenue from such fee is returned to the American people in the form of Federal deficit reduction, reduced Federal tax rates, cost savings, or other direct benefits; and

- (2) such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 647. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as fol- lows:

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE EXPORTS, CREATE JOBS, AND INVEST IN THE ECONOMIC FUTURE OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the alloca- tions of a committee or committees, aggre- gates, and other appropriate levels in this resolution for one or more bills, joint resolu- tions, amendments, motions, or conference reports that relate to promoting exports, creating jobs, and investing in the economic future of the United States, which may in- clude services provided to exporters by agen- cies with responsibility for export pro- motion, by the amounts provided in such leg- islation for those purposes, provided that such legislation would not increase the de- ficit over either the period of the total of fis- cal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 648. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congres- sional budget for the United States Government for fiscal year 2014, revis- ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as fol- lows:

At the appropriate place, insert the fol- lowing:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR SUPPORTING THE IMPROVEMENT AND ENHANCEMENT OF THE CAPA- BILITIES OF THE ARMED FORCES TO PREVENT AND RESPOND TO SEXUAL ASSAULT AND SEXUAL HARASSMENT IN THE ARMED FORCES.

The Chairman of the Committee on the Budget of the Senate may revise the alloca- tions of a committee or committees, aggre- gates, and other appropriate levels in this resolution for one or more bills, joint resolu- tions, amendments, amendments between Houses, motions or conference reports relat- ing to the improvement and enhancement of the capabilities of the Armed Forces to pre- vent and respond to sexual assault and sex- ual harassment in the Armed Forces, includ- ing the collection and retention of records to improve tracking and review of sexual as- sault claims in the Armed Forces, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2019 or the period of the total fiscal years 2014–2023.

SA 649. Mr. HARKIN submitted an amendment intended to be proposed by

him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO ENHANCE AND ENCOURAGE EMPLOYEE STOCK OWNERSHIP PLANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may enhance and encourage employee stock ownership plans, by strengthening the statutory standards applicable to appraisers of such plans without changing fiduciary requirements and without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 650. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING WOMEN SEEKING AN ADOPTION OR REPRODUCTIVE HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting women, which may include protecting the women from threats, violence, coercion, or inaccurate, deceptive, or incomplete information, when the women seek services or information related to adoption or reproductive health care, which may include family planning, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 651. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. WARREN, and Mr. COWAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year

2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND TO MAKE COMPREHENSIVE IMPROVEMENTS TO MEDICARE HOSPITAL WAGE-RELATED PAYMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would adjust Medicare payments for hospitals, which may include adjustments to reflect area differences in wage levels, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 652. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING THAT LOW-INCOME AND MIDDLE CLASS FAMILIES ARE NOT IMPACTED BY A FEDERAL TAX ON CARBON EMISSIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to measures that take into account the impact that any Federal tax on carbon emissions would have on low-income and middle class families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 653. Mrs. MURRAY submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE DEFINITION OF FULL-TIME EMPLOYEE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolu-

tions, amendments, amendments between the Houses, motions, or conference reports to explore alternative methods of measuring what constitutes a full-time employee under section 4980H of the Internal Revenue Code of 1986, which may include a study by the Secretary of the Treasury, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 654. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND TO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that address sex selective abortions based on proven strategies, peer reviewed research and in a manner that is consistent with the American Medical Association Policy on Freedom of Communication between Physicians and Patients by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 655. Mr. HOEVEN proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 76, after line 25, add the following:
SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASES IN AID FOR TRIBAL EDUCATION PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increases in aid for tribal education programs, including the Tribally Controlled Postsecondary Career and Technical Institutions Program administered by the Department of Education, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 656. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms.

HEITKAMP) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

Strike all after “**DEFICIT**” on page 1, line 2, and all that follows, and insert the following:

NEUTRAL RESERVE FUND TO ALLOW STATES TO ENFORCE STATE AND LOCAL USE TAX LAWS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of any committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to allowing States to enforce State and local use tax already owed under State law on remote sales by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 657. Ms. AYOTTE (for herself, Mr. BAUCUS, Mrs. SHAHEEN, Mr. WYDEN, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 5, insert “, which may include provisions protecting Federal taxpayer dollars, provisions protecting against Federal or State intrusion into States’ rights, provisions allowing States to protect taxpayer data, provisions allowing the Congressional Budget Office to provide estimates of the costs to be incurred by businesses or States in complying with the legislation, provisions providing for internationally uniform collection procedures, or provisions requiring a physical nexus,” after “sales”.

SA 658. Mr. BAUCUS (for himself, Ms. AYOTTE, Mrs. SHAHEEN, Mr. WYDEN, and Mr. TESTER) submitted an amendment

intended to be proposed to amendment SA 578 submitted by Mr. DURBIN (for himself, Mr. ENZI, Mr. ALEXANDER, Ms. HEITKAMP, Mr. BLUNT, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Ms. COLLINS, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. HARKIN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Mr. LEVIN, Mr. PRYOR, Mr. UDALL of Colorado, and Mr. MANCHIN) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, line 5, insert “, which may include provisions protecting the American economy and the most vulnerable, such as small businesses, low income families, and seniors” after “sales”.

SA 659. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT THE EPA FROM ISSUING OR WITHDRAWING CERTAIN PERMITS UNDER THE CLEAN AIR ACT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that prevent the Environmental Protection Agency from issuing or withdrawing permits under the Clean Air Act (42 U.S.C. 7401 et seq.) for the Nucor Steel Refining facility in the State of Louisiana and ensures that the State of Louisiana has sole discretion to offer those permits, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 660. Mr. TESTER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE DIRECT ELECTRONIC FILING OF CAMPAIGN FINANCE DISCLOSURE REPORTS FOR SENATE CAMPAIGN COMMITTEES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the direct electronic filing of campaign finance disclosure reports for Senate campaign committees (including candidate committees and party committees), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 661. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that ensure access to timely, legal and safe medical information and care, including emergency contraception, for victims of rape by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 662. Mrs. SHAHEEN (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR REDUCING THE AMOUNT THE FEDERAL GOVERNMENT SPENDS ON BUYING AND LEASING NON-ESSENTIAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendment between Houses, motions, or conference reports relating to reducing the amount the Federal Government spends on buying and leasing non-

essential vehicles, including reducing funds available for the acquisition and lease of new non-postal civilian and non-tactical military vehicles by 20 percent, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 663. Mr. CRAPO submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING BIPARTISAN, RESPONSIBLE REGULATION OF CHEMICALS FOR HUMAN HEALTH AND PUBLIC SAFETY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting human health and the environment by managing risks from chemical exposure and encouraging innovation through responsible, bipartisan chemical policy, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 664. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or ending subsidies for housing complexes with life threatening conditions,” after “property,”.

SA 665. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or prohibiting the outsourcing of Congress’s duties to new congressional commissions or super committees,” after “property,”.

SA 666. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or prohibiting the repayment of federal loans with federal loans with federal grants,” after “property,”.

SA 667. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or prohibiting agencies or programs from funding a project already being funded by another agency or program,” after “property,”.

SA 668. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 69, line 16, insert “or prohibiting funding for certain wasteful spending items,” after “property,”.

SA 669. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ____ DEFICIT-REDUCTION RESERVE FUND RELATING TO PREVENTING THE FEDERAL GOVERNMENT FROM PROVIDING ENHANCED FUNDING FOR ANY STATE’S EXPANSION OF THE MEDICAID PROGRAM.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to expediting medical claim of veterans, by the amounts provided in such legis-

lation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 670. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ____ DEFICIT-REDUCTION RESERVE FUND RELATING TO PREVENTING THE FEDERAL GOVERNMENT FROM PROVIDING ENHANCED FUNDING FOR ANY STATE’S EXPANSION OF THE MEDICAID PROGRAM.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to reopening the White House for public tours, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 671. Mr. KIRK (for himself, Mr. MANCHIN, Mr. MENENDEZ, Mr. JOHNSON of South Dakota, Mr. HELLER, Mr. RUBIO, Mr. CARDIN, Mr. CASEY, Mr. MERKLEY, and Mr. COONS) proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SANCTIONS WITH RESPECT TO IRAN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Iran, which may include efforts to clarify that the clearance and settlement of euro-denominated transactions through European Union financial institutions may not result in the evasion of or otherwise undermine the impact of sanctions imposed with respect to Iran by the United States and the European Union (including provisions designed to strictly limit the access of the Government of Iran to its foreign exchange reserves and the facilitation of transactions on behalf of sanctioned entities), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years

2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 672. Ms. MURKOWSKI (for herself, Ms. WARREN, Ms. AYOTTE, Mr. WICKER, Mr. COCHRAN, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. BEGICH, Mr. REED, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. COLLINS, Mr. COWAN, Mr. SCHUMER, and Mr. KING) proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 58, between lines 11 and 12, insert the following:

(10) to provide assistance for fishery disasters declared by the Secretary of Commerce during 2012;

SA 673. Mr. LEE (for himself and Mr. VITTER) proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. ____ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD FURTHER RESTRICT THE RIGHT OF LAW-ABIDING AMERICANS TO OWN A FIREARM.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that further restricts the right of law-abiding individuals in the United States to own a firearm in any year covered by the budget resolution.

(b) **DEFINITION.**—In this section, the term “further restriction on the right of law-abiding individuals in the United States to own a firearm” means any further restriction on the right of law-abiding individuals in the United States to own a firearm not contained in law prior to the consideration of the concurrent resolution on the budget, including but not limited to any legislation that—

(1) prohibits, increases restrictions on, or regulates the manufacture or ownership of any firearm that is permitted under Federal law prior to the consideration of the concurrent resolution on the budget;

(2) prohibits the manufacture or possession of specified categories of firearms based on the characteristics of such firearms that are permitted to be manufactured or possessed under Federal law prior to the consideration of the concurrent resolution on the budget;

(3) prohibits specific firearms or categories of firearms that are permitted under Federal law prior to the consideration of the concurrent resolution on the budget;

(4) limits the size of ammunition feeding devices or prohibits categories of ammunition feeding devices that are permitted under Federal law prior to the consideration of the concurrent resolution on the budget;

(5) requires background checks through a Federal firearms licensee for private trans-

fers of firearms if the transfers do not require a background check under Federal law prior to the consideration of the concurrent resolution on the budget;

(6) establishes a record-keeping system for the sale of firearms not established prior to the consideration of the concurrent resolution on the budget; or

(7) imposes prison sentences for sales, gifts, or raffles of firearms to veterans who are unknown to the transferor as a person prohibited from possessing a firearm that would not otherwise be imposed under Federal law prior to the consideration of the concurrent resolution on the budget.

(c) **SUPER MAJORITY WAIVER AND APPEAL.**—

(1) **WAIVER.**—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) **APPEAL.**—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 674. Mr. VITTER (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO END “TOO BIG TO FAIL” SUBSIDIES OR FUNDING ADVANTAGE FOR WALL STREET MEGA-BANKS (OVER \$500 BILLION IN TOTAL ASSETS).

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to funding subsidies received by bank holding companies with over \$500,000,000,000 in total assets, which may include elimination of any funding subsidies resulting from the perception of federal assistance to prevent receivership, or any funding subsidies resulting from the perception of federal assistance to facilitate exit from receivership, or to realign market incentives to protect the taxpayer, except in the case of Federal assistance provided in response to a natural disaster, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 675. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 430 proposed by Mr. LEVIN (for himself, Mr. MCCAIN, and Mr. WHITEHOUSE) to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels

for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 2, lines 2 through 5, strike “, provided that such legislation would reduce the deficit over the period of the total of fiscal years 2013 through 2018 and the period of the total of fiscal years 2013 through 2023” and insert “, or measures providing for comprehensive tax reform that ensures a revenue structure that is more efficient, leads to a more competitive business environment, and may result in additional rate reductions, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023”.

SA 676. Mr. COBURN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 ____ . DEFICIT-REDUCTION RESERVE FUND TO REDUCE UNCERTAINTY CAUSED BY TEMPORARY, ARBITRARY INTEREST RATES ON FEDERAL STUDENT LOANS, AND TO REDUCE COSTS FOR STUDENT BORROWERS, BY BASING THE FIXED INTEREST RATE OF FEDERALLY-ISSUED STUDENT LOANS ON THE 10-YEAR TREASURY RATE PLUS 3 PERCENTAGE POINTS FOR FEDERAL DIRECT STAFFORD LOANS AND FEDERAL DIRECT UNSUBSIDIZED STAFFORD LOANS AND THE 10-YEAR TREASURY RATE PLUS 4.1 PERCENTAGE POINTS FOR GRADUATE AND PARENT FEDERAL DIRECT PLUS LOANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings in Federal student loan programs and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate’s pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SA 677. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ATTEMPTS TO DEPRIVE A CITIZEN OF THE UNITED STATES OF ANY CONSTITUTIONAL RIGHTS BASED ON A JUDGMENT OF A FOREIGN JURISDICTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to attempts to deprive a citizen of the United States of any rights under the Constitution, especially the right to bear arms under the Second Amendment to the Constitution, based on the judgment of a foreign jurisdiction that may or may not have provided the citizen with a fair and speedy trial, an attorney, a jury, or any other constitutional rights that a citizen of the United States would have enjoyed in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 678. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO CONGRESSIONAL COMMITTEES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committee aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to congressional committee oversight of duplicative federal programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 679. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PUBLIC WHITE HOUSE TOURS

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and

other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to re-opening the White House for public tours, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 680. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 53, line 11, insert “or to increase work participation rates under TANF,” after “families.”

SA 681. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 53, line 11, insert “or to update the funding formula for TANF,” after “families.”

SA 682. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO RESTRICT SNAP, TANF, SECTION 8 VOUCHER AND PUBLIC HOUSING ASSISTANCE, AND THE EARNED INCOME TAX CREDIT TO INDIVIDUALS WITH INCOME OF NOT MORE THAN 200 PERCENT OF THE POVERTY LINE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that restrict benefits under the Supplemental Nutrition Assistance Program (SNAP), benefits or assistance under the Temporary Assistance for Needy Families program (TANF), Section 8 voucher and public housing assistance, and the Earned Income Tax Credit (EITC) to individuals with income of not more than 200 percent of the poverty line, by the amounts provided in such legislation for those purposes, provided

that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 683. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO CONTRACTING REFORM

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to prohibiting bonuses for certain delayed contracts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 684. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 53, line 23, after “Fund,” insert “or measures consolidating public housing authorities.”

SA 685. Mr. COBURN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

On page 53, line 23, after “Fund,” insert “or measures to create or increase work requirements for Section 8 voucher and public housing assistance recipients.”

SA 686. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for

fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5. SENSE OF THE SENATE REGARDING IMPROVING NICS.

It is the sense of the Senate that improvements should be made to the effectiveness of the National Instant Criminal Background Check System, including by clarifying reporting requirements relating to adjudications of mental incompetency.

SA 687. Mr. PAUL (for himself, Mr. LEAHY, Mr. BAUCUS, and Mr. TESTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND FOR THE RESTRICTION OF DRONES WITHIN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports relating to the use of drones in United States airspace, which may include a prohibition on the use of drones in domestic surveillance and a requirement that the Government obtain a warrant before using a drone in a surveillance capacity, consistent with the Fourth Amendment to the Constitution, and with exceptions for border security or exigent circumstances, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 688. Mr. BLUNT (for himself, Mr. THUNE, Mr. CORNYN, Mr. ROBERTS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO PREVENT LEGISLATION WITH A TAX OR FEE ON CARBON.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that prohibits a Federal Carbon Tax or Federal fee on car-

bon emissions in any year covered by the budget resolution by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 689. Mr. VITTER (for himself, Mr. BROWN, Mr. CORKER, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place insert the following:

SEC. ____ . DEFICIT-NEUTRAL RESERVE FUND TO END "TOO BIG TO FAIL" SUBSIDIES OR FUNDING ADVANTAGE FOR WALL STREET MEGA-BANKS (OVER \$500 BILLION IN TOTAL ASSETS).

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to any subsidies or funding advantage relative to other competitors received by bank holding companies with over \$500,000,000,000 in total assets, which may include elimination of any subsidies or funding advantage relative to other competitors resulting from the perception of federal assistance to prevent receivership, or any subsidies or funding advantage relative to other competitors resulting from the perception of federal assistance to facilitate exit from receivership, or to realign market incentives to protect the taxpayer, except in the case of Federal assistance provided in response to a natural disaster, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SA 690. Mr. SCOTT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REPEAL THE DAVIS-BACON ACT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for a repeal of subchapter IV of chapter 31 of title 40, United States Code, (commonly referred to as the Davis-Bacon Act) without raising new rev-

enue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 691. Mr. PAUL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO CLARIFY THE DEFINITION OF WATERS OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the budget authority and outlay allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) which may clarify that "navigable waters" means waters of the United States, including the territorial seas that are navigable-in-fact or permanent, or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 692. Mr. THUNE (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST CHANGES TO THE CHARITABLE DEDUCTION TO PAY FOR NEW SPENDING.

(a) POINT OF ORDER.—For any fiscal year in which a concurrent resolution on the budget is in effect, it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would result in revenues that, prior to any adjustment made pursuant to any reserve fund, would be greater than the level of revenues set forth for the first fiscal year or the total of that fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate

only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 693. Mr. WARNER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE REPEAL OR REDUCTION OF THE ESTATE TAX.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the repeal or reduction of the estate tax, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 694. Mr. MERKLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE NO FINANCIAL INSTITUTION IS ABOVE THE LAW REGARDLESS OF SIZE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to criminal liability of a financial institution operating in the United States, which may include measures to address the criminal prosecution of a large financial institution operating in the United States or executives of a large financial institution operating in the United States, including for wrongdoing relating to money laundering or violation of sanctions laws, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 695. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S.

Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE VICTIMS OF RAPE HAVE TIMELY ACCESS TO LEGAL AND SAFE MEDICAL INFORMATION AND CARE, INCLUDING EMERGENCY CONTRACEPTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that ensure access to timely, legal and safe medical information and care, including emergency contraception, for victims of rape, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 696. Mr. MERKLEY (for himself, Mr. GRASSLEY, Mr. SANDERS, Ms. WARREN, Mr. HELLER, Mr. TESTER, Mr. CORNYN, Mr. SHELBY, Mr. BEGICH, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE NO FINANCIAL INSTITUTION IS ABOVE THE LAW REGARDLESS OF SIZE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to criminal liability of a financial institution operating in the United States, which may include measures to address the criminal prosecution of a large financial institution operating in the United States or executives of a large financial institution operating in the United States, including for wrongdoing relating to money laundering or violation of sanctions laws, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 697. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revis-

ing the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

Beginning on page 49, strike line 20 and all that follows through page 50, line 2.

On page 4, line 6, reduce the amount by \$20,000,000,000.

On page 4, line 7, reduce the amount by \$40,000,000,000.

On page 4, line 8, reduce the amount by \$55,000,000,000.

On page 4, line 9, reduce the amount by \$70,000,000,000.

On page 4, line 10, reduce the amount by \$82,110,000,000.

On page 4, line 11, reduce the amount by \$95,881,000,000.

On page 4, line 12, reduce the amount by \$115,534,000,000.

On page 4, line 13, reduce the amount by \$135,203,000,000.

On page 4, line 14, reduce the amount by \$149,801,000,000.

On page 4, line 15, reduce the amount by \$159,650,000,000.

On page 4, line 20, reduce the amount by \$20,000,000,000.

On page 4, line 21, reduce the amount by \$40,000,000,000.

On page 4, line 22, reduce the amount by \$55,000,000,000.

On page 4, line 23, reduce the amount by \$70,000,000,000.

On page 4, line 24, reduce the amount by \$82,110,000,000.

On page 4, line 25, reduce the amount by \$95,881,000,000.

On page 5, line 1, reduce the amount by \$115,534,000,000.

On page 5, line 2, reduce the amount by \$135,203,000,000.

On page 5, line 3, reduce the amount by \$149,801,000,000.

On page 5, line 4, reduce the amount by \$159,630,000,000.

At the end of subtitle A of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD RAISE TAXES ON VETERANS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase taxes on United States veterans or their survivors.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 698. Mr. ENZI submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5. SENSE OF THE SENATE REGARDING PROVIDING INDIVIDUAL FOREIGN NATIONALS WITH FIREARMS.

It is the sense of the Senate that Federal law enforcement agencies and officers should be prohibited from selling or supplying firearms to, or facilitating the obtaining of firearms by, individual foreign nationals without the express authorization of the Attorney General.

SA 699. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATED TO VICTIMS OF RAPE HAVE TIMELY ACCESS TO LEGAL AND SAFE MEDICAL INFORMATION AND CARE, INCLUDING EMERGENCY CONTRACEPTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to providing access to timely, legal, and safe medical information and care, including emergency contraception, for victims of rape, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 700. Mr. McCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5. SENSE OF THE SENATE REGARDING ASSISTANCE FOR DISABLED VETERANS.

It is the sense of the Senate that the Davis-Bacon Act should be repealed and the savings should be reallocated to assist disabled veterans.

SA 701. Mr. CRUZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND TO PROTECT PUNISHMENTS AGAINST CHILD RAPISTS PROVIDED BY STATE LAW.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports to protect the appropriate punishments against child rapists provided by state law, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 702. Mr. CRUZ proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the appropriate place, insert the following:

SEC. . SENATE POINT OF ORDER AGAINST LEGISLATION FUNDING THE UNITED NATIONS WHILE MEMBER NATIONS FORCE THEIR CITIZENS OR RESIDENTS TO UNDERGO ABORTIONS.

(a) IN GENERAL—It shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any amendment, amendment between Houses, motion, or conference report thereon that would make public funds available to the United Nations, or to any affiliate organization of the United Nations, while any member nation compels citizens or residents of that nation to involuntarily undergo abortions in any year covered by the budget resolution.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE—

(1) WAIVER—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 703. Mr. REID (for himself, Mr. MENENDEZ, Ms. LANDRIEU, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO DEPARTMENT OF STATE REVIEW OF DELAYS IN GUATEMALAN ADOPTIONS.

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to a review by the Secretary of State of delays in the adoption of Guatemalan children by United States parents, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 704. Mr. LEE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND TO . . .

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports to protect millions of mothers and children from the tragedy of needless abortions, which are performed each and every day, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 705. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE ELIGIBILITY CRITERIA FOR CERTAIN UNLAWFUL IMMIGRANT INDIVIDUALS WITH RESPECT TO CERTAIN HEALTH INSURANCE PLANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to limiting undocumented immigrants from qualifying for federally subsidized health insurance coverage, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 706. Mr. CARDIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURE THAT ANY CARBON EMISSIONS STANDARDS MUST BE COST EFFECTIVE, BASED ON THE BEST AVAILABLE SCIENCE, AND BENEFIT LOW-INCOME AND MIDDLE CLASS FAMILIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to carbon emission standards, that any such standards must be cost effective, based on best available science and benefit low-income and middle class families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 707. Mr. VITTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT INVESTMENT OF UNITED STATES TAXPAYER MONEY IN INTERNATIONAL GREEN CLIMATE FUNDS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would prevent the Office of Environment and Energy at the Treasury Department from participating in the development of any international fund that would use United States taxpayer money designated for climate change to fund renewable energy projects abroad, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 708. Mr. LEVIN (for himself, Mr. HATCH, Mr. MCCAIN, Mr. WHITEHOUSE, Mr. HARKIN, Mr. MANCHIN, Mr. BLUMENTHAL, and Mr. Kaine) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United

States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. RESERVE FUND TO END OFFSHORE TAX ABUSES BY LARGE CORPORATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to corporate income taxes, which may include measures to end offshore tax abuses used by large corporations or measures providing for comprehensive tax reform that ensures a revenue structure that is more efficient, leads to a more competitive business environment, and may result in additional rate or deficit reductions, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SA 709. Mr. COBURN proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

On page 69, line 16, insert "or the reduction of duplicative Federal financial literacy programs," after "property,".

On page 69, line 16, after "property," insert "or the reduction of duplicative Federal housing assistance programs".

On page 69, line 16, after "property," insert "or the reduction of duplicative Federal grant programs within the Department of Justice,".

On page 69, line 16, insert "or the reduction of duplicative Federal unmanned aircraft programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative Federal science, technology, engineering, and mathematics programs" after "property,".

On page 69, line 16, insert "or the reduction of duplicative Federal economic development programs" after "property,".

On page 69, line 16, insert "or the reduction of duplicative Federal support for entrepreneurs programs," after "property,".

On page 69, line 16, insert after "property" the following: "or the reduction of duplicative preparedness grants by the Federal Emergency Management Agency".

On page 69, line 16, insert "or the reduction of duplicative Federal green building programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative Federal diesel emissions programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative early learning and child care programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative domestic food assistance programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative teacher quality programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative food safety programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative Defense language and cultural training programs," after "property,".

On page 69, line 16, insert "or the reduction of duplicative nuclear nonproliferation programs," after "property,".

SA 710. Mr. LEAHY proposed an amendment to the concurrent resolution S. Con. Res. 8, setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; as follows:

At the end of title III, add the following:

SEC. 3 _____. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT THE UNITED STATES WILL NOT NEGOTIATE OR SUPPORT TREATIES THAT VIOLATE AMERICANS' SECOND AMENDMENT RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the implementation of treaties, including upholding the constitutional rights of citizens of the United States when treaties are negotiated, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 22, 2013, at 11 a.m., in S-216 of the Capitol, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. SESSIONS. Mr. President, I ask unanimous consent that the privileges of the floor be granted to the following member of my staff: George Everly.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

On Wednesday, March 20, 2013, the Senate passed H.R. 933, as amended, as follows:

H.R. 933

Resolved, That the bill from the House of Representatives (H.R. 933) entitled "An Act

making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.”, do pass with the following amendments:

Strike all after the enacting clause, and insert in lieu thereof:

SHORT TITLE

SECTION 1. This Act may be cited as the “Consolidated and Further Continuing Appropriations Act, 2013”.

TABLE OF CONTENTS

SEC. 2. The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Availability of funds.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Related Agency and Food and Drug Administration
- Title VII—General provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Department of Commerce
- Title II—Department of Justice
- Title III—Science
- Title IV—Related agencies
- Title V—General provisions

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

- Title I—Military Personnel
- Title II—Operation and Maintenance
- Title III—Procurement
- Title IV—Research, Development, Test and Evaluation
- Title V—Revolving and Management Funds
- Title VI—Other Department of Defense Programs
- Title VII—Related agencies
- Title VIII—General provisions
- Title IX—Overseas contingency operations

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

- Title I—Departmental management and operations
- Title II—Security, enforcement, and investigations
- Title III—Protection, preparedness, response, and recovery
- Title IV—Research and development, training, and services
- Title V—General provisions

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

- Title I—Department of Defense
- Title II—Department of Veterans Affairs
- Title III—Related agencies
- Title IV—Overseas contingency operations
- Title V—General provisions

DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

- Title I—General Provisions
- Title II—Energy and Water Development
- Title III—Financial Services and General Government
- Title IV—Interior, Environment, and Related Agencies

Title V—Labor, Health and Human Services, and Education, and Related Agencies

Title VI—Legislative Branch

Title VII—Department of State, Foreign Operations, and Related Programs

Title VIII—Transportation and Housing and Urban Development, and Related Agencies

DIVISION G—OTHER MATTERS

REFERENCES

SEC. 3. Except as expressly provided otherwise, any reference to “this Act” contained in division A, B, C, D, or E of this Act shall be treated as referring only to the provisions of that division.

EXPLANATORY STATEMENT

SEC. 4. The explanatory statement regarding this Act printed in the Senate section of the Congressional Record on or about March 11, 2013, by the Chairwoman of the Committee on Appropriations of the Senate shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

AVAILABILITY OF FUNDS

SEC. 5. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, \$46,388,000, of which not to exceed \$5,051,000 shall be available for the immediate Office of the Secretary; not to exceed \$498,000 shall be available for the Office of Tribal Relations; not to exceed \$1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed \$1,422,000 shall be available for the Office of Advocacy and Outreach; not to exceed \$25,046,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$24,242,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed \$3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed \$9,006,000 shall be available for the Office of Communications: Provided, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of

the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent: Provided further, That not to exceed \$11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: Provided further, That funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$16,008,000, of which \$4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155 and shall be obligated within 90 days of the enactment of this Act.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$14,225,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$9,049,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$44,031,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$6,247,000: Provided, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A-76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$893,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$22,692,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and

facilities, and for related costs, \$271,336,000, to remain available until expended, of which \$175,694,000 shall be available for payments to the General Services Administration for rent; of which \$13,473,000 is for payments to the Department of Homeland Security for building security activities; and of which \$82,169,000 is for buildings operations and maintenance expenses: Provided, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior year rental payments for such agency or office: Provided further, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

HAZARDOUS MATERIALS MANAGEMENT (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$3,992,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, \$89,016,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$45,074,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, \$3,405,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, \$893,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, \$77,397,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$179,477,000, of which up to \$62,500,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership,

\$1,101,853,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for greenhouses or greenhouses which shall each be limited to \$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: Provided further, That section 732(b) of division A of Public Law 112-55 (125 Stat. 587) is amended by adding at the end the following new sentence: "The conveyance authority provided by this subsection expires September 30, 2013, and all conveyances under this subsection must be completed by that date.": Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$738,638,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the report accompanying this Act: Provided, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, Critical Agricultural Materials Act, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: Provided further, That each institution eligible to receive funds under the Evans-Allen program receives no less than \$1,000,000: Provided further, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: Provided further, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$475,854,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the report accompanying this Act: Provided, That funds for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than \$1,000,000: Provided further, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93-471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$21,482,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2014.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$893,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$821,851,000, of which \$1,500,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which \$15,970,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which \$36,858,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$696,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which \$52,000,000, to remain available until expended, shall be used to support avian health; of which \$4,335,000, to remain available until expended, shall be for information technology infrastructure; of which \$153,950,000, to remain available until expended, shall be for specialty crop pests; of which \$9,068,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$56,638,000, to remain available until expended, shall be for tree and wood pests; of which \$2,750,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation

safety: Provided, That of amounts available under this heading for wildlife services methods development, \$1,000,000 shall remain available until expended: Provided further, That of amounts available under this heading for the screwworm program, \$4,971,000 shall remain available until expended: Provided further, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2013, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$78,863,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$62,592,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$20,056,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,331,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, \$40,261,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$50,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, \$811,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,001,427,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: Provided further, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2013 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: Provided further, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110-246: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, \$893,000.

FARM SERVICE AGENCY SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,208,290,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That funds made available to county committees shall remain available until expended.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$4,369,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb-2), \$5,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM (INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387, 114 Stat. 1549A-12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$1,500,000,000 for guaranteed farm ownership loans and \$475,000,000 for farm ownership direct loans; \$1,500,000,000 for unsubsidized guaranteed operating loans and \$1,050,090,000 for direct operating loans; emergency loans, \$34,658,000; Indian tribe land acquisition loans, \$2,000,000; guaranteed conservation loans, \$150,000,000; Indian highly fractionated land loans, \$10,000,000; and for boll weevil eradication program loans, \$100,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership, \$20,140,000 for direct loans; farm operating loans, \$58,490,000 for direct operating loans, \$17,850,000 for unsubsidized guaranteed operating loans, emergency loans, \$1,317,000, to remain available until expended; and Indian highly fractionated land loans, \$173,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed

loan programs, \$312,897,000, of which \$304,977,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, \$74,900,000: Provided, That the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: Provided further, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11): Provided, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$893,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C.

590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$830,998,000, to remain available until September 30, 2014: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, \$14,700,000 is provided.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$893,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural co-operatives; and for cooperative agreements; \$206,857,000: Provided, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM

ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$900,000,000 shall be for direct loans and \$24,000,000,000 shall be for unsubsidized guaranteed loans; \$27,952,000 for section 504 housing repair loans; \$31,277,000 for section 515 rental housing; \$150,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; and \$5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$53,730,000 shall be for direct loans; section 504 housing re-

pair loans, \$3,821,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$11,000,000: Provided, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: Provided further, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: Provided further, That of the total amount appropriated in this paragraph, the amount equal to the amount of Rural Housing Insurance Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: Provided further, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2013.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$16,526,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: Provided, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$410,627,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$907,128,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount not less than \$3,000,000 is available for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: Provided further, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a 1-year period: Provided further, That any unexpended balances remaining at the end of such 1-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: Provided further, That rental assistance provided under agreements entered into prior to fiscal year 2013 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: Provided further, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing

project financed under section 514 or 516 of the Act.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, \$27,782,000, to remain available until expended: Provided, That of the funds made available under this heading, \$10,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: Provided further, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: Provided further, That funds made available for such vouchers shall be subject to the availability of annual appropriations: Provided further, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: Provided further, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: Provided further, That of the funds made available under this heading, \$17,782,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: Provided further, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: Provided further, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: Provided further, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That in addition to any other available funds, the Secretary may expend not more than \$1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42

U.S.C. 1490c), \$30,000,000, to remain available until expended: Provided, That of the total amount appropriated under this heading, the amount equal to the amount of Mutual and Self-Help Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, \$33,136,000, to remain available until expended: Provided, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Housing Assistance Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$2,200,000,000 for direct loans and \$57,481,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$3,880,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$28,428,000, to remain available until expended: Provided, That \$6,121,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That \$5,938,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106-387), with up to 5 percent for administration and capacity building in the State rural development offices: Provided further, That \$3,369,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Community Facilities Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: Provided further, That sections 381E-H and 381N of the

Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in subsections (f) and (g) of section 310B and section 381E(d)(3) of the Consolidated Farm and Rural Development Act, \$85,904,000, to remain available until expended: Provided, That of the amount appropriated under this heading, not to exceed \$1,000,000 shall be made available for two grants to qualified national organizations to provide technical assistance for rural transportation in order to promote economic development and \$3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aaa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That \$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Business Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural business and cooperative development programs described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act: Provided further, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), \$18,889,000.

For the cost of direct loans, \$6,052,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which \$900,000 shall be available through June 30, 2013, for Federally Recognized Native American Tribes; and of which \$2,000,000 shall be available through June 30, 2013, for Mississippi Delta Region counties (as determined in accordance with Public Law 100-460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Development Loan Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$4,438,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS
PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, \$180,000,000 shall not be obligated and \$180,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$27,706,000, of which \$2,250,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed \$3,456,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which \$15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$3,400,000: Provided, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$524,466,000, to remain available until expended, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$993,000 shall be available for the rural utilities program described in section 306E of such Act: Provided, That \$66,500,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): Provided further, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105-83: Provided further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105-83 for training and technical assistance

programs: Provided further, That not to exceed \$19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$5,750,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed \$15,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That not to exceed \$3,400,000 shall be for solid waste management grants: Provided further, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Water and Waste Disposal Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act: Provided further, That \$10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: Provided further, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

For gross obligations for the principal amount of direct loans as authorized by section 1006a of title 16 of the United States Code, except for the limitations contained in the last sentence of such section, for projects whose features include agricultural water supply benefits, groundwater protection, environmental enhancement and flood control, \$40,000,000: Provided, That such loans shall be made by the Rural Utilities Service.

RURAL ELECTRIFICATION AND
TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, \$100,000,000; loans made pursuant to section 306 of that Act, rural electric, \$6,500,000,000; guaranteed underwriting loans pursuant to section 313A, \$500,000,000; cost of money rural telecommunications loans, \$690,000,000: Provided, That up to \$2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$34,467,000, which shall be trans-

ferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND
BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, \$42,239,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., \$24,950,000, to remain available until expended: Provided, That \$3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: Provided further, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section: Provided further, That \$3,000,000 shall be made available to those noncommercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, \$4,000,000, to remain available until expended: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, \$10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,
NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, \$811,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$19,916,436,000, to remain available through September 30, 2014, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, \$16,504,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): Provided further, That of the total amount available, \$35,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$7,046,000,000, to remain

available through September 30, 2014: Provided, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than \$60,000,000 shall be used for breastfeeding peer counselors and other related activities, \$14,000,000 shall be used for infrastructure, and \$35,000,000 shall be used for management information systems: Provided further, That funds made available for the purposes specified in section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall only be made available upon a determination by the Secretary that funds are available to meet caseload requirements without the use of funds in the contingency reserve that are without fiscal year limitation: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$77,290,160,000, of which \$3,000,000,000, to remain available through September 30, 2014, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: Provided further, That of the funds made available under this heading, \$998,000 may be used to provide nutrition education services to state agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: Provided further, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$253,952,000, to remain available through September 30, 2014: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2013 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2014: Provided further, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$143,505,000: Provided, That of the funds provided herein, \$2,000,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$176,789,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83-480) and the Food for Progress Act of 1985, \$2,806,000, shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": Provided, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83-480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,435,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1), \$184,000,000, to remain available until expended: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guar-

antee program, GSM 102 and GSM 103, \$6,806,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$6,452,000 shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$354,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$4,223,295,000: Provided, That of the amount provided under this heading, \$718,669,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2014 but collected in fiscal year 2013; \$97,722,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; \$299,000,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j-42, and shall be credited to this account and remain available until expended; \$20,242,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j-52, and shall be credited to this account and remain available until expended; \$23,848,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j-12, and shall be credited to this account and remain available until expended; \$6,031,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j-21, and shall be credited to this account and remain available until expended; \$505,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended; \$12,925,000 shall be derived from food and feed recall fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended; \$15,367,000 shall be derived from food reinspection fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended; and amounts derived from voluntary qualified importer program fees authorized by 21 U.S.C. 379j-31, and shall be credited to this account and remain available until expended: Provided further, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2013 limitations are appropriated and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, animal drug, and animal generic drug assessments for fiscal year 2013 received during fiscal

year 2013, including any such fees assessed prior to fiscal year 2013 but credited for fiscal year 2013, shall be subject to the fiscal year 2013 limitations: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) \$887,162,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$1,261,369,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$329,708,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$167,576,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$393,988,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$59,429,000 shall be for the National Center for Toxicological Research; (7) \$482,398,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$168,971,000 shall be for Rent and Related activities, of which \$61,713,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$213,352,000 shall be for payments to the General Services Administration for rent; and (10) \$259,342,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: Provided further, That the Secretary may, prior to the due date for such fees, accept payment of prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees and animal generic drug user fees authorized for fiscal year 2014, and that amounts of such fees assessed for fiscal year 2014 for which the Secretary accepts payment in fiscal year 2013 shall not be included in amounts provided under this heading: Provided further, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: Provided further, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$5,320,000, to remain available until expended.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$63,300,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation)

shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 204 passenger motor vehicles of which 170 shall be for replacement only, and for the hire of such vehicles: Provided, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances of the Department of Agriculture that are remaining available at the end of the fiscal year, to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 726 of this Act: Provided further, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: Provided further, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for ob-

ligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. Funds made available by this Act under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over \$25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 708. Funds made available under section 12401 and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2014, for information technology expenses.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 CFR 246.10 when issuing liquid infant formula to participants.

SEC. 713. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 714. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 715. Notwithstanding any other provision of law, the requirements pursuant to 7 U.S.C. 1736f(e)(1) may be waived for any amounts higher than those specified under this authority for fiscal year 2009.

SEC. 716. None of the funds made available in fiscal year 2013 or preceding fiscal years for programs authorized under the Food for Peace Act (7 U.S.C. 1691 et seq.) in excess of \$20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): Provided, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 717. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 718. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 719. For an additional amount for “Food and Drug Administration, Salaries and Expenses”, \$50,000,000, to remain available until expended, of which \$40,000,000 is for one-time

activities directly related to implementation of the Food Safety Modernization Act, and of which \$10,000,000 is for one-time activities directly related to improving the safety of the human drug supply.

SEC. 720. There is hereby appropriated \$1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 721. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h));

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of \$1,400,000,000;

(3) The Wildlife Habitat Incentives Act authorized by section 1240N of the Food Security Act of 1985, as amended (16 U.S.C. 3839bb–1) in excess of \$73,000,000; and

(4) Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524) in excess of \$2,500,000 for the Natural Resources Conservation Service.

SEC. 722. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(v) of section 14222 of Public Law 110–246 in excess of \$981,000,000, as follows: Child Nutrition Programs Entitlement Commodities—\$465,000,000; State Option Contracts—\$5,000,000; Removal of Defective Commodities—\$2,500,000: Provided, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 in excess of \$41,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2013: Provided further, That \$117,000,000 made available on October 1, 2013, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 shall be excluded from the limitation described in subsection (b)(2)(A)(vi) of section 14222 of Public Law 110–246: Provided further, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: Provided further, That of the available unobligated balances under (b)(2)(A)(v) of section 14222 of Public Law 110–246, \$150,000,000 are hereby rescinded.

SEC. 723. Subject to authorizing legislation by the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry, the Secretary may reserve, through April 1, 2013, up to 5 percent of the funding available for the following items for projects in areas that are engaged in strategic regional development planning as defined by the Secretary: business and industry guaranteed loans; rural development loan fund; rural business enterprise grants; rural business opportunity grants; rural economic development program; rural microenterprise program; biorefinery assistance program; rural energy for America program; value-added producer grants; broadband program; water and waste program; and rural community facilities program.

SEC. 724. There is hereby appropriated \$600,000 for the purposes of section 727 of division A of Public Law 112–55.

SEC. 725. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President’s budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2014 appropriations Act.

SEC. 726. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

- (1) creates new programs;
 - (2) eliminates a program, project, or activity;
 - (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
 - (4) relocates an office or employees;
 - (5) reorganizes offices, programs, or activities;
- or
- (6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

- (1) augments existing programs, projects, or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of

Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 727. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 728. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 729. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 730. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 731. Notwithstanding any other provision of law, any area eligible for rural housing programs of the Rural Housing Service on September 30, 2012, shall remain eligible for such programs until September 30, 2013.

SEC. 732. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 733. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administra-

tive remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 734. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731).

SEC. 735. In the event that a determination of non-regulated status made pursuant to section 411 of the Plant Protection Act is or has been invalidated or vacated, the Secretary of Agriculture shall, notwithstanding any other provision of law, upon request by a farmer, grower, farm operator, or producer, immediately grant temporary permit(s) or temporary deregulation in part, subject to necessary and appropriate conditions consistent with section 411(a) or 412(c) of the Plant Protection Act, which interim conditions shall authorize the movement, introduction, continued cultivation, commercialization and other specifically enumerated activities and requirements, including measures designed to mitigate or minimize potential adverse environmental effects, if any, relevant to the Secretary's evaluation of the petition for non-regulated status, while ensuring that growers or other users are able to move, plant, cultivate, introduce into commerce and carry out other authorized activities in a timely manner: Provided, That all such conditions shall be applicable only for the interim period necessary for the Secretary to complete any required analyses or consultations related to the petition for non-regulated status: Provided further, That nothing in this section shall be construed as limiting the Secretary's authority under section 411, 412 and 414 of the Plant Protection Act.

SEC. 736. None of the funds made available by this or any other Act may be used to pay for mitigation associated with the removal of Federal Energy Regulatory Commission Project number 2342.

SEC. 737. Of the unobligated balance of funds available to the Department of Agriculture for the cost of broadband loans under the heading "Rural Development Programs—Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program" in prior appropriation Acts, \$25,320,000 is rescinded.

SEC. 738. Of the unobligated balances provided pursuant to section 9004(d)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104), \$28,045,000 are hereby rescinded.

SEC. 739. Funds received by the Secretary of Agriculture in the global settlement of any Federal litigation concerning Federal mortgage loans during fiscal year 2012 may be expended, in addition to any other available funds, by the Rural Housing Service to pay for costs associated with servicing single family housing loans guaranteed by the Rural Housing Service and such funds shall remain available until expended.

SEC. 740. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan by program, project, and activity for the funds made available under this Act.

SEC. 741. There is hereby appropriated for the "Emergency Conservation Program", \$11,100,000, to remain available until expended;

for the "Emergency Forestry Restoration Program", \$14,200,000, to remain available until expended; and for the "Emergency Watershed Protection Program", \$65,454,000, to remain available until expended: Provided, That not less than \$48,257,000 made available for the Emergency Watershed Protection Program under this general provision are provided for necessary expenses for a major disaster declaration issued under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.).

SEC. 742. None of the funds made available by this or any other Act may be used to write, prepare, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, "Implementation of Regulations Required Under Title XI, of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)) unless the combined annual cost to the economy of such rules does not exceed \$100,000,000 or such rules have already been published in compliance with Section 721 of the Consolidated and Further Continuing Appropriations Act, 2012, Public Law 112-55: Provided, That no funds made available by this or any other Act be used to publish a final or interim final rule in furtherance of, or otherwise to implement, proposed sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, or 201.214 of "Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)): Provided further, That none of the funds made available by this or any other Act may be used to implement such rules until 60 days from the publication date of such rules: Provided further, That none of the funds made available by this Act may be used to enforce or to take regulatory action based on or in furtherance of sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations, as they exist at the time this Act is passed, or to write, prepare, or publish a final or interim final rule in furtherance of, or otherwise to implement, the definitions or criteria embodied in these sections: Provided further, That the Secretary of Agriculture shall, within 60 days, rescind sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations.

SEC. 743. Notwithstanding any other provision of this Act—

(1) the amount made available for buildings operations and maintenance expenses in the matter before the first proviso under the heading "AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS" under the heading "AGRICULTURAL PROGRAMS" in title I shall be \$52,169,000;

(2) the amount made available for necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act in the matter before the first proviso under the heading "FOOD SAFETY AND INSPECTION SERVICE" under the heading "AGRICULTURAL PROGRAMS" in title I shall be \$1,056,427,000; and

(3) the amount made available to provide competitive grants to State agencies in the second proviso under the heading "CHILD NUTRITION PROGRAMS" under the heading "FOOD AND NUTRITION SERVICE" under the heading "DOMESTIC FOOD PROGRAMS" in title IV shall be \$10,000,000.

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013".

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

**INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION**

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$482,538,000, to remain available until September 30, 2014, of which \$11,360,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than \$16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

**BUREAU OF INDUSTRY AND SECURITY
OPERATIONS AND ADMINISTRATION**

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use

and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$101,796,000, to remain available until expended: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, and for the cost of loan guarantees authorized by section 27 (15 U.S.C. 3722) of such Act, \$187,300,000, to remain available until expended; of which \$5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; of which \$5,000,000 shall be for loan guarantees under section 26; and of which up to \$5,000,000 shall be for loan guarantees under section 27: Provided, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds for loan guarantees under such sections 26 and 27 combined are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$70,000,000.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$37,500,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$28,689,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$100,228,000, to remain available until September 30, 2014.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, \$256,255,000: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs, pro-

vided for by law, \$667,953,000, to remain available until September 30, 2014: Provided, That \$649,953,000 is appropriated from the general fund and \$18,000,000 is derived from available unobligated balances from the Census Working Capital Fund: Provided further, That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: Provided further, That within the amounts appropriated, \$1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

**NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION**

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$45,994,000, to remain available until September 30, 2014: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

**PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION**

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, \$2,933,241,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2013, so as to result in a fiscal year 2013 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2013, should the total amount of such offsetting collections be less than \$2,933,241,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of \$2,933,241,000 in fiscal year 2013 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: Provided further, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That from amounts provided herein, not to exceed \$900 shall be made available in fiscal year 2013 for official reception and

representation expenses: Provided further, That in fiscal year 2013 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: Provided further, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: Provided further, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112-29): Provided further, That within the amounts appropriated, \$2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), \$621,173,000, to remain available until expended, of which not to exceed \$9,000,000 may be transferred to the "Working Capital Fund": Provided, That not to exceed \$5,000 shall be for official reception and representation expenses: Provided further, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, \$143,000,000, to remain available until expended, of which \$128,500,000 shall be for the Hollings Manufacturing Extension Partnership, and of which \$14,500,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c-278e), \$60,000,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000 and simultaneously the budget justification ma-

terials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,112,614,000, to remain available until September 30, 2014, except that funds provided for cooperative enforcement shall remain available until September 30, 2015: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: Provided further, That in addition, \$119,064,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: Provided further, That of the \$3,246,678,000 provided for in direct obligations under this heading \$3,112,614,000 is appropriated from the general fund, \$119,064,000 is provided by transfer and \$15,000,000 is derived from recoveries of prior year obligations: Provided further, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$212,664,000: Provided further, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year: Provided further, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,926,036,000, to remain available until September 30, 2015, except that funds provided for construction of facilities shall remain available until expended: Provided, That of the \$1,941,036,000 provided for in direct obligations under this heading, \$1,926,036,000 is appropriated from the general fund and \$15,000,000 is provided from recoveries of prior year obligations: Provided further, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That the Secretary of Commerce shall include in budget justification materials that the Secretary

submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: Provided further, That, within the amounts appropriated, \$1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$65,000,000, to remain available until September 30, 2014: Provided, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: Provided further, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2013, obligations of direct loans may not exceed \$24,000,000 for Individual Fishing Quota loans and not to exceed \$59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: Provided, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed \$4,500 for official reception and representation, \$56,000,000: Provided, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

RENOVATION AND MODERNIZATION

For expenses necessary for the renovation and modernization of Department of Commerce facilities, \$2,040,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$28,753,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. (a) Section 105(f) of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55) is amended—

(1) by striking “paragraph (2)” and inserting “subsection (e)(2)”; and

(2) by striking “this subsection” and inserting “subsection (e)”.

(b) The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by subsection (a) of this section, are hereby adopted by reference.

SEC. 106. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Serv-

ices pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 109. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

SEC. 110. Section 113(b)(3) of division B of Public Law 112–55 is amended by striking “2012” and inserting “2013”.

This title may be cited as the “Department of Commerce Appropriations Act, 2013”.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$110,822,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$33,426,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$313,438,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the “Immigration Examinations Fee” account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$85,985,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$12,772,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney

General; and rent of private or Government-owned space in the District of Columbia, \$881,000,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: Provided further, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to “Salaries and Expenses, General Legal Activities” from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): Provided further, That of the amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$162,170,000, to remain available until expended: Provided, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$115,000,000 in fiscal year 2013), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the general fund estimated at \$47,170,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, \$1,969,687,000: Provided, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: Provided further, That not to exceed \$25,000,000 shall remain available until expended: Provided further, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking: Provided further, That of the total amount appropriated, \$10,000,000 shall only be available after the Attorney General certifies that each United States Attorney is participating in a United States Attorney-led task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$223,258,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That not less than \$1,500,000 shall be for debtor audits: Provided further,

That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, \$223,258,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the Fund estimated at \$0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, \$2,000,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$10,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, \$12,036,000: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, \$20,948,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,196,000,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION (INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United

States Marshals Service as authorized by section 4013 of title 18, United States Code, \$1,647,383,000, to remain available until expended: Provided, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: Provided further, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: Provided further, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, \$90,039,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$521,793,000, of which \$50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, \$8,185,007,000, of which not to exceed \$216,900,000 shall remain available until expended: Provided, That not to exceed \$184,500 shall be available for official reception and representation expenses: Provided further, That \$500,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; \$80,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,050,904,000; of which not to exceed \$75,000,000 shall remain available until expended and not to exceed \$90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$1,153,345,000, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed \$15,000,000 shall remain available until expended: Provided, That, in the current fiscal year and any fiscal year thereafter, no funds appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of "Curios or relics" in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: Provided further, That, in the current fiscal year and any fiscal year thereafter, no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That, in the current fiscal year and any fiscal year thereafter, no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and

maintenance of Federal penal and correctional institutions, including purchase (not to exceed \$35, of which \$88 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$6,820,217,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed \$5,400 shall be available for official reception and representation expenses: Provided further, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2014: Provided further, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities: Provided further, That of the amount provided under this heading, not less than \$99,496,000 shall be for activation of newly constructed prisons in Berlin, New Hampshire, Aliceville, Alabama, Yazoo City, Mississippi, and Hazelton, West Virginia, as requested in the Department's fiscal year 2013 budget.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$90,000,000, to remain available until expended, of which not less than \$66,965,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); and for related victims services, \$416,500,000, to remain available until expended: Provided, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: Provided further, That of the amount provided—

(1) \$189,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) \$25,000,000 is for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) \$3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) \$10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: Provided, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act shall be available for this program: Provided further, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: Provided further, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) \$50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which \$4,000,000 is for a homicide reduction initiative;

(6) \$25,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) \$36,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) \$9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) \$41,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) \$4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) \$15,500,000 is for a grant program to support families in the justice system, including for the purposes described in the safe havens for children program, as authorized by section 1301 of the 2000 Act, and the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(12) \$5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) \$500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) \$1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs; and

(15) \$500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Second Chance Act of 2007 (Public Law 110-199); the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); and other programs, \$127,000,000, to remain available until expended, of which—

(1) \$48,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which \$36,000,000 is for the administration and redesign of the National Crime Victimization Survey;

(2) \$43,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act: Provided, That of the amounts provided under this paragraph, \$5,000,000 is transferred directly to

the National Institute of Standards and Technology's Office of Law Enforcement Standards from the National Institute of Justice for research, testing and evaluation programs;

(3) \$1,000,000 is for an evaluation clearing-house program; and

(4) \$35,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416); and other programs, \$1,140,418,000, to remain available until expended as follows—

(1) \$392,418,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, \$2,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, \$4,000,000 is for a State, local, and tribal assistance help desk and diagnostic center program, \$5,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), \$6,000,000 is for a criminal justice reform and recidivism reduction program, and \$4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention;

(2) \$255,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)); Provided, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) \$5,000,000 for a border prosecutor initiative to reimburse State, county, parish, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local offices of the United States Attorneys;

(4) \$19,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(5) \$13,500,000 for victim services programs for victims of trafficking, as authorized by section

107(b)(2) of Public Law 106-386, and for programs authorized under Public Law 109-164;

(6) \$41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(7) \$9,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416);

(8) \$12,500,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) \$3,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405, and for grants for wrongful conviction review;

(10) \$9,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110-403;

(11) \$4,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110-315;

(12) \$20,000,000 for implementation of the Adam Walsh Act and related activities;

(13) \$13,000,000 for an initiative relating to children exposed to violence;

(14) \$18,000,000 for an Edward Byrne Memorial criminal justice innovation program;

(15) \$21,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: Provided, That \$1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(16) \$1,000,000 for the National Sex Offender Public Website;

(17) \$5,000,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(18) \$12,000,000 for grants to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110-180);

(19) \$6,000,000 for the National Criminal History Improvement Program for grants to upgrade criminal records;

(20) \$12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(21) \$125,000,000 for DNA-related and forensic programs and activities, of which—

(A) \$117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program): Provided, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108-405, section 303);

(B) \$4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108-405, section 412); and

(C) \$4,000,000 is for Sexual Assault Forensic Exam Program Grants, including as authorized by section 304 of Public Law 108-405;

(22) \$6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(23) \$38,000,000 for assistance to Indian tribes;

(24) \$68,750,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110-199), of which not to exceed \$5,000,000 is for a program

to improve State, local, and tribal probation supervision efforts and strategies;

(25) \$4,000,000 for a veterans treatment courts program;

(26) \$1,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(27) \$7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(28) \$12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79);

(29) \$3,500,000 for emergency law enforcement assistance, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10513; Public Law 98-473); and

(30) \$2,750,000 to establish and operate a National Center for Campus Public Safety: Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); and other juvenile justice programs, \$279,500,000, to remain available until expended as follows—

(1) \$44,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: Provided, That of the amounts provided under this paragraph, \$500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) \$90,000,000 for youth mentoring grants;

(3) \$20,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) \$10,000,000 shall be for the Tribal Youth Program;

(B) \$5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities; and

(C) \$5,000,000 shall be for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(4) \$19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) \$25,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State;

(6) \$11,000,000 for community-based violence prevention initiatives;

(7) \$67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except

that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110-401) shall not apply for purposes of this Act);

(8) \$1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(9) \$2,000,000 for grants and technical assistance in support of the National Forum on Youth Violence Prevention:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: Provided further, That not more than 2 percent of the amounts designated under paragraphs (1) through (6), (8) and (9) may be used for training and technical assistance: Provided further, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and \$16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"), \$222,500,000, to remain available until expended: Provided, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: Provided further, That of the amount provided—

(1) \$12,500,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) \$20,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; and

(3) \$190,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: Provided, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd-3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed \$125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: Provided further, That within the amounts appropriated, \$15,000,000 shall be transferred to the Tribal Resources Grant Program: Provided further, That of the amounts appropriated

under this paragraph, \$10,000,000 is for community policing development activities in furtherance of the purposes in section 1701.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107-296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered.

SEC. 207. Notwithstanding any other provision of law, during the current fiscal year and any fiscal year thereafter, section 102(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (Public Law 102-395) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 214. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes, without regard to the authorizations for such grant or reimbursement programs, and of such amounts, \$1,300,000 shall be transferred to the Bureau of Prisons for Federal inmate research and evaluation purposes.

SEC. 215. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated by this or any other Act making appropriations for fiscal years 2010 through 2013 for the following programs, waive the following requirements:

(1) For the Adult and Juvenile Offender State and Local Reentry Demonstration Projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and Local Reentry Courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w-2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the Prosecution Drug Treatment Alternatives to Prison Program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For Grants to Protect Inmates and Safe-guard Communities under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 216. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 217. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 218. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2013.

(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2013, \$154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 45 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2013.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2013.

This title may be cited as the “Department of Justice Appropriations Act, 2013”.

TITLE III SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,850,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science

research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$5,144,000,000, to remain available until September 30, 2014, of which up to \$14,500,000 shall be available for a reimbursable agreement with the Department of Energy for the purpose of reestablishing facilities to produce fuel required for radioisotope thermoelectric generators to enable future missions: Provided, That \$75,000,000 shall be for pre-formulation and/or formulation activities for a mission that meets the science goals outlined for the Jupiter Europa mission in the most recent planetary science decadal survey: Provided further, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed \$8,000,000,000: Provided further, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$570,000,000, to remain available until September 30, 2014.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$642,000,000, to remain available until September 30, 2014.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of

title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,887,000,000, to remain available until September 30, 2014: Provided, That not less than \$1,197,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: Provided further, That not less than \$1,857,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 tons and which shall have an upper stage and other core elements developed simultaneously: Provided further, That of the funds made available for the Space Launch System, \$1,454,200,000 shall be for launch vehicle development and \$402,800,000 shall be for exploration ground systems: Provided further, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the “Construction and Environmental Compliance and Restoration” heading: Provided further, That \$525,000,000 shall be for commercial spaceflight activities: Provided further, That \$308,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$3,953,000,000, to remain available until September 30, 2014.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$125,000,000, to remain available until September 30, 2014, of which \$18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and \$40,000,000 shall be for the National Space Grant College program.

CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$2,823,000,000, to remain available until September 30, 2014: Provided, That not less than \$39,100,000 shall be

available for independent verification and validation activities.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, \$680,000,000, to remain available until September 30, 2018: Provided, That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account: Provided further, That such proceeds shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: Provided further, That such proceeds referred to in the two preceding provisos shall be available for obligation for fiscal year 2013 in an amount not to exceed \$3,791,000: Provided further, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$38,000,000, of which \$500,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 30102(c) of title 51, United States Code, is amended—

(1) in paragraph (2) by striking “and” at the end;

(2) in paragraph (3) by striking the period at the end inserting “; and”; and

(3) by adding at the end the following:

“(4) refunds or rebates received on an ongoing basis from a credit card services provider under the National Aeronautics and Space Administration’s credit card programs.”.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42

U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$5,983,280,000, to remain available until September 30, 2014, of which not to exceed \$500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That not less than \$158,190,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110–69.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, \$196,170,000, to remain available until expended: Provided, That none of the funds may be used to reimburse the Judgment Fund established under section 1304 of title 31, United States Code.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, \$895,610,000, to remain available until September 30, 2014: Provided, That not less than \$54,890,000 shall be available until expended for activities authorized by section 7030 of Public Law 110–69.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; \$299,400,000: Provided, That not to exceed \$8,280 is for official reception and representation expenses: Provided further, That contracts may be entered into under this heading in fiscal year 2013 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), \$4,440,000: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, \$14,200,000, of which \$400,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the “Science Appropriations Act, 2013”.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,400,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): Provided further, That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978: Provided further, That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of such appointment, also hold the position of Inspector General of the Commission on Civil Rights: Provided further, That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: Provided further, That the Inspector General may waive any statutorily required reporting requirement (with the exception of the semiannual report required by section 5 of the Inspector General Act of 1978) upon a certification to the Committees on Appropriations of the House of Representatives and the Senate that such report is not necessary for effective oversight of the Commission: Provided further, That of the amounts made available in this paragraph, \$450,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991,

the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110-233), the ADA Amendments Act of 2008 (Public Law 110-325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111-2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to \$29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$370,000,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,250 from available funds: Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: Provided further, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$2,250 for official reception and representation expenses, \$83,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$365,000,000, of which \$339,400,000 is for basic field programs and required independent audits; \$4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$17,000,000 is for management and grants oversight; \$3,400,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance: Provided, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): Provided further, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: Provided further, That, for the purposes of section 505 of this division, and section 3003 of division G, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively.

Section 501(a)(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134) is amended by striking “on

the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code” and inserting “triennially by the Bureau of the Census, except that, with respect to fiscal year 2013, the change in allocation resulting from the amendment made to this subparagraph by the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 shall only be half of the change which would otherwise result from that amendment in order to phase in the change over a 2 year period”.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,081,000.

OFFICE OF THE UNITED STATES TRADE

REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, \$51,251,000, of which \$1,000,000 shall remain available until expended: Provided, That not to exceed \$111,600 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of which \$500,000 shall remain available until September 30, 2014: Provided, That not to exceed \$2,250 shall be available for official reception and representation expenses: Provided further, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) Subject to subsections (b) and (c), none of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new pro-

gram, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act to any agency of the Department of Justice, or provided under previous appropriations Acts to any agency of the Department of Justice that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 45 days in advance of such reprogramming of funds.

(c) Subsection (b) of this section shall sunset on September 30, 2013.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories, or its possessions.

(2) The term “promotional items” has the meaning given the term in OMB Circular A-87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the

amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2013, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601) in any fiscal year in excess of \$730,000,000 shall not be available for obligation until the following fiscal year.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) For fiscal year 2013 and thereafter, the Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearm traces for any reason, and those reasons are not necessarily reported to the

Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 515. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 516. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire an information technology system unless the head of the entity involved, in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, has

made an assessment of any associated risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire an information technology system described in an assessment required by subsection (a) and produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China unless the head of the assessing entity described in subsection (a) determines, and reports that determination to the Committees on Appropriations of the House of Representatives and the Senate, that the acquisition of such system is in the national interest of the United States.

SEC. 517. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 518. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a

license when reasons for the temporary requirements have ceased.

SEC. 519. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 520. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 521. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 522. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 523. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for fiscal year 2013.

SEC. 524. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 525. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in

excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 526. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2013, from the following accounts in the specified amounts—

(1) "Working Capital Fund", \$26,000,000;

(2) "Legal Activities, Assets Forfeiture Fund", \$722,697,000;

(3) "Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Reduction Program", \$1,028,000;

(4) "Federal Prison System, Buildings and Facilities", \$64,700,000;

(5) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", \$12,000,000;

(6) "State and Local Law Enforcement Activities, Office of Justice Programs", \$43,000,000; and

(7) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$12,200,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2013, specifying the amount of each rescission made pursuant to subsection (a).

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 529. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States, unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforce-

ment personnel stationed outside the United States.

SEC. 530. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 531. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 532. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 533. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.

SEC. 534. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 535. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 536. None of the funds made available in this Act may be used to relocate the Bureau of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

SEC. 537. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 538. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 539. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 540. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 541. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 542. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

SEC. 543. (a) None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation, except for research projects that the Director of the National Science Foundation certifies as promoting national security or the economic interests of the United States.

(b) The Director of the National Science Foundation shall publish a statement of the reason for each certification made pursuant to subsection (a) on the public website of the National Science Foundation.

(c) Any unobligated balances for the Political Science Program described in subsection (a) may be provided for other scientific research and studies that do not duplicate those being funded by other Federal agencies.

This division may be cited as the “Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013”.

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$40,199,263,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,902,346,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of

the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,531,549,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,052,826,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,456,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,874,023,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$658,251,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,722,425,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,981,577,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,153,990,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$35,409,260,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$41,614,453,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,034,963,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$34,780,406,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$31,862,980,000: Provided, That not more than \$30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to ex-

ceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than \$36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That \$8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,182,923,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,256,347,000.

OPERATION AND MAINTENANCE, MARINE CORPS
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$277,377,000.

OPERATION AND MAINTENANCE, AIR FORCE
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,261,324,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL
GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance,

operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,154,161,000.

OPERATION AND MAINTENANCE, AIR NATIONAL
GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,494,326,000.

UNITED STATES COURT OF APPEALS FOR THE
ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,516,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$335,921,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$310,594,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes

provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Air Force, \$529,263,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)**

For the Department of Defense, \$11,133,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, FORMERLY USED
DEFENSE SITES**

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$287,543,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC
AID**

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the

Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$519,111,000, to remain available until September 30, 2015.

**DEPARTMENT OF DEFENSE ACQUISITION
WORKFORCE DEVELOPMENT FUND**

For the Department of Defense Acquisition Workforce Development Fund, \$50,198,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,028,754,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,535,433,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT OF WEAPONS AND TRACKED
COMBAT VEHICLES, ARMY**

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned

equipment layaway; and other expenses necessary for the foregoing purposes, \$1,857,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,641,306,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,741,664,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$17,382,152,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,036,871,000, to remain available for obligation until September 30, 2015.

**PROCUREMENT OF AMMUNITION, NAVY AND
MARINE CORPS**

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the

foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$659,897,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, \$565,371,000;
Virginia Class Submarine, \$3,217,601,000;
Virginia Class Submarine (AP), \$1,652,557,000;
CVN Refuelings, \$1,613,392,000;
CVN Refuelings (AP), \$70,010,000;
DDG-1000 Program, \$669,222,000;
DDG-51 Destroyer, \$4,036,628,000;
DDG-51 Destroyer (AP), \$466,283,000;
Littoral Combat Ship, \$1,784,959,000;
LPD-17 (AP), \$263,255,000;
Joint High Speed Vessel, \$189,196,000;
Moored Training Ship, \$307,300,000;
LCAC Service Life Extension Program, \$85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, \$290,035,000.

Completion of Prior Year Shipbuilding Programs, \$372,573,000.

In all: \$15,584,212,000, to remain available for obligation until September 30, 2017: Provided, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,955,078,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation

thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,411,411,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$11,774,019,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$4,962,376,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$594,694,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,082,508,000, to

remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,878,985,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$223,531,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$8,676,627,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$16,963,398,000, to remain available for obligation until September 30, 2014: Provided, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$25,432,738,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$18,631,946,000, to remain available for obligation until September 30, 2014: Provided, That of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: Provided further, That

the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$223,768,000, to remain available for obligation until September 30, 2014.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$697,840,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$32,715,304,000; of which \$30,885,165,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2014, and of which up to \$15,934,952,000 may be available for contracts entered into under the TRICARE program; of which \$521,762,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which \$1,308,377,000, to remain available for obligation until September 30, 2014,

shall be for research, development, test and evaluation: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: Provided further, That of the funds provided to develop a joint Department of Defense—Department of Veterans Affairs (DOD-VA) integrated Electronic Health Record, not more than 25 percent may be obligated until the DOD-VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,301,786,000, of which \$635,843,000 shall be for operation and maintenance, of which no less than \$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$22,214,000 for activities on military installations and \$31,734,000, to remain available until September 30, 2014, to assist State and local governments; \$18,592,000 shall be for procurement, to remain available until September 30, 2015, of which \$1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which \$627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,159,263,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$350,321,000, of which \$347,621,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$2,700,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$534,421,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be

merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to sec-

tion 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F/A-18E, F/A-18F, and EA-18G aircraft; up to 10 DDG-51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN-774 Virginia class submarine and government-furnished equipment; CH-47 Chinook helicopter; and V-22 Osprey aircraft variants.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot

Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 1906 of title 41, United States

Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than \$38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,404,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) \$9,298,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) \$932,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be

funded for defense FFRDCs: Provided; That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term “Indian tribe” means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in

this Act shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide”, not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term “Buy American Act” means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a “Made in America” inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or
(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this Act may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: Provided, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

“Shipbuilding and Conversion, Navy, 2007/2018”: DDG-51 Destroyer, \$98,400,000;

“Shipbuilding and Conversion, Navy, 2007/2018”: DDG-51 Destroyer Advance Procurement, \$2,500,000;

“Shipbuilding and Conversion, Navy, 2007/2018”: CVN Refueling Overhaul, \$14,100,000;

“Procurement of Ammunition, Army, 2011/2013”, \$14,862,000;

“Other Procurement, Army, 2011/2013”, \$108,098,000;

“Aircraft Procurement, Navy, 2011/2013”, \$43,860,000;

“Shipbuilding and Conversion, Navy, 2011/2015”: DDG-51 Destroyer, \$215,300,000;

“Weapons Procurement, Navy, 2011/2013”, \$22,000,000;

“Aircraft Procurement, Air Force, 2011/2013”, \$93,400,000;

“Other Procurement, Air Force, 2011/2013”, \$9,500,000;

“Operation and Maintenance, Defense-Wide, 2012/XXXX”, \$21,000,000;

“Aircraft Procurement, Army, 2012/2014”, \$47,400,000;

“Other Procurement, Army, 2012/2014”, \$179,608,000;

“Aircraft Procurement, Navy, 2012/2014”, \$19,040,000;

“Shipbuilding and Conversion, Navy, 2012/2016”: Littoral Combat Ship, \$28,800,000;

“Shipbuilding and Conversion, Navy, 2012/2016”: DDG-51 Destroyer, \$83,000,000;

“Weapons Procurement, Navy, 2012/2014”, \$36,467,000;

“Procurement of Ammunition, Navy and Marine Corps, 2012/2014”, \$16,300,000;

“Procurement, Marine Corps, 2012/2014”, \$132,555,000;

“Aircraft Procurement, Air Force, 2012/2014”, \$394,299,000;

“Missile Procurement, Air Force, 2012/2014”, \$52,898,000;

“Other Procurement, Air Force, 2012/2014”, \$55,800,000;

“Procurement, Defense-Wide, 2012/2014”, \$16,000,000;

“Research, Development, Test and Evaluation, Army, 2012/2013”, \$41,000,000;

“Research, Development, Test and Evaluation, Navy, 2012/2013”, \$246,800,000;

“Research, Development, Test and Evaluation, Air Force, 2012/2013”, \$149,460,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military de-

partment responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of “commercial items”, as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1

year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$133,381,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed \$200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": Provided, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8069. In addition to amounts provided elsewhere in this Act, \$4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the na-

tional interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$479,736,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, \$211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, \$149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, \$74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8071. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C-130 and KC-135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", \$372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy, 2007/2013": LHA Replacement Program \$156,685,000;

(2) Under the heading "Shipbuilding and Conversion, Navy, 2008/2013": LPD-17 Amphibious Transport Dock Program \$80,888,000; and

(3) Under the heading "Shipbuilding and Conversion, Navy, 2009/2013": CVN Refueling Overhauls Program \$135,000,000.

SEC. 8073. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8074. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8075. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8076. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8077. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: Provided, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8078. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8079. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8080. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8081. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8082. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8083. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8084. Up to \$15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8085. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8086. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any

prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8087. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than \$10,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$5,000,000 in any fiscal year, the R-1, Research, Development, Test and Evaluation Program; R-2, Research, Development, Test and Evaluation Budget Item Justification; R-3, Research, Development, Test and Evaluation Project Cost Analysis; and R-4, Research, Development, Test and Evaluation Program Schedule Profile.

SEC. 8088. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: Provided, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: Provided further, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of \$10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8091. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8092. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8093. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom, or any other named operations in the U.S. Central Command area of operation on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8096. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8097. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an

amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8098. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8099. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: Provided, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Am-

bulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: Provided further, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8100. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8101. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8102. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8103. There is hereby established in the Treasury of the United States the "Ship Modernization, Operations and Sustainment Fund". There is appropriated \$2,382,100,000, for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2014: Provided, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, and the Whidbey Island-class dock landing ships LSD-41 and LSD-46: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: Provided further, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer.

SEC. 8104. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: Provided, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in

writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 8105. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume quarterly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8106. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of the funds made available in this Act for the National Intelligence Program: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8108. In addition to amounts provided elsewhere in the Act, there is appropriated \$270,000,000 for an additional amount for "Operation and Maintenance, Defense-Wide", to be available until expended: Provided, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: Provided further, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8109. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8110. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described

in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consulta-

tion with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "individual detained at Guantánamo" means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term "foreign terrorist organization" means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8111. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8112. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8113. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8114. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8115. None of the funds made available by this Act for International Military education and training, foreign military financing, excess defense article, assistance under section 1206 of the National Defense Authorization Act for Fiscal year 2006 (Public Law 109-163; 119 Stat. 3456) issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of Chad, Yemen, Somalia, Sudan, the Democratic Republic of the Congo, and Burma may be used to support any military training or operation that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1).

SEC. 8116. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8117. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve: Provided, That this section shall not apply to actions affecting C-5, C-17, or E-8 aircraft, or the units associated with such aircraft: Provided further, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

SEC. 8118. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global

Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8119. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

SEC. 8120. None of the funds made available by this Act shall be used to retire C-23 Sherpa aircraft.

SEC. 8121. The total amount available in the Act for pay for civilian personnel of the Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by \$72,718,000.

SEC. 8122. None of the funds made available by this Act may be used to enter into a contract for UH-60 Leak Proof Drip Pans using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

SEC. 8123. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1244 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any provision of an Act authorizing appropriations for the Department of Defense for fiscal year 2013 relating to sharing classified ballistic missile defense information with Russia.

SEC. 8124. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8125. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8126. None of the funds made available by this Act may be used to enter into a contract with any person or other entity listed in the Excluded Parties List System (EPLS)/System for Award Management (SAM) as having been convicted of fraud against the Federal Government.

SEC. 8127. None of the funds made available by this Act for the Department of Defense may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to Rosoboroneport; Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8128. None of the funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code, that does not exist as of the date of the enactment of this Act.

SEC. 8129. (a) REQUIREMENT TO CONTINUE PROVISION OF TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.—The Secretaries of the military departments shall carry out tuition assistance programs for members of the Armed Forces during the remainder of fiscal year 2013 using amounts specified in subsection (b).

(b) AMOUNTS.—The minimum amount used by the Secretary of a military department for tuition assistance for members of an Armed Force under the jurisdiction of that Secretary pursuant to subsection (a) shall be not less than—

(1) the amount appropriated or otherwise made available by this Act for tuition assistance

programs for members of that Armed Force, minus

(2) an amount that is not more than the percentage of the reduction required to the Operation and Maintenance account for that Armed Force for fiscal year 2013 by the budget sequester required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$9,790,082,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$774,225,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$1,425,156,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$1,286,783,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$156,893,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$39,335,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$24,722,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$25,348,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$583,804,000: Provided,

That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$10,473,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$28,452,018,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,839,934,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$4,116,340,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$9,249,736,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$7,714,079,000: Provided, That of the funds provided under this heading, not to exceed \$1,650,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom, and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: Provided further, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition

forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: Provided further, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$157,887,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$55,924,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$25,477,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$60,618,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$392,448,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$34,500,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$582,884,000 for the "Overseas Contingency Operations Transfer Fund" for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: Provided, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund ac-

counts: Provided further, That the funds made available in this paragraph may only be used for programs, projects, or activities categorized as Overseas Contingency Operations in the fiscal year 2013 budget request for the Department of Defense and the justification material and other documentation supporting such request: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND (INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Infrastructure Fund", \$325,000,000, to remain available until September 30, 2014: Provided, That such funds shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: Provided further, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: Provided further, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: Provided further, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: Provided further, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: Provided further, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: Provided further, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: Provided further, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: Provided further, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international or-

ganization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: Provided further, That the "appropriate committees of Congress" are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$5,124,167,000, to remain available until September 30, 2014: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$550,700,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$67,951,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**PROCUREMENT OF WEAPONS AND TRACKED
COMBAT VEHICLES, ARMY**

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$15,422,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$338,493,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,740,157,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$215,698,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$22,500,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**PROCUREMENT OF AMMUNITION, NAVY AND
MARINE CORPS**

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$283,059,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$98,882,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$822,054,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$305,600,000, to remain available until September 30, 2015: Provided,

That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$34,350,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$116,203,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$2,680,270,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$188,099,000, to remain available until September 30, 2015: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$1,500,000,000, to remain available for obligation until September 30, 2015: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**RESEARCH, DEVELOPMENT, TEST AND
EVALUATION**

**RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, ARMY**

For an additional amount for "Research, Development, Test and Evaluation, Army", \$29,660,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, NAVY**

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$52,519,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced

Budget and Emergency Deficit Control Act of 1985.

**RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, AIR FORCE**

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$53,150,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE**

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$112,387,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$243,600,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**OTHER DEPARTMENT OF DEFENSE
PROGRAMS**

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$993,898,000, which shall be for operation and maintenance: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE**

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$469,025,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT
FUND**

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", \$1,622,614,000, to remain available until September 30, 2015: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify

the congressional defense committees in writing of the details of any such transfer: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$10,766,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$3,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$200,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: Provided further, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any

other provision of law for the purposes described herein: Provided further, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: Provided further, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the De-

partment of Defense: Provided, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: Provided further, That the AROC must approve all projects and the execution plan under the "Afghanistan Infrastructure Fund" (AIF) and any project in excess of \$5,000,000 from the Commanders Emergency Response Program (CERP): Provided further, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: Provided, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Notwithstanding any other provision of law, up to \$93,000,000 of funds made available in this title under the heading "Operation and Maintenance, Army" may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: Provided, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force" up to \$508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: Provided, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Ministry of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: Provided further, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): Provided further, That not less than 15 days before making funds available pursuant to the authority

provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

(RESCISSIONS)

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Retroactive Stop Loss Special Pay Program, 2009/XXXX”, \$127,200,000;

“Afghanistan Security Forces Fund, 2012/2013”, \$1,000,000,000;

“Other Procurement, Army, 2012/2014”, \$207,600,000;

“Procurement of Ammunition, Navy and Marine Corps, 2012/2014”, \$32,176,000;

“Procurement, Marine Corps, 2012/2014”, \$2,776,000;

“Mine Resistant Ambush Protected Vehicle Fund, 2012/2013”, \$400,000,000;

“Research, Development, Test and Evaluation, Air Force, 2012/2013”, \$50,000,000;

“Joint Improvised Explosive Device Defeat Fund, 2012/2014”, \$40,300,000.

SEC. 9014. (a) None of the funds appropriated or otherwise made available by this Act under the heading “Operation and Maintenance, Defense-Wide” for payments under section 1233 of Public Law 110-181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(6) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: Provided, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of

Pakistan was not able to meet: Provided further, That such report may be submitted in classified form if necessary.

This division may be cited as the “Department of Defense Appropriations Act, 2013”.

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

DEPARTMENTAL OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, \$130,000,000: Provided, That not to exceed \$45,000 shall be for official reception and representation expenses: Provided further, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: Provided further, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, expenditure plans for the Office of Policy, the Office for Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), \$218,511,000, of which not to exceed \$2,250 shall be for official reception and representation expenses: Provided, That of the total amount made available under this heading, \$5,448,000 shall remain available until September 30, 2017, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and \$9,680,000 shall remain available until September 30, 2015, for the Human Resources Information Technology program: Provided further, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112-331, submit to the Committees on Appropriations of the Senate and the House of Representatives with the President’s budget proposal for fiscal year 2014, submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading “Office of the Under Secretary for Management” under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74), and quarterly updates to such report not later than 45 days after the completion of each quarter.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), \$51,500,000, of which \$5,000,000 shall remain available until September 30, 2014, for financial systems modernization efforts.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, \$243,732,000; of which \$118,000,000 shall be available for salaries and expenses; and of which \$125,732,000, to remain available until September 30, 2015, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security: Provided, That the Department of Homeland Security Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President’s budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan, to include each of fiscal years 2013 through 2016, for all information technology acquisition projects funded under this heading or funded by multiple components of the Department of Homeland Security through reimbursable agreements, that includes—

(1) the proposed appropriations included for each project and activity tied to mission requirements, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(2) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities that are proposed in such budget or under way;

(3) a detailed accounting of operations and maintenance and contractor services costs; and

(4) a current acquisition program baseline for each project, that—

(A) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline;

(B) aligns the acquisition programs covered by the baseline to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how each increment will address such known capability gaps; and

(C) defines life-cycle costs for such programs.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$322,280,000; of which not to exceed \$3,825 shall be for official reception and representation expenses; and of which \$94,359,000 shall remain available until September 30, 2014.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$121,164,000, of which not to exceed \$300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and

contracting with individuals for personal services abroad; \$8,293,351,000; of which \$3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed \$34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: Provided, That for fiscal year 2013, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: Provided further, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, \$719,866,000; of which \$325,526,000 shall remain available until September 30, 2015; and of which not less than \$138,794,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, \$324,099,000, to remain available until September 30, 2015.

AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including salaries and expenses and operational training and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; \$799,006,000; of which \$283,570,000 shall be available for salaries and expenses; and of which \$515,436,000 shall remain available until September 30, 2015: Provided, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal

year 2013 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under this heading in Public Law 112-74.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, \$233,563,000, to remain available until September 30, 2017: Provided, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, an inventory of the real property of U.S. Customs and Border Protection and a plan for each activity and project proposed for funding under this heading that includes the full cost by fiscal year of each activity and project proposed and underway in fiscal year 2014.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; \$5,394,402,000; of which not to exceed \$10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed \$11,475 shall be for official reception and representation expenses; of which not to exceed \$2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than \$305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than \$5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed \$11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: Provided, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: Provided further, That of the total amount provided, \$15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed \$6,000,000 shall remain available until expended: Provided further, That of the total amount available, not less than \$1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable, of which \$138,249,000 shall be for completion of Secure Communities deployment: Provided further, That the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall report to the Committees on Appropriations of the Senate and the House of Rep-

resentatives, not later than 45 days after the end of each quarter of the fiscal year, on progress in implementing the preceding proviso and the funds obligated during that quarter to make such progress: Provided further, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: Provided further, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2013: Provided further, That of the total amount provided, not less than \$2,753,610,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: Provided further, That of the total amount provided, \$10,300,000 shall remain available until September 30, 2014, for the Visa Security Program: Provided further, That not less than \$10,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: Provided further, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been violated: Provided further, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system: Provided further, That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime.

AUTOMATION MODERNIZATION (INCLUDING TRANSFER OF FUNDS)

For expenses of immigration and customs enforcement automated systems, \$33,500,000, to remain available until September 30, 2015: Provided, That of the total amount provided, up to \$1,000,000 may be transferred to the Department of Justice Executive Office of Immigration Review to improve case management and electronic communication with U.S. Immigration and Customs Enforcement: Provided further, That no transfer described in the previous proviso shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, \$5,000,000, to remain available until September 30, 2016.

TRANSPORTATION SECURITY ADMINISTRATION AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$5,052,620,000, to remain available until September 30, 2014, of which not to exceed \$7,650 shall be for official reception and representation expenses: Provided, That of the total amount made available under this heading, not to exceed \$3,975,517,000 shall be for screening operations, of which \$408,930,000 shall be available

for explosives detection systems; \$115,204,000 shall be for checkpoint support; and not to exceed \$1,077,103,000 shall be for aviation security direction and enforcement: Provided further, That of the amount made available in the preceding proviso for explosives detection systems, \$99,930,000 shall be available for the purchase and installation of these systems: Provided further, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: Provided further, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: Provided further, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2013 so as to result in a final fiscal year appropriation from the general fund estimated at not more than \$2,982,620,000: Provided further, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2014: Provided further, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2013, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: Provided further, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: Provided further, That the preceding proviso shall not apply to personnel hired as part-time employees: Provided further, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

Provided further, That the Administrator of the Transportation Security Administration shall, within 270 days of the date of enactment of this Act, establish procedures allowing members of cabin flight crews of air carriers to participate in the Known Crewmember pilot program, unless the Administrator determines that meeting the requirement within this timeline is not practicable and informs the Committees on Appropriations of the Senate and House of Representatives of the basis for that determination and the new timeline for implementing the requirement: Provided further, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary,

Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, \$124,418,000, to remain available until September 30, 2014.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, \$192,424,000, to remain available until September 30, 2014.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$954,277,000, to remain available until September 30, 2014: Provided, That of the funds appropriated under this heading, \$20,000,000 may not be obligated for headquarters administration until the Administrator of the Transportation Security Administration submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, checkpoint support, and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2013: Provided further, That these plans shall be submitted not later than 60 days after the date of enactment of this Act.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshal Service, \$907,757,000: Provided, That the Director of the Federal Air Marshal Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of enactment of this Act a detailed, classified expenditure and staffing plan for ensuring optimal coverage of high risk flights.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than \$700,000) and repairs and service-life replacements, not to exceed a total of \$31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding \$1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97-377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; \$7,074,782,000; of which \$594,000,000 shall be for defense-related activities, of which \$254,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which \$24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed \$15,300 shall be for official reception and representation expenses: Provided, That none of the funds made available by this Act shall be for

expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: Provided further, That of the funds provided under this heading, \$75,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a revised future-years capital investment plan for fiscal years 2014 through 2018, as specified under the heading Coast Guard "Acquisition, Construction, and Improvements" of this Act is submitted to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, \$13,151,000, to remain available until September 30, 2017.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; \$132,528,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment; as authorized by law; \$1,545,393,000; of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which \$10,000,000 shall remain available until September 30, 2017, for military family housing, of which not more than \$6,828,691 shall be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; of which \$1,082,800,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; of which \$190,500,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; of which \$64,000,000 shall be available until September 30, 2017, for other acquisition programs; of which \$84,411,000 shall be available until September 30, 2017, for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; of which \$113,682,000 shall be available for personnel compensation and benefits and related costs: Provided, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the sixth National Security Cutter notwithstanding the availability of funds for post-production costs: Provided further, That the funds provided by this Act shall be immediately available and allotted to contract for long lead time materials, components, and designs for the seventh National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: Provided further, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: Provided further, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: Provided further, That subsections (a) and (b) of section 6402 of Public Law 110-28 shall apply with respect to the amounts made available under this heading.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; \$19,690,000, to remain available until September 30, 2017, of which \$500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of

the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,423,000,000, to remain available until expended.

UNITED STATES SECRET SERVICE SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; \$1,555,913,000; of which not to exceed \$19,125 shall be for official reception and representation expenses; of which not to exceed \$100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeiting investigations; of which \$2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which \$6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2014; and of which \$4,000,000 shall be for activities related to training in electronic crimes investigations and forensics: Provided, That up to \$18,000,000 for protective travel shall remain available until September 30, 2014: Provided further, That \$4,500,000 for National Special Security Events shall remain available until September 30, 2014: Provided further, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: Provided further, That none of the funds made available

under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: Provided further, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: Provided further, That for purposes of section 503(b) of this Act, \$15,000,000 or 10 percent, whichever is less, may be transferred between "Protection of persons and facilities" and "Domestic field operations".

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, \$56,750,000; of which \$4,430,000, to remain available until September 30, 2017, shall be for acquisition, construction, improvement, and maintenance of facilities; and of which \$52,320,000, to remain available until September 30, 2015, shall be for information integration and technology transformation execution: Provided, That the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a multi-year investment and management plan for its Information Integration and Technology Transformation program that describes funding for the current fiscal year and the following 3 fiscal years, with associated plans for systems acquisition and technology deployment.

TITLE III PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, and information technology, \$50,220,000: Provided, That not to exceed \$3,825 shall be for official reception and representation expenses.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$1,157,529,000, of which \$200,000,000, shall remain available until September 30, 2014: Provided, That of the total amount provided for the "Infrastructure security compliance" program, project, and activity, \$20,000,000 shall not be available for obligation until the Under Secretary for the National Protection and Programs Directorate submits to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for the Chemical Facility Anti-Terrorism Standards program

that includes the number of facilities covered by the program, inspectors on-board, inspections pending, and inspections projected to be completed by September 30, 2013.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: Provided, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives not later than May 1, 2013, that the operations of the Federal Protective Service will be fully funded in fiscal year 2013 through revenues and collection of security fees, and shall adjust the fees to ensure fee collections are sufficient to ensure that the Federal Protective Service maintains not fewer than 1,371 full-time equivalent staff and 1,007 full-time equivalent Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as "in-service field staff"): Provided further, That the Director of the Federal Protective Service shall include with the submission of the President's fiscal year 2014 budget a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), \$232,422,000: Provided, That of the total amount made available under this heading, \$113,956,000 shall remain available until September 30, 2015: Provided further, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 60 days after the date of enactment of this Act, an expenditure plan for the Office of Biometric Identity Management: Provided further, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan for the Office of Biometric Identity Management program, to include each fiscal year starting with the current fiscal year and the 3 subsequent fiscal years, that provides—

(1) the proposed appropriation for each activity tied to mission requirements and outcomes, program management capabilities, performance levels, and specific capabilities and services to be delivered, noting any deviations in cost or performance from the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology;

(2) the total estimated cost, projected funding by fiscal year, and projected timeline of completion for all enhancements, modernizations, and new capabilities proposed in such budget and underway, including and clearly delineating associated efforts and funds requested by other agencies within the Department of Homeland Security and in the Federal Government and detailing any deviations in cost, performance, schedule, or estimated date of completion provided in the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology; and

(3) a detailed accounting of operations and maintenance, contractor services, and program

costs associated with the management of identity services:

Provided further, That amounts obligated under Public Law 112-175 for National Protection and Programs Directorate, "United States Visitor and Immigrant Status Indicator Technology" shall be charged to the appropriate successor account of the following: National Protection and Programs Directorate, "Office of Biometric Identity Management"; U.S. Customs and Border Protection, "Salaries and Expenses"; or U.S. Immigration and Customs Enforcement, "Salaries and Expenses".

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, \$132,499,000; of which \$26,702,000 is for salaries and expenses; and of which \$85,390,000 is for BioWatch operations: Provided, That of the amount made available under this heading, \$20,407,000 shall remain available until September 30, 2014, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: Provided further, That not to exceed \$2,250 shall be for official reception and representation expenses.

FEDERAL EMERGENCY MANAGEMENT AGENCY SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, \$973,118,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 120 Stat. 1394), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917): Provided, That not to exceed \$2,250 shall be for official reception and representation expenses: Provided further, That for fiscal year 2013 and thereafter, for purposes of planning, coordination, execution, and decision making related to mass evacuation during a disaster, the Governors of the State of West Virginia and the Commonwealth of Pennsylvania, or their designees, shall be incorporated into efforts to integrate the activities of Federal, State, and local governments in the National Capital Region, as defined in section 882 of the Homeland Security Act of 2002 (Public Law 107-296): Provided further, That of the total amount made available under this heading, \$35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: Provided further, That of the total amount made available under this heading, \$22,000,000 shall remain available until September 30, 2014, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: Provided further, That of the total amount made available under this heading, \$5,000,000 shall remain available until September 30, 2014, for expenses related to modernization of automated systems: Provided further, That the Administrator of the Federal Emergency Management Agency, in consultation with the Department of Homeland Security Chief Information Officer, shall submit to the

Committees on Appropriations of the Senate and the House of Representatives an expenditure plan including results to date, plans for the program, and a list of projects with associated funding provided from prior appropriations and provided by this Act for modernization of automated systems.

STATE AND LOCAL PROGRAMS

For grants contracts, cooperative agreements, and other activities, \$1,466,082,000, which shall be allocated as follows:

(1) Not less than \$346,600,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than \$46,600,000 shall be for Operation Stonegarden: Provided, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) Not less than \$500,376,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than \$10,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) Not less than \$97,500,000 shall be for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1135 and 1163), of which not less than \$10,000,000 shall be for Amtrak security: Provided, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) Not less than \$97,500,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) Notwithstanding section 503 of this Act, \$188,932,000 shall be distributed, according to threat, vulnerability, and consequence, at the discretion of the Secretary of Homeland Security based on the following authorities:

(A) The State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605): Provided, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(B) Operation Stonegarden.

(C) The Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(D) Organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(E) Public Transportation Security Assistance and Railroad Security Assistance, under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135 and 1163), including Amtrak security: Provided, That such public transportation security assistance shall be provided directly to public transportation agencies.

(F) Port Security Grants in accordance with 46 U.S.C. 70107.

(G) Over-the-Road Bus Security Assistance under section 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1182).

(H) *The Metropolitan Medical Response System* under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(I) *The Citizen Corps Program*.

(J) *The Driver's License Security Grants Program* in accordance with section 204 of the REAL ID Act of 2005 (49 U.S.C. 30301 note).

(K) *The Interoperable Emergency Communications Grant Program* under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(L) *Emergency Operations Centers* under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c).

(M) *The Buffer Zone Protection Program Grants*.

(N) *Regional Catastrophic Preparedness Grants*.

(6) \$235,174,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which \$157,991,000 shall be for training of State, local, and tribal emergency response providers:

Provided, That for grants under paragraphs (1) through (5), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: Provided further, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: Provided further, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: Provided further, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: Provided further, That in fiscal year 2013 and thereafter: (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts in the account may be expended; (b) the head of the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train State and local emergency response providers; and (c) subject to (b), nothing in (a) prohibits the Center for Domestic Preparedness from providing training to employees of the Federal Emergency Management Agency in existing chemical, biological, radiological, nuclear, explosives, mass casualty, and medical surge courses pursuant to 5 U.S.C. 4103 without reimbursement for the cost of such training.

FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), \$675,000,000, to remain available until September 30, 2014, of which \$337,500,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and \$337,500,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the

Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), \$350,000,000.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2013, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: Provided, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: Provided further, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2013, and remain available until September 30, 2015.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), \$44,000,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,007,926,000, to remain available until expended, of which \$24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: Provided, That the Administrator of the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: Provided further, That the Administrator of the Federal Emergency Management Agency shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: Provided further, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities;

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99-177);

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event; and

(D) the date on which funds appropriated will be exhausted:

Provided further, That of the amount provided under this heading, \$6,400,000,000 is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided further, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$95,329,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$171,000,000, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed \$22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than \$149,000,000 shall be available for flood

plain management and flood mapping, to remain available until September 30, 2014: Provided, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: Provided further, That in fiscal year 2013, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

- (1) \$132,000,000 for operating expenses;
- (2) \$1,056,602,000 for commissions and taxes of agents;
- (3) such sums as are necessary for interest on Treasury borrowings; and
- (4) \$120,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c): Provided further, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 4104d(b)(2)–(3)): Provided further, That total administrative costs shall not exceed 4 percent of the total appropriation.

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), \$25,000,000, to remain available until expended.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to remain available until expended: Provided, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, \$111,924,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: Provided, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: Provided further, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student

athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; \$228,467,000; of which up to \$44,758,000 shall remain available until September 30, 2014, for materials and support costs of Federal law enforcement basic training; of which \$300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed \$9,180 shall be for official reception and representation expenses: Provided, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended by Public Law 112–74, is further amended by striking “December 31, 2014” and inserting “December 31, 2015”: Provided further, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: Provided further, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, \$28,385,000, to remain available until September 30, 2017: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), \$132,000,000: Provided, That not to exceed \$7,650 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, \$703,471,000; of which \$538,539,000 shall remain available until September 30, 2015; and of which \$164,932,000 shall remain available until September 30, 2017, solely for operation and construction of laboratory facilities.

DOMESTIC NUCLEAR DETECTION OFFICE MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, \$39,650,000: Provided, That not to exceed \$2,250 shall be for official reception and representation expenses: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

(1) define the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by each Departmental component in fiscal year 2013 and planned for fiscal year 2014 to support the domestic architecture and the security of sea, land, and air pathways into the United States;

(3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and

(4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2013 and 2014.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, \$226,830,000, to remain available until September 30, 2014.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, \$51,455,000, to remain available until September 30, 2015.

TITLE V GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

- (1) creates a new program, project, or activity;
- (2) eliminates a program, project, office, or activity;
- (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2013 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of \$5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: Provided, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103-356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2013: Provided, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2013 budget: Provided further, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: Provided further, That all departmental components shall be charged

only for direct usage of each Working Capital Fund service: Provided further, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: Provided further, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2013 from appropriations for salaries and expenses for fiscal year 2013 in this Act shall remain available through September 30, 2014, in the account and for the purposes for which the appropriations were provided: Provided, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of \$1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; type of contract; and the account and each program, project, and activity from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under "State and Local Programs".

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or

lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110-161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

SEC. 515. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration "Aviation Security", "Administration", and "Transportation Security Support" for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: Provided, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 516. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 517. Any funds appropriated to Coast Guard "Acquisition, Construction, and Improvements" for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 518. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking "2012" and inserting "2013".

SEC. 519. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 520. (a) Except as provided in subsection (b), none of the funds appropriated in this or any other Act to the "Office of the Secretary and Executive Management", the "Office of the Under Secretary for Management", or the "Office of the Chief Financial Officer", may be obligated for a grant or contract funded under such headings by any means other than full and open competition.

(b) Subsection (a) does not apply to obligation of funds for a contract awarded—

(1) by a means that is required by a Federal statute, including obligation for a purchase made under a mandated preferential program, including the AbilityOne Program, that is authorized under chapter 85 of title 41, United States Code;

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.);

(3) in an amount less than the simplified acquisition threshold described under section 3101 (b) of title 41, United States Code; or

(4) by another Federal agency using funds provided through an interagency agreement.

(c)(1) Subject to paragraph (2), the Secretary of Homeland Security may waive the application of this section for the award of a contract in the interest of national security or if failure to do so would pose a substantial risk to human health or welfare.

(2) Not later than 5 days after the date on which the Secretary of Homeland Security issues a waiver under this subsection, the Secretary shall submit notification of that waiver to the Committees on Appropriations of the Senate and the House of Representatives, including a description of the applicable contract to which the waiver applies and an explanation of why the waiver authority was used: Provided, That the Secretary may not delegate the authority to grant such a waiver.

(d) In addition to the requirements established by subsections (a), (b), and (c) of this section, the Inspector General of the Department of Homeland Security shall review departmental contracts awarded through means other than a full and open competition to assess departmental compliance with applicable laws and regulations: Provided, That the Inspector General shall review selected contracts awarded in the previous 3 fiscal years through means other than a full and open competition: Provided further, That in selecting which contracts to review, the Inspector General shall consider the cost and complexity of the goods and services to be provided under the contract, the criticality of the contract to fulfilling Department missions, past performance problems on similar contracts or by the selected vendor, complaints received about the award process or contractor performance, and such other factors as the Inspector General deems relevant: Provided further, That the Inspector General shall report the results of the reviews to the Committees on Appropriations of the Senate and the House of Representatives no later than February 4, 2015, and every 3 years thereafter.

SEC. 521. None of the funds provided by this or previous appropriations Acts shall be used to

fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 522. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 523. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 524. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 525. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking "Until September 30, 2012," and inserting "Until September 30, 2013,";

(2) in subsection (c)(1), by striking "September 30, 2012," and inserting "September 30, 2013,".

SEC. 526. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 527. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic

Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 528. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 529. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 530. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: Provided, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: Provided further, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 531. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 532. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: Provided, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 533. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 534. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

SEC. 535. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major

disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 536. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 537. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note), as amended by section 550 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83), is further amended by striking “on October 4, 2012” and inserting “on October 4, 2013”.

SEC. 538. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 539. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

SEC. 540. None of the funds made available in this or any other Act for fiscal year 2013 and thereafter may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand-sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy, and Centers for Disease Control and Prevention and Office of Personnel Management guidance.

SEC. 541. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 542. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled “Risk Management Guide for Information Technology Systems”;

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled “Recommended Security Controls for Federal Information Systems and Organizations”; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the “Administrator”).

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the “Sponsoring Entity”.

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 543. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 544. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that either—

(1) certifies that the requirement for screening all air cargo on passenger aircraft by the deadline under section 44901(g) of title 49, United States Code, has been met; or

(2) includes a strategy to comply with the requirements under title 4901(g) of title 49, United States Code, including—

(A) a plan to meet the requirement under section 44901(g) of title 49, United States Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States in foreign air transportation (as that term is defined in section 40102 of that title); and

(B) specification of—

(i) the percentage of such air cargo that is being screened; and

(ii) the schedule for achieving screening of 100 percent of such air cargo.

(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 180 days thereafter until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

SEC. 545. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers’ and crews’ privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 546. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, \$7,500,000 shall be allocated by United States Citizenship and Immigration Services in fiscal year 2013 for the purpose of providing an immigrant integration grants program.

(b) For an additional amount for “United States Citizenship and Immigration Services” for the purpose of providing immigrant integration grants, \$2,500,000.

(c) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 547. For an additional amount for necessary expenses for reimbursement of the actual costs to State and local governments for providing emergency management, public safety,

and security at events, as determined by the Administrator of the Federal Emergency Management Agency, related to the presence of a National Special Security Event, \$5,000,000, to remain available until September 30, 2014.

SEC. 548. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to \$20,000,000 from appropriations available to the Department of Homeland Security: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 549. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle 1 of title 41, United States Code or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 550. (a) For an additional amount for data center migration, \$55,000,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 551. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific U.S. Immigration and Customs Enforcement Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: Provided, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: Provided further, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: Provided further, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 552. For an additional amount for the “Office of the Under Secretary for Management”, \$29,000,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project and associated mission support consolidation: Provided, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after

the date of enactment of this Act detailing the allocation of these funds.

SEC. 553. In making grants under the heading “Firefighter Assistance Grants”, the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 554. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 555. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall, with respect to fiscal years 2013, 2014, 2015, and 2016, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President’s budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings U.S. Customs and Border Protection, “Salaries and Expenses” under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74), and U.S. Customs and Border Protection, “Border Security Fencing, Infrastructure, and Technology” under such title, and section 568 of such Act.

SEC. 556. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 557. (a) Notwithstanding Office of Management and Budget Circular A-11, funds made available in fiscal year 2013, or any fiscal year thereafter, under Department of Homeland Security, Coast Guard, “Acquisition, Construction, and Improvements” for—

(1) long lead time materials, components, and designs of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for production, outfitting, post-delivery activities, and spare or repair parts; and

(2) production of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for outfitting, post-delivery activities, and spare or repair parts.

(b) The Secretary of Homeland Security shall develop fiscal policy that prescribes Coast Guard budgetary policies, procedures and technical direction necessary to comply with subsection (a) of this section and consistent with the Department of Defense Financial Management Regulation (Volume 2A, Chapter 1 C. Procedures for Full Funding) to include the costs associated with outfitting and post-delivery activities; spare and repair parts; and long lead time materials. The requirement set forth in this section shall not preclude the immediate availability or allotment of funds for fiscal year 2013, pursuant to subsection (a).

(c) In this section—

(1) the term “long lead time items” means components, parts, material, or effort which must be procured in advance of the production award in order to maintain the production schedule;

(2) the term “outfitting” means procurement or installation of onboard repair parts, other secondary items, equipment, and recreation items; precommissioning crew support; general use consumables furnished to the shipbuilder; the fitting out activity to fill a vessel’s initial allowances; and contractor-furnished spares; and

(3) the term “post-delivery activities” means design, planning, Government-furnished mate-

rial, and related labor for non-production and non-long lead time items contract activities and other work, including certifications, full operational capability activities and other equipment installation; spares, logistics, technical analysis, and support; correction of Government-responsible defects and deficiencies identified during builders trials, acceptance trials, and testing during the post-delivery period; costs of all work required to correct defects or deficiencies identified during the post-delivery period; and costs of all work required to correct trial card deficiencies on a vessel of a particular class, as well as on subsequent vessels of that class (whether or not delivered) until the corrective action for that cutter class is completed.

SEC. 558. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, “Infrastructure Protection and Information Security”, \$202,000,000 for the “Federal Network Security” program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: Provided, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: Provided further, That not later than April 1, 2013, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: Provided further, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies’ users: Provided further, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2013, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2013, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): Provided, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107-347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 559. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 560. (a) Notwithstanding sections 58c(e) and 1451 of title 19, United States Code, upon the request of any persons, the Commissioner of U.S. Customs and Border Protection may enter into reimbursable fee agreements for a period of up to 5 years with such persons for the provision of U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services. Such requests may include additional U.S. Customs and Border Protection services at existing U.S. Customs and Border Protection-serviced facilities (including but not limited to payment for overtime), the provision of U.S. Customs and Border Protection services at new facilities, and expanded U.S. Customs and Border Protection services at land border facilities.

(1) By December 31, 2013, the Commissioner may enter into not more than 5 agreements under this section.

(2) The Commissioner shall not enter into such an agreement if it would unduly and permanently impact services funded in this or any other appropriations Acts, or provided from any accounts in the Treasury of the United States derived by the collection of fees.

(b) Funds collected pursuant to any agreement entered into under this section shall be deposited in a newly established account as offsetting collections and remain available until expended, without fiscal year limitation, and shall directly reimburse each appropriation for the amount paid out of that appropriation for any expenses incurred by U.S. Customs and Border Protection in providing U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services.

(c) The amount of the fee to be charged pursuant to an agreement authorized under subsection (a) of this section shall be paid by each person requesting U.S. Customs and Border Protection services and shall include, but shall not be limited to, the salaries and expenses of individuals employed by U.S. Customs and Border Protection to provide such U.S. Customs and Border Protection services and other costs incurred by U.S. Customs and Border Protection relating to those services, such as temporary placement or permanent relocation of those individuals.

(d) U.S. Customs and Border Protection shall terminate the provision of services pursuant to an agreement entered into under subsection (a) with a person that, after receiving notice from the Commissioner that a fee imposed under subsection (a) is due, fails to pay the fee in a timely manner. In the event of such termination, all costs incurred by U.S. Customs and Border Protection, which have not been reimbursed, will become immediately due and payable. Interest on unpaid fees will accrue based on current U.S. Treasury borrowing rates. Additionally, any person who, after notice and demand for payment of any fee charged under subsection (a) of this section, fails to pay such fee in a timely manner shall be liable for a penalty or liquidated damage equal to two times the amount of the fee. Any amount collected pursuant to any agreement entered into under this subsection shall be deposited into the account specified under subsection (b) of this section and shall be available as described therein.

(e) Each facility at which such U.S. Customs and Border Protection services are performed

shall provide, maintain, and equip, without cost to the Government, facilities in accordance with U.S. Customs and Border Protection specifications.

(f) The authority found in this section may not be used to enter into agreements to expand or begin to provide U.S. Customs and Border Protection services outside of the United States.

(g) The authority found in this section may not be used at existing U.S. Customs and Border Protection-serviced air facilities to enter into agreements for costs other than payment of overtime.

(h) The Commissioner shall notify the appropriate Committees of Congress 15 days prior to entering into any agreement under the authority of this section and shall provide a copy of the agreement to the appropriate Committees of Congress.

(i) For purposes of this section the terms:

(1) U.S. Customs and Border Protection “services” means any activities of any employee or contractor of U.S. Customs and Border Protection pertaining to customs and immigration inspection-related matters.

(2) “Person” means any natural person or any corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

(3) “Appropriate Committees of Congress” means the Committees on Appropriations; Finance; Judiciary; and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations; Judiciary; Ways and Means; and Homeland Security of the House of Representatives.

SEC. 561. None of the funds made available under this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 562. Twenty percent of each of the appropriations provided in this Act for the “Office of the Secretary and Executive Management”, the “Office of the Under Secretary for Management”, and the “Office of the Chief Financial Officer” shall be withheld from obligation until the reports and plans required in this Act to be submitted on or before May 1, 2013, are received by the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 563. Notwithstanding any other provision of this Act or any other provision of law, during the period beginning on October 1, 2013, and ending on September 30, 2014, section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

“(iv) Each petition to compete for consideration for a visa under section 1153(c) of this title shall be accompanied by a fee equal to \$30. All amounts collected under this clause shall be deposited into the Treasury as miscellaneous receipts.”

Provided, That the Department of State, in consultation with the Department of Homeland Security, shall report to the Committees on Appropriations of the Senate and the House of Representatives not later than 90 days after the date of enactment of this Act on the steps being taken to implement the recommendations of GAO-07-1174.

SEC. 564. The Administrator of the Federal Emergency Management Agency shall cancel the liquidated balances of all remaining uncanceled or partially cancelled loans disbursed under the Community Disaster Loan Act of 2005 (Public Law 109-88) and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Re-

covery, 2006 (Public Law 109-234), as amended by section 4502 of the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28) to the extent that revenues of the local government during the period following the major disaster are insufficient to meet the budget of the local government, including additional disaster-related expenses of a municipal character. In calculating a community’s revenues while determining cancellation, the Administrator shall exclude revenues for special districts and any other revenues that are required by law to be disbursed to other units of local government or used for specific purposes more limited than the scope allowed by the General Fund. In calculating a community’s expenses, the Administrator shall include disaster-related capital expenses for which the community has not been reimbursed by Federal or insurance proceeds, debt service expenses, and accrued but unpaid uncompensated absences (vacation and sick pay). In calculating the operating deficit of the local government, the Administrator shall also consider all interfund transfers. When considering the period following the disaster, the Administrator may consider a period of 3, 5, or 7 full fiscal years after the disaster, beginning on the date of the declaration, in determining eligibility for cancellation. The criteria for cancellation do not apply to those loans already cancelled in full. Applicants shall submit supplemental documentation in support of their applications for cancellation on or before April 30, 2014, and the Administrator shall issue determinations and resolve any appeals on or before April 30, 2015. Loans not cancelled in full shall be repaid not later than September 30, 2035. The Administrator may use funds provided under Public Law 109-88 to reimburse those communities that have repaid all or a portion of loans, including interest, provided as Special Community Disaster Loans under Public Law 109-88 or Public Law 109-234, as amended by section 4502 of Public Law 110-28. Further, the Administrator may use funds provided under Public Law 109-88 for necessary expenses to carry out this provision.

SEC. 565. The Inspector General shall review the applications for public assistance provided through the Disaster Relief Fund with a project cost that exceeds \$10,000,000 and the resulting decisions issued by the Federal Emergency Management Agency for category A debris removal for DR-1786 upon receipt of a request from an applicant made no earlier than 90 days after filing an appeal with the Federal Emergency Management Agency without regard to whether the Administrator of the Federal Emergency Management Agency has issued a final agency determination on the application for assistance: Provided, That not later than 180 days after the date of such request, the Inspector General shall determine whether the Federal Emergency Management Agency correctly applied its rules and regulations to determine eligibility of the applicant’s claim: Provided further, That if the Inspector General finds that the Federal Emergency Management Agency determinations related to eligibility and cost involved a misapplication of its rules and regulations, the applicant may submit the dispute to the arbitration process established under the authority granted under section 601 of Public Law 111-5 not later than 15 days after the date of issuance of the Inspector General’s finding in the previous proviso: Provided further, That if the Inspector General finds that the Federal Emergency Management Agency provided unauthorized funding, that the Federal Emergency Management Agency shall take corrective action.

SEC. 566. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any

other successor grant programs unless explicitly authorized by Congress.

SEC. 567. None of the funds made available by this Act may be used to provide funding for the position of Public Advocate within U.S. Immigration and Customs Enforcement.

SEC. 568. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 569. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

(RESCISSIONS)

SEC. 570. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

(1) \$1,800,000 from Public Law 112-74 under the heading “Analysis and Operations”;

(2) \$73,232,000 from funds made available in Public Law 112-10 and Public Law 112-74 under the heading U.S. Customs and Border Protection, “Border Security Fencing, Infrastructure, and Technology”;

(3) \$3,108,311 from unobligated prior year balances from U.S. Immigration and Customs Enforcement, “Construction”;

(4) \$25,000,000 from Public Law 110-329 under the heading Coast Guard “Acquisition, Construction, and Improvements”;

(5) \$43,000,000 from Public Law 111-83 under the heading Coast Guard “Acquisition, Construction, and Improvements”;

(6) \$63,500,000 from Public Law 112-10 under the heading Coast Guard “Acquisition, Construction, and Improvements”;

(7) \$23,000,000 from Public Law 112-74 under the heading Coast Guard “Acquisition, Construction, and Improvements”; and

(8) \$21,667,000 from Public Law 112-74 under the heading Transportation Security Administration, “Surface Transportation Security”.

(RESCISSION)

SEC. 571. Of the funds provided in Public Law 110-161, Public Law 110-329, and Public Law 111-83, under the heading “National Predisastr Mitigation Fund” for congressionally directed spending items, \$12,000,000 are rescinded from projects for which no applications were submitted or from projects which were completed for an amount less than that appropriated.

(RESCISSIONS)

SEC. 572. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) \$199,657 from “Operations”;

(2) \$445,328 from U.S. Customs and Border Protection “Salaries and Expenses”;

(3) \$63,045 from U.S. Customs and Border Protection “Violent Crime Reduction Programs”;

(4) \$86,597 from U.S. Immigration and Customs Enforcement “Violent Crime Reduction Programs”;

(5) \$1,739 from Coast Guard “Acquisition, Construction, and Improvements”;

(6) \$1,329,239 from Federal Emergency Management Agency “Office of Domestic Preparedness”;

(7) \$3,262,677 from Federal Emergency Management Agency “National Predisaster Mitigation Fund”;

(8) \$2,291,844 from Transportation Security Administration “Administration”.

(RESCISSIONS)

SEC. 573. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 984) are rescinded:

(1) \$314,674 from “Office of the Secretary and Executive Management”;

(2) \$185,813 from “Office of the Under Secretary for Management”;

(3) \$114,391 from “Office of the Chief Financial Officer”;

(4) \$59,507 from “Office of the Chief Information Officer”;

(5) \$568,188 from “Analysis and Operations”;

(6) \$45,525 from “Office of Inspector General”;

(7) \$568,480 from U.S. Customs and Border Protection “Salaries and Expenses”;

(8) \$3,581,483 from U.S. Immigration and Customs Enforcement “Salaries and Expenses”;

(9) \$1,075,942 from Transportation Security Administration “Federal Air Marshals”;

(10) \$18,142,454 from Coast Guard “Operating Expenses”;

(11) \$991,520 from Coast Guard “Reserve Training”;

(12) \$1,033,599 from Coast Guard “Acquisition, Construction, and Improvements”;

(13) \$2,371,377 from United States Secret Service “Salaries and Expenses”;

(14) \$82,084 from National Protection and Programs Directorate “Management and Administration”;

(15) \$1,683,470 from National Protection and Programs Directorate “Infrastructure Protection and Information Security”;

(16) \$184,583 from National Protection and Programs Directorate “United States Visitor and Immigrant Status Indicator Technology”;

(17) \$259,874 from Federal Emergency Management Agency “Salaries and Expenses”;

(18) \$206,722 from Federal Emergency Management Agency “State and Local Programs”;

(19) \$450,017 from Office of Health Affairs;

(20) \$205,799 from United States Citizenship and Immigration Services;

(21) \$512,660 from Federal Law Enforcement Training Center “Salaries and Expenses”;

(22) \$244,553 from Science and Technology “Management and Administration”;

(23) \$128,565 from Domestic Nuclear Detection Office “Management and Administration”.

SEC. 574. Fourteen days after the Secretary of Homeland Security submits a report required under this division to the Committees on Appropriations of the Senate and the House of Representatives, the Secretary shall submit a copy of that report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

This division may be cited as the “Department of Homeland Security Appropriations Act, 2013”.

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise

appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,684,323,000, to remain available until September 30, 2017: Provided, That of this amount, not to exceed \$80,173,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,549,164,000, to remain available until September 30, 2017: Provided, That of this amount, not to exceed \$102,619,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$322,543,000, to remain available until September 30, 2017: Provided, That of this amount, not to exceed \$18,635,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,582,423,000, to remain available until September 30, 2017: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$315,562,000 shall be avail-

able for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount appropriated, notwithstanding any other provision of law, \$26,969,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$613,799,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$26,622,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$42,386,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$4,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$305,846,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$15,951,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$49,532,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$2,118,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy

determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$10,979,000, to remain available until September 30, 2017: Provided, That of the amount appropriated, not to exceed \$2,879,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$254,163,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$4,641,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$530,051,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$102,182,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$378,230,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$83,824,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$497,829,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense

(other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$52,238,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$1,786,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$151,000,000, to remain available until September 30, 2017, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$409,396,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$126,697,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engi-

neers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such ap-

propriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 125. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: Provided, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 126. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 127. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 128. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5-10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available to the Department of Defense for military construction in this or any other Act, may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for "Military Construction, Defense-Wide", from prior appropriations Acts, \$20,000,000 are hereby cancelled: Provided, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for "Department of Defense Base Closure Account 2005", from prior appropriations Acts, \$132,513,000 are hereby cancelled: Provided, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 132. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land conveyance, the Secretary of Defense shall transfer \$10,500,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$60,599,855,000, to remain available until expended: Provided, That not to exceed \$9,204,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, \$12,023,458,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities,

service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$104,600,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2013, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$157,814,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$346,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,089,000.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$155,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2012; and in addition, \$43,557,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That notwithstanding any other provi-

sion of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$6,033,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$4,872,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$582,674,000, plus reimbursements, shall remain available until September 30, 2014.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one passenger motor vehicle for use in cemetery operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$258,284,000, of which not to exceed \$25,828,000 shall remain available until September 30, 2014: Provided, That none of the funds under this heading may be used to expand the Urban Initiative project beyond those sites outlined in the fiscal year 2012 or previous budget submissions or any other rural strategy, other than the Rural Initiative included in the fiscal year 2013 budget submission, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a strategy to serve the burial needs of veterans residing in rural and highly rural areas and that strategy has been approved by the Committees: Provided further, That the strategy shall include: (1) A review of previous policies of the National Cemetery Administration regarding establishment of new national cemeteries, including whether the guidelines of the Administration for establishing national

cemetery annexes remain valid; (2) Data identifying the number of and geographic areas where rural veterans are not currently served by national or existing State cemeteries and identification of areas with the largest unserved populations, broken down by veterans residing in urban versus rural and highly rural; (3) Identification of the number of veterans who reside within the 75-mile radius of a cemetery that is limited to cremations or of a State cemetery which has residency restrictions, as well as an examination of how many communities that fall under a 75-mile radius have an actual driving distance greater than 75 miles; (4) Reassessment of the gaps in service, factoring in the above conditions that limit rural and highly rural veteran burial options; (5) An assessment of the adequacy of the policy of the Administration on establishing new cemeteries proposed in the fiscal year 2013 budget request; (6) Recommendations for an appropriate policy on new national cemeteries to serve rural or highly rural areas; (7) Development of a national map showing the locations and number of all unserved veterans; and (8) A time line for the implementation of such strategy and cost estimates for using the strategy to establish new burial sites in at least five rural or highly rural locations: Provided further, That the Comptroller General of the United States shall review the strategy to ensure that it includes the elements listed above: Provided further, That this strategy shall be submitted no later than 180 days after the date of enactment of this Act: Provided further, That the Secretary of Veterans Affairs shall issue guidelines on committal services held at cemeteries under the jurisdiction of the National Cemetery Administration to ensure that: (1) veterans' families may arrange to hold committal services with any religious or secular content they desire; (2) the choice by a family of an honor guard and the content and presentation of military honors may not be interfered with; and (3) attendance at committal services by outside organizations dedicated to the support of veterans will not be constrained except at the request of family members: Provided further, That the Department shall not edit, control, or exercise prior restraints on the content of religious speech and expression by speakers at events at veterans national cemeteries except as provided in section 2413 of title 38, United States Code: Provided further, That actions permitted by the foregoing provisos shall be subject to compliance with Department security, safety, and law enforcement regulations.

DEPARTMENTAL ADMINISTRATION
GENERAL ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$424,737,000, of which not to exceed \$20,837,000 shall remain available until September 30, 2014: Provided, That the Board of Veterans Appeals shall be funded at not less than \$86,006,000: Provided further, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)): Provided further, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

GENERAL OPERATING EXPENSES, VETERANS
BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,164,074,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed \$113,000,000 shall remain available until September 30, 2014.

INFORMATION TECHNOLOGY SYSTEMS
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,327,444,000, plus reimbursements: Provided, That \$1,021,000,000 shall be for pay and associated costs, of which not to exceed \$30,630,000 shall remain available until September 30, 2014: Provided further, That \$1,812,045,000 shall be for operations and maintenance, of which not to exceed \$126,000,000 shall remain available until September 30, 2014: Provided further, That \$494,399,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2014: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three sub-accounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That of the funds provided for information technology systems development, modernization, and enhancement for the development of a joint Department of Defense—Department of Veterans Affairs (DOD—VA) integrated electronic health record (iEHR), not more than 25 percent may be obligated until the DOD—VA Interagency Program Office submits to

the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both Agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$115,000,000, of which \$6,000,000 shall remain available until September 30, 2014.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$532,470,000, of which \$502,470,000 shall remain available until September 30, 2017, and of which \$30,000,000 shall remain available until expended: Provided, That \$5,000,000 shall be to make reimbursements as provided in section 7108 of title 41, United States Code, for claims paid for contract disputes: Provided further, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2013, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2013; and (2) by the awarding of a construction contract by September 30, 2014: Provided further, That the Secretary of Veterans Affairs

shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$607,530,000, to remain available until September 30, 2017, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2013 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Con-

gress of the amount and purpose of the transfer: Provided further, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2012.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2013, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2013 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus

earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2013 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National Cemetery Administration" accounts for fiscal year 2013, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obli-

gated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2013 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to \$247,356,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division H of Public Law 112–74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2014:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 227. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 229. The Secretary of the Department of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

SEC. 230. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2013, the funding allocated for a medical care initiative identified in the fiscal year 2013 expenditure plan is adjusted by more than \$25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

SEC. 231. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3))) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2))).

SEC. 232. Funds made available under the heading "Medical services" in title II of division H of Public Law 112–74 may be used to carry out section 1787 of title 38, United States Code.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$62,929,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR
VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$32,481,000: Provided, That \$2,726,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$65,800,000, of which not to exceed \$27,000,000 shall remain available until September 30, 2015. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, \$103,000,000, to remain available until September 30, 2017, of which, \$84,000,000 shall be for planning and design and construction associated with the Millennium Project at Arlington National Cemetery; and \$19,000,000 shall be for study, planning, design, and architect and engineer services for future expansion of burial space at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,590,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading, "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE
CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$150,768,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION
(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112-10 and division H in title IV of Public Law 112-74, \$150,768,000 are hereby rescinded: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 504. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 505. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 506. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 507. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 508. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 509. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 510. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

SEC. 511. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 512. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

SEC. 513. None of the funds provided in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 514. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 515. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 516. Such sums as may be necessary for fiscal year 2013 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 517. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency that are

stationed within the United States at any single conference occurring outside a state of the United States, except for employees of the Department of Veterans Affairs stationed in the Philippines, unless the relevant Secretary reports to the Committees on Appropriations of both Houses of Congress at least 5 days in advance that such attendance is important to the national interest.

This division may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013".

DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2013, and for other purposes, namely:

TITLE I

GENERAL PROVISIONS

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Energy and Water Development and Related Agencies Appropriations Act, 2012 (division B of Public Law 112-74).

(2) The Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112-74).

(3) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112-74).

(4) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of Public Law 112-74).

(5) The Legislative Branch Appropriations Act, 2012 (division G of Public Law 112-74).

(6) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112-74).

(7) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55), except for the appropriations designated by the Congress as being for disaster relief under the heading "Department of Transportation, Federal Highway Administration, Emergency Relief" and in the last proviso of section 239 of such Act.

(8) The Disaster Relief Appropriations Act, 2012 (Public Law 112-77), except for appropriations under the heading "Corps of Engineers—Civil".

(b) For purposes of this division, the term "level" means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

(1) the 0.16 percent across-the-board rescission in section 436 of division E of Public Law 112-74 (relating to the Department of the Interior, Environment, and Related Agencies); and

(2) the 0.189 percent across-the-board rescission in section 527 of division F of Public Law 112-74, (relating to the Departments of Labor, Health and Human Services, and Education, and Related Agencies).

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the man-

ner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2012, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2012.

SEC. 1105. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101 shall continue in effect through the date specified in section 1106.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2013.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Resolution, 2013 (Public Law 112-175) shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2012, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2012.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2014:

(1) "Department of Labor, Office of Workers' Compensation Programs, Special Benefits for Disabled Coal Miners", for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, \$40,000,000, to remain available until expended.

(2) "Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid", for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$106,335,631,000, to remain available until expended.

(3) "Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs", for payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,100,000,000, to remain available until expended.

(4) "Department of Health and Human Services, Administration for Children and Families, Payments for Foster Care and Permanency", for payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$2,200,000,000.

(5) "Social Security Administration, Supplemental Security Income Program", for benefit payments under title XVI of the Social Security Act, \$19,300,000,000, to remain available until expended.

SEC. 1110. Each amount made available in this division by reference to an appropriation that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

SEC. 1111. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2013 or 2014 in an appropriations Act for fiscal year 2012, in addition to amounts otherwise made available by this division, advance appropriations are provided in the same amount for fiscal year 2014 or 2015, respectively, with a comparable period of availability.

SEC. 1112. (a) Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111-242), as added by section 1(a)(2) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (Public Law 111-322; 5 U.S.C. 5303 note), is amended—

(1) in subsection (b)(1), by striking the matter after "ending on" and before "shall be made" and inserting "December 31, 2013,"; and

(2) in subsection (c), by striking the matter after "ending on" and before "no senior executive" and inserting "December 31, 2013,".

(b) Section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112-175; 5 U.S.C. 5303 note) is repealed.

SEC. 1113. (a) Not later than 30 days after the date of the enactment of this division, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2013—

(1) at the program, project, or activity level (or, for foreign assistance programs funded in titles III, IV and VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act, at the country, regional, and central program level, and for any international organization); or

(2) as applicable, at any greater level of detail required for funds covered by such a plan in an appropriations Act referred to in section 1101, in the joint explanatory statement accompanying such Act, or in committee report language incorporated by reference in such joint explanatory statement.

(b) If a sequestration is ordered by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, the spending, expenditure, or operating plan required by this section shall reflect such sequestration.

(c) The departments and agencies to which this section applies are as follows:

(1) The Department of Agriculture.

(2) The Department of Commerce.

(3) The Department of Education.

(4) The Department of Energy.

(5) The Department of Health and Human Services.

(6) The Department of Homeland Security.

(7) The Department of Housing and Urban Development.

(8) The Department of the Interior.

(9) The Department of Justice.

(10) The Department of Labor.

(11) The Department of State and United States Agency for International Development.

(12) The Department of Transportation.

(13) The Department of the Treasury.

(14) The National Aeronautics and Space Administration.

- (15) *The National Science Foundation.*
- (16) *The Judiciary.*
- (17) With respect to amounts made available under the heading “Executive Office of the President and Funds Appropriated to the President”, agencies funded under such heading.
- (18) *The Federal Communications Commission.*
- (19) *The General Services Administration.*
- (20) *The Office of Personnel Management.*
- (21) *The National Archives and Records Administration.*
- (22) *The Securities and Exchange Commission.*
- (23) *The Small Business Administration.*
- (24) *The Environmental Protection Agency.*
- (25) *The Indian Health Service.*
- (26) *The Smithsonian Institution.*
- (27) *The Social Security Administration.*
- (28) *The Corporation for National and Community Service.*
- (29) *The Corporation for Public Broadcasting.*
- (30) *The Food and Drug Administration.*
- (31) *The Commodity Futures Trading Commission.*

SEC. 1114. Not later than May 15, 2013, and each month thereafter through November 1, 2013, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on all obligations incurred in fiscal year 2013, by each department and agency, using funds made available by this division. Such report shall—

- (1) set forth obligations by account; and
- (2) compare the obligations incurred in the period covered by the report to the obligations incurred in the same period in fiscal year 2012.

This division may be cited as the “Full-Year Continuing Appropriations Act, 2013”.

TITLE II

ENERGY AND WATER DEVELOPMENT

SEC. 1201. The amounts available for “Corps of Engineers—Civil, Department of the Army, Corps of Engineers—Civil, Construction” are hereby reduced by \$20,000,000.

SEC. 1202. Notwithstanding section 1101, the level for “Department of the Interior, Central Utah Project, Central Utah Project Completion Account” shall be \$19,700,000, of which, \$1,200,000 shall be deposited into the “Utah Reclamation Mitigation and Conservation Account” for use by the Utah Reclamation Mitigation and Conservation Commission. In addition \$1,300,000 is provided for necessary expenses incurred in carrying out the responsibilities of the Secretary of the Interior.

SEC. 1203. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: “Department of Energy, Energy Efficiency and Renewable Energy”, \$1,814,091,000; “Department of Energy, Nuclear Energy”, \$759,000,000; “Department of Energy, Science”, \$4,876,000,000; “Department of Energy, Advanced Research Projects Agency—Energy”, \$265,000,000, to remain available until expended.

SEC. 1204. Notwithstanding section 1101, of the unobligated balances from prior year appropriations available under “Department of Energy, Northeast Home Heating Oil Reserve” \$6,000,000 are hereby permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1205. (a) Notwithstanding section 1101, the level for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities” shall be \$7,577,341,000.

(b) Section 301(c) of division B of Public Law 112-274 shall not apply to amounts made available by this section.

SEC. 1206. In addition to amounts otherwise made available by this division, \$110,000,000 is

appropriated for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Non-proliferation” for domestic uranium enrichment research, development, and demonstration.

SEC. 1207. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this division by substituting the date specified in section 1106 of this division for “October 1, 2012”.

TITLE III

FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1301. (a) Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under title IV of H.R. 6020 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under “District of Columbia Funds—Summary of Expenses” as included in the Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act 19-381), as modified as of the date of the enactment of this division.

(b) Section 803(b) of the Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112-74; 125 Stat. 940) is amended by striking “November 1, 2012” and inserting “November 1, 2013”.

SEC. 1302. Notwithstanding section 1101, the level for “District of Columbia, Federal Funds, Federal Payment for Emergency Planning and Security Costs in the District of Columbia” shall be \$24,700,000, of which not less than \$9,800,000 shall be used for costs associated with the Presidential Inauguration.

SEC. 1303. Notwithstanding section 1101, the fifth proviso under the heading “Federal Communications Commission, Salaries and Expenses” in division C of Public Law 112-74 shall be applied by substituting “\$98,739,000” for “\$85,000,000”.

SEC. 1304. Notwithstanding any other provision of this division, amounts made available by section 1101 for “Department of the Treasury, Departmental Offices, Salaries and Expenses” and “Department of the Treasury, Office of Inspector General, Salaries and Expenses” may be used for activities in connection with section 1602(e) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (subtitle F of title I of division A of Public Law 112-141).

SEC. 1305. Notwithstanding section 1101, the level for “Office of Government Ethics, Salaries and Expenses” shall be \$18,664,000, of which \$5,000,000 shall be for development and deployment of the centralized, publicly accessible database required in section 11(b) of the STOCK Act (Public Law 112-105).

SEC. 1306. Notwithstanding section 1101, the level for “Small Business Administration, Business Loans Program Account” for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act and section 503 of the Small Business Investment Act of 1958 shall be \$333,600,000.

SEC. 1307. Of the unobligated balances available for “Department of the Treasury, Treasury Forfeiture Fund”, \$950,000,000 are rescinded.

SEC. 1308. Notwithstanding section 1101, the Community Development Financial Institutions Fund is authorized during Fiscal Year 2013 to guarantee bonds and notes pursuant section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.): Provided, That no funds appropriated by this Act for “Department of the Treasury—Community Development Financial Institutions Fund Program Account” shall be available for the cost, if any, of guaranteed

loans (as defined in section 502 of the Congressional Budget Act of 1974) pursuant to section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.) to subsidize total loan principal not to exceed \$500,000,000.

SEC. 1309. Sections 9503(a), 9504(a) and (b), and 9505(a) of title 5, United States Code, are amended by striking “Before July 23, 2013” each place it occurs and inserting “Before September 30, 2013”.

SEC. 1310. Notwithstanding section 1101, the level for “Executive Office of The President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation” shall be \$0.

SEC. 1311. Notwithstanding section 1101, the level for “The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” shall be \$1,040,000,000.

SEC. 1312. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note), as amended, is amended—

(1) in the third sentence (relating to the district of Kansas), by striking “21 years or more” and inserting “22 years and 6 months or more”; and

(2) in the seventh sentence (relating to the district of Hawaii), by striking “18 years or more” and inserting “19 years and 6 months or more”.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, The Judiciary, The District of Columbia, and Independent Agencies Appropriations Act of 2006 (Public Law 109-115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern district of Missouri) by inserting “and 6 months” after “20 years”.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107-273; 28 U.S.C. 133 note) is amended—

(1) by inserting after “authorized by this subsection” the following: “, except in the case of the central district of California and the western district of North Carolina”;

(2) by striking “10 years” and inserting “11 years”; and

(3) by adding at the end the following: “The first vacancy in the office of district judge in the central district of California occurring 10 years and 6 months or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of North Carolina occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.”.

SEC. 1313. Notwithstanding section 1101 of this division or division A, the level for the “Commodity Futures Trading Commission” shall be the level specified under Public Law 112-55 and the authorities and conditions, including comparable periods of availability, provided under such Public Law shall apply to such appropriation.

SEC. 1314. Notwithstanding section 1101, the level for “Federal Deposit Insurance Corporation, Office of the Inspector General” shall be \$34,568,000.

TITLE IV

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

SEC. 1401. Notwithstanding section 1101, the levels for the following appropriations of the Department of the Interior shall be:

(a) \$950,757,000 for “Bureau of Land Management, Management of Lands and Resources”: Provided, That the amounts included under such heading in division E of Public Law 112-74 shall be applied to funds appropriated by this

division by substituting “\$950,757,000” for “\$961,900,000” the second place it appears;

(b) \$0 for “Bureau of Land Management, Construction”;

(c) \$1,213,915,000 for “United States Fish and Wildlife Service, Resource Management”;

(d) \$19,136,000 for “United States Fish and Wildlife Service, Construction”;

(e) \$2,214,202,000 for “National Park Service, Operation of the National Park Service”;

(f) \$131,173,000 for “National Park Service, Construction”;

(g) \$105,910,000 for “Bureau of Indian Affairs, Construction”;

(h) \$84,946,000 for “Insular Affairs, Assistance to Territories”: Provided, That the matter under such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting “\$75,684,000” for “\$78,517,000”; and by substituting “\$9,262,000” for “\$9,480,000”;

(i) \$146,000,000 for “Office of the Special Trustee for American Indians, Federal Trust Programs”; and

(j) \$726,473,000 for “Department-wide Programs, Wildland Fire Management”: Provided, That of the amounts made available by section 140(b) of Public Law 112–175 (126 Stat. 1321), \$7,500,000 are rescinded.

SEC. 1402. The contract authority provided for fiscal year 2013 by 16 U.S.C. 460l–10a is rescinded.

SEC. 1403. Section 10101(a) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amended by section 430 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112–74; 125 Stat. 1047), is further amended—

(1) in paragraph (1) in the first sentence, by striking “on” the first place it appears and inserting “before, on,”; and

(2) in paragraph (2)—

(A) by striking “located” the second place it appears;

(B) by inserting at the end of the following: “Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 to 28e) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c)).”; and

(C) by striking “(a)” in the first sentence and inserting “(a)(1)”.

SEC. 1404. (a) Division II of Public Law 104–333 (16 U.S.C. 461 note) is amended in each of sections 107, 208, 310, 408, 507, 607, 707, 809, and 910, by striking “2012” and inserting “2013”.

(b) Effective on October 12, 2012, section 7 of Public Law 99–647, as amended by section 702(d) of Public Law 109–338 and section 1767 of Public Law 112–10, is further amended by striking “the date” and all that follows and inserting “September 30, 2013”.

(c) Section 12 of Public Law 100–692 (16 U.S.C. 461 note) is amended—

(1) in subsection (c)(1), by striking “2012” and inserting “2013”; and

(2) in subsection (d), by striking “the date that is 5 years after the date of enactment of this sub section” and inserting “September 30, 2013”.

(d) Section 108 of Public Law 106–278 (16 U.S.C. 461 note) is amended by striking “2012” and inserting “2013”.

SEC. 1405. Notwithstanding section 1101, the levels for the following appropriations of the Environmental Protection Agency shall be:

(a) \$785,291,000 for “Science and Technology”;

(b) \$2,651,440,000 for “Environmental Programs and Management”;

(c) \$1,176,431,000 for “Hazardous Substance Superfund”: Provided, That the matter under

such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting

“\$1,176,431,000” for “\$1,215,753,000” the second place it appears; and by substituting “September 30, 2012” for “September 30, 2011”; and

(d) \$3,579,094,000 for “State and Tribal Assistance Grants”: Provided, That the amounts included under such heading in division E of Public Law 112–74 shall be applied to fund appropriated by this division as follows: by substituting “\$1,451,791,000” for “\$1,468,806,000”; by substituting “\$908,713,000” for “\$919,363,000”; and by substituting “\$19,952,000” for “\$30,000,000”.

SEC. 1406. (a) Of the unobligated balances available to the Environmental Protection Agency under the following headings from prior appropriation Acts, the following amounts are rescinded:

(1) “Hazardous Substance Superfund”, \$15,000,000.

(2) “State and Tribal Assistance Grants”, \$35,000,000, as follows:

(A) \$10,000,000 from unobligated Brownfields balances.

(B) \$5,000,000 from unobligated categorical grant balances.

(C) \$10,000,000 from unobligated Drinking Water State Revolving Funds balances.

(D) \$10,000,000 from unobligated Clean Water State Revolving Funds balances.

(b) No amounts may be rescinded under subsection (a) from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1407. Notwithstanding subsection (d)(2) of section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8), the Administrator of the Environmental Protection Agency may assess pesticide registration service fees under such section for fiscal year 2013.

SEC. 1408. Notwithstanding section 1101, the levels for the following appropriations of the Department of Agriculture shall be:

(a) \$1,536,596,000 for “Forest Service, National Forest System”;

(b) \$369,800,000 for “Forest Service, Capital Improvement and Maintenance”; and

(c) \$1,971,390,000 for “Forest Service, Wildland Fire Management”.

SEC. 1409. Notwithstanding section 1101, the levels for the following appropriations of the Department of Health and Human Services shall be:

(a) \$3,914,599,000 for “Indian Health Service, Indian Health Services”; and

(b) \$441,605,000 for “Indian Health Service, Indian Health Facilities”.

SEC. 1410. Notwithstanding section 1101, the level for “Smithsonian Institution, Salaries and Expenses” shall be \$640,512,000.

SEC. 1411. Notwithstanding section 1101, the level for “Advisory Council on Historic Preservation, Salaries and Expenses” shall be \$7,023,000: Provided, That of the funds appropriated herein, \$1,300,000, to remain available until expended, may be used for expenses related to the relocation from the Old Post Office Building.

SEC. 1412. Notwithstanding section 1101, the level for “Presidio Trust, Presidio Trust Fund” shall be \$0.

SEC. 1413. Notwithstanding section 1101, the level for “Dwight D. Eisenhower Memorial Commission, Salaries and Expenses” shall be \$1,050,000 and the level for “Dwight D. Eisenhower Memorial Commission, Capital Construction” shall be \$0: Provided, That section 8162(m) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–

79), as added by section 8120 (a) of Public Law 107–117 (115 Stat. 2273), is amended by adding at the end the following:

“(3) EXPIRATION.—Any reference in section 8903(e) of title 40, U.S.C. to the expiration at the end of, or extension beyond, a 7-year period shall be considered to be a reference to an expiration on, or extension beyond, September 30, 2013.”.

SEC. 1414. Notwithstanding section 1101, section 408 of division E of Public Law 112–74 (125 Stat. 1038) shall be applied to funds appropriated by this division by substituting “112–10, and 112–74” for “112–10” and by substituting “2012” for “2011”.

SEC. 1415. The authority provided by section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted by reference in section 1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note) shall continue in effect through the date specified in section 1106 of this division.

SEC. 1416. No funds made available under this Act shall be used for a 180-day period beginning on date of enactment of this Act to enforce with respect to any farm (as that term is defined in section 112.2 of title 40, Code of Federal Regulations (or successor regulations)) the Spill, Prevention, Control, and Countermeasure rule, including amendments to that rule, promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

TITLE V

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

(INCLUDING TRANSFER OF FUNDS)

SEC. 1501. Of the funds available to the Department of Labor, Employment and Training Administration in this or any other Act making appropriations that remain unobligated as of the date of enactment of this Act, up to \$30,000,000 may be transferred to “Department of Labor, Employment and Training Administration, Office of Job Corps” for Job Corps operations for program years 2012 and 2013 and shall be in addition to any other amounts available to the Office of Job Corps for such purposes: Provided, That not less than \$10,000,000 shall be transferred within 30 days of enactment of this Act to support Job Corps operations for the program year ending June 30, 2013: Provided further, That not later than 15 days after any transfer has been made under the authority of this section, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate that details the source of the transferred funds, the specific programs, projects, or activities for which such funds will be used, provides a detailed explanation of the need for such transfer, and itemizes the cost saving measures implemented by the Office of the Job Corps during Program Years 2012 and 2013 and the savings gained by implementing each initiative.

SEC. 1502. Notwithstanding section 1101, the level which may be expended from the Employment Security Administration Account of the Unemployment Trust Fund for administrative expenses of “Department of Labor, Employment and Training Administration, State Unemployment Insurance and Employment Service Operations” shall be \$3,940,865,000 (which includes all amounts available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), of which \$3,115,142,000 shall be for grants to the States for the administration of State unemployment insurance laws under paragraph (1). For the purposes of this section, the first proviso under this heading in Public Law 112–74 shall be applied by substituting “2013” and “4,585,000” for “2012” and “4,832,000”, respectively.

SEC. 1503. Notwithstanding section 1101, language under the heading “Department of Labor, Mine Safety and Health Administration, Salaries and Expenses” in Public Law 112-74 shall be applied to funds appropriated by this Act by substituting “is authorized to collect and retain up to \$2,499,000” for “may retain up to \$1,499,000”.

SEC. 1504. Notwithstanding section 1101, the level for “Department of Labor, Veterans Employment and Training” shall be \$264,436,000, of which \$226,251,000 shall be derived from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That the level provided under such heading for Veterans Workforce Investment Program grants shall be used for the Transition Assistance Program and activities authorized by the VOW to Hire Heroes Act of 2011, shall be available through September 30, 2013, and shall be in addition to any other funds available for those purposes: Provided further, That of the level provided under such heading, not less than \$14,000,000 shall be for the Transition Assistance Program, and \$3,414,000 shall be for the National Veterans’ Employment and Training Services Institute.

SEC. 1505. All funds provided for the Health Centers program, as defined by section 330 of the Public Health Service Act, by this Act or any other Act providing appropriations for fiscal year 2013 shall be obligated by the Secretary of Health and Human Services by September 30, 2013, of which \$48,000,000 shall be awarded for base grant adjustments.

SEC. 1506. The Director of the Centers for Disease Control and Prevention (hereafter referred to in this division as “CDC”) may detail CDC staff without reimbursement for up to 30 days to support an activation of the CDC Emergency Operations Center, so long as the Director provides notification within 15 days of the use of this authority and a full report to the Committees on Appropriations of the House of Representatives and the Senate within 30 days after the use of this authority, which includes the number of staff and funding level broken down by the originating center and number of days detailed: Provided, That the annual reimbursement cannot exceed \$3,000,000 across CDC.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1507. To facilitate the implementation of the permanent Working Capital Fund (“WCF”) authorized in Public Law 112-74, on or after October 1, 2013, unobligated balances of amounts appropriated for business services for fiscal year 2013 shall be transferred to the WCF: Provided, That on or after October 1, 2013, the CDC shall transfer other amounts available for business services to other CDC appropriations consistent with the benefit each appropriation received from the business services appropriation in fiscal year 2013: Provided further, That assets purchased with funds appropriated for or reimbursed to business services in this or any other Act may be transferred to the WCF and customers billed for depreciation of those assets: Provided further, That CDC shall, consistent with the authorities provided in 42 U.S.C. 231, ensure that the WCF is used only for administrative support services and not for programmatic activity funding: Provided further, That CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days prior to any transfer made under the authority provided in this section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 1508. Notwithstanding section 1101, the level for “Department of Health and Human Services, National Institutes of Health, Office of the Director” shall be \$1,528,181,000: Provided, That the fourth proviso under such heading

shall be applied to funds appropriated by this Act by substituting the following: “: Provided further, That \$165,000,000 shall be for the National Children’s Study (NCS), except that not later than July 15, 2013 the Director shall estimate the amount needed for the NCS during fiscal year 2013, taking into account the succeeding proviso, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers of NIH in proportion to their shares of total NIH appropriations made by this Act: Provided further, That the Director shall contract with the National Academy of Sciences within 60 days of enactment of this Act to appoint an expert Institute of Medicine/National Research Council (IOM/NRC) panel to conduct a comprehensive review and issue a report regarding proposed methodologies for the NCS Main Study, including whether such methodologies are likely to produce scientifically sound results that are generalizable to the United States population and appropriate sub-populations: Provided further, That no contracts shall be awarded for conducting the Main Study until at least 60 days after the IOM/NRC report has been available to the public.”.

SEC. 1509. Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance” shall be \$1,016,000,000.

SEC. 1510. Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant” shall be \$2,328,313,000: Provided, That in addition to the amounts required to be reserved by the States under section 658G of the Child Care and Development Block Grant Act, \$297,078,000 shall be reserved by the States for activities authorized under section 658G of such Act, of which \$108,950,000 shall be for activities that improve the quality of infant and toddler care.

SEC. 1511. In addition to amounts otherwise made available by section 1101, \$33,500,000 is appropriated for “Department of Health and Human Services, Administration for Children and Families, Children and Families Services” for making payments under the Head Start Act: Provided, That notwithstanding section 640 of such Act, up to \$25,000,000 of such funds shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of the Head Start Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: Provided further, That amounts allocated to Head Start grantees at the discretion of the Secretary to supplement activities pursuant to the previous proviso shall not be included in the calculation of the “base grant” in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act.

SEC. 1512. Notwithstanding section 1101, the level for “Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund” shall be increased by \$17,000,000 for expenses necessary for replacement of building leases and associated renovation costs for Public Health Service agencies and other components of the Department of Health and Human Services, including relocation and fit-out costs, to remain available until expended.

SEC. 1513. Of the amount provided by section 1101 for “Department of Education, Safe Schools and Citizenship Education” for subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965, \$3,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence

program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis.

SEC. 1514. Notwithstanding section 1101, the provisos under the heading “Department of Education—Special Education” shall be applicable as if the following four provisos were inserted after the first proviso: “: Provided further, That the Secretary shall distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State’s allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), in accordance with section 611(d)(3)(A)(i)(II) and (III) without regard to section 611(d)(3)(A)(i)(I) and section 611(d)(3)(B): Provided further, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: Provided further, That the States shall allocate such funds distributed under the second preceding proviso to local educational agencies in accordance with section 611(f): Provided further, That the amount by which a State’s allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos from funds appropriated for fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years.”.

SEC. 1515. Of the amount provided by section 1101 for “Department of Education, Higher Education” for subpart 2 of part A of title VII of the Higher Education Act of 1965, up to \$4,451,000 shall be available to fund continuation awards for projects originally supported under subpart 1 of part A of title VII of such act.

SEC. 1516. Notwithstanding section 1101, the level for “Railroad Retirement Board, Limitation on Administration” shall be \$111,149,000.

SEC. 1517. Notwithstanding section 1101, the level for “Social Security Administration, Supplemental Security Income Program” for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act shall be \$17,000,000.

SEC. 1518. Of the funds made available by section 1101 for “Social Security Administration, Limitation on Administrative Expenses”, \$23,000,000 shall be for section 1149 of the Social Security Act and \$7,000,000 shall be for section 1150 of the Social Security Act.

SEC. 1519. Of the funds made available by section 1101 for “Social Security Administration, Limitation on Administrative Expenses” for the cost associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$483,052,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

SEC. 1520. Of the funds made available for the Community-Based Care Transitions Program under section 3026 of Public Law 111-148, \$200,000,000 are hereby rescinded.

SEC. 1521. Notwithstanding section 1101, the rescissions made in sections 522 and 525 of division F of Public Law 112-74 shall be repeated in this Act with respect to funds available for fiscal year 2013.

SEC. 1522. Section 148 of Public Law 112-175 is amended to read as follows: “Activities authorized by part A of title IV and section 1108(b) of

the Social Security Act (except for activities authorized in section 403(b) of such Act) shall continue through September 30, 2013, in the manner authorized for fiscal year 2012, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.”.

TITLE VI LEGISLATIVE BRANCH

SEC. 1601. Notwithstanding any other provision of this Act, for a payment to Irene Hirano Inouye, widow of Daniel K. Inouye, late a Senator from Hawaii, \$193,400.

SEC. 1602. Notwithstanding section 1101, the level for “Joint Congressional Committee On Inaugural Ceremonies of 2013” shall be \$0.

SEC. 1603. Notwithstanding section 1101, the level for “Capitol Police, General Expenses” shall be \$62,004,000.

SEC. 1604. Notwithstanding section 1101, the level of funding for “Architect of the Capitol, General Administration” shall be \$97,340,000.

SEC. 1605. (a) Notwithstanding section 1104, of the amounts made available by section 1101 for accounts under the heading “Architect of the Capitol”, the Architect of the Capitol may transfer an aggregate amount of not more than \$61,247,000 to “Architect of the Capitol, Capitol Building”, solely for expenses related to the rehabilitation of the United States Capitol Dome.

(b) The transfer of amounts under the authority of subsection (a) shall be subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

(c) Any amounts transferred under the authority of subsection (a) shall remain available until expended.

SEC. 1606. (a) Notwithstanding section 1101, available balances of expired Architect of the Capitol appropriations shall be available to the Architect of the Capitol to make the deposit to the credit of the Employees’ Compensation Fund required by section 8147(b) of title 5, United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2013 and each year thereafter.

SEC. 1607. Notwithstanding section 1101, the level for “Library of Congress, Copyright Office, Salaries and Expenses” shall be \$737,000 under the first proviso, and shall be \$34,250,000 under the fourth proviso.

SEC. 1608. Notwithstanding section 1101, the level for “Government Printing Office, Congressional Printing and Binding” shall be \$83,632,000; “Government Printing Office, Government Printing Office Revolving Fund” shall be \$4,000,000.

SEC. 1609. Notwithstanding section 1101, the level for “Government Printing Office, Office of Superintendent of Documents, Salaries and Expenses” shall be \$31,500,000 and the amounts authorized for producing and disseminating Congressional serial sets and other related publications to depository and other designated libraries shall apply to publications for fiscal years 2011 and 2012.

SEC. 1610. Notwithstanding section 1101, the level for “Government Accountability Office, Salaries and Expenses” shall be \$506,282,000, the amount applicable under the first proviso under that heading shall be \$26,404,000.

SEC. 1611. (a) IN GENERAL.—Available balances of expired Government Accountability Office appropriations shall be available to the Government Accountability Office to make the deposit to the credit of the Employees’ Compensation Fund required by section 8147(b) of title 5 United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2013 and each fiscal year thereafter.

SEC. 1612. Notwithstanding section 1101, the level for “Open World Leadership Center Trust Fund” shall be \$8,000,000.

TITLE VII

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

SEC. 1701. (a) Notwithstanding section 1101, the amounts included under the heading “Embassy Security, Construction, and Maintenance” under title I in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting “\$938,125,000” for “\$762,000,000” in the first paragraph; and by substituting “\$688,499,000” for “\$775,000,000” in the second paragraph.

(b) Notwithstanding section 1101, the levels for the following accounts under title I in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: “Contributions for International Peacekeeping Activities”, \$2,006,499,000; “International Boundary and Water Commission, United States and Mexico, Salaries and Expenses”, \$43,499,000; “International Boundary and Water Commission, United States and Mexico, Construction”, \$27,675,000; “American Sections, International Commissions”, \$11,923,000; “International Fisheries Commissions”, \$34,617,000; “Commission for the Preservation of America’s Heritage Abroad, Salaries and Expenses”, \$606,000; “United States Commission on International Religious Freedom, Salaries and Expenses”, \$2,932,000; “Commission on Security and Cooperation in Europe, Salaries and Expenses”, \$2,443,000; “Congressional-Executive Commission on the People’s Republic of China, Salaries and Expenses”, \$1,906,000; and “United States-China Economic and Security Review Commission, Salaries and Expenses”, \$3,312,000.

SEC. 1702. (a) Notwithstanding section 1101, the amounts included under the heading “Global Health Programs” under title III in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting in the first sentence in the first paragraph “\$2,755,950,000” for “\$2,625,000,000”; by substituting in the first sentence in the second paragraph “\$5,720,499,000” for “\$5,542,860,000”; and by substituting in the second proviso in the second paragraph “\$1,650,000,000” for “\$1,050,000,000”.

(b) Notwithstanding section 1101, the amounts included under the heading “Economic Support Fund” under title III in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting after the tenth proviso and before the period the following: “: Provided further, That not less than \$325,400,000 of the funds appropriated under this heading shall be transferred to, and merged with, funds appropriated under the heading ‘Development Assistance’ in this Act”.

SEC. 1703. (a) Notwithstanding section 1101, the sixth proviso under the heading “Nonproliferation, Anti-terrorism, Demining and Related Programs” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting the following: “Provided further, That funds made available for demining, conventional weapons destruction, and related activities, in addition to funds otherwise made available for such purposes, may be used for administrative expenses related to the operation and management of demining, conventional weapons destruction, and related programs”.

(b) Notwithstanding section 1101, the first sentence under the heading “Nonproliferation, Anti-terrorism, Demining and Related Programs” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting “to remain available until September 30, 2014,” after “\$590,113,000.”.

(c) Notwithstanding section 1101, the third proviso under the heading “International Security Assistance, Department of State, Peace-

keeping Operations” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “\$161,000,000” for “\$91,818,000” and “2014” for “2013”.

(d) Notwithstanding section 1101, the amounts included in the first paragraph under the heading “Foreign Military Financing Program” under title IV in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting in the second proviso “\$3,100,000,000” for “\$3,075,000,000” and by substituting in the fourth proviso “\$815,300,000” for “\$808,725,000”.

SEC. 1704. (a) Notwithstanding section 1101, the levels for the following accounts under title V in division I of Public Law 112-74 shall be as follows: “Global Environment Facility”, \$129,400,000; “Contribution to the International Bank for Reconstruction and Development”, \$186,957,000; “Contribution to the Enterprise for the Americas Multilateral Investment Fund”, \$15,000,000; and in the first paragraph under “Contribution to the International Development Association”, \$1,358,500,000; and “Contribution to the Inter-American Development Bank”, \$111,153,000.

(b) Notwithstanding section 1101, the level for the following accounts shall be \$0: “Multilateral Assistance, International Financial Institutions, European Bank for Reconstruction and Development, Limitation on Callable Capital Subscriptions”; “Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia”; and “International Security Assistance, Funds Appropriated to the President, Pakistan Counterinsurgency Capability Fund”.

(c) Notwithstanding section 1101, the level for the second paragraphs for the following accounts under title V in division I of Public Law 112-74 shall be \$0: “Contribution to the International Development Association”; “Contribution to the Inter-American Development Bank”; and “Contribution to the African Development Fund”.

(d) Section 70 of the Bretton Woods Agreements Act (22 U.S.C. 286 et seq.), is amended in subsection (b) by adding at the end the following:

“(3) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(1)(B), there are authorized to be appropriated, without fiscal year limitation, \$4,639,501,466 for payment by the Secretary of the Treasury.

“(4) Of the amount authorized to be appropriated under paragraph (3), \$278,370,088 shall be for paid in shares of the Bank, and \$4,361,131,378 shall be for callable shares of the Bank.”.

SEC. 1705. Of the unexpended balances available under the heading “Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation” from prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$400,000,000 are rescinded.

SEC. 1706. (a) Notwithstanding section 1101, section 7006 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “Afghanistan, Pakistan, and other hostile or high-risk areas” for “Afghanistan, and Pakistan”.

(b) Notwithstanding section 1101, the amount included in section 7034(f) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “\$100,000,000” for “\$50,000,000”.

(c) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting before the period in paragraph (2) “; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions”.

(d) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112-74 shall be applied for purposes of this division by inserting before the period in paragraph (2) “; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions”.

(e) Notwithstanding section 1101, section 7063 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “September 30, 2014” for “September 30, 2013”.

(f) Notwithstanding section 1101, sections 7070(a) and 7072(a) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “headings” for “heading” and substituting “‘Global Health Programs’, ‘Economic Support Fund’, and ‘International Narcotics Control and Law Enforcement’ for ‘Assistance for Europe, Eurasia and Central Asia’”.

(g) Notwithstanding section 1101, section 7070 in division I of Public Law 112-74 shall be applied to funds appropriated by this division by adding the following:

“(d) Funds appropriated by this division under the heading ‘Economic Support Fund’ may be made available, not withstanding any other provision of law, for assistance and related programs for the countries identified in section 3(c) of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179) and section 3 of the FREEDOM Support Act (Public Law 102-511) and may be used to carry out the provisions of those Acts: Provided, That such assistance and related programs from funds appropriated by this Act under the headings ‘Global Health Programs’, ‘Economic Support Fund’, and ‘International Narcotics Control and Law Enforcement’ shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101-179) and section 102 of the FREEDOM Support Act (Public Law 102-511), and shall be made available in amounts consistent with the amounts made available under the heading ‘Assistance for Europe, Eurasia and Central Asia’ in fiscal year 2012, in consultation with the Committees on Appropriations.”.

(h) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking “and 2012” and inserting “2012, and 2013”; and

(B) in subsection (e), by striking “2012” each place it appears and inserting “2013”; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2012” and inserting “2013”.

(i) Notwithstanding section 1101, section 7041(h) in division I of Public Law 112-74 shall be applied to funds appropriated by this division by including the following before the period: “Provided, That prior to obligating funds made available by this Act for assistance for Syria, the Secretary of State shall consult with the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: Provided further, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations”.

(j) Notwithstanding section 1101, the fifth proviso under the heading “Economic Support Fund” in division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting: “Provided further, That funds appropriated under this heading in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget Act of

1974, of loan guarantees for Jordan and” for “Provided further, That up to \$30,000,000 of the funds appropriated for fiscal year 2011 under this heading in Public Law 112-10, division B, may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for”.

SEC. 1707. (a) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112-74 shall be as follows: “Diplomatic and Consular Programs”, \$3,210,650,000, of which \$918,435,000 is for Worldwide Security Protection (to remain available until expended); and “Embassy Security, Construction, and Maintenance”, \$1,272,200,000, of which \$1,261,400,000 is for the costs of worldwide security upgrades, acquisition, and construction, as authorized: Provided, That funds made available under this subsection shall be used for operations at high threat posts, security programs to protect personnel and property under Chief of Mission authority, preventing the compromise of classified United States Government information and equipment, and security construction or upgrade requirements at Department of State facilities worldwide, including for Worldwide Security Upgrades.

(b) Of the unobligated balances from funds appropriated under title VIII in division I of Public Law 112-74 under the heading “Diplomatic and Consular Programs” and designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, \$1,109,700,000 are rescinded.

(c) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations providing an assessment of security requirements at United States diplomatic facilities worldwide, including those facilities considered expeditionary in nature; a comprehensive plan for addressing such requirements; and a detailed description of Embassy security improvements to be supported from funds made available by this section: Provided, That such report shall be submitted in unclassified form, but may include a classified annex.

(d) Notwithstanding section 1101, the amounts included under the heading “Office of Inspector General” under title VIII in division I of Public Law 112-74 shall be applied to funds appropriated by this division as follows: by substituting “\$59,151,000” for “\$67,182,000”, and by substituting “\$6,000,000” for “\$19,545,000” for the Special Inspector General for Iraq Reconstruction; and by substituting “\$49,901,000” for “\$44,387,000” for the Special Inspector General for Afghanistan Reconstruction.

(e) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112-74 shall be as follows: “International Disaster Assistance”, \$774,661,000; “Migration and Refugee Assistance”, \$1,152,850,000; and “Economic Support Fund”, \$3,119,896,000.

SEC. 1708. Notwithstanding section 1101, title VIII of division I of Public Law 112-74 shall be applied to funds appropriated by this division by inserting the following at the end of section 8004:

“SEC. 8005. Funds appropriated by this title under the headings ‘Diplomatic and Consular Programs’, ‘Embassy Security, Construction, and Maintenance’, and ‘Educational and Cultural Exchange Programs’ may be transferred to, and merged with, funds appropriated by this title under such headings: Provided, That such transfers shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the transfer authority in this section is in addition to any

transfer authority otherwise available under any other provision of law.

“SEC. 8006. Funds appropriated by this title shall be made available for assistance for Jordan, in addition to amounts otherwise made available by this Act.”.

TITLE VIII

TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

SEC. 1801. (a) Notwithstanding sections 1101 and 1104, the level for limitations on obligation and liquidation of contract authority shall be available in the following accounts equal to the level of the contract authority subject to such limitation appropriated out of the Highway Trust Fund in Sections 1101, 1105, 1107, 1110, 1121, 31101, 32603, and 51001 of Public Law 112-141 for fiscal year 2013:

(1) “Department of Transportation—Federal Highway Administration—Limitation on Administrative Expenses”;

(2) “Department of Transportation—Federal Highway Administration—Federal-Aid Highways—(Limitation on Obligations)—(Highway Trust Fund)—(Liquidation of Contract Authorization)—(Highway Trust Fund)”;

(3) “Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Operations and Programs—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)”;

(4) “Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)”;

(5) “Department of Transportation—National Highway Traffic Safety Administration—Operations and Research—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)”.

(b) Section 120 of division C of Public Law 112-55 shall not apply to amounts made available by this division.

(c) During the period covered by this division, section 1102 of Public Law 112-141 shall be applied—

(1) in subsection (b)(10), as if the limitation applicable through fiscal year 2011 applied through fiscal year 2012; and

(2) in subsection (c)(5), by treating the reference to section 204 of title 23, United States Code, as a reference to sections 202 and 204 of such title.

SEC. 1802. Notwithstanding sections 1101 and 1104, the language under the heading “Department of Transportation—National Highway Traffic Safety Administration—Highway Traffic Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)” shall be applied to funds made available by this Act as if the language read as follows: “For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), and section 31101(a)(6) of Public Law 112-141, \$554,500,000, to remain available until expended, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2013, are in excess of \$554,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109-59 (as amended by section 31106 of Public Law 112-141), and section 31101(a)(6) of Public Law 112-141, of which \$235,000,000 shall be for ‘Highway Safety Programs’ under 23 U.S.C. 402, \$29,000,000 shall be for ‘High Visibility Enforcement Program’ under section 2009 of Public Law

109–59 (as amended by section 31106 of Public Law 112–141), \$265,000,000 shall be for ‘National Priority Safety Programs’ under 23 U.S.C. 405, and \$25,500,000 shall be for ‘Administrative Expenses’ under section 31101(a)(6) of Public Law 112–141: Provided further, That not to exceed \$500,000 of the funds made available for 23 U.S.C. 405 for ‘Impaired Driving Countermeasures’ (as described in subsection (d) of such section) shall be available for technical assistance to the States.”

SEC. 1803. (a) Amounts provided by section 1101 for “Department of Transportation—Federal Transit Administration—Formula and Bus Grants—(Liquidation of Contract Authority)—(Limitation on Obligations)—(Highway Trust Fund)” are available for payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340 (as amended by Public Law 112–141), and 20005(b) of Public Law 112–141: Provided, That, notwithstanding sections 1101 and 1104, the proviso under such heading shall be applied to funds provided by this Act as if the proviso read as follows: “Provided, That funds available for the implementation or execution of programs authorized by 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141; and 20005(b) of Public Law 112–141 shall not exceed obligations of \$8,478,000,000.”

(b) Notwithstanding sections 1101 and 1104, for necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, as amended by Public Law 112–141, \$102,713,000, to remain available until expended, of which \$4,000,000 shall be available to carry out 49 U.S.C. 5329.

(c) Notwithstanding sections 1101 and 1104, amounts provided for “Department of Transportation—Federal Transit Administration—Research and University Research Centers” shall be available for necessary expenses to carry out 49 U.S.C. 5312–5314 and 5322, as amended by Public Law 112–141: Provided, That, of the amount provided under this heading, not less than \$35,000,000 shall be available to carry out the provisions of 49 U.S.C. 5312.

(d) Notwithstanding section 1101, the language under the heading “Department of Transportation—Federal Transit Administration—Capital Investment Grants” in division C of Public Law 112–55 shall be applied to funds appropriated by this Act as if the language: “, of which \$35,481,000” and all that follows through the end of the first proviso were deleted.

(e) Section 601(e)(1)(B) of division B of Public Law 110–432 shall be applied by substituting the date specified in section 1106 of this division for “4 years after such date”.

SEC. 1804. Section 112 of division C of Public Law 112–55 shall be applied to funds appropriated by this division by treating such section as if it were amended by striking “49 U.S.C. 41742(b) shall not apply, and”.

SEC. 1805. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Community Planning and Development, Homeless Assistance Grants” shall be \$2,033,000,000: Provided, That the level for project-based rental assistance with rehabilitation projects with 10-year grant terms shall be \$0, and any unobligated amounts appropriated under such heading for such purpose in fiscal year 2012 or in any prior Act shall be applied in fiscal year 2013 by making any such amounts available for any purpose under such heading: Provided further, That the first proviso shall be applied by striking “\$250,000,000” and inserting “\$200,000,000”.

SEC. 1806. Notwithstanding sections 1101 and 1104, the level for “Department of Housing and Urban Development, Public and Indian Housing, Indian Housing Loan Guarantee Fund Program Account” shall be \$12,200,000: Provided, the second proviso under such heading in division C of Public Law 112–55 shall be applied to funds appropriated by this division by substituting “\$976,000,000” for “\$360,000,000”: Provided further, section 184(d) of the Housing and Community Development Act of 1992 is amended to read as follows:

“(d) GUARANTEE FEE.—The Secretary shall establish and collect, at the time of issuance of the guarantee, a fee for the guarantee of loans under this section, in an amount not exceeding 3 percent of the principal obligation of the loan. The Secretary may also establish and collect annual premium payments in an amount not exceeding 1 percent of the remaining guaranteed balance (excluding the portion of the remaining balance attributable to the fee collected at the time of issuance of the guarantee). The Secretary shall establish the amount of the fees and premiums by publishing a notice in the Federal Register. The Secretary shall deposit any fees and premiums collected under this subsection in the Indian Housing Loan Guarantee Fund established under subsection (i).”

SEC. 1807. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance” shall be \$14,939,369,000, to remain available until expended, which shall be available on October 1, 2012 (in addition to the \$4,000,000,000 previously appropriated under such heading that became available on October 1, 2012), and, notwithstanding section 1111, an additional \$4,000,000,000, to remain available until expended, shall be available on October 1, 2013: Provided, That of the amounts available for such heading, \$1,375,000,000 shall be for activities specified in paragraph (3) under such heading in title II of division C of Public Law 112–55: Provided further, That in applying paragraph 1 under such heading in such Public Law to 2013, under the penultimate proviso strike “(4) for incremental” and all that follows up to the colon and insert “(4) for PHAs, that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate participating families from the program due to insufficient funds”.

SEC. 1808. The heading “DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PUBLIC AND INDIAN HOUSING, HOUSING CERTIFICATE FUND (RESCISSION)” in division C of Public Law 112–55 shall be applied by striking “(RESCISSION)” in the heading and by replacing all of the language under such heading with the language under such heading in division A of Public Law 111–117 and by striking “2010” in such replacement language and inserting “2013”.

SEC. 1809. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Public and Indian Housing, Public Housing Operating Fund” shall be \$4,262,010,000: Provided, That such heading shall be applied in fiscal year 2013 by striking “, of which” and all that follows up to the period.

SEC. 1810. Section 216 in division C of Public Law 112–55 shall be applied in fiscal year 2013 by striking “September 30, 2012” and inserting “September 30, 2013”.

DIVISION G—OTHER MATTERS

SEC. 3001. (a) There is hereby rescinded the applicable percentage (as specified in subsection (b)) of the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through E of this Act; and

(b) For purposes of subsection (a), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, in—

(A) divisions A and E, 2.513 percent; and
(B) division B, 1.877 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0.1 percent.

(c) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(d) This section shall not apply to amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; and

(e) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

SEC. 3002. Notwithstanding any other provision of this Act, if, on or after the date of enactment of this Act, a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is in effect, the reductions in each discretionary account under such order shall apply to the amounts provided in this Act consistent with section 253(f) of that Act, and shall be in addition to any reductions required by section 251(a) of that Act.

SEC. 3003. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2013 for which the cost to the United States Government was more than \$100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2013 for which the cost to the United States Government was more than \$20,000, the

head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act to an Executive branch agency may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012.

SEC. 3004. (a) If, for fiscal year 2013, the amount of new budget authority provided in appropriation Acts exceeds the discretionary spending limits set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act on new budget authority for any category due to estimating differences with the Congressional Budget Office, the Director of the Office of Management and Budget shall increase the applicable percentage in subsection (c) with respect to that category by such amount as is necessary to eliminate the amount of the excess in that category.

(b) Subject to subsection (a), there is hereby rescinded the applicable percentage (as specified in subsection (c)) of—

(1) the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through F of this Act;

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2013 for any program subject to limitation incorporated or otherwise contained in divisions A through F of this Act.

(c) For purposes of subsection (b), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent.

(d) Any rescission made by subsection (b) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(e) This section shall not apply to—

(1) amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; or

(2) the amount made available by division F of this Act for "Social Security Administration, Limitation on Administrative Expenses" for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of

eligibility under title XVI of the Social Security Act.

(f) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

Amend the title so as to read: "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes."

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. PRYOR. Madam President, I ask unanimous consent that on Monday, April 8, 2013, at 5 o'clock p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 14; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. PRYOR. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 18, 19, and 20; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE JUDICIARY

Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia.

Raymond P. Moore, of California, to be United States District Judge for the District of Colorado.

Troy L. Nunley, of California, to be United States District Judge for the Eastern District of California.

Mr. PRYOR. I ask unanimous consent that the Senate proceed to consider the following nominations: Cal-

endar Nos. 55, 56, 57, and 58, and all nominations placed on the Secretary's desk in the Air Force, Army, and Marine Corps; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John E. Hyten

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Tod D. Wolters

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General John J. Broadmeadow
Brigadier General Herman S. Clardy, III
Brigadier General Lewis A. Craparotta
Brigadier General Robert F. Hedelund
Brigadier General Frederick M. Padilla
Brigadier General Michael A. Rocco
Brigadier General Vincent R. Stewart

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Bruce E. Grooms

IN THE AIR FORCE

PN182 AIR FORCE nominations (7) beginning ALEXANDER M. ARCHIBALD, III, and ending TIMOTHY Y. SALAM, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2013.

IN THE ARMY

PN183 ARMY nomination of Michael J. Burke, which was received by the Senate and appeared in the Congressional Record of February 27, 2013.

PN184 ARMY nomination of Charles A. Slaney, which was received by the Senate and appeared in the Congressional Record of February 27, 2013.

PN185 ARMY nominations (3) beginning SARA L. CARLSON, and ending DAVID R. TRAINOR, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2013.

PN186 ARMY nominations (10) beginning JAMES W. NESS, and ending ZACHARY T.

IRVINE, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2013.

IN THE MARINE CORPS

PN99 MARINE CORPS nominations (2) beginning JAMES B. THOMPSON, and ending JASON A. WOODWORTH, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN111 MARINE CORPS nominations (7) beginning MICHAEL A. BROWN, and ending MICHAEL E. SAMPLES, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

PROPOSAL OF THE INTERNATIONAL OLYMPIC COMMITTEE EXECUTIVE BOARD TO ELIMINATE WRESTLING FROM THE SUMMER OLYMPIC GAMES BEGINNING IN 2020

Mr. PRYOR. Madam President, I ask unanimous consent the Commerce Committee be discharged from further consideration of S. Res. 37 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 37) expressing the sense of the Senate in disapproving the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PRYOR. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection it is so ordered.

The resolution (S. Res. 37) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 14, 2013, under "Submitted Resolutions.")

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. PRYOR. Madam President, I ask unanimous consent that the Senate proceed to S. Con. Res. 11, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 11) providing for conditional adjournment or recess of the Senate and the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. PRYOR. Madam President, I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 11) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

COMMITTEE FILING AUTHORIZATION

Mr. PRYOR. Madam President, I ask unanimous consent that notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Friday, April 5, from 10 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. PRYOR. Madam President, I ask unanimous consent that during the adjournment or recess of the Senate, Senators REED of Rhode Island, LEVIN, and ROCKEFELLER be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS AUTHORITY

Mr. PRYOR. Madam President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, MARCH 26, 2013, THROUGH MONDAY, APRIL 8, 2013

Mr. PRYOR. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times and that following each pro forma session the Senate adjourn until the next pro forma session: Tuesday, March 26, at 4:30 p.m.; Friday, March 29, at 10:30

a.m.; Tuesday, April 2, at 10:45 a.m.; and Friday, April 5, at 3 p.m.; and that the Senate adjourn on Friday, April 5 until 2 p.m. on Monday, April 8, 2013, unless the Senate receives a message from the House that it has adopted S. Con. Res. 11, the adjournment resolution; and that if the Senate receives such a message, the Senate adjourn until 2 p.m. on Monday, April 8, 2013; that on Monday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that the Senate then proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF KETANJI BROWN JACKSON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

NOMINATION OF RAYMOND P. MOORE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO

NOMINATION OF TROY L. NUNLEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA

Mr. PRYOR. Madam President, I ask unanimous consent that the Senate resume executive session to consider Calendar Nos. 18, 19, and 20 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair will consider the nominations en bloc.

Mr. LEAHY. Madam President, last month, I spoke at the Judicial Conference about the damaging effect of sequestration on our Federal courts and our system of justice. These indiscriminate cuts are already causing both Federal prosecutors and Federal public defenders to be furloughed. The Administrative Office of U.S. Courts

has done its best to address these cuts, but the judicial system can only weather the effects of sequestration for so long before it is irreparably harmed. In a letter dated March 5, 2013, Judge Thomas Hogan, the director of the Administrative Office of U.S. Courts, wrote that the cuts from sequestration could not be “sustained beyond fiscal year 2013 and will be difficult and painful to implement.” He went on to note: “The Judiciary cannot continue to operate at such drastically reduced funding levels without seriously compromising the constitutional mission of the federal courts.” In that same letter, he wrote that sequestration will mean reduced funding for drug testing and mental health treatment, and fewer probation officers.

Along the same lines, last month Andrew Cohen wrote an article in *The Atlantic* entitled “How the Sequester Threatens the U.S. Legal System.” He suggests that sequestration will threaten defendants’ constitutional rights, and law enforcement’s ability to effectively fight crime, writing: “Beyond a reasonable doubt, the sequester is having a profound and pernicious effect on the government’s ability to observe its constitutional commands—and to provide justice to its citizens.”

I ask unanimous consent that copies of Judge Hogan’s letter and the article from *The Atlantic* be printed in the *RECORD* at the conclusion of my remarks.

Justices Stephen Breyer and Anthony Kennedy testified before the House Appropriations Committee last month about the impact of sequestration and budget cuts. Justice Kennedy said that funding for programs like drug testing and mental health services is “[A]bsolutely urgent for the safety of society.” The Justices also noted the harm that would result from cuts to public defenders, as the government would then have to pay private defense attorneys to provide counsel. Justice Breyer highlighted the additional costs to the government from mistakes being made in trials, including wrongful convictions.

These budget cuts to our courts are also bad for our economy. Fewer court staff will mean further delays for civil and bankruptcy cases. There are already more than 30,000 civil cases that have been pending for more than 3 years. We know that justice delayed is justice denied, and hardworking Americans who look to our courts to protect their rights deserve better.

Even before sequestration went into effect, our Federal courts have spent nearly 4 years burdened by unnecessarily high numbers of judicial vacancies. Judicial vacancies have been near or above 80, and for over 2 years were at “historically high” levels, according to the Congressional Research Service. The Senate must do much more to fill these vacancies and make real progress.

Unfortunately, Senate Republicans have been unwilling to work with President Obama. The Judiciary Committee’s ranking Republican member recently expressed concern that not all judicial emergency vacancies have nominees. Of the 35 judicial emergency vacancies, 24 are in States with Republican Senators. In fact, close to half of all judicial emergency vacancies are in just three States, each of which is represented by two Republican Senators. Those Senators should be working with the White House to fill those vacancies. Even for judicial emergency vacancies in those three states that have a nominee, Republican Senators have not supported moving forward. So I encourage Republican Senators to work with the President to find good nominees for those important vacancies and to allow qualified nominees to move forward. I take very seriously our responsibilities of both advise and consent on nominations. Senators should stop pocket filibustering the President’s nominees and work with him to fill these judicial vacancies.

Regrettably, qualified, consensus nominees are being delayed, even nominees who are supported by home State Republican Senators. They are subjected to unnecessary and unprecedented delays on the Senate floor. These nominees have been vetted in a lengthy process, and often have the support of all Senators on the Judiciary Committee, so there is no reason we cannot consider them in regular order. For the last 4 years, Senate Republicans have consistently refused to consent to what used to be the routine consideration of consensus judicial nominees. That is why the Majority Leader has been forced to file cloture on 30 of President Obama’s nominees, which is already over 65 percent more nominees than had cloture filed during the 8 years of the George W. Bush administration. Many of those nominees are then confirmed unanimously after months or even a year of waiting. There is no good reason the Senate cannot consider them more expeditiously. These deliberate delaying tactics hurt the Senate, our courts, and the American people.

Before the most recent recess, the Senate was finally allowed to vote on the nomination of Ketanji Brown Jackson to fill a judicial vacancy on the U.S. District Court for the District of Columbia. She currently serves as Vice Chair and Commissioner of the U.S. Sentencing Commission, to which the Senate previously confirmed her. Previously, Ketanji Jackson was a counsel at Morrison & Foerster LLP and an Assistant Federal Public Defender in the Office of the Federal Public Defender in the District of Columbia. After graduating, cum laude, from Harvard Law School, where she served as Supervising Editor of the *Harvard Law Review*, she served as a law clerk to

Judge Patti Saris of the District of Massachusetts, Judge Bruce Selya of the First Circuit, and Justice Stephen Breyer of the U.S. Supreme Court. When confirmed, she will be the first female African-American judge appointed to the court in 32 years and the only one currently serving on the court. She had her hearing last year and her confirmation could have been expedited then. It was not and she is among those who had to be renominated by the President this year. Her nomination was then reported unanimously in February by the Judiciary Committee.

The Senate was finally allowed to consider, as well, the nomination of Troy Nunley to fill a judicial emergency vacancy in the Eastern District of California. That court has one of the heaviest caseloads per judge of any in the country. Judge Nunley could and should have been confirmed last year when the Judiciary Committee reported his nomination unanimously. Instead, he was among those Republican Senators refused to consider before adjourning. The President had to renominate him and the Senate Judiciary Committee again voted unanimously to proceed with his confirmation this year more than a month ago. He is currently a judge of the Superior Court of California and he served previously as Deputy Attorney General for the California Department of Justice and as Deputy District Attorney for both the Sacramento County District Attorney’s Office and the Alameda County District Attorney’s Office. He has the support of both his home State Senators, Senator FEINSTEIN and Senator BOXER.

The Senate will also vote on the nomination of Raymond Moore to fill a judicial emergency vacancy in the District of Colorado. He currently serves as the Federal Public Defender in the Federal Public Defender’s Office for the Districts of Colorado and Wyoming in Denver, CO, where he formerly served as the Acting Federal Public Defender and as an Assistant Federal Public Defender. Raymond Moore has also worked in private practice and served as a Federal prosecutor. He received the ABA Standing Committee on the Federal Judiciary’s highest possible rating, unanimously “well qualified,” and has the support of his home State Senators, Senator UDALL and Senator BENNET. He was reported unanimously last February by the Judiciary Committee.

There are still another 15 judicial nominees pending before the Senate. All of these nominees had to be renominated after being returned at the end of the last Congress. It is unusual to have such a backlog so early in a Congress, and this is the result of Senate Republicans’ refusal to allow votes on 11 nominees at the end of last year, including Judge Nunley, and their refusal to consider another four, which

included the D.C. district court nominee being confirmed today, who had hearings and could have been expedited. We have yet to work our way through the nominees who were available for Senate consideration and confirmation last year. The delayed consideration of those nominees, at this pace, could easily extend into June. I urge Senate Republicans to join with us so that we can clear the calendar and confirm these consensus nominees during the current work period. Let us come together in a bipartisan manner and restore the best traditions of the Senate. The Americans who depend on our courts for justice deserve no less.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Atlantic]

HOW THE SEQUESTER THREATENS THE U.S. LEGAL SYSTEM

(By Andrew Cohen)

When the chief justice of the United States and the chief judges of each of the federal circuits gavel down the semi-annual meeting of the Judicial Conference of the United States on Tuesday, they will have on their agenda an unusual item: the alarming impact of the funding "sequester" on the nation's federal court system. The world won't end if students are denied the chance to tour the White House. It will not end if our National Parks open days late this spring. But citizens everywhere will see vital legal rights denied or delayed by the forced budget cuts.

All of the constituencies of the judiciary agree on this issue. Federal trial judges are quietly seething at the inability of the legislative and executive branches to avoid sequester. Federal public defenders, whose budgets have been cut twice in two months, are furloughing and laying off staff. The attorney general of the United States has expressed grave concern on behalf of prosecutors and federal law enforcement officials. And court administrators are expressing alarm over the effect of the cuts upon federal judicial services.

At the core of the problem is the fact that the judicial branch is financially beholden to the other two branches of government. This separation of powers was designed by our nation's founders to limit the judiciary's independence, and it has, and nowhere is this dynamic more visible than when a chief justice like John Roberts has to grovel for funding or otherwise justify the judiciary's minuscule portion of the budget. If the sequester isn't unconstitutional per se, it is causing an unconstitutional effect upon the swift, fair and equal administration of justice.

FOR FEDERAL COURT ADMINISTRATORS

In a letter forwarded last week to members of the House and Senate Appropriations and Judiciary committees, U.S. District Judge Thomas F. Hogan, the Reagan appointee who now serves as director of the Administrative Office of the U.S. Courts, succinctly described the scope of the problem:

Public safety will be impacted because there will be fewer probation officers to supervise criminal offenders released in our communities. Funding for drug testing and mental health treatment will be cut 20 percent. Delays in the processing of civil and bankruptcy cases could threaten economic recovery. There will be a 30 percent cut in

funding for court security systems and equipment and court security officers will be required to work reduced hours, thus creating security vulnerabilities throughout the federal court system. In our defender services program, federal defender attorney staffing levels will decline, which could compromise the integrity of the defender function. . . .

Dennis Courtland Hayes, president of the American Judicature Society, the non-partisan national organization dedicated to the preservation and improvement of the American legal system, was even blunter in late February with the statistics he offered:

Nationally, up to 2,000 more court staff could be laid off or furloughed under sequestration. This would come on top of the more than 1,800 positions eliminated by the courts over the past 18 months, representing a potential 18% reduction in court staff since July 2011 . . . Of particular concern to the American Judicature Society, which has worked for decades to improve access to the courts for self-represented litigants, those people seeking justice without a lawyer would have fewer services to help them navigate the judicial system.

"Sequestration's almost \$350 million cut will not be fully felt in one day, one month or even one year," Judge Hogan wrote last week. "Reductions of this magnitude strike at the heart of our entire system of justice and spread throughout the country. The longer the sequestration stays in place, the more severe will be its impact on the courts and those who use them." The federal judiciary is being held hostage, in other words, because of the failure or the refusal of Congress and the White House to make a responsible budget deal.

FOR FEDERAL PUBLIC DEFENDERS

If federal court administrators offer the big picture impact of the sequestration, federal public defenders all over the country are sharing the details on an office-by-office basis. These stories are bad in two dimensions. First, there is the grim business of laying off desperately needed federal workers. Second, there is the impact those layoffs will have on ordinary people who for one reason or another are involved in the federal court system. It's really quite simple: The people being laid off try each day to help the rest of us secure our constitutional rights.

Let's start with Jon Sands, the longtime Federal Public Defender for the District of Arizona. Last month, Sands was forced to lay off 10 employees from the defenders' office. There were more cuts to federal public defenders' offices earlier this month (the Defender Program budget was slashed 5.17 percent in February and another 5.52 percent last week). "Even with the layoffs, I still must furlough," Sands told me this weekend via email. He wrote:

We have clients who need mental health experts to examine them, but whom must wait until the next budget allotment comes. We have investigators who can no longer go to the scenes of crimes, but call instead. We watch pennies so we can order transcripts. The impact of sequestration in criminal justice further makes the playing field uneven, with DOJ able to shift resources, while we can't. We are seeing offices shuttered, and staff sent home for 30, 40 even possibly 90 days.

In Utah, when news of furloughs hit the federal PDs office, Kathy Nester told me over the weekend that "several [Assistant Federal Public Defenders] stepped up to take extra days because we have staff that are single moms and this financial blow would be

devastating to them and their kids." Another federal public defender, who asked to remain unidentified because of the nature of the situation, is facing a thirty-day furlough and had to lay off four employees. His story:

I laid off a young off a young [Assistant Federal Public Defender] Thursday, and he said he still wanted to work for us full-time while looking for other work. Makes me want to cry. Laid off a clerical type in another office. She is going for disability, but meanwhile, may come back 3 days a week with no pay, and staff there are covering her bus fare and coffee and lunch each day out of their own pockets. Definitely makes me want to cry.

Other federal public defenders have been more formal with their expressions of concern. In the Eastern District of Virginia, Michael Nachmanoff, the Federal Public Defender, informed the 4th U.S. Circuit Court of Appeals via letter last week that "at least seven public defender offices (and one community defender office) . . . will be required to turn down major case assignments—such as death penalty cases, large white collar cases and representation of defendants facing civil commitment"—as a result of the sequester.

Nachmanoff's counterpart in the Western District of New York, Marianne Mariano, offers more examples of the impact of the sequester upon federal judicial employees. In a letter last week to Dennis Jacobs, the Chief Judge of the 2nd U. S. Circuit Court of Appeals, Mariano wrote: "I anticipate all attorneys and staff will be furloughed 22 days. I have one employee who volunteered to take 28 days of leave without pay." In the Northern District of Texas, federal public defenders just warned judges that they "anticipate a likely need to withdraw from cases that require expert witnesses because our budget for expert witnesses has been decimated."

FOR THE AMERICAN PEOPLE

One federal public defender, who also asked to remain anonymous because of the sensitivity of the current situation, offered this overview of what sequestration will mean to those who often need legal help and guidance the most. He wrote:

Sequestration has hit the truly indigent clients of the Federal Defender particularly hard. For example, Spanish-speaking families often write moving letters of support for relatives facing federal sentencing. Defenders have routinely paid to translate these letters translated into English, and these mitigation documents have played a central role in federal sentencing. With budget cuts, however, Defenders can no longer afford to pay outside interpreters the translation fees. As a result, Spanish-speaking families have effectively been silenced at sentencing, depriving indigent clients of critical evidence in mitigation.

The cuts have been particularly brutal for mentally-ill defendants. Many federal defendants suffer from a host of mental illnesses, and retained psychiatric evaluations are critical in determining competency, challenging allegations, and ensuring proper psychotropic medication is administered. Sequestration has devastated funds for these psychiatric experts. As a result, Defenders are forced to rely on their own lay knowledge, "talk" their client through appearances and pleas, and struggle with the risk of first submitting to an evaluation by government psychiatrists.

Even if you are not mentally ill, the sequester will impact you. If you are a creditor or a debtor and you want to resolve a bankruptcy in a timely fashion. If you are on federal probation and you can't get in to see

your officer. If you are a state or local prosecutor and you no longer have federal funds to help you prosecute drug cases. If you are waiting for a federal drug test. If you are responsible for courthouse security or care about the safety of judges and court staff. If you want to go to trial in a civil case or are charged with a federal crime.

FOR FEDERAL LAW ENFORCEMENT

It's not easy on the other side of the fence, either. On the one hand, Congress and the Obama Administration want aggressive enforcement of criminal laws. On the other hand, they have been willing through the sequester to financially neuter the organizations directly responsible for such enforcement. National Public Radio's Carrie Johnson, in a smart report last week, revealed that Justice Department employees already are receiving their furlough notices. The FBI's abilities will be harmed, she reports. And then there is this:

At that meeting in Washington this week, state attorneys general worried about their share of the pie under a huge federal grant program. Janet Mills, the attorney general in Maine, was waving her hand with a question for Holder. "Could you please comment on the prospects for continued funding through the Byrne grants for drug enforcement and drug prosecutions and other criminal justice measures?" Mills asked. Holder said the states are right to worry about federal participation in drug task forces and other money the department sends to the states to help fight crime.

Crime—and specifically border patrol work. Word in Arizona is that Operation Streamline, the longtime federal program of aggressive arrest and prosecution of unlawful immigrants, reportedly has been eased in the Ajo sector of the state as a result of the sequester—evidently there isn't enough money to pay for the overtime for law enforcement officials. For his part, Attorney General Eric Holder told Senate Judiciary Committee members during his appearance last week:

As we speak, these cuts are already having a significant negative impact not just on Department employees, but on programs that could directly impact the safety of Americans across the country. Important law enforcement and litigation programs are being disrupted. Our capacity—to respond to crimes, investigate wrongdoing, and hold criminals accountable—has been reduced. And, despite our best efforts to limit the impact of sequestration, unless Congress quickly passes a balanced deficit reduction plan, the effects of these cuts—on our entire justice system, and on the American people—may be profound.

Beyond a reasonable doubt, the sequester is having a profound and pernicious effect on the government's ability to observe its constitutional commands—and to provide justice to its citizens. That's why the members of the Judicial Conference have a difficult and delicate task this week. The judges and administrators must adequately express the scope of their concern, and effectively explain the impact the sequester will have on the judiciary, without offending the very politicians who control the federal judiciary's budget. It's not right. It's not fair. It's a terrible testament to judicial independence. But sadly it's the way the politics of law works in America today.

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, DC, March 5, 2013.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Administrative Office of the United States Courts (AO) recently received several requests for information about how the Judiciary is preparing to handle the impact of funding sequestration. The Judiciary's efforts to address this budgetary emergency have been extensive, involving countless hours spent by judges, and court and AO staff working to determine how best to withstand the severe cuts while still continuing to perform core constitutional duties. As background, following months of information gathering and planning, the Executive Committee met on December 19, 2012, to consider proposed actions to deal with the impact of sequestration on the federal courts. With enactment of the American Taxpayer Relief Act of 2012 and the subsequent delay in the effective date of sequestration, from January 2 to March 1, 2013, the Executive Committee met again on February 7, 2013, to finalize actions based on updated sequestration calculations for the Judiciary.

We consider the emergency measures approved by the Executive Committee (discussed below) to be one-time only. They cannot be sustained beyond fiscal year 2013 and will be difficult and painful to implement. The Judiciary cannot continue to operate at such drastically reduced funding levels without seriously compromising the constitutional mission of the federal courts. This is especially true if those funding levels continue into fiscal year 2014 and beyond. We are hopeful that Congress and the Administration will ultimately reach agreement on alternative deficit reduction measures that render the current sequestration cuts unnecessary.

The Executive Committee approved a number of emergency measures that applied primarily to the non-salary parts of the Judiciary budget. Because of our decentralized budget and management system for the courts, the planning is primarily done on the local level. The goal of the emergency measures was to minimize the impact of sequestration on court staff by providing maximum flexibility to court managers. This was only partially successful. The sequestration cuts that went into effect March 1, 2013, total nearly \$350 million for the Federal Judiciary. Fiscal year 2013 court allotments on a national level would have declined by 14.6 percent below fiscal year 2012 allotments. Instead, after applying the emergency measures, court allotments have declined by 10.4 percent below fiscal year 2012 allotments. While this is a marked improvement, the allotments, after sequestration and implementation of the emergency measures, could still result in up to 2,000 on-board employees being laid off or thousands of employees facing furloughs for one day each pay period (a 10 percent pay cut). These sequestration staffing losses would come on top of the almost 9 percent decline in staff (over 1,800 probation officers and clerks' office staff) that has already been experienced in the courts since July 2011.

These budget reductions to the Judiciary will have serious implications for the administration of justice and the rule of law. Public safety will be impacted because there will be fewer probation officers to supervise criminal offenders released in our communities. Funding for drug testing and mental

health treatment will be cut 20 percent. Delays in the processing of civil and bankruptcy cases could threaten economic recovery. There will be a 30 percent cut in funding for court security systems and equipment and court security officers will be required to work reduced hours, thus creating security vulnerabilities throughout the federal court system. In our defender services program, federal defender attorney staffing levels will decline, which could compromise our defender function, and delay payments to private attorneys appointed under the Criminal Justice Act could for nearly three weeks in September. Sequestration will also require deep cuts in our information technology programs on which we depend for our daily case processing and on which we have successfully relied in past years to achieve efficiencies and limit growth in our budget.

I have enclosed for your information a description of guidance regarding sequestration given to federal courts nationwide in late February. While some of it is technical in nature, our guidance provides important information for the courts on funding levels under sequestration as well as practices for managing payroll and personnel activities under sequestration. As the enclosed description indicates, decisions about court closures, furloughing staff or other adverse personnel actions, managing court operations at lower funding levels, and salary policies under sequestration, reside with each court unit. Allowing individual court units to set their own funding priorities under sequestration is consistent with the decentralized structure of the federal court system and long established Judiciary budget execution policies. I have, however, urged courts to delay implementation of any involuntary personnel actions, such as furloughs or terminations, until April when we hope to have a clearer picture of full-year funding for fiscal year 2013.

I hope this letter has provided you with insight into the actions we are taking to address sequestration as well as the devastating impact the cuts will have on the administration of justice in this country.

This letter is being provided in similar form to the chairman and ranking minority member of the House and Senate Judiciary Committees and to the chairman and ranking minority member of the House and Senate Appropriations Committees and their relevant subcommittees. If you require any additional information, please contact our Office of Legislative Affairs.

Sincerely,

THOMAS F. HOGAN,
Director.

Enclosure.

The PRESIDING OFFICER. The question is on the confirmation of the nominations en bloc.

All those in favor will rise and stand until counted.

(After a pause.)

Those opposed will rise and stand until counted.

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

Mr. PRYOR. Madam President, I ask unanimous consent to resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. PRYOR. Madam President, the next rollcall vote will be at 5:30 p.m. on Monday, April 8.

CONDITIONAL ADJOURNMENT UNTIL TUESDAY, MARCH 26, 2013, AT 4:30 P.M.

Mr. PRYOR. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:22 a.m., conditionally adjourned until Tuesday, March 26, 2013, at 4:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN JOHN W. V. AILES
CAPTAIN BABETTE BOLIVAR
CAPTAIN DARYL L. CAUDLE
CAPTAIN KYLE J. COZAD
CAPTAIN RANDY B. CRITES
CAPTAIN DANIEL H. FILLION
CAPTAIN LISA M. FRANCHETTI
CAPTAIN MARCUS A. HITCHCOCK
CAPTAIN THOMAS J. KEARNEY
CAPTAIN ROY J. KELLEY
CAPTAIN JAMES T. LOEBLEIN
CAPTAIN BRIAN E. LUTHER
CAPTAIN WILLIAM R. MERZ
CAPTAIN MICHAEL T. MORAN
CAPTAIN CHRISTOPHER J. MURRAY
CAPTAIN JOHN B. NOWELL, JR.
CAPTAIN TIMOTHY G. SZYMANSKI
CAPTAIN RICHARD L. WILLIAMS, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIAM J. GALINIS
CAPT. JON A. HILL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CHRISTIAN D. BECKER
CAPT. GORDON D. PETERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ADRIAN J. JANSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. TIMOTHY J. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. NANCY A. NORTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ROBERT D. SHARP

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. KENNETH J. IVERSON
CAPT. DANIEL J. ZINDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. STEPHEN M. PACHUTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. LOUIS V. CARIELLO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHN P. POLOWCZYK
CAPT. PAUL J. VERRASTRO

CONFIRMATIONS

Executive nominations confirmed by the Senate March 22, 2013:

THE JUDICIARY

KETANJI BROWN JACKSON, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

RAYMOND P. MOORE, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.

TROY L. NUNLEY, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN E. HYTEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. TOD D. WOLTERS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL JOHN J. BROADMEADOW
BRIGADIER GENERAL HERMAN S. CLARDY III
BRIGADIER GENERAL LEWIS A. CRAPAROTTA
BRIGADIER GENERAL ROBERT F. HEDELUND
BRIGADIER GENERAL FREDERICK M. PADILLA
BRIGADIER GENERAL MICHAEL A. ROCCO
BRIGADIER GENERAL VINCENT R. STEWART

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. BRUCE E. GROOMS

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH ALEXANDER M. ARCHIBALD III AND ENDING WITH TIMOTHY Y. SALAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2013.

IN THE ARMY

ARMY NOMINATION OF MICHAEL J. BURKE, TO BE MAJOR.

ARMY NOMINATION OF CHARLES A. SLANEY, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH SARA L. CARLSON AND ENDING WITH DAVID R. TRAINOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2013.

ARMY NOMINATIONS BEGINNING WITH JAMES W. NESS AND ENDING WITH ZACHARY T. IRVINE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2013.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH JAMES B. THOMPSON AND ENDING WITH JASON A. WOODWORTH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH MICHAEL A. BROWN AND ENDING WITH MICHAEL E. SAMPLES, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 22, 2013 withdrawing from further Senate consideration the following nomination:

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED, WHICH WAS SENT TO THE SENATE ON JANUARY 4, 2013.

HOUSE OF REPRESENTATIVES—Monday, March 25, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WOLF).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 25, 2013.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Oran Warder, St. Paul's Episcopal Church, Alexandria, Virginia, offered the following prayer:

Blessed are You, God of the universe. You have created us and given us life. Blessed are You, God of this earth. You have set our world like a radiant jewel in the heavens and filled it with beauty and hope.

Blessed are You, God of these United States of America, for all the lessons of our past, for all that remains for us to do.

Blessed are You, God of truth and justice. Guide the men and women of this House of Representatives; grant them insight, courage, compassion, and imagination; protect them from corruption and arrogance; and grant that we whom they seek to serve may give them the support that they need.

Increase our trust in one another, strengthen our quest for justice, and bring us to unity and a common purpose.

Blessed are You, God of the universe, and blessed are we Your people.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 122, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 22, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 22, 2013 at 11:28 a.m.:

That the Senate agreed to without amendment H. Con. Res. 18.

That the Senate agreed to without amendment H. Con. Res. 19.

That the Senate passed S. 540.

Appointments:

U.C.-China Interparliamentary Group.
Mexico-U.S. Interparliamentary Group.
Canada-U.S. Interparliamentary Group.
British-American Interparliamentary Group.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 3 minutes a.m.), the House stood in recess.

□ 1059

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOLF) at 10 o'clock and 59 minutes a.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 25, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 25, 2013 at 10:29 a.m.:

That the Senate agreed to S. Con. Res. 11. Appointments:
Board of Trustees of the John F. Kennedy Center for the Performing Arts.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Thursday, March 21, 2013:

H.R. 933, making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 11

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, March 22, 2013 through Tuesday, March 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 8, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on Monday, March 25, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, April 9, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

table and, under the rule, referred as follows:

S. 540. An act to designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center," Committee on Transportation and Infrastructure.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 933. An act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, pursuant to Senate Concurrent Resolution 11, 113th Congress, the House stands adjourned until 2 p.m. on Tuesday, April 9, 2013.

There was no objection.

Thereupon (at 11 o'clock and 2 minutes a.m.), the House adjourned until Tuesday, April 9, 2013, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

862. A letter from the PRAB Branch Chief, Department of Agriculture, transmitting the Department's final rule — Supplemental Nutrition Assistance Program (SNAP): Updated Trafficking Definition and Supplemental Nutrition Assistance Program—Food Distribution Program on Indian Reservations Dual Participation [FNS-2009-0019] (RIN: 0584-AD97) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

863. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Maximum Interest Rates on Guaranteed Farm Loans (RIN: 0560-AH66) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

864. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Selection and Functions of Farm Service Agency State and Country Committees (RIN: 0560-AG90) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

865. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amitraz; Pesticide Tolerances [EPA-HQ-OPP-2010-0051; FRL-9381-1] received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

866. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Administration's final rule — Banda de Lupinus albus doce (BLAD); Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-

2011-1026; FRL-9380-6] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

867. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Administration's final rule — Emamectin Benzoate; Pesticide Tolerance [EPA-HQ-OPP-2011-0665; FRL-9381-4] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

868. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Administration's final rule — Abamectin; Pesticide Tolerances [EPA-HQ-OPP-2012-0418; FRL-9379-1] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

869. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Administration's final rule — Thiamethoxam; Pesticide Tolerances [EPA-HQ-OPP-2012-0488; FRL-9377-3] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

870. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement with Columbia (DFARS Case 2012-D032) (RIN: 0750-AH72) received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

871. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Specialty Metals-Definition of "Produce" (DFARS Case 2012-D041) (RIN: 0750-AH78) received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

872. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: United States-Korea Free Trade Agreement (DFARS Case 2012-D025) (RIN: 0750-AH69) received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

873. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Proposal Adequacy Checklist (DFARS Case 2011-D042) (RIN: 0750-AH47) received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

874. A letter from the Deputy Associate Director for External Affairs, Consumer Financial Protection Bureau, transmitting the Annual Report on the Bureau's activities to administer the Fair Debt Collection Practices Act; to the Committee on Financial Services.

875. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No.: FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8273] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

876. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule —

Final Flood Elevation Determination [Docket ID: FEMA-2013-0002] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

877. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

878. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Repeal of Disclosure Regulations (RIN: 2590-AA64) received March 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

879. A letter from the Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — National School Lunch Program: Direct Certification Continuous Improvement Plans Required by the Healthy, Hunger-Free Kids Act of 2010 (RIN: 0584-AE10) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

880. A letter from the Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — Child Nutrition Programs: Non-discretionary Amendments Related to the Healthy, Hunger-Free Kids Act of 2010 (RIN: 0584-AE14) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

881. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Assistance to States for the Education of Children with Disabilities [Docket ID: EC-2011-OSERS-0012] (RIN: 1820-AB64) received March 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

882. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Program Integrity Issues [Docket ID: ED-2010-OPE-0004] (RIN: 1840-AD02) received March 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

883. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Public Hearing Before a Public Advisory Committee; Technical Amendments [Docket No.: FDA-2013-N-0011] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

884. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

885. A letter from the Director, Sustainability Performance Office, Department of Energy, transmitting copy of the Department's Energy Fleet Alternative Fuel Vehicle Acquisition Report for Fiscal Year 2009 and 2010; to the Committee on Energy and Commerce.

886. A letter from the Secretary, Department of Health and Human Service, transmitting the Department's 2012 Annual Report on the Food and Drug Administration Advisory Committee Vacancies and Public Disclosures; to the Committee on Energy and Commerce.

887. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Food and Color Additives; Technical Amendments [Docket No.: FDA-2012-N-0010] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

888. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Institutional Review Boards; Correcting Amendments [Docket No.: FDA-2000-N-0003] received March 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

889. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Air Brake Systems [Docket No.: NHTSA-2013-0011] (RIN: 2127-AL11) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

890. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Washington; Revised Format of 40 CFR Part 52 for Materials Incorporated by Reference [EPA-R10-OAR-2012-0356; FRL-9768-9] received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

891. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Region 4 States; Prong 3 of Section 110(a)(2)(D)(i) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R04-OAR-2012-0814; FRL-9792-2] received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

892. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend [EPA-R05-OAR-2011-0328; FRL-9792-8] received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

893. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes State of California; Imperial Valley Planning Area for PM10; Clarification of Nonattainment Area Boundary [EPA-R09-OAR-2013-0135; FRL-9791-6] received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

894. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2010-0920; FRL-9779-2] received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

895. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Prevention of Significant Deterioration;

Greenhouse Gas Permitting Authority and Tailoring Rule Revision [EPA-R03-OAR-2012-0521; FRL-9783-7] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

896. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for California [OAR-2004-0091; FRL-9773-9] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

897. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Charlotte, Raleigh/Durham and Winston Salem Carbon Monoxide Limited Maintenance Plan [EPA-R04-OAR-2012-0961; FRL-9782-8] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

898. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Deferral for CO2 Emissions from Bioenergy and other Biogenic Sources Under the Prevention of Significant Deterioration Program [EPA-R03-OAR-2012-0305; FRL-9783-9] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

899. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revision to Allegheny County Regulations for Prevention of Significant Deterioration [EPA-R03-OAR-2012-0378; FRL-9783-8] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

900. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Revisions to the Knox County Portion of the Tennessee State Implementation Plan [EPA-R04-OAR-2012-0887; FRL-9785-5] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

901. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Findings of Failure to Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2008 Lead National Ambient Air Quality Standards [EPA-HQ-OAR-2012-0943; FRL-9784-6] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

902. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and Defer Sanctions, Placer County Air Pollution Control District and Feather River Air Quality Management District [EPA-R09-OAR-2013-0094; FRL-9783-3] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

903. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Administration's final rule — Disapproval of Implementation Plan Revisions; State of Cali-

fornia; South Coast VMT Emissions Offset Demonstrations [EPA-R09-OAR-2012-0713; FRL-9794-5] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

904. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Administration's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2012-0827; FRL-9785-6] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

905. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Hampton-Norfolk, Virginia; Norfolk, Virginia-Elizabeth City, North Carolina) [MB Docket No.: 11-139] [RM-11636] received March 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

906. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund High-Cost Universal Service Support [WC Docket No.: 10-90] [WC Docket No.: 05-337] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

907. A letter from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 1, 2, 22, 24, 27, 90, and 95 of the Commission's Rules and Improve Wireless Coverage Through the Use of Signal Boosters [WT Docket No.: 10-4] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

908. A letter from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules Governing Certain Aviation Ground Station Equipment; Petition of the National Telecommunications and Information Administration to Allow Aeronautical Utility Mobile Stations to Use 1090 MHz for Runway Vehicle Identification and Collision Avoidance; Potomac Aviation Technology Corporation Request for Interpretation or Waiver of Sections 87.71 and 87.73 of the Commission's Rules; [WT Docket No. 10-61; RM 11-503; WT Docket No. 09-42] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

909. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Promoting Expanded Opportunities for Radio Experimentation and Market Trials under Part 5 of the Commission's rules and Streamlining Other Related Rules; 2006 Biennial Review of Telecommunications Regulations — Part 2 Administered by the Office of Engineering and Technology (OET) [ET Docket No.: 10-236] [ET Docket No.: 06-155] received March 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

910. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Physical Protection of Byproduct Material [NRC-2008-0120] [NRC-2010-0194] (RIN: 3150-AI12) received March 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

911. A letter from the Acting Director, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule — Foreign Trade Regulations (FTR): Mandatory Automated Export Systems Filing for all Shipments Requiring Shipper's Export Declaration (SED) Information: Substantive Changes and Corrections [Docket No.: 100318153-3158-02] (RIN: 0607-AA50) received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

912. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-025, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

913. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-007, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

914. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-013, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

915. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-006, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

916. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a copy of the Department's report entitled, "Report on the Effectiveness of the United Nations to Prevent Sexual Exploitation and Abuse and Trafficking in Persons in UN Peacekeeping Missions", pursuant to Public Law 109-164, section 104(e); to the Committee on Foreign Affairs.

917. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a Determination Pursuant to Section 451 of the Foreign Assistance Act for the use of funds to assist civilian-led unarmed opposition groups in Syria; to the Committee on Foreign Affairs.

918. A letter from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Iranian Financial Sanctions Regulations received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

919. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

920. A letter from the Acting Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPLCLO Order No.: 002-2013] received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

921. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Authority's fiscal year 2012 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002

(No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

922. A letter from the Acting Administrator, General Services Administration, transmitting the Administration's Fiscal Year 2012 Agency Financial Report; to the Committee on Oversight and Government Reform.

923. A letter from the Secretary, Department of the Interior, transmitting Annual Operating Plan for Colorado River System Reservoirs for 2013, pursuant to 43 U.S.C. 1552(b); to the Committee on Natural Resources.

924. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC466) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

925. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; Amendment 17 to the Salmon Fishery Management Plan [Docket No.: 120813333-3107-02] (RIN: 0648-BC28) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

926. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC493) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

927. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC465) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

928. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase [Docket No.: 001206604-1758-02] (RIN: 0648-XC474) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

929. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species: Designation of a Nonessential Experimental Population for Middle Columbia River Steelhead above the Pelton Round Butte Hydroelectric Project in the Deschutes River Basin, OR [Docket No.: 110427267-2708-02] (RIN: 0648-BB04) received March 25, 2013, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

930. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Joslyn Manufacturing and Supply Co. at the covered facility in Fort Wayne, Indiana, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

931. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Hanford Site in Hanford, Washington, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

932. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at General Steel Industries, Granite City, Illinois, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

933. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Battelle Laboratories King Avenue Site in Columbus, Ohio, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

934. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Baker Brothers site in Toledo, Ohio, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

935. A letter from the Associate General Counsel for Legislation, Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Implementation of the Fair Housing Act's Discriminatory Effects Standard [Docket No.: FR-5508-F-02] (RIN: 2529-AA96) received March 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

936. A letter from the Director, Department of Justice, transmitting the Department's final rule — Application Procedures and Criteria for Approval of Providers of a Personal Financial Management Instructional Course by United States Trustees [Docket No.: EOUST 104] (RIN: 1105-AB31) received March 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

937. A letter from the Rules Administrator, Department of Justice, transmitting the Department's final rule — Compassionate Release; Technical Changes [BOP-1166-1] (RIN: 1120-AB66) received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

938. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Inflation Adjustment of the Aggravated Maximum Civil

Monetary Penalty for a Violation of a Federal Railroad Safety Law or Federal Railroad Administration Safety Regulation or Order; Correction [Docket No.: FRA-2004-17529; Notice No. 9] (RIN: 2130-AB94) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

939. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Grain-Shipments Vessels, Columbia and Willamette Rivers [Docket No.: USCG-2013-0010] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

940. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [Docket No.: USCG-2012-1040] (RIN: 1625-AA09) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

941. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Woldenburg Park, Mississippi River, New Orleans, LA [Docket No.: USCG-2012-1013] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

942. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Indian Street Bridge Construction, St. Lucie Canal, Palm City, FL [Docket No.: USCG-2012-0828] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

943. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Pacific Northwest Grain Handlers Association Facilities; Columbia and Willamette Rivers [Docket No.: USCG-2013-0011] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

944. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bridge Demolition Project; Indiana Harbor Canal, East Chicago, Indiana [USCG-2012-0904] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

945. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Coast Guard Exercise Area, Hood Canal, Washington [Docket No.: USCG-2012-0900] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

946. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sea World San Diego Fireworks, Mission Bay; San Diego, CA [Docket No.: USCG-2013-0022] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

947. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Monongahela River, Charleroi, PA [Docket Number: USCG-2012-1071] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

948. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes, Inland Rivers, Ninth Coast Guard District; Stay (Suspension) [USCG-2013-0019] (RIN: 1625-AA11) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

949. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone, Potomac and Anacostia Rivers; Washington, DC [Docket Number: USCG-2012-0938] (RIN: 1625-AA87) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

950. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Inland Waterways Navigation Regulation; Sacramento River, CA [Docket No.: USCG-2012-0952] (RIN: 1625-AB95) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

951. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sellwood Bridge Move; Willamette River, Portland OR [Docket Number: USCG-2012-1097] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

952. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone within the Lower Portion of Anchorage #9, Mantua Creek Anchorage; Paulsboro, NJ [Docket Number: USCG-2012-1092] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

953. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bridge Demolition Project; Indiana Harbor Canal, East Chicago, Indiana [Docket No.: USCG-2012-1099] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

954. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Moving Security Zone around Escorted Vessels on the Lower Mississippi River [Docket Number: USCG-2012-1078] (RIN: 1625-AA87) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

955. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Vigor Industrial Roll-Out, West Duwamish Waterway, Seattle, WA [Docket Number: USCG-2013-0039] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

956. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Worth Dredge Operations, Lake

Worth Inlet; West Palm Beach, FL [Docket Number: USCG-2013-0036] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

957. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Artificial Island Anchorage No. 2 Partial Closure, Delaware River; Salem, NJ [Docket Number: USCG-2013-0032] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

958. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; MODU KULLUK; Sitkalidak Island to Kiliuda Bay, Alaska [Docket No.: USCG-2012-1088] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

959. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Military Ocean Terminal Concord Safety Zone, Suisun Bay, Military Ocean Terminal Concord, CA [Docket No.: USCG-2012-1008] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

960. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway; Oak Island, NC [Docket Number: USCG-2012-1062] (RIN: 1625-AA00) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

961. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Housatonic River, Bridge Replacement Operations; Stratford, CT [Docket Number: USCG-2012-0824] (RIN: 1625-AA11) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

962. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robinson Helicopter Company [Docket No.: FAA-2013-0159; Directorate Identifier 2012-SW-010-A D] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

963. A letter from the Deputy Assistant Chief Counsel for Safety, Department of Transportation, transmitting the Department's final rule — Control of Alcohol and Drug Use: Addition of Post-Accident Toxicological Testing for Non-Controlled Substances [Docket No.: FRA-2010-0155] (RIN: 2130-AC24) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

964. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2011-0624; Directorate Identifier 2010-NE-11-AD; Amendment 39-17358; AD 2013-04-01] (RIN: 2120-AA64) received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

965. A letter from the Chief Counsel, Saint Lawrence Seaway Development Corp., Department of Transportation, transmitting the Department's final rule — Seaway Regulations and Rules; Periodic Update, Various

Categories [Docket No.: SLSDC-2013-0001; 2135-AA31] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

966. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. and Bell Helicopter Textron Helicopters [Docket No.: FAA-2013-0145; Directorate Identifier 2012-SW-059-AD] (RIN: 2120-AA64) received March 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

967. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0421; Directorate Identifier 2012-NM-042-AD; Amendment 39-17284; AD 2012-25-03] (RIN: 2120-AA64) received March 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

968. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that the President intends to enter into negotiation with the European Union on the Transatlantic Trade and Investment Partnership; to the Committee on Ways and Means.

969. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-04] received March 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

970. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — April 2013 (Rev. Rul. 2013-9) received March 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

971. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Indirect Stock Transfers and the Coordination Rule Exceptions; Transfers of Stock or Securities in Outbound Asset Reorganizations [TD 9615] (RIN: 1545-BJ75) received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

972. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Certain Outbound Property Transfers by Domestic Corporations; Certain Stock Distributions by Domestic Corporations [TD 9614] (RIN: 1545-AM97) received March 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

973. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Ninety-Day Waiting Period Limitation and Technical Amendments to Certain Health Coverage Requirements Under the Affordable Care Act [REG-122706-12] (RIN: 1545-BL50) received March 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

974. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — *Zapara v. Commissioner*, 652 F.3d 1042 (9th Cir. 2011), No. 08-74173, aff'g 126 T.C. 215 (2006) [AOD 2012-06] received March 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

975. A letter from the Chief, Publications and Regulations Branch, Internal Revenue

Service, transmitting the Service's final rule — Annual price inflation adjustments for passenger automobiles first placed in service or leased in 2013 (Rev. Proc. 2013-21) received March 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

976. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Revised Medical Criteria for Evaluating Visual Disorders [Docket No.: SSA-2010-0078] (RIN: 0960-AH28) received March 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

977. A letter from the Deputy Director, Office of Management and Budget, transmitting Sequestration Order for Fiscal Year 2013 pursuant to Section 251A of the Balanced Budget and Emergency Deficit Control Act, As Amended; (H. Doc. No. 113-16); to the Committee on the Whole House on the State of the Union and ordered to be printed.

978. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Requirements for Long-Term Care (LTC) Facilities; Notice of Facility Closure [CMS-3230-F] (RIN: 0938-AQ09) received March 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. Oversight Plans for all House Committees (Rept. 113-23). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on National Resources. H.R. 678. A bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes (Rept. 113-24). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COFFMAN (for himself and Mr. TAKANO):

H.R. 1402. A bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc; to the Committee on Veterans' Affairs.

By Mr. RUSH:

H.R. 1403. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to prescribe rules regulating inmate telephone service rates; to the Committee on Energy and Commerce.

By Mr. SALMON (for himself, Mr. LAMALFA, Mr. SCHWEIKERT, Mr.

FRANKS of Arizona, Mrs. BLACK, and Mr. HUNTER):

H.R. 1404. A bill to amend title XIX of the Social Security Act to eliminate the increased Federal medical assistance percentage under the State plan with respect to newly eligible mandatory individuals under Medicaid, to provide States with greater flexibility under Medicaid, and for other purposes; to the Committee on Energy and Commerce.

By Ms. TITUS (for herself and Mr. RUNYAN):

H.R. 1405. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include an appeals form in any notice of decision issued for the denial of a benefit sought; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COFFMAN:

H.R. 1402.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, of the Constitution of the United States.

By Mr. RUSH:

H.R. 1403.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have Power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. SALMON:

H.R. 1404.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Ms. TITUS:

H.R. 1405.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. KILMER, Mr. PETERS of California, Mr. KIND, Mr. THOMPSON of Pennsylvania, Mr. POCAN, Ms. KUSTER, and Mr. HURT.

H.R. 129: Ms. BROWNLEY of California, Mr. BLUMENAUER, Mr. DINGELL, Mr. ELLISON, Ms. FUDGE, and Mr. JOHNSON of Georgia.

H.R. 164: Mr. REICHERT, Mr. BLUMENAUER, Mr. SCHRADER, Ms. DUCKWORTH, and Mr. REED.

H.R. 183: Mr. POCAN.

H.R. 231: Ms. GABBARD.

H.R. 236: Mr. LIPINSKI and Mr. TAKANO.

H.R. 274: Mr. BUCSHON.

- H.R. 300: Mr. DEFazio and Mr. MEADOWS.
H.R. 311: Mr. GARDNER and Mrs. HARTZLER.
H.R. 324: Mr. COHEN, Mr. PETERS of Michigan, Mr. ISRAEL, Mr. MURPHY of Florida, Mr. BARBER, and Mr. BROOKS of Alabama.
H.R. 337: Mr. BLUMENAUER and Mr. CONNOLLY.
H.R. 351: Mr. HUDSON.
H.R. 358: Mr. CARTWRIGHT.
H.R. 367: Mr. RYAN of Wisconsin.
H.R. 452: Mrs. NEGRETE McLEOD, Mr. SMITH of Washington, Ms. BROWN of Florida, Mr. CÁRDENAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. TSONGAS, Mr. COHEN, Mr. HUFFMAN, Mr. KENNEDY, and Mr. TAKANO.
H.R. 543: Mr. POCAN.
H.R. 544: Mr. CALVERT.
H.R. 631: Mr. CARSON of Indiana.
H.R. 650: Mr. JEFFRIES.
H.R. 688: Mrs. DAVIS of California, Mr. BERA of California, Ms. LOFGREN, Ms. SHEA-PORTER, and Mr. LANGEVIN.
H.R. 693: Mr. CONYERS.
H.R. 738: Mr. BARBER.
H.R. 751: Mr. BURGESS.
H.R. 763: Mr. CULBERSON and Mr. KLINE.
H.R. 769: Mrs. CHRISTENSEN, Mr. SCOTT of Virginia, Ms. DEGETTE, Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Mr. HASTINGS of Florida, Ms. WILSON of Florida, Mrs. MCCARTHY of New York, Mr. CÁRDENAS, Ms. TSONGAS, Mr. RYAN of Ohio, Ms. HAHN, and Mr. THOMPSON of California.
H.R. 792: Mrs. ELLMERS and Mr. REED.
H.R. 822: Ms. PINGREE of Maine, Ms. HANABUSA, Mr. CARSON of Indiana, Mr. DANNY K. DAVIS of Illinois, Mrs. KIRKPATRICK, Ms. BONAMICI, and Mr. PASTOR of Arizona.
H.R. 833: Mrs. NOEM, Mr. SWALWELL of California, Mr. MCGOVERN, Mr. LOEBSACK, Mr. HUIZENGA of Michigan, Mr. BURGESS, Mr. TIPTON, Mr. PASTOR of Arizona, Mr. GARRETT, Mr. ROSS, and Mr. PAYNE.
H.R. 836: Mr. VARGAS.
H.R. 850: Mr. CARTWRIGHT, Mrs. BLACK, Mr. RICHMOND, Mr. CRENSHAW, Mr. VELA, Mr. DESANTIS, Mr. CLEAVER, Mr. ISRAEL, Mrs. LUMMIS, Mrs. DAVIS of California, Mr. HIMES, Mr. REICHERT, Mr. GOSAR, Mr. DUFFY, Mr. JOYCE, Mr. GARY G. MILLER of California, Mr. NUNNELEE, and Mr. MCCLINTOCK.
H.R. 893: Mr. POE of Texas, Mr. WESTMORELAND, and Mr. BURGESS.
H.R. 903: Mr. KLINE.
H.R. 938: Mr. MURPHY of Pennsylvania, Mr. NUNNELEE, Mr. GARY G. MILLER of California, Mr. LAMBORN, Mr. MCCLINTOCK, Mr. JOYCE, Mr. HIMES, Mr. VELA, and Mr. FORBES.
H.R. 940: Mr. PALAZZO and Mr. CAMP.
H.R. 955: Mr. ELLISON and Mr. JEFFRIES.
H.R. 958: Mr. CARSON of Indiana.
H.R. 961: Ms. KAPTUR, Ms. SLAUGHTER, Mr. YARMUTH, and Mr. RUSH.
H.R. 1005: Mr. ROKITA.
H.R. 1020: Mr. FLORES.
H.R. 1024: Mr. MCGOVERN and Mr. HECK of Nevada.
H.R. 1033: Mr. TONKO, Mr. MORAN, Mr. DINGELL, Mr. NADLER, Mr. GRIJALVA, Mr. SARBANES, and Mr. THOMPSON of Mississippi.
H.R. 1099: Mr. LANKFORD and Mr. ROKITA.
H.R. 1146: Mr. PETRI.
H.R. 1149: Mr. RODNEY DAVIS of Illinois and Mr. FOSTER.
H.R. 1151: Mr. SIRES, Mr. DESANTIS, Mr. CHABOT, and Mr. WEBER of Texas.
H.R. 1179: Mr. BLUMENAUER, Mr. DEFazio, Mr. TONKO, Ms. MCCOLLUM, Mr. FARR, Mr. FITZPATRICK, and Ms. PINGREE of Maine.
H.R. 1180: Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, Mr. KING of New York, Mrs. MCCARTHY of New York, and Mr. HIGGINS.
H.R. 1240: Ms. SHEA-PORTER, Mr. ELLISON, Mr. COURTNEY, and Mr. SWALWELL of California.
H.R. 1281: Mr. WAXMAN.
H.R. 1312: Mr. BLUMENAUER and Mr. GRIJALVA.
H.R. 1317: Mr. KLINE.
H.R. 1325: Mr. KIND, Mr. COOPER, Mr. HIMES, Mr. LOEBSACK, and Mrs. CAPPS.
H.R. 1330: Ms. CASTOR of Florida, Mr. MEEKS, Mr. COHEN, and Mr. TAKANO.
H.R. 1356: Mr. PETERS of California.
H.R. 1395: Mr. COHEN and Mr. CONYERS.
H.J. Res. 27: Mr. LONG.
H. Con. Res. 23: Mr. TIPTON and Mr. HECK of Nevada.
H. Con. Res. 26: Mrs. BACHMANN.
H. Res. 128: Mr. SOUTHERLAND, Mr. LANGEVIN, Mr. FORBES, and Mr. MILLER of Florida.
H. Res. 131: Mr. BLUMENAUER.
H. Res. 134: Ms. BORDALLO.
H. Res. 139: Ms. WASSERMAN SCHULTZ.

EXTENSIONS OF REMARKS

HONORING MS. LORI MOSELEY

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Ms. Lori Moseley, an outstanding individual and someone who has continuously supported South Florida and the City of Miramar.

Ms. Moseley relocated to South Florida in 1978. Her civic involvement began when her children were school-aged and she volunteered in the classroom. This sparked a desire to work with and improve the education system. She joined the Parent Advisory Council at Fairway Elementary School, and was later elected as the South Area Advisory Chairperson. In recognition of her commitment to the community, she was awarded the Crystal Apple Award. Her dedication to improving education remained constant through her public service.

Ms. Moseley was first elected to office in 1995 as a Commissioner for the City of Miramar. She served in that role until 1999. In 1999, she was elected to her current office as Mayor of the City of Miramar. Since day one, Mayor Moseley has been a strong advocate for education and working to improve the City's image. During her term, the city's population tripled from 40,000 to over 120,000 residents. She has also improved and expanded roadway systems, mass transit, and community centers. Her public service was recognized in 2012 when she received the Women in Municipal Government Leadership Award.

Ms. Moseley's service continues with her membership in the Broward League of Cities (Past President), the Florida League of Cities (2nd Vice President), Florida League of Mayors (President), National League of Cities, and the U.S. Conference of Mayors (Chair of the Women Mayors' Caucus).

Mr. Speaker, I am honored to pay tribute to Ms. Lori Moseley for her continued service to South Florida and I ask my colleagues to join me in recognizing this remarkable individual.

HONORING THE LIFE AND SERVICE
OF NORTHWEST FLORIDA'S BE-
LOVED JIM C. BAILEY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and service of Northwest Florida's beloved Jim C. Bailey, who passed away on March 19, 2013. Throughout his long and distinguished career in academia and civil

service, Mr. Bailey served as a mentor and an inspiration to countless individuals throughout Northwest Florida. He was a great man and an unparalleled public servant.

Mr. Jim Bailey was born on March 24, 1933. He married the love of his life, Patsy McClellan Bailey. They spent 53 dedicated and loving years together and raised 2 daughters, Jamie and Jena.

Mr. Bailey worked for Monsanto Corporation for 31 years before beginning a 22-year career in public service. During his tenure as the Representative for Escambia County School Board District 1, Mr. Bailey's commitment to the citizens of Northwest Florida never wavered. For 13 of his 22 years as a member of the School Board, he served as Chairman or Vice Chairman of the Board. Mr. Bailey devoted himself wholeheartedly to his profession, and he played an important role in improving the school district.

Mr. Bailey's efforts and commitment to serving the people of Escambia County did not go unnoticed. He was honored with a Resolution on the floor of the Florida State Senate and was recognized by the Florida School Board Association for Outstanding Boardmanship. Perhaps the greatest recognition was the dedication of the Jim C. Bailey Park at Hellen Caro Elementary School and Jim C. Bailey Middle School, both located in Pensacola, Florida and named to honor his outstanding service to our community.

Northwest Florida, the Escambia County School Board, and the many students and teachers whose lives were touched by Mr. Bailey, mourn the loss of a man of devotion and unwavering compassion. His contributions and service to the community will forever be remembered.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the exemplary life of Mr. Jim C. Bailey. My wife Vicki and I offer our prayers to his wife, Pat; daughters, Jamie and Jenna; grandchildren, Jimmy, Joshua, Anna, Claire and Adrian; and his entire family. He will be truly missed by all.

HONORING SISTER MAUREEN
KELLEHER

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Ms. Maureen Kelleher, an outstanding individual and someone who has continuously supported the immigrant community in Southwest Florida.

Sister Kelleher is a consultant attorney to the Catholic Charities Diocese of Venice, and gives legal assistance and training to its immigration staff. Her law practice focuses on ob-

taining legal permanent residency for immigrants in the farming sector from Mexico, Guatemala, and Haiti. Her priorities also include representation of abused immigrant women and children, victims of crime, and applicants for temporary protective status.

After completing law school in 1984, Sister Kelleher worked in Immokalee for Florida Rural Legal Services until 1996 when federal law prohibited its legal representation to clients who were neither U.S. citizens nor Legal Permanent Residents. Because many of her clients were applying for political asylum and were not yet legal permanent residents she, along with three other attorneys, began a new non-profit corporation, Florida Immigrant Advocacy Corporation. Today, the organization is known as Americans for Immigrant Justice and has grown to a staff of 38 individuals, with a budget of \$3.5 million. Since its inception in 1996 AI Justice has successfully closed 80,000 cases and has become a national trendsetter in the immigration field.

Sister Kelleher has been consistently recognized for her work from various organizations. In 2001 she received the Florida Association of Women Lawyers Golden Achievement Award. In 2003 she was the recipient of the Immokalee Chamber of Commerce's Humanitarian of the Year award. She was also named woman attorney of the year in 2008 by the Collier Women's bar. Currently, she serves as a board member of both the Immokalee Housing and Family Services, and Florida Non-Profit Services.

Mr. Speaker, I am honored to pay tribute to Sister Maureen Kelleher for her continued service to Southwest Florida and I ask my colleagues to join me in recognizing this remarkable individual.

IN SUPPORT OF SOLVANG'S DEC-
LARATION OF CHILDHOOD CAN-
CER AWARENESS WEEK AND IN
RECOGNITION OF 20 YEARS OF
SERVICE BY THE AMERICAN
CANCER FUND FOR CHILDREN
AND KIDS CANCER CONNECTION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mrs. CAPPS. Mr. Speaker, I rise today to recognize the 20 years of service by the American Cancer Fund for Children and Kids Cancer Connection and to commemorate the designation of April 7-13 as "Childhood Cancer Awareness Week" within the City of Solvang.

Each year more than 15,000 children are diagnosed with cancer. Far too many have been affected by this disease, and the emotional as well as financial toll it takes on families is significant. Through their unique and compassionate approach, Steven Firestein and his

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

team at the American Cancer Fund for Children and Kids Cancer Connection have eased the burden of this disease for countless families.

Innovative partnerships and projects, like the Magical Caps for kids program and the Courageous Kid recognition award ceremonies, have improved the quality of life for thousands of children across the country. Moreover, the vital psychosocial services that American Cancer Fund for Children and Kids Cancer Connection provide to children undergoing cancer treatment at Cottage Children's Hospital in Santa Barbara and at participating hospitals across the country are invaluable. A major part of helping these children is to raise awareness, which is exactly what the City of Solvang and the American Cancer Fund for Children and Kids Cancer Connection are doing.

I ask that you join me in honoring the tireless work of the American Cancer Fund for Children and Kids Cancer Connection in easing the suffering of children afflicted with this disease, and in supporting the City of Solvang for raising childhood cancer awareness.

HONORING MS. GRACE O'DONNELL

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Ms. Grace O'Donnell, an outstanding individual and someone who has continuously supported the Miami community.

Ms. O'Donnell is currently serving as the Chair of the Miami-Dade County Commission for Women. In this position she is dedicated to advocating and working for the issues and concerns that affect the diverse community of women in the county. She also sits on the Miami-Dade County Community Relations Board, where she works to identify and relieve intergroup conflicts. A retired 36-year veteran of the Miami-Dade Police Department, Ms. O'Donnell left the force having served as its Major where she commanded the Special Victims Bureau.

Ms. O'Donnell has spent much of her time volunteering in the community. She has been an adult volunteer member of the Girl Scout Council of Tropical Florida for 25 years, where she has been a troop leader for more than 15 years. In her position she often mentors girls of all age levels, is involved in community service projects, and serves as an event coordinator for her service unit. Outside of the Girl Scouts, Ms. O'Donnell is also a volunteer for Hands on Miami, the American Red Cross, and the Community Partnership for the Homeless.

Throughout the years, Ms. O'Donnell has been consistently recognized for her achievements. In 2005 she was named a Pioneer at the In the Company of Women reception for Women's History Month. She was also awarded the "Thanks Badge" by the Girl Scout Council of Tropical Florida in 2006, and received recognition for her community service by the National Volunteer Week Committee of Dade County in 2007.

Mr. Speaker, I am honored to pay tribute to Ms. Grace O'Donnell for her continued service to the Miami community and I ask my colleagues to join me in recognizing this remarkable individual.

EXPRESSING CONCERN ON RESTRICTIONS PLACED ON POLITICAL SCIENCE RESEARCH AT THE NATIONAL SCIENCE FOUNDATION

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. LIPINSKI. Mr. Speaker, I rise to share my concern about language adopted in a Senate amendment to H.R. 933 regarding political science research funded by the National Science Foundation.

The U.S. scientific enterprise is the envy of the world, and rightly so. The U.S. has been a world leader in science, technology, and innovation for decades and a large reason for that leadership has been the freedom and independence afforded our scientists to follow a line of inquiry wherever it may lead them. In fact, some of the most beneficial discoveries have been made researching topics that some might consider frivolous.

Consider that a \$250,000 grant from the U.S. Department of Agriculture in 1955 to study the "Sex Life of the Screwworm" was criticized by members of Congress at the time. The research resulting from that grant allowed scientists to understand how to stop screwworms from breeding and thus from infecting cattle, which was a serious problem. It is estimated that this research saved the U.S. cattle industry \$20 billion, an enviable return on investment to say the least. Historically, when individual grants have been highlighted and held up for ridicule by politicians in this way, many of the grants turned out to have a good deal of value when viewed in retrospect.

Unfortunately, history has repeated itself in the past few years. Most recently, a Senate amendment attached to H.R. 933, the Full-Year Continuing Appropriations Act of 2013, would prevent the National Science Foundation (NSF) from conducting political science research unless the NSF director certified that the research promoted the national security or economic interests of the country. When introducing the language, the amendment's sponsor highlighted several individual grants as unnecessary.

I, myself, have a Ph.D. in political science, and was a professor of political science for several years before running for Congress. Opposition to NSF funding of political science research has typically been based on the assumption that the research findings have little or no beneficial impact for our nation. But this assumption is simply not true.

Political science research helps us understand many important topics that affect the everyday lives of millions of Americans at home and overseas, including why countries go to war and what can be done to promote civic engagement and voting among the general public. Recent political science research fund-

ed by NSF studied FDA approvals of products and produced recommendations for avoiding faulty approvals in the future. FDA officials were briefed on the results and the recommendations had implications ranging from the White House Office of Science and Technology policy to financial regulations made by the Federal Reserve System. Political science research also impacts research done in all other areas of social science.

NSF funding of political science research has averaged roughly \$11 million a year over the last 10 years. This represents less than 0.2% of the NSF's research funding, but it is the predominant source of research funding for political scientists in the United States.

For just a small investment this funding can help bring about research discoveries that change how we view our world. In 2009, Professor Elinor Ostrom, a political scientist, was awarded the Nobel Prize for her research about how people can successfully manage common property such as forests, fisheries, and oil fields. Federal funding for research like this can have substantially positive impacts on our daily lives.

Furthermore, the danger with an amendment like this is that the economic and national security value of research isn't always known at the outset. The director of the Department of Homeland Security's Domestic Nuclear Detection Office testified before the House Science, Space, and Technology Committee last year that social science research was vital to predicting the actions of terrorist cells. Much of the basic research this work relies on would have limited direct national security implications. Basic research in political science at the NSF on social movement theory and agency theory may have no direct connection at all to our national security interests, and yet unless we understand these basic underpinnings regarding how people behave, we can never effectively study the applications that do have direct security connections, such as predicting the actions of terrorist cells.

This amendment is also misguided in the way it adds redtape and bureaucracy to one of our nation's premier institutions for funding scientific research. Just as much money would be spent by the National Science Foundation, but by placing additional administrative burdens on research approval, fewer grants might be awarded due to the increased cost of review. At best, this amendment would be an unnecessary regulatory burden, at worst, it could negatively impact both our economic and national security interests despite its intentions.

I continue to believe that science works best when scientists, and not politicians, are deciding what scientific questions are worth pursuing. Legislative limitations on scientific inquiry should be made sparingly, if at all. I would urge all members to reject such restrictions on political science funding in the future.

HONORING THE HONORABLE
ROSEMARY BARKETT

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month I rise today to honor Judge Rosemary Barkett, an outstanding individual and someone who has continuously supported the Miami community.

Judge Barkett is currently serving as one of the twelve active judges on the United States Court of Appeals for the Eleventh Circuit, which reviews federal cases originating in Alabama, Florida, and Georgia. She was nominated by President Bill Clinton and received her appointment in 1994.

Judge Barkett earned her J.D. from the University of Florida Law School, where she became the first woman to be awarded the J. Hillis Miller Memorial Award as the outstanding senior graduate. After having practiced civil and trial law from 1971 to 1979, she was appointed to circuit court judge in the Fifteenth Judicial Court of Florida. After only 4 years she was elected as chief judge of the circuit, becoming the first woman chief judge in the State's history. Two short years later she was appointed to serve on the Florida Supreme Court, again marking the first time in the State's history that a woman had been named justice. Finally, in 1992 her colleagues chose her to become Florida's first woman chief justice.

Throughout the years, Judge Barkett has been consistently honored for her achievements. The recipient of seven honorary degrees from institutions of higher learning, she has also earned dozens of honors and awards from national and state professional, civic and charitable groups. Her contributions have also been uniquely recognized by the creation of the "Rosemary Barkett Outstanding Achievement Award", given each year to two outstanding lawyers by the Florida Association of Women Lawyers, and the "Rosemary Barkett Award" which is presented by the Academy of Florida Trial Lawyers to a person who has demonstrated outstanding commitment to equal justice under law.

Mr. Speaker, I am honored to pay tribute to the Honorable Judge Rosemary Barkett for her continued service to the Miami community and I ask my colleagues to join me in recognizing this remarkable individual.

IN RECOGNITION OF POLICE CHIEF
STEVE SWEENEY

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. SWALWELL of California. Mr. Speaker, I rise today to recognize Police Chief Steve Sweeney, who is retiring this month after nearly 30 years of service to the City of Livermore. Chief Sweeney has served his community with excellence and has executed his role as a public servant with professionalism, fairness,

and integrity since he joined the Livermore Police Department in 1984. Under his leadership, the department has remained fiscally stable and has maintained vital partnerships with outside agencies, schools, and community groups.

As a former prosecutor, I understand the importance of cultivating the public's trust and assistance in ensuring our communities remain safe places to live and work. Chief Sweeney's work has exemplified this model of service, as he has stressed accessibility and community outreach throughout his tenure. For example, he has overseen the expansion of the Livermore Police Department's Citizen's Academy, Youth Academy, and Neighborhood Watch programs.

Chief Sweeney graduated from Cal State University, East Bay before becoming a patrol officer and member of the SWAT team of Livermore in 1984. He steadily climbed the ranks and served as a detective, sergeant, lieutenant, and captain before becoming chief of the department in 2007. Chief Sweeney played a key role in the merging of the Pleasanton and Livermore SWAT teams in 2011, which resulted in the formation of the new East County Tactical Team. Even after several years of budget cuts, Chief Sweeney's skilled management and leadership enabled the Livermore Police Department to hire seven new officers this past January and restore the department's Drug and Gang Task Force.

I want to thank Chief Sweeney for his decades of public service to Livermore and for helping to keep the East Bay a great place to live, work, and visit. After his retirement, he plans on staying in the town he has served for so many years and looks forward to spending time with his wife and three children. I wish him the best of luck as he begins this new chapter of his life.

HONORING MS. JANISSET RIVERO-
GUTIERREZ

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month I rise today to honor Ms. Janisset Rivero-Gutierrez, an outstanding individual and someone who has been vital in the effort to bring about a democratic Cuba.

Ms. Rivero-Gutierrez was born in Camagüey, Cuba and left at the age of 14. She lived in Venezuela before moving to the United States, where she earned a bachelor's degree in communications and advertising from the Instituto Universitario de Nuevas Profesiones in Caracas. She is currently working on her master's degree in Spanish literature from Florida International University.

In 1994, Ms. Rivero-Gutierrez initiated Operation Boitel, a campaign involving travel to other countries in order to generate support for the opposition movement in Cuba. She continued to do work to bring about a democratic Cuba and in March of 2002 testified before the Inter-American Commission of the Organization of American States and presented

a detailed report on human rights violations in Cuba. Similarly, in April of the same year she spoke before the United Nations Human Rights Commission, one of only two Cuban exiles who were able to testify.

Ms. Rivero-Gutierrez is a founding member of the Cuban Democratic Directorate, a non-governmental organization that supports human rights efforts in Cuba. She has worked extensively for this organization, and engages directly with opposition groups in Cuba, relaying their messages to the international community and co-author of Steps to Freedom, an annual report that documents the opposition movement's actions of protest against the totalitarian Cuban regime.

Mr. Speaker, I am honored to pay tribute to Ms. Janisset Rivero-Gutierrez for her continued support of human rights efforts in Cuba and I ask my colleagues to join me in recognizing this remarkable individual.

SUPREME COURT HEARS A CHALLENGE TO CALIFORNIA'S "PROPOSITION 8" AND THE FEDERAL DEFENSE OF MARRIAGE ACT

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. HUELSKAMP. Mr. Speaker, this week the United States Supreme Court will hear arguments on two cases that are fundamental to the way our democratic society functions. Tuesday they will consider a challenge to California's "Proposition 8" prohibiting homosexual marriage in the state. And on Wednesday they will look at the federal Defense of Marriage Act.

In the midst of all the discussion and protest surrounding these arguments, I would encourage the Court to not be distracted from the fundamental issue before them—will the U.S. Supreme Court choose to radically redefine marriage, thus overturning the will of the American people as reflected in numerous votes by states, and by a vote of this body and signed into law by President Bill Clinton?

I urge the Supreme Court to uphold the will of the American people, support traditional marriage, and protect the democratic process by allowing the American people to express their will on this issue.

HONORING MS. CARLA DEAN

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month I rise today to honor Ms. Carla Dean, an outstanding individual and someone who has continuously supported the community in and around Collier County.

Ms. Dean is President and Founder of the Bladder Cancer Foundation of Florida, a non-profit organization committed to educating the public and medical community about bladder

cancer for awareness, research and early detection. Professionally, Ms. Dean is a registered radiologic technologist with specialties in mammography and radiology. In her over 40 years of experience she has worked in a variety of management positions, including lead mammographer, lead medical coder for a large radiology group, and headed a nuclear medicine department.

Outside of her professional career, Ms. Dean is heavily active in the Collier County community. She has been a member of the Collier County Republican Executive Committee, CCREC, since 2000, serving as its chairman from 2004–2009. As chairman of the CCREC she helped revive Teenage Republicans, and instituted Republicans “After 5” social gatherings which allowed candidates, elected officials and others to meet socially. Ms. Dean also helped form the Collier Republican Club, which has proven to be one of the largest Republican organizations in Collier County.

While Ms. Dean remains active with the CCREC, she still finds the time to be active in the community elsewhere. She currently serves as a Board Member of the Naples High School Band Boosters, and is the Director and Publicity Chairman of the Genealogical Society of Collier County. She was also a founding member of the Eagle Oak Ridge Homeowners Association, City of Naples.

Mr. Speaker, I am honored to pay tribute to Ms. Carla Dean for her continued service to Collier County and I ask my colleagues to join me in recognizing this remarkable individual.

HONORING MS. ANOLAN PONCE

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women’s History Month I rise today to honor Ms. Anolan Ponce, an outstanding individual and someone who has been an inspiration in the South Florida community.

Ms. Ponce was born in Las Canas, Cuba and arrived in the United States in October of 1961. Her father, who had taken part in the Bay of Pigs invasion, had been imprisoned and insisted his family leave the country. The family settled in Miami and after graduating from high school, Anolan started working as a stenographer for Eastern Airlines. She eventually worked her way up to Senior Systems Engineer while obtaining her Bachelor’s degree from Florida International University, and a Master’s degree from the New York Institute of Technology.

Currently, Ms. Ponce is President and Owner of FAM and FAM-West Warehouse

Corporations, companies which specialize in leasing their own commercial properties. In the past she also owned and managed Ponceana Travel, and ventured into construction by developing a warehouse complex in the Doral area. In the future, Ms. Ponce has plans for further commercial development of real estate in Miami-Dade County.

In addition to her professional work, Ms. Ponce is also an avid writer, and is currently finishing up her novel based on the true story of ten young men from her hometown in Cuba that were executed by the communist regime in 1961. She is also committed to democracy in Cuba through her work as a member of the Board of the U.S.-Cuba Democracy PAC. Annually she is responsible for organizing the PAC’s seminal event, a concert in support of a Cuban Democracy. In addition to the PAC, Ms. Ponce is also a member of the Executive Committee of the Board of Directors of Mothers Against Repression for Cuba, and serves on the Advisory Committee of the Cuban Memorial.

Mr. Speaker, I am honored to pay tribute to Ms. Anolan Ponce for her continued service to the Miami community and I ask my colleagues to join me in recognizing this remarkable individual.

TRIBUTE TO DAVE LILLARD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. LATHAM. Mr. Speaker, I rise to recognize the retirement of Des Moines Assistant Chief of Police Dave Lillard, and to express my appreciation for his commitment to the community in his years of service in law enforcement.

For the last 32 years, Mr. Lillard has served Des Moines honorably as a member of the Des Moines Police Department. Dave truly has been a versatile asset to the force, taking on roles in patrol, narcotics, tactical, gang and traffic units, in addition to internal affairs and the police academy. Since 2009, Dave has been the Assistant Chief of Police, and he was honored recently by Police Chief Judy Bradshaw with an Exemplary Service Award for his lifetime of achievement and invaluable contributions to the force.

Throughout his distinguished career, Mr. Lillard has never wavered in his commitment to justice and security. Dave is a testament to the high quality of character instilled in Iowans, and the city of Des Moines owes him a great debt of gratitude for his service. While Mr. Lillard’s leadership will be missed, he leaves behind a more secure community and

a better trained and equipped police force that will continue to benefit from his service for years to come.

Mr. Speaker, it is a great honor to represent Dave Lillard and all the people of Des Moines in the United States Congress. I invite my colleagues in the House to join me in thanking Mr. Lillard for his years of service and wishing him a long, happy and healthy retirement.

HONORING MS. MARY BARLEY

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 2013

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women’s History Month I rise today to honor Ms. Mary Barley, an outstanding individual and someone who has continuously supported South Florida and the Everglades.

Ms. Barley relocated to Florida in 1971 from Wisconsin. Shortly after arriving in our state she became an advocate for the Everglades and Florida Bay. Along with her husband George, who passed away in 1996, Ms. Barley spearheaded campaigns to build awareness around the Everglades and headed initiatives aimed at amending Florida’s constitution to include the protection of it.

Ms. Barley has served as Chairperson and/or Vice Chairman of the Everglades Foundation since her husband’s untimely death in 1995, and currently sits on its Board. She also holds the position of President of the Everglades Trust, and serves on the National Parks Conservation Association’s Board of Trustees. She is a Board member of the World Wildlife Fund Marine Leadership Committee, and its National Council; the National Coalition for Marine Conservation; the Atlantic Salmon Federation; and the Sierra Club Foundation.

With her instrumental support Florida passed the Restoring the Everglades, An American Legacy Act, a bill which authorized \$8 billion towards the Comprehensive Everglades Restoration Plan. Ms. Barley, has consistently been recognized for her achievements and has received awards such as Audubon of Florida’s “Lifetime Achievement Award,” as well as its “Champion of the Everglades Award.” Other awards include the Everglades Coalition’s “Steward of the Everglades” award, and she was named a 1999 “Hero for the Planet” by Time Magazine.

Mr. Speaker, I am honored to pay tribute to Ms. Mary Barley for her continued service to South Florida and I ask my colleagues to join me in recognizing this remarkable individual.

SENATE—Monday, April 8, 2013

The Senate met at 2 p.m. and was called to order by the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of love and grace, our love is pale and fitful compared to Your infinite goodness. Inspire our lawmakers with Your guiding power so they will stand firm in the faith You have given them. Lord, keep before them Your vision for our Nation and world, inspiring them to keep up their courage in spite of daunting odds. Use them as healers and helpers and heralds of Your hope. Assure them of Your love as You give them eyes to see Your saving truth.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TAMMY BALDWIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 8, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. BALDWIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the previous

order with respect to Executive Calendar No. 14, the nomination of Patty Shwartz to be U.S. circuit judge for the Third Circuit, begin at 11:30 a.m. tomorrow, April 9, with all other provisions remaining in effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. There will be no votes today. The first vote of the week then will be tomorrow morning at noon on the confirmation of the Shwartz nomination.

EXECUTIVE SESSION

NOMINATION OF MARY JO WHITE TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 50; that the nomination be confirmed and the motion to reconsider be laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will now resume legislative session.

ISSUES BEFORE THE SENATE

Mr. REID. Madam President, I would like to welcome back the Presiding Officer and all the staff. I hope our 2-week Easter break was refreshing to everyone.

This month, the Senate will deal with a number of important matters, including judicial nominations and Cabinet nominations and a water resources measure.

GUN VIOLENCE

The Senate will also consider a package of legislation designed to safeguard Americans from gun violence.

In the wake of last year's terrible tragedy in Newtown, CT—a mass

shooting we will never forget and that claimed the lives of 20 little, tiny boys and girls and 6 educators—I said shortly thereafter I would bring antiviolenence measures to the Senate, and we are going to do that. It is time Congress engaged in a meaningful conversation and a thoughtful debate on how to change the law and culture that allowed this violence to grow so much.

I have said every idea should be debated and every issue should get a vote. From better mental health treatment, more secure schools, stronger background checks, banning assault weapons, the size of magazines or clips, and other issues, these ideas should get a vote. There are strong feelings and deep disagreements about some of these measures, but every one of these measures deserves a vote, a yes or a no—no hiding, no running from an issue that has captivated America.

There is no better place than in the Senate to begin a national conversation about such critical issues, even if they are divisive issues. We shouldn't stifle debate, run from tough issues or avoid difficult choices. This body—the world's greatest deliberative body—has a proud tradition of such robust and constructive debate.

I am deeply troubled a number of my Republican colleagues went so far as to send me a letter saying: We will agree to nothing. There will be no debate. There will be nothing. We want the Senate to do zero on anything dealing with stricter gun measures. They don't even want to let us vote.

This flies in the face of a Senate tradition of spirited discussion that began in the first days of this institution. There is simply no reason for this blatant obstruction except for the fear of considering antiviolenence proposals in full view. Yet many Senate Republicans seem afraid to even engage in this debate—to have amendments to strengthen the legislation or, if they want, to offer amendments to weaken what the law is today.

In short, let's have a debate on violence in America. I repeat: Many Senate Republicans seem afraid to even engage in this debate. Shame on them.

The least Republicans owe the parents of these 20 little babies who were murdered at Sandy Hook is a thoughtful debate about whether stronger laws could have saved their little girls and boys. The least Republicans owe them is a vote.

The least Republicans owe the families and friends of those gunned down at a movie theater in Colorado and a Sikh temple in Wisconsin and a shopping mall in Oregon and every day on

the streets of American cities is a meaningful conversation about how to change America's culture of violence. The least Republicans owe America is a vote.

The legislation on the floor would keep guns out of the hands of convicted criminals and safeguard the most vulnerable Americans—our children.

This proposal is supported by 9 out of 10 Americans. Background checks, 9 out of 10—90 percent of Americans—believe we should do something, and I get a letter from a group of Republicans saying: Don't touch it. We don't want anything to do with it.

It flies in the face of what 90 percent of Americans want. If Republicans disagree with the measure, let them vote against it. One of my Democratic colleagues said: Here are some of the things I want to vote against. Good. They are free to vote against it. If they don't like the laws that now exist in America, offer an amendment to make it weaker or stronger, depending on how they look at it. They shouldn't shut down debate or prevent us from voting on many thoughtful proposals to curb violence.

On issue after issue, Republicans have called for a return to so-called regular order. They come to the Senate floor saying let's return to regular order. They ask for the opportunity to offer amendments. They have called for free and open debate in the Senate. Those who have been yelling the most for this free and open debate are the people who sent me a letter saying: We are going to filibuster everything relating to guns. Talk about speaking out of both sides of their mouth. This is the poster child of that.

When they encounter an issue they are afraid to debate in full public view, they want to thwart debate altogether. They have threatened to filibuster this legislation which was passed out of committee under regular order. That is what they said they wanted. They have threatened to block debate on this measure, to which they are able to offer amendments.

I am happy to see a few reasonable Republicans who have stated publicly they are willing to engage in an important conversation on this issue. They have urged their more extreme colleagues not to resort to the same tired tactics of obstruction. But it will take more than 1 or 2 or 3 reasonable Republicans to ensure the families of 30,000 Americans killed by guns each year get the respectful debate they deserve.

NOMINATIONS

Unfortunately, the type of Republican obstruction that could prevent the Senate from debating and voting on antiviolenence legislation is nothing new. For the last few years, Republicans have practically ground the work of the Senate to a halt. Republicans have filibustered countless job creation measures. Since President

Obama took office, Republicans have systematically slow-walked or blocked scores and scores of judicial executive branch nominations, including even—for the first time in the history of our country—the nomination of the Secretary of Defense who, by the way is a former Republican Senator. Pending nominees have waited an average of 1 year for a Senate vote—almost 1 year, about 280 days.

Republicans have openly filibustered 57 of President Obama's nominees, but they have secretly stopped scores and scores of nominations by secret holds and procedural hurdles. Republicans have jammed executive branch nominees even when they have no objection to the nominee's qualifications, just to eat up valuable floor time.

I am concerned about this dysfunction, but I am not the only one. Virtually every American thinks this is foolish, the way things are going. The Nation is watching the Senate to see whether we will ever function efficiently again. They are watching.

I hope my Republican colleagues will work with Democrats going forward to prove the Senate is not completely broken.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 32, S. 649.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows: Motion to proceed to Calendar No. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. REID. Are we now in a period of morning business?

The ACTING PRESIDENT pro tempore. We are on the motion to proceed to S. 649.

Mr. REID. Thank you very much. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CMS FINANCIAL INFORMATION

Mr. GRASSLEY. Madam President, it is said that information is the most valuable commodity. In politics you probably know that information is power. The bigger government gets, the more valuable government information becomes to financial markets. This is especially true of information from agencies such as the Centers for Medicare & Medicaid Services. It is that agency that my remarks are about.

CMS controls \$748 billion in government spending per year. That is billions with a B. Today, there are questions surrounding CMS's ability to safeguard nonpublic information. This is not about secrecy in government, it is about government secrets having an impact on the stock market.

This is not the first time I have raised similar questions with the Centers for Medicare & Medicaid Services. In 2011 I received information from a whistleblower that CMS employees were spending large amounts of time in meetings with Wall Street executives. I wrote to CMS with these concerns. The response I received was very troubling. CMS could not tell us how many meetings were taking place with these Wall Street executives. CMS could not tell us who from Wall Street was in these meetings. CMS could not tell us how much time they spent with these executives.

In fact, the only thing CMS could tell us was that it did not track any of this information. Private businesses have stiff controls over access to nonpublic information, the same sort of stiff controls the Federal Government ought to employ for things that would impact the market and give somebody an extraordinary opportunity the average citizen does not have.

The only specific step that CMS took was issuing a two-page memo to its employees. This goes back to that period of time I was asking the questions in 2011. The memo limited the release of market-moving information before the close of the stock markets. Now, that is the right thing to do.

That memo presumably was not followed by somebody. Who, we do not know because on April 1, that requirement appears to have been violated. According to the Wall Street Journal, at 3:42 p.m., Height Securities, a political intelligence broker, issued an advisory note to its employees. This note said—it is right here in the chart: "We now believe that a deal has been hatched to protect Medicare Advantage rates" from the minus 2.3 rate update issued in the advanced notice mid-February.

This note goes on to suggest that clients purchase related stocks such as Humana. Between 3:42 p.m. and the market close, and that was just 18 minutes later, volumes for affected companies spiked—look here—spiked in the last 18 minutes to more than \$½ billion.

In fact, the combined volume of shares traded for those companies for those 18 minutes was higher than the rest of the entire trading day. Not only did large numbers of shares change hands, but also buyers who got the information first likely made a heck of a lot of money. For example, Humana stock rose 8.6 percent in a matter of minutes.

Of course, this looks like political intelligence at work—political intelligence meaning the industry of political intelligence at work. A political intelligence broker gets ahold of non-public government information before it is widely released, and a select few paying clients end up reaping the rewards.

We just had a study out by the Government Accountability Office studying the political intelligence community. The Government Accountability Office reports that the world of political intelligence is murky. In other words, people are using government. They are profiting from it. But nobody knows who they are.

The public and Congress have little insight into how government information is collected. Collecting is one thing, but it is sold. People who collect it make money, and in the instances you see here, when that gets out people in the know make money.

So who pays for that information? We all know since 1946 lobbyists have had to register, and in more recent legislation have had to disclose their clients, what they lobby on, and how much they get paid. Even campaign donors have to report what they give to various campaigns.

Political intelligence brokers are exempt from any transparency. Yet you see they are around gathering information that should not be out to the public until after the market closes. They are benefiting from it and a lot of other people benefit from it.

Now, because there is no transparency about the political intelligence community, we have to find out what caused this to happen. Did the Centers for Medicare & Medicaid Services employees leak this information? Was there a leak from another government source? Either way we need answers to these questions.

Tomorrow is Acting Administrator Tavenner's confirmation hearing before the Senate Finance Committee. This acting director is a very qualified person. I think she will be able to answer our questions—at least I hope so. So I want her to know, and the Senate to know, that I plan on asking Ms. Tavenner several questions: How did this information get from the Centers for Medicare & Medicaid Services to a political intelligence broker? What steps will CMS take to ensure this does not happen again? And was the memo they sent violated?

I hope she recognizes the importance of these questions. I hope she comes

prepared to take responsibility. I hope she comes prepared to explain how she plans to hold someone accountable because in this town, if heads do not roll, nothing changes. She has been a good Acting Administrator of this agency. She wants the Senate to confirm her to the job. This is her opportunity to show us that she is worthy of that confirmation.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

MARY JO WHITE NOMINATION

Mr. FRANKEN. I rise today to discuss the confirmation of Mary Jo White as Chair of the Securities and Exchange Commission.

Ms. White has had an impressive career—from prosecuting terrorists and white-collar criminals as a U.S. attorney for the Southern District of New York to heading a large litigation department in private practice. There is little doubt that Ms. White has the Wall Street expertise necessary to navigate the complex issues before the SEC.

I come to the floor today to discuss a critical problem I have asked Ms. White to prioritize as Chair of the SEC. Currently, when a bank issues a structured finance product, it needs to get the product rated by the credit rating agencies, and the bank pays them for the ratings. The banks have an interest in getting high ratings, and the credit rating agencies have an interest in getting repeat customers. Of course, this creates a fundamental conflict of interest. This conflict played a key role in the financial meltdown. It is a problem we sought to address in the Dodd-Frank financial reform legislation we passed in 2010. Yet it is a problem that remains. It is awaiting action by the SEC—more than 5 years after the financial crisis hit and nearly 3 years since Dodd-Frank was signed into law.

Resolving the problem of the conflict of interest in the rating industry will be a vital test of the SEC under Ms. White's chairmanship. In a meeting we had together last month in my office, Ms. White expressed her appreciation of the importance of this issue and her commitment to scrutinize conflicts of interest inherent in the credit rating industry. I look forward to working with her to find a meaningful solution to alleviate the ongoing threat to our financial system posed by these conflicts of interest. The next concrete step in that process is a roundtable the SEC will hold on this issue in May. That roundtable must be a balanced as-

essment of the issue, and it must lead to meaningful action by the SEC.

This is not, to be sure, the only issue in financial reform facing the SEC. I wish to talk a little bit about why I care so passionately about reforming the credit rating process and why this is so important.

In the years leading up to the 2008 financial collapse, the credit rating agencies were enjoying massive profits and booming business. Of course, there is nothing wrong with massive profits and booming business in and of themselves, but there was one fundamental problem: Booming business was coming at the expense of accurate credit ratings, which is supposed to be the entire reason for the existence of the credit rating agencies.

The fact that the credit rating agencies were not providing accurate ratings should come as no surprise given the industry's compensation model. Credit rating agencies were and still are paid to issue ratings directly by the big Wall Street banks issuing the paper and requesting the ratings. If a rating agency—let's say Moody's—doesn't provide the triple-A rating the bank wants, the bank can just take its business over to Fitch or S&P's. That is called ratings shopping, and it continues to this day. The opportunity for ratings shopping creates an incentive for the credit raters to give out those triple-A ratings even when they are not warranted, and that is exactly what happened with the subprime, mortgage-backed securities that played such a crucial role in the financial crisis, and it happened over and over again. It became ingrained in the culture of the industry.

The Permanent Subcommittee on Investigations, chaired by Senator LEVIN, took a close look at the big three credit rating agencies, examined millions of pages of documents, and released an extensive report detailing the internal communications at Moody's, S&P, and Fitch. Among the many troubling e-mails, there was one from an S&P official that sums up the prevailing attitude quite nicely: "Let's hope we are all wealthy and retired by the time this house of cards falters."

With all the risky bets in the financial sector—and bets on those bets—our financial sector had indeed become a house of cards. But without the conduct of the credit raters, the house of cards would have been one card tall because it gave triple-A ratings to these bets on bets on bets—these derivatives.

Two years after that e-mail was written, that house of cards didn't just falter, it collapsed. Because that house of cards had grown so tall—thanks to the credit rating agencies—when it collapsed, it brought the entire American economy down with it. The financial meltdown cost Americans \$3.4 trillion—let me say that again—\$3.4 trillion in retirement savings. It triggered

the worst crisis since the Great Depression with its massive business failure and mass foreclosures and job losses and the explosion of our national debt.

The crisis profoundly affected the everyday lives of millions of people across the country in so many negative ways, including in Minnesota. People lost their homes, their jobs, their health insurance. I know the Presiding Officer saw it in New Mexico. I saw it in Minnesota. Every Senator here saw it in their State.

In May 2010 I called on Minnesotans to participate in a field hearing to learn about their experiences during the financial collapse. I would like to share some highlights from the testimony presented by Dave Berg of Eden Prairie, MN.

My situation mirrors the situation of thousands of Minnesotans in my age group—and illustrates why it is so important to reform the way Wall Street operates. I am 57 years old and looking for a job. After having spent most of my career in the IT field, I have been out of work for 14 months . . . Throughout my working career, I saved for retirement. I participated in pension and 401(k) plans that my former employers matched. I thought I would have a secure retirement because I was doing the right thing . . . Much of my overall retirement security is now gone . . . At the age of 57, I need to again start building up a nest egg so I can hopefully retire in my seventies. This was not my plan.

As a job seeker in my 50s, I am not alone. Twice weekly, I meet with groups of job seekers, many of whom are in the same situation as I am. While we keep our outlook positive, most of us are faced with the prospect of starting over and we are resigned to the fact that we could be working in our seventies.

The downturn of the economy, caused in part by the abuses on Wall Street, led to the loss of my retirement security. Reforming the way Wall Street operates is important to me personally, because I have a lot of saving yet to do—and I simply cannot afford another Wall Street meltdown. I need to have confidence in the markets—and I need to know that there is accountability to those who caused this financial crisis.

As Dave points out, he is not alone. Everyone in this body has heard stories like this. It is hard to overestimate the extent to which the credit rating agencies contributed to the financial crisis in which thousands of Minnesotans lost their homes, thousands lost their jobs, and far too many Minnesotans had their hopes for the future dashed.

They are not seeking retribution from Wall Street, they just need to know it will not happen again. They know that there is a problem and that the problem needs to be fixed. We do not need further proof of that, but we get it in the recent complaint filed by the Department of Justice against S&P in which DOJ alleges—as it said when it filed the complaint—that the credit rating agency “falsely represented that its ratings were objective, independent, and uninfluenced by S&P’s relationships with investment banks when, in actuality, S&P’s desire for increased

revenue and market share led it to favor the interests of these banks over investors.”

The complaint highlights the patently problematic way the credit rating agencies habitually did their business. One e-mail obtained in the investigation from a high-level S&P official reads:

We are meeting with your group this week to discuss adjusting criteria for rating CDO’s of real estate assets . . . because of the ongoing threat of losing deals.

CDOs—collateralized debt obligations—are one of those derivatives or bets that added stories to the house of cards. This official had apparently become so comfortable with the culture of conflicts of interest that he appeared to have no reservations about putting it in writing.

I am glad the Department of Justice is pursuing a case against the S&P, but DOJ’s action is not enough. It is backward-looking and addresses past harms, but my concern is that the conduct continues to this day. The credit raters are still influenced by the relationships with the banks because that is who pays them. It is a clear conflict of interest and we need to prioritize actions that will prevent another meltdown in the future.

That is exactly what Congress—and I—did as part of the financial reform legislation in 2010. As part of the Dodd-Frank Wall Street reform act, I proposed a solution with my friend and colleague Senator ROGER WICKER of Mississippi. If our provision is implemented in full, it would root out the conflicts of interest from the “issuer pays” model. The amendment Senator WICKER and I offered to the financial reform bill directed the Securities and Exchange Commission to create an independent self-regulatory organization that would select which agency—one with the adequate capacity and expertise—would provide the initial credit rating of each product. The assignments would be based not only on capacity and expertise but also, after time, on their track record. Our approach would incentivize and reward excellence. The current pay-for-play model—with its inherent conflict of interest—would be replaced by a pay-for-performance model. This improved market would finally allow smaller rating agencies to break the Big Three’s oligopoly.

The oligopoly is clear. The SEC estimates that as of December 31, 2011, approximately 91 percent of the credit ratings for structured finance products were issued by the three largest NRSROs—Fitch, Moody’s, and S&P—each of which was implicated in the PSI investigation. The other five agencies doing structured finance make up the remaining 9 percent.

The current oligopoly doesn’t incentivize accuracy. However, if we move to a system based on merit, the

smaller credit rating agencies would be better able to participate and could serve as a check against inflated ratings, helping to prevent another meltdown.

In our proposed model, the independent board would be comprised mainly of investor types—managers of endowments and pension funds—who have the greatest stake in the reliability of credit ratings, as well as representatives from the credit rating agencies and banking industries, and academics who have studied this issue.

Our amendment passed the Senate with a large majority, including 11 Republican votes, because this is not a progressive idea and it is not a conservative idea—it is a commonsense idea.

The final version of Dodd-Frank modified the amendment and, to be frank, put more decisionmaking authority in the hands of the SEC in how to respond to the problem of conflicts of interest in the credit rating industry. The final version directed the SEC to study the proposal Senator WICKER and I made, along with other alternatives, and then decide how to act.

The SEC released its study in December. The study acknowledged the continued conflicts of interest in the credit rating industry and reviewed our proposal and many of the alternatives, laying out the pros and cons of each without reaching a definitive conclusion on which route to pursue.

The next step is a roundtable the SEC is holding on May 14. I will be participating in the event, and I hope that under Ms. White’s leadership the SEC will make the roundtable a meaningful and balanced discussion of the different possibilities for reform. I have said all along that I believe the proposal of Senator WICKER and myself is a good one—and the right one—the more I have thought about it and looked at it over these few years. But if someone makes a compelling case for an alternative—an alternative that truly alleviates this danger of this inherent conflict of interest—I will gladly lend it my support. Following the roundtable the SEC must take prompt and decisive action to implement a meaningful plan for reform.

But don’t get me wrong. The need for reform is obvious and necessary, and I will pursue this issue until the American economy is no longer subject to these unnecessary risks. Too many Minnesotans—too many Americans—were devastated by a financial crisis to which the credit rating agencies contributed mightily. The conflicts of interest in the credit rating agencies must be addressed so they don’t contribute to yet another crisis.

Ultimately, it is up to the SEC to act, and the action they take on this issue will be an important measure of Ms. White’s tenure as chair of the Commission. Ms. White has assured me she will give this critical issue the attention it deserves. I congratulate Ms.

White on her confirmation and I do intend to hold her to that commitment. I look forward to working with her and the rest of the Commission on this very important issue.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. KING). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFRONTING THE GREAT CHALLENGES

Mrs. FISCHER. Mr. President, I rise to deliver my maiden speech as a U.S. Senator from Nebraska.

I am humbled by the trust placed in me by Nebraskans and inspired by their confidence to confront the great challenges before us.

Our Nation's story began when bands of patriots fought a revolution to secure independence from an out-of-touch King residing an ocean away. The Framers believed a representative government closer to the people would be more responsive and better able to provide opportunity for individuals.

From the start, leaders of good will and strong views disagreed over economic theories, the size of government, and foreign policy. Importantly, though, these divergent beliefs have been a source of national strength—not weakness—and through vigorous debate about the proper size and role of government, we have built a powerful nation.

But as recent partisan disagreements prove, democracy is messy, and the best way forward is not always clear. While I do not aim to resolve this contest of ideas with a single speech, I do wish to outline a course I intend to chart during my time in the Senate.

To understand my views, one must first understand Nebraska. Nebraska's motto is "The Good Life"—a fitting maxim for a State with the second lowest unemployment rate in the country.

Make no mistake, Nebraska's economic success and sound fiscal footing is no accident. Similar to 45 other States, Nebraska is legally required to balance its budget. But unique to Nebraska is a constitutional prohibition against incurring State debt greater than \$100,000. That is a radical concept for lawmakers here in Washington.

We can imagine Nebraskans' dismay when they take stock of our Nation's \$16 trillion debt and annual trillion-dollar deficits. Needless to say, Nebraskans know better.

Nebraska is known for its pioneer history and sturdy spirit, its prime grazing grasses and plentiful crop production, its abundant natural resources, growing metropolitan areas, and vibrant small towns. But the State's greatest treasure is its people.

Nebraskans are hard working. We get up early to work farms and ranches and return home late after attending local school board meetings. I make this claim as a family rancher and a former school board member myself.

Nebraskans run thriving small businesses on Rockwellian Main Streets and they sweat on factory floors. We lead multinational corporations and we are builders. We build homes, we build roads and infrastructure.

Nebraskans value community. We join the PTA, we coach Little League teams after long workdays, and we volunteer for our churches and our synagogues. We work hard, but we are people with perspective. Nebraskans are tough. We are tested by droughts, by fires and floods, and a changing global economy. We have even endured nine-win football seasons. We are strong-willed people—you have to be to survive a winter on the Great Plains—and we adapt, we innovate, and we grow.

Nebraska is home to the only unicameral legislature in the Nation. As a former two-term State senator, I was privileged to serve in the Unicameral for 8 years. Notably, State senators in Nebraska are nonpartisan. No matter party or ideological affiliation, any senator can serve in leadership. The only requirements are knowledge and ability.

Serving in the Nebraska legislature taught me the importance of building relationships and seizing opportunities so we can work across party lines. That is a critical skill in order to avoid gridlock.

Similar to many Nebraskans, I am deeply concerned about the future of our Nation. That is why I entered public service.

No single issue is more important to our future than the Federal Government's addiction to spending. There are two main problems with government spending: First, runaway spending has failed to generate economic growth. Since 2009, the Federal Government has spent roughly \$15 trillion. This spending spree includes \$830 million in stimulus spending that was sold as "help for the private sector."

Instead, this so-called investment focused on growing the government.

The result of this increased government spending has been a largely jobless economic recovery, a record number of Americans stuck in poverty and spiraling national debt. Rather than empowering individuals to improve their lives, these bad economic policies have held Americans back.

To change course toward renewed prosperity, I support a limited government focused on fulfilling its core duties and responsibilities, a limited Federal Government performing its first constitutional charge: providing for the common defense.

To protect the Nation we must maintain a highly trained, well-equipped

fighting force. Equally important, a limited government keeps its promises to veterans who have risked life and limb in defense of freedom. A limited Federal Government has a responsibility to fund critical needs such as a 21st-century infrastructure. To the surprise of many in Washington, this can be done without raising taxes. Existing sources of revenue are sufficient for government to meet its fundamental responsibilities.

As a member of the Nebraska Legislature, I introduced legislation directing a portion of Nebraska's existing sales tax to fund new road construction. I worked with my colleagues, both Republicans and Democrats, to utilize only existing revenue. With the right mix of hard work and good will the legislature passed this bill. The State will now be able to fulfill that fundamental core duty, that fundamental responsibility of government, and improve Nebraska's communities without raising taxes. We can make similar progress in Washington. Again, it is a matter of setting priorities.

The second problem with government spending is that it robs hard-working taxpayers of their personal income just to grow bigger government. Big government crowds out the private sector and it stifles innovation. This means more Solyndra-style investment rather than policies that provide for the kind of risk takers who launch a world-changing business from their garage.

Big government requires big funding. Rather than forcing Americans to forfeit more of their hard-earned tax dollars to Uncle Sam, I support policies that lower taxes, that bolster the private sector. Only then will the United States finally emerge from this long economic recession.

Nebraskans understand that the bigger the government, the smaller the individual. The smaller the individual, the less attention is paid to freedom and personal responsibility. Limited government, on the other hand, remains grounded closer to home. Government that is closer to home is better suited for meeting individual needs, creating more opportunity, more efficiency, and more growth.

The expansion of government and the subsequent erosion of freedom are not always obvious at first. Freedom can be chipped away at slowly but steadily through new legal requirements, such as "employer mandates" in the health care law or misguided attempts to regulate farm dust or the size of our soft drinks. Eventually individuals are constrained by lack of choice, society drifts without progress or creativity, and the economy stagnates.

As President Reagan cautioned:

The nature of freedom is that it is fragile. It must be protected, watched over, sometimes fought over.

Reagan was right. Freedoms must be carefully guarded. We must remain

vigilant against any attempt, large or small, to diminish it. Yet despite this fragility, our God-given freedom is vast, limited only by the boundaries we impose on it. Nebraskans understand vastness. We know what it is like to look up at the night sky and see stars that are undiminished by city lights. We appreciate the land which appears to roll without end. Yet it remains in need of care. Vastness gives us perspective. Some perspective would go a long way in Washington.

Beyond the beltway's chattering class, there exists a Nation of quiet heroes: parents grateful for the dignity of hard work; entrepreneurs willing to take great risks to build businesses; farmers and ranchers dutifully tending the land and livestock; soldiers proudly wearing our Nation's uniform; veterans bearing scars, both physical and invisible, reminding us of freedom's price; and children whose simple joy dispels our cynicism, which can come with everyday struggles.

While our Nation faces many challenges at home and around the world, only petty politics holds us back from overcoming them. We are a great and generous nation. We have faced seemingly insurmountable obstacles before and each generation has conquered them with that uniquely American combination of grit and grace. I believe, and Nebraskans believe, our Nation's future is bright.

The United States remains the hope of the world, but this moment, this uncertain moment, requires real courage from our leaders. That is not to say the debate over the role of government or taxes or spending will be resolved by this Congress, but we can do better.

This is what we were sent here to do. Americans are not mediocre. They are exceptional and deserve exceptional leaders.

Today the whole world mourns the loss of such a leader, an uncommon woman born into common circumstances, the daughter of a grocer, former British Prime Minister Margaret Thatcher. She was a woman who stood tall for principle. Yet she had the wisdom to seize opportunities and work with allies and foes alike to achieve great things for the British people. Along with her partner and friend Ronald Reagan, she helped to lead the world away from the long shadow of the Iron Curtain to a freer, more prosperous time. I admired her political courage to make those difficult decisions, and I hope to do the same here in Washington.

I look forward to standing tall for Nebraska values and working with my colleagues, Republicans and Democrats, on commonsense solutions to these ongoing challenges. I am proud to represent the citizens of Nebraska here in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

WELCOMING SENATOR FISCHER

Mr. JOHANNIS. Mr. President, Nebraskans have every reason to be proud of Senator FISCHER and her very impressive start here in the Senate. She has proven herself to be a thoughtful leader in our State, a reasoned voice in our legislature which listened to her and followed her leadership. She has been firm in her principles, while also demonstrating a serious commitment to reaching across the aisle to solve problems. From successful legislation encouraging rural broadband to visiting our troops in Afghanistan, Senator FISCHER has had a very active first few months.

Her experience as a State Senator undoubtedly helped her to hit the ground running here in Washington and also grounded her in the principles which are so important to Nebraskans, the people she and I represent. I am proud to say I look forward to teaming up with Senator FISCHER in the weeks and months ahead.

In view of the fact I have announced I won't be seeking reelection, she will soon be the senior Senator from the State of Nebraska, and I have no doubt whatsoever she will do a great job. I am proud to be her colleague and congratulate her on her maiden speech.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I wish to join my colleague from Nebraska in welcoming our new colleague to the Senate. She is going to be an incredibly welcome addition to this body. I have had the privilege of traveling with her on the trip to Afghanistan Senator JOHANNIS just mentioned, and it was an opportunity for us to visit with servicemembers from our home State. She had the opportunity to meet servicemembers from Nebraska, many of whom voted for her but had not yet had the opportunity to meet her personally as they were serving overseas at the time of the election. They joined with other Nebraskans in knowing they made the right choice to represent them.

We heard a wonderful message today, the message of government and the message of freedom. I wish to join my colleagues in welcoming this rancher, community volunteer, and former State legislator to the Senate. She will make, through her grace and her grit, incredible contributions, not just for her State but also for our Nation and the betterment of all the people through this great opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I also wanted to welcome the Senator from Nebraska. I am honored to be her mentor.

There are three things I wish to say. First, we need a woman rancher in the

Senate. I was sitting here thinking about the last famous woman who was a rancher, Sandra Day O'Connor. She grew up on a ranch.

Second, she possesses interest in agriculture and the pragmatic, practical economic issues shared by a lot of us in the Midwest. I am looking forward to working with her on those issues.

Third, when she speaks about bipartisanship, she means it. She comes from a background where she actually worked to get things done in her State legislature. We need more of this in the Senate.

Welcome, Senator FISCHER.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I wish to add my voice in stating it is wonderful to have Senator FISCHER on my committee, where we are doing good work. We like to say in the committee the public works side is a very collegial side and the environmental side is a little less. I am proud to have her with us working on the new Water Resources Development Act. I look forward to working closely with her. I congratulate her on her maiden speech. It is like getting the first scratch on your car: You need to just do it, and you did it very well.

CLIMATE CHANGE

I have been coming to the floor on Monday evenings—I don't know how many people have actually taken note of the fact—every Monday the last several months to speak about an issue no one in the Senate wishes to speak about very much. I shouldn't say no one; maybe 25 of us do. The issue is climate change. I think it is very important we have in the RECORD and place in the RECORD everything we know about climate change so future generations will see at least a few of us understood the issue. We are willing to step forward and do something about this issue.

GUN CONTROL

I wish to say I personally am very grateful to the people of Connecticut for responding to the Sandy Hook tragedy with such focus, intelligence, compassion, and common sense. I include in that "thank you" the Democrats and Republicans who came together to pass some of the most sensible gun laws which balance gun rights with the need for people to be safe. They need to be safe in a movie theater, safe in the schools, and safe in their homes. I think the American people totally understand when 90 percent of them support background checks. I am so proud of my colleague Senator FEINSTEIN. She and I have been working on this issue for a long time.

A very long time ago, in the early 1990s, there was a crazed gunman who walked into a law office with an automatic weapon. He killed people. One of them was my son's very dear, good friend, killed while protecting his wife from the shooter. I know from that experience and watching my son's loss at

a relatively young age—right out of law school—what it did to my son, let alone what it did to the families of those who were gunned down by this Gian Luigi Ferri, who walked into 101 California Street and sprayed those bullets as fast as he could.

After this tragedy the State of California passed an assault weapons ban, which has been in place since. Senator FEINSTEIN brought the issue of the U.S. assault ban to the floor of the Senate. I will never forget standing here watching the vote, because it was such a close vote. We did in fact ban those weapons of war. When George Bush was President, the ban expired and was never put back in.

Where do we stand today? I would say, just to be rhetorical with you, there are 31,000 reasons to pass sensible gun legislation. This is how many people die a year at the hands of a gun.

I watched very carefully the Judiciary Committee take up this issue as they looked at various provisions. I wish to thank them for passing the provision I worked on with Senator COLLINS, a bipartisan bill. This will ensure we have grants to school districts that wish to make some capital improvements to their plants to, for example, build a perimeter fence or put in some cameras or hot lines. That particular provision received strong bipartisan support. I am actually working with Senator GRAHAM now to expand it even a little more.

However, this is not enough. I think securing our schools is very important. You should not do so in a one-size-fits-all way. Wouldn't it be helpful to this great country if we were able to keep guns out of the hands of known criminals? Wouldn't it be wonderful for our great Nation if we could keep guns out of the hands of the severely mentally ill? Wouldn't it be important to expand background checks so people don't go around the current system and slip through with the consequence of facing the families who will never, ever be the same because of what they have lost?

I wish to thank our President. People have said he needs to do so many things, too many things. A President needs to do a lot of things. Every day he wakes up there is something else which needs his attention, but he has never forgotten the promise he made to those parents of Sandy Hook. It is my understanding they are coming to Capitol Hill and visiting various Senate offices. They are looking into the eyes of the Senators if they are able to arrange a meeting with them and saying: Please, we know you may not like every aspect of the bill, but don't filibuster the bill. Allow us to take it up and then vote your conscience. You owe the country.

What would we say to our children who were gunned down? Anyone who knows a 6-year-old, 5-year-old, 7-year-old child knows the beauty and joy of

that age with everything in front of them. The fact anyone could hurt a child is beyond our capacity to imagine. To take a gun into a school and slaughter these children is beyond belief. We must respond. The way to respond is not to say we are not going to take up this legislation because we love the National Rifle Association. The National Rifle Association has a right to its opinion. I will say that over and over. They have a right to their opinion, as does the ACLU and each one of us. We all have the right to our opinion. At some point we need to come together on commonsense legislation when 90 percent of the people support background checks to keep those weapons out of the hands of the people who shouldn't have them.

What is taking so long to vote on this and do this for 90 percent of the people? I listened to one commentator today who said 90 percent of the people wouldn't even agree today was Monday. When 90 percent of the people agree with background checks, let's embrace this idea. Who cares whose idea it was? Who cares who wrote the legislation? What we need to care about are those children and the thousands of people who are killed every single year.

I suspect the Presiding Officer, along with me, remembers the Vietnam war and what it did to this country. It was a tragic war which killed about 50,000 of our beautiful young people over a 10-year period. It tore this country apart. It stood this country on its head. We lose 31,000 people every year to gun violence. We should be chomping at the bit to do this legislation.

Having said that, I know there is some very good work going on right now across the party lines on the background check. I hope Senator MANCHIN and Senator TOOMEY come together on this issue, because it would be a breakthrough.

I certainly believe, whether the agreement is forthcoming or not, we need to take up this bill. This bill is not controversial. It talks about making sure there are no straw purchases where someone comes in who is qualified to buy guns, receives them, and turns around and sells them to someone who isn't qualified. It doesn't pass the test. We have to increase the penalties for that.

Of course, as I said, the school safety provisions I will be supporting. As to the ban on assault weapons of my colleague Senator FEINSTEIN, I have not heard one person explain to me why weapons of war should be on our streets. I don't see it. I mean the most I can get out of the other side is, well, that is just a start. If we start there, we will go there, we will go there, and we will go there. That is a ridiculous argument to me. We don't need weapons of war on our streets. We don't need high-capacity clips on our streets.

So I commend the Judiciary Committee for doing its work: Senator LEAHY—I know how hard other Senators on that committee are working—Senator SCHUMER and Senator FEINSTEIN. I, myself, and my staff are working with Senator GRAHAM to even boost up the school security piece. But we need to respond to 90 percent and 85 percent of the people; otherwise, I don't know whom we represent. We are sent here by the people, and the people are looking at this in their sorrow and their determination to do something about it, and we cannot fail the test.

President Obama, as I started to say before, has not taken his eye off this ball, just like he hasn't taken his eye off the immigration ball, the North Korea ball, and the Syria ball. You name it—this economy, jobs, getting our fiscal house in order—this President has been handed quite a deck of cards, and he is working on all of it. I believe he has done what he promised he would do when he made those promises to the parents of the Sandy Hook Elementary School. I know he is bringing them here to the Hill, and let me tell them now: You don't have to come and see me. I am with you, and I will do everything I can. Don't worry about stopping at our office, just tell us what we can do to help.

When I watched the Judiciary Committee I was so interested because Senator CRUZ made the point: This is a right to bear arms; it can't be messed with, period, end of story. The committee pointed out to him—which I thought was quite right—that no right is unlimited. Mr. President, we have the freedom of speech, but we can't scream out in a theater there is a fire unless there is a fire. You can't do that. You can't slander somebody. You can't libel somebody. With every right comes responsibility.

So my belief is there is a right to bear arms. People who are qualified to have a weapon can have it. They want it to defend their families, they want it certainly for hunting, that is fine. That is fine with me. I support the sensible gun laws we have in California. If you want to carry a concealed weapon in our State, you have to go to the sheriff or the police chief and make your case. I support that. Other colleagues don't support that. I respect that.

The bill they have worked so hard on in the committee is really not anything radical. They are commonsense steps so people who have a severe mental illness can't get their hands on a gun, and someone who knowingly sells guns and ammunition to a criminal or someone who is not qualified gets punished. That is important. We make sure there is a background check if you buy a gun at a gun show.

So I guess you can tell I am a little perplexed as to why it is taking us so long to bring this up. But the good news is Colorado passed sensible gun

laws, Connecticut did, and California has sensible gun laws. I am so proud of those States. But let's face it, it doesn't do much good if you live in a State that has these protective laws when the State next door has no laws and so the most violent criminal can go and get whatever kind of gun, whatever kind of clip that he wants. I say he; I don't say she. I don't want to ever have to say she, so I will say he.

It is time. I just came back from California where I spent the break and listened to people. They are rooting for us to get something done, quite clearly. We have had our tragedies—oh, my God—in schools, in restaurants, in law offices, and we understand. We have 38 million people in our State. It is crowded. We have to learn to live together in peace. If we have disagreements, we have to work them out. So sensible gun laws are at work in our State, but we sure would like to see those sensible gun laws across the country so that our people are truly safe.

People talked to me about that, and they talked to me about immigration reform. I had an incredible meeting in Los Angeles with the groups of people who are going to be impacted by that. Again, we are so hopeful we will have that legislation before us soon. In our committee, the Environment and Public Works Committee, which I chair, we are ready to go to work with the Water Resources Development Act. This is a little lighter topic. It deals with our water infrastructure and making sure our ports are dredged, making sure we are protected from storms. With the extreme weather we have had—and Hurricane Sandy was certainly just the latest example—we need to pass this Water Resources Development Act. So we are ready to go as soon as we finish the gun debate.

I spoke to Senator REID, and we are hopeful we will be able to go to the WRDA bill.

CLIMATE CHANGE

I will close with my Monday night talk on climate. And I have to say, we face a lot of threats. I have talked about one huge threat we face—a society that has too many deaths from gun violence—but we also have a very different kind of threat you don't see as clearly called climate change, and it is dangerous.

This is my fourth speech on climate. The first time I took to the floor I talked about the fact that USA Today is doing a year-long report on climate, and they call their report "Why You Should Sweat Climate Change." It describes how climate change—they call it climate disruption—is happening all around us.

I talked about a report on another talk entitled the "2013 High Risk List" that was released by GAO, the Government Accountability Office, which is a government watchdog agency, and it informs us that climate disruption and

the increased frequency and intensity of extreme weather events such as Sandy threaten our Nation's financial security. Look what it cost. Sandy was \$60 billion, \$70 billion, \$80 billion, and we stepped to the plate and helped, as we should have. We can't keep doing this. We are struggling to get this economy on track.

I also spoke about another aspect, which is the effect on public health of too much carbon in the air. Today I want to talk about another issue that I find kind of intriguing because whenever I try to bring the subject up to colleagues—except for the 25 or so of us who really care about this—they say to me something like, well, it is ridiculous for America to act. China has to act first because they are a terrible actor. If they do not act, what is the point of our taking the lead?

Well, I have to say that is an argument I find insulting to America. I don't want to wait for China to take the lead on anything because they do not share our values. We don't wait for China to act on issues such as human rights before we protect human rights. We don't wait for China in terms of the way they treat their workers. We have read about that. We don't wait for China, especially on environmental issues. We have to act. China is not a role model. We should be the role model.

China is already suffering serious consequences for failing to address pollution in the course of its economic development. Remember, our colleagues are saying: Wait for China. You may not be able to see anything on this photograph—I can hardly see it and I am standing next to it—because of the smog and the filth that is in the air in China. When I made a trip there on climate change and other issues, I never saw the sun. One day we went out and our guides were so excited, they said: It is sunny today. No, it wasn't. There was this layer of smog and a little bit of light was shining through.

So I say to my colleagues who tell us to wait for China, we should wait for them—the worst actor on the world stage—before we take up the most dangerous challenge that we face in terms of science?

China now has hazardous levels of air pollution and toxic emissions. They do not care. The only reason they are trying to do something about it now is people don't even want to go there and people are getting sick and dying there. They need to work their people to their last breath, and their last breath is coming a little too early.

According to a new scientific study from the Health Effect Institute on leading causes of death worldwide, outdoor air pollution contributed to 1.2 million premature deaths in China in 2010, which is 40 percent of the global total. Here it is. Outdoor air pollution contributed to 1.2 million premature

deaths in China in 2010 because their air is so filthy.

What makes my friends believe they will go after carbon pollution any more than they went after smog or soot or anything else? They are not. It is going to get worse.

Urban air pollution is set to become the top environmental cause of mortality worldwide by 2050, ahead of dirty water and lack of sanitation. It is estimated that 3.6 million people could end up dying prematurely from air pollution every year, mostly in China and India.

I am so excited to have this Presiding Officer in the Senate. He is such a strong supporter of our landmark environmental laws. But we face the roll-back of those laws every day right here in the Senate. I feel like saying to my colleagues: Go to China.

Let's have another picture of that again. Go to China. This is what you want America to be? I represent Los Angeles. It used to look a little like this, not quite as bad. But we did what we had to do. We said to the polluters: Clean up your act. You have to. It is part of the cost of doing business, just as emitting carbon has a cost, carbon is the cause—too much carbon. We need some carbon, but too much carbon is the cause of climate change, so we have to put a price on it. People who pollute should have to pay for it, and that will drive us to clean energy. That is the way it works.

The cost of environmental degradation in China was \$230 billion in 2010 or 3.5 percent of the Nation's gross domestic product. The people there are very afraid to speak out, so when they do speak out you know something is really bad. In January, outrage boiled over as air pollution in China reached record levels—well beyond what Western environmental agencies consider hazardous. The cost of environmental damage in China is growing rapidly amid industrialization.

I saw myself the U.S. Embassy in Beijing has used air quality monitoring technologies in and around their compound so they know if their little kids can even go outside to play.

We are working to help the Chinese understand what happens when you have too much pollution. We know it because we are the leader. They are not the leader; they are the culprit. My colleagues say don't do anything about carbon pollution because they have to do it first. Don't wait for them. They don't get it. Maybe by now they are starting to get it, but I am not waiting for them. We have to do what the President said, which is take the initiative.

Decades ago, the Cuyahoga River in Ohio was on fire, massive air pollution hung over our cities, and our lakes were dying from pollution. The American people demanded action. We didn't wait for China or anybody else. We

passed landmark laws: the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, Superfund, all these great landmark pieces of legislation that came from the committee on which I serve. I stand on the shoulders of those former chairmen—Republican and Democratic—including John Chafee, whom I loved, who was so strong, and, by the way, strong on sensible gun laws too.

People say, oh, they predicted terrible things would happen to our society when we passed these landmark laws. But guess what happened over the last 40 years. America's gross domestic product has risen by over 200 percent. So this is not a choice between economic development versus environmental cleanup. They go hand in hand, because if we can't breathe, we can't work. If we can't breathe, we can't go to school. When you are in your State and you visit a class—any age but particularly the younger ones in the elementary schools—ask them how many of them have asthma or know someone with asthma.

It is a shocking thing that happened to me in an area that has very clean air—San Francisco—but not clean enough, obviously, because at least one-third to one-half of the children raised their hand.

We know we are doing the right thing, but we have to protect and defend against these constant environmental riders. We face them on the budget. We face them constantly. They want to turn back the clock, and it makes no sense because we have seen a lot of environmental technology and growth of jobs—3.4 million people employed in clean technology. So it is in our Nation's DNA to turn a problem into an opportunity and not say: Well, yes, this is bad. Superstorm Sandy was bad. We know it is bad when 99 percent of the scientists say this is bad and we see what is happening in Greenland and we see what is happening in the Arctic and we see what is happening with heat waves and we see and we see, but we just sit back because the oil companies like to do business the way they are doing it. They don't want to lose any business. They don't want to see us move to those clean cars, the clean energy. It is sad.

To say wait for China, the next person who tells me that, I am going to make them look at this picture. I am going to force them to look at this picture. Wait for China? They can't see anything there. We have to rise to this challenge.

According to the National Oceanic Administration, in 2011, there were 14 extreme weather events. What do I mean by extreme weather? Terrible floods, droughts, storms, wildfires. Each of them cost at least \$1 billion. And we had 11 such disasters in 2012. I heard Governor Cuomo of New York say: We prepared for a once-in-50-years

flood, and we are getting them every year. That is what is happening on the ground. These extreme weather events reflect an unpaid bill from climate disruption, a tab that will only grow. I talked about the \$60 billion tab from Superstorm Sandy.

We have started to address carbon pollution. That is the very good news. President Obama, working with Senators SNOWE and FEINSTEIN, did something very important to make sure we have better fuel economy, and the standards go into effect between 2012 and 2025. They will provide huge benefits. Guess what. When this program is implemented, consumers will save \$8,000 over the life of their car. Why? Because they are getting better fuel economy.

I drive a hybrid Prius in California. I am getting about 140 to 150 miles a gallon because I do my little trips and then I come home and I plug it in. It is truly remarkable. It is saving our family money and it is helping to save the environment. This is a win-win-win. But if we listen to my friends, they look at it as lose-lose-lose. They are dour about the idea of taking the lead. We have to take the lead.

What we do impacts the world. When our Nation reduces its carbon pollution, it makes a difference. We account for 20 percent of the global pollution. China accounts for about the same, but I am not waiting for our society to look like this.

Here is the great news: When we reduce carbon pollution, there are side benefits. The side benefits are we are not going to look like this because we are also going to shift over to those clean technologies, have less smog, less soot, and our people will be able to breathe.

Peer-reviewed science has forecasted the United States could significantly contribute to reducing the likelihood that we will avoid extreme impacts of climate disruption. We know we are already facing some disruption, but the quicker we move, the more we cut back on that carbon pollution, the better. Addressing climate change will have many investments in solar and wind and clean energy, strengthening our domestic renewable energy sector. I am so proud of California. We are moving in that direction and doing well.

According to the Pew Charitable Trust, clean energy policies could provide up to a \$2.3 trillion market—not billion but trillion—for investments in renewable energy. So we can ignore this opportunity to be a market leader in renewables and then take those inventions all over the world or we can do it and benefit our economy.

I saw today that former Secretary of State George Schultz, a resident of my great State and who was part of the Reagan administration, penned an important article about why we should go to a carbon tax. A carbon tax, a simple

thing: If someone produces carbon pollution, they have to pay for every ton. His idea is give that back to the American people. Help them pay for those transition periods of time where we are going to move toward that clean energy. I am very pleased he wrote that article, and I am hoping to get him before our environment committee to talk about it.

We have to step up to the plate on climate. Every one of us has an obligation to do it. I know it is hard, because with the exception of a storm such as Sandy and then heat waves that are outrageous, we don't think about it. I understand why. It is not pleasant. We have so many challenges on our hands—budget challenges, education challenges, immigration challenges, gun violence challenges. So if it is not right in front of us where we see it every day or read about it every day or it is not hitting our State every day, I understand why some people would prefer to ignore it. But we owe it to our kids and our grandkids to be leaders. This is our time. We didn't pick this time to be born to live, but here we are, and here are these scientists telling us: Wake up, do something or we are facing a planetary emergency.

Every Monday night that I can be here, I will be here. I want to make a record, at least for history if not for political action—which is what I truly want—that we do something. The President visited San Francisco recently. I hope he will continue to do the right thing. It is lonely for him because he doesn't have a legislature that gets it.

But let me say to colleagues who are definitely, I can assure you, not watching this but who may read about this speech: Don't ever say to me: Let's wait for China because that is an insult to America and it is an insult to our people. We are going to wait for a country that doesn't care about its people enough so that the people have to run around in masks, and they can't even see anything, it is so smoggy and dirty there. So don't tell me: Wait for China, because that argument—or as they would say in certain parts of the country, that dog don't hunt. I don't say that in my part of the country. What I say is that makes no sense whatsoever.

I will continue to come here in the hopes that we can come together on this issue, in the hopes that President Obama will keep on moving, in the hopes that my State and the Northeast and other States are going to move on this issue. I will protect their right to do it. I will defend against anyone who comes to roll back the Clean Air Act—which, unfortunately, Senator INHOFE came at us with an amendment in the budget that said the Environmental Protection Agency should no longer have the ability to regulate greenhouse gas emissions—imagine—and we had more than 40 votes for that position.

That is scary. That is akin to saying we should stop worrying about smoking and get 45 votes to say it is no big deal. This is a big deal.

I will just keep on making the talks on Monday nights, if I can. I wish to thank my staff. They are working so hard to put this together in a coherent way, so perhaps after 6 months of making these speeches, we have a story to tell from beginning to end that would be compelling enough so no one will ever say to me: Let's wait for China to fix their problem, and people might actually come up and say: Put me on as a cosponsor on that Sanders-Boxer bill or the Sheldon Whitehouse bill that puts a price on carbon.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

REMEMBERING ANNE SMEDINGHOFF

Mr. DURBIN. Mr. President, I have often come to the floor to talk about the remote and sometimes dangerous places around the world where our USAID and State Department Foreign Service Officers serve.

We all know about the difficult and dangerous places our brave military personnel serve, often at great sacrifice. We sometimes lose sight of their civilian diplomatic and aid colleagues working side by side.

I am always impressed that no matter where on the planet one travels, there is an outpost of American ideals and talent dedicated to diplomacy, human rights, and helping the less fortunate.

These civilians serving abroad can face a variety of threats. Yet they do it with dedication, patriotism, and a belief that the United States should always be a voice for good in the world.

Sadly, today I come here with a heavy heart, as the life of one of the brightest young officers from my home State of Illinois was cut short on Saturday in one of those dangerous places.

Twenty-five-year-old Anne Smedinghoff eagerly volunteered to serve the United States in Afghanistan on her second assignment as a State Department Foreign Service Officer. She was clear-eyed in her determination to make a tangible improvement in the lives of those around her. And after 2 years at our Embassy in Caracas, Venezuela, Anne joined the Public Diplomacy team at the U.S. Embassy in Kabul.

Anne was a bright spot on the Embassy compound, known to her friends and coworkers as an intelligent, caring, and optimistic young officer who

worked hard to help Afghan women and children.

On Saturday, Anne traveled to Zabul Province to donate books to a school.

In a cowardly attack, a suicide bomber detonated near her convoy. Anne was killed along with four other Americans—three U.S. servicemembers and a Department of Defense civilian. Several others were wounded.

Anne leaves behind her parents, brother, and two sisters, as well as countless relatives, friends, and coworkers who deeply mourn her loss, not only personally but also as an example of the deep dedication our diplomats demonstrate every day in outposts all around the world.

I know my colleagues join me in our heartfelt condolences to her family and in our ongoing appreciation for the sacrifices made by our diplomatic corps.

TRIBUTE TO ROGER EBERT

This morning I went to a funeral in Chicago at Holy Name Cathedral. There was a large—in fact, it was a huge crowd. It was a tribute to America's foremost movie critic Roger Ebert, who passed away last week. It was my good fortune to know Roger and his wife Chaz and to be one of his greatest fans. Like myself, he hailed from downstate Illinois. He was born in Urbana.

In his memoir "Life Itself," he tells an amazingly detailed story of his youth growing up downstate and how he finally made it to the big time, the Chicago Sun Times in Chicago, after he had been editor of the Daily Illini on the campus of the University of Illinois.

Roger came to movie criticism almost by accident, but in no time at all he set the standard, not only for the United States, maybe for the world. Rahm Emanuel, our mayor in Chicago, in a tribute to Roger today, said at the service that he wanted to personally thank Roger Ebert for sparing us from going to see so many terrible movies. So many of us would wait before we went to a movie, as the mayor said, to check the time of the movie but also to check what Roger Ebert thought about the movie. He was a go-to person when it came to movie criticism.

As you came to read the book about his life, there was much more than that. He was a brilliant mind. From a very early age, he had an insatiable appetite for the world around him. He used that in his skills as a journalist at the Chicago Sun Times and in analyzing the whole genre of movies, from the earliest classics all the way through the most modern. That life experience really put him in good stead when it came to taking a look at movies from the human perspective.

He, of course, became famous on television with Siskel, Roeper, and so many others. Most of us watched that program with a lot of joy as the two of them would squabble from time to time

over whether a movie was worth seeing. But there was much more to Roger than that. We came to know today, in tributes that were paid to him, his deep sense of social justice, not just in the way he analyzed things but in his life itself. He really was committed to fairness and to helping the little guy. It showed in the way he lived his life, in the way he set a standard as a journalist.

Chaz, his wife, came along late in life for him but became a true partner. The two of them were inseparable, and they were a dynamic team in so many ways. But the things about Roger's life that impressed me the most—the most—was after he was stricken with cancer. It was a devastating cancer. He went through a series of operations. He eventually had his face literally deformed by the surgeries, as he lost his jawbone. Then he lost his ability to speak. Then he lost his ability to eat—to eat. Yet he soldiered on. He continued to write, reviewing movies, using computer-assisted voice translation so that he could express himself through a keyboard in words. He wrote a blog every day that I used to go to from time to time, not only because it was so good—so many insights into things I had never thought about—but also because it was inspiring that he would get up and go to work every single day when others in that same circumstance would probably just give up. Roger never gave up. That, to me, showed that he not only had a great mind and a great heart but a great spirit.

What a turnout today at Holy Name Cathedral for Roger Ebert. The balcony was full—if there had been a balcony—of fans with two thumbs up for a great movie critic, a great human being, and a great son of Illinois.

I ask unanimous consent to have printed in the RECORD at the close of my remarks here an excerpt from Roger Ebert's memoir entitled "Life Itself" in which he talks about death and very boldly says, "I do not fear death." It is an inspiring message that he penned over a year and a half before he actually died. It is an indication of the kind of spirit he brought to his life, a spirit we all admire to this day.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[FROM THE CHICAGO SUN-TIMES, APR. 4, 2013]

ROGER EBERT: I DO NOT FEAR DEATH

(By Roger Ebert)

I know it is coming, and I do not fear it, because I believe there is nothing on the other side of death to fear. I hope to be spared as much pain as possible on the approach path. I was perfectly content before I was born, and I think of death as the same state. I am grateful for the gifts of intelligence, love, wonder and laughter. You can't say it wasn't interesting. My lifetime's memories are what I have brought home from the trip. I will require them for eternity no more than that little souvenir of the Eiffel Tower I brought home from Paris.

I don't expect to die anytime soon. But it could happen this moment, while I am writing. I was talking the other day with Jim Toback, a friend of 35 years, and the conversation turned to our deaths, as it always does. "Ask someone how they feel about death," he said, "and they'll tell you everyone's gonna die. Ask them, In the next 30 seconds? No, no, no, that's not gonna happen. How about this afternoon? No. What you're really asking them to admit is, Oh my God, I don't really exist. I might be gone at any given second."

Me too, but I hope not. I have plans. Still, illness led me resolutely toward the contemplation of death. That led me to the subject of evolution, that most consoling of all the sciences, and I became engulged on my blog in unforeseen discussions about God, the afterlife, religion, theory of evolution, intelligent design, reincarnation, the nature of reality, what came before the big bang, what waits after the end, the nature of intelligence, the reality of the self, death, death, death.

Many readers have informed me that it is a tragic and dreary business to go into death without faith. I don't feel that way. "Faith" is neutral. All depends on what is believed in. I have no desire to live forever. The concept frightens me. I am 69, have had cancer, will die sooner than most of those reading this. That is in the nature of things. In my plans for life after death, I say, again with Whitman:

I bequeath myself to the dirt to grow from the grass I love,

If you want me again look for me under your boot-soles.

And with Will, the brother in Saul Bellow's "Herzog," I say, "Look for me in the weather reports."

Raised as a Roman Catholic, I internalized the social values of that faith and still hold most of them, even though its theology no longer persuades me. I have no quarrel with what anyone else subscribes to; everyone deals with these things in his own way, and I have no truths to impart. All I require of a religion is that it be tolerant of those who do not agree with it. I know a priest whose eyes twinkle when he says, "You go about God's work in your way, and I'll go about it in His."

What I expect to happen is that my body will fail, my mind will cease to function and that will be that. My genes will not live on, because I have had no children. I am comforted by Richard Dawkins' theory of memes. Those are mental units: thoughts, ideas, gestures, notions, songs, beliefs, rhymes, ideals, teachings, sayings, phrases, clichés that move from mind to mind as genes move from body to body. After a lifetime of writing, teaching, broadcasting and telling too many jokes, I will leave behind more memes than many. They will all also eventually die, but so it goes.

O'Rourke's had a photograph of Brendan Behan on the wall, and under it this quotation, which I memorized:

I respect kindness in human beings first of all, and kindness to animals. I don't respect the law; I have a total irreverence for anything connected with society except that which makes the roads safer, the beer stronger, the food cheaper and the old men and old women warmer in the winter and happier in the summer.

That does a pretty good job of summing it up. "Kindness" covers all of my political beliefs. No need to spell them out. I believe that if, at the end, according to our abilities, we have done something to make others a

little happier, and something to make ourselves a little happier, that is about the best we can do. To make others less happy is a crime. To make ourselves unhappy is where all crime starts. We must try to contribute joy to the world. That is true no matter what our problems, our health, our circumstances. We must try. I didn't always know this and am happy I lived long enough to find it out.

One of these days I will encounter what Henry James called on his deathbed "the distinguished thing." I will not be conscious of the moment of passing. In this life I have already been declared dead. It wasn't so bad. After the first ruptured artery, the doctors thought I was finished. My wife, Chaz, said she sensed that I was still alive and was communicating to her that I wasn't finished yet. She said our hearts were beating in unison, although my heartbeat couldn't be discovered. She told the doctors I was alive, they did what doctors do, and here I am, alive.

Do I believe her? Absolutely. I believe her literally—not symbolically, figuratively or spiritually. I believe she was actually aware of my call and that she sensed my heartbeat. I believe she did it in the real, physical world I have described, the one that I share with my wristwatch. I see no reason why such communication could not take place. I'm not talking about telepathy, psychic phenomenon or a miracle. The only miracle is that she was there when it happened, as she was for many long days and nights. I'm talking about her standing there and knowing something. Haven't many of us experienced that? Come on, haven't you? What goes on happens at a level not accessible to scientists, theologians, mystics, physicists, philosophers or psychiatrists. It's a human kind of a thing.

Someday I will no longer call out, and there will be no heartbeat. I will be dead. What happens then? From my point of view, nothing. Absolutely nothing. All the same, as I wrote to Monica Eng, whom I have known since she was six, "You'd better cry at my memorial service." I correspond with a dear friend, the wise and gentle Australian director Paul Cox. Our subject sometimes turns to death. In 2010 he came very close to dying before receiving a liver transplant. In 1988 he made a documentary named "Vincent: The Life and Death of Vincent van Gogh." Paul wrote me that in his Arles days, van Gogh called himself "a simple worshiper of the external Buddha." Paul told me that in those days, Vincent wrote:

Looking at the stars always makes me dream, as simply as I dream over the black dots representing towns and villages on a map.

Why, I ask myself, shouldn't the shining dots of the sky be as accessible as the black dots on the map of France?

Just as we take a train to get to Tarascon or Rouen, we take death to reach a star. We cannot get to a star while we are alive any more than we can take the train when we are dead. So to me it seems possible that cholera, tuberculosis and cancer are the celestial means of locomotion. Just as steamboats, buses and railways are the terrestrial means.

To die quietly of old age would be to go there on foot.

That is a lovely thing to read, and a relief to find I will probably take the celestial locomotive. Or, as his little dog, Milou, says whenever Tintin proposes a journey, "Not by foot, I hope!"

Mr. DURBIN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETIREMENT OF GENERAL CARTER HAM

Mr. MCCAIN. Mr. President, today I honor an exceptional warrior. After a lifetime of service to our Nation, GEN Carter F. Ham is retiring from the U.S. Army and his current position as Commander of the U.S. Africa Command. On this occasion I believe it is fitting to recognize General Ham's years of uniformed service to our Nation.

General Ham has served and led at all levels in the Army. He began his career as an enlisted infantryman in the 82nd Airborne Division and he retires as a theater level commander. He was commissioned as a second lieutenant through the Reserve Officers' Training Corps in the Infantry as a Distinguished Military Graduate of John Carroll University in Cleveland, OH in 1976. General Ham's distinguished military service has taken him all over the United States, Italy and Germany. Prior to his current command he served as the commanding general of U.S. Army Europe.

During these last 24 months as Commander, U.S. Africa Command, he has led combat operations to oust a tyrant, coordinated economic and infrastructural development programs to improve conditions on the ground, and orchestrated international security cooperation activities aimed at strengthening the abilities of American and African forces to deal with the range of complex challenges facing the continent. These were no small tasks and all the while he continued to make the well-being of our service men and women his highest priority. I can think of no better leader to have had carrying the guidon!

Our Nation and our international partners will feel the loss of this distinguished soldier and statesman. I join many members of the Senate Armed Services Committee in expressing my respect and gratitude to General Ham for his outstanding service to our Nation. The strength of our Nation is our Army; the strength of our Army is our soldiers. Thank you, General Ham, for your service as a soldier and general, and for keeping our Nation Army

Strong! I wish him and his wife Christi "fair winds and following seas."

RETIREMENT OF GENERAL JOHN ALLEN

Mr. MCCAIN. Mr. President, today I honor an exceptional warrior. After a lifetime of service to our Nation, Gen. John R. Allen is retiring from the U.S. Marine Corps. On this occasion I believe it is fitting to recognize General Allen's years of uniformed service to our Nation.

The general was commissioned a second lieutenant following graduation from the Naval Academy with the class of 1976. He has led at every level from platoon to theater command, including being the first Marine Commandant of the U.S. Naval Academy. He spent 2 years in Iraq's Anbar province, where he led an effort to reach out to Sunni tribal leaders to try to persuade them to stand against al-Qaida militants—a shift that helped turn the course of the war in western Iraq. And during his recent command in Afghanistan, which he proclaimed to be "the honor of a lifetime," he spent 19 months winding down America's longest war while strengthening Afghanistan's military to fight insurgency.

General Allen's record of service is remarkable and highly decorated. He has distinguished himself in every aspect from graduating with academic honors to receiving some of the highest military awards of the U.S. and foreign armed forces. However, he recognizes the most important distinction, and that is his family. In the last decade he has spent plenty of time away from his family in service to our Nation. He said that his family had not vacationed since his two adult daughters were young. His service and sacrifice will truly be missed by a grateful nation, and we hope that he gets that vacation he so clearly deserves and more.

Our Nation will feel the loss of this distinguished officer, warrior and patriot; however, I have the utmost respect for his decision to put his family first. I join many members of the Senate Armed Services Committee in expressing my respect and gratitude to General Allen for his outstanding service to our Nation. I wish him and his wife Kathy "fair winds and following seas."

RETIREMENT OF GENERAL JAMES MATTIS

Mr. MCCAIN. Mr. President, today I honor an exceptional warrior and scholar. After a lifetime of service to our Nation, Gen. James N. Mattis is retiring from the U.S. Marine Corps and his current position as Commander of the United States Central Command. On this occasion I believe it is fitting to recognize General Mattis' 41 years of uniformed service to our Nation.

The general was commissioned a second lieutenant on January 1, 1972. He has served in every major combat operation of his era and led at every level from platoon to theater command. Upon promotion to brigadier general, he commanded first the 1st Marine Expeditionary Brigade and then Task Force 58, during Operation Enduring Freedom in southern Afghanistan. As a major general, he commanded the 1st Marine Division during the initial attack and subsequent stability operations in Iraq during Operation Iraqi Freedom. General Mattis led marines into Afghanistan in 2001 and Iraq in 2003—the defining conflicts of our age.

General Mattis is well known for his dedication and intellect. When selected to command the U.S. Central Command, then Secretary of Defense, Robert Gates, called him "one of the military's most innovative and iconoclastic thinkers." He has proved to be that and more. General Mattis is known to carry books on philosophy with him on every combat mission. He is said to have a personal library of over 6,000 books that he takes with him to every new command. Even more important than his intellect and bravery, is his ability to connect with and lead our soldiers, sailors, airmen and marines. In March 2003, he wrote a letter to all forces under his command, telling them to "engage your brain before you engage your weapon." I have had the pleasure of meeting those under his command and am always impressed by the respect and favor he carries amongst them.

I most respect General Mattis' willingness to speak truth to power. His candor is a facet of a professionalism that has been exacted over a lifetime and exercised during a most impressive military career. Thoughtful leaders throughout government will feel his absence. I join many past and present members of the Senate Armed Services Committee in my gratitude to General Mattis for his outstanding leadership and his unwavering support of service members. General James Mattis' service has evinced the meaning of the words "Semper Fidelis." I wish him "fair winds and following seas."

RIDING FOR CHANGE

Mr. LEVIN. Mr. President, last month a group of 26 cyclists set off on a 3-day, 400 mile journey from Newtown, CT, to the steps of our Nation's Capitol. They began their ride with a stop at Sandy Hook Elementary School, a place that should be synonymous with childhood, innocence, and learning. Instead, for now, it reminds us of tragedy. The cyclists left Newtown that morning to bring Washington a simple message: It is time for Congress to finally take steps to stop gun violence.

These riders were not special interest groups or highly paid lobbyists. They

were everyday people—teachers, police officers, librarians, healthcare professionals. People like Heather Peck, a school psychologist and mother of two from Newtown, who wrote that she was riding "for those beautiful smiling faces that I see coming down the hallway each day and their right to feel safe and secure at school." Like Gary Lyke of Brookfield, CT, a Vietnam veteran who wrote that he was riding "in the hope I can help encourage our leaders to join in creating meaningful, common sense laws making it safe for children to grow and inherit the freedoms I and other veterans served for." Like Officer Jeff Silver of the Newtown Department of Police Services, who wrote simply, "I ride for commonsense gun control laws."

But sadly, in a Nation where polls have shown that a majority of Americans support background checks for all gun sales, the status quo defies common sense. Around our country today, anyone, including convicted felons or domestic abusers or the mentally ill, can go to a gun show and purchase a firearm without having to pass any sort of background check. Studies have estimated that 40 percent of U.S. gun sales are conducted by unlicensed sellers without background checks. In 2012, an estimated 6.6 million guns were sold in this way, no questions asked.

Likewise, in a Nation where studies have shown that mass shootings involving assault weapons result in an average of 14.8 people shot. It is startling that almost anyone can walk into a shop or gun show and purchase the same type of military-style assault rifle that was used at Sandy Hook Elementary that horrible day. This includes suspected terrorists, because nothing in current law prohibits individuals on terrorist watch lists from purchasing firearms, unless they fall into another disqualifying category. Polls have shown that 63 percent of Americans support a ban on the assault weapons and high-capacity ammunition magazines that lead to such horrific crimes.

Legislation has already been introduced into the Senate that, if enacted, would make our society and our schools safer. For example, I am a cosponsor of the Denying Firearms and Explosives to Dangerous Terrorists Act. This bill would close the 'terror gap' in Federal law by denying the transfer of a firearm when a Federal Bureau of Investigation, FBI, background check reveals that the prospective purchaser is a suspected terrorist and the Attorney General has a reasonable belief that the purchaser may use the firearm in connection with terrorism. I am also a cosponsor of the Assault Weapons Ban of 2013, which would stop the flood of military-style assault weapons into our society.

We should listen to the Sandy Hook riders and take action. We should listen to our law enforcement communities, who have implored us to ban the military-style weapons and high-capacity ammunition magazines which can so easily escalate confrontation into murder and a killing of one or two people into a massive slaughter. No law can prevent all tragedies, but these bills could help prevent some. They could help stop another quiet elementary school from falling victim to a Sandy Hook tragedy. They could help save the lives of children. That is more than enough reason to act. I urge my colleagues to swiftly take up and pass these measures.

FISHING RESTRICTIONS PREVENTION

Mr. ALEXANDER. Mr. President, on March 27, Governor Bill Haslam signed a resolution passed by the Tennessee General Assembly supporting efforts in the U.S. Senate and the U.S. House of Representatives to prevent the U.S. Army Corps of Engineers from restricting public access to fishing areas below dams on the Cumberland River in Tennessee.

The resolution, sponsored by State Senator Jim Tracy, recognizes the traditions that Tennessee anglers have enjoyed for generations, and the dire economic impact that the Corps' proposed restrictions would have on the State of Tennessee. I, along with the members of the Tennessee General Assembly, will continue to urge the Corps to consider alternatives that do not unilaterally prohibit access to some of the highest quality fishing areas in Tennessee and address the concerns of Tennesseans.

I ask that Senate Joint Resolution 114, as passed by the Tennessee General Assembly and signed by Governor Bill Haslam, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF TENNESSEE

SENATE JOINT RESOLUTION NO. 114

BY SENATORS TRACY, BURKS, OVERBEY AND
REPRESENTATIVES MARSH, EVANS

A Resolution commending United States Senator Lamar Alexander for his efforts to prevent the United States Army Corps of Engineers from restricting fishing access to sections of the Cumberland River near dams.

Whereas, the members of this General Assembly commend United States Senator Lamar Alexander for his efforts to introduce federal legislation preventing the United States Army Corps of Engineers from constructing physical barriers to restrict fishing access to sections of the Cumberland River located near United States Army Corps of Engineers dams; and

Whereas, the members of this General Assembly encourage Senator Alexander to offer his legislation as soon as possible; and

Whereas, the members of this General Assembly encourage the United States Army Corps of Engineers to work with Senator

Alexander and the Tennessee Wildlife Resources Agency on implementing a solution that addresses the concerns of Tennesseans and recognizes the dire economic impact the United States Army Corps of Engineers restrictions would have on the State of Tennessee; now, therefore, be it

Resolved by the Senate of the one hundred eighth General Assembly of the State of Tennessee, The House of Representatives Concurring, that we commend United States Senator Lamar Alexander for his efforts to prevent the United States Army Corps of Engineers from restricting fishing access to sections of the Cumberland River near dams and protecting the traditions of Tennessee anglers and their economic impact on the State of Tennessee. Be it further

Resolved, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.

Senate Joint Resolution No. 114

Adopted: March 25, 2013

RON RAMSEY,

Speaker of the Senate.

BETH HARWELL,

*Speaker, House of
Representatives.*

Approved this 27th day of March 2013

BILL HASLAM, GOVERNOR.

ADDITIONAL STATEMENTS

REMEMBERING BARBARA GELLER

• Mrs. MURRAY. Mr. President, I would like to pay tribute to a strong community leader, dedicated public servant, and advocate from the State of Washington, Barbara Geller.

I first met Barbara early in my political career and I would not be where I am today without her support and encouragement.

She was always willing to pitch in to do whatever was needed. Her strong commitment to her community showed in everything she did. She was a State committeewoman, chair of the 41st LD Democrats, and a delegate to the Democratic National Convention too many times to count.

But more importantly, she was a dedicated mother, grandmother, wife, and friend to many.

You could always count on Barb helping out. She never hesitated to pick up a phone, plan the Annual Eastside Democrats Annual Dinner, and to do every task in between. No matter how small the task, Barb would make it fun.

As a longtime Mercer Island resident, her kindness and grace inspired all who were around her.

Barb passed away on March 17, 2013, from pancreatic cancer at the age of 71.

Barb is survived by her husband Art, her two children, Randy and Betsy Geller, daughter-in-law Jennifer Hubbard Geller, and her two grandchildren, Rachel and Lucy Geller.

She will be missed by many, but her legacy of service will live on with all she has touched.

I would like to ask my colleagues to join me in paying homage to Barbara

Geller. She lived a full life and our thoughts are with her loved ones at this time of great loss.●

OBSERVING PURPLE UP DAY

• Mr. BEGICH. Mr. President, I would like to call attention to Purple Up! for Military Kids Day in Alaska celebrated on April 19th as part of the Month of the Military Child. Every April since 1986, to honor the unique contributions and sacrifices military children make in support of their parents, the Department of Defense names April as the Month of the Military Child.

On a designated day in April, people across the United States and in Alaska come together by wearing purple in honor of our servicemembers' children. Nationwide, more than two million kids have a parent or parents serving in either an Active Duty or Reserve role for the U.S. Armed Forces. In my home State of Alaska, more than 13,000 children have one or more parents on full-time duty status in the military.

Purple Up! is a fun way to show our support and is an opportunity to call attention to these special challenges faced by military kids.

The frequent moves and multiple deployments faced by these families add even more strain to the difficult task of growing up. These children bravely face the uncertainty of their parent's safety when they are away, as well as the difficult reintegration when they return.

It is important for these military-connected youth to know that their Nation and community stand by them in support, and that we recognize their strength and the sacrifices they have made. I ask Alaskans to join me in wearing something purple on Purple Up! Day and participate in events during the Month of the Military Child to show our gratitude, such as conducted by the University of Alaska's Cooperative Extension Service and Alaska Operation Military Kids.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 3, 2013, the Secretary of the Senate, on March 25, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 11. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of March 23, 2013, the following reports of committees were submitted on April 5, 2013:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 54, A bill to increase public safety by punishing and deterring firearms trafficking (Rept. No. 113-9).

By Mr. LEVIN, from the Committee on Armed Services, under the authority of the order of the Senate of 03/23/2013 (legislative day, 03/22/2013):

Special Report entitled "Report on the Activities of the Committee on Armed Services, 112th Congress" (Rept. No. 113-10).

By Mr. SCHUMER, from the Committee on Rules and Administration, under the authority of the order of the Senate of 03/23/2013 (legislative day, 03/22/2013):

Special Report entitled "Review of Legislative Activity During the 112th Congress" (Rept. No. 113-11).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. Res. 92. A resolution authorizing the expenditures by the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS DURING ADJOURNMENT

On April 5, 2013, under the authority of the order of the Senate of March 23, 2013, the following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY:

S. Res. 92. A resolution authorizing the expenditures by the Committee on the Judiciary; from the Committee on the Judiciary; placed on the calendar.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUMENTHAL (for himself, Mr. KIRK, Ms. CANTWELL, Mr. VITTER, Ms. AYOTTE, Ms. COLLINS, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Ms. STABENOW, Mr. THUNE, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 666. A bill to prohibit attendance of an animal fighting venture, and for other pur-

poses; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN:

S. 667. A bill to amend the National Flood Insurance Act of 1968 to allow the rebuilding, without elevation, of certain structures that are located in areas having special flood hazards and are substantially damaged by fire, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND:

S. 668. A bill to designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the "Staff Sergeant Nicholas J. Reid Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WICKER (for himself and Mr. PRYOR):

S. Res. 93. A resolution designating April 4, 2013, as "National Association of Junior Auxiliaries Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 141

At the request of Mr. BAUCUS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 146

At the request of Mrs. BOXER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 146, a bill to enhance the safety of America's schools.

S. 150

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 150, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 153

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 169

At the request of Mr. HATCH, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 204

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 204, a bill to preserve and protect the

free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 308

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 308, a bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, to provide for cash relief for years for which annual COLAs do not take effect under certain cash benefit programs, and to provide for Social Security benefit protection.

S. 316

At the request of Mr. SANDERS, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 321

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 321, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S. 326

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 326, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 330

At the request of Mrs. BOXER, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 338, a bill to amend the

Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 377

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 377, a bill to add the 9/11 Health and Compensation Programs to the list of exempt programs under PAYGO.

S. 409

At the request of Mr. BURR, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 409, a bill to add Vietnam Veterans Day as a patriotic and national observance.

S. 424

At the request of Mr. BROWN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 424, a bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions.

S. 425

At the request of Ms. STABENOW, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 425, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 429

At the request of Mr. NELSON, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 452

At the request of Mr. FRANKEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cospon-

sor of S. 452, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 470

At the request of Mr. TESTER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 480

At the request of Mr. BLUMENTHAL, his name was withdrawn as a cosponsor of S. 480, a bill to improve the effectiveness of the National Instant Criminal Background Check System by clarifying reporting requirements related to adjudications of mental incompetency, and for other purposes.

S. 482

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 482, a bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates.

S. 484

At the request of Mr. INHOFE, the names of the Senator from North Carolina (Mr. BURR) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 484, a bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities.

S. 495

At the request of Mr. BURR, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 495, a bill to amend title 38, United States Code, to require Federal agencies to hire veterans, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes.

S. 526

At the request of Mr. BAUCUS, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Michigan (Ms. STABENOW), the Senator from Nevada (Mr. HELLER), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 534

At the request of Mr. JOHANNES, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 542

At the request of Mrs. MURKOWSKI, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 542, a bill to provide limitations on maritime liens on fishing licenses and for other purposes.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 617

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 629

At the request of Mr. PRYOR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 631

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 631, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 7

At the request of Mr. MORAN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Utah (Mr. LEE) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress regarding conditions for the United States becoming a signatory to the United Nations Arms Trade Treaty, or to any similar agreement on the arms trade.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Wyoming (Mr. ENZI) were added

as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Oregon (Mr. WYDEN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Mr. CARDIN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 667. A bill to amend the National Flood Insurance Act of 1968 to allow the rebuilding, without elevation, of certain structures that are located in areas having special flood hazards and are substantially damaged by fire, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Fire-Damaged Home Rebuilding Act.

This legislation is simple. It allows families living in FEMA-designated flood plains to rebuild their home in the event it is destroyed by fire.

The bill allows communities to waive requirements that were meant to block reconstruction after floods, but have been applied to block reconstruction of homes after fires and other natural disasters as well.

I was first made aware of this issue by a constituent from Sacramento. Her home in the Natomas neighborhood burned down, and when she applied for a permit to rebuild it she was denied. The County informed her that FEMA floodplain regulations required her to elevate the home 20 feet above ground level because of existing deficiencies in the levee protecting her neighborhood.

Can you imagine what that would look like? Every house in the neighborhood at ground level, and one home towering 20 feet above the rest?

More importantly though, the cost would be exorbitant. And it would be imposed by the federal government on a family trying to get back on its feet after a personal tragedy.

When the home burned down, the family collected \$71,000 from their insurance company. Contractors estimated the cost to restore the home to its original condition was \$170,000—a significant burden, but one the family was willing to bear.

But when the family factored in the cost of elevating their home 20 feet, the

cost skyrocketed. Contractors estimated the elevation project would cost an additional \$200,000.

Just to restore their home to its previous size and condition, the family would owe \$300,000 more than what they received from their insurance.

There is a fundamental issue of fairness at stake.

This family tragically lost their home and many of their personal belongings. But instead of helping the family during this difficult time, the federal government is instead blocking them from rebuilding. Why? Because the federal government has failed to maintain adequate flood protection.

It just doesn't seem fair.

The Fire-Damaged Home Rebuilding Act addresses this issue by allowing local communities to grant variances to FEMA flood plain regulations without jeopardizing their participation in the program.

The legislation allows waivers to be granted only if all of the following conditions are met.

Communities must already have taken steps to repair damaged levees, such as seeking Federal authorization of a levee project, and there must be previously existing plans to obtain the requisite 100-year flood protection in the near future.

The destroyed house must be within a deep floodplain where it would be too expensive and unsightly to elevate the home.

The new home must be built within the footprint of the destroyed structure.

The homeowner cannot qualify for new insurance discounts; and the property has never been associated with a claim to the National Flood Insurance Program.

Representative DORIS MATSUI and I worked with FEMA to ensure that these limitations will only allow individual to rebuild very limited circumstances.

I strongly oppose new development in the flood plain. It is irresponsible to permit new homes or businesses in an area where you know that flooding is likely.

But rebuilding a single existing home after a tragic fire is different than building a new tract of homes. If an entire neighborhood is burned down, for instance, it should be rebuilt at a safe level. A single home is also different than building new schools or new shopping malls, which would be prohibited under the bill.

But just to be sure that local governments don't abuse this power, the number of waivers they can approve is capped at ten per year. We need to make sure that the waiver is used judiciously.

The FEMA regulations were put in place to block individual homeowners from voluntarily renovating and improving their homes. It was also de-

signed to block homeowners from rebuilding after a flood. By doing so, the federal government limits its liability for future flood insurance claims.

I agree with the goals of those FEMA regulations. But fire-damaged homes clearly do not fit in either category. So we need to adjust the law to eliminate an unfortunate and unintended consequence of an otherwise good policy.

City and County governments must be empowered to make case by case judgments about whether it makes sense to elevate damaged structures by 10, 15, or 20 feet when the rest of the neighborhood remains at ground level.

That is exactly what the Fire-Damaged Home Reconstruction Act does. It provides limited authority to local governments, which will allow them to do what makes sense for their communities.

This is a commonsense piece of legislation, and I hope my colleagues will work to quickly adopt the bill.

SUBMITTED RESOLUTIONS DURING ADJOURNMENT

SENATE RESOLUTION 92—AUTHORIZING THE EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY

Mr. LEAHY submitted the following resolution; from the Committee on the Judiciary; which was placed on the calendar:

S. RES. 92

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary (in this resolution referred to as the "committee") is authorized from March 1, 2013 through September 30, 2013; October 1, 2013 through September 30, 2014; and October 1, 2014 through February 28, 2015, in its discretion to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSE LIMITATIONS.

(a) EXPENSES FOR THE PERIOD MARCH 1, 2013 THROUGH SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$5,882,131, of which amount—

(1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR THE PERIOD OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this resolution shall not exceed \$10,083,653, of which amount—

(1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR THE PERIOD OCTOBER 1, 2014 THROUGH FEBRUARY 28, 2015.—The expenses of the committee for the period October 1, 2014 through February 28, 2015 under this resolution shall not exceed \$4,201,522, of which amount—

(1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2015.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013; October 1, 2013 through September 30, 2014; and October 1, 2014 through February 28, 2015, to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 93—DESIGNATING APRIL 4, 2013, AS “NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY”

Mr. WICKER (for himself and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

Whereas the National Association of Junior Auxiliaries and the members of the National Association of Junior Auxiliaries provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that—

- (1) are beneficial to the general public; and
- (2) place a particular emphasis on providing for the needs of children; and

Whereas since the founding of the National Association of Junior Auxiliaries in 1941, the organization has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 4, 2013, as “National Association of Junior Auxiliaries Day”;;

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, April 11, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “A New, Open Marketplace: The Effect of Guaranteed Issue and New Rating Rules.”

For further information regarding this meeting, please contact Emily Schlichting of the committee staff on (202) 224-6840.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, April 10, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S.____, Mental Health Awareness and the nomination of Jenny Yang, to be a Member of the Equal Employment Opportunity Commission.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

COMMITTEE ON INDIAN AFFAIRS

Ms. CANTWELL. Mr. President, I would like to announce that the Com-

mittee on Indian Affairs will meet during the session of the Senate on April 10, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing on Identifying Barriers to Indian Housing Development and Finding Solutions.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, April 9, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nomination of Ernest J. Moniz to be the Secretary of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Abigail_Campbell@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 16, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the President's Proposed Budget for Fiscal Year 2014 for the Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to John_Assini@energy.senate.gov.

For further information, please contact please contact Meghan Conklin (202) 224-8046 or John Assini (202) 224-9313.

SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on

Tuesday, April 16, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing will be to hear testimony on the following measures:

S. 211, the Provo River Project Transfer Act;

S. 284, the Fort Sumner Project Title Conveyance Act;

S. 510, the Scofield Land Transfer Act;

S. 659, to reauthorize the Reclamation States Emergency Drought Relief Act of 1991;

S.J. Res. 12, A joint resolution to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission, Act, 1920; and,

H.R. 316 and S. Amdt. 579, the Collinsville Renewable Energy Promotion Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to John_Assini@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224 or John Assini at (202) 224-9313.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 18, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the U.S. Department of Energy's budget for fiscal year 2014.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Abigail Campbell at (202) 224-4905 or Lauren Goldschmidt at (202) 224-5488.

CONCURRENT RESOLUTION ON THE BUDGET FISCAL YEAR 2014

On Friday, March 22, 2013, the Senate agreed to S. Con. Res. 8, as amended as follows:

S. CON. RES. 8

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2014 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 and 2015 through 2023.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Postal Service discretionary administrative expenses.

Sec. 104. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund to replace sequestration.

Sec. 302. Deficit-neutral reserve funds to promote employment and job growth.

Sec. 303. Deficit-neutral reserve funds to assist working families and children.

Sec. 304. Deficit-neutral reserve funds for early childhood education.

Sec. 305. Deficit-neutral reserve fund for tax relief.

Sec. 306. Reserve fund for tax reform.

Sec. 307. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.

Sec. 308. Deficit-neutral reserve fund for investments in America's infrastructure.

Sec. 309. Deficit-neutral reserve fund for America's servicemembers and veterans.

Sec. 310. Deficit-neutral reserve fund for higher education.

Sec. 311. Deficit-neutral reserve funds for health care.

Sec. 312. Deficit-neutral reserve fund for investments in our Nation's counties and schools.

Sec. 313. Deficit-neutral reserve fund for a farm bill.

Sec. 314. Deficit-neutral reserve fund for investments in water infrastructure and resources.

Sec. 315. Deficit-neutral reserve fund for pension reform.

Sec. 316. Deficit-neutral reserve fund for housing finance reform.

Sec. 317. Deficit-neutral reserve fund for national security.

Sec. 318. Deficit-neutral reserve fund for overseas contingency operations.

Sec. 319. Deficit-neutral reserve fund for terrorism risk insurance.

Sec. 320. Deficit-neutral reserve fund for postal reform.

Sec. 321. Deficit-reduction reserve fund for Government reform and efficiency.

Sec. 322. Deficit-neutral reserve fund to improve Federal benefit processing.

Sec. 323. Deficit-neutral reserve fund for legislation to improve voter registration and the voting experience in Federal elections.

Sec. 324. Deficit-reduction reserve fund to promote corporate tax fairness.

Sec. 325. Deficit-neutral reserve fund for improving Federal forest management.

Sec. 326. Deficit-neutral reserve fund for financial transparency.

Sec. 327. Deficit-neutral reserve fund to promote manufacturing in the United States.

Sec. 328. Deficit-reduction reserve fund for report elimination or modification.

Sec. 329. Deficit-neutral reserve fund for the minimum wage.

Sec. 330. Deficit-neutral reserve fund to improve health outcomes and lower costs for children in Medicaid.

Sec. 331. Deficit-neutral reserve fund to improve Federal workforce development, job training, and reemployment programs.

Sec. 332. Deficit-neutral reserve fund for repeal of medical device tax.

Sec. 333. Deficit-neutral reserve fund prohibiting Medicare vouchers.

Sec. 334. Deficit-neutral reserve fund for equal pay for equal work.

Sec. 335. Deficit-neutral reserve fund relating to women's health care.

Sec. 336. Deficit-neutral reserve fund to require State-wide budget neutrality in the calculation of the Medicare hospital wage index floor.

Sec. 337. Deficit-neutral reserve fund for the promotion of investment and job growth in United States manufacturing, oil and gas production, and refining sectors.

Sec. 338. Deficit-neutral reserve fund to allow States to enforce State and local use tax laws.

Sec. 339. Deficit-neutral reserve fund relating to the definition of full-time employee.

Sec. 340. Deficit-neutral reserve fund relating to the labeling of genetically engineered fish.

Sec. 341. Deficit-neutral reserve fund for the families of America's servicemembers and veterans.

Sec. 342. Deficit-neutral reserve fund relating to establishing a biennial budget and appropriations process.

Sec. 343. Deficit-neutral reserve fund relating to the repeal or reduction of the estate tax.

Sec. 344. Deficit-neutral reserve fund for disabled veterans and their survivors.

Sec. 345. Deficit reduction fund for no budget, no OMB pay.

Sec. 346. Deficit-neutral reserve fund relating to hardrock mining reform.

Sec. 347. Deficit-neutral reserve fund to end "too big to fail" subsidies or funding advantage for wall street mega-banks (over \$500,000,000,000 in total assets).

Sec. 348. Deficit-neutral reserve fund relating to authorizing children eligible for health care under laws administered by Secretary of Veterans Affairs to retain such eligibility until age 26.

Sec. 349. Deficit-neutral reserve fund for State and local law enforcement.

Sec. 350. Deficit-neutral reserve fund to establish a national network for manufacturing innovation.

Sec. 351. Deficit-neutral reserve fund relating to ensure that any carbon emissions standards must be cost effective, based on the best available science, and benefit low-income and middle class families.

Sec. 352. Deficit-neutral reserve fund to address the eligibility criteria for certain unlawful immigrant individuals with respect to certain health insurance plans.

Sec. 353. Deficit-neutral reserve fund to ensure no financial institution is above the law regardless of size.

Sec. 354. Deficit-neutral reserve fund relating to helping homeowners and small businesses mitigate against flood loss.

Sec. 355. Deficit-neutral reserve fund to restore family health care flexibility by repealing the health savings account and flexible spending account restrictions in the health care law.

Sec. 356. Deficit-neutral reserve fund for BARDA and the BioShield Special Reserve Fund.

Sec. 357. Deficit-reduction reserve fund for postal reform.

Sec. 358. Deficit-neutral reserve fund to broaden the effects of the sequester, including allowing Members of Congress to donate a portion of their salaries to charity or to the Department of the Treasury during sequestration.

Sec. 359. Deficit-neutral reserve fund to ensure the Bureau of Land Management collaborates with western states to prevent the listing of the sage-grouse.

Sec. 360. Deficit-Reduction Reserve Fund for Eminent Domain Abuse Prevention.

Sec. 361. Deficit-neutral reserve fund for export promotion.

Sec. 362. Deficit-neutral reserve fund for the prohibition on funding of the Medium Extended Air Defense System.

Sec. 363. Deficit-neutral reserve fund to increase the capacity of agencies to ensure effective contract management and contract oversight.

Sec. 364. Deficit-neutral reserve fund for investments in air traffic control services.

Sec. 365. Deficit-neutral reserve fund to address prescription drug abuse in the United States.

Sec. 366. Deficit-neutral reserve fund to support rural schools and districts.

Sec. 367. Deficit-neutral reserve fund to strengthen enforcement of free trade agreement provisions relating to textile and apparel articles.

Sec. 368. Deficit-neutral reserve fund to assist low-income seniors.

Sec. 369. Reserve fund to end offshore tax abuses by large corporations.

Sec. 370. Deficit-neutral reserve fund to ensure that domestic energy sources can meet emissions rules.

Sec. 371. Deficit-neutral reserve fund relating to increasing funding for the inland waterways system.

Sec. 372. Deficit-neutral reserve fund for achieving full auditability of the financial statements of the Department of Defense by 2017.

Sec. 373. Deficit-neutral reserve fund relating to sanctions with respect to Iran.

Sec. 374. Deficit-neutral reserve fund to prevent restrictions to public access to fishing downstream of dams owned by the Corps of Engineers.

Sec. 375. Deficit-neutral reserve fund to address the disproportionate regulatory burdens on community banks.

Sec. 376. Deficit-neutral reserve fund to authorize provision of per diem payments for provision of services to dependents of homeless veterans under laws administered by Secretary of Veterans Affairs.

Sec. 377. Deficit-neutral reserve fund to support programs related to the nuclear missions of the Department of Defense and the National Nuclear Security Administration.

Sec. 378. Deficit-neutral reserve fund to phase-in any changes to individual or corporate tax systems.

Sec. 379. Deficit-neutral reserve fund relating to increases in aid for tribal education programs.

Sec. 380. Deficit-neutral reserve fund to expedite exports from the United States.

Sec. 381. Deficit-neutral reserve fund relating to supporting the reauthorization of the payments in lieu of taxes program at levels roughly equivalent to property tax revenues lost due to the presence of Federal land.

Sec. 382. Deficit-neutral reserve fund to ensure that the United States will not negotiate or support treaties that violate Americans' Second Amendment rights under the Constitution of the United States.

Sec. 383. Deficit-neutral reserve fund to increase funding for Federal investments in biomedical research.

Sec. 384. Deficit-neutral reserve fund to uphold Second Amendment rights and prevent the United States from entering into the United Nations Arms Trade Treaty.

TITLE IV—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 401. Discretionary spending limits for fiscal years 2013 and 2014, program integrity initiatives, and other adjustments.

Sec. 402. Point of order against advance appropriations.

Sec. 403. Adjustments for sequestration or sequestration replacement.

Sec. 404. Senate point of order against provisions of appropriations legislation that constitute changes in mandatory programs affecting the Crime Victims Fund.

Sec. 405. Supermajority enforcement.

Sec. 406. Prohibiting the use of guarantee fees as an offset.

Subtitle B—Other Provisions

Sec. 411. Oversight of Government performance.

Sec. 412. Budgetary treatment of certain discretionary administrative expenses.

Sec. 413. Application and effect of changes in allocations and aggregates.

Sec. 414. Adjustments to reflect changes in concepts and definitions.

Sec. 415. Exercise of rulemaking powers.

Sec. 416. Congressional budget office estimates.

TITLE V—OTHER MATTERS

Sec. 501. To require transparent reporting on the ongoing costs to taxpayers of Obamacare.

Sec. 502. To require fuller reporting on possible costs to taxpayers of Obamacare.

Sec. 503. To require fuller reporting on possible costs to taxpayers of any budget submitted by the President.

Sec. 504. Sense of Senate on underutilized facilities of the National Aeronautics and Space Administration and their potential use.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$2,038,311,000,000.
 Fiscal year 2014: \$2,290,932,000,000.
 Fiscal year 2015: \$2,646,592,000,000.
 Fiscal year 2016: \$2,833,891,000,000.
 Fiscal year 2017: \$2,973,673,000,000.
 Fiscal year 2018: \$3,111,061,000,000.
 Fiscal year 2019: \$3,245,117,000,000.
 Fiscal year 2020: \$3,400,144,000,000.
 Fiscal year 2021: \$3,592,212,000,000.
 Fiscal year 2022: \$3,800,500,000,000.
 Fiscal year 2023: \$3,991,775,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: \$0,000,000.
 Fiscal year 2014: \$20,000,000,000.
 Fiscal year 2015: \$40,000,000,000.
 Fiscal year 2016: \$55,000,000,000.
 Fiscal year 2017: \$70,000,000,000.
 Fiscal year 2018: \$82,110,000,000.
 Fiscal year 2019: \$95,881,000,000.
 Fiscal year 2020: \$115,534,000,000.
 Fiscal year 2021: \$135,203,000,000.
 Fiscal year 2022: \$149,801,000,000.
 Fiscal year 2023: \$159,630,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,054,195,000,000.
 Fiscal year 2014: \$2,963,749,000,000.
 Fiscal year 2015: \$3,046,506,000,000.
 Fiscal year 2016: \$3,211,506,000,000.
 Fiscal year 2017: \$3,386,445,000,000.
 Fiscal year 2018: \$3,568,528,000,000.
 Fiscal year 2019: \$3,779,446,000,000.
 Fiscal year 2020: \$3,973,331,000,000.
 Fiscal year 2021: \$4,136,110,000,000.
 Fiscal year 2022: \$4,350,282,000,000.
 Fiscal year 2023: \$4,492,138,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$2,956,295,000,000.
 Fiscal year 2014: \$2,997,884,000,000.
 Fiscal year 2015: \$3,082,375,000,000.
 Fiscal year 2016: \$3,240,376,000,000.
 Fiscal year 2017: \$3,382,809,000,000.
 Fiscal year 2018: \$3,542,197,000,000.
 Fiscal year 2019: \$3,749,797,000,000.
 Fiscal year 2020: \$3,926,818,000,000.
 Fiscal year 2021: \$4,103,496,000,000.
 Fiscal year 2022: \$4,323,224,000,000.
 Fiscal year 2023: \$4,451,446,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2013: \$917,984,000,000.
 Fiscal year 2014: \$706,952,000,000.
 Fiscal year 2015: \$435,783,000,000.
 Fiscal year 2016: \$406,486,000,000.
 Fiscal year 2017: \$409,137,000,000.
 Fiscal year 2018: \$431,136,000,000.
 Fiscal year 2019: \$504,680,000,000.
 Fiscal year 2020: \$526,674,000,000.
 Fiscal year 2021: \$511,283,000,000.
 Fiscal year 2022: \$522,724,000,000.
 Fiscal year 2023: \$459,672,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,113,638,000,000.
 Fiscal year 2014: \$18,008,333,000,000.
 Fiscal year 2015: \$18,626,857,000,000.
 Fiscal year 2016: \$19,222,298,000,000.
 Fiscal year 2017: \$19,871,057,000,000.
 Fiscal year 2018: \$20,558,744,000,000.
 Fiscal year 2019: \$21,312,959,000,000.
 Fiscal year 2020: \$22,094,877,000,000.
 Fiscal year 2021: \$22,863,179,000,000.
 Fiscal year 2022: \$23,634,787,000,000.
 Fiscal year 2023: \$24,364,925,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,274,763,000,000.
 Fiscal year 2014: \$13,059,985,000,000.
 Fiscal year 2015: \$13,588,003,000,000.
 Fiscal year 2016: \$14,081,252,000,000.
 Fiscal year 2017: \$14,574,683,000,000.
 Fiscal year 2018: \$15,081,187,000,000.
 Fiscal year 2019: \$15,669,625,000,000.
 Fiscal year 2020: \$16,297,499,000,000.
 Fiscal year 2021: \$16,929,319,000,000.
 Fiscal year 2022: \$17,600,005,000,000.
 Fiscal year 2023: \$18,229,414,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$669,920,000,000.
 Fiscal year 2014: \$731,717,000,000.
 Fiscal year 2015: \$766,392,000,000.
 Fiscal year 2016: \$812,200,000,000.
 Fiscal year 2017: \$861,554,000,000.
 Fiscal year 2018: \$908,130,000,000.
 Fiscal year 2019: \$951,691,000,000.
 Fiscal year 2020: \$994,855,000,000.
 Fiscal year 2021: \$1,038,909,000,000.
 Fiscal year 2022: \$1,083,586,000,000.
 Fiscal year 2023: \$1,129,163,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$634,822,000,000.
 Fiscal year 2014: \$711,355,000,000.
 Fiscal year 2015: \$756,949,000,000.
 Fiscal year 2016: \$805,969,000,000.
 Fiscal year 2017: \$856,933,000,000.
 Fiscal year 2018: \$907,679,000,000.
 Fiscal year 2019: \$962,040,000,000.
 Fiscal year 2020: \$1,022,374,000,000.
 Fiscal year 2021: \$1,086,431,000,000.
 Fiscal year 2022: \$1,154,554,000,000.
 Fiscal year 2023: \$1,227,009,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2013:

(A) New budget authority, \$5,643,000,000.
 (B) Outlays, \$5,658,000,000.

Fiscal year 2014:

(A) New budget authority, \$5,782,000,000.
 (B) Outlays, \$5,801,000,000.

Fiscal year 2015:

(A) New budget authority, \$5,966,000,000.
 (B) Outlays, \$5,941,000,000.

Fiscal year 2016:

(A) New budget authority, \$6,174,000,000.
 (B) Outlays, \$6,144,000,000.

Fiscal year 2017:

(A) New budget authority, \$6,390,000,000.
 (B) Outlays, \$6,358,000,000.

Fiscal year 2018:

(A) New budget authority, \$6,617,000,000.
 (B) Outlays, \$6,584,000,000.

Fiscal year 2019:

(A) New budget authority, \$6,844,000,000.
 (B) Outlays, \$6,810,000,000.

Fiscal year 2020:

(A) New budget authority, \$7,070,000,000.
 (B) Outlays, \$7,036,000,000.

Fiscal year 2021:

(A) New budget authority, \$7,301,000,000.
 (B) Outlays, \$7,266,000,000.

Fiscal year 2022:

(A) New budget authority, \$7,541,000,000.
 (B) Outlays, \$7,505,000,000.

Fiscal year 2023:

(A) New budget authority, \$7,789,000,000.
 (B) Outlays, \$7,751,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2013:

(A) New budget authority, \$255,000,000.
 (B) Outlays, \$255,000,000.

Fiscal year 2014:

(A) New budget authority, \$262,000,000.
 (B) Outlays, \$262,000,000.

Fiscal year 2015:

(A) New budget authority, \$272,000,000.
 (B) Outlays, \$272,000,000.

Fiscal year 2016:

(A) New budget authority, \$284,000,000.
 (B) Outlays, \$283,000,000.

Fiscal year 2017:

(A) New budget authority, \$295,000,000.
 (B) Outlays, \$294,000,000.

Fiscal year 2018:

(A) New budget authority, \$308,000,000.
 (B) Outlays, \$307,000,000.

Fiscal year 2019:

(A) New budget authority, \$319,000,000.
 (B) Outlays, \$318,000,000.

Fiscal year 2020:

(A) New budget authority, \$332,000,000.
 (B) Outlays, \$331,000,000.

Fiscal year 2021:

(A) New budget authority, \$345,000,000.
 (B) Outlays, \$344,000,000.

Fiscal year 2022:

(A) New budget authority, \$357,000,000.
 (B) Outlays, \$356,000,000.

Fiscal year 2023:

(A) New budget authority, \$371,000,000.
 (B) Outlays, \$370,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2023 for each major functional category are:

(1) National Defense (050):

Fiscal year 2013:

(A) New budget authority, \$648,215,000,000.
 (B) Outlays, \$658,250,000,000.

Fiscal year 2014:

(A) New budget authority, \$560,243,000,000.
 (B) Outlays, \$599,643,000,000.

Fiscal year 2015:

(A) New budget authority, \$567,553,000,000.
 (B) Outlays, \$575,701,000,000.

Fiscal year 2016:

(A) New budget authority, \$575,019,000,000.
 (B) Outlays, \$575,203,000,000.

Fiscal year 2017:

(A) New budget authority, \$582,648,000,000.
 (B) Outlays, \$573,557,000,000.

Fiscal year 2018:

(A) New budget authority, \$590,411,000,000.
 (B) Outlays, \$574,884,000,000.

Fiscal year 2019:

(A) New budget authority, \$598,867,000,000.
 (B) Outlays, \$587,226,000,000.

Fiscal year 2020:

(A) New budget authority, \$607,454,000,000.
 (B) Outlays, \$595,192,000,000.

Fiscal year 2021:

(A) New budget authority, \$616,137,000,000.
 (B) Outlays, \$603,369,000,000.

Fiscal year 2022:

(A) New budget authority, \$625,569,000,000.
 (B) Outlays, \$617,186,000,000.

Fiscal year 2023:

(A) New budget authority, \$636,480,000,000.
 (B) Outlays, \$621,603,000,000.

(2) International Affairs (150):

Fiscal year 2013:

(A) New budget authority, \$58,425,000,000.
 (B) Outlays, \$48,716,000,000.

Fiscal year 2014:

(A) New budget authority, \$47,883,000,000.
 (B) Outlays, \$47,508,000,000.

Fiscal year 2015:

(A) New budget authority, \$46,367,000,000.
 (B) Outlays, \$46,830,000,000.

Fiscal year 2016:

(A) New budget authority, \$47,521,000,000.
 (B) Outlays, \$46,580,000,000.

Fiscal year 2017:

(A) New budget authority, \$48,666,000,000.
 (B) Outlays, \$46,792,000,000.

Fiscal year 2018:

(A) New budget authority, \$49,831,000,000.
 (B) Outlays, \$47,157,000,000.

Fiscal year 2019:

(A) New budget authority, \$51,004,000,000.
 (B) Outlays, \$47,707,000,000.

Fiscal year 2020:

(A) New budget authority, \$52,194,000,000.
 (B) Outlays, \$48,729,000,000.

Fiscal year 2021:

(A) New budget authority, \$52,898,000,000.
 (B) Outlays, \$49,801,000,000.

Fiscal year 2022:

(A) New budget authority, \$54,417,000,000.
 (B) Outlays, \$51,209,000,000.

Fiscal year 2023:

(A) New budget authority, \$55,664,000,000.
 (B) Outlays, \$52,212,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 2013:

(A) New budget authority, \$29,154,000,000.
 (B) Outlays, \$28,949,000,000.

Fiscal year 2014:

(A) New budget authority, \$29,700,000,000.
 (B) Outlays, \$29,426,000,000.

Fiscal year 2015:

(A) New budget authority, \$30,301,000,000.
 (B) Outlays, \$30,022,000,000.

Fiscal year 2016:

(A) New budget authority, \$31,019,000,000.
 (B) Outlays, \$30,553,000,000.

Fiscal year 2017:

(A) New budget authority, \$31,749,000,000.
 (B) Outlays, \$31,229,000,000.

Fiscal year 2018:

(A) New budget authority, \$32,508,000,000.
 (B) Outlays, \$31,962,000,000.

Fiscal year 2019:

(A) New budget authority, \$33,264,000,000.
 (B) Outlays, \$32,655,000,000.

- Fiscal year 2020:
 (A) New budget authority, \$34,030,000,000.
 (B) Outlays, \$33,408,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$34,795,000,000.
 (B) Outlays, \$34,073,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$35,590,000,000.
 (B) Outlays, \$34,851,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$36,396,000,000.
 (B) Outlays, \$35,643,000,000.
- (4) Energy (270):
 Fiscal year 2013:
 (A) New budget authority, \$6,243,000,000.
 (B) Outlays, \$9,122,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$4,465,000,000.
 (B) Outlays, \$5,270,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$4,061,000,000.
 (B) Outlays, \$4,078,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$4,185,000,000.
 (B) Outlays, \$3,563,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$4,309,000,000.
 (B) Outlays, \$3,822,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$4,489,000,000.
 (B) Outlays, \$4,105,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$4,622,000,000.
 (B) Outlays, \$4,316,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$4,803,000,000.
 (B) Outlays, \$4,538,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$4,875,000,000.
 (B) Outlays, \$4,696,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$5,000,000,000.
 (B) Outlays, \$4,862,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$5,072,000,000.
 (B) Outlays, \$4,913,000,000.
- (5) Natural Resources and Environment (300):
 Fiscal year 2013:
 (A) New budget authority, \$44,150,000,000.
 (B) Outlays, \$41,682,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$43,019,000,000.
 (B) Outlays, \$43,121,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$42,872,000,000.
 (B) Outlays, \$43,165,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$44,055,000,000.
 (B) Outlays, \$44,394,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$45,500,000,000.
 (B) Outlays, \$45,681,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$47,245,000,000.
 (B) Outlays, \$47,014,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$48,036,000,000.
 (B) Outlays, \$48,112,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$49,596,000,000.
 (B) Outlays, \$49,435,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$50,174,000,000.
 (B) Outlays, \$50,074,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$51,331,000,000.
 (B) Outlays, \$50,862,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$52,759,000,000.
 (B) Outlays, \$51,703,000,000.
- (6) Agriculture (350):
 Fiscal year 2013:
 (A) New budget authority, \$22,373,000,000.
 (B) Outlays, \$28,777,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$22,550,000,000.
 (B) Outlays, \$21,136,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$20,180,000,000.
 (B) Outlays, \$19,909,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$19,717,000,000.
 (B) Outlays, \$19,283,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$19,780,000,000.
 (B) Outlays, \$19,289,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$19,613,000,000.
 (B) Outlays, \$19,087,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$19,908,000,000.
 (B) Outlays, \$19,301,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$20,379,000,000.
 (B) Outlays, \$19,878,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$20,588,000,000.
 (B) Outlays, \$20,116,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$21,105,000,000.
 (B) Outlays, \$20,626,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$21,421,000,000.
 (B) Outlays, \$20,959,000,000.
- (7) Commerce and Housing Credit (370):
 Fiscal year 2013:
 (A) New budget authority, \$-30,498,000,000.
 (B) Outlays, \$-24,504,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$16,201,000,000.
 (B) Outlays, \$4,408,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$10,733,000,000.
 (B) Outlays, \$-2,394,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$11,112,000,000.
 (B) Outlays, \$-4,110,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$11,827,000,000.
 (B) Outlays, \$-5,624,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$14,224,000,000.
 (B) Outlays, \$-3,938,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$16,885,000,000.
 (B) Outlays, \$-6,483,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$16,984,000,000.
 (B) Outlays, \$-6,238,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$17,099,000,000.
 (B) Outlays, \$-981,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$17,226,000,000.
 (B) Outlays, \$-2,004,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$17,334,000,000.
 (B) Outlays, \$-3,032,000,000.
- (8) Transportation (400):
 Fiscal year 2013:
 (A) New budget authority, \$100,501,000,000.
 (B) Outlays, \$93,656,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$88,556,000,000.
 (B) Outlays, \$94,621,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$88,419,000,000.
 (B) Outlays, \$95,092,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$89,319,000,000.
 (B) Outlays, \$95,855,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$90,186,000,000.
 (B) Outlays, \$96,577,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$91,115,000,000.
 (B) Outlays, \$96,478,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$91,977,000,000.
 (B) Outlays, \$97,757,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$93,143,000,000.
 (B) Outlays, \$99,308,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$94,330,000,000.
 (B) Outlays, \$101,593,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$95,586,000,000.
 (B) Outlays, \$103,395,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$96,864,000,000.
 (B) Outlays, \$105,364,000,000.
- (9) Community and Regional Development (450):
 Fiscal year 2013:
 (A) New budget authority, \$51,911,000,000.
 (B) Outlays, \$38,409,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$24,995,500,000.
 (B) Outlays, \$29,779,500,000.
- Fiscal year 2015:
 (A) New budget authority, \$25,362,000,000.
 (B) Outlays, \$31,033,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$25,808,000,000.
 (B) Outlays, \$29,233,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$26,360,000,000.
 (B) Outlays, \$29,216,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$26,442,000,000.
 (B) Outlays, \$27,660,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$26,610,000,000.
 (B) Outlays, \$26,831,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$27,212,000,000.
 (B) Outlays, \$26,873,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$27,828,000,000.
 (B) Outlays, \$27,154,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$28,461,000,000.
 (B) Outlays, \$27,487,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$29,098,000,000.
 (B) Outlays, \$27,953,000,000.
- (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2013:
 (A) New budget authority, \$77,536,000,000.
 (B) Outlays, \$82,279,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$78,349,000,000.
 (B) Outlays, \$86,546,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$89,537,000,000.
 (B) Outlays, \$96,269,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$106,927,000,000.
 (B) Outlays, \$98,922,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$117,961,000,000.
 (B) Outlays, \$111,494,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$123,744,000,000.
 (B) Outlays, \$122,679,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$119,139,000,000.
 (B) Outlays, \$117,997,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$120,411,000,000.
 (B) Outlays, \$119,806,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$122,546,000,000.
 (B) Outlays, \$121,459,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$124,565,000,000.
 (B) Outlays, \$123,422,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$126,825,000,000.

(B) Outlays, \$125,845,000,000.
 (11) Health (550):
 Fiscal year 2013:
 (A) New budget authority, \$365,206,000,000.
 (B) Outlays, \$361,960,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$420,326,000,000.
 (B) Outlays, \$415,573,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$500,356,000,000.
 (B) Outlays, \$493,639,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$554,680,000,000.
 (B) Outlays, \$560,173,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$611,908,000,000.
 (B) Outlays, \$614,248,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$648,773,000,000.
 (B) Outlays, \$648,945,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$685,879,000,000.
 (B) Outlays, \$684,985,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$732,529,000,000.
 (B) Outlays, \$721,193,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$764,934,000,000.
 (B) Outlays, \$763,469,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$808,026,000,000.
 (B) Outlays, \$806,172,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$852,829,000,000.
 (B) Outlays, \$851,028,000,000.
 (12) Medicare (570):
 Fiscal year 2013:
 (A) New budget authority, \$511,692,000,000.
 (B) Outlays, \$511,240,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$535,596,000,000.
 (B) Outlays, \$535,067,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$540,503,000,000.
 (B) Outlays, \$540,205,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$586,873,000,000.
 (B) Outlays, \$586,662,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$602,495,000,000.
 (B) Outlays, \$602,085,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$626,619,000,000.
 (B) Outlays, \$626,319,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$687,071,000,000.
 (B) Outlays, \$686,851,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$734,468,000,000.
 (B) Outlays, \$734,051,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$782,452,000,000.
 (B) Outlays, \$782,386,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$855,410,000,000.
 (B) Outlays, \$855,061,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$883,491,000,000.
 (B) Outlays, \$883,062,000,000.
 (13) Income Security (600):
 Fiscal year 2013:
 (A) New budget authority, \$544,094,000,000.
 (B) Outlays, \$542,998,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$530,103,000,000.
 (B) Outlays, \$526,954,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$528,197,000,000.
 (B) Outlays, \$524,043,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$537,117,000,000.
 (B) Outlays, \$536,196,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$536,006,000,000.

(B) Outlays, \$531,153,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$538,914,000,000.
 (B) Outlays, \$529,716,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$565,188,000,000.
 (B) Outlays, \$560,677,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$578,159,000,000.
 (B) Outlays, \$573,775,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$592,348,000,000.
 (B) Outlays, \$587,965,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$611,644,000,000.
 (B) Outlays, \$612,070,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$619,422,000,000.
 (B) Outlays, \$614,921,000,000.
 (14) Social Security (650):
 Fiscal year 2013:
 (A) New budget authority, \$52,803,000,000.
 (B) Outlays, \$52,883,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$27,506,000,000.
 (B) Outlays, \$27,616,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$30,233,000,000.
 (B) Outlays, \$30,308,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$33,369,000,000.
 (B) Outlays, \$33,407,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$36,691,000,000.
 (B) Outlays, \$36,691,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$40,005,000,000.
 (B) Outlays, \$40,005,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$43,421,000,000.
 (B) Outlays, \$43,421,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$46,954,000,000.
 (B) Outlays, \$46,954,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$50,474,000,000.
 (B) Outlays, \$50,474,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$54,235,000,000.
 (B) Outlays, \$54,235,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$58,441,000,000.
 (B) Outlays, \$58,441,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2013:
 (A) New budget authority, \$140,646,000,000.
 (B) Outlays, \$138,860,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$145,488,000,000.
 (B) Outlays, \$145,254,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$150,218,000,000.
 (B) Outlays, \$149,672,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$162,493,000,000.
 (B) Outlays, \$161,876,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$161,405,000,000.
 (B) Outlays, \$160,549,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$159,902,000,000.
 (B) Outlays, \$159,031,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$171,529,000,000.
 (B) Outlays, \$170,622,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$176,188,000,000.
 (B) Outlays, \$175,286,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$180,118,000,000.
 (B) Outlays, \$179,169,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$191,846,000,000.
 (B) Outlays, \$190,875,000,000.

Fiscal year 2023:
 (A) New budget authority, \$188,517,000,000.
 (B) Outlays, \$187,433,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2013:
 (A) New budget authority, \$53,094,000,000.
 (B) Outlays, \$57,120,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$66,526,000,000.
 (B) Outlays, \$55,445,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$56,476,000,000.
 (B) Outlays, \$57,912,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$59,937,000,000.
 (B) Outlays, \$62,665,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$59,940,000,000.
 (B) Outlays, \$65,090,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$61,751,000,000.
 (B) Outlays, \$63,405,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$63,708,000,000.
 (B) Outlays, \$63,959,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$65,672,000,000.
 (B) Outlays, \$65,153,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$67,840,000,000.
 (B) Outlays, \$67,246,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$70,695,000,000.
 (B) Outlays, \$70,066,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$76,218,000,000.
 (B) Outlays, \$75,564,000,000.
 (17) General Government (800):
 Fiscal year 2013:
 (A) New budget authority, \$24,000,000,000.
 (B) Outlays, \$27,263,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$23,616,000,000.
 (B) Outlays, \$24,527,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$24,258,000,000.
 (B) Outlays, \$24,540,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$24,995,000,000.
 (B) Outlays, \$24,616,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$25,640,000,000.
 (B) Outlays, \$25,247,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$26,497,000,000.
 (B) Outlays, \$26,039,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$27,377,000,000.
 (B) Outlays, \$26,724,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$28,210,000,000.
 (B) Outlays, \$27,520,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$29,089,000,000.
 (B) Outlays, \$28,437,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$29,996,000,000.
 (B) Outlays, \$29,353,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$30,900,000,000.
 (B) Outlays, \$30,304,000,000.
 (18) Net Interest (900):
 Fiscal year 2013:
 (A) New budget authority, \$331,271,000,000.
 (B) Outlays, \$331,271,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$342,703,000,000.
 (B) Outlays, \$342,703,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$370,274,000,000.
 (B) Outlays, \$370,274,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$419,485,000,000.
 (B) Outlays, \$419,485,000,000.

Fiscal year 2017:

- (A) New budget authority, \$506,103,000,000.
- (B) Outlays, \$506,103,000,000.

Fiscal year 2018:

- (A) New budget authority, \$608,623,000,000.
- (B) Outlays, \$608,623,000,000.

Fiscal year 2019:

- (A) New budget authority, \$683,623,000,000.
- (B) Outlays, \$683,623,000,000.

Fiscal year 2020:

- (A) New budget authority, \$752,067,000,000.
- (B) Outlays, \$752,067,000,000.

Fiscal year 2021:

- (A) New budget authority, \$806,870,000,000.
- (B) Outlays, \$806,870,000,000.

Fiscal year 2022:

- (A) New budget authority, \$859,077,000,000.
- (B) Outlays, \$859,077,000,000.

Fiscal year 2023:

- (A) New budget authority, \$905,971,000,000.
- (B) Outlays, \$905,971,000,000.

(19) Allowances (920):

Fiscal year 2013:

- (A) New budget authority, \$99,868,000,000.
- (B) Outlays, \$3,853,000,000.

Fiscal year 2014:

- (A) New budget authority, \$31,869,500,000.
- (B) Outlays, \$39,233,500,000.

Fiscal year 2015:

- (A) New budget authority, \$1,469,000,000.
- (B) Outlays, \$32,941,000,000.

Fiscal year 2016:

- (A) New budget authority, \$-35,734,000,000.
- (B) Outlays, \$2,211,000,000.

Fiscal year 2017:

- (A) New budget authority, \$-42,592,000,000.
- (B) Outlays, \$-20,253,000,000.

Fiscal year 2018:

- (A) New budget authority, \$-51,675,000,000.
- (B) Outlays, \$-36,471,000,000.

Fiscal year 2019:

- (A) New budget authority, \$-61,088,000,000.
- (B) Outlays, \$-48,910,000,000.

Fiscal year 2020:

- (A) New budget authority, \$-68,207,000,000.
- (B) Outlays, \$-61,194,000,000.

Fiscal year 2021:

- (A) New budget authority, \$-76,108,000,000.
- (B) Outlays, \$-70,697,000,000.

Fiscal year 2022:

- (A) New budget authority, \$-84,378,000,000.
- (B) Outlays, \$-80,463,000,000.

Fiscal year 2023:

- (A) New budget authority, \$-92,680,000,000.
- (B) Outlays, \$-89,556,000,000.

- (20) Undistributed Offsetting Receipts (950):

Fiscal year 2013:

- (A) New budget authority, \$-76,489,000,000.
- (B) Outlays, \$-76,489,000,000.

Fiscal year 2014:

- (A) New budget authority, \$-75,946,000,000.
- (B) Outlays, \$-75,946,000,000.

Fiscal year 2015:

- (A) New budget authority, \$-80,864,000,000.
- (B) Outlays, \$-80,864,000,000.

Fiscal year 2016:

- (A) New budget authority, \$-86,391,000,000.
- (B) Outlays, \$-86,391,000,000.

Fiscal year 2017:

- (A) New budget authority, \$-90,137,000,000.
- (B) Outlays, \$-90,137,000,000.

Fiscal year 2018:

- (A) New budget authority, \$-90,503,000,000.
- (B) Outlays, \$-90,503,000,000.

Fiscal year 2019:

- (A) New budget authority, \$-97,574,000,000.
- (B) Outlays, \$-97,574,000,000.

Fiscal year 2020:

- (A) New budget authority, \$-98,916,000,000.
- (B) Outlays, \$-98,916,000,000.

Fiscal year 2021:

- (A) New budget authority, \$-103,177,000,000.
- (B) Outlays, \$-103,177,000,000.

Fiscal year 2022:

- (A) New budget authority, \$-105,117,000,000.
- (B) Outlays, \$-105,117,000,000.

Fiscal year 2023:

- (A) New budget authority, \$-108,885,000,000.
- (B) Outlays, \$-108,885,000,000.

TITLE II—RECONCILIATION

SEC. 201. RECONCILIATION IN THE SENATE.

Not later than October 1, 2013, the Committee on Finance of the Senate shall report changes in laws, bills, or resolutions within its jurisdiction to increase the total level of revenues by \$975,000,000,000 for the period of fiscal years 2013 through 2023.

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) or section 901(e) of the American Taxpayer Relief Act of 2012 (Public Law 112-240) to repeal or revise the enforcement procedures established under those sections, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2013 through 2023. For purposes of determining deficit-neutrality under this section, the Chairman may include the estimated effects of any amendment or amendments to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

SEC. 302. DEFICIT-NEUTRAL RESERVE FUNDS TO PROMOTE EMPLOYMENT AND JOB GROWTH.

(a) EMPLOYMENT AND JOB GROWTH.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to employment and job growth, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) SMALL BUSINESS ASSISTANCE.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to small businesses, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) UNEMPLOYMENT RELIEF.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to the unemployed, or improve the unemployment compensation program,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(d) TRADE AND INTERNATIONAL AGREEMENTS.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to trade, including Trade Adjustment Assistance programs, trade enforcement, (including requiring timely and time-limited investigations into the evasion of antidumping and countervailing duties), or international agreements for economic assistance, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUNDS TO ASSIST WORKING FAMILIES AND CHILDREN.

(a) INCOME SUPPORT.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the Social Services Block Grant (SSBG), the Temporary Assistance for Needy Families (TANF) program, child support enforcement programs, or other assistance to working families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) HOUSING ASSISTANCE.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to housing assistance, which may include working family rental assistance, or assistance provided through the Housing Trust Fund, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) CHILD WELFARE.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to child welfare programs, which may include the Federal foster care payment system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUNDS FOR EARLY CHILDHOOD EDUCATION.

(a) PRE-KINDERGARTEN.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or

more bills, joint resolutions, amendments, motions, or conference reports related to a pre-kindergarten program or programs to serve low-income children, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **CHILD CARE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to child care assistance for working families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **HOME VISITING.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to a home visiting program or programs serving low-income mothers-to-be and low-income families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR TAX RELIEF.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide tax relief, including extensions of expiring tax relief or refundable tax relief, relief that supports innovation by United States enterprises, relief for low and middle income families or relief that expands the ability of startup companies to benefit from the credit for research and experimentation expenses, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 306. RESERVE FUND FOR TAX REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that reform the Internal Revenue Code of 1986 to ensure a sustainable revenue base that leads to a fairer, more progressive, and more efficient tax system than currently exists, and to a more competitive business environment for United States enterprises, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 307. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to—

(1) the reduction of our Nation's dependence on imported energy and the investment of receipts from domestic energy production;

(2) energy conservation and renewable energy development, or new or existing approaches to clean energy financing;

(3) the Low-Income Home Energy Assistance Program;

(4) low-income weatherization and energy efficiency retrofit programs;

(5) Federal programs for land and water conservation and acquisition;

(6) greenhouse gas emissions levels;

(7) the preservation, restoration, or protection of the Nation's public lands, oceans, coastal areas, or aquatic ecosystems;

(8) agreements between the United States and jurisdictions of the former Trust Territory;

(9) wildland fire management activities;

(10) the restructure of the nuclear waste program; or

(11) to provide assistance for fishery disasters declared by the Secretary of Commerce during 2012;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for Federal investment in the infrastructure of the United States, which may include projects for transportation, housing, energy, water, telecommunications, including promoting investments in broadband infrastructure to expedite deployment of broadband to rural areas, or financing through tax credit bonds, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S SERVICEMEMBERS AND VETERANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to—

(1) eligibility for both military retired pay and veterans' disability compensation (concurrent receipt);

(2) the reduction or elimination of the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation;

(3) the improvement of disability benefits or the process of evaluating and adjudicating benefit claims for members of the Armed Forces or veterans;

(4) the infrastructure needs of the Department of Veterans Affairs, including constructing or leasing space, to include leases of major medical facilities, and maintenance of Department facilities;

(5) supporting the transition of servicemembers to the civilian workforce, including by expanding or improving education, job training, and workforce development benefits, or other programs for servicemembers or veterans, which may include streamlining the process associated with Federal and State credentialing requirements; or

(6) supporting additional efforts to increase access to health care for veterans in rural areas through telehealth and other programs that reduce the need for such veterans to travel long distances to a medical facility of the Department of Veterans Affairs; by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make higher education more accessible and affordable, which may include legislation to increase college enrollment and completion rates for low-income students, standardize financial aid award letters, or promote college savings, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUNDS FOR HEALTH CARE.

(a) **PHYSICIAN REIMBURSEMENT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase payments made under, or permanently reform or replace, the Medicare Sustainable Growth Rate (SGR) formula, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **EXTENSION OF EXPIRING HEALTH CARE POLICIES.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that extend expiring Medicare, Medicaid, or other health provisions, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **HEALTH CARE IMPROVEMENT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote improvements to health care delivery systems, which may include changes that increase care quality, encourage efficiency, focus on chronic illness, or improve

care coordination, improve overall population health, promote health equity or reduce health disparities, and that improve the fiscal sustainability of health care spending over the long term, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(d) **THERAPY CAPS.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that protect access to outpatient therapy services (including physical therapy, occupational therapy, and speech-language pathology services) through measures such as repealing or increasing the current outpatient therapy caps, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(e) **DRUG SAFETY.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to drug safety, which may include legislation that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN OUR NATION'S COUNTIES AND SCHOOLS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make changes to or provide for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) or make changes to chapter 69 of title 31, United States Code (commonly known as the "Payments in Lieu of Taxes Act of 1976"), or both, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR A FARM BILL.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651) or prior Acts, authorize similar or related programs, provide for revenue changes, or any combination of the purposes under this section, by the amounts provided in such legislation for those purposes, provided that such

legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN WATER INFRASTRUCTURE AND RESOURCES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to water infrastructure programs or make changes to the collection and expenditure of the Harbor Maintenance Tax (subchapter A of chapter 36 of the Internal Revenue Code of 1986), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR PENSION REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to strengthen and reform the pension system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR HOUSING FINANCE REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote appropriate access to mortgage credit for individuals and families or examine the role of government in the secondary mortgage market, which may include legislation to restructure government-sponsored enterprises, or provide for mortgage refinancing opportunities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR NATIONAL SECURITY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that support Department of Defense auditability and acquisition reform efforts, which may include legislation that limits the use of incremental funding, or that promotes affordability or appropriate contract choice, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR OVERSEAS CONTINGENCY OPERATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the support of Overseas Contingency Operations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR TERRORISM RISK INSURANCE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make changes to or provide for the reauthorization of the Terrorism Risk Insurance Act (Public Law 107-297; 116 Stat. 2322), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR POSTAL REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to strengthen and reform the United States Postal Service, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 321. DEFICIT-REDUCTION RESERVE FUND FOR GOVERNMENT REFORM AND EFFICIENCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings through the use of performance data or scientifically rigorous evaluation methodologies for the elimination, consolidation, or reform of Federal programs, agencies, offices, and initiatives, or the sale of Federal property, or the reduction of duplicative Federal financial literacy programs, or the reduction of duplicative Federal housing assistance programs or the reduction of duplicative Federal grant programs within the Department of Justice, or the reduction of duplicative Federal unmanned aircraft programs, or the reduction of duplicative Federal science, technology, engineering, and mathematics programs or the reduction of duplicative Federal economic development programs or the reduction of duplicative Federal support for entrepreneurs programs, or the reduction of duplicative preparedness grants by the Federal Emergency Management Agency or the reduction of duplicative Federal green building programs, or the reduction of duplicative Federal diesel emissions programs, or the reduction of duplicative early learning child care programs, or the reduction of duplicative domestic food assistance programs, or the reduction of duplicative teacher quality programs, or the reduction of duplicative food safety programs, or the reduction of duplicative Defense language and cultural

training programs, or the reduction of duplicative nuclear nonproliferation programs, or reduce improper payments, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 322. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE FEDERAL BENEFIT PROCESSING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to business process changes at the Office of Personnel Management, which may include processing times for Federal employee benefits or other efficiencies or operational changes, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION TO IMPROVE VOTER REGISTRATION AND THE VOTING EXPERIENCE IN FEDERAL ELECTIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the improvement of voter registration and the voting experience in Federal elections, which may include funding measures or other measures addressing voter registration or election reform, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 324. DEFICIT-REDUCTION RESERVE FUND TO PROMOTE CORPORATE TAX FAIRNESS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to corporate income taxes, which may include measures addressing loopholes used by large profitable corporations that pay no Federal income tax and use such savings to reduce the deficit. The Chairman may also make adjustment to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 325. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING FEDERAL FOREST MANAGEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the management of Federal forest lands, which may include—

(1) the increase of timber production within sustainable levels;

(2) the protection of communities from wildfires, or the enhancement of forest resilience to insects or disease; or

(3) the improvement, protection, or restoration of watersheds and forest ecosystems;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 326. DEFICIT-NEUTRAL RESERVE FUND FOR FINANCIAL TRANSPARENCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to increase the transparency of financial and performance information for Federal agencies, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 327. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE MANUFACTURING IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to investment in the manufacturing sector of the United States, which may include educational or research and development initiatives, public-private partnerships, or other programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 328. DEFICIT-REDUCTION RESERVE FUND FOR REPORT ELIMINATION OR MODIFICATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings through the elimination, modification, or the reduction in frequency of congressionally mandated reports from Federal agencies, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 329. DEFICIT-NEUTRAL RESERVE FUND FOR THE MINIMUM WAGE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to income inequality, which may include an increase in the minimum wage, by the amounts provided

in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 330. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE HEALTH OUTCOMES AND LOWER COSTS FOR CHILDREN IN MEDICAID.

(a) **PROTECTING MEDICAID FOR AMERICA'S CHILDREN.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that preserve Medicaid's role in protecting children's health care, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **MEDICALLY COMPLEX CHILDREN.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that improve the health outcomes and lowers costs for medically complex children in Medicaid, which may include creating or expanding integrated delivery models or improving care coordination, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **ORAL HEALTH CARE FOR CHILDREN WITH MEDICAID COVERAGE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that improve the oral health outcomes for children covered by Medicaid, including legislation that may allow for risk-based disease prevention and comprehensive, coordinated chronic disease treatment approaches, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 331. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE FEDERAL WORKFORCE DEVELOPMENT, JOB TRAINING, AND REEMPLOYMENT PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would ensure effective administration, reduce inefficient overlap, improve access, and enhance outcomes of Federal workforce development, youth and adult job training, and reemployment programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR REPEAL OF MEDICAL DEVICE TAX.

The Chairman of the Senate Committee on the Budget may revise the allocations of a

committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the House and the Senate, motions, or conference reports related to innovation, high quality manufacturing jobs, and economic growth, including the repeal of the 2.3 percent excise tax on medical device manufacturers, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 333. DEFICIT-NEUTRAL RESERVE FUND PROHIBITING MEDICARE VOUCHERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to access for Medicare beneficiaries, which may include legislation that provides beneficiary protections from voucher payments, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 334. DEFICIT-NEUTRAL RESERVE FUND FOR EQUAL PAY FOR EQUAL WORK.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to efforts to ensure equal pay policies and practices, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 335. DEFICIT-NEUTRAL RESERVE FUND RELATING TO WOMEN'S HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to women's access to health care, which may include the protection of basic primary and preventative health care, family planning and birth control, or employer-provided contraceptive coverage for women's health care, by the amounts provided in such legislation for these purposes, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 336. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE STATE-WIDE BUDGET NEUTRALITY IN THE CALCULATION OF THE MEDICARE HOSPITAL WAGE INDEX FLOOR.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would adjust Medicare outlays, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years

2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 337. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROMOTION OF INVESTMENT AND JOB GROWTH IN UNITED STATES MANUFACTURING, OIL AND GAS PRODUCTION, AND REFINING SECTORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that may result in strong growth in manufacturing, oil and gas production, and refining sectors of the economy through the approval and construction of the Keystone XL Pipeline without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 338. DEFICIT-NEUTRAL RESERVE FUND TO ALLOW STATES TO ENFORCE STATE AND LOCAL USE TAX LAWS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of any committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to allowing States to enforce State and local use taxes already owed under State law on remote sales by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023 and provided that such legislation may include requirements that States recognize the value of small businesses to the United States economy by exempting the remote sales of business inputs from sales and use taxes.

SEC. 339. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE DEFINITION OF FULL-TIME EMPLOYEE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to employer penalties in the Patient Protection and Affordable Care Act, which may include restoring a sensible definition of "full-time employee", provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 340. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE LABELING OF GENETICALLY ENGINEERED FISH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the labeling of genetically engineered fish, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 341. DEFICIT-NEUTRAL RESERVE FUND FOR THE FAMILIES OF AMERICA'S SERVICEMEMBERS AND VETERANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to support for the families of members of the Armed Forces and veterans, including—

- (1) expanding educational opportunities;
- (2) providing increased access to job training and placement services;
- (3) tracking and reporting on suicides of family members of members of the Armed Forces;
- (4) ensuring access to high-quality and affordable healthcare; or
- (5) improving military housing;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 342. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ESTABLISHING A BIENNIAL BUDGET AND APPROPRIATIONS PROCESS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to establishing a biennial budget and appropriations process, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 343. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE REPEAL OR REDUCTION OF THE ESTATE TAX.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the repeal or reduction of the estate tax, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 344. DEFICIT-NEUTRAL RESERVE FUND FOR DISABLED VETERANS AND THEIR SURVIVORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to protecting the benefits of disabled veterans and their survivors, which may not include a chained CPI, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 345. DEFICIT REDUCTION FUND FOR NO BUDGET, NO OMB PAY.

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional

Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to the federal budget process, which may include prohibiting paying the salaries of either the Director of the Office of Management and Budget (OMB), the OMB Deputy Director, or the OMB Deputy Director for Management, or all three officials, for the period of time after which the President fails to submit a budget, pursuant to section 1105 of title 31, United States Code, and until the day the President submits a budget to Congress.

SEC. 346. DEFICIT-NEUTRAL RESERVE FUND RELATING HARDROCK MINING REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal land management, which may include provisions relating to budget deficit reduction, establishment of a reclamation fund, imposition of a locatable mineral royalty, revenue sharing with States, and improvements to the permitting process, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 347. DEFICIT-NEUTRAL RESERVE FUND TO END "TOO BIG TO FAIL" SUBSIDIES OR FUNDING ADVANTAGE FOR WALL STREET MEGA-BANKS (OVER \$500,000,000,000 IN TOTAL ASSETS).

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to any subsidies or funding advantage relative to other competitors received by bank holding companies with over \$500,000,000,000 in total assets, which may include elimination of any subsidies or funding advantage relative to other competitors resulting from the perception of Federal assistance to prevent receivership, or any subsidies or funding advantage relative to other competitors resulting from the perception of Federal assistance to facilitate exit from receivership, or to realign market incentives to protect the taxpayer, except in the case of Federal assistance provided in response to a natural disaster, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SEC. 348. DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING CHILDREN ELIGIBLE FOR HEALTH CARE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS TO RETAIN SUCH ELIGIBILITY UNTIL AGE 26.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to authorizing children who are eli-

gible to receive health care furnished under laws administered by the Secretary of Veterans Affairs to retain such eligibility until age 26, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 349. DEFICIT-NEUTRAL RESERVE FUND FOR STATE AND LOCAL LAW ENFORCEMENT.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report to support State and local law enforcement, which may include investing in State formula grants, to aid State and local law enforcement and criminal justice systems in implementing innovative, evidence-based approaches to crime prevention and control, including strategies such as specialty courts, multi-jurisdictional task forces, technology improvement, and information sharing systems, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 350. DEFICIT-NEUTRAL RESERVE FUND TO ESTABLISH A NATIONAL NETWORK FOR MANUFACTURING INNOVATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to accelerating the development and deployment of advanced manufacturing technologies, advancing competitiveness, improving the speed and infrastructure with which small- and medium-sized enterprises and supply chains commercialize new processes and technologies, and informing industry-driven education and training, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 351. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURE THAT ANY CARBON EMISSIONS STANDARDS MUST BE COST EFFECTIVE, BASED ON THE BEST AVAILABLE SCIENCE, AND BENEFIT LOW-INCOME AND MIDDLE CLASS FAMILIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to carbon emission standards, that any such standards must be cost effective, based on best available science and benefit low-income and middle class families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 352. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE ELIGIBILITY CRITERIA FOR CERTAIN UNLAWFUL IMMIGRANT INDIVIDUALS WITH RESPECT TO CERTAIN HEALTH INSURANCE PLANS.

The Chairman of the Committee on the Budget of the Senate may revise the alloca-

tions of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to limiting undocumented immigrants from qualifying for federally subsidized health insurance coverage, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 353. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE NO FINANCIAL INSTITUTION IS ABOVE THE LAW REGARDLESS OF SIZE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to criminal liability of a financial institution operating in the United States, which may include measures to address the criminal prosecution of a large financial institution operating in the United States or executives of a large financial institution operating in the United States, including for wrongdoing relating to money laundering or violation of sanctions laws, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 354. DEFICIT-NEUTRAL RESERVE FUND RELATING TO HELPING HOMEOWNERS AND SMALL BUSINESSES MITIGATE AGAINST FLOOD LOSS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing better coordination among flood mitigation programs to meet the unmet mitigation needs of homeowners and small businesses, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 355. DEFICIT-NEUTRAL RESERVE FUND TO RESTORE FAMILY HEALTH CARE FLEXIBILITY BY REPEALING THE HEALTH SAVINGS ACCOUNT AND FLEXIBLE SPENDING ACCOUNT RESTRICTIONS IN THE HEALTH CARE LAW.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that restore families' health care flexibility, which may include repealing tax increases on tax-advantaged accounts in the Patient Protection and Affordable Care Act (Public Law 111-148; Stat. 119), without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SEC. 356. DEFICIT-NEUTRAL RESERVE FUND FOR BARDA AND THE BIOSHIELD SPECIAL RESERVE FUND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may provide for full funding for the Biomedical Advanced Research and Development Authority under section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) and the Special Reserve Fund under Section 319-F2 of the Public Health Service Act (42 U.S.C. 247d-6b) without raising new revenue by the amounts provided in such authorizing legislation for those purposes, provided that such legislation does not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 357. DEFICIT-REDUCTION RESERVE FUND FOR POSTAL REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the United States Postal Service, which may include measures addressing the nonprofit postal discount for State and national political committees, and use such savings to reduce the deficit. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 358. DEFICIT-NEUTRAL RESERVE FUND TO BROADEN THE EFFECTS OF THE SEQUESTER, INCLUDING ALLOWING MEMBERS OF CONGRESS TO DONATE A PORTION OF THEIR SALARIES TO CHARITY OR TO THE DEPARTMENT OF THE TREASURY DURING SEQUESTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that are related to broadening the impact of the sequester, which may include allowing Members of Congress to donate 20 percent of their salaries to charity or to the Department of the Treasury if the enforcement procedures established under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 901(e) of the American Taxpayer Relief Act of 2012 go into, or remain in effect, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 359. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THE BUREAU OF LAND MANAGEMENT COLLABORATES WITH WESTERN STATES TO PREVENT THE LISTING OF THE SAGE-GROUSE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that would improve the management of public land and natural resources, by the amounts provided in the legislation for those

purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 360. DEFICIT-REDUCTION RESERVE FUND FOR EMINENT DOMAIN ABUSE PREVENTION.

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, motions, or conference reports related to federal economic development assistance, which may include amendments to the eligibility of a State or local government to receive benefits, including restricting benefits when eminent domain has been used to take private property and transfer it to another private use, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 361. DEFICIT-NEUTRAL RESERVE FUND FOR EXPORT PROMOTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to promoting exports, which may include providing the President with trade promotion authority, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 362. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROHIBITION ON FUNDING OF THE MEDIUM EXTENDED AIR DEFENSE SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to prohibiting use of funds for defense programs not authorized by law, which may include the Medium Extended Air Defense System (MEADS), without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 363. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE THE CAPACITY OF AGENCIES TO ENSURE EFFECTIVE CONTRACT MANAGEMENT AND CONTRACT OVERSIGHT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase the capacity of Federal agencies to ensure effective contract management and contract oversight, including efforts such as additional personnel and training for Inspectors General at each agen-

cy, new reporting requirements for agencies to track their responses to and actions taken in response to Inspector General recommendations, urging the President to appoint permanent Inspectors General at agencies where there is currently a vacancy, and any other effort to ensure accountability from contractors and increase the capacity of Inspectors General to rout out waste, fraud, and abuse in all government contracting efforts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 364. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AIR TRAFFIC CONTROL SERVICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to Federal investment in civil air traffic control services, which may include air traffic management at airport towers across the United States or at facilities of the Federal Aviation Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 365. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS PRESCRIPTION DRUG ABUSE IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to addressing prescription drug abuse, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 366. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT RURAL SCHOOLS AND DISTRICTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the establishment of the Office of Rural Education Policy within the Department of Education, which could include a clearinghouse for information related to the challenges of rural schools and districts or providing technical assistance within the Department of Education on rules and regulations that impact rural schools and districts, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 367. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN ENFORCEMENT OF FREE TRADE AGREEMENT PROVISIONS RELATING TO TEXTILE AND APPAREL ARTICLES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference

reports that relate to strengthening the enforcement of provisions of free trade agreements that relate to textile and apparel articles, which may include increased training with respect to, and monitoring and verification of, textile and apparel articles, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 368. DEFICIT-NEUTRAL RESERVE FUND TO ASSIST LOW-INCOME SENIORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the Older Americans Act of 1965, which may include congregate and home-delivered meals programs, or other assistance to low-income seniors, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 369. RESERVE FUND TO END OFFSHORE TAX ABUSES BY LARGE CORPORATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to corporate income taxes, which may include measures to end offshore tax abuses used by large corporations, or measures providing for comprehensive tax reform that ensures a revenue structure that is more efficient, leads to a more competitive business environment, and may result in additional rate or deficit reductions, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 370. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT DOMESTIC ENERGY SOURCES CAN MEET EMISSIONS RULES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that are related to the research, development, and demonstration necessary for domestically abundant energy sources and current energy technologies to comply with present and future greenhouse gas emissions rules while still remaining economically competitive, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 371. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING FUNDING FOR THE INLAND WATERWAYS SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between

the Houses, motions, or conference reports relating to funding the inland waterways system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 372. DEFICIT-NEUTRAL RESERVE FUND FOR ACHIEVING FULL AUDITABILITY OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE BY 2017.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to achieving full auditability of the financial statements Department of Defense by 2017, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 373. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SANCTIONS WITH RESPECT TO IRAN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Iran, which may include efforts to clarify that the clearance and settlement of euro-denominated transactions through European Union financial institutions may not result in the evasion of or otherwise undermine the impact of sanctions imposed with respect to Iran by the United States and the European Union (including provisions designed to strictly limit the access of the Government of Iran to its foreign exchange reserves and the facilitation of transactions on behalf of sanctioned entities), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 374. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT RESTRICTIONS TO PUBLIC ACCESS TO FISHING DOWNSTREAM OF DAMS OWNED BY THE CORPS OF ENGINEERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports relating to prohibiting the Corps of Engineers from restricting public access to waters downstream of a Corps of Engineers dam, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 375. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE DISPROPORTIONATE REGULATORY BURDENS ON COMMUNITY BANKS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and

other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to alleviating disproportionate regulatory burdens on community banks, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 376. DEFICIT-NEUTRAL RESERVE FUND TO AUTHORIZE PROVISION OF PER DIEM PAYMENTS FOR PROVISION OF SERVICES TO DEPENDENTS OF HOMELESS VETERANS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between both Houses, motions, or conference reports related to care, services, or benefits for homeless veterans, which may include providing per diem payments for the furnishing of care for dependents of homeless veterans, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 377. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT PROGRAMS RELATED TO THE NUCLEAR MISSIONS OF THE DEPARTMENT OF DEFENSE AND THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that support programs related to the nuclear missions of the Department of Defense and the National Nuclear Security Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 378. DEFICIT-NEUTRAL RESERVE FUND TO PHASE-IN ANY CHANGES TO INDIVIDUAL OR CORPORATE TAX SYSTEMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the phase-in of any changes to the individual or corporate tax systems, including any changes to individual or corporate income tax exclusions, exemptions, deductions, or credits, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 379. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASES IN AID FOR TRIBAL EDUCATION PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this

resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increases in aid for tribal education programs, including the Tribally Controlled Postsecondary Career and Technical Institutions Program administered by the Department of Education, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SEC. 380. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE EXPORTS FROM THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports related to promoting the export of goods, including manufactured goods, from the United States through reform of environmental laws, which may include the regulation of greenhouse gas emissions produced outside the United States by goods exported from the United States, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 381. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING THE REAUTHORIZATION OF THE PAYMENTS IN LIEU OF TAXES PROGRAM AT LEVELS ROUGHLY EQUIVALENT TO PROPERTY TAX REVENUES LOST DUE TO THE PRESENCE OF FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to that make changes to or provide for the reauthorization of the Payment in Lieu of Taxes program at levels roughly equivalent to lost tax revenues due to the presence of Federal land without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 382. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT THE UNITED STATES WILL NOT NEGOTIATE OR SUPPORT TREATIES THAT VIOLATE AMERICANS' SECOND AMENDMENT RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the implementation of treaties, including upholding the constitutional rights of citizens of the United States when treaties are negotiated, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 383. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE FUNDING FOR FEDERAL INVESTMENTS IN BIOMEDICAL RESEARCH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to Federal investments in biomedical research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 384. DEFICIT-NEUTRAL RESERVE FUND TO UPHOLD SECOND AMENDMENT RIGHTS AND PREVENT THE UNITED STATES FROM ENTERING INTO THE UNITED NATIONS ARMS TRADE TREATY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to upholding Second Amendment rights, which shall include preventing the United States from entering into the United Nations Arms Trade Treaty, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

TITLE IV—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 401. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2013 AND 2014, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this resolution, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2013—

(A) for the security category, \$684,000,000,000 in budget authority; and

(B) for the nonsecurity category, \$359,000,000,000 in budget authority; and

(2) for fiscal year 2014—

(A) for the revised security category, \$497,352,000,000 in budget authority; and

(B) for the revised nonsecurity category, \$469,023,000,000 in budget authority;

as adjusted in conformance with the adjustment procedures in this resolution.

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After a bill or joint resolution relating to any matter described in paragraph (2) or (3) is placed on the calendar, or upon the offering of an amendment or motion thereto, or the laying down of an amendment between the Houses or a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) EMERGENCY REQUIREMENTS.—Measures making appropriations in a fiscal year for emergency requirements (and so designated pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(B) DISABILITY REVIEWS AND REDETERMINATIONS.—Measures making appropriations in a fiscal year for continuing disability reviews and redeterminations (consistent with section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(C) HEALTH CARE FRAUD AND ABUSE.—Measures making appropriations in a fiscal year for health care fraud and abuse control (consistent with section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(D) DISASTER RELIEF.—Measures making appropriations for disaster relief (and so designated pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(3) ADJUSTMENTS FOR OVERSEAS CONTINGENCY OPERATIONS.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports; making appropriations for overseas contingency operations by the amounts provided in such legislation for those purposes (and so designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985), up to the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2013, \$99,670,000,000 in budget authority (and outlays flowing therefrom); and

(ii) for fiscal year 2014, \$50,000,000,000 in budget authority (and outlays flowing therefrom).

(d) DEFINITIONS.—In this section—

(1) the term “nonsecurity category” means all discretionary appropriations not included in the security category;

(2) the term “revised nonsecurity category” means all discretionary appropriations other than in budget function 050;

(3) the term “revised security category” means discretionary appropriations in budget function 050; and

(4) the term “security category” means discretionary appropriations associated with agency budgets for the Department of Defense, the Department of Homeland Security, the Department of Veterans Affairs, the National Nuclear Security Administration, the intelligence community management account (95-0401-0-1-054), and all budget accounts in budget function 150 (international affairs).

SEC. 402. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each year;

(2) for the Corporation for Public Broadcasting; and

(3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that

portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

SEC. 403. ADJUSTMENTS FOR SEQUESTRATION OR SEQUESTRATION REPLACEMENT.

(a) ADJUSTMENTS UNDER CURRENT LAW.—If the enforcement procedures established under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 901(e) of the American Taxpayer Relief Act of 2012 go into, or remain in effect, the Chairman of the Committee on the Budget of the Senate may adjust the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee or committees of the Senate, and may adjust all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such enforcement.

(b) ADJUSTMENTS IF AMENDED.—If a measure becomes law that amends the discretionary spending limits established under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, the adjustments to discretionary spending limits under section 251(b) of that Act, or the enforcement procedures established under section 251A of that Act or section 901(e) of the American Taxpayer Relief Act of 2012, the Chairman of the Committee on the Budget of the Senate may adjust the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee or committees of the Senate, and may adjust all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such measure.

SEC. 404. SENATE POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS AFFECTING THE CRIME VICTIMS FUND.

(a) IN GENERAL.—In the Senate, it shall not be in order to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes any provision or provisions affecting the Crime Victims Fund (as established by section 1402 of Public Law 98-473 (42 U.S.C. 10601)) which constitutes a change in a mandatory program that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) were they included in legislation other than appropriations legislation. A point of order pursuant to this section shall be raised against such provision or provisions as described in subsections (d) and (e).

(b) DETERMINATION.—The determination of whether a provision is subject to a point of order pursuant to this section shall be made by the Committee on the Budget of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal

of the ruling of the Chair on a point of order raised under this section.

(d) GENERAL POINT OF ORDER.—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provision of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(e) FORM OF THE POINT OF ORDER.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

SEC. 405. SUPERMAJORITY ENFORCEMENT.

Section 425(a)(1) and (2) of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974.

SEC. 406. PROHIBITING THE USE OF GUARANTEE FEES AS AN OFFSET.

(a) PURPOSE.—The purpose of this section is to ensure that increases in guarantee fees charged by Fannie Mae and Freddie Mac shall not be used to offset provisions that increase the deficit.

(b) BUDGETARY RULE.—In the Senate, for purposes of determining budgetary impacts to evaluate points of order under this resolution and the Congressional Budget Act of 1974, this resolution, any previous resolution, and any subsequent budget resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that increases any guarantee fees of Fannie Mae and Freddie Mac shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation.

Subtitle B—Other Provisions**SEC. 411. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse, or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office's High Risk list and the annual report to reduce program duplication. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 412. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

SEC. 413. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 414. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 415. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those

rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

SEC. 416. CONGRESSIONAL BUDGET OFFICE ESTIMATES.

(a) **REQUEST FOR SUPPLEMENTAL ESTIMATES.**—In the case of any legislative provision to which this section applies, the Congressional Budget Office, with the assistance of the Joint Committee on Taxation, shall prepare, to the extent practicable, as a supplement to the cost estimate for legislation affecting revenues, an estimate of the revenue changes in connection with such provision that incorporates the macroeconomic effects of the policy being analyzed. Any macroeconomic impact statement under the preceding sentence shall be accompanied by a written statement fully disclosing the economic, technical, and behavioral assumptions that were made in producing—

(1) such estimate; and

(2) the conventional estimate in connection with such provision.

(b) **LEGISLATIVE PROVISIONS TO WHICH THIS SECTION APPLIES.**—This section shall apply to any legislative provision—

(1) which proposes a change or changes to law that the Congressional Budget Office determines, pursuant to a conventional fiscal estimate, has a revenue impact in excess of \$5,000,000,000 in any fiscal year; or

(2) with respect to which the chair or ranking member of the Committee on the Budget of either the Senate or the House of Representatives has requested an estimate described in subsection (a).

TITLE V—OTHER MATTERS**SEC. 501. TO REQUIRE TRANSPARENT REPORTING ON THE ONGOING COSTS TO TAXPAYERS OF OBAMACARE.**

When the Congressional Budget Office releases its annual Update to the Budget and Economic Outlook, the Congressional Budget Office shall report changes in direct spending and revenue associated with the Patient Protection and Affordable Care Act (Public Law 111-148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), including the net impact on deficit, both with on-budget and off-budget effects. The information shall be similar to that provided in Table 2 of the Congressional Budget Office's March 20, 2010 estimate of the budgetary effects of the Health Care and Education Reconciliation Act of 2010 and the Patient Protection and Affordable Care Act (PPACA), as passed by the Senate.

SEC. 502. TO REQUIRE FULLER REPORTING ON POSSIBLE COSTS TO TAXPAYERS OF OBAMACARE.

When the Congressional Budget Office releases its annual update to the Budget and Economic Outlook, the Congressional Budget Office shall provide an analysis of the budgetary effects of 30 percent, 50 percent, and 100 percent of Americans losing employer sponsored health insurance and accessing coverage through Federal or State exchanges.

SEC. 503. TO REQUIRE FULLER REPORTING ON POSSIBLE COSTS TO TAXPAYERS OF ANY BUDGET SUBMITTED BY THE PRESIDENT.

When the Congressional Budget Office submits its report to Congress relating to a budget submitted by the President for a fiscal year under section 1105 of title 31, United States Code, such report shall contain—

(1) an estimate of the pro rata cost for taxpayers who will file individual income tax returns for taxable years ending during such fiscal year of any deficit that would result from the budget; and

(2) an analysis of the budgetary effects described in paragraph (1).

SEC. 504. SENSE OF SENATE ON UNDERUTILIZED FACILITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND THEIR POTENTIAL USE.

(a) **FINDINGS.**—The Senate finds the following:

(1) The National Aeronautics and Space Administration (NASA) is the ninth largest real property holder of the Federal Government, with more than 124,000 acres and more than 4,900 buildings and other structures with a replacement value of more than \$30,000,000,000.

(2) The annual operation and maintenance costs of the National Aeronautics and Space Administration have increased steadily, and, as of 2012, the Administration has more than \$2,300,000,000 in annual deferred maintenance costs.

(3) According to Office of Inspector General (OIG) of the National Aeronautics and Space Administration, the Administration continues to retain real property that is underutilized, does not have identified future mission uses, or is duplicative of other assets in its real property inventory.

(4) The Office of Inspector General, the Government Accountability Office (GAO), and Congress have identified the aging and duplicative infrastructure of the National Aeronautics and Space Administration as a high priority and longstanding management challenge.

(5) In the NASA Authorization Act of 2010, Congress directed the National Aeronautics and Space Administration to examine its real property assets and downsize to fit current and future missions and expected funding levels, paying particular attention to identifying and removing unneeded or duplicative infrastructure.

(6) The Office of Inspector General found at least 33 facilities, including wind tunnels, test stands, airfields, and launch infrastructure, that were underutilized or for which National Aeronautics and Space Administration managers could not identify a future mission use and that the need for these facilities have declined in recent years as a result of changes in the mission focus of the Administration, the condition and obsolescence of some facilities, and the advent of alternative testing methods.

(7) The Office of Inspector General found that the National Aeronautics and Space Administration has taken steps to minimize the costs of continuing to maintain some of these facilities by placing them in an inactive state or leasing them to other parties.

(8) The National Aeronautics and Space Administration has a series of initiatives underway that, in the judgment of the Office of Inspector General, are "positive steps towards 'rightsizing' its real property footprint", and the Office of Inspector General has concluded that "it is imperative that NASA move forward aggressively with its infrastructure reduction efforts".

(9) Existing and emerging United States commercial launch and exploration capabilities are providing cargo transportation to the International Space Station and offer the potential for providing crew support, access to the International Space Station, and missions to low Earth orbit while the National Aeronautics and Space Administration focuses its efforts on heavy-lift capabilities and deep space missions.

(10) National Aeronautics and Space Administration facilities and property that are underutilized, duplicative, or no longer needed for Administration requirements could be utilized by commercial users and State and

local entities, resulting in savings for the Administration and a reduction in the burden of the Federal Government to fund space operations.

(b) SENSE OF SENATE.—It is the sense of the Senate that the levels in this concurrent resolution assume—

(1) the National Aeronautics and Space Administration should move forward with plans to reduce its infrastructure and, to the greatest extent practicable, make property available for lease to a government or private tenant or report the property to the General Services Administration (GSA) for sale or transfer to another entity;

(2) the National Aeronautics and Space Administration should pursue opportunities for streamlined sale or lease of property and facilities, including for exclusive use, to a private entity, or expedited conveyance or transfer to a State or political subdivision, municipality, instrumentality of a State, or Department of Transportation-licensed launch site operators for the promotion of commercial or scientific space activity and for developing and operating space launch facilities; and

(3) leasing or transferring underutilized facilities and properties to commercial space entities or State or local governments will reduce operation and maintenance costs for the National Aeronautics and Space Administration, save money for the Federal Government, and promote commercial space and the exploration goals of the Administration and the United States.

AUTHORIZING THE USE OF EMANCIPATION HALL

Mr. DURBIN. I ask unanimous consent the Rules Committee be discharged from further consideration of S. Con. Res. 10 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 10) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DURBIN. I ask unanimous consent the concurrent resolution be agreed to, and the motion to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 10) was agreed to.

(The resolution is printed in the RECORD of March 22, 2013, under "Submitted Resolutions.")

NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY

Mr. DURBIN. Mr. President I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 93, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 93) designating April 4, 2013, as National Association of Junior Auxiliaries Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 93) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, APRIL 9, 2013

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the time until 11:30 a.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each with the first

30 minutes controlled by the majority and the second 30 minutes controlled by the Republicans; further, that at 11:30 a.m., the Senate proceed to executive session under the previous order; and, finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, there will be a rollcall vote at noon tomorrow on the nomination and confirmation of Patty Shwartz to be U.S. circuit judge for the Third Circuit.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:56 p.m., adjourned until Tuesday, April 9, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

BRIAN C. DEESE, OF MASSACHUSETTS, TO BE DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE HEATHER A. HIGGINBOTTOM, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. PHILIP M. BREEDLOVE

CONFIRMATION

Executive nomination confirmed by the Senate April 8, 2013:

SECURITIES AND EXCHANGE COMMISSION

MARY JO WHITE, OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2014.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 9, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 10

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine border security, focusing on frontline perspectives on progress and remaining challenges.

SD-342

10 a.m.

Committee on Health, Education, Labor, and Pensions

Business meeting to consider an original bill entitled "Mental Health Awareness and Improvement Act of 2013", the nomination of Jenny R. Yang, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission, and any pending nominations.

SD-430

10:30 a.m.

Committee on the Budget

To hold hearings to examine the nomination of Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

SD-608

11 a.m.

Committee on Foreign Relations

To receive a closed briefing on an intelligence update on Syria.

SVC-217

2 p.m.

Special Committee on Aging

To hold hearings to examine tax-related identity theft, focusing on an epidemic facing seniors and taxpayers.

SD-562

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine identifying barriers to Indian housing development and finding solutions.

SD-628

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine expanding the Panama Canal, focusing on what it means for American freight and infrastructure.

SR-253

Committee on the Judiciary

To hold hearings to examine the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

SD-226

APRIL 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nomination of General Philip M. Breedlove, USAF for reappointment to the grade of general and to be Commander, United States European Command and Supreme Allied Commander, Europe.

SD-G50

10 a.m.

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Commerce.

SD-192

Committee on Appropriations

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Housing and Urban Development.

SD-138

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Financial Institutions and Consumer Protection

To hold hearings to examine outsourcing accountability, focusing on examining the role of independent consultants.

SD-538

Committee on Foreign Relations

To hold hearings to examine United States policy toward Syria.

SD-419

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine an open marketplace, focusing on the effect of guaranteed issue and new rating rules.

SD-430

Committee on the Judiciary

Business meeting to consider the nominations of Kenneth John Gonzales, to be United States District Judge for the District of New Mexico, Gregory Alan Phillips, of Wyoming, to be United States Circuit Judge for the Tenth Circuit, and Karol Virginia Mason, of

Georgia, to be an Assistant Attorney General, Department of Justice.

SD-226

10:30 a.m.

Committee on Environment and Public Works

To hold hearings to examine the nomination of Regina McCarthy, of Massachusetts, to be Administrator of the Environmental Protection Agency.

SD-406

2 p.m.

Committee on the Budget

To hold hearings to examine the President's proposed budget request for fiscal year 2014.

SD-608

2:30 p.m.

Committee on Armed Services

To receive a briefing on the situation in Syria.

SD-G50

Committee on Finance

To hold hearings to examine the President's proposed budget request for fiscal year 2014.

SD-215

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

APRIL 15

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine proposed budget estimates for fiscal year 2014 for Veterans' Programs.

SR-418

APRIL 16

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the situation in Afghanistan.

SH-216

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Forest Service.

SD-366

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine aviation safety, focusing on the Federal Aviation Administration's (FAA) progress on key safety initiatives.

SR-253

Committee on Energy and Natural Resources

Subcommittee on Water and Power

To hold hearings to examine S. 211, to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, S. 284, a bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico, S. 510, to authorize the Secretary of the Interior to convey certain interests in Federal land acquired for the Scofield Project

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

in Carbon County, Utah S. 659, to reauthorize the Reclamation States Emergency Drought Relief Act of 1991, S. J. Res. 12, to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission, Act, 1920 and H.R. 316, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

SD-366

Committee on the Judiciary
Subcommittee on Antitrust, Competition Policy and Consumer Rights
To hold an oversight hearing to examine the enforcement of the antitrust laws.

SD-226

APRIL 17

9:30 a.m.

Committee on Armed Services
To hold hearings to examine the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a briefing on the situation in Syria.

SH-216

2 p.m.

Committee on Armed Services
Subcommittee on Personnel
To hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

APRIL 18

10 a.m.

Committee on Armed Services
To hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC-217 following the open session.

SD-106

Committee on Energy and Natural Resources
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Energy.

SD-366

2:30 p.m.

Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
To hold hearings to examine the role of the Department of Defense science and technology enterprise for innovation and affordability in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine the current readiness of U.S. forces in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

APRIL 23

9:30 a.m.

Committee on Armed Services
To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-106

APRIL 24

2:30 p.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine military construction, environmental, and base closure programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

APRIL 25

9:30 a.m.

Committee on Armed Services
To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

MAY 8

9:30 a.m.

Committee on Armed Services
Subcommittee on Airland
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

JUNE 11

9:30 a.m.

Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

11 a.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

3:30 p.m.

Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

JUNE 12

9:30 a.m.

Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

2:30 p.m.

Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 13

9:30 a.m.

Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 14

9:30 a.m.

Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

POSTPONEMENTS

APRIL 17

9:30 a.m.

Committee on Armed Services
To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SH-216

SENATE—Tuesday, April 9, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of all, thank You for being America's strong defense across the seasons of its existence. Thank You also for Your forgiving grace that restores us in spite of our mistakes and failures.

Today, give our Senators a renewed sense of Your purpose so that they will stay within the circle of Your will. May they discharge their duties with the joyful focus of living worthy of Your great Name. Lord, help them to trust You to care for our Nation, to look to You for guidance, and to remember that nothing can separate us from Your love.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED

Mr. REID. I move to proceed to Calendar No. 32, S. 649.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, the time until 11:30 today will be equally divided between the majority and the minority. The Democrats will control the first 30 minutes and the Republicans the final 30 minutes. At 11:30 the Senate will proceed to executive session to consider the nomination of Patty Shwartz to be a circuit judge for the Third Circuit. At noon there will be a

rollcall vote on her nomination. The Senate will then recess from 12:30 until 2:15 to allow for our weekly caucus meetings.

CONGRATULATING THE LOUISVILLE CARDINALS

Mr. REID. Mr. President, I first wish to extend my congratulations to Senator McConnell and the Louisville Cardinals for their successful NCAA championship. It was remarkable how they were always coming from behind to wind up winning. They did it not with offense but with defense. I was very impressed with the team but most of all impressed with their coach Rick Pitino. Rick Pitino on yesterday was also selected, with Jerry Tarkanian, to be a member of the Basketball Hall of Fame, and certainly they deserve that—both of them.

In addition to congratulating my friend Senator McConnell, it is also important to recognize my deputy chief of staff Dave McCallum, who is a rabid Louisville fan. When I went down to participate in a program Senator McConnell set up, I took David McCallum with me. He loves those Louisville Cardinals, and today he has more reason to like them and tonight even more reason because in the championship game tonight we have the University of Connecticut playing the Louisville Cardinals for the women's championship. So I am very mindful of how strongly Senator McConnell feels about his Louisville Cardinals.

Mr. McConnell. Would my friend yield for an observation?

Mr. REID. Yes. I just wanted to say I won't get into the politics of sports in Kentucky because I don't understand them, but I know how much Senator McConnell cares about the Louisville Cardinals.

Mr. McConnell. Mr. President, I would say to my good friend from Nevada that one of the things we enjoy talking about is sports, and he is a big UNLV fan as well. I would like to report to my friend through the Chair that it was a fun evening. It was absolutely exciting to be there. I was also grateful to the majority leader for coming down to the University of Louisville a few years ago. I was glad I had a chance to be there and to see it in person.

Basketball in a football facility is a little odd. There were 75,000 people there. I am not sure many people up at the top even saw the players. But we were a little closer to the floor, and it was a wonderful experience.

I thank the majority leader for his comments.

JERRY TARKANIAN

Mr. REID. Mr. President, I mentioned the Basketball Hall of Fame.

Jerry Tarkanian made it into the hall of fame—20 years too late, but he made it. Why didn't he get in earlier? Because this courageous man took on the NCAA, which has absolute control over college athletes. I hope that as the years go by, we as a Congress will take a look at that more closely.

But I don't want to move away from the important day it is in Jerry Tarkanian's life. Jerry is now over 80. He doesn't get around like he used to, and he doesn't chew on the towels like he is famous for. Here is a man who was held out of the hall of fame for far too long. This man won 990 games as a coach. He had more than an 80-percent winning record. He is a very fine man with a good family. His wife is a member of the Las Vegas City Council. He brought such excitement to Las Vegas. He coached the Runnin' Rebels into four final fours, won the championship once, and but for some politics within the university system, he would probably still be coaching there. Some things came up so that he no longer was able to coach at UNLV. But I admire him as a person and certainly send my congratulations to all of those Runnin' Rebel fans today because we have something to celebrate.

Finally, he took on the NCAA and won. He won a large money judgment against them as a result of how they treated him—it was so unfair—him and his players. People throughout the State of Nevada who played for him and who are now successful businesspeople—they are teaching professionals around the State, they are doing all kinds of good things in the State and around the country because of Jerry Tarkanian and the team he had and mainly his wife. She was so good with those young men who came to UNLV. She was, among other things, a speech therapist. She understood these young men, and they cared about her as much as they did about Jerry.

GUN CONTROL

Mr. President, as do most Americans, I believe the second amendment guarantees the right to bear arms. As a young boy—12 years old—on my birthday I got a gun, but it wasn't some little pea shooter, it was a blunderbuss, a 12 gauge shotgun, bolt action. Boy, that is a big gun. I still have it. I have had it rebled. I had the stock reworked. It is a beautiful gun. My parents sent away through the Sears catalog for that present for me. That gun was a real extravagance for them. It cost \$28, but, oh, did I have fun with that great big gun that was bigger than I, and it kicked so much then, but I could handle it. I didn't get to shoot it

a lot because shotgun shells were expensive.

So, like most Americans, I also believe the right to bear arms must be balanced with the rights of all little boys and girls in this country, whether they live in inner-city Chicago or sleepy Newtown, CT, to grow up safe from the threat of gun violence. Most gun owners are good. The vast majority of gun owners are good, responsible people who love target shooting and hunting and want to protect their homes and their families. But we have a responsibility to do everything in our power to keep guns out of the hands of convicted criminals and those who suffer from mental illnesses that make them a danger to themselves and to others. We understand that now more than ever with the terrible slaughters in Aurora, CO, and Newtown, CT. We have a responsibility as a body to safeguard the most vulnerable and our most precious resource—the kids, our children, our babies.

The terrible tragedy at Newtown was a wake-up call. We are really failing, and we need to do more. Newtown will always remember those little boys and girls, some of them shot multiple times, little children—5-year-old kids, 6-year-old children.

These are just names to us, but to the people of Newtown, Olivia isn't just a name; Olivia is a little girl who had a family who loved her. Newtown is a little town, relatively speaking. They know Jack. We have a responsibility to safeguard these little kids, and unless we do something, more than what is the law today, we have failed.

It is long past time for a thoughtful examination of the lax laws and culture of violence that put Newtown and Aurora, Oak Creek and Carson City, NV, on the map for such a devastating reason. I only hope my Republican colleagues will allow us to have that conversation. I hope Republicans will stop trying to shut down debate and start engaging on the tough issues we were sent to Washington to tackle.

There has been a huge cry in this body—for 2 years plus the months of this Congress—of people saying: Let's have regular order. Let's have amendments. So I was relatively kind of stunned when I got a letter during our break from 13 Republican Senators. They are the same Senators who yell and scream the most about regular order and amendments, but in this letter to me—short, direct, and to the point—they say: You are going to have no ability to go to the gun legislation because we are going to stop it. We don't think there should be a discussion or debate on guns.

Now, how would I describe these 13 Senators who sent me this letter? I want to do this respectfully because they have a right to their opinions even if they are illogical and even if they are speaking out of both sides of

their mouths. What does that mean, speaking out of both sides of their mouths? It is very succinct what it means. It means—and it is described as a verb, looking it up on the Internet—to say different things to different people about the same subject. That is what they have done. They have been yelling and screaming: We want regular order.

The other night when we were doing the budget that went on until 5 o'clock in the morning, one of the Senators who signed this letter stood and said: We want to offer all the amendments we want to offer. No one has the right to stop us from offering amendments. So that is what we did. But today he feels differently. Today he is speaking out of both sides of his mouth, saying different things to different people on the same subject.

A former Republican Congressman from Florida is now a talk show host, and he is very popular. He has a program called "Morning Joe." Here is what "Morning Joe" is reported as having said: Scarborough tears into GOP filibuster on gun bill and says, "Is anybody awake in my party?" Here is what he said:

With 92 percent of Americans supporting background checks, Scarborough noted, it is really hard to figure out what the political calculation is. It is a 90-10 issue that involves the massacre of 20 children. Is anybody awake in my party on the Hill?

That is what former Congressman Joe Scarborough said.

As President Obama has said, it is impossible to prevent every senseless tragedy, but we owe it to our children to at least try.

It is only common sense that felons who couldn't pass a background check in a gun store should not be able to walk into a gun show and buy a deadly weapon.

This is not hyperbole. Forty percent of the guns sold in the United States each year—including many used to commit crimes—are sold legally at gun shows or through private sales without even the most basic background check.

Three years ago, one of those guns—a shotgun purchased legally without a background check during a 2008 gun show in Kingman, AZ; about 90 miles from Las Vegas—was used to devastate the largest courthouse we have in Nevada, the brand new Lloyd D. George Federal Courthouse in Las Vegas. It happened just as prospective jurors were arriving for the day.

This man walked in and started shooting. He blasted at every place that only a gunshot can do. He killed Stanley Cooper of Sandy Valley, who was a security guard. He was killed instantly in this hail of buckshot going around the courthouse. He ran after his gun became empty to reload, and he was eventually killed; that is, the man who caused all this carnage.

But Stanley Cooper, this good man who was there, left behind a brother,

four sons, a daughter, seven grandchildren, and two great-grandchildren. He loved to spend time with his grandchildren and great-grandchildren. He loved horses and spending time outdoors. That is why he lived in Sandy Valley.

He was no stranger to guns. He spent 26 years serving his community as a Las Vegas Metropolitan Police Department officer. The man who shot him, on the other hand, was a convicted felon with no right to carry a firearm. He certainly could not have passed a criminal background check. But the shooter never had to get one. He just went to one of these gun shows and bought this shotgun—the same basic shotgun I got when I was a 12-year-old.

Requiring a simple background check every time a gun is sold is common sense.

As a brand new member of the Nevada State legislature, I was a kid, but Sheriff Lamb, who was the sheriff of Clark County at the time—and now they have a TV program running; Dennis Quaid is playing Ralph Lamb—he came to me and said: I need to do something because we need people to wait a little while before they purchase a handgun.

I went to the legislature not understanding the process totally, but I introduced legislation that passed and became the law, that in Nevada if someone purchases a handgun, they have to wait 3 days to pick it up. It is believed that alone has saved the lives of many people. Sometimes people, in a fit of passion, will purchase a handgun to do bad things with it—even as my dad did—kill themselves. Waiting a few days helps.

Requiring a simple background check every time a gun is sold is common sense. We are not asking for a 3-day waiting period. We have technology now. That does not take that long. But it is common sense. That is why more than 90 percent of Americans—including the vast majority of gun owners, the majority of people who belong to the NRA—support our proposal to keep guns out of the hands of criminals and those with mental illnesses. That is what a universal background check is all about.

This legislation would also crack down on anyone who buys a gun as part of a scheme to funnel it to criminals—reducing violent crime and protecting police officers. The three things that are in the bill that is now before this body all were reported out of the Judiciary Committee, led by PAT LEAHY. If anyone thinks that PAT LEAHY is a wimp on guns, they have another thought coming. He is from the State of Vermont. He boasts about a gun he has. He has a .50 caliber gun. I do not know why he wants one, but he has one. He is a man who loves to shoot his guns. So this bill is reported out of the Judiciary Committee, led by one of the

people who knows as much about guns as many people in this body—and more, I should say.

This bill that came out of that committee gives schools across the country the resources to improve security and keep kids safe. It is called school safety. It has Federal trafficking in it.

This legislation will not prevent every crime, especially those awful crimes, and background checks will not keep guns out of the hands of every violent madman, and we all know that. But we owe it to the American people to act as if there is a chance to save even one life—whether that life belongs to a great-grandfather such as Stanley Cooper or these babies who barely began to live in Newtown, CT.

They deserve a vote.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COWAN). The Republican leader is recognized.

CONGRATULATING THE LOUISVILLE CARDINALS

Mr. McCONNELL. Mr. President, I am going to take another opportunity to congratulate the Louisville Cardinals for an incredible championship win last night. It was a truly exciting game. I know my colleagues from Michigan take great pride in the fact that not just one but two of their schools were in the Sweet 16.

But you know we Americans love a story about somebody getting knocked down and picking themselves up again. That is why it was such a great moment to see Kevin Ware cut the net last night. They had to lower the rim a bit, as I am sure it is difficult to climb a ladder with a cast on your right leg, but let me just say to him and to the entire University of Louisville, my undergraduate alma mater: Well done. You have truly made our State proud.

REMEMBERING MARGARET THATCHER

Today, Mr. President, I plan to talk about the President's budget, but first I also wish to say a word about Margaret Thatcher.

Margaret Thatcher was one of the most transformative political figures of the 20th century. She was a revolutionary, a tireless tribune for what she called "popular capitalism"—her "crusade to enfranchise the many." Thatcher's methods were razor-sharp wit and the force of her will, which had toughened through decades of literally plowing through obstacles.

A woman of humble beginnings, she charged headfirst against a cross-partisan ruling class that had become calcified in office, an elite clique that had grown impotent in the face of the sort of postwar economic challenges that have long since drained the vitality from Western democracies that never had a leader like her.

The starched dukes and faceless union men who traditionally alternated the reins of British power sneered at "that woman," as they

called her—the "grocer's daughter" who knew nothing of their ways, whose middle-class instincts were unsuited to the business of governing. Yet she outmaneuvered them all.

When Margaret Thatcher finally wrested the keys of office from those who had made peace with Britain's decline in a way she never could and never would, she set in motion a whirlwind of reforms.

None of those were easy. The vested interests opposed her every move. But in the teeth of fierce opposition, she ignited what could best be described as a political and economic earthquake—one with a tide of global reverberations.

The kind of policies and ideas she inspired saw dictatorships and entrenched bureaucracies come crashing down, grinding poverty lose its grip, and the fossils of socialism recede into the surf. In the wake of this wave of reform stood freer people with a greater say over their own lives and a greater hope for the future.

That is Margaret Thatcher's legacy. In some ways, the parallels to our own day are hard to escape.

When Margaret Thatcher took office, Britain was gripped by wrenching economic turmoil—turmoil of a somewhat different kind than, but not entirely dissimilar to, our own. But through unbending confidence in the power of free markets and in the power of free people to order their lives more intelligently than centralized elites, she literally turned the tide.

So we mourn her passing, but we still have much to learn from her courage and example. Because in the years ahead, we will need to draw from it as conservatives look to turn the tide in the United States and to set about a renewal of our own.

THE PRESIDENT'S BUDGET

Tomorrow the President is set to unveil his budget—the details of his plan for America's future. Is it going to be a visionary blueprint that focuses on growing the economy instead of the government, a budget that can help, rather than continue to hurt, job creation? Is it going to be a budget that balances 10 years from now, 20 years from now, ever? Is it going to be a reformist document that makes bold choices? Will he finally drop the tax hike fanaticism that is, frankly, starting to enter the realm of the absurd?

From what we have heard so far, the prospects do not look all that great. We hear that, just like the Senate Democratic budget, it will never balance—ever. We hear it contains only about \$600 billion or less in deficit savings over 10 years, which is roughly the level of the deficit in the first 6 months of this fiscal year. We hear it contains new spending proposals and does little to address the drivers of our debt. We hear it contains tax hike upon tax hike upon tax hike—and, in fact, all the def-

icit reduction I just mentioned would be derived from myriad tax increases rather than spending reductions.

So apart from reports of a modest entitlement change—and we will need to see the details on that—it sounds as if the White House just tossed last year's budget in the microwave.

Look, this budget is already 2 months late, so I sincerely hope it is not the case that it is just a warmed-over version of last year. Because if it is, what a colossal waste of time and what a disappointment. The American people deserve a lot better than that.

In a statement released yesterday, President Obama said Margaret Thatcher taught us that "we are not simply carried along by the currents of history . . . [that] we can shape them with moral conviction, unyielding courage and iron will."

What I am saying this morning is that this is your moment to do just that, Mr. President—your moment.

Lady Thatcher did not save her country from the abyss by taking half-measures or tiptoeing around special interest groups. She pushed through groundbreaking reform after groundbreaking reform, usually under heavy fire from all sides, and often over the objections of powerful leaders in her own party and Cabinet.

Had she governed by opinion poll, I am sure she would have been a lot more popular while in office, and Britain would have never recovered from the abysmal state in which she found it.

So, Mr. President, if you are ready to embrace bold reform, to take the steps that are needed to make our entitlement programs permanently solvent and grow the economy, then Republicans are ready to work with you because the time for pretending America's challenges can be solved with more of the same is over—over. The time has come to summon the political courage to move beyond the status quo, to put the tax hikes and the poll-tested gimmicks aside, and to do finally what must be done.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

Under the previous order, the time until 11:30 a.m. will be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF PATTY SHWARTZ TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Patty Schwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

Mr. LEAHY. Mr. President, last month Senate Republicans filibustered the nomination of Caitlin Halligan to fill a vacancy on the D.C. Circuit that arose when Chief Justice Roberts left the D.C. Circuit to join the Supreme Court 8 years ago. Caitlin Halligan is a woman who is extraordinarily well-qualified and amongst the most qualified judicial nominees I have seen from any administration. It is a shame that narrow special interests hold such influence that Senate Republicans blocked an up-or-down vote on her confirmation with multiple filibusters of her nomination and procedural objections that required her to be nominated five times over the last 3 years.

Had she received an up-or-down vote, I am certain she would have been confirmed and been an outstanding judge on the United States Court of Appeals for the District of Columbia. Instead, all Senate Republicans but one supported the filibuster and refused to vote up or down on this highly-qualified woman to fill a needed judgeship on the D.C. Circuit. Senate Republicans attacked her for legal advocacy on behalf of her client, the State of New York. It is wrong to attribute the legal positions a lawyer takes when advocating for a client with what that person would do as an impartial judge. That is not the American tradition. That is not what Republicans insisted was the standard for nominees of Republican Presidents but that is what they did to derail the nomination of Caitlin Halligan.

Also disconcerting were the comments by Republicans after their filibuster in which they gloated about payback. That, too, is wrong. It does our Nation and our Federal judiciary no good when they place their desire to engage in partisan tit-for-tat over the needs of the American people. I rejected that approach while moving to confirm 100 of President Bush's judicial nominees in just 17 months in 2001 and 2002.

The filibuster of the nomination of Miguel Estrada was different. It was to obtain access to information about his work and whether he acted ideologically as his supervisor at the Office of Solicitor General had alleged. Had we gotten access to those materials, there would have been a vote on the Estrada nomination. Republican Senators now demand access to all sorts of materials while filibustering for the first time in our history the Secretary of Defense and the Deputy Attorney General of the United States, as well as the nominee to head the CIA and judicial nominees. They cannot do that and still complain about the Estrada nomination.

Now that Senate Republicans have during the last 4 years filibustered more of President Obama's moderate judicial nominees than were filibustered during President Bush's entire 8 years—67 percent more, in fact—I urge them to abandon their misjudged efforts that sacrifice outstanding judges for purposes of partisan payback.

Today the Senate will finally consider another circuit court nomination that has been delayed for no good reason. The nomination of Judge Patty Schwartz of New Jersey to the Third Circuit has been needlessly stalled for 13 months since being favorably reported by the Judiciary Committee. This is another of the many judicial nominees who could have been confirmed last year. She is another qualified nominee who is supported by her home state Senators and by the Republican Governor of New Jersey. After this prolonged and unnecessary delay, I am pleased that she will finally be allowed to join the Third Circuit to serve the people of New Jersey, Pennsylvania, Delaware, and the Virgin Islands.

In 10 years as a United States Magistrate Judge in the District of New Jersey, Judge Schwartz has handled more than 4,000 civil and criminal cases and presided over 14 cases that have gone to verdict or final judgment, including 11 jury trials. Before becoming a judge, Judge Schwartz spent 14 years as an assistant U.S. attorney in the District of New Jersey, where she ultimately rose to become chief of the Criminal Division. During her time as an assistant U.S. attorney, Judge Schwartz tried more than 15 jury cases to verdict, all as sole or chief counsel. It was while serving in the U.S. attorneys Office that Chris Cristie, then U.S. attorney and current Governor of New Jersey, became acquainted with her and her work.

Governor Christie has written to the committee in support of Judge Schwartz's nomination. He said that she "was an impressive Criminal Chief; hard working, bright, articulate, great with people and conversant with the law." He added: "As a Magistrate Judge, she also performed admirably

and garnered the respect of the entire legal community. Again, her hard work, amiable personality, patience, intelligence, and knowledge of the law were lauded by all who appeared before her." I ask unanimous consent that his full letter be printed in the RECORD at the conclusion of my statement.

The American Bar Association Standing Committee on the Federal Judiciary has rated Judge Schwartz unanimously well qualified, the highest possible rating from its nonpartisan peer review. She has the support of Senator LAUTENBERG and Senator MENENDEZ.

By any objective measure, Judge Schwartz is a nominee with solid legal credentials and qualifications. Rather than evaluating her on her record, some have tried to claim there is an issue because Senator MENENDEZ met with her before supporting her. They infer, despite denials by the nominee and Senator MENENDEZ, that she must have made him some untoward commitment on how she would rule on some matter. There is no basis for that claim.

It is past time for the Senate to consider her nomination on the merits of her record and to confirm her. Her nomination has been stalled on the Senate floor for 13 months. This is just one example of the unnecessary delays that prompted a New York Times editorial about the delays in filling judicial vacancies. I ask unanimous consent that a copy of that editorial be printed in the RECORD at the conclusion of my statement.

Judged on her qualifications and her record, Judge Patty Schwartz should be confirmed by an overwhelming bipartisan vote. She should not have been delayed for more than a year. Sadly, this is not an isolated case but one in a steady pattern of obstruction. This is especially harmful at a time when judicial vacancies remain above 80. Filibusters and delays based on fictions do not help Americans seeking justice in our Federal courts. Instead, they cause delays, overcrowded dockets, overburdened courts and have gone on too long.

When confirmed, Judge Schwartz will be one of just three women serving as active judges on the Third Circuit. It is time to move forward in a bipartisan fashion to vote to confirm this qualified nominee so that she may better serve the American people as a member of the United States Court of Appeals for the Third Circuit.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF NEW JERSEY,
OFFICE OF THE GOVERNOR,
Trenton, NJ, February 11, 2013.

Senator CHUCK GRASSLEY,
Hart Senate Office Building,
Washington, DC.

Senator Patrick Leahy,
Russell Senate Building,
Washington, DC.

DEAR SENATORS: I write in support of Magistrate Judge Patty Shwartz' nomination to be a Judge on the Third Circuit Court of Appeals. When I became the United States Attorney in the District of New Jersey in 2001, Judge Shwartz was the Chief of the Criminal Division, a very important and taxing job in a large prosecuting office. Judge Shwartz was an impressive Criminal Chief; hard working, bright, articulate, great with people and conversant with the law. She remained my Criminal Chief until she became a Magistrate Judge.

As a Magistrate Judge, she also performed admirably and garnered the respect of the entire legal community. Again, her hard work, amiable personality, patience, intelligence and knowledge of the law were lauded by all who appeared before her. I am sure that if she were elevated to sit on the Third Circuit Court of Appeals she would prove an excellent judge for all of the same reasons she was an excellent prosecutor and Magistrate Judge. She has my full support for the position for which I believe she is well suited.

If you have any questions, please feel free to contact me.

Very truly yours,

CHRIS CHRISTIE,
Governor.

[From the New York Times]

COURTS WITHOUT JUDGES
(By the Editorial Board)

The number of vacancies on the nation's federal courts has reached an astonishingly high level, creating a serious shortage of judges and undermining the ability of the nation's court system to bestow justice.

Of 856 federal district and circuit court seats, 85 are unfilled—a 10 percent vacancy rate and nearly double the rate at this point in the presidency of George W. Bush. More than a third of the vacancies have been declared “judicial emergencies” based on court workloads and the length of time the seats have been empty. By far the most important cause of this unfortunate state of affairs is the determination of Senate Republicans, for reasons of politics, ideology and spite, to confirm as few of President Obama's judicial choices as possible.

Numbers compiled by the Senate Judiciary Committee tell the story. Mr. Obama's nominees for seats on federal courts of appeal, the system's top tier below the Supreme Court, have waited an average of 148 days for their confirmation vote following the committee's approval, more than four times longer than Mr. Bush's nominees. For Mr. Obama's nominees to federal district courts, the average wait time has been 102 days, compared with 35 days for Mr. Bush's district court choices.

The prestigious and important United States Court of Appeals for the District of Columbia Circuit offers a particularly striking example of Republican obstructionism. The 11-seat court rules on most appeals from federal regulatory agencies and has exclusive jurisdiction over national security matters. It has four vacancies; the last time the Senate confirmed someone to the court was 2006.

Mr. Bush appointed four judges to the court, a feeder to the Supreme Court, but

whether the Senate will allow Mr. Obama to appoint any remains to be seen. Mr. Obama's first nominee for the court, Caitlin Halligan, withdrew from consideration last month after Senate Republicans filibustered for a second time. Those critics echoed the National Rifle Association's ridiculous portrayal of her as a legal activist outside the mainstream because she had filed a brief in opposition to the gun industry when she was New York State's solicitor general.

The real reason, as everyone knows, was to prevent Mr. Obama from adding balance to a generally conservative court. He may fare better with his latest nominee, Sri Srinivasan, a lawyer whose background working in the United States solicitor general's office under both President Bush and President Obama should help his chances.

Nominees for other important government posts have also been held up for partisan reasons. Some Republicans say this is simply payback for the Democrats' filibustering of Bush nominees. But while neither party should be in the business of obstructing judicial nominees, unless they are unqualified or unacceptably extreme, a retaliatory response based on politics hurts all who rely on courts to protect their rights and uphold the law.

It is also worth noting that Mr. Obama has not been putting forth candidates with strong ideological profiles. His nominees are decidedly moderate, which was not always true of the Bush judicial choices that the Democrats felt compelled to filibuster.

Mr. Obama could help reduce the problem by speeding up his nominations. The White House appears to have sharpened its focus since the election, but currently, 62 district and circuit court vacancies have no nominees.

The Halligan filibuster got some Democratic senators talking about a bolder strategy, including revisiting filibuster reform and making it harder for senators to torpedo or delay nominations to judicial vacancies in their home states. Another proposal is to have Mr. Obama make simultaneous nominations to fill the four vacancies on the District of Columbia Circuit, which would force Republicans to come up with plausible reasons to oppose each of them. In the face of political paralysis, these ideas are worth embracing.

Mr. LEAHY. Mr. President, I see the distinguished Senator from Iowa, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today the Senate will consider the 10th judicial nomination this year. With today's expected action, we will have confirmed four circuit and six district nominees. At this point in 2005—and that was the beginning of President Bush's second term, comparable to what we are talking about for President Obama—the Senate had confirmed zero judicial nominees. Let me repeat that. At this point in 2005, the Senate had confirmed not 10, not 4, not even 1 judicial nominee, so that comes out to be zero.

The quick pace of this year comes on top of a very productive 112th Congress in which 111 judges were confirmed. In the last Congress, we confirmed more judges than any other Congress—going back 20 years to the 103rd Congress.

Despite this progress and our continued cooperation with the President and Senate Democrats, we continue to hear unfounded criticism.

For example, last week the White House spokesperson criticized the Senate for what he characterized as arbitrary and unique delays in getting nominees confirmed. In a previous post on its website, the White House complained about unprecedented delays in the Senate confirmation process.

While acknowledging the Senate had confirmed nine judicial nominees this year, the White House noted that “these nine judges waited 144 days for a floor vote, compared to President Bush's nominees who waited an average of 34 days for a vote at this point in President Bush's presidency.”

As I stated, at the same point in 2005, none of President Bush's nominees had been confirmed—not one.

The purported statistic of the “average of 34 days” is without foundation. It took until June for President Bush to reach 10 judicial confirmations. President Bush wouldn't have another lower court nomination until October of that year.

But that delay in confirmations wasn't because there weren't nominees. By the beginning of April 2005, 21 judicial nominations had been submitted to the Senate.

President Bush's first four confirmations came in April 2005. The first two of those nominees were nominated in September 2004 and confirmed about 6 months later.

The other two nominees waited much longer. Robert Conrad was first nominated April 28, 2003 to the Western District of North Carolina.

He was confirmed a full 2 years later on April 28, 2005—not 34 days, as the White House implies.

His colleague, James C. Dever III, nominated for the Eastern District of North Carolina, waited even longer. He was first nominated in May 2002 and waited nearly 3 years before being confirmed on April 28, 2005.

So this notion of unprecedented, unique and arbitrary delays simply ignores the facts and, in the process, distorts history.

In addition to the White House, we hear Senate Democrats grumbling about nominations and calls for changing the rules of the Senate. Of course, the majority would have to break the rules to change the rules.

Such intemperate comments utterly fail to recognize the work the Senate has already accomplished in approving judges.

The purported justification is the number of judges on the calendar—presently at 15. Where was their similar concern in April 2004, when the number of nominees on the Executive Calendar was nearly double what it is today?

A second prong of this debate concerns the vacancy rate in the Federal

judiciary. Blaming judicial vacancies on the Senate confirmation process is unfounded and a distortion of the process. The vacancy rate is due to the failure in the White House to send nominations to the Senate.

Presently, 62 of the 87 vacancies—71 percent—have no nominee. For the 35 vacancies categorized as “judicial emergencies,” only 9 have a nominee—74 percent have no nominee.

I would like to say a few words about today’s nominee. I do have concerns about this nomination which have not been satisfied.

Unfortunately, I am unable to support the nomination, although I expect Judge Schwartz will be approved as a United States Circuit Judge for the Third Circuit. I congratulate her on her confirmation and hope that she performs her duties in a skilled manner, demonstrating judicial temperament, with respect for the law and Constitution.

This nomination started out troubled. Not because of Republican opposition, but because of concerns expressed by her home State Democratic Senator.

Originally, Judge Schwartz’s home State Senator questioned her intellectual fitness for the court stating she “did not adequately demonstrate the breadth of knowledge of constitutional law and pivotal Supreme Court decisions.”

Concerns were also expressed that she “misapplied the application of strict scrutiny versus rational basis review” and “did not express substantive knowledge as to the scope of the rights of corporations under the Constitution or jurisprudence on the constitutional limits of Executive Branch powers.” According to press reports, she specifically misapplied the law after speaking about *Citizens United*.

These are pretty serious issues. So, Judge Schwartz was asked about them during her hearing, specifically the discussion on *Citizens United*. But she denied it happened, testifying instead that she did not discuss any specific cases, only general principles.

However, in follow-up written questions for the record, Judge Schwartz changed her story and said that she and her home State Senator had discussed two specific cases: *Citizens United* and *Roe v. Wade*.

I find this after-the-fact disclosure troubling. Not only was it inconsistent with her hearing testimony, but it prevented me and other Senators from following up regarding what discussions she apparently had regarding *Citizens United* and *Roe v. Wade*.

Because of the ambiguity surrounding these interviews and Judge Schwartz’s inconsistent testimony, questions remain as to what understandings were reached or what assurances Judge Schwartz may have given to gain support from her home State Senators.

Unfortunately, her Committee hearing failed to remove the doubts that were initially raised. Again, these were raised by her home State Senator.

Furthermore, because of her lack of candor at her hearing, I was unable to come to a determination that she is prepared to be a Circuit Judge. I share the doubts raised regarding her limited knowledge of constitutional law; misapplication of standards of review; and inadequate understanding of substantive areas of laws.

Accordingly, I cannot support this nomination. I ask unanimous consent to have printed in the RECORD her biographical information.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Patty Schwartz is nominated to be United States Circuit Judge for the Third Circuit. Judge Schwartz received a B.A. from Rutgers in 1983 and a J.D. from the University of Pennsylvania Law School in 1986. Upon graduation, Judge Schwartz worked for a year as an associate with the law firm of Pepper, Hamilton & Scheetz. In 1987, Judge Schwartz began a two-year clerkship with Judge Harold A. Ackerman of the U.S. District Court of the District of New Jersey.

Immediately after her clerkship, she began a fourteen-year career as a criminal prosecutor with the U.S. Attorney’s Office for the District of New Jersey. During her time as an Assistant U.S. Attorney, she prosecuted individuals for violent crime, drug trafficking, and white collar cases. After several years, she was assigned to the Special Prosecutions Division, handling public corruption cases. A short time later, Judge Schwartz was promoted to Deputy Chief of the Criminal Division where she supervised dozens of line prosecutors. In February of 1999, she was promoted to Chief of the Criminal Division, which she held until 2001.

In 2001, she began a brief stint as Executive Assistant U.S. Attorney, supervising the Criminal, Civil, and Fraud Divisions. In 2002, she returned to serve as Chief of the Criminal Division, overseeing the expansion and reorganization of the division. According to her questionnaire, Judge Schwartz has tried more than fifteen criminal cases to verdict.

In 2003, Judge Schwartz was appointed to be U.S. Magistrate Judge for the District of New Jersey. As Magistrate Judge, she has managed all aspects of the pre-trial process in over 4,000 cases. She is responsible for convening scheduling conferences, resolving discovery disputes, ruling on nondispositive motions, holding settlement conferences, and presiding over final pretrial conferences.

As Magistrate, Judge Schwartz has presided over “in whole or in part” more than 70 civil cases by consent of the parties. She has presided over eleven jury trials (ten civil cases and one criminal case) and twenty-two bench trials (three civil cases and nineteen criminal cases) from start to finish.

The American Bar Association’s Standing Committee on the Federal Judiciary gave her a unanimous “Well Qualified” rating.

Mr. GRASSLEY. I yield the floor.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak for up to 6 minutes.

The PRESIDING OFFICER. Without objection. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I am pleased to rise in support of the con-

firmation of Judge Patty Schwartz to the Third Circuit Court of Appeals, a nomination which has finally come to the floor, and the time has come to confirm Judge Schwartz. I express my full support and urge my colleagues to do the same. I am happy we were able to work out the vote on this nominee without a cloture vote, which is incredibly important.

I want to refer to my distinguished colleague, the ranking member of the Judiciary Committee, who mentioned a home State Senator—who happens to be me—and to clarify some issues.

I have always taken the role of advice and consent for judicial nominations very seriously, as I am sure we all do. Appointments to the Federal bench are lifetime appointments, and the circuit court is often the last stop before the U.S. Supreme Court. That makes that responsibility even greater. Very few Americans, if they appeal, get past the circuit court to Supreme Court consideration.

We know the process can be long and difficult; sometimes overly partisan on both sides based on legitimate concerns and personal beliefs. In the end we always look to confirm the best and most qualified individuals. We conduct a thorough review of the nominees, their understanding of the law, their intellect, their analytical thinking and reasoning, and we make our decisions—and I have made mine—about the nominee.

I had the opportunity on more than one occasion to discuss with the judge issues that I believe reflect the high standards to which a nominee should always be held. There is no understanding between this nominee and me as to how she would rule in any given set of circumstances. There was a suggestion about what the law is today in both those instances. I am sure the judge simply did not recall the specifics of that at the time of the hearing but was forthright in coming back and saying: Yes, there were two cases. The simple discussion of what is a Supreme Court decision is, in my mind, not only appropriate, but at a circuit court level is more than desirable.

In the totality of our discussions Judge Schwartz indicated to me the type of intellectual rigor, the knowledge that in fact guarantees to me that she deserves the lifetime appointment to which I expect the Senate will confirm her. The fact that I come to the floor today in full support of her confirmation speaks not only to her qualifications but to her character and to her judicial temperament and suitability to serve on the Third Circuit Court of Appeals.

Aristotle said: “Character may be called the most effective means of persuasion.”

I can say that, having spent time meeting with Judge Schwartz, I am absolutely persuaded that she is a person

of character and meets the highest standards for any nominee.

I urge my colleagues to unanimously confirm this highly qualified woman who, I know, will serve honorably and serve well.

Judge Patty Shwartz is a proud New Jerseyan. She has been a magistrate judge for the District of New Jersey since 2003.

Originally from Paterson, she graduated from Rutgers as a Henry Rutgers Scholar with the highest honors.

After college, Judge Shwartz went to the University of Pennsylvania Law School, edited the law review, and was named Outstanding Woman Law Graduate.

She has been an associate in Philadelphia at Pepper, Hamilton & Scheetz, clerked for the Honorable Harold A. Ackerman of the District Court for the District of New Jersey, and, in 1989 joined the U.S. Attorney's Office for the District of New Jersey.

She rose to the position of deputy chief of the criminal division and then to chief of the criminal division serving as the Executive Assistant United States Attorney.

She has handled over 4,000 civil and criminal cases, and, since 2009, she has been an adjunct professor at Fordham University School of Law.

She is on the advisory board for the Association of the Federal Bar of the State of New Jersey, the Board of Advisors for the Historical Society of the U.S. District Court for the District of New Jersey, and the Board of Directors of the Federal Magistrate Judges Association, where she represents the Third Circuit.

She is clearly highly qualified—a woman of distinction who deserves confirmation.

If experience, character, and temperament are the most persuasive weapons in a judicial nominee's arsenal, then Judge Shwartz comes before this chamber very well-armed.

Let me say to my colleagues who may not have had the opportunity to look as closely at this nominee's record as I have, in making my judgment I have had the benefit of invaluable advice and counsel from many members of the Federal bar whose opinions I sought. They are both Democrats and Republicans, and they affirmed what I subsequently discovered for myself in discussions with her; that there is not a single reason to vote no on this nomination.

I urge my colleagues to send a message that although the process can be long and fraught with conflicting opinions, in the end it bends toward the best and brightest, and Judge Patty Shwartz is proof of it.

She has strong bipartisan support not only from both the Senators from New Jersey but also our Governor Chris Christie. I urge my colleagues to join me in voting to confirm Judge Patty

Shwartz to the Third Circuit Court of Appeals.

I yield the floor.

Mr. LAUTENBERG. Mr. President, it is my great honor to once again express my strong support for the Senate confirmation of Magistrate Judge Patty Shwartz to the United States Third Circuit Court of Appeals.

It has been a long road, but it's great to finally reach this day. I began the process of recommending Judge Shwartz to President Obama almost 2 years ago, and since her first nomination by the President 18 months ago I have had the privilege of shepherding her candidacy through the Senate. During that time, I have worked with colleagues on both sides of the aisle to ensure she has bipartisan support. And earlier this year, I personally communicated with a number of my Republican colleagues to assure them of her qualifications for the position and sterling reputation in the legal community.

It hasn't been an easy or quick process by any means, but because her candidacy is so strong, and because so many people believe in her, we have reached this proud moment where we can confirm her, and without a filibuster.

Her confirmation is well-deserved, because putting Judge Patty Shwartz on the Federal bench will be a great service to our nation and our justice system. She brings 25 years of public service to the bench—years she spent as a teacher, an attorney, and a judge.

Judge Shwartz graduated from Rutgers University with the highest honors and received her law degree from the University of Pennsylvania Law School, where she was an editor of the Law Review and was named her class's Outstanding Woman Law Graduate.

Since 2003, Judge Shwartz has served as a U.S. Magistrate Judge in the District of New Jersey, where she has handled more than 4,000 civil and criminal cases. And within the New Jersey legal community, she has earned a solid reputation for dispensing justice fairly and wisely.

She will make an excellent addition to the Third Circuit Court of Appeals.

The opportunity to nominate Federal judges is a sacred duty. I have felt lucky to recommend many eminently qualified, impressive, and accomplished individuals.

Yet rarely have I seen such an outpouring of support for a single judicial candidate as I have with Judge Shwartz.

John Lacey, past President of the Association of the New Jersey Federal Bar, said Judge Shwartz is, "thoughtful, intelligent, and has an extraordinarily high level of common sense."

Thomas Curtin, the chairman of the lawyers' advisory committee for the U.S. District Court of New Jersey, said, "Every lawyer in the world will tell

you that she's extraordinarily qualified, a decent person, and an excellent judge."

And seldom has someone had such a distinguished career working for—and earning the respect of—people on both sides of the aisle.

From 1989 to 2003, Judge Shwartz served in the U.S. Attorney's Office for the District of New Jersey. In this role, she supervised hundreds of criminal cases, including cases concerning civil rights, violent crimes, drug trafficking, and fraud.

And in the U.S. Attorney's Office, she served under three Republican U.S. Attorneys: current Supreme Court Justice Samuel Alito; former Secretary of Homeland Security under George W. Bush, Michael Chertoff; and New Jersey's current Governor, Chris Christie.

Governor Christie has been especially outspoken in his praise of Judge Shwartz. He has said, "Judge Patty Shwartz has committed her entire professional life to public service, and New Jersey is the better for it."

That is his statement. Now, if Governor Christie and I agree on something so adamantly, you know it's right.

Judge Shwartz's roots in New Jersey run deep. Like me, she is a native of Paterson, NJ, where she learned the value of hard work from her parents, who owned and operated a store for more than 50 years.

And as anyone who has met or worked with Judge Shwartz can attest, she inherited every ounce of her parents' strong work ethic—and then some.

After years of hard work, today is a great and triumphant day. I look forward now to seeing Judge Patty Shwartz take her place on the Federal bench. I can say with certainty that our justice system—and the country—will be better for it.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER (Ms. HEITKAMP). Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. GRASSLEY. I yield back my time.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit?

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 93 Ex.]

YEAS—64

Alexander	Graham	Murphy
Ayotte	Hagan	Murray
Baldwin	Harkin	Nelson
Baucus	Heinrich	Portman
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Isakson	Reid
Boxer	Johanns	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Donnelly	McCain	Warner
Durbin	McCaskey	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murkowski	

NAYS—34

Barrasso	Enzi	Paul
Blunt	Flake	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Scott
Chambliss	Heller	Sessions
Coats	Hoeven	Shelby
Coburn	Inhofe	Thune
Cochran	Johnson (WI)	Toomey
Corker	Kirk	Vitter
Cornyn	Lee	Wicker
Crapo	McConnell	
Cruz	Moran	

NOT VOTING—2

Lautenberg Rubio

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. I ask unanimous consent to proceed as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas is recognized.

(The remarks of Mr. ROBERTS pertaining to the introduction of S. 677 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ROBERTS. I yield the floor.

The PRESIDING OFFICER. The Republican whip.

STABBING AT LONE STAR COLLEGE

Mr. CORNYN. Madam President, I have a couple matters I wish to discuss, but before I get to that, we have been advised—through the news media—that there have been multiple victims who have been injured during a stabbing attack at the Lone Star College CyFair campus in Texas. One person has been taken into custody.

Unfortunately, this is the second time, in a short period of time, that the Lone Star College campus has been struck with acts of senseless violence, and I think it is appropriate to say here and now that our thoughts and prayers are with the victims and their families. We hope law enforcement does its typically good job and finds those responsible to make sure those who are responsible are prosecuted to the fullest extent of the law.

BORDER SECURITY

Madam President, I wish to remind my colleagues that if they don't know where they are going, then they will probably never know when they get there. Stated another way: If you don't measure the size of a problem, you will never know how close or how far you are away from solving it. It seems like common sense. But since 2010, the Department of Homeland Security has used the metric or the measuring stick of operational control to determine how successful it is about detaining those who cross our southwestern border illegally. This is a matter of basic public safety since we know drug cartels, human traffickers, and other criminals regularly exploit this porous southwestern border in order to do their dastardly deeds.

For some reason, the Department of Homeland Security has dropped this metric or measuring stick of operational control altogether, and so far they have yet to replace it with some other measuring stick or some other way to determine how successful or unsuccessful they have been. It has literally been 3 years since the Department of Homeland Security has had a functional measurement of border security.

Again, this is about public safety. This is about deterring and stopping criminals and others who come across the border to deal in drugs or in human lives. During this same time period, the Government Accountability Office has reported that the Department of Homeland Security had achieved operational control—this was about 3 years ago—of less than 45 percent of the southwestern border.

The Los Angeles Times wrote a story recently that showed between October 2012 and January of 2013, the Department of Homeland Security failed to apprehend at least 50 percent of the people who attempted to cross the border without proper paperwork; in other words, illegal border crossers.

I think, by any measure, whether one is a Democrat or Republican, Independent, no matter what your political stripes, this is unacceptable, and we need to do better.

Earlier today, I introduced legislation that would require the Department of Homeland Security officials to verify how much operational security we actually have along our borders. The Border Security Results Act of 2013 would also require the Department of Homeland Security to develop a comprehensive strategy—something we have been missing for a long time—for achieving operational control of every single border sector.

My State has 1,200 miles of common border with Mexico. We know that much of the illegal activity does not even start in Mexico but comes up through Central America. People around the world know that if they can get to Central America and pay the human smugglers enough, they can make their way into the United States. Even though we have beefed up the Border Patrol, the Department of Homeland Security, and applied new detection techniques so our border is more secure than it was, last year alone 360,000 people were detained by coming across the southern border. If we believe the Los Angeles Times story, which I think rings true, at least twice that many people actually tried—half were detained, half made it across.

This bill would define operational control as a threshold in which U.S. authorities in a given sector are apprehending at least 90 percent of the people who are coming across, and it would require the Department of Homeland Security to gain full situational awareness through technology, boots on the ground, and results-based metrics.

Metrics is just a fancy word. It is a measuring stick. It is a yardstick. Not only do we need to talk about the numbers, we need to talk about the very human tragedy associated with these numbers and inadequate border security.

As I said, a porous United States-Mexican border also encourages drug

and sex traffickers, including all sorts of criminals who prey on children, the weak, and the vulnerable. By gaining operational control of our borders, we can save lives and protect innocent human life.

We can also safeguard the basic property rights and civil rights of people who live along the border while we respect those who play by the rules and who are now trying to pursue their American dream as legal immigrants to the United States. This is not designed to deter people who want to play by the rules and who want to enter this country to work and provide for their family according to the law of the land and seek to achieve their American dream.

This is also not an alternative to fixing our broken immigration system, but it is complementary of the work being done of the so-called Gang of 8—four Republicans and four Democratic Senators—as well as House negotiators who are trying to work out just exactly what border security actually means, how to measure it, and how to know if the Department of Homeland Security is doing the job. Even as we debate the larger issue of Homeland Security, everyone, Democrat and Republican alike, believes this is an essential component of a comprehensive bill.

In short, we should be doing everything possible to encourage the type of legal immigration that benefits our economy and our broader society while discouraging and deterring illegal entry into the country, which unfortunately, is being exploited by drug cartels, human traffickers, and other criminals.

The United States-Mexico relationship is about far more than just immigration security. This is not limited to just Mexico. This is very important. Mexico is our third largest trading partner. There are 6 million jobs in America that depend on cross-border traffic and trade with the country of Mexico. By the way, their economy is growing at a much faster rate than ours. It is something we can look at and be envious of and hopefully we can ultimately emulate.

The health and success of Mexico's economy is important to the economy of the United States for the reason I just mentioned. There are now millions of jobs which depend on trade with our southern neighbor, including hundreds of thousands of jobs in my State of Texas alone. Unfortunately, our land ports of entry along the United States-Mexican border have not kept pace with the rapid expansion of bilateral economic ties, and they are suffering from both inadequate infrastructure and inadequate staffing. Wait times at the border for people who are playing by the rules and trying to enter the country legally have grown unacceptably long.

The Border Security Results Act would help mitigate this problem by

requiring the Department of Homeland Security to devise a plan to reduce the wait times by at least 50 percent. I might add, when we think about security and the economy, these go hand in glove because the very same people who are working to provide security from illegal entry are the very same ones often facilitating legitimate trade and commerce. By reducing wait times at the United States-Mexican border, we would facilitate greater bilateral trade and faster job creation on both sides of the Rio Grande River. That is just one additional reason that the Border Security Results Act deserves to become law as soon as possible.

Again, on this point, this is entirely complementary of the work and negotiations that are taking place now in the Senate among the Gang of 8, who will report to us any day now on their framework and how they think we ought to move forward on the immigration issue. But until we regain the public's confidence that the Federal Government is doing its job at this international border in terms of legitimate trade, deterring common criminals, and drug and human traffickers, then I doubt our chances for success on the larger issue are very good.

PRESIDENT OBAMA'S BUDGET

Before I conclude, I wish to say a few words about President Obama's budget request. As we all know, the due date for the President's budget was February 4. One might say: February 4 has long passed. That is correct. It was the day after the Super Bowl. But here we are 2 months later, and the President has defied the requirements of the law which says the President must submit his proposed budget the first Monday of February.

Unfortunately, he is the first President in modern history not only to have failed that deadline but to see the Senate and the House actually move forward with our respective budgets before the White House releases its own.

If the President, who is obviously the leader of the free world and Commander in Chief of the United States military, wants to be relevant to the largest, most important domestic issue facing this country, which is how to get control of our debt and deficit and how to get the American Government to live within its means, I cannot think of anything more likely calculated to lead to his irrelevancy than to wait until the House and the Senate have already dealt with our budgets and submit his budget. That is what has happened.

Tomorrow is the big day when we finally get to see the President's budget proposal. According to some press reports, we already have an idea of what is in it. For one thing, the President's budget will not balance. It is not a balanced budget. The President likes to talk about balance when discussing economic matters. Well, the Presi-

dent's budget doesn't balance in 10 years or in 20 years or ever. What it will do, we are told, is increase spending by hundreds of billions of dollars—money we simply don't have. Right now the Federal Government is spending roughly 25 cents out of every dollar, of money we have to borrow from China or other creditors, just to pay to keep the government operating at its current level.

We are also told the President's budget would impose hundreds of billions of dollars in new taxes—this is after, on January 1, the President signed into law a \$600 billion tax increase as a result of the fiscal cliff negotiations. Meanwhile, the President's budget would make it harder for Americans to save for their own retirement. I find that bewildering. Why in the world would the President want to discourage the American people from saving for their own retirement, particularly at a time when he has done nothing to shore up Social Security or Medicare, which seniors rely upon. So if the Federal Government is not going to do that—in other words, not going to do its job of shoring up Social Security and Medicare—why in the world would we further discourage people from saving on their own?

Indeed, from what we have heard, this budget is filled with the same sorts of tax and spend policies the President has been promoting since day one. I will give him credit—the President has been consistent throughout. Our country can't afford that kind of policy, not when we are suffering from the longest period of high unemployment since the Great Depression and not when millions of Americans have been jobless for more than 6 months.

I would remind colleagues that President Obama has presided over an economy where half a million Americans left the workforce last month, bringing our labor force participation rate down to a 34-month low. What does that mean? Well, it means people have given up. People have been out of work so long—even though the unemployment rate has hovered around 8 percent, then 7.7, 7.6, the only reason it has come down is because hundreds of thousands of Americans have given up looking for work, so they have taken them out of that calculation, which actually gives a false impression of the unemployment rate decreasing. But we all know the economy is growing very slowly—.6 percent the last quarter. It needs to grow 3 and 4 percent for our economy to take off and create the private sector jobs that are important to get Americans back to work.

The President of the United States may truly believe his proposed budget represents a compromise, but in the real world it does absolutely nothing to address our biggest long-term fiscal problems, including Medicare, which,

for every dollar a typical Medicare beneficiary has put into the system, they draw down \$3. That is unsustainable. The President's proposed budget contains, again, another massive tax increase even though President Obama has already presided over a Federal Government that has raised taxes on the American people by \$1.7 trillion.

Last week White House Press Secretary Jay Carney said the President's budget "is not what he would do if he were king." Well, we haven't had a king in a long time—never in this country—and I can only assume Carney meant President Obama would like to raise taxes even more if he could and increase spending even more if he could and do even less if he could to reform our vital programs, such as Social Security and Medicare.

In so many ways this budget sounds more like a PR stunt than actually being designed to address the Nation's biggest challenges. It may help the President secure favorable media coverage, but it fails to offer serious solutions to America's biggest long-term challenges.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DONNELLY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I know that pending is the firearms legislation, which America is watching very closely, and which we will speak to at length as we proceed to this measure. I, of course, will come to the floor at that time to address some of the issues which were brought up in the Senate Judiciary Committee. One of the bills that is being brought forward under this firearms act is one related to straw purchases—purchases by an individual who can legally purchase a gun so that firearm can be given to someone who could not because of a felony conviction, for example, or perhaps mental instability.

Those third-party purchases—straw purchases—have become the scourge of many communities. One of them is the city of Chicago, IL, which I represent. We found that about 9 percent of the crime guns confiscated in Chicago over the last 10 years came from the State of Mississippi—Mississippi. So how did those guns get from Mississippi to the mean streets and alleys and backways in Chicago? Well, some people decided they could make some money by filling up the trunk of a car with easily pur-

chased guns in Mississippi, driving up to Chicago, and selling them to gangbangers and thugs and drug kingpins in some dark alley late at night. That is a profitable business for some, but it has proliferated firearms and weapons in the city of Chicago to a level that many people find incredible.

Our superintendent of police, Garry McCarthy, came to Chicago from the New York City area. He learned that the per capita possession of firearms in the city of Chicago—per capita—is roughly six times what it is in the city of New York—six times more firearms. We are awash, flooded with these firearms, and most of them, virtually all of them, are coming in from outside the city—9 percent from Mississippi, 20 percent from one firearms dealer in the suburbs of Chicago.

Well, I can tell you these guns are not being purchased by end users in most instances. They are being purchased by girlfriends, by partners, those who could clear a background check and buy a gun and hand it over to someone else who commits a crime.

One of the provisions in the firearms bill that I authored with Senator KIRK, Senator COLLINS, GILLIBRAND, and, of course, our chairman, PATRICK LEAHY, relates to whether we are going to throw the book at those who purchase guns with the knowledge or reasonable belief that they are going to prohibited purchasers or to be used in the commission of a crime; and we do. The penalty starts at 15 years of hard time. In Chicago at a press conference we said: Girlfriend, think twice. Is he worth it? Is he worth 15 years behind bars for you to go buy that gun in the suburbs, hand it over to that gangbanger who kills somebody that night?

That is what folks have to put into their calculation of whether they are going to take that risk. That is one of the provisions in this firearms bill. I would like to think everybody would agree with this provision. Unless one happens to be in that rare group of Americans who believe selling firearms in volume, no matter whom they are sold to, is the best thing for our country, then they have to agree that clamping down with Federal hard time for those who make straw purchases is a good idea. I think it is. It is the lead measure in this firearms bill that will come before us.

There are other measures in there that have been somewhat more controversial, and we will come to them during the course of the debate. But I have asked for this time as in morning business to speak to two unrelated issues, not to diminish the importance of the firearms bill, which I have spoken to already, but to speak to two other issues which I hope will be taken up seriously by the Senate soon.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 673 are printed in today's RECORD under

"Statements on Introduced Bills and Joint Resolutions.")

FOR-PROFIT COLLEGES

Mr. DURBIN. Mr. President, I have come to the floor many times to talk about for-profit schools. It is another consumer issue. It is a very serious one. I come to the floor to describe to my colleagues and put on the record of the Senate some of the things that are taking place across America today that I think are nothing short of outrageous, things that we can stop—we have the power to stop in the Senate.

Let me tell the story of Sharon LoMonaco. Sharon is a 65-year-old woman who is on Social Security and in debt because of her student loans. Sharon attended the Art Institute of Pittsburgh, a for-profit college owned by Education Management Corporation. Sharon saw a commercial and was attracted to the school and called them. Then the recruiter at the school kept calling and calling her until she finally agreed to sign up. Sharon says the recruiter acted as if he were her best friend, told her everything would be great, and then practically filled out her financial aid forms for her. She ended signing up for \$55,000 in loans, to the Art Institute of Pittsburgh.

She started the program and started to question almost immediately the quality of the education she was receiving. But she stayed in school—that is, she stayed until her money ran out. Sharon received a Pell grant, which is a grant given to low-income individuals in America to go to college, but she had also exhausted her Federal student aid eligibility. She was borrowing money even while she was putting the Pell grant into the cost of her education. She could not get any more Federal loans and could not qualify for private student loans. She had no choice—she had to drop out of the Art Institute of Pittsburgh. She now attends a community college and is trying to finish her degree there. For now her loans are deferred, but every day, she wakes up and worries about what will happen when the day comes and she will have to start to pay them back.

Unfortunately, Sharon is not alone. Every week, former for-profit college students who attended one of the schools like the Art Institute of Pittsburgh that are run by the EDMC corporation find they are drowning in debt and contact our office. We have invited them to tell us their stories.

Let me talk a little bit more about the type of business EDMC runs—that stands for the Education Management Corporation. It received over 77 percent of its total revenue from Federal student aid programs. However, according to a 2012 HELP Committee report Senator TOM HARKIN filed, if all Federal aid is included—that means counting GI Bill funds, Department of Defense tuition assistance money—EDMC receives 80 percent of its total revenue

from the Federal Government. This is not a business, this is an outlet for Federal taxpayers' dollars to subsidize a private company. Eighty percent of its revenue comes in the form of a check from the Federal Government.

It is only 20 percent away from being a total Federal agency, but, believe me, the salaries that are paid and the profits that are taken by this so-called private sector company would not even be considered at the Federal level.

For-profit colleges received \$32 billion in Federal student aid funds in the 2010–2011 academic year. This might seem like a good investment for the Federal Government to make—that is, if students were actually learning, graduating, and getting jobs in their chosen fields and paying off their loans. They are not. Over 23 percent of the students who attended the Art Institute of Pittsburgh are going to default on their student loans within 3 years.

Sharon LoMonaco is not alone. More and more older Americans are in debt either because they went to school later in life or, in a gesture of kindness, cosigned costly private student loans for their children or grandchildren. According to the Consumer Financial Protection Bureau, outstanding student loan debt now tops \$1 trillion in America. These are people who were retired and planning to live a life of comfort. They cannot anymore. A grandmother cosigns a granddaughter's student loan for her, the granddaughter defaults, and they are now collecting and garnishing grandma's Social Security check. In Sharon's case, she worries her Social Security check will be garnished in the future.

While other types of household debt continue to decline, there is one that does not: student loan debt. Between 2004 and 2012, there was a 70-percent increase in the average amount being borrowed for college. Borrowers like Sharon, clearly over the age of 30, make up 67 percent of the total outstanding student loan debt.

There are some for-profit colleges that are doing the right thing—educating students to succeed in the workforce—but there are other bad actors, such as EDMC, that continue to spend a large portion of their revenue on marketing rather than educating. This committee report from the HELP Committee in the Senate found last year that for-profit colleges spent an average of 22 percent of their revenue on marketing and recruiting. One particular school we looked at today is trying to hold out that it is educating and training members of the military. It turns out they have hundreds of recruiters trying to get military families to sign up and 1 job placement counselor. You know what their priorities are: Sign them up and get their money.

Congress needs to raise the standards for for-profit colleges and stop this un-

restricted flow of funds to these schools that are failing their students.

I have been giving these speeches on the floor for some time now. Senator HARKIN of Iowa, who is the chairman of the HELP Committee, has had extensive investigations of these for-profit schools. Some of them are struggling. Their share value has gone down. They are not making money the way they used to. But they are still very much in business.

What we should remember is what I have told folks are the three most important numbers:

Twelve. Twelve percent of all college students go to for-profit schools. University of Phoenix, Kaplan, DeVry, EDMC—12 percent go to these for-profit schools. These for-profit schools take out over \$30 billion a year in Federal aid to education. Twelve percent of the students, and they take 25 percent of all of the Federal aid to education. They know where the money is. They are grabbing it as fast as they can. Forty-seven is the third number you ought to remember. Forty-seven percent of the student loan defaults are students and their families from for-profit schools.

Many of these schools are just plain worthless. Some of the students could never tell.

They say: Well, Senator, wait a minute, if you are giving Federal Pell grants to these schools, then isn't the Federal Government acknowledging the school is a good school?

Sadly, that is an inescapable conclusion, a wrong one. They are not good schools. Yet we continue to allow them to tap into Federal funds. Oh, there are exceptions. Some of them do train people for good jobs. But too many of them are worthless.

These poor students, high school students are inundated with all of this advertising and marketing to go to those for-profit schools. They are lured into it. There was a commercial that used to run on television here in Washington. I think they finally pulled it off the air. It showed this lovely young girl. She was in her pajamas in her bedroom with her computer on the bed. She said: I am going to college in my pajamas. It was an advertisement for a for-profit school.

I do not want to suggest that online education is a bad thing. I think it can be a good thing. But this notion that you can go to school so easily and come up with a valuable degree is one that people ought to stop and think about. What we know now is that many students who do not know which way to turn coming out of high school would be well advised to go first to a community college. It is local. It is affordable. It offers a lot of options. You can learn a lot about yourself and what you might want to be when you grow up and do it without going deeply in debt.

What we are discovering is more and more students are signing up for debt they do not comprehend well. What does it say when a student has to borrow \$20,000 a year to get an undergraduate degree, or \$80,000 in debt for 4 years? Is it worth it? Many students are starting to ask this question.

When I grew up college was a given. Go to college; it is the only way to succeed.

Now students are asking the hard questions. Is it worth that much debt? Will it really help me that much? There are questions which need to be asked and answered. Sometimes these questions are being answered by young people who have had no experience in the world. They have not yet borrowed money for anything. Perhaps their parents never attended a college or any institution of higher education. They are excited about going to college and sign on the paper because they don't want to miss a class. The next thing they realize is they are stuck in these schools.

After a period of time, possibly 4 or 5 years later, some may actually finish in these for-profit schools only to discover their diplomas are worthless and cannot help them secure a job.

A young lady went to Westwood College, one of the most notorious for-profit schools in the Chicagoland area, for 5 years. She completed a law enforcement degree from Westwood. There wasn't a single employer who would recognize her degree when she went out into the real world.

Where is she now? She is living in her parents' basement. This is the only place she may reside because she is \$85,000 in debt to Westwood College for a worthless diploma. This isn't fair.

We need to do a better job at the Federal level in accreditation to ensure these schools are worth their tuition. Secondly, we need to demand full disclosure in terms of how much their education costs. What kind of debt obligation is the student incurring? What is the likelihood they will get a job? How many of these students are dropping out and defaulting on their loans long before graduation?

These are important questions which need to be asked and answered. It is tough. This is an industry which is politically well connected and put themselves in a favored position in the bankruptcy court—through friends in the U.S. Congress. They wish to protect their profitmaking, even at the expense of a lot of these students and their families.

We can do better. We need to establish standards which restore the confidence of American families and these future students in the institutions they attend.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

Mr. BARRASSO. I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. BARRASSO. Mr. President, I come to the floor as someone who has just traveled around my home State of Wyoming for the last couple weeks, talking to people, listening to what they have to say. I do it as a doctor as well as a Senator, but people there know me as a doctor because I practiced medicine in Wyoming for 25 years, taking care of families from all around the State. So it is not surprising that in every town I visit, people ask me what is happening with regard to the President's health care law.

People around Wyoming continue to be very worried—worried that there is going to be a new layer of Washington between them and their doctor. People don't want anyone between them and their doctor, not an insurance company bureaucrat, not a Washington bureaucrat. So families are worried they are not going to be able to keep the insurance they have now and maybe insurance that works pretty well for them—insurance they like, they want, and they can afford. But they are concerned they are not going to be able to keep what they have.

Employers are also worried. They are worried they are not going to be able to afford the health care mandates under the President's health care law.

That is what I heard as I traveled around the State. I will be back in Wyoming again this weekend, traveling to a number of communities, and I expect I will hear the same thing this weekend. I am sure Members of the Senate have heard concerns similar to this from people all around their home State, as they visited around and listened to the voters over the last couple weeks.

While we were out hearing from folks and families back home, there has actually been a lot in the national news the last couple weeks making the very same points I was hearing in Wyoming, and that is what I wish to talk about today.

We have had one headline after another about the dangerous side effects of the health care law. For one thing, employers in Wyoming aren't the only ones who are worried about how much the law is going to cost, how it is going to have an impact on them and their businesses and their ability to hire more people.

According to a news survey by the U.S. Chamber of Commerce, the health care law's expensive new mandates are

now the No. 1 concern of small businesses across the country. Seventy-one percent of small businesses say the law makes it harder for them to hire new workers. One-third say they plan to actually reduce hiring or cut back hours because of the employer insurance mandate. Twenty-two million Americans are out of work or are working less than they would like, and that is what we saw in the dismal jobs report just this last Friday.

You say, why is that? The Federal Reserve's Beige Book came out last month, and companies all around the country are saying: We are not going to hire because of the uncertainties and mandates in the President's health care law.

The recession ended 4 years ago, but the only way our economy is going to get back on track is if we free the private sector to start hiring in far greater numbers than they are willing to do right now. But the President's No. 1 signature accomplishment, his law, makes it actually harder for businesses to hire more people. One would expect the President would want to make laws that would make it easier for employers to hire more people.

There was another headline on how the President's health care law is hurting small businesses. Here is what the New York Times says: "Small Firms' Offer of Plan Choices Under Health Law Delayed."

What they are talking about is the promise the President made that his health care law would help small businesses find affordable health care plans. Of course, that is a desirable goal. The problem is the law doesn't bring out what the goals may have been. The law was supposed to create a new insurance market for small employers. That is what they are promised. Their workers would then have a variety of choices so they could pick the plan that worked best for them.

The New York Times article says:

The promise of affordable health insurance for small businesses was portrayed as a major advantage of the new health care law, mentioned often by White House officials and Democratic leaders in Congress. . . .

That is what the New York Times says that the President of the United States was telling the American people:

The promise of affordable health insurance for small businesses was portrayed as a major advantage of the new health care law, mentioned often by White House officials and Democratic leaders in Congress. . . .

So what is going on? The administration admits things haven't worked out the way they had promised.

They can't meet the law's deadline, so it is going to delay the entire program for a full year to 2015. Of course, the Obama administration says it will not delay the mandate until 2015. So you have to provide the health insurance now, in 2014, but: Sorry. We made

some promises, but they are not going to happen until 2015. You still have to pay right now and do this.

So small businesses are going to get hit with the higher costs of providing the insurance, but they don't get the program that was supposed to help them in the first place—the program promised by the Democrats in this body who voted for it and promised by the President of the United States who in many ways went on to deliberately deceive and mislead the American people as a result of what we are now finding is in the health care law. I am happy to see the national press reporting it because we are sure hearing it from people around the country.

What we see now is that if a business wants to offer its workers insurance through an exchange, it has to pick one plan for all the people. The workers are going to get none of the choices they were promised. According to Washington and this administration and this President, now one size has to fit all.

Even in a business where the employees now currently have several choices, they are going to lose their options. They are not going to be able to pick the insurance plan that is right for them and for their families. That is what is happening to Zachary Davis.

Zachary Davis owns a couple ice cream shops and a restaurant in Santa Cruz, CA. He has 20 full-time workers and today he offers them health insurance.

Isn't that the goal? Workers—offer them health insurance. These workers range in age from college students to seniors, so they have different needs at different ages, different fears, different concerns, different needs. What the younger ones prefer are lower premiums and then higher out-of-pocket costs if they happen to get sick. That is because they are healthy and they do not really go to see a doctor very often. The older workers who work in the same company visit doctors more frequently, as would be expected, so they are more interested in a position where their policies maybe have higher premiums but lower deductibles. People want to make choices.

Right now the employees who work for Zachary have actually three different plans that fit their needs. They get to choose. But what Zachary Davis has told CNN is that limiting his workers to a single plan would be a deal breaker and it would keep him out of the exchanges. He said:

That would not be a good fit for us. For a business like ours—and a lot of businesses I deal with on a regular basis—I can't see that making sense.

He is right. It doesn't make a lot of sense. But that is what President Obama's health care law has given the American people—something that doesn't make sense and another broken promise, another hurdle to get in the

way of job creators, another failure of the Washington bureaucracy, and another burden on workers who like the insurance they had before and now are not going to be able to keep it.

During the 2 weeks we have been traveling our States and traveling the country, there has been headline after headline. Here is one more headline from an Associated Press story. This headline says: "Health Overhaul to Raise Claim Cost 32 percent." That is a 32-percent average increase in claim costs. This is a new report by the Society of Actuaries.

The Wyoming Tribune Eagle in Cheyenne—this is Wednesday, 27, 2013: "Health Overhaul Bumps Up Claim Cost 32 Percent. And If Insurance Companies Have To Pay More, You Can Bet We Will, Too."

"And If Insurance Companies Have To Pay More, You Can Bet We Will, Too."

On average, insurance companies will have to pay out 32 percent more for medical claims on individual health policies because of the health care law, so that is going to drive up premiums for all of us. It drives up how much hard-working Americans have to pay to get medical care and to buy insurance. Why? The President's health care law.

Here is how the Associated Press summarized it. It said:

Obama has promised that the new law will bring down costs. That seems a stretch now.

This is not me, this is the Associated Press: "That seems a stretch now." I would say it is actually an understatement. Costs will not go down because of the health care law because the law does nothing to help costs go down or make them go down. In fact, it does many things that actually cause costs to go up. All of the mandates, all of the new expenses, all of the new taxes—that is all going to add to the average increase of 32 percent. But that is just the average. When we look at the increases in some States, we really start to see how much worse off a lot of people are going to be. In Ohio, we see an increase of 81 percent; in Wisconsin, up 80 percent; Indiana, up 68 percent; right next door to us in Maryland, up 67 percent; Idaho, up 62 percent. In my own State of Wyoming, people are facing a 32-percent increase. It is right at the national average.

This article in the newspaper, when you go to it, it says, "Overhaul increases could top 50 percent for certain States." Here we see in many States that is the case. They have a list, State by State, of each of the State's claims—change in claims cost in health overhaul. That is what the American people are facing. These are terrible numbers, but they are absolutely predictable. In fact, some of us did predict that is what would actually happen. The American people cannot afford for health care costs to go up by

81 percent, as we are seeing in Ohio, or even by 32 percent, which is the national average. That is not what the President promised.

Finally, I want to point out just one more headline, one more broken promise the President made. We all remember when the President said that if you like your insurance plan, you can keep it. He said, "No one will be able to take that away from you." The President of the United States said, "No one will be able to take that away from you."

Now we have another story from CNN. It says, "Most Individual Health Insurance Isn't Good Enough For ObamaCare." This article talks about a University of Chicago study—talking about Chicago, the President's hometown. The study reported—from CNN—the University of Chicago reported that more than half of the individual insurance plans currently on the market will not be allowed to exist under the President's health care law—more than half. Fifteen million Americans buy individual plans, and half of those plans are going away. Even if these people like their coverage, the President says: Too bad. His health care law is taking it away from them.

Not only will the law eliminate more than half of the plans, most of the ones that remain are going to cost more next year. Why? It is because of what the administration calls the essential health benefits. These are specific individual mandates that require insurance plans to cover a wide range of services. For most consumers, it is going to mean a more extensive and a longer list of benefits. These higher benefits, of course, mean higher costs.

So people cannot just get the insurance that they and their family want, the insurance that is right for them as a family and the insurance that they can afford. No. They have to buy Obama administration-approved health insurance. That is insurance that is going to be much more expensive than what they might want, they might need, or they can afford. It may not even do them any good. So despite what the President has promised to the American people, they are not going to be able to keep the insurance they have. The options that are left to them are going to cost more.

These are just a few of the headlines—a few of the headlines we have seen just since we went out a couple of weeks ago and traveled the States. These are all fresh, new headlines from the last 2 weeks, but every day we get more and more information about the bad side effects of this terrible health care law. The President's health care law is unraveling before our eyes.

The American people knew what they wanted from health care reform. They wanted the care they need from a doctor they choose, at lower cost. That is what the President promised the American people they would get from his

health care law, but all the people of the country have seen are rising costs, less choice, and a larger Washington bureaucracy.

It is time for President Obama to finally admit that his health care law is dragging down the American economy. It is time for Congress to repeal this terrible law and replace it with the kind of reform that works.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. THUNE. Mr. President, I come to the floor to discuss the President's budget, which we understand will be released tomorrow. The budget comes out at a time when there is a lot of economic news floating around. The jobs report came out last week and indicated that job growth had been much slower than expected. There were about 190,000 jobs that were expected to be created, but there were only 88,000 jobs created, according to that report.

Although the unemployment dropped a little to 7.6 percent—if we factor in the number of people who had quit looking for jobs, which was half a million people—we had a labor participation rate which is literally the lowest since 1979. We have to go back to Jimmy Carter's Presidency to find a time when the labor participation rate hit that low number where 63.3 percent of the people who are eligible to work are actually out looking for work. There a lot of people who have completely quit looking.

We also looked at the U-6 number, which measures employment in a different way. It adds in the number of people who are no longer looking for work or who are working part time but would like to work full time. The unemployment rate for that is about 13.8 percent. This is a very sluggish, weak economy, where there are a large number of people across this country who continue to be unemployed, who continue to try and make their way without the advantage of having a job out there to pay their bills.

It strikes me that as the President releases his budget, the fundamental question which should be asked in the context of the economic data I have just mentioned is what will his budget do to create jobs, grow the economy, and increase the take-home pay for middle-class Americans. To me, that seems to be the question we ought to

use as we evaluate not only the President's budget but other budget proposals that have been made here in the last few weeks.

When I say other budget proposals, of course, the House and Senate have both adopted budgets. The House passed their budget. They have passed their budget every year on time. The Senate, for the first time in 4 years, actually adopted a budget a couple weeks ago, and tomorrow we will finally have the President's budget, which, interestingly enough, was due on February 4. We were supposed to get the President's budget February 4. Typically, his budget would kick off the debate on the budget. It would be the starting point on which the two Houses of Congress—the House and Senate—base their budgets and gives them a little information as they move forward, but this is completely in reverse.

In fact, I think this is the latest the President has released his budget since about 1920. We have to go back almost 100 years to find a time when the President has released his budget at a later date than he did this year. So his budget comes after the fact. That being said, I hope when it does become public and we begin to dig into it a little bit and look at what is in it, we will have a more definitive answer to the questions: What are we going to do to create jobs? What are we going to do to grow the economy? What are we going to do to increase the take-home pay of working Americans? To me, that is fundamentally what we ought to be focused on in light of the very abysmal jobs report from last week.

What we are hearing about it—and again we will not know the final details until we see this tomorrow—is it is going to consist of a huge new tax increase. It will be another \$1 trillion tax increase on top of the \$1.7 trillion in tax increases that the President has already signed into law. If we go back to ObamaCare—the health care bill that passed a few years ago—it included \$1 trillion in new taxes. We had the fiscal cliff deal, reached on January 1 of this year, which had \$620 billion in new taxes. If we take ObamaCare, the fiscal cliff deal, and then add in some other taxes that have been imposed since the President took office, we are now over \$1.7 trillion in new taxes and new revenue.

So when the word came out that the President's budget was going to include another \$1 trillion in new taxes on top of the \$1.7 trillion already mentioned, we need to ask the questions: At what point does this do serious harm to the economy? At what point do we get to that juncture where we have so much burden, so many new taxes and new regulations imposed upon our economy, that it becomes increasingly difficult, if not impossible, to create jobs and get the economy growing at a faster rate. In fact, what we are hearing, at

least at this point, is that we have \$1 trillion in new taxes, which means overall we would have a \$600 billion number in terms of deficit reduction.

We have been told the President's budget replaces the sequester, which had \$1.2 trillion in spending cuts. If there is just \$600 billion in deficit reduction, what that essentially means is that all the deficit reduction is in the form of higher taxes. We have \$1 trillion in new taxes, \$600 billion in deficit reduction, and we are completely replacing the \$1.2 trillion in spending cuts that is currently in effect, unless, of course, as is proposed in the President's budget, at least we are told is proposed in the President's budget is going to be replaced.

My point simply is this: In this country, we have a sluggish economy, chronic high unemployment, massive amounts of debt, all of which can be, if not entirely, at least partially cured and fixed by a more robust, more expansive and growing economy, growing at a more historic rate. The economic growth we have seen since this President took office, the average is .8 percent—eight-tenths of 1 percent is the average economic growth in 4 years since the President has been in office.

The historic average over the past 60 years is about 3.3 percent, and that includes 11 recessions. We have been through 11 recessions in the last 60 years, and still we have an average growth rate of 3.3 percent. It is not terribly robust, but on average at least it is good enough to keep the economy chugging along, to keep throwing enough jobs out there to keep a majority—or at least keep the unemployment rate at a reasonable level and keep Americans employed. Yet in the last 4 years the average is .8 percent.

Last year, we looked at 1.5 percent to 2 percent, in that neighborhood, but the fact is, until we start growing at a faster rate, we will be plagued by chronic high unemployment and we will continue to have these massive deficits year over year. As we all know, when we have a growing and expanding economy, people are working, investing, making money, and paying taxes. When the economy is growing, we get more tax revenue, and that makes the fiscal imbalances look smaller by comparison as well.

The real objective we ought to have in front of us if we want to deal with the fiscal imbalance and if we want to deal with the sluggish economy out there is policies that will promote economic growth, policies that make it less expensive and less difficult for people in this country to create jobs. We should not add more taxes, not add more costs in the form of new regulations, not impose more burdens on the economy but unleash the economy and allow it to grow and allow people in the economy to create jobs.

There are a number of reasons why that cannot happen. As I said, we have

\$1.7 trillion in new taxes that have been put on the economy since the President took office. His budget, as we are told, is going to include another \$1 trillion in new taxes. We have new health care mandates that businesses—small businesses, large businesses, businesses of all sizes—are reacting to. It is something I hear more about now when I travel my State than almost anything else.

When we talk to people who create the jobs, there is uncertainty about how this is going to be implemented. There are lots of delays in terms of its implementation. We are looking at significant increases in premiums across many different age groups.

We heard the Senator from Wyoming, who was down here earlier, talking about the impacts of health care and what it will mean to the economy, what it will mean to people who buy their health insurance in the individual marketplace, people who acquire it through their employer. Obviously, there are people who might be forced into exchanges. There is just a tremendous cloud of uncertainty which hangs over our economy right now. Much of it is due to government policy generated in Washington, DC. Many of those policies come back to the budget. What is the vision we have for the future of this country?

The budget is a vision statement, as has been stated by Vice President BIDEN in the past. It sort of lays out a policy framework for the two parties and their respective ideas about how to grow the American economy, how to get people back to work, how to improve the standard of living and the quality of life and the take-home pay for middle-class Americans. Again, that is what I would argue the budget discussion we have should be focused on.

It strikes me as somewhat unusual and ironic that the President, after getting \$1.7 trillion in new taxes since he took office, would submit a budget that is several months late, filled with new tax increases, and would put even more burdens on an already fragile economy. Yet that is what we are hearing is going to be in his budget.

There are some other things which I would hope he will include in that budget. We are told he is going to propose a modest and what I think is a bipartisan entitlement reform known as chained CPI that would change the calculation in some ways and would be more reflective of cost and the economy when it comes to calculating benefits for certain programs. But it is a small change in terms of what the dimensions of the problem are.

In fact, if we are going to do anything serious and meaningful to deal with the runaway spending and debt, we have to—in a structural way—reform these programs on the mandatory side of the budget that are growing at

two to three times the rate of inflation and are unsustainable.

If we look at what drives Federal spending today, it is mandatory spending, Social Security, Medicare, and Medicaid—programs that are sort of on autopilot, if you will, in the Federal budget that today represent somewhere on the order of about three-fifths of all Federal spending. But according to the Congressional Budget Office, 10 years from now it will represent 91 percent of Federal spending if we continue on the path we are on today. That is completely unsustainable. That means we have 9 percent of all Federal revenue available to fund national security, fund nondefense discretionary spending, and to pay interest on the debt. That is a future we cannot comprehend.

I think what it points out is we need to deal with these programs in a way that reforms them, that saves them, that protects them not only for generations of Americans today who depend upon them but also for future generations of Americans. On the current trajectory, on the current path, we simply cannot do that, and we have to make changes and reform these programs.

So it would seem the President, in his budget, would contemplate what he might do, proposals he might make to address that. Again, we will not know for sure until we see it tomorrow, but my understanding is there will be very little in terms of consequential, meaningful change, meaningful reforms and restructuring of programs that will actually get us on a more sustainable fiscal path.

I have to say the connection when we talk about policies—and I could go into a lot of different policy areas that I think drive up the cost of doing business in this country, one of which I already mentioned; that is, the new health care entitlement program that imposes lots of new requirements and mandates on employers as well as on individuals and is filled with \$1 trillion in new taxes. But there are other areas of our economy as well.

If we look at the power of energy in this country and what it could do to unleash jobs to help get our economy growing at a faster rate, we see we have enormous opportunity out there in that sector of our economy.

We obviously have enormous opportunity if we are willing to take on our Tax Code. Our Tax Code is enormously complicated, complex beyond the comprehension of most Americans, which is why in many cases they have to turn it over to a professional tax preparer. But I believe it is fair to say if we could reform our Tax Code in a way that broadens that base and does away with a lot of the loopholes and the special interest provisions—the exclusions, deductions, et cetera, in the Tax Code today—broadens that tax base, lowers the rates—we could unleash a

period of economic growth unlike anything we have seen in a long period of time.

If we go back to the last time this was done in 1986, we know we saw a long period of economic growth because people—there was a lot of pent-up uncertainty and there is today, I might add, as well—and there is a lot of capital sitting on the sidelines that could be deployed and a lot of jobs, frankly, and opportunities we are losing to global competitors because our tax rates are, frankly, just not competitive in the global marketplace.

So I would argue that reforming our Tax Code would be enormously helpful if we are serious about growing the economy and creating jobs. That too is an area where I hope the President will engage. So far we have not heard from him on that except to say in terms of the corporate tax rate he would be willing to work with us on tax reform that would be deficit neutral. But if we look at what is coming out of his administration, these proposals, and the budget we will see tomorrow, most of it involves raising taxes—closing loopholes, perhaps, but doing it to generate new revenue to fund new Federal spending, not to reduce rates and to generate economic growth. Economic growth ought to be the goal in tax reform. It ought to be progrowth tax reform, and it would take us a long way toward that goal of getting this economy back on track and unleashing the economic growth we all want to see.

But I have to say it is also important, if we are going to get the economy growing again, that we get Federal spending under control. There is a lot of research out there, a lot of study that has been done that has looked at the relationship between high levels of debt as a percentage of our economy, GDP, and high levels of spending as a percentage of our GDP and how that impacts or translates into economic growth and jobs. The studies suggest that when our debt to GDP reaches a certain level—and ours exceeds that by 90 percent according to one of the studies—that it costs 1 point to 1.5 points of economic growth every single year. In this country that is about 1 million jobs. So as long as we continue to have a debt to GDP that exceeds 90 percent—ours is now about 104, 105 percent of GDP—we are in dangerous territory when it comes to the fragile nature of our economy and what it means to our ability to grow in the long term as we project out into the future.

If we look at many of the European nations that are strangled with high debtloads right now, a tremendous amount of leverage, we can see what is happening in their economies. How have they tried to cure that in most cases? They try to raise taxes, which makes the problem even worse because that slows economic growth.

So what we need to be looking at in terms of a budget is one that takes on

what is driving Federal spending over the long term—the mandatory part of the budget—reforms and restructures programs in a way that saves and protects them; that doesn't in any way impact people who are drawing benefits today but makes those programs more sustainable for future generations of Americans. We need a budget that brings the debt-to-GDP and the spending-to-GDP levels down to a more historic norm that are consistent with what we have seen over our Nation's history as opposed to what we are looking at today, which are extraordinarily high levels of debt and extraordinarily high levels of spending as a percentage of GDP.

We ought to think about what we can be doing in terms of reforming the Tax Code and streamlining regulations to lessen the burden and the tremendous weight we put on our small businesses and our job creators.

Those are the types of things we ought to be looking at in terms of policy. That is what the budget ought to be focused on, getting spending under control, getting it back down to a more reasonable level and a more historic norm. But until we do that, my fear is we are going to continue to see chronic unemployment, a lot of people leaving the workforce, and labor participation rates that are at historic lows. We are going to continue to see a sluggish economy that continues to stumble along at 1.5, 2 percent annual growth. We are going to continue to see take-home pay levels go down for ordinary, working-class, middle-class Americans who are out there trying to pay their bills, trying to take care of their everyday expenses and perhaps put a little bit aside for their retirement or for their children's education. Those are hard decisions that Americans are making at their kitchen tables every single day. These are kitchen table issues; they are pocketbook issues. They are the kinds of decisions that American families have to contend with. They don't have the luxury the Federal Government has of being able to go out and borrow.

Of course, today, of every dollar we spend in Washington, DC, 40 cents is borrowed. So we continue to borrow like there is no tomorrow. We continue to pile up massive amounts of debt, put it on the backs of our children and grandchildren, hand them the bill or the credit card overcharges we are making today. That is wrong. It is inconsistent with everything that has made this Nation great. Part of our Nation's heritage is we have been a country that has understood the idea that one generation sacrifices so the next generation can have a higher standard of living and a better quality of life. That is something that is very true in my part of the country in the Midwest, in South Dakota.

My grandfather and great uncle are among those who came in 1906, didn't

speak English, learned the language, worked hard building a railroad, and later were able to save enough money to buy a small merchandising store and continued in their pursuit of the American dream.

That is what I think has characterized generations of Americans like them since, up until today. Today we are at a point in American history where if we don't get our fiscal house in order, if we don't deal with these imbalances that have gone on now for decades, we are going to relegate, if you will, future generations of Americans—our kids and grandkids—to a lower standard of living and a lower quality of life than what we have enjoyed.

That is why the President's budget, as much as it is late, is so important, because it really does set that tone. It really does tell us what that vision for the future of this country is. If we don't have a leader in the White House who can lay out in a systematic way what he wants to do to address the economic data—the statistics I mentioned earlier, the high unemployment, the underemployment—we consistently see these economic numbers come out from one month to the next. When there is a little improvement, we get all excited about that, and the next month it takes another tumble.

We find more and more people who are just leaving the workforce, and the labor participation rate is at a historically low level since 1979, and we haven't seen it down 63.3 percent, which is what it was for the month of March. If we are going to do something about that, we are going to have to have people who are going to demonstrate the political courage that is necessary to confront these big challenges and big decisions, and that means people in the Senate and in the House of Representatives. But awfully important to all of this is the President of the United States.

There is only one person in this country, among 307 billion Americans, who can sign a bill into law. There is only one person in this country who has the bully pulpit and the capability to rally people in the Congress and people around the country as well as around great causes. I can't think of a greater cause today than doing something to deal with runaway spending and a debt that is hurting our economy, that is enslaving future generations of Americans to a lower standard of living and a lower quality of life.

Those are issues that need to be addressed. The President's budget tomorrow could go a long way toward addressing that. I am afraid it is going to be a missed opportunity if what we hear about it is actually true. We hear it doesn't address the long-term drivers of spending and debt, it raises taxes \$1 trillion, and it does \$600 billion of deficit reduction but all in the form of

higher taxes. That is not going to solve our problem. We cannot raise taxes enough to deal with what plagues our country in terms of our fiscal imbalances. What plagues us is the fact that we spend too much, not that we tax too little; that we have a slow rate of growth in our economy, so slow we are not generating the number of jobs and the amount of investment that will get the economy growing and taking off again, but also improve the fiscal picture for our country's future.

So I hope I am wrong about this. We will see tomorrow if everybody will be pleasantly surprised and the President will take on the big issues and do away with more taxes and more spending and more regulations and more costs for businesses that are trying to create jobs. But I think that would be the triumph of hope over experience. So far what we have seen out of this administration is that very formula: more spending, more taxes, more cost to small businesses to create jobs, and higher cost from regulations. They have been consistent on that. That is not the way to get the economy growing and expanding again.

We believe we ought to be not growing the government but growing the economy. Frankly, if all of us in the Senate looked at every bill that comes before us in terms of what will it do to create jobs, what will it do to grow the economy, what will it do to increase the take-home pay for middle-class Americans, we would probably get a lot higher quality legislation, legislation that produces solutions for the American people, which is something we are not doing today.

Madam President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, earlier today I met with families from Newtown, CT, to discuss the legislation we are currently debating. It is obviously very emotional and not an easy meeting to have, but it is a very necessary meeting to have. When there are parents of children who were murdered, or from the families of teachers who were murdered, it is difficult for every-

I wish to thank them for sharing their stories of loved ones and their concerns with me. I hope many of my colleagues would consider meeting with these families as well. We are debating legislation they are supporting.

In my State of Iowa, there is a great difference of opinion on the particular legislation we might be considering. I think it is something very worthwhile

to sense firsthand the emotion of these discussions. At the meeting, they called for debate on the legislation. Currently we are in the process of debate.

We most likely will move forward on this legislation. Under new procedures available under Senate Resolution 15, the majority leader may move to proceed on a measure and to vote on some amendments.

A vote against the motion to proceed does not cut off debate or votes on amendments under the new procedures in the United States Senate.

Nonetheless, we are in the unusual position of being asked to take a leap into the unknown.

We are being asked to vote to proceed to an uncertain bill.

That bill is not even the bill that we would likely consider if the motion to proceed were successful. The language on background checks would change. Remarkably, if the language changed, it would be replaced with language that does not now exist.

The world's greatest deliberative body should not operate in this fashion.

In the Judiciary Committee, four bills were considered separately. There was no consensus. Three of them have now been combined. But they are not ready for consideration. At the time, the sponsor of the background check bill said it was not ready. There are numerous problems with that bill.

Movement of firearms from one law-abiding citizen to another would be legal or illegal based on arbitrary distinctions that citizens could not be expected to know. This is true even though when this language was the subject of a hearing in a previous Congress, a witness pointed out the problems. But no changes have been made to address those issues.

Even an official with the ACLU says that criminal laws should give more guidance to citizens.

The bill operates in a way that would make gun safety efforts more difficult. That does not make any sense.

The bill requires recordkeeping for private sales. That is a step toward gun registration. Indeed, we heard testimony in the Judiciary Committee that "universal" background checks cannot be effective without gun registration. And the ACLU official is right to be concerned about the threat to privacy that the background check language presents. He notes that the government would possess information concerning gun owners that it would not be required to destroy within 24 hours, as it must for current background checks.

He also points out that the bill contains none of the restrictions in current law that prevent other parts of the government from using the database for purposes beyond why the information was supposedly obtained.

The background check provision is also not ready for consideration because of the new Federal felony that it creates.

If a law-abiding gun owner's gun is lost or stolen, he or she would be required to report that to both the attorney general and appropriate local officials within 24 hours.

At the markup, I asked a number of questions of the bill's sponsor about how the offense would work. For instance, who would pay for the additional law enforcement personnel who would take those calls? What would a citizen's legal obligation be if the gun were misplaced rather than lost? What would determine when the loss occurred that started the 24-hour period?

The sponsor said that these issues would be clarified. So far, however, they have not been. So law-abiding citizens will not know whether they are acting in compliance with the law or face a 5-year jail sentence.

The issues have not been clarified, but we are being asked to proceed to the bill anyway.

This new offense criminalizes inaction. That is a grave threat to freedom.

Except for filing tax returns or registering for the draft, we punish bad actions. We do not punish inaction. This new crime punishes failure to act. And it only applies to those who lawfully own their guns. A criminal whose gun is stolen is not required to report that fact. With this offense, law-abiding citizens can be turned into felons, but felons cannot commit a crime.

Under this new offense, law-abiding citizens might be looking at 5 years in jail for doing nothing. And all that is necessary for the gun to be subject to the reporting requirement is that the gun once moved in interstate commerce.

The Supreme Court has outlined three categories of situations in which Congress can rely on the Commerce Clause. This is not one of them. If Congress can do this, it can make people take all sorts of action simply because they owned a product that once moved in interstate commerce—like bread or soap.

And they can face jail time if they do not do what Congress demands that they do. Even the individual mandate from Obamacare only established a penalty, not a prison sentence. I do not think 90% of Americans would support this universal background check bill if they read it.

The motion to proceed also goes to a bill that contains language on straw purchasing and gun trafficking. I voted to report that bill to the Senate floor.

Many changes were made to that bill at my behest. An amendment of mine was adopted. At the time I expressed concerns. I spoke of my desire to have those concerns worked out before the bill went to the floor. I said I would not necessarily support that bill on the

floor if those concerns were not responded to. They have not been addressed so far. And those provisions were tied to the ever-changing background check provisions.

The whole process makes me wonder whether the efforts to pass a bill on this subject really are serious. It seems that if a half-baked bill is brought up, the majority can be sure that they can force Republicans not to agree to proceed to it. It seems like that may be just what they want to happen. If so, that is a very cynical way to treat a very serious issue.

How can we responsibly proceed to a bill that contains language that even its sponsor admits is not ready for consideration?

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I am back again to speak about carbon and climate and to remind my colleagues that it is long past time for us to wake up and to address the causes and consequences of global climate change. Carbon pollution is changing our world, and it is time that our national policies reflect the reality of that changing climate. We cannot pretend the change is not going to happen when it is actually already happening all around us.

Air and ocean temperatures are increasing, the sea level is rising, oceans are growing more acidic, seasons are shifting, and extreme events such as heat waves or powerful storms are becoming both more frequent and more intense. Well-established science tells us these changes are caused by carbon pollution in our atmosphere, mostly from burning fossil fuels. These changes to our planet will continue and likely accelerate, and the consequences will be dire. We had better be aware and prepared. Sometimes even little changes can have big effects.

For example, take the winter flounder in the waters of Narragansett Bay in my home State of Rhode Island. I am sure the Presiding Officer's home State has winter flounder as well. Many of our colleagues will not give a hoot about the winter flounder, but Congress always tends to care a lot about money, and the winter flounder has historically been a very popular and lucrative catch for Rhode Island fishermen.

In the 1980s, commercial landings of winter flounder averaged more than 2,500 metric tons per year, and as recently as 1989 it was still over 1,000

metric tons. Trawlers were a common sight on the bay in the winter and fishermen prospered. The most recent data from 2009 for the commercial landing of winter flounder is down to about 150 metric tons. It went from 2,500 metric tons down to 150, and today trawlers in the bay are a rare sight.

Narragansett Bay waters are getting warmer—4 degrees Fahrenheit warmer in the winter since the 1960s. Spring is coming earlier, and that is not good for the winter flounder. NOAA scientists working in Rhode Island found that winter flounder that incubated in warmer water are smaller when they hatch than those that incubated in colder water. Smaller juveniles are easier prey when predators return with the warmer spring water.

The juvenile winter flounder used to have time to settle to the bottom of the bay and grow larger before the abundant bottom feeders, such as the sand shrimp, were present. Now warmer water brings the shrimp in earlier while the flounder is still small enough to eat. So warmer waters load the dice against winter flounder in the Narragansett Bay, and the fishermen who relied upon them pay the price. They pay a real price.

These changes to Rhode Island are not unique to Rhode Island. We can find examples all over the country. The Pacific Coast has ocean acidification—driven by the higher levels of carbon dioxide in the water—which is killing off baby oysters as they try to form their shells in the acidified water. Again, I don't know how many colleagues care about baby oysters, but oyster farming is a serious cash crop on the Pacific Coast. An oyster hatchery in Oregon has seen 70- to 80-percent losses of its oyster larvae due to the acidic waters washing in from the sea.

It is not just the oceans and coasts that are affected. In our Heartland, rivers and forests are facing the changes coming with the warming climate. The water hyacinth is an invasive species spreading rapidly across the Southern United States, blocking waterways and choking native species.

The water hyacinth has been called the world's worst aquatic weed. The pest renders a body of water unsuitable for most other plants and animals, drains water from the drinking and irrigation supply, and can clog pumping stations and hydropower infrastructures, costing local economies millions of dollars. Water hyacinths cannot survive a winter freezing, but as the average temperature warms, this species spreads further and further.

In the Rockies, pine beetles are devastating native forests. The pine beetle larvae are killed by hard frosts, and so this kept them in lower latitudes and in lower altitudes where the temperature was warmer. With global warming and winters that are not so cold, the beetle is spreading northward and upward to higher elevations.

Fly over Idaho or Montana and look down. What was once miles and miles of green pine forest is now standing dead on the mountainsides. These forests provided timber, hunting, clear streams, and an entire forest environment for birds and animals. It doesn't look like they are ever coming back.

Winter flounder, baby oysters, water hyacinth, pine beetles, these species pinpoint just a few of the many changes scientists are observing in nearly every corner of our country. Thankfully, we now have the beginnings of a blueprint for adapting to these changes.

Last month, the Obama administration—in partnership with State and tribal industries—released its first National Fish, Wildlife and Plants Climate Adaptation Strategy. It is an attempt to understand and head off—or at least prepare for—the changes carbon pollution is beginning to wreak on our country's wildlife, plants, coasts, and rivers.

Jamie Rappaport Clark, president and CEO of Defenders of Wildlife, called the adaptation plan a “science-based . . . commonsense, ‘look-before-you-leap’ strategy [that] emphasizes long term planning and management for climate change on a fundamental level.”

The adaptation strategy stresses that we need research to understand the specific effects of climate change on local fish, wildlife, plants, and habitat. The faster you are driving, the better your headlights need to be, and it is scientific research that provides the headlights for us to see what is now coming at us.

We are past the point of avoiding what is coming at us. The big polluters have seen to that. With their lobbyists, their money, and their lies, they have prevented us from doing what we should have. Of course, Congress shares the blame. This institution prefers listening to self-interested polluters than listening to science or the signals of nature.

There is no avoiding it now. The National Wildlife Federation now recommends “managing for change, rather than maintaining status quo conditions,” and urges that “[f]ederal land and water management agencies should explicitly incorporate climate change projections into their resource management planning.”

A coalition of 21 groups—including American Rivers, National Audubon Society, Physicians for Social Responsibility, the Wilderness Society, and the World Wildlife Fund—have urged the Federal Government to account for climate change in all relevant programs and activities. They called this adaptation strategy “a landmark . . . strategy for making wildlife and ecosystems more resilient to climate impacts.” Clearly, they recognize that climate impacts are inevitable. Indeed,

they are happening. The question is: How bad are they going to be? How much damage will we let the polluters do before we bring them to heel and ourselves to our senses?

The Natural Resources Defense Council echoed a recent Government Accountability Office finding that our current adaptation planning is inadequate and that this—for those who only care about money—increases the Federal Government's fiscal exposure to climate change.

A group of 10 outdoor enthusiasts and sportsmen's groups, led by the Wildlife Management Institute, recently urged President Obama “to stand firm on his commitment to develop and implement climate change adaptation strategies” because they know we have to adapt.

The alarm has long been sounded by the scientific community which overwhelmingly warns about the effects of our carbon dioxide emissions on our atmosphere and oceans. Our defense and intelligence communities warn of the threats posed by climate change to national security and international stability. Economists recognize the market distortion of overlooking the costs of carbon pollution.

Let me say a word of appreciation to former Secretary George Schultz, who wrote an excellent piece in the Wall Street Journal pointing out that this is, indeed, a market distortion that favors polluting fossil fuels and gives them an unfair advantage against other forms of energy that would do less damage to our planet.

Of course, government accountants list climate change as a threat to our fiscal stability. Even faith leaders appeal to our moral responsibility to shield communities—and particularly the poorest communities here at home and around the globe—from the devastating effects of carbon pollution on God's Earth.

Now the alarm is sounded by those dedicated to the conservation of America's wild spaces and living creatures. They are warning that thanks to Congress's neglect, change is coming to our planet locally by locality. They are warning that we had better understand and prepare for those changes and do what we can to minimize the eventual havoc.

The American people are not sitting idly by on this. They are demanding action. Three-quarters of those recently surveyed by Stanford University think the Federal Government should do something to reduce the effects of rising sea levels.

My Newport tidal gauge in my home State in the famous sailing port of Newport is up 10 inches since the famous hurricane of 1938. When the next big one comes, that 10 inches is going to mean a lot of additional damage. Americans believe national preparations for the climate change that is around us will more likely help the

economy than hurt it, and they are right. These changes will help the economy.

Sixty percent of Americans believe that taking steps now to adapt would actually create more jobs while only 13 percent thought it would create fewer jobs. Sixty percent as opposed to 13 percent of Americans recognize that the real economic strength we will get is by addressing this problem, not by ducking it because of the pressure from the carbon polluters.

Americans clearly see the benefits of adapting for climate change. Again, for those who only care about money, Americans see the economic benefits of addressing climate change.

I will say once again it is time for us in Congress to wake up. We are sleepwalking through history. We are asleep to the urgent demands of our time. It is time to wake up and prepare our national strategy to protect our Nation's precious resources, protect our coasts and forests and plains, protect our animal and plant life, protect our people and our communities against the inexorable change that looms.

I thank the President and yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check for every firearm sale, and for other purposes.

Harry Reid, Patrick J. Leahy, Robert Menendez, Sheldon Whitehouse, Jeff Merkley, Christopher A. Coons, Benjamin L. Cardin, Barbara Boxer, Debbie Stabenow, Kirsten E. Gillibrand, Richard J. Durbin, Patty Murray, Jack Reed, Dianne Feinstein, Richard Blumenthal, Christopher Murphy, Elizabeth Warren.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN VIOLENCE

Mr. LEAHY. Madam President, 4 months after the horrific day in Newtown where 20 children and 6 educators were senselessly murdered, the Senate is posed to make further progress toward the goal of reducing gun violence. It is a goal that all Americans, regardless of political party or philosophy, should share. I don't know how any parent, any grandparent, or any relative ever gets over the horrific disaster of Newtown.

I thank our ranking Republican on the Judiciary Committee, Senator GRASSLEY. He worked with us, and he favorably supported two of the measures reported by the Judiciary Committee last month. Senator GRASSLEY helped make sure we had hearings that were substantive and that we had a schedule so we could vote.

I commend Senator COLLINS, who has been my partner as we have moved forward with legislation to combat illegal gun trafficking and straw purchasers who obtain firearms legally but then provide them to criminals and gangs. We have been joined in that bipartisan effort by Senators DURBIN, GILLIBRAND, KIRK, KLOBUCHAR, FRANKEN, BLUMENTHAL, SHAHEEN, and KING.

Our bill is intended to give law enforcement better and more effective tools. A bipartisan majority of the Judiciary Committee voted for the Stop Illegal Trafficking in Firearms Act, S. 54. It has provisions that are included in the Safe Communities, Safe Schools Act, S. 649, which Majority Leader REID placed on the Senate calendar just before the last recess and on which he has now moved to proceed.

Straw purchasers get around the purpose of the background check system. Straw purchasing of firearms is undertaken for just one reason: to get a gun into the hands of someone who is legally prohibited from having one.

We know that many guns used in criminal activities are acquired through straw purchases. It was a straw purchaser who enabled the brutal murders of two brave firefighters in Webster, NY, this past Christmas Eve, and it was a straw purchaser who provided firearms to an individual who murdered a police officer in Plymouth Township, PA, last September. Is it any wonder that law enforcement across this country says: Stop the straw purchasing. We are losing too many brave men and women in law enforcement, to say nothing about all the others who have been killed by drug and criminal cartels.

We need a meaningful solution to this serious problem. We have included suggestions from Senator GILLIBRAND to go after those who traffic in firearms by wrongfully obtaining two or more firearms. We worked hard to develop effective, targeted legislation to help combat a serious problem. We are doing it in a way that protects the second amendment rights of law-abiding Americans.

It was an ATF whistleblower who testified in the last Congress that the existing firearm laws are "toothless." We can create better law enforcement tools, and that is what we are doing with the Stop Illegal Trafficking in Firearms Act. I urge all Senators to join with us and close this dangerous loophole in the law that Mexican drug cartels, gangs, and other criminals throughout our country have exploited for too long.

I wish to recognize the dedication and leadership of Senator COLLINS of Maine to confront the issue of gun violence. She is not a member of the Judiciary Committee, but she has been committed to finding commonsense solutions to the problems of gun violence. She has been dedicated in working with me to address the concerns of other Senators. She and I share a deep respect for the second amendment. We also agree our laws can be improved to give law enforcement officials the tools they need, and she has been a steadfast partner.

Our bill protects second amendment rights of lawful gun owners, but at the same time it cracks down on criminals. It also cracks down on the people who assist criminals. It doesn't create a national firearms registry, it doesn't place additional burdens on law-abiding gun owners or purchasers, but it does send a very clear message that those who buy a gun on behalf of a criminal or member of a drug cartel or domestic abuser will be held accountable. That is why law enforcement says: Pass this bill. Give those of us in law enforcement who are on the frontlines the tools we need.

Some have expressed frustration about the level of prosecution under existing gun laws. Some have suggested that instead of making sensible changes to our public safety laws to prevent gun violence, Federal law enforcement officials should focus exclusively on existing laws. I share some of that frustration, but it is not a valid excuse to do nothing. Improvements in the enforcement of existing laws and efforts to give law enforcement officials better tools to do their jobs are not mutually exclusive. Those are efforts that complement each other.

A recent article in the Washington Times documented that gun prosecutions were in decline beginning in the Bush administration and suggests that having a Senate-confirmed Director of the Bureau of Alcohol, Tobacco, Fire-

arms and Explosives would significantly help law enforcement.

Mr. President, I ask unanimous consent that a copy of the article be printed in the RECORD at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

[From the Washington Times, Apr. 4, 2013]

DROP-OFF IN GUN PROSECUTIONS BEGAN
BEFORE OBAMA

(By David Sherfinski)

Gun rights groups have singled out President Obama for failing to prosecute gun crimes, but the drop in cases filed actually began a decade ago under the Bush administration.

Analysts said the decade long drop underscores the key ingredient in gun prosecutions—a willingness to make them a priority.

Prosecutions dipped at the beginning of the Clinton administration but by 1998 had begun to rise again, tripling between then and 2004, when the federal government filed more than 11,000 cases. Since then, however, prosecutions have steadily fallen again, dipping below 8,000 prosecutions a year over the last three years.

Now, in the wake of last year's shooting spree that claimed the lives of 20 schoolchildren and six adults at Sandy Hook Elementary, all sides in the gun debate say they want to see the laws on the books enforced. But the experience of the last 10 years suggests that's easier said than done.

"Presidents and administrations—their priorities are based partly in their ideology and their policy interests, and to a certain extent by the issues of the day," said John Hudak, a fellow at the Brookings Institution who studies gun policy.

Looking at trends over the last quarter century, two emerge: First, there were two annual peaks in gun prosecutions, both of them under Republican presidents, in 1992 and 2004. Second, even though prosecutions have dropped in recent years, the yearly number of gun cases is still much higher now than in the pre-9/11 era, according to the Transactional Records Access Clearinghouse (TRAC) at Syracuse University, which tracks the numbers.

What's tougher to explain is exactly why prosecutions had a several-year spike at the end of the Clinton administration and the beginning of President George W. Bush's tenure.

Mr. Hudak said the 1999 Columbine school shooting may have spurred an increase in prosecutions, and so could the spate of terrorist attacks in 1998, 2000 and, finally, the Sept. 11 attacks on New York and Washington.

And David Chipman, a former agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), said some of the increase may have been due to a Justice Department program that started in 2001 and targeted gun crimes in localities across the country.

"That kind of commitment put a lot of numbers on the board," said Mr. Chipman, who works with the gun-control group Mayors Against Illegal Guns. "I think it worked as designed, which is to create a deterrent."

The ATF, perhaps unfairly, began to receive criticism after the increase that some of their efforts were duplicative, and officials had to re-prioritize, Mr. Chipman said.

"You can't just prosecute 20,000 cases in one year—there just isn't that infrastructure," he said.

"Any kind of looking at the numbers and drawing some sort of conclusion that people are doing more or less—you've got to get beyond that. Because you could be comparing apples and oranges."

Gun prosecutions require both cases to be developed by investigators, and charges to be filed by prosecutors.

The TRAC study's numbers said prosecutors turned down 38 percent of referrals in 2002, while last year they declined 32 percent of referrals.

That puts much of the focus on ATF, the lead agency for developing the cases.

Mr. Hudak said one factor in recent decline could be the fact that ATF has been without a permanent director for six years. In January, Mr. Obama nominated acting agency director B. Todd Jones to become its permanent head, but Mr. Jones is still awaiting Senate confirmation.

"The lack of leadership has its effects on priorities," Mr. Hudak said. "And the ATF has such a diverse area of law enforcement that they have to make choices about what they prosecute."

In the wake of last year's shooting rampage at Sandy Hook Elementary School, gun-rights groups have argued the solution is more prosecutions of gun crimes, not more restrictions on law-abiding firearms owners.

"Prosecuting criminals who misuse firearms works," NRA CEO Wayne LaPierre testified to Congress earlier this year. "Unfortunately, we've seen a dramatic collapse in federal gun prosecutions in recent years. That means violent felons, gang members and the mentally ill who possess firearms are not being prosecuted. And that's unacceptable."

Attorney General Eric. H. Holder, Jr. told the Senate Judiciary Committee earlier this year that prosecuting gun crimes is part of the answer and can serve as a deterrent, but that preventing people who acquire guns to commit crimes from getting them in the first place is crucial as well.

"We have limited resources and we have to try to figure out where we want to use those limited resources, and one has to look at why the gun was denied, and then make a determination whether or not we should use those limited resources to bring a prosecution against that person," Mr. Holder said, referring to people who have been denied firearms because of the FBI's National Instant Criminal Check System (NICS).

Mr. Chipman acknowledged that with different administrations, ideologies, result in different priorities, which could affect the numbers, but he cautioned that drawing conclusions about causes and effects can be risky.

"You can't possibly know what those numbers mean until you layer the political environments at the time and the cases being pursued," he said.

Both Mr. Hudak and Mr. Chipman discounted one potential reason for the spike in prosecutions—the 1994 enactment of a ban on military-style semiautomatic rifles. That ban ran from 1994 until its expiration in 2004, and those latter years coincide with the recent peak, which started in 1998.

But the analysts said that was likely unrelated.

"The assault weapons ban was a shell of what the original writers intended it to be," Mr. Hudak said. "I can't imagine there would be a four-year lag in the effect of the assault weapons ban on prosecutions."

Mr. LEAHY. As I said in January, America is looking to us for solutions, for action, not sloganeering, dema-

gogery, or partisanship. That is why it is disappointing to hear that some Senators pledge to prevent Senate consideration of these proposals by a filibuster. It is especially disappointing that some who claim to support regular order and a transparent legislative process accord that process no deference.

Mr. President, there are only 100 of us who have the privilege to serve at any given time in this wonderful body. We represent 325 million Americans. How can we talk to those Americans and say: We won't even vote. We won't even let it come to a vote. We don't have the guts to stand up and vote yes or no.

Tell that to the families in Newtown, CT. Tell that to the families in Aurora, CO. Tell that to the people of the United States, that the Senate is not willing to stand up and vote either yes or no; they want to vote maybe.

I am a gun owner. I live in a State with a lot of gun owners. I have the courage to stand here and vote. I want to vote. Some will agree with my votes, some will disagree, but this Senator feels it is part of his sworn duty to vote—vote yes, vote no, but vote.

In the Judiciary Committee, we held three public hearings and four public markups on this legislation. We gave them full and fair consideration. We debated and considered amendments—Democratic and Republican amendments. The distinguished Presiding Officer is a member of that committee. He knows the debate we had and the votes we held. What a filibuster would do now is obstruct the open process of the Senate consideration of gun violence prevention legislation, and it is wrong. It is absolutely wrong. It demeans the Senate, and it turns our backs on 325 million Americans who expect better.

I have worked with Senator COLLINS and others to provide a real-world and commonsense solution to the problem of gun trafficking and straw purchasing. That is the course I urge the Senate to take. Let's go forward and vote. Vote yes, vote no, but vote. Have the courage to vote. Don't turn our backs on the families who have suffered so much.

Mr. President, I ask unanimous consent that my full statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. LEAHY. Mr. President, four months after that horrific day in Newtown, where 20 children and 6 educators were senselessly murdered, the Senate is poised to make further progress toward the goal of reducing gun violence. It is a goal that all Americans, regardless of political party, should share.

I want to thank our ranking Republican on the Judiciary Committee, Senator GRASSLEY, for working with us

and supporting two of the measures favorably reported by the Judiciary Committee last month. I commend Senator COLLINS, who has been my partner, as we have moved forward with legislation to combat illegal gun trafficking and straw purchasers who obtain firearms to provide them to criminals and gangs. We have been joined in that bipartisan effort by Senators DURBIN, GILLIBRAND, KIRK, KLOBUCHAR, FRANKEN, BLUMENTHAL, SHAHEEN, and KING.

Our bill is intended to give law enforcement better and more effective tools. A bipartisan majority of the Judiciary Committee voted for the Stop Illegal Trafficking in Firearms Act, S. 54, and its provisions are included in the Safe Communities, Safe Schools Act, S. 649, that Majority Leader REID placed on the Senate calendar just before the last recess and on which he has now moved to proceed.

Straw purchasers circumvent the purposes of the background check system. Straw purchasing firearms is undertaken for one reason—to get a gun into the hands of someone who is legally prohibited from having one. We know that many guns used in criminal activities are acquired through straw purchases. It was a straw purchaser who enabled the brutal murders of two brave firefighters in Webster, NY this past Christmas Eve, and it was a straw purchaser who provided firearms to an individual who murdered a police officer in Plymouth Township, PA, last September.

We need a meaningful solution to this serious problem. We also include suggestions from Senator GILLIBRAND to go after those who traffic in firearms by wrongfully obtaining two or more firearms. We worked hard to develop effective, targeted legislation that will help combat a serious problem and that will do no harm to the Second Amendment rights of law-abiding Americans.

It was an ATF whistleblower who testified last Congress that the existing firearms laws are "toothless". We can create better law enforcement tools and that is what we are doing with the Stop Illegal Trafficking in Firearms Act. I urge all Senators to join with us to close this dangerous loophole in the law that Mexican drug cartels, gangs, and other criminals have exploited for too long.

I especially want to recognize the dedication and leadership of Senator COLLINS to confront the issue of gun violence. Although not a member of the Judiciary Committee, she has been committed to finding commonsense solutions to the problem of gun violence. Senator COLLINS has been dedicated in working with me to address the concerns of other Senators. She and I share a deep respect for the Second Amendment, but we also agree that our laws can be improved to give law enforcement officials the tools they need

to help curtail gun violence. She has been a steadfast partner.

Our bill protects Second Amendment rights of lawful gun owners, while cracking down on criminals and those who would assist them. The bill does not create a national firearms registry, nor does it place any additional burdens on law-abiding gun owners or purchasers. It sends a clear message that those who would buy a gun on behalf of a criminal, a member of a drug cartel, or a domestic abuser will be held accountable. That is why our bill is strongly supported by law enforcement.

Some have expressed frustration about the level of prosecutions under existing gun laws. And some have suggested that instead of making sensible changes to our public safety laws to prevent gun violence, Federal law enforcement officials should focus exclusively on existing laws. I share some of that frustration, but I do not agree it is a valid excuse for us to do nothing. Improvements in the enforcement of existing laws and efforts to give law enforcement officials better tools to do their jobs are not mutually exclusive, those efforts complement each other.

A recent article in *The Washington Times* documented that gun prosecutions were in decline beginning in the Bush administration, and suggests that having a Senate-confirmed director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives would significantly help law enforcement.

As I said in January, Americans are looking to us for solutions and for action, not sloganeering, demagoguery, or partisanship. That is why it is particularly disappointing to hear that some Senators are pledging to prevent Senate consideration of these legislative proposals by filibustering. It is especially disappointing that some who claim to support regular order and a transparent legislative process accord that process no deference. The Judiciary Committee held three public hearings and four public markups on this legislation. It gave them full and fair consideration. We debated and considered amendments. What a filibuster would do now is obstruct the open process of Senate consideration of gun violence prevention legislation. That is wrong.

I have worked with Senator COLLINS and others to provide a real world, common sense solution to the problem of gun trafficking and straw purchasing. That is the course I urge the Senate to take. We need to proceed to the bill and do what is best for the American people.

TRIBUTE TO COLONEL STEVE STROBRIDGE

Mr. LEVIN. Madam President, I rise today to pay tribute to Colonel Steve Strobbridge, USAF, Retired, in recogni-

tion of his distinguished service to his country.

For nearly 44 years, first for 24 years in the Air Force, and concluding with 19 years with the Military Officers Association of America, Colonel Strobbridge has worked tirelessly for the men and women of the military, their families, veterans and their survivors.

Raised in Vergennes, VT, Colonel Strobbridge entered the United States Air Force in 1969 as a second lieutenant following graduation from ROTC at Syracuse University.

After several assignments as a personnel officer and commander in Texas, Thailand, and North Carolina, he was assigned to the Pentagon from 1977 to 1981 as a compensation and legislation analyst at Headquarters USAF. Following assignments as Chief, Officer Assignments and Assistant for Senior Officer Management at HQ, U.S. Air Forces in Europe, he was selected to attend the National War College at Fort McNair in 1985.

Colonel Strobbridge served as Deputy Director and then as Director, Officer and Enlisted Personnel Management in the Office of the Secretary of Defense from 1986-1989. In this position, he was responsible for establishing Department of Defense policy on military personnel promotions, utilization, retention, separation, and retirement. In June 1989, he returned to Headquarters USAF as Chief of the Entitlements Division, assuming responsibility for Air Force policy on all matters involving pay and entitlements, including military retirement system and survivor benefits, and all legislative matters affecting active and retired military members and their families.

Following his retirement from the Air Force in January 1994, Colonel Strobbridge joined the Retired Officers Association of America and served as Deputy Director and since 2001 he has served as Director of Government Relations for the Military Officers Association of America, MOAA.

Under Colonel Strobbridge's professional stewardship, MOAA has played a vital role as a principal advocate of legislative initiatives to improve readiness and the quality of life for all members of the uniformed service community—active, reserve, and retired, as well as their families.

Defense News noted recently that “no major [military] personnel-related legislation has been enacted since 1994 without Colonel Strobbridge's imprint.”

Colonel Strobbridge has worked closely with, and has been a valuable resource for, the U.S. Senate and the Senate Armed Services Committee in particular as we enacted a wide range of benefit improvements for our military personnel. He provided input or support for legislative proposals on a wide range of issues, including TRICARE for Life; the elimination of

VA disability pay offsets to military retired pay for many retirees; restoration of full cost of living adjustments to retired pay; elimination of the offset to survivor annuities by Social Security payments; TRICARE benefits for reserve families; and many other initiatives that have been invaluable in improving the long-term retention in our Armed Forces.

Colonel Strobbridge's long and distinguished career of leadership and personal dedication to fostering readiness by protecting every servicemember's welfare is an inspiration and a continuing lesson to all who care about the men and women of our military. My best wishes go with him and his family.

Colonel Strobbridge, on the occasion of your retirement as Director of Government Relations for the Military Officers Association of America, I salute you on behalf of all the men and women, past and present, who wear the uniform.

THANKING STAFF

Mrs. MURRAY. Madam President, on Saturday, March 23, 2013, the Senate passed the budget, S. Con. Res. 8. In my statement, I thanked a few members of my staff and I would like to acknowledge the rest of my dedicated staff who worked tirelessly to pass the Senate budget:

Jeannie Biniek, Sarah Bolton, Michael Branson, Alex Brosseau, Dave Brown, Paula Burg, Josh Caplan, Stephanie Cherkezian, Ally Coll, Brendon Dorgan, Amy Edwards, Robert Etter, Jennifer Hanson, Helen Hare, Robyn Hiestand, Mike Jones, Amaia Kirtland, Tyler Kruzich, Zach Moller, Michael Oleyar, Farouk Ophaso, Jason Park, Miles Patrie, Ryan Pettit, John Righter, Josh Ryan, Evan Schatz, Brian Scholl, Emily Sharp, Eli Zupnick.

Steven Bergsbaken, Shawn Bills, Scott Cheney, Beth Chrusciel, Sean Coit, Jake Cornett, Carole Cory, Katherine Dapper, Ariel Evans, John Fogarty, Megan Foster, Emma Fulkerson, Adam Goodwin, Dabney Hegg, Alex Keenan, Zach Mallove, Matt McAlvanah, Megahan McCarthy, Ben Merkel, Rachel Milberg, Silke Mounts, James O'Brien, Molly O'Rourke, Lauren Overman, David Prestwood, Stacy Rich, Kathryn Robertson, Meghan Roh, Alexa Seidl, Mike Spahn, Anna Sperling, Michael Waske.

POLITICAL IMPRISONMENT IN UKRAINE

Mr. CARDIN. Madam President, I would like to address the current situation in Ukraine, an important country in the heart of Europe, a bellweather for democratic development in the region, and the current Chairman-in-Office of the OSCE.

Let me first welcome the release from prison Sunday of former Ukrainian Minister of Internal Affairs and leading opposition figure Yuri Lutsenko. Mr. Lutsenko had been convicted on politically motivated charges

and incarcerated since December 2010. President Yanukovich's pardon of Mr. Lutsenko is an encouraging step in the right direction. I also welcome the pardon of former Environment Minister Heorhiy Filipchuk, who also served as a member of Ms. Tymoshenko's Cabinet and had been released last year after his sentence was suspended. By pardoning Mr. Lutsenko and Mr. Filipchuk, President Yanukovich is indicating not only a willingness to resolve what has been a major irritant in Ukraine's relations with the United States and the EU, but also a stain on Ukraine's democratic credentials.

At the same time, I remain deeply concerned about the politically motivated imprisonment of Ukrainian opposition figure and former Prime Minister Yulia Tymoshenko, who has been incarcerated since August 2011.

Mrs. Tymoshenko's case stands out as a significant illustration of Ukraine's backsliding with respect to human rights, democracy, and the rule of law since she was defeated by President Yanukovich in February 2010. The United States, EU, and Canada have repeatedly expressed concerns about the application of selective justice against political opponents, their flawed trials, conditions of detention, and the denial of their ability to participate in last October's parliamentary elections.

As Chairman of the Helsinki Commission, which has long been committed to Ukraine's independence and democratic development, I am especially mindful of Ukraine's 2013 OSCE chairmanship. Like any Chair-in-Office, Ukraine faces formidable tasks in leading a multilateral organization that operates on the basis of consensus, which includes 57 countries ranging from mature democracies to oppressive dictatorships. The United States wants Ukraine to succeed, but the reality is that the politically motivated imprisonment of Ms. Tymoshenko casts a cloud over its chairmanship. A Chair-in-Office must itself have strong democratic credentials if it is to succeed in encouraging reform in other countries.

Furthermore, democratic regression in Ukraine has harmed U.S.-Ukrainian bilateral relations, preventing a traditionally strong partnership from realizing its full potential. It has also slowed down the process of Ukraine's drawing closer to the EU, which is that country's stated foreign policy priority, manifested in the still-delayed signing of the EU-Ukraine Association Agreement. More than half a year has gone by since the unanimous adoption of S. Res. 466, calling for the release of Yulia Tymoshenko.

The Ukrainian authorities now need to follow up on the important step they have taken in freeing Yuri Lutsenko. They need to free Ms. Tymoshenko and restore her civil and political rights. By demonstrating commitment to the rule of law and human rights principles

embodied by the OSCE, Ukraine will strengthen the credibility of its chairmanship and show it is serious about being a full-fledged member of the democratic community of nations.

I strongly urge the Ukrainian government to resolve the case of Ms. Tymoshenko.

HONOR FLIGHT 2013

Mr. BEGICH. Madam President, in April, the participants in the 2013 Honor Flight will be traveling to Washington, DC, to visit memorials of World War II, Vietnam war and the Korean war, as well as the Lincoln Memorial on The National Mall.

I would like to record the names of the World War II veterans selected for this trip: Ms. Hallie Odessa Dixon from Anchorage, who served in the Navy as a telegrapher 2nd Class and also worked as a cryptographic aide. Mr. Chelton S. Feeny from Anchorage, who served in the Army as a private first class, participated in the Army Specialized Training Program at Princeton University, and also worked as a medic on hospital trains. Mr. Dietrich L. Strohmaier from Fairbanks, who served in the Army as a private first class, 25th Division, 35th Regiment and also served briefly in Hollandia, New Guinea, and the Philippines as part of a seven-man recon squad, and later in Japan as part of the Occupation Forces. Mr. Dale Joseph Trombley from Soldotna, who served in the Army Air Corps as a major and B-17 pilot in the 452nd Bomb Group, 730th Air Mobility Squadron, and Mr. John Walker from Soldotna who served in the Army as a sergeant, 2nd Division and 1st Army at Omaha Beach, Belgium and in Germany.

I would also like to make special mention of a Korean war veteran, Mr. William Ladd McBride, from Fairbanks, who has been selected for the trip as well. His vision is failing and it is his fervent wish to see 'his' memorial while he still can with his own eyes. Mr. McBride joined the Army in 1952 and served during the Korean conflict as a photographer for intelligence. He continued his service in the Army Reserves for a total of 12 years, with a final rank of staff sergeant. In 1961 he joined the Navy Reserves, leaving after 6 years with a final rank of intelligence specialist senior chief.

Each of these veterans has my thanks for their service and I very much appreciate the staff, volunteers, and supporters of the Honor Flight program who make these trips happen.

ADDITIONAL STATEMENTS

TRIBUTE TO DARRELL MUELLER

• Mr. JOHNSON of South Dakota. Madam President, today I offer my

heartfelt thanks to an educator who has been committed to the wellbeing of the children of my State.

At the close of this school year, Darrell Mueller will retire as superintendent of the Andes Central School District, concluding a career in education of over 30 years. After earning his bachelor's degree in elementary school education in 1979, Darrell began teaching elementary school in Nebraska in 1980. In 1982 he moved to Yankton, SD where he served as a teacher and principal at Sacred Heart School. While serving as a principal and teacher, he completed a master's degree in elementary administration at the University of South Dakota in 1984. From 1988 to 2006, Darrell was the principal of Platte Elementary School. He was chosen as a 2004 Milken Educator for his dedication to teaching and his leadership in the field. In 2006, Darrell accepted the position of superintendent of the Andes Central School District.

As superintendent of the Andes Central School District, Darrell has been a strong advocate for the integration of technology in the classroom. The use of technology has enriched and broadened the educational opportunities for students within the school district. Under Darrell's leadership, the district now enjoys a child to laptop ratio of 2 to 1 in grades kindergarten through 6 and 1 to 1 in grades 7 to 12. Darrell has also sought to expand access to quality early childhood education during his tenure as superintendent. Through working with the local Head Start, Andes Central was able to combine services to create a more comprehensive preschool program for its students.

While serving as superintendent of Andes Central, Darrell implemented a system to monitor student progress using curriculum-based measurement. When the South Dakota Department of Education began developing a new statewide accountability model for measuring student achievement, it sought Darrell's expertise. He has made valuable contributions to this effort as a member of the Next Generation Accountability Council.

Darrell is currently serving as the president of the Impacted Schools of South Dakota. As a leader within our State's Impact Aid community, Darrell and I have met on many occasions, and I have appreciated his insights related to public policy and funding for the Impact Aid program.

Darrell's passion for his community extends far beyond the classroom. He serves as the vice president of the Charles Mix County Lake Restoration Organization, a nonprofit group formed to restore the condition of Lake Andes. Through the work of concerned local citizens like Darrell, they hope to improve and preserve the beauty of Lake Andes for many generations to come. The local economy, the area's environment and wildlife, and the recreational

opportunities for the surrounding community have been improved by these efforts.

Darrell is regularly known to say, "It's all about what's right for the kids." This motto represents one of Darrell's guiding principles and has served as words of advice for the many educators, administrators, and school personnel who Darrell has mentored over the years. Darrell will leave a lasting legacy within the Andes Central School District and in the lives of countless young people. On the occasion of his retirement, I congratulate and thank Darrell for his service to his community and selfless dedication to students in South Dakota. I wish him, his wife Diane, and their family a happy and healthy retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 680. A bill to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes.

S. 691. A bill to regulate large capacity ammunition feeding devices.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-944. A joint communication from the Acting Principal Secretary of the Navy (Energy, Installations and Environment) and the Secretary of Agriculture, transmitting, pursuant to law, a report entitled "Land Interchange of Federal Jurisdiction Between USDA Forest Service and the Department of the Navy"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-945. A communication from the Secretary of the Department of Agriculture, transmitting pursuant to law, the 2012 Packers and Stockyards Program Annual Report; to the Committee on Agriculture, Nutrition, and Forestry.

EC-946. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department

of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Live Birds and Poultry, Poultry Meat, and Poultry Products From a Region in the European Union" ((RIN0579-AD45) (Docket No. APHIS-2009-0094)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-947. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Ingredients and Sources of Radiation Listed and Approved for Use in the Production of Meat and Poultry Products" (RIN0583-AD05) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-948. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Abamectin; Pesticide Tolerances" (FRL No. 9379-1) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-949. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Banda de Lupinus albus doce (BLAD); Exemption from the Requirement of a Tolerance" (FRL No. 9380-6) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-950. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Emamectin Benzoate; Pesticide Tolerance" (FRL No. 9381-4) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-951. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiamethoxam; Pesticide Tolerances" (FRL No. 937-3) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-952. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clothianidin; Pesticide Tolerances" (FRL No. 9378-6) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-953. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Castor Oil, Polymer with Adipic Acid, Linoleic Acid, Oleic Acid and Ricinoleic Acid Tolerance Exemption" (FRL No. 9381-2) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-954. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Flumioxazin; Pesticide Tolerances" (FRL No. 9381-7) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-955. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; United States-Korea Free Trade Agreement" ((RIN0750-AH69) (DFARS Case 2012-D025)) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Armed Services.

EC-956. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Proposal Adequacy Checklist" ((RIN0750-AH47) (DFARS Case 2011-D042)) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Armed Services.

EC-957. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Specialty Metals-Definition of 'Produce'" ((RIN0750-AH78) (DFARS Case 2012-D041)) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Armed Services.

EC-958. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; New Free Trade Agreement with Colombia" ((RIN0750-AH72) (DFARS Case 2012-D032)) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Armed Services.

EC-959. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General John R. Allen, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-960. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of major general and brigadier general, respectively, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-961. A communication from the Acting Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General William J. Rew, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-962. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Daniel P. Bolger, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-963. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, in accordance with

title 10, United States Code, section 777; to the Committee on Armed Services.

EC-964. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the National Defense Stockpile (NDS) Annual Materials Plan for fiscal year 2014 and the succeeding 4 years, fiscal years 2015-2018; to the Committee on Armed Services.

EC-965. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Secretary's personnel management demonstration project authorities for Department of Defense Science and Technology Reinvention Laboratories; to the Committee on Armed Services.

EC-966. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the utilization of a contribution to the Cooperative Threat Reduction (CTR) Program; to the Committee on Armed Services.

EC-967. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Foreign Language Skill Proficiency Bonus program; to the Committee on Armed Services.

EC-968. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report entitled "Report on Cooperative Threat Reduction Programs in Russia"; to the Committee on Armed Services.

EC-969. A communication from the Acting Principal Deputy, Office of the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the 2012 annual report relative to the STARBASE Program; to the Committee on Armed Services.

EC-970. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "The Department of Defense Evaluation of the TRICARE Program: Access, Cost and Quality Fiscal Year (FY) 2013"; to the Committee on Armed Services.

EC-971. A communication from the President of the United States, transmitting, pursuant to law, a notice of the continuation of the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-972. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-973. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, (4) reports relative to vacancies within the Department of the Treasury, received in the Office of the President of the Senate on March 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-974. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2012 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-975. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a re-

port relative to a transaction involving U.S. exports to the United Arab Emirates (UAE); to the Committee on Banking, Housing, and Urban Affairs.

EC-976. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment to Rule Filing Requirements for Dually-Registered Clearing Agencies" received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-977. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Chartering and Field of Membership Manual for Federal Credit Unions" (RIN3133-AE02) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-978. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List; Removal of Person From the Entity List Based on Removal Request; Implementation of Entity List Annual Review Changes" (RIN0694-AF89) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-979. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Disclosures at Automated Teller Machines (Regulation E)" ((RIN3170-AA36) (Docket No. CFPB-2013-0006)) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-980. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z)" ((RIN3170-AA21) (Docket No. CFPB-2012-0015)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-981. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-982. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-983. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco,

transmitting, pursuant to law, the Bank's 2012 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-984. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices and Communication Protocols for Public Utilities" (RIN1902-AE50) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Energy and Natural Resources.

EC-985. A communication from the Acting Assistant Secretary of Land and Minerals Management, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Revisions to Safety and Environmental Management Systems" (RIN1014-AA04) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Energy and Natural Resources.

EC-986. A communication from the Director of the Sustainability Performance Office, Department of Energy, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department's Fleet Alternative Fuel Vehicle Acquisition Report for fiscal year 2009 and fiscal year 2010; to the Committee on Energy and Natural Resources.

EC-987. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances; Technical Amendment" (FRL No. 9382-2) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-988. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Disapproval and Promulgation of Air Quality Implementation Plans; Colorado; Revision to Definitions; Common Provisions Regulation" (FRL No. 9284-4) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-989. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Particulate Matter Standards" (FRL No. 9783-5) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-990. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for the 1997 8-Hour Ozone National Ambient Air Quality Standard" (FRL No. 9795-3) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-991. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Arkansas; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions" (FRL No. 9795-4) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-992. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Transportation Conformity Regulations" (FRL No. 9795-6) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-993. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri" (FRL No. 9795-2) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-994. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Santa Barbara and San Diego County Air Pollution Control Districts" (FRL No. 9794-4) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Environment and Public Works.

EC-995. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(2)(e)(ii) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9798-6) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Environment and Public Works.

EC-996. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Region 4 States; Prong 3 of Section 110(a)(2)(D)(i) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9799-8) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Environment and Public Works.

EC-997. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Butte County Air Quality Management District and Sacramento Metropolitan Air Quality Management District" (FRL No. 9776-8) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to

the Committee on Environment and Public Works.

EC-998. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; New Source Review-Prevention of Significant Deterioration" (FRL No. 9798-5) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Environment and Public Works.

EC-999. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Santa Barbara County Air Pollution Control District and South Coast Air Quality Management District" (FRL No. 9776-6) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Environment and Public Works.

EC-1000. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Monterey Bay Unified and Santa Barbara County Air Pollution Control Districts" (FRL No. 9778-4) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Environment and Public Works.

EC-1001. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Disapproval of Implementation Plan Revisions; State of California; South Coast VMT Emissions Offset Demonstrations" (FRL No. 9794-5) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Environment and Public Works.

EC-1002. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9785-6) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Environment and Public Works.

EC-1003. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Consideration of Certain New Source Issues. . . ." (FRL No. 9789-5) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1004. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of National Emission Standards for Hazardous Air Pollutants for the States of Kentucky and Louisiana, Correcting Amendments" (FRL No. 9796-8) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1005. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Adequacy of Oregon Municipal Solid Waste Landfill Permit Program" (FRL No. 9796-6) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1006. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export" (FRL No. 9797-5) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1007. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Idaho: Sandpoint PM10 Nonattainment Area Limited Maintenance Plan and Redesignation Request" (FRL No. 9796-5) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1008. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Carolina: New Source Review-Prevention of Significant Deterioration" (FRL No. 9797-1) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1009. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Water Quality Standards; Withdrawal of Certain Federal Water Quality Criteria Applicable to California, New Jersey and Puerto Rico" (FRL No. 9795-8) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1010. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determinations of Attainment of the 1997 8-Hour Ozone Standard for the Pittsburgh-Beaver Valley Moderate Nonattainment Area" (FRL No. 9797-8) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1011. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Motor Vehicle Emissions Budgets for the Pennsylvania Counties in the Philadelphia-Wilmington, PA-NJ-DE 1997 Fine Particulate Matter Nonattainment Area" (FRL No. 9796-3) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1012. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Florida; Prong 3 of Section 110(a)(2)(D)(i) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9797-4) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1013. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio Ambient Air Quality Standards; Correction" (FRL No. 9783-6) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1014. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Greenhouse Gas Reporting Rule: Revision to Best Available Monitoring Method Request Submission Deadline for Petroleum and Natural Gas Systems Source Category (Withdrawal of Direct Final Rule)" (FRL No. 9796-9) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Environment and Public Works.

EC-1015. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled "Underground Injection Control (UIC) Program: Class VI Well Testing and Monitoring Guidance"; to the Committee on Environment and Public Works.

EC-1016. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: MAGNASTOR System" (RIN3150-AJ22) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Environment and Public Works.

EC-1017. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Temporary Scope Expansion of the Post-Investigation Alternative Dispute Resolution Program" (NRC-2013-0046) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-1018. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Event Report Guidelines 10 CFR 50.72 and 50.73" (NUREG-1022) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-1019. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Guidelines for Effective Prevention and Management of System Gas Accumulation" (Final Safety Evaluation for Nuclear Energy Institute Topical Report NEI 09-10, Revision 1a)

received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Environment and Public Works.

EC-1020. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Increased Federal Medical Assistance Percentage Changes under the Affordable Care Act of 2010" (RIN0938-AR38) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on Finance.

EC-1021. A communication from the Director, Office of Regulations and Report Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Revised Medical Criteria for Evaluating Visual Disorders" (RIN0960-AH28) received in the Office of the President of the Senate on March 21, 2013; to the Committee on Finance.

EC-1022. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Ninety-Day Waiting Period Limitation and Technical Amendments to Certain Health Coverage Requirements Under the Affordable Care Act" (RIN0938-AR77) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Finance.

EC-1023. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Announcement 2013-17) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Finance.

EC-1024. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2012 Section 45K Inflation Adjustment Factor" (Notice 2013-25) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Finance.

EC-1025. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Opinion and Advisory Letters for 403(b) Pre-approved Plans" (Revenue Procedure 2013-22) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2013; to the Committee on Finance.

EC-1026. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revised Exhibit: Acknowledgement Letter Voluntary Correction Program (VCP) Submissions" (Notice 2013-21) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Finance.

EC-1027. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-038); to the Committee on Foreign Relations.

EC-1028. A communication from the Acting Assistant Secretary, Legislative Affairs, De-

partment of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-009); to the Committee on Foreign Relations.

EC-1029. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-041); to the Committee on Foreign Relations.

EC-1030. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-004); to the Committee on Foreign Relations.

EC-1031. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-016); to the Committee on Foreign Relations.

EC-1032. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-040); to the Committee on Foreign Relations.

EC-1033. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-045); to the Committee on Foreign Relations.

EC-1034. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-031); to the Committee on Foreign Relations.

EC-1035. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-005); to the Committee on Foreign Relations.

EC-1036. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-002); to the Committee on Foreign Relations.

EC-1037. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-036); to the Committee on Foreign Relations.

EC-1038. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13-022); to the Committee on Foreign Relations.

EC-1039. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-003); to the Committee on Foreign Relations.

EC-1040. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-032); to the Committee on Foreign Relations.

EC-1041. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Azerbaijan; to the Committee on Foreign Relations.

EC-1042. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the activities of the Millennium Challenge Corporation during fiscal year 2012; to the Committee on Foreign Relations.

EC-1043. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0033—2013-0048); to the Committee on Foreign Relations.

EC-1044. A communication from the Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Delay of Effective Date" (RIN1205-AB61) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1045. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "World Trade Center Health Program Eligibility Requirements for Shanksville, Pennsylvania and Pentagon Responders" (RIN0920-AA48) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1046. A communication from the Program Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Practitioner Data Bank" (RIN0906-AA87) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1047. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Change of Address; Biologics License Applications; Technical Amendment" (Docket No. FDA-2013-N-0011) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1048. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Reactive Blue 246 and Reactive Blue 247 Copolymers" (Docket Nos. FDA-2011-C-0344 and C-0463) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1049. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Technical Amendment" (Docket No. FDA-2013-N-0011) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1050. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Service of Process on Manufacturers; Manufacturers Importing Electronic Products into the United States; Agent Designation; Change of Address" (Docket No. FDA-2007-N-0091) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1051. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Public Hearing Before a Public Advisory Committee; Technical Amendments" (Docket No. FDA-2013-N-0011) received during adjournment of the Senate in the Office of the President of the Senate on March 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1052. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Family Violence Prevention and Services Program for fiscal years 2009-2010; to the Committee on Health, Education, Labor, and Pensions.

EC-1053. A communication from the Acting Chairman of the National Endowment for the Arts and a Member of the Federal Council on the Arts and the Humanities, transmitting, pursuant to law, the annual report on the Arts and Artifacts Indemnity Program for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-1054. A communication from the Chairman of the National Health Care Workforce Commission, transmitting, a report relative to the status of the Commission; to the Committee on Health, Education, Labor, and Pensions.

EC-1055. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Program Integrity Issues" (RIN1840-AD02) received in the Office of the President of the Senate on March 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1056. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to Food and Drug Administration Advisory Committee Vacancies and Public Disclosures; to the Committee on Health, Education, Labor, and Pensions.

EC-1057. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation of funding for Overseas Contingency Operations/Global War on Terrorism; to the Committee on Appropriations.

EC-1058. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

EC-1059. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Removal of 30-Day Residency Requirement for Per Diem Payments" (RIN2900-AO36) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR (for himself, Mr. ISAKSON, and Mr. PORTMAN):

S. 669. A bill to make permanent the Internal Revenue Service Free File program; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Ms. COLLINS):

S. 670. A bill to improve Federal dairy programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER:

S. 671. A bill for the relief of Deniss Nikanorov; to the Committee on the Judiciary.

By Mr. ISAKSON (for himself and Mr. COONS):

S. 672. A bill to amend title XVIII of the Social Security Act to provide for coverage, as supplies associated with the injection of insulin, of containment, removal, decontamination and disposal of home-generated needles, syringes, and other sharps through a sharps container, decontamination/destruction device, or sharps-by-mail program or similar program under part D of the Medicare program; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MERKLEY, and Mr. WHITEHOUSE):

S. 673. A bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELLER:

S. 674. A bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. AYOTTE (for herself and Mr. BLUMENTHAL):

S. 675. A bill to prohibit contracting with the enemy; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON (for himself, Mrs. FEINSTEIN, Mr. SCHUMER, and Mr. CARDIN):

S. 676. A bill to prevent tax-related identity theft and tax fraud; to the Committee on Finance.

By Mr. ROBERTS:

S. 677. A bill to amend the Federal Crop Insurance Act to extend and improve the crop insurance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself and Mr. HARKIN):

S. 678. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish a program to provide loans for local farms, ranches, and market gardens to improve public health and nutrition, reduce energy consumption, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BROWN (for himself, Mr. CASEY, Mr. COWAN, Mrs. GILLIBRAND, Ms. MIKULSKI, Mr. DURBIN, Mr. HARKIN, Mr. LEAHY, Mr. TESTER, Mr. WYDEN, and Mrs. SHAHEEN):

S. 679. A bill to promote local and regional farm and food systems, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. AYOTTE (for herself and Mr. BEGICH):

S. 680. A bill to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes; read the first time.

By Mr. VITTER:

S. 681. A bill to extend the seaward boundaries of certain States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COBURN (for himself, Mr. BURR, and Mr. ALEXANDER):

S. 682. A bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN:

S. 683. A bill to require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON of South Dakota:

S. 684. A bill to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 685. A bill to address the concept of "Too Big To Fail" with respect to certain financial entities; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PRYOR:

S. 686. A bill to extend the right of appeal to the Merit Systems Protection Board to certain employees of the United States Postal Service; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN (for himself, Mr. BLUMENTHAL, Mr. INHOFE, Mr. ROBERTS, Ms. AYOTTE, Mr. BLUNT, Mr. BOOZMAN, Mr. Kaine, Mr. KIRK, Ms. KLOBUCHAR, Mr. MANCHIN, Mr. MERKLEY, Mr. PRYOR, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WICKER, Mr. FRANKEN, and Mr. NELSON):

S. 687. A bill to prohibit the closing of air traffic control towers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself and Mr. CRAPO):

S. 688. A bill to permanently extend the private mortgage insurance tax deduction; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. ALEXANDER, Mr. FRANKEN, Mr. ENZI, Mr. BENNET, Ms. MURKOWSKI, Ms. BALDWIN, Mr. ROBERTS, Mrs. HAGAN, and Mr. ISAKSON):

S. 689. A bill to reauthorize and improve programs related to mental health and substance use disorders; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself and Ms. HIRONO):

S. 690. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL (for Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. MURPHY, Mr.

WHITEHOUSE, Mr. COWAN, Ms. HIRONO, Mr. Kaine, Mr. MERKLEY, and Mr. ROCKEFELLER)):

S. 691. A bill to regulate large capacity ammunition feeding devices; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself, Ms. AYOTTE, Ms. COLLINS, and Mr. KING):

S. Res. 94. A resolution recognizing the 50th anniversary of the sinking of the U.S.S. *Thresher* (SSN 593); considered and agreed to.

ADDITIONAL COSPONSORS

S. 138

At the request of Mr. VITTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 169

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 189

At the request of Mr. UDALL of Colorado, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 189, a bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Nebraska (Mr. JOHANNES), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Rhode Island (Mr. REED), the Senator from New York (Mr. SCHUMER), the Senator from New Mexico (Mr. UDALL), the Senator from Hawaii (Ms. HIRONO), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Nevada (Mr. HELLER), the Senator from Washington (Mrs. MURRAY), the Senator from Pennsylvania (Mr. CASEY), the Senator from Michigan (Mr. LEVIN), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Ms. WARREN), the Senator from Oklahoma (Mr. COBURN), the Senator from Virginia (Mr. WARNER) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 316

At the request of Mr. SANDERS, the names of the Senator from Connecticut

(Mr. BLUMENTHAL) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 323

At the request of Mr. DURBIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 336

At the request of Mr. ENZI, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 380

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 380, a bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress.

S. 393

At the request of Mr. COONS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 393, a bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

S. 407

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 407, a bill to provide funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes.

S. 423

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 423, a bill to amend title

V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 463

At the request of Mr. PRYOR, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 502

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 502, a bill to assist States in providing voluntary high-quality universal prekindergarten programs and programs to support infants and toddlers.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 541

At the request of Ms. LANDRIEU, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maine (Ms. COLLINS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 548

At the request of Ms. KLOBUCHAR, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 548, a bill to amend title 10, United States Code, to improve and enhance the capabilities of the Armed Forces to prevent and respond to sexual assault and sexual harassment in the Armed Forces, and for other purposes.

S. 554

At the request of Mr. ISAKSON, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 562

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 572

At the request of Mr. BURR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 572, a bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

S. 579

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Nebraska (Mrs. FISCHER) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 617

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 641

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 642

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 642, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provi-

sion of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

S. RES. 70

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 70, a resolution designating the last full week of July 2013 as "National Moth Week", recognizing the importance of moths in the United States, and recognizing the value of National Moth Week for promoting the conservation of moths and increasing the awareness, study, and appreciation of moths, their incredible biodiversity, and their importance to ecosystem health.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MERKLEY, and Mr. WHITEHOUSE):

S. 673. A bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, after the financial crisis of 2008 we learned that predatory lending hurts more than just families who lost money. Predatory lending can affect entire communities and often targets the most vulnerable in our society—low-income families and seniors.

Under Wall Street reform we addressed predatory mortgage practices and granted the Consumer Financial Protection Bureau the authority to supervise nonbank lenders, including payday lenders. We know who these payday folks are. I know them because their businesses are located a few blocks from where I live in Springfield, IL, on Macarthur Boulevard—title loans, payday loans. However, we failed to cap once and for all the annual interest rate that predatory payday lenders can charge for a loan.

In 2012 payday loan volume reached an estimated \$45 billion for storefront and online loans. This does not include deposit advance loans that banks make to consumers every day.

If we look a bit deeper, we find that nearly 76 percent of payday loans are made to pay off a previous payday

loan. It is a vicious cycle. Someone borrows some money, then they cannot pay it back with high interest rates, and they borrow more—deeper and deeper in debt. Fifty percent of payday borrowers ultimately default on their loans.

With numbers like these, we can only assume payday lenders' profit depends on families rolling their payday loan over eight to nine times—racking up new fees every single time.

Predatory lenders should not be allowed to pad their pockets with the hard-earned money of families that are barely getting by. These are families who are not even able to survive paycheck to paycheck.

That is why I am introducing the Protecting Consumers from Unreasonable Credit Rates Act. I wish to thank my colleagues—Senators BLUMENTHAL, BOXER, MERKLEY, and WHITEHOUSE—for their cosponsorship of this bill and their commitment to protect consumers from predatory lending practices.

This bill would establish a 36-percent annual interest rate cap for all types of consumer credit—a cap that is supported by 100 years of history according to a new report released by the National Consumer Law Center.

That is the same Federal cap that is currently in place for loans marketed to military servicemembers and their families.

Why would we protect military service families from predatory lending and no one else? I will tell you why. We found out that many of them in the military ran into financial difficulties from time to time, and the payday lenders—the title loans and the rest of them—were camping out outside of military facilities anxious to loan members of the military the money they needed to get by until the next payday. Many of our soldiers got so deeply in debt to payday loans they had to leave military service. They just could not keep up with it. So we passed a law that said we are going to protect military families from this exploitation. Our soldiers and sailors, airmen and marines are worth that much more to us that we are going to protect them.

Well, there is an obvious question: Why are we not protecting everybody? If this kind of exploitation is wrong when it comes to military families, why is it not wrong for the rest of America? It surely is. We should expand the law that curbed payday, car title, and tax refund lending around military bases to include all types of credit for all borrowers. If a lender cannot make money on a 36-percent APR, maybe the loan should not have been made in the first place.

Fifteen States and the District of Columbia have already enacted laws that protect homeowners from high-cost loans, and 34 States and the District of

Colombia have limited annual interest rates to 36 percent or less for one or more types of consumer credit. But there is a problem with the State-by-State approach: Many of these State laws are riddled with loopholes. Out-of-State lenders evade these State caps. Cash-strapped customers are then subjected to 400 percent annual interest rates for payday loans, on average, and 300 percent for car title loans, on average—400 percent interest? Our bill would require all lending to conform to the 36-percent APR limit, thereby eliminating the loopholes that have allowed predatory practices to flourish in many States around the country.

Let me be clear. I understand that sometimes families fall on hard times. They need a loan to make ends meet. They are desperate. Most of us have been there at one time or another in our lives. That is why I have included in this bill the flexibility for responsible lenders to replace payday loans with reasonably priced, small-dollar loan alternatives. The bill allows lenders to exceed the 36-percent cap for one-time application fees that cover the cost of setting up a new customer account and a processing cost, such as late charges and insufficient funds fees. I urge more institutions to offer small-dollar loans with consumer protections, including rates below 36 percent.

We know it can be done because banks and credit unions—many of them—are offering those loans.

I would also like to talk about a new type of payday lending—the online payday loan. Senator MERKLEY of Oregon and Senator TOM UDALL of New Mexico are leading the effort to crack down on these types of lenders who use the Internet to evade State law. Their bill, called the Safe Lending Act, would address online payday lending, such as hiding behind layers of anonymously registered Web sites and so-called lead generators. The bill would allow consumers to cancel a debit and prohibit payday lenders from circumventing State usury laws. We need more effective enforcement on online payday lenders. The Safe Lending Act would do it.

Another type of payday lending that I am afraid is on the rise is bank payday lending. Several banks offer deposit advance loans, which closely resemble the structure of payday loans, with up to 365 percent interest rates and short-term balloon payments.

Earlier this year, Senators BLUMENTHAL and I wrote a letter to the Federal Reserve, OCC, and the FDIC urging them to prohibit banks from offering predatory payday loans. Today, a petition signed by 157,000 Americans will be delivered to the same regulators calling on them to ban banks from offering payday loan products. I hope they do.

My first mentor in politics was the late Senator Paul Douglas of Illinois.

He was a Ph.D. in economics who served here from 1948 to 1966. I met him at the end of his career when I was a college student. He wrote:

Compound the camouflaging of credit by loading on all sorts of extraneous fees, such as exorbitant fees for credit life insurance, excessive fees for credit investigation, and all sorts of loan processing fees which rightfully should be included in the percentage rate statement so that any percentage rate quoted is meaningless and deceptive.

Senator Douglas said that 50 years ago. The name of the fees may have changed over time, but the goal of nickel-and-diming families out of their hard-earned money, unfortunately, has not changed.

By instituting a 36-percent cap on annual interest rates, the Protecting Consumers from Unreasonable Credit Rates Act would eliminate products that are predatory by their nature. The bill is supported by more than 40 consumer groups. They include Americans for Financial Reform, the Center for Responsible Lending, the Consumer Federation of America, and the National Consumer Law Center.

I ask unanimous consent to have printed in the RECORD a letter from these organizations in support of this legislation.

APRIL 9, 2013.

Re Protecting Consumers from Unreasonable Credit Rates

Hon. RICHARD J. DURBIN,
Hart Senate Building,
Washington, DC.

DEAR SENATOR DURBIN: Thank you for introducing the "Protecting Consumers from Unreasonable Credit Rates Act of 2013," which would extend the 36 percent usury APR cap for military families enacted in the Military Lending Act of 2006 to all consumers. A fair rate cap will protect consumers and curb abuses in the high-cost small dollar loan market. The 36 percent rate cap set by your legislation would permit responsible lending to consumers with less-than-perfect credit while restraining harmful terms.

Currently, consumers pay triple-digit rates for car title and payday loans (including those offered at traditional storefronts, online, and by banks). A large body of research has demonstrated that these products are structured to create a long-term debt trap that drains consumers' bank accounts. Indeed, the lack of underwriting, high fees, short loan terms, single balloon payment, and access to a borrower's checking account as collateral ensure that most borrowers have no choice but to take out additional loans to pay off the initial payday or car title loan. A properly structured federal usury cap puts all creditors on a level playing field without undermining any additional consumer protections in the states.

Although many states cap rates for some forms of credit, banks can undermine these protections by exporting their weak home-state limits on credit costs to other states across the country. It is vitally important for Congress to set the outside limit on the cost-of-credit to curb abusive lending.

We enthusiastically support the Protecting Consumers from Unreasonable Credit Rates Act of 2013. For more information, please contact Tom Feltner, director of financial

services, Consumer Federation of America at (202) 618-0310 or tfeltner@consumerfed.org.

Sincerely,

Alabama Appleseed, Alabama Arise, Americans for Financial Reform, Arkansans Against Abusive Payday Lending, Arkansas Community Organizations, California Reinvestment Coalition, Southwest Center for Economic Integrity (AZ), Center for Responsible Lending, Citizen Action Illinois, Coalition of Religious Communities (Utah), Consumer Action, Consumer Assistance Council, Inc. (MA).

Consumer Federation of America, Consumers for Auto Reliability and Safety (CA), Consumers Union, Economic Fairness Oregon, Dēmos, Green America, Florida Consumer Action Network, Jesuit Social Research Institute, Loyola University, New Orleans Kentucky Coalition for Responsible Lending, Mississippi Center for Justice, Monsignor John Egan Campaign for Payday Loan Reform (IL), NAACP.

National Association of Consumer Advocates, National Community Reinvestment Coalition, National Consumer Law Center, on behalf of its low income clients, National People's Action, Neighborhood Economic Development Advocacy Project (NY), New Jersey Citizen Action, Maryland CASH Campaign, Maryland Consumer Rights Coalition, Project IRENE (IL), RAISE Kentucky, Reinvestment Partners (NC), Sargent Shriver National Center on Poverty Law (IL), South Carolina Appleseed Legal Justice Center, Southern Poverty Law Center, Virginia Citizens Consumer Council, Virginia Poverty Law Center, Woodstock Institute (IL).

Mr. DURBIN. Mr. President, we can allow American consumers today to keep more of their hard-earned money by establishing a reasonable fee and an annual interest rate cap, combating abuses by Internet payday lenders, and eliminating bank payday loans. Families and their communities are sure to benefit by saving more and putting more of their earnings back into the economy.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Consumers from Unreasonable Credit Rates Act of 2013".

SEC. 2. FINDINGS.

Congress finds that—

(1) attempts have been made to prohibit usurious interest rates in America since colonial times;

(2) at the Federal level, in 2006, Congress enacted a Federal 36 percent annualized usury cap for service members and their families for covered credit products, as defined by the Department of Defense, which curbed payday, car title, and tax refund lending around military bases;

(3) notwithstanding such attempts to curb predatory lending, high-cost lending persists in all 50 States due to loopholes in State laws, safe harbor laws for specific forms of credit, and the exportation of unregulated interest rates permitted by preemption;

(4) due to the lack of a comprehensive Federal usury cap, consumers annually pay approximately \$23,700,000,000 for high-cost overdraft loans, as much as \$8,100,000,000 for storefront and online payday loans, and additional amounts in unreported revenues from bank direct deposit advance loans and high-cost online installment loans;

(5) cash-strapped consumers pay on average 400 percent annual interest for payday loans, 300 percent annual interest for car title loans, up to 3,500 percent for bank overdraft loans, and triple-digit rates for online installment loans;

(6) a national maximum interest rate that includes all forms of fees and closes all loopholes is necessary to eliminate such predatory lending; and

(7) alternatives to predatory lending that encourage small dollar loans with minimal or no fees, installment payment schedules, and affordable repayment periods should be encouraged.

SEC. 3. NATIONAL MAXIMUM INTEREST RATE.

Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following:

"SEC. 140B. MAXIMUM RATES OF INTEREST.

"(a) IN GENERAL.—Notwithstanding any other provision of law, no creditor may make an extension of credit to a consumer with respect to which the fee and interest rate, as defined in subsection (b), exceeds 36 percent.

"(b) FEE AND INTEREST RATE DEFINED.—

"(1) IN GENERAL.—For purposes of this section, the fee and interest rate includes all charges payable, directly or indirectly, incident to, ancillary to, or as a condition of the extension of credit, including—

"(A) any payment compensating a creditor or prospective creditor for—

"(i) an extension of credit or making available a line of credit, such as fees connected with credit extension or availability such as numerical periodic rates, annual fees, cash advance fees, and membership fees; or

"(ii) any fees for default or breach by a borrower of a condition upon which credit was extended, such as late fees, creditor-imposed not sufficient funds fees charged when a borrower tenders payment on a debt with a check drawn on insufficient funds, overdraft fees, and over limit fees;

"(B) all fees which constitute a finance charge, as defined by rules of the Bureau in accordance with this title;

"(C) credit insurance premiums, whether optional or required; and

"(D) all charges and costs for ancillary products sold in connection with or incidental to the credit transaction.

"(2) TOLERANCES.—

"(A) IN GENERAL.—With respect to a credit obligation that is payable in at least 3 fully amortizing installments over at least 90 days, the term 'fee and interest rate' does not include—

"(i) application or participation fees that in total do not exceed the greater of \$30 or, if there is a limit to the credit line, 5 percent of the credit limit, up to \$120, if—

"(I) such fees are excludable from the finance charge pursuant to section 106 and regulations issued thereunder;

"(II) such fees cover all credit extended or renewed by the creditor for 12 months; and

"(III) the minimum amount of credit extended or available on a credit line is equal to \$300 or more;

"(ii) a late fee charged as authorized by State law and by the agreement that does not exceed either \$20 per late payment or \$20 per month; or

"(iii) a creditor-imposed not sufficient funds fee charged when a borrower tenders

payment on a debt with a check drawn on insufficient funds that does not exceed \$15.

"(B) ADJUSTMENTS FOR INFLATION.—The Bureau may adjust the amounts of the tolerances established under this paragraph for inflation over time, consistent with the primary goals of protecting consumers and ensuring that the 36 percent fee and interest rate limitation is not circumvented.

"(c) CALCULATIONS.—

"(1) OPEN END CREDIT PLANS.—For an open end credit plan—

"(A) the fee and interest rate shall be calculated each month, based upon the sum of all fees and finance charges described in subsection (b) charged by the creditor during the preceding 1-year period, divided by the average daily balance; and

"(B) if the credit account has been open less than 1 year, the fee and interest rate shall be calculated based upon the total of all fees and finance charges described in subsection (b)(1) charged by the creditor since the plan was opened, divided by the average daily balance, and multiplied by the quotient of 12 divided by the number of full months that the credit plan has been in existence.

"(2) OTHER CREDIT PLANS.—For purposes of this section, in calculating the fee and interest rate, the Bureau shall require the method of calculation of annual percentage rate specified in section 107(a)(1), except that the amount referred to in that section 107(a)(1) as the 'finance charge' shall include all fees, charges, and payments described in subsection (b)(1) of this section.

"(3) ADJUSTMENTS AUTHORIZED.—The Bureau may make adjustments to the calculations in paragraphs (1) and (2), but the primary goals of such adjustment shall be to protect consumers and to ensure that the 36 percent fee and interest rate limitation is not circumvented.

"(d) DEFINITION OF CREDITOR.—As used in this section, the term 'creditor' has the same meaning as in section 702(e) of the Equal Credit Opportunity Act (15 U.S.C. 1691a(e)).

"(e) NO EXEMPTIONS PERMITTED.—The exemption authority of the Bureau under section 105 shall not apply to the rates established under this section or the disclosure requirements under section 127(b)(6).

"(f) DISCLOSURE OF FEE AND INTEREST RATE FOR CREDIT OTHER THAN OPEN END CREDIT PLANS.—In addition to the disclosure requirements under section 127(b)(6), the Bureau may prescribe regulations requiring disclosure of the fee and interest rate established under this section.

"(g) RELATION TO STATE LAW.—Nothing in this section may be construed to preempt any provision of State law that provides greater protection to consumers than is provided in this section.

"(h) CIVIL LIABILITY AND ENFORCEMENT.—In addition to remedies available to the consumer under section 130(a), any payment compensating a creditor or prospective creditor, to the extent that such payment is a transaction made in violation of this section, shall be null and void, and not enforceable by any party in any court or alternative dispute resolution forum, and the creditor or any subsequent holder of the obligation shall promptly return to the consumer any principal, interest, charges, and fees, and any security interest associated with such transaction. Notwithstanding any statute of limitations or repose, a violation of this section may be raised as a matter of defense by recoupment or setoff to an action to collect such debt or repossess related security at any time.

“(i) VIOLATIONS.—Any person that violates this section, or seeks to enforce an agreement made in violation of this section, shall be subject to, for each such violation, 1 year in prison and a fine in an amount equal to the greater of—

“(1) 3 times the amount of the total accrued debt associated with the subject transaction; or

“(2) \$50,000.

“(j) STATE ATTORNEYS GENERAL.—An action to enforce this section may be brought by the appropriate State attorney general in any United States district court or any other court of competent jurisdiction within 3 years from the date of the violation, and such attorney general may obtain injunctive relief.”

SEC. 4. DISCLOSURE OF FEE AND INTEREST RATE FOR OPEN END CREDIT PLANS.

Section 127(b)(6) of the Truth in Lending Act (15 U.S.C. 1637(b)(6)) is amended by striking “the total finance charge expressed” and all that follows through the end of the paragraph and inserting “the fee and interest rate, displayed as ‘FAIR’, established under section 141.”

By Mr. ROBERTS:

S. 677. A bill to amend the Federal Crop Insurance Act to extend and improve the crop insurance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. ROBERTS. Mr. President, today I have just introduced legislation in regards to our efforts to, once again, try to address a farm bill on behalf of our Nation's farmers, ranchers, and dairy producers. We passed a farm bill in the last session. It was one of the first bills where we achieved regular order, i.e., where every Senator had an opportunity to have an amendment. Many did. We had over 300, as I recall—“we” meaning the distinguished chairperson of the committee, Senator STABENOW, and myself as the ranking member at that particular time. Thank goodness not all 300 demanded a vote, but I think we voted 73 times, and we passed the bill by a good bipartisan margin. I hope we can get back to that. The chairperson, Senator STABENOW, is working very diligently to produce another farm bill.

I see the distinguished majority leader coming to the floor. He was very helpful in our pleas to bring a farm bill to the floor. Senator REID actually asked me whether we could do it in 3 days as I promised, and we did it in 2½, so with cooperation we got that done. It was, as I say, the first bill we took up in the last session where we did have regular order. I hope we can keep that record. I thank the majority leader for his efforts in that regard.

Why am I bringing this up now, even before we mark up in regards to the bill I have introduced? Basically because farmers are now planting their crops despite 3 years of drought and all sorts of hardship and all sorts of uncertainty about a farm bill. We have extended the 2008 act. It is not what we wanted to do in the Senate, but that is

what happened. So we hope that does not happen again.

We hope we can work again in a bipartisan way to produce a product that not only helps the farmer and rancher—we have, what, 6 billion people in the world today? We are going to go to 9 billion people in the next several decades. Everybody in the Senate should be aware of that. It is an overriding issue. We are going to have to double our agricultural production if we are going to continue our efforts to feed this country in a troubled and hungry world.

That even has national security implications. Show me a country that does not have a stable food supply, and I will show you a country that is in a lot of trouble. Just read about the Midwest and what is happening there.

What do farmers want? I mean what was the No. 1 issue we heard—“we” meaning, again, Senator STABENOW and I—when we held farm hearings both in Michigan, specialty crops, and Kansas, program crops: wheat, corn, beans et cetera? Over and over the No. 1 issue was crop insurance.

We were trying to get out of the business or stay out of the business of farmers planting for the government. And “farm subsidies,” that always makes the headlines in the Washington Post for people who for the most part have never been west of the Missouri River.

Despite all the criticisms of the farm program, I think we consolidated and reformed 100 different programs. We saved roughly \$23 billion or \$24 billion—the first authorizing committee to do so. We also strengthened and improved crop insurance. That was the No. 1 issue for farm lenders, the No. 1 issue for farmers and ranchers, and the No. 1 issue for everybody involved in the miracle of agriculture that allows us to do this so Americans have the safest, most abundant, and cheapest food in the history of the world.

I hear time and time again from our producers and their lenders that crop insurance is the cornerstone of the farm safety net. I hear it at home in Kansas. We hear it in the Agriculture Committee. I hear it every time I speak to producers in Washington. I know the chairperson of the committee, Senator STABENOW, has heard the same. All members of the committee know the value of crop insurance. I mean all members of the distinguished Committee on Agriculture.

As we head into another round of farm bill debates, and I know the chairperson would like to get it done, would like to mark up a bill in the next 3 weeks—I don't know if that is possible; we will see. We did that in 2½ days in the last session of Congress. Whether we can do that again I am not sure—I am constantly asked for my priorities, and my priorities reflect what I have heard from farmers and ranchers at

home and their bankers and their lenders and everybody who wants consistency. The No. 1 priority for the farm bill is crop insurance. If you doubt the importance of crop insurance, just look what it has provided the past 2 years. It is rather unbelievable.

Since 2011 we have faced the worst drought since the Dust Bowl in Kansas, Oklahoma, and Texas—and in Nebraska now. In so many cases Nebraska is worse than any other place.

Then we had the massive flooding along the Mississippi and the Missouri Rivers, and hurricanes that simply devastated the Northeast as well. I don't know what we have done to Mother Nature, but she sure has not been very kind to us. In 2012 the drought worsened and spread across the Midwest to States such as Missouri, Iowa, and Illinois. Now that we are into the Midwest, now we have headlines about the drought. When we burn up almost every year out in our country, on the high plains, nobody gets any attention. But they get it in the Midwest, they get a lot of attention.

Just months after all of this, why are producers still now tuning up their equipment and preparing their fields to put seed in the ground once again? A farmer never puts any seed in the ground without hope for a crop. Hope springs eternal with regard to agriculture, and here we are, once again, having that capability. It is not because of some agriculture ad hoc disaster program that seems to appear every even-numbered year in this body or any package for farmers, through a disaster program, that would represent some kind of help. Farmers are back on their feet and producing the food that feeds a troubled and hungry world because of crop insurance. They are able to put the seed in the ground again because they managed their risk and protected their operations from Mother Nature's destruction through the purchase of crop insurance.

This is the one component of the farm safety net that requires a producer to have skin in the game. We could apply that to a lot of other things that we debate on the floor of the Senate. Don't forget, crop insurance only provides coverage if a producer actually has a loss. So a Kansas farmer might pay into the crop insurance system for years or a farmer or a producer from Wisconsin or, for that matter, anyplace that values agriculture. But if they never experience a severe loss or a natural disaster, they will never receive a penny. Simply, crop insurance allows producers a way to manage risk so they can continue to provide a stable and secure food supply and pass their operations on to their children.

If that is not a success story in the partnership between government and private industry and America's farmers, I don't know what is. But just because a program is successful doesn't

mean there is not room for improvement. That is what the bill is that I just laid at the desk.

Crop insurance is a big tent with plenty of room under it. The program already protects more than 250 million acres of cropland in the United States, more than two-thirds of the eligible acres that we farm. But there are still acres that are not protected and producers who cannot afford to purchase this kind of protection they need. The more producers under that crop insurance tent, and the more that are protected from disaster, the more stable our food supply and our rural economies will be.

We made great progress, as I said, last year in the Agriculture Committee and on the Senate floor improving crop insurance to bring even more people under the tent. Today, I am here again to continue our work to preserve and protect and strengthen our crop insurance. My legislation enhances the Crop Insurance Program by including something called a Supplemental Coverage Option. The acronym for that is SCO. It allows producers to purchase additional crop insurance coverage on an area yield and loss basis. It also amends the Federal Crop Insurance Act to make available separate enterprise units for irrigated and nonirrigated acreages of crops in counties. That is especially helpful in regard to what we are going through with another year of drought.

The bill also addresses the declining Actual Production History, that is a yield problem, by increasing the county transitional yield. So if someone did not have a yield in their farm, but they could then go to the county yield average, they would be in a lot better shape. They would be helped out in one area and not another area. This would help in that respect.

The legislation also sets budget limitations. Yes, we set budget limitations on future renegotiation of what is called the Standard Reinsurance Agreement by requiring any savings realized in the SRA renegotiations to return to the Crop Insurance Program, to return to the RMA programs. Let's not use the Crop Insurance Program where we have savings and then use it as a bank for other programs. That has happened far too often—in the Senate and in the House.

The legislation also continues the Stacked Income Protection Plan—that is known as STAX—for the producers who plant upland cotton. That means all or most all of the products that we produce in the organizations that represent those commodities and represent those farmers who grow the commodities are in agreement—and cotton was very helpful in the last farm bill.

Meanwhile, in order to help pay down the debt and reduce the deficit, the legislation is fully paid for by the elimi-

nation of direct payments which saves taxpayers \$5 billion over 10 years. Overall, the legislation will strengthen the farm safety net while at the same time saving taxpayers billions of dollars and preventing costly ad hoc agriculture disaster programs.

There are those who don't believe in a good Crop Insurance Program. When Mother Nature doesn't behave and they get into these terribly destructive forces of nature—and it always happens. As I have said, it usually happens on an even-numbered year. If they are going to get into a disaster program and take part in it, they better darn well make sure to say: OK. I am going to help you out, but don't put your name on it. Because when it comes out to the Farm Service Agency and all the people who are supposed to implement it at the Department of Agriculture and in almost every county in the United States, it is a disaster to implement and the farmer doesn't get the kind of help he or she needs. That is not the way to do business. The cost annually is far greater than the Crop Insurance Program.

Overall, the legislation will strengthen the farm safety net while at the same time saving the taxpayers billions of dollars. It prevents ad hoc agriculture disaster programs. That is what the farmer wants. The farmer wants certainty. If he takes part in a Crop Insurance Program, he has certainty and he has protection.

There was a time in the not-so-distant past when the farm programs greatly distorted planning decisions. As chairman of the House Agriculture Committee, back in the day, along with others in the Senate, we did everything we could to eliminate those distortions. Why? Because with the World Trade Organization, we could get in a lot of trouble.

I am confident this proposal is the responsible path forward for agriculture, and it will not drive planting decisions or leave farmers to plant for the government program rather than the marketplace. With this crop insurance legislation, we have the opportunity to improve on an enormously successful program and continue good farm program policies.

We have a lot of work ahead of us to pass and sign a farm bill into law. A lot of farmers and a lot of ranchers are depending on it, and there are a lot of people who benefit from it. As I said, we have the lowest cost and safest food in the history of the world, and it allows us to use our wherewithal in a humanitarian way to be of help to those in need who undergo some very difficult circumstances. As I have indicated, agriculture involves our national security.

I look forward to working with my colleagues in the Agriculture Committee, farmers across the country, and industry partners to enact this legislation as part of the farm bill.

By Mr. JOHNSON of South Dakota:

S. 684. A bill to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. JOHNSON of South Dakota. Mr. President, today I am introducing the Mni Wiconi Project Act Amendments of 2013 to facilitate completion of a rural water supply system that was first authorized in the 100th Congress. As a freshman Member of the House of Representatives, I introduced legislation authorizing construction of the Mni Wiconi Project to bring quality, treated Missouri River water to several Indian reservations and a large, rural area of my State. Prior to Mni Wiconi, these areas faced insufficient and, too often, unsafe drinking water.

In the authorizing statute, Congress found that the United States has a trust responsibility to ensure that adequate and safe water supplies are available to meet the economic, environmental, water supply, and public health needs of the Pine Ridge Indian Reservation, Rosebud Indian Reservation, and Lower Brule Indian Reservation. Treated drinking water from the Missouri River now reaches most areas on these three reservations, as well as the 7 county area of the West River/Lyman-Jones Rural Water System.

Nearly 25 years after it was first authorized, this critically important project is very close to completion. Because appropriations failed to keep pace with projected timelines, however, additional administrative costs have cut into construction funding. As a result, the project needs an increase in the cost ceiling and extension of its authorization in order to be completed. Without these adjustments, some portions of the Oglala Sioux Rural Water Supply System and Rosebud Sioux Rural Water System will remain incomplete. The legislation I have introduced today addresses this shortfall and also directs other Federal agencies that support rural water development to assist the Bureau of Reclamation in improving and repairing existing community water systems that are important components of the project.

Our Federal responsibility to address the need for adequate and safe drinking water supplies on the Pine Ridge, Rosebud and Lower Brule Indian Reservations remains as important as ever. I look forward to working with my colleagues to advance this legislation.

By Mr. SCHATZ (for himself and Ms. HIRONO):

S. 690. A bill to amend title 38, United States Code, to deem certain service in the organized military forces

of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Filipino Veterans Fairness Act of 2013".

SEC. 2. CERTAIN SERVICE IN THE ORGANIZED MILITARY FORCES OF THE PHILIPPINES AND THE PHILIPPINE SCOUTS DEEMED TO BE ACTIVE SERVICE.

(a) IN GENERAL.—Section 107 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "not" after "Army of the United States, shall"; and

(B) by striking ", except benefits under—" and all that follows in that subsection and inserting a period;

(2) in subsection (b)—

(A) by striking "not" after "Armed Forces Voluntary Recruitment Act of 1945 shall"; and

(B) by striking "except—" and all that follows in that subsection and inserting a period;

(3) by amending subsection (c) to read as follows:

"(c) DETERMINATION OF ELIGIBILITY.—

"(1) IN GENERAL.—In determining the eligibility of the service of an individual under this section, the Secretary shall take into account any alternative documentation regarding such service, including documentation other than the Missouri List, that the Secretary determines relevant.

"(2) REPORT.—Not later than March 1 of each year, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and Committee on Veterans' Affairs of the House of Representatives a report that includes—

"(A) the number of individuals applying for benefits pursuant to this section during the previous year; and

"(B) the number of such individuals that the Secretary approved for benefits.";

(4) by amending subsection (d) to read as follows:

"(d) RELATION TO FILIPINO VETERANS EQUITY COMPENSATION FUND.—Section 1002(h) of the American Recovery and Reinvestment Act of 2009 (title X of division A of Public Law 111–5; 123 Stat. 200; 38 U.S.C. 107 note) shall not apply to an individual described in subsection (a) or (b) of this section."

(b) CONFORMING AMENDMENTS.—(1) The heading of such section is amended to read as follows:

"§ 107. Certain service deemed to be active service: service in organized military forces of the Philippines and in the Philippine Scouts".

(2) The item relating to such section in the table of sections at the beginning of chapter 1 of such title is amended to read as follows:

"107. Certain service deemed to be active service: service in organized military forces of the Philippines and in the Philippine Scouts."

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall take effect on the date that is 90 days after the date of the enactment of this Act.

(b) APPLICABILITY.—No benefits shall accrue to any person for any period before the effective date of this Act by reason of the amendments made by this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 94—RECOGNIZING THE 50TH ANNIVERSARY OF THE SINKING OF THE U.S.S. "THRESHER" (SSN 593)

Mrs. SHAHEEN (for herself, Ms. AYOTTE, Ms. COLLINS, and Mr. KING) submitted the following resolution; which was considered and agreed to:

S. RES. 94

Whereas U.S.S. *Thresher* was first launched at Portsmouth Naval Shipyard on July 9, 1960;

Whereas U.S.S. *Thresher* departed Portsmouth Naval Shipyard for her final voyage on April 9, 1963, with a crew of 16 officers, 96 sailors, and 17 civilians;

Whereas the mix of that crew reflects the unity of the naval submarine service, military and civilian, in the protection of the United States;

Whereas at approximately 7:47 a.m. on April 10, 1963, while in communication with the surface ship U.S.S. *Skylark*, and approximately 220 miles off the coast of New England, U.S.S. *Thresher* began her final descent;

Whereas U.S.S. *Thresher* was declared lost with all hands on April 10, 1963;

Whereas in response to the loss of U.S.S. *Thresher*, the United States Navy instituted new regulations to ensure the health of the submariners and the safety of the submariners of the United States;

Whereas those regulations led to the establishment of the Submarine Safety and Quality Assurance program (SUBSAFE), now 1 of the most comprehensive military safety programs in the world;

Whereas SUBSAFE has kept the submariners of the United States safe at sea ever since as the strongest, safest submarine force in history;

Whereas, since the establishment of SUBSAFE, no SUBSAFE-certified submarine has been lost at sea, which is a legacy owed to the brave individuals who perished aboard U.S.S. *Thresher*;

Whereas from the loss of U.S.S. *Thresher*, there arose in the institutions of higher education in the United States the ocean engineering curricula that enables the preeminence of the United States in submarine warfare; and

Whereas the crew of U.S.S. *Thresher* demonstrated the "last full measure of devotion" in service to the United States, and this devotion characterizes the sacrifices of all submariners, past and present: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 50th anniversary of the sinking of U.S.S. *Thresher*;

(2) remembers with profound sorrow the loss of U.S.S. *Thresher* and her gallant crew of sailors and civilians on April 10, 1963; and

(3) expresses its deepest gratitude to all submariners on "eternal patrol", who are forever bound together by dedicated and honorable service to the United States of America.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Subcommittee on National Parks. The hearing will be held on Tuesday, April 23, 2013, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 59, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California;

S. 155, to designate a mountain in the State of Alaska as Denali;

S. 156, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska;

S. 219, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, and for other purposes;

S. 225, to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes;

S. 228, to establish the Sacramento-San Joaquin Delta National Heritage Area, California;

S. 285, to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes;

S. 305, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park;

S. 349, to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes;

S. 371, to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, and for other purposes;

S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission;

S. 486, to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes;

S. 507, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes, and;

S. 615, to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to John_Assini@energy.senate.gov.

For further information, please contact please contact David Brooks (202) 224-9863 or John Assini (202) 224-9313.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, April 23, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the following legislation:

S. 306, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act;

S. 545, the Hydropower Improvement Act of 2013 and H.R. 267, the Hydropower Regulatory Efficiency Act of 2013; and,

A bill to promote energy savings in residential and commercial buildings and industry, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224, Dan Adamson at (202) 224-2871, or Lauren Goldschmidt at (202) 224-5488.

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 9, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 9, 2013, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 9, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to

meet during the session of the Senate on April 9, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 9, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 9, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS,
TECHNOLOGY, AND THE INTERNET

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate April 9, 2013, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The committee will hold a hearing entitled, "State of Rural Communications."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate April 9, 2013, at 10:00 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Current Issues in Campaign Finance Law Enforcement."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that two interns from Senator HIRONO's office, Chelsea Rabago and Ryan Mandado, be granted floor privileges for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS
MAILINGS

The filing date for the 2013 first quarter Mass Mailing report is Thursday, April 25, 2013. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to

the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Senate Office of Public Records will be open from 9:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

180TH ANNIVERSARY OF DIPLO-
MATIC RELATIONS BETWEEN
THE UNITED STATES AND THE
KINGDOM OF THAILAND

Mr. REID. Madam President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 77 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 77) expressing the sense of Congress relating to the commemoration of the 180th anniversary of diplomatic relations between the United States and the Kingdom of Thailand.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 77) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 18, 2013, under "Submitted Resolutions.")

50TH ANNIVERSARY OF THE
SINKING OF U.S.S. "THRESHER"

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 94.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 94) recognizing the 50th anniversary of the sinking of U.S.S. *Thresher* (SSN 593).

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 94) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURES READ THE FIRST TIME—S. 680 AND S. 691

Mr. REID. Madam President, there are two bills at the desk and I ask for their first reading.

The PRESIDING OFFICER. The clerk will read the titles of the bills for the first time.

The legislative clerk read as follows:

A bill (S. 680) to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes.

A bill (S. 691) to regulate large capacity ammunition feeding devices.

Mr. REID. I now ask for their second reading, but I object to my own request for both of these measures.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, APRIL 10, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, April 10, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 649, the gun safety legislation; that the next hour be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the first half controlled by the Republicans and the second half controlled by the majority.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, this evening, a few minutes ago, cloture was filed on the gun safety legislation. Unless there is some agreement reached tomorrow, we will vote on this Thursday morning sometime.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7 p.m., adjourned until Wednesday, April 10, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL LABOR RELATIONS BOARD

HARRY I. JOHNSON III, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2015, VICE TERENCE FRANCIS FLYNN, RESIGNED.

PHILIP ANDREW MISCIMARRA, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2017, VICE BRIAN HAYES, TERM EXPIRED.

MARK GASTON PEARCE, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2018. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK O. SCHISSLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT P. OTTO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. SCOTT W. JANSSON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DANIEL B. ALLYN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JAMES L. TERRY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PERRY L. WIGGINS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) PAULA C. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) THOMAS E. BEEMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) KELVIN N. DIXON
REAR ADM. (LH) BRIAN L. LAROCHE
REAR ADM. (LH) JOHN C. SADLER

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5144:

To be lieutenant general

LT. GEN. RICHARD P. MILLS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ERIC W. ADAMS

IMELDA UDUI ANTONIO
ALISON LEE BEACH
REAGAN HOWARD BEATON
BENJAMIN A. BELILES
CHARLES M. BENNETT
ADAM DANIEL BENTZ
JERROLD ROBERT BLACK
YVONNE SUZETTE BRACKEL
WESLEY ALLEN BRAUN
GARRETT JONATHAN BRUENING
MATTHEW RICHARD BUSH
NICHOLAS DANIEL CARTER
CANDICE DEE CLEERE
PATRICK O. COLAW
JEFFREY ALAN COLEMAN
JASON SPIRO DESON
DOUGLAS EVANS DEVORE II
REBECCA E. DICKINSON
TERENCE S. DOUGHERTY
JANET CHRISTINE EBERLE
COLIN P. EICHENBERGER
THOMAS AARON FINLEY
ERIC CHRISTOPHER FRANCOM
SATURA MCPHERSON GABRIEL
GREGORY JAMES GARDNER
VELMA CHERI GAY
JEREMY DAVID GEHMAN
KURT T. GERLACH
PAUL M. GESL
BRIAN KEITH HARRIS
RYAN V. HASLAM
JEFFREY TODD HAWKINS
AARON L. JACKSON
JAY C. JACKSON
CHRISTOPHER DALE JAMES
MATTHEW SCOTT JAMES
SARA CATHERINE JOBE
BRENT NELSON JONES
KAREN MICHELLE JORDAN
MATTHEW G. KARAS
SHAD RAYMOND KIDD
MARCUS E. KIMSEY
ISRAEL DAVID KING
ADAM JOSEF KOUDELKA
JANE MARIE MALE
VICKI L. MARCUS
BENJAMIN FARLEY MARTIN
SHANE ALLEN MCCAMMON
IAN SHANNON MCCREA
KEITH RICHARD MEISTER
SAMUEL THOMAS MILLER
JOHN HERRING MONTGOMERY
ANDREW REMY NORTON
FREDERICK M. OMARA
MARK RUSSELL ONEILL
WINDEL LEON PATTERSON III
MARY ELLEN PAYNE
THOMAS BRIAN PAYNE
DAVID M. REDMOND, JR.
AARON PAUL ROBERTS
ALEX JAY ROSE
MARK F. ROSENOW
ELVIS SANTIAGO
WENDI MARIE SAZAMA
TODD MICHAEL SWENSEN
JUSTIN J. SWICK
WILLIAM DUNCAN TORONTO
SUSAN JUSTYNA TREPCZYNSKI
KHELA M. VON LINSOWE
JORDAN NEIL WALKER
TIMOTHY R. WARD
JOHN WAYNE WELCH, JR.
CONSTANCE STANSELL WILKES
CHRISTOPHER M. WU
CORTNEY LYNN ZUERCHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

WENDY J. BEAL
STEPHANIE J. BUFFETT
TONIA J. DAWSON
VIVIAN P. DENNIS
KELLY M. DUFFEK
GRETCHEN J. ENGLAND
RAMONA L. FIELDS
VIRGINIA M. JOHNSON
MARGRET M. JONES
MARLENE M. KERCHENSKI
BRENDA J. KOIRO
REBECCA L. LEHR
KATHERINE M. LOWRY
IRIS A. REEDOM
WILLIAM A. REYNOLDS
MICHAEL H. ROSS
ELIZABETH C. SHAW
CHERRI L. SHIREMAN
PAIRIN SKAGGS
BRIAN G. TODD
BRENDA I. WATERS
TAMBRA L. YATES

To be lieutenant colonel

RICHARD C. ALES
KATHERINE J. ALGUIRE
ANDREW W. AYCOCK
GEORGE A. BARAJAZ
KERRY A. BARSHINGER
COLBY J. BENEDICT
MARY J. BERNHEIM

JACQUELINE E. BERRY
KIMBERLY BOSWELL YARBROUGH
KATHLEEN M. BRINKER
JEFFREY C. BURGESS
DEBORAH J. COCHRAN
KEVIN J. CREEDON
JOHN CURRY, JR.
MARK A. DAMMEN
RENEE S. DAYE
ROSHELL L. DEAN
DOUGLAS E. DILLON
BETH R. DION
TERRI A. FISHER
RAUL G. FLORES
DENISE A. FOGH
INGRID D. FORD
JANE M. FREE
NICHOLE A. FRITEL
DALIA GARCIA
KRISTINE M. HACKETT
RACHELLE J. HARTZE
KAREN T. HINES
JUDITH P. HOUK
SHELLEY L. JAY
ROBERT W. KING
AMY S. KINNON
BRIAN C. KRAFT
PETER N. KULIS
COLLIS H. LANG
MARGARET A. LEAVITT
STEVEN W. LEHR
LAURA C. LIEN
TONEKA B. MACHADO
BEVERLY ADAMS MAROON
DEBORAH K. MCCALL
REBECCA A. MCCULLERS
LANCE J. P. MCGINNIS
RICHARD M. MERRILL
JOHN J. MODRA, JR.
MICHELLE L. MONTGOMERY
MARY A. PARKER
AMY L. ROBERSON
REBECCA L. ROSA
GARY D. RUESCH
KIMBERLEE M. RUSSELL
ELIS M. SALAMONE
STEPHEN E. SAPIERA
PAUL DAVID SCHROTH
JON A. SINCLAIR
KRISANDRA K. SMITH
ROBERT D. SMITH
BONNIE E. STEVENSON
BETH N. SUMNER
MARILYN E. THOMAS
ANDREA S. TROUT
BEATRICE TURLINGTONWYNN
STACEY A. VANDYKE
KIRSTEN M. VERKAMP
THERESA A. VERNOSKI
GARY A. WELLS II
CONNIE L. WINIK
KIMBERLY A. WOOLLEY

To be major

ANN M. ADAMS
JIM B. APPEL
ELENA E. ARUSHANYAN
ROBERT J. AUSTIN III
VICKI R. AUTMON
DONNA A. BAKER
STACEY L. BALICKI
ERICA I. BANKS
CHERYL L. BARNES
CLARA A. BATISTE
BECKY M. BAUTCH
KATHY A. BOOTHE
TONI L. BOUDREAU
DAVID F. BRADLEY, JR.
REBECCA G. BUSH
JOYCE A. BUSSARD

JACQUELINE A. CAASI
JULIO A. CANO
STEPHANIE D. CARRILLO
JASON D. CARTER
LORI D. CARVER
BRIAN S. CORTELESSA
JENNIFER N. COWIE
BRANDY L. DALES
SHARON M. DAY
KARLA M. DENNARD
TANYA IVONNE DIAZ
CLEMENTINE DUKE
JOEL E. ELLIOTT
KIMBERLY R. EVANS
ANGELA FOSUBROOKMAN
MARY M. GAINES
CUBBY L. GARDNER
RYAN T. GILKEY
LISA E. GONZALES
ERIKA L. HARRINGTON
IESIAH M. HARRIS
MARK J. HAYDELL
ANDREW D. HOEFFLER
ELIZABETH ANNE L. HOETTELS
WENDI G. HOLMES
CHRISTINA N. HOWLETT
SHANTI P. JONES
APRIL D. KELLY
ADRIANNE M. KETELSEN
TROY T. KINION
VICKIE R. KNIGHT
MARIANA BUNTICHAJ LACUZONG
RACHEL J. A. LEDESMA
AMBER R. LEONE
VICTORIA M. LYNCH
SILKE A. MAHAN
EDWIN MALDONADO
DARLA J. MAYO
REBECCA L. MEADOWSCLARK
SHELLEY L. METCALF
SAMUEL D. MILLAR
LISA R. MURCHISON
CURTIS S. MURRAY
ELIZABETH A. NORRIS
ALISA K. PAIGE
ANGELA P. PETTIS
JOANN M. POOLE
NICOLE L. PORTER
JODI A. POTTERTON
CRAIG PRYOR
ANNMARIE PUTTBRESE
ERIC K. RAUSCH
TINA L. RAVENKINGSON
LORRAINE RIVERAEMMANUELL
NIKKI D. ROBINSON
STEPHEN C. SAUNDERS
KEITH A. SCHULTZ
BRIAN L. SCOTT
TERESA R. SELLERS
REBECCA R. SHABEL
DOUGLAS M. SHAVER
STEVEN J. SHEA
ROBERT J. SHERMAN, JR.
ANDRIA D. SHIVERS
BRIAN C. SMITH
JENNIFER F. SMITH
KEITH A. SMITH
JENNIFER L. SOPER
DONALD N. SPADUZZI
SONNIE L. STEVENS
LINDA A. TOMASZEWSKI
NIKKI M. TUCKER
ERIK S. VACARELLI
WILLIAM C. VAN BEVEREN
BRYCE J. VANDERZWAAG
LORI D. WALKER
COURTNEY E. WALLACE
GREGORY M. WIERZBICKI
CARLA ANN WIESE
KELLY P. WILHITE

KAREN L. WILLIAMS
PATRICIA E. WILLIAMS
NICOLE M. WILSON
MARSHALL S. WITT
JARED K. YOUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

LOU ROSE MALAMUG

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

KELLY A. HALLIGAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ANDREW W. BEACH

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DONALD V. WOOD

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOHN P. NEWTON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DANIEL W. TESTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RICHARD J. WITT

IN THE COAST GUARD

PURSUANT TO SECTION 211(A)(2), TITLE 14, U.S. CODE, THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD:

To be lieutenant commander

LORING A. SMALL

CONFIRMATION

Executive nomination confirmed by the Senate April 9, 2013:

THE JUDICIARY

PATTY SHWARTZ, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

HOUSE OF REPRESENTATIVES—Tuesday, April 9, 2013

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 9, 2013.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious God, we give You thanks for giving us another day.

The work of the Congress resumes after time spent by millions of Americans celebrating high holy days, and spring comes to our Nation's Capitol. It is a season of hope.

In this Chamber, where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live and for this great Nation which You have inspired in developing over so many years. Continue to inspire the American people, that through the difficulties of these days we might keep liberty and justice alive in our Nation and in the world.

Give to us and all people a vivid sense of Your presence, that we may learn to understand each other, to respect each other, to work with each other, to live with each other, and to do good to each other. So shall we make our Nation great in goodness, and good in its greatness.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mrs. CAPPS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. CAPPS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRIME MINISTER MARGARET THATCHER WAS A HEROINE FOR FREEDOM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the world lost a true heroine for freedom. Former Prime Minister Margaret Thatcher will forever be remembered for her great resolve to achieve victory during the Cold War.

From her humble beginnings as a grocer's daughter to her successful tenure in Parliament, Baroness Thatcher possessed great leadership qualities we can all learn from that contributed to her success. Her determination to promote and protect democracy led to the successful dissolution of the Soviet Union and the liberation of dozens of former Soviet-occupied nations from Communism to free-market democracy.

Prime Minister Thatcher's loyal friendships with President Ronald Reagan, Pope John Paul II, and Polish Solidarity union leader Lech Walesa changed history, standing up for freedom against the threat of Communism.

Thank you, Baroness Margaret Thatcher, for your commitment to democracy. Millions around the world were touched by your unwavering strength in preserving freedom. You will be missed.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HONORING MEMPHIS SOUL

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, tonight PBS and the Grammys will continue a series of concerts at the White House, and tonight's concert will feature Memphis soul. Memphis is a city known around the world for music, whether it's Sun Records and Elvis Presley and Sam Phillips or the studios which will be featured tonight, Stax Records and Hi Records. Sam Moore, Justin Timberlake, Mavis Staples, Charlie Musselwhite, Ben Harper, Sam Moore of Sam and Dave, they'll all be there.

Memphis music is part of America's cultural history, a living, breathing part of our culture. We're pleased that PBS and the Grammys chose Memphis soul to be featured tonight. The President will be there. Without Al Green, he'll have to do "Let's Stay Together" by himself. We look forward to that.

We ask all of you to come to Memphis, Tennessee, and visit America's great reservoir of music history.

CITY OF IRVING, TEXAS, AWARDED 2012 MALCOLM BALDRIGE NATIONAL QUALITY AWARD

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, today I rise to congratulate the city of Irving on the receipt of the 2012 Malcolm Baldrige National Quality Award. This award is the Nation's highest Presidential honor for performance excellence through innovation, improvement, and visionary leadership.

Irving, Texas, is not just about lower tax rates and efficient government; the city of Irving prioritizes feedback from its citizens, achieving high levels of citizen satisfaction and producing almost \$45 million in cost savings over the past 5 years. Through the implementation of the Lean Six Sigma program, the city of Irving, Texas, has lowered tax rates for its citizens, improved the quality of services, and maintained an efficient workforce.

I congratulate the city of Irving on its receipt of this award, and I hope that the Federal Government in Washington, DC, can learn from their example.

EQUAL PAY DAY

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, today, April 9, is Equal Pay Day, the day on the calendar that marks more than 3 months into 2013 when women's wages finally catch up to what men earned in 2012.

Nearly a half century after the passage of the Equal Pay Act, women continue to face unfairness in the workplace. According to the American Association of University Women, in Rhode Island's First Congressional District, women working full time, year round, still make only 83 cents on the dollar compared to the average man.

For all the progress that we've made in the fight for women's rights, the issue of pay equity continues to persist. That's why I'm proud to voice my strong support for the Paycheck Fairness Act, a commonsense bill that would strengthen the Equal Pay Act by providing effective remedies for women who are not paid equal wages for equal work.

It's time for us to prioritize the long-term well-being of the Nation's hard-working women, many of whom are heads of households, and immediately pass this critical legislation to help ensure equality in the workplace.

□ 1410

HONORING THE SERVICE OF THE
3RD U.S. INFANTRY REGIMENT,
THE OLD GUARD

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today to honor the men and women of the 3rd U.S. Infantry Regiment, better known as The Old Guard, who, for 65 years, have faithfully guarded the Tomb of the Unknowns at Arlington National Cemetery.

Saturday, April 6, was the 65th anniversary of this Honor Guard, which continuously watches over the Tomb of the Unknowns 24 hours a day, 365 days a year, through all kinds of weather.

Many don't know that the 3rd U.S. Infantry Regiment pulls double duty, also maintaining tactical readiness, prepared to defend Washington in the event of war or other crisis.

The Tomb, of course, holds the remains of select unknown soldiers from World Wars I and II, the Korean War, and the Vietnam War. While only God knows their names, they represent men and women who died defending our freedoms. We should all be proud to live in a country that continues to honor their sacrifice, a country that doesn't forget that freedom isn't free.

Mr. Speaker, I urge my colleagues to join me in thanking the soldiers of The

Old Guard for their vigilance and dedication.

EQUAL PAY DAY

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of Equal Pay Day. Today is a day I wish we didn't have to mark. After 99 days of 2013, women have finally caught up with what their male coworkers earned last year.

And while unequal pay clearly hurts women, it also affects their families. The additional \$11,000 a woman would make each year if she was fairly compensated would pay for a year and a half of child care, or feed a family of four with money to spare.

As we continue to pull out of the recession, every dollar matters, and that is why hardworking women across this Nation are counting on us to pass the Paycheck Fairness Act and close this gap for good.

We are listening, and we must act. Our sisters, our daughters, and our granddaughters deserve nothing less.

EQUAL PAY DAY

(Mr. HORSFORD asked and was given permission to address the House for 1 minute.)

Mr. HORSFORD. Mr. Speaker, today is an important day in women's history and our country's history. It is the 50th anniversary of the Equal Pay Act, a reminder of the progress we have made in the fight for equality, and a reminder that the fight is not over.

Nationally, women earn 77 cents on the dollar compared to their male coworkers. In my State of Nevada, it's 85 cents to the dollar. No matter the degree of disparity, unequal pay for equal work is wrong.

Women head over 125,000 households in Nevada. Closing the wage gap would provide needed and deserved income for these families and all families across the country.

I'm the father of a bright young daughter. I want the best for her and for young women across the country who have great contributions to make to our Nation, and that's why I urge passage of the Paycheck Fairness Act.

EQUAL PAY DAY

(Mr. POCAN asked and was given permission to address the House for 1 minute.)

Mr. POCAN. Mr. Speaker, I stand with my colleagues to highlight Equal Pay Day and call on this body to pass the Paycheck Fairness Act.

Equal pay for equal work not only adheres to our country's founding principles of justice and equality, but it

makes a huge difference to the families in Wisconsin. In my district, women are paid 81 cents to the dollar that men earn, and across the State of Wisconsin, the number is even lower, 78 cents. That equals \$10,324 less in wages a year between a man and a woman.

What does \$10,324 mean?

Well, it means almost 2,800 gallons of gas. It means more than a year's worth of groceries and almost a year's worth of rent.

The pay gap has a real effect on the families of Wisconsin. Almost 230,000 households in Wisconsin are headed by women, and almost a third of those fall below the poverty line. Eliminating the wage gap would provide much-needed assistance to women whose families depend on those salaries.

I am proud to cosponsor the Paycheck Fairness Act, which makes important strides towards ensuring that women finally receive equal pay for equal work. This bill improves the lives of Wisconsin women, Wisconsin families, and Wisconsin communities. We have an urgent moral need to pass it.

EQUAL PAY DAY

(Mr. DELANEY asked and was given permission to address the House for 1 minute.)

Mr. DELANEY. Mr. Speaker, last year almost 58 percent of college graduates were women, and women now account for over half of the college-educated population. In corporate America, women were 53 percent of new hires last year, and women account for 50 percent of jobs held by college-educated individuals. This is all very good news.

Yet, when you look at advancement, we see another story emerging. It is estimated that when people are promoted to managers in corporations, only 37 percent of them are women. When promotions to vice presidents are made, only 26 percent are women.

This is a talent drain. This is not only a big problem for women, but it's a big problem for our economy. It limits diversity of ideas, which limits productivity.

The gender gap hurts U.S. competitiveness by creating management structures that don't reflect the views of 50 percent of the population. It hurts families because women are economic anchors in the majority of families.

Fifty-three percent of working women are primary breadwinners, and 15 million households are headed by women. We're creating an economic burden. The gender gap and wage gap is not reflective of the kind of society we want to live in. We need to reverse both institutional and individual mindsets that limit the progress of women.

EQUAL PAY DAY

(Mr. GARCIA asked and was given permission to address the House for 1 minute.)

Mr. GARCIA. Mr. Speaker, I rise in support of Equal Pay Day because we are a stronger Nation when our sons and daughters get equal pay for an equal day of work. As the proud father of a teenage daughter, I know that children deserve to have a fair shot at success, regardless of their gender.

When a woman in south Florida is paid 86 cents for every dollar paid to a man for the same job, it creates a yearly gap for women of almost \$6,000. That's real money. It's nearly a year of groceries, 5 months of rent, 30 months of gas.

And so, in this new century, with so many women serving as heads of households and women being a critical part of our economic success, it's time we close the gender pay gap once and for all and pass the Paycheck Fairness Act.

EQUAL PAY DAY

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to address wage equality in our Nation, or the lack thereof.

I was raised by a mother, a schoolteacher. She worked hard. She worked harder than any male that I know of on her job, and then when she came home, she worked hard in the home, harder than any male that I've ever known. And she turned me over to my wife.

My wife works harder than I ever thought about working, both outside the home and in the home. So I believe that it is definitely a great tragedy that either one of those women would make less than a man doing the same thing on the job. I think it's terrible.

Seventy-seven cents for every dollar earned by a man is what women make in my home State of Georgia. I'm particularly alarmed by the wage gap for minority women, who often earn less than 64 cents for every dollar earned by a non-minority man.

Without equal pay, women working twice as hard only go half as far. We must continue to strive for income equality and support women in the workplace.

EQUAL PAY DAY

(Ms. DeLAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DeLAURO. It has now been 50 years since Congress passed the Equal Pay Act to confront the "serious and endemic" problem of unequal wages in America. At the time, when women

were a third of the Nation's workforce, President John F. Kennedy said that this would help to end "the unconscionable practice of paying female employees less wages than male employees for the same job."

Today, women are now half of the Nation's workforce, but they are still only being paid 77 cents on the dollar as compared to men. And that is why today we're once again forced to recognize Equal Pay Day, the day in 2013 when a woman's earnings for 2012 catch up to what a man made last year.

Unequal pay affects families all across our country. They're trying to pay their bills, trying to achieve the American Dream, and are getting less take-home pay than they deserve for their hard work. More steps are clearly needed to ensure that women are paid what they deserve.

We need to pass legislation that will end pay secrecy and give women the tools to ensure that they are being compensated fairly. We need to pass the Paycheck Fairness Act. Men, women, same job, same pay.

Fifty years after this Congress first acted on the issue, it is time to end unequal pay. Make the dubious milestone of Equal Pay Day a thing of the past.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 9, 2013.

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 9, 2013 at 9:43 a.m.:

That the Senate agreed to S. Con. Res. 10.
With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1703

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 5 o'clock and 3 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

BONNEVILLE UNIT CLEAN
HYDROPOWER FACILITATION ACT

Mr. WITTMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 254) to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bonneville Unit Clean Hydropower Facilitation Act".

SEC. 2. DIAMOND FORK SYSTEM DEFINED.

For the purposes of this Act, the term "Diamond Fork System" means the facilities described in chapter 4 of the October 2004 Supplement to the 1988 Definite Plan Report for the Bonneville Unit.

SEC. 3. COST ALLOCATIONS.

Notwithstanding any other provision of law, in order to facilitate hydropower development on the Diamond Fork System, the amount of reimbursable costs allocated to project power in Chapter 6 of the Power Appendix in the October 2004 Supplement to the 1988 Bonneville Unit Definite Plan Report, with regard to power development upstream of the Diamond Fork System, shall be considered final costs as well as costs in excess of the total maximum repayment obligation as defined in section 211 of the Central Utah Project Completion Act of 1992 (Public Law 102-575), and shall be subject to the same terms and conditions.

SEC. 4. NO PURCHASE OR MARKET OBLIGATION;
NO COSTS ASSIGNED TO POWER.

Nothing in this Act shall obligate the Western Area Power Administration to purchase or market any of the power produced by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be assigned to power for the purpose of Colorado River Storage Project ratemaking.

SEC. 5. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986, or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

SEC. 6. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this Act, hydropower production on

the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

SEC. 7. PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 8. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98-381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. WITTMAN) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. WITTMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 254, introduced by Congressman JASON CHAFFETZ of Utah, facilitates the development of 50 megawatts of clean and renewable hydroelectric power at existing Interior Department facilities in the Diamond Fork System in Utah. That is enough electricity to power over 50,000 homes.

The bill removes an administrative impediment to make this happen. As part of the Interior Department's current rules, the developer must first pay \$106 million even before investing in the capital cost to install hydropower generators. As Water and Power Subcommittee Chairman TOM MCCLINTOCK said, this requirement is akin to a family renting out a room but first requiring the renter to pay off their mortgage. The family is then shocked that nobody wants to rent from them and the family is not further along in paying off its mortgage and has denied itself rental income. The Congressional Budget Office concurred by stating:

The Federal Government is unlikely, under current law, to develop the hydropower resources of the Diamond Fork project for at least the next 10 years.

Therefore, this bill removes the requirement of paying for the sunk cost

and encourages non-Federal entities to pursue hydropower development at Diamond Fork. As a result, this legislation will generate \$4 million in revenue over a 10-year period. The House has passed this legislation twice in as many Congresses, and I urge my colleagues to support it again.

Mr. Speaker, I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume.

H.R. 254, introduced by my friend Mr. CHAFFETZ of Utah, would allow for the production of hydropower at existing facilities by deferring the debt associated with hydropower development on the Diamond Fork System, as you have heard.

This would facilitate the development of 50 megawatts of clean hydroelectric power while generating revenue for the government for the use of its water facilities. This is what we should want to see.

Mr. Speaker, I ask my colleagues to support its passage, and I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Mr. Speaker, I want to thank the bipartisan support that we've had in the passage of this legislation and urge its support.

H.R. 254 is a win for Federal taxpayers, the environment, and energy users. This bill allows for the development of 50 megawatts of clean, renewable hydropower on the Diamond Fork System in Utah and will generate \$600,000 per year for the Federal Government. In Utah, we are one of the fastest-growing areas in the Nation and we need this power.

Under current law, hydropower will not be developed on the Diamond Fork System due to a requirement that energy developers pay \$106 million to recover sunk costs that were incurred several years ago.

This \$106 million payment requirement renders the hydropower project economically unfeasible. According to the Congressional Budget Office doing an assessment on H.R. 254:

Among the reasons that CBO expects the site will probably not be developed over the next 10 years under current law is a requirement that project sponsors pay the Treasury for a portion of the Federal Government's previous investments in the water project.

H.R. 254 would waive the repayment requirement, making the project economically feasible. In addition, the developer would pay the Federal Government a \$600,000 per year fee, unrelated to the sunk cost, once the project is completed.

Massive amounts of energy are generated in the Diamond Fork unit as water flows downhill from Strawberry Reservoir to the Utah and Salt Lake Valleys. Energy dissipators are scattered throughout the pipeline to slow

the flow and disperse the energy. Under H.R. 254, the operators would be able to replace those dissipators with turbines, allowing the currently wasted energy to be converted into electricity.

With or without this bill, the Federal Government will not recover the \$106 million under any realistic scenario, and developers will not create 50 megawatts of renewable hydropower unless the sunk cost repayment requirement is waived. Additionally, the Federal Government will receive \$600,000 per year once the project is completed if the repayment requirement is waived.

This has had a number of hearings within the Natural Resources Committee. We appreciate the bipartisan support and spirit of this moving forward. I would urge passage by my colleagues. We need the energy. This is the best, clean way we can do it.

Mr. HOLT. Does the gentleman from Virginia have further speakers?

Mr. WITTMAN. Mr. Speaker, I have no further speakers.

Mr. HOLT. With that, I will repeat my advice to my colleagues that we support this legislation, and I yield back the balance of my time.

□ 1710

Mr. WITTMAN. Mr. Speaker, I concur with the gentleman from New Jersey in that this bill should pass, and I appreciate the bipartisan support.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill, H.R. 254.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HOLT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

AMERICAN BATTLEFIELD PROTECTION PROGRAM AMENDMENTS ACT OF 2013

Mr. WITTMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1033) to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Battlefield Protection Program Amendments Act of 2013".

SEC. 2. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION.

Section 7301(c) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11) is amended as follows:

(1) In paragraph (1)—
(A) by striking subparagraph (A) and inserting the following:

“(A) BATTLEFIELD REPORT.—The term ‘battlefield report’ means, collectively—

“(i) the report entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993; and

“(ii) the report entitled ‘Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States’, prepared by the National Park Service, and dated September 2007.”; and

(B) in subparagraph (C)(ii), by striking “Battlefield Report” and inserting “battlefield report”.

(2) In paragraph (2), by inserting “eligible sites or” after “acquiring”.

(3) In paragraph (3), by inserting “an eligible site or” after “acquire”.

(4) In paragraph (4), by inserting “an eligible site or” after “acquiring”.

(5) In paragraph (5), by striking “An” and inserting “An eligible site or an”.

(6) By redesignating paragraph (6) as paragraph (9).

(7) By inserting after paragraph (5) the following new paragraphs:

“(6) WILLING SELLERS.—Acquisition of land or interests in land under this subsection shall be from willing sellers only.

“(7) REPORT.—Not later than 5 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report on the activities carried out under this subsection, including a description of—

“(A) preservation activities carried out at the battlefields and associated sites identified in the battlefield report during the period between publication of the battlefield report and the report required under this paragraph;

“(B) changes in the condition of the battlefields and associated sites during that period; and

“(C) any other relevant developments relating to the battlefields and associated sites during that period.

“(8) PROHIBITION ON LOBBYING.—

“(A) IN GENERAL.—None of the funds provided pursuant to this section may be used for purposes of lobbying any person or entity regarding the implementation of this section or be granted, awarded, contracted, or otherwise be made available to any person, organization, or entity that participates in such lobbying.

“(B) LOBBYING DEFINED.—For purposes of this paragraph, the term ‘lobbying’ means to directly or indirectly pay for any personal service, advertisement, telegram, telephone call, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government to favor, adopt, or oppose by vote or otherwise, any legislation, law, ratification, policy, land use plan (including zoning), or appropriation of funds before or after the introduction of any bill, resolution, or other measure proposing such legislation, law, ratification, policy, or appropriation.”.

(8) In paragraph (9) (as redesignated by paragraph (6)), by striking “2013” and inserting “2018”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Virginia (Mr. WITTMAN) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. WITTMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

The American Battlefield Protection Act addressed the preservation and protection of Civil War battlefields through conservation easements or through the purchase of land from willing sellers with Federal grants. H.R. 1033 renews this effort which will soon expire and adds Revolutionary War and War of 1812 battlefields to those eligible for protection.

It is important to know that the bill we are considering mirrors the version from the last Congress that passed the House and included improvements made by the Natural Resources Committee. Specifically, the program sunset was moved up from 10 to 5 years, and we retained the existing authorization of appropriations to provide a more realistic funding level in these times of deficit spending.

Additionally, the committee added language to prohibit these funds from being used for lobbying activities or for being distributed to organizations that participate in lobbying. With so many existing needs within the National Park Service, we want to ensure that these funds go specifically for battlefield protection and not outside advocacy.

I would also like to point out that this legislation does not fund advocacy or educational seminars and programs. These grants are strictly available to State and local governments for battlefield protection. There is a separate and distinct Federal authorization for educational programs and partnership that is not part of this bill.

Mr. Speaker, with that, I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the American Battlefield Protection Program Amendments Act that Mr. WITTMAN and I have brought to the committee and now to the floor.

From Lexington, where the shot still reverberates, to Gettysburg, the site of the battle described so brilliantly and concisely by Lincoln, to the stories of the American Revolution and the Civil War, it is at the battlefields that we bring to life the ideals of liberty and democracy fostered by our Nation’s Founders.

History is best experienced by those who can touch it, feel it, live it; and the battlefields of the American Revolution, the War of 1812, and the Civil War provide a unique opportunity for Americans to experience where and how the epic struggle for our Nation’s independence and identity took place. Unfortunately, urbanization, suburban sprawl, and unplanned commercial and residential development are constantly encroaching on many of the significant battlefields of the Revolutionary War, the War of 1812, and the Civil War. This encroachment poses a severe and growing risk to the preservation of these historically significant sites.

Congress recognized this danger to our shared history and in the late 1990s created the American Battlefield Protection Program, a competitive grant program that matches Federal dollars with private money to preserve Civil War sites. Since Congress first appropriated funding for this program, it has helped to save more than 17,000 acres of hallowed ground in 14 States, again encouraging private funds for acquiring land from willing sellers.

The bill before us today, H.R. 1033, would build on the success of the American Battlefield Protection Program in preserving Civil War battlefield sites and would reauthorize this program and extend the protection and preservation to battlefields from the Revolutionary War and the War of 1812.

H.R. 1033 would allow officials at the American Battlefield Protection Program to collaborate with State and local governments and nonprofit organizations to preserve and protect the most endangered historical sites and provide up to 50 percent of the cost of purchasing the battlefield land threatened by sprawl and commercial development, again from willing sellers encouraging the use of private funds.

Previously, this legislation has been approved three times by this House with overwhelming bipartisan support, mostly unanimous.

In a markup in the House Natural Resources Committee last month, the American Battlefield Protection Program Amendments Act again passed unanimously.

As the Civil War Trust said in their letter supporting this legislation:

The battlefields of the American Revolutionary War, the War of 1812, and the Civil War provide a unique opportunity for Americans to experience the epic battles that helped define our Nation. Preserving these American historic treasures is essential to remember the sacrifices that our ancestors made to secure our freedom and independence and preserve our Republic.

With the ongoing bicentennial commemoration of the War of 1812 and the ongoing sesquicentennial commemoration of the Civil War, this is an opportune time to recommit ourselves to the protection of our Nation’s hallowed grounds. Historical sites, once lost, are gone forever. We should act now to preserve these valuable sites.

The National Park Service has done an inventory of sites around the country, and they point to many that need this protection now.

I thank my colleague from Virginia for his enthusiastic support. I point out that there is strong bipartisan support for this legislation as cosponsors and other supporters. And I urge my colleagues to join us in supporting this bill.

With that, I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

As an original cosponsor of H.R. 1033, I would like to express my appreciation to Mr. HOLT for his continued leadership to preserve and protect important historic battlefields throughout the United States, including those in his home State of New Jersey, which is better known as the “crossroads of the American Revolution.”

As a Virginian, this legislation is also especially notable as it will continue to preserve important hallowed ground from our Nation’s independence and the Civil War. The Civil War Battlefield Preservation program has been particularly beneficial to the Commonwealth of Virginia. As a result, hard-fought acres of battleground have been preserved in pivotal sites such as Appomattox, Cedar Creek, Chancellorsville, Fredericksburg, Manassas, Petersburg, and Richmond.

Preserving battlefields does more than just honor those who fought in those battles; it protects important places from development. I want to make sure that we continue those efforts in ensuring that we make the effort to keep these battlefields in their proper place in this Nation’s history.

I also would like to emphasize that this program doesn’t increase the amount of Federal land. I know there’s been some criticism to say this is an effort to increase Federal land within this program. While it does increase and expand those battlefield areas that are eligible under the program, it doesn’t increase the amount of Federal land in this particular project.

□ 1720

I want to make sure people understand that because this is really for the protection of battlefields outside of national park boundaries, giving those concerned within those areas the ability to help preserve those lands. There is no additional management burden on the Federal Government, so these lands are not going to become part of a system in which we have to incur more costs to maintain those lands. It’s the ability to make sure that we preserve those lands. Especially today, with the encroachment of development in these areas, these critical, historical sites must be preserved, and this gives the folks in those areas the flexibility and the tools—the ability—to preserve these lands.

Mr. Speaker, I reserve the balance of my time.

Mr. HOLT. Mr. Speaker, in closing, I thank my good friend from Virginia, and would reiterate what he has said.

In fact, the original legislation, which we are reauthorizing and extending through this bill, grew out of Virginia. It was because of the critical battlefields in Virginia that were at risk of being lost that this battlefield protection legislation was developed, but it will be beneficial across many States.

If you look where the War of 1812 was fought—in the Deep South and around the Great Lakes—and where the Revolutionary War was fought, which was up and down the Thirteen Colonies, this is something that is of great national importance; and because the authorization is about to expire, it is needed; and because so many of these battlefields are at great risk of being overrun by sprawl and development, it is at the greatest need now.

I urge my colleagues to support it, and I yield back the balance of my time.

Mr. WITTMAN. I yield myself such time as I may consume.

As Mr. HOLT said, preserving battlefields is extraordinarily important, but it does more than just honor those who have fought in the past: it’s important that it protects these places that are so important in our Nation’s history.

Preserving these battlefields contributes economically to local businesses and to historic communities in these areas across the country. According to a recent study, in just five States, those States including Missouri, Pennsylvania, South Carolina, Tennessee, and Virginia, 15.8 million visitors went to these Civil War sites and spent nearly \$442 million in those local communities and supported 5,150 jobs. We talk all the time up here about jobs and the economy. This is something that we can do to improve and enhance jobs and the economy in these local communities.

We are blessed in Virginia, as Mr. HOLT said, with a rich history. According to the Virginia Tourism Corporation, Civil War site visitors stay longer and spend more than twice as much as the average visitor to the Commonwealth. Preserving battlefields is good for local communities and businesses, and it’s good for jobs and the economy.

Mr. HOLT. Will the gentleman yield?

Mr. WITTMAN. I yield to the gentleman from New Jersey.

Mr. HOLT. I would like to add to his economic numbers the fiscal fact that this does not appropriate any funds. We are just reauthorizing existing legislation and extending it.

I thank the gentleman.

Mr. WITTMAN. Mr. Speaker, again, the bill continues a modest investment of Federal resources to protect these hallowed grounds where independence was won and our Republic secured.

I do want to reiterate what Mr. HOLT said in that this legislation does not increase authorized spending. Proponents of this program sought to double the annual spending authorization and add Revolutionary War and the War of 1812 sites to those eligible for grants, but the committee made sure that there was no increase in spending and insisted that the proposal be added to keep the authorization flat at these current levels when adding additional war sites. We wanted to make sure we had the opportunity for sites to be included, but in understanding where we are with the Nation’s deficit, we wanted to make sure that we could preserve these sites without adding to the deficit. I think this is a very responsible way to do that, to make sure that communities have the ability to do the things they need to do, and also to make sure we keep in mind the times that we face here at the Federal level.

So I believe it’s an extraordinarily good bill, and I urge my colleagues to support H.R. 1033.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill, H.R. 1033.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WITTMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o’clock and 25 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o’clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 678, BUREAU OF RECLAMATION SMALL CONDUIT HYDRO-POWER DEVELOPMENT AND RURAL JOBS ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 113-31) on the resolution (H. Res. 140) providing for consideration of the bill (H.R. 678) to

authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motion to suspend the rules on H.R. 254; motion to suspend the rules on H.R. 1033; and approval of the Journal, in each case by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 254) to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 400, nays 4, not voting 27, as follows:

[Roll No. 90]

YEAS—400

Aderholt	Buchanan	Conyers
Alexander	Bucshon	Cook
Amodei	Burgess	Cooper
Andrews	Bustos	Costa
Bachmann	Calvert	Cotton
Bachus	Camp	Courtney
Barber	Campbell	Cramer
Barletta	Cantor	Crawford
Barr	Capito	Crenshaw
Barrow (GA)	Capps	Crowley
Barton	Capuano	Cuellar
Bass	Cárdenas	Daines
Beatty	Carney	Davis (CA)
Becerra	Carson (IN)	Davis, Danny
Benishke	Carter	Davis, Rodney
Bentivolio	Cartwright	DeFazio
Bera (CA)	Cassidy	DeGette
Bishop (GA)	Castro (TX)	Delaney
Bishop (NY)	Chabot	DeLauro
Bishop (UT)	Chaffetz	DelBene
Black	Chu	Denham
Blackburn	Cicilline	Dent
Blumenauer	Clarke	DeSantis
Bonamici	Clay	DesJarlais
Bonner	Cleaver	Deutch
Boustany	Clyburn	Diaz-Balart
Brady (PA)	Coble	Dingell
Brady (TX)	Coffman	Doggett
Braley (IA)	Cole	Doyle
Bridenstine	Collins (GA)	Duckworth
Brooks (IN)	Collins (NY)	Duffy
Brown (FL)	Conaway	Duncan (SC)
Brownley (CA)	Connolly	Duncan (TN)

Edwards	Labrador	Rahall
Ellison	LaMalfa	Rangel
Elmers	Lamborn	Reed
Engel	Lance	Reichert
Enyart	Langevin	Renacci
Eshoo	Lankford	Ribble
Esty	Larsen (WA)	Rice (SC)
Farenthold	Larson (CT)	Richmond
Farr	Latham	Rigell
Fattah	Latta	Roby
Fincher	Lee (CA)	Roe (TN)
Fitzpatrick	Levin	Rogers (AL)
Fleischmann	Lewis	Rogers (KY)
Fleming	Lipinski	Rogers (MI)
Flores	LoBlundo	Rokita
Forbes	Loftgren	Rooney
Fortenberry	Long	Roskam
Foster	Lowenthal	Ross
Fox	Lowe	Rothfus
Frankel (FL)	Lucas	Roybal-Allard
Franks (AZ)	Luetkemeyer	Royce
Frelinghuysen	Luján, Ben Ray	Ruiz
Fudge	(NM)	Runyan
Gabbard	Lummis	Rush
Gallego	Maffei	Ryan (WI)
Garcia	Maloney, Sean	Salmon
Gardner	Marchant	Sánchez, Linda
Garrett	Marino	T.
Gerlach	Massie	Sanchez, Loretta
Gibbs	Matheson	Sarbanes
Gibson	Matsui	Scalise
Gingrey (GA)	McCarthy (CA)	Schakowsky
Goodlatte	McCarthy (NY)	Schiff
Gosar	McCaul	Schneider
Gowdy	McClintock	Schock
Granger	McCollum	Schrader
Graves (GA)	McGovern	Schwartz
Graves (MO)	McHenry	Schweikert
Grayson	McIntyre	Scott (VA)
Green, Al	McKeon	Scott, Austin
Green, Gene	McKinley	Scott, David
Griffin (AR)	McMorris	Sensenbrenner
Griffith (VA)	Rodgers	Serrano
Grimm	McNerney	Sessions
Guthrie	Meadows	Sewell (AL)
Hahn	Meehan	Shea-Porter
Hall	Meeks	Sherman
Hanabusa	Meng	Shimkus
Hanna	Messer	Shuster
Harper	Mica	Simpson
Harris	Miller (FL)	Sinema
Hartzler	Miller (MI)	Sires
Hastings (WA)	Miller, Gary	Slaughter
Heck (NV)	Miller, George	Smith (NE)
Heck (WA)	Moore	Smith (NJ)
Hensarling	Moran	Smith (TX)
Herrera Beutler	Mullin	Smith (WA)
Higgins	Mulvaney	Southerland
Himes	Murphy (FL)	Speier
Hinojosa	Murphy (PA)	Stewart
Holding	Nadler	Stivers
Holt	Napolitano	Stockman
Honda	Neal	Stutzman
Horsford	Negrete McLeod	Swalwell (CA)
Hoyer	Neugebauer	Takano
Hudson	Nolan	Terry
Huelskamp	Nugent	Thompson (CA)
Huffman	Nunes	Thompson (MS)
Huizenga (MI)	Nunnelee	Thompson (PA)
Hultgren	O'Rourke	Thornberry
Hunter	Olson	Tiberi
Hurt	Owens	Tierney
Israel	Palazzo	Tipton
Issa	Pallone	Titus
Jackson Lee	Pascarella	Tonko
Jeffries	Pastor (AZ)	Tsongas
Jenkins	Paulsen	Turner
Johnson (GA)	Payne	Upton
Johnson (OH)	Pearce	Valadao
Johnson, E. B.	Pelosi	Van Hollen
Johnson, Sam	Perlmutter	Vargas
Jones	Perry	Veasey
Jordan	Peters (CA)	Vela
Joyce	Peters (MI)	Velázquez
Keating	Peterson	Visclosky
Kelly	Petri	Wagner
Kennedy	Pingree (ME)	Walberg
Kilmer	Pittenger	Walden
Kind	Pitts	Walorski
King (IA)	Pocan	Walz
King (NY)	Polis	Wasserman
Kingston	Pompeo	Schultz
Kinzinger (IL)	Posey	Waters
Kirkpatrick	Price (GA)	Watt
Kline	Price (NC)	Waxman
Kuster	Quigley	Weber (TX)

Webster (FL)	Wilson (SC)	Yoder
Welch	Wittman	Yoho
Wenstrup	Wolf	Young (AK)
Westmoreland	Womack	Young (FL)
Williams	Woodall	Young (IN)
Wilson (FL)	Yarmuth	

NAYS—4

Amash	Kaptur
Garamendi	McDermott

NOT VOTING—27

Bilirakis	Gutierrez	Michaud
Brooks (AL)	Hastings (FL)	Noem
Broun (GA)	Kildee	Poe (TX)
Butterfield	Loeb sack	Radel
Castor (FL)	Lujan Grisham	Rohrabacher
Cohen	(NM)	Ros-Lehtinen
Culberson	Lynch	Ruppersberger
Cummings	Maloney,	Ryan (OH)
Gohmert	Carolyn	Whitfield
Grijalva	Markey	

□ 1856

Mr. CAPUANO changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTA- TIVES ON THE DEATH OF THE BARONESS MARGARET THATCHER, FORMER PRIME MINISTER OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Mr. CANTOR. Madam Speaker, I send to the desk a resolution and ask unanimous consent for its immediate consideration in the House, and further ask unanimous consent that it be read in full.

The SPEAKER pro tempore (Mrs. ROBY). Without objection, the Clerk will report the resolution.

There was no objection.

The Clerk read as follows:

H. RES. 141

Resolved, That the House of Representatives has learned with profound sorrow of the death of Baroness Margaret Thatcher, former Prime Minister of the United Kingdom of Great Britain and Northern Ireland and recipient of the Presidential Medal of Freedom.

Resolved, That the House of Representatives tenders its deep sympathies to the members of the family of the late Baroness Margaret Thatcher and her countrymen.

Resolved, That the House of Representatives honors the legacy of Baroness Margaret Thatcher for her life-long commitment to advancing freedom, liberty, and democracy and for her friendship to the United States of America.

Resolved, That the Secretary of State be requested to communicate these expressions of sentiment to the family of the deceased and to the Parliament of the United Kingdom of Great Britain and Northern Ireland.

Resolved, That when the House adjourns today it do so as a mark of respect to the memory of the late Baroness Margaret Thatcher.

The SPEAKER pro tempore. Without objection, the resolution is agreed to,

and the motion to reconsider is laid on the table.

There was no objection.

AMERICAN BATTLEFIELD PROTECTION PROGRAM AMENDMENTS ACT OF 2013

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1033) to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 283, nays 122, not voting 26, as follows:

[Roll No. 91]

YEAS—283

Aderholt	Conyers	Goodlatte
Alexander	Cook	Granger
Amodei	Cooper	Grayson
Andrews	Costa	Green, Al
Bachmann	Courtney	Green, Gene
Bachus	Cramer	Griffin (AR)
Barber	Crawford	Grimm
Barletta	Crenshaw	Hahn
Barrow (GA)	Crowley	Hanabusa
Barton	Cuellar	Harper
Bass	Daines	Hastings (WA)
Beatty	Davis (CA)	Heck (NV)
Becerra	Davis, Danny	Heck (WA)
Bera (CA)	DeFazio	Herrera Beutler
Bishop (GA)	DeGette	Higgins
Bishop (NY)	Delaney	Himes
Blackburn	DeLauro	Holt
Blumenauer	DelBene	Honda
Bonamici	Denham	Horsford
Bonner	Dent	Huffman
Brady (PA)	Deutch	Hurt
Brady (TX)	Diaz-Balart	Israel
Braley (IA)	Dingell	Jackson Lee
Brown (FL)	Doggett	Jeffries
Brownley (CA)	Doyle	Johnson (GA)
Buchanan	Duckworth	Johnson (OH)
Bustos	Duffy	Johnson, E. B.
Calvert	Edwards	Joyce
Camp	Ellison	Kaptur
Campbell	Ellmers	Keating
Cantor	Engel	Kelly
Capito	Enyart	Kennedy
Capps	Eshoo	Kilmer
Capuano	Esty	Kind
Cárdenas	Farr	King (NY)
Carney	Fattah	Kinzinger (IL)
Carson (IN)	Fitzpatrick	Kirkpatrick
Carter	Forbes	Kline
Cartwright	Fortenberry	Kuster
Castro (TX)	Foster	LaMalfa
Chu	Fox	Lance
Cicilline	Frankel (FL)	Langevin
Clarke	Frelinghuysen	Larsen (WA)
Clay	Fudge	Larson (CT)
Cleaver	Gabbard	Lee (CA)
Clyburn	Gallego	Levin
Coble	Garamendi	Lewis
Coffman	Garcia	Lipinski
Cole	Gerlach	Lofgren
Collins (NY)	Gibson	Lowenthal
Connolly	Gingrey (GA)	Lowey

Lucas	Pelosi	Shimkus
Lujan, Ben Ray	Perlmutter	Sinema
(NM)	Peters (CA)	Sires
Lummis	Peters (MI)	Slaughter
Maffei	Peterson	Smith (NJ)
Maloney, Sean	Petri	Smith (WA)
Matheson	Pingree (ME)	Speier
Matsui	Pocan	Stewart
McCarthy (CA)	Polis	Stivers
McCarthy (NY)	Posey	Swalwell (CA)
McCaul	Price (NC)	Takano
McCollum	Quigley	Thompson (CA)
McDermott	Rahall	Thompson (MS)
McGovern	Rangel	Thompson (PA)
McIntyre	Reichert	Tierney
McKeon	Richmond	Tipton
McKinley	Rigell	Titus
McMorris	Roby	Tonko
Rodgers	Roe (TN)	Tsongas
McNerney	Rogers (AL)	Turner
Meehan	Rogers (KY)	Upton
Meeks	Rooney	Valadao
Meng	Roskam	Van Hollen
Miller, Gary	Roybal-Allard	Vargas
Miller, George	Ruiz	Veasey
Moore	Runyan	Vela
Moran	Rush	Velázquez
Mullin	Ryan (WI)	Visclosky
Murphy (FL)	Sanchez, Linda	Walberg
Murphy (PA)	T.	Walz
Nadler	Sanchez, Loretta	Wasserman
Napolitano	Sarbanes	Schultz
Neal	Schakowsky	Waters
Negrete McLeod	Schiff	Watt
Nolan	Schneider	Waxman
Nunes	Schock	Welch
Nunnelee	Schrader	Whitfield
O'Rourke	Schwartz	Wilson (FL)
Owens	Scott (VA)	Wittman
Pallone	Scott, Austin	Wolf
Pascarell	Scott, David	Womack
Pastor (AZ)	Serrano	Yarmuth
Paulsen	Sewell (AL)	Young (FL)
Payne	Shea-Porter	Young (IN)
Pearce	Sherman	

NAYS—122

Amash	Hartzler	Pompeo
Barr	Hensarling	Price (GA)
Benishek	Holding	Radel
Bentivolio	Hudson	Reed
Bishop (UT)	Huelskamp	Renacci
Black	Huizenga (MI)	Ribble
Boustany	Hultgren	Rice (SC)
Bridenstine	Hunter	Rogers (MI)
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins	Ross
Bucshon	Johnson, Sam	Rothfus
Burgess	Jones	Royce
Cassidy	Jordan	Salmon
Chabot	King (IA)	Scalise
Chaffetz	Kingston	Schweikert
Collins (GA)	Labrador	Sensenbrenner
Conaway	Lamborn	Sessions
Cotton	Lankford	Shuster
Davis, Rodney	Latham	Simpson
DeSantis	Latta	Smith (NE)
DesJarlais	LoBiondo	Smith (TX)
Duncan (SC)	Long	Southerland
Duncan (TN)	Luetkemeyer	Stockman
Farenthold	Marchant	Stutzman
Fincher	Marino	Terry
Fleischmann	Massie	Thornberry
Fleming	McClintock	Tiberi
Flores	McHenry	Wagner
Franks (AZ)	Meadows	Walden
Gardner	Messer	Walorski
Garrett	Mica	Weber (TX)
Gibbs	Miller (FL)	Webster (FL)
Gosar	Miller (MI)	Westrup
Gowdy	Mulvaney	Westmoreland
Graves (GA)	Neugebauer	Williams
Graves (MO)	Nugent	Wilson (SC)
Griffith (VA)	Olson	Woodall
Guthrie	Palazzo	Yoder
Hall	Perry	Yoho
Hanna	Pittenger	Young (AK)
Harris	Pitts	

NOT VOTING—26

Bilirakis	Culberson	Hastings (FL)
Broun (GA)	Cummings	Hinojosa
Butterfield	Gummert	Hoyer
Castor (FL)	Grijalva	Kildee
Cohen	Gutierrez	Loeback

Lujan Grisham	Markey	Ros-Lehtinen
(NM)	Michael	Ruppersberger
Lynch	Noem	Ryan (OH)
Maloney,	Poe (TX)	
Carolyn	Rohrabacher	

□ 1907

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HINOJOSA. Madam Speaker, on rollcall No. 91, had I been present, I would have voted "yea."

THE JOURNAL

The SPEAKER pro tempore (Mr. HULTGREN). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 294, nays 104, answered "present" 1, not voting 32, as follows:

[Roll No. 92]

YEAS—294

Aderholt	Collins (NY)	Gowdy
Alexander	Conaway	Granger
Amodei	Cook	Grayson
Bachmann	Cooper	Grimm
Bachus	Cramer	Guthrie
Barber	Crawford	Hahn
Barletta	Crenshaw	Hall
Barrow (GA)	Cuellar	Hanabusa
Barton	Daines	Harper
Bass	Davis (CA)	Harris
Beatty	Davis, Danny	Hartzler
Becerra	DeFazio	Hastings (WA)
Bentivolio	DeGette	Heck (WA)
Bishop (GA)	Delaney	Hensarling
Bishop (UT)	DeLauro	Higgins
Black	DelBene	Himes
Blackburn	DeSantis	Hinojosa
Blumenauer	Deutch	Holt
Bonamici	Diaz-Balart	Horsford
Bonner	Dingell	Hoyer
Boustany	Doggett	Huffman
Brady (TX)	Doyle	Hultgren
Braley (IA)	Duckworth	Hunter
Bridenstine	Duncan (SC)	Hurt
Brooks (AL)	Duncan (TN)	Issa
Brooks (IN)	Edwards	Jackson Lee
Brown (FL)	Ellison	Jeffries
Brownley (CA)	Ellmers	Johnson (GA)
Buchanan	Engel	Johnson, E. B.
Bucshon	Enyart	Johnson, Sam
Bustos	Eshoo	Kaptur
Calvert	Esty	Keating
Camp	Farr	Kelly
Campbell	Fattah	Kennedy
Cantor	Fincher	King (IA)
Capito	Fleischmann	King (NY)
Capps	Fleming	Kingston
Cárdenas	Forbes	Kline
Carney	Fortenberry	Kuster
Carson (IN)	Foster	Labrador
Cartwright	Frankel (FL)	LaMalfa
Castro (TX)	Franks (AZ)	Lamborn
Cassidy	Frelinghuysen	Lankford
Chabot	Gabbard	Larsen (WA)
Chaffetz	Gallego	Larson (CT)
Cicilline	Garamendi	Lee (CA)
Clarke	Garrett	Levin
Clay	Gibbs	Lipinski
Cleaver	Goodlatte	Lofgren
Clyburn	Gosar	Long
Cole		Lowenthal

Lowey	Pearce	Sinema	Gutierrez	Maloney	Rohrabacher
Lucas	Pelosi	Smith (NE)	Hastings (FL)	Carolyn	Ros-Lehtinen
Luetkemeyer	Perlmutter	Smith (NJ)	Kildee	Markay	Roybal-Allard
Luján, Ben Ray	Perry	Smith (TX)	Kind	Michaud	Ruppersberger
(NM)	Peters (CA)	Smith (WA)	Loeb sack	Miller (FL)	Ryan (OH)
Lummis	Petri	Speier	Lujan Grisham	Noem	Simpson
Maloney, Sean	Pitts	Stewart	(NM)	Pingree (ME)	
Marino	Pocan	Stockman	Lynch	Poe (TX)	
Massie	Polis	Stutzman			
Matsui	Pompeo	Swalwell (CA)			
McCarthy (CA)	Posey	Takano			
McCarthy (NY)	Price (NC)	Thompson (PA)			
McCaul	Quigley	Thornberry			
McClintock	Rangel	Tierney			
McCollum	Rice (SC)	Titus			
McHenry	Richmond	Tonko			
McIntyre	Roby	Tsongas			
McKeon	Roe (TN)	Upton			
McKinley	Rogers (AL)	Van Hollen			
McMorris	Rogers (KY)	Vargas			
Rodgers	Rokita	Veasey			
McNerney	Roskam	Vela			
Meadows	Ross	Wagner			
Meehan	Rothfus	Walberg			
Meeks	Royce	Walden			
Meng	Ruiz	Walorski			
Messer	Runyan	Walz			
Mica	Ryan (WI)	Wasserman			
Miller (MI)	Sánchez, Linda	Schultz			
Miller, Gary	T.	Waters			
Moore	Sanchez, Loretta	Watt			
Moran	Scalise	Waxman			
Mullin	Schiff	Weber (TX)			
Mulvaney	Schneider	Webster (FL)			
Murphy (FL)	Schock	Welch			
Murphy (PA)	Schrader	Wenstrup			
Nadler	Schwartz	Westmoreland			
Napolitano	Schweikert	Whitfield			
Negrete McLeod	Scott (VA)	Williams			
Neugebauer	Scott, Austin	Wilson (FL)			
Nugent	Scott, David	Wilson (SC)			
Nunes	Sensenbrenner	Wolf			
Nunnelee	Serrano	Womack			
O'Rourke	Sessions	Yarmuth			
Olson	Sewell (AL)	Yoho			
Palazzo	Shea-Porter	Young (FL)			
Pascrell	Sherman	Young (IN)			
Paulsen	Shimkus				
Payne	Shuster				

NAYS—104

Amash	Griffin (AR)	Peters (MI)
Andrews	Griffith (VA)	Peterson
Barr	Hanna	Pittenger
Benishkek	Heck (NV)	Price (GA)
Bera (CA)	Herrera Beutler	Radel
Bishop (NY)	Holding	Rahall
Brady (PA)	Honda	Reed
Burgess	Hudson	Reichert
Capuano	Huelskamp	Renacci
Chu	Huizenga (MI)	Ribble
Coffman	Israel	Rigell
Collins (GA)	Jenkins	Rogers (MI)
Conyers	Johnson (OH)	Rooney
Costa	Jones	Rush
Cotton	Jordan	Salmon
Courtney	Joyce	Sarbanes
Crowley	Kilmer	Schakowsky
Davis, Rodney	Kinzinger (IL)	Sires
Denham	Kirkpatrick	Slaughter
Dent	Lance	Southerland
DesJarlais	Langevin	Stivers
Duffy	Latham	Terry
Farenthold	Latta	Thompson (CA)
Fitzpatrick	Lewis	Thompson (MS)
Flores	LoBiondo	Tiberi
Fox	Maffei	Tipton
Garcia	Marchant	Turner
Gardner	Matheson	Valadao
Gerlach	McDermott	Velázquez
Gibson	McGovern	Visclosky
Gingrey (GA)	Miller, George	Wittman
Graves (GA)	Neal	Woodall
Graves (MO)	Nolan	Yoder
Green, Al	Pallone	Young (AK)
Green, Gene	Pastor (AZ)	

ANSWERED "PRESENT"—1

Owens

NOT VOTING—32

Bilirakis	Castor (FL)	Culberson
Broun (GA)	Coble	Cummings
Butterfield	Cohen	Gohmert
Carter	Connolly	Grijalva

Gutierrez	Maloney	Rohrabacher
Hastings (FL)	Carolyn	Ros-Lehtinen
Kildee	Markay	Roybal-Allard
Kind	Michaud	Ruppersberger
Loeb sack	Miller (FL)	Ryan (OH)
Lujan Grisham	Noem	Simpson
(NM)	Pingree (ME)	
Lynch	Poe (TX)	

□ 1916

So the Journal was approved.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1202

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I ask unanimous consent to remove Representative JOE WILSON from H.R. 1202.

The SPEAKER pro tempore (Mr. MEADOWS). Is there objection to the request of the gentleman from Georgia?

There was no objection.

GE TRANSPORTATION
RESTRUCTURING OPERATIONS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, GE Transportation, a division of General Electric, is a locomotive manufacturing facility in Lawrence Park, Erie County, which is located in Pennsylvania's Fifth Congressional District. The plant is one of the largest employers in the county with over 5,500 employees.

Earlier today, GE announced its intent to restructure operations, which could result in over 950 employees being impacted—a tremendous loss for Erie County, especially for the individuals and families directly impacted. Company officials cited “lower order and production volume within locomotive and mining businesses due to decreased coal demand” as the justification for the decision.

GE supplies locomotives to the freight-rail industry, which has relied more on coal than any other commodity. The announcement is another reminder of how the administration's regulatory agenda is impacting more and more businesses connected to the coal supply chain. Equally so, it raises questions as to what the Commonwealth of Pennsylvania can do to become more competitive and improve business retention.

While this is a major upset and I am extremely disappointed, in moving forward we must pull together as a community and support those who have been affected by this decision.

EQUAL PAY DAY

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Mr. Speaker, today is Equal Pay Day, and June will mark the 50th anniversary of President Kennedy signing the Equal Pay Act. Despite these markers of recognition and achievement, discrimination through the form of a staggering wage gap still exists.

In San Diego, a woman is paid 84 cents for every dollar a man is paid for the same job with the same experience. That means, together, San Diego women earn nearly \$3.2 billion less each year than their male counterparts for performing the same work. For a woman working in San Diego, the wage gap represents 60 weeks of food, 4 weeks of mortgage and utility payments, 7 months of rent, or 2,035 gallons of gasoline.

To me, it's remarkable that this is still an issue, so in my first month in Congress I cosponsored Congresswoman ROSA DELAUNO's Paycheck Fairness Act. It addresses the continuing discrepancy in pay and strengthens the Equal Pay Act by providing for greater enforcement of and remedies to gender discrimination in the payment of wages.

For my daughter and her daughters, for the women of San Diego, and for women across the Nation, I encourage every Member in this body to stand up for women and help pass the Paycheck Fairness Act.

□ 1920

EQUAL PAY DAY

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, today, the 9th of April, is called Equal Pay Day because it marks the number of days into 2013 women had to work to equal the salary made by their male counterparts in 2012. It is a sad reality that women systemically continue to be paid less than men for doing the same work.

As families increasingly rely on women's wages to make ends meet, equal pay is not simply a women's issue; it is a family issue that impacts our national economy. On average, women receive only 77 cents for every dollar paid to male workers. This disparity results in the loss of nearly \$11,000 a year, or the equivalent of 4 months of groceries, 5 months of child care, and over 6 months of rent and utilities.

In my home State of California, the wage gap is even more pronounced for black and Latina women, who receive just 64 cents and 42 cents, respectively, for every dollar paid to white men.

Mr. Speaker, we have the power to correct this injustice that hurts families and the economy. I urge the Republican leadership to allow a vote on the Paycheck Fairness Act.

EQUAL PAY DAY

(Ms. DUCKWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUCKWORTH. Mr. Speaker, America's daughters deserve better. Today, in the United States, women make only 77 cents for every dollar their male peers earn. In my home State of Illinois, women earn nearly \$12,000 a year less than their male counterparts.

During my service in the Army, compared to my male counterparts, I received equal pay for equal work. This policy of fairness has helped make our military the strongest, fiercest in the world.

Pay discrimination doesn't just hurt women; it hurts working families in towns like Itasca and Elgin, Illinois. I know that my neighbors in the Eighth Congressional District believe that their daughters deserve better than this.

Pay equality for women is not only the right thing to do, but it will make our economy stronger; it will make our families stronger; it will make America stronger.

So, on Equal Pay Day, let us recommit ourselves to doing everything in our power to end pay inequality for our country. Congress needs to act now and pass the Paycheck Fairness Act so that women have the opportunity to stand up to this discrimination.

CLIMATE CHANGE

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, I rise on behalf of the Safe Climate Caucus to challenge the Republicans on the Energy and Commerce Committee to a debate on climate change.

In the last Congress, the Republicans in our committee voted that climate change is a hoax. They voted 53 times to block action on climate change. They voted to defund research, to block action by EPA to control pollution, to prevent energy efficiency measures from going into effect, and to stop the administration from encouraging developing countries to do their part.

This year, they have gone silent. They refuse to hear the views of our premier scientific institutions, but they won't justify their inaction. They won't hold hearings. They won't listen to experts. That's why the members of the Safe Climate Caucus are challenging them to come to the floor and debate us.

We are elected to solve problems, not to ignore them. Let's have the debate about how to solve the climate issue.

EQUAL PAY DAY

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, today, Tuesday, April 9, is Equal Pay Day because it symbolizes how far in 2013 women must work in order to make what their male counterparts earned in 2012. This means that it took more than 3 months in 2013 for women's wages to finally catch up to what men were paid in 2012.

For working mothers who have to put food on the table and the retired women whose income is tied to their former salary, the wage gap means real dollars.

Listen to this. In south Florida, if the wage gap was eliminated, a working woman would have enough money for 51 more weeks of food, 3 months more of mortgage and utility payments, 5 more months of rent, or 1,600 additional gallons of gas.

Equal pay is about fairness and it's about families.

EQUAL PAY DAY

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, I rise today in recognition of Equal Pay Day. It's the day in 2013 when women finally earn what their male peers did in 2012. Put another way, women work 15½ months to make what a man makes in 12.

Fifty years ago, President Kennedy signed the Equal Pay Act into law. Yet half a century later, women still earn only 77 cents to the dollar compared to their male peers. These gaps are even wider for women of color. African American women earn just 64 cents and Latinas earn 55 cents for every dollar.

Sadly, not a single State or major metropolitan area has eliminated the wage gap. In Maryland, the National Partnership for Women and Families found that women who are employed full time lose \$7.8 billion each year due to this wage gap.

We passed the Lily Ledbetter Fair Pay Act 4 years ago to restore the right of women to challenge unfair pay in court, but here the gap persists. We must pass the Paycheck Fairness Act to strengthen the Equal Pay Act and help gender-based discrimination end once and for all.

We all benefit when women earn equal pay. Closing the wage gap must be an integral part of strengthening America's working families and our economy.

REMEMBERING SERGEANT FIRST CLASS JAMES GRISSOM

(Mr. SWALWELL of California asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, for the many in the world to live free, we must rely upon the sacrifices of the few in our armed services. On March 21, we lost Sergeant First Class James Grissom of Hayward, California, while serving Operation Enduring Freedom in Afghanistan.

Sergeant Grissom graduated from Mount Eden High School in 1999, and he earned a degree from the Art Institute of San Francisco before enlisting in the Army. He was assigned to the 4th Battalion, 1st Special Forces Group. As a Special Forces soldier, Sergeant Grissom was physically and mentally strong and honored with many medals, including the Bronze Star and the NATO Medal.

His work as a soldier brightly illustrates the heroism of the servicemembers who serve our country and are dedicated to protecting our freedom. I am forever grateful for Sergeant Grissom's sacrifice and service.

Even after Sergeant Grissom passed away, his service to others continued. Years ago, Sergeant Grissom chose to be an organ donor, and his organs were used recently to help others in need across the world.

We shall not forget the sacrifice and honor of Sergeant Grissom. For his country, he gave his life; for the rest of the world, he gives his body.

EQUAL PAY DAY

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today, as we mark Equal Pay Day, we face the alarming reality that women still earn just 77 cents for every dollar earned by a man. As a Nation, we must do better than this.

Women in my State of New Hampshire who work full time earn over \$12,000 less every year than men. That wage gap has real consequences. Smaller paychecks make it harder for families to purchase health care, to send their kids to college, and to save for retirement. That doesn't just hurt women; it hurts our entire community and our economy.

To prevent wage discrimination and to protect its victims, Congress must pass the Paycheck Fairness Act. We must recommit ourselves to being a Nation that rewards the hard work of all Americans, regardless of gender. Mothers, sisters, and daughters across New Hampshire deserve nothing less.

□ 1930

EQUAL PAY DAY

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

Mr. CARNEY. Mr. Speaker, I rise today to recognize Equal Pay Day and call for passage of the Paycheck Fairness Act.

In my home State of Delaware, a full-time working woman is paid nearly \$10,000 less than a man who works full time. That means women in Delaware make 80 cents for every dollar men make; and for women of color, the pay gap is even worse.

If this pay gap were eliminated, women in my State and across the country would have more money to spend on rent, more money for child care, more money for gas, and more money for food.

Above all, a system that pays men more than women for doing the same job is just not fair; and as Members of Congress, we should do something to fix it. That's why I'm a cosponsor of the Paycheck Fairness Act. This bill would make it harder for employers to engage in discrimination against women in the form of unequal pay.

I urge my colleagues to pass the Paycheck Fairness Act so women in Delaware who do the same jobs for the same hours get the same paycheck as their male counterparts.

EQUAL PAY DAY

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, today is Equal Pay Day, a day to remind all Americans and all my colleagues here in Congress that discrimination and paycheck inequality still exists in the general workplace.

Nationally, women earn only 77 cents for every dollar a man earns. That income disparity must end now. And while women in my home State of California are paid 85 cents for every dollar paid to men, we must do more. To live in a country where women do not earn equal pay for equal work is sad and embarrassing.

What does equality look like, Mr. Speaker? Equality looks like the Civil Rights Act of 1964; equality looks like the Voting Rights Act of 1965; and equality needs to look like the Paycheck Fairness Act, which has yet to be passed.

I urge the Speaker to bring this much needed bill to the House floor as soon as possible.

To my constituents, please join me on Facebook tomorrow for a town hall meeting where I will be answering your questions about equality and what steps we should be taking to achieve equality for all. Please visit Facebook.com/RepLowenthal to join the conversation.

EQUAL PAY DAY

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, today we rise in support of Equal Pay Day.

Equal Pay Day symbolizes when more than 3 months into the year women's wages finally catch up with what men were paid in the previous year.

It's unconscionable that women today continue to be blatantly discriminated against in the workforce in terms of their pay and the treatment that they receive.

In 2011, women working full time made only 77 cents to every dollar made by men over the course of a year. The landscape is even worse for women of color. In 2011, African American women earned 64 cents to every dollar earned by white males, and for Latinas it was only 55 cents and 42 cents in my home State of California. On average, the wage gap costs women roughly \$11,000 annually, and at this rate the wage gap will not close until 2057. Can you imagine that, 2057?

We must support Congresswoman DELAUNO's Paycheck Fairness Act. This addresses the serious economic disparities which women still face.

Women and their families cannot afford to continue paying the cost of our inaction in the face of injustice. I hope the Speaker will bring this bill to the floor right away.

EQUAL PAY DAY

(Mr. CASTRO of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CASTRO of Texas. Today on April 9, we recognize Equal Pay Day, symbolizing the more than 3 months into this year that women have to work in order for their wages to finally catch up to what their male colleagues earned last year.

Nearly 50 years ago, President John F. Kennedy signed the Equal Pay Act to protect workers from gender-based discrimination.

Despite the hard work of countless folks to make pay equality a reality, women today still earn only 77 cents for every dollar earned by men doing the same kind of work. For women of color, the wage gap is even larger.

Clearly, as a Nation, we have more work to do. That's why I'm a proud cosponsor of the Paycheck Fairness Act, which would reinforce the Equal Pay Act by closing loopholes and protecting employees from unfair retaliation.

Twice now Democrats have passed this legislation in the House of Representatives only to have it blocked by Senate Republicans.

Equal pay is not a partisan issue. And it's not only a women's issue. This is about America's founding principles of justice for all.

Mr. Speaker, I urge you to bring this important legislation before the House for a full vote.

EQUAL PAY DAY

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, today I rise to celebrate Equal Pay Day as we mark the 50th anniversary of the Equal Pay Act.

In the last 50 years, women have gone into space and off to war. They've led Fortune 500 companies and served on the Supreme Court. They've been elected Speaker of the House and run for President; yet women still earn only 77 cents for every dollar a man earns.

In the Sacramento area, women lose approximately \$2.2 billion each year because of this pay gap. Now, that's unacceptable and as a father it's personal. I want my daughter to grow up in a country where her gender is not a barrier to her success.

And the wage gap doesn't just hurt women; it hurts families, businesses, and communities. Women are now nearly half of our workforce, and oftentimes it's up to women to put food on the table and provide for their families. That's why I'm a proud cosponsor of the Paycheck Fairness Act, one of the very first bills I chose to cosponsor.

It's time for us to finish what President Kennedy started 50 years ago and what women have been working to achieve for more than a century and make equal pay a reality for millions of Americans.

EQUAL PAY DAY

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to recognize Tuesday, April 9, as Equal Pay Day for women.

The Equal Pay Act, signed into law by President Kennedy in 1963, amended the Fair Labor Standards Act of 1938 to prohibit sex-based wage discrimination between men and women who perform jobs that require substantially equal skill, effort, and responsibility.

In 1963, women were earning an average of 59 cents on the dollar compared to men. I rise because today on average women earn 77 cents for every dollar a man earns.

In 2013, a study by the United States Census Bureau in Columbus, Ohio, demonstrated that women are paid 81 cents for every dollar paid to men. This amounts to a yearly gap of some \$9,261 between men and women who work full time.

Equal work? It's simple. It deserves equal pay.

I'm proud that the first piece of legislation that President Obama signed into law during his first term was the Lilly Ledbetter Act. I rise for all the Lilly Ledbetters in hopes that one day the wage of workers in this country will be equal regardless of gender.

□ 1940

GUN LEGISLATION: A PATHWAY
TO SAVING LIVES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE. Mr. Speaker, thank you so very much for the opportunity to discuss with my colleagues a pending action in the United States Congress and a plea for civility and fairness.

As I do that, let me acknowledge Equal Pay Day and my support, as I've done over the years, of Congresswoman DELAURO's continued acknowledgment and recognizing of the need to finally put an end to disparities in pay for women. That's what America is all about, and I'm delighted to join my colleagues who have already spoken to the idea of ensuring that we have equal pay. I hope we can pass that legislation.

I also want to raise an issue and offer my concern and expression, if you will, of comfort to the students at Lone Star College. Part of Lone Star College is in my congressional district, and I share that with one of my colleagues in Texas. I just wanted to say to all of the parents and to my colleagues: I have children who have finished college. We support our children, all of our children, going to a safe place and being safe and having the ability to be educated in a safe place. So I express great sympathy. We are not sure of the status or whether or not there has been any loss of life. We know that there are persons who are critical, and we are wishing and hoping for their safety.

We do want to determine the facts, and our law enforcement was there expeditiously. Allow me to acknowledge the Lone Star Police, the police in the surrounding area, the Harris County Sheriff's Department, and the first responders who were there as well.

Today, however, I want to acknowledge that we have a pending crisis, and that is that we have the need to pass sensible gun legislation. Why do I call it a "crisis"? It is because we are moving toward a day that has been designated by the leadership in the Senate that we would be able to vote on sensible gun legislation. Remember, I've said "sensible" gun legislation. So, today, I rise to the floor of the House

because I think it is crucial—I think it is imperative—that we find that common path to save lives. That's what it really is about. It is a pathway to be able to save lives.

I am delighted to have one of my distinguished colleagues on the floor. She is the former minority leader of the Ohio House, the distinguished Congresswoman from Columbus, Ohio, who will share her thoughts about the pending vote that is coming up this Thursday.

Let me just cite for you that we have heard the commitments and sermons and passion after each tragedy. I remember Columbine. I was here, Mr. Speaker, for Columbine. In fact, I was appointed to a school safety select committee to talk about school safety at that time. Obviously, a lot of us were here for Aurora. Virginia Tech, I was here for that as well and then, of course, Newtown and then cases in between. Many of us are here for the tragedies that we see when we go home.

Just this past weekend in Sugar Land, Texas, an individual who was mentally challenged was shot dead in his house when he came out of his bedroom, Mr. Speaker, pointing a gun at law enforcement officers. Many of you know the tragedy that we face in Texas, which we are still mourning. Two prosecutors and a prosecutor's wife—district attorneys in Texas—were shot dead. Individuals were shot dead by someone who should not have had a gun. Tragically, the individual was released and should not have been released; but more importantly, they were able to get a gun through what we understand might have been a straw purchase—somebody else purchasing the gun for them. So I believe we are no longer at the point when we can have sermons or we can mourn and yet not do something.

Let me thank—I think "applaud" is not the appropriate terminology—those parents who flew in Air Force One from Newtown, Connecticut. You can imagine that they are hurting. Tears came to my eyes as I saw them deplane, come down out of Air Force One, knowing that they are still hurting. I heard a quote that said: For some of us, it's months. For those parents, it's one day at a time.

To imagine little ones—5 and 6 years old—whose bodies were riddled, and they are here in the hallways of Congress to be able to ask us: Can we do the right thing that is for the American people?

And I want to answer today a question that I raised: Can we stop the filibuster? Can we resolve the fact that sensible gun legislation does not violate the Second Amendment?

In fact, we protect the Second Amendment. No one has challenged the Second Amendment, and no one has challenged permits for concealed weap-

ons that are in many States. With the tragedy that occurred in Arizona in which someone was using an automatic weapon and had multiple rounds and for those who say, you see, if the good guys had a gun—and in that instance the good guy had a gun and was probably going to shoot the wrong people if someone had not intervened—what we need to do, in essence, is to ensure that we find common ground and do sensible things.

What do I think are sensible things?

Sensible things include universal background checks. I know there are some discussions about family exchanges and one-to-one exchanges among family members. Let me just say, Mr. Speaker, I'm open to reasonable discussions, but we've got to close the gun show loopholes; we've got to close people opening up their trunks on a highway and giving them to someone who is going to wind up shooting in a robbery; or going into an old man's house just like happened in my community last night—shooting an 83-year-old and taking his car—or the incidence, as I indicated, of this individual with mental health concerns; or the bloody killing of a mother's daughter and her granddaughter by what I would say is a crazed ex-husband, who did not need to have a gun.

So isn't it reasonable to think that universal background checks would weed out those who did not need to have them?

We're not going to knock on your door and take any guns from families, but we do hope that you will secure them. I hope that I'll be able to get a vote on H.R. 65, a bill that was taken after an ordinance that I passed in the city of Houston, as a member of the city council—because we have legislative authority—and, in fact, legislation that's the law of the land in Texas, and that is to hold people responsible for not locking up their guns.

I would be happy to yield for a moment to the distinguished gentlelady from Ohio. I just want to pause on that a moment. Let's think about storing guns. I want to thank her for her legislative prowess. We are so proud that she has already come here ready to go, because anybody who was the minority leader of the Ohio House, if you will, is already ready to go. She is already taking charge on women's issues, and she is taking charge on economic issues. I am very proud to yield to the gentlelady at this time.

Mrs. BEATTY. Thank you to my colleague, Congresswoman SHEILA JACKSON LEE. It is an honor for me to join you.

As I stand here today on this floor and think that we have the opportunity to pass legislation that makes sense on gun laws, and as I stand here on this floor and realize that the gun debate is heating up and that we are considering that we would filibuster

and protect those who don't want us to make a decision, it does not make sense to me. We are asking for sensible gun laws. We are asking for laws that can help save lives. Whether it's in Congresswoman JACKSON LEE's district in Texas, whether it's in Newtown, Connecticut, or in my Third Congressional District in Ohio, it's for us to take this opportunity to stand together and save lives.

We stand on this floor, and we salute so many good things, so many changes. So the question now for me is: Why? Why can't we come together? The things we're asking for: to close the loopholes. The things we're asking for: to make sure that someone doesn't have an assault weapon in his home that can shoot 30 rounds of ammunition in 30 seconds.

□ 1950

I support the Second Amendment, but I don't think that our forefathers meant for us to do what we are doing today. I don't think that they envisioned that innocent children, babies, would be assassinated, if you will, by someone who had one of these assault weapons. I think today as Members of Congress on both sides of the aisle, that we understand that we are about saving lives, that we are here to protect the innocent, that we took an oath to serve.

So as I reflect back on where I was when that incident happened in Newtown, I was sitting with colleagues on both sides of the aisle at Harvard University in training, where we were talking about working together, where we were talking about how we can make this wonderful America better. So now as I reflect today, let's use those same things that we were being trained on to make this America better. Let's make it better by voting an up-or-down vote. Let's make it better in the spirit of saving lives.

So I proudly join you as we ask all of our colleagues to come together and do what's right: sensible gun laws, background checks, closing the loopholes. That's what we are asking for. For me it is quite simple. The answer is: let's vote.

Ms. JACKSON LEE. I thank the gentlelady for bringing a sense of passion to this debate. So many of us can remember where we were and how incredulous it was when we heard the news coming, and first we thought this is not real. We couldn't be hearing it accurately. Maybe we were hearing the tragedy of six adults, that already was innocent teachers and principals, but we couldn't imagine you were talking about a classroom, that someone would open the door in a recovery mode and see the carnage that one had to be able to look at. Not to be any more graphic, but so much so that, as I understand it, many could not view the situation.

And so I thought it was imperative to come from Houston today, and before I

got on the airplane I stopped at the Konia Learning Center for K-6, and I listened to babes talk about knowing Sandy Hook, raising their hands and about wanting to stop gun violence, and understanding that guns in the hands of teachers would not be the way to go. Having little ones in the fifth and sixth grades explain how fearful they would be to have guns with teachers, not because it was the idea that our teachers are not ones that are loving, but we know what happens with human nature and accidents, guns being taken out of drawers or purses or pockets and what can happen.

Yes, I believe we can have common agreement on increasing school resource officers, however school districts would like to use them. We have very fine police departments for many of the school districts that I represent; and do you know what those chiefs of police told me in an earlier hearing that I had in my district, not one of them, university chiefs of police or school district chiefs of police, wanted to arm school personnel and teachers in the classroom to be able to protect our children. Those were the chiefs of police. I didn't put words in their mouths, and they wanted it to be known that they are the responsible ones for security, not to be able to arm those who in essence would be responsible for shooting a gun, making a decision when to shoot, and then not making a decision right and causing havoc, causing themselves to be shot, or causing someone else to be shot.

As a matter of fact, at a press conference I had on the anniversary Martin Luther King was assassinated on April 4 in my district, because we had been having these gun informational press conferences to raise the understanding, we have been working with a group by the name of Moms Demanding Action, thousands of moms across America, we were with them on Thursday, and then we were at the Light-house Church this past Sunday when Moms Demanding Action went to the pulpit, honored and recognized Pastor Henderson to talk about Moms Demanding Action to prevent gun violence.

But this little school that I went to, I said to them that I would come and give their message on the floor of the House, that I would tell the President that I was in this school where these children are so bright, private school that it was, alongside a public school, these children spoke well about their fear of gun violence, the gun violence that they see around them and that they want to be in a place where they are safe, and guns they feel do not make them safe.

So I got motivated, and I thank the Senators for informing me, a letter that I received March 22, 2013, from Senator PAUL, Senator CRUZ, and Senator MIKE LEE, and they have now

grown to 13 Senators. I know they have good hearts, but the language that I want to read specifically says:

We will oppose a motion to proceed to any legislation that will serve as a vehicle for any additional gun restrictions.

You see, that's wrong in and of itself because we're talking about sensible gun legislation. I don't want to restrict anything. I would like to take that word out of the vocabulary of sensible gun legislation, because I will not restrict you from getting a gun if you pass a background check. I will not restrict you from having guns in your home, but I will hold you responsible for guns that are not locked up. I will not restrict you from hunting. I will not restrict you as a sportsman. I will not restrict you for a legitimate concealed weapons permit, but I will restrict that dastardly person who went to the door of a Colorado corrections chief and shot him dead because he had a gun that he should not have because we don't enforce, which we should, but add to the idea of preventing straw purchases for that individual for getting a gun because someone purchased the gun for him. Mr. Speaker, that can be blocked.

And the idea of storage, my friends, I'm talking about gun locks. Maybe somebody has a gun lock manufacturing company in their district. Just think what would happen if folks have to lock up their guns, at least the ones that are classic, the AR-15s or the assault weapons that you already have. No one is coming to get those. But the guns that the young man had in Newtown, if only they had been locked up. Many people don't speak of it, but I think she deserves to be mentioned, his mother, who I know had to be a loving mother. I know she cared. She recognized the disturbed individual that he was, and maybe it might have gone another way. Maybe there should have been some other response to his situation, but all you can say is that mother was trying. But look at her, dead in her bed. Guns that were open to someone who was challenged.

So, Mr. Speaker, I can't imagine why we would ignore some of the numbers that I'm getting ready to share with you. But before I do that, let me raise again, if I can highlight what simple legislation that we're asking for: require universal background checks to keep guns out of dangerous hands. Let me be very clear: dangerous hands.

Ban military-style assault weapons. Limit high-capacity magazines. That was the kind of magazine that was used tragically in Arizona. The individual could keep shooting and shooting, and the only way he was stopped was when he had to reload. Just imagine, 15 rounds, 20 rounds, no reloading. And the individual in Newtown, 155 rounds in 5 minutes before he stopped, taking the lives of so many.

Let me share with you these statistics that impact urban loss of life,

rural loss of life, just the enormous tragedy. Take the incident of a rogue cop in California that wound up with weapons of war until he was finally caught, how many people he killed and how many more he could have killed. He had assault-type weapons.

If you speak to the law enforcement community, particularly right after Newtown, people became gunned up to the extent that when I spoke to my law enforcement, they indicated to me that they couldn't even find any guns, that people had bought guns so, so much.

Let me share with you some of these numbers about gun violence. First of all, the number of persons killed by guns since Newtown, 440 in the United States. I'm sure that number is down since the time these statistics were presented: 103 in Texas, 21 in Houston, 57 this month alone; 48,000 people killed annually in the United States. If I might remind you, over 1 million persons, Americans, have been killed by guns since John F. Kennedy and Martin Luther King, Jr., were assassinated.

□ 2000

So let me remind you of that list. John F. Kennedy, assassinated by a gun in 1963; Bobby Kennedy, assassinated by a gun in 1968; Martin Luther King, assassinated by a gun in 1968; and Ronald Reagan, attempted assassination in his first term, and the critical and devastating injury to his press secretary, Mr. Brady, who has committed himself to gun safety, again, not to take your guns away.

I thank you, Mr. Brady. We have had an opportunity to work together. I thank you for what was done, and certainly your legacy of commitment. I thank that legacy.

Then, of course, let me thank Mr. Bloomberg, who is one that has shown his passion, so much so that he has received criticism. Thank you, Mayor Bloomberg. Thank you for standing up and saying that those who would stop gun legislation that is sensible, that they have to have their story told to those around the country and those in their district, for we're not asking for anything. We're just asking for fairness, just an up-or-down vote.

Let me share with you these numbers that I think are devastating. In 1 year, on average, almost 100,000 people in America are shot or killed with a gun. In 1 year, 31,000—and this is from the Brady Campaign to Prevent Gun Violence—31,593 people died from gun violence and 66,769 people survived gun injuries; 12,179 people murdered; 44,466 people shot in an attack; 18,223 people who killed themselves; 3,031 people who survived a suicide attempt with a gun.

Let me just stop for a moment. How tragic it is that someone would think that the only way out of their misery is by a gun. And it is well known by these statistics that if a gun is near you, if you are near a gun, if you are

near a gun, then that leaves you more open to using that gun for violence against others or violence against yourself.

If you make it easy, rather than giving these people mental health services—which I think should go hand in hand with sensible gun legislation, and that's why I'm supporting a number of initiatives and cosponsored initiatives by CAROLYN MCCARTHY, because it is important to find a balance and to be able to work on issues that would balance the needs of our community and mental health services, but also the needs of our community in being protected from gun violence.

I want to restore the Centers for Disease Control's ability that was taken away a few Congresses ago by people who really don't understand sensible gun legislation. They stopped the Centers for Disease Control from doing the research and gathering the statistics on what violence does to America, what the medical cost is, what the psychological cost is. We want to reinstate that so that we can make important decisions.

When I was with these children, one of the things that comes up in the idea of teen violence or the loss of life is that teens pick up guns 87 percent when they are bullied or when they feel someone has hurt them, said words to them, because the gun is accessible. They bring the gun to school, they have a gun, or they engage in gang violence.

Don't separate gang violence and say it's just a bunch of gangbangers. It's gangbangers who are kids who have guns. And the young man that I brought to the State of the Union was a redeemed gangbanger, was shot at 15. He's here today, at 21, 22, about to get married, and shuns guns. But guns were accessible to him. He was already shot at in a drive-by. And then after he's shot at in a drive-by, then there was a point when they got him.

Don't condemn the gangbangers. They've got guns that are trafficked, that are not enforced, that are straw purchased, and they come into places even that have strong gun laws. Why? Because we don't have sensible gun legislation.

And yes, I'm going to agree with my friends on the other side of the aisle, my Republican friends. Let's enforce the gun laws that we have. Who would run away from that? That's a sensible proposition.

Put a resolution on the floor of the House. Let's enforce the gun laws that we have. But join me in voting for universal gun background checks to close the gun show loopholes.

I mentioned this idea of suicide, and let me just finish on this enormous, terrible number. How many of us have read articles, have seen over the last couple of days tragedies that have occurred that have been publicized nationally?

All I can say is, you have a person who is disturbed, who has given up on life, who doesn't have a connection to faith, cannot find their faith leader, cannot get a hug from their family member, and all they think they can do is commit suicide, and they've got a gun.

I venture to say there's probably very limited numbers of those who take a knife and stab themselves. And yes, there are pills. But they have a gun because nobody was there to stop them, they weren't able to get mental health services and they've got a gun. 592 people were killed unintentionally, and 8,610 were shot unintentionally but survived.

There was one time in Houston where every time school was out, little ones, 2 years old, 3 years old, 4 years old, teenagers, accidentally shooting themselves, playing with a gun, taking the gun from under the mattress. Guns not stored.

That's why we passed that legislation in Texas to hold adults responsible for a child that gets a gun and injures themselves, kills somebody, or kills themselves. That's the least we can do for our children.

Over 1 million have been killed with guns in the United States since 1968 when Dr. Martin Luther King and Robert F. Kennedy were assassinated.

And then U.S. homicide rates are 6.9 times higher than rates in 22 other populous, high-income countries combined, despite similar nonlethal crime and violence rates. The firearm homicide rate in the United States is 19.5 times higher.

Mr. Speaker, we're not gaining anything by being gunned up. Among the 23 populous, high-income countries, 80 percent of all firearm deaths occurred in the United States.

On Thursday, not only should we get a vote, not only should there be no filibuster, but we should win that vote. Win it in the name of somebody in your congressional district that died unfairly because someone who should not have had the gun had it. And I can venture to tell you that background checks will have a sizable impact.

Now, somebody said in 1994, when we passed the assault weapons ban, that it didn't do anything. Oh, there's a big debate. There's a tit for tat. But it is documented that the numbers of killings by assault weapons went down. Of course you can find other ways to kill people, but the utilization of assault weapons went down. That's a victory. That's a victory.

When I had this listening session with my little ones at the Konia Learning Academy, we had pictures of these weapons. Do you know that these little ones that were pre-K could point out that these were machine guns? Little ones. What are we doing to our kids?

They should call it a carrot because they've never seen one. With the violence on TV, we want to talk about

that, and violence around them, and the gun talk and the killings on national TV, what do you expect?

Wouldn't it be nice if the headlines came out on Thursday, the Senate makes the first step, sensible gun legislation? Wouldn't that be good? That we came together and we did something that spoke to the anguish and pain?

I was here for 9/11, a memory that none of us will ever forget. And the one thing that I will compare to what is happening with these families is the 9/11 families. The Congress felt compelled, after its own mourning and the loss in the Pentagon and the loss in Pennsylvania, we just felt compelled that we had to do something, that the pain of these families scattered all over America, we had to answer them.

We obviously suffered. I remember standing on the steps singing God Bless America. But we put away any opposition to issues that had to be addressed. We put forward a Patriot Act at that time that was bipartisan. We worked in the Judiciary Committee. We handled the privacy issues, because we felt that this was a time for America to shine.

□ 2010

Well, I believe this is the time for America to shine. Gun violence impacts society in countless ways: medical costs, in the cost of the criminal justice system, and security precautions such as metal detectors and reductions in quality of life because of fear of gun violence. These impacts are estimated to cost U.S. citizens—Mr. Speaker, you've got to get up out of your chair on this one—estimated to cost—with a smile on my face, because you stand up and I need to sit down because it's just knocking me down—a hundred billion dollars. And that was 2000. And so it's soaring in medical costs, in fear, in security.

What are we going to do about the enormity of gun violence? Where there are more guns, there are more deaths. An estimated 41 percent of gun-related homicides and 94 percent of gun-related suicides would not have occurred in the same circumstances had no guns been present. Higher household gun ownership correlates with higher rates of homicides, suicides, and unintentional shootings.

Mr. Speaker, we have within our power to be able to move forward on sensible gun legislation. I will be asking my colleagues to join me in a letter to send to my friends on the other side of this body to be able to listen to our voices as fellow legislators. And then, as well, Mr. Speaker, I hope the voices of America will ring. I know that my phone will ring for those who are saying, They're snatching our guns away. And I'm going to have a smile on my face because they have a right to express themselves.

But right now we need to put aside our individual political futures, be-

cause I believe that when you do the right thing, your future will be bright. And some child will say, Look at America. Look at the red, white, and blue. Look at the country that stands for values that we all are created equal. They didn't come to take away guns. They came to enforce good laws. They came to ensure that guns are not exploited, that loopholes are not walked through and become open caves, and that people are safer in their schools, their homes, their places of worship.

Just think about that. A pulpit. Ministers in my State have been shot dead by guns of disturbed members—because they have guns. And let's make, Mr. Speaker, the mental health system a parallel effort to be able to ensure the safety of us all.

Mr. Speaker, I am hopeful that this brief discussion—and if I may, how much time is there remaining?

The SPEAKER pro tempore. The gentlewoman has 27 minutes remaining.

Ms. JACKSON LEE. Thank you very much.

I'm so glad the Speaker was responding on that hundred billion dollars. It probably got him out of his chair. I think we're allowed to say those kinds of things on the floor.

I will have a few more points that I do want to make. The number of a hundred billion dollars is certainly a lot, but I want to spend some time on this issue of gun trafficking and to speak about how gun trafficking can be something that we can find ways to come together.

Gun trafficking is dastardly because in jurisdictions like Washington, D.C., strong gun laws; New York, strong gun laws; the State of Connecticut, strong gun laws; and now Colorado, strong gun laws. And my heart goes out to them for the loss that they experienced with the shooting of their head of corrections in a terrible manner, being shot on his doorstep. Also, the district attorney and his wife that were so loved and the other district attorney that was so loved that was shot here in Texas. That comes out of criminals with guns that they should not have. And so forcing a review of our gun laws to stop gun trafficking and to pass legislation that stands in the gap and that speaks to straw purchases—using someone else—and holding people very responsible for doing that is a smart way to go.

The Mayors Against Illegal Guns have a very important point, and that is, when you pass the universal background check as a systematic way to stop felons, domestic abusers, and the seriously mentally ill, that's the answer to people that say it doesn't make a difference. Criminals and other prohibited purchasers can avoid background checks by buying firearms from unlicensed private sellers. That's the back of the trunk. That's the gun

shows. Often at gun shows are anonymous online transactions.

If my recollection is correct, the shooter at Aurora got his guns online. How tragic. And in the course of those shootings, we know that little ones lost their lives in that theater. What a terrible thing to come out for a joyous occasion, an exciting night, fiction but fun, and you lose your life and you never get home.

I heard something today that I thought was important. Parents who sent their children to school that morning in Newtown were sending their children to school—it was December 14—with the expectation for celebrating holidays like Hanukkah and Christmas. They were looking forward to hugs and toys. They were looking forward to family dinners. They were looking forward to picking those children up at the end of the day. Mr. Speaker, they did not get a chance to do that.

And so when you have background checks, certainly in the instance of Newtown, a different set of circumstances, both dealing with mental illness and the access to guns. But I tell you what it will do with background checks. It will lessen the horror of those involved in criminal activities.

The private sale loophole undermines the background check system by allowing millions of buyers to avoid background checks simply by going to private sellers. We've got to fix that. And we've got to hold the data. We've got to make sure that our law enforcement can check a national data system so that those who would perpetrate violence cannot go from State to State.

I know that I wanted to pass similar legislation on DNA data for child predators so that a person cannot go from State to State. Now we have the technology and we have the ability to protect rights. But if you are involved in criminal activity and you're in the database on guns, your rights are lessened because we have to save lives.

The Internet has created a vast marketplace for guns, where millions of buyers and sellers can easily identify one another and conduct firearms transactions with no supervision whatsoever. Nearly 12 years ago, the U.S. Department of Justice estimated that there were 80 online auction sites and approximately 4,000 other sites of gun sales. No control whatsoever. The private sellers are literally involved in—maybe not to their own choosing—those guns getting out into the arena and being utilized by others to do harm.

So this is a time when we don't need a filibuster. What we need is a debate on the pros and cons of sensible gun legislation and, finally, a vote that would move us to respond to the pain of so many Americans.

Why shouldn't this be a Democratic and Republican effort? Once the Senate

votes on something that has substance to it, why shouldn't our Speaker, Mr. BOEHNER, also put it on the floor and not block it? The reason is because there was regular order on the Senate side. It went through committee.

But in the instance of Republicans, listen to a 2010 survey by Republican pollster Frank Luntz, who found that 82 percent of U.S. gun owners, including 74 percent of NRA members, support criminal background checks for all gun sales. What more do we want? What are we saying here? That we can't come together on a nonwatered-down gun background check?

Let me speak to why I think that's so important. We have officers around here. This is like a little city. We have our Capitol Police. They wear the uniform. They're here to protect. Law enforcement officers all over America—school law enforcement officers, county and city, villages, departments of public safety, highway patrol, drug enforcement, ATF, FBI, men and women in the United States military—are here to protect. My friends from the Texas Air National Guard, my friends from the National Guard, they're here to protect.

□ 2020

What happens when they lose their lives through some untoward violence that's not on a battlefield somewhere, but right here in their own hometown? What happens when an officer has fallen because someone who shouldn't have a gun illegally has a gun, and we've done nothing about it?

Close the gun show loopholes, stop the gun trafficking, and, most of all, get us universal access to gun checks and background checks. Everybody should be required.

I know that we can't see these clearly, but there is a whole load of guns, and it says handguns offered by a private seller in Tennessee, handguns licensed by a licensed dealer—not checking anybody, though. You got the money, you can just show up. I remember walking into a gun show and seeing children walking around unaccompanied. I believe they should not be able to walk around at a gun show unaccompanied. Long guns being sold by a private seller in Columbus, Ohio. This is what's happening all over America. Probably right, as I'm standing on the floor of the House, that is what's happening. That's why I support Mayor Bloomberg and his commitment to this whole idea of sensible gun legislation. There are currently 18 million assault weapons in circulation, and I don't think most of them are in the hands of the United States military.

I am just going to add these points and come to a close, Mr. Speaker, because this is what pushes the wrong direction; this parts us away from each other. We can't be friends. We can't talk about sensible legislation. And I

hate to say it, I don't know how much carnage we have to see. I don't know how much we have to see, how many sirens we have to hear for those of us who live in urban areas, police cars running after ambulances because there's been someone that's been shot.

What I would say to you is listen to the voice of a victim that I met just a couple of days ago. I just want to put this myth out. She was a teacher coming home late at night and somebody came up and said, get out of the car. She didn't know what to do. She didn't get out of the car. She bent down, and that person shot her in the legs. I asked the question, if she had a gun, does she think that she would be able to do better. She said, no, I was too scared; I wouldn't know what to do.

My friends, don't fool yourself that having a gun is going to make it better for you. We've got to lessen criminals having guns; we've got to have background checks; we've got to close the gun show loopholes and people selling guns out of the back of their trunks on a highway somewhere outside of a gun show.

More guns don't lead to more murders. This is myth number one. A survey by researchers at the Harvard University School of Public Health found strong statistical support for the idea that even if you control for poverty levels, more people die from gun homicides in areas of higher rates of gun ownership. You've got a gun, you may be in jeopardy.

The Second Amendment prohibits strict gun control. We all know that that is not supported by the Supreme Court and that we're not talking about taking guns away. We're talking about regulating guns. As many people have said, we regulate insurance. We ask you to have a registration and a driver's license for a car—that can be a deadly weapon—and we have you register it. And we have you have, if you will, a license.

State-level gun controls haven't worked. Scholars Richard Florida and Charlotta Mellander recently studied State-to-State variations in gun homicides. They found that firearm deaths are significantly lower in States with stricter gun control legislation.

Myth number four: we only need better enforcement of the law; we don't need new laws. We passed several laws. Yes, we need enforcement; but it is well known that you need to keep guns out of the hands of those who would do harm, and you need to have universal background checks in order to stop the criminals from getting guns, and you need to work on the mental health services so that those individuals cannot have guns. In some States they have that. We're not blanketing everyone; but in certain instances we need to be able to protect those individuals, protect their families from the crazed person, the violent abuser, the domes-

tic abuser who goes and violates a restraining order and has a gun—because they just bought the gun because there's no background check. And you can't check if they have a restraining order.

Sensible gun regulation is prohibitively unpopular. We've already heard of the large percentages from Republican pollster, Mr. Luntz, about the percentage of individuals—Republicans, all Americans, NRA members—who believe in universal background checks, not arming parents and arming, if you will, the teachers who are there to have a pencil and a pen and a chart and to talk about reading, writing, and arithmetic.

So I am humbled today to have the opportunity to speak to my colleagues, but I am humbled by the fact that we live in a democracy. There is something called a "filibuster"; it's a procedure that's used—not in this body—simply we've got a bunch of Members on the floor that talk, talk, talk, one after another. But we don't have the procedure; the Senate does. As I indicated, initially three of our friends, and now 13, I would ask them—and I would ask the minority leader—I would ask them not to engage.

I would ask the other body to work with us. I would ask the other body to hear our cry. I would ask the other body to think of those who as we speak are being shot by a gun in America by someone who shouldn't have it. I'm asking them to think of the little children from one end of America to the other who were shot with a gun.

For us Washingtonians—and I say that because I am in Washington a lot of the time here in the United States Congress—remember the sniper of a few years ago, the frightening atmosphere of a sniper, a young man and his father; guns they should not have had; killing innocent people along the highways and byways of this region. The sniper.

That's what my message is today, that we have no time—no time—for a filibuster. We may have time for prayers. We may have time for encouragement. We have time for common sense. We still have time for a vote that will pass. And we have time for the House to take up sensible gun legislation.

We still have time to save the lives of little babies. We still have time to save an innocent woman who may be subject to domestic violence. We still have time. We still have time to stop the gang-banger. We still have time to stop the criminal that may have come into your house or come into a bank or accost you on the street. We still have time to keep the guns out of their hands. We still have time.

Who is going to answer the cry to stop the filibuster and stop the foolishness? I ask my colleagues: If it is not us, then who? If it is not now, then when? In the memory of John F. Kennedy, President of the United States of

America; in the memory of his brother, Bobby Kennedy, former Attorney General of the United States of America; Martin Luther King, in his memory, a man of peace and nonviolence; and President Ronald Reagan, who lived, if it is not in the common sense of those leaders of our Nation and the needs of the children and families across America, then whose voices will we heed?

There is still time for commonsense legislation, and I might say that we should demand, stand up for a vote on this Thursday. I hope our voices—not mine, but our voices—are heard.

Mr. Speaker, I thank you for allowing this time to debate on the floor of the House, and I yield back the balance of my time.

U.S. SENATE,

Washington, DC, March 22, 2013.

DEAR SENATE MAJORITY LEADER HARRY REID, We, the undersigned, intend to oppose any legislation that would infringe on the American people's constitutional right to bear arms, or on their ability to exercise this right without being subjected to government surveillance.

The Second Amendment to the Constitution protects citizens' right to self-defense. It speaks to history's lesson that government cannot be in all places at all times, and history's warning about the oppression of a government that tries.

We will oppose the motion to proceed to any legislation that will serve as a vehicle for any additional gun restrictions.

RAND PAUL, M.D.,
TED CRUZ,
MIKE LEE.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CASTOR of Florida (at the request of Ms. PELOSI) for today and the balance of the week on account of a death in the family.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for today and the balance of the week.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 10. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha; to the Committee on House Administration.

A BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 22, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 933. Making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes.

ADJOURNMENT

Ms. JACKSON LEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 30 minutes p.m.), under its previous order and pursuant to House Resolution 141, the House adjourned until tomorrow, Wednesday, April 10, 2013, at 10 a.m., for morning-hour debate, as a further mark of respect to the memory of the late Baroness Margaret Thatcher.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

979. A letter from the President Of The United States, transmitting a letter regarding the designation of Overseas and Contingency Operations/Global War on Terrorism funding; (H. Doc. No. 113-18); to the Committee on Appropriations and ordered to be printed.

980. A letter from the Attorney, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Disclosures at Automated Teller Machines (Regulation E) [Docket No.: CFPB-2013-0006] (RIN: 3170-AA36) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

981. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Monroe County, PA, et al.) [Docket ID: FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8277] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

982. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Geologic Sequestration of Carbon Dioxide; Underground Injection Control (UIC) Program Class VI Well Testing and Monitoring Guidance received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

983. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: MAGNASTOR System [NRC-2012-0308] (RIN: 3150-AJ22) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

984. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Temporary Scope Expansion of the Post-Investigation Alternative Dispute Resolution Program [NRC-2013-0046] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

985. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Final Safety Evaluation For Nuclear Energy Institute Topical Report NEI 09-10, Revision 1a "Guidelines For Effective Prevention and Management of System Gas

Accumulation" Project No. 689 received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

986. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Event Report Guidelines 10 CFR 50.72 and 50.73 received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

987. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Amendment to the Export Administration Regulations: List of Items Classified Under Export Control Classification OY521 Series — Biosensor Systems [Docket No.: 121025585-3248-01] (RIN: 0694-AF73) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

988. A letter from the Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List; Removal of Person From the Entity List Based on Removal Request; Implementation of Entity List Annual Review Changes [Docket No.: 13022155-3155-01] (RIN: 0694-AF89) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

989. A letter from the President Of The United States, transmitting notification that the national emergency with respect to Somalia originally declared on April 12, 2010, by Executive Order 13536, is to continue in effect beyond April 12, 2013; (H. Doc. No. 113-19); to the Committee on Foreign Affairs and ordered to be printed.

990. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-29, "Medical Marijuana Cultivation Center and Dispensary Location Restriction Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

991. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-30, "Board of Ethics and Government Accountability Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

992. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-31, "Prohibition on Government Employee Engagement in Political Activity Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

993. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-40, "Tax Revision Commission Report Extension and Procurement Streaming Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

994. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2013 through March 31, 2013 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 113-17); to the Committee on House Administration and ordered to be printed.

995. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement the Technical Corrections to the Leahy-Smith America Invents Act as to Inter Partes Review [Docket No.: PTO-P-2013-0003] (RIN: 0651-AC83) received April 2,

2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

996. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Revisions to Patent Term Adjustment [Docket No.: PTO-P-2013-0006] (RIN: 0651-AC84) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

997. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Non-conventional Source Fuel Credit, 2012 Section 45K Inflation Adjustment Factor and Section 45K Reference Price [Notice 2013-25] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

998. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements [Announcement 2013-17] received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 254. A bill to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project (Rept. 113-25, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 291. A bill to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota (Rept. 113-26). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 507. A bill to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes (Rept. 113-27). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 588. A bill to provide for donor contribution acknowledgements to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes (Rept. 113-28). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1033. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program (Rept. 113-29). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 1120. A bill to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of

the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress; with an amendment (Rept. 113-30). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 140. Resolution providing for consideration of the bill (H.R. 678) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes (Rept. 113-31). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 254 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. ROBY (for herself, Mrs. MCMORRIS RODGERS, Mr. KLINE, and Mr. WALBERG):

H.R. 1406. A bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; to the Committee on Education and the Workforce.

By Mr. SHIMKUS (for himself, Mr. GARDNER, Mr. UPTON, Mr. PITTS, Mr. WAXMAN, Mr. PALLONE, Mr. BURGESS, Mr. GUTHRIE, and Mr. KINZINGER of Illinois):

H.R. 1407. A bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs; to the Committee on Energy and Commerce.

By Mr. GARDNER (for himself, Mr. SHIMKUS, Mr. UPTON, Mr. PITTS, Mr. WAXMAN, Mr. PALLONE, Mr. BURGESS, Mr. GUTHRIE, and Mr. KINZINGER of Illinois):

H.R. 1408. A bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to generic new animal drugs; to the Committee on Energy and Commerce.

By Mr. ENGEL:

H.R. 1409. A bill to amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRANKS of Arizona (for himself, Mrs. KIRKPATRICK, Mr. SCHWEIKERT, Mr. GOSAR, Mr. SALMON, and Mr. KILDEE):

H.R. 1410. A bill to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts; to the Committee on Natural Resources.

By Mr. HUFFMAN (for himself and Mr. THOMPSON of California):

H.R. 1411. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Natural Resources.

By Mr. COFFMAN:

H.R. 1412. A bill to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other

purposes; to the Committee on Veterans' Affairs.

By Mr. RUIZ:

H.R. 1413. A bill to authorize appropriations for the SelectUSA Initiative, and for other purposes; to the Committee on Energy and Commerce.

By Ms. PINGREE of Maine (for herself, Mr. BLUMENAUER, Mr. CICILLINE, Mr. COURTNEY, Ms. MATSUI, Mr. MCGOVERN, Mr. MORAN, Mr. HOLT, Ms. SCHAKOWSKY, Mr. THOMPSON of California, Mr. WALZ, Mr. WELCH, Ms. KAPTUR, Mr. LEWIS, Ms. SPEIER, Ms. MOORE, Ms. FUDGE, Mr. MCINTYRE, Mrs. NEGRETE MCLEOD, Mr. DEFAZIO, Mr. LANGEVIN, Ms. KUSTER, Mr. MICHAUD, Ms. LEE of California, Mr. HUFFMAN, Mr. ENYART, and Ms. TSONGAS):

H.R. 1414. A bill to promote local and regional farm and food systems, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. RUPPERSBERGER, Ms. SCHWARTZ, Ms. MCCOLLUM, Mr. GARAMENDI, and Mr. POLIS):

H.R. 1415. A bill to amend the Internal Revenue Code of 1986 to allow a credit for equity investments in high technology and biotechnology small business concerns developing innovative technologies that stimulate private sector job growth; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 1416. A bill to terminate application of sequestration to payment for certain physician-administered drugs under part B of the Medicare program; to the Committee on the Budget, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mrs. MILLER of Michigan, Ms. JACKSON LEE, and Mr. THOMPSON of Mississippi):

H.R. 1417. A bill to require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. MURPHY of Florida (for himself, Mr. PETERS of California, Mr. HASTINGS of Florida, Mr. CÁRDENAS, and Ms. BROWN of Florida):

H.R. 1418. A bill to reauthorize the competitive grant program under section 25(f) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(f)); to the Committee on Science, Space, and Technology.

By Ms. HAHN:

H.R. 1419. A bill to provide funds to each State to cover all the costs to repair or reconstruct a bridge determined by the Federal Highway Administration to be structurally deficient; to the Committee on Transportation and Infrastructure.

By Mr. GALLEGOS (for himself and Mr. CÁRDENAS):

H.R. 1420. A bill to authorize appropriations to the Secretary of Commerce to establish public-private partnerships under the Market Development Cooperator Program of the International Trade Administration, and

for other purposes; to the Committee on Foreign Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. WILSON of Florida, Ms. BONAMICI, Mr. MCNERNEY, Ms. EDWARDS, Mr. LIPINSKI, Ms. LOFGREN, Mr. BEN RAY LUJÁN of New Mexico, and Mr. RYAN of Ohio):

H.R. 1421. A bill to accelerate research, development, and innovation in advanced manufacturing, to improve the competitiveness of American manufacturers, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. STEWART (for himself, Mr. SMITH of Texas, Mr. HALL, Mr. ROHRBACHER, Mr. HARRIS, and Mr. BENISHEK):

H.R. 1422. A bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. LANKFORD (for himself and Mr. COOPER):

H.R. 1423. A bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. SINEMA (for herself, Mr. CÁRDENAS, Ms. CHU, Mr. CROWLEY, Mr. DOYLE, and Mr. CICILLINE):

H.R. 1424. A bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit; to the Committee on Ways and Means.

By Ms. BONAMICI (for herself, Ms. HERRERA BEUTLER, Mr. DEFazio, Mr. SMITH of Washington, Mr. SCHRADER, Ms. CHU, Mr. HONDA, Mr. FARR, Ms. SPEIER, Mr. LARSEN of Washington, Mrs. CAPPS, Mr. BLUMENAUER, Ms. LEE of California, Mr. KILMER, Mr. MCDERMOTT, Mr. THOMPSON of California, Mr. YOUNG of Alaska, Mr. REICHERT, Mr. HUFFMAN, Mr. HECK of Washington, and Ms. DELBENE):

H.R. 1425. A bill to amend the Marine Debris Act to better address severe marine debris events, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York:

H.R. 1426. A bill to amend the Internal Revenue Code of 1986 to disallow the deduction for income attributable to domestic production activities with respect to oil and gas activities of major integrated oil companies; to the Committee on Ways and Means.

By Mr. BUCHSHON (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 1427. A bill to ensure that patients receive accurate health care information by prohibiting misleading and deceptive advertising or representation in the provision of health care services, and to require the identification of the license of health care professionals; to the Committee on Energy and Commerce.

By Mr. BURGESS (for himself, Mr. KIND, Mrs. BLACKBURN, Mr. MARINO, Mr. CASSIDY, Mr. YOUNG of Florida, Mr. CRENSHAW, Mr. MCDERMOTT, Mr. BACHUS, Mr. GRIMM, Mr. WOLF, Mr. TIBERI, Mr. LOEBACK, Mr. COOPER,

Mr. HIMES, Mrs. CAPPS, Mr. TAKANO, Mr. CUMMINGS, Mr. HASTINGS of Florida, Mr. HOLT, Mrs. DAVIS of California, Ms. ESHOO, and Mr. DAVID SCOTT of Georgia):

H.R. 1428. A bill to amend title XVIII of the Social Security Act to provide Medicare entitlement to immunosuppressive drugs for kidney transplant recipients; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself and Mr. KING of New York):

H.R. 1429. A bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CASSIDY:

H.R. 1430. A bill to extend the seaward boundaries of certain States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY (for himself and Mr. GRIJALVA):

H.R. 1431. A bill to extend the right of appeal to the Merit Systems Protection Board to certain employees of the United States Postal Service; to the Committee on Oversight and Government Reform.

By Mr. COTTON (for himself, Mr. HUDSON, and Mr. BRALEY of Iowa):

H.R. 1432. A bill to amend the Consolidated and Further Continuing Appropriations Act, 2013, to modify the amounts appropriated for the Federal Aviation Administration, and for other purposes; to the Committee on Appropriations.

By Mr. COURTNEY (for himself, Mr. BISHOP of New York, Ms. BONAMICI,

Mr. BRALEY of Iowa, Mrs. BUSTOS, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARKE, Mr. COHEN, Mr. CONNOLLY, Ms. DELAURO, Ms. DELBENE, Mr. DINGELL, Mr. DOYLE, Ms. DUCKWORTH, Ms. EDWARDS, Ms. ESTY, Mr. GRIJALVA, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HORSFORD, Ms. JACKSON LEE, Mr. KILMER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEWIS, Mr. LOEBACK, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHRADER, Ms. SCHWARTZ, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. TONKO, Mr. VAN HOLLEN, Mr. VELA, Mr. WALZ, Mr. WAXMAN, Mr. WELCH, Mr. YARMUTH, Mr. CONYERS, Mr. AL GREEN of Texas, Ms. ROYBAL-ALLARD, Mr. THOMPSON of California, Mr. PETERS of California, Mr. TIERNEY, and Mr. LYNCH):

H.R. 1433. A bill to amend the Higher Education Act of 1965 to extend the reduced in-

terest rate for Federal Direct Stafford Loans; to the Committee on Education and the Workforce.

By Mr. DAINES:

H.R. 1434. A bill to prohibit the further extension or establishment of national monuments in Montana, except by express authorization of Congress, and for other purposes; to the Committee on Natural Resources.

By Mrs. DAVIS of California:

H.R. 1435. A bill to amend titles 28 and 10, United States Code, to allow for certiorari review of certain cases denied relief or review by the United States Court of Appeals for the Armed Forces; to the Committee on the Judiciary.

By Mr. ENYART (for himself and Mr. HOYER):

H.R. 1436. A bill to amend the Workforce Investment Act of 1998 to establish a pilot program to facilitate education and training programs in the field of advanced manufacturing; to the Committee on Education and the Workforce.

By Ms. FUDGE (for herself, Mr. RANGEL, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PRICE of North Carolina, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. LEWIS, Ms. CLARKE, Mr. CUMMINGS, Mr. CLAY, and Ms. BROWN of Florida):

H.R. 1437. A bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HASTINGS of Florida (for himself, Mr. MCGOVERN, Mr. MICA, Mr. COHEN, Mr. GRIJALVA, Ms. BASS, Ms. WILSON of Florida, Mrs. CHRISTENSEN, Mr. WELCH, Mr. GRAYSON, Mrs. MCCARTHY of New York, Mrs. BEATTY, Mr. DEUTCH, Mr. RANGEL, Mr. FALEOMAVAEGA, Ms. JACKSON LEE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CUMMINGS, Ms. LORETTA SANCHEZ of California, Mr. GARCIA, Mr. GUTIERREZ, Ms. GABBARD, and Ms. BROWN of Florida):

H.R. 1438. A bill to amend title 38, United States Code, to exempt reimbursements of certain medical expenses and other payments related to accident, theft, loss, or casualty loss from determinations of annual income with respect to pensions for veterans and surviving spouses and children of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LABRADOR:

H.R. 1439. A bill to prohibit the further extension or establishment of national monuments in Idaho, except by express authorization of Congress, and for other purposes; to the Committee on Natural Resources.

By Mr. LONG (for himself, Ms. LINDA

T. SANCHEZ of California, Mr. JONES, Mr. GRAVES of Missouri, Mr. NUNNELEE, Mrs. ELLMERS, Mrs. HARTZLER, Mr. WESTMORELAND, Mr. KINZINGER of Illinois, Mr. BACHUS, Mrs. NAPOLITANO, Mr. RYAN of Ohio, Mr. JOHNSON of Georgia, Mr. RANGEL, Mr. CONYERS, Mr. MICHAUD, Mr. STIVERS, Mr. COOPER, Mr. ENYART, Ms. KAPTUR, Mr. LIPINSKI, Mr. OWENS, Mr. PASCRELL, Mr. GENE GREEN of Texas, Ms. SHEA-PORTER, Mr. FOSTER, Mr. CRAMER, Mr. TURNER, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Ms. BROWN of Florida, Mr. VISCLOSKEY, Mr.

McGOVERN, Ms. SCHWARTZ, Mr. LUETKEMEYER, and Mr. LOWENTHAL):

H.R. 1440. A bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes; to the Committee on Ways and Means.

By Mr. LUETKEMEYER (for himself and Mr. MICHAUD):

H.R. 1441. A bill to provide for background checks of persons working in the electronic life safety and security systems industry, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY:

H.R. 1442. A bill to amend the Healthy Forests Restoration Act of 2003 to improve the response to insect infestations and related diseases and to change the funding source for the Healthy Forests Reserve Program, to codify the stewardship end result contracting and good neighbor authorities, and to amend the emergency watershed protection program to improve post fire rehabilitation, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD:

H.R. 1443. A bill to direct the Secretary of Veterans Affairs to recognize tinnitus as a mandatory condition for research and treatment by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OWENS (for himself, Mr. HANNA, and Mr. WELCH):

H.R. 1444. A bill to improve the H-2A agricultural worker program for use by dairy workers, sheepherders, and goat herders, and for other purposes; to the Committee on the Judiciary.

By Mr. PALLONE (for himself, Mr. BISHOP of New York, Mr. RUNYAN, Mr. GRIMM, and Mr. LOBIONDO):

H.R. 1445. A bill making supplemental appropriations for the National Oceanic and Atmospheric Administration for fisheries disasters, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY (for himself, Ms. JACKSON LEE, Mr. WOLF, Mr. CULBERSON, Mr. ADERHOLT, Mr. STOCKMAN, Mr. OLSON, Mr. BISHOP of Utah, and Mr. POE of Texas):

H.R. 1446. A bill to direct the National Aeronautics and Space Administration to plan to return to the Moon and develop a sustained human presence on the Moon; to the Committee on Science, Space, and Technology.

By Mr. SCOTT of Virginia (for himself and Mr. CONYERS):

H.R. 1447. A bill to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. BROUN of Georgia, Mr. WESTMORELAND, Mr. ROGERS of Alabama, Mr. YOHIO, Mr. MCINTYRE, Mr. KINGSTON, and Mr. CRAWFORD):

H.R. 1448. A bill to amend the Internal Revenue Code of 1986 to increase the aggregate reduction in the fair market value of farm,

etc., real property under section 2032A to \$2,000,000, and for other purposes; to the Committee on Ways and Means.

By Mr. SESSIONS (for himself and Ms. FUDGE):

H.R. 1449. A bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants; to the Committee on Ways and Means.

By Mr. SHERMAN:

H.R. 1450. A bill to address the concept of "Too Big To Fail" with respect to certain financial entities; to the Committee on Financial Services.

By Ms. SLAUGHTER:

H.R. 1451. A bill to designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the "Staff Sergeant Nicholas J. Reid Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. SPEIER (for herself, Ms. BASS, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. CHU, Ms. CLARKE, Mr. CONNOLLY, Mr. CONYERS, Mrs. DAVIS of California, Mr. FALBOMVAEGA, Mr. FARR, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HECK of Nevada, Mr. HONDA, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. MEEKS, Mr. MORAN, Mrs. NAPOLITANO, Ms. NORTON, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. COSTA, Mr. NADLER, Mr. SWALWELL of California, and Ms. GABBARD):

H.R. 1452. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. TAKANO (for himself, Mr. HUNTER, and Mr. FLORES):

H.R. 1453. A bill to amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. FRANKEL of Florida (for herself, Ms. DELAUNO, Mr. LEWIS, Mr. VAN HOLLEN, Mr. CONYERS, Ms. MCCOLLUM, Ms. SPEIER, Ms. SCHAKOWSKY, Ms. CHU, Ms. SCHWARTZ, Ms. TSONGAS, Mr. GRIJALVA, Ms. KUSTER, Mr. LEVIN, Mr. LANGEVIN, Mr. CÁRDENAS, Ms. WASSERMAN SCHULTZ, Ms. MOORE, Ms. NORTON, Mr. HOLT, Ms. BROWN of Florida, Ms. JACKSON LEE, Mr. CONNOLLY, Ms. SINEMA, Ms. WILSON of Florida, Mrs. CAROLYN B. MALONEY of New York, Ms. LEE of California, Mr. CICILLINE, Mrs. CAPPS, Ms. SEWELL of Alabama, Mr. KILDEE, Mr. NOLAN, Mrs. NEGRETE MCLEOD, Mr. ISRAEL, Mr. LYNCH, Ms. WATERS, Ms. EDWARDS, Mr. GALLEGO, Ms. FUDGE, Mr. HASTINGS of Florida, Ms. BORDALLO, Ms. HAHN, Ms. TITUS, Mr. PAYNE, Ms. GABBARD, Mr. PETERS of California, Mr. POCAN, Mr. LARSEN of Washington, Mr. McGOVERN, Mr. PASCRELL, Mr. CASTRO of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. DELBENE, Mr. SERRANO, Mr. LOWENTHAL, Mr. DELANEY, Ms. MATSUI, Mr. JOHNSON of Georgia, Mr. WATT, Mr. DINGELL, Mr. MORAN, Ms.

LORETTA SANCHEZ of California, Ms. CASTOR of Florida, Ms. MENG, Mr. TONKO, Ms. CLARKE, Mr. WELCH, Ms. PINGREE of Maine, Mr. COHEN, Mrs. DAVIS of California, Mr. FOSTER, Mr. HIMES, Ms. ESTY, Mr. HIGGINS, Mr. SCHIFF, Mrs. LOWEY, Ms. SLAUGHTER, Mr. RANGEL, Mr. SHERMAN, Mr. AL GREEN of Texas, and Mr. CLAY):

H. Con. Res. 28. Concurrent resolution recognizing the significance of Equal Pay Day to illustrate the disparity between wages paid to men and women; to the Committee on Oversight and Government Reform.

By Mr. CANTOR:

H. Res. 141. A resolution expressing the condolences of the House of Representatives on the death of the Baroness Margaret Thatcher, former Prime Minister of the United Kingdom of Great Britain and Northern Ireland; considered and agreed to.

By Mrs. MILLER of Michigan (for herself and Mr. BRADY of Pennsylvania):

H. Res. 142. A resolution electing Members to the Joint Committee of Congress on the Library and the Joint Committee on Printing; to the Committee on House Administration.

By Ms. MOORE:

H. Res. 143. A resolution expressing the sense of the House of Representatives regarding the school breakfast program; to the Committee on Education and the Workforce.

By Mrs. ROBY (for herself and Mr. HOLDING):

H. Res. 144. A resolution expressing support for designation of April 2013 as "National Congenital Diaphragmatic Hernia Awareness Month"; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. ROBY:

H.R. 1406.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. SHIMKUS:

H.R. 1407.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GARDNER:

H.R. 1408.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ENGEL:

H.R. 1409.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. FRANKS of Arizona:

H.R. 1410.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. HUFFMAN:

H.R. 1411.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. COFFMAN:

H.R. 1412.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. RUIZ:

H.R. 1413.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Ms. PINGREE of Maine:

H.R. 1414.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 18—To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all the other powers vested by this Constitution and the Government of the United States, or in any department or officer thereof.

By Mr. VAN HOLLEN:

H.R. 1415.

Congress has the power to enact this legislation pursuant to the following:

"This legislation is consistent with Sections 7 and 8 of Article I of the United States Constitution and the Sixteenth Amendment to the United States Constitution."

By Mrs. ELLMERS:

H.R. 1416.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution states the Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

The Cancer Patient Protection Act of 2013 terminates the application of sequestration for certain drugs under Part B of the Medicare program. Sequestration prohibits some agencies from spending a portion of their appropriated monies. This legislation gives direction on the implementation of that prohibition. Therefore, the Cancer Patient Protection Act of 2013 is Constitutionally justified under Clause 1 of Section 8 of Article I of the Constitution.

By Mr. McCAUL:

H.R. 1417.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. MURPHY of Florida:

H.R. 1418.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, which states that Congress shall have the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. HAHN:

H.R. 1419.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. GALLEGOS:

H.R. 1420.

Congress has the power to enact this legislation pursuant to the following:

THE U.S. CONSTITUTION ARTICLE I, SECTION 8:

POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1421.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, of the Constitution of the United States.

By Mr. STEWART:

H.R. 1422.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

Article 1, Section 8, Clause 18

By Mr. LANKFORD:

H.R. 1423.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9—No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Ms. SINEMA:

H.R. 1424.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties, imposts and excises, to pay the debts and provide for the general welfare of the United States; as enumerated in Article I, Section 8.

By Ms. BONAMICI:

H.R. 1425.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the U.S. Constitution

By Mr. BISHOP of New York:

H.R. 1426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BUCSHON:

H.R. 1427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes."

By Mr. BURGESS:

H.R. 1428.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section 8, Clause 3: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes" as well as Article 1, Section 8, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mrs. CAPPS:

H.R. 1429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CASSIDY:

H.R. 1430.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article 1, Section 8 of the United States Constitution.

By Mr. CONNOLLY:

H.R. 1431.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution

By Mr. COTTON:

H.R. 1432.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. COURTNEY:

H.R. 1433.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DAINES:

H.R. 1434.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1 Section 8 Clause 18 of the United States Constitution

By Mrs. DAVIS of California:

H.R. 1435.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ENYART:

H.R. 1436.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Ms. FUDGE:

H.R. 1437.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause.

By Mr. HASTINGS of Florida:

H.R. 1438.

Congress has the power to enact this legislation pursuant to the following:

Including but not limited to;

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces; Fourteenth Amendment, Section 5

Section 1: No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 5: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

By Mr. LABRADOR:

H.R. 1439.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution:

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

The specific Constitutional Authority cited here is not intended and should not be construed to be exclusive of any other general or specific Constitutional Authority that is otherwise applicable.

By Mr. LONG:

H.R. 1440.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1

Article I Section 8 Clause 3

By Mr. LUETKEMEYER:

H.R. 1441.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to provide for the common Defense and general welfare of the United States through passage of Laws that are necessary and proper, as enumerated in Article I, Section 8, Clause 1 and Clause 18.

By Mr. MARKEY:

H.R. 1442.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8

By Mr. MICHAUD:

H.R. 1443.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. OWENS:

H.R. 1444.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PALLONE:

H.R. 1445.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 9, clause 7

Article I, section 8, clause 1

By Mr. POSEY:

H.R. 1446.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 8

By Mr. SCOTT of Virginia:

H.R. 1447.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, U.S. Constitution.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 1448.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SESSIONS:

H.R. 1449.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, impost and Excises shall be uniform throughout the United States;

By Mr. SHERMAN:

H.R. 1450.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Specifically the power, "to regulate Commerce . . . among the several states."

By Ms. SLAUGHTER:

H.R. 1451.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 8 of Article I of the Constitution.

By Ms. SPEIER:

H.R. 1452.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. TAKANO:

H.R. 1453.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. MCCLINTOCK, Mrs. HARTZLER, Mrs. WAGNER, Mrs. BACHMANN, Mr. NUNNELEE, and Mr. HALL.

H.R. 22: Mr. FARENTHOLD.

H.R. 32: Mrs. WALORSKI, Mr. HONDA, and Mr. RIGELL.

H.R. 39: Mr. MORAN.

H.R. 50: Mr. CARTWRIGHT, Mr. HORSFORD, and Mrs. NEGRETE MCLEOD.

H.R. 75: Mr. MILLER of Florida.

H.R. 93: Mr. BRADY of Pennsylvania and Mrs. NAPOLITANO.

H.R. 102: Ms. BASS.

H.R. 129: Mr. HASTINGS of Florida, Ms. HAHN, Mr. MARKEY, Mr. YARMUTH, Ms. JACKSON LEE, and Mr. DOYLE.

H.R. 148: Mr. THOMPSON of California, Ms. BONAMICI, Ms. SCHAKOWSKY, Mr. CAPUANO, and Mr. HUFFMAN.

H.R. 164: Mrs. KIRKPATRICK, Mr. SCOTT of Virginia, Mr. RIGELL, Ms. BONAMICI, Mr. SESSIONS, Mr. KINZINGER of Illinois, Mr. MASSIE, Ms. MCCOLLUM, Mr. RICHMOND, Ms. KAPTUR, and Mr. BACHUS.

H.R. 207: Mr. STOCKMAN, Mr. COFFMAN, and Mr. BENISHEK.

H.R. 232: Mr. BUCHANAN.

H.R. 236: Mr. LYNCH.

H.R. 241: Mr. GRAVES of Georgia.

H.R. 275: Mr. LOEBSACK and Mrs. BUSTOS.

H.R. 288: Mr. RAHALL.

H.R. 292: Mr. HASTINGS of Florida and Mr. MCGOVERN.

H.R. 312: Mr. SHERMAN.

H.R. 321: Mrs. DAVIS of California and Mr. TAKANO.

H.R. 322: Mr. RYAN of Wisconsin.

H.R. 324: Mr. GRIJALVA, Mr. COLLINS of New York, and Ms. KUSTER.

H.R. 329: Mr. LYNCH.

H.R. 334: Mrs. HARTZLER, Mr. BARLETTA, Mr. WESTMORELAND, and Mr. FORBES.

H.R. 335: Ms. HAHN, Mr. HONDA, and Mr. BARLETTA.

H.R. 337: Mr. LOEBSACK.

H.R. 344: Mr. LIPINSKI.

H.R. 351: Mrs. NEGRETE MCLEOD, Mr. HUNTER, Mr. REICHERT, Mr. RYAN of Wisconsin, Mr. KLINE, Mr. RODNEY DAVIS of Illinois, and Mr. MAFFEI.

H.R. 352: Mr. HUNTER and Mr. ROKITA.

H.R. 354: Mr. TAKANO and Mrs. NEGRETE MCLEOD.

H.R. 357: Mr. STIVERS, Mrs. NEGRETE MCLEOD, Ms. SCHWARTZ, Mr. BISHOP of New York, Mr. CARSON of Indiana, Mrs. KIRKPATRICK, Ms. KUSTER, and Mr. BENISHEK.

H.R. 358: Ms. SCHWARTZ.

H.R. 360: Mr. BARR, Mr. CRAMER, Mrs. HARTZLER, and Mr. LANKFORD.

H.R. 362: Mr. HASTINGS of Florida and Mr. GRIJALVA.

H.R. 363: Mr. HASTINGS of Florida and Mr. GRIJALVA.

H.R. 366: Mr. RUIZ, Mrs. BUSTOS, Mr. HORSFORD, Mr. WALZ, Mr. MCINTYRE, Mr. SESSIONS, and Ms. CLARKE.

H.R. 401: Mr. O'ROURKE, Ms. CASTOR of Florida, and Mrs. WALORSKI.

H.R. 411: Mr. WATT and Mr. HONDA.

H.R. 435: Mr. RUSH.

H.R. 454: Mr. PERRY, Mr. SHUSTER, and Mr. MURPHY of Pennsylvania.

H.R. 460: Ms. ROS-LEHTINEN, Mr. ROONEY, Mr. PRICE of North Carolina, Mr. CONNOLLY, and Ms. BROWNLEY of California.

H.R. 478: Mr. BARLETTA.

H.R. 482: Mr. SHERMAN.

H.R. 484: Mr. COLLINS of New York.

H.R. 487: Mr. AMODEI, Mr. DOGGETT, and Mr. TIBERI.

H.R. 490: Mr. TONKO.

H.R. 493: Mr. DAINES.

H.R. 503: Mr. ENYART and Mr. PERRY.

H.R. 506: Mrs. CAROLYN B. MALONEY of New York and Mr. LEWIS.

H.R. 515: Ms. CLARKE.

H.R. 523: Mr. RYAN of Wisconsin, Mr. DESANTIS, Mr. KENNEDY, Mr. ALEXANDER, Mr. SHUSTER, and Mr. NUNES.

H.R. 530: Mr. HUFFMAN.

H.R. 532: Mr. TIERNEY and Mr. RYAN of Ohio.

H.R. 536: Ms. WILSON of Florida.

H.R. 537: Mr. POCAN.

H.R. 539: Mr. WELCH.

H.R. 543: Mrs. NEGRETE MCLEOD, Ms. SINEMA, Mr. ANDREWS, Ms. LORETTA SANCHEZ of California, and Mr. ROGERS of Alabama.

H.R. 544: Mr. CHABOT and Mr. HUELSKAMP.

H.R. 556: Mr. HARRIS, Mr. NUGENT, and Mrs. HARTZLER.

H.R. 565: Mr. BARROW of Georgia, Mr. JOHNSON of Georgia, and Mr. COHEN.

H.R. 574: Ms. MATSUI, Ms. WASSERMAN SCHULTZ, and Ms. CHU.

H.R. 580: Mr. MEADOWS and Mr. MEEKS.

H.R. 581: Mr. STIVERS.

H.R. 582: Mr. RIBBLE, Mr. KLINE, and Mr. KINGSTON.

H.R. 584: Mr. COHEN.

H.R. 594: Mr. HIGGINS, Mr. HUDSON, Mr. O'ROURKE, Mr. GRIFFIN of Arkansas, Ms. PINGREE of Maine, Ms. SCHAKOWSKY, Mr. RANGEL, and Mr. OLSON.

H.R. 596: Mr. PASTOR of Arizona, Mr. SALMON, Mr. CÁRDENAS, Mr. VALADAO, Mr. HORSFORD, and Mrs. LUMMIS.

H.R. 600: Ms. FUDGE.

H.R. 612: Mr. GUTHRIE.

H.R. 618: Mr. LYNCH.

H.R. 621: Mr. KINGSTON.

H.R. 627: Mr. LEVIN, Mr. BISHOP of Georgia, Mr. LATHAM, Mr. SIMPSON, Ms. ESHOO, Mr. CRAWFORD, Ms. DELBENE, Mr. CASTRO of Texas, Mr. RUIZ, Mr. PERLMUTTER, Mr. KEATING, Mr. HINOJOSA, Mr. SHUSTER, Mr. MILLER of Florida, Mr. ROSS, Ms. WILSON of Florida, Ms. SHEA-PORTER, and Mr. BARROW of Georgia.

H.R. 630: Mr. COURTNEY, Ms. KAPTUR, Mr. MURPHY of Florida, Mr. SEAN PATRICK MALONEY of New York, Ms. SEWELL of Alabama, Mr. VELA, Ms. CLARKE, Mrs. BUSTOS, Mr. LARSEN of Washington, Ms. WILSON of Florida, Mr. ENYART, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Mr. BERA of California, Mr. RYAN of Ohio, Mr. BRALEY of Iowa, Mr. CAPUANO, Mr. BARBER, Mr. CÁRDENAS, Ms. DUCKWORTH, Ms. SCHWARTZ, Mr. HASTINGS of Florida, Mr. KILMER, Mr. HONDA, and Ms. HAHN.

H.R. 631: Mr. O'ROURKE.

H.R. 637: Mr. CAPUANO, Mrs. LUMMIS, Mr. CONYERS, Mr. JOHNSON of Georgia, Mr. HUELSKAMP, Mr. GOHMERT, and Mr. CRAWFORD.

H.R. 641: Ms. JACKSON LEE, Mr. RYAN of Ohio, and Ms. CHU.

H.R. 664: Ms. CHU, Mr. GRIJALVA, Mr. CONYERS, and Mr. HORSFORD.

H.R. 666: Mr. KILMER, Mr. RAHALL, Mrs. NEGRETE MCLEOD, and Mr. CARSON of Indiana.

H.R. 671: Mr. DEFazio, Mrs. NEGRETE MCLEOD, Mr. CONNOLLY, and Ms. KUSTER.

H.R. 673: Mr. HANNA.

H.R. 683: Mr. ELLISON, Mr. HIGGINS, and Mr. SHERMAN.

H.R. 686: Ms. KUSTER and Mr. HANNA.

H.R. 688: Ms. LORETTA SANCHEZ of California and Ms. CHU.

H.R. 717: Mr. CARTWRIGHT, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, and Mr. McDERMOTT.

H.R. 718: Mr. FORTENBERRY and Mr. FORBES.

H.R. 719: Mrs. MILLER of Michigan.

H.R. 721: Mr. GARDNER, Mr. TIPTON, Mr. TONKO, Mr. AUSTIN SCOTT of Georgia, Mr. GUTHRIE, Mr. BRALEY of Iowa, Mr. PRICE of North Carolina, Ms. MCCOLLUM, Mr. LOWENTHAL, Mrs. LUMMIS, and Mr. LUETKEMEYER.

H.R. 736: Ms. SLAUGHTER.

H.R. 741: Ms. TITUS, Mr. ENYART, Mr. BURGESS, Mr. PERLMUTTER, Mr. YOUNG of Alaska, and Mr. STOCKMAN.

H.R. 744: Mr. MURPHY of Florida and Mr. CARSON of Indiana.

H.R. 755: Mr. COHEN, Mr. HIGGINS, Mr. BRALEY of Iowa, Mr. SENSENBRENNER, Mrs. BUSTOS, Mr. NUNES, Mrs. LOWEY, and Mr. BENISHEK.

H.R. 763: Mr. COLLINS of New York, Mr. CARTER, Mr. ROKITA, Mr. CRAMER, Mr. NUNES, Mr. NUNNELEE, Mr. LANCE, Mr. KINGSTON, Mr. PALAZZO, Mr. SESSIONS, Mr. FORTENBERRY, Mr. SAM JOHNSON of Texas, Mr. ROONEY, Mr. RADEL, Mr. KINZINGER of Illinois, Mr. FRANKS of Arizona, Mr. GRAVES of Georgia, and Mr. MICA.

H.R. 764: Ms. WILSON of Florida.

H.R. 792: Mr. BENISHEK, Mr. HUELSKAMP, Mr. CHABOT, Mr. RADEL, Mr. HUIZENGA of Michigan, Mr. ROKITA, Ms. TITUS, Mr. BARR, and Mr. THOMPSON of Pennsylvania.

H.R. 800: Mr. LARSON of Connecticut, Ms. SCHWARTZ, Ms. WASSERMAN SCHULTZ, Mr.

JOHNSON of Ohio, Mr. PRICE of Georgia, Mr. BEN RAY LUJÁN of New Mexico, and Mr. BUCHANAN.

H.R. 805: Mr. HALL and Mr. CLAY.

H.R. 807: Mr. DESJARLAIS, Mr. MESSER, Mr. KING of Iowa, Mr. BENISHEK, Mr. HUDSON, and Mr. HOLDING.

H.R. 809: Mr. LOEBSACK and Mr. CARSON of Indiana.

H.R. 811: Mr. HIGGINS, Mrs. MCCARTHY of New York, and Mr. ISRAEL.

H.R. 813: Mr. CARSON of Indiana and Mr. CONNOLLY.

H.R. 826: Mrs. BLACK.

H.R. 830: Mr. BARLETTA.

H.R. 833: Mr. COTTON, Mr. WHITFIELD, Mrs. MILLER of Michigan, Mr. NEAL, Mr. KILMER, Ms. ESTY, and Mrs. LUMMIS.

H.R. 846: Mr. GARDNER, Mr. ISRAEL, Mr. TONKO, Mr. REICHERT, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. STIVERS, and Mr. BARR.

H.R. 847: Mrs. NAPOLITANO, Mr. YARMUTH, Mr. HONDA, and Mrs. LOWEY.

H.R. 850: Mr. CARTER, Mr. BERA of California, Ms. BROWNLEY of California, Mr. BARROW of Georgia, Mr. BARLETTA, Mr. GIBSON, Mr. DESJARLAIS, Mr. LARSEN of Washington, Mrs. WALORSKI, Mr. FLEMING, Mr. BEN RAY LUJÁN of New Mexico, Ms. MATSUI, Mr. KING of Iowa, Mr. WHITFIELD, Mr. LAMALFA, Mr. ENYART, Mr. GUTIERREZ, and Mrs. BUSTOS.

H.R. 855: Ms. BASS, Mr. PERLMUTTER, Mr. JOHNSON of Ohio, Mrs. CAPPS, and Mr. LOWENTHAL.

H.R. 861: Mr. COLLINS of New York.

H.R. 875: Mr. POSEY.

H.R. 888: Mr. SHUSTER, Mr. FARENTHOLD, and Mr. OLSON.

H.R. 894: Mr. BENISHEK.

H.R. 896: Mr. CARSON of Indiana, Mr. HOLT, and Mr. CICILLINE.

H.R. 897: Mr. ELLISON, Ms. NORTON, Mr. COURTNEY, Mr. COHEN, Mrs. CAPPS, Mr. BRADY of Pennsylvania, and Mr. BENISHEK.

H.R. 900: Mr. HIGGINS and Mr. MCGOVERN.

H.R. 903: Mr. KINGSTON, and Mr. SESSIONS.

H.R. 904: Mr. LOEBSACK, Mr. REED, Mr. KINGSTON, and Mr. ROKITA.

H.R. 915: Mr. LYNCH, Mr. POCAN, Mr. TIERNEY, Mr. GRIJALVA, and Mr. RANGEL.

H.R. 920: Mr. LOWENTHAL and Ms. BASS.

H.R. 922: Mr. HANNA.

H.R. 924: Mr. MCINTYRE, Mr. SARBANES, Ms. KAPTUR, Ms. SEWELL of Alabama, Mr. ELLISON, and Mr. CICILLINE.

H.R. 938: Mr. CRAWFORD, Mr. BERA of California, Mr. ENYART, Mr. SALMON, Mrs. KIRKPATRICK, Ms. MATSUI, Mr. RYAN of Wisconsin, Mr. KING of Iowa, Mr. VALADAO, Mr. LOWENTHAL, Mr. HONDA, Mr. KILMER, Ms. WASSERMAN SCHULTZ, Ms. BROWNLEY of California, Mr. BARR, Ms. BONAMICI, and Mr. HOLDING.

H.R. 940: Mr. GARDNER, Mr. MCCLINTOCK, Mr. ADERHOLT, Mr. KINGSTON, Mr. GIBBS, Mr. FITZPATRICK, Mr. MASSIE, Mr. MCINTYRE, Mr. SESSIONS, and Mr. TURNER.

H.R. 949: Ms. MOORE, Mr. RUIZ, and Mr. FOSTER.

H.R. 954: Mr. POCAN.

H.R. 958: Mr. LEWIS, Ms. JACKSON LEE, Mr. GRIJALVA, Mr. SCOTT of Virginia, and Mr. RUIZ.

H.R. 961: Ms. SEWELL of Alabama, Mr. LEVIN, Mr. CAPUANO, Mr. VARGAS, Mr. COHEN, Mr. VELA, Mr. BLUMENAUER, Ms. FRANKEL of Florida, Mr. BISHOP of New York, Mr. HANNA, Mrs. NAPOLITANO, Mr. RUNYAN, Mr. MCGOVERN, and Mr. VISCLOSKEY.

H.R. 962: Mr. BISHOP of Georgia, Mr. HORSFORD, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. PAYNE, Mr. TAKANO, Mr. CARSON of Indi-

ana, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Mr. HINOJOSA, and Mr. RANGEL.

H.R. 963: Ms. MOORE, Ms. PINGREE of Maine, Mr. BRALEY of Iowa, and Mr. COFFMAN.

H.R. 969: Mr. BISHOP of Utah, Mrs. LUMMIS, Mr. SOUTHERLAND, Mr. FRANKS of Arizona, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. CULBERSON, Mr. BRADY of Texas, Mr. MCCLINTOCK, and Mr. DESJARLAIS.

H.R. 972: Mrs. HARTZLER and Mr. BENISHEK.

H.R. 980: Mr. RYAN of Ohio.

H.R. 984: Mr. CARSON of Indiana, Mr. JONES, Mr. MCGOVERN, Mr. ROE of Tennessee, and Mr. STIVERS.

H.R. 986: Mr. BENISHEK, Mr. RODNEY DAVIS of Illinois, and Mr. LOEBSACK.

H.R. 1000: Ms. WILSON of Florida, Mr. HOLT, Ms. FUDGE, Mr. ELLISON, Mr. HASTINGS of Florida, Mr. MORAN, and Mr. JOHNSON of Georgia.

H.R. 1002: Mr. RANGEL.

H.R. 1005: Mr. MILLER of Florida.

H.R. 1012: Mr. RANGEL, Mr. BLUMENAUER, Ms. CASTOR of Florida, Ms. SPEIER, Mr. FARR, and Mr. LYNCH.

H.R. 1015: Mr. HOLT, Ms. SHEA-PORTER, Ms. MOORE, Mr. COOPER, Mr. PAYNE, Mr. LARSEN of Washington, Mr. LATHAM, Mr. LOEBSACK, and Ms. SLAUGHTER.

H.R. 1020: Ms. BASS and Mr. BUCHSON.

H.R. 1024: Mr. BUTTERFIELD, Mr. VEASEY, Ms. NORTON, Mr. CARSON of Indiana, Mr. HOLT, Mr. MARINO, and Mr. COLLINS of New York.

H.R. 1032: Mr. HECK of Nevada and Mr. BARR.

H.R. 1033: Mr. LEWIS, Mr. MCGOVERN, Mr. FORTENBERRY, and Mrs. BEATTY.

H.R. 1038: Mr. JONES, Mr. CRAWFORD, Mr. GRIFFIN of Arkansas, Mr. HANNA, and Ms. LEE of California.

H.R. 1072: Mr. BARR and Mr. JOHNSON of Ohio.

H.R. 1074: Mr. RANGEL, Mrs. BLACKBURN, Mr. CASSIDY, Mr. GRIJALVA, Ms. SPEIER, Mr. HECK of Nevada, Mr. LOEBSACK, Mr. BUCHANAN, Mr. MCGOVERN, Mr. JOHNSON of Georgia, Mr. MARCHANT, and Mr. WITTMAN.

H.R. 1077: Mr. HURT, Mr. ROE of Tennessee, Mr. WOMACK, and Mr. QUIGLEY.

H.R. 1078: Mr. LAMALFA, Mr. DAINES, and Mr. BENISHEK.

H.R. 1082: Mr. FLORES.

H.R. 1091: Mr. OLSON and Mr. DAINES.

H.R. 1094: Mr. VAN HOLLEN, Ms. TSONGAS, Mr. SCHIFF, Mr. RANGEL, Mr. LEVIN, Ms. CLARKE, Mr. LYNCH, Mr. MARINO, Ms. SPEIER, Mr. CUMMINGS, Mr. MCGOVERN, Mr. DEFazio, Ms. TITUS, Mr. HIMES, Ms. KUSTER, Mr. GARY G. MILLER of California, Mrs. CAPPS, Mr. ROSS, Ms. LEE of California, Mr. BRADY of Pennsylvania, and Mr. HASTINGS of Florida.

H.R. 1096: Ms. BASS.

H.R. 1099: Mr. MCCLINTOCK, Mr. KINGSTON, and Mr. OLSON.

H.R. 1106: Mr. SCHRADER and Mr. SCHNEIDER.

H.R. 1120: Mr. HUDSON, Mr. GINGREY of Georgia, Mr. MEADOWS, Mr. KINGSTON, Mr. MESSER, and Mr. SCALISE.

H.R. 1125: Mr. ROGERS of Alabama.

H.R. 1130: Mr. SCHNEIDER, Mr. MEADOWS, and Mr. HULTGREN.

H.R. 1141: Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, Ms. SHEA-PORTER, Mr. MORAN, Mr. LARSEN of Washington, Ms. BROWNLEY of California, Mr. MICHAUD, Mr. SMITH of Washington, Mr. HECK of Nevada, Mr. CONNOLLY, Ms. ESHOO, Mr. ANDREWS, Mr. RYAN of Ohio, and Mr. CUELLAR.

H.R. 1146: Mrs. BLACKBURN, Mr. ROE of Tennessee, and Mr. CARSON of Indiana.

H.R. 1148: Mr. DEFazio, Mr. LATHAM, Mr. JONES, Mr. HIMES, and Mr. CONYERS.

H.R. 1149: Mr. LOEBSACK, Mr. SHIMKUS, and Mr. ROGERS of Alabama.

H.R. 1151: Mr. MEADOWS, Mr. MARINO, Mr. COOK, Mr. CONYERS, Mr. CARTER, Mr. MORAN, Mr. SENSENBRENNER, Mr. JOHNSON of Georgia, and Mr. COTTON.

H.R. 1171: Mr. RUIZ.

H.R. 1181: Mr. O'ROURKE, Mr. BUCHANAN, Mr. BARR, and Mr. ENYART.

H.R. 1182: Mr. GIBBS.

H.R. 1186: Mr. MARKEY, Mr. LYNCH, Mr. KEATING, and Mr. CAPUANO.

H.R. 1188: Mr. JONES and Mrs. ROBY.

H.R. 1201: Ms. FUDGE and Mr. KEATING.

H.R. 1209: Mr. BENISHEK, Ms. BROWNLEY of California, Mr. CARTER, Ms. CASTOR of Florida, Mr. COLLINS of New York, Mr. CONAWAY, Mr. COOPER, Mr. CRAMER, Mr. CRAWFORD, Mr. GALLEGO, Mr. GENE GREEN of Texas, Mr. GRAVES of Missouri, Mr. LAMALFA, Mr. MAFFEI, Mr. MORAN, Mr. NEUGEBAUER, Mr. O'ROURKE, Mr. PERLMUTTER, Mr. ROE of Tennessee, Ms. SHEA-PORTER, Mr. SMITH of Texas, Mr. VARGAS, Mr. WALZ, Mr. WEBER of Texas, and Mr. WILLIAMS.

H.R. 1227: Mr. RICE of South Carolina.

H.R. 1240: Mr. TAKANO, Mr. MURPHY of Florida, and Mr. MCGOVERN.

H.R. 1242: Mr. PETRI, Mr. HUIZENGA of Michigan, Mr. WEBSTER of Florida, Mr. MARCHANT, Mr. MEADOWS, Mr. GARDNER, Mr. WHITFIELD, Mr. LATHAM, and Mr. MCCLINTOCK.

H.R. 1248: Mr. RENACCI, Mr. WENSTRUP, Mr. ROKITA, and Mr. PETRI.

H.R. 1249: Mr. BLUMENAUER, Mr. CHABOT, Mr. SCHOCK, Mr. GUTHRIE, Mr. COFFMAN, Mr. GRAVES of Missouri, Mr. RANGEL, Mr. RUSH, Mr. LATHAM, Mr. BARR, and Mr. MULVANEY.

H.R. 1270: Mr. SOUTHERLAND.

H.R. 1271: Mr. HIGGINS, Ms. WILSON of Florida, Mr. CARSON of Indiana, Mr. GRIJALVA, and Mr. POCAN.

H.R. 1278: Ms. ZOE LOFGREN, Ms. GABBARD, Ms. LEE of California, and Mr. POCAN.

H.R. 1286: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NEGRETE MCLEOD, Mr. CONNOLLY, Mrs. MCCARTHY of New York, and Mrs. DAVIS of California.

H.R. 1287: Mr. COTTON, Mr. MEADOWS, Mrs. BLACKBURN, Mr. MCHENRY, and Mr. HOLT.

H.R. 1288: Mr. CARSON of Indiana, Mr. SMITH of Washington, Mr. RUPPERSBERGER, Ms. WILSON of Florida, Mr. SCOTT of Virginia, Mr. ISRAEL, Mr. NUNES, Mr. FATTAH, Mr. TONKO, and Mr. GENE GREEN of Texas.

H.R. 1290: Mr. HUELSKAMP, Mr. CRAMER, Mr. WILSON of South Carolina, Mr. THORNBERRY, Mr. COTTON, and Mr. LUETKEMEYER.

H.R. 1294: Mr. DAINES.

H.R. 1295: Ms. TSONGAS.

H.R. 1298: Ms. SLAUGHTER and Mr. TONKO.

H.R. 1301: Ms. CASTOR of Florida and Mr. MARKEY.

H.R. 1303: Mr. RENACCI, Ms. LORETTA SANCHEZ of California, Mr. HASTINGS of Washington, Mr. ROE of Tennessee, Mr. GRAVES of Missouri, Mr. PETRI, Mr. FORTENBERRY, Mr. WHITFIELD, Mr. RANGEL, Ms. CHU, and Mr. SCHOCK.

H.R. 1310: Mr. SESSIONS.

H.R. 1317: Mrs. BACHMANN and Mr. THOMPSON of California.

H.R. 1318: Mr. CLEAVER, Mr. CUMMINGS, and Mr. LYNCH.

H.R. 1319: Mr. TAKANO.

H.R. 1329: Mrs. CAPPS and Mr. VELA.

H.R. 1330: Mrs. NEGRETE MCLEOD, Mr. LYNCH, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1331: Mr. ROSKAM and Mr. BUCHANAN.

H.R. 1334: Mr. TAKANO and Mr. CONYERS.

H.R. 1335: Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, and Mr. CONNOLLY.

H.R. 1337: Mr. SALMON and Mr. WESTMORELAND.

H.R. 1338: Mr. CICILLINE, Mr. RUPPERSBERGER, Mr. PETERS of Michigan, and Mr. MCGOVERN.

H.R. 1339: Mr. RYAN of Ohio, Mr. BRALEY of Iowa, Mr. RUSH, Mrs. CAPPS, and Mr. MCGOVERN.

H.R. 1340: Ms. JACKSON LEE.

H.R. 1344: Ms. SINEMA.

H.R. 1349: Mr. BARBER.

H.R. 1351: Mr. POCAN.

H.R. 1354: Mr. TONKO, Mr. WELCH, Mr. CONNOLLY, Mr. HIGGINS, Mr. CHABOT, Mr. HANNA, Mr. KEATING, Mr. HONDA, Mr. RENACCI, Ms. TITUS, Mr. COBLE, Mr. BUSHON, and Mr. MORAN.

H.R. 1355: Mr. JORDAN.

H.R. 1365: Mrs. CAROLYN B. MALONEY of New York and Mr. JOHNSON of Georgia.

H.R. 1366: Mr. BUCHANAN.

H.R. 1373: Mrs. KIRKPATRICK, Ms. SCHWARTZ, Ms. FUDGE, Mr. RANGEL, and Ms. DELAURO.

H.R. 1379: Mr. RANGEL.

H.R. 1381: Mr. GOWDY.

H.R. 1386: Mr. CRAMER, Mr. MARCHANT, and Mr. GERLACH.

H.R. 1387: Mr. HASTINGS of Washington.

H.R. 1396: Mr. GARAMENDI, Mrs. NEGRETE MCLEOD, and Mr. FARR.

H.R. 1397: Mr. CLAY, Mr. HIGGINS, Mr. CONYERS, Ms. NORTON, Mr. RUSH, Mr. CAPUANO, Mr. PETERS of Michigan, and Ms. JACKSON LEE.

H. Con. Res. 4: Mr. GRIMM, Mr. WESTMORELAND, Mr. SWALWELL of California, and Mr. RAHALL.

H. Con. Res. 16: Mr. BARBER, Mr. DUNCAN of South Carolina, Mr. GRAVES of Missouri, Mr. KING of New York, Mr. NUNES, Mr. PALAZZO, Mr. PITTS, Mr. RIBBLE, and Mr. RYAN of Wisconsin.

H. Con. Res. 23: Mr. HUDSON.

H. Con. Res. 24: Mr. JOYCE, Mrs. WAGNER, Mr. MCKINLEY, Mr. YOHO, Mr. SCHWEIKERT, Mr. DAINES, and Mr. STUTZMAN.

H. Con. Res. 26: Mr. SALMON.

H. Res. 30: Mrs. NAPOLITANO, Mr. SMITH of Washington, Ms. DUCKWORTH, Mr. YOUNG of Florida, Mr. BARBER, Mr. LIPINSKI, Ms. ROYBAL-ALLARD, Mr. HIMES, Mr. CARTWRIGHT, Mr. COHEN, Mr. GRIJALVA, Ms. SEWELL of Alabama, Mr. BUTTERFIELD, and Mr. DAVID SCOTT of Georgia.

H. Res. 36: Mr. MURPHY of Pennsylvania, Mr. LATHAM, Mr. CHABOT, Mr. BONNER, Mr. THOMPSON of Pennsylvania, Mr. MARCHANT, Mr. GARRETT, Mr. SCHWEIKERT, Mr. ROSS, Mrs. BLACK, Mr. HURT, Mr. FARENTHOLD, Mr. BENTIVOLIO, and Mrs. BACHMANN.

H. Res. 71: Mr. HOLT and Mr. GRIJALVA.

H. Res. 72: Mrs. BUSTOS and Mr. CRENSHAW.

H. Res. 75: Mr. WHITFIELD and Mr. PALAZZO.

H. Res. 104: Mr. LOWENTHAL, Mr. JONES, and Mr. RAHALL.

H. Res. 108: Mr. RANGEL, Ms. CHU, Ms. WILSON of Florida, and Ms. SCHAKOWSKY.

H. Res. 112: Mr. FRANKS of Arizona, Mr. MICHAUD, Mr. KILMER, Mr. CRAMER, Mr. LOEBSACK, Mr. MCGOVERN, Mr. BRALEY of Iowa, Mr. BERA of California, Ms. LEE of California, and Mr. FOSTER.

H. Res. 121: Ms. CASTOR of Florida and Ms. WILSON of Florida.

H. Res. 126: Mr. CARSON of Indiana and Mr. SWALWELL of California.

H. Res. 129: Mrs. WAGNER and Mr. MCCLINTOCK.

H. Res. 133: Ms. ESHOO, Ms. CASTOR of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. MCCOLLUM.

H. Res. 134: Ms. WILSON of Florida, Mr. OWENS, Mr. FRANKS of Arizona, Mr. ROE of

Tennessee, Mr. COLLINS of New York, Mr. ISRAEL, Mr. MICHAUD, and Mr. COTTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1202: Mr. WILSON of South Carolina.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 678

OFFERED BY: MRS. NAPOLITANO

AMENDMENT NO. 1: Page 4, strike lines 14 through 18 (and redesignate subsequent provisions accordingly).

Page 7, line 13, strike "5" and insert "15".

H.R. 678

OFFERED BY: MR. TIPTON

AMENDMENT NO. 2: Page 4, line 4, insert "(A)" after "(2)".

Page 4, lines 8 and 10, strike "work" and insert "conduit".

Page 4, line 13, after "offer" insert "for a small conduit hydropower project".

Page 4, after line 13, insert the following:

"(B) If the irrigation district or water users association elects not accept a lease of power privilege offer under subparagraph (A), the Secretary shall offer the lease of power privilege to other parties in accordance with this subsection."

Page 4, line 21, after "hydropower" insert "policy and procedure-setting".

Page 5, line 18 strike "involved, and" and all that follows through line 25 and insert the following "involved. The Secretary shall notify and consult with the irrigation district or water users association operating the transferred conduit before offering the lease of power privilege and shall prescribe terms and conditions that will adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved."

Page 6, after line 4, insert the following:

"(8) Nothing in this subsection shall alter or affect any existing preliminary permit, license, or exemption issued by the Federal Energy Regulatory Commission under Part I of the Federal Power Act (16 U.S.C. 792, et seq.) or any project for which an application has been filed with the Federal Energy Regulatory Commission as of the date of the enactment of the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act."

Page 6, line 5, strike "(8)" and insert "(9)".

Page 6, strike lines 14 through 20, and insert the following:

(B) IRRIGATION DISTRICT.—The term "irrigation district" means any irrigation, water conservation or conservancy, multicounty water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

Page 6, line 21, strike "WORK" and insert "CONDUIT".

Page 6, line 22, strike "work" and insert "conduit".

Page 7, line 3, strike "WORK" and insert "CONDUIT".

Page 7, line 4, strike "work" and insert "conduit".

H.R. 678

OFFERED BY: MR. TIPTON

AMENDMENT NO. 3: Page 4, strike lines 14
through 18, and insert the following:

“(3) The Bureau of Reclamation shall apply its categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit hydropower development under this subsection, excluding siting of associated transmission facilities on Federal lands.

EXTENSIONS OF REMARKS

TRIBUTE TO EAGLE SCOUT BRYON KOSTER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Bryon Koster of Van Meter, Iowa for achieving the rank of an Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Bryon designed and constructed a prayer labyrinth at the St. Boniface Church in Waukee, Iowa. The work ethic Bryon has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Bryon and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

RECOGNIZING THE 20TH ANNIVERSARY OF THE NEW HAMPSHIRE RIVERS COUNCIL

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. KUSTER. Mr. Speaker, I rise today to recognize the New Hampshire Rivers Council as it celebrates its 20th Anniversary. The Rivers Council grew out of the New Hampshire Rivers Campaign, a group of concerned citizens and conservation organizations that united in 1985 to create a voice for New Hampshire rivers. Thanks to the Campaign and the Council, the Rivers Program is celebrating its 20th anniversary with 1000 miles of rivers designated into the state program since 1988. Recognizing the need for a permanent and active voice for river protection in the state, the participants in the campaign formed the New Hampshire Rivers Council.

Over the last 20 years, the New Hampshire Rivers Council has made many significant

contributions to river and watershed conservation in the Granite State. For example, the Rivers Council worked with grassroots organizations to implement minimum water levels on protected rivers, worked with the Governor's Commission on Land and Community Heritage to recommend a new, permanent and adequately funded program for land conservation, and joined other New Hampshire organizations to negotiate a creative license agreement for the 15-Mile Falls Dam on the Connecticut River that provides better protection to the river ecosystem and preserved nearly 12,000 acres of land on the river and surrounding the Connecticut Lakes.

The history and character of New Hampshire is largely defined by its rivers and the directors and growing membership of the Rivers Council continue to make significant contributions to river and watershed conservation and restoration, ensuring New Hampshire's natural resources will be enjoyed for generations to come.

Today, the New Hampshire Rivers Council is the only statewide organization dedicated to the protection and conservation of New Hampshire's river resources and whose leadership was instrumental in the establishment of the New Hampshire Rivers Management and Protection Program. I ask the House of Representatives to join me to acknowledge and thank those individuals who had the vision to create the Rivers Campaign nearly thirty years ago and to celebrate the 20th Anniversary of the New Hampshire Rivers Council today.

RECOGNIZING THE WHITE OAK ROUGHNECKS FOR WINNING THE TEXAS CLASS 2A BASKETBALL CHAMPIONSHIP

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. GOHMERT. Mr. Speaker, it is with enormous pride that I recognize and congratulate the White Oak Roughnecks on an outstanding basketball season in which they captured the Texas State Class 2A Basketball Championship for the second year in a row.

The entire east Texas community of White Oak and all Roughneck fans have a vast storehouse of exciting memories as a result of the Roughnecks' dominating two year stretch of championship basketball. The team went undefeated in district and compiled an impressive 74-2 record over the past two seasons. Going into the championship game with an impressive 37-1 record this year as they also had in 2012, there was no doubt the White Oak Roughnecks were a powerful force in Texas and a basketball team with which to be reckoned.

The all important game of 2013 saw White Oak ultimately defeat the Brock Eagles just as

they had in 2012 to claim the Class 2A State crown for the second straight year. White Oak led most of the game, but Brock rallied in the second half turning up the heat and bringing the fans to their feet in a heart stopping final ten seconds through which White Oak emerged the victor, 56-54.

Clearly a team does not get to the ultimate and lofty plateau of excellence without a coaching staff that knows its players. There is no doubt that each of the individual players, coaches, and supporting personnel involved with the success of the Roughnecks will benefit from having participated and witnessed the level of success that is achieved when each individual gives all they have while working together with such dedication and passion.

This tribute goes out to all of the athletic staff including Superintendent Mike Gilbert, Athletic Director Gerry Stanford, High School Principal Dan Noll, and Coaches Ron Boyett, Billy Terry and Brett Cloud.

The team members achieving this memorable accomplishment included Slade Sutton, Skylar Sutton, Dylan Gale, Kris Anderson, Josh Benson, Cass Carr, Tanner Sharp, Hayden Nichols, Gabe Michael, and Levi Yancy.

No athletic team ever becomes a champion without unwavering support, and that is exactly what the Roughnecks experienced from the entire community of White Oak, Texas. That is why congratulations go to all who contributed in any way to the success of the Roughnecks during this championship season.

May God continue to bless all of their efforts both in school and as they one day finish high school and use that same drive and determination to make this country even stronger. Congratulations to the State Basketball Champions, the White Oak Roughnecks, as their legacy is now recorded in the CONGRESSIONAL RECORD that will endure as long as there is a United States of America.

IN RECOGNITION OF RITA WILLIAMS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Rita Williams, an exceptional journalist whose image and voice have been beamed into Bay Area living rooms for four decades. She is retiring from KTVU after 35 years at the station.

Rita is a top-notch reporter and superb story teller. I know from first-hand experience that she is fair, professional and that she won't give any elected official a pass. Rita has earned the adoration and admiration from her colleagues, her interviewees and her viewers.

But don't just take my word for it; this is what other people are saying: Greg Suhr, the San Francisco Police Chief says, "If there was

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

a "how to" book on how to be the most gracious fair objective "cool under fire" reporter in the world, Rita Williams' picture would be on the cover." Ed Chapuis, her news director for over 10 years says, "Her stories were always the hardest for her editors to edit, because each word was placed with such purpose and precision." Bill Drummond, journalist and husband of the late Faith Fancher, Rita's longtime friend and colleague, says, "With Rita the reporting came first, and because of that commitment, her stories transcended the usual limitations of the television news medium."

Rita grew up in Lubbock, Texas. She was the first in her family to earn a college degree. After she graduated from Texas Tech University with a B.A. in journalism, she worked as the press secretary for the late Texas Congressman George Mahon, Chairman of the House Appropriations Committee. She then earned her Master's degree in political science/international affairs from George Washington University. Rita worked as a news reporter at KSAT-TV in Texas from 1975-1978 and then moved to California. She was a reporter for KQED-TV before she joined KTVU in 1980. From 1985-86, she was also a Knight Fellow and taught broadcast news writing at Stanford.

When Rita entered the broadcast world, it was dominated by men. Surviving and even thriving in this testosterone-driven environment was no small accomplishment, but Rita did it with grace and tenacity. She calls herself the "first broadcast broad." She opened KTVU's San Francisco bureau in the Hall of Justice.

Rita has reported thousands of social, economic and political stories, treating each one as the most important story at the time. Her work has earned her several Emmies, Tellies, a PASS award from the National Council on Crime and Delinquency, a public service award from the Society of Professional Journalists and many other awards. She was one of the lead investigative reporters in the Oakland BART shooting stories that contributed to a prestigious Peabody award and Edward R. Murrow award to KTVU.

While Rita takes utmost pride in her profession and work, she views her family as her biggest accomplishment. Rita and her husband of 37 years, Lindsey, are the proud parents of Brad who is now a law student in San Francisco. Brad and my children grew up around the same time, so Rita and I often compared notes and shared school referral options.

Mr. Speaker, I ask the House of Representatives to rise with me to honor one of the finest journalists and human beings I know. On her last day on the air at KTVU, Rita humbly thanked her viewers and said, "You have entrusted me with one of the biggest responsibilities anybody could ever have, to be a reporter and to be your eyes and ears."

I hope that I have used that trust well and that you have learned something in return." The answer to that hope is a resounding yes!

RECOGNIZING THE ACCOMPLISHMENTS OF TOM FILLIPPO

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. GERLACH. Mr. Speaker, on behalf of my colleagues, Congressman PAT MEEHAN and Congressman JOE PITTS, I rise today to congratulate Tom Fillippo of Malvern, Pennsylvania on receiving the Chester County Economic Development Council's Hall of Fame Award for his outstanding accomplishments within the Chester County business community and the entire area community. The litany of his accomplishments and contributions is amazing.

In addition to his role as President and Chief Executive Officer of Devault Foods, Tom served as Chairman of the Board of the Chester County Chamber of Business and Industry from 2002 to 2006. Tom also serves as Chairman of the West Chester University's Council of Trustees, a Board Member of the West Chester University Foundation and Sturzebecker Foundation, and a Board Member of the Paoli Hospital Foundation. Additionally, he serves on the Central and Western Chester County Industrial Development Authority and the Chester County Industrial Development Board of Directors.

Tom is a member of the West Chester University Football Hall of Fame and has received numerous awards for his service to the business community and community at large including the Chester County Boy Scouts' Community Service Award, the Great Valley Chamber's Business Leader of the Year Award, the West Chester University Distinguished Alumni Award, the American Meat Institute's Community Service Award, and the Order of the Purple Heart's Outstanding Citizen Award.

Mr. Speaker, in light of his outstanding professional accomplishments and exemplary record of service to the Chester County community, we ask that our colleagues join us today in recognizing Tom Fillippo of Malvern, Pennsylvania on receiving the Chester County Economic Development Council's Hall of Fame Award and, on behalf of our constituents, thank him for his tireless and unceasing efforts to make the County a wonderful place to raise a family and succeed in business.

DON MACDONALD TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize Don MacDonald of Colorado. Don MacDonald recently retired as Manager of Energy Service from Molson Coors after a 42 year long career. After serving in Vietnam, Mr. MacDonald and his wife settled in Colorado in 1970, where he began his career with Coors in the Purchasing Department.

Mr. MacDonald acquired his undergraduate degree from Cornell College in Eastern Iowa, where he studied geology. This degree gave

him the expertise to support Coors' vertical integration efforts in energy exploration and production. Mr. MacDonald worked tirelessly for several decades on the energy side of Coors business and played a major role in the company's involvement with oil and gas operations, coal exploration and production and the promotion of energy efficiency.

Most recently, Mr. MacDonald spearheaded the reclamation of one of Coors' coal properties. As he moves into retirement, Mr. MacDonald keeps busy with his involvement in the Evergreen Rodeo and his passion for the theater arts.

Although, Mr. MacDonald's professional accomplishments alone are memorable, it is his personality and friendship that will be missed most by his colleagues. Mr. Speaker, it is an honor to recognize Mr. MacDonald for all the incredible work he did for Molson Coors of Colorado.

UNIVERSITY OF WISCONSIN-EAU CLAIRE MEN'S HOCKEY TEAM NCAA DIVISION III NATIONAL CHAMPIONS

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. KIND. Mr. Speaker, today I rise to honor the University of Wisconsin-Eau Claire men's hockey team, the Bugolds, on winning the NCAA Division III National Championship. Their 5-3 victory over Oswego State on March 16, 2013 was an exceptional display of teamwork.

In winning the team's first National Championship, the Bugolds capped off their best season in program history. Their 14-3-1 record in conference play not only placed them at the top of the standings for the Northern Collegiate Hockey Association Conference, but it also earned them their first conference championship. The Bugolds also finished the season with an overall record of 24-5-2, the best in school history. Their success during the season earned them a spot in the NCAA Championship Tournament for the second time in program history.

The success of the UW-Eau Claire Bugolds did not go unnoticed. Senior forward and captain, Jordan Singer, was named to the All-NCHA team. Head coach Matt Loen received the Edward Jeremiah Award, honoring him as the NCAA Division III coach of the year. Additionally, at the conclusion of the NCAA Division III Tournament, Kurt Weston, Jordan Singer, Drew Darwitz, and Brandon Stephenson were named to the all-tournament team, with Singer named as the Most Outstanding Player of the tournament.

The Bugolds rode the momentum of their season's success by winning their first three games of the tournament, earning an opportunity to compete in the National Championship game. Nonetheless, heading into the championship off an incredible season, the team found themselves down by two goals in the first period. The Bugolds banded together and rose to the challenge with four unanswered goals.

They tied the game by the end of the first period, with one goal from Jordan Singer during a power-play, and another goal from Andrew Wilcox with less than a minute remaining in the first period. Then, with six minutes remaining in the second period, Daniel Olszewski gave UW–Eau Claire their first lead of the game. Devin Mantha's goal in the final period increased UW–Eau Claire's lead, and although Oswego scored a goal with ten minutes left in the game, Kurt Weston's final goal clinched the title for the Blugolds. Brandon Stephenson, the goalie of the Blugolds, finished the game with 27 saves. When the final buzzer rang through Herb Brooks Arena in Lake Placid, New York, the Blugolds won their first National Championship by defeating Oswego State 5–3.

This momentous win at the end of a very successful season exemplifies the dedication, teamwork, and sportsmanship of each and every member of the UW–Eau Claire men's hockey team. Furthermore, this victory is a source of great pride for the entire Eau Claire community. Once again, I want to congratulate the University of Wisconsin–Eau Claire men's hockey team on their incredible season and hard-earned title as NCAA Division III National Champions.

RECOGNIZING ROBERT "BOB" C.
REILING

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute a remarkable Hoosier, Robert "Bob" C. Reiling, who retired as Tippecanoe Election Board Chairman after 28 years of service. I wish to express my heartfelt gratitude and appreciation for his leadership and service to his county and the State of Indiana.

Mr. Reiling began his service to the voters of Tippecanoe County in 1984. Almost two decades later, I began working with him and the rest of the Tippecanoe County Election Board to help implement the Help America Vote Act. Under his leadership, the county actually began replacing outdated voting systems with new technologies prior to the federal and state mandate to do so. Throughout the past decade, local and state officials with both leading worked in concert to improve election administration and the election experience for voters.

I am most proud of the partnership and friendship we grew as Tippecanoe County became one of three pilot counties to implement the Vote Centers model that is now almost common in Indiana. By introducing this model to the voters of Tippecanoe County, turnout increased, voting wait times decreased, and fewer voters were disenfranchised because there is no wrong place to vote. Tippecanoe County, under the leadership of Bob and the county election board, helped develop a working model that so many other Indiana counties are now emulating.

Mr. Reiling is a family man and remains a good friend even though I am no longer Indiana's Secretary of State. I am honored to

have worked with him over the years, and look forward to our continued friendship. While no longer serving on the county election board, I know he will continue to be a leader and serve the people of Tippecanoe County in other ways.

This is Mr. Robert Reiling: a man truly committed to his family, his community, and his country. I value his friendship, counsel, and most of all, his good example. Thank you for your many years of service, Mr. Reiling.

IN RECOGNITION OF FIRE CHIEF
DON DORNELL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Fire Chief Don Dornell, who is retiring after nearly four decades of service to the people of Burlingame and San Mateo County. His dedication to public service is a credit to his community and to his character as a leader.

Don Dornell is a Peninsula native, born in San Francisco in 1951 and raised in Millbrae as the second of five children, and one of a pair of twins. He attended Capuchino High School in San Bruno, then earned his associate degree in Political Science at the College of San Mateo in 1971.

It was then that Chief Dornell's career in public service began. He served in the Army National Guard for six years, until 1977. During that time, Chief Dornell trained as a plumber, and he began working for the San Carlos Parks Department. But from his first day, he knew that the Parks Department was not for him—his real goal was serving as a firefighter.

After a brief stint in Piedmont, Chief Dornell was hired as a firefighter for the City of Burlingame in March 1977, a community he has served diligently ever since. He has risen swiftly through the ranks, earning a promotion to Fire Captain in 1985, and serving as the B-Shift Training Officer from 1985 to 1997 and co-director of the San Mateo County Fire Recruit Academy from 1996 to 1997. In January 1997, he became Assistant Chief, and he took over responsibility for training and overseeing line personnel.

More recently, Chief Dornell has worked tirelessly to ensure successful transitions as local agencies consolidate fire protection to strengthen the cohesiveness of service and promote administrative efficiency. When the City of Burlingame and the Town of Hillsborough merged fire services in 2004, becoming the Central County Fire Department, he became the first Deputy Fire Chief of the new agency. This is a role he has embraced, as he became the agency's second Fire Chief in December 2006. Last year he took over responsibility for fire departments in Millbrae and San Bruno as well.

Chief Dornell's service to the community has taken other forms as well. He is a long-standing Fire Technology Instructor at College of San Mateo, administrator of the San Mateo County Fire Recruit Academy from 1997 to 2006, and a Member of the San Mateo County

Fire Chiefs Association, where he serves as liaison to a number of adjunct groups. Chief Dornell is also the first inaugural chairman of the Burlingame Adopt-a-Unit program, which since 2004 has supported hundreds of U.S. soldiers through their deployments to Iraq and Afghanistan.

In his retirement, Chief Dornell will be relocating to Calaveras County to enjoy hiking and outdoors activities in the Central Sierra, to continue work on the home he has been rebuilding, and to spend some time travelling around the country with his wife Debra. He will also continue his work as a volunteer for the Calaveras County Sheriff's Search and Rescue Team.

Mr. Speaker, I ask you to join me in congratulating Fire Chief Don Dornell on a remarkable career. His contributions to our community are an example of the best in public service, and his leadership and dedication will be missed. We wish him the best in his retirement.

IN RECOGNITION OF RONALD
LABAR FOR 40 YEARS OF DEDICATED
SERVICE WITH THE BANGOR,
PENNSYLVANIA FIRE DEPARTMENT

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor and thank Ronald Labar, who was recognized on Saturday, April 6, 2013 by his fellow firefighters for 40 years of courageous service and leadership with the Second Ward Fire Company of the Fire Department of Bangor, Pennsylvania.

As part of his four decades with the Second Ward, Mr. Labar served as the Captain of the company. Ronald was also Assistant Chief for 12 years, and then Chief of the fire department. His dedication to the job always created a lasting impression on both his colleagues and the members of the public who relied on his skills.

Firefighters must remain physically and mentally fit for the job and possess the highest levels of honesty and dependability. For administrators in this field, there is also a great need to be a coordinator, budgeter, educator, reviewer, communicator, engineer and counselor—and to be good at all of these roles. Over the last few decades, firefighting has changed, and some practices once considered safe have been replaced by new methods and technologies. Public officers like Ronald Labar, who serve through many such changes, are needed to bring cohesion to our critical civic institutions.

I thank Ronald for his efforts over 40 years on behalf of my constituents, and I salute his distinguished service to his community.

RECOGNIZING DR. ANITA B. ENRIQUEZ ON RECEIVING THE 2013 U.S. SMALL BUSINESS ADMINISTRATION'S WOMEN IN BUSINESS CHAMPION AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Dr. Anita Borja Enriquez on being awarded the 2013 U.S. Small Business Administration's Women in Business Champion Award for Guam. Dr. Anita Borja Enriquez is Dean of the School of Business and Public Administration at the University of Guam.

Dr. Enriquez periodically serves as Acting Senior Vice President, Academic and Student Affairs at the University of Guam. In addition to this role, she is the Executive Director of the Pacific Center for Economic Initiatives and the principal owner of Strategic Organizational Solutions, a project consulting company, which provides research and strategic planning facilitation.

Dr. Enriquez grew up in a large and modest family in the southern village of Agat. She helped support her family by assisting at her mother's small grocery store. Early in her life, she gained independence and worked hard to achieve success. At the young age of 19, Dr. Enriquez established her own bookkeeping business, providing services to businesses on Guam; this was the first business she would establish on her own.

A strong proponent of economic development, Dr. Enriquez established the UOG Pacific Center for Economic Initiatives in 2006, and has secured over \$1 million in technical assistance grants from the U.S. Department of Commerce Economic Development Administration. These funds helped to establish the Guam Procurement Technical Assistance Center and the new Guam Veterans Business Outreach Center. In addition, funds from the Department of the Interior Office of Insular Affairs helped to support a community and economic development forum in 2009 and to launch the "Buy Local Guam" marketing educational campaign in 2011.

Dr. Enriquez is also an active and passionate member in our island community. She believes that education is the key to sustainable economic success for Guam. She oversees the Women in Business program at the Guam SBDC, mentors the SIGMA Society Soroptimist college club that focuses on "best for women" and counsels up-and-coming female entrepreneurs. She is also a member of the International Economic Development Council, the California Association for Local Economic Development, the U.S. Women's Chamber of Commerce, the Guam Procurement Advisory Council, the Career and Technical Education Task Force Committee, and the Guampedia Board of Directors. She previously served as an appointed member of the Guam Education Board, is a founding member of the Guam Museum Foundation Board, and member of the Guam Chamber of Commerce Small Business Focus and Development Committee, Ro-

tary Club of Tumon Bay Board of Directors (RI District 2750), the Economic Development Subcommittee of the Guam Civilian and Military Task Force, and the Junior Achievement Board of Directors. She was also founding Vice President of the Guam Marketing Association in 1997.

In 2011, Dr. Enriquez won the "2011 GCC Alumna of the Year Award," and the Academy of Economics and Economic Education "Distinguished Research Award" for her co-authored work on "The Making of the Pacific Tiger: Lessons from the Celtic Tiger." In 2012, she was awarded the "UOG Administrator of the Year Award" and "UOG Unit of the Year Award."

Ms. Enriquez is married to Noel Enriquez and she has one daughter, Vanessa and two stepsons, Nathan and Nicolas. She earned a B.S. in Management from University of Maryland, a certificate from the Institute for Management and Leadership in Education at Harvard Graduate School of Education, an M.B.A. from the University of Guam, and a Doctor of Business Administration degree in International Business and Marketing from Alliant International University.

I congratulate Dr. Anita Borja Enriquez on receiving the 2013 U.S. Small Business Administration's Women in Business Champion Award for Guam. I join the people of Guam in commending her for her award and thanking her for her many contributions to our island community.

**RECOGNIZING NAPERVILLE,
ILLINOIS**

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. FOSTER. Mr. Speaker, it is with great pride that I rise today to congratulate the city of Naperville, Illinois on its "Sunny Award" for local government transparency. Supreme Court Justice Louis Brandeis once said, "Sunlight is said to be the best of disinfectants," and I believe this statement applies to all forms of government.

The "Sunny Award," awarded by the Sunshine Review, honors the most transparent government websites in the nation. The organization found that the Naperville website contained comprehensive information on meetings, elected and administrative officials, audits, lobbying, public records, contracts, taxes, and the budget.

This honor was received by only 247 of the 7,000 government websites that were ranked during "Sunshine Week," a period of national recognition among civic organizations and the media for achievements in open government. The Naperville government earned an A+ rating.

I would also like to acknowledge the city's continued efforts to establish transparency. A portion of their website is now dedicated solely to updating citizens about how their tax dollars are being spent.

Mr. Speaker, I congratulate the City of Naperville, not only on this honor, but also on its ongoing effort to govern transparently and

provide its constituents with unfettered access to information.

**HONORING THE RECIPIENTS OF
THE MID-MAINE CHAMBER OF
COMMERCE AWARDS**

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the recipients of the Mid-Maine Chamber of Commerce's Annual Awards Dinner.

Each year, the Mid-Maine Chamber of Commerce recognizes local businesses, business leaders, community service projects and individuals who promote and advance a vital and healthy business environment. These individuals and businesses are committed to strengthening opportunity and increasing prosperity in Maine.

This year's award recipients include: Megan Williams, recipient of the Rising Star Award; Bert Languet, recipient of the Outstanding Professional Award; Michelle LePage, recipient of the Customer Service Stardom Award; the Waterville Opera House, recipient of the Community Service Project of the Year Award; Peter Schutte, recipient of the Business Person of the Year Award; Delta Ambulance, recipient of the Business of the Year Award; Shawn Michaud, recipient of the Elias A. Joseph Award; and Scott Bullock, recipient of the Distinguished Community Service Award.

These recipients are among the best that Maine has to offer. Through their leadership and incredible commitment to their communities and the region, Maine is a better place in which to live and do business.

Mr. Speaker, please join me again in congratulating the Mid-Maine Chamber of Commerce and these individuals and businesses on their outstanding service and achievement.

**RECOGNIZING MR. MICHAEL P.
DOUGLASS FOR 30 YEARS OF
SERVICE TO THE WISCONSIN
HISTORICAL SOCIETY**

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. KIND. Mr. Speaker, I rise before you today to commemorate and acknowledge a long-time curator from western Wisconsin, Mr. Michael P. Douglass. Michael is a knowledgeable, hard working man from Grant County who is retiring after 30 years of service to the Wisconsin Historical Society as site director at the Villa Louis historic site in Prairie du Chien.

I'm very proud of the extraordinary dedication and positive contributions that Michael has made during his time at Villa Louis—a National Historic Landmark that was the estate of the prominent H. Louis Dousman family in the 19th century. Thanks to the stewardship of Michael, since his very first day at the site on August 4, 1983, the Villa Louis mansion has

been restored and renovated to what it once was, making it one of the most well-tended historic sites in Wisconsin. Michael discovered distant Dousman relations and brought back many of the mansion's original furnishings; throughout this process, he helped to preserve and share accurate accounts of Wisconsin's history.

The Wisconsin Historical Society and people of Wisconsin have greatly benefited from his extensive knowledge of the Dousman family and dedication to Villa Louis. Michael excelled in the mission of the Society—to preserve and share stories of Wisconsin history. Good narratives bring past events back to life, and Michael has undoubtedly and successfully championed these efforts in the expansion and enhancement of the collections of Villa Louis. I commend Michael Douglass for his extraordinary efforts in bringing history to life.

Mr. Michael P. Douglass's hard work and 30 years of dedicated service to the people of Wisconsin, the Wisconsin Historical Society, and Villa Louis is truly deserving of recognition. It is with great pride that I rise today and congratulate Michael on a job well done, and I wish him all the best in his retirement.

HONORING THE DEDICATION OF THE FIRST MISSIONARY BAPTIST CHURCH

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to Rev. Roderick McClanahan, and the dedication of the First Missionary Baptist Church's newest house of worship. For over 20 years the Reverend has served as Pastor of the First Missionary Baptist Church, and has lead this congregation in the Building project which resulted in this church.

Rev. McClanahan was born in Louisiana where he received a calling from God at a young age, preaching his first sermon on September 4, 1984, and eventually becoming ordained at the New Morning Star Missionary Baptist Church, under the leadership of Rev. Willie Minor, on September 21, 1985. He was brought to Maryland shortly thereafter, and has officially served as pastor of the First Missionary Baptist Church since March of 1990.

The First Missionary Baptist Church has a rich history in Maryland. The church was started as a Prayer Band in October of 1945 by Martha Hickenbottom, as a way of giving the African Americans of Lexington Park a place of worship. Service was initially held in the home of Mr. and Mrs. Lester Colson, but as the congregation grew, so did their need for space. For a brief time the Prayer Band made their home in the then USO Building, until on April 19, 1947, at the suggestion of Brother Ivory Moore, then the prayer leader for the Prayer Band, they purchased the first acre of land the church calls home today. Since then, through segregation and beyond, the church has continued to grow and faithfully serve the African American community of Southern Maryland.

It is truly my honor to pay tribute today to Rev. Roderick McClanahan, and the First Mis-

sionary Baptist Church, a shining beacon for all of Southern Maryland.

IN RECOGNITION OF MERLIN REPSHER FOR 50 YEARS OF DEDICATED SERVICE WITH THE BANGOR, PENNSYLVANIA FIRE DEPARTMENT

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor and thank Merlin Repsher, who was recognized on Saturday, April 6, 2013 by his fellow firefighters for 50 years of brave service and leadership with Rescue Fire Company No. 1 of the Fire Department of Bangor, Pennsylvania.

Within those five decades, Mr. Repsher served as the chief engineer of the company. He also served as Fire Chief for five years. Merlin additionally always served as a mentor and trainer to new recruits, passing on his extensive knowledge to the next generation of firefighters. In that capacity, he worked as a teacher in the Northampton County Fire School.

Firefighters are often known for their dramatic acts of courage and quick-thinking in the field, but I understand that what a small community sometimes needs most is dogged dedication to the basic public-serving roles, including the civic administrative roles, on which everyone in town depends. Being there for one's neighbors—and always being there—is a quality to which we should all aspire. Fifty years in a demanding position, assisting those in need week in and week out, is quite an impressive record.

I ask everyone in Bangor and northern Northampton County to join me in congratulating Merlin Repsher for his decorated service to his community.

TRIBUTE HONORING GREEK INDEPENDENCE DAY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PASCRELL. Mr. Speaker, I rise today in recognition of the 192nd anniversary of Greece's independence, which we celebrated on Monday, March 25. This event commemorates the day in 1821 when the people of Greece reclaimed their heritage as democratic citizens and restored democracy to their nation.

The ancient Greeks established the world's first democratic government, and contributed to our own understanding of the world in diverse fields such as mathematics, philosophy and medicine. The democratic principles set forth by the ancient Greeks were the archetype for Americans to establish a democracy in 1776 and have guided our nation ever since. These classical ideals inspired our own founding fathers and shaped the United States

Constitution which we are sworn to uphold as Members of Congress.

America's relationship with the people of Greece runs deep. Since the birth of our nations, the ties of democracy between Greece and America have been unwavering. The strong partnership between our two countries has served as vital tool in peacekeeping efforts around the world. Our long, shared history of democracy and peace is an ideal that should be cherished and honored.

Just as my grandparents ventured to the United States from Italy, the first Greek Americans came here to find a better life for themselves and their families. Their descendants have risen to the highest levels of American culture, government and society. Greek Independence Day is a day to honor the contributions, traditions, and successes of our fellow Greek Americans and our Greek friends abroad.

The job of a United States Congressman involves much that is rewarding, and I am truly proud to recognize and commemorate Greek Independence Day alongside the vibrant Greek community in Northern New Jersey.

Mr. Speaker, I ask that you join our colleagues, Greek Americans, and all of our Greek friends around the world, in recognizing the 192nd Greek Independence Day.

HONORING SANJEEV "SONNY" BHAGOWALIA

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. GABBARD. Mr. Speaker, I rise today to honor Sonny Bhagowalia, Hawaii's State Chief Information Officer. Sonny recently received the prestigious "Federal 100 Award" from Federal Computer Week magazine.

This award honors the top leaders in industry, academia and government who have had a significant impact on the government information systems community. This year, Hawaii is the only state government to be recognized for its proactive efforts to maximize the use of technology.

Since 2011, Sonny has served as Hawaii's first CIO, planning and implementing the state's IT transformation, and overseeing its new Office of Information Management and Technology. He has repeatedly been honored for his contributions to IT advancement in Hawaii, including two previous Federal 100 Awards.

Sonny's efforts to modernize and invest in Hawaii's technology infrastructure have laid the groundwork for more effective government service and business processes.

I extend my congratulations to Sonny, his very talented team, and the State of Hawaii for this much-deserved honor.

EAU CLAIRE MEMORIAL HIGH
SCHOOL WISCONSIN INTER-
SCHOLASTIC ATHLETIC ASSOCIA-
TION STATE CHAMPIONSHIP

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. KIND. Mr. Speaker, today I rise to honor the Eau Claire Memorial High School boy's hockey team, the Old Abes, on winning the Wisconsin Interscholastic Athletic Association State Championship. Their 6-1 victory over Verona on March 2, 2013 was a true display of sportsmanship and teamwork.

After starting 0-2-1 and finishing second to Hudson in the Big Rivers Conference, the team faced a seemingly impossible road to the State Championship. But the Old Abes did not let those setbacks deter them from their dream of being the second team in history to bring home the State Championship for Eau Claire Memorial High School.

With the loss of two key players before the season started, Coach Mike Schwengler and senior team captain Brady Bollinger worked hard to build the young team into a strong, cohesive unit. After reassigning some key players to new positions, the puzzle pieces started to fit together, and the Old Abes won 20 of their last 23 games.

Nonetheless, heading into the championship off of an incredible winning streak, the team still found themselves down 1-0 late in the first period. The team banded together and rose to the challenge. Bollinger answered Verona's goal less than a minute later to tie the score, and the rest of the team stepped up to follow his lead. Jacob Bresser scored two goals, Charley Graaskamp added a goal and two assists, and Dylan Ross added a goal and an assist. Finally, Austin Phippen had the sixth and final goal, while Alex Geving, the goalie, finished the game with a phenomenal 26 saves.

This momentous win at the end of a difficult season exemplifies the dedication, teamwork, and sportsmanship of each and every member of the Eau Claire Memorial High School boy's hockey team. Furthermore, this victory shines as a proud achievement for the Eau Claire community. Once again, I want to congratulate the Eau Claire Memorial High School boy's hockey team on their incredible season and hard-earned title as Wisconsin State Champions.

RECOGNIZING ELIE WIESEL

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. RIGELL. Mr. Speaker, I rise today to enter a statement into the RECORD on behalf of my constituent, Rabbi Dr. Israel Zoberman. Rabbi Zoberman is the Founding Rabbi of Congregation Beth Chaverim in Virginia Beach, Virginia. He is also the president of the Hampton Roads Board of Rabbis and Cantors. Rabbi Zoberman asked me to enter the fol-

lowing remarks into the RECORD recognizing Elie Wiesel on the occasion of Yom Hashoah, the 65th anniversary of the State of Israel, and the 20th anniversary of the U.S. Holocaust Memorial Museum. Rabbi Zoberman's statement follows:

Elie Wiesel, the most distinguished representative of the Holocaust survivors' generation, has risen from Auschwitz's hell which he entered at age fifteen, to become the world's witness to the human condition and humanity's prophetic voice of both sacred remembrance and chastising warning. He even admits to making enemies because of his steadfast stance against trivializing Auschwitz, protectively defining the Holocaust as "the Event."

The 1986 Nobel Peace Laureate—he deserves the literature prize too—and Founding Chairman of the U.S. Holocaust Memorial Council, who has earned our nation's greatest honors along with foreign high ones, enjoys a special relationship with President Obama and is presently collaborating on a joint literary project. In the latest book of this prolific author, *Open Heart*, Wiesel opens his aching and grateful heart to us following the watershed impact of his open heart surgery on June 16, 2011, at age 82. He utilizes this trying medical and life-changing ordeal to teach us about life's demanding trials and transitions, courageously facing his own mortality at his "greatest pain and darkest anguish."

This master teacher who is the Andrew W. Mellon Professor in the Humanities at Boston University is asking challenging questions: How well has he fulfilled his obligation as a survivor with a consecrated mission to tell a tale of woes without despairing of the Creator nor of a blemished creation, wrestling with a God who deprived him of so much but also blessed him beyond measure? Having contributed immeasurably toward a sane and sacred world, ever standing guard, Wiesel nonetheless doubts if he has done all he could and should have in his struggle against evil. He and fellow survivors believed that the world would change for the better, never allowing for genocides again, and how painful it must be for heart-broken Wiesel to conclude, "The fact is, the world has learned nothing."

May Wiesel fulfill his heart's fondest desire to live to witness the B'nai Mitzvah celebrations of his beloved grandchildren Elijah and Shira, the children of son Elisha who is named for Wiesel's father Shlomo who perished so close to liberation. May he do so along with his wife Marion, faithful soulmate and professional helpmate, herself a survivor from Vienna, Austria. Her brainchild is Beit Tzipora in Israel, the centers to enrich Ethiopian children, named for Wiesel's precious little sister whom he saw with their mother for the last time upon the arrival in Auschwitz. Reading Wiesel's transforming account a few days following the multiple tragedies at Sandy Hook Elementary School in Newtown, Conn., the following line resonates with painfully heart-felt relevance, "We must choose between the violence of adults and the smiles of children, between the ugliness of hate and the will to oppose it."

The 20th Anniversary of the U.S. Holocaust Memorial Museum, with which Wiesel has been so intimately connected, is testimony to his vision to ensure in the face of Holocaust deniers and the ravages of time's forgetfulness that the indispensable facts and essential lessons of the holocaust will endure for the sake of humanity. The museum has

already exposed millions of Americans and other visitors in our nation's capital to its sacred work, shedding light on history's darkest chapter. I'm ever grateful to this U.S. sponsored museum as a son and grandson of Polish Holocaust survivors with heavy family losses in Zamosc, Poland, and Sarny, Ukraine. I was born in Kazakhstan on November 12, 1945 and spent my early childhood in Germany's American zone of the Wetzlar Displaced Persons Camp, before finding refuge and home with my family and most of the survivors in the reborn State of Israel now celebrating its 65th proud anniversary. Wiesel reportedly was invited in the past to be Israel's president.

Israel's accomplishments in all fields of endeavor are astonishing given its humble beginnings and ever trying circumstances. This vibrant democratic oasis and America's trusted ally in a mutually beneficial bond more significant than ever, is surrounded by a wide wilderness and exposed to substantial threats following the "Arab Spring" with its, so far, destabilizing Islamist victory. It is truly an inspiring expression of the Jewish spirit and the human saga. The vast human tragedy in Syria continues unabated with the international community failing to stop it, while Iran's menacing shadow looms large. May the Middle East and the entire world where the Jewish people first proclaimed an enlightened agenda for all, yet be transformed, with the United States' critical role, in the spirit of eternal Shalom.

HONORING THE LIFE AND SERVICE
OF NORTHWEST FLORIDA'S BE-
LOVED REPRESENTATIVE, CLAY
FORD, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and service of Northwest Florida's beloved Representative Clay Ford, Jr., who passed away on March 18, 2013 after a courageous battle with cancer. Throughout his long and distinguished career in the United States Army and public service, Representative Ford served as a mentor and an inspiration to countless individuals. All those who have been blessed by his presence mourn the loss of a great man and unparalleled public servant.

Representative Ford, an Arkansas native, studied at the University of Arkansas, where he received his Bachelor's in Finance as well as his Juris Doctorate. He continued his education at Shippensburg University, where he obtained his Master's in Public Administration. He married Carol Ann DeBusk Ford, of Little Rock, Arkansas, and together they raised three sons, David, Doug, and Clay.

Representative Ford served proudly for more than 30 years in the United States Army as an infantry officer rising from the rank of Private to retire as Colonel in 1988. During his faithful years of service to our nation's Armed Forces, he filled important roles in both active, reserve, and the National Guard components of the Army. He served our country with honor and distinction, and he helped to protect the freedoms we all enjoy today. His many accomplishments during service include a NRA

national record for the high power rifle competition.

In addition to his dedicated service to the Armed Forces, Representative Ford will be remembered for his leadership and contributions as a dedicated public servant. Before settling in Northwest Florida, he served his native state of Arkansas as a Representative of the Arkansas State Legislature from 1975–1976. In 1990 he was elected to the Gulf Breeze City Council in Florida, where he served until his election to the Florida House of Representatives in 2007. Representative Ford was widely respected by those who knew him. He was a man of conviction and compassion.

Aside from his leadership in the Florida House of Representatives, he was involved in a myriad of civic and veterans service organizations, including the Gulf Breeze Methodist Church, Gulf Breeze Rotary Club, Pensacola Bay Area Chamber of Commerce, Gulf Breeze City Council, Florida League of Cities—where he served as president from 2004–2005, National Rifle Association, American Legion, and Military Officers Association of America.

Throughout his life, Representative Ford served his nation and community with the utmost integrity and humility. To some, he will be remembered as a dedicated public official with an unwavering commitment to serving his community. To others, he will be remembered as a patriot who served our nation with honor and distinction. To his family and friends, he will most fondly be remembered as a man of faith and a loving husband, father, grandfather, and great-grandfather. His contributions to Northwest Florida, Arkansas, and our nation were truly exceptional and his legacy will not be forgotten.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the life of Clay Ford, Jr. My wife Vicki joins me in extending our sincerest condolences and our prayers go out to his wife, Carol; sons, David, Doug, and Clay; eight grandchildren; one great-grandchild; and the entire Ford family. He will truly be missed by all.

HONORING OFFICER PIERCE'S RETIREMENT

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I proudly rise today to honor Detective Bob Pierce for his long and distinguished career in law enforcement.

On March 28th, Detective Pierce will celebrate his retirement from Cobb County Police Department after over 40 years of dutiful service to Georgians.

While he currently works for the Cobb County Police Department's Internal Affairs Division selecting new officers, he's served Georgia communities in many capacities. Since March of 1972, Pierce has worked in uniformed patrol, narcotics, intelligence, burglary, homicide, and corrections.

In 2012, the Cobb Chamber of Commerce awarded him the Distinguished Achievement Award in recognition of service and perform-

ance that have exceeded the call of duty. Detective Pierce has played an invaluable leadership role in the community and among his peers for decades. His service will be missed.

Mr. Speaker, on behalf of Cobb County, my deepest thanks to Detective Pierce for devoting his life to upholding the law and to the protection of Georgia citizens. I wish him a happy—and well-deserved—retirement from public service.

S. WILLIAM CLARK, III, M.D.—OUT- STANDING ADVOCATE AWARD RECIPIENT

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PRICE of Georgia. Mr. Speaker, it is with great pleasure and pride that I ask all members of the House to recognize a fellow physician and Georgian, S. William Clark, III, M.D., who has received the American Academy of Ophthalmology's 2012 Outstanding Advocate Award. This honor is bestowed upon Academy members who participate in advocacy-related efforts at the state or federal level. Recipients perform advocacy functions in their capacity as ophthalmologists and demonstrate a pattern of supporting and improving the profession of medicine over a period of years.

Dr. Bill Clark, whom I have had the privilege of knowing for nearly 30 years, is a fitting recipient of this honor. As a general ophthalmologist in Waycross, Georgia, Dr. Clark has long been a committed advocate for ophthalmology, and medicine in general, since before completing his fellowship in 1984. A second-generation ophthalmologist, he learned the importance of being an effective proponent for quality health care from his revered father. With great concern for patients and respect for the principles of the healing arts, he has shared his passion with generations of new physicians.

Dr. Clark is a Past President and Board member of the Medical Association of Georgia (MAG) and has served as Vice President and Academy Councilor representing the Georgia Society of Ophthalmology (GSO). Since 1988, he has served in the American Medical Association (AMA) House of Delegates, representing the AMA Young Physicians Section, the American Academy of Ophthalmology, and Medical Association of Georgia. He currently serves as the Vice-Chair of the Georgia AMA Delegation.

For his commitment and devotion to physicians and patients on the state and federal level, I am so very pleased to take this opportunity to recognize my friend, Dr. Bill Clark, and congratulate him on the occasion of his receiving the American Academy of Ophthalmology's 2012 Outstanding Advocate Award.

JAIR SALAZAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jair Salazar for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jair Salazar is an 11th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jair Salazar is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jair Salazar for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING EDUARDO ILAO ON RECEIVING THE 2013 U.S. SMALL BUSINESS ADMINISTRATION'S FAMILY-OWNED SMALL BUSI- NESS AWARD FOR GUAM

HON. MADELINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mr. Eduardo Ilao on being awarded the 2013 U.S. Small Business Administration's Family-Owned Small Business Award for Guam. Mr. Ilao is the president of Johnndel International, Inc. dba JMI-Edison E.R. Ilao & Associates, Inc.

Johnndel International, Inc. dba JMI-Edison was founded in 1978 by Mr. Ilao's father Mr. John M. Ilao. Today, Johnndel International, Inc. dba JMI-Edison is led by Mr. John Ilao's children: Eduardo, John Jr., and Beth. Johnndel Incorporated dba JMI Edison comprises four separate companies offering products and services to the industrial, commercial, and medical industries serving Guam, the Commonwealth of the Northern Marianas, the Federated States of Micronesia, the republic of the Marshall Islands, and the Philippines.

At the young age of 16, Eduardo and his brother John worked at their family's motor rewinding business. Their introduction to their father's business began by sweeping the floor, cutting paper, and performing other necessary tasks associated with and necessary to the motor rewinding business. His father's work ethic and tireless commitment to satisfying his customers became the foundation for Edward's education in successful business practices. He was inspired by his father's work ethic and tireless commitment to satisfying his customers. Edward knew that his father was the ultimate perfectionist and that his business motto was, "whatever you decide to do, do it right the first time."

Because of their hard work, the Ilao family's modest motor rewinding business grew into one of Guam's successful family corporations, and, in 1987, when his father retired, Eduardo seamlessly stepped up to the plate. He now leads the JMI Edison group companies with the assistance of his younger siblings, John and Beth, and a dedicated team of loyal, long-time employees.

Eduardo is a 1983 graduate of the Illinois Institute of Technology where he earned a B.S. in electrical engineering. In 1986, the Illinois Institute of Technology awarded Eduardo a Master of Science degree in electrical engineering. Returning to Guam and his family business, Eduardo passed the Professional Engineer examination and was issued his license as a professional electrical engineer in Guam, the CNMI, and California. Eduardo and his wife Genilie Ilao have been married for over 24 years and they have five children: Geneveive, George, Gerilyn, John Edward, and Gemilie.

Like his father, Eduardo is an active member in our island community, participating in philanthropic organizations, government service, business associations, and professional societies. He previously served as the Chairman of the American Red Cross from 2004 to 2007. He has been a board member of the American Red Cross since 2002 and served as its Chairman from 2004 to 2007. He is the President of the Batangas and Southern Tagalog Association (BASTA), a board member of the Guam Girl Scouts, a member of the Filipino Community of Guam, and helped in fundraising efforts for the Ajuda Foundation. He is also active in numerous government service agencies. He was previously the Vice Chairman of the Board of the Guam Power Authority, he was on the Board of Trustees for the Guam Community College (GCC), he is a board member of the GCC Endowment Foundation and he is a board member of the Port Authority of Guam. Eduardo is also a member of Guam's business associations, specifically, the Guam Chamber of Commerce, the Guam Contractors Association, and the Guam Hotel and Restaurant Association. His participation in professional societies include: National Society of Professional Engineers (NSPE), Guam Society of Professional Engineers (GSPE), Association of Energy Engineers (AEE), American Solar Energy Society (ASES), National Fire Protection Association (NFPA), and the American Association of Radon Scientists and Technologists.

Eduardo has extensive experience in the design, construction, management, financing, operation, maintenance, troubleshooting, and repairs of a wide array of Electrical Engineering projects and systems. He has expertise in Power, Computer Engineering, Control Systems, and most especially, Electro-Mechanical Machines. He is a Professional Electrical Engineer, a Certified Energy Manager, a Certified Energy Auditor, and a Licensed General and Specialty Contractor.

I congratulate Eduardo Ilao on receiving the 2013 U.S. Small Business Administration's Family-Owned Small Business Award for Guam. I join the people of Guam in commending him for his award and thanking him for his contributions to our community.

RECOGNIZING MARY STEPHANY

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Mary Stephany, a former teacher and current registrar at Guerin College Preparatory High School in River Grove, IL. Guerin College Preparatory High School is a Catholic learning community committed to the education and faith development of young men and women, and these goals are reflected in the work of Ms. Stephany.

Ms. Stephany began her career at Mother Theodore Guerin High School in 1965, and during her tenure she has taught numerous courses in the social science field and was Academic Coordinator for the school. Courses she taught were: Law, Humanities, AP Government, Citizen Politics, U.S. History, AP U.S. History, Interdisciplinary (Theology, English, Social Science), World History, AP European History, Economics, Geographic Concepts, Introduction to the Social Sciences, American Studies, and Sociology. She also coached the volleyball team and developed and moderated Educating Women for Leadership and Life, as well as the Mentor Program.

Ms. Stephany has earned professional honors including The Cardinal's Award for Distinguished Service in Education, recognition in the CONGRESSIONAL RECORD for work in Education, and selection for the three year program with the National Endowment for the Humanities. She was also chosen as an Ambassador to Chicago's Field Museum for 2003–2004. In this role, Ms. Stephany served on education advisory committees to the museum and mentored other teachers.

Ms. Stephany earned a BA from Marian University in Fond du Lac, WI, with further programs of study at the University of Chicago, University of Illinois, University Colorado (Boulder), Northwestern University, University of New Hampshire, St. Mary's College (Walnut Creek, CA.), Trinity University (San Antonio, TX), Bradley University, Northeastern University, University of Wisconsin (Madison), Kansas University, The Art Institute of Chicago, and Loyola University Chicago.

Since 1999, Mary has served on the Illinois 5th Congressional District Academy Review Board. She has evaluated many nominees on their qualifications for a Congressional Nomination to our U.S. Service Academies. These qualifications include character, leadership, academic preparation, community service, and extracurricular participation.

Thanks to Ms. Stephany's dedication, many young men and women in the 5th Congressional District have received "Offers of Appointment" to the U.S. Service Academies and are in leadership positions serving our Nation today.

Mr. Speaker, I ask all of my colleagues to join me in recognizing the years of dedication Mary Stephany has shown in education and service. Ms. Stephany has helped change the lives of many young women and men by providing them with the tools they need to succeed in their future endeavors. She is truly an inspiring figure in our community and I thank her for her years of service.

CONGRATULATING THE BOWIE STATE UNIVERSITY MEN'S BASKETBALL TEAM

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. HOYER. Mr. Speaker, I rise today to honor and congratulate an extraordinary team of young men from Maryland's Fifth Congressional District. The Bowie State University Bulldogs won the CIAA Men's Basketball Championship on March 2, 2013. This is their second conference championship in team history and second NCAA Tournament berth in three seasons. This incredible achievement was made all the more significant given the caliber of their competition.

Once in tournament play, the Bulldogs emerged victorious over Chowan University, Lincoln University, and Winston Salem State University to ultimately meet Livingston College in the conference championship game at Time Warner Cable Arena in Charlotte, North Carolina. The Bulldogs prevailed, overcoming the Livingston Blue Bears with a final score of 85–74.

This victory demonstrates that with determination, willpower, and discipline we can work to overcome any obstacle in the path of achieving success. After entering the tournament as a fourth seed, the Bowie State Men's Basketball team has gone above and beyond expectations. The Bulldogs end their 2013 season not only with a conference championship, but also a berth into the NCAA Division II Tournament.

Fifteen student-athletes contributed to this triumphant season, remaining focused and determined to continue the success of Bowie State Men's Basketball.

Mr. Speaker, I offer my heartiest congratulations to the members of the championship team—Julian Williams, Ray Gatling, Tawn Rogers, Cameron Knox, Dameatic Scott, Najee White, Tyrone Lawson, Jr., Carlos Smith, Byron Westmorland, Justin Beck, Bryan Wilson, Julian Harrell, David Golladay, Joel Clemmons, and Branden Doughty—on their victory. And, I also want to applaud Head Coach Darrell Brooks and his coaching staff—Larry Stewart, Sedric Baker, Darius Wilson, and Delmar Carey—for their dedication and commitment while guiding these talented student-athletes.

Like all Marylanders, I am very proud of these young men and I congratulate all of those involved in bringing home a conference title. I ask that my colleagues join me in applauding this great accomplishment.

HONORING THE DEPAUW UNIVERSITY LADY TIGERS BASKETBALL TEAM

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. ROKITA. Mr. Speaker, I rise today to honor the DePauw University Lady Tigers basketball team, who defeated Wisconsin-Whitewater 69–51 on March 16 to win the Division

III National Championship, their second national title in seven years.

DePauw became one of only seven Division III teams to complete an undefeated season, and the only team in Division III history to win 34 games in a single season. DePauw's other recent accomplishments include 14 NCAA appearances in 18 years, including 4 quarter-finals, 14 conference championships in 17 years, and 20 or more wins in 16 of the last 17 years.

Seniors Ellie Pearson, Kate Walker and Kathleen Molloy completed their college careers with a combined record of 112 wins and just 15 losses at DePauw. The rest of the roster includes Ann Sarkisian, Jenna Stoner, Emma Ondik, Lauren Abendroth, Chelsea Francis, Morgan Skordos, Savannah Trees, Colleen McDonagh, Angela Hacker, Alex Gasaway, Hannah Lukemeyer, Ali Ross, Alison Stephens, Erin McGinnis, Abby Keller, and Colleen Frost.

Head coach Kris Huffman is a selfless leader who always redirects any credit for the team's success back to her players. Her .820 career winning percentage is the highest winning percentage ever for a DePauw women's basketball head coach, and she has been named National Coach of the Year 3 times and Conference Coach of the Year 11 times. In addition to Coach Huffman, the coaching staff includes Assistant Coach Mary Smith, volunteer coaches Donna Ferguson and Doug Miller, and Team Trainer Kara Campbell.

Located in Greencastle, Indiana, DePauw is well known for a deep tradition of social engagement by its students and faculty alike, and its women's basketball team has earned much attention for their success on the basketball court as well. Incidentally, DePauw University is a friendly rival to my alma mater 30 miles to the north, Wabash College. This rivalry notwithstanding, I join basketball fans from across the Hoosier State in congratulating the 2013 DePauw women's basketball team on their remarkable accomplishments.

RECOGNIZING CONGRESSMAN JOHN R. LEWIS AS THE RECIPIENT OF THE NATIONAL PEACE MEDAL AND THE GLOBAL AND INTERNATIONAL CIVIL RIGHTS AWARD

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. RUNYAN. Mr. Speaker, it is my distinct honor to recognize Congressman JOHN R. LEWIS as the recipient of the National Peace Medal and the Global and International Civil Rights Award. I thank him for his service and invaluable contributions to making our country a better place for all Americans.

I am pleased that National Stop the Violence Alliance, Inc. is presenting Congressman LEWIS with these two coveted awards at a ceremony in my home district.

Congressman LEWIS has dedicated his life to the principles of non-violence as a means of social change. He believes in non-violence, but unlike so many, has actually lived accord-

ingly, putting his own life at risk to show his commitment.

Congressman LEWIS is known as one of the most courageous leaders of the Civil Rights Movement and played a pivotal role in the struggle to end segregation and legalized racial discrimination. He knew from a very young age that the America he was living in was not the best that our country had to offer. Inspired by Rosa Parks and the non-violent message of Dr. Martin Luther King Jr., Congressman LEWIS would later recall, "It seemed like he was saying to me, John Lewis, you too can make a contribution."

Mr. Speaker, Congressman LEWIS' contributions are invaluable. Because of his courage and steadfast commitment to ensuring freedom and equality for all Americans, our country is closer than ever before to living up to the ideals of our founders.

Mr. Speaker, I urge my colleagues to join me in offering our sincere thanks and appreciation to the distinguished gentleman from Georgia, the Honorable JOHN R. LEWIS.

JACQUELINE DELGADO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jacqueline Delgado for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jacqueline Delgado is a 10th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jacqueline Delgado is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jacqueline Delgado for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING VPP STATUS AT L.L. BEAN WORKPLACES

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. PINGREE of Maine. Mr. Speaker, I would like to recognize a corporation based in my district, L.L. Bean, for achieving the highest standards of workplace safety through OSHA's Voluntary Protection Program (VPP) at its Desert Road Service Center in Freeport, Maine.

VPP is OSHA's official recognition of the outstanding efforts of employers and employees who have achieved exemplary occupational safety and health. Achieving the status

requires a rigorous onsite evaluation to ensure that a workplace meets high performance-based standards of preventing occupational safety and health hazards. With missed workdays well below their industries' averages, VPP worksites are some of the safest places to work in the country.

L.L. Bean has shown an incredible commitment to the program and its employees. Since 2007, the company has achieved VPP status at its Brunswick, Maine, manufacturing facility, its call centers, Freeport outlet store, and now Star Status at the Desert Road Service Center, which employs 200 people and handles returns for its vast global business. The company continues to work toward VPP status at all its facilities.

I am not only proud of L.L. Bean for these accomplishments, but also for the way it has involved its employees in achieving them. By fully engaging them in the process, the company has made employees feel safer at work, as well as more appreciated, prized, and respected.

My congratulations and appreciation go to all of the company's owners, managers, and staff for their incredible leadership in workplace safety.

A TRIBUTE TO HONOR THE ASIAN AMERICAN PROSECUTORS ASSOCIATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. SWALWELL of California. Mr. Speaker, I rise today to honor the Asian American Prosecutors Association, AAPA, for their dedication to promoting justice and advancing the interests of Asian American prosecutors in California's 15th Congressional District and throughout the state of California. Their willingness to advocate for victims' rights within the Asian American community, while advocating for fairness, equality, and justice for the public at large, is a testament to their workmanship, leadership, and unwavering dedication to the community they serve.

The Asian American Prosecutors Association seeks to empower its members and all prosecutors through education and training about the needs of the Asian American community. AAPA's acting board members are a wealth of knowledge, each having many years of experience working with the Asian American community, and they are all eager to strengthen and support the roles of Asian Americans in all aspects of law and the criminal justice system. Those who serve on the board include, Annie Saadi as President, Sharon Carney as Vice President, Huy Luong as Treasurer, Michael Carney as Secretary, David Lim as Executive Board Member, Amy Deng in Public Relations & Marketing, Lauren Hashimoto in Membership & Recruitment, Mas Morimoto in Community Affairs and Glenn Kim in Information Technology.

Mr. Speaker, I ask that the entire House of Representatives join me in honoring the Asian American Prosecutors Association. AAPA's dedication to the community is an inspiration

to us all and it is a high privilege to represent them, and I am glad to take this opportunity to pay tribute to their inaugural reception.

HONORING THE ACCOMPLISHMENTS OF MAYOR BETSY PRICE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. MARCHANT. Mr. Speaker, I am pleased to inform you and my fellow colleagues of Fort Worth Mayor Betsy Price's recent accomplishment of being recognized by the Zonta Club of Fort Worth as the distinguished 2013 Professional Woman of the Year.

The Zonta Club of Fort Worth was chartered in 1927 with the objective of improving the status of women through promoting goodwill, human rights, and justice throughout the community, country, and world. Each year since 1971, the Zonta Club of Fort Worth has honored an outstanding professional woman in the Fort Worth community. This celebration recognizes the honoree's achievement while thanking her for being a shining example for other women.

Mayor Betsy Price was elected as the 44th Mayor to her native City of Fort Worth. Throughout her early tenure, Mayor Price has focused on fiscal responsibility, creating a stronger economy through public-private partnerships, and strengthening neighborhoods through her faith-based and citywide health engagement initiatives.

As a proponent of civically active young adults, Mayor Price created the SteerFW program to organize young professionals into task forces focused on resolving local issues. The program has four areas of focus—education, public transportation, employment, and urban development. There are currently over 300 young citizens participating in the program where they learn about current challenges and work to find creative solutions.

Prior to her life in public service, Mayor Price owned and managed Price Cornelius Title Service for 17 years. In 2000, she was elected as the Tarrant County Tax Assessor, where she used her business experience to make her department one of the most efficient in Texas and saved taxpayers millions of dollars.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Mayor Betsy Price on her accomplishment as the 2013 Fort Worth Zonta Club Professional Woman of the Year.

RECOGNIZING CAMBODIAN DAY OF REMEMBRANCE

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. QUIGLEY. Mr. Speaker, as this April marks the 38th anniversary of the brutal Khmer Rouge regime's rise to power in Cam-

bodia, I join Cambodian Americans to commemorate this tragedy in the community's past. Yet even as we solemnly recognize this moment, we can also look at the hopeful future that lies ahead for the Cambodian American community.

The Khmer Rouge regime seized power in Cambodia on April 17, 1975, and began a reign of terror and systematic genocide. Upwards of 3.4 million innocent men, women and children lost their lives at mass grave sites now known as the Killing Fields. Thousands of refugees escaped these atrocities and were given sanctuary in the United States; many came to the state of Illinois.

Thanks to the Cambodian Association of Illinois and our strong Cambodian-American community here in the United States, we are aware of the Cambodian genocide and its devastating effects. Organizations such as the Cambodian American Heritage Museum and the Killing Field Memorial carry out the vital mission of ensuring that we do not forget the atrocities of this period. The Cambodian community is committed to remembering and paying tribute to those lost in the Killing Fields while enhancing the public's awareness of these atrocities and healing the survivors and their families.

As Illinois and other states recognize April 17th as the Cambodian Day of Remembrance, I rise today to join my Cambodian American friends to commemorate the atrocities of the Killing Fields and to provide comfort and hope to the victims' families. Let us take this moment to recognize that group-targeted violence and bigotry still exist in nations across the world, and we cannot ignore its presence.

Mr. Speaker, I ask my colleagues to join me in solidarity with the Cambodian-American community in remembering those who were lost to the Khmer Rouge regime and in recognizing our hope for a more peaceful future.

ISSA GRIMES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Issa Grimes for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Issa Grimes is an 8th grader at Oberon Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Issa Grimes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Issa Grimes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

CELEBRATING CESAR CHAVEZ'S BIRTHDAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise today to express my deepest appreciation for the life, legacy, and actions of Mr. Cesar Estrada Chavez.

The changes that Cesar Chavez fought for throughout his life have dramatically changed the way that farm workers are treated in our country. Cesar Chavez was one of the Nation's greatest civil rights activists and the tireless champion of migrant farm workers fighting for humane working conditions.

As a young man Cesar Chavez worked in the fields where he saw firsthand the dangerous conditions which farm workers were forced to endure. In 1952 he became an organizer for the Community Service Organization (CSO), a Latino civil rights group, and eventually became the national director of the organization.

In 1965, Chavez co-founded the National Farm Workers Association with Dolores Huerta which evolved into the United Farm Workers union. The National Farm Workers Association was successful in securing fair wages and safe working conditions for farm workers. The UFW also led a worldwide grape boycott that helped ensure farm workers had a voice in contract negotiations.

Cesar Chavez is also known for his fasts which he used as a nonviolent method of promoting his beliefs. In 1972 Chavez fasted in response to Arizona's passage of legislation that prohibited boycotts and strikes by farm workers during the harvest season.

On April 23, 1993 Cesar Chavez died, bringing great sadness to the farm workers community that he spent his life fighting for. With his death also came a great sense of pride for all the progress that Chavez brought as a direct result of his unwavering commitment to farm workers' rights.

I urge my colleagues in joining me in celebrating Cesar Estrada Chavez's life and legacy. America is a better place because of Cesar Chavez.

GABRIELLE BOND

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Gabrielle Bond for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Gabrielle Bond is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Gabrielle Bond is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and

develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Gabrielle Bond for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

THE BRIDGE TO JOBS ACT

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. HAHN. Mr. Speaker, as every American knows, we have a jobs crisis in this country. While unemployment has improved within the past year, it is still strangling our economy. Approximately 40 percent of jobless Americans—who lost their jobs through no fault of their own—have been out of work for six months or longer, and the longer they wait, the harder it is for them to find jobs. The fact of the matter is that we will not see robust economic growth again until we put Americans back to work.

We also have an infrastructure crisis. According to Transportation for America, there are 69,223 bridges that have been classified as “structurally deficient” by the Federal Highway Administration. Leaving these bridges in their current state of disrepair poses a grave threat not only to our safety, but also to our economy. As the President noted last year, “Our aging transportation infrastructure costs American businesses and families about \$130 billion a year . . . and if we don’t act now, it could cost America hundreds of billions of dollars and hundreds of thousands of jobs by the end of the decade.” Additionally, studies have shown that our crumbling infrastructure threatens our competitive edge in the world economy. As the Washington Post reported last summer, if nothing is done to improve our infrastructure, “U.S. businesses would pay an added \$430 billion in transportation costs, household incomes would fall by more than \$7,000, and U.S. exports will fall by \$28 billion.” Mr. Speaker, we can’t afford to wait until the end of the decade; we need action now.

Alleviating both of these crises is not a mutually exclusive endeavor. That’s why I’ve introduced the “Bridge to Jobs Act,” a much-needed “win-win” for the American economy and public safety. The act provides states with grants to put Americans back to work by repairing crumbling bridges. Not only will this legislation put Americans back to work and bolster our ailing economy, it will also ensure the safety of the millions who use these bridges each and every day. I urge my colleagues to support this crucial investment in our workforce, our economy, and our safety.

HONORING GREENSBURG HIGH SCHOOL BASKETBALL TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishment of the Greensburg Community High School boys basketball team in Greensburg, Indiana. As a 1987 graduate of GCHS, my Pirate Pride beams proud.

The Greensburg boys varsity basketball team recently made school history by securing the school’s first team state championship. The Pirates came back from a 10-point deficit at halftime to force overtime and won the Indiana Class 3A State Basketball Championship 73–70 over Fort Wayne Concordia Lutheran.

Greensburg started with five underclassmen, and was led in scoring in the title game by junior Bryant McIntosh with 25 points and in rebounds by junior Sean Sellers with 12. In addition, Sean set an Individual IHSAA Record for Highest Title Game Free Throw Percentage, making 11 of 11 in the game. The team finished the season 26–1 with the best winning percentage in the State.

I want to congratulate this team for showing great resolve and teamwork throughout the state tournament and in the title game. I also want to commend the team for representing yourselves with class throughout the season, the tournament, and the remainder of the year.

Congratulations go to starters Macy Holdsworth, Bryant McIntosh, Colin Rigney, Sean Sellers, and Ryan Welage, along with teammates Riley Billieu, Tyler Burcham, Tye Fleetwood, Shane Ploeger, Drew Foster, Tom Lawrence, and Brad Wilson. For the leadership of this championship team, congratulations and accolades go to the 7th-year head coach, Stacy Meyer, and assistant coaches, Scott Holdsworth, Jason Simpson, Scott McIntosh, Scott Ferguson, and Dave Lawrence.

I am thrilled to see a championship banner raised at my alma mater, and I ask the entire 6th Congressional District to join me in congratulating the Greensburg Community High School boys varsity basketball team for their dedication, execution, and excellence this season.

FRANKIE OLIVAREZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Frankie Olivarez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Frankie Olivarez is an 11th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Frankie Olivarez is exemplary of the type of achievement that can be attained with hard work and

perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Frankie Olivarez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING FREDERICK J. HORECKY ON RECEIVING THE 2013 U.S. SMALL BUSINESS ADMINISTRATION’S MINORITY SMALL BUSINESS CHAMPION AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mr. Frederick J. Horecky on being awarded the 2013 U.S. Small Business Administration’s Minority Small Business Champion Award for Guam. Mr. Horecky is the proprietor and managing attorney of his law firm, the Law Offices of Horecky & Associates. Fred has been practicing law in Guam almost immediately after earning his juris doctor degree from the University of Virginia School of Law.

Quick to learn the dynamics of a successful legal practice, Fred opened Horecky & Associates in 1983, a general practice law firm. Horecky & Associates quickly grew from sole practitioner to six attorneys specializing in a several areas of jurisprudence.

Currently, Fred practices law as a sole practitioner specializing in corporate law and the incorporation of Guam Business Corporations and Limited Liability Companies. He provides legal advice to numerous minority-owned, women-owned, and veteran-owned businesses on corporate issues. Additionally, he serves as Legal Counsel to the Guam Public Utilities Commission and Administrative Law Judge for power, telecommunications, and solid waste matters. He is the owner and Chief Executive Officer of two businesses, Buena Vista Realty LLC and Buena Vista Environmental LLC.

Fred was born in Washington, D.C. and spent the majority of his formative years in Alexandria, Virginia. He was the only child born to parents who both were career employees at the Library of Congress in Washington, D.C. He attended Groveton High School south of Alexandria, Virginia graduating in 1970. In 1974 he graduated from Grinnell College, Iowa where he obtained a bachelors of arts in American History and Political Science. From 1974 to 1975 he attended one year of graduate study in Public Administration at the University of Virginia Graduate Department of Government just before pursuing a degree in law. In 1978, he became a juris doctor from the University of Virginia School of Law. Ten years later he married his wife Mary Louise Wheeler.

Fred is also an active member in our island community. He previously served as a member of the Guam Election Commission from

1996–2000 and Chairman of the Election Commission from 2002 to 2007. He also served as the Chairman of the Legislative and Government Relations Committee. Since 1980, he has been a member in Hafa Adai Kiwanis Club of Guam as well as member of Toastmasters Club of Guam from 1983 to 1987. His corporate legal service expertise was instrumental in renaming and reorganizing the Chinese Chamber of Commerce of Guam (CCCCG) enabling the CCCC to become a prominent organization on Guam. Fred also provided volunteer legal services to the Guam Association of Realtors from 2008–2010 and he currently serves as a director of the Board of Committee Chair of the Legislative Committee. He is also a licensed real estate broker and the Director of the Guam Association of Realtors.

I congratulate Frederick J. Horecky on receiving the 2013 U.S. Small Business Administration's Minority Small Business Champion Award for Guam. I join the people of Guam in commending him for his award and thanking him for his contributions to our community.

HONORING THE LIFE OF ESTHER PADILLA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. COSTA. Mr. Speaker, today I pay tribute to the life of Esther Padilla who passed away at the age of 69. Her character exemplified the very best of what our nation has to offer—she was honest, generous, and possessed a strong work ethic.

Esther grew up in Fresno, California and was the youngest of 12 children. She attended Washington Union High School and then went on to California State University, Fresno where she earned her undergraduate and graduate degrees in social work. As a young woman, Esther knew she wanted to help others and serve in her community.

Esther truly loved social work, and she served at a few different organizations. She worked for Fresno County's Department of Social Services, Fresno County Head Start, and Centro La Familia. Esther met her husband, Gilbert Padilla, while she was at a meeting for Head Start. They were married for 43 years and have one daughter, Adele.

After years of dedicating her life to social work, Esther decided to go work with Gilbert at the United Farm Workers (UFW). Her position at the UFW allowed her to become heavily involved with politics. Esther organized boycotts, negotiated union contracts, and lobbied at our Nation's Capital.

The experiences she had and the knowledge she gained prepared Esther to serve on the Fresno City Council. Esther was the first and only Hispanic woman to ever be elected to the City Council. During her time on the council, Esther was passionate about improving the lives of her constituents. Making Fresno a better place was a priority of hers, and she played an integral part in getting Highways 180 and 168 built.

Beyond her service for the community, Esther will also be remembered for her advocacy

of organ and tissue donation. Seventeen years ago, Adele donated a kidney to her mother. Esther understood that importance of organ donations because she was able to live almost two more decades due to the kindness of her daughter.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life and service of Esther Padilla. She was a shining example of a true public servant and proud American.

INTRODUCING THE VETERANS PENSIONS PROTECTION ACT OF 2013

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to reintroduce the Veterans Pensions Protection Act of 2013, which will help protect our nation's veterans from unfairly losing their pensions benefits because they received payments to cover expenses incurred after an accident, theft, loss or casualty loss.

When assessing a veteran's eligibility for a pension, the Department of Veterans Affairs (VA) considers a variety of sources of revenue to determine a veteran's annual income. If such income exceeds the income limit set by the VA, the veteran does not qualify for a pension or loses their benefits. Currently, the VA considers any reimbursement that compensates a veteran for his/or her expenses due to accidents, theft or loss as income. Only reimbursements of expenses related to casualty loss are currently exempted from determination of income.

Under current law, if a veteran is seriously injured in an accident or the victim of a theft and receives insurance compensation to cover his/or her medical expenses, or the cost for pain and suffering, he or she will likely lose their pension. This means that the law effectively punishes veterans when they are involved in an accident or theft.

Such a tragedy happened to one of my constituents, a Navy veteran with muscular dystrophy who was hit by a truck when crossing the street in his wheelchair. His pension was abruptly cut-off after he received an insurance settlement payment to cover medical expenses for himself and his service dog, as well as material expenses to replace his wheelchair. As a result, he could not cover his daily expenses and mortgage payments and almost lost his home.

There is clearly something wrong with a law that cancels veterans' pensions following the award of an insurance payment, which was only intended to cover exceptional medical expenses. I am distraught that the VA can cancel the pensions of unemployed and disabled veterans without further notice. The VA has a moral responsibility to care for our veterans and ensure that they live decent lives.

This happens, because the Department of Veterans Affairs (VA) considers a variety of sources of revenue to determine a veteran's annual income, when assessing a veteran's eligibility for a pension, including medical ex-

penses reimbursements/pain and suffering reimbursements. If a veteran's income exceeds the limit set by the VA, then the veteran does not qualify for a pension or loses his/or her benefits.

For this reason, the bill is being reintroduced to include language from the original bill that addresses the issue of medical expense/pain and suffering reimbursements.

The majority of the original bill, H.R. 923, was passed into legislation in the form of PL 112–154. However, while the law addresses veterans' eligibility for pensions (and surviving spouse/children) in regard to their reimbursements (for any accident, theft or loss, or casualty loss), it does not specify medical expenses or pain and suffering reimbursements.

Mr. Speaker, this legislation will ensure that pensions are issued to veterans who legitimately meet the income criteria and rely on such benefits to survive. We must enact regulations that help veterans live better lives, not hurt them. At a time when our nation's servicemen and women are fighting two wars abroad, we have a duty to our past, present, and future veterans to provide them with the very best services and benefits. We owe our veterans an enormous debt, and cannot thank them enough for their service. On behalf of the unfortunate veterans who have slipped through the cracks due his punitive law, such as my aforementioned constituent, I ask for your support of this important legislation.

FRANK CURIEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Frank Curiel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Frank Curiel is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Frank Curiel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Frank Curiel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN CELEBRATION OF THE ONE-HUNDREDTH ANNIVERSARY OF DELTA SIGMA THETA SORORITY, INC.

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize the members of Delta

Sigma Theta Sorority, Inc. as they celebrate a century of sisterhood and service. Over the past one-hundred years, the members of Delta Sigma Theta have guided many young women through the transition to adulthood, instilling values that have allowed them to reach their potential as publicly active members in their communities.

This enduring fellowship began on January 13, 1913, when twenty-two young women at Howard University in Washington, D.C. founded the sorority. Brought together in their shared life experiences, these young students envisioned an organization of women brought together in pursuit of promoting academic excellence, providing support to the underserved, and cultivating an interest and active involvement in public policy debates, with the goal of creating solutions to issues affecting their communities. As a testament to their dedication and leadership, Delta Sigma Theta continues its mission, serving communities and individuals all over the world.

As a central tenant of the Delta Sigma Theta Sorority, a deep passion for fighting for equity and equality is an ideal shared by its members. In keeping with this commitment, the sorority's first public act was to organize and march in support women's suffrage in Washington, DC. Many prominent community leaders have been proud to call themselves Deltas, including Congresswoman Shirley Chisholm, a pioneer for women and African Americans in elected office. Following in Chisholm's success, Delta Sigma Theta member Congresswoman Barbara Jordan became the first woman to represent Texas in the U.S. House of Representatives. Both of these Deltas, in keeping to their ideals and beliefs, used their public office to give a voice to those who were unable to be heard.

As a Member of Congress from the Greater Detroit region, I have the pleasure to represent so many Delta Sigma Theta members in the Detroit Alumnae, Southfield Alumnae and Pontiac Alumnae chapters. Each of these chapters has a long and distinguished history of members doing their part to nurture future generations, shape the leaders of tomorrow and engage their communities in renewal and reaffirmation of citizenship.

Mr. Speaker, I am honored to represent the members of three dedicated chapters of the Delta Sigma Theta Sorority, Inc. and I wish them another hundred years of success in fulfillment of their mission to create a more just world that allows our youth to realize their full potential.

SUPPORT OF EQUAL PAY DAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. JACKSON LEE. Mr. Speaker, today is Equal Pay Day, the day in April recognized annually to signify the point into a year that a woman must work to earn what a man made the previous year.

This means that on average, a woman needed to work from January 1, 2012 until April 9, 2013 to earn the same salary that a comparable man earned in 2012 alone.

More than 50 years after Congress made it illegal for employers to discriminate on the basis of sex, it is shameful that hard working American women are paid so much less than their male counterparts for the same work.

Today, women make up nearly half the workforce, but their paychecks still lag far behind men's. Today the typical American woman who works full time, year round is paid only 77 cents for every dollar paid to her male counterpart.

The wage gap occurs at all education levels, after work experience is taken into account, and it gets worse as women's careers progress.

Women are paid less than men in nearly every occupation. One study examining wage gaps within occupations found that out of 265 major occupations, men's median salary exceeded women's in all but a few lower paid service sector jobs.

The six jobs with the largest gender gap in pay and at least 10,000 men and 10,000 women were in the Wall Street-heavy financial sector: insurance agents, managers, clerks, securities sales agents, personal advisers, and other specialists.

Advanced-degree professions proved no better predictors of equality. Female doctors made 63 cents for every \$1 earned by male physicians and surgeons. Female chief executives earned 74 cents for every \$1 made by male counterparts.

Women only constitute 3.7 percent of Fortune 500 chief executives and 18.3 percent of corporate-board directors.

The wage gap impacts women as soon as they enter the labor force, expands over time, and leaves older women with a gap in retirement income.

The wage gap is smaller for younger women than older women, but it begins right when women enter the labor force. The typical 15–24 year old woman working full time, year round, earns 92.2 percent of what her male counterpart is paid.

Among older women, the gap is even larger. The typical 45–64 year old woman working full time, year round is paid just 72.8 percent of what her male counterpart is paid. For women still working at age 65 and older the figure is 72.1 percent.

A typical woman who worked full time, year round would lose \$443,360 over the course of a 40-year working life due to the wage gap. This woman would have to work almost twelve years longer to make up this gap. A typical woman working full time, year round who starts, but who does not finish high school would lose \$372,400 over a 40-year period, an enormous amount of money for women who are typically paid \$21,113 a year. This woman would have to work over seventeen years longer to make up this gap.

As a result of lower lifetime earnings and different work patterns, the average Social Security benefit for women 65 and older was about \$12,700 per year, compared to \$16,700 for men of the same age in 2011.

In 2010, women 50 and older received only 56 cents for every dollar received by men in income from pensions and annuities. One study found that the typical woman worker near retirement with a defined contribution plan or individual retirement account had ac-

cumulated \$34,000 in savings, while her male counterpart held \$70,000—more than twice as much. Reasons for the Wage Gap

REASONS FOR THE WAGE GAP

Several important factors contribute to the wage gap. Among them are discrimination, racial disparities, occupational segregation, which involve structural factors which operate to concentrate women in low-wage jobs and limit their access to higher paying jobs in non-traditional occupations. Also playing a part is the devaluation of women's work and women's greater responsibility for care giving.

A study by labor economists Francine Blau and Lawrence Kahn found that even controlling for the combined effects of occupation, industry, work experience, union status, race and educational attainment, 41% of the wage gap remains unexplained. This indicates that discrimination plays a sizable role in the gender wage gap.

Some of this discrimination seems to be directed against mothers. A study by sociologists Shelley Correll, Stephan Benard, and Ian Paik found that, when comparing equally qualified women job candidates, women who were mothers were recommended for significantly lower starting salaries, perceived as less competent, and less likely to be recommended for hire than non-mothers.

The effects for fathers in the study were the opposite: fathers were actually recommended for significantly higher pay and were perceived as more committed to their jobs than non-fathers.

But it is not only mothers who are discriminated against in the workplace. Study after study shows that when companies are reviewing resumes, they are more likely to hire men, and more likely to offer those men a higher salary. These studies are done by submitting identical resumes, but changing the name of the applicant. This means that even with the exact same resume and qualifications, Roberta is offered a lower salary than Robert. Joanna is offered a lower salary than Joe. Women are offered a lower salary than men just because they are women.

THE WAGE GAP IS EVEN GREATER FOR WOMEN OF COLOR

Women of color experience a far greater wage gap than their white, non-Hispanic counterparts.

The typical African-American woman who works full time, year round makes only 64 cents, and the typical Hispanic woman who works full time, year round only 55 cents, for every dollar paid to their white, non-Hispanic male counterparts. For the typical white, non-Hispanic woman, this figure is 77 cents.

The wage gap for African-American and Hispanic women working full time, year round persists when the effect of race is examined alone. The typical African-American woman working full-time year round is paid roughly 80 cents for every dollar paid to her white, non-Hispanic female counterpart. The gap is larger for the typical Hispanic woman working full time, year round, who is paid just 70 cents for every dollar paid to her white, non-Hispanic female counterpart.

The wage gap for African-American and Hispanic women working full time, year round also persists when the effect of sex is considered alone. The typical African-American

woman working full-time year round is paid roughly 85 cents for every dollar paid to her African-American male counterpart. The typical Hispanic woman working full time, year round is paid 91 cents for every dollar paid to her Hispanic male counterpart.

In my home state of Texas, the statistics are even worse for women of color. African American women in Texas make 59.6 cents compared to white non-Hispanic men, and Hispanic women make 45.2 cents for every dollar earned by a white, non-Hispanic man.

OCCUPATIONAL SEGREGATION LEADS TO UNEQUAL PAY
PERSISTENT OCCUPATIONAL SEGREGATION

Almost two-thirds of workers earning the lowest wages—those who make the federal minimum wage or less—are women. The federal minimum wage is just \$7.25 per hour. The federal minimum cash wage for tipped employees is \$2.13 per hour, less than one-third of the current federal minimum wage and unchanged in more than 20 years. Women make up almost two-thirds (65 percent) of workers in tipped occupations.

Even in occupations that pay slightly above the federal minimum wage, women predominate. Women are the majority of workers in each of the ten largest occupations that typically pay less than \$10.10 per hour, and two-thirds or more of the workers in seven of these occupations.

Studies have shown that occupational segregation leads to lower wages for women. In fact, wages in occupations that are made up predominantly of women—"pink collar" occupations such as child care workers, family caregivers or servers pay low wages—precisely because women are the majority of workers in the occupation. One study that used the share of women in an occupation to predict wages in that job a decade later found that "women's occupations"—those that were two-thirds or more female—had wages that were 6 percent to 10 percent lower a decade later than "mixed occupations."

UNEQUAL PAY HURTS FAMILIES AND CHILDREN

Whenever a woman receives unequal pay for equal work, their families suffer.

Lower earnings have a serious impact on the economic security of the over 7.5 million families headed by working single mothers.

Working single mothers with children struggle to make ends meet. In 2011, over a quarter, almost 2.2 million, of all such families were poor. Almost an additional 2.5 million working single mother families were on the edge of poverty, falling between 100 and 200 percent of the Federal Poverty Level, meaning that 62% of working single mother families subsisted under 200 percent of the Federal Poverty Level. In 2011, the Federal Poverty Level for a single mother with two children was just \$18,123.

Most two-parent families depend on women's wages, and so also suffer when women receive unfair pay.

Nearly 1.6 million married couples with children relied exclusively on women's earnings at some point in 2011, representing 6.6 percent of all married couples with children.

In 2011, more than 13.9 million married couples with children relied on both parents' earnings, representing 58.7 percent of all married couples with children.

Fair pay impacts married women with no children who are more likely to be solely sup-

porting their family than married women with children.

Nearly 4.1 million married couples with no children relied exclusively on women's earnings at some point in 2011, representing 11.5 percent of all married couples with no children.

In 2011, almost 13.9 million married couples with no children relied on both partners' earnings, representing 39.4 percent of all married couples with no children.

LILLY LEDBETTER'S STORY

While looking at these shocking statistics, I wanted to remind you all of the story of a woman who received unequal pay for equal work: Lilly Ledbetter. She has become a household name for her courage to fight for an equal paycheck. Thanks to the Lilly Ledbetter Fair Pay Act of 2009 women in Ms. Ledbetter's situation can now seek remedies in federal court more easily. These statistics show that women all around the country experience the kind of discrimination that Lilly Ledbetter faced.

Lilly Ledbetter was born in a house with no running water or electricity in the small town of Possum Trot, Alabama.

She worked hard, and became a supervisor at Goodyear Tire and Rubber's plant in Gadsden, Alabama, from 1979 until her retirement in 1998.

For most of those years, she worked as an area manager, a position largely occupied by men. Initially, Ledbetter's salary was in line with the salaries of men performing substantially similar work. Over time, however, her pay slipped in comparison to the pay of male area managers with equal or less seniority.

By the end of 1997, Ledbetter was the only woman working as an area manager and the pay discrepancy between Ledbetter and her 15 male counterparts was stark: Ledbetter was paid \$3,727 per month; the lowest paid male area manager received \$4,286 per month, the highest paid, \$5,236.

In short, despite her outstanding performance, every month Lilly Ledbetter took home a smaller paycheck than men doing the same job. She may have never found out about this discrimination had a co-worker not slipped her an anonymous note telling her she was being paid hundreds of dollars less per month.

At first, the Supreme Court said that Lilly Ledbetter couldn't even sue her employer since the first time they began paying her unequally was 19 years ago, leaving Lilly Ledbetter with no remedy for the 19 years of unequal, discriminatory paychecks she received. Fortunately, Congress stepped up and passed the Lilly Ledbetter Fair Pay Act, which allows women to bring a lawsuit within a reasonable amount of time uncovering the discrimination.

Our goal here in Congress needs to be to eliminate unequal pay at its root. Every day, women like Lilly Ledbetter are less able to pay their bills, save for retirement, and enjoy the fruits of their labor because they are paid less than their male counterparts.

CONCLUSION

We need to act to close this wage gap. More than 50 years after Congress made it illegal for employers to discriminate on the basis of sex, it is shameful that hard working American women are paid 77 cents for every dollar earned by a man. 77 cents for working the same job, the same number of hours.

Equal Pay Day reminds us how much further we need to go to achieve equality in the workplace. We need to come together to work to put an end to unequal pay for equal work.

FRANCISCO AGUILAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Francisco Aguilar for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Francisco Aguilar is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Francisco Aguilar is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Francisco Aguilar for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING THE LIFE OF MIKE
PEREZ

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Mike Perez, who passed away on March 24, 2013, at the age of 91. Family was Mike's highest priority, but he was also a successful businessman and community leader. His legacy will live on through his many contributions to Central California.

Born in California's agriculturally rich San Joaquin Valley to Juan and Maria Perez, Mike had a deep appreciation and understanding of the importance agriculture carries in our Valley. Mike grew up in a large family with two sisters Amelia and Tabor, and three brothers Daniel, Tom, and Earl. Together, the family established and ran a successful business which served as a reminder that the American Dream can be achieved through hard work and family bonds.

In 1941, Mike's father founded J.M. Perez and Sons, a visionary family-run farming operation in Stanislaus County, California. Eight years later, Juan turned the family business over to his sons and it was renamed Perez Brothers. After the brothers took over, the farming operation expanded from Stanislaus County to Firebaugh, California. Mike was instrumental in the growth of the business, and was responsible for diversifying and growing new crops. In 2003, Mike and his brothers were recognized for their contributions to the

agriculture community when they were inducted into the Stanislaus County Agriculture Hall of Fame. Today, the farm is run by the third generation of the Perez family and it continues to thrive.

Beyond Mike's work at Perez Brothers, he was also very active in the community. He served as President and Director of the Broadview Water District. In addition, Mike served as director for other organizations, including: Broadview Co-op Gin, Cal-Cot Ltd., Land Preservation Association, San Luis and Delta-Mendota Water Association, Silver Creek Drainage Association, and Valley Seed Growers. Mike has also held office at Cal-West Seeds.

His work and community service were essential aspects of Mike's life; however, family was most important to him. Words cannot adequately describe how much he loved his wife, Ann; his children, Michael, and Marvin, and his beloved grandchildren.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Mike Perez. He will be remembered as a man who never took anything for granted and had a full appreciation and love for life.

RECOGNIZING PATRICIA B. SALAS ON RECEIVING THE 2013 U.S. SMALL BUSINESS ADMINISTRATION'S FINANCIAL SERVICES CHAMPION AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Ms. Patricia B. Salas on being awarded the 2013 U.S. Small Business Administration's Financial Services Champion Award for Guam. Ms. Patricia B. Salas is the Vice President, Business Development Manager for Bank of Guam.

Ms. Salas started her banking career in 1989 as a Personal Banking Officer with the Wells Fargo Bank in San Diego, California. She was later promoted to the San Francisco branch on Market Street as the Business Banking Officer of Wells Fargo's Business Banking Group, where she managed a commercial portfolio with more than \$150 million on deposit.

Ms. Salas was born and raised on Guam and is the daughter of Ricardo P. Benito and Carmen Martinez Benito. She graduated from Academy of Our Lady of Guam in May 1983.

In 1998, Patricia moved back home to Guam and worked in a commercial loan officer position with a community bank on Guam. Within a year Patricia was promoted to Assistant Vice President and Relationship Manager responsible for developing strategies and managing a \$30 million commercial loan portfolio. In 2010, she joined Bank of Guam as a Vice President and Business Development Manager.

In addition to her professional career, Ms. Salas is an active member of our local community. She is involved in community outreach and financial literacy programs and is a mem-

ber of the Rotary Club of Tumon Bay, where she has served in various leadership positions. Additionally, she is a board member and treasurer of the Guam Business Partners for Recycling.

Ms. Salas is married to Edwin "Bob" Salas and they have two daughters, Taylor and Chloe. She earned a bachelor's in Business Administration from the University of San Diego in May of 1987.

I congratulate Ms. Patricia B. Salas on receiving the 2013 U.S. Small Business Administration's Financial Services Champion Award for Guam. I join the people of Guam in commending her for her award and thanking her for her many contributions to our island and people.

HONORING MT. VERNON HIGH SCHOOL BASKETBALL TEAM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishment of the Mount Vernon High School girls basketball team in Fortville, Indiana.

The Mt. Vernon girls varsity basketball team recently made school history by capturing the team's first state championship in their third title game appearance. The Marauders won the Indiana Class 3A State Basketball Championship 61-47 over Hamilton Heights.

Mt. Vernon was led in scoring in the title game by freshman Sydney Shelton with 29 points and in rebounds by junior Erica Moore with 15, setting a Class 3A record for title game rebounds. In addition, senior Rachel Houck was named the winner of the Patricia L. Roy Mental Attitude Award for Class 3A Girls Basketball for her demonstrated excellence in mental attitude, scholarship, leadership, and athletic ability. The team finished the championship season with a record of 23-4.

I want to congratulate this team for showing great resolve and teamwork throughout the state tournament and in the title game. I also want to commend the team for representing themselves with class throughout the season, the tournament, and the remainder of the year.

Congratulations go to starters Sydney Shelton, Shaely Duff, Rachel Houck, Erica Moore, and Ellie Balbach, along with teammates Taylor Riggs, Morgan Stricker, Jessica Grubb, Ariana Sandefur, Sadie Baugh, Maddie Walrod, Krista Shockley, Hannah Jones, and Olivia Coleman. For the leadership of this championship team, congratulations and accolades go to the head coach, Julie Shelton, and assistant coaches, Tom Kirby, Ashley Greulich, and Jeff Phares.

I ask the entire 6th Congressional District to join me in congratulating the Mount Vernon High School girls varsity basketball team for their dedication, execution, and excellence this season.

ERICA SIMPSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Erica Simpson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Erica Simpson is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Erica Simpson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Erica Simpson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE 50TH ANNIVERSARY OF PARK TOOL

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. MCCOLLUM. Mr. Speaker, today I rise to pay tribute to Park Tool in Oakdale, Minnesota, on the occasion of the company's 50th anniversary. Park Tool is a Minnesota success story, growing from a small family owned company to the world's leading manufacturer of bicycle tools exporting American made products around the globe.

Necessity breeds invention, and the need for good and reliable bicycle repair tools forged the beginnings of Park Tool. In 1963, two bike shop owners, Howard Hawkins and Art Engstrom, lacked adequate equipment to make repairs in their shop so they started inventing their own tools. Their creativity and innovation produced the tools that helped to transform the bicycle repair industry. One of their first inventions was a stand to allow easier access to complete repairs, which was awarded a patent in 1976. Park Tool quickly expanded, and many patents later, began building wheel truing stands, repair stands and consumer tools. By the early 1980's the retail shops that started the company were sold to concentrate on manufacturing tools. Park Tool continues to help define the industry and its success has led to the opening of its new factory and headquarters, which is opening this month in Oakdale, Minnesota.

It is fitting that Minnesota is home of Park Tool, because it is one of the most bike friendly states in the nation. The American Trails organization named Minnesota the "Best Trails State," because of our state's leadership in development of a major system of bike trails, paths and commuter routes on roads—not to mention our abundance of beautiful lakes, rivers and parks. As more Minnesotans and

more Americans rely on bikes for transportation to work and for enjoyment, many in our community and across our state and country depend on Park Tool to produce the high quality tools that keep their bikes in top shape.

Park Tool is a company that shares its success by giving back to people and communities. The company has supported "Ride 2 Recovery" which helps veterans with cycling based rehabilitation programs, as well as with programs that promote safe and fun cycling around the United States. The "Earn-A-Bike" program and "Bike Shop at School" teaches students the mechanical fundamentals of bicycle assembly and repair while fostering environmental stewardship and healthy living. The company has also partnered with "Trips for Kids" which helps at-risk youth by organizing mountain bike rides in their 80 chapter communities around the United States, Canada, and Israel.

Mr. Speaker, it is my great pleasure to in honor the dedicated employees of Park Tool in celebration of 50 years of commitment to providing high quality tools and equipment for cyclists around the world.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,802,515,751,907.61. We've added \$6,175,638,702,994.53 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

ON SONJA NESBIT MOVING TO HEALTH AND HUMAN SERVICES

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. McDERMOTT. Mr. Speaker, today I would like to recognize one of the finest committee staff members to have worked for me, the Ways and Means Committee and the U.S. House of Representatives. Sonja Nesbit joined the House staff over 11 years ago and has made an enormous difference for millions of Americans since the day she arrived. Now she is moving on to the Department of Health and Human Services to continue her work on behalf of the nation's poor, and I want to thank her for her accomplishments, her ongoing dedication to this institution, and for her service to the American people.

In Congress Sonja was at the center of our efforts to restructure the national foster care system, a reform that has helped innumerable young people get a better shot at finding a good family and personal and professional success. Sonja also worked tirelessly on the

creation of the home visitation program in the Affordable Care Act that promotes home visits for at-risk children.

Sonja is a leading expert in her field and is, really, the ideal public servant. She gave thoughtful advice and counsel, helping myself and other members do the right thing for the poor and needy in this country. She was patient, helpful, and always looking for policy that would reflect the values of justice and equality. This is what the American people need in a public servant and in congressional staff.

Now Sonja is moving on to work in the Department of Health and Human Services where she'll continue her work on making the country's social safety net just and strong.

We will all miss her. I congratulate Sonja on her new position, thank her for her good work, and wish her the best of luck at HHS.

EMMA BLOSENCO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Emma Bloenco for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Emma Bloenco is an 8th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Emma Bloenco is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Emma Bloenco for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, during the week of March 18th, I missed roll Nos. 76 through 89 due to cataract surgery. Had I been present, I would have voted "nay" on roll Nos. 76, 79, 80, 81, 82, 88, and 89. I would have voted "yea" on roll Nos. 77, 78, 83, 84, 85, and 87. I would have voted "present" on roll No. 86.

FEAR THE RAVEN, SOMETHING TO RAVE ABOUT!

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. SARBANES. Mr. Speaker, I rise today to submit this poem on behalf of a constituent

in my district honoring the Baltimore Ravens for their Super Bowl XLVII win.

FEAR THE RAVEN, SOMETHING TO RAVE ABOUT!

(By Albert Carey Caswell)

The . . . The Fire . . . The Unforgettable Fire!

When, hearts and souls, and bodies and minds, so meet for but one desire!

But, for one goal to so take them all higher! For no other team sport, has such passion and such fire!

Or so depends upon their Band of Brothers, to so fashion victory from within themselves to be so inspired!

Well, maybe when a great leader says he's going to retire!

Feel The Fire!

As a child a time ago, stepping out upon those fields of green as so . . .

As a dream few of us will know!

To play in The Super Bowl!

And to stand on that National stage, as all around you this war is waged!

Is but Something To Rave About!

For it was in those long hot days of summer, that this great bond was so formed as they encumbered!

As against all odds they fought on, young and old, the rookies and Pros . . .

As all around them, the smell of fear in the air stood close!

For only a few on opening day, in that uniform shall so be clothed!

As its competition at its very height, that which so makes their great hearts shine so bright!

And now as it all so comes down to this, 60 minutes, either heartache or bliss!

To wear that Super Bowl ring, and hold that Lombardi Trophy up high and sing!

"And shine bright like a diamond, shine bright like a diamond in the sky," with but tears in your eyes . . .

And to be one of football's aluminate, one of its highest of all society!

Is But Something To Rave About, as down upon you the confetti flies . . .

As you want to "scream and shout," and "let it all out," singing "oh we oh" we are Super Bowl Champs, now That's Something To Rave About!

For this is HARBAUGH, and this is WAR!

As it's Brother VS Brother as so for sure!

Going Coastal, East meets West!

Who Will Be The Best?

As it was but only a year ago, when in that end zone our dreams died so!

But, The Ravens took that memory . . . and built upon it and would not let go!

Something like "remember The Alamo"!

UNFINISHED BUSINESS, YO . . . HUNT IT . . . HUNT IT!!!

But, the word on the street, was that Baltimore could not so compete!

Surely, Peyton would have his way . . . and Brady in the Super Bowl was meant to play!

And how could Baltimore stake a claim, and beat the 'Niners on this day?

But, this is a team of destiny and faith, whether it's Ray Ray or General Brigrance leading the way!

Or a guy up in Heaven named Art who was with them on every play . . .

And the Big "B" Bisciotti, because excellence is his way!

FEAR THE RAVENS . . .

IT'S JUDGEMENT DAY!

And now they were ready to make the 'Niners pay, and show em how the west was lost this day!

Prospecting for more Super Bowl gold,

The Forty-Niners came into town looking for number 6 to hold, but the Steelers said wooooee!

Armed with a Pistol O so profound, making even Dirty Harry say WOW!

And the Ravens, These Mighty Birds of Prey, with their Beastie Boys on defense leading the way!

That would even make Edgar Allen Poe, so shuttle and whence in his grave!

Led by their leader T4 Ray Ray with his Tell Tale Heart, instilling such fire and faith his work of art!

As Mr. Bisciotti said,
 “Niners you’re going to Fear The Raven today!”

Just look at what my coaches, and front office put together, THEY!

The Wizard of Ozzie Neusome, he’s real who’s whosome!

Because, he knows how to choose ‘em!

And Pollard who will put the collar on you every play!

And Suggs who likes you to mugs, and sizzles any one in his way!

And Ayanbadejo, who acts so crazed so!

And Ellerbe, watch out for me I’ll sting U on D!

And the Kruger . . . rants, who is worth his weight in gold!

And Corey Upshaw, who will turn you into cole slaw!

And Kemoatu who will give you, The Kemo Treatment to ALL!

And Corey who will Graham cracker YOU! And Haloti,

You No Gota a chance to stoppa me!

And then these two young guns, were ready to put a clinic on, one by one!

And show how a Super Bowl is won!

That Baltimore Bomber, Joe “Cool” Flacco!

In the high archy of deep spirals, he owns the show, as he heaves rainbows!

In fact NASA in the off season wants him, to launch a few satellites . . . THOSE!

And if you’re a D back, well you better be wearing a flacco jacket, against Big Joe!

He’s shades of Johnny U, you know . . .

With a chip on his shoulder, he’s looking bolder, making them spell elite, making them eat crow!

Then, the new gun . . . just a babe starting his 10th game, how did he learn so quickly how to behave?

That’s why on the West Coast he’s called Special K!

Shades of The Young Man so!

He can beat you in the air or on the ground, and gun you down!

His Pythons are so huge now!

Now it’s JUDGEMENT DAY, down on the bayou it’s time to play!

Dis Dat Fat Sunday Super Bowl today!

Someone’s going to crawl daddy, and someone with Dat Da Saints Are Going To Do Dat Come Marching In Hooray!

“BRING THE ACTION”!

When, the Ravens got the ball,
 Joe Cool made the call, driving down the field as he would not so yield!

With his flock of Ravens, as it was touch-downs he and they were craving!

A real true tour de force, with the likes of Torrey Smith with all his gifts . . .

Proudly in heaven your brother watching this!

And Ray Rice, he can beat you twice . . . in the air or on the ground!

So many weapons like Boldin and Jones, who leave the D backs standing all alone . . .

As Anquan so Em-Boldined his Ravens, with a 13yd TD he soon owned!

As Joe Cool began to rule, taking them all to school!

As Baltimore’s D hung tough, after the 1st quarter only one Aker they’d give up!

And Reed em and Weep, when on a catch he smashed mouth Big Vernon D!

Sent him to the sidelines in pain and misery! And he said, “you better keep an eye on me” . . .

Fear The Turtle, but also Fear The Reed!

In the 2nd quarter, the 49ers were looking to be slaughtered!

Pondering weak and weary upon a midnight dreary,

Baltimore’s D made it look scary “casting their monte ago’s” all over these!

As the strategy of Control and Contain, was working on their hearts and brains . . .

As helmets they were cracking, as there came this rapping, a rapping at the 49ers door!

Tis the Ravens D “never more”, as they pondered so weak and weary, over some lost to be forgotten turnovers for sure!

As Mr. Jones recovered a fumble, and Joe Cool said boys let’s rumble!

With a drive and a TD pass, to I PITTA the fool who ever tries to cover me last!

While, Dickson gave the defense a bath!

As Reed intercepted Kaepernick, as you could feel the 49ers starting to bleed!

Two thirds of the world is covered by water, and the rest by Reed!

Then John played Harbaugh, faking a field goal, a gutsy call and gave Tucker the ball!

It’s better to stand for something, then fall for nothing at all!

As The D . . . those birds of prey, on a feeding frenzy once again so had their way!

Control and Contain, not worrying about who hears their name!

Then, Joe the Coolest of Cool . . . as him and MR. Jones had a thing going on too!

Throwing a 56 TD, as he got up off of that turf with a burst, and made the DB look like Papa Smurf!

And right at the half, more Aker through the uprights would so pass!

Should the 49ers have stayed home and watched the game on TV?

Maybe they were using the wrong caliber of Pistol, you see?

As they put a Kap on nick, and it was all looking pretty sick!

As The Ravens’ D was reacting so quickly, control and contain while inflicting such pain!

By halftime it looked like the Ravens, were ready to tell the Niners to board their plane!

And to the families of Sandy Hook, all of our hearts so shook as were heard your children singing!

Our prayers to you we are bringing!

Then, Beyonce and Destiny’s Child, oh what a half time show as they went wild!

Then, at the opening kick off it was lights out . . . as Mr. Jones sped by at light speed as the coverage he ran out!

A 108yd TD, Super Bowl history!

And then as “Be” . . . “Yonce” would say, “ut oh, ut oh, ut oh, . . . got me going crazy like this!”

“Got me feeling crazy like this” As the lights went out!

Was it Beyonce and Destiny’s Child style, or the speed at which Mr. Jones flew by all the while?

Don’t worry Commissioner Goodell is on it like a crocodile!

28 to 6, as the Niners pondered so weak and weary, so deep upon a Super Bowl dreary!

But, when the lights went out . . . in the dark,

The Ravens mo was all sucked out!

Black magic no doubt!

Turning on the switch,
 “BRING THE ACTION”! This!

As soon the 49ers struck gold, a 31 yd TD to Crabtree he’d hold.

The only kind of crabs in Baltimore we will serve cold!

And the Gorey details, as Frank another TD he soon nailed.

And the 3rd Acker of the day, with the Niners on their way!

As it was 28 to 23, as things were looking scary, as the Ravens lost the very heart of their D . . .

A mountain of a man,
 Super Samoan Haloti Ngata he stands . . .

As the Heart of Texas,
 Tucker’s field goal gave us a chance, a chance to so breathe!

As the Niners got back, as Kaepernick ran it for a 105 yd TD, the longest in Super Bowl history!

Again, the Bomber of Baltimore led his men burning out the clock, leaving them so little time to victory unlock!

As the eyes of Baltimore were upon him, as Just in Time Tucker tucked em in!

With a field goal then!

As it was now do or die, as the Niners started to drive . . .

As Gore and Moss looked like they would not be denied!

As there they stood at the goal line, it was first and goal and it was crunch time!

As the Niners could now so take command, but Ray Ray’s and his birds of prey had other plans!

Control and contain, with Super Bowl gold only 4 plays away!

As these men of might would not so break, as history they were so ready to make!

Kaptalizing on Colin as his last pass, floated out of the end zone as you could hear him hollering!

As the Ravens got it back and we watched Koch safety dance, don’t worry Ray Ray he can’t compete with you, no chance!

And then one last play, as all the way from Baltimore you could hear the fans say . . .

“WE WANT TO SCREAM AND SHOUT”
 “AND LET IT ALL OUT”
 singing “OH WE OH, OH WE OH”
 ARE SUPER BOWL CHAMPS NO DOUBT!

As the Greatest Ali in Phoenix also cried out,
 “Now, We’ve Got Something To Rave About!”

Because, what that incredible D did was so unreal!

As the D backs and LBs put the wood on em, and with stealth technology their receivers were concealed!

Control and contain, as somehow they so shrunk the field!

And that aerial show, that was put on so, by Big Joe brought them to their knees!

As the offensive line really shined, giving Joe the time to glow!

I guess you could say they Blind Sided the D!

As it was one heck of a game, and one heck of a fight!

As they served Rice to the Niners, all night!

And Piece was looking fierce, as Leach began to teach, how to open up holes and knock the man down!

But, we knew sadly . . . one brother would win, and one brother would lose!

Like Father Like Sons, they all turned out to be such great ones!

But, only one team would Destiny's Child so choose, and hold that trophy way up high and be a Who's Who!

"AND SCREAM AND SHOUT"

"AND LET IT ALL OUT"

singing "OH WE OH . . .

OH WE OH" ARE SUPER BOWLS CHAMPS!

NOW THAT'S SOMETHING TO RAVE ABOUT!

And in Baltimore, one more thing is true!

Ravens, Johnny U would be so proud of U!

And Chuck Thompson would have said, "ain't the beer cold, from the beginning we've led"!

AND BEING WORLD CHAMPIONS,

WELL THAT'S SOMETHING TO RAVE ABOUT!

EMMA EAKER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Emma Eaker for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Emma Eaker is a 10th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Emma Eaker is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Emma Eaker for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF SHARON WILLIAMS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor the remarkable Sharon Williams, the long-time director of Menlo Park-based JobTrain. Sharon is retiring after forty years of instilling optimism in each JobTrain client and building life skills amongst an entire community. I have watched with amazement over these many years as Sharon has guided the JobTrain organization.

Sharon earned her BA in English from the University of the Pacific in 1965 and her teaching credential from San Francisco State University in 1968. She joined JobTrain in 1973 as a GED teacher. She became Director of Development in 1978 and a short time later took over as Executive Director. Conducting job training classes and connecting people with jobs was very difficult in the late 1970s. Sharon guided JobTrain and its clients through difficult financial times and built a stunningly successful career and job education center.

With Sharon's outstanding leadership, JobTrain has offered cutting-edge and traditional job training, everything from solar panel installation classes to computer repair to culinary arts to laboratory technician training for biotechnology facilities. Knowing that life skills are a large component of the training done by JobTrain, Sharon and her staff insist that clients learn how to show up on time to work, become team members in the modern work environment, and learn how to balance work and the demands of a family.

Mr. Speaker, Sharon Williams has infused JobTrain with the same "can do" attitude that she insists from her clients. I've visited JobTrain on several occasions, most recently in the last few months. It's a very busy place. JobTrain helps 8,000 persons per year, and 600 of them receive full-time vocational training. At least 85% of those who enroll complete their training. 75% of those persons are placed in jobs, and 12 months after placement, 84% are still working. JobTrain's success is spelled out in these numbers.

Sharon's contributions to the Peninsula are not limited to JobTrain. She currently serves on numerous boards, including the Center for Excellence in Nonprofits, and East Palo Alto Digital Village. She has also previously served on the boards of the East Palo Alto Senior Center, the Boys and Girls Club of the Peninsula, Leadership Mid-Peninsula, and the San Mateo County Workforce Investment Board.

After forty years at the helm of JobTrain, it is time for Sharon Williams to bid her beloved nonprofit goodbye and to head off in new directions. The only thing missing from JobTrain's smorgasbord of classes at the moment is a class on how to make eyeglasses. That's not surprising. Sharon sees quite clearly the need for human dignity through productive work. Why would she believe that anyone else in the community needs glasses when her own sight is both perfect and prescient? Let us give Sharon the highest compliment that any employer can offer an employee. Let us say, "Job well done."

RECOGNIZING RONALD M. YOUNG ON RECEIVING THE 2013 U.S. SMALL BUSINESS ADMINISTRATION'S ENTREPRENEURIAL SUCCESS AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mr. Ronald M. Young on being awarded the 2013 U.S. Small Business Administration's Entrepreneurial Success Award for Guam. Ron is the Co-founder and Secretary/Treasurer of Security Title, Inc.

Ron owns Security Title Inc. along with his wife Kim Anderson Young. Together they started the company in 1999. Security Title Inc. provided professional title and escrow services of the highest quality to Guam, Saipan, Tinian, and Rota. Security Title Inc. is the general agent for Stewart Title Insurance Company, one of the world's largest title insurance underwriters. Because of Security Title

Inc.'s expert regional knowledge it has developed into the dominant title company in the Mariana Islands as it provides services that are crucial to any real estate transaction.

Ron was raised in northern California by his parents, George and Winnie. His father owned his own dental lab, which taught Ron at an early age the value of owning his own business. Ron earned a bachelor of arts degree in sociology from San Jose State University. He later earned a master of arts from Goddard College in sociology and education. Ron and his wife have five children together: Ryan, Jason, Carter, Lars, and Erika.

Ron is also an active member of our island community. He serves as the current liaison between the Guam Chamber of Commerce and the Chinese Chamber of Commerce, which are two of Guam's largest business organizations. He is an ongoing supporter of many non-profits and organizations such as the Guam Association of Realtors, International Council of Shopping Centers, American Management Association, NAIOP, Guam Economic Development Authority, Guam Tourist Attraction Fund, and the Guam Beautification Task Force.

I congratulate Ronald Young on receiving the 2013 U.S. Small Business Administration's Entrepreneurial Success Award for Guam. I join the people of Guam in commending him for his award and thanking him for his contributions to our community.

TRIBUTE TO EAGLE SCOUT CHAD FORD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Chad Ford of Boy Scout Troop 188 of Ankeny, Iowa for achieving the rank of an Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Chad assisted in refurbishing Chichaqua Bottoms Greenbelt Park in Polk County by removing a large section of unwanted fencing. The work ethic Chad has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Chad and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

COMMENDING CAMPOLINDO HIGH SCHOOL ACADEMIC DECATHLON CLUB UPON WINNING THE 2013 CONTRA COSTA COUNTY ACADEMIC DECATHLON

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to commend Campolindo High School's Academic Decathlon Club for its recent success in the Contra Costa County Academic Decathlon, at which Campolindo's two teams won first and second place.

The Campolindo High School Academic Decathlon Club provides students the chance to go above and beyond academically. Through fun competition, the Academic Decathlon Club members foster enthusiasm for education not only in themselves, but also in their peers.

Participation in the academic decathlon has promoted and developed a range of skills, including team work, discipline, creativity and critical thinking. The Decathlon Club is training California's future leaders by helping ensure that our students will be qualified to join the workforce and grow our economy. It's clear that Campolindo High does an outstanding job of preparing these future leaders for a lifetime of success.

I would like to submit for the RECORD a recent article in the Contra Costa Times recognizing Campolindo's impressive achievement.

'GOING ABOVE AND BEYOND': ACADEMIC DECATHLON OFFERS ANOTHER KIND OF COMPETITION

(By Lou Fancher)

MORAGA.—It was a repeat of last year's finish, as the top three teams at Contra Costa County's 2013 High School Academic Decathlon on Feb. 4 mirrored the winners of 2012's competition.

The "Red Team" from Campolindo High School in Moraga took first place and will advance to the state competition March 14 to 17 in Sacramento.

This year, as last, Campolindo's "Blue Team" placed second, and Acalanes High School of Lafayette placed third for the second straight year. Other teams competing in the county decathlon were Antioch High, California (San Ramon), Freedom (Brentwood), Las Lomas (Walnut Creek), Miramonte (Orinda), Pittsburg and Dublin.

California's Academic Decathlon pits nine-member teams drawn from about 500 schools statewide in a frenzy of tests, essays, speeches and interviews. Scrimmaging over art, economics, music, language and literature, mathematics, science and social science might sound like torture to many high schoolers, but not to students like Campolindo's Zach Scherer, this year's Top Overall Academic Decathlon Individual Award winner.

"I like decathlon (club) because it's not a regular class, with a teacher lecturing for 50 minutes," the 16-year-old said. "It's students, all interested in learning."

Paul Verbanszky, an advanced-placement psychology and government economics teacher at Campolindo since 2004, leads the school's decathlon club.

"I used to be able to barely field a team. Because we're winning, more students have signed up. Now I have 40 students at the start of a year," he said.

The club's increasing popularity has little to do with students aiming to shine on college applications, Verbanszky said. Rather, the biggest motivators are the chance to excel at something other than sports and "going above and beyond" academically.

Team co-captain Evelyn Steefel, 17, said it's just fun.

"The meetings are entertaining," she said, "and there's nothing like learning new, interesting facts."

Campolindo's two teams (schools with more than nine students participating can form multiple teams) met three times a week, beginning in September.

This year's theme was Russia. With a mix of newbies and veteran decathlon members, the students divvied up the study guides democratically.

"We just put it up for whatever each person wanted to do and made sure each section got done," Steefel said.

A dizzying array of approaches, from PowerPoint presentations to "Jeopardy"-style games to pop quizzes, staved off drudgery. Winning the decathlon is more than facts; it's analysis and skillful test-taking, Scherer and Steefel said.

Scherer remembers the interview section of the competition beginning with simple questions about his interests.

"I discussed the clubs I'm in, model United Nations and math club, and how they have shaped who I am now," he said. "Then they asked, 'How has being in U.N. shaped your interest in diplomacy?'"

Steefel used the decathlon's speech portion to talk about hypocrisy in America.

"It's a country that promotes freedom and equality, but it goes against those principles in its actions. The major thing I talked about was slavery, but also affirmative action and discrimination against women. I talked about the current generation needing to stop hating, because we're not moving together as a country."

The Super Quiz—during which teams work together, and a roaring crowd of supportive family and friends is allowed—tested their knowledge of Sputnik 2. Another question challenged them to compare and contrast two Russian composers.

"First, you have to know about the specific facts," Scherer said. "Then, you have to know about the controversies involved, the worldwide movements, the complexities."

Verbanszky said it's not the two Campolindo teams' high scores or crafty mental gymnastics he's most proud of.

"They care about the program, but also each other," he said. "Freshmen to senior—they help each other with homework and talk about their problems. They've become friends."

RECOGNIZING JEFFERSON COLLEGE AS IT CELEBRATES ITS FIFTIETH ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize Jefferson College located in Jefferson County in Missouri, as the community celebrates its fiftieth anniversary this year.

The Community College District of Jefferson County was approved by voters on April 2,

1963. Senator Earl Blackwell of Hillsboro sponsored Senate Bill Number Seven, which made possible the formation and financing of public junior colleges in Missouri. Jefferson became the second junior college district in Missouri to be approved.

Seventeen months later the first courses are offered at Hillsboro High School with 14 faculty members and 303 students. Jefferson College moved into its first permanent building on the Hillsboro campus in September of 1965, and held its first commencement in June of 1966, where 31 graduates received associate degrees.

In 1967, Jefferson College became the first community college in Missouri to be designated as an area vocational school. Today, in addition to the Hillsboro campus, the college has expanded to sites in Arnold, Cedar Hill and Imperial, which offers programs in Certified Nurse Assistant, EMT-Paramedic and a Law Enforcement Academy, as well as a fifth campus which offers online instruction.

As a testament to their vision to make higher education more accessible to their community, Jefferson College has successfully now grown to over 5,500 full and part-time college credit students and 4,300 plus students in continuing education classes.

In closing, I ask all my colleagues to join me in wishing the community of Jefferson College congratulations on their fiftieth anniversary.

IN RECOGNITION OF CLARK E. GUINAN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Clark E. Guinan, better known as Gus, who is retiring after a remarkable legal and public service career that spanned over three decades. Gus was the City Attorney of the City of Burlingame for the last four years. His devotion to justice and the Bay Area are reflected in his work and passion for life.

Gus, a native San Franciscan and third generation Californian, was raised in Los Altos. He enrolled in the seminary in Menlo Park at the young age of 13 and studied there through high school and college until he was 24 years old. He received his B.A. in Philosophy from St. Patrick's College.

After eleven years in the seminary, Gus realized that he had a different calling. He wanted to follow in the footsteps of his grandfather who was his hero and a prominent attorney in the California Attorney General's office. Gus started law school and earned his J.D. from the University of Santa Clara.

Upon earning his degree, Gus became a deputy public defender in San Joaquin County from 1974–1984. Then he accepted the position of Senior Assistant City Attorney in Palo Alto where he served for five years.

In 1989, he faced a difficult decision. He and his wife Signe Harnett had adopted infant twin girls. They still lived in Stockton and the daily commute to Palo Alto would prevent Gus from seeing his two babies grow up. He left public service and became a litigation attorney

with the law offices of Rishwain, Kakim and Ellis in Stockton from 1989–1991. Gus' love for San Francisco drew the family back to the Bay Area and in 1991 they moved to Berkeley and he joined the law office of Barry Balamuth in Orinda.

In 1993, Gus returned to public service and accepted the position of Assistant City Attorney for the City of San Rafael where he stayed until 2008 when he was appointed to his most recent position of City Attorney of Burlingame.

Gus is a member of the Public Law Section of the California State Bar Association, the Bay Area City Attorneys Association, the Marin Public Agency Attorneys and an alternate board member of the California Joint Powers Risk Management Authority. In the past, he served as a delegate at the State Bar Convention in Sacramento, as a section editor of the Municipal Law Handbook of the League of California Cities and as a member of the board of governors of the San Joaquin County Bar Association. Gus has also lectured at the Delta Community College in Stockton and in the "Bridging the Gap" program. Last but not least, he has been a proud member of the San Rafael Elks Club since 2006.

In his well deserved retirement, Gus is looking forward to spending more time with his wife of 25 years, their now 24-year-old twin daughters Kate and Lindsey and their stepson Chris. He will finally have more time to lose himself in his passion for California history, hiking, travel, photography, reading and swimming.

Mr. Speaker, I ask the House of Representative to rise with me to honor Clark E. Guinan, a man with a brilliant legal mind and a big heart who has protected the rights and safety of the residents of Burlingame and other Bay Area communities.

IN APPRECIATION FOR RON
GOLDWYN'S SERVICE TO THE
HOUSE

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. FATTAH. Mr. Speaker, I rise to offer words of appreciation for a departing member of my staff, Ron Goldwyn. Ron will be retiring after 7 years in my Philadelphia office as Press Secretary to enjoy the Philadelphia Mummerys, baseball, the Southwest and lots of quality time with his family. I have no doubt that Ron will also continue to follow the workings of this body from a more distant place. His connection to the House began long before joining my team. In fact, when his wife Carol first came to Washington to meet his family, he brought her to sit in the House gallery!

Ron came to my office as a second career following years of success as a journalist. His stellar career began as editor of the "Family News" at age 10. It then took him to Woodrow Wilson High School's Beacon, the Washington Daily News Scholastic Sports Association, Fort Dix, the Dayton Journal Herald, Philadelphia Bulletin and the Philadelphia Daily News. In

my office he has served as a drafter of press releases and proclamations, a photographer around town and resident comedian.

Ron is a proud (retired) member of Local 10 of the Newspaper Guild (now part of Communications Workers of America). He is former president of the Pen and Pencil Club, the journalists' after hours club. He is a founding member of Mishkan Shalom synagogue in Roxborough, Pennsylvania where he has held several lay leadership positions. Ron still plays on the Pen and Pencil softball team and for several years was the commissioner of the Center City softball league. He is currently the President of the Blue Bell Hill Civic Association.

From the first time he saw the parade in January, 1975, Ron has adored Philadelphia's Mummerys Parade, even though many of the Mummerys are a notoriously prickly and feuding bunch. For a few years, he and his wife were only spectators. Then, in 1980 or so, Ron began providing the Mummerys research "book" to Larry Kane who anchored the Parade broadcast. From 1984 to 1994, a motley crew of family and friends dressed up as kazooos and marched as a group in the Comic Division of the parade. Known as the King Kazoo New Year Association—Ron was "King Kazoo," of course—the group finished as high as fourth in the division several times. About 17 years ago, Ron took on a new role, becoming the color commentator for the comic division part of Parade broadcast until this year, which was his first as a "marshall" with the Pennsport String Band.

Ron's absence will be deeply felt in my office. My staff and I have come to rely on his strong writing, attention to detail, knowledge of Philadelphia history and commitment to public engagement. While we celebrate his transition into retirement, we look forward to his visits and updates from The Land of Enchantment. I ask my colleagues to join me in thanking Ron for his service here and wish him well in his next adventure.

RECOGNIZING THE RETIREMENT
AND SERVICE OF MAYOR
ADDISON LARRY HARTWIG

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. ROSKAM. Mr. Speaker, I rise today to recognize a dedicated public servant from the Sixth Congressional District of Illinois, Mayor Larry Hartwig of Addison. In May, he will conclude his loyal service as Mayor after four terms.

As a resident of the Village of Addison for over 40 years, Mr. Hartwig has served as a model citizen. He first entered public office in 1987 as Village Trustee, and in 1995, he was appointed Interim Mayor of Addison where he was elected thereafter.

During his tenure as Mayor, Mr. Hartwig has been an exemplary leader and public servant. After retiring as Principal of Wood Dale Junior High School, he devoted more time to other areas of service, including the DuPage Water Commission and the Metropolitan Mayors

Caucus. His noble leadership led him to serve as President of the DuPage Mayors and Managers Conference and as Chairman of the Conference's Legislative Committee.

Mayor Hartwig has represented his community well and has been a strong voice for the Village of Addison throughout his time in office. His long service to the people of Addison and to DuPage County is truly commendable. Although retiring as Mayor, Addison will continue to benefit from his involvement as a member of the community.

Mr. Speaker and Distinguished Colleagues, please join me in congratulating Mayor Hartwig on 26 years of public service and in wishing him all the best for the days ahead.

IN HONOR OF COMMANDER KIRK
H. JOHNSON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. FARR. Mr. Speaker, I rise today to honor Commander Kirk H. Johnson for his tireless advocacy efforts and leadership supporting veterans.

Kirk H. Johnson was born September 28, 1956 in Chestertown, Maryland. He enlisted in the Army in 1978 at Fort McClellan, Alabama as a Helicopter Repairman. Kirk was promoted to Sergeant in 1980 and in 1981, was appointed as Crew Chief for Army Chiefs of Staff.

Mr. Johnson was awarded the Humanitarian Service Award in 1982 for his role in a life saving rescue mission after a commercial jet crashed into the 14th Street Bridge in Washington, DC and plunged into the Potomac River. In 1983, Kirk entered the Warrant Officer Program to receive further flight training and graduated as an Aero Scout Pilot in 1984. Mr. Johnson was then stationed at Ft. Ord, California and upon arriving served as a Line Pilot as well as a Survival Training Officer for the Aviator Brigade. In his time at Ft. Ord, Kirk carried out a multitude of different duties, from Pilot in Command to Income Tax Officer, before being involved in an accident that separated him from his two passions: aviating and being a soldier.

Kirk has been the Commander of the Department of California American Veterans since 2012 (DAV). He represents 101,133 members and 68 chapters throughout the state of California. This service organization provides free support to Veterans, their spouses, family members, and orphans. Services provided include filing claims to provide medical, educational, and compensation benefits to our wounded warriors.

Kirk coordinates volunteer hours and transportation activities as a representative for the Veterans Administration Volunteer Services (VAVS) DAV at Palo Alto Veterans Hospital and the Monterey VA clinic since 2006. In 2012, the volunteer programs logged over 700,000 hours of coordinated volunteer services and thousands of travel miles from this transportation network. Mr. Johnson further supports VAVS by serving as Executive Committee President since 2010.

Prior to assuming his current Commander role, Kirk was the Senior Vice Commander for Department of California DAV from 2011 to 2012 and Junior Vice Commander from 2010 to 2012. Kirk also acts as an Advisor to the Veterans Club at Monterey Peninsula Community College, which gives younger veterans an opportunity to help themselves and their community. Previously, Kirk served as the Club's President from 2009–2011.

Kirk's advocacy further includes his membership in the Veterans Focus Council from Palo Alto Health Care System and as the Judge Advocate and member of the Executive Committee from DAV Chapter 85, Seaside, California where he held previous positions. Kirk was the chaplain for DAV Chapter 85 from 2004 through 2007.

Mr. Speaker, I once again want to thank Mr. Johnson for his continual dedication to helping our veterans and for his service to our country.

HONORING THE CENTENNIAL OF THE CITY OF TUALATIN, OREGON

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. BONAMICI. Mr. Speaker, I rise today in honor of the City of Tualatin, Oregon, on the occasion of its centennial anniversary.

This remarkable city, located just south of the State's largest metropolitan area, serves as a gateway to the fertile farmland of the Willamette Valley, which was formed by a series of cataclysmic floods some 12,000–17,000 years ago.

The Tualatin River Basin has provided sanctuary and sustenance for a litany of ancestral occupants. This wide range of early and distinguished inhabitants included the Atfalati Tribe and the historic Tualatin Mastadon, which was unearthed in 1962 after 13,000 years and subsequently displayed at the Tualatin Public Library for public edification.

In 1850 the U.S. Congress passed the Donation Land Claim Act, which granted title to American settlers committed to productive cultivation of the land. Shortly after, from 1850–1853, 30 families took up permanent residence in the area. Initially known as Galbreath, then Bridgeport, the settlement was named Tualatin in 1887 and subsequently incorporated, by a vote of the townspeople, on August 18, 1913.

In the one hundred years since, Tualatin, Oregon has demonstrated a balanced approach to development—combining economic vitality and safe and beautiful neighborhoods with environmental stewardship to ensure a preeminent quality of life. Over 300 acres of award-winning parks and natural spaces delight residents and offer an abundance of recreational opportunities for hikers, bikers, and outdoor enthusiasts. The community is very proud to have recently celebrated 25 years as a designated Tree City USA.

The City of Tualatin harbors a first-rate educational system, visionary leadership, and public administrators of the highest caliber. An engaged and informed citizenry—critical to the

success of every governmental body—actively participates in governance, supports a thriving business community, and sustains a range of cultural and artistic activities.

Mr. Speaker, one hundred years have passed since the incorporation of Tualatin, Oregon. It is a deep honor to represent this exceptional city in the U.S. Congress. I offer my sincerest congratulations during this centennial celebration and look forward to many more years of growth and prosperity.

RECOGNIZING CHRISTOPHER BEJADO ON RECEIVING THE 2013 U.S. SMALL BUSINESS PERSON OF THE YEAR AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mr. Christopher Bejado on being awarded the 2013 U.S. Small Business Administration's Person of the Year Award for Guam. Mr. Bejado is the president and director of hospitality of Marianas Slingstone, Inc. dba PROA.

PROA is true to the philosophy of "garden to table," meaning PROA hires its employees from Guam and sources its ingredients from local farmers. The restaurant remains committed to the Hafa Adai spirit and to being locally sustainable.

Chris was pursuing a master's degree in education from the University of Guam when he and his childhood friend, Geoffrey D. Perez, opened PROA Restaurant in Tumon. In 2007, the restaurant opened a complementary business, Sweet Relief Pastry Shop, featuring unique local flavors in delectable sweets. PROA opened a second location in November 2012, in the heart of Hagatna, to cater to the island's southern patrons.

Born and raised on Guam in the village of Tamuning, Chris is the son of Catalino Marilag Bejado, a Filipino migrant from the province of Bicol in the Philippines, and Maria Martinez Flores, a Chamorro islander. He is the youngest of six siblings.

Chris is a 1988 graduate of John F. Kennedy High School and earned a bachelor's degree in travel industry management from Hawaii Pacific University. He is married to Cora Yanger Bejado and has three daughters: Natalie, Camille, and Kathleen.

At age 23, after graduating from college Chris returned home to Guam and opened his first restaurant called De Niro's Pasta Kitchen in the village of Dededo which remained open for just 2 years. Chris has also held positions with the Hyatt Regency Guam as Assistant Manager for the Al Dente Restaurant, as well as Stewarding Manager. He also held the position of Concessions Manager for LSG Luft-hansa Sky Chefs, opening 12 food and beverage outlets in the New Guam International Airport in 1995.

Chris had a passion for sharing his work experience with Guam's young students, this led him to accept a position at the University of Guam (UOG) as Outreach Coordinator for the International Tourism and Hospitality Industry.

He later worked as Marketing Specialist for the Office of University and Community Engagement, spending nearly ten years at UOG.

Chris is also an active member in our island community. Chris has always believed that giving back to the community is his civic duty. He has years of experience and commitment to community organizations, serving as Chairman for the Hagatna Foundation, Chairman and Board Member for the Guam Humanities Council, and the Guam Educational Radio Foundation, KPRG 89.3. He has also contributed much time and resources to the American Cancer Society.

I congratulate Christopher Bejado on receiving the 2013 U.S. Small Business Administration's Person of the Year Award for Guam. I join the people of Guam in commending him for his award and thanking him for his contributions to our community.

IN RECOGNITION OF EQUAL PAY DAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of Equal Pay Day. Equal Pay Day brings awareness to the issue of disparate pay for women and families, and promotes the fair principles of equal pay for equal work.

As a Member of Congress, I am proud to say that I am an original cosponsor of the Paycheck Fairness Act, an important piece of legislation that hopes to limit sex discrimination in the payment of wages. Nationally, women earn roughly 77 cents for every dollar earned by their male counterparts. This wage gap varies widely throughout various states across the country. For single parents and other heads of households, wage inequality can have lasting ramifications on quality of life and economic prosperity. Earning less money for the same time investment is not only unfair, it undermines a robust labor force and eats away at the foundation of a strong and prosperous economy. It is an issue that afflicts every community across our Nation.

In the Dallas Metroplex, women are paid 85 cents for every dollar paid to men, or \$7,163 less per year for a typical full-time job. According to the National Partnership for Women and Families, women in the Dallas area lose more than \$7 billion each year due to these blatant disparities in pay.

Mr. Speaker, we owe it to the American people to ensure that all workers are being paid fair and equitable wages for their labor. The Equal Pay and Lily Ledbetter Fair Pay Acts were steps taken in the right direction. Now, we must pass the Paycheck Fairness Act to continue our assault on pay inequality, and ensure that women across the country have access to fair wages.

THE PAYCHECK FAIRNESS ACT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. ESHOO. Mr. Speaker, today is Equal Pay Day—the day that symbolizes when, more than three months into the year, the average woman's yearly income finally catches up to what a man was paid in a previous year. Getting paid fairly for the work you do is tough for almost everyone, but, for women, it's particularly difficult.

Women earn an average of 77 cents for every dollar earned by men, costing women and their families up to \$2 million over a woman's working lifetime. With a record number of women in the workforce, wage discrimination is hurting the majority of American families, both in terms of their economic security today and their retirement security tomorrow. Families have fewer resources to pay the mortgage, send kids to college, or have a decent retirement.

If the United States had an adopted policy of equal pay, it would put \$200 billion more into the economy every year. This comes out to about \$137 for every white woman per pay check, and approximately \$300 for every woman of color, who are doubly discriminated against.

Today, there are an unprecedented number of women who are the breadwinners of their families. This makes pay equity even more critical, not simply to family economic security, but also to our nation's economy.

As we look for ways to create more jobs and grow the economy, it's astounding to me that Congress has not yet passed legislation ensuring equal pay for equal work. It's a powerful policy which would produce enormously positive economic outcomes.

The Paycheck Fairness Act ensures that employers who try to justify paying a man more than a woman for the same job must demonstrate that the disparity is not sex-based, but job-related and necessary. It prohibits employers from retaliating against employees who discuss or disclose their own salary information with their co-workers, and it strengthens the remedies available to wronged employees.

Pay inequity due to gender discrimination is real, it should not be tolerated, and we need to take action against it.

NATIONAL SPRING CLEANING
WEEK, MARCH 18-24, 2013**HON. JOYCE BEATTY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mrs. BEATTY. Mr. Speaker, I want to recognize the Association of Residential Cleaning Services International, or ARCSI, of Ohio's 3rd Congressional District, as I rise to acknowledge National Spring Cleaning Week which took place March 18-24, 2013.

As many people around our country prepare for spring cleaning, on behalf of the organiza-

tion, I want to remind those who will begin going "out with the old and in with the new" to recycle.

Recycling what you have stored in your basement, closet and garage and instead learning to reduce, reuse and recycle those items is efficient, sustainable and time-saving.

With advice from our cleaning industry professionals at ARCSI, they are helping everyday American families live healthy, clean and green lives.

So let us remember to re-use, re-purpose and whenever possible recycle items we already have in our households as we begin our spring cleaning.

HONORING DAVID CURSON

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Mr. DINGELL. Mr. Speaker, I rise today to honor my dear friend, David Curson, on the occasion of his retirement.

Many of you know David from his seven weeks of service in the House during the 112th Congress representing Michigan's 11th district. He was elected with the help of community activists, including his beloved United Auto Workers, to fill a vacancy for the shortest term in recent memory. While he was here, David unflinchingly stood up for working American families, always remembering his roots back in Michigan and Ohio. His time in the House was not wasted: His was a key vote in avoiding the fiscal cliff this past January. It was a tough one to take, but David did so with the greater good in mind, as he has always done. His service here was nothing short of honorable, and the Michigan Delegation is better off for his having a part of it.

David's service to his fellowman far predated his time in Congress. He proudly served his country as a Marine in Vietnam. When he returned to the United States, David started a life-long career at Ford and with the United Auto Workers, particularly Local 898 in Rawsonville, Michigan. David has held nearly every imaginable position in the Union, from chairman of the Local UAW/Ford Joint Apprenticeship Committee to Director of Special Projects and Economic Analysis to Executive Assistant to the UAW's President, Vice President, and Secretary Treasurer. He led contract negotiations that saved thousands of American jobs and helped set the standard for job security agreements in North America. In short, David has devoted his life to his fellow working men and women and done a magnificent job for them.

Mr. Speaker, I am humbled and grateful to call David my friend. His dedication to social justice and public service are example to us all, and one which I hope we will all heed. I know David's entire family—from his wonderful wife Sharon, to his children David Jr., Lisa, David II, and Kathryn, to his grandsons Peyton and Parker—all appreciate David's extraordinary life of service and are thrilled to be able to spend more time with him as he retires. To my good friend, David, and his family, I wish health, happiness, and long life.

CONGRATULATING THE DUNCANVILLE HIGH SCHOOL
PANTHERETTES**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to congratulate the Duncanville High School Pantherettes varsity basketball team for winning the 2013 5A state championship for the second consecutive year. The Pantherettes beat Cibolo Steele Lady Knights 59-36, ending their season with a record of 42-0, the first 5A school to achieve this record in a single season.

I also want to commend the coaching staff for their hard work and dedication to their team. In the past 13 seasons, head coach Cathy Self-Morgan has led the Pantherettes to three state championships with a record of 957 wins. Coach Self-Morgan received a number of prestigious honors this season, including the Dallas Morning News SportsDay's Girls Basketball Coach of the Year.

This year, the Pantherettes were ranked the number one high school girls basketball team in the Nation by the USA Today Super 25 Poll and the Max Preps Freeman Poll. The ESPN Power Rankings ranked the Pantherettes second among all U.S. girls teams. The Pantherettes were also crowned 7-5A district champions, 62nd Annual 2012 Sandra Meadows Tournament champions, and the 2012 McDonald's Pasadena Tournament champions.

I applaud the team's outstanding efforts and commitment to a flawless return to the state championship. The Pantherettes legacy includes eight state championships, 22 tournament appearances, and 33 regional tournament appearances. Congratulations again, Pantherettes, on an incredible season.

HOLOCAUST REMEMBRANCE DAY

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. FRANKEL of Florida. Mr. Speaker, yesterday morning the State of Israel came to a standstill as a siren signaling one minute of silence pierced through the daily lives of Israelis. For one minute, highways came to a stand-still and phone conversations fell silent. This moment of silent reflection occurs every year on Yom Hashoa, Holocaust Remembrance Day, in order to honor the memory of the six million Jews systematically murdered at the hands of the Nazis.

Yom Hashoa serves as more than just a day of remembrance, though. Each passing year the remaining number of survivors becomes fewer and fewer. South Florida has seen this first hand. Just last month, Holocaust Survivors of South Florida—once one of the nation's largest survivor groups with a peak membership at over 1,400 survivors—was forced to close its doors due to a rapidly dwindling number of members.

At its final board meeting, the group gave \$15,000 to the Holocaust Documentation and Education Center, highlighting the importance of teaching the lessons of the Holocaust to our future generations. The organization's president expressed her hope "that through education, history would not repeat."

So today, I commit myself to learning the lessons of the past. I join my colleagues in the U.S. House of Representatives by honoring the living memory of the victims of the Holocaust. Together, we will stand against any resurgence of anti-Semitism, and against all forms of hatred and prejudice.

CELEBRATING THE MEXICAN
AMERICAN OPPORTUNITY FOUNDATION'S 50TH ANNIVERSARY

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate the Mexican American Opportunity Foundation on celebrating their 50th anniversary. For 50 years MAOF has worked to improve the quality of life for millions of Latinos in the Los Angeles area. From education and daycare services for children, to job training and English-language classes for adults, to medical and social services to seniors, MAOF has provided poor or disenfranchised Latinos with opportunities for social and economic advancement.

In 1963, a little known community and labor leader named Dionicio Morales had the idea to create a foundation dedicated to Mexican-American community development. He started at the top, with a call to President John F. Kennedy. Morales did not get to speak to the President, but through his perseverance, he was able to speak with Vice President Lyndon B. Johnson. Together they secured the funding for what would become the Mexican American Opportunity Foundation.

Today MAOF is the largest Latino human services provider in the nation and the Los Angeles Times has credited Morales with being one of the original leaders of the East Los Angeles Latino civil rights movement, along with United Farm Workers leader Cesar Chavez, journalist Ruben Salazar, and my father, Congressman Edward R. Roybal.

Although Dionicio Morales passed away in 2008, his legacy lives on within the work of MAOF which provides essential services to over 100,000 people, 8,000 of whom are children.

Once again I congratulate MAOF President and CEO Martin Castro, members of the board of directors, and all MAOF employees. I thank them for 50 years of dedicated service to the Latino community, and I wish them well as they continue their great work in the years to come.

A TRIBUTE IN HONOR OF THE
LIFE OF PETER SCOTT CARTER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor Peter Scott Carter, an extraordinary man who died of a tragic accident at his home on March 7, 2013, at the age of 70. He was a proud Los Gatos, a loving husband, a devoted father and grandfather, a bon vivant, a lover of cooking, wine, music, and politics, but most of all he loved people. He was witty, worldly, a successful advertising executive, an accomplished photographer and a mentor to many.

Peter was born in San Diego on February 20, 1943. His family moved to Santa Clara in 1957, and he graduated from Bellarmine College Preparatory School and Georgetown University. He was an active member of the Los Gatos Music and Arts Committee and a member of the San Jose Rotary Club. Known as a pillar of the community, he was the founder and mainstay of the Los Gatos Social Club, a group that meets on Wednesdays for cocktails and dinner.

I was honored last year to be the beneficiary of Peter's invitation to his home to meet the Los Gatos Social Club, where I met a cross section of the community. Scott Carter wrote fondly about that meeting . . . one I shall cherish all the days of my life.

The words written by Peter's son Scott and published online in the Los Gatos Patch paint a vivid picture of this vibrant, dynamic man:

My Father enjoyed politics, and while he wasn't shy about blasting the Democratic Party for this or that, it never stopped him from supporting the candidate that he thought was going to do the most good for the community.

When Los Gatos was redistricted from Mike Honda to Anna Eshoo, he was able to get both Members to spend the evening with the Los Gatos Social Club for a Passing of the Torch party. He told me that he and Representative Eshoo closed Chicago Steak and Fish that night, talking long past everyone else's departure.

He cared deeply about his family. His grandchildren were the apple of his eye. Grandpa's house was filled with candy, all of it bowls that can be reached by any child old enough to walk. While he was always a happy person, the joy on his face as he was spoiling the girls was unmatched. As much as he loved throwing a party, I know that he loved taking them to Powell's and giving them presents even more.

His love for Dennise was obvious to us all. A woman who shares his passion for giving to others and caring for the community, she has dedicated most of her life to starting and growing nonprofits. She is probably the only person on the planet willing and capable of being the hostess as often as he wanted to be the host. She brought tremendous joy to my father's life, and words will never express the feelings of gratitude and love that I feel for her.

Peter Carter leaves his wife Dennise McNulty Carter, his sons Scott and Shawn, and four grandchildren.

Mr. Speaker, I ask my colleagues to join me in honoring the life lived well by Peter Carter, and for his great contributions to his community and our country. He will be remembered and missed by all who had the good fortune to know him, and I count myself among that privileged group. Today, the entire House of Representatives extends our most sincere condolences to Dennise Carter, to Peter's sons, his grandchildren and his entire family.

A TRIBUTE TO THOSE WHO SUFFERED THE ATROCITIES OF THE
BOSNIAN WAR

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to those who suffered the atrocities of the Bosnian War. In April of 1992, a war of aggression was waged against the newly independent and sovereign Bosnia by Serb forces aiming to destroy its multi-ethnic and multi-religious character. The International Criminal Tribunal for the Former Yugoslavia (ICTY), a body of the United Nations, was established to prosecute serious crimes committed during the wars in the former Yugoslavia. Due to the efforts of the ICTY, 161 fugitives have been indicted, including Ratko Mladic, the person responsible for the Srebrenica Genocide. April 16th of this year will mark twenty years since the United Nations declared the Srebrenica enclave a "safe zone." Sadly, the failure of the United Nations to protect this safe zone ultimately led to genocide and the death of more than 8,000 men and boys.

I would like to call for the United Nations to properly recognize the Srebrenica Genocide declaring July 11th to be Srebrenica Remembrance Day. In the 109th Congress, I proudly co-sponsored H.R. 199, which affirmed that in Srebrenica, "the policies of aggression and ethnic cleansing as implemented by Serb forces in Bosnia and Herzegovina from 1992 to 1995 meet the terms defining the crime of genocide."

Tomorrow, President Tomislav Nikolic of Serbia will take the floor during a United Nations debate on the ICTY. As we mark another anniversary of the beginning of genocidal violence in Bosnia, let us remember that our work is not yet done. As President Obama has stated, "The United States rejects efforts to distort the scope of this atrocity, rationalize the motivations behind it, blame the victims, and deny the indisputable fact that it was genocide." In solidarity with April Genocide Prevention Month, let us remember the victims and the heroic perseverance of the Bosnian people.

SENATE—Wednesday, April 10, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, take from us anything that doesn't honor You. Remove covetousness, pride, anger, or anything that is unlike You. Replace our negatives with positives, making us lowly, peaceable, patient, and kind.

Lord, fill our lawmakers with faith, a firm hope, and a charity, that they love nothing that displeases You. Raise them up to be seated with You in heavenly realms, as they strive to be instruments of Your purposes.

Thank You for being rich in mercy and for Your grace that never gives up on us.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 10, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume

consideration of the motion to proceed to the gun safety legislation. The first hour will be equally divided with the Republicans. They will control the first half, and we will control the final half. Last evening I filed cloture on a motion to proceed to that legislation. Hopefully, today we can reach an agreement to begin debate on this bill—even today.

We also hope to formalize an agreement for the confirmation of Sarah Jewell to be Interior Secretary.

MEASURES PLACED ON THE CALENDAR—S. 680 AND S. 691

Mr. REID. Mr. President, I am told—and I believe this is right—there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct.

The clerk will read the bills by title for a second time.

The assistant legislative clerk read as follows:

A bill (S. 680) to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes.

A bill (S. 691) to regulate large capacity ammunition feeding devices.

Mr. REID. Mr. President, I object to any further proceedings with respect to these two bills.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

IMPACTS OF SEQUESTER

Mr. REID. Mr. President, for many months now my Republican friends have promised the impacts of the sequester's arbitrary cuts would be minimal—don't worry about them. When they voiced any concern at all about the sequester cuts, it was over the potential impact on the U.S. military. The impact on middle-class families and the national economy wouldn't be that drastic, they promised in February and in March.

Well, now it is April and contrary to Republican promises, Americans in communities from Massachusetts to Nevada, from coast to coast, in red States and in blue States, are beginning to feel the pinch of those across-the-board cuts.

In the District of Columbia, tourists traveling from home to here for the National Cherry Blossom Festival experienced long lines to go through airport security because of these furloughs. Coming home from Nevada on Sunday there were mobs of people.

When anyone sits down to talk to any of them, they will speak about how miserable it is getting through security checks at airports all over the country.

In Murray, UT, a food pantry that feeds more than 1,000 people every month has closed because of these cuts. In Durham, NC, scores of employees at a medical research facility will get pink slips. In central Maine fewer senior citizens will be able to participate with Meals on Wheels. In Bethlehem, PA, more than 100 children are going to be kicked off Head Start.

Now, maybe my Republican friends don't feel this, but I guarantee my colleagues the parents of these little children in Bethlehem, PA, feel it. People waiting in these airport lines feel it. Why, at this medical research facility, should these people get pink slips? Are they unnecessary? Of course not. If the food pantry in Utah closes, are the people still hungry? Of course they are—more of them than before this cut took place.

In central Nebraska emergency response times have increased significantly since the local airport control tower closed. In southern Ohio the director of the local public defender's office—a man by the name of Steve Nolder—fired himself. He did that rather than lay off other members of his staff. He figured: I am one; I can save the jobs of three people. And that is what he did. That is quite unbelievable, but it is true. He has worked there for 18 years in the public defender's office. I repeat, he gave up his job so three could keep theirs.

Perhaps most concerning of all, community cancer centers around the country are facing difficult choices. For the people who have experienced cancer or experienced cancer in their families, this is something that is noted. Community cancer centers around the country are facing a very difficult choice: send Medicare patients away or just close their doors. The Washington Post reports that because of the sequester cuts to Medicare reimbursements, cancer centers around the country can no longer afford to administer many common drugs. For people who have watched loved ones have chemotherapy—it was just a few months ago when people worried about whether they were going to be able to get the chemo drugs because there was a shortage. Well, now it is widespread.

The Post reports, I repeat, because of the sequester cuts to Medicare, reimbursements for these cancer centers around the country have to make a choice: close or change their hours,

which is tough on patients. These clinics, where two-thirds of the cancer patients receive treatments, would lose so much money so quickly they could have to go out of business. So providers are sending cancer patients to overcrowded hospitals instead, not to the cancer centers. For patients in clinical trials for these new cancer drugs—life-saving experiments—the situation is really dire. Some in these clinical trials are going to have to travel across the country, to Washington, DC, Boston, or New York. People can't afford that, especially when they are sick.

As I said last month, the effects of the so-called sequester didn't break over us like a big wave, they sneaked up on us like a rising tide, and that tide is here now. But the effects are devastating, even though we didn't feel them immediately, and there is more pain to come. That is the sad part about it.

In the coming months, meat inspectors, FBI officers, and Border Patrol agents will be furloughed. We haven't even begun to see the worst of the job losses. There will be 750,000 jobs lost because of sequester across the country.

The overwhelming majority of Americans wanted us to compromise before their friends and family members got pink slips or furloughed or were told there is no more treatment for them even though they have cancer. For some it is already too late. But we can repair that damage, perhaps, and we should do it immediately, to put Americans back to work—no more furloughs.

To give our economy a foundation for growth, we must replace the sequester with a balanced approach to deficit reduction. A balanced approach is one that asks the richest among us to contribute a little bit more—their fair share—to deficit reduction. The rich are willing to do this. If we did this, we would avert cuts that hurt American families, harm our military readiness, and hinder our economic recovery.

I want everyone within the sound of my voice to doublecheck my statistics, but I heard on the radio on the way to work the Pentagon has decided that one-third of all of our aircraft simply will not be used because they don't have enough resources to fuel them. So that training just will not go forward. That is what I heard on the radio, and someone can doublecheck what I heard, but I am confident that is right.

In the House and in the Senate, both Republicans and Democrats voted to impose these cuts quite a long time ago, so it is going to take Republicans and Democrats working together to avert them. That is what we need to do. It is senseless to go on as we are done with these cuts that are done with a meat cleaver, not a scalpel.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, would the Chair announce the business of the day this Wednesday.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 649, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

Mr. REID. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE PRESIDENT'S BUDGET

Mr. CORNYN. Mr. President, in about an hour the President of the United States will release his budget—65 days after the statutory deadline of February 4, the first Monday in February.

Since taking office, President Obama has raised taxes roughly \$1.7 trillion—a number that I know none of us can actually comprehend. But now he wants to raise taxes once again.

I heard the majority leader on the floor this morning advocating for another tax increase. The President's proposed budget will ask for another \$800 billion, and that is on top of \$600 billion that was the subject of the fiscal cliff negotiations at the end of last year.

The President's budget, which will be released in an hour but which we have heard a lot about already, will never, ever actually balance. Every household in America, 49 States, every municipality, county government, everyone else in America has to live within their means but not the Federal Government.

The President's budget, as I said, does not purport to live within our fiscal means, and it does not balance, but the President says this is a compromise. I heard his spokesman on television say this is not the President's ideal budget; this is what he views as a compromise. But here is the simple reality: America cannot afford this bud-

et, and America cannot afford the President's so-called compromise.

Let's review some recent history.

In November and December of last year, Republicans were asking the President to embrace serious entitlement reform. Everyone who has looked at Medicare and Social Security realizes that both of those programs are on a path to insolvency and that they will not be there for future generations. And we asked for some smart reductions in Federal spending—what we have come to know as wasteful Washington spending—in exchange for more revenue. The President refused, citing the need for a “balanced” approach. But I do not want anyone to confuse that with a balanced budget; the President calls for a “balanced” approach but never a balanced budget.

Meanwhile, his Treasury Secretary made clear that the White House was absolutely prepared to go over the fiscal cliff—this was in December—unless Republicans agreed to raise taxes. Well, we did not have much choice because after the expiration of the so-called Bush tax cuts, they were going to go up by operation of law. But now, after getting more than \$1 trillion in new tax revenue as part of ObamaCare and after getting a separate \$620 billion tax increase on January 2, which I have just talked about, as a result of the fiscal cliff negotiations, the President is back for more. It seems as though that is his knee-jerk solution to every fiscal issue: more taxes, more spending, and more debt.

Not only would his proposed budget raise taxes by more than \$800 billion, it would increase annual spending by \$2 trillion by 2023 and increase our national debt even more, by \$8 trillion. For those keeping score, our gross debt has already increased by more than \$6 trillion since the President was sworn into office. It is already larger than our entire gross domestic product—in other words, our entire economy—and we are already spending more than \$200 billion a year just on interest payments.

Here is the risk—one of the risks—of this huge overhang of debt: If interest rates were just to go up by 1 percentage point that we had to pay our creditors, such as China, to buy our debt, that would be \$1.7 trillion in additional interest we would have to pay on the debt for each percentage point over a 10-year period of time. So you can begin to see very quickly how payment of interest and payment of mandatory programs would quickly crowd out everything else, including national defense expenditures.

A serious long-term fiscal plan must include three elements: progrowth tax reform, which we stand ready to do; structural Medicare reform, which we stand ready to do because we believe we need to preserve and protect Medicare for future generations; and, No. 3, a realistic strategy for reducing our

long-term debt burden before we experience a European-style debt crisis. Unfortunately, President Obama's budget does none of that.

Last year, speaking about America's national debt, President Obama's Treasury Secretary told the Republican chairman of the House Budget Committee:

We're not coming before you to say we have a definitive solution to our long-term [debt] problem. What we do know is we don't like yours.

Since that time, our national debt has grown by \$1.4 trillion. Now more than ever, America needs a definitive solution to our debt problem. Now more than ever we need a balanced budget amendment to the U.S. Constitution, like one that has been cosponsored by every Member on this side of the aisle. Now more than ever, amid the longest stretch of high unemployment—the highest unemployment—since the Great Depression, we need innovative, progrowth tax reforms that encourage investment and private-sector job creation. Yet the President is still offering more of the same—more taxes, more spending, and more debt. To paraphrase a famous diplomat, it seems the President never misses an opportunity to miss an opportunity.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CONGRATULATING THE LADY CARDINALS

Mr. MCCONNELL. Mr. President, yesterday I was proud to congratulate Coach Pitino and the Louisville men's basketball team for an impressive national championship win. Today I would like to recognize Coach Walz and the Lady Cardinals for playing their hearts out last night. You know, these women were the lowest seeded team to make it all the way to the title game in decades—and that is really quite an achievement.

So my sincere congratulations to you, Lady Cards. Keep up the hustle for next year's tournament. And to the Connecticut Huskies, congratulations on your hard-fought victory last night. You earned it.

THE PRESIDENT'S BUDGET

Mr. President, later today we will receive the President's budget. Like nearly every one of his budgets so far, it is late—really late. In the extra 2 months he has kept the country on hold, both the House and the Senate have actually already passed their own budgets. So it is hard to see what the White House plans to accomplish. I want to believe the intention is not to purposely blow up the budget process so the President can campaign against the very budget process he blew up, but from the reports we are seeing, it is getting harder and harder not to draw that conclusion. After all, the document headed our way does not appear

designed to bridge the differences between the House- and Senate-passed budgets. That is the role Americans would expect the President to play at this stage. But his budget simply does not represent some grand pivot from left to center; it is really just a pivot from left to left.

I mean, if these reports we are seeing are correct, it is mostly the same old thing that we have seen year after year after year, and that is really too bad because it is not as if we do not know the kinds of things that need to be done to get our budget back to balance and Americans back to work. We need to provide families and businesses a fairer and flatter Tax Code so they can save for the future and create jobs. We do not need a budget that piles on tax increase after tax increase. We need to get government out of the way so the private sector can actually grow again. We do not need a budget that spends more money we do not have. We need a balanced budget that encourages growth and job creation. We do not need an extreme, unbalanced budget that will not balance in your lifetime or mine.

The White House initially made some fantastic claims about the amount of deficit reduction supposedly contained in its budget. But when you cut through the spin and get to the facts, it looks as though there is less than \$600 billion worth of reduction in there—and that is over a decade—all of it coming, not surprisingly, from tax increases. In other words, it is not a serious plan—for the most part, just another leftwing wish list. Let me clarify: a wish list, actually, with an asterisk.

The President seems prepared to finally concede this time that at least something needs to be done to save entitlements from their inevitable slide toward bankruptcy. I am glad to see him begin to come to grips with the math. It is well past time for reform, and it is something the President ought to want to do because he presumably cares about saving entitlement programs, not just because he wants yet another excuse to raise taxes.

As we start to think about reforming entitlement programs, we should think about reform this way: Will the changes we make help modernize entitlements over the long term in order to eventually meet the needs of a rapidly aging population in a realistic way or will they just kick the can down the road without actually solving the problem? Remember, kicking the can down the road is how we got to this point in the first place. So we need to have the courage to finally make the tough decisions Americans sent us here to make.

If the President and his allies care about Social Security and Medicare—and I take them at their word that they do—then they need to prove that

commitment by proposing ambitious, forward-leaning structural reforms to save them. This budget is their chance to do that, and I hope they will. But if they choose to continue using these programs as campaign weapons instead, then the math points to a clear outcome: The entitlement programs so many Americans rely upon will go bankrupt, and today's Washington Democrats will have to live with that legacy. We cannot get to that point. But Republicans only control a tiny sliver of the Federal Government, so there really is not much we can do until the President and his allies get serious about reform. It is way past time they did.

We do not need another reheated budget. We have had enough of those in the past few years. We need a serious reform-oriented budget. Sadly, I do not believe we will see that one today.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, today, finally, we are going to see the President's budget—so we are told. When we look over the history of the last few decades, never has there been a budget submitted so late. The budget is due in February, as we know. With the exception of the first year of a President's term, when a new President comes in, when we give that new administration some time to put together its own budget, this will be the latest budget submission in decades.

I hope the wait will have been worth it. In other words, I hope what the President submits today is something serious, that helps us address the central challenge of our time. I see there are some young pages on the floor. I also met with lots of young people from the Ohio State University this morning. I told them the same thing I will say today, which is their future is at stake.

It is about our economy, but it is also truly about the future. Are we going to get control of the record debt and deficits and begin to turn our country toward the America that has been something we so much have taken for granted over the past century, which is an America that is growing, that is prospering, where wages are going up, where we have the ability to chart our own course and are a beacon of hope and opportunity for the rest of the world? Or, are we going to continue the slide we are on now, where wages have actually gone down, where America's deficit and debt continue to grow at unacceptable levels, where we risk a financial crisis as we have seen in Southern Europe, in countries such as Greece, places where they did not watch what was happening in terms of their fiscal house.

These countries allowed their debts and deficits to grow to such a large extent that they became as large as the

entire economy of those countries. Guess what? As of this year, we are told our debt—our gross debt in this country—is now the size of our entire economy. There are studies out there that indicate that when we get to that kind of a level, there is a big impact on economic growth. We are certainly seeing it, are we not?

We are living through the weakest economic recovery since the Great Depression, whether it is measured in terms of our economic growth or whether it is measured in terms of jobs. We just had a very disappointing report last month on the jobs front showing that we only gained about 88,000 jobs, disappointing all the projections.

But significantly, one-half million people—almost 500,000 people left the workforce. We now have the lowest labor participation rate—meaning that as a percentage of people working or seeking work—that we have had since the days of Jimmy Carter. That is over three decades. In some ways, the policies of Jimmy Carter have been replicated over the last few years in the sense of larger government, more taxes, more regulations.

What we are seeing is, frankly, an economy that is starting to resemble what happened back in the Carter days. That is unacceptable. We need to provide opportunities for Americans who are on that first rung of the economic ladder to get to the second and to the third and to the fourth. Those are the folks who are being hurt the worst with this economic malaise we have with this anemic economic growth, with these job numbers that are so disappointing.

They do relate back to the budget deficit and debt. There is a study by a couple economists named Rogoff and Reinhart that indicate we would have about 1 million more jobs this year alone if we did not have debt at these incredibly high levels.

This year we are told we can expect a deficit of \$1 trillion again or more. This is the fourth year in a row. Never in the history of our country have we had debts and annual deficits of \$1 trillion. Yet the President's budget, it appears, will not fundamentally change the course we are on. I think from what I have heard from the media reports and so on, it is likely to add about \$7 trillion to our debt over the next 10 years, putting our debt that is already at over \$16 trillion, again, at a level where it is at the entire size of our economy, where we have unfortunately continued economic doldrums because we cannot get out of this huge overhang of debts and deficits.

It is time to make a change. It is a moment for truth. It is an opportunity to address the challenge. My fear is the President's budget will not be adequate to meet the challenge.

There are some things in the budget I think will be positive. I want to say

that. I understand the President is likely to propose a more accurate measure of inflation, when we are talking about how to adjust for cost of living and our programs, including the important and vital but unsustainable program Social Security.

Social Security this year is actually in deficit, meaning that \$77 billion is projected to be spent for benefits in Social Security greater than the amount of payroll taxes coming in. So people who say Social Security is OK, it is in fine shape—a \$77 billion shortfall is not OK. Also, we are told the disability trust fund will be insolvent, bankrupt, belly up by 2016. That is just a few years from now. More people have gone on disability, unfortunately, than have been added to the work rolls in the last 4 years. Yet this trust fund is going bankrupt in just a few years.

Even if we include all the IOUs in the trust fund for the Old-Age and Survivors Trust Fund, the fundamental trust fund for Social Security, that will be insolvent by 2033. That is not that long from now. Folks who are retiring today, many of whom are likely to live to that point, in other words, for retirees today, they are looking at the possibility of this trust fund going bankrupt.

What happens under law when that goes bankrupt? There is a 25-percent cut in benefits. That is the law. So with this hemorrhaging every year, this year again about \$77 billion with these trust funds heading toward insolvency, Social Security does have to be addressed. I commend the President for saying let's use the right measure of inflation. It also happens to affect the benefit side and the tax side. So it actually increases taxes as well because there will not be the same adjustment for the rates for indexing on the income tax side. So there is both revenue gained through this proposal and also there are some savings on the programmatic side because the more accurate measure of inflation is used.

This is a controversial issue among some folks. I understand that. Again, I commend the President for putting it in the budget, as I am told he will. But having said that, this is just one step in the right direction.

Unfortunately, even with that proposal, Social Security will continue to have these enormous shortfalls. On the health care side, I am told the President may make a proposal to reduce some spending in health care. That is a good thing but again not adequate to the task before us. I am told it will be \$400 billion. We can argue about where that \$400 billion comes from. But it looks like most of it will come out of providers; in other words, the people who are providing health care to lower their reimbursement at a time when more and more providers are saying, we are not interested in providing care under Medicare and Medicaid because the reimbursement is already too low.

So we need to be careful how it is done. But let's assume we could agree on the \$400 billion. What would that mean? That would mean that instead of rising 110 percent over the next ten years, Federal health care expenses would go up 100 percent.

The point is we have a challenge in front of us that requires a much more aggressive approach. It requires us to be honest with the American people. It requires us to tell the American people: things are not going well. We are not turning the corner because these incredible debts and deficits do not enable us to do that. It is a shadow over the economy. It is a wet blanket on the economy today. Unfortunately, for the young people listening today, it is going to affect their futures in very significant ways if we do not address the problem.

We will see what happens with this budget proposal today. I am hopeful it will have more in terms of savings than has been suggested in the media. Those savings that are in there, I think we ought to support, as Republicans and Democrats alike, and then encourage the President to work with us on taking it to the next level, to truly address this challenge.

On the tax side, we are told the President is likely to recommend additional increases in tax. Remember, taxes were increased about \$620 billion already this year, just a few months ago. So the ink is barely dry on that huge tax increase—some would argue the largest tax increase in the history of our country. Yet the President is apparently likely to recommend taxes at about that level again, \$600 billion or more. Some say it is more like \$1.5 trillion, which was in the Democratic one offered on the Senate floor. But I am told maybe it is more like \$600 billion. But whatever it is, we have to acknowledge that increasing taxes again is going to hurt the economy. There is no question about it. The question is whether it is appropriate to have a higher level of taxation in our economy.

Let's think about that for a moment. We are told by the Congressional Budget Office, which is the nonpartisan group that analyzes all these budget proposals, that currently we have taxes as a percent of our economy, which is probably how you ought to look at it, at levels in 2015 which would be below our historic average. So in a few short years, we are looking at taxes that they say are 19.1 percent of the economy. What does that mean? Typically, it is about 18.3 percent. So it is higher than the average. We are already, under current law, looking at higher taxes, partly because of the fiscal cliff agreement and the \$620 billion in new taxes that were raised over 10 years.

The spending, on the other hand, which is already at levels higher than the historic average—which is about 20

percent, today it is at about 23 percent—is projected to go up and up and up. In fact, over the next three decades, according to the Congressional Budget Office, it goes from 20 percent to, on an average over the last 50 years, about 39 percent.

Then, frankly, they stop counting because they cannot imagine spending at that level because we have no sense of how to get revenue at that level. No one is talking about taxes that would be increased that high. It would be tripling the taxes, at least. So these are issues we need to talk about as a country. How much taxation do we want to have on our economy? How much spending do we want to have? I think what we ought to do is come up with a plan. Ten years from now, where do we want to be? Republicans are calling for a balanced budget. We think true balance means we balance the budget. We stop spending more than we take in. Democrats would like to see more taxes and fewer spending reductions.

We need to come up with something that makes sense for the American people. We need to acknowledge the fact that our issue is not the revenue.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. PORTMAN. Instead, it is the spending. That must be addressed. I say to my colleagues on both sides of the aisle, let's work together to get America back on track, to solve this problem which, if we do not deal with it, will not allow our economy to prosper. It will not allow America to continue to be that beacon of hope and opportunity for the rest of the world.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

THE BUDGET

Mr. COATS. Mr. President, I find myself echoing the words of the previous speaker, my good friend from Ohio. I could have given his speech and he probably could give mine because we are both on the same track.

This is an important day. The President will release his budget for 2014. While it is late, it is welcome. We now have three budgets in place. The Senate has voted on a budget, the House has voted on a budget, and the President will be bringing his budget before us. We now have the outlines of the beginning of a discussion and a debate and action that must take place in the next several months.

We have wide differences on of how we need to get to where we need to arrive, but at least now we have something from which to work. I urge my colleagues and the President to work together to achieve what is necessary to put this country on a path to fiscal health. It may be over a period of years. It may be measured out in terms of where we are now in the economy, what needs to be applied now versus what needs to be applied later.

I have said over and over from this platform and others, if we do not incor-

porate discipline in our spending, we will have clearly out-of-control spending which will continue to grow year after year. This will also grow the deficit and lead to more borrowing each year, putting our country in an ever-more difficult position. If we do not include disciplined spending within this budget, we will not achieve what we need to achieve.

Secondly, if we do not address our out-of-control mandatory spending, we will never achieve what we wish to achieve and we will continue to find ourselves in ever deeper holes. The previous speaker, Senator PORTMAN of Ohio, spoke about the need to make structural reforms in mandatory spending programs.

To those who say: You can't touch this. This has been promised to the American people and we cannot even begin to address this issue because these programs should be exempt—those individuals are immune to the reality of the current situation which stands before us. The situation is these programs are going broke. Spending on these programs is unsustainable.

Those organizations—and I will not name them here, but I will at some point in time; we all know who they are—are flooding seniors with mailings saying: Don't let them touch your Social Security. Don't let them touch one dime of your Medicare. You deserve every penny.

They are lying to those people. They are simply telling them they will be in a situation where their benefits are going to need to be reduced dramatically a few years down the line in order to keep the programs from going insolvent.

If we really want to care for and look out for those who are depending on Social Security and Medicare for their later years, we need to stand up now, tell them the truth, and do what is necessary to protect those programs.

Standing by and doing nothing, standing by and listening to outside interest groups who are trying to scare them to death means we are denying those people the future income benefits they are receiving under Social Security and Medicare. Let's have the courage to stand up and do what is right, and do what is right for the very people who are being told we are trying to take something away from them.

Someone said on this budget coming forward—we don't have all the details. There is the good, the bad, and the ugly. I would prefer to say there is the good, the not so good, and the why are we doing this in the first place. However we categorize this, first of all, let's give the President some credit for taking that first small step toward raising the issue of mandatory spending. My understanding is the President will suggest a modification of the Consumer Price Index, which is used to provide for increases each year in these various programs.

Once again we get this doomsday warning: You can't touch this. This is an index which is not correctly applied. We are still simply trying to bring this in line with the actual cost of living for our seniors.

Suggesting this gets the printing presses rolling and all of the interest groups saying to send us \$10 to save Social Security and everything else. Even this correction which the President has proposed is being criticized, which is beyond description in terms of how people try to take advantage of our seniors and those on these programs.

Let's give the President credit for putting this in play. It is a small step. It is not nearly as far as we need to go. There are other structural reforms we need to address. Let's at least acknowledge the President has come forward with something substantive as a modest first step.

Next is the not so good, the call for new spending, new stimulus. We have been through this. We have had nearly \$1 trillion of stimulus, about nine-tenths of which is now documented as not stimulating. It is turning out to be a poor, government-selected, so-called investment in the future, which the market has basically said doesn't work.

We have solar manufacturing plants closing all over the world. We see wind farms being raised through subsidies. Yet they cannot connect to the grid. It ignores the new discoveries in natural gas and fossil fuel reserves in America. The cost-to-benefit ratio is way out of balance. I now hear the word "investment," not "stimulus." "Investment" is another code word for "stimulus." That means it is a code for we will decide where this money goes.

The problem is the political animal puts its hands around it and the money goes to beneficiaries or supporters for political reasons. Anyway, government shouldn't be in this business.

This is the not so good of the president's budget because it includes \$1.5 trillion of additional net Federal spending. At a time when our spending is out of control, how can we come forward with a budget which adds more than \$1.5 trillion of new spending and call it investment when it is really just stimulus? We have been there and done that. It doesn't work, so why are we going there again?

Lastly, why are some of these proposals in this budget, such as the new taxes which were suggested by my colleague from Ohio? This budget contains well over \$1 trillion of new taxes on the American people, after we went through this 3 months ago with one of the largest tax increases in history.

Has anyone ever seen an increase in the economic growth through an increase in taxes? Leaving less money in people's paychecks, would this result in more consumer spending which helps our economy?

Adding new taxes, a new tax burden to the American economy, when has that ever created a job? We have staggering numbers of people who are dropping out of the workforce and giving up the search to find jobs. Our unemployment rate, our so-called official rate, is phony, absolutely phony.

People are withdrawing from the workforce because they have given up on ever finding a job. They are simply changing the numbers to make it look as if we are making progress, but as a result we are not making progress.

I notice the majority leader has come to the floor. I wish to conclude by saying we are in a historic time. We are at a crossroads in terms of the future of this country. This is the time when we need to put aside partisan interests, political interests, special interest groups, and stand up to do what is right for the future.

What is the future? As someone famously said: The future is now. The future is now for all of those people out of work. The future is now for all of those college kids graduating without a job to go to. The future is now for our senior citizens who have seen some of their savings eroded through this recession we experienced. The future is now for doing what is necessary to put this country on the right track to prosperity.

Let's work together. I am willing. I informed the President and my colleagues that I am willing to work with them. I know we will have to make some compromises.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. COATS. Let's seize this opportunity.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. MURPHY. Mr. President, it goes without saying we all do our jobs here and we seek a seat in the Senate for a reason. We decided to run for this high office because of issues which deeply motivated us, whether it be more affordable health care, better housing, or lower taxes. In a job like this we are driven to find the issues which move us. Then sometimes there are issues which find us.

When I was elected to the Senate last November, I never imagined my maiden speech would be about guns or about gun violence. I could have never imagined I would be standing here in the wake of 20 young children dying in Sandy Hook or the six adults who protected them. Sometimes issues find you.

Here I am, pleased to have the majority leader, the majority whip, and so many of my colleagues on the Senate floor with me here today.

I wish to start with the unpleasant part. I think it is important for all of my colleagues to understand why we are having this debate this week and

next week about gun violence, why for the first time in decades we were able to break the logjam to do something about the waves of gun violence which have plagued this Nation. It is easy to avert our eyes from the horror of what happened in Newtown. It is just easy to close our ears and pretend it didn't happen.

We can't ignore the reality because it is here. On a disturbingly regular basis it is here—in Columbine, Tucson, Aurora, and Sandy Hook. The next town's name is just waiting to be added to the list if we do nothing. Here is what is happening.

Sometime in the early morning hours of December 14, a very disturbed, reclusive young man named Adam Lanza went into his mother's room and shot her dead in her sleep. A few minutes later, maybe hours later, he took his mother's car and drove to Sandy Hook Elementary School. By 9:35 he shot his way through locked doors with an AR-15 semiautomatic rifle, which was owned by his mother.

He began a methodical 10-minute rampage which left 20 children, all 6 and 7 years old, and six adults who cared for them, dead. In 10 minutes, Adam Lanza shot off 154 rounds from a gun which could shoot up to six bullets a second. This high-powered gun assured every single child Adam Lanza shot died. Lanza shot most kids multiple times. Noah Pozner was shot 11 times alone.

The State's veteran medical examiner, who had been on the job for decades, said he had never seen anything such as this.

Several children did escape. Six kids were courageously hid in a classroom closet by their teacher, Victoria Soto, who shielded her kids from the bullets and died that day. Five other kids ran out of the room when Lanza had trouble reloading. Five kids are alive today because the shooter needed to stop and switch ammunition magazines. Whether it is because he had trouble reloading again or because the police were coming into the building at about 9:45, Lanza turned one of his weapons on himself and the massacre ended, but not before 26 people were dead.

This is reality. The worst reality is if we don't do something right now, it is going to happen again.

It is happening every day. To this country, which has become so callously used to gun violence, it is raindrops, background noise. The reality is the one in which we are losing 30 Americans a day to gun violence.

This chart illustrates how many people have died since December 14 and it is almost unreadable because it is a cast of thousands. This reality is just as unacceptable as what happened in Sandy Hook that day.

The question is, Are we going to do anything about it or will we just sit on our hands as we have for 20 years and

accept the status quo with respect to everyday gun violence and these increased incidences of mass shooting? If we are really serious about doing our jobs, we can.

Outside the beltway this isn't a debate; this isn't a discussion. Eighty-seven percent of Americans think we should have universal background checks. Everybody who buys a gun should prove he or she is not a criminal. Two-thirds of Americans think we should restrict these high-capacity ammunition clips. Seventy-six percent of Americans believe we should crack down on people who buy guns legally and then go out and sell them in the community illegally.

The American public knows we need to do something. Why have we been stuck for so long? First, it is because Members of Congress have been listening to the wrong people. We should be listening to gun owners. They are comprised of a lower percentage of Americans than 30 years ago.

About one-third of Americans today own guns, and they are very important constituents. The problem is the NRA doesn't speak for gun owners like it used to. Yet we listen to that organization more than we should.

Ten years ago the NRA came here and argued for universal background checks in the wake of Columbine. Today they oppose those background checks even though 74 percent of NRA members support universal background checks. I don't know the exact reason for that, but maybe it is because increasingly the NRA is financed not by its members—by everyday, common-sense gun owners—but by the gun industry. Tens of millions of dollars come into the NRA from the gun industry—a program that actually allows the NRA to make a couple bucks off of every gun sold in many gun stores across the country. We are not listening to gun owners. If we were, this wouldn't be a debate in this Chamber.

But secondly, and maybe most importantly, we have really botched a conversation in this place about rights, and rights really are at the core of this debate. When I am back home in Connecticut, I hear a lot of people talking about the right to bear arms as an "unalienable right" or a "God-given right," and of course the Constitution makes no such claim. The idea of an unalienable right is actually found in the Declaration of Independence, and it is a phrase we know very well.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

But liberty isn't just about having any gun you want anytime you want it; liberty has to also be about the right to be free from indiscriminate violence. I mean, what kind of liberty did these kids have in that classroom in Newtown, being trapped by an assault

weapon-yielding madman? And maybe more importantly, what kind of liberty does a kid just up the street from here in Washington, DC, have when he fears for his life every time he wants to walk to the corner store or walk home from school? That is not the kind of life, liberty, and pursuit of happiness our Founding Fathers talked about.

But even if we do accept that part of liberty is owning and using a gun, then we have to ask ourselves these questions: To what degree are our liberties really infringed upon if we just suggest there are a handful of weapons that are too dangerous to own? To what extent are our freedoms trampled upon by just saying you are going to need to reload your semiautomatic weapon after every 10 bullets rather than after every 30 bullets? How gravely do we really risk tyranny when we just moderately restrain the size of a legally purchasable clip?

If liberty is really our chief concern, then preserving and protecting the life of little kids has to weigh pretty favorably against marginally restraining a weapon's payload. If we can't agree on that, what can we agree on?

If we accept this balance, then the policy prescriptions are pretty simple:

First, guns should be available, but they should be available to people of sound mind with no criminal record. We have believed that for a long time. Since the Brady bill was passed, we have had about 2 million people who were stopped from buying guns because they were legally prohibited from doing so. The Brady bill has worked. The problem is that 40 percent of weapons sold in this country don't go through background checks. I hope we will have some good news by the end of the day on this front, but that is a pretty easily accepted premise—criminals shouldn't own guns.

Second, a small number of guns are just too dangerous for retail sale. We have always accepted that premise as well. We have always drawn a line and said some weapons are reserved for military hands, and others can be in the hands of private citizens. We know assault weapons kill, and we know what happened when we banned them the last time: Gun homicides dropped by 37 percent, and nonlethal gun crimes dropped by an equal percentage.

Third, some ammunition too easily enables mass slaughter. What legitimate reason is there for somebody to be able to walk into a movie theater or a religious institution or a school with a 100-round drum of ammunition? Why do we need that—100 rounds, never mind 30 rounds? That doesn't sound too radical, does it?

So what does the gun lobby tell us about these ideas? What do they say is wrong with this approach that is grounded in data and supported by people all across the country? Well, specifically we hear two things over and

over again: First, the only way to stop a bad guy with a gun is to have a good guy with a gun, and second, guns don't really kill people, people kill people.

As to the first argument, Newtown is part of the answer. Nancy Lanza probably owned guns for a variety of reasons, but one of the reasons was that she was divorced, she lived alone, and she wanted guns to protect herself. She was alone a lot of the time. The guns Nancy Lanza used weren't used to fire upon intruders into her home; they killed her, and they killed 26 other boys and girls and parents. That is not just an anecdote, that is a reflection of a statistical trend. If you have a gun in your house, it is four times more likely to be used in an accident than it is against an intruder. If you own a gun, it is much more likely to be used to kill you than it is to kill someone trying to break into your home.

As to the second argument, as author Dennis Henigan once put it, guns don't kill people; they just enable people to kill people. Guns are employed in only about 4 percent of felonies, but they are used in 20 percent of all felonies involving bodily injury. Guns enable violence that is vastly more violent.

How do we know this? Well, we know it by what happened at Sandy Hook that day, but more importantly we know it by what happened on that very same day on the entire other side of the world. On the same day that 20 kids died in Newtown, in Henan, China, a madman walked into a school and attacked 23 schoolchildren with a deadly weapon. The same day—20 kids in Newtown, 23 kids in China. In Newtown, all 20 kids who were attacked died; in China, all 23 kids who were attacked lived. Why? Because in Henan, the assailant had a knife, not a gun that could spray six bullets a second.

So forgive me if I dismiss those—like the president of the NRA—who choose to ignore the effect of the laws we are debating this week and next week. He said all we are talking about here is feel-good legislation. Well, he is right about one thing: It would feel really good if Daniel Barden got on the bus this morning to go to school. Daniel was an immensely compassionate little kid. He was always sitting next to the kids in school who sat alone. He never left a room without turning the lights off. When his family would go to the grocery store, they would leave the store and get halfway across the parking lot and turn around and Daniel wouldn't be there because he was still holding the door open for people who needed a way out. And he loved s'mores.

It would feel really good if Ana Marquez Greene could still sing all those songs she loved. She sang and performed everywhere she went. She came from a very musical family. Her mom said that she didn't walk anywhere, that her preferred mode of

transportation was dancing. She loved most to sing and dance in church. She loved it when her parents read to her from the Bible.

It would feel really good if Ben Wheeler got to enjoy this beautiful spring day outside today. He was a piano virtuoso. He had already done a recital when he was 6 years old. But what he really loved was playing outside with his older brother Nate. They loved to play soccer together. The morning he was killed, he told his mom, as they were leaving for school, he wanted to be a paleontologist when he grew up. He said, "That's what Nate's going to be, and I want to do everything that Nate does."

So that is our task—to beat back all the naysayers who say that we can't do this, that we won't change the way things are. I believe we can. I believe we are good enough to drown out the voices of the status quo and the lobbyists and the political consultants. I think that in the next couple of weeks we are good enough to change the way things are.

Finally, I want to tell you one last story to explain why I know we are good enough. I believe that when we see people in need, when we see children stripped of their dignity, we are too compassionate a people to close our eyes. I know sometimes we wonder what we really are inside. Are we truly good or is goodness a learned behavior? And it may sound strange, but after December 14, I just know the former to be true, because after enduring the shooting, as if to swallow up those 10 minutes of evil, millions of acts of infinite kindness rained down on Newtown, from the teachers who protected those kids, to the firefighters who didn't leave that firehouse for days afterward, to the millions of actions of humanity and gifts and phone calls that came in from the rest of the world.

And because of Anne Marie Murphy. Anne Marie was a special education teacher charged with the care of Dylan Hockley, this little boy, a wonderful, gentle little 6-year-old boy who was living with autism but doing great at Sandy Hook Elementary School. Anne Marie loved Dylan, and Dylan loved Anne Marie back. There was a picture on his refrigerator of Anne Marie, and almost every day he would point to Anne Marie with pride to his parents.

Nicole, his mom, who is here this week, said at Dylan's funeral that when she realized Dylan wasn't going to show up at the firehouse that day with all the other kids who were returning from the school, she hoped she would see Mrs. Murphy, but she knew she wouldn't. She knew Anne Marie wouldn't leave Dylan's side if he was in danger. And she didn't. When the bullets started flying, she brought Dylan into her arms. She held him tight inside that classroom. And that is just how the two of them were found.

On Monday, Nicole flew down here to Washington with President Obama and me to try to make the case that things need to change for Dylan, for Anne Marie, and for the thousands of other people before and after who have been killed by guns.

As Nicole and the other parents walked up the steps of Air Force One, one mom raised a piece of paper above her head with a note she had scribbled on it that day, and the cameras caught the moment. The note simply said "Love Wins." I believe today more than I ever have before that if we are truly doing our job in this Chamber, then love has to win every single time.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to congratulate and thank my colleague from Connecticut, Senator MURPHY, on his profoundly eloquent and powerful statement to our colleagues and join him in calling attention to the horrific tragedy that has brought us to this point in the debate on gun violence. His very eloquent and powerful summary of our losses, I think, is a way to begin a potential turning point after Newtown has given us a call to action. Newtown is a tipping point in this debate, and my colleague from Connecticut and I have spent literally days and weeks with that community and have seen the courage and strength they have brought to this town and to our colleagues, because they have been meeting with our colleagues and they are indeed here today.

Benjamin Andrew Wheeler, who was 6 years old—his father David is here today. Ana Grace Marquez-Greene, age 6—her mother Nelba is here today. Dylan Hockley, age 6—his mother Nicole is here. Daniel Barden, age 7—his mother Jackie and his father Mark are here. Jesse Lewis, age 6—his father Neil Heslin is here. Mary Sherlach, one of the six heroic educators killed at Sandy Hook—her husband Bill is here today.

We can draw inspiration not only from the memories of those children and great educators who were killed but from their strength and resilience and resolve in coming to the Halls of this building, meeting with our colleagues. Indeed, at this very moment, they are with one of our colleagues, looking him in the eyes and saying to him: How can you not approve a bill that stops illegal trafficking, strengthens school safety, and imposes a requirement for criminal background checks? How can you not stop assault weapons and high-capacity magazines that were integral to that killing in Newtown? How can you not do something about gun violence that has caused more than 3,000 deaths since then? How can you not allow a vote? How can you deprive the American peo-

ple of a vote on a measure that is so essential to their safety, their well-being, the futures of their children, and their communities?

As the President of the United States has said so eloquently—and his leadership has been so important to this cause—the victims of Newtown, of Tucson, Aurora, Virginia Tech, they deserve a vote. The likelihood of a vote has been increased by the leadership of my colleagues, Senator SCHUMER, Senator MANCHIN, Senator TOOMEY, who have worked hard together to bring us to a very promising and profoundly constructive turning point in this process. I want to thank also our leader, Senator HARRY REID, for his determination and resolve.

On the morning of December 14, parents throughout Connecticut and Newtown and Sandy Hook brought their children to school. Thinking of the rest of their days. When they would have play dates and snack breaks, holiday parties, Christmas and Hanukkah present wrapping, paper angels, gingerbread, songs and poems. Those are the memories. And the futures they brought with them. Just hours later, I was at Sandy Hook as 20 families of those children emerged from a firehouse, and I will never forget the cries of pain and grief I saw on that day. I went there as a public official because I felt a responsibility to be there. But what I saw was through the eyes of a parent, as all America did on that day. And I saw the families also of six heroic educators who perished trying to save their children. Those sights and sounds changed America. We are different today than we were before Sandy Hook. This problem is with us, the problem of gun violence is the same problem that has existed for decades, but we are different. Because we know we can and must do something about it.

There was evil that day at Sandy Hook, but there was also great goodness. The goodness of the first responders who stopped the shooting through their bravery. When they appeared at the school, the shooter turned the gun on himself. They saved lives. The knowledge and courage and bravery of the clergy. Father Bob, Monsignor Bob, Robert Weiss, who that evening conducted a vigil that we attended, when many resolved to light candles instead of curse the darkness. The greatness of leadership demonstrated by many of our public officials, beginning with Pat Llodra, the First Selectwoman of Newtown, the legislators who passed in Connecticut a measure that will provide a model for the country in attacking the problem of gun violence and the leadership of our Governor, Dannel Malloy. And, of course, the great goodness of the educators who threw themselves at bullets, cradled the young people seeking to save them, and heroically gave their lives. Their models of

courage and leadership should inspire us at this critical moment. They should inspire us to think better and do better and resolve that we will not let this moment pass, we will seize this opportunity and we will demonstrate the kind of leadership the majority of Americans expect and deserve and need at this point.

The majority of Americans want commonsense measures to stop gun violence. The majority of Americans want a vote and they want action from this body. And we need to keep faith with them but also with the victims. The victims who should not be forgotten, the Connecticut effect is not going away. This resolve is not dissipated. We will keep faith with them.

Out of the tragedy, the unspeakable loss, the unimaginable horror of that day and the days since then and the days to come, we resolve that this country will be better and safer. And so as we begin this debate, as colleagues of ours at this moment announce a very promising compromise that may lead us forward, provide us with a path toward bipartisan action—and it should be bipartisan; there is nothing Republican or Democratic about law enforcement or about law enforcement saving people's lives. We should resolve to go forward as one country. I've been working on this issue for many years. I helped to author and support Connecticut's first assault weapons ban in the early 1990s. I went to court to defend it when it was challenged constitutionally, argued in the trial and then in the State supreme court to uphold our law. I have worked with law enforcement colleagues for three decades. And I know they support these measures. Our State and local police, our prosecutors around the country support a ban on illegal trafficking. They support a national background check system. They support school safety and they support bans on military-style weapons that are simply designed to kill and maim innocent people and they support a ban on high-capacity magazines because they know, those are the weapons of war. They enable criminals to outgun them. They put their lives at risk. And so I listen to my colleagues in law enforcement who tell me we need to do something about gun violence. I listen to the people of Newtown who say: Can't we do something about the guns? And I respect the rights of gun owners, the second amendment is the law of the land, and none of these proposals would take guns out of the hands of responsible and lawful gun owners. But there are some people who should not have them.

There are some guns that should not be in use, and there are some weapons of war, high-capacity magazines, that should not be sold in this country. In half the mass killings, high-capacity magazines enabled the shooting that occurred so rapidly and so lethally. In

Newtown, the changing of a magazine by the shooter enabled children to escape. In Tucson, the killing of a 9-year-old girl, Christina Taylor-Green, by the 13th bullet, would not have happened if that magazine had been limited to 10 rounds because the shooter was tackled as he tried to change magazines. The high-capacity magazines enabled Adam Lanza to fire 154 bullets in 5 minutes. So these kinds of commonsense measures may not prevent all these tragedies. They may not enable us to stop all the 3,000 killings that have occurred since Newtown. We cannot look back and say with certainty that Newtown would not have occurred if these measures had been in place, but the likelihood would have been reduced, some or all of those children might be alive today, some of those heroic educators could be in their classrooms now. And the challenge here is to save lives, to do something to stop the carnage and killing on our streets, in our neighborhoods, in communities such as Newtown, a quintessential New England town. If it could happen in Newtown, it could happen anywhere in America.

As we go forward in this debate, I hope we will listen to those brave and resilient and resolved families who are here today. Listen to them when they say to us that we must keep faith. Listen to Nicole Hockley and what she said when the President of the United States visited Connecticut just a couple days ago. She said:

But now there is no going back for me. There is no way. If you want to protect your children, if you want to avoid this loss, you will not turn away either.

I ask my colleagues, let us face this reality. Let us not turn away. Let us resolve to go forward and keep faith with the children and the educators who, by their example, provide us with an enormous and historic opportunity to make America safer and better. The Nation that we love, the Nation that we all believe is the greatest in the history of the world and will be greater still after we move forward to make it safer and better.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll. The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

KEYSTONE XL PIPELINE

Mr. HOEVEN. Madam President, I rise this morning to speak in regard to the Keystone XL Pipeline project. Much has been made recently about pipeline spills in Arkansas and in Texas. These spills are being used by opponents of the Keystone XL Pipeline

project as examples or reasons to not approve the Keystone Pipeline. Now, no one ever wants a spill of any kind, but let's deal with the facts rather than misperception or emotion. This is an important project, and it is important that we deal with the facts.

The Exxon spill in Arkansas involves a pipeline known as the Pegasus pipeline. This pipeline was built in the 1940s—1947 and 1948. Approximately 5,000 barrels of oil were spilled. The EPA considers that a major spill because anything above 250 barrels is considered a major spill. Emergency response personnel were on the ground within 30 minutes of the leak being detected. Approximately 640 cleanup people have responded to the incident in addition to Federal, State, and local responders.

There has been no impact to the drinking water. I will repeat that: There has been no impact to the drinking water, and the oil did not enter any lake or waterway. Fourteen vacuum trucks and sixteen storage tanks are on site. The claim's hotline has been established for residents affected by the spill to register claims and for anyone who wants information. As of today about 140 claims have been made. ExxonMobil is paying for the cleanup and they have committed to honor any valid claims. So that is the Arkansas spill that much is being made about by opponents of approving the Keystone XL Pipeline.

The other one they talked about is in West Columbia, TX, and that is a pipeline owned by Shell Oil. Let's talk about that project for just a minute.

There was approximately 950 barrels of oil spilled, and 50 barrels of that oil entered the waterway. All 50 barrels have been cleaned up. Let me repeat that: All 50 barrels have already been cleaned up. The company is now working to clean up the remaining 900 barrels of oil that is located on land.

This pipeline is an oil-gathering pipeline that gathers oil from the gulf. It is not an oil sands pipeline. The Keystone XL Pipeline, of course, would be an oil sands pipeline, and that is not what this is. Furthermore, Shell believes the break in this pipeline happened because a contractor was working in this area and perforated the pipe. There was not a default in the pipe or the pipe leaking. They believe the injury to the pipeline was caused by a worker in that area.

Let's consider some basic pipeline safety facts. Pipelines are the safest and most efficient way to transport oil and gas. Let's compare accidents at pipelines to accidents for trucks, for barges, or for rail. Accidents are 1,000 times more likely to occur with a truck hauling oil versus a pipeline. What was that number? Accidents are 1,000 times more likely to occur when moving oil by truck than by pipeline. An oilspill is 13 times more likely to

occur when it is moved by a barge versus a pipeline. Oilspills are five times more likely if it is moved by rail than by pipeline.

Using a pipeline to transfer oil will result in 1,000 fewer spills compared to moving it by truck, 13 times fewer spills than moving it by barge, and five times fewer spills than moving it by rail. Those are the safety statistics on pipelines versus alternative methods of moving oil.

The Arkansas pipeline was built in the 1940s, so actually the incident highlights the need to build new infrastructure using the latest technology. The Keystone XL Pipeline is one of the most advanced and most studied pipeline projects in our country's history. For example, the Keystone XL Pipeline will be monitored through a centralized high-tech center 24 hours a day, 365 days a year. Satellite technology will send data every 5 seconds from 21,000 data points to the monitoring center. If a drop in pressure is detected, any section of the pipeline can be isolated remotely thereby closing any of the hundreds of valves on the system within minutes.

After four environmental impact statements and 5 years of review, the State Department has determined that the Keystone XL Pipeline will create no significant impacts to the environment. Again, they have determined it will create no significant impacts to the environment, and that is why several weeks ago 62 Senators supported an amendment that was sponsored by myself, Senator BAUCUS, and other Senators. Again, 62 Senators went on record approving the Keystone XL Pipeline project.

Furthermore, 66 Senators, two-thirds of the Senators, voted against an amendment that was put forward by Senator BOXER that would have further delayed the project and added more restrictions to the project. Two-thirds of this body went on record opposing more delays and more restrictions; 62 Senators then voted to approve the project. That is why 70 percent of Americans in a recent poll said they want the Keystone XL Pipeline approved.

This project is about more energy and more jobs for this country. This pipeline project is about growing our economy and producing tax revenues to help with our debt and deficit, not by raising taxes but by growing the economy and stimulating more economic activity. This project is about eliminating our dependence on oil from places such as the Middle East and Venezuela. That is a national security issue.

It is vital that when we are working on important issues, we deal with the facts, and those are the facts.

I thank the Chair, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, for several weeks now Washington and the rest of the country have been debating several new gun control proposals. Along with a number of my colleagues, including the minority leader, I have declared my intention to resist an immediate vote on any new restrictions that would serve primarily to limit the freedoms of law-abiding citizens rather than reduce violent crime in America.

Unfortunately, the current gun control proposals would do just that. More than 2 weeks ago, we informed the majority leader that we will exercise our procedural right to require a 60-vote threshold in order to bring this legislation to the floor. We have taken this step under our Senate rules and procedures for three principal reasons.

First, the Senate serves an important function in our Republic by encouraging deliberation and making it more difficult for a temporary majority to impose its will unilaterally. Unlike the House of Representatives, the Senate's rules and procedures allow for meaningful debate and help ensure that a bare majority of Senators cannot impose controversial legislation on the American people without robust debate, discussion, and broad-based and bipartisan consensus.

Contrary to the statements made by the President and by some of my friends across the aisle and even a few from within my own caucus, we have no intention of preventing debate or votes. Quite the opposite. By objecting to the motion to proceed, we guarantee that the Senate and the American people would have at least 3 additional days to assess and evaluate exactly how this particular bill might affect the rights of law-abiding citizens and whether it might have any significant impact on violent crime.

Already we have seen consensus against passing any new gun legislation—at least not without broad bipartisan support.

During the recent budget debate, I offered an amendment to establish a two-thirds vote requirement for the passage of any new gun legislation. Six Democratic Senators voted with a nearly united Republican caucus to support my amendment by a vote of 50 to 49.

That vote demonstrated that a bare majority of Senators, including at least six Democrats, believe that new gun legislation should have broad bipartisan support in the Senate before it is passed and before it has the opportunity to become law.

A 60-vote threshold will help ensure that new gun laws are not forced through the Senate with the narrow support of just one party.

Second, this debate is about a lot more than just magazine clips and pistol grips. It is about the purpose of the second amendment and why our constitutionally protected right to self-defense is an essential part of self-government.

At its core, the second amendment helps ensure that individuals and local communities can serve as the first line of defense against threats to our persons and our property. Any limitation on this fundamental right of self-defense makes us more dependent on our government for our own protection.

Government cannot be everywhere at all times, so the practical effect of limiting our individual rights is to make us less safe. This is troubling to many Americans. Any legislation that would restrict our basic rights to self-defense deserves serious and open debate. Further, as we have seen just today, Washington sometimes prefers to negotiate backroom deals made in secret far from the eyes of the American people rather than engaging in thorough, open, and transparent debate right on the Senate floor.

The day before the majority leader has set the vote to proceed, the bill's critical components are still not there. Right before we have set the vote for the motion to proceed to the bill, we still do not know what these critical components look like. We have no legislative text to evaluate the so-called compromise language on background checks. We have no sense of what amendments, if any amendments at all, might be allowed to be offered.

So requiring a 60-vote threshold helps us solve some of those problems. It helps us ensure that we have a meaningful debate rather than a series of backroom deals to push controversial legislation through Congress with solely a bare majority to back it up.

Finally, many of the provisions we expect to see in the bill are both constitutionally problematic and would serve primarily to limit the freedoms of law-abiding American citizens. Some of the proposals—for example, universal background checks—would allow the Federal Government to surveil law-abiding citizens who exercise their constitutional rights.

One of the provisions we expect to see in the bill, based on what we saw in the Judiciary Committee on which I sit, would allow the Attorney General of the United States to promulgate regulations that could lead to a national registry system for guns, something my constituents in Utah are very concerned about, and understandably so.

You see, the Federal Government has no business monitoring where or how often we go to church, what books and newspapers we read, whom we vote for, our health conditions, what we ate for breakfast, and the details of our private lives, including our lawful exercise of rights protected by the second

amendment and other provisions of the Bill of Rights.

Such limitations may, of course, at times make it harder for the government to do what it believes it needs to do. But we have to remember, the Constitution was not written to maximize or protect the convenience of our government. The Constitution was written to protect individual liberty, and thankfully so. We must not narrow the application of constitutional protections in haste, nor should we allow a bare majority to jeopardize the basic rights of the American people, rights protected in the first ten amendments to the Constitution.

The Senate and the American people are engaged in an important debate. I look forward to this debate. I hope others will join me and my colleagues in demanding that our discussions take place in full view of the American people.

I suggest the absence of a quorum. The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. THUNE. Madam President, at long last today we have received the President's budget. It is several weeks actually months—overdue. It was supposed to have been out on February 4. It is generally used to steer or guide the budget debate we have in Washington, DC. In this case, it is going to be a reaction to. It is going to be an after-the-fact discussion of the budget, as the House and the Senate have both passed theirs; the Senate for the first time in 4 years and the House has passed their budget every year on time. One would wish the President's budget would serve as a bridge between the House and the Senate. In this point of the process it is so much after the fact and late in the game the President's budget has come to us.

Regrettably, much of the President's budget is going to rely on the same formula the Senate Democratic budget did, which is to double down, to increase spending, significantly and substantially raise taxes, and add massive amounts to the debt. It never balances.

The budget which was passed by the House of Representatives did balance. It balanced in 10 years.

The budget which was passed by the Senate did not balance in 10 years. It never balanced. There was a real contrast in terms of trying to get to a balanced budget over a period of time, knowing full well it will not happen overnight. We got into a very big hole over a number of years, and it will take us a while to get out.

Nevertheless, the House budget did balance in a 10-year window and 10-

year timeframe. The Senate Democratic budget never balances, nor does the budget we received this morning from the President.

For a lot of reasons this budget debate is important, not the least of which is it is a vision, a blueprint for the future of the country. This is true for each of the respective parties in the Congress, as well as the President, about where they wish to lead the country.

I mentioned yesterday on the Senate floor I thought the basic criteria which should be used to evaluate a budget, the question which should be asked is, What will this budget do to grow the economy, create jobs, and increase the take-home pay of middle-class Americans? What can we do, in other words, in terms of a budget process here and a budget itself which actually takes us in a direction which would enable more Americans to work and enable the economy to grow and expand again. This would make these fiscal issues look much smaller by comparison.

Last week we received employment data statistics which were due. The unemployment rate as a percentage actually dropped to 6.7 percent but only because another half million people quit looking for work. If we look at the real unemployment rate—which is to include the people who actually have stopped looking for work, people who are working part-time because they can't find full-time employment—the actual unemployment rate is 13.8 percent. This is 21.7 million Americans. This is how many people who are either out of work, quit looking for work, or are looking for work part-time because they simply can't find full-time employment. This is a great number of people.

This is a big part of our economy. A lot of folks are out of the workforce today who couldn't find jobs. Many have actually just given up looking for jobs.

What this has done, because there are so many Americans who have given up looking for jobs out of frustration, is it has lowered the labor participation rate to a rate we haven't seen, literally, since 1979. The last time the labor participation rate was at the low level we saw in the month of March, 63.3 percent, was 1979.

In fact, if we had a labor participation rate which was equal to what it was when the President took office in January 2009, the unemployment rate today would not be 7.6 percent, it would be 11 percent. This is how many people have quit looking for work as a result of this slow and sluggish economy.

The President's budget, one would hope, would try to answer in an affirmative way the question: Does this grow the economy? Does this create jobs? Does this increase the take-home pay of working Americans?

Unfortunately, rather than growing the economy, the President's budget, instead, grows the government. Unfortunately, this is what we have seen in the budget which was passed by the Senate a couple of weeks ago.

I say this simply because I think there are two very different ideas about how to solve the fiscal crisis we face. One includes expanding and growing government, raising taxes, and adding even more to the debt. One really focuses on the issue which plagues our fiscal house in Washington, DC: not that we tax too little but we spend too much. It goes after the spending problem we have in Washington, DC, the addiction to spending. We have seen this as the percentage of our economy grow consistently over the last several years since this President has been in office.

The House budget recognized this and does balance in 10 years. It does it without increasing taxes. The House of Representatives actually produced a budget which balances in 10 years and doesn't raise taxes. In fact, it calls for tax reform. Many of us believe this would do wonders in terms of unleashing economic growth in this country, lowering rates, reducing rates, and broadening the base. It also takes on what really drives Federal spending, what really contributes to the debt crisis we have in this country, its runaway spending.

This is true for particular areas of the budget, the areas we call mandatory spending, the part of the budget which is on autopilot. It includes entitlement programs such as Social Security, Medicare, and Medicaid. Currently, this includes about three-fifths of all Federal spending. At the end of the 10-year window it will represent about 91 percent of all Federal spending. That is how fast those programs are growing—two to three times the rate of inflation.

The President's budget doesn't do anything significant or meaningful to address that crisis. It is flatout serious.

Having said that, there were some what I would call incremental steps taken. I call them baby steps. The President agreed in his budget to address the issue of chained CPI, which recalculates the formula under which certain government programs are calculated. It achieves a certain level of savings over time.

They assume some savings in Medicare, most of which, again, are by reducing payments to providers. We have already cut payments to providers to the point many physicians and other health care providers these days are saying they are not going to serve Medicare or Medicaid patients because we keep cutting those reimbursements.

This is not the way to save and protect these programs for future generations. We must restructure or reform these programs in a way which aligns

those programs with the future demographics of this country. Unfortunately, the President's budget fails on that account.

In terms of the direction these various budgets are headed, the Senate's Democratic budget, because it didn't balance in 10 years, nor does the President's, both use similar assumptions about spending. If we look at the new debt which is piled up by the President's budget, he adds \$8.2 trillion to the debt over the next decade.

The Senate Democratic budget added \$7.3 trillion to the debt over the next decade. Both have net spending increases. The spending amount over the 10-year period in both the President's budget proposal and the Senate Democratic proposal is on the order of \$46.5 trillion. This is the amount of money, the amount of taxpayer money, the Federal Government would spend over the next decade under the budgets proposed by the Senate and House Democrats.

The House budget, passed largely by the House Republicans, spends about \$5 trillion less than that over the same time period. How does it do that? It does so by reducing the rate of growth of Federal spending. If we limit the rate of growth in Federal spending to 3.4 percent, as opposed to a 4.6-percent number in the Senate Democratic budget or the 5.2 percent-increase in mandatory spending called for in the President's budget, we may achieve significant savings over a period of time.

This is not cutting government but simply slowing the rate of growth by growing government at a slower rate and moving it back into a more reasonable level. This would actually achieve \$5 trillion in savings over the next decade in terms of what the Federal Government was spending. This is the way the House approached their budget.

What the Senate Democrats and the President have both done is called for massive new tax increases. The only deficit reduction which will occur under the President's budget will be cut because of tax increases. He wipes out the \$1.2 trillion in spending cuts which were in place as a result of sequester.

He replaces those and achieves somewhere on the order of \$600 billion in deficit reduction. This deficit reduction would be entirely accomplished by tax increases, raising taxes yet again after we put in place tax increases on the fiscal cliff on January 1. The President received a huge tax increase, something he had been wanting for some time, \$620 billion in new taxes. Add this to the more than \$1 trillion in new taxes which are in the ObamaCare bill passed a couple of years ago and this President, on his watch, has signed into law more than \$1.7 trillion in new taxes.

This is not a revenue problem, this is a spending problem. What we need to

be focused on is what do we need to do to rein in out-of-control Federal spending. How are we going to reform and restructure these programs in a way which protects and saves them, not only for people who depend upon them today but for those who will need them in the future. This is really the question before the House.

Today we receive the President's budget. It will be the latest point at which the President has submitted a budget. Literally, it has been 100 years, let's put it that way. Around the early 1900s was the last time the President submitted a budget to this Congress at this late date. Again, having already acted in the House and Senate, I am not sure what meaning it has other than to perhaps give the President the luxury to be able to say he actually at least presented a budget. But on most of the criteria we ought to be looking at, in terms of evaluating this budget, that I mentioned earlier, it is not a serious attempt. It doesn't do anything to rein in these out-of-control programs that are growing at two to three times the rate of inflation, it has a massive tax increase, a \$1 trillion tax increase on top of the \$1.7 trillion in new taxes the President has already signed into law, and it adds \$8.2 trillion to the debt over the next decade. So for that reason I think it fails the fundamental test of fiscal responsibility, but more important perhaps even than that, it fails to answer the question I posed earlier, which was: Does the President's budget grow the economy, does it create jobs, and does it increase take-home pay for middle-income Americans? The answer to that is simply no.

When you are raising taxes consistently—raising taxes on the people who create the jobs in our economy—it makes the economy grow at a slower rate, we have more sluggish growth, which is what we have seen now for the past several years. When we are growing at 1½ to 2 percent as opposed to 3 to 4 percent, it makes a huge difference in terms of the number of people in this country who are employed, the number of jobs that are created, and, obviously, it makes a huge difference in terms of the fiscal imbalance, because when the economy is growing at a faster rate, it means more people are working and investing and, therefore, making money and paying taxes. So tax revenues go up when the economy is growing and expanding.

That ought to be the goal. That ought to be our goal—not only to get those 21.7 million Americans who are out of work back to work but also to get the fiscal imbalance we face in a more manageable place. If we are going to get our fiscal house in order, we have to do those two things: We have to restrain Federal spending and we have to put policies in place that grow the economy.

There is a relationship between the two. It has been well documented, well studied, well researched that when we have spending that is out of control, when we have a debt as a percentage of our GDP that exceeds a certain level, it harms economic growth. It reduces the amount the economy grows on an annual basis and, in so doing, also reduces the number of jobs created. So this is the question that should be asked. Again, when we compare or stack up the President's budget against that question—does it grow the economy, does it create jobs, does it increase the take-home pay for middle-class Americans—the answer is simply no.

I would compare again the budget that was passed by both the House and Senate. In the case of the Senate, a study was done that suggested it would cost 800,000 jobs a year, again because of the tax increases that are included and the higher level of Federal spending. Simply raising taxes to fuel yet more Federal spending does nothing to grow the private economy. What we want to see is a smaller Federal economy and a bigger private economy where the real good-paying jobs are created. Clearly, this budget relies heavily—doubles down on Federal spending, adds more to the debt, doesn't achieve balance, increases taxes by \$1 trillion, and takes us in absolutely the wrong direction.

I hope before this is all said and done, the House of Representatives and the Senate—both of which have passed budgets and now that we have the President's budget—can somehow sit down together and figure out how we get a proposal that would actually deal with out-of-control spending and would focus on growing the economy, creating jobs, and increasing the take-home pay for middle-class Americans. That ought to be the criteria we use.

I would hope before this is all said and done, people in this city would realize we don't have a taxing problem. The problem isn't that we tax too little, it is that we spend too much, and that is what needs to be addressed. I hope we can reconcile these budgets, but it will require the President to be engaged on a level he hasn't demonstrated so far. I hope he gets to what this real issue is and wants to get serious about reining in out-of-control government spending and we can make some headway yet. I have not lost hope. There were some incremental gains, some baby steps the President took in this, but it is far short of what needs to be done to get our economy back on track and get government spending back under control.

I yield the floor.

THE PRESIDING OFFICER. The senior Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am honored to stand again on the floor of the Senate, as I will be

doing, along with my colleague Senator MURPHY and others who are allied in this effort to make America safer and to stop the scourge of gun violence that has plagued this country for decades and has been dramatized so horrifically and tragically by the nightmarish, unspeakable tragedy that occurred in Newtown. I stand here on behalf of the families, but they are speaking much more eloquently and powerfully than I could ever do, as they go around to the offices of my colleagues and look them in the face and say:

How could you not favor a ban on illegal trafficking and straw purchases? How could you not support strengthening school safety? How could you not favor a national criminal background check?

As one police chief told me, a national background check makes sure we do not put criminals on the honor system. Without a criminal background check, criminals are on an honor system to not buy weapons. What kind of a guarantee of safety would that be? And how could you not be in favor of banning the kind of weapon that killed the children and educators of Newtown or the high-capacity magazine that enabled and facilitated that killing to take place? 154 bullets fired in 5 minutes, tearing apart those beautiful, innocent children and six great educators who perished trying to save them.

We are on the cusp of success in this critical first step, and I am increasingly hopeful—in fact, I am confident that we will have a vote in this body on gun safety measures. We will have a vote in the United States Senate to impose sensible and commonsense measures to stop gun violence. We will have a vote in the Senate in a matter of days that will enable America to hold accountable its elected representatives here on this floor in the Senate for measures that will stop gun violence in this country that has killed 3,000 or more people since Newtown. The epidemic of gun violence is stoppable and we will have a vote in this body that makes sure all of us are held to answer to the American people. The majority of the American people favor these measures. Ninety percent or more say they want a national criminal background check. Their voice deserves a vote, and I am confident we will have it.

I am confident, in part, because of the bipartisan compromise that has been announced today. I am going through the details, listening to my colleagues in law enforcement, the mayors, and others who have been so responsible and resolute in working over years and decades for these kinds of measures. And I'm listening to the families from Newtown. And we will make sure this compromise vindicates and upholds the vital law enforcement

and safety interests these measures are designed to vindicate and uphold. And I am confident this compromise is a positive and constructive step toward our having a vote, ending unlimited debate on this bill, achieving cloture, and stopping a filibuster, as we have a responsibility to do.

And I want to focus for the moment on one aspect of these measures I consider critically important. A ban on high-capacity magazines—all magazines, all clips that hold more than 10 bullets—that I will be introducing on behalf of Senator LAUTENBERG, working with Senator FEINSTEIN and others, to make sure this measure has a vote, whether it's as an amendment or a separate bill. I wish to thank Senator LAUTENBERG for his leadership on this issue. He has championed it here for some time, and I will be working with him and others to make sure this measure I have introduced has a vote, and my colleague Senator MURPHY will be working with me in this effort.

The statistics show the terrible impact of high-capacity magazines. A recent study of 62 mass shootings since 1982 shows that half involved high-capacity magazines. Statistics also show bans on high-capacity magazines actually work. The 1994 ban on these devices reduced their use dramatically. A study of gun violence in Virginia showed just 10 percent of guns recovered by police in 2004 used high-capacity magazines, but after the ban was allowed to sunset, the prevalence of high-capacity magazines more than doubled. Garen Wintemute, head of the Violence Prevention Research Program at the University of California at Davis School of Medicine, said: "I was skeptical that the ban would be effective, and I was wrong." He said the database analysis offers "about as clear an example as we could ask for of evidence that the ban was working." And the limitation I am proposing—that I will be working on with Senator LAUTENBERG and Senator FEINSTEIN and Senator MURPHY and others who have championed this cause—would be even more effective. Because unlike the 1994 law, it will prohibit imports of high-capacity magazines, not just production here but imports of these high-capacity magazines. More than ten rounds, we need to say no.

We also have to implement a buyback program for the existing high-capacity magazines in use and circulation today. The proposal I'm advocating allows for better grant funding to be used for exactly that purpose. It doesn't require, doesn't mandate owners of high-capacity magazines participate in a buyback program, but it gives them that option. And over time, this measure will reduce the number of high-capacity magazines out there. The provision I am spearheading was part of legislation actually offered by Senator FEINSTEIN in the Judiciary Com-

mittee, approved by that committee on March 14. It's supported by a long list of mayors as well as organizations representing law enforcement.

I ask unanimous consent to have that list printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

This legislation has been approved by, among others, the following groups:

LAW ENFORCEMENT

International Association of Campus Law Enforcement Administrators
International Association of Chiefs of Police
Major Cities Chiefs Association
National Association of Women Law Enforcement Executives
National Law Enforcement Partnership to Prevent Gun Violence
National Organization of Black Law Enforcement Executives
Police Executive Research Forum
Police Foundation
Women in Federal Law Enforcement

HEALTH CARE

American Academy of Nursing
American Academy of Pediatrics
American College of Surgeons
American Congress of Obstetricians and Gynecologists
American Medical Association
American Public Health Association
Association for Ambulatory Behavioral Healthcare
Doctors for America
National Association of School Nurses
National Physicians Alliance
Physicians for Social Responsibility

EDUCATION AND CHILD WELFARE

American Federation of Teachers
Child Welfare League of America
Children's Defense Fund
National Association of Social Workers
National PTA
National Education Association
Save the Children

GUN SAFETY

Arizonans for Gun Safety
Brady Campaign to Prevent Gun Violence
Coalition to Stop Gun Violence
Law Center to Prevent Gun Violence
Mayors Against Illegal Guns
Newtown Action Alliance

RELIGIOUS

African Methodist Episcopal Church
Alliance of Baptists
American Friends Service Committee
Catholic Charities USA
Catholics United
Faiths United To Prevent Gun Violence
Jewish Council for Public Affairs
National Council of Churches
National Episcopal Health Ministries
Presbyterian Church (U.S.A.) Office of Public Witness
United Methodist Church

OTHER ORGANIZATIONS

American Bar Association
Grandmothers for Peace International
NAACP
Sierra Club

LOCALITIES

U.S. Conference of Mayors
National League of Cities

Mr. BLUMENTHAL. This provision is supported as well by educators, the civil rights community, health care

providers and others. It is a proposal that is eminently sensible, reasonable. It's a matter of common sense. A majority of Americans have consistently supported a ban on high-capacity magazines. A poll in January of this year showed 65 percent of Americans, including 55 percent of gun owners, support such a ban.

But the most powerful argument for a ban on high-capacity magazines comes from the experience of Newtown, where the changing of magazines enabled children to escape. When the shooter changed magazines, it allowed time for the children to evade his nightmarish slaughter.

In Tucson, we know from CAPT Mark Kelly, husband of Gabby Giffords, who testified before the Judiciary Committee, that the limitation on that magazine enabled spectators and bystanders to tackle the shooter. If there had been only 10 rounds in that magazine he was using, Christina-Taylor Green, shot by the 13th bullet, would be alive today. We know high-capacity magazines enable and facilitate these mass killings. They don't cause them. They don't compel them. They enable them. High-capacity magazines allowed Adam Lanza to fire more than 150 rounds of ammunition in 5 minutes. And we know from men and women who have lost loved ones that these devices are part of the attacks too often.

Bill Sherlach, the husband of Mary Sherlach, who has come to Washington this week to speak out against gun violence, had this to say about high-capacity magazines. And his wife Mary is with us in this picture today.

It's just simple arithmetic. If you have to change magazines 15 times instead of five times, you have three times as many incidents as where something could jam, something could be bobbled. You just increase the time for intervention. You increase the timeframe where kids can get out. And there's 11 kids out there today that are still running around on the playground pretty much now at lunchtime.

Another Sandy Hook family member who is with us today, Nicole Hockley, mother of Dylan Hockley, said the following:

[We looked at the search warrants . . . and know that [the shooter] left the smaller capacity magazines at home. That was a choice that the shooter made. He knew that the larger capacity magazines were more lethal.

The fact is that Adam Lanza had smaller capacity magazines that were found in his home at the time a search was conducted. He left those behind. He used the 30-round clips. He brought with him three 30-round magazines for that AR-15 because he knew he could fire more bullets more rapidly, more lethally, with a 30-round clip. David Wheeler, who is also here today and is the father of Benjamin Andrew Wheeler, said the following:

The more bullets you can get out the end of that gun in the least amount of time, that

is the single area that I believe affects lethality. And the size of the magazine placed in that weapon is a direct contributor to that—a direct contributor to that factor. There is a place for 30-round magazines, in the military, on the battlefield.

The families of Sandy Hook have shown tremendous courage and strength. Their resolve and resoluteness are an inspiration and a source of strength to all of us who have spent time with them, who have come to know them, the privilege of knowing them. They have come here to talk about something no one would want to talk about, and they have done it so that no mother, no father, no husband, no wife ever has to again experience the unspeakable and unimaginable horror and tragedy that has befallen them. We owe it to them to vote on this measure. I'm confident there will be a vote. I'm proud to offer this measure banning high-capacity magazines to reduce the scourge of gun violence. There is no turning back, as Nicole Hockley has said so eloquently. There is no turning back from a proposal to ban high-capacity magazines.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I wish to talk about the issue of gun violence.

Our hearts are still heavy from the reminders of what happened in Connecticut, and I want to say that I come to this issue from a position of moderation and common sense. I come to this issue having grown up in the country as a hunter. I grew up on a ranch. I have had guns all my life. I am very familiar with guns. And to this day I still enjoy hunting quail and pheasant with my son. But is there anybody who realistically doesn't believe we ought to have a criminal background check for the person who is purchasing a gun?

I am very encouraged to hear that Senator MANCHIN and Senator TOOMEY have come together to find a way to close the gun show loophole. That is instructive.

In my State of Florida, years ago we amended the State constitution with an overwhelming vote of the people in Florida, and then there were ways that in practice had been found to subvert the law that was the will of the people in our State—that you can't purchase a gun at a gun show without having a criminal background check. What they do is they say: I will consider you a personal friend, and therefore that is an exception to doing a background check on you. So Senator MANCHIN and Senator TOOMEY have come to an agreement to find a way to close that gun show loophole, and that proposal will also establish a commission to better understand the root causes of how to prevent mass violence.

There is simply no reason we shouldn't be able to do a criminal background check, which is one way to

find out the intention of somebody who is buying a gun. If you bring it back to basics, it is all about common sense, and it is especially so given the circumstances in which we find ourselves where people are slaughtering children.

Is there anybody who thinks we need ammunition clips for 60 rounds? That is not common sense. When I go hunting, if it is quail, I usually have two shotgun shells in the gun. If you are going to give the quail a chance and if it is hunting instead of killing, then let's see how good a marksman you are. So I can't see any reason that common sense would dictate that we would have more than 10 rounds in a clip. Yet people want to go out and buy clips for 60 rounds. I think that is telling us something about their intention. I voted on this back in 2004, to extend the existing law that came out of the 1990s. We said in that legislation that 10 and fewer is OK. Now, is that not reasonable? Is that not common sense? So if we don't reasonably have a need for more than 10, then that is where we ought to draw it in the law.

Then there is another element of common sense; that is, why assault weapons? I served, wearing the uniform of this country. The U.S. military has assault weapons. People are going out and buying these AK-47s that are a derivative of the same weapon that was used by the North Vietnamese against us in the Vietnam war. And I simply ask this question: Are these guns for hunting or are they for killing? And if the legitimate answer is that they are not for hunting or for some collector's purposes, then they have another purpose. Obviously, that is what they were designed for—as an assault-type weapon in a combat circumstance.

So how do we approach the legitimate recognition of the second amendment, the right to bear arms, with assault weapons? And I don't think we can. It seems that among people of good will, using common sense and moderation, that we can come to some definitions that would ban these types of assault weapons. Now, we are probably not going to have the votes to pass it here, but we need to take the vote and we need to see how everybody feels about this issue.

I wish to conclude by saying that those of us who are portrayed, by taking this position of moderation and common sense, as if we were not for the second amendment, that is false. Of course I support the second amendment. I just gave you my history of growing up in the country with guns, having guns all my life and still having a number of guns in my home today. I support the second amendment. I do so in light of the circumstances in our society today that have changed.

My final comment is that in all of this it is moderation and common sense that are so much the solution to facing the issues that confront us

today, and here is another example. Let's use a little common sense.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I thank my colleague from Florida for those very thoughtful remarks and, of course, my colleague, the senior Senator from Connecticut.

We are here on the floor today to help lead a discussion about how this Nation can finally own up to its responsibility to take on the scourge of gun violence that has certainly been highlighted by the massacre in Sandy Hook that I spoke about earlier today in my first speech before this Chamber. But it has, frankly, become too routine throughout the streets of this country, with 3,000 to 4,000 people having lost their lives to gun violence since Sandy Hook happened.

Lost in a lot of the debate here about the particular policy prescriptions we are talking about, whether it be universal background checks supported by 90 percent of Americans or a ban on high-capacity magazines supported by two-thirds of Americans or a Federal law ending illegal gun trafficking supported by three-fourths of Americans, lost amidst all of the political back-and-forth over negotiations between Republicans and Democrats and the pronouncements of the NRA and of gun control groups, lost amidst all of that debate about politics and policy are the victims. The victims are the people—boys and girls, men and women, mothers and fathers, brothers and sisters—who die every single day in this country. I described it this morning—like raindrops. It is just background noise to this country now, the number of people who are dying every day.

I decided after having given my maiden speech this morning that I would come back to this floor—not to occupy the floor or commandeer the floor, but to the extent that there is time today and tomorrow and next week, to spend time on this floor telling the stories of the victims, telling the stories of the individual people whose lives were tragically cut short by guns—because it happens here more so than almost every other nation in the world. More people lose their lives, more people have their lives ended prematurely because of guns here than almost any other corner of the world.

It is time that we do something about it. Yes because of the aggregate numbers, yes because of the horror in Sandy Hook, but also because every single additional life that is cut short is a failure of our responsibility to do something about it. So I am going to spend some time down on the Senate floor in between others giving speeches today and tomorrow and next week to talk about these victims, to just tell you a little bit about who they are—especially for the little ones, maybe who they were going to be.

Let me start in Newtown. Let me start in Sandy Hook. We can put up some pictures of just a handful of the victims from Sandy Hook and from cities across this country. Let me start with the little guy in the middle, Daniel Barden. I talked about him this morning.

Daniel was a pretty amazing little boy. His parents talked about the unbelievable compassion he had. I talked about it this morning. He never failed to turn off a light when he left a room. He was always the kid in school who was sitting with the kid who did not have anybody to sit with. When his parents would leave a grocery store they would get halfway across the grocery store parking lot, turn around, and Daniel wasn't with them because he was still holding the door open for other people who were leaving the store. He was a pretty amazing little kid. He loved to spend time with his family. He loved riding the waves at the beach. You can see with that long hair he was a beach bum.

He played drums in a band with his brother James and sister Natalie. His family is very musical, so on that morning his father, who is a professional musician—he is here this week, actually—taught him how to play Jingle Bells.

He woke up very early that morning. It was funny because he was the last of the three kids to go to school. They were all in separate schools. His parents thought it was strange that on that morning he woke up early. In fact it was the first day all year—this was December 14, so they had been in school for months—it was the first day in the entire year that Daniel had awoken before his oldest sibling went to school.

As the oldest sibling was walking down the driveway to go to school, Daniel ran after him to tell him that he loved him. The first time, he had never done that all year. It just shows what a compassionate little kid Daniel was. I actually wear a bracelet for Daniel. It is a bracelet that links to a Facebook page called "What Would Daniel Do?" It has 16,000 "likes." The point of this page is people can hear about a lot of these kids. The families have done a lot of amazing things to try to spread the word about who these kids were and what they were going to be. Daniel's page is, "What Would Daniel Do?" It is a forum for people to invest in little acts of kindness to try to live up to the inspiration this little 6-year-old set for his family and his neighborhood.

So people posted stories on that Web site for the last several months about these little kind acts they performed: For example, the woman who bought coffee and donuts for a firehouse in her home State of New York, the Missouri woman who helped restock a food pantry in Daniel's honor, the Illinois

woman who paid for a stranger's meal and on the back of the bill wrote: "Love, from Daniel Barden."

Daniel was going to grow up to be an amazing young man. He loved life. He did amazing things for people. But we did not get to know Daniel Barden later in life because he was gunned down that day in Sandy Hook.

Let me tell the story of someone equally amazing whom we got to know for 20 more years than the kids that she was charged with looking after. Her name is one that you might know, and that is Victoria Soto. Victoria Soto was 27 years old. She was a teacher at Sandy Hook Elementary School. That is what she wanted to do. She had wanted to be a teacher, her mom said, since she was 3 years old. Imagine knowing what you want to do when you are 3 years old and sticking with it. A lot of people think they know what they want to do when they are 3, but they change their minds. She did not. She worked every day from the time she was 13 to get ready to be a teacher. As early as 13 she was charting out her classes so she could ultimately be a teacher. Even when she got to Sandy Hook Elementary School she made time for night classes at Southern Connecticut State University where she was getting her master's degree in special education.

A mentor of hers said she was the last one who would have wanted hero status, but nobody was surprised to hear what she did in that classroom that day. When Adam Lanza walked into her classroom, Victoria Soto was the only person he saw. Why? Because she had ushered her special education teacher, Anne Marie Murphy, and several of her kids under a desk. She had pushed a number of other kids into a closet to hide them. Lanza came into the classroom, he faced her and killed her. Then he killed the kids who were under the desk. The kids who hid in the closet, many of them lived. Many of them survived—they were discovered after the incident—because of the heroic actions of this one 27-year-old teacher.

Imagine what she could have done with the rest of her life. Students loved her. Parents loved her. She was made for teaching. Think of all of the impact. She probably had 30 more years in the classroom. She had hundreds if not thousands of kids she still could have touched with her life—gone. Victoria Soto's genius as a teacher will no longer be able to be realized because of what happened that day.

If we do not do something about it, Victoria Soto will not be the last teacher who is going to be gunned down. If we don't take some steps here this will not be the last selfless educator we will mourn on the Senate floor.

Let me tell a little about Charlotte Bacon, 6 years old. I lost count of the number of funerals and wakes that I

went to, but I do remember Charlotte's funeral. She had this crazy head of curly red hair. She was described by her family as sweet and outgoing and exuberant, someone who was willing to argue for whatever she believed in, even at 6 years old. She loved the color pink, and she loved animals—any animal she met—but she really loved her golden retriever. She wanted to become a veterinarian. A lot of these kids we will hear about today knew what they wanted to do with their lives. These were ambitious kids, in part because they had special parents as well.

She was really looking forward to Christmas because she wanted to show off this new pink dress and pink boots she had gotten. It was a Christmas outfit, so she was waiting until Christmas to be able to show it off. But on the morning of December 14—again, another theme we will hear is that these strange things happened that morning—that morning she woke up and she wanted to wear that pink dress. She wanted to wear those pink boots, and her mother let her do it. She wore that special pink dress and those boots to school on Friday, December 14.

Her family has established a non-profit called Newtown Kindness. The organization is comprised of community members who were trying to bring positivity and strength back to the Newtown community. I talked this morning about the fact that for many of us who have lived through this tragedy—not anywhere close to the way in which the victims' families have—but what we see Newtown defined by is not the 10 minutes of violence and evil, but all the millions of acts of humanity that have spilled forth from inside the community and from outside the community in the days and weeks since, and this is what Newtown Kindness is about. It is encouraging children to do their own acts of kindness like Charlotte did and submit their stories through drawings and letters to the organization. Newtown Kindness is going to show some light on all these little wonderful things that kids do every day in the same way that Charlotte did for the kids she loved and the family members she loved and for the animals she loved.

Let me talk a little bit about another teacher, Rachel Davino. Rachel was very much like Victoria, in that she knew she wanted to work with kids. She had a lot of interests, Rachel Davino did. She was born in Waterbury, received her undergraduate degree from Hartford, she got her masters from Post University. She loved animals. That is probably why she connected with a lot of these kids. She loved baking and photography and karate. She drew lots of things, loved to draw animals—dogs, frogs, anything with scales or feathers or fur she loved to draw. But her passion was working as a behavioral therapist, working with

kids with autism. There were a number of kids in these classrooms who had autism. They were doing great because of the work of people like Rachel and Anne Marie Murphy, who reached out to work with these kids.

Rachel was exceptional because she integrated these kids into her daily life. She brought the kids to her home. She involved the kids in her family. She treated the kids like family and they matured. They did better under her care.

She probably didn't know it when she died, but her best friend and her boyfriend, Tony, was about to propose to her. In fact he had already gone to her parents to ask permission to ask to marry her. He was going to do it on Christmas Eve, just 10 days after the incident. He didn't get to ask for Rachel's hand in marriage. Instead, the wedding ring he had planned to present to her was placed on her finger before she was buried.

Rachel was an amazing teacher, an amazing person who invested herself in these kids, day in and day out. It would have been great to know what Rachel Davino would have become as she matured as an educator.

This is just a sampling of the stories from 1 day in Newtown, CT. Fewer kids and adults died in Newtown that day than die every day across this country. We think how exceptional it was and how awful and how horrific that we lost 20 kids and 6 adults—and, by the way, 2 others in Adam Lanza and his mother—yet that number is less than the average number of people who are killed every day by gun violence across this country. So I want to talk about them too. I want to talk about just over the last couple of weeks and months what we have witnessed across this country.

I want to talk about Hadiya Pendleton in Chicago. We have heard a lot about her because she was here for the Presidential inauguration. She was performing with her school's majorette team in the President's inauguration festivities. She loved performing. She was an honor student at King College Prep High School in Chicago. She was 15 years old.

She is remembered by her friends as somebody who was always raising her hand in class. She had all the right answers in that chemistry class. She wore bright lip gloss that made her stand out. She loved to dance. She danced on the Praise Dance Ministry in her church, and she was a member of her cheerleading team as well. She liked Chinese food, she loved Fig Newtons. She was thinking about going to college, thinking about either journalism or pharmacology, two pretty different things. Either way, she wanted to go to Harvard. She knew where she wanted to go.

She was 15 years old. She was shot and killed while standing with her

friends in a park in Chicago after she took her final exams, just days after she came back from Washington, DC, probably one of the most amazing experiences in her life.

I watched some of that parade, and I always think to myself whether I saw her performing with her majorette team. She was 15 years old. She was going to go to Harvard. She was going to become a journalist or a great dancer. All the things we missed just because she was standing in the way of a bullet at a park with her friends after she took her final exams.

I think about Lavanial Williams, who in January of this year, was visiting with his mother and two sisters in Marin City, CA, to celebrate his 17th birthday. He was checking in on his sister April to make sure she was fine because there was some suspicious activity going on in the housing complex that day. He went downstairs to check out the commotion, and moments later he was shot dead just because he walked down some stairs to check out some commotion.

The deputies who arrived on the scene found a group of people trying to revive the teenager by CPR, but he was pronounced dead at the scene. He had been hit by several bullets. He was there visiting his mother and two sisters to celebrate his 17th birthday. Lavanial Williams died on January 11, 2013.

If we talk about the connection to the background checks piece of this discussion, we could talk about Annemarie Bautch. She returned home after dropping off her kids at school on April 8—just a week or so ago—in Milwaukee. Her live-in boyfriend pulled in behind her in a taxicab he drove for hire. He walked to her van's window and shot her in the head. He then took his gun and turned it on himself.

He was on probation for recent domestic violence incidences involving his daughter. He had beaten up his daughter. He had firearms arrests going back 20 years. He was a convicted felon, and he was prohibited from carrying weapons. I don't have in front of me why he had the weapon that day or how he got it, but he was not supposed to have it. He had a long rap sheet when it came to convictions regarding firearms.

He was ordered to undergo anger management training after his most recent conviction, but it is unclear as to whether that ever happened. He is not here to answer those questions and neither is his girlfriend Annemarie who died that day at the age of 39 after dropping her kids off at school.

Earlier this week in Akron, OH, there was a 28-year-old man who was fatally shot while taking garbage to a trash bin in the parking lot of a McDonald's restaurant at which he worked. He was taking garbage to a trash dump and he was shot and died. His name has not

been released, but he had been working at that McDonald's for 10 years. His coworkers said: "He was the kind of person who would give you his last dollar." He would give his coworkers gifts on holidays—Christmas and Thanksgiving. He worked in McDonald's. He could not have had a lot of money to go out and buy gifts for coworkers. He worked at that place for a decade. Because of his generous nature with whatever money he had, that he scraped together, he made sure people knew he loved them.

He was 28 years old when he died earlier this week in Akron, OH.

This stuff is happening every day. I mean, I will keep on going through them, but this is happening every day throughout this country. People are dying on our streets by casual gun violence while bringing garbage to a dumpster outside a McDonald's, walking down the stairs to check out some commotion at a sister's housing complex, and pulling into a driveway after dropping their kids off at school. These were not people who were going out and looking for trouble. These were people who were just doing their regular everyday business.

President Obama came to Connecticut on Monday, and he told the story of a mother who was so frustrated at the phrase regarding her daughter's death due to gun violence that her daughter was "in the wrong place at the wrong time." She just happened to be in the way of a stray bullet. Her mother's point was, no; she was in the right place at the right time. She was walking to school.

This guy was bringing garbage to the dumpster. Anne Marie was coming home after dropping off her kids. Lavanial was just looking out for his sister. They were not in the wrong place at the wrong time, they were doing what they were supposed to be doing. Yet they were gunned down. We have no answer? After 20 years of this, we are not able to step up and do something about it? It is like raindrops. It has just become routine.

Let me go back to Newtown and talk more about these kids. Olivia Rose Engel was a bright-eyed, brunette, 6-year-old girl. She loved school. She particularly loved reading and math, which is good because a lot of what first graders do is reading and math. If you love reading and math, you are probably in good shape.

Her favorite stuffed animal was a lamb, and her favorite colors were—a theme we will hear often—pink and purple. She was set to play an angel in her church's nativity play on the night of the tragedy. She laughed a lot, and her parents said she just lit up a room when she walked in.

Olivia played soccer and tennis, and she took art classes. She loved swimming and ballet classes, and she took hip-hop dance lessons. She was also involved in her Daisy Girl Scouts. Every

night when they gathered for dinner, her family would have Olivia say grace.

She was a great big sister. Olivia really loved her little 3-year-old brother Brayden. She was killed that day in Sandy Hook Elementary School.

Josephine Gay celebrated her seventh birthday just 3 days before the tragedy. Joey is what she was called by her family. She was a kid with an indomitable spirit. She was autistic, as were a handful of these kids, but she was still social. She was very affectionate. She was getting very good care from some of these paraprofessionals who were there.

She grew up—actually not too far from here—in Maryland with a house full of Ravens fans. Josephine fell in love with the color purple. I don't know if she bought into the Ravens as a team yet, but she loved the color purple. She had a great sense of humor; she smiled all the time.

She loved hugs even though she participated in rigorous therapy for her disability. She had treatment on a daily basis. She did it without complaining. She loved her Barbie dolls, her iPad, and her computer. She loved to sing and swim and be anywhere her sisters were. Joey Gay was killed that day at age 7 in Sandy Hook Elementary School.

I want to talk about Avielle Richman. I have gotten to know Avielle's parents pretty well over the course of the last few months. Frankly, I have gotten to know a lot of these families over the last few months.

Avielle's parents have done something remarkable, which I will mention, but first I will talk about Avielle.

Guess what color Avielle loved. She loved the color pink. She loved to wear her pink cowboy boots and adored riding her pony Betty. She turned 6 years old just about 2 months before the tragedy.

She moved from Connecticut a few years ago from San Diego. She loved San Diego. She was barefoot all the time. She would run on the beaches of San Diego until the Sun went down. Her relatives used to joke about how hard it was to get shoes on Avielle even after moving to Connecticut. When she lived in San Diego, she never used to wear shoes, so she certainly was not going to wear them even in a colder climate like Connecticut.

She had curly brown hair and an infectious smile. Her parents kept a blog about her. They called her their little hummingbird. She loved horseback riding, swimming, ice skating, and superhero adventures. She loved pretending to be a superhero. She loved the movie "Brave," and Avielle tried out archery, which is a brave thing for her parents to do as well. She tried out archery because of her love for the movie.

Before her life was taken that December, Avielle was obsessed with an

Easy Bake Oven she was hoping to get for Christmas.

Her parents are scientists, and in the wake of Avielle's death, they started a nonprofit to raise money to try to get to the root cause of the illness that caused someone like Adam Lanza to pick up a gun. That is an amazing thing for the Richmans to do. I talked about a number of efforts that have been taken, whether it is a Facebook page for Daniel Barden, a Web site to try to encourage kids to engage in acts of kindness, or what Avielle's parents did. This is an amazing thing for them to do. While they are grieving, they are trying to find a silver lining in all of this.

The Richmans' hope is that they can use the memory of their precious 6-year-old daughter to go out and raise money to try to research the causes of the illness that led to this tragedy. It is an illness. We talk about it in terms of evil, and I have certainly used that term. It is really illness masquerading as evil.

The Richmans are going to do their part to raise money to try to do a better job to figure out what is going on in the brain to cause someone to leave their parents' home, drive to an elementary school, and start shooting, or walk up to a McDonald's employee as they are delivering garbage to the dumpster and shoot them. It is a different kind of illness, I suppose, but it deserves examination nonetheless.

The Richmans are heroic in the fact that they have decided to reach out and try to make this discovery.

Another teacher to talk about is Lauren Rousseau. She wanted to be a teacher so badly. She was 30 years old. Up to the point she was hired as a full-time substitute teacher at Sandy Hook Elementary, she spent 6 years working at part-time jobs just to make ends meet so she could substitute teach during the day. During that 6-year period of time, she was looking for a full-time job, and she finally found it. That October she had been hired in Newtown to be a full-time substitute teacher. It is just what Lauren wanted to do, and she was really good at it. She was literally on the verge of realizing that 6-year dream when her life was taken.

She was very bubbly and outgoing. She spent the morning of December 14 looking forward to a movie she was going to see that night with her friends and her boyfriend, "The Hobbit." She was a huge fan of Tolkien, so it was a big deal to see "The Hobbit" that evening, and that is what she was talking about that morning.

She loved animals too. She was passionate about doing something about child poverty. Part of the reason she went into education was she believed she needed to live her life in a way that was going to reach out and eradicate the scourge of child poverty.

Purple was her favorite color, and so everybody at her funeral wore the color purple.

She was a huge UConn basketball fan. In particular, she was a big fan of the UConn women's basketball team. So if Lauren is looking down from up above, she is very happy because her UConn women are national champions again. She would have been watching that game last night, and hopefully she was.

Lauren Rousseau was right there. Her dream was within her grasp, what she had worked for all of her life, and in an instant it was gone.

Teachers, little girls, and little boys who could have been great people, great educators—they could have been dancers and singers. Daniel Barden said he wanted to be a paleontologist just like his older brother. He could have done great things, but he is gone.

This isn't the first massacre we have seen. Daniel Barden and Ana Marquez-Green and Dylan Hockley and Benjamin Wheeler—these are all kids who were killed in Newtown, CT, but unfortunately Newtown is just the latest in a line of mass shootings. Forty percent of the mass shootings that have happened in this Nation's history have happened since the assault weapons ban expired. Forty percent of all of the mass shootings in this Nation's history have happened in the last 8 years—8 years—since the assault weapons ban expired. I am not an expert in cause and correlation, but that cannot be a coincidence. It can't be a coincidence because we also know that during those 10 years of the assault weapons ban, along with a ban on high-capacity magazines that was in effect, we saw a 37-percent decrease in gun violence. We saw a two-thirds decrease in the crimes committed with assault weapons. Those are real numbers, real reductions in overall gun violence and in gun violence perpetrated with these dangerous assault weapons. But the minute that ban was lifted, a dramatic increase in these mass shootings occurred.

Newtown was the second worst school shooting. It is seared in our memories in a different way because these were precious, young, little kids, and we can't help but grieve in a fundamentally different way for 6- and 7-year-olds. But Virginia Tech was worse. Still to this day, Virginia Tech saw the highest number of people gunned down. So I wish to talk about a few of those people.

Ross Alameddine was a Virginia Tech sophomore. He loved computer games, and he actually played a lot of them competitively. He was very much into home computer repair, and it was something he wanted to do with his life. His customers always loved him because they would bring their computers to him and he was one of the few people who knew how to fix them.

He did a lot of stuff outside of his fascination with computers. He loved rollerblading, whether it was in between classes or going out for long rollerblading expeditions on nice days. He loved movies, and he loved music. He played the piano, and he actually sang at a local coffeehouse. He had a fondness for language. He had strong opinions too. He was part of the debate club at Austin Prep, where he went to school. He talked in every single one of these classes. We know these kids who always have something to say, and Ross was definitely one of them.

He loved life. He sought to make other people laugh. He used his music to do that. One of his classmates, Liz Hardwick, remembered his many qualities. She said that Ross's wit, humor, and insightfulness made him so much fun to be around, but his caring for others was also always present. Ross was one of the 32 victims killed during the Virginia Tech massacre on April 16, 2007.

Christopher James Bishop—"Jamie" Bishop—was a German teacher who was shot at the age of 35. He was a dedicated husband and son. He was a gentle colleague. He was a really generous friend.

He had a long ponytail that he wore. That was kind of Jamie's signature. But he didn't keep the ponytail for long because once he grew it, he would regularly cut his hair and donate it to Locks of Love. He was doing it for style reasons, I am sure, but he saw his ponytail as a means to donate to other people who needed some help.

He was another techno guru. He knew a lot about complicated gadgets, and one of those was cameras. He was a great technician with a camera, but he was also a very avid photographer. Jamie leaves behind a lot of wonderful art that captured the intensity and the beauty that surrounded him in Blacksburg.

He hailed from a very small town—Pine Mountain, GA—and he was a big fan of the Atlanta Braves, so he would probably be pretty excited about the start the Atlanta Braves have had this year.

He was a foreign language teacher. He was a tough teacher—"Herr Bishop" is what they called him—but he really believed that understanding language was a way for people to engage in the world. It was a joy, but it was really fundamental to understanding humanity. If people understand languages, they understand different cultures and they understand something more about what it means to be a human being in this world. Jamie believed in what he did not just because he wanted to teach kids German but because he wanted to teach kids about the world. He died at Virginia Tech on April 16, 2007, at the age of 35.

Brian Bluhm was a graduate student. He was a TA at Virginia Tech. He cared

about water resources—something we actually are going to be talking about here pretty soon—something not a lot of graduate students think about. He cared deeply about a just distribution of water assets across the country, and that is what he was working on at Virginia Tech.

But his real love was for God. He was dedicated to building a relationship through his church with his God.

He was one of the friendliest guys one could ever meet, his friends said. He had a smile for everybody.

He was a big sports fan. Brian grew up with a passion for sports, particularly baseball, and his favorite team was the Detroit Tigers. He was one of these guys who follow everything about their favorite team. He watched all the games, but when the Tigers weren't playing in the winter and in the early spring, he would be analyzing every statistic from the past season and getting ready for the next season. He also loved Virginia Tech sports, especially football and basketball. He was one of those people others would see on TV who came to all of the games with the colors on their chests to show their support.

His family says he will be remembered for his love of God, family, friends, the Detroit Tigers, and Virginia Tech. He was lost that day, April 16, 2007, as well.

Ryan Christopher Clark was known to his friends as "Stack." He maintained a 4.0 GPA when he was a student at Virginia Tech, and he was a kid who had a mastery of science. He had a triple major. I didn't even know one could have a triple major, but Stack had a triple major in psychology, biology, and English. Can my colleagues imagine what Stack was going to be able to do with his life? Can we imagine what he would have been able to contribute in his life with a triple major?

He was a leader on campus. He played baritone in the Marching Virginians university band, and he was a resident adviser. So he was doing great things on campus and passing along a lot of knowledge to kids underneath him.

His friends said: He was a wonderful part of our baritone section. He was fun. He was loving. He was a delightful person to be around. He cared so much for other people. He would befriend anyone. He was a light and he was a joy.

Ryan Christopher Clark was going to do great things with his life. He was a student leader. At his young age, he had already shown a compassion for his fellow students by being a resident adviser. He had shown a talent for music by going out and performing in the band, and he was a triple major who was probably going to do something great in the scientific field in this country. But Stack didn't get to live that dream because, along with so many others, he was gunned down that day at Virginia Tech.

Virginia Tech, Newtown, Aurora, Tucson—these are just the mass shootings. I will keep on going, but these victims just don't end. Stack on top of that 40, 50, 60 people every day being killed on our streets. It is important to talk about these victims. That is why I wanted to come to the floor today to do this, because if we don't do something in the next 2 weeks, these lists are going to grow.

The illegal guns used on the streets of Chicago and Bridgeport and New Haven and Washington, DC, and New York weren't always illegal guns. They were legal guns before they became illegal guns. Somewhere along the line, their status transferred. The question is, What can we do to stop that transfer from happening?

I believe in the second amendment. I believe in the protection that it affords people to own a gun, to be able to hunt or to shoot for sport or to protect themselves. But I want to make sure guns stay in the "legal" category and don't leach into the "illegal" category. That is why 90 percent of Americans think we should have a law in this Nation that provides for universal, mandatory background checks for everybody who buys a gun. That is a really simple thing to do.

This is just a sampling of the lives that could have been protected. The gun used in Newtown went through a background check, but so many of the guns used to kill boys and girls and young adults and men and women in our cities don't go through background checks. We think about 40 percent of guns sold across this country don't go through background checks.

One of the tragedies in this long line is directly relevant to this bill. At Columbine High School, the gun used was bought outside of the background check system, and the friend of the shooter's who bought the gun said after the incident that the reason she bought it with the method she did was because had she gone to a gun store, it wouldn't have passed the background check. That is the gun show loophole. What has it been—a decade-plus since Columbine, and we still haven't closed the gun show loophole? We still haven't made the collective decision that we should make sure criminals don't buy guns? She said she couldn't have bought the gun if she went to a licensed gun dealer because it would have been prohibited. So a bunch of kids died at Columbine High School.

Someone could make the argument that if the gun hadn't gotten in their hands that way, it might have gotten in their hands another way. I get it. Nothing we are talking about guarantees that another Sandy Hook isn't going to happen, and it certainly can't guarantee that our streets are going to all of a sudden be safer overnight. But if we make it a little bit harder to get that gun, if we make it a little bit

more difficult for a criminal to get his hands on a weapon, the chances look a whole lot better to survive on the streets of our cities or in our schools and mosques and movie theaters.

As Senator BLUMENTHAL pointed out, I can absolutely make the case that if we had stronger laws on the books today, Newtown may not have happened, and even if it did happen, some of these kids would be alive today.

What happened in one of those classrooms is instructive. A handful of kids survived because Victoria Soto put them into a closet, and when the shooting was over, they were discovered in that closet.

Another set of kids survived a different way. When Lanza went to switch magazines, there was a delay in the shooting and a bunch of kids ran out of the classroom. Five of them—six were found in the closet, and five of them ran out of the classroom when Lanza decided to switch magazine clips. There are five kids who don't look much different from Ana and Daniel and Dylan and Benjamin who are—and Jesse, there is Jesse—who are alive today because Adam Lanza had to switch clips. He only had to do it about 6 times to get off 154 bullets. We don't exactly understand why, but he didn't actually discharge all of his 30-round clips. Sometimes he only shot about 10 or 15 bullets before he switched, but some of them he went straight through. He only had to switch clips we think about 6 times to get off 154 bullets in 10 minutes.

If we had on the books today a law such as the law we had back in the 1990s and early 2000s that restricted ammunition clips to 10 rounds—an amendment Senator BLUMENTHAL and I will bring to the floor next week, either an amendment or in a separate bill—that shooter would have had to change ammunition clips 15 times—9 more opportunities for kids to run out of the classroom. I know we can't guarantee that things would have been different, but let me tell my colleagues there are an awful lot of parents in Newtown who believe their sons or daughters might likely be alive today had we continued to have a restriction limiting ammunition clips to 10 rounds.

What we know is that in Tucson, people would be alive today because that incident absolutely stopped when the shooter switched clips. It was during the transfer of ammunition magazines that he was tackled. We know that if he had 10 rounds rather than a higher number, there would still be people alive there.

We know what happened in the movie theater in Aurora. That guy walked into the movie theater with a 100-round drum. What on Earth is the reason why somebody needs a 100-round drum? It jammed because these guys are amateurs. They have not done this before.

People say: It is not going to make a difference—10 rounds, 30 rounds—because it takes 3 seconds to switch clips, so it is not going to provide any different outcome.

For a professional shooter, it takes 3 seconds. But for a nervous 21-year-old kid, hyped up on adrenaline, it is a different thing. Five kids escaped in Newtown; the shooting stopped in Tucson; the shooting stopped when the gun jammed upon exchange of magazines in Aurora. People are alive today because there is something that happens when you have to exchange magazines in these incidents of mass violence. More exchanges of magazines mean more kids alive today.

Let me talk to you about Porshe Foster. She was 15 years old when she was killed over the Thanksgiving holiday last year in Chicago. She had five sisters—six daughters, and Porshe was the youngest of them. Porshe was 15, and she was shot in the back of the head when she was standing with her best friends in a backyard during a sleepover.

The intended victim was a gang-related individual. They were targeting somebody else, but she got hit. Twenty-five shots were fired, by the way. Twenty-five shots were fired. Porshe was the only victim that was hit.

She was a sophomore at ACE Tech. It is a charter school that specializes in getting kids ready for college in architecture and construction and engineering. This is exactly the kind of student we wanted, where, on the floor of the Senate and the House of Representatives, we are all the time clamoring for more girls to go into STEM education—into science, technology, engineering, and math. Porshe was doing it. She was living up to our expectations. She was going to a charter school. It was going to get her ready to go into a career in architecture, construction or engineering. Imagine what she could have done if she lived beyond the age of 15.

She played volleyball and she played basketball. She sang in the church choir. She loved art. Her classmates actually honored her death by holding an art sale in her memory. Because funerals are expensive, especially in inner-city Chicago, they used the proceeds from the art sale to pay for Porshe's funeral.

Let me tell you, that is no small expense. We do not think about that, but one of the biggest issues in Hartford, CT, today—a city that has had relatively low gun violence this year but on an average year can have a couple dozen gun deaths—is how do you pay for the funerals, how do you come up with the money as a community to pay for a funeral every other week in a small, little city such as Hartford. Porshe's friends decided to do an art sale to pay for her funeral.

Her family and friends remember her as happy, as friendly, as a great stu-

dent, always busy, someone “you couldn't be quiet around.”

Her five sisters had planned to give their youngest sister a guitar for Christmas. She was killed on November 26, 2012, about a month before she was going to get that guitar.

I know there are other people who are here to speak, and so I will yield the floor at this time. But I will be back today and tomorrow to talk about more victims. I just think we need to tell their stories. I just think the people need to know who these people are because there are going to be more of them if things do not change, and we have the power this week and next week to do something about it—not to eliminate future victims. We are never, ever going to change the fact that people are going to pick up a gun, are going to violate the law, are going to shoot to kill. We are never going to stop that. But we can do something to reduce these numbers so next year at this time or 2 years at this time we cannot come down to the floor with a binder full of victims just from the past 3 months.

I will be back later today and tomorrow to continue to do this, but at this time I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent that I be recognized as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. First of all, Madam President, let me say, I certainly sympathize with the tragedy that took place and those who lost family members. Having 20 kids and grandkids myself, I am probably in a better position to sympathize with that than many others are.

I have to say I think somewhat of a disservice is being done to some of these families. It is almost akin to saying we are looking at legislation that would have prevented that from happening—and that is not the case—or we are looking at legislation that would preclude something such as this happening again.

I listened to my colleagues on the right side, on the Republican side, and on the left, the Democratic side, and they all have good ideas and they all are sincere in wanting to do something and maybe I am looking at it too simplistically. Because I look at the second amendment, I look at what historically has been our privilege in exercising our right to keep and bear arms—I mean since the very beginning—then I see and I have lived through, on the State and on the Federal level, all kinds of efforts of people to think: We can do something about gun violence, and let's do it by background checks, let's check everybody out there, let's do it, and let's approach the gun shows.

Let's talk about all these things that could be done. We could restrict the number of the cartridges and the magazines and all these things, but it is all predicated on one assumption, which I cannot buy. That assumption is that somehow we think that the criminal element will single out this one law to comply with.

Let's look at the facts. When we look at what they are trying to do, anything that is up that we are going to be voting on in the next 2 or 3 weeks—however long it takes—is going to, in some way, restrict the number of firearms. I think we would all agree with that. Whose firearms will they restrict? They would restrict the firearms of law-abiding citizens. That means the ratio between guns owned by the criminal element versus the law-abiding citizen is going to change.

When they talk about the background checks, I cannot imagine anyone being so naive as not to know that if the criminal element is going to get a gun, they are going to get a gun. Sure, they would kind of like to have some of these restrictions. They would like to have that background check because that eliminates the numbers of guns in circulation. So the criminal element is the only one who is not affected.

I was asked a question not long ago about this. It was on a national TV show. I was actually down at the border at the time, the Mexican border. They asked the question: Why is America so wrong? He talked about a poll that was taken where the results were 90 to 3. The question that was asked was: Do you believe we ought to have stronger background checks?

I said: Fine. If you were to ask that same question—90 percent of the people, by the way, answered: Yes, we need to have stronger background checks. But if you asked the question: Do you believe we should have stronger background checks on the law-abiding citizens and not the criminal element, then I can assure you, it would be like 99 to nothing the other way.

That is the thing. That is the one thing people just overlook. We can pass all the laws we want, and the criminal element is going to sit back and smile. Is anyone naive enough not to think, not to believe that regardless of background checks, a criminal element can find someone who can go and get a gun, make \$100, and they have a gun. But the ratio changes and not in a healthy way.

In a way I think it is a disservice to an awful lot of people who have had tragedies in their lives to believe we are doing something that is truly going to change that when, in fact, I do not believe it is.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I rise again to continue my attempt on the floor of the Senate today, without holding up the Senate or allowing others to speak their mind, to really draw attention to the names, faces, and reality behind this chart. This is probably difficult to see for some of my colleagues because it represents the over 3,300 people who have died since December 14, since the Newtown tragedy. Over 3,300 people have died from gun violence since December 14 and are represented by all of these individual figurines, which are so many that the picture becomes muddled. It almost looks like lines going back and forth. Behind each one of those small, tiny figurines is a story of a man, woman, little boy, or little girl who had their life stolen from them and from their family prematurely because of gun violence.

I wish there weren't enough material to fill today, tomorrow, and next week, when others aren't on the floor speaking. I wish there weren't 3,300 stories in the last several months alone with respect to people who have died from gun violence, but that is the reality.

The reality is that this Nation has become callous over time to the everyday incidents of gun violence that have happened on our streets, in my cities of Hartford, Bridgeport, and New Haven, and also in your cities of New York, Los Angeles, Chicago, and Baltimore.

We have come to believe, over the course of the last 20 years since we passed the last major gun violence initiative, through the Congress, that we can't do anything, that we are powerless. We have come to delude ourselves of that fact.

I gave my first speech on the floor of the Senate this morning, and I have been moved to come back and spend time today talking about the victims as a means to try to move us to do something. We know what we need to do because people out there have already decided what it is. Ninety percent of Americans support the universal background checks. Two-thirds of Americans support a ban on these high-capacity magazine clips. We haven't figured it out for ourselves.

I wish to speak for a few minutes about these victims. I will start these remarks with a school near Littleton, CO. Columbine High School, on the morning of April 20, 1999, was visited by two very disturbed young men who walked into the school. Their names were Eric Harris and Dylan Klebold, and they opened fire in the school. They killed and injured 12 more. It was at the time certainly one of the worst

instances of mass shooting in a school this country had ever seen. Of course, it has now been eclipsed by what happened at Virginia Tech and what happened in my State last December 14 at Sandy Hook Elementary School. At the time, it shocked the Nation because we didn't know how to comprehend 10 students going about their day at Columbine High School being gunned down by 2 of their fellow students. Now we are grappling with how to comprehend the deaths of 20 kids, 6- and 7-year-olds at Sandy Hook Elementary School.

Although it has now been almost 14 years since the incident on April 20—we are about to come up on the anniversary—we shouldn't forget the people who were killed. Before the next Senator comes down wishing to speak, I will speak about those kids who were killed in Columbine.

Cassie Bernall was a really sweet, kind little girl. She was active in her church. Her work in her church meant so much to her that after she died her parents set up the Cassie Bernall Foundation, which provides support to youth ministries. I was a part of my youth group in my church growing up, and I know what a wonderful connection it is, both to God and to your fellow adolescents. It was a big deal for her. She also was fascinated with the United Kingdom, and she had a dream to attend Cambridge University. She wanted to become an obstetrician.

Today Cassie would be about 30 years old. She would most likely have completed her training and would be in a residency or be a practicing OB/GYN. We spend a lot of time talking about the fact that we need more preventive care doctors practicing medicine. Cassie was gunned down that day. She didn't get to live her dream or contribute to a field we know is very important.

That wasn't the only thing Cassie cared about. She loved the outdoors and spent a lot of time in Breckenridge. She had a passion for rock climbing, snowboarding, backpacking, camping, and taking photographs of everything she did so she could record her love of the outdoors.

She was buried along with a poem her mother wrote:

Bunny Rabbit, my friend, my daughter, my mentor, I will love you and miss you forever. I promise to take good care of your kitty. I know that Jesus is elated to have you in His presence.

Cassie would have been an amazing person and was an amazing person. She was 17 years old. She hadn't yet told us exactly who she was going to be, but she was going to do great things. She was killed that day at Columbine High School.

Steven Robert Curnow was the youngest victim at Columbine. He was only 14 years old when he died. He loved his family. All of these kids loved

their families, but he was especially close with his family. He was pretty close to his true passion as well—"Star Wars." He was 14 years old, and his parents said he watched the "Star Wars" movies so much he could speak every single line of the movies in sync with the actors. He was also a great athlete. He played soccer, trained very hard, and even worked locally at 14 years old as a part-time referee. He wanted to go into the Navy. He was a pretty well-rounded kid who loved "Star Wars," was a great athlete, and wanted to go into the military and become a Navy pilot. He was great with young kids too. This is what his friends remember, how compassionate he was with young kids. He was 14 years old.

We already had this window into who this kid was going to be. He loved having fun and watching "Star Wars." He was great with kids as a volunteer referee. He wanted to be a Navy pilot and serve our country. He never was able to do these things because he was gunned down in Columbine High School.

Corey DePooter is remembered as a really courageous kid. He was 17 years old, and he had a very strong sense of right and wrong, maybe stronger than he needed to have. When he was growing up and played cops and robbers, he refused to be the robber. He needed always to be law enforcement in that equation. He wanted to be a marine, as Steven did. Steven wanted to be a Navy pilot; Corey wanted to be a marine. After he died, he was named an honorary marine in a ceremony in front of his grave.

His friend Austin said: People said Corey was just the kind of guy you want to be around. He would always pick up our spirits in a gloomy situation.

He was on the wrestling team. He loved playing golf. He was going to serve our country. He was 17 years old, and Corey never was allowed to live out that dream.

Kelly Ann Fleming was a year younger when she died in Columbine. She was 16 years old. She was an aspiring author. At 16 years old, she had written a great deal of poetry, prose, and a lot of stories about her own life. She actually started writing her autobiography. What an amazing thing for a 16-year-old. She was writing an autobiography covering her life from age 5 until the point she died. The library was what Kelly loved. Her mom said it was her one true safe place. She felt right in that library surrounded by learning and books. Ironically, in school her favorite subject was math. Her favorite math teacher served as a pallbearer at her funeral.

Like most teenagers, she was very much looking forward to obtaining her driver's license. She wanted to get out there in a Mustang or Corvette and drive around with her friends. She was very bright and very good at math. We

need more mathematicians, scientists, and engineers in this country.

Kelly Ann, who was 16 then, would be about 30 today. She was not allowed to fulfill those dreams.

This is what happened at Columbine. The two students who walked into the school and started shooting couldn't get the weapons themselves. They had a friend buy them for them. The friend knew that if they went to a gun dealership, they wouldn't get them because they wouldn't be able to pass the background check. They went outside the background check to get them a different way—a way thousands of people go to buy their weapons. The vast majority of them do this not because they are trying to get around the background check system but because in private sales, gun shows, and on the Internet, we largely don't require background checks. This is one of the things we are attempting to fix this week.

There is a belief among many of the family members of the Columbine victims that had background checks been universal, possibly the two shooters in the school might not have had those weapons. We can't guarantee that. I don't want to stand here and say that we know for certain that if we had universal background checks, Kelly Ann, Corey, Steven, Cassie, and all the rest would still be alive today. We don't know that, but chances are a little better. Those families want to have had the chance that their sons and daughters might be alive today, might have kids of their own today, might be an OB/GYN, a Navy pilot, a marine, or mathematician. They would take those chances.

So when we think about these victims, we need to think about the real policy consequences of what we are debating, and while nothing we are talking about is going to guarantee these students who died would be alive today, boy, it gives it a much better chance it would have happened. That is just a sampling of the victims in one high school, in Columbine High School.

What we know is the names reflected by these little figurines are largely not victims of mass shootings. These are just the victims since December 14. These are folks who just got killed by a stray bullet or as a result of a crime of passion or, as I explained in an earlier speech today, just because they were taking out the trash from McDonald's or going to check out some commotion in their housing complex or driving home after dropping off kids at school. They were doing what they normally do every day. And because somebody else had a gun, legally or illegally, they got killed.

So let's talk about some of those victims as well. As I said, I am going to be down here as much as I can today, tomorrow, and next week telling these stories as a means to hopefully inspire

us to some bipartisan action on the floor. I hope some good things are happening today while I am down on the Senate floor. I hope we are coming together on this issue. But if these stories don't move people, I am not sure what does.

On January 7 of last year, 2012, a 14-year-old boy in Bridgeport, CT, by the name of Justin Thompson, and his friends from Barnum Middle School went to a Sweet 16 party for a neighborhood girl on the east end of Bridgeport. Justin was a popular eighth grader. His friends and his family thought he looked exactly like Alex Rodriguez. Down in Bridgeport that is a good thing; up in the rest of Connecticut, maybe not so much.

The parents of the girl had rented a hall and hired a DJ. There was no alcohol, there was no fighting. It was just a regular Sweet 16 party. Eventually, as more kids showed up, it kind of started to get a little too big and the police had to come and break it up. But Justin left the party and began walking down a street nearby with two other young people when all of a sudden two men appeared and started shooting. Justin was hit in the head and he was killed in the commotion.

He was 14 years old. He was walking home from a Sweet 16 party. He didn't do anything wrong. He wasn't in the wrong place at the wrong time. He was in the right place at the right time. He was doing what he was supposed to be doing that night—walking home from a Sweet 16 party—and he got killed by guns. That is Justin Thompson.

Keijahnae Robinson was 15 years old when, on July 21, 2012, she was shot. She told her friends she wanted to be the next Mariah Carey. She was a big singer. She loved to sing and she loved to perform. Guess where she went on July 20 in Bridgeport, CT. She went to a Sweet 16 party as well. Her 16th birthday was actually the following week, and she was telling friends that she couldn't wait for her party. She was enjoying her friend's party but she couldn't wait for her Sweet 16 party, which was happening the following week.

After the party, her friend's mom invited some of the girls to sort of take the party to her house. It was a warm, beautiful night, and the girls were sitting out on the porch when two men came by and opened fire on the porch before driving away in a car. Two hours before she was shot, there was a robbery just down the street, and somehow this was connected to it.

She was 15 years old. She was sitting on the porch with her friends, basking in the afterglow of a wonderful Sweet 16 party, getting ready for her 16th birthday and she was gunned down by a drive-by shooting. That is Keijahnae Robinson.

Blair Belcher was 17.

This is all Bridgeport, CT. I am just giving one city in 2011 and 2012.

Blair was dreaming of one day going to college. He wanted to go into electronics and computing. He was walking through an east side park in Bridgeport on July 31—he was about to enter his senior year at Harding High School—when three shooters gunned him down in the middle of that park—a life cut short.

He was a real talent. Blair had a penchant for fixing things. He could fix anything. His mom said it was like a gift, and he wanted to do something with it when he graduated. He was 1 year away from graduating. He was 17 years old and killed in Bridgeport, CT. He was just in a park and he got gunned down in a cross fire.

It is hard to even figure out why these things happen, but they just get built into the background noise of urban gun violence.

“TJ” Mathis was good at a lot of things in Bridgeport. Excuse me, TJ, I am sorry. TJ was from New Haven. I got to know TJ’s father Lenny well. And Lenny will tell you that TJ was good at a lot of things, but basketball was at the top of the list. He was the star of Hamden High School’s team. He led them to three division titles. He was all-State and he went on to play Division I basketball at Morgan State University and had just been signed to a minor league basketball contract with the ABA. He was a star. He was good at a lot of things—this was a multitasking kid—but basketball was his thing. He did well and led his team. He was going on to a career in basketball.

On a warm Saturday night in September 2011, he and his friends went to a party honoring another basketball legend—someone we are really proud of in Connecticut, Ryan Gomes of Waterbury. Ryan went to Providence College, went to the NBA and had a great career. After leaving the party, his friends realized they were too tired to drive. They were responsible. This kid had a career ahead of him. He was going to be a basketball star. He was going to the ABA, and a lot of people who go to the ABA get to the NBA.

So TJ decided he needed to get some sleep. Unfortunately, TJ never made it home that night. He pulled over to get a little sleep on the side of the road and a young man, seeing the three boys asleep on the side of the road, pulled up next to them and tried to rob them. When TJ woke up and realized he was being robbed in his car, he resisted, and the young man shot and killed him.

On the verge of a career in the ABA, a basketball standout in Hamden, CT, and at Morgan State University, just sleeping in his car trying to get a few winks before he drove home, being responsible so he didn’t do something silly like get in a car while he was tired and run off the road and hurt somebody else, he gets robbed and shot.

Just part of the background noise of the people who die every day in this

country—30, 40, 50, 60 a day. I will come down here today and tomorrow and next week, and I won’t get through a few days’ worth of shootings all across this country. The truth is a lot of these shootings in cities are happening with illegal guns.

The opponents of gun legislation are right in one respect. They are right that the majority of crimes are not committed by assault weapons. Assault weapons have become the weapon of choice for mass shooters. That is true. But the reality is these kids I am talking about—Justin and Keijahnae and Blair and TJ—were killed by hand guns, most of them illegal hand guns. Why do we have so many illegal hand guns out there? Because we haven’t done anything about it here. We allow 40 percent of guns to be sold in this country without background checks.

Hopefully, we are getting closer to changing that, but we don’t have a Federal law making gun trafficking illegal. People don’t understand that someone can take a whole bunch of guns out of a store legally, then sell them on the street to people who are legally prohibited from purchasing guns, and they have not committed a Federal gun trafficking violation. Maybe they have committed a State violation, but they haven’t committed a Federal violation.

We can’t solve this problem entirely. We are not going to stop bad people from taking guns out on the street and doing bad things, but we can substantially decrease the likelihood that another Columbine or Sandy Hook happens, that another TJ Mathis, a standup young kid, a basketball star, gets gunned down just because he is in the wrong place at the wrong time, or the right place at the right time with the wrong person with the wrong gun. We can do something about it here.

Throughout the day I have been trying to talk about the variety of victims, people on the streets of our cities but also in our schools. So before I yield the floor again, I want to go back to the reason we are here. I think it is important to tell you who the victims are, but I think it is particularly important to tell you who the victims in Newtown, CT, were because while Newtown should not have been a tipping point, and it should not have taken this long for us to have this conversation, I think we all recognize we are having this conversation because of the 20 6- and 7-year-olds and the 6 adults who were killed that day. And I believe if we don’t do something about it there will be another Newtown; that we will have another town added to the list of Aurora and Littleton and Tucson and Newtown in a matter of weeks or months—hopefully longer—if we don’t take some action.

So let me go back, before I yield the floor again today, to talk some more about the wonderful children and adults who were killed in Newtown.

Mary Sherlach’s husband is here today in DC lobbying on behalf of his wife, who was 1 year away from retirement as Sandy Hook’s school psychologist when she was murdered that day in Sandy Hook Elementary School. He is here to talk about the insanity of not taking these high-capacity magazines off the streets. That is his passion. He believes there is a chance there would be boys and girls alive today in Newtown had Adam Lanza had 10 bullets per magazine instead of 30 bullets per magazine.

But let me tell you about Mary because Mary is pretty amazing. Mary had worked for years at Sandy Hook Elementary. She had actually been there for 18 years. She was not just the school psychologist, she was involved in basically every school improvement effort you can imagine. She was a member of the District Conflict Resolution Committee, the Safe School Climate Committee, ironically, the Crisis Intervention Team, and the Student Instructional Team. She cared so deeply about the school, it wasn’t just a 9-to-5 or 9-to-3 or 7-to-3 job for her. She put in all sorts of extra hours to make the school better. She was 1 year away from retirement, and, oh, how she and Bill were looking forward to retirement. They had a little cabin on the Finger Lakes—still have a cabin in upstate New York—and they loved going up there. They had planned on spending a good part of their retirement up there when they weren’t spending time with their daughters Katie and Maura.

Mary loved gardening, reading, and she loved the theater. She was a great neighbor. She was a very beautiful person, who, on that day, did something a lot of us hope we would do, though we can’t really be sure. About 9:30 that morning, Adam Lanza blasted his way through the locked doors of Sandy Hook Elementary School. The principal of the school, Dawn Hochsprung, and Mary were meeting, I believe, when they heard the bullets and the glass crash. They must have known something horrible had happened. There are two instincts at that point—maybe three—you freeze, you run the other way, or you do what Dawn and Mary did. You run to the bullets. That is what she did. Her school was in trouble, something awful was happening, and Mary and her principal ran to the gunfire and the gunman. They didn’t run away.

Now, plenty of people in that school did heroic and courageous things that day—they stowed kids in closets and classrooms, they hugged kids as the bullets rained down, but Mary and Dawn were the first people who died because they ran right to the bullets.

Mary is a hero not just because of the 18 years she spent dedicated to those kids, not just because of all the efforts she put in to make that school a better place, but because that day she did everything in her power to make that

shooting end. She wasn't successful, but she tried, and we all hope we have a little bit of Mary Sherlach in us as well.

Mary is different than those kids. Those kids had their whole life ahead of them. We don't know what they would have done. So at least we have the benefit of knowing who Mary Sherlach was. At least we have the benefit of knowing the wonder that was her life. But she deserved retirement, and Bill deserved to have his wife, who had worked so hard and had spent all these nights trying to make her school a better place—he deserved to have her for their retirement up in the Finger Lakes, and he doesn't.

Ben Wheeler, whom I talked about earlier today, was a very gifted musician. Ben was 6 years old when he died that morning. Just before December 14, he had performed his first recital at 6 years old. I have a 4-year-old at home, and I know what an amazing thing it is to have a child be that dedicated to music that by 6 years old they can perform a recital. He loved trains. They would go to New York City a lot, and he was always more interested in riding the subway and the train than he was in visiting the museums or the zoos. That is not uncommon for kids. Maybe doing a recital at age 6 is but loving trains is not.

More than music, more than trains, more than subways, though, Ben loved his 9-year-old brother Nate. The two of them did everything together. They played soccer, they swam. As I said this morning in my first speech before this Chamber, on the way to school that morning Ben told his mom he wanted to be an architect when he grew up, but he was going to be a paleontologist because that was what his brother Nate was going to be, and he wanted to do everything Nate did.

Ben was going to be a pretty amazing man, that kind of musical talent at an early age, a love for his family, and, unfortunately, Ben Wheeler lost his life that day.

Emilie Parker was 6 years old. The one thing you will hear about with respect to Emilie when you talk to the Parker family is that she had an infectious laugh. You know those laughs you hear once and hope you get to hear it again before you leave that person's presence? That was Emilie. Her father Robbie described her as bright, creative, and loving. She always wanted to try new things, so much so that at 6 years old she was actually learning Portuguese. Her father was trying to teach her that and it was part of their bond.

She was an artist. She loved to draw with markers and she was talented. At 2 years old, she could write her own name and she could draw stick figures of her family. She loved art so much that her parents Robbie and Alissa have decided to spend a part of their

period of mourning and time after that to set up a fund that honors her creativity. As I said earlier today, what is amazing is that so many of these families have dedicated big portions of their time in the horrible 4 months since trying to figure out ways to bring out some of the goodness and light from these kids' lives to the rest of the community. So Robbie and Alissa have set up a fund that is going to support art programs in schools, so art programs have a little more resources so other kids similar to their daughter can experience the joys of drawing and painting. She was learning Portuguese. This is somebody with a very inquisitive, thoughtful mind, and we never are going to get to know who Emilie Parker was going to grow up to be.

Jack Pinto was 6 years old, and he was already a jock. He loved the New York Giants, and he had an idol whose name is Victor Cruz. He loved Victor Cruz. He followed everything Victor Cruz did. He was ecstatic when the Giants won the Super Bowl and Cruz played a big part. Victor was wonderful enough in the days following the tragedy to honor Jack's memory. During the game after the tragedy, he wore writing on his cleats and his gloves that said: Jack Pinto, my hero. Jack was buried in a Victor Cruz jersey.

He was also a wrestler. I didn't even know that you wrestled at 6 years old, but Jack did, and he was pretty good at it. To show how tough Jack was, in one of his practices, he lost a tooth. When a 6-year-old loses a tooth, you would think that would start the tears flowing. But Jack didn't cry when he lost that tooth. He just took the tooth, handed it to his coach, and went back wrestling with a gapped-tooth smile on his face. That was Jack. He was tough. He was an athlete. He had perseverance. Imagine who Jack Pinto was going to be when he grew up. We are not going to know because of what happened that day.

I get it. I know there is a risk of overselling policy change. I don't want to make it sound like I am coming down to the floor and telling you these stories because these kids are going to come back to life if we pass some bill or that we are going to guarantee this doesn't happen again. I don't want to oversell what we are going to do.

But the 3,300 people who have died since Newtown should tell us that enough is enough and that we should try something. Even if we are not absolutely, 100 percent, ironclad guaranteed that what we are going to do is going to work, we should try something. Because it is not OK that somebody can walk into a school with a military-style assault weapon and shoot bullets at the rate of six per second. It is not OK that a couple students can do an end-around on the background check system to buy guns so they can walk into their high school and kill 10 people

and wound as many more. It is not all right that there are thousands of illegal guns on our streets that are used to kill 16- and 17-year-olds on their way home from Sweet 16 parties. There are no guarantees that what we are going to do this week and next week is going to solve everything, but we have to try something.

So I am going to continue to come down to the floor over the course of the next few days to talk about these victims—the victims from Newtown, from Columbine. Hopefully, later today I will be able to talk about some of the victims from Virginia Tech and Wisconsin. Of course, there are just binders full of stories that we could put on this floor regarding urban gun violence that plagues our cities every day. These stories are important because too often we trade in this body in statistics, that we just talk in terms of politics. Underlying this debate are 20 little kids in Newtown whose lives were cut short but also thousands upon thousands of other kids, young adults, and adults whose stories deserve to be told.

At this point, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S BUDGET

Mr. SESSIONS. Mr. President, the President submitted his budget today. It is very late. It was due February 4. It is the first time since the Budget Act was passed in 1974 that a President submitted a budget after the Senate has voted on one and after the House has voted on one and both passed budget resolutions. That was a disappointing event. The President, as the Chief Executive, as any mayor, as any Governor normally that I have ever heard of, wants to be the one who lays out a financial plan for his city or State to advocate for what would make the State and city better and then encourage the members of the board of directors—the Senate and the House—to evaluate his plan and support it so they can put the country and the State and the city on a sound financial path. Once again, we have had a very irresponsible approach from the President on the question of budgeting.

A few weeks ago, this Senate passed a budget for the first time in 4 years. The law requires that the Senate bring up a budget in committee by April 1. It requires that it be brought to the floor and passed by April 15. This is the first

time in 4 years that process has been completed; whereas, every year the House of Representatives has produced a budget, a responsible budget that would put America on a sound financial course.

This year the Senate passed a budget that was irresponsible, did not change the debt course of America, left an annual deficit virtually the same as if we had no budget at all. It did not improve current law. The Senate budget left us with a very substantial budget deficit in the 10th year of the budget.

On the other hand, the House, Congressman PAUL RYAN, chairman of the Budget Committee, produced a budget that balances in 10 years. We have heard great complaints that his plan cuts spending too much. Do you know that plan did not cut spending? It allows spending to increase every year for 10 years. It allowed spending to increase at the rate of 3.4 percent a year, which is higher than the inflation rate is expected to be in America. Yet it balances.

The Senate budget, on the other hand, has a 5-percent-plus increase in spending every year, leaving us on an unsustainable debt path, leaving us increasing deficits every year, nowhere close to balancing the budget. That is not the right path.

What happened today when the President produced his budget? It is no better, maybe even worse, than the Senate bill. For example, in his budget it would add, over the 10-year period, \$8.2 trillion in new debt to the Nation. We now have already \$17 trillion in gross debt. This would add another \$8.2 trillion to it; over \$25 trillion will then be the debt of the United States. The 1-year interest in 2023, under the President's budget, would amount to \$763 billion.

The base defense budget is about \$540 billion; \$763 billion exceeds Social Security—which is the largest expenditure. It exceeds Medicare in spending. It would be the largest single item in the budget and the fastest growing. It is still assuming relatively low interest rates, which are extraordinarily low at this moment but could surge in the future and would hurt us substantially.

How much is that? We now spend about \$3.7 trillion, so \$763 billion is a lot of money just to pay the interest. The Federal highway bill today is about \$40 billion, a little over \$40 billion. Interest on the debt would be \$763 billion in 1 year.

Young people, we are indeed borrowing from their future to spend and live high today on the theory somehow it will be paid back in the future by the people there. How will it be paid back, interest of \$763 billion in 1 year? This is not responsible. It is an unsustainable course.

Ersine Bowles, who was chosen by President Obama to head the fiscal commission, former President Bill

Clinton's Chief of Staff, a successful businessman, he told us in the Budget Committee a couple years ago this Nation is on an unsustainable course. This Nation "has never faced a more predictable financial crisis."

What he is saying is that if we do not change the course we are on, it is guaranteed we are going to have a financial crisis and we should avoid that. We have the opportunity to avoid that. We do not have to slash spending, as Congressman RYAN has made clear in his budget. You can allow spending to increase faster than the growth of inflation and still balance the budget. But, oh no, not here, not the President of the United States, not the Members of this Senate, the majority. They say we cannot live with a 3.4-percent increase in spending every year. We will run the risk.

The President said recently he was not setting a balanced budget as a goal. That is absolutely true because his budget does not balance. It never comes close to balancing, has no intention of it balancing ever. They use the words "sustainable balance," but it is not a responsible approach to the business of America. I will talk a minute about some of the dangers of this debt beyond just the fact that interest is going to suck huge amounts of money out of our annual budget that we ought to be using to invest in America.

How do they do it? When you eliminate the accounting gimmicks and honestly look at the budget presented by the President today, over 10 years, the net deficit reduction is only \$119 billion. Each year that is about \$12 billion in deficit reduction. The deficit last year, 2012, was 1,080 billion—1,000-plus billion, and we are going to average an \$12 billion reduction in the deficit under this budget? That is virtually nothing. Properly accounted for, properly analyzed, based on the current law, I am correct in giving you those numbers. It is not an unfair number.

What about this year that we are in, 2013, that will end September 30? Does he cut anything from our spending level this year? No. Spending and debt increases. The debt is projected to increase, between now and September 30, by \$61 billion, more than where it would be under current. So it increases the debt this year.

What about next year? Does it increase or reduce the deficit? It increases the deficit again by approximately \$100 billion-plus—\$100 billion. I believe that figure is correct. I might be incorrect on that figure, but it definitely increases the deficit this year by \$61 billion.

Taxes go up by \$1.1 trillion—\$1,100 billion—in new taxes. So taxes go up \$1.1 trillion, on top of the \$650 billion in new taxes that were passed in January of this year and on top of the \$1 trillion in new taxes passed as part of ObamaCare, the health care reform.

That is another huge tax increase. But we are told not to worry because this is a balanced plan. As we talked about the budget plan that was on the floor—and we had 50 hours of debate, a lot of amendments, a lot of discussion—our colleagues kept using the word "balanced." They refer to their budget, the majority's—Democratic budget that they laid forward, they used "balanced" over and over again. I put up a chart. The numbers kept running up. We got to 100, 200 times the word "balanced" was used in 15 or 18 hours of debate on their side; "balanced," over 200 times.

My staff went back and reviewed the numbers and it was 230 times. What do they mean by the word "balanced"? Why did they use the word "balanced"? Because some pollster somewhere, some political consultant, said people like to hear that. They want a balanced budget.

Their budget didn't balance, nowhere close. So they had several spins on it,—first, they wanted a lot of people who were not following closely to hear the word "balanced" and believed they had a balanced budget when they didn't come close to having a budget that balanced. They never said the budget balanced because they knew that was not true. They had deficits every year, \$400 billion-plus every year. So a balanced approach was what I think people who kind of kept up with things believed—that we would raise taxes by \$1 trillion, we would cut spending by \$1 trillion, and this would be a balanced approach. This is the way to reduce our debt and deficit: raise taxes and cut spending. That is the responsible balanced approach to getting our fiscal house in order.

But that is not what the budget did. The budget increased taxes by \$1.1 trillion—\$1,100 billion—but it increased spending by \$964 billion. It did not cut spending at all. It increased spending. Basically, we ended up with only \$119 billion in deficit reduction over 10 years—zero, basically, an insignificant amount. So it increases taxes and increases spending. It is the classic Democratic weakness, I have to say: Tax; spend. Tax more; spend more. Don't worry about the deficit.

But somebody needs to be worrying about the deficit because it is a very important matter and we have to deal with it. This morning at the Budget Committee we had a new nominee, Ms. Sylvia Burwell, for the Director of the Office of Management and Budget, one of the most important positions in the entire government. She is a delightful lady and I know she wants to do well. She held a position in that office some time ago under President Clinton, a deputy position, and she had some experience in it, but it is a tough job. We need somebody who can whip these agencies and departments into shape. The OMB is the one who answers to the

President. The OMB is the one who says: Mr. Secretary of the Interior, Mr. Secretary of Defense, we don't have that much money. You can't spend that much money. I send your budget back to you. Take another \$10 billion, take another \$5 billion out of it. They are the heavies. So she is asking for a tough job, no doubt about it.

At that hearing, I talked a little bit about a great concern of mine. My concern is that our debt is so large now that it is pulling down economic growth in America. Let me repeat that. Our debt is so high it is pulling down economic growth, and slow growth means fewer jobs created. The difference between 2 percent growth and 3 percent growth is 1 million jobs, according to Christina Romer, who served President Obama in the White House: So the more growth we have, the more jobs are created. The less growth we have, fewer jobs are created.

We had a disastrous jobs report last Friday. It was terrible and deeply disappointing. What it said was we added 88,000 jobs when they were predicting we would add about 200,000. But more significantly, 486,000 people dropped out of the labor force, had given up finding work—almost one-half million, and less than 100,000 got a job. That was a very dangerous trend.

It comes around to this question: Is our debt so high that it adversely impacts economic growth? Let me explain it this way. The Rogoff-Reinhart study and book that they wrote analyzes debt in America and it calculated it and over the world. They examined economies worldwide. What they found was that when debt reaches 90 percent of the size of your economy, 90 percent of GDP, growth begins to slow. It slows a median amount of 1 percent, on average much more, as much as 2 percent. Growth—GDP growth begins to slow when debt reaches that high a level.

What kind of debt level is it we are dealing with? Many people think, and the President keeps saying, our debt-to-GDP ratio is 77 percent.

We have examined the Rogoff and Reinhart study. Rogoff and Reinhart used a higher figure because they compared countries from around the world, and those were the numbers they had. When the gross debt reaches 90 percent of GDP, we begin to have an economic decline. Our percentage of gross debt to GDP is 104 percent.

I contend and I believe that the projections for growth for the last 4 years have all been higher than the growth we have actually seen. In fact, it has been much lower than projected—even by the President and the Congressional Budget Office. It appears to me that the gross debt figure being over 100 percent is indicative of a slowing growth.

Rogoff and Reinhart are not the only ones who have done studies. Others have done studies as well. Europe has high debt rates. Per capita, we have

more debt than any country in Europe and even more than Greece.

There have been studies in Europe. The International Monetary Fund, the European Central Bank, and the Bank for International Settlements all have economists, and they are concerned about high debt in Europe. They have also been analyzing these figures. All three of those, through an independent process of analyzing the impact of high debt on economic growth—studies indicated that high debt slows growth. Well, how much? Looking at each one of those three studies, the U.S. debt is in the range that pulls down growth.

I say to my colleagues today, please be aware that there is a cost to borrowing and spending and adding debt.

The budget the President submitted today would add \$8.2 trillion in debt. It would take us from \$17 trillion to \$25 trillion in debt. Even with a growing economy, we would still remain well over 90 percent GDP to debt, and that is an unacceptable figure.

It is deeply disappointing that we do not have leadership in the White House that would lead us to get off of this path.

Mr. President, I see the majority leader is here. I know he has extraordinary duties and challenges in his busy life, and I will just wrap up and say that I am disappointed in the President's budget. It does not change the debt course of America in any way. It is not a responsible plan for the future. It does not balance the budget ever and has no intention of ever balancing the budget. All he talks about is some sort of sustainable debt course. We cannot continue on that course, as Mr. Erskine Bowles, his own fiscal commission chairman, has told us.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The majority leader is recognized.

Mr. REID. Mr. President, I appreciate my friend yielding. My time on the floor is going to be very brief.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE NOMINATION

Mr. President, I ask unanimous consent that at 4 p.m. today the Senate proceed to executive session to consider Calendar No. 59; that 2 hours of debate be equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I gave my first speech on the floor of the Senate this morning. This week and next week, we will be debating one of the most fundamental issues that come to a body such as this: What can we do to better protect our kids and our loved ones from unexpected death? I care about this issue not just because it is one that is important to the families of victims in New Haven, Bridgeport, Hartford, and others who have been the victims of routine gun violence in Connecticut but, of course, because of what happened in Sandy Hook.

I spoke this morning more broadly about the awful experience of being in Connecticut, the personal experience of having been at the firehouse that day, the wonderful experience of having gotten to know the families of the Sandy Hook victims since then, and to have witnessed the millions of acts of kindness that have showered down upon Newtown in the days and weeks and months since. That tragedy has become the tipping point that has brought us here to talk about a solution to at least some of the epidemic gun violence that for too long has plagued the streets of our cities but now comes to us in waves of mass shootings happening in our schools and in our movie theaters and in our places of worship.

My hope, as a brand new Member of the Senate, as someone who has lived through this experience as one of the representatives of Sandy Hook, is to just try to tell my colleagues whom we are talking about here. I think we get caught up in the numbers and the policy debates and we forget these are real kids, these are real people.

This is just a small sample of the victims in Newtown and the victims from across Connecticut, in Bridgeport and in New Haven, who have been gunned down prematurely. There are just too many of them. Over 3,300 people have died from guns since those 20 kids and six adults were killed in Newtown. We are not powerless. We can do something about it.

I have said over and over as I have been here on the floor today that there are no guarantees. We are not going to pass a law that is going to immediately flip a switch and assure that gun violence would not continue to be a problem, but it can be less of a problem. It can be less of a reality for kids who are walking to school fearing for their lives in urban America. It can be less of a reality for parents sending their children to elementary school, never thinking that something like what

happened at Sandy Hook could occur. We can do something about it.

So I wanted to come back again to continue talking about the victims, to give them a face. I am very encouraged, as I think all of us are, to see some movement between both parties coming together on one element of this debate: background checks. Hopefully, this will be looked upon as a very good week in the midst of this debate. So I want to tell my colleagues whom we are talking about.

Let me go back to Newtown. I think this is my fourth time on the Senate floor today, and I still haven't told my colleagues about everybody who perished in that school.

The youngest victim that day was barely 6 years old. His name was Noah Pozner. He was the youngest victim and he was the first to be buried. His was the first funeral I went to amongst countless funerals I lost count of. He was young, but he was described by his uncle as "smart as a whip." He had a real rambunctious streak. He could be a handful for his family and for his twin sister Arielle who was also in that school on Friday morning. She was luckily in a different class. Arielle survived; her brother did not.

He was already a very good reader. He was one of the youngest kids in his first grade class, but he was a very good reader and he was looking forward to a book he had just bought at a book fair. I will butcher the pronunciation, but it was a *Ninjabo* book he bought at a fair he was excited about.

He was going to a birthday party on the following day, Saturday, that he was just bubbling about in the hours before he went to school. As is true for so many of the victims, his family describes him as having a huge heart. The Pozners are an amazing family who have spoken out. His mother and his uncle have been so articulate since the shooting, calling on the Nation to change. They have been in Washington visiting my office, and I know they have visited with other Members of the Senate—just another one of these families who have somehow found the courage and the strength amidst this awful grieving to come here and explain why things need to change, how they will not feel any justice until we do something here.

Caroline Previdi loved to draw and to dance. She was 6 years old as well. She had one of these big smiles that everybody loved. It brought happiness to everybody who saw that smile. She and her family were active members of the St. Rose Church. I can't tell my colleagues enough about St. Rose Church. About 10 of the victims were parishioners there. This hit that church harder than any institution save for the school. The Monsignor there has been an absolute hero to the community, having buried almost a dozen of his kids. He has come down to Washington

to try to lobby for some sense of change, and he has brought that community together.

At that funeral he presided over, everybody wore pink. It was Caroline's favorite color. My colleagues have heard me say that about a number of little girls who died, a lot of whom were big fans of the color pink. Her mom will always remember Caroline as the shadow of her older brother. Sometimes to his dismay, she followed him around everywhere and she adored him. Her brother Walker and she were big New York Yankees fans. Even though she was only 6 years old, when her family recently went to Boston for a family trip, she refused to walk into Fenway Park because she was a devoted Yankees fan.

Caroline had a wonderful spirit and we will never know exactly what she would grow up to be. She died that day.

Jessica Rekos was 6 years old and, as do so many little 6-year-old girls, she loved everything about animals. Again, another trend. This was a couple of first grade classes full of animal lovers, and even some of their teachers were big animal lovers as well.

Jessica loved horses. So anything having to do with a horse, she wanted it. She watched movies about horses, she read books about horses, she drew pictures about horses, and she wrote stories about horses. She was murdered just 11 days before Christmas. She was hoping that Santa would bring her a cowgirl hat and cowgirl boots, and her family even promised her that maybe, if she was really good, in a couple years she could get her own horse.

She loved going to Cape Cod and she especially loved seeing the whales. She had a fondness for aquatic life as well, a big fan of the movie "Free Willie," and she loved going to the cape to see if she could catch a glimpse of those whales.

She was curious. That curiosity was going to spring forth into a wonderful young woman who was going to take her loves and her curiosity and her passion for life and make it into something great. We will never get to know exactly what that would be. Jessica died at age 6.

Ana Marquez-Greene, I talked about Ana this morning in my first speech. Her mother Nelba, who is just amazing—Nelba is a social worker who has a passion for helping people. She is in DC right now as we speak trying to push us to change things. Her little daughter Ana grew up in a musical family. Ana's father Jimmy is a very well known saxophone player, a Hartford native. The family came back to Connecticut to raise their kids. So Ana was musical. She used to love to sing and dance. She loved most of all doing that at church. She was so connected to her church. She loved reading the Bible. She loved having the Bible read to her. She loved being part of the

dance and singing experience at her church. Her parents said she didn't walk anywhere. That was not her method of transportation. Her mode of transport was to dance from place to place.

She is survived by her older brother Isaiah who is a third grader at Sandy Hook Elementary and who survived that day. My colleagues can find Ana's performances on YouTube. Ana's performances have been viewed tens of hundreds of thousands of times online. She was a talent. She had talent in her blood. Who knows whether she was going to choose music and dance as a career, but those creative muscles she had and the amazing parents who were raising her were going to assure that she was going to be something special. She died that day, horribly, but her family—her mother Nelba especially—is just determined to make sure we honor her memory by doing something here.

Five kids escaped Sandy Hook Elementary School that day out of those classrooms. Eleven kids—around that number—survived. Six of them hid in a closet, but five of them escaped because the shooter had to reload. When he reloaded, he perhaps fumbled the exchange, and five kids ran out of a classroom and were discovered nearby some moments later. Five children—unfortunately, none of those pictured in this poster—are alive today because as does happen in so many of these mass shootings, an opportunity presented itself when the shooter changed magazines.

I wish we didn't have to get into the detailed nuances of how these mass shootings play out to try to find a way out of mass violence, but we do because they are happening over and over. So we now have some experience. We now, to our great horror, have some data.

Empirically we know what happens. And what happened in Sandy Hook that killed Ana and Jessica and Noah and Caroline and so many others is that he had trouble reloading, five kids escaped, and either at the end of the 10 minutes because he had trouble reloading, or maybe just because the police were coming in, he decided enough was enough and shot himself. In Tucson, when the shooter reloaded, it was enough time for somebody to jump on him and end that incident. In Aurora, again, when the shooter had difficulty reloading—the gun jammed—the shooting ended.

So 154 bullets in 10 minutes at Sandy Hook Elementary School killed 26 people. The shooter had to reload about six times. What would have happened if he had to reload 15 times? How many more kids would have escaped? How many more opportunities would we have had for the shooting to go wrong? Would there have been a moment where somebody could have jumped on him and stopped him, as they did in Tucson? I don't know the answer to

these questions. Nobody knows the answer to these questions. But they are important ones to ask because they are relevant to the conversation we are having. If the answer is that there is a pretty good chance one of those three things would have happened—the gun would have jammed, kids would have escaped, or somebody could have stopped the shooting—then we should think twice before dismissing the idea that a limitation on the size of magazines sold in this Nation wouldn't have an effect on future mass shootings.

Our first job should be to stop that shooting from happening in the first place. But given the fact we are living in this terrible, awful reality in which they are happening on a regular basis, then we have to be talking about what we can do to limit the damage and the carnage when they do occur.

I will tell my colleagues while no one is sure of the difference in outcome at Sandy Hook had the assault weapons ban still been in effect, there are plenty of parents there who do believe there is a pretty good chance some of their kids might still be alive had that bill still been in effect. Remember, these were guns and clips purchased legally. For all the arguments that all the laws on the books aren't going to stop criminals, I am not sure Nancy Lanza was going to go onto the black market to purchase an AR-15 or ammunition that was illegal. Things could have been different.

But as we know, every day there are more people killed in this country by guns than were killed at Sandy Hook Elementary that day. I will tell my colleagues that I have heard some very visceral anger from parents and gun victims in the cities I represent because they rightfully wonder why we are talking about this issue now—after Sandy Hook—when, for the last 20 years, young men and women have been getting gunned down in our cities and it didn't seem as though this place stood up and cared too much about it. They welcome the conversation, but they wonder where all of this compassion was when people such as Ronnie Chambers were being killed.

Ronnie Chambers was 33 years old when he was shot in January 2012. He grew up with his mom and his siblings in Chicago's notorious Cabrini-Green housing projects and he became involved in the gang problem at a young age. But he had to watch something that no one should ever have to watch.

You think it is terrible that Noah Pozner's twin sister has to grow up with the knowledge that her brother was gunned down. Think about what Ronnie Chambers had to grow up with, having watched his other three siblings die at the hands of gun violence.

Ronnie became convinced, after watching his three other siblings die from gun violence, that he had to turn his life around. So he did. He went into

the music industry and he became a music producer and he decided to go even further and to start to mentor young performers.

People remember him in the industry as "everybody's hero." He was always "pointing kids in the right direction" despite his own difficult upbringing.

He was fun too. He loved banana milkshakes and onion rings. Then he was killed—the fourth of four siblings to be gunned down in and around Chicago. Four brothers and sisters: His brother Carlos shot in 1995; his brother Jerome shot in 2000; his sister LaToya shot just 3 months after Jerome; and then Ronnie, dead at 33.

How about Amber Deanna Stanley, who was killed last summer in Kettering, MD. She was spending a nice, quiet evening at home when a gunman literally kicked down her door and opened fire. She was shot multiple times while she was in her bed. She was 17 years old—17. She just started her senior year at Flowers High School in Springdale, MD. She was enrolled in a very elite science and technology program.

It is crazy, but this is probably the third or fourth or fifth young woman I have talked about here today—and I am probably into 30 or 40 people I have talked about—another young woman who was pursuing a career in engineering and science. She had big dreams. She was an honors student. She was in AP classes, and she wanted to go to Harvard University and maybe become a doctor. She had the grades to do it. She could have gone anywhere she wanted.

She was also very popular. She was a kid whom people were drawn to. She was a peer leader and she would do wonderful, magnanimous things for her classmates, such as she would bring cupcakes to them somewhat spontaneously.

One classmate said three words: "She was amazing"—until August 23 of last year, a gunman kicked down her door, opened fire, and Amber was gone.

How about Angela Player, 37 years old, shot on February 21 of this year, an avid reader who also loved the outdoors, gardening, and kayaking. She was a fan of everything fun and exciting—fast cars. She liked training dogs. She was killed by her ex-husband.

A lot of these are random killings, but a lot of these killings are by somebody you know. Her ex-husband actually did not have a history of domestic violence but had a gun ready and available in a fit of rage, and she left behind a son and a daughter.

Mr. President, 3,300 people have died since Newtown, and I think it is important, as we have this debate, to come down and talk about who these victims are. I will be doing this over the course of today and tomorrow and this week to try to bring a little bit of color to the discussion we are having.

At this time, I yield back the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank my colleague, Senator MURPHY, who gave his first speech on the floor of the Senate this morning on the same topic. He is eminently qualified to speak to this issue because of his unhappy circumstance of being a Senator-elect when the Newtown, CT, massacre occurred. I have spoken to him and Senator BLUMENTHAL about their personal life experiences and memories they will never forget about that day and those that followed.

I thank him for his voice on this issue, for his inspiration, and for speaking for many in Newtown, CT, and across the Nation who otherwise might not have as strong a voice on the floor of the Senate. I thank the Senator very much for that.

I would like to speak as in morning business briefly and then return to the underlying bill on firearms. I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ROBERT REMINI

Mr. DURBIN. Mr. President, in an interview with Roll Call newspaper a while back, Robert Remini—one of the great historians of our time—talked about what he hoped for after he died. Professor Remini said his idea of Heaven would be listening with his own ears to debates involving congressional giants such as Henry Clay, Daniel Webster, and John C. Calhoun.

On March 28—Holy Thursday—Robert Remini died in a suburban Chicago hospital from complications of a recent stroke at the age of 91.

I hope his wish comes true. I hope right now he is listening in awe somewhere in Heaven as the great issues are debated in the Great Beyond.

Robert Remini lived a good and full life. He spent most of his career at the University of Illinois at Chicago, where he founded the university's respected Institute for the Humanities. He produced a remarkable body of work that brought important chapters of America's history to life.

In 2002, at the age of 80, Professor Remini became a distinguished visiting scholar of American history at the Library of Congress.

At the request of Librarian of Congress James Billington, Professor Remini spent the next 3 years writing the history of the House of Representatives. That is where I met him. What a man, a great historian, a great personality, with a smile on his face every minute of the day.

Professor Remini was once asked how he found the stamina to start writing another book at the age of 80. He said he started by setting a goal for himself to write nine pages a day. Then he did what he had been taught by the Jesuits

who trained him. He designed a plan to reward success and punish failure. This historian, this writer, this man who had assigned himself nine pages a day, would only get his reward at the end of the day—a martini—if he met his goal of nine pages.

His system worked. “The House” was published in the year 2006.

In 2005, House Speaker Dennis Hastert, from Illinois, asked Professor Remini to become the official Historian of the U.S. House of Representatives. The post of House Historian had been empty for more than 10 years. Over the next 5 years, Professor Remini rebuilt the office’s small staff and reestablished its reputation for impartial scholarship and integrity.

He retired from the House in 2010, but he kept writing until shortly before his death.

In all, he wrote and coauthored more than 20 books. His subjects included Presidents John Quincy Adams and Martin Van Buren, House Speaker Henry Clay, Senator and statesman Daniel Webster, and Mormon leader Joseph Smith.

As one former colleague said, he wrote with such immediacy “that you might think he’d had lunch . . . with Martin Van Buren. He is an American treasure.”

The subject that interested him the most, though, was none of those great figures but Andrew Jackson. At least 10 of Professor Remini’s books were about Jackson, including an influential three-volume biography, the third volume of which won the National Book Award for nonfiction in 1984.

To Professor Remini, Andrew Jackson was “the embodiment of the new American.” He was:

An orphan, poor, and yet talented, who through his own abilities, raised himself to the highest office in the land. He personified what the American Dream is all about. That it is not class or money or bloodlines that are rewarded in [America], but rather the ability of each individual to achieve something worthwhile in life.

Professor Remini did not excuse Jackson for his backward views on slavery or women’s rights or his harsh treatment of Native Americans.

He regarded Jackson as admirable because:

He believed in this Union. He believed in this country. . . . [H]e . . . believed that government shouldn’t be for only a small segment of society, but for all of us. That’s what I want in [a] President.

So said Professor Remini.

Robert Vincent Remini was born in New York City. He graduated from Fordham University in 1943. He wanted to be a lawyer, but that changed after he enlisted in the Navy during World War II. To pass the time on board ship, he read history, including all nine volumes of Henry Adams’ “History of the United States of America.” By the time the war ended, he knew it was history, not law, that he loved the most.

He returned to New York to obtain his master’s and doctorate in history from Columbia University, and he married his childhood sweetheart, Ruth Kuhner. He taught at Fordham University for 12 years.

In 1965, he moved to Chicago and became the first chair of the history department at the newly established University of Illinois at Chicago’s Circle Campus. He later founded the university’s interdisciplinary Institute for the Humanities. He chaired that from 1981 to 1987. He became a professor emeritus of history and research professor emeritus of humanities in 1991.

He was an institution, not only in the field of history but certainly in Chicago and at the University of Illinois at Chicago.

In addition to the National Book Award, his other honors include the Lyndon Baines Johnson Foundation Award, the Carl Sandburg Award for Nonfiction, the University Scholar Award of the University of Illinois, the American Historical Association’s Award for Scholarly Distinction, and the Freedom Award from the U.S. Capitol Historical Society.

Professor Remini’s wife Ruth passed away last year. I wish to express my condolences to their children, Robert, Elizabeth, and Joan, their three grandchildren, and to Professor Remini’s friends, colleagues, and former students. I will close with this: In 2003, the National Endowment for the Humanities invited Professor Remini to deliver its inaugural “Heroes of History” lecture. He chose as his subject the Members of the first Congress.

This is part of what he said of those men in whose footsteps many of us follow:

Ordinary. Most of them were ordinary individuals as far as the record shows, yet they performed heroically. And they deserve to be called heroes because they set aside their local and regional differences, their economic and personal prejudices, in their effort to make the Constitution succeed and thereby establish an enduring union. They had many disagreements, but they resolved them in compromise. And they did it for the sake of showing the world that a republican government was a viable instrument for the protection of liberty and betterment of its citizens.

If Professor Remini were here today, he would tell us that the spirit of principled compromise is more than a noble part of our past; it is the best hope for our future.

Now I will make a statement as part of the continuing debate on the outstanding legislation, S. 649.

As I mentioned before when Senator MURPHY spoke, I rise to speak about a vote the Senate is going to take tomorrow as we begin debating legislation to reduce gun violence.

I am glad we are finally having this vote. There were some who thought we would never reach this point. It has been far too long since the Senate held

a reasonable debate on how best to protect our children and families and schools and communities from violent shootings.

When we talk to the families who have lost children to gunfire—and it has been my sad duty to do that over and over again—and when we talk to law enforcement officials who are getting outgunned by criminals on the streets every day, we know this debate is long overdue.

Some Senators have said they do not want to touch this issue. They have announced their intention to filibuster in order to try to stop us from even debating gun safety. This is an extreme political position. It is an unfortunate position. But, fortunately, over the last few days, a growing number of Senators from both sides of the aisle have made it clear this debate is going to move forward.

I hope the vote tomorrow reflects that, and when we get to the point where we are in debate, we can roll up our sleeves and get to work. We can look at our Constitution, which we have sworn to uphold, including the second amendment, and we can also look to the needs of America to protect the life, liberty, and opportunity for happiness for the people who live in this country.

According to the Centers for Disease Control, over 11,000 Americans—11,000—are murdered with guns each year. That is more each year than all the American lives lost in the 9/11 attacks, Iraq, and Afghanistan combined.

When we count suicides and accidental shootings, more than 31,000 Americans are killed by guns each year. That is 87 Americans killed every single day by guns. Another 200 are shot each day but survive. Think of those numbers.

Gun violence in America is truly at epidemic levels. Gunshots now kill over four times more Americans per year than HIV/AIDS, and shooting deaths are projected to surpass car accident deaths within the next few years.

These statistics should give us all pause. But numbers cannot truly capture the deeply personal impact of gun violence. There are too many families who now face an empty chair at the dinner table, too many parents who walk past an empty bedroom, too many husbands and wives who have lost the loves of their lives because of guns.

It is heartbreaking. But, sadly, it is almost routine—in a park in Chicago; at a nightclub in my hometown of East St. Louis, IL; in a movie theater in Aurora, CO; in a shopping center in Tucson, AZ; in a Sikh temple in Oak Creek, WI; at military bases in Texas, Virginia, and Kentucky; in college lecture halls in DeKalb, IL, and Blacksburg, VA; sadly, in the first-grade classrooms in Newtown, CT.

Since the Newtown shooting on December 14, more than 3,300 Americans

have been killed by guns, including at least 220 children and teenagers. The violence continues. Americans all across the country are saying with one voice: Enough. We have to do something. We need to protect our kids, our communities, our schools, and this epidemic of gun violence has to come to an end.

On Thursday, we will vote to begin debate on a bill that would take commonsense steps to prevent gun violence. It is called the Safe Communities, Safe Schools Act. The Senate Judiciary Committee reported the parts of the bill last month. The committee held three lengthy hearings and four markups which I attended.

The Safe Communities, Safe Schools Act would do three things: First, it makes sure that the FBI NICS background check programs are conducted on all gun sales with some reasonable exceptions. Currently, up to 40 percent of all transfers of firearms include no background check. Someone raised the point in one of our hearings, what if you got on the airplane and they announced to you—the flight attendant said: Welcome to this flight from Washington to Chicago. The Transportation Security Agency has checked 60 percent of the passengers to make sure they are not carrying a bomb but not the other 40 percent. Have a nice flight. What would you think about it? You would think, for goodness' sake, we have to do everything we can to check everyone if we are truly dedicated to safety. That is what this universal background check is about.

We would also create tough Federal criminal penalties for illegal straw purchasing and the trafficking of guns. Get the picture. If you are going to buy a gun from a licensed dealer, they are going to run a background check on you. If your background check discloses, for example, that you have a felony conviction or that you are under a domestic violence order or that have you been adjudged mentally incompetent, unstable, and you should not own a gun, you will not be sold that gun.

Since we came up with this idea of background checks, up to 2 million unqualified people tried to buy them and we stopped them. That is what the law is supposed to do. But under the current circumstances, straw purchasers go in and buy a gun because they have a clean record. So the gangster, the mobster, the drug gang member, the thug sends his girlfriend in to buy the gun. She does not have a criminal record. She buys the gun, comes outside and hands it to him. He turns around and uses it to kill someone. This bill is going to change what happens to her. Of course, he is still going to face the full brunt of the law for his misdeeds. But she is now going to be held accountable, too, up to 15 years of hard time in Federal prison for buying that gun.

We had a press conference in Chicago and said: Girlfriend, think twice. He ain't worth it. To run the risk of spending 15 years in prison if you buy a gun to give to that boyfriend who is going to turn around and use it in a crime, it ain't worth it. This bill would also authorize additional resources to keep schools safe.

These proposals just make sense. They have strong support from the American public, including a majority of gun owners. The National Rifle Association may speak for the gun industry, but it does not speak for gun owners. Gun owners, and I know them. They are part of my family. I have grown up with them my entire life. They are good, God-fearing, church-going, patriotic Americans who value their guns and use them properly, store them safely at home away from kids. These are people who will follow the law. They understand we have to stop those who misuse guns from getting their hands on them. A majority of those gun owners across America, sportsmen, hunters, those who buy guns for self-defense support what we are doing in this bill.

The straw purchasing and school safety proposals passed in committee with strong bipartisan votes. I am hopeful we will be able to adopt the bipartisan floor amendment from Senators MANCHIN and TOOMEY on background checks.

All these proposals are also supported by law enforcement. It was about 3 weeks ago. I went to the Chicago Police Department headquarters. Superintendent McCarthy invited me in. I sat down for about an hour with 10 beat cops from Chicago. They are ones who literally get up every morning and go, usually undercover, into neighborhoods and try to stop the murders and violence. I sat there. One of them had just gotten back from his 11th surgery. He got in a shootout with a 15-year-old who shattered his leg. He has had 11 surgeries trying to get back on his feet and get back on the force.

We talked about what life was like out there. They talked about 14- and 15-year-olds packing guns and firing away. They are not worth a darn as a shot. They, sadly, kill a lot of people they do not intend to kill. They are as irresponsible as they come, but it is the reality of the mean streets of many cities. So these people in law enforcement agree we need to do something about the straw purchasers, for example. So do the prosecutors, the medical community, the faith community, teachers, mayors, colleges, universities, and, most important, the family members of gun violence victims. Many of those family members from Newtown are here today. Senator MURPHY from Connecticut spoke earlier, as did Senator BLUMENTHAL, to note their persuasive lobbying as they walk the Halls of Congress, hoping the sad and

awful tragedy they went through on December 14 will at least lead to a safer America.

I salute them. In their grief, they are standing up to make this a safer nation. Unfortunately, some parts of the gun lobby have had a long history of opposing even those commonsense ideas. They have raised objections to them. I want to respond to the main objections the gun lobby has raised. As it turns out, they just do not stand up to scrutiny.

First, the gun lobby claims that requiring FBI background checks for gun sales will lead to the creation of a national gun registry. That claim is absolutely totally false. Federal law prohibits the Federal Government from establishing a national gun registry. We could argue the merits of it, but we have to acknowledge the reality. It does not exist today. It will not exist as a result of this bill.

I have a copy of a letter signed by 30 Senators, including 26 Republicans. I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, November 3, 2011.

Hon. DANIEL INOUE,
Chairman, Senate Committee on Appropriations,
Washington, DC.

Hon. BARBARA MIKULSKI,
Chairwoman, Subcommittee on Commerce, Justice, Science and Related Agencies, Senate Committee on Appropriations, Washington, DC.

Hon. HAROLD ROGERS,
Chairman, House Committee on Appropriations,
Washington, DC.

Hon. FRANK WOLF,
Chairman, Subcommittee on Commerce, Science, and Related Agencies, House Committee on Appropriations, Washington, DC.

DEAR CHAIRMEN AND CHAIRWOMAN: As supporters of the Second Amendment and the rights of law-abiding gun owners, we are writing to urge the House and Senate Appropriations Committees to maintain several House-passed firearms provisions in the upcoming Conference Report on H.R. 2112, the legislative vehicle for the Fiscal Year 2012 Commerce, Justice, Science (CJS), and Related Agencies Appropriations Act. While these provisions had broad, bipartisan support in the Senate, the amendments that would have reinstated these provisions in the Senate version of H.R. 2112 did not receive a vote.

Over the years, Congress has taken many actions to preserve Second Amendment rights and prevent undue encroachment on those rights on the part of the Executive Branch. One of the most common ways in which Congress has accomplished this goal has been through a number of general provisions in CJS Appropriations bills. Most of these protections have been in place for a number of years—some going back as far as three decades—and none of them have been the source of any significant controversy.

The House CJS Appropriations bill (H.R. 2596) made permanent nine separate Second Amendment protections. However, the Senate version of H.R. 2112 stripped the House language and extended these protections

only through Fiscal Year 2012. We believe these protections should not be subject to yearly reinstatement, they should be permanently fixed in the law.

Specifically, the House-passed provisions would make permanent the following protections:

Firearms Database Prohibition. A prohibition on the use of funds to create, maintain or administer a database of firearms owners or their firearms. This prohibition has been in place since FY 1979 and prevents the federal government from establishing a national gun registry.

Curio and Relic Definition. A prohibition on the use of funds to change the definition of a "curio or relic." This provision protects the status of collectible firearms for future generations of firearms collectors. This provision has been included since Fiscal Year 1997.

Physical Inventory Prohibition. Prohibition on a requirement to allow a physical inventory of Federal Firearms Licensees. The Clinton Administration proposed a rule in 2000 to require an annual inventory by all licensees. While the Bush Administration eventually withdrew the proposal, Congress has still passed this preventive provision every year, beginning in FY 2007.

Information Retrieval Prohibition. A prohibition on the use of funds to electronically retrieve personally identifying information gathered by federal firearms licensees. This provision prohibits the creation of a gun registry from dealers' records that are required by law to be surrendered to the federal government when a dealer goes out of business. This provision has been included since FY 1997.

Business Activity. A prohibition on the use of funds to deny a Federal Firearms License (FFL) or renewal of an FFL on the basis of business activity. This provision prohibits BATFE from denying federal firearms license applications or renewals based on a dealer's low business volume alone. Congress added this general provision in FY 2005.

Information Gathering Prohibition. A prohibition on the use of funds to maintain any information gathered as a part of an instant background check or to maintain information for more than 24 hours. This provision protects the privacy of law-abiding gun buyers by prohibiting information about legal gun purchases from being kept by government authorities. It has been included since FY 1999.

Firearms Trace Data Disclaimer. A requirement that any trace data released must include a disclaimer stating such trace data cannot be used to draw broad conclusion about firearms-related crime. This provision has been included since FY 2005.

Firearms Parts Export to Canada. A prohibition on the use of funds to require an export license for small firearms parts valued at less than \$500 for export to Canada. This provision removed an unnecessary and burdensome requirement on U.S. gun manufacturers that was imposed under the Clinton Administration. It has been included since FY 2006.

Importation of Curios and Relics. A prohibition on the use of funds to arbitrarily deny importation of qualifying curio and relic firearms. This provision insures that collectible firearms that meet all legal requirements for importation into the United States are not prevented from import by Executive Branch fiat. This provision has been included since FY 2006.

Once again, these are non-controversial protective measures that have long had the

support of members of both parties. Had a vote taken place, they most certainly would have been included in the Senate bill. Once again, we urge the House and Senate Appropriations Committees, particularly those who will serve on the upcoming Conference Committee on H.R. 2112, to work to ensure that the language making these protections permanent are included in the Conference Report.

Thank you for your attention regarding this matter.

Sincerely,

Orrin G. Hatch; Johnny Isakson; Mark Begich; Jim DeMint; Michael B. Enzi; Lindsey Graham; Dean Heller; Rob Portman; John Barrasso; Mitch McConnell; Kelly Ayotte; Tom Coburn; Olympia Snowe; Ron Johnson; James M. Inhofe; Mike Johanns; Richard Burr; John Thune; Roger Wicker; Pat Roberts; John Boozman; Mike Lee; Jon Tester; Max Baucus; Saxby Chambliss; Chuck Grassley; Marco Rubio; Lisa Murkowski; David Vitter; Joe Manchin.

Mr. DURBIN. This letter, dated November 3, 2011, describes a number of longstanding prohibitions in Federal law. Let me quote the letter's description of two:

Firearms database prohibition. A prohibition on the use of funds to create, maintain or administer a database of firearm owners or their firearms. This prohibition has been in place since fiscal year 1979 and prevents the Federal Government from establishing a national gun registry.

Information gathering prohibition. A prohibition on the use of funds to maintain any information gathered as part of an instant background check or to maintain information for more than 24 hours. This provision protects the privacy of law-abiding gun buyers by providing information about legal gun purchases from being kept by government authorities, and has been included in the law since fiscal year 1999.

There you have it. This letter, signed by Senator McCONNELL, the Republican leader, Senators HATCH, INHOFE, GRASSLEY, DeMint, and many others, showed that the claims about a national gun registry are baseless. There is no evidence of such a registry. Longstanding Federal laws prevent the creation of it. Anyone who continues to claim the FBI background check will lead to a national gun registry should be shown this letter signed by Republican Senators.

Second, the gun lobby claims these proposals would unduly burden law-abiding gun owners. What is the burden? In 2011, the FBI reported the background check system had an instant determination rate of 91.5 percent. That means 91 percent-plus of background checks were resolved in a matter of minutes. For those other background checks where the dealer is instructed to temporarily delay the sale to allow for a more thorough check, the FBI must give a response within 3 days or the sale will be allowed to go through. In other words, a background check is, at most, a minor temporary inconvenience to a small percentage of law-abiding Americans.

Meanwhile, the public safety and law enforcement benefits of background checks are enormous. Background checks have stopped unlawful users from buying guns over 1.5 million times. There is no reason for law-abiding Americans to worry about tougher penalties for straw purchases and gun trafficking. Those activities are already illegal and law-abiding Americans will not be engaged in them.

In short, the proposals before the Senate will not burden law-abiding gun owners. They will help to save lives, reduce crime, and keep guns from the hands of those who misuse them.

Third claim by the gun lobby. They claim we should not pass any new gun laws until there is more enforcement of the laws on the books. I am all for that. But it is blatantly hypocritical of the gun lobby to say we should just enforce the gun laws on the books when they constantly work to weaken those same laws.

For example, in the last few years, the gun lobby has gotten Congress to change the laws on the books to repeal the Reagan-era prohibition on loaded guns in national parks, to require Amtrak to allow guns to be transported on their trains, to give the gun industry unprecedented immunity from liability under civil law, and to pass appropriations riders which make it harder for law enforcement agencies to enforce gun laws, such as the ludicrous Tiahrt amendment that prevents information sharing about even traces of guns used in the commission of crimes.

Not only does the gun lobby try to get Congress to undo the gun laws on the books, it has also supported court challenges to these same laws across the country.

Here is the best example: The gun lobby claims to be outraged that there are not more Federal prosecutions when a person tries to buy a gun but is denied by the FBI NICS background check. The Federal agency that reviews those NICS denial cases to see whether they merit prosecution is the Bureau of Alcohol, Tobacco, Firearms, and Explosives, or ATF. As we all know, the gun lobby has gone to great political lengths to make it harder for the ATF to do its job. The gun lobby has blocked ATF from getting a Senate-confirmed Director for six straight years. They have pushed appropriations riders that limit the ATF's authority, and they have sought to repeal ATF regulations in Court.

The best part is, at the same time the gun lobby tries to prevent ATF from carrying out its enforcement responsibilities, the gun lobby has pushed a rider into law that explicitly prevents Congress from transferring any of ATF's functions to any other agency, such as the FBI. So the gun lobby says that all we should do is enforce the gun laws on the books. Then they make it harder for the Federal Government to do that.

Here is the bottom line. We are going to have votes soon, starting tomorrow, to see where the Members of the Senate stand. Are they going to stand with the police officers, the legislatures, the teachers, the prosecutors, the doctors, the mayors, the victims and their families, and the strong majority of Americans who support proposals that will save lives, commonsense gun safety proposals? Or are they going to stand with the gun lobby that refuses to compromise even when lives could be saved?

I know where I am going to stand. I stand with Americans such as the family of Hadiya Pendleton, the promising, beautiful young teenage girl gunned down just weeks ago in a Chicago park. She had been out here for President Obama's inauguration. It was a thrilling day for her to be here with her high school friends and classmates. In a matter of days, she had been gunned down in a park after school.

I stand with Sandra Wortham, whose brother, Chicago police officer Thomas Wortham, IV, was shot and killed by gang members with a straw-purchased gun while he stood in the driveway of his father's home. The gun lobby would like us to forget about these victims. But there is no way we can.

Sandra Wortham testified at a hearing I chaired in February on gun violence. She talked about how her brother, a policeman in Chicago, was armed and shot back, but it did not save him. She told us there is nothing anti-gun about doing more to keep guns out of the hands of the people who will misuse them. It was pretty powerful testimony.

The NRA posted a summary of my hearing on their Web site describing the hearing as "an attack on guns." They described the testimony given by five of our six witnesses, but they said nothing about Sandra Wortham, who lost her brother, the Chicago policeman. They pretended her testimony never happened. They did not want people to remember her story.

It is not the only time. A few weeks ago, the NRA proposed a set of redline changes to the gun trafficking bill that Senators LEAHY, KIRK, COLLINS, GILLIBRAND, and I are cosponsoring. The key section of that bill was named after Hadiya Pendleton of Chicago. That was Senator KIRK's idea and a darn good one. What was the first change the NRA proposed? Deleting Hadiya Pendleton's name from the bill. They did not want to be reminded of this young girl who lost her life to gun violence.

The gun lobby may hope we forget about Americans such as the Pendletons and the Worthams, but we will not. None of us should.

I urge my colleagues to join with the majority of Americans who support commonsense reforms that will reduce gun deaths and keep guns out of the hands of criminals. That is what we

should do. I see my colleagues Senator Kaine and Senator Lee on the floor. Let me close by just reminding those who are following this debate what other countries have done when they have experienced tragic mass shootings.

They have acted to toughen the gun laws, often going far further than any proposal we have before the Senate. In Australia, on April 28, 1996, a gunman started shooting at tourists in Port Arthur. He killed 35 people. In response, that nation dramatically toughened their standards for gun ownership, banned assault weapons, and launched a buyback of hundreds of thousands of semiautomatic rifles. I might tell you, that is not included in this bill we are considering.

After these laws were passed, gun homicides and suicides decreased dramatically, and Australia has not had a single mass shooting since 1996.

In Finland, there were two mass school shootings in 2007 and 2008. The first involved a teenager who killed eight people at a high school, and the second involved a gunman who killed 10 at a culinary school.

In response, Finland raised the minimum age for gun ownership and toughened their background check requirements.

In Scotland, on March 13, 1996, a gunman entered a primary school in the town of Dunblane and killed 16 young children and their teacher. In response, the United Kingdom actually went so far as to ban virtually all handguns.

The measures we are working on in the Senate today are modest in comparison with steps other countries took in response to mass shootings. Even though we have over 300 million guns in America and a strong tradition of gun ownership, the measures we are considering have overwhelming support among the majority of Americans and gun owners. We should move forward with these measures.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. Brown). The Senator from Virginia.

Mr. Kaine. Mr. President, I ask unanimous consent I be recognized for up to 5 minutes as if in morning business and then Senator Lee be recognized for up to 5 minutes following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. Kaine. I thank the Chair.

(The remarks of Mr. Kaine pertaining to the introduction of S. 700 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. Kaine. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. Lee. I thank the Senator from Virginia for his cooperation in allowing me this time.

The President of the United States has spent the last several weeks evoking the tragedy of Sandy Hook and highlighting the voices of the victims in an effort to promote his gun control proposals. He has not explained to the American people how any of these new gun control measures would have prevented that or any other terrible tragedy or how any of these measures would reduce gun violence in any measurable way. Instead, his proposals would serve primarily to restrict the rights of law-abiding citizens.

Recently, I launched a project called Protect2A, which is an attempt to reach out to those who are reluctant to see changes to our Bill of Rights, our Bill of Rights eroded, and believe Members of Congress should be doing everything in their power to protect the second amendment rights of citizens. This is also as we should be protecting all the rights protected by our Constitution.

I am pleased to announce the response to Protect2A has been overwhelming. In less than 2 days, we have received well over 1,000 responses on my Web site. The vast majority of them recognized that the President's proposal will not make them safer but will, rather, result in limiting their rights as law-abiding citizens.

It is with this in mind I would now like to ensure their voices have become an important part of this debate. I have several quotes from Americans across the country who oppose these measures and wish Senators to stand up for them and their constitutional rights.

Roger, from my home State of Utah, writes as follows:

As a veteran, I've had too many "brothers" and "sisters" make sacrifices to uphold the Constitution of the United States. Their blood will not be in vain. While I believe our rights are not granted by government, I believe that documentation of these rights in the United States Constitution has helped us maintain our freedoms. Why is the Second Amendment important to me? Because without it, the rest of our rights can simply be wiped away.

Jim from Louisiana writes as follows:

I lived through the Los Angeles riots. My wife and I were living in Silver Lake. For 5 days we watched the warm glow of businesses being burned on two sides. For 5 days we never saw a law enforcement officer. We were on our own. My wife and I were unarmed. The couple across the street had a pair of shotguns, and the elderly gentleman next to them had a .38 service revolver from his days in the LAPD. After it became clear that law enforcement had abandoned the citizens of Los Angeles, we took shifts watching the street and who was coming and going. Our neighbors brought us coffee in the middle of the night, a night that was lit with the flames of burning buildings. Twice cars came up our street, saw us armed, and turned around. I have no doubt that the drivers had things on their minds other than getting home to loved ones.

As soon as I could, I went out and bought my first handgun. I will not be disarmed. I

will not be a victim. And I will not let my boys be victims. Legal or not, I am giving them my guns as they get mature enough to use them. If our government is so out of touch they will make law-abiding citizens criminals, it's just something my family will have to deal with. But we will not disarm.

David, from Missouri, wrote the following:

I am a handicapped 78-year-old male living alone. I have applied for and received a conceal-carry permit, which I feel is my Second Amendment right. I hope and pray that I never have to use my firearm, but will if challenged to do so.

Please don't treat the subject of the Second Amendment like you did with my health care, by passing legislation that you didn't even read.

Carolyn from New Jersey writes:

Protection of the 2A is necessary in order to preserve the integrity of our Constitution. The "ruling elite" cannot pick and choose which amendments they like, and which they don't. We, the people, are sovereign citizens, and we are protected by the Constitution.

Annie, from Georgia, writes the following:

Dear Senator, how I wish we as a civilized nation did not have to go through this in order to defend our 2nd Amendment that has been in place for all these years. It is very important that we the citizens keep our weapons to be able to defend ourselves from criminals as well as to send a message to the government that we are not under any dictatorship. We are a free country, and we are ready to defend our position against anyone who tries to take away what rights we have. To me, personally, my guns are my defense to protect my family, and I have had to make use of them for that reason in the past and will do it again since the police cannot be available fast enough . . . Please protect our rights, because once we lose this amendment, we are defenseless and others will follow. I do not want to live again in a country where citizens have no "voice," where there is no democracy and the people live in fear of what they say. I am a legal citizen of the USA, by choice. I am an American, and I love this country like my own. Thanks so much for what you are doing. Let our voices be heard.

Mr. President these are just a few of the excerpts. I ask unanimous consent to have the rest of these statements printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Michael—Pennsylvania

Thank You for taking This stand . . . Not only is it the 2nd Amendment at stake here but the right to protect my family and my house . . . I have had 2 encounters since living in my current house of 28 years . . . with the last one . . . the police told me flat out that they couldn't stop a crime all they do . . . 95% of the time is take a report on the crime now some want to take this right away from me . . . Guns have been a part of my family for at least 5 generations and never has there been a bad instance with any of our guns . . .

Richard—Pennsylvania

I am a law abiding citizen who deserves the right to protect my family from criminals and tyranny. I abhor violence as do most law

abiding citizens but the individuals who commit gun crimes are by definition criminals. This current "debate" has not been about reducing violence and I am disappointed in Pro 2A politicians for allowing the conversation to be dictated by politicians who neither understand how guns work nor have the ability to use logic or reason and use emotions and rhetoric to expand control while putting law abiding citizens and freedom at risk. Gun control has not and will never work because it does not address the cause. When we as a country decided to reduce drunk driving deaths the drivers were and are prosecuted not cars or alcohol and it has been successful. Take guns away from law abiding citizens and neglect to enforce and prosecute gun crimes and the result is Chicago. We need to enforce current laws and have a zero tolerance policy for gun crimes while addressing mental illness and a culture that glorifies violence.

Please do everything in your power to protect our rights and change the focus of this conversation to the criminals.

Leslie—Minnesota

Because it a legal right as given by our founding fathers to protect our selves, family's, state and country from harm from any direction. Keep up the good work.

Holly—Florida

Years ago, I was robbed at gunpoint by 2 young gang bangers. A call to 911 received no response from the police—none. After that incident, my father gave me one of his small hand guns & took me to the range to teach me how to use it. I have no record of transfer, no background check paperwork, just a clear memory of having a gun held to my head & the knowledge that—if I ever had to—I could defend myself in my home. I fear that the knee jerk gun restrictions emanating from DC and state governments will expose me & others like me to harm. I also fear that the contents of these proposed bills are yet one more excuse for a governmental money grab. I pray you will meet with success in your efforts. Thank you.

Rick—Kentucky

Senator Lee, Thank you for taking a stand for our 2nd Amendment rights. The 2nd Amendment not only provides the American public an avenue to protect themselves and their loved ones when and if the need ever arises, a means of hunting to provide food for ones family, as a sport to compete and enjoy the company of others, but more importantly provides the American people with a means to protect itself from a tyrannical government. Our Founding Fathers and framers of our Constitution knew better than any of us today that government in any form can easily become the enemy of the inherent freedoms and rights of it's citizenry. The 2nd Amendment was put in place as the protectorate and armed guard for each and every other Amendment in the Bill of Rights. Over the last several decades, these rights and freedoms provided us through the Constitution have been slowly watered or otherwise whittled down by our government, and considering our current political and social climate, the 2nd Amendment is more important than ever. Unfortunately the opponents of individual freedom are now using an axe to chop away at this, our most important Amendment. I, like all Americans was horrified by the recent and senseless murders in Colorado & Connecticut, but in our grief, many Americans are failing to realize that the problems of our society cannot be washed away simply by removing the inanimate object from the equation. Was it the

fault of the airplane or the Boeing Aircraft Company for the deaths of innocents in the 9/11 terrorist attack? No, it was the human beings, with evil in their hearts and minds that were the cause, utilizing an otherwise useful piece of machinery as the mechanism of death. It's times like these when an individual needs to take a stand, to be respectful of those who believe differently than himself, but be resolved to fight for what he believes in none the less. I believe strongly in the 2nd Amendment the same way I believe that it's purpose is just as strong today as it was in our Founding Father's day and I will be standing up for my rights. Thank you for standing with me.

Michael—Utah

More than ever we need to protect our God-given liberties and freedoms. While I mourn for the loss of life from whatever may be the cause, the further eroding of our liberties will make us neither safer nor freer. The overwhelming majority of gun owners are law abiding citizens. There will always be the few that choose to live by their own rules and norms.

I am the father of a 12 year old and an 8 year old and I want them to enjoy the freedoms that have been enjoyed by previous generations. Do I want them safe? Of course. Do I think further restrictions of firearms and/or ammunition will do this? No. A mentally ill individual will do harm with a 10 round magazine just as they would with a 30 round magazine. I would like to see us put more resources toward helping those with these life changing problems. How sad and difficult it must be for the loved ones.

Press forward with protecting the freedoms and responsibilities of our citizenry.

Jeffrey—Indiana

The Founders understood that control of weaponry, with respect to law abiding citizens, is not about gun control—it is about people control. When the people are no longer in control of their own destinies, then there is tyranny. The Founders also feared that once power left the people's hands, the only way to regain that power over their own lives would be with blood. The 2nd Amendment protects against the need for another revolution of blood.

Vitaliy—Colorado

My family and I immigrated here, legally, from Russia/Soviet Union to live free and to have opportunity sadly unavailable to most in the world.

These freedoms and liberties are coming under attack, starting with the 2nd amendment. There is a reason why it is 2nd and not 5th or 10th—it guarantees us the right to protect our freedoms if they are being threatened.

I served in the military and swore to protect the constitution of the United States. The entire constitution, not just parts of it I like. I feel like our president is in violation of that oath.

I understand that there is a push to get hands of criminals and those mentally unstable away from weapons that can potentially be used against citizens and kids, but this plan that those on the Left want, do not guarantee our safety one bit, instead they take rights of those who are law abiding.

I'm also sick to my stomach that the president and those on the left use kids faces and their parents to stand in front of them like puppets while the politicians try to abnegate. I cannot believe a human being in such power can exploit a tragedy to advance his political views.

Walter—Florida

This story was recent . . . On Friday April 6th, 2013 my place of business received a

phone call that ended with the individual threatening to kill my receptionist and everyone in the building. I immediately placed the building on lock down and called the police. While I was waiting for police to arrive, I retrieved my fire arm from my car and began to carry it in my person as I walked around and checked all entry points. The police finally arrived 15 minutes later and very calmly said that there was no crime committed and that they can't do anything. They then left. This really disturbed me as if I did not have a gun in my possession my employees and I would be nothing but sitting targets. The police are great and I respect them a great deal, but they are reactive not proactive. I equate this to if a fire breaks out, I want to put it out with an extinguisher and not only wait for the fire department. At the end of the day I escorted my employees out to their cars and waited until they drove off, all while I was armed. I am a very responsible gun owner who hopes to God that I never ever have to aim my gun at someone, let alone shoot and kill someone. I love my family, employees and friends too much than to not be armed and just stand around if God forbid something were to happen and I stand helpless watching them be injured or killed. Just because I follow the laws doesn't mean the person who made the death threat does. Please fight for my right to protect the ones I care about most. Thank you and God bless!

Eddie Jean—Utah

My family for generations have fought with their lives to protect the constitution of the United States. I remember as a child feeling pride in my country by saying the pledge of allegiance. I am still a very proud American and believe in the rights of all Americans. When my husband, daughter and I moved from Arkansas to Arizona (while my husband was in the military) it was a shocker to my system. Moving was exhausting, and like many new young couples with no money and moving ourselves, we were so excited to find an affordable home in a not so scary neighborhood. It was about 2 weeks when we woke (we slept in our living room, we did not have a bed) to someone trying to open our front door. Terrified, my husband told me to go get our young daughter, while he grabbed his revolver. I got our daughter, got behind my husband and called the police. The lady on the line was very concerned and talked to me the whole time. The person trying to get in was very persistent, and moved to the window. I was so scared and asked where are the police, what is taking so long, she explained that they put calls in order of threat. I said this is important and the person or person's are trying to get in. She asked if we were armed I said yes, but we did not want to hurt anyone (a crazy statement), because I did not know the person on the other side, who would possibly kill me and my whole family for what \$10.00 and no items of value. My husband finally yelled I have a gun and I know how to use it; I am not sure but the person on the other side must have decided not to take the chance, seeing our Arkansas plate that we probably did know how to use it, or to find a less threatening home. It took the officers over 45 minutes to arrive to our home and when I asked what took so long, one responded, if you had been shot or dying we would have been here sooner. I am a law abiding citizen and have the right to defend myself, that is why I believe in the 2nd amendment. Criminals do believe in the laws and they will find a gun with or without laws. So if you take away my rights, my death and many others will be on the

heads of foolish government officials who do not know what they are doing. For Obama is out for power not the rights of Americans. I like many Americans was so saddened by the death of the children and adults by the hand of a madman, but I need to be armed and have done so legally, to protect my family. When are we going to hold people responsible and not the objects they use? Maybe we should ban cars, for they kill more people than guns, or how about a baseball bat, or a hammer, or my purse (now that is a deadly weapon). People are responsible for their actions, not objects. Thank you Senator Lee, Eddie Jean Mahurin, a proud American.

Maureen—New York

As a woman a firearm is an equalizer against those bigger and stronger than me. I have the right to protect myself!

Patricia—Nebraska

Living in the Midwest, it allows me self-protection of property and family. We live in the country and there are only limited law enforcement here with extremely long response times. We need the ability to defend ourselves against the ever increasing influx of crime.

We are also very much of the belief that the Constitution guarantees our right to bear arms to protect us from tyranny—politicians in power who seek to do our country harm.

It is your obligation to uphold our rights as per the Constitution, as all elected officials took an oath to do just that and We the People will not settle for less . . .

Melissa—Utah

Being a military wife, my husband is away most of the time. I don't believe the federal government should have the power to tell me what I need and don't need in order to keep myself and my family safe. They do not know my comfort level and ability with firearms, so how can they decide what would be best for me to use? That decision should be mine. Whether I decide a rifle or handgun or none at all, is of no concern to anyone else. Controlling me will not keep anyone else safe from criminals. It will only make me less safe.

Our constitutional liberties should never be up for a vote. This whole thing is quite disturbing.

EXECUTIVE SESSION

NOMINATION OF SARAH JEWELL TO BE SECRETARY OF THE INTERIOR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Sally Jewell, of Washington, to be Secretary of the Interior.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate equally divided prior to a vote on the nomination.

The senior Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, this afternoon we will take up in the Senate the confirmation of Sally Jewell to head the Department of the Interior. The Department is one of America's

biggest landowners and is the second largest source of revenue for the Treasury after the Internal Revenue Service. The Department of the Interior has the unique mission of protecting America's treasures while pursuing balanced approaches to promote sustainable economic development.

The Department administers the Outer Continental Shelf Program, which is vital to the gulf coast, and Oregon's forest lands in southwestern Oregon where we are pushing hard to increase forest health because we know forest health equals a healthy economy.

The Department has significant trust responsibilities for Native Americans, and it manages water reclamation projects throughout the West. Public lands, which are administered by the Department, are a lifeline for our ranchers, and they are especially important given the recent droughts our country has experienced.

In addition to these traditional responsibilities, increasingly the Department of the Interior is responsible for providing recreational opportunities for millions of our citizens. Today millions of Americans use these lands to hunt, camp, fish, hike, and boat. Let's make no mistake about it. Outdoor recreation is now a major economic engine for our country, generating more than \$645 billion of revenue each year.

This is why I am especially enthused today to be able to strongly recommend Sally Jewell to head the Department of the Interior. She has exceptional qualifications. Somehow she has managed to pack into just one lifetime two or three lifetimes of experiences. She has been a petroleum engineer, corporate CEO, a banker, and a citizen volunteer. Her qualifications clearly made an impression on the Energy and Natural Resources Committee, which I chair. Last month our members voted 19 to 3 to approve her nomination, and I believe she got that resounding vote because she is the right person to oversee the multitude of programs at the Department of the Interior, several of which I have just mentioned. She certainly made clear in her confirmation hearing that she understands there is an enormous responsibility to balance the dual roles of conserving and developing resources.

I think we all understand that jobs in our country come from the private sector, and if through this Department we can come up with innovative, fresh policies to set the climate for job growth while we protect our treasures, that is clearly going to be good for the United States of America.

Let's look at a few of the areas where she is going to be involved. Natural gas is just one. This resource has been a huge, positive development for our country. We have it, the world wants it, our prices are lower, and we are seeing a significant interest among American manufacturers in bringing jobs

back home. I know this has been of great interest to the Presiding Officer today. A lot of these manufacturers are saying they want to come back from overseas because America has a price advantage in terms of clean natural gas.

There are significant environmental questions associated with natural gas. We have already talked about them in our committee. We are going to have to deal with fracking issues and methane emissions and underground aquifers. Based on some of the discussions we have had—and we had a very good dialog between Frances Beinecke of the Natural Resources Defense Council and Senator HOEVEN from North Dakota where they have a significant interest in natural gas—I believe that under Sally Jewell, when it comes to our public lands, we are going to be able to strike the kind of responsible balance that will make sense for the Senate in a bipartisan way.

I see my friend and colleague Senator MURKOWSKI is here. She has more than met me halfway as we have tried to look at the issues associated with these questions, such as natural gas.

I will only say that with someone with the brains and energy and the willingness to reach out that Sally Jewell has—and she certainly did that based on the number of visits she made to Senators—we may be able to have a natural gas policy where we can have it all, where we can have modest prices for our businesses and consumers that make for a significant economic advantage, we can bring back some of those industries from overseas to Oregon and Ohio and other parts of the country, and we can do it by using, for example, best practices on our public lands as it relates to managing these resources. But we will only have a chance to accomplish those kinds of things if we have someone with Sally Jewell's talents and professional track record of actually bringing people together on these kinds of issues.

I do not believe you can run a multi-billion-dollar company, such as REI, which has been Ms. Jewell's current position, without showing the ability to manage, to bring people together, and in particular to anticipate some of the exciting trends in the days ahead in terms of outdoor recreation, where we all have enjoyed the American tradition of the great outdoors. I think few thought it would be a \$646 billion contributor to the American economy. But that happens because individuals like Ms. Jewell are willing to step up to take these positions. Because she is from our part of the world in the Pacific Northwest, we are particularly pleased to see her secure this position.

But, again, you do not run—and run well—a nearly \$2 billion outdoor equipment company, as Ms. Jewell has, by osmosis but because you are a good manager, you are good with people, and

in particular you understand what the challenges are all about.

At this point, I would like to give some time to my friend and colleague. I know that Washington Senators are very interested in being part of this debate, and before we wrap up this afternoon, I also would like to talk about the wonderful track record of Ms. Jewell's predecessor, our current Secretary, Secretary Salazar, who is Senator MURKOWSKI's and my personal friend.

For purposes of this part of the discussion, I would only like to say to the Senate that in Sally Jewell we will have an individual with the experience and with the expertise and the drive to lead the Department of the Interior. I believe she will listen to Senators who have concerns, listen to Senators who want, as Senator MURKOWSKI and so many in our committee have tried to do, to find common ground. So I strongly urge the Senate today, when we vote a little bit later on, to join me in voting to approve Sally Jewell's nomination for the Department of the Interior.

I will now be happy to yield to my friend and colleague from Alaska.

The PRESIDING OFFICER. The senior Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, I follow my colleague from Oregon, the chairman of the Energy Committee, here in discussing the qualifications of the nominee for Secretary of the Interior, Sally Jewell. We recognize as westerners that this is an appointment, this is a position that has great significance, great meaning to our States, so we pay attention to these nominees, we pay attention to who is the Secretary of the Interior.

I have taken the position that our constitutional responsibility for advice and consent should begin with very thoughtful questions on our part, and then, absent any seriously disqualifying factors, we should conclude with the confirmation of the President's nominees. Our obligation to get answers to our questions is always a serious one, and the duty weighs most heavily when the interests of our constituents are directly at stake.

I mention the impact the Department of the Interior has particularly on our Western States—our States that have so much in public lands, our States where we have national forests, where we have BLM lands, rangelands, refuge lands. In Alaska and really in many parts across the West, the Federal Government's biggest and most prominent role is really that of a landlord. Sometimes you have a good relationship with your landlord, and other times it feels as if the landlord won't even let you put a nail in the wall to hang a picture. So, again, we look very critically and very carefully at this position.

In several States, the Federal Government controls the majority of the

land. In Alaska, 64 percent of the State is controlled from here in Washington, DC. So that means an individual who may have an inholding in some Federal land basically has to get permission to get to his or her inholding within a park. It is almost hard for many of my colleagues to believe that so much of what it is we do has to go through this process of approval, but that is our reality.

In Alaska, with the Federal ownership, there are more than 230 million acres that are held in Federal ownership. That is an area which is larger than the State of Texas. We always like to compare ourselves—Alaska to Texas—but the fact is that the Federal public lands in Alaska are larger than the size of the State of Texas. We have over 57 million acres of wilderness. That is about the size of the State of Minnesota. And that is just sitting in my State.

The proportion of Federal land in Alaska is exceeded only by that of our colleagues from Nevada. The majority leader and Senator HELLER remind us quite frequently the Federal lands held in their State are at about 85 percent.

So when you think about what this does, the Federal land classifications that we have to deal with, oftentimes it not only severely restricts the usage of Federal lands by our people, but as a practical matter they restrict the use of State and private lands too.

So, again, the Secretary of the Interior is important to the future of a State such as Alaska and the West, but really, as it relates to other Cabinet members, this is one to which we are going to pay serious attention.

I had occasion to come to this floor several months ago to discuss a decision that came out of the U.S. Fish and Wildlife Service. In that decision, they somehow found cause to oppose a single-lane gravel road, 10 miles, that would connect the community of King Cove—near the Aleutians—connect it to the smaller community of less than 100 people of Cold Bay. The reason for the need to connect these two communities is Cold Bay has the second longest runway in the State of Alaska. King Cove, on the other hand, where most of the people live—about 900-some-odd Native Alaskans—has an airport that is dicey at best. We have seen accidents, we have seen lives lost as folks have tried to leave King Cove for medical services.

It was an issue that, for me and for the people of King Cove, was far beyond a discussion about what happens when you put a small road through a refuge. For the people of King Cove, this was about safety, this was about life and safety, and they felt they were not being heard by their Federal landlord. The agencies had not heard the people. In fact, the Department had not heard the people. Now, they had listened to the biologists and they had gotten that

message, but the people had not been heard.

So through a series of very lengthy discussions with Secretary Salazar, through a series of conversations with the nominee Sally Jewell, and through the impassioned words of many of the people of King Cove, who traveled over 4,000 miles to come here to Washington, DC, to knock on the door of the Secretary and say: Please hear our voices, there has been an accommodation, there has been an agreement reached. And I appreciate my colleague, the chairman, helping us with this. The Department of the Interior has agreed to have the new Secretary as well as the Assistant Secretary of Indian Affairs review the public health and safety impacts of the decision to build this road.

But I think it is important that folks understand this wasn't a parochial issue I was raising here on the floor. I kept referring to it as the King Cove issue, but it is not one single issue, and it is not parochial. It is obvious to the people of Alaska why this was such a considerable deal, why it was so important the people of King Cove be heard. For them, it was not just about a road, it was an issue of overreach. It was a symbol of Federal overreach on way too many policies we see come out of the Department and the harm that causes across our Nation.

The reality is so many of us, particularly those in the Western States, have our own King Cove. We all have those instances when issues have come up, where the people from the States we represent have to go knocking on the door of some Federal agency for permission, have to try to navigate a morass of regulations, and they do not feel as though they are being heard. Every day we have Federal restrictions making it harder for local people to live and to prosper.

I made a big effort to make sure the incoming Secretary of the Interior not only understood the particulars of King Cove—and I welcome the opportunity to travel with her when she comes to Alaska and flies out to King Cove hopefully at the end of the summer—for her not only to understand this issue but for her to understand the bigger role she will assume as Secretary of the Interior and how important it is for her to listen to all sides and to listen to the people she represents. As Secretary of the Interior, she is the one to implement that special trust responsibility the Federal Government has to our first people, to our Native people, so she needs to see and hear for herself.

She also needs to fully understand what she has in front of her—as Senator WYDEN mentioned, the massive public lands that will be under her jurisdiction as Secretary, understanding what that means to ranchers and farmers and those who are the recreators in our national parks, to those who will

harvest timber, to those who will use our lands in the manner in which they are intended—multiple use—for her to fully understand what it means to be the custodian, the landlord of our amazing public lands in this country. We all need to be working with her.

I have no question about Ms. Jewell's intelligence and her competence as a manager. I have been very impressed with what I have seen as her level of sincerity with her very distinguished private sector career. It has been noted that she has probably spent more time in Alaska prior to coming to the Department of the Interior than any other nominee outside of Walter Hickel, who was our former Governor and served as Secretary of the Interior. So she gives me comfort with that, knowing that she understands much of what we have to deal with in Alaska.

These are all important qualities as we think about her competence as a manager, as we think about her intelligence. But dealing with an agency the size, the scope, and the complexity of the Department of the Interior really requires the ability to focus not only on the debates and conflicts that we are facing today, but it is going to require an understanding of how we got here, the fact that the debates and conflicts of today often are based on years, decades, perhaps even centuries of history. Those who are steeped in this history raise the importance of the Secretary understanding the context for the many difficult decisions that will be made.

I had an opportunity to ask a lot of questions of Sally Jewell not only in our private meeting but before the committee and then also in writing. I asked questions about my questions. I wanted to be thorough. And I do concede that Ms. Jewell will be on a learning curve as she assumes the position of Secretary. But in her answers to questions at the hearing and in her written submissions, she has pointed out her experience and her skill at bringing diverse groups of people together to solve difficult problems on which they have been divided historically, and I do take her at her word there. I will certainly commit to participating in that dialog and to bringing all of my fellow western constituents with me, whether it is literally or figuratively. I believe that is important.

Ms. Jewell has used the word “convener” when describing herself, and I think this will be a very important task and role that she will assume. There are conflicting groups and conflicting interests, and Ms. Jewell has spoken to how she has reconciled that in the past with her previous work experience, not only at REI but at other places, and I do believe she has the skill sets to accomplish just that.

So with this commitment she has made to me and to others on the com-

mittee, I will certainly take the view that the fact that Ms. Jewell has perhaps not been through the full gamut of the conflicts that surround so much of what happens within the Interior, perhaps that is a good thing because perhaps she is able to look at some of these issues through a fresh perspective, a different lens. Perhaps because she is not so embedded in the history, she will be able to look at this anew. And I think that is good. I think that is a positive. I certainly will look forward to engaging substantively with her as we complete this process—and beyond—on these issues, on how she can really bring her problem-solving skills to bear in a way that will serve all Americans.

I think it is telling—and it was noted in the Energy Committee hearing by one of our colleagues—that Ms. Jewell brings to the table as the nominee for the Secretary of the Interior a business background that is quite considerable. She is a petroleum engineer who has actually fracked a well, so she has experience there. She has experience in Alaska and worked on the beginning portion of how we built out the Trans-Alaska Pipeline. She did it from the Seattle area but has that skill set as well.

It was asked somewhat tongue-in-cheek by one of my colleagues on the Republican side: Well, you have all these great characteristics. Why would President Obama select you?

So I think it is important to recognize that we have before us a nominee who brings a unique set of skill sets and experiences to us that I am hopeful will be beneficial. This is important to me as an Alaskan, to know we have someone who will be a listener, who will be a convener, who will work to solve problems. I am looking forward to the opportunity to spend time in Alaska with her as she visits with the people up north to better understand some of the challenges we face and hopefully work with us on these issues that are so critically important.

I appreciate the good work of my colleague and the chairman of the committee in getting us to this point so that we can move Ms. Jewell's nomination forward. I look forward to supporting her and working with her during her tenure as Secretary of the Interior.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Washington State is recognized.

Mrs. MURRAY. Mr. President, I rise today to join my colleagues and urge them to vote in support of Sally Jewell, who has been nominated to serve as Interior Secretary. I thank Senator WYDEN for all of his work in moving her through this process to today. I was thrilled when President Obama nominated Sally for this position, and I couldn't be more excited to support her confirmation.

Sally is going to come to the Department of the Interior at a difficult time for our country. As a nation, we are working very hard to protect our environment and invest in new technologies to meet our energy demands. And on the local level, including in my home State of Washington, Sally is going to face some complex issues, such as protecting tribal lands and treaty rights. But I can think of no one better prepared for this task than Sally.

After she studied at the University of Washington to become an engineer, Sally left the Northwest for the oilfields of Oklahoma and Colorado, where she learned about the energy sector from the inside out. She moved from the outdoors—as you can see from this picture—to the boardroom and spent nearly two decades in finance helping businesses grow and learning what it takes to succeed in the marketplace.

Time and again, Sally has broken the mold to take on tough tasks—often in male-dominated industries. When she joined Recreational Equipment, Incorporated, the Seattle-based outdoor retailer, it was struggling. But after 8 years with Sally as CEO, REI is now thriving, topping \$1 billion in sales, while leading the charge to protect our environment. And finding that balance—navigating the business world while keeping REI's commitment to the outdoors—is what will make Sally great as our next Interior Secretary. Perhaps better than anyone, Sally knows that businesses and the environment both benefit when we are committed to protecting our national parks and promoting our national treasures. At REI, Sally has proven that sustainability and responsibility make sense for the environment and the company's bottom line.

In Washington State, she has worked closely with me to help create the Wild Sky Wilderness area and expand our other important environmental protections throughout our State. She has worked with industry and environmentalists to expand recreational opportunities throughout the Northwest and has helped us work toward permanently protecting BLM lands in the San Juan Islands, where my colleague Senator MARIA CANTWELL was at the forefront. That is truly a gem of Washington State and has recently been declared a national monument.

Sally has backed crucial public-private partnerships that create jobs through recreation, and she has supported groundbreaking programs to get young people involved in the outdoors.

So whether it is our forest lands in the Northwest or mineral deposits in the Southwest or oil reserves along our coastlines, Sally is going to lead an Interior Department where economic growth and long-term sustainability go hand in hand.

I am here today to urge my colleagues to vote in support of Sally Jewell, and I am really pleased she has been nominated. Again, I thank Senator WYDEN for all of his work in getting her to this point in this process.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington State is recognized.

Ms. CANTWELL. Mr. President, I join my colleagues from the Northwest who have come to the floor this afternoon to speak in support of the nomination of Sally Jewell as Secretary of the Interior. Like my colleagues from the Northwest, I wish to express how much we appreciate her willingness to serve and how proud we are of her legacy and interests in a variety of issues so far.

Obviously, the Department of the Interior is so important to us, with its broad range of services, including everything from our national parks, to wildlife refuge, to offshore drilling lease management, to the important science done by the USGS Service, and many other things. In fact, I read somewhere kind of humorously that the Department of the Interior was called the Department of Everything Else.

As a nominee, Ms. Jewell came before our committee. I thank her family for their willingness to support her in her efforts to come to Washington, DC, because Sally is the exact type of leadership we need at the Department of the Interior. She represents a balanced person who not only knows how to help a growing business, as she did, she has served on the university board of regents and also worked on the non-partisan National Conservation Parks Association. She has done everything in business, from dealing with oilfields in Oklahoma to commercial banking to, of late, running REI, one of our most successful companies in the Pacific Northwest. I know she has the kind of leadership it takes to figure out these issues about best use of public lands or the vigorous challenges the Department faces when it comes to modernizing the bureaucracy or thinking about climate change at the same time you are talking about deepwater drilling. There are a myriad of things we have to forge through, and Sally Jewell is the right person with the right balance to get that done.

Having grown up in Washington, where over 40 percent of our lands is in public land, I know Sally understands these western issues, whether it is water rights or salmon recovery or understanding the impact on water levels, the fire season, wildlife on BLM lands, or the importance of access to hunting and fishing. I guarantee, because she grew up there, Sally Jewell understands these issues. I know she has been involved in many organizations to express that, and that has been a good training ground for her.

I am confident, because she is a trained engineer, she is going to bring a very pragmatic, can-do attitude to the Interior Department's management and problem-solving efforts.

I know science will be her compass, and I know she is not going to have an ideological bent, but she is going to have a "get it done" mentality.

Given the importance of the Interior Department's agencies and very challenging mission, I am excited we are going to have somebody with a business background and a science background at the Department of the Interior.

I hope our colleagues will vote today to move Ms. Jewell out of the Senate so we can get her into the Department of the Interior so she can begin this important job and continue to move our Nation's agenda forward.

As the chairwoman of the Indian Affairs Committee I look forward to working with Ms. Jewell on all the issues related to Indian country as well. There is much to accomplish and much to address. I think her background is exactly what we need in the Department. I hope my colleagues will move quickly on this issue.

I thank the chairman, Senator WYDEN, for his leadership in moving her nomination through the process.

I yield the floor.

Mr. WYDEN. Mr. President, before she leaves I want to thank Senator CANTWELL for all her good work. As northwesterners know, and I hope the rest of the country knows, Senator CANTWELL is one of those who understands the opportunity in the great outdoors. I know she is climbing a mountain this summer and is always in shape. She is always fit and ready for a mountain.

To have the opportunity to work with folks in the Pacific Northwest, particularly with Sally Jewell's background, as the Senator has eloquently outlined, I think it is going to be an advantage not just for our region but for the rest of our country.

I see our colleague from New Mexico is here. If he would like to make some remarks at this point, we welcome him. I have some additional remarks as well.

Would my colleague from New Mexico like to make any remarks at this time?

All right.

Let me, then, talk for just a few more minutes about Ms. Jewell and some of the challenges ahead of her, particularly in natural resources. Obviously, with authorities, as my colleagues have outlined, that range from managing national parks, to offshore oil and gas development, to protecting fish and wildlife, serving as Secretary of the Interior, it is almost like an extreme sport for multitaskers. You are going to have to juggle. Ms. Jewell knows a little bit about multitasking,

as we have outlined, from being a petroleum engineer, a CEO, a conservationist, and a banker.

Particularly in my part of the world, Oregon, there are some especially important challenges. The Federal Government owns most of our land. Particularly in forestry, we need to find a way to bring together all sides—timber owners, environmentalists, scientists—and we need to go in there and clean out millions and millions of acres of overstocked timber stands. We can get that material to the mills. It is an ideal source of biomass, a clean source of energy.

Because we are working to build relationships with the environmental community, we can also find a way to protect old growth as we get to harvest timber. But it is, again, not going to happen just by osmosis or because somebody waves a wand in Washington, DC. It is going to happen because we have responsible administrators like Sally Jewell who are going to take the time to learn the checker-board pattern of O&C lands and our local communities, and particularly understand some of our traditions that have worked particularly well in the past and I think can be of great benefit as we look to future solutions.

Back in 2000 I had the honor of writing the secure rural schools bill and the timber payments bill with our former colleague, Senator Larry Craig. What we included in that legislation is the kind of model for collaborative forestry that we are going to see Sally Jewell pick up on. We established something called resource advisory councils where, in effect, on the local level people from the timber industry, people from the environmental community, scientists, and a whole host of others—frankly, some people who as a general rule had not done much talking to each other, probably done a lot of litigating against each other—they would use these resource advisory councils to come together and try to find some common ground.

It worked. Regarding these resource advisory councils, when I meet people from the timber industry, from any of the extractive industries, and environmental folks, they say: Use that model. Use that collaborative model that we are seeing used in timberlands in southwestern Oregon as a way that we can build on the opportunity to bring people together.

We have been able to do that with Forest Service lands in eastern Oregon to some extent. I think we can do it also in western Oregon and in the communities that are affected by the Bureau of Land Management lands. Probably to do it we are going to have to extend the timber payments law for another year to give us the time to come up with a long-term solution. I have talked about this with Sally Jewell in the past and about her willingness to

see that this is an issue that now finally has to be addressed, addressed in a way that will get the timber harvest up in O&C lands but also protect our treasures. Our old growth is some of the very pristine treasures of America. If we do not figure out a way to promote forest health and go in there and thin out these overstocked stands, these fires that we are seeing—they are not natural fires, they are really magnets for infernos because of years and years of neglect—are going to continue.

I think Sally Jewell is up to the challenge of coming up with the kind of policies for the O&C lands, for the lands in eastern Oregon and those my colleagues talked about in Montana and Colorado and Idaho, and I think she is up to that challenge.

Before we wrap up today I want to take a few minutes and talk about—I know the Presiding Officer has great affection for him as well—our former colleague, Ken Salazar. Ken Salazar has been Secretary of the Interior throughout the Obama administration to date. It is my view he has done an exceptional job. I think we all understand in the Senate that when Ken Salazar is involved, get ready for a great smile, an enormous amount of energy, enormous amount of intelligence, and someone who, in a very persistent way, is interested in solving problems. Ken Salazar has sure done that in a number of important areas.

For example, before Ken Salazar took office—I am looking at a headline from when there was a huge scandal at the Department of the Interior. I am looking at an article from the fall of 2008 headlined, “Sex, Drug Use and Graft Cited In The Interior Department.”

Basically, what it talks about is an investigation, a number of reports delivered by the inspector general, that basically document, at the Department of the Interior, a culture of lax ethics. It basically describes something like a dozen current and former employees of the Minerals Management Service, an agency that collected at that time billions of dollars of royalties annually—you basically had an “anything goes” kind of environment, and the reports go on and on. It feels more like a litany for a late-night television show.

The reports focused on a culture of substance abuse and promiscuity in what was the Service’s royalty and in-kind program—essentially, officials who seemed to be exempt from expense accounts limits, one ethical lapse after another, as documented in these reports. I remember at the hearing, the confirmation hearing, Senator Salazar—it was unusual because he had been my seatmate over the years at the Senate Energy Committee—I said: Senator Salazar, you have to go in there and drain the swamp at the Minerals Management Service.

In fact, he certainly did that. Essentially, the successor agency has been

free of scandal. I think that is representative of both the integrity and professionalism that Secretary Salazar has brought to the agency.

Also, I note after the gulf spill he overhauled the offshore drilling practices, ensured that they were beefed up in terms of safety while at the same time allowing for the drilling that is so important to the industry.

I am also going to reflect on Secretary Salazar’s accomplishments, mention that he has done yeoman work in terms of promoting green and renewable energy. I note in one of the comments about his departure that Christy Goldfuss, Public Lands Director at the Center for American Progress, stated Secretary Salazar championed “a new model of conservation which focused on partnerships with private land owners and States” and “that approach has paid off with cooperatives in the Everglades in Florida, the Prairie Potholes region of the Dakotas, and other areas.”

I would like to note something else as well about Secretary Salazar. I know Senators on both sides of the aisle would call him when they had those kinds of resource questions. I know Senator MURKOWSKI brought up one of Secretary Salazar’s final acts in office today. Under his leadership the State of Idaho and the Fish and Wildlife Service entered into an arrangement so that the State of Idaho’s plan for addressing the sage grouse could be implemented. I know this is a critical issue for Senator RISCH. He and I talked about it often. I am going to work with him on these issues, and what Secretary Salazar did today is an example of the new kind of partnership that we all are looking to the Interior Department and the states for, and certainly something I want to promote, and I know Senator MURKOWSKI shares that view.

I think it is fair to say that Sally Jewell has very large boots to fill. We all remember Secretary Salazar’s wonderful western boots and the anecdotes about them. She has certainly got a challenge to try to step in after a Secretary who has accomplished so much. But as I and Senator MURKOWSKI and the Washington Senators have outlined today, we believe strongly that Sally Jewell is up to this challenge. I hope she will receive a resounding vote in the Senate. I believe we are close to the point where we will be able to vote on Ms. Jewell.

For all the reasons that I and my colleagues have outlined this afternoon, I hope there will be very strong bipartisan support for Ms. Jewell when we vote.

With that I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent all remaining time on the Jewell nomination be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

Mr. WYDEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Sarah Jewell, of Washington, to be Secretary of the Interior?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 11, as follows:

[Rollcall Vote No. 94 Ex.]

YEAS—87

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Graham	Murphy
Baucus	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Boozman	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Risch
Burr	Hoehen	Roberts
Cantwell	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Sessions
Coats	Kaine	Shaheen
Cochran	King	Shelby
Collins	Kirk	Stabenow
Coons	Klobuchar	Tester
Corker	Landrieu	Thune
Cornyn	Leahy	Toomey
Cowan	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	McCaIn	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Flake	Mikulski	Wyden

NAYS—11

Barrasso	Fischer	Rubio
Chambliss	Johanns	Scott
Coburn	Lee	Vitter
Enzi	McConnell	

NOT VOTING—2

Lautenberg	Rockefeller
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, tomorrow at 11 o'clock we are going to vote on cloture on the motion to proceed to the gun legislation that is now before this body.

This morning and throughout the day, our friend from Connecticut spoke, a freshman Senator who was brought to the Senate with this tragedy having taken place shortly after he arrived. My friend the Presiding Officer, a longtime attorney general, the chief law enforcement officer of the State of Connecticut, has lived with this tragedy that happened at Sandy Hook like nothing that ever happened in his career. And, of course, for Senator HEINRICH, a new Senator, this was something he never appreciated he would be faced with.

I saw the pictures today of those little babies who were murdered, some of them shot multiple times—little tiny kids shot multiple times. The shooting was on December 14, about 4 months ago—120 days. So the time has come—it has arrived—when we have to debate this issue. We have to have a response to this tragedy.

When this incident took place on December 14, it struck me, as it did everyone in America—virtually everyone in America; we had been through Aurora, CO—that vicious, brutal machine-gunning of people going to watch a movie, and then little kids getting killed in an elementary school, kindergartners, first-graders—so we need to respond, this great deliberative body, to what the American people want. So we are going to vote. It is time to vote. I hope we get cloture on this matter. We certainly should. After that, there is no reason not to start legislating immediately. I hope we do not have to go through this procedural mishmash—30 hours; somebody on the floor all the time; if people are not, there are dilatory tactics; only one quorum call—and all this. Let's get past that. If somebody has something to say, come and say it. But this week we are going to start legislating. We are going to start legislating whether there is cloture or not. One will be a little longer process. But we are going to start legislating on this bill this week. I hope we can get to it tomorrow.

I do not think it is any secret, if we are on this bill, I am going to—the first amendment in order will be the amendment to change the background checks that has been worked on for weeks by Senator MANCHIN, Senator KIRK, and Senator TOOMEY, and then we will decide where we go from there.

To all my friends, we are going to have amendments. Some of them are going to take a little bit of time. We are not going to finish the bill this week. I do not know if we will finish it next week. But that really does not matter. Are we going to legislate the right way? Are we going to legislate? I have in my mind these little children who were murdered. What we do here is not going to prevent all gun violence in America, but if we stop a few, isn't that remarkably important for us to do? I think we can do a lot more than saving the lives of just a few people.

But let's work on this bill. We are going to start. If we have to use up the 30 hours, we will use up the 30 hours. I think there are ways around that procedurally. I hope we do not have to test that. There are a number of amendments. We all know. We have been reading about them. There are lots of amendments; people have been waiting a long time for this legislation.

One of my Republican colleagues yesterday said: I have a number of germane amendments I want to offer.

I said: Fine. Good. Do it.

We know we have to do background checks, assault weapons, the ammunition capacity of clips or magazines, mental health. That is just to name a few of the things. And I repeat, we are going to begin this process before we leave here this week.

I so appreciate the work done by Senators MANCHIN, TOOMEY, KIRK, and many others. My friend Senator SCHUMER has been working on this issue. My friend DICK DURBIN, who has been involved in guns for a long time, has been involved. I appreciate the work of everyone. As the press has indicated, we are likely going to get cloture on this tomorrow. I hope so. But, as I have told individual Senators, if we do not get cloture, we are going to have a vote in the Senate on capacity clips, assault weapons, background checks, and some mental health items or item. That we are going to do. I hope we can do it in the regular process.

We have had people for a long time now—my friends on the other side of the aisle—saying: We want regular order. We want to be able to offer amendments. Well, I do too. And I hope people will not see how many amendments they can offer, not see if they can set a record for how many amendments can be laid down, because we should have this as a civil process and culminating in a better set of laws for our people in this great country in which we live.

For those of us who have the opportunity to try to address this issue, I hope we all understand that the world is watching what we do.

The PRESIDING OFFICER. The Senator from Delaware.

NOMINATION OF SRI SRINIVASAN

Mr. COONS. Mr. President, earlier this afternoon I had the opportunity,

the honor, to chair a hearing of the Senate Judiciary Committee, on which we both serve, to consider the President's nomination of a highly qualified lawyer, Sri Srinivasan, to serve on the DC Circuit Court of Appeals.

I am encouraged by what the majority leader has just said about the very real possibility that we will get a vote on the floor of this Senate on vital and important issues affecting guns, immigration, and other issues, but what I speak to today is the absolutely essential role this Senate must fill of voting on qualified judges who have been nominated to the circuit courts of the United States.

Earlier today at this hearing, 10 of our colleagues, Republicans and Democrats, asked thoughtful questions, and Mr. Srinivasan gave thorough and thoughtful answers. I came away convinced that he has the background, the education, the skills, and, most importantly, the temperament to serve as a circuit court judge. And I was encouraged by comments of my colleagues, both Republican and Democratic, that they too were inclined to support this nomination.

Under normal historical circumstances, today's hearing would be the beginning of a deliberate, timely, orderly process—a process required of this body by article II, section 2 of our Constitution by which we advise and consent to the President's nominations.

We should, of course, carefully consider the qualifications of candidates and not serve as some rubberstamp, but neither should we be a firewall blocking qualified nominees from serving. Unfortunately, for some number of years, this Senate has, in some vital instances, served more as a firewall than as an advise and consent body. Instead of doing our due diligence with appropriate speed, we have seen delays, stalling tactics, and in some instances filibusters of highly qualified nominees.

Five years into President Obama's administration, the courts are still nearly 10 percent vacant. In my view, our courts should be above politics. When the President of either party submits a highly qualified candidate of good character and sound legal mind, absent exceptional circumstances, that candidate is entitled to a vote.

The actions or in this case inaction of the Senate with regard to the DC Circuit Court of Appeals has a series of vacancies, the result of which, in my view, are to delay and deny justice for Americans far beyond the boundaries of this District of Columbia.

The DC Circuit Court is often called the second most important in the Nation, because, like the Supreme Court, it handles cases that impact Americans all over our country. Regularly, it hears cases on issues ranging from ter-

rorism and detention to the scope of Federal agency power. Yet it is critically understaffed. This circuit court has not seen a nominee confirmed since President George W. Bush's fourth nominee to that court was confirmed in 2006. Today, more than 1,500 days after President Obama has taken office, 4 of the 11 seats on the DC Circuit are open, making it more than one-third vacant and putting the remaining judges under undue strain to decide the complex and important cases before this court.

Contrary to the previous administration, this administration was recently recognized by the New York Times Editorial Board as putting forward nominees who are decidedly moderate. President Obama first nominated for this vacancy on this court the exceptionally qualified Caitlin Halligan, who waited more than 900 days for a simple up-or-down vote on the floor of this Chamber. She came with the American Bar Association's highest rating, glowing recommendations from bipartisan supporters, and a diverse legal career marked by distinctive service as New York's solicitor general. Nevertheless, sadly, Republican Senators successfully filibustered her nomination, and last month President Obama reluctantly withdrew Ms. Halligan from consideration.

We have today a chance for a fresh start with Mr. Srinivasan, who would serve equally well and ably on the DC Circuit Court of Appeals. As he demonstrated in today's hearing, he has a sharp and capable legal mind. He has served in the Solicitor General's office for both Republican and Democratic administrations. He has served in the private sector and the public sector and has earned bipartisan support from those who have worked with him.

In fact, he has been endorsed publicly in a letter from 12 former Solicitors General and Principal Deputy Solicitors General, six Democrats, six Republicans, for those who have served in Democratic and Republican administrations.

The letter, signed by conservative legal luminaries such as Paul Clement and Ted Olson, notes Mr. Srinivasan is "one of the best appellate lawyers in the country," with an "unsurpassed" work ethic who is "extremely well prepared to take on the intellectual rigors of serving on the DC Circuit."

At the same time, throughout the course of his career in private practice and as a public servant, he has represented clients with causes diverse enough that any individual policymaker or elected official is likely to disagree with some of them, including me. I disagree with a position he argued in *Rumsfeld v. Padilla* in support of the idea that the government has a right to detain U.S. citizens indefinitely, but I do not ascribe that position to him.

One of the most foundational principles of our legal system is that we do not ascribe to the attorney the position which he successfully and vigorously advocates on behalf of his client. I will not block his nomination simply because I might disagree with the position he took on behalf of a client in one case.

Sri, in my view, is a highly capable attorney, with the character and demeanor to serve on the bench. I will strongly support his nomination. I am following in this instance the wisdom of Chief Justice Roberts, who has said: "It's a tradition of the American Bar that goes back before the founding of our nation that lawyers are not identified with the positions of their clients."

So I say to my colleagues, let's move forward in that spirit. Let's return to our historic constitutionally mandated role. Let's give Mr. Srinivasan a speedy up-or-down vote, which I believe he has earned with decades of public service and public sector experience.

To be honest, if this nomination cannot move forward, if this nomination is filibustered for what can only be political reasons, I cannot imagine what nomination could move forward to this court. A filibuster of this nomination would sadly prove to me, just as it did to those of the other party in 2005, that the judicial nomination standards and procedures at work are unworkable, the system is broken, and it would lead to a reconsideration.

There was a crisis of this sort when the parties were of opposite configuration in 2005 that led the majority to threaten the so-called nuclear option to end judicial filibusters by the party in which I serve, a result that was avoided only at the last moment for the good of the Senate and the Nation. I urge my colleagues to come together to give this good man a vote and avoid another such crisis today.

Let's do our job so the judges of the DC Circuit Court of Appeals can do theirs for the people of our Nation.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oklahoma.

GAO DUPLICATION REPORT

Mr. COBURN. Mr. President, I would note to my colleague from the State of Delaware, if I heard him correctly, we just now have had a hearing on a nominee for the DC Circuit Court. He is not even on the Executive Calendar because he has not even been voted out of the Judiciary Committee. So the Senator makes a lot of great points. But I think the fact we are talking about a potential judge who has not even cleared the Judiciary Committee yet may be a bit premature.

He will get a fair hearing. I think we have noted that more judicial nominees were approved in the last two Congresses than the two Congresses before under the last 4 years of the Bush administration.

I rise to say this evening there has been a lot in the news. One thing that has not been in the news very much is the third and final report of the Government Accountability Office in terms of looking at duplication within the Federal Government.

I hope as the American people listen to this, they will take a couple things away. No. 1, we have a great organization called the Government Accountability Office. They have done a wonderful job. We mandated this 4 years ago. They have been on time with their reports. What they have shown us has been tremendously revealing. The first thing I want Americans to note is Congress has failed to act on the first two reports—no substantive action whatsoever.

One significant thing in the Senate was the elimination of the ethanol mandate. With this report today comes an estimated \$98 billion a year in savings. What we take by looking at this report could potentially yield us \$98 billion in savings by eliminating duplication in what they just found in this one report.

Let me go through it for 1 minute. They found 679 different renewable energy programs across 23 agencies—not across the Energy Department. If we are going to have renewable programs, that is where we should have it. Across 23 different agencies of which we spend \$15 billion a year, they found instances where we are giving grants from different agencies to the same projects for the same thing, spending three times as much money as we should be spending on the one project even if we did not have that.

So the potential for us to work our way out of the consequences of the sequester is at our fingertips. Here, drug abuse prevention and treatment, 76 separate programs, not run through the Department of Health and Human Services, run through 10 different departments with overlap that shows no metrics but multiple agencies having programs doing exactly the same thing: \$4.5 billion a year. That is half the size of my Oklahoma State budget a year.

Catfish inspection. I saw in the President's budget today three different agencies where one has to meet the requirements before they can have their catfish inspected. The only thing they did not recommend in the budget today is getting rid of the Agriculture Department. They approve your cheese pizza. But the FDA approves your pepperoni pizza. So if you are a pizza maker, you have to comply with one agency on one type of pizza and another agency on a different type of pizza.

Defense foreign language support. Those are people who come in and help us learn other languages, interpret for us other languages so we can have an effective response and not have a com-

munication error. We have 159 different programs in the Pentagon alone. What they are estimating is that we could save tons of money. We do not know exactly how much it costs because the Pentagon does not know how much they are spending on it, which is another one of the problems.

The GAO report said this week one of the reasons they cannot estimate the savings more accurately is because the majority of the agencies have no idea what they are spending on these programs. The question I have had is, why not? If they do not know what they are spending, why are we not doing something about it?

Higher education assistance: 21 different programs, four different agencies—not all in the Education Department, which is from where I think we would do education assistance, \$174.7 billion a year. That includes Pell grants. That includes student loans, the cost associated with student loans.

Veterans employment training. We have six programs, not all of them run by the Veterans Affairs Department but run by the Veterans Affairs Department and other agencies. We are spending \$1.2 billion. Here is what we know. We are running these programs, and veterans unemployment, even though they have a skill when they come out of the military, is higher than what the average is in the country. So it is obviously not working.

Also, in the report is something that is very important to me. Let me find it, if I might for a moment. GAO's report exposes a government office that does some good things. It is called the National Technical Information Service. It was established in 1950 and tasked with collecting and distributing certain reports. Despite the fact—here is what GAO found: 75 percent of the information that NTIS supplies, all you have to do is Google it. You do not have to go to NTIS. All you have to do is Google it. So 75 percent of their budget is spent providing reports to other government agencies and other people that you can get with the touch of your iPhone. Why would we continue to do that?

This is just one example that I bring up. We are continuing to fund an agency where three-quarters of what they do has no bearing on it. If it went away, it would not affect us at all. The other thing is they charge other Federal agencies a fee for this information that the other Federal agencies, at a touch of their computer, can get for free.

It is another case of inefficiency. What else did the GAO report show? What the GAO report showed is that we have done nothing of significance in the last 2 years based on what they have recommended we do given their first two reports. Our office calculates, based on the three reports that GAO has given us, that we could save in ex-

cess of \$250 billion a year if we would follow the recommendations of the Government Accountability Office.

If you are sitting out there wondering why we are having tax proposals increased in the President's budget and that we are having such a hard time with the sequester, you only have to look at one place; that is, Congress. Congress refuses to follow and do the oversight. We have had GAO do a lot of it. We refuse to pass amendments that eliminate duplication. We refuse to make the tough choices. So, consequently, we are spending \$250 billion a year—that is \$2.5 trillion over 10 years—that we should not be spending.

Where does the money come from to pay for that? It comes from our kids. It doesn't just come in dollars, it comes from a reduced standard of living and limited opportunities in the future because we don't have the courage or the work ethic to address the very real issues which are in front us, on the tips of our fingers, where the money is, where we could actually save money.

We have had almost 1,000 days since the first report came out. We have done one significant thing in the Senate; we have eliminated the ethanol tax credit and saved \$6 billion the first year and about \$4 billion to \$5 billion afterward. This is the one thing we did. We fought tooth and nail while we did it, but we did it.

This is one bill to save \$6 billion in 3 years out of \$250 billion. No wonder the confidence level in the Congress is at 13 percent. What we are actually doing is throwing away our kids' future as we fail to address these issues.

When we are spending money we don't have on things we don't absolutely need, and we are borrowing money against our children's future, I can't think of a greater immoral act of the Congress. It is not red hot lit up as some of the more controversial issues such as the gun bill we are doing or immigration; however, I will state it will have a profound effect if we were to address it in terms of the future of our country, the health of our country, and the job-creating capacity for our country.

Yet what is it about your Senator or your Congressman which keeps them from having the courage to challenge the status quo? I know what it is. It is the desire to get reelected by not offending anybody.

We don't have tough oversight hearings. We will not allow bills through committees which actually eliminate waste. There is a bill that has passed the House sitting on the docket right now called the SKILLS Act. It takes 47 job-training programs and puts them into 6. It saves billions of dollars a year and puts metrics on the outcome. We will not even bring it to the floor even though it saves \$5 to \$6 billion a year in addition to markedly improving the outcome of our job-training programs. It is not here.

It passed the House. The House is doing oversight in every committee right now. The Senate is not.

The House is reading the GAO reports and acting on them. They are not right 100 percent of the time, they are right about 95 percent of the time. Nothing is going to be done about it unless we have an oversight hearing to actually discover information. Nothing actually happens unless we write a bill to change things.

Yet this is not the emphasis in the Senate. There can be no greater emphasis than for us to get out of the financial troubles we are in. There can be no greater emphasis than for us to create an environment which produces jobs in the country when we stop wasting money at the Federal Government level.

Our answer is more government—not less, more. Our answer, according to the President's budget, is more taxes, not less.

I commend the President. He has \$25 billion worth of programs he wishes to eliminate in his budget, \$25.8 billion. He could send over what the GAO said and eliminate \$250 billion a year.

The problems are not really with the President, it is with us: our intransigence to do our job and keep in our focal point what is most important. What is most important is our future and the capability for us to create opportunity in the future for our children and our grandchildren.

I have been fighting this for 8 years. There is a lot of oversight which has been done, tons of reports. The American people are going to eventually learn everything that is in this report because there is an app coming out which will be on people's cell phones very soon, and they may find out anything about everything where the government is wasting money. They will be able to look at an address in their own city and see how much money a company, business, or that farmer received from their Federal tax dollars. They will be able to see that in about 3 months.

When the American people discover our incompetence, it will not matter that we didn't offend somebody. They are going to see we didn't do our job. We are not doing our job because we are not addressing the things we actually have some control over.

What do we do now? Here is what GAO explains: Although Congress had made some limited progress in addressing the issues we have previously identified, additional steps are needed to address the remaining areas to achieve associated benefits. A number of the issues are difficult but not impossible. Implementing many of the actions will take time and sustained leadership.

The key word there is "leadership." Who is going to lead in the Senate to solve our problems? It is not party identified. Real leadership about solving the real problem is in front of us.

It is time for each congressional committee in the Senate to undertake the waste and overlap identified by GAO within their jurisdiction, begin writing bills to consolidate and eliminate these programs, and put metrics as far as performance on every one of them. It is also time for the White House to put real muscle into their proposal coming in through OMB.

I am thankful we will have a new OMB Director. She will be terrific. She has the skills, dedication, and qualifications. I praise the President for nominating her. She will fly through the Senate because she is superqualified for the job. Also, she knows what she is doing. But it will not matter what she does if we don't respond, if we don't do our work.

GUN CONTROL

Mr. President, I would like to take the time now just to spend a moment or two on the guns issue.

I spent a lot of time over the last few months thinking about Sandy Hook. I actually met with a large number of those people today. I am an A-plus-rated member, a lifetime member of the NRA. I firmly believe in the second amendment, and I firmly believe in the tenth amendment.

We are hearing a lot of politics about the gun situation. What we are not hearing is how do we really keep guns out of the hands of people who shouldn't have them. This is what we need to be addressing.

Whether this would prevent a Sandy Hook, nobody knows. There are some things we do know. What we do know is the vast majority of people who are convicted the first time of a gun crime didn't steal their gun, and they didn't buy it from a federally licensed firearm dealer. They bought it from one of us.

The very fact we are going to have a piece of legislation go through here which will not solve the real problem of keeping guns out of the hands of the mentally impaired and felons is a shame. There are ways we can do that.

I haven't spoken to one owner I know who hasn't agreed with the fact that they would like to know if they sold their gun—they don't want it to go into the hands of a felon or somebody mentally impaired. Yet we are hung up on records. The proposal which comes from Senator TOOMEY, Senator MANCHIN, and Senator KIRK is a step forward. I will not deny it. However, tell me how a record which will only be looked at after a crime is committed is going to help anybody who is a victim of a crime. It is not.

If we really wish to solve this problem, what we need to do is put into the hands of Americans who are law abiding the ability to know they didn't sell their gun to somebody who is on the NTIS list. Give me the ability to know when I sell my gun to a stranger that they are not on that NTIS list.

This has been rejected out of hand because there is no record with it. The

reason there doesn't need to be a record is because we are putting an onus on responsible citizens doing the right thing. Also, the government has no right to have a record of when I transfer a gun. They do have a right to expect me to be a responsible citizen when I sell my gun.

The question is, Are we as a body going to take something which is far less than appropriate to actually keep guns out of the hands of felons and mentally impaired and call it a day? This is what is getting ready to happen. Are we going to make a difference and not impair second amendment rights at all and not impair tenth amendment rights because we give States supremacy on that? If they want to give us something more or different, they may.

We are going to go through a great deal of debate and have all these amendments. I thank Senator REID for making it an open amendment process. I called and spoke to him last night. I said I was happy to support going to this bill provided we use the regular Senate procedures and we actually are able to offer amendments which are germane to this bill in any number of ways. He is going to allow this process. I take him at his word he will allow this.

When it is all said and done, will we have made a difference to those families who are wanting us to make a difference? Would we have made a difference?

If we don't allow responsible citizens the ability to know whether they are selling their gun to a felon or a mentally impaired person, we haven't made any difference. We have made a lot of noise, but we haven't made a difference.

Let me tell you why the Toomey-Manchin proposal will not work. The largest gun show in America is in Tulsa, OK. It is called the Wanenmacher Gun Show. Tens of thousands of people come to it twice, maybe three times a year. The sale will be impeded by requiring an FFL license, which is to say a gun dealer at the show will be required to do a background search against the NTIS list for somebody who purchases a gun at the show whether they are buying from that dealer or not.

The first thing which will happen is the Federal firearms licensed dealer will say: I want a fee for transferring this gun, for doing the work—and rightly so. I don't blame him. What is the option?

The option which will happen is the people who are going to make the deal buy the gun. Subsequently, 2 or 3 days after the gun show, they will buy the gun because they will not be at the gun show anymore.

Look at the opposite side of that. If we had a portal or we could get a certificate which says someone is not on

the NTIS list and are able to buy a gun anytime, anywhere, somebody selling a gun would have a pin code to make sure their identity is correct and see their ID. Whether a person is in a gun show or outside a gun show, the responsible gun seller will know they didn't sell a gun to somebody mentally impaired or a felon.

We will have all sorts of statements, but what we are going to do isn't going to decrease guns in the hands of felons and the mentally impaired. We can say we need to win. If we want a bill to get through the Senate and get through the House which will actually make a difference in people's lives, that felons and the mentally impaired aren't empowered to buy guns, we need to do something different.

My friends in the second amendment community don't even like my proposal. I understand this. But there is no impairment when all you need to do is go to your cell phone to receive a clearance to know somebody is not on the NTIS list.

We get to decide. Are we going to do it in a way which smells good, looks good, but doesn't do anything? Are we going to fight to do something which actually makes a difference? I hope we choose the latter. I am not convinced we will. The reason Senator MANCHIN couldn't get me to agree to what he had agreed to with Senator TOOMEY is because I don't think it is going to work. I think the vast majority of gun purchasers at gun shows are going to wait to buy them later from the very same people who were going to sell them at a gun show so they do not have to pay a fee and wait 3 or 4 days on a background check. If that happens, what good have we done? How have we made a difference? We haven't.

It is a sad fact, as a practicing physician, and having done training and surgery, I have had to operate on a lot of people who ended up with the consequences of a weapon being used on them.

Oklahoma has a gun culture, and I own multiple guns. I cherish my second amendment right. But with that right comes some responsibility to do the right thing. Liberty without responsibility isn't liberty, and it will not last unless we attach responsibility to it. So if we really believe in the second amendment, and if we really believe in the tenth amendment, we will relook at what we are going to do in terms of gun transfers. There is a way to do it that will actually make a big difference in people's lives in this country, and it may actually get through the House.

What we are proposing, what we are seeing proposed right now, is never going to pass the House. Consequently, we will have done something in the Senate with no long-term consequences and actually making a difference for the American people.

Mr. President, I thank the Presiding Officer for the time. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO MARGARET THATCHER

Mr. GRASSLEY. Mr. President, I would like to take a moment to pay tribute to former British Prime Minister Margaret Thatcher who passed away Monday.

In the 1970s, Britain was mired in debt and even had to go to the IMF for a bailout. Britain was known then as "The Sick Man of Europe"—how we think of Greece today.

Governments of both political parties had tried to stimulate the economy through Keynesian spending policies and government intervention into the economy was widespread.

Britain faced massive strikes in the winter of 1978–1979, known as the Winter of Discontent. There was talk that Britain had become ungovernable.

Then Margaret Thatcher came on the scene. Her policies of fiscal responsibility and promotion of "free enterprise" completely reversed Britain's economic decline. Her foreign policy achievements were no less impressive. This was the era of détente.

Most people accepted that the Soviet Union was strong and successful and was here to stay so we had to learn to live with it. It was fashionable for political leaders to talk as though the Soviet system was just different, but no better or worse than our own.

Margaret Thatcher had no hesitation in pointing out the truth that the Soviet Union and its satellites held their citizens in bondage and she encouraged dissidents who sought freedom. In fact, it was a speech in 1976 when she was still just leader of the opposition in which she warned about the Soviet military buildup that caused a Soviet army newspaper to coin her nickname the "Iron Lady."

Together with President Reagan, she sought every opportunity to undermine the Soviet system until it collapsed. If this doesn't sound like a bold position today, it is only because Reagan and Thatcher were proven so profoundly right that everyone now claims to have always agreed.

I should also note that there is a temptation for many people remembering Mrs. Thatcher's legacy to note that she was the first female prime minister of the United Kingdom. While

this is a significant historical fact, to mention it as though it was one of her most important accomplishments comes off as patronizing.

Margaret Thatcher rejected the identity politics that is so popular today. She said:

I've always believed that what matters in politics, as in the rest of life, isn't who you are or where you come from, but what you believe and what you want to do with your life. What matters are your convictions.

Because of her convictions and because she acted on those convictions, she restored Britain's economy, national spirit, and international reputation. Millions of people around the world now live in peace and freedom thanks in large part to her efforts. As a result, Margaret Thatcher is unquestionably one of the most significant leaders of the 20th century.

Mrs. Thatcher's legacy shouldn't simply be relegated to history though. We have a lot to learn from her today. As the President submits his overdue budget this week, I would ask my colleagues to ponder this quote by Margaret Thatcher:

If spending money like water was the answer to our country's problems, we would have no problems now. If ever a nation has spent, spent, spent and spent again, ours has. Today that dream is over. All of that money has got us nowhere but it still has to come from somewhere.

Those who urge us to relax the squeeze, to spend yet more money indiscriminately in the belief that it will help the unemployed and the small businessman, are not being kind—or compassionate—or caring. They are not the friends of the unemployed or the small business. They are asking us to do again the very thing that caused the problems in the first place.

I yield the floor.

Mr. REID. Mr. President, are we in a period of morning business?

The PRESIDING OFFICER. The Senate is on the motion to proceed at this point.

MORNING BUSINESS

Mr. REID. I thought so. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

INAUGURATION OF JOE BERTOLINO

Mr. LEAHY. Mr. President, the Northeast Kingdom of Vermont is a special place. In a State that abounds in natural beauty, the Kingdom, as many Vermonters affectionately call the State's northeast corner, is heralded for its rural splendor. While the rural character and unspoiled landscape is what defines the Kingdom to many, it is also home to an academic institution that has educated Vermonters for more than 100 years.

Since its founding in 1911, Lyndon State College has served as an economic engine for the region, educating students in a diverse range of academic pursuits. Lyndon has distinguished itself by developing academic programs that mirror the emerging economic needs of the community, such as its first-of-its-kind Mountain Recreation Management program. At the same time, Lyndon remains committed to a liberal arts education and educating students to be well-rounded professionals.

On Friday, April 19, Lyndon State will inaugurate its fifteenth president, Joe Bertolino. Joe comes to Vermont from Hunter College in New York, where he served as vice president for enrollment management and academic affairs. Joe's passion for working with students is evident in his easygoing manner and in how he has engaged students since arriving on campus last summer. At a college of only 1,400 students, Joe's personal touch sets the clear tone that under his leadership Lyndon will be a student-centered institution. Joe has undertaken a number of creative initiatives to build community spirit among Lyndon students and alumni, including an informal policy called "Go Green, Go Gold," that encourages the Lyndon State community to wear the school colors on Wednesdays.

Beyond this personal approach, Joe has laid out an ambitious plan for the college's future. I have had the opportunity to meet Joe during a recent visit to Washington and am encouraged to welcome his energy and creative thinking to Vermont. Lyndon State College is a vital part of Vermont's higher education community, and I wish Joe the best as he is officially inaugurated as the college's next president.

I request unanimous consent that an article from Lyndon State about President Bertolino be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Lyndon State College Twin Tower Topics]

LOVING LYNDON
(By Leon Thompson)

To the director of YMCA Camp Ockanickon, Joe Bertolino—an accordion-playing member of his high school debate team in New Jersey—didn't seem so suited for counseling other geeks. Not at first.

"Do you hike?" the director asked. "No," Joe said. "Swim?" "No." "Boat?" "No." "Arts and crafts?" "Maybe."

The director wondered, "Is there anything you do?" "I get along with people," Joe said. "That's when my life began," Dr. Joseph Bertolino said this fall, a week after delivering Lyndon State College's State of the College Address, as the fifteenth president. "To me, the meaning of life is relationships, and leadership is all about relationships."

Joe, 49, officially succeeded Interim President Steve Gold on July 1; LSC offered Joe

the position in February. For months, Joe traveled between Queens College, in New York City, where he was vice president for enrollment management and student affairs, and LSC, as part of his transition. Joe began his LSC tenure with a 100-day listening tour that involved the College and Northeast Kingdom communities. He has represented LSC twice in the nation's capital, and during his October 4 State of the College Address—preceded by a short, Chaplin-esque silent film about him—he rode into Academic & Student Activity Center, room 100 on his bike, donning a suit, and conveyed a clear message to 200 students, faculty, and staff.

"At Lyndon State College, students come first," Joe called the state of the college "excellent." Enrollment is up, the budget is balanced—with a surplus—and LSC has five new faculty and 15 new staff members and administrators this year.

"Every student has said to me, without fail, 'Joe, I love it here,'" he told his audience. Joe aims to bolster internal and external communications at LSC. His lengthy to-do list contains a new public relations campaign, with a focus on social media, and he wants to erase the off-campus community's perception of LSC as "Harvard on the hill" by continuing to build strong partnerships in the Northeast Kingdom.

He said LSC is a key stakeholder in Jay Peak Resort's plans to invest \$500 million in the region over the next decade—a plan that could mean more internships for LSC students and jobs for graduates.

"Lyndon State College is the college of the Northeast Kingdom," Joe said. Joe has also started an electronic suggestion box—"Joe Wants to Know"—where anyone can post anonymous concerns and comments. During his one-hour speech, Joe posed challenges to alums: \$1 million for an all-weather athletic field, and \$1 million for a new version of the old Vail towers. "The response from our alumni has been great," he said.

Joe also asked faculty and staff to increase their in-house contributions, and he imposed a lighthearted, non-mandatory policy called "Go Green, Go Gold," where he asks the campus community to wear LSC colors each Wednesday. "If you haven't figured it out by now," he said, after dismounting his bike, before his speech, "I like to have fun. Life is too short, and the world is complicated enough."

"I believe I am where I'm supposed to be, and I believe I'll be where I'm supposed to be," he said. "It's been a long time since I've been in a place where I felt I haven't belonged."

Days later, while in his office—"a beautiful corner of the world," he said—Joe called himself a motivated, goal oriented Type A personality that leads by surrounding himself with the talent to implement his vision. He is a foodie, a Lion King fan, and textbook introvert who usually recharges alone.

"As soon as I hit the front of a group, or a stage, I'm on," he said. "I am representing and selling LSC. That's what I am doing. But I'm perfectly comfortable being by myself in the house at the end of a long day."

Joe's social circle was small during 16 years of Catholic School in Glendora, N.J. His Italian father, also a Joe, worked for AT&T. His Irish mother, Eileen, was a nurse. He played accordion competitively for 10 years (and still plays a little). When Joe entered the University of Scranton, Pa., in 1982, "There was a group for everyone," he said. "In high school, there are popular groups. In college, there aren't popular groups. There are different groups."

While earning his bachelor's degree in psychology/sociology in Scranton, Joe spent some time in seminary school and his summers at Camp Ockanickon, where he surprisingly became "the go-to guy." He worked there for eight years, went on to become a board member and president, and will celebrate his 30-year relationship with Camp Ockanickon in the summer of 2013.

"Somehow, I became this listener, this counselor," he said of camp. "It just happened." That inherent and well-honed skill helped Joe build an impressive, 10-page curriculum vitae filled with publications, workshops, consulting, honors, awards, and practically every facet of education, from teaching to administration. He earned his doctorate from Columbia University's Teachers College in 2003.

After eight years at Queens College, Joe left this year with responsibility for 22 departments and more than 200 employees. He also created veterans' services and a wellness center on campus. "Joe stands out as a president who will attempt to engage, in an extremely supportive way, every single student we have," said Jonathan Davis, LSC Class of '97 and dean of students. "I've already witnessed that in the form of students walking into his office to ask a question or simply to chat."

Student recruitment and retention is also part of Joe's mission at LSC. He has charged Davis with co-chairing a team that would use data and strategies to increase the College's retention rates. Davis was an LSC student when Peggy Williams was president, in the 1990s. Williams was already one of Joe's mentors when he learned about the president's vacancy at LSC last December.

Joe was considering other job offers for higher salaries at larger schools, "but I just kept coming back to Lyndon," he said. Enamored after his first trip to campus, and he went with no expectations, he called his partner, Bil, in New Jersey and said, "The good news is I think I interviewed well, and I liked it. The bad news is I think I interviewed well, and I liked it."

He elaborated further in his office more recently: "Initially, I underestimated Lyndon in so many ways. Then, when I got here, it was nothing like I thought it would be. The people are passionate. The College is in great shape. I fell in love." Bil is in New Jersey for now, working at Rutgers University and living in the house he and Joe shared before Joe moved to Lyndonville. Joe converted the lower level of the LSC president's house—"our house," he calls it—to all-purpose meeting space. He lives upstairs.

"I believe I am where I'm supposed to be, and I believe I'll be where I'm supposed to be," he said. "It's been a long time since I've been in a place where I felt I haven't belonged."

TRIBUTE TO THE SOMERSET POLICE DEPARTMENT

Mr. McCONNELL. Madam President, I stand here to pay tribute to the honorable men and women, past and present, of the Somerset Police Department in Pulaski County, KY, for 125 years of faithful service and tireless dedication.

Founded on March 13, 1888, the Somerset Police Department has admirably served the city and surrounding area and to this day represents the best of our State's citizens. One example of

their thorough care for and involvement in the community is their annual charity basketball game. Typically, the officers challenge a local high-school team to an exhibition match—this year they took on the local fire department, with the proceeds from the event going to support a local girl who suffers from Type I diabetes. Their reputation for “coming to the rescue” was displayed in a different way than their daily work, but displayed nonetheless, and their efforts certainly are appreciated by those in need who benefit from the support raised by their charity.

I rise not only to celebrate those who serve, but also those we have lost in service. We are grateful for dedicated officers of the Somerset Police Department who risk their very lives to protect and bring order to their city.

At this time, I would like to applaud the Somerset Police Department on the 125th anniversary of its founding, and I request that an article recognizing this occasion from a Pulaski County, KY, newspaper be printed in the RECORD.

There being no objection, the material was ordered to be appear in the RECORD as follows:

[From the Commonwealth Journal, Mar. 16, 2013]

125 YEARS OF SERVICE: SOMERSET POLICE DEPARTMENT FOUNDED MARCH 13, 1888—STAFF REPORT, COMMONWEALTH JOURNAL

SOMERSET.—The Somerset Police Department recently celebrated 125 years of service in the community.

The history of SPD dates all the way back to March 13, 1888, when Mayor A. Wolf appointed John B. Ingram as the first chief of police for the newly formed City of Somerset.

The police department would grow along with the city's population and physical boundaries over the next 125 years.

Still, some have lost their lives in the line of duty.

“As the department gets a year older, it is important to remember those officers who lost their lives serving the citizens of our city,” stated Lt. Shannon Smith, with SPD.

Somerset Chief of Police Silas West was shot and killed in 1928 while attempting to arrest a drunk person on the square. Patrolman Walter McKinley Massingale was shot and killed on Halloween night in 1929 while investigating a bootlegger on South Maple Street. And in 1957, Police Chief Harold Catron was shot on his porch on Jasper Street, and he would later die from those wounds in 1964.

“Our 125th anniversary is a milestone to our department,” said SPD Acting Police Chief Major Doug Nelson. “Through hard work, rigorous training, and an established level of professionalism, the men and women of the Somerset Police Department will continue to serve our community to make it a safe place to live and work.”

61ST NATIONAL PRAYER BREAKFAST

Mr. SESSIONS. Mr. President, on behalf of Senator PRYOR and myself, I ask unanimous consent that the tran-

script of the 61th Annual National Prayer Breakfast be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

61ST NATIONAL PRAYER BREAKFAST, THURSDAY, FEBRUARY 7, 2013, WASHINGTON, DC, CO-CHAIRS: SENATOR JEFF SESSIONS, SENATOR MARK PRYOR

Senator Mark Pryor: Let me open by saying, “Good morning fellow sinners.” My name is Mark Pryor, from Arkansas, and this is my brother, Jeff Sessions, from Alabama. Together, Jeff and I chair the weekly Senate breakfast group, which means we get to chair this “slightly larger” event this morning.

Senator Jeff Sessions: Thank you all for taking on the adventure of getting here this morning. We have a challenging experience planned for you this morning. We call this the Prayer Breakfast, not only because we come together to pray, but because so much prayer goes into this event, and hopefully, so much prayer comes out of it.

Senator Pryor: Everything that happens over the next 90 minutes has really come about through prayer. As a matter of fact, one of the hundreds of volunteers that make this morning possible, literally came in very early this morning and prayed over each place setting here—prayed over each of you.

Senator Sessions: Prayer is not a spectator sport. We hope this experience enriches your own life of prayer, for the good of the nation, for the world and for your family.

Senator Pryor: Let us join our hearts in prayer. God of the universe, who we individually worship in many different ways and languages, bring us together this morning in a shared experience of praise, understanding and commitment. Our world and our lives fall short of what you created them to be. Use this time to bless us, to bless our leaders, and especially our President, with a sense of who you are and how we all need to change. We are thankful for the food we are enjoying and friendships old and new. Be present in each of our hearts today, in your Holy, precious and matchless name, Amen.

Senator Sessions: Enjoy (what's left of) your breakfast.

Good morning. We've had a wonderful time together to discuss issues and have a joyful noise. We thank you for your attention.

Senator Pryor: It's overwhelming to think of the pathways that each person took to get to this event today. Some from little villages halfway around the world and some from just 12 blocks away, so thank you all for coming.

Senator Sessions: This huge event, which has taken place for 61 years now, began with a group of people who happened to be leaders wanting to get together for breakfast and for prayer. One thing I know for sure is that life is complicated and is likely to get more complicated tomorrow than yesterday. But as members of the weekly Senate prayer breakfast group, we've learned that taking time each week to meet, to take off the disguises that we wear and pray and share our lives together, makes life better.

Senator Pryor: In the modern world and especially in a city like this, there are thousands of things that drive us apart—politics, ideology and even religion. Today, though, we come together in the Spirit of Jesus who taught us to love one another, treat others as we want to be treated and to love God with all our heart, soul, mind and strength. It would be a whole lot better world if we just listened to Him.

Senator Sessions: As you look around the room, understand that you're sharing this meal with people from more than 140 countries, all 50 states, heads of government, and leaders of all kinds. Through prayer, we believe God has brought us together for a reason. As you listen closely to the program, try to figure out what God is saying to you. And as you've heard, this event is hosted by members of the House and Senate and I would like to ask all the members of the House and Senate who are present, to stand at this time. We're also honored to be joined by two prime ministers, the Prime Minister of Serbia, His Excellency Ivica Dacic, and the Prime Minister of the Democratic Republic of Congo, His Excellency Augustin Matata Ponyo. Thank you so much for being with us.

Senator Pryor: I would like to introduce the head table that will lead us through this experience. I'll start on my right. Today you could say that you ate breakfast with the President and a gold medalist. At the end of our program, our closing prayer will be offered by Olympic champion, Gabrielle Douglas, whose new book is appropriately subtitled “My Leap of Faith.” Next to her is former U.S. Senator, Cabinet member and President of the Red Cross, Elizabeth Dole. Elizabeth, believe it or not, was our breakfast speaker 26 years ago. She will give a reading from the Holy Scriptures. Next to her is California Representative, Janice Hahn, one of two co-chairs of the House prayer breakfast group, and next year she'll be standing in my place here. Then we have Admiral and Mrs. Jonathan Greenert. He is the U.S. Chief of Naval Operations, which puts him in charge of about 300,000 sailors, 300 ships and 3,500 aircraft. He will offer a prayer for our national leaders. Next, we have the spouse of my co-chair, Mary Sessions. And please join me in welcoming the passionate, principled and inspirational First Lady of the United States, Michelle Obama.

Senator Sessions: Continuing down the table, we have our friend and former colleague, the good Vice President of the United States, Joe Biden. On the other side of our speaker is my colleague and friend, Chuck Schumer. He's the pride of P.S. 197 in Brooklyn, New York and a dedicated member of Congress for amazingly 30 years, and a key member of the Democratic leadership. Chuck will be offering a reading from the Holy Scripture. Next to him is another good friend and former colleague of ours, the U.S. Secretary of the Interior, Ken Salazar. In his day job, Ken is responsible for more than 500 million acres of United States land. He is a former chair of this Senate prayer breakfast and will be offering a prayer for world leaders. Next to him is Janice Hahn's sidekick for the next year, co-chair of the House breakfast group, Louie Gohmert. He is a member of the House for 8 years and is from East Texas. And finally, visiting from Italy, Mr. Andrea Primicerio, and our soloist, Andrea Bocelli. Mr. Bocelli has gone from a small farming village near Pisa, Italy to selling more than 80 million records worldwide. I read that, at last count, in addition to song writing, he plays 9 instruments. This morning, he will play the most beautiful instrument God has created, the human voice. Join me in welcoming our soloist, Andrea Bocelli. [Song.]

Senator Charles Schumer: Good morning. In the Jewish tradition, we are given not only an English name but a Hebrew name and my Hebrew name is Yesha'yahu—Isaiah. So I was particularly honored when Mark

asked me to read from the Book of Isaiah. This is Isaiah 55:6-13,

"Seek the Lord, while He may be found, call on him while he is near. Let the wicked forsake their ways, and the unrighteous their thoughts; let them turn to the Lord and he will have mercy on them; and to our God, for He will freely pardon. For my thoughts are not your thoughts, neither are your ways my ways, declares the Lord. As the heavens are higher than the earth, so are my ways higher than your ways, and my thoughts than your thoughts. As the rain and the snow come down from the heaven, and do not return to it without watering the earth, and making it bud and flourish so that it yields seed for the sower and bread for the eater, so is my word that goes out from my mouth; it will not return to me empty, but will accomplish what I desire and achieve the purpose for which I sent it. You will go out in joy and be led forth in peace. The mountains and hills will burst into song before you and all the trees of the fields will clap their hands. Instead of the thorn bush will grow the juniper and instead of briars the myrtle will grow. This will be for the Lord's renowned for an everlasting sign that will endure forever."

Representative Louie Gohmert: It is such a pleasure to be here and it's such a pleasure to share our Thursday morning prayer breakfast with you. My co-chair in the House is Janice Hahn. It's a surprise for some people, after they see the way we go back and forth and debate, to see that the Prayer Breakfast is truly bipartisan. We work together. We pray together. And there's something that really brings people together when you pray together. It's the belief in the power of prayer that brings us together.

My wife and I have tried to teach that to our three girls. When they were old enough to pray, Cathy and I and our three girls would gather around one of the girls' beds and we would pray each night. One night we had some nose spray that a doctor prescribed for our middle daughter, Caroline—she'd been having real serious sinus problems. She didn't want it up her nose—but I was bigger than her. It was going to be good for her according to the doctor, so we got it up the nose. But there was a lot of crying, wailing and gnashing of teeth. But once the nose spray had been administered and the tears subsided, the crying stopped, we gathered for prayers. Katie prayed first and then Caroline and Caroline finished her prayer by saying "And please God, help Sarah (the little one), mind her own business and quit being such a pest. And help her to just leave me and Katie alone." Little Sarah had the last prayer, and in her little angelic voice she said, "Please God, help Daddy stick some more medicine up Caroline's nose." We had taught them how to pray but not necessarily what it was for.

So on Thursday mornings we gather, not to pray that God will help us to stick something up our opponent's nose, but we pray; and God grants mending and healing and blessing and leadership, and it's a beautiful thing to see those come together. It does make us better. It makes us stronger. And it makes the government work better. Which is why Benjamin Franklin, in his own words—his own handwriting—said, "In the beginning contest with Great Britain when we were sensible of danger, we had daily prayer in this room. Our prayers are heard and they were graciously answered." Janice and I and our other colleagues have seen those prayers answered and it's what brings us together. Thanks for joining with us today.

Representative Janice Hahn: Good morning. Mr. President, Madam First Lady, Mr. Vice President, Senators, distinguished guests; I'm so delighted to be here this morning with all of you. It's such an honor to co-chair the House Congressional prayer breakfast with my friend and colleague, Congressman Louie Gohmert. His colleagues have said, "This is the only chairmanship that Speaker Boehner can't remove him from for bad behavior." Only God can do that.

Today's Prayer Breakfast offers an opportunity for us to set aside political labels and come together to be inspired and pray for the critical issues that are facing our nation and the world. I was elected to Congress in the middle of one of the most bitter, rancorous and divided periods in our nation's history. But in the midst of that discord, there was one place that I found that we could set aside our partisan bickering and our differences and come together—a place where once a week, we could be there for each other with our God. That place was the weekly congressional prayer breakfast. I've found some unlikely friends in that breakfast. But they have helped me to be a better member of Congress and to better serve my God and my constituents.

Faith has always been a strong part of my life and my story. I grew up in the church. My grandparents on my mother's side were missionaries to Japan. And my grandmother on my father's side, in a moment of deep despair and helplessness, turned to God for help in raising her seven little boys under the age of 10 when her husband died suddenly. That decision that my grandmother Hattie made, helped me find my journey of faith. Every week when a member of Congress comes to our prayer breakfast and tells their own journey of faith, it gives us a bond that can't be broken. We believe in the power of prayer and every week, we give thanks when God has answered our prayers. Abraham Lincoln said, "I have been driven many times to my knees by the overwhelming conviction that I have nowhere else to go. My own wisdom and that of all about me seemed insufficient for the day." May we all continue to believe that our own wisdom is insufficient. God bless you all.

Admiral Jonathan Greenert: Good Morning. Mr. President, Mrs. Obama, Mr. Vice President, Senators, Congressmen, distinguished guests. Many times many of you have said, even today, to those of us that wear the cloth of the nation, "thank you for your service." And on behalf of our soldiers, sailors, airmen, Marines and Coastguardsmen, may I say thank you for your service and your support to your armed forces. Please join me in a prayer for our national leaders.

Oh Lord, we come before you today, thankful for the many blessings you have bestowed upon our nation. And we humbly ask for your continued guidance and strength. On this day, we are reminded to give thanks for the extraordinary freedoms that we enjoy, made possible by the efforts of past generations of men and women who have served this great nation. Your word tells us of King David whose willingness to place his faith in you during difficult times serves as an example for us all. Like David, there are many in this nation who have answered the call to serve, both in and out of uniform. Lord, we are thankful for their dedication, their passion, their perseverance and for the families that support their every effort. When it comes to our search for inspiration, Scripture clearly speaks about where we should begin charting our course—we begin with

prayer. We ask that you continue to guide our leaders with wisdom and understanding as they weather the storms that confront our nation. Provide them, God, with the vision necessary to see the way ahead. The strength required to act on difficult decisions and the compassion to care for the wellbeing of those that they lead. Fortify the resolve of the men and women who lead our great nation and provide us with bold, confident and accountable leaders capable of carrying out those actions that your wisdom directs. In your Holy Name we pray, amen.

The Honorable Elizabeth Dole: Mr. President, Mrs. Obama, Mr. Vice President, honored guests, ladies and gentlemen. It's my privilege today to read selected portions of Hebrews 11, which has been called the Hall of Faith. And I'll end with Hebrews 12 versus 1-3 and verse 14.

"Now, faith is being sure of what we hope for and certain of what we do not see. By faith we understand that the universe was formed at God's command so that what is seen was not made out of what was visible. And without faith, it is impossible to please God, because anyone who comes to him must believe that he exists and that he rewards those who earnestly seek him. By faith, Noah, when warned about things not yet seen, in holy fear built an ark to save his family. By faith, Abraham, even though he was past age and Sarah herself was barren was unable to become a father because he considered him faithful who had made the promise. By faith, Abraham when God tested him, offered Isaac as a sacrifice. He who had received the promises was about to sacrifice his one and only son even though God had said to him "it is through Isaac that your offspring will be reckoned." Abraham reasoned that God could raise the dead and figuratively speaking, he did receive Isaac back from death. By faith, Isaac blessed Jacob and Esau in regard to their future. By faith, Jacob, when he was dying, blessed each of Joseph's sons and worshiped as he leaned on the top of his staff. By faith, Joseph, when his end was near, spoke about the exodus of the Israelites from Egypt. By faith, Moses' parents hid him for three months after he was born because they saw he was no ordinary child and they were not afraid of the king's edict. By faith Moses, when he had grown up, refused to be known as the son of Pharaoh's daughter. By faith, he left Egypt not fearing the king's anger. He persevered because he saw him who is invisible. By faith the people passed through the Red Sea as on dry land. By faith, the walls of Jericho fell after the people had marched around them for seven days. By faith, the prostitute Rahab because she welcomed the spies, was not killed with those who were disobedient. And what more shall I say? I do not have time to tell about Gideon, Barack, Sampson, Jephthah, David, Samuel and the prophets who through faith, conquered kingdoms, administered justice and gained what was promised. Who shut the mouths of lions, quenched the fury of the flames and escaped the edge of the sword, whose weakness was turned to strength. Others were tortured and refused to be released so that they might gain a better resurrection. Some faced years of flogging while still others were chained and put in prison. They were stoned, they were sawed in two, they were put to death by the sword. These were all commended for their faith. Therefore, since we are surrounded by such a great cloud of witnesses, let us throw off everything that hinders and the sin that so easily entangles and let us run with perseverance, the race that is set

before us. Let us fix our eyes on Jesus, the author and perfecter of our faith, who for the joy set before him, endured the cross, scorning its shame and sat down at the right hand of the throne of God. Consider him, who endured such opposition from sinful men so that you will not grow weary and lose heart. Make every effort to live in peace with all men and to be holy, for without holiness no one will see the Lord."

The Honorable Ken Salazar: Mr. President, Mrs. Obama, Vice President Biden, members of the United States Senate, fellow Cabinet members, members of the House of Representatives and distinguished guests. The following prayer was written by Cesar Chavez, the great leader of the United States Farm Workers of America. Last year, President Obama visited the gravesite of Cesar Chavez and his office at a place in La Paz, California; and there, he made this place a national monument so that we can honor the work of a true hero and a follower of Christ and a follower of Gandhi. It was a moving time for the President and all of us who were there that day.

Chavez was a servant leader who followed the teachings of Jesus Christ. He followed the teachings of Gandhi and Dr. Martin Luther King. He was ever prayerful to Nuestra Senora de Guadalupe (Our Lady of Guadalupe). Today as the world, in many different places, rages in a debate about the peopling of our nations and immigration, and as our nation does the same thing, let us pray that all of our world leaders and all of our leaders here in the United States, will be inspired by the true story of the peopling of our nations and give voice to those who now live in the fear of the shadows of our society. And so, inspired by the teachings and life of Saint Francis and Jesus Christ, let us pray as Cesar Chavez prayed, as he fasted for those who have no voice, who are the most vulnerable in our society.

He prayed: "Show me the suffering of the most miserable, so that I will know my people's plight. Free me to pray for others, because you are present in every person. Help me to take responsibility for my own life, so that I can be free at last. Grant me the courage to serve others, for in service there is true life. Give me honesty and patience, so that I can work with others. Bring forth song and celebration, so that the Spirit will be alive among us. Let the Spirit flourish and grow, so that we will never tire of the struggle. Let us remember those who have died for justice, for they have given us life. Help us love even those who hate us, so we can change the world." God bless you, God bless the United States of America, God bless all of our leaders.

Senator Sessions: Of all of the complex things in the world, perhaps the most complex is the human brain. How come I can remember the words of the preamble of the Constitution but can't find my glasses? We've invited as our guest speaker this morning a gentleman for three reasons: he loves Jesus, he has a compelling life story and he is a distinguished man of science and healing. We hope that he can help us sort some things out. May I introduce, the director of Pediatric Neurosurgery at one of the world's great hospitals, Johns Hopkins in Baltimore, Dr. Benjamin Carson, Sr.

Dr. Benjamin S. Carson, Sr.: Thank you so much. Mr. President, Mr. Vice President, Mrs. Obama, distinguished guests—which includes everybody. Thank you so much for this wonderful honor to be at this stage again. I was here 16 years ago and the fact that they've invited me back means that I

didn't offend too many people—so that was great. I want to start by reading four texts, which will put into context what I'm going to say.

Proverbs 11:9, "With his mouth, the godless destroys his neighbor, but through knowledge the righteous escape."

Proverbs 11:12, "A man who lacks judgment derides his neighbor, but a man of understanding holds his tongue."

Proverbs 11:25, "A generous man will prosper; he who refreshes others will himself be refreshed."

2nd Chronicles 7:14, "If my people who are called by my name will humble themselves and pray and seek my face and turn from their wicked ways, then will I hear from heaven and will forgive their sins and heal their land."

I have an opportunity to speak in a lot of venues—this is my fourth speech this week—and to talk to a lot of people. And I've been asking people—what concerns you? What are you most concerned about in the terms of the spirituality and the direction of our nation and our world? I've talked to very prominent Democrats, and very prominent Republicans and I was surprised by the uniformity of their answers. And those have informed my comments this morning.

It's not my intention to offend anyone. I have discovered, however, in recent years that it's very difficult to speak to a large group of people these days and not offend someone. And I know people walk around with their feelings on their shoulders waiting for you to say something—"Ah, did you hear that?" And they can't hear anything else you say. The PC police are out in force at all times. I remember once I was talking to a group about the difference between a human brain and a dog's brain. And a man got offended—he said, "You can't talk about dogs like that." But people just focus in on that and completely miss the point of what you're saying. We've reached the point where people are afraid to actually talk about what they want to say—because somebody might be offended. People are afraid to say, "Merry Christmas" at Christmastime. It doesn't matter whether the person you're talking to is Jewish or whether they're any religion—that's a salutation of greeting, of good will. We've got to get over this sensitivity. It keeps people from saying what they really believe.

I'm reminded of a very successful young businessman who loved to buy his mother these exotic gifts for Mother's Day. And he ran out of ideas, and then he ran across these birds. These birds were cool. They cost 5,000 dollars apiece—they could dance, they could sing, they could talk. He was so excited, he bought two of them; sent them to his mother; couldn't wait to call her up on Mother's Day. "Mother, mother, what did you think of those birds?" And she said, "They was good." He said, "No, no, no, mother, you didn't eat those birds; those birds cost 5,000 dollars apiece—they could dance, they could sing, they could talk." And she said, "Well, they should have said something." And that's where we end up too if we don't speak up for what we believe. What we need to do in this PC world is forget about unanimity of speech and unanimity of thought and we need to concentrate on being respectful to those people with whom we disagree—that's when I think we begin to make real progress.

One last thing about political correctness—which I think is a horrible thing, by the way. I'm very, very compassionate and I'm not ever out to offend anyone, but PC is dangerous because in this country, one of the

foundational principles was freedom of thought and freedom of expression and it muffles people, it puts a muzzle on them. And at the same time, keeps people from discussing important issues while the fabric of their society is being changed. And we cannot fall for that trick. What we need to do is start talking about things, talking about things that are important, things that were important in the development of our nation. One of those things was education. I'm very passionate about education because it made such a big difference in my life. But here we are at a time in the world, the information age, the age of technology, and yet 30 per cent of people who enter high school in this country do not graduate. 44 percent of the people who start a four year college program do not finish it in four years. What is that about?

Think back to a darker time in our history. 200 years ago when slavery was going on, it was illegal to educate a slave, particularly to teach him to read. Why do you think that was? Because when you educate a man, you liberate the man. And there I was as a youngster placing myself in the same situation that a horrible institution did because I wasn't taking advantage of the education, because I was a horrible student. Most of my classmates thought I was the stupidest person in the world. They called me "dummy." I was the butt of all the jokes. Admittedly, it was a bad environment—a single parent home—my mother and father had gotten divorced early on. My mother got married when she was 13. She was one of 24 children; had a horrible life, discovered that her husband was a bigamist, had another family, and she only had a third grade education. She had to take care of us, in dire poverty. I had a horrible temper, poor self-esteem; all of the things that you think would preclude success. But I had something very important. I had a mother who believed in me. And I had a mother who would never allow herself to be a victim, no matter what happened. She never made excuses and she never accepted an excuse from us. And if we ever came up with an excuse, she always said, "Do you have a brain?" And if the answer was "Yes," then she said, "Then you could have thought your way out of it; it doesn't matter what John or Susan or Mary or anybody else did or said." And it was the most important thing she did for my brother and myself because if you don't accept excuses, pretty soon people stop giving them and they start looking for solutions and that is a critical issue when it comes to success.

We did live in dire poverty and one of the things that I hated was poverty. Some people hate spiders, some people hate snakes—I hated poverty. I couldn't stand it. But my mother couldn't stand the fact that we were doing poorly in school. She prayed, she asked God to give her wisdom, what could she do to get her young sons to understand the importance of developing their minds, so that they could control their own lives? And you know what? God gave her the wisdom, at least in her opinion. My brother and I didn't think it was that wise because it was to turn off the TV. She let us only watch two or three TV programs during the week. And with all that spare time, read two books apiece from the Detroit public libraries and submit to her written book reports, which she couldn't read but we didn't know that—she'd put checkmarks and highlights and stuff. But you know, I just hated this, and my friends were out having a good time. Her friends would criticize her, they would say, "You can't make boys stay in the house reading books, they'll grow up, they'll hate you." I

would overhear them and I would say, "You know, mother, they're right." But she didn't care. But after a while, I actually began to enjoy reading those books. Even though we were very poor, between the covers of those books, I could go anywhere, I could be anybody, I could do anything. I began to read about people of great accomplishment. And as I read those stories, I began to see a connecting thread. I began to see that the person that has the most to do with you and what happens to you in life is you. You make decisions. You decide how much energy you want to put behind that decision. And I came to understand that I had control of my own destiny. At that point, I didn't hate poverty anymore because I knew it was only temporary. I knew I could change that. It was incredibly liberating for me, it made all the difference.

And to continue on that theme of education, in 1831, Alexis de Tocqueville came to America to study this country. The Europeans were fascinated—how could a fledgling nation barely 50 years old already be competing with them on virtually every level. This is impossible—de Tocqueville was going to sort it out. And he looked at our government and he was duly impressed by the three branches of government—four now because now of special interest groups, but it was only three back in those days. And he said, "Wow, this is really something." And then he said, "Let me look at their educational system," and he was blown away. Anybody finishing second grade was completely literate. He could find a mountain man on the outskirts of society—the man could read a newspaper, could have a political discussion, could tell him how the government worked.

If you really want to be impressed, take a look at the chapter on education in my latest book, "America the Beautiful," which I wrote with my wife; it came out last year. And in that education chapter, you will see questions extracted from a sixth grade Exit Exam from the 1800's—a test you had to pass to get your sixth grade certificate. I doubt most college graduates today could pass that test. We have dumbed things down to that level. And the reason that that is so dangerous is because the people who founded this nation said that our system of government was designed for a well informed and educated populous. And when they become less informed, they become vulnerable. Think about that, our system of government, and that's why the education is so vitally important.

Now some people say "Ah, you're overblowing it, things aren't that bad, and you're a doctor, a neurosurgeon, why are you concerned about these things?" I've got news for you. Five doctors signed the Declaration of Independence. Doctors were involved in the framing of the Constitution, the Bill of Rights, and a whole bunch of things. It's only been in recent decades that we've extracted ourselves—which I think is a big mistake. We need doctors and we need scientists, engineers, we need all of those people involved in government, not just lawyers. I don't have anything against lawyers, but here's the thing about lawyers—and I'm sorry but I got to be truthful—what do lawyers learn in law school? To win, by hook or by crook, you got to win. So you've got all these Democrat lawyers and you've got all these Republican lawyers and their side wants to win. We need to get rid of that. What we need to start thinking about is: how do we solve problems?

Now, before I get shot, let me finish here. I don't like to bring up problems without

coming up with solutions. My wife and I started the Carson Scholars Fund 16 years ago after we heard about an international survey looking at the ability of eighth graders in 22 countries to solve math and science problems; and we came out number 21 out of 22, barely beat out number 22, very concerning. And we'd go into schools and we'd see all these trophies, All State basketball, All State wrestling, All State this, that and the other. The quarterback was the big man on campus. What about the intellectual superstar? What did they get? A National Honor Society pin, a pat on the head, "there, there little nerd"—nobody cared about them. And is it any wonder that sometimes the smart kids try to hide; they don't want anybody to know that they're smart? This is not helping us as a nation. So we started giving out scholarships to students from all backgrounds for superior academic performance and demonstration of humanitarian qualities. Unless you cared about other people, it didn't matter how smart you were. We've got plenty of people like that, we don't need those. We need smart people who care about other people. We will give them money, the money would go into a trust, they would get interest on it and then when they went to college, they get the money. But also, the school gets a trophy, every bit as impressive as the sports trophies. It goes right out there with the others. They get a medal. They get to go to a banquet. And we try to put them on the same kind of pedestal as we do the All State athletes.

Now, I have nothing against athletics or entertainment, please believe me. I'm from Baltimore, the Ravens won, this is great, okay. But what will maintain our position in the world, the ability to shoot a 25 foot jump shot or the ability to solve a quadratic equation? We need to put things into proper perspective. Many teachers have told us that when we put a Carson Scholar in their class room, the GPA of the whole class goes up over the next year. And it's been very gratifying. We started 16 years ago with 25 scholarships in Maryland; now we've given out more than 5,000 and we're in all 50 states. But we also put in reading rooms. These are fascinating places that no little kid could possibly pass up. They get points for the amount of time they spend in their reading, the number of books that they read, and they can trade them in for prizes. In the beginning, they do it for the prizes, but it doesn't take long before their academic performance begins to improve. We particularly target Title 1 schools where kids come from homes with no books and they go to schools with no libraries. Those are the ones who drop out and we need to truncate that process early on because we can't afford to waste any of those young people. For every one of those people that we keep from going down that path, that path of self-destruction and mediocrity, that's one less person you have to protect yourself and your family from. One less person you have to pay for in the penal or the welfare system. One more tax paying productive member of society who may invent a new energy source or come up with a cure for cancer. They're all important to us and we need every single one of them, it makes a difference. When you go home tonight, please read about it, Carson Scholar Fund, CarsonScholars.org.

But, why is it so important that we educate our people? Because we don't want to go down the same pathway as many other pinnacle nations have who have preceded us. I think particularly about ancient Rome—very powerful, nobody could even challenge

them militarily. But what happened to them? They destroyed themselves from within—moral decay, fiscal irresponsibility—they destroyed themselves. And if you don't think that can happen to America, you get out your books and you start reading. But you know we can fix it. Why can we fix it? Because we're smart; we have some of the most intellectually gifted people leading our nation. All we need to do is remember what our real responsibilities are so we can solve the problems. I think about these problems all the time and my role model was Jesus and he used parables to help people understand things.

One of our big problems right now—and like I said, I'm not politically correct so, I'm sorry—our deficit is a big problem. Think about it. Our national debt, 16½ trillion dollars, you think that's not a lot of money. I tell you what, count one number per second, which you can't even do because when you get to a thousand, you can't, it'll take you longer than a second, but one number per second. You know how long that'll take you to count to 16 trillion? 507,000 years—more than a half a million years to get there. We have to deal with this. Here's the parable. A family falls on hard times—dad loses his job or is demoted, gets part time work, has five children. He comes to the five children and he says "We're going to have to reduce your allowance." Well, they're not happy about it; but he says, "Except for John and Susan, they're special. They can keep their allowance; in fact, I may give them more." How do you think that's going to go down? Not too well. Same thing happens, enough said.

What about our taxation system? So complex there is no one who can possibly comply with every jot and tittle of our tax system. If I wanted to get you, I could get you on a tax issue. That doesn't make any sense. What we need to do is come up with something that is simple. When I pick up my Bible, you know what I see? I see the fairest individual in the universe, God. And he's given us a system, it's called, tithe. Now, we don't necessarily have to do it 10 per cent, but it's the principle. He didn't say, "If your crops fail, don't give me any tithes." He didn't say, "If you have a bumper crop, give me triple tithes." So there must be something inherently fair about proportionality. You make 10 billion dollars, you put in a billion. You make 10 dollars, you put in one. Of course, you've got to get rid of the loopholes. But now some people say, "Well that's not fair because it doesn't hurt the guy who made 10 billion dollars as much as the guy who made 10." Where does it say you have to hurt the guy? He just put a billion dollars in the pot; you know we don't need to hurt him. It's that kind of thinking that has resulted in 602 banks in the Cayman Islands. That money needs to be back here building our infrastructure and creating jobs. And we're smart enough to figure out how to do that.

We've already started down the path of solving one of the other big problems, health care. We need to have good health care for everybody. It's the most important thing that a person can have. Money means nothing, titles means nothing, when you don't have your health. But, we've got to figure out efficient ways to do it. We spend a lot of money on health care, twice as much per capita as anybody else in the world and yet we're not very efficient. What can we do? Here's my solution. When a person is born, give them a birth certificate, an electronic medical record and a health savings account to which money can be contributed pre-tax from the time you're born to the time you

die. When you die, you can pass it on to your family members so that when you're 85 years old and you've got six diseases, you're not trying to spend up everything, you're happy to pass it on and there's nobody talking about death panels. That's number one. And also, for the people who are indigent, who don't have any money; we can make contributions to their HSA each month because we already have this huge pot of money. Instead of sending it to some bureaucracy, let's put it in their HSAs. Now they have some control over their own health care. And what do you think they're going to do? They're going to learn very quickly how to be responsible. When Mr. Jones gets that diabetic foot ulcer, he's not going to the emergency room and blowing a big chunk of it. He's going to go to the clinic. He learns that very quickly. He gets the same treatment in the emergency room they send him out to the clinic and say "Now let's get your diabetes under control so you're not back here in three weeks with another problem." That's how we begin to solve these kinds of problems. It's much more complex than that and I don't have time to go into it all but we can do all of these things because we're smart people.

And let me just begin to close here by another parable. A sea captain is out on the sea, near to the area where the Titanic went down. He looks ahead and there's a bright light right there, another ship he figures. He tells his signaler; signal that ship, "Deviate 10 degrees to the south." Back comes the message "No, you deviate 10 degrees to the north." Well he's a little bit incensed, he says, "Send a message, This is Captain Johnson, deviate 10 degrees to the north." Back comes the message, "This is Ensign 4th Class Riley, deviate 10 degrees to the south." Now he's really upset. He says, "Send them a message, this is a naval destroyer." Back comes the message, "This is a lighthouse." Enough said.

What about the symbol of our nation, the eagle, the bald eagle. It's an interesting story how we chose that but a lot of people think we call it the bald eagle because it looks like it has a bald head. That's not the reason. It comes from the Old English word, piebald, which means crowned with white; and we just shortened it to bald. Now use that the next time you see somebody who thinks they know everything—you get them with that one. But, why is that eagle able to fly high, to fly forward? Because it has two wings, a left wing and a right wing. Enough said.

And I want to close with this story. 200 years ago this nation was involved in a war, the War of 1812. The British, who are now our good friends, thought that we were young whippersnappers; it was time for us to become a colony again. They were winning that war, marching up the Eastern Seaboard, destroying city after city, destroyed Washington D.C., burned down the White House; next stop, Baltimore. As they came into the Chesapeake Bay, that armada of ships—warships as far as the eye could see—it was looking grim; Fort McHenry standing right there. General Armistead, who was in charge of Fort McHenry, had a large American flag commissioned to fly in front of the fort. The admiral in charge of the British fleet was offended and said, "Take that flag down. You have until dusk to take that flag down. If you don't take it down, we will reduce you to ashes." There was a young amateur poet on board by the name of Francis Scott Key, sent by President Madison to try to obtain the release of an American physician who

was being held captive. He overheard the British plans; they were not going to let him off the ship. He mourned as dusk approached. He mourned for his fledgling young nation. And as the sun fell, the bombardment started, bombs bursting in air, missiles, so much debris. He strained trying to see—was the flag still there? Couldn't see a thing. All night long it continued. At the crack of dawn he ran out to the banister, he looked, straining his eyes, but all he could see was dust and debris. And then there was a clearing and he beheld the most beautiful sight he'd ever seen—the torn and tattered stars and stripes still waving. And many historians say that was the turning point in the War of 1812. We went on to win that war and to retain our freedom. And if you had gone onto the grounds of Fort McHenry that day, you would have seen at the base of that flag the bodies of soldiers who took turns propping up that flag. They would not let that flag go down because they believed in what that flag symbolized. And what did it symbolize? One nation under God, indivisible with liberty and justice for all. Thank you, God bless.

Senator Pryor: Thank you Dr. Carson. It is now my great honor to introduce our President. One of the striking measures of the passage of time since you first were with us Mr. President is the comparison photographs of your daughters at your first Inauguration and your second. You have a beautiful and wonderful family. And they remind us of the core American values of faith, family and optimism in the future. Mr. President, we want to express our love and our respect for you this morning. You carry burdens none of us in this room can imagine. Thank you for keeping the unbroken commitment of ten former presidents to join us for breakfast and prayer. Ladies and gentlemen, the President of the United States, Barack Obama.

President Barack Obama: Thank you very much. Please have a seat. Mark, thank you for that introduction. I thought he was going to talk about my gray hair. It is true that my daughters are gorgeous. That's because my wife is gorgeous. And my goal is to improve my gene pool. To Mark and Jeff, thank you for your wonderful work on behalf of this breakfast. To all of those who worked so hard to put this together; to the heads of state, members of Congress, and my Cabinet, religious leaders and distinguished guests. To our outstanding speaker. To all the faithful who've journeyed to our capital, Michelle and I are truly honored to be with you this morning.

Before I begin, I hope people don't mind me taking a moment of personal privilege. I want to say a quick word about a close friend of mine and yours, Joshua Dubois. Now, some of you may not know Joshua, but Joshua has been at my side—in work and in prayer—for years now. He is a young reverend, but wise in years. He's worked on my staff. He's done an outstanding job as the head of our Faith-Based office. Every morning he sends me via email a daily meditation—a snippet of Scripture for me to reflect on. And it has meant the world to me. And despite my pleas, tomorrow will be his last day in the White House. So this morning I want to publically thank Joshua for all that he's done, and I know that everybody joins me in wishing him all the best in his future endeavors—including getting married.

It says something about us—as a nation and as a people—that every year, for 61 years now, this great prayerful tradition has endured. It says something about us that every year, in times of triumph and in tragedy, in

calm and in crisis, we come together, not as Democrats or Republicans, but as brothers and sisters, and as children of God. Every year, in the midst of all our busy and noisy lives, we set aside one morning to gather as one community, united in prayer. We do so because we're a nation ever humbled by our history, and we're ever attentive to our imperfections—particularly the imperfections of our President. We come together because we're a people of faith. We know that faith is something that must be cultivated. Faith is not a possession. Faith is a process.

I was struck by the passage that was read earlier from the Book of Hebrews: "Without faith it is impossible to please God, because anyone who comes to Him must believe that He exists and He rewards those who diligently seek Him." He rewards those who diligently seek Him—not just for one moment, or one day, but for every moment, and every day. As Christians, we place our faith in the nail-scarred hands of Jesus Christ. But so many other Americans also know the close embrace of faith—Muslims and Jews, Hindus and Sikhs. And all Americans—whether religious or secular—have a deep and abiding faith in this nation.

Recently I had occasion to reflect on the power of faith. A few weeks ago, during the inauguration, I was blessed to place my hand on the Bibles of two great Americans, two men whose faith still echoes today. One was the Bible owned by President Abraham Lincoln, and the other, the Bible owned by Dr. Martin Luther King, Jr. As I prepared to take the sacred oath, I thought about these two men, and I thought of how, in times of joy and pain and uncertainty, they turned to their Bibles to seek the wisdom of God's word—and thought of how, for as long as we've been a nation, so many of our leaders, our Presidents, and our preachers, our legislators and our jurists have done the same. Each one faced their own challenges; each one finding in Scripture their own lessons from the Lord. And as I was looking out on the crowd during the inauguration I thought of Dr. King. We often think of him standing tall in front of the endless crowds, stirring the nation's conscience with a bellowing voice and a mighty dream. But I also thought of his doubts and his fears, for those moments came as well—the lonely moments when he was left to confront the presence of long-festering injustice and undisguised hate; imagined the darkness and the doubt that must have surrounded him when he was in that Birmingham jail, and the anger that surely rose up in him the night his house was bombed with his wife and child inside, and the grief that shook him as he eulogized those four precious girls taken from this Earth as they gathered in a house of God. And I was reminded that, yes, Dr. King was a man of audacious hope and a man of relentless optimism. But he was also a man occasionally brought to his knees in fear and in doubt and in helplessness. And in those moments, we know that he retreated alone to a quiet space so he could reflect and he could pray and he could grow his faith. And I imagine he turned to certain verses that we now read. I imagine him reflecting on Isaiah, that we wait upon the Lord; that the Lord shall renew those who wait; that they shall mount up with wings as eagles, and they shall run and not be weary, and they shall walk and not faint. We know that in Scripture, Dr. King found strength; in the Bible, he found conviction. In the words of God, he found a truth about the dignity of man that, once realized, he never relinquished.

We know Lincoln had such moments as well. To see this country torn apart, to see

his fellow citizens waging a ferocious war that pitted brother against brother, family against family—that was as heavy a burden as any President will ever have to bear. We know Lincoln constantly met with troops and visited the wounded and honored the dead. And the toll mounted day after day, week after week. And you can see in the lines of his face the toll that the war cost him. But he did not break. Even as he buried a beloved son, he did not break. Even as he struggled to overcome melancholy, despair, grief, he did not break. And we know that he surely found solace in Scripture; that he could acknowledge his own doubts, that he was humbled in the face of the Lord. And that, I think, allowed him to become a better leader. It's what allowed him in what may be one of the greatest speeches ever written, in his second Inaugural, to describe the Union and the Confederate soldier alike—both reading the same Bible, both prayed to the same God, but “the prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes.” In Lincoln's eyes, the power of faith was humbling, allowing us to embrace our limits in knowing God's will. And as a consequence, he was able to see God in those who vehemently opposed him.

Today, the divisions in this country are, thankfully, not as deep or destructive as when Lincoln led, but they are real. The differences in how we hope to move our nation forward are less pronounced than when King marched, but they do exist. And as we debate what is right and what is just, what is the surest way to create a more hopeful—for our children—how we're going to reduce our deficit, what kind of tax plans we're going to have, how we're going to make sure that every child is getting a great education—and, Doctor, it is very encouraging to me that you turned out so well by your mom not letting you watch TV. I'm going to tell my daughters that when they complain. In the midst of all these debates, we must keep that same humility that Dr. King and Lincoln and Washington and all our great leaders understood is at the core of true leadership. In a democracy as big and as diverse as ours, we will encounter every opinion. And our task as citizens—whether we are leaders in government or business or spreading the word—is to spend our days with open hearts and open minds; to seek out the truth that exists in an opposing view and to find the common ground that allows for us as a nation, as a people, to take real and meaningful action. And we have to do that humbly, for no one can know the full and encompassing mind of God. And we have to do it every day, not just at a prayer breakfast. I have to say this is now our fifth prayer breakfast and it is always just a wonderful event. But I do worry sometimes that as soon as we leave the prayer breakfast, everything we've been talking about the whole time at the prayer breakfast seems to be forgotten—on the same day of the prayer breakfast. I mean, you'd like to think that the shelf life wasn't so short. But I go back to the Oval Office and I start watching the cable news networks and it's like we didn't pray.

And so my hope is that that humility carries over every day, every moment. While God may reveal His plan to us in portions, the expanse of His plan is for God, and God alone, to understand. “For now we see through a glass, darkly; but then face to face; now I know in part, but then shall I know even as also I am known.” Until that moment, until we know, and are fully known, all we can do is live our lives in a

Godly way and assume that those we deal with every day, including those in an opposing party, they're groping their way, doing their best, going through the same struggles we're going through. And in that pursuit, we are blessed with guidance. God has told us how He wishes for us to spend our days. His Commandments are there to be followed. Jesus is there to guide us; the Holy Spirit, to help us. Love the Lord God with all your heart and with all your soul and with all your mind. Love your neighbor as yourself. See in everyone, even in those with whom you disagree most vehemently, the face of God. For we are all His children. That's what I thought of as I took the oath of office a few weeks ago and touched those Bibles—the comfort that Scripture gave Lincoln and King and so many leaders throughout our history; the verses they cherished, and how those words of God are there for us as well, waiting to be read any day that we choose. I thought about how their faith gave them the strength to meet the challenges of their time, just as our faith can give us the strength to meet the challenges of ours. And most of all, I thought about their humility, and how we don't seem to live that out the way we should, every day, even when we give lip service to it.

As President, sometimes I have to search for the words to console the inconsolable. Sometimes I search Scripture to determine how best to balance life as a President and as a husband and as a father. I often search for Scripture to figure out how I can be a better man as well as a better President. And I believe that we are united in these struggles. But I also believe that we are united in the knowledge of a redeeming Savior, whose grace is sufficient for the multitude of our sins, and whose love is never failing. And most of all, I know that all Americans—men and women of different faiths and, yes, those of no faith that they can name—are, nevertheless, joined together in common purpose, believing in something that is bigger than ourselves, and the ideals that lie at the heart of our nation's founding—that as a people we are bound together.

And so this morning, let us summon the common resolve that comes from our faith. Let us pray to God that we may be worthy of the many blessings He has bestowed upon our nation. Let us retain that humility not just during this hour but for every hour. And let me suggest that those of us with the most power and influence need to be the most humble. And let us promise Him and to each other, every day as the sun rises over America that it will rise over a people who are striving to make this a more perfect union. Thank you. God bless you, and God bless the United States of America.

Senator Sessions: Thank you. Thank you Mr. President. We're not of the same political party, sometimes we disagree, but speaking as an American, we are one nation and we have one President who serves us all. Thank you for being my President, thank you for being our President.

So let's all enjoy now a final selection from Andrea Bocelli.

[Song]

Mr. Andrea Bocelli: Thank you very much. I'm very ashamed of my English because I would like to tell you many, many things but I can't because my English is very poor. But I live this moment like a dream, because very often my country has been in trouble, just because the left and the right never are able to speak with each other. And in this country where I received a lot, a big, big affection, incredible affection, today I received

also a big teaching. I will try going back to my country, Italy, to transmit this will that for me is the most important thing—the will to pray together. Thank you very much.

Senator Pryor: Thank you Andrea. Just like your songs that was very beautiful. At the end of the Sermon on the Mount, Jesus said, “Therefore, everyone who hears these words of mine and puts them into practice is like a wise man who built his house on the rock.” Let's be wise people in the important roles that we're about to step back into in a few minutes and put what we've heard and learned here into practice.

Senator Sessions: Love God. Love your neighbor. Let's make that simple rule our guide and make our complex world a better one today. And to offer our closing prayer, please welcome Olympic gold medalist, Gabrielle Douglas.

Ms. Gabrielle Douglas: Thank you. It's such an honor to be here today with so many distinguished leaders, especially Mr. President, Mrs. Obama, Mr. Vice President and the Honorable Mark Pryor and the Honorable Jeff Sessions. Now please, please join me as we bow our heads and pray.

Dear Heavenly Father, thank you for the many continued blessings. We uplift every leader from every nation and ask that you continue to give them wisdom as they govern. Teach us to walk in humility, strengthen us as we strive to fulfill your plan, your purpose for our lives. And as we go from here, I pray we would all pursue your peace, your love and your grace, in Jesus' name, Amen.

Senator Pryor: We're done, thank you, God bless you.

EQUAL ACCESS TO JUSTICE FOR A FEW

Mr. BARRASSO. Mr. President, I rise today to ask unanimous consent to have printed in the *RECORD* an article written by Ken Hamilton, Executive Vice President of the Wyoming Farm Bureau that was Published in the April 2013 edition of *Wyoming Agriculture*. The article's title is “Equal Access to Justice for a few.”

Mr. President, while we continue to fight for increased transparency with regards to the Equal Access to Justice Act, one thing is already clear—the Federal Government is picking winners and losers. Mr. Hamilton calls this a “cozy appearance between the groups who sue the Federal Government and the desire by the government to help pay their way.” He points out in one recent case of several environmental groups suing the Fish and Wildlife Service over wolf delisting efforts where the Federal Government quickly approved their November 2012 claim for \$380,000 in attorney fees. That is \$380,000 dollars of hard-earned American taxpayer dollars this administration's Justice Department was more than happy to hand over to their political allies.

Ken continues to illustrate the apparent political fingerprints and favoritism in the Justice Department by stating, “Meanwhile back at the ranch, the Wyoming Wolf Coalition through its attorney Harriet Hageman, has

asked the Federal Government for their fees under EAJA. These fees, one-tenth of the environmental claim, have been argued over by the same Federal Government since April of 2011." Let me repeat that. Since 2011, the Justice Department has been actively arguing over an EAJA claim of approximately \$36,000 to a group that supported wolf delisting when the same Justice Department agreed to send \$380,000 to environmental groups opposed to the delisting of wolves.

Based on these facts I would have to agree with Ken's conclusion that, "the Equal Access to Justice Act is being applied less than equally by the Federal Government. It appears that if they agree with you they will send you a check, but if they do not they will send you an attorney's response denying you your money."

This administration should not be in the business of playing favorites by rewarding their political friends with taxpayer dollars. I commend Ken for highlighting the apparent inequality and abuse of the so-called Equal Access to Justice Act. This is one of the reasons I plan to continue fighting for real transparency regarding which groups are receiving EAJA payments, why they are receiving it, and how much money—taxpayer money—is being given away. It is time the Equal Access to Justice Act truly live up to its name.

Mr. President, I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wyoming Farm Bureau Federation Opinion Editorial, Mar. 26, 2013]

EQUAL ACCESS TO JUSTICE FOR A FEW

(By Ken Hamilton, Wyoming Farm Bureau Federation, Executive Vice President)

Many people are aware of the efforts to reform the Equal Access to Justice Act (EAJA) in order to bring more transparency to the process of the federal government paying attorney fees. Based on information researched and brought to light through the Budd-Falen law offices we found out that monies were being awarded without the slightest effort by the government to keep track of who received them and why. Thus, the need for some transparency and oversight. We have also seen some of the recipients fight efforts to bring transparency and why wouldn't they? After all, this is something that helps off-set their cost of suing the federal government.

The other aspect of this that some have wondered about is the sometimes cozy appearance between these groups who sue the federal government and the desire by the government to help pay their way.

Recently, several environmental groups settled with the federal government over their attorney fees for suing the Fish and Wildlife Service on wolf delisting efforts in Montana and Idaho. The settlement agreed to by the federal government will pay the groups \$380,000 for their attorney fees. This request for money was filed with the courts in November of 2012 and the government didn't object to this filing.

Meanwhile back at the ranch, the Wyoming Wolf Coalition through its attorney

Harriet Hageman, has asked the federal government for their fees under EAJA. These fees, a tenth of the environmental claim, have been argued over by the same federal government since April of 2011.

Given this interesting development it certainly appears the federal government, through the Justice Department, does not apply justice uniformly. Perhaps the Justice Department is concerned that these multi-million dollar environmental groups should be paid because they have resources far beyond the troublesome rancher, sportsmen, outfitters and local governments and they could use the money but those other entities should be denied because they are poor.

Perhaps they feel that almost \$400,000 is not a big deal, but \$36,000 is a huge deal worthy of Justice Department attorney time to file objections.

Who knows, but one thing is apparent and that is the Equal Access to Justice Act is being applied less than equally by the federal government. It appears that if they agree with you they will send you a check, but if they do not they will send you an attorney's response denying you your money.

GRASSBAUGH VETERANS PROJECT

Mr. PORTMAN. Mr. President, today I wish to honor the commencement of the Captain Jonathan D. Grassbaugh Veterans Project. CPT Jonathan Grassbaugh and three other soldiers were killed in action in Iraq on April 7, 2007, when an insurgent detonated a 500-pound explosive beneath their truck. His wife, CPT Jenna C. Grassbaugh, has collaborated with the Ohio State University Moritz College of Law to create the Captain Jonathan D. Grassbaugh Veterans Project. The Jonathan D. Grassbaugh Veterans Project will provide veterans returning from deployment with legal assistance, with the help of law students aided by professional lawyers.

CPT Jenna Grassbaugh donated \$250,000 of her husband's life insurance policy to the Moritz College of Law in order to honor her husband's legacy and assist returning veterans. The Grassbaugh Veterans Project will open in April and will be operational by fall 2014.

I would also like to pay tribute to Jonathan D. Grassbaugh and the rich legacy he leaves. His commitment to service is an inspiration to all of us and he will not be forgotten. I would also like to recognize CPT Jenna Grassbaugh for honoring the legacy of her husband in such a meaningful way.

TRIBUTE TO LIEUTENANT COLONEL KENNETH W. McDONALD

Mr. REED. Mr. President, I wish to recognize the accomplishments of LTC Kenneth McDonald, who is retiring this month after a distinguished career of over 28 years of service to the United States Army and the Nation.

Lieutenant Colonel McDonald graduated from West Point in 1985 with a degree in Civil Engineering and was commissioned a Second Lieutenant in

the U.S. Army Corps of Engineers. He subsequently served as a platoon leader, support platoon leader, and executive officer in the 299th Engineer Battalion (Corps Combat) at Fort Sill, OK. He later commanded Delta Company, 20th Engineer Battalion at Fort Campbell, KY and served as S3 and executive officer for the 577th Engineer Battalion, Fort Leonard Wood, MO.

Throughout his career, Lieutenant Colonel McDonald deployed to Iraq for Operation Desert Shield/Desert Storm, Kosovo, and Korea. In 2006, Kenny volunteered for service in Iraq in support of Operation Iraqi Freedom and served as deputy commander, Gulf Region Division South District, U.S. Army Corps of Engineers in Basrah. During his 2 year tour, he was responsible for over \$500 million worth of construction projects, including the Basrah Children's Hospital. In 2008, he and members of his team were severely wounded in an ambush while they were inspecting the hospital. He recovered from his wounds at Walter Reed Army Medical Center and later was assigned to the West Point Warrior Transition Unit. While still assigned to the WTU, he requested and was allowed to serve as the deputy commander, New York District, U.S. Army Corps of Engineers.

Lieutenant Colonel McDonald also served as an instructor and assistant professor in the Department of Geography and Environmental Engineering and the Department of Civil and Mechanical Engineering at West Point. In 2009, he was promoted to associate professor and served as engineering program director for the Department of Systems Engineering at West Point. During his tenure, the Engineering Management Program was recognized 3 years in a row as the top Engineering Management Program for undergraduate education in the Nation by the American Society for Engineering Management.

His military awards and decorations include the Bronze Star; Purple Heart; Meritorious Service Medal; Joint Service Commendation Medal; Army Commendation Medal; Army Achievement Medal; Joint Meritorious Unit Award; Meritorious Unit Commendation; Army Superior Unit Award; Air Assault; Airborne; Ranger Tab; and Combat Action Badge.

Kenny and his wife COL Debbie McDonald, who currently serves as the director of admissions at West Point, have two grown children. Their daughter Anna is a 1LT Quartermaster Officer and Company Commander and their son Joshua is a cadet at West Point. I congratulate Kenny on a job well done, and wish him and his family the very best in the years to come.

TRIBUTE TO GORDON MOULTON

Mr. SHELBY. Mr. President, I rise today to pay tribute to Dr. Gordon

Moulton in honor of his retirement after 46 years of service to the University of South Alabama. Gordon dedicated his life to the success of the university and its surrounding communities and served as university president for 16 years. I am honored to call this remarkable man my friend and fellow Alabamian.

Gordon received his B.S. in Industrial Management from the Georgia Institute of Technology and an M.B.A. from Emory University. He was also awarded an honorary doctorate from Spring Hill College in 2006.

He began his service at the University of South Alabama 3 years after its founding in 1966 as a business faculty member and went on to launch the School of Computer and Information Sciences as its first dean. He was named president of the university in 1998. Gordon's numerous successes at the university include increasing academic programs and scholarships, securing grants for cancer research, expanding student opportunities, development and renovation of various facilities, and the creation of the USA Research and Technology Park which has provided many jobs and opportunities for high-tech industry partnerships in south Alabama.

During his tenure as President, the University of South Alabama was able to launch "Campaign USA," a highly successful fundraising effort that has raised millions for the university. He also worked to form a critical partnership with Infirmity Health System which has been instrumental in making improvements in area health care. For his work in the area, Gordon was named "Mobilian of the Year" in 2002.

Over the years, Gordon and his wife Geri have donated generously to the University of South Alabama, most recently presenting the University with \$3 million in order to fund cancer research at the USA Mitchell Cancer Institute. Their generosity, compassion, and dedication to finding a cure for cancer is both admirable and humbling. In addition to funding for cancer research, they have given millions to fund Moulton Tower and Alumni Plaza, Geri Moulton Children's Park at the USA Children's and Women's Hospital, and various scholarships and athletic endeavors.

Today, it is rare to see an individual so invested in one institution for the larger part of his career, but the work that Gordon Moulton has done at and for the University of the South will forever be remembered by its students, faculty, board of trustees, and the communities in and around Mobile that have benefitted from the University.

I congratulate him on his retirement and thank him for his decades of service to one of Alabama's great educational institutions.

ADDITIONAL STATEMENTS

FRIENDS OF THE CHILDREN

• Mr. WYDEN. Mr. President, today I rise in support of Friends of the Children, FOTC, a revolutionary organization founded and based in my hometown of Portland, OR, that provides intensive, long-term mentors to highly vulnerable kids in need. FOTC takes a preventive, early intervention approach that breaks the cycle of poverty and helps children grow up to be productive citizens.

The key to FOTC's success is its mentors, called Friends. Each Friend is full time, paid and professionally trained. The Friends are matched with the most severely at-risk children at an early age—selected in kindergarten—and make a 12½ year commitment to each child, guiding them through high school graduation.

Friends of the Children was founded in 1993 and is celebrating its 20th anniversary this year. My friend Duncan Campbell, founder of FOTC, grew up in poverty himself, and his persistence, hard work and entrepreneurial spirit continue to be a driving force behind FOTC's success.

The goals for FOTC's children are both simple and profound: success in school with a minimum of a high school diploma or GED; avoid involvement in the juvenile justice system, and avoid early parenting. And independent research has shown that Friends of the Children is achieving those goals: 85 percent of FOTC graduates have completed high school, despite 54 percent having a parent who did not graduate; 97 percent of FOTC youth are not involved in the juvenile justice system despite 60 percent having a parent who has been incarcerated; and 98 percent of FOTC adolescents avoid early parenting despite 60 percent having been born to a teen mother.

Friends of the Children works because it treats every child as an individual facing a set of unique circumstances, and takes a committed, hands-on approach to improving those circumstances. It works because it focuses on one-on-one relationships using a rational, intelligent and proven system.

While headquartered in Portland, Friends of the Children now has chapters in four additional cities: Klamath Falls, Seattle, Boston and New York. Today, I am proud to congratulate this remarkable program on its 20th anniversary, and look forward to celebrating many more years of its continued success.●

BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2014—PM 7

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on Appropriations; and the Budget:

THE BUDGET MESSAGE OF THE PRESIDENT

To the Congress of the United States:

Thanks to the hard work and determination of the American people, we have made significant progress over the last 4 years. After a decade of war, our brave men and women in uniform are coming home. After years of recession, our businesses have created over six million new jobs. We buy more American cars than we have in 5 years, and less foreign oil than we have in 20 years. Our housing market is healing, our stock market is rebounding, and consumers, patients, and homeowners enjoy stronger protections than ever before.

But we know that there are millions of Americans whose hard work and dedication have not yet been rewarded. Our economy is adding jobs—but too many people still cannot find full-time employment. Corporate profits have skyrocketed to all-time highs—but for more than a decade, wages and incomes have barely budged.

It is our generation's task to reignite the true engine of America's economic growth—a rising, thriving middle class. It is our unfinished task to restore the basic bargain that built this country—the idea that if you work hard and meet your responsibilities, you can get ahead, no matter where you come from, no matter what you look like, or whom you love.

It is our unfinished task to make sure that this Government works on behalf of the many, and not just the few; that it encourages free enterprise, rewards individual initiative, and opens the doors of opportunity to every child across this great Nation.

A growing economy that creates good, middle class jobs—this must be the North Star that guides our efforts. Every day, we should ask ourselves three questions as a Nation: How do we attract more jobs to our shores? How do we equip our people with the skills they need to get those jobs? And how do we make sure that hard work leads to a decent living?

This Budget seeks to answer each of these questions.

Our first priority is making America a magnet for new jobs and manufacturing. After shedding jobs for more than 10 years, our manufacturers have added more than 500,000 jobs over the past 3 years. Companies large and small are increasingly deciding to bring jobs back to America.

To accelerate this trend, the Budget builds on the success of the manufacturing innovation institute we created in Youngstown, Ohio last year, and calls for the creation of a network of 15

of these hubs across the Nation. In these innovation hubs, businesses will partner with universities and Federal agencies to turn regions around our country into global centers of high-tech jobs.

The Budget also includes new initiatives to support manufacturing communities, including a new tax credit to strengthen their ability to attract investments and jobs. And it expands my Administration's SelectUSA initiative to help draw businesses and investment from around the world to our shores.

If we want to make the best products, we also have to invest in the best ideas. That is why the Budget maintains a world-class commitment to science and research, targeting resources to those areas most likely to contribute directly to the creation of transformational technologies that can create the businesses and jobs of the future.

No area holds more promise than our investments in American energy. The Budget continues to advance my "all-of-the-above" strategy on energy, investing in clean energy research and development; promoting energy efficiency in our cars, homes, and businesses; encouraging responsible domestic energy production; and launching new efforts to combat the threat of climate change.

Modeled after my successful Race to the Top education reform effort, the Budget includes a new Race to the Top energy efficiency challenge for States, rewarding those that implement the most effective policies to cut energy waste. And it establishes a new Energy Security Trust funded by royalty revenue from oil and gas leases to support initiatives to shift our cars and trucks off oil, cutting our Nation's reliance on foreign oil.

Over the last 4 years, we have begun the hard work of rebuilding our Nation's infrastructure. We have built or improved over 350,000 miles of road and more than 6,000 miles of rail. And we have repaired or replaced over 20,000 bridges. But to compete in the 21st Century economy and become a magnet for jobs, we must do more. We need to repair our existing infrastructure, and invest in the infrastructure of tomorrow, including high-speed rail, high-tech schools, and self-healing power grids. These investments will both lay the foundation for long-term economic growth and put workers back on the job now.

My Budget includes \$50 billion for up-front infrastructure investments, including a "Fix-it-First" program that makes an immediate investment to put people to work as soon as possible on our most urgent repairs, like the nearly 70,000 structurally-deficient bridges across the country. And to make sure taxpayers do not shoulder the whole burden, the Budget creates a Rebuild America Partnership to attract private

capital to upgrade what our businesses need most: modern ports to move our goods; modern pipelines to withstand a storm; and modern schools worthy of our children.

The Budget also supports efforts I announced earlier this year to modernize and improve the efficiency of the Federal permitting process, cutting through the red tape that has been holding back even some of the most carefully planned infrastructure projects. These efforts will help us to achieve the new goal I set to cut timelines in half for infrastructure projects, while creating new incentives for better outcomes for communities and the environment.

All of these initiatives in manufacturing, energy, and infrastructure will help entrepreneurs and small business owners expand and create new jobs. But none of it will matter unless we also equip our citizens with the skills and training to fill those jobs.

And that has to start at the earliest possible age. But today, fewer than 3 in 10 4-year-olds are enrolled in a high-quality preschool program, and the high cost of private preschool puts too much of a financial burden on middle class families.

The Budget therefore includes a proposal that ensures 4-year-olds across the country have access to high-quality preschool education through a landmark new initiative in partnership with the States. And it increases the availability of early learning for our youngest children to help their growth and development during the formative early years of life.

Providing a year of free, public preschool education for 4-year-old children is an important investment in our future. It will give all our kids the best start in life, helping them perform better in elementary school and ultimately helping them, and the country, be better prepared for the demands of the global economy. Not only that, it could save hard-working families thousands of dollars each year in child care costs. This is an investment we need to make, and it is fully paid for in this Budget by imposing a new tax on every pack of cigarettes sold.

The Budget also builds on the historic reforms made during my first term to improve our elementary and secondary school system by rewarding excellence and promoting innovation. To help ensure that our high schools are putting our kids on a path to college and a good job, the Budget includes a new competitive fund that will help redesign America's high schools to prepare students with the real world skills they need to find a job right away or go to college. The fund rewards schools that develop new partnerships with colleges and employers, and create classes focusing on science, technology, engineering and mathematics (STEM)—the skills today's em-

ployers seek to fill the jobs available right now and in the future.

Even with better high schools, most young people will still need some higher education. Through tax credits, grants, and better loans, we have made college more affordable for millions of students and families over the last 4 years. But skyrocketing costs are still pricing too many young people out of a higher education, or saddling them with unsustainable debt. And taxpayers cannot continue to subsidize higher and higher costs for higher education.

To encourage colleges to do their part to keep costs down, the Budget includes reforms that will ensure affordability and value are considered in determining which colleges receive certain types of Federal aid. My Administration has also released a new "College Scorecard" that parents and students can use to compare schools.

To further ensure our educational system is preparing students for careers in the 21st Century economy, the Budget includes additional measures to promote STEM education, such as launching a new STEM Master Teacher Corps, to leverage the expertise of some of America's best and brightest teachers in science and mathematics, and to elevate the teaching of these subjects nationwide. It also includes a reorganization and consolidation of STEM education programs to improve the effectiveness of Federal investments in this area.

The Budget takes other critical steps to grow our economy, create jobs, and strengthen the middle class. It implements the Affordable Care Act, giving every American access to the high-quality, affordable health care coverage they deserve, and reducing the deficit by more than \$1 trillion over the next two decades. It implements Wall Street reform, ending too-big-to-fail and protecting consumers against the abuses and reckless behavior that contributed to the financial collapse in 2008. And it includes measures to strengthen our housing market and ensure that every responsible homeowner has the opportunity to refinance at today's rates, saving \$3,000 a year on average.

Our economy is stronger when we harness the talents and ingenuity of striving, hopeful immigrants. That is why I have proposed a plan to fix our broken immigration system that secures our borders, cracks down on employers who hire undocumented workers, attracts highly-skilled entrepreneurs and engineers to help create jobs and drive economic growth, and establishes a responsible pathway to earned citizenship—a path that includes passing a background check, paying taxes and a meaningful penalty, learning English, and going to the back of the line behind the folks trying to come here legally. The Budget makes

investments that will make our immigration system more efficient and fair and lay a foundation for this permanent, common-sense reform.

The Budget also builds on the progress made over the last 4 years to expand opportunity for every American and every community willing to do the work to lift themselves up. It creates new ladders of opportunity to ensure that hard work leads to a decent living. It rewards hard work by increasing the minimum wage to \$9 an hour so an honest day's work pays more. It partners with communities by identifying Promise Zones to help rebuild from the recession. It creates pathways to jobs for the long-term unemployed and youth who have been hardest hit by the downturn. And it strengthens families by removing financial deterrents to marriage and supporting the role of fathers.

We also know that economic growth can only be achieved and sustained if America is safe and secure, both at home and abroad. At home, the Budget supports my initiative to help protect our kids, reduce gun violence, and expand access to mental health services. We can protect our Second Amendment rights while coming together around reforms like eliminating background check loopholes to make it harder for criminals to get their hands on a gun—common-sense reforms that will help protect our kids from the scourge of gun violence that has plagued too many communities across the country.

To confront threats outside our borders, the Budget ensures our military remains the finest and best-equipped military force the world has ever known, even as we wind down more than a decade of war.

Already, we have brought home more than 30,000 of our brave servicemembers from Afghanistan. Our remaining forces are moving into a support role, with Afghan security forces taking the lead. And over the next year, another 34,000 American troops will come home. This drawdown will continue and, by the end of next year, our war in Afghanistan will be over. Beyond 2014, the Budget supports our continued commitment to a unified and sovereign Afghanistan.

To maintain our national security, the Budget supports our ongoing fight against terrorists, like al Qaeda. The organization that attacked us on 9/11 is a shadow of its former self. But different al Qaeda affiliates and extremist groups have emerged—from the Arabian Peninsula to Africa. We will confront these emerging security challenges through the full range of U.S. capabilities and tools, including diplomatic, security, intelligence, and economic development.

The Budget also provides the resources we need to act on our commitment to and interests in global development, by promoting food security

that reduces dependence and increases prosperity; by investing in the increasingly successful drive toward an AIDS-free generation; and by maintaining our leadership as a global provider of humanitarian assistance that saves lives and reflects American values.

We must also confront new dangers, like cyber attacks, that threaten our Nation's infrastructure, businesses, and people. The Budget supports the expansion of Government-wide efforts to counter the full scope of cyber threats, and strengthens our ability to collaborate with State and local governments, our partners overseas, and the private sector to improve our overall cybersecurity.

The Budget also focuses resources on the Asia-Pacific region, reasserting American leadership and promoting security, stability, democracy, and economic growth.

Importantly, the Budget upholds our solemn obligation to take care of our servicemembers and veterans, and to protect our diplomats and civilians in the field. It keeps faith with our veterans, investing in world-class care, including mental health care for our wounded warriors, supporting our military families, and giving our veterans the benefits, education, and job opportunities that they have earned.

The Budget does all of these things as part of a comprehensive plan that reduces the deficit. All of these initiatives and ideas are fully paid for, to ensure they do not increase the deficit by a single dime.

By making investments in our people that we pay for responsibly, we will strengthen the middle class, make America a magnet for jobs and innovation, and grow our economy, which will in turn help us to reduce deficits. But economic growth alone will not solve our Nation's long-term fiscal challenges.

As we continue to grow our economy, we must take further action to cut our deficits. We do not have to choose between these two important priorities—we have to do both.

Over the last 4 years, both parties have worked together to reduce the deficit in a balanced way by more than \$2.5 trillion. That is more than halfway toward the goal of \$4 trillion in deficit reduction that economists say we need to stabilize our finances. As we wind down two wars, we have protected our military families and veterans while cutting defense spending on outdated military weapons systems. Domestic discretionary spending is approaching its lowest levels as a share of the economy since President Eisenhower was in office; and we have moved aggressively to cut waste, fraud, and abuse. And together, we have begun to ask the wealthy to do their fair share while keeping income taxes low for middle class families. Overall, we have cut the deficit in a balanced way that protects

the investments in education, manufacturing, clean energy, and small businesses we need to grow the economy and strengthen the middle class. There is more work to do, and this Budget is designed to finish the job.

But we should not do it by making harsh and arbitrary cuts that jeopardize our military readiness, devastate priorities like education and energy, and cost jobs. That is not how to grow the economy. We should not ask middle class senior citizens and working families to pay down the rest of our deficit while the wealthiest are asked for nothing more. That does not grow our middle class.

The American people understand that we cannot just cut our way to prosperity. That is why I have repeatedly called for a balanced approach to deficit reduction. And that is why I have offered proposals on multiple occasions that cut wasteful spending, strengthen entitlements, and eliminate special tax breaks and loopholes so the wealthiest pay their fair share.

In my negotiations with House Speaker BOEHNER in December over the so-called "fiscal cliff," I again offered a compromise proposal that was balanced and comprehensive, and would achieve our \$4 trillion deficit reduction goal. That proposal is still on the table. I am including it in this Budget to demonstrate my commitment to making the kind of tough and balanced choices that are needed to put our Nation's finances in order.

To be clear, the package I am offering includes some difficult cuts that I do not particularly like. But these measures will only become law if congressional Republicans agree to meet me in the middle by eliminating special tax breaks and loopholes so millionaires and billionaires do their fair share to cut the deficit. I will not agree to any deal that seeks to cut the deficit on the backs of middle class families. I am willing to make tough choices that may not be popular within my own party, because there can be no sacred cows for either party. And I look forward to working with any member of Congress who takes a similar, balanced approach. This plan is built on the kind of common ground that Democrats and Republicans should be able to reach.

In total, the Budget will cut the deficit by another \$1.8 trillion over the next 10 years, bringing the deficit below 2 percent of GDP by 2023 and putting our debt on a declining path. This is not an end in and of itself—the best way to grow the economy and cut the deficit is by creating good middle class jobs. But this plan to reduce the deficit in a balanced way is a critical step toward ensuring that we have a solid foundation on which to build a strong economy and a thriving middle class for years to come.

Finally, this Budget continues my commitment to reforming and streamlining our Government for the 21st Century. It builds on my Campaign to Cut Waste by further targeting and eliminating wasteful spending wherever we find it. It reorganizes and consolidates agencies and programs to make them leaner and more efficient. It increases the use of evidence and evaluation to ensure we are making smart investments with our scarce taxpayer dollars. And it harnesses new technologies to allow us to do more with less.

No single Budget can solve every challenge and every problem facing the country. But this Budget shows how we can live within our means while growing our economy, strengthening the middle class, and securing our Nation's future. It is not a Democratic plan or a Republican plan. It is an American plan. And it is a plan that I hope can serve as an outline for us to write the next great chapter of the American story . . . together.

BARACK OBAMA.
THE WHITE HOUSE, April 10, 2013.

MESSAGE FROM THE HOUSE

At 1:00 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 254. An act to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

H.R. 1033. An act to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1033. An act to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 680. A bill to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes.

S. 691. A bill to regulate large capacity ammunition feeding devices.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-1060. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Definition of Form I-94 to Include Electronic Format" (RIN1651-AA96) received in the Office of the President of the Senate on March 22, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1061. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Excepted Service—Appointment of Persons with Intellectual Disabilities, Severe Physical Disabilities, and Psychiatric Disabilities" (RIN3206-AM07) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1062. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals through the 1st Quarter of Fiscal Year 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1063. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the Affordable Housing Mandates for Development Projects Formerly Managed by the Dissolved National Capital Revitalization Corporation and Anacostia Waterfront Corporation"; to the Committee on Homeland Security and Governmental Affairs.

EC-1064. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-670, "Pharmacy Technician Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-1065. A communication from the Secretary to the Board, Railroad Retirement Board, transmitting, pursuant to law, the Railroad Retirement Board's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1066. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1067. A communication from the Deputy Associate Director for External Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, the Bureau's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1068. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to the District of Columbia Family Court Act; to the Committee on Homeland Security and Governmental Affairs.

EC-1069. A joint communication from the Chairman and the Acting General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Board's Buy Amer-

ican Act Report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-1070. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Administration's Annual Report on The Notification and Federal Employee Antidiscrimination and Retaliation Act for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-1071. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "U.S. Department of Health and Human Services met Many Requirements of the Improper Payments Information Act of 2002 but Was Not Fully Compliant"; to the Committee on Homeland Security and Governmental Affairs.

EC-1072. A communication from the Acting Administrator of the General Services Administration, transmitting, pursuant to law, the Administration's fiscal year 2012 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-1073. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-29, "Medical Marijuana Cultivation Center and Dispensary Location Restriction Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1074. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-40, "Tax Revision Commission Report Extension and Procurement Streamlining Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1075. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-30, "Board of Ethics and Government Accountability Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1076. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-31, "Prohibition on Government Employee Engagement in Political Activity Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1077. A communication from the Director of Equal Employment Opportunity, Securities and Exchange Commission, transmitting, pursuant to law, the Commission's 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1078. A communication from the Acting Director of the Peace Corps, transmitting, pursuant to law, the Peace Corps' fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1079. A communication from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting, pursuant to law, the Farm Credit Administration's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1080. A communication from the Executive Director, United States Access Board, transmitting, pursuant to law, the Board's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1081. A communication from the Chief Human Resources Officer, United States Postal Service, transmitting, pursuant to law, the Postal Service's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1082. A communication from the Chair of the Recovery Accountability and Transparency Board, transmitting, pursuant to law, the Board's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1083. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1084. A communication from the Associate Commissioner, National Indian Gaming Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1085. A communication from the Senior Vice President, Diversity and Labor Relations, Tennessee Valley Authority, transmitting, pursuant to law, the fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1086. A communication from the Acting Administrator, General Service Administration, transmitting, pursuant to law, the fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1087. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Corporation's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1088. A communication from the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1089. A communication from the Chairman, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1090. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1091. A communication from the Chairman of the Federal Labor Relations Authority, transmitting, pursuant to law, the Authority's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1092. A communication from the Director, Equal Employment Opportunities and Diversity Programs, National Archives and Records Administration, transmitting, pursuant to law, the Administration's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1093. A communication from the Equal Employment Opportunity and Inclusion Director, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Farm Credit System Insurance Corporation's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1094. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1095. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-035, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1096. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-059, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1097. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-030, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1098. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certifi-

cation, transmittal number: DDTC 13-017, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1099. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-015, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1100. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-043); to the Committee on Foreign Relations.

EC-1101. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-044); to the Committee on Foreign Relations.

EC-1102. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-017); to the Committee on Foreign Relations.

EC-1103. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. support for Taiwan's participation as an observer at the 66th World Health Assembly and in the work of the World Health Organization; to the Committee on Foreign Relations.

EC-1104. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Defense Trade Cooperation Treaty Between the United States and Australia" (RIN1400-AD38) received in the Office of the President of the Senate on April 8, 2012; to the Committee on Foreign Relations.

EC-1105. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the current and future military strategy of Iran (OSS 2013-0463); to the Committee on Armed Services.

EC-1106. A communication from the Board of Actuaries, Department of Defense, transmitting, pursuant to law, the 2012 Report of the Department of Defense (DoD) Board of Actuaries; to the Committee on Armed Services.

EC-1107. A communication from the Acting Director, Federal Housing Finance Agency, transmitting, pursuant to law, the Agency's annual report on the activities of its Office of Minority and Women Inclusion; to the Committee on Banking, Housing, and Urban Affairs.

EC-1108. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting, pursuant to law, the Bank's 2012 Statement on System of Internal Controls, audited financial statements, Report of Independent Registered Public Accounting Firm, and Report of Independent Registered Public Accounting Firm on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with

Government Auditing Standards; to the Committee on Banking, Housing, and Urban Affairs.

EC-1109. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to sequestration; to the Committee on the Budget.

EC-1110. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to discretionary appropriations legislation; to the Committee on the Budget.

EC-1111. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Reporting Procedure for Mathematical Models Selected to Predict Heated Effluent Dispersion in Natural Water Bodies" (Regulatory Guide 4.4) received in the Office of the President of the Senate on April 8, 2013; to the Committee on Environment and Public Works.

EC-1112. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Final Integrated Construction Report and Environmental Impact Statement for the Louisiana Coastal Area (LCA), Barataria Basin Barrier Shoreline (BBBS) Restoration Project, Lafourche, Jefferson and Plaquemines Parishes, Louisiana; to the Committee on Environment and Public Works.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Jenny R. Yang, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2017.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO (for himself, Mr. ALEXANDER, Mr. BARRASSO, Mr. BLUNT, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. CORNYN, Mr. ENZI, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. MCCONNELL, Mr. PAUL, Mr. RISCH, and Mr. VITTER):

S. 692. A bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt; to the Committee on Appropriations.

By Mr. WYDEN:

S. 693. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes; to the

Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 694. A bill to remove the authority of the Agricultural Marketing Service to inspect apples; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOOZMAN (for himself and Mr. BEGICH):

S. 695. A bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REID (for Mr. LAUTENBERG (for himself, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mrs. BOXER, Mr. UDALL of New Mexico, Mr. BAUCUS, Ms. MIKULSKI, Mr. BENNET, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. TESTER, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. COWAN, Mr. SANDERS, Ms. WARREN, Mr. HARKIN, Mr. MERKLEY, Mr. WYDEN, Mr. CARDIN, Mr. LEAHY, Mr. MENENDEZ, Mr. SCHATZ, Mr. NELSON, Ms. CANTWELL, and Mr. KING)):

S. 696. A bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN:

S. 697. A bill to reform and improve the oversight of the performance of passenger and baggage security screening at domestic commercial airports by private screening companies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN:

S. 698. A bill to protect prosecutors, judges, law enforcement officers, and their families; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. HATCH, Mr. SESSIONS, Mr. GRAHAM, Mr. CORNYN, Mr. LEE, Mr. CRUZ, and Mr. FLAKE):

S. 699. A bill to reallocate Federal judgeships for the courts of appeals, and for other purposes; to the Committee on the Judiciary.

By Mr. KAINE (for himself, Mr. CHAMBLISS, and Mr. BAUCUS):

S. 700. A bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes; to the Committee on Armed Services and the Committee on Veterans' Affairs.

By Ms. COLLINS:

S. 701. A bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Ms. WARREN, and Mr. COWAN):

S. 702. A bill to designate the Quinebaug and Shetucket Rivers Valley National Heritage Corridor as "The Last Green Valley National Heritage Corridor"; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON (for himself and Mr. BENNET):

S. Res. 95. A resolution recognizing linemen, the profession of linemen, the contributions of these brave men and women who protect the public safety, and expressing support for the designation of April 18, 2013, as National Lineman Appreciation Day; considered and agreed to.

By Mr. ISAKSON (for himself, Mr. MURPHY, Mr. BLUMENTHAL, Mr. PORTMAN, Mr. TESTER, Mr. CARDIN, Mr. BOOZMAN, and Mrs. HAGAN):

S. Con. Res. 12. A concurrent resolution expressing the sense of the Congress that our current tax incentives for retirement savings provide important benefits to Americans to help plan for a financially secure retirement; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 155

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 155, a bill to designate a mountain in the State of Alaska as Denali.

S. 231

At the request of Mr. PORTMAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 231, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

S. 234

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 316

At the request of Mr. SANDERS, the names of the Senator from Montana (Mr. TESTER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 381

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 450

At the request of Mr. SHELBY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 450, a bill to require enhanced economic analysis and justification of regulations proposed by certain Federal banking, housing, securities, and commodity regulators, and for other purposes.

S. 457

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 457, a bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 462, a bill to enhance the

strategic partnership between the United States and Israel.

S. 480

At the request of Mr. GRAHAM, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 480, a bill to improve the effectiveness of the National Instant Criminal Background Check System by clarifying reporting requirements related to adjudications of mental incompetency, and for other purposes.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 577

At the request of Mr. NELSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 649

At the request of Mr. KAINE, his name was added as a cosponsor of S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

S. 655

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 655, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 687

At the request of Mr. MORAN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 689

At the request of Mr. HARKIN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 693. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to reintroduce legislation that will authorize the Bureau of Reclamation to share in the cost of the construction of a new wastewater treatment plant for Hermiston, Oregon. This is the same bill that was passed by the House of Representatives, by voice vote, in the 111th Congress and reported by the Senate Energy and Natural Resources Committee without opposition that Congress as well. I look forward to working with supporters of this bill to advance this important reclamation project.

The city of Hermiston will be responsible for the lion's share of this project. CBO has estimated that the Federal share of the \$26 million project would be \$7 million or just over ¼ of the cost. Once constructed, the plant will provide the Bureau of Reclamation-authorized West Extension Irrigation District with enough additional high-quality water per year to irrigate approximately 600 acres of high value crops. This will have a significant, long-term benefit to the farming industry in the Hermiston area.

The Hermiston project has gotten the sign-off at every level from the local irrigation district to Federal agencies. The city and the bureau have completed the required feasibility report and the bureau of reclamation has formally concluded that the project meets the requirements of the Title XVI cost-sharing program. The regional office of the National Marine Fisheries Service at NOAA has completed a biological opinion approving the project. The city and the West Extension Irrigation District have signed a memorandum of understanding to work together to develop the project. The bureau has concluded its environmental review of the authorization to transfer the water to they district and issued a finding of no significant impact, or FONSI.

The Confederated Tribes of the Umatilla Indian Reservation have also recognized the benefits of the project and support it. These benefits include a significant improvement in the quality of water discharged to the Umatilla River in winter and protection of sensitive fish habitat during summer. These benefits have led the tribe to endorse construction of the Hermiston Water Recycling System Improvement Project and the city's effort to obtain Federal funding.

This project will increase agricultural production while improving the local economy, the environment and habitat for endangered fish. I intend to

work with colleagues to complete action on legislation that has advanced so far in previous Congresses.

By Mr. BOOZMAN (for himself and Mr. BEGICH):

S. 695. A bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes; to the Committee on Veterans' Affairs.

Mr. BOOZMAN. Mr. President, physical activity offers injured members of the Armed Forces and veterans additional opportunities for rehabilitation for both physical and mental health. Using the expertise of the United States Olympic Committee to work with local programs is a great tool to help our veterans improve their quality of life. The U.S. Paralympic Integrated Adaptive Sports Program partners with local organizations to develop programs and skills that meet the needs of our wounded warriors. As a result of this legislation, the program has reached more than 5,000 participants in more than 150 communities in 46 States and has successfully collaborated with 85 VA Medical Centers in 39 States to provide adaptive sports programs to veterans in their local communities through outreach programs, training, practices, camps, clinics, and competitions. For this reason, Senator BEGICH and I are introducing Veterans Paralympic Act of 2013, which would extend the authorization for the U.S. Paralympic Integrated Adaptive Sports Program through 2018.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Paralympic Act of 2013".

SEC. 2. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR PAYMENT OF A MONTHLY ASSISTANCE ALLOWANCE TO DISABLED VETERANS TRAINING OR COMPETING FOR THE PARALYMPIC TEAM.

Section 322(d)(4) of title 38, United States Code, is amended by striking "2013" and inserting "2018".

SEC. 3. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR ASSISTANCE TO UNITED STATES PARALYMPICS, INC.

Section 521A of title 38, United States Code, is amended—

(1) in subsection (g), by striking "2013" and inserting "2018"; and

(2) in subsection (l), by striking "2013" and inserting "2018".

By Mr. GRASSLEY (for himself, Mr. HATCH, Mr. SESSIONS, Mr. GRAHAM, Mr. CORNYN, Mr. LEE, Mr. CRUZ, and Mr. FLAKE):

S. 699. A bill to reallocate Federal judgeships for the courts of appeals, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today I am introducing the Court Efficiency Act, a bill that will help some of the nation's busiest courts. Hopefully, it will also ease some of the tension that arises during debates of D.C. Circuit Court nominees. I am pleased that Senators HATCH, SESSIONS, GRAHAM, CORNYN, LEE, CRUZ, and FLAKE are original co-sponsors.

It is no secret that the D.C. Circuit is the least-busy, least-worked appellate court in the nation. By nearly every measurement taken by the Administrative Office of the U.S. Courts, the D.C. Circuit comes in a distant last. Here are three of the most common measurements using the most recent data available for the 12 months ending September 30, 2012.

First, "Total Appeals Filed." Total Appeals Filed measures the amount of work coming into the court. Simply put, it is the total number of appeals that a circuit court received in the last 12 months. The D.C. Circuit has 108 appeals per authorized judgeship, the lowest in the nation. To put this in perspective, the Second Circuit is 4 times higher and the Eleventh Circuit, the busiest in the nation, is more than five times as high, with 583 appeals filed per authorized judge.

Next, "Total Appeals Terminated" measures the amount of work the court is accomplishing. Once again, the D.C. Circuit is by far the lowest in the nation with 108 total appeals terminated per authorized judgeship. By comparison, the Second Circuit is 4 times higher and the Eleventh Circuit is 5 times higher, at 540 appeals terminated per authorized judgeship.

Finally, "Total Appeals Pending" measures the amount of work before the court. In other words, it is the number of appeals the court hasn't yet addressed or the cases that are outstanding. The D.C. Circuit has 120 appeals pending per authorized judgeship, which means it is essentially tied for last with the Tenth Circuit that has 115. In contrast, the Second Circuit and the Eleventh Circuit have 343 and 323 appeals pending per authorized judgeship, respectively.

Back during President Bush's administration, my friends on the other side of the aisle cited the light work load of that court in order to block qualified, non-controversial nominees. Since that time, the D.C. Circuit Court workload has only continued to decrease.

Considering the imbalance between the workloads of the Circuits, my bill essentially reallocates those vacancies to other circuits that are much busier.

The Court Efficiency Act does four things. First, it adds one seat to the Second Circuit. Second, it adds one seat to the Eleventh Circuit. Third, it reduces the number of authorized judgeships for the D.C. Circuit from 11 to 8. Fourth, it would become effective upon enactment.

Adopting this bill would be a step towards rectifying the great workload disparities between the circuit courts. The Court Efficiency Act would ease some of the pressure on the Second and Eleventh circuits. By moving just one judgeship each to the Second and Eleventh circuits, we would lower each circuit's respective workload by approximately 7.5 percent. This reduction can be accomplished without jeopardizing the D.C. Circuit's status as the "least-busy Circuit." Even after the D.C. Circuit is reduced to 8 seats, it would still be roughly half as busy as the Circuit median in appeals filed, terminated, and pending per authorized judgeship.

I would also like to highlight several things that this bill will not do. First, it would not impact the President's current nominee to the D.C. Circuit, Mr. Srinivasan, whose hearing occurred earlier today. Instead, for the remaining three seats, it removes one and reallocates the other two.

Second, the bill would not affect the president's opportunity to nominate two of those Circuit court vacancies. It simply reassigns those vacancies to other circuits that are clearly busier.

Third, this legislation will be effective immediately, rather than postponing until the beginning of the next presidential term, as has been in the past. Immediate enactment will empower the President to quickly act to alleviate some of the heavy workloads of the Second and Eleventh Circuits.

The bill will also save the taxpayer a significant amount of money annually. Although the bill has not been scored yet by the CBO, this estimate is based on previous estimates offered by the CBO when it has scored judgeship bills.

The last time the D.C. Circuit had 11 nominees was the end of 1999. I want to move past the disagreements over the D.C. Circuit and shift these judges to circuits where there is a greater need to fill them.

This is a common sense bill. It moves judges to where they are needed, a significant step in addressing the severe imbalance in the workloads of some of these circuit courts. It saves the taxpayers money. It doesn't negatively impact the D.C. Circuit Court. It won't affect President Obama's current nominee, Mr. Srinivasan. I urge my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 699

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Court Efficiency Act of 2013”.

SEC. 2. REALLOCATION OF FEDERAL JUDGESHIPS.

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(1) 1 additional circuit judge for the second circuit court of appeals; and

(2) 1 additional circuit judge for the eleventh circuit court of appeals.

(b) CONFORMING AMENDMENT.—Section 44(a) of title 28, United States Code, is amended in the table—

(1) in the item relating to the District of Columbia circuit court of appeals, by striking “11” and inserting “8”;

(2) in the item relating to the second circuit court of appeals, by striking “13” and inserting “14”; and

(3) in the item relating to the eleventh circuit court of appeals, by striking “12” and inserting “13”.

By Ms. COLLINS:

S. 701. A bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. Kaine (for himself, Mr. Chambliss, and Mr. Baucus):

S. 700. A bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes; to the Committee on Armed Services and the Committee on Veterans' Affairs.

Mr. Kaine. Mr. President, I rise today to introduce my first bill as a US Senator. It has been delivered to the desk. The bill is the Troop Talent Act of 2013. I am pleased to note it is cosponsored by Senator Saxby Chambliss and Senator Max Baucus.

The bill begins with a problem which I know concerns all Americans, the unemployment rate of our veterans. Currently, the national unemployment rate average is 7.6 percent, but the unemployment rate for veterans is 9.4 percent. That unemployment rate is particularly acute for veterans who have served in Iraq and Afghanistan.

We can't be comfortable if we see the statistic that our veterans have a higher unemployment rate than the national average. It should be otherwise.

In Virginia, where one in nine of our citizens, one in nine of our 8 million citizens from birth to death is a veteran, this is a particularly acute challenge. Frankly, it is only going to get worse as more and more people exit military service in the drawdown from Afghanistan.

What is the reason for the veterans' unemployment rate being higher than the national average? Some of the rea-

sons have to do with medical challenges and issues which are in the province of the VA. I learned of another reason as I was campaigning across the State for 19 months. I heard stories from veterans, and they would say the following: I was in the military. I was a battlefield medic. I got out of the military and tried to get a job as a physician's assistant or a nurse, and I was told I had no credit for all my military service as I tried to transition into the civilian world.

Another stated: I maintained Naval aviation engines for 20 years. Then when I finished and tried to do the same thing on the civilian side, I was told I had to go back and start as if I had no experience.

Another: I operated heavy equipment, but I was told I would need a commercial driver's license.

Many of the members of our military—all of them are gaining skills along the way, but they go into a civilian workforce where their skills and talents are not recognized. In some ways this is a feature of an all-volunteer military. When we had a draft and men were compelled to serve, someone departing military service would go into the workforce and say they were a gunnery sergeant in the Marine Corps or an E-5 in the Navy, and someone in the workforce would know what it was they had done.

Today only 1 percent of our adults serve in the military. We appreciate what our military members do, but we don't understand their technical skills or their leadership talent.

This is the genesis for the Troop Talent Act of 2013. It is to make sure military members, while they are active, are getting recognized, credentialed credit for the skills they obtain, which will help them get immediate traction back into the civilian workforce.

The True Talent Act has three pillars: The first is the credentialing of military members for the skills they have obtained and the sharing of information between the military branches about the skills they have with service-members, the private sector, and with agencies who would credential them with a civilian credential. This is the first pillar, credentialing people for the skills people obtain.

The second pillar is a bit of a policing function. Sometimes folks will prey upon people leaving the military and say: Pay me \$500, and I will administer a test which will give you a credential. Then it turns out their credential is worthless.

The VA had a working committee to police these credential-granting agencies to ensure no one was being ripped off. That committee no longer is in service. This bill would restart it.

Finally, the last thing this bill would do would be to take one particular industry sector, information technology, where there is a huge need to hire peo-

ple and where our military members have significant skills, and this will accelerate credentialing traction for those members back into the military workforce.

There is a current pilot project DOD is working on with certain specialties but not IT. This would seek to expand the pilot programs to add IT to the list where people are credentialed.

In conclusion, this is about doing what the Nation should do for our servicemembers and making sure they receive the traction they deserve for the service they provided. It is not just about the members themselves, it is also about us. We have invested in our service men and women. They have skills, technical and leadership skills, which would help our society be more successful. To the extent we do not allow them traction back in the civilian life, we are not only depriving them, we are depriving ourselves of their strengths and talents.

I am pleased to introduce this bill and honored to have Senators Baucus and Chambliss as cosponsors.

Ms. COLLINS. Mr. President, today I am offering legislation correcting Obamacare's definition of a “full-time” employee to allow employees to work 40 hours a week without triggering penalties on the businesses that hire them. Currently, Obamacare defines an employee working just 30 hours a week as “full time.”

Because Obamacare uses an unreasonably low threshold of 30 hours a week to define “full time” employees, some businesses are restricting their employees to no more than 29 hours of work per week, to ensure that their workers are considered “part time” for purposes of Obamacare. This is a consequence of the substantial penalties Obamacare imposes on businesses that reach a threshold of 50 “full time” employees, unless they provide expensive health care coverage which many small businesses simply can't afford.

The penalties imposed by Obamacare begin at \$40,000 for businesses with 50 employees, plus \$2,000 for each additional “full-time equivalent” employee. These penalties serve as a huge disincentive for businesses to grow or add jobs, particularly for firms close to the 50-job trigger.

One Maine business I know has 47 employees, and it would like to hire more but won't because of these onerous penalties. If more businesses follow suit, millions of American workers could find their hours, and their earnings, cut back. According to the Bureau of Labor Statistics nearly 10.5 million Americans work between 30 and 35 hours per week. Another 9.7 million work between 35 and 40 hours per week. My bill will help protect these Americans who may otherwise find their hours curtailed and their earnings cut as a result of Obamacare.

Obamacare's definition of a “full time” employee is completely out-of-

keeping with standard employment practices in the U.S. today. According to the American Time of Use Survey published by the Bureau of Labor Statistics, the average American works 8.8 hours per day, which equates to 44 hours per week. Under Obamacare, working only 30 hours a week is considered “full-time”—nearly one-third lower than actual practice.

Likewise, the Obamacare definition of “full-time” employee is one-quarter lower than the 40 hours per week used by the GAO in its study of the budget and staffing required by the Internal Revenue Service to implement Obamacare. In that report, the GAO described a “full time equivalent,” or “FTE,” as: “a measure of staff hours equal to those of an employee who works 2,080 hours per year, or 40 hours per week for 52 weeks.”

During consideration of the Budget resolution last month, the Senate adopted my amendment calling for legislation setting a more sensible definition of a “full time” employee for purposes of Obamacare penalties. That amendment was endorsed by the National Association of Manufacturers, and the National Education Association. The fact that these two organizations—typically thought of as bookends on the political spectrum—would agree that Obamacare’s definition of a “full-time” employee is broken illustrates how out-of-step it truly is.

Under my bill, a “full time” employee would be someone who works a 40-hour week. This is a sensible definition in keeping with actual practice. I urge my colleagues to support it.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 95—RECOGNIZING LINEMEN, THE PROFESSION OF LINEMEN, THE CONTRIBUTIONS OF THESE BRAVE MEN AND WOMEN WHO PROTECT THE PUBLIC SAFETY, AND EXPRESSING SUPPORT FOR THE DESIGNATION OF APRIL 18, 2013, AS NATIONAL LINEMAN APPRECIATION DAY

Mr. ISAKSON (for himself and Mr. BENNET) submitted the following resolution; which was considered and agreed to:

S. RES. 95

Whereas the profession of linemen is steeped in personal, family, and professional tradition;

Whereas linemen are often first responders during storms and other catastrophic events, working to make the scene safe for other public safety heroes;

Whereas linemen work with thousands of volts of electricity high atop power lines 24 hours a day, 365 days a year, to keep electricity flowing;

Whereas linemen must often work under dangerous conditions far from their families

to construct and maintain the energy infrastructure of the United States;

Whereas linemen put their lives on the line every day with little recognition from the community regarding the danger of their work; and

Whereas April 18, 2013, would be an appropriate date to designate as National Lineman Appreciation Day: Now, therefore, be it Resolved, That the Senate—

(1) recognizes the efforts of linemen in keeping the power on and protecting public safety; and

(2) supports the designation of April 18, 2013, as National Lineman Appreciation Day.

SENATE CONCURRENT RESOLUTION 12—EXPRESSING THE SENSE OF THE CONGRESS THAT OUR CURRENT TAX INCENTIVES FOR RETIREMENT SAVINGS PROVIDE IMPORTANT BENEFITS TO AMERICANS TO HELP PLAN FOR A FINANCIALLY SECURE RETIREMENT

Mr. ISAKSON (for himself, Mr. MURPHY, Mr. BLUMENTHAL, Mr. PORTMAN, Mr. TESTER, Mr. CARDIN, Mr. BOOZMAN, and Mrs. HAGAN) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 12

Whereas private retirement plans in the United States paid out over \$3,824,000,000,000 in benefits from 2000 through 2009, while public sector retirement plans paid out \$2,651,000,000,000 during the same period, with both playing an essential role in providing retirement income for millions of our Nation’s senior citizens;

Whereas there are approximately 670,000 private-sector defined contribution plans that are currently covering 67,000,000 participants, and over 48,000 private-sector defined benefit plans covering 44,000,000 participants;

Whereas \$4,700,000,000,000 is held in 401(k), 403(b), 457 and similar defined contribution plans, \$2,300,000,000,000 is held in private defined benefit plans, and another \$4,900,000,000,000 is held in Individual Retirement Accounts, largely consisting of funds rolled over from employer-based retirement plans;

Whereas from 2000 through 2009, employers have contributed almost \$3,500,000,000,000 to public and private retirement plans;

Whereas tax incentives are an important impetus for individuals to save for retirement and for employers to offer plans under our voluntary system;

Whereas generally, the taxation of amounts contributed to pension and retirement plans is simply deferred, not lost;

Whereas more than 70 percent of American workers making between \$30,000 and \$50,000 a year contribute to their own retirement when covered by a retirement plan at work;

Whereas under current law, if business owners and managers sponsor a retirement plan, they also must cover and provide benefits to lower-income and middle-income employees;

Whereas 401(k) and similar defined contribution plans have been enhanced over the years by Congress on a bipartisan basis;

Whereas the private retirement system in the United States is voluntary and is dependent on the willingness of business owners and corporations to adopt and maintain retirement plans; and

Whereas the United States system of employer-based retirement savings is designed to work together with other personal savings and the Social Security program to provide meaningful income replacement upon retirement: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) tax incentives for retirement savings play an important role in encouraging employers to sponsor and maintain retirement plans and encouraging participants to contribute to such plans;

(2) existing tax incentives have increased the number of Americans who are covered by a retirement plan; and

(3) a reformed and simplified Federal tax code should include properly structured tax incentives to maintain and contribute to such plans and to strengthen retirement security for all Americans.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 10, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Expanding the Panama Canal: What Does it Mean for American Freight and Infrastructure?”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 10, 2013, at 11 a.m., to hold a briefing entitled, “Intelligence Update on Syria”.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on April 10, 2013, at 10 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 10, 2013, at 9:30 a.m. to conduct a hearing entitled “Border Security: Frontline Perspectives on Progress and Remaining Challenges.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized

to meet during the session of the Senate on April 10, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled "Identifying Barriers to Indian Housing Development and Finding Solutions".

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 10, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on April 10, 2013, to conduct a hearing entitled "Tax-Related Identity Theft: An Epidemic Facing Seniors and Taxpayers."

The Committee will meet in Room 562 of the Dirksen Senate Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL LINEMAN APPRECIATION DAY

Mr. REID. I ask unanimous consent the Senate proceed to S. Res. 95.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 95) recognizing linemen, the profession of linemen, the contributions of these brave men and women who protect public safety, and expressing support for the designation of April 18, 2013, as National Lineman Appreciation Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 95) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR THURSDAY, APRIL 11, 2013

Mr. REID. I now ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow morning, Thursday, April 11, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume

consideration of the motion to proceed to S. 649, the gun safety legislation; further, that the time until 11 a.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes, and upon use or yielding back of that time, the Senate proceed to a cloture vote on the motion to proceed to S. 649.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, about 11 o'clock tomorrow, then, we will have a cloture vote on the motion to proceed to the gun safety bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Thursday, April 11, 2013, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 10, 2013:

DEPARTMENT OF THE INTERIOR

SARAH JEWELL, OF WASHINGTON, TO BE SECRETARY OF THE INTERIOR.

HOUSE OF REPRESENTATIVES—Wednesday, April 10, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. RIBBLE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 10, 2013.

I hereby appoint the Honorable REID J. RIBBLE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

ELIMINATE THE SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, most of us came here to this place to serve the American people and to ensure that the most powerful law-making body answers the needs and the cries of those who cannot speak for themselves, and yet, as we languish in those values, they may be more on paper than they are in action.

I rise today to ask, maybe even plead, that this House puts on the floor H.R. 900, which is to eliminate the sequester from the Budget Reconciliation Act and to go to regular order because the people of the United States are hurting, and even more so, I would say that they are crying.

It's very easy for us to be able to say there is no impact; we see no impact. I hope for those who have been in their districts for the last 2 weeks that they will realize how inaccurate and untrue that is. In fact, it hurts me to see the pain in my constituents' faces and homes because of sequester—a reckless scheme to move Congress to act and it did not work.

Some will say whose fault it was, whose idea it was. We really don't care because right now there are people who have lost Head Start seats, whose parents have been told their children cannot come back to school anymore. Grown men crying—grown men crying because their little one cannot go back to a Head Start class, and they have nowhere else for them to go.

The WIC program that is so desperately needed for women, infants, and children—cut to the bone. This is a scheme that is long overdue for us to get rid of.

Food inspectors. Just recently, a food business was shut down in my district. The thought of it is horrible. Many of their products in our local grocery stores. If we had not had food inspectors from the FDA, which we probably won't have anytime soon because they're being slashed and eliminated, this product would still be on the market. \$85 billion in cuts is too non-descript.

The Federal emergency management under Homeland Security, \$1 billion being cut, which means those who are still suffering from Superstorm Sandy, many of whom are homeless, 40,000 are still in hotel rooms in New York, they won't be able to be helped.

Department of Transportation, \$1.943 billion, and that means the New Starts, mobility, people waiting in line for light rail, jobs cut immediately. I spoke this weekend to FAA members, air traffic controllers. Don't think it's not being felt, and it will be felt more and more in the summer increase of travel because of \$637 million in losses, and almost \$500 million of that is jobs.

We are in trouble. \$512 million cut from Customs and Border Patrol over the international ports of entry. We're talking about comprehensive immigration reform and border security. There's your border security—cutting the very personnel that are ensuring the security of America. That's wrong-headed, and it's time to stop now.

But it really pains my heart, if you will, to see the cuts to those innocent families with those children in Head Start, to see the cuts to workers who have done nothing other than to come to work every morning, those Federal workers, and the impact on contractors to the Department of Defense, work that is forward-thinking in dealing with technology, cut to the bone, slashing employees. We will see the surge of the economy going down.

This is not the fault of the administration. This is the inaction of us in

the United States Congress, and I think it is immediately necessary for Speaker BOEHNER to put on the floor of the House for a full debate H.R. 900, eliminate the sequester, simple sentence, and go to regular order. Begin the process of the budget. Whether you like this budget or that budget, begin the appropriate process of appropriations, for if you don't think that we're going to have one of the darkest seasons forthcoming, you wait and see what \$85 billion in reckless cuts means. It's a trickle-down effect. You cannot recoup. Jobs will not come back, and we were moving up, creating jobs.

Everybody wants to point the finger as to whose fault it is, and I believe it is something where we have to come together.

I want to finish on the note that medical research funded by the National Institutes is also being cut, and we were number one in medical research. The time is now. Get rid of the sequester and help the American people.

BUREAUCRATIC CODESPEAK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, let's say I take one of my 10 grandkids, Barrett Houston, to a basketball game he is playing in. He gets hit in the face with a basketball, so we go to the doctor to see if his nose is broken. The doctor asks Barrett Houston this question: Is this the first time you've been hit in the face with a basketball, the second time, or do you have a habit of being hit in the face by a basketball? Barrett says, I don't know. Doctor says, I've got to know because, you see, I've got this codebook here, and the law requires that I make sure I put in the codebook the way you were hurt by the basketball and how many times because there are five codes for being hit in the face by a basketball. And let's say he doesn't know. Well, the doctor has to be accurate in how he diagnoses being hit in the face by the basketball or the doctor's in trouble.

Let's say I take another one of my grandsons, Jackson, to go hunting, but he happens to get assaulted by a wild turkey. We go to the doctor, and the doctor says, Hey, I've got to know exactly how you were hurt by that turkey because there is a code for being assaulted by a turkey for the first time. There is a code for being assaulted by the turkey a second time.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

There is a different code for being pecked by a turkey rather than being bitten by a turkey. There are nine codes. The doctor must get the right code or he is in violation of the law about being assaulted by that turkey. It seems nine codes for a turkey assault is a bit silly.

□ 1010

Right now, Mr. Speaker, there are 18,000 of these codes. Doctors must be accurate when they fill out the diagnosis of a patient who comes and sees them.

Stay with me, Mr. Speaker.

Soon, there will be 140,000 of these medical codes that doctors must get right or they're in trouble by the Federal Government. The new code system is called ICD-10. For example, you're injured at a chicken coop; that's code number Y9272. You are injured at an art gallery, you fall down; that's Y92250. There are even three new codes for being injured when you walk into a lamppost. You walk into a lamppost for the first time, that's one code; you walk into a lamppost for the second time, that's a different code; you walk into a lamppost habitually, that is even a different code. And the doctor must get it right, because he's in violation of Federal regulators if he doesn't get it right.

The doctors I've talked to say this is an expensive distraction from treating patients. Well, no kidding. It's red tape, it's bureaucracy, and this is what happens when clueless Big Government here in Washington starts telling people out in the workplace—doctors and patients—what they must do. And when the government intrudes into our lives with more regulations, the government continues to make things more complicated. It finds problems in every solution.

Doctors are really in the business of helping the sick and the injured and saving lives. Do they really have the time and money to translate a complicated 140,000-codebook when they diagnose everything that happens? But they don't have a choice. If they miscode, they do not get paid. Even more so, they face the threat of being fined by the Federal Government.

There's more. To set up this new 140,000-code philosophy, it's going to cost an average single practitioner doctor \$80,000. Now, isn't that lovely? If it's a practice of 5 to 10 people, that's going to cost that practice \$250,000 to comply with Federal regulations, the new codebook.

In my opinion, Mr. Speaker, when regulators go to work every day down the street in one of these big office buildings, they sit around a big oak table, they pull out their lattes and their iPads and they ask the question to each other: "Who shall we regulate today?" They type out a few regulations and send it out to the fruited

plain and the masses. They don't care about the cost or the effect or whether the regulations make any sense; they just do it anyway. And we have to deal with it.

These new codes are not going to make one sick person well, but yet doctors must comply with these new codes or the code police are going to punish them. Doctors want to take care of patients, but the Federal Government is forcing 140,000 complicated, unreasonable new codes on all of us that are hard to decipher. Maybe we should sequester these new codes. Where are those World War II code breakers when we need them most?

And that's just the way it is.

THE PRESIDENT'S BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. I welcome the President's budget submission, which will mark the first time since 2009 that the House, the Senate, and the President have all submitted budgets. It's an encouraging development, but the larger question is whether Congress can actually use the budgeting process to show how we will do business differently.

Despite the media sideshows about the artificial sequestration crisis, the major issues we have to address to fix the budget and our current deficit are spending on defense, health care, and the tax system itself.

Although the administration has started us down a path to manage Pentagon spending in the future, we have barely scratched the surface. There are too many unnecessary bases at home and abroad that should be phased down or closed. There's far too much invested in an antiquated nuclear arsenal that we haven't used in 68 years and contains many, many times more weapons than we would ever need for deterrence. The \$700 billion scheduled to be spent over the next 10 years must be reduced dramatically. We have yet to come to grips with the long-term costs of an all-volunteer Army and the right balance between reserve and regular forces. Until these fundamental issues are addressed, the challenges of the future are going to be difficult to face because we spend too much time and energy and money preparing for the conflicts of the past while we avoid hard budget reality.

Health care expenditures continue to be the greatest overall threat to the budget, but not because the United States doesn't spend enough money on health care. We spend more than anybody else in the world—twice as much as many countries. But even spending far more than anybody else, we're still not able to deliver quality health care for most Americans. Instead of fighting

health care reform, we should be working together to accelerate that process so that we can reward value over volume of health care. If the Oregon model of health care that we are working on diligently to implement were applied on a national scale, it could save over \$1 trillion over the next 10 years—as much as was fought about in the battle over sequestration.

We must also reform the Tax Code, which is unfair, complex, and costly, with over \$160 billion just to administer it. I would suggest that we think about implementing a carbon tax, which has the potential of reducing the deficit and tax rates for individuals and business in a fair and comprehensive form. The carbon tax has the added benefit of being the most direct way to reduce the threat to the planet caused by extreme weather events promoted by carbon pollution.

It's very encouraging that the President's budget again speaks to infrastructure improvement and investment, but we need to be bolder and more comprehensive in our approach, especially at how we deal with funding rebuilding and renewing America. At a time when 17 States have stepped up to increase transportation funding, it's unacceptable that we pay for the highway trust fund with a gas tax that hasn't been increased since 1993 and is increasingly collecting less money as fuel efficiency improves.

The introduction of the President's budget is an important step forward. It will hopefully spark an earnest, thoughtful, focused discussion about how we do business differently, how we pay for the needs of a growing and aging America, and how we can get more value for the investments we are already making, all while laying the foundation for a more prosperous future.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. When I was home, like most Members, during the Easter break, I had the opportunity to read in the Raleigh, North Carolina, paper an article that just really took me backwards. The title of the article is: "Iran Is Victor in Post-War Iraq." The first paragraph says:

Ten years after the United States-led invasion to oust Iraqi President Saddam Hussein, the geopolitical winner of the war appears to be the common enemy: Iran.

Mr. Speaker, I think most of us in the House know that 25, 30 years ago, our Nation supported Saddam Hussein when he was fighting the Iranians. This is what frustrates the American people. We create a bad policy; we continue to support a bad policy. It makes no sense.

Yesterday, I had the opportunity to speak to the inspector general for the Iraq Project, and when I get the report, I would maybe like to share more information. Just for example, approximately \$11.7 billion in waste, fraud, and abuse. What makes this so ironic is that the Iranians are possibly becoming the beneficiaries of this money. The taxpayers now are spending money in Iraq that could possibly be going into the coffers of the Iranian people. I guess that makes sense to most of my colleagues, but it doesn't to me.

I encourage the American people to go to www.costofwar.com. If you can get it on the Internet, you need to see it. The American people need to understand what is happening in Afghanistan and Iraq. You will see a combined total of \$1.4 trillion, and it's a running total. It doesn't stop; it doesn't pause; it just keeps running. So there we go again. Poor Uncle Sam can't take care of his bills, but we're going to take care of these foreign countries. It makes no sense to me.

Mr. Speaker, a total of 6,656 American troops have died in the Iraq and Afghanistan wars, not to mention the thousands of civilian lives lost and the veterans who return home physically and mentally wounded. Whether it's in Iraq or Afghanistan, we cannot continue to spend money that we don't have and neglect the American people.

□ 1020

I hope the people of this country and my fellow colleagues share my outrage and my concern, because it would be almost a sin if we continue to spend this money without any accountability or very little to speak of.

Mr. Speaker, yesterday I visited a soldier from my district in North Carolina. He was at Walter Reed Hospital at Bethesda. His father called me 4 months ago and said, I really would appreciate if you would see my son. He's lost a leg. He's lost fingers. He's badly burned.

Mr. Speaker, it was humbling to go to Walter Reed yesterday and see this young corporal, but he is what makes America great. His attitude is excellent, not complaining about his injuries, and I just pray to God that we will realize that if we don't stop spending the money we don't have that young men and women like the corporal in the years to come will not get benefits because we will be financially broke. That will be a sin, and I hope it never happens.

So, Mr. Speaker, I will be back next week. I will have the inspector general's estimate on the cost to stay in Iraq for 2 more years, and I hope to have some figures I can leave and put in the RECORD, because it is time that we have a debate on our foreign policy right here in the House of Representatives. Maybe we will in May. I hope so.

With that, Mr. Speaker, as I always do, I ask God to please bless our men

and women in uniform, to please bless the families of our men and women in uniform, in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

I ask God to bless the House and Senate, that we will do what is right in the eyes of God for God's people today and God's people tomorrow.

I ask God to please bless the President, that he will do what is right in the eyes of God for God's people today and God's people tomorrow.

Mr. Speaker, three times, God, please, God, please, God, please continue to bless America.

FOLEY CELEBRATES 30TH SEASON WITH BLACKHAWKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, I rise today to celebrate Chicago Blackhawks television announcer Pat Foley, who is celebrating his 30th season with the team. As the voice of the Blackhawks, Pat has come to define the Chicago hockey experience. In fact, it's impossible to imagine watching stars like Jonathan Toews or Pat Kane without his play-by-play running through your head.

The hockey bug bit Pat early in his life. As a child at bedtime he would hide his radio underneath his pillow from his parents, Rob and Mary, so he could listen to his broadcasting idol, Lloyd Pettit, a great in his own right, call Blackhawks games, but only the last two periods.

Much like the players, themselves, Pat worked his way up to the Stanley Cup winning team, calling baseball and hockey games at his alma mater Michigan State before landing his first professional job with the Grand Rapids Owls of the International Hockey League. Pat joined the Hawks broadcast team in 1980 at just 25 years of age and has been a fan favorite ever since. The Glenview native has earned two Emmy Awards for his work and was inducted into the Chicagoland Sports Hall of Fame, joining broadcast legends Jack Brickhouse and Harry Caray. He's also been active in the local community helping numerous charities, and he recently joined me on the ice in a game with wounded warriors from the USA Warriors team.

For his hard work and dedication and for making some of the greatest moments in Blackhawks history even more memorable, I say thank you to Pat Foley. Lloyd Pettit would be proud. And, of course, go Hawks.

IMMIGRATION REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. Thank you, Mr. Speaker.

You know, in the midst of talking about immigration reform, which I think is something that we're going to be addressing very shortly and something we ought to address very shortly, I want to just come forward and share an experience I had over the last week.

I'm still a pilot in the Air National Guard. That's a job I've kept while I've been in the Congress and a job I hope to continue to keep. Part of what I did last week is I actually went and worked on the border with the Air National Guard. We do an ISR—intelligence, surveillance, and reconnaissance—looking for people that have crossed illegally into our country and, frankly, looking for drugs and things along that line. It was a unique trip for me, because most times when Congressmen go to the border, they actually probably would go in an official capacity as a U.S. Congressman. We've all experienced these trips. You see what the administration, frankly, wants you to see. So they take you somewhere like El Paso where there's a very effective fence in place.

But where they don't take you is a place called Mac Pump. Mac Pump is in McAllen, Texas, one of the areas that I worked in my capacity as an Air National Guard pilot, and it really was actually kind of disheartening what we would see. You'd see folks cross the Rio Grande, that would stand in the United States of America. As we would call Border Patrol to come and assess the situation, they would literally step back and put their ankles in the water and at that point they are unapprehendable. And they would stare, 5 feet away from U.S. Border Patrol, and maybe a hundred yards away then another group, knowing that our Border Patrol agent was tied up, would then cross the Rio Grande and make it free. Or they'd outlast the Border Patrol agent and then they'd step back onto U.S. territory and then the agent would come back. They'd play this cat and mouse game. It could easily be solved with a border fence. It could easily be solved with actually real border security.

This isn't border security that we're going to do because we're upset, because we're angry, but because I believe that we have to have real immigration reform in this country. Things like high-skill visas are very important, but allowing people who want an opportunity to come to the United States to do so through a legal process.

The problem that we have set up now, though, and really frankly the sad part about it is a lot of these immigrants believe that the second they set foot in the United States of America, everything's going to be good. Everything's going to be all right. And we agree. This is the greatest country in the world. The problem is once many of these immigrants step into the United States of America, their journey has

just begun, because the other part of where I worked in this mission over the last week was about 50 to 100 miles inland in Texas, as we would find people hunkered down in moss, very thick brush, as they would try to wade and rely on their guides. In many cases their guides would vacate when they'd hear Border Patrol, and they'd run away from these groups of people hiding in the brush and would leave them stranded in the middle of the Texas plains without water, without food, without any knowledge of where they're going. In fact, in this sector I was working last year, there were 200 dead bodies found, and that's only a fraction of those that actually die on this journey.

So I believe that border security is important so that we can set up a situation in which those that want to come here legally can do so and can go through the legal process of living in the United States or eventually becoming a United States citizen, and we're not creating a situation in which many of these immigrants are coming and frankly losing their lives.

I've talked to Border Patrol, and the interesting thing is now I did it out of the capacity as a U.S. Congressman, although of course they knew what I did in my other job, and I said, if I could take one thing back to Washington, what would it be? And they said, if you take back one thing to Washington, tell them that even though the Secretary is saying that the border is secure, even though the administration is saying the border is secure, it is not secure. Take that back. We need more border patrol agents, we need the fence, we need the ability to do our job. They're prevented from doing legal things that are humane to apprehend in many cases folks running with dope and trying to escape, giving them the opportunity to do what they need to do.

So, Mr. Speaker, I agree with those that are saying we need immigration reform in this country, and I'm a believer in that. I believe it's time that we understand and talk about the fact that America is a nation built of immigrants. My third or fourth generation ahead of me came over from Germany. I respect that and I appreciate it, and I think it's a tradition we need to continue. But I believe the first step to real immigration reform is border security. And I will tell you, Mr. Speaker, my trip to the border for a week as a pilot in the Guard opened my eyes to the fact that we are continually exposing ourselves not just to dope and drugs being run into this country but into a potential of a terrorist attack on the United States and a weapon that was run through the border of Mexico, because it's done every day.

END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, my grandmother used to say an apple a day keeps the doctor away. I hated it when she said that, but you know, Mr. Speaker, she was right. Good, nutritious food will keep you healthy. That's because food is medicine. Fruits, vegetables and other healthy foods like beans, legumes, grains and proteins are critical for proper development. Simply put, healthy people eat healthy food.

The opposite is also true. The more junk food we eat, the less healthy we are. But there are different reasons why people eat less nutritious food. Many people choose to eat non-nutritious food, but there are many others who cannot afford to buy healthier options. These low-income households have to stretch their food dollars in order to make ends meet.

□ 1030

This requires them to buy less nutritious, high-calorie foods that are more affordable on a fixed income. This is why we can have an obese hungry person. They're filling their stomachs with food that isn't good for them, simply because it's all they can afford or all they have access to.

This kind of diet has long-term negative effects on individuals and on the communities where they live. Mr. Speaker, when we talk about ways to End Hunger Now, we must look at the way the quality of food, or the lack of quality, is impacting hunger in America.

In a 2011 report entitled, "Hunger in America: Suffering We Are All Paying For," the Center for American Progress estimated that the health costs for hunger were at least \$130 billion each year. \$130 billion a year, just for health costs related to hunger.

The authors of the report examined medical research and found that there are serious medical consequences directly related to hunger. Specifically, this research found that there is likely to be higher rates of iron deficiency, headaches, stomach aches, frequency of colds, activity-limiting health impairments, specific nutrient deficiencies, more hospitalizations, longer inpatient stays, and poorer overall health status.

Along with these physical health issues, there are also mental health conditions attributable to hunger, including anxiety and irritability, depression, withdrawn behavior, psychosocial dysfunction, suicidal thoughts and behaviors, and a need for mental health services.

The response is clear, Mr. Speaker. We must treat hunger as a health issue. It frustrates me that we in Congress still act like it's a better option

to spend over \$130 billion in hunger-related health costs than to actually prevent hunger in the first place.

Last month, in March, ProMedica and the Partnership to Fight Chronic Disease released a white paper called, "Addressing Hunger Essential to Improving Health." This paper details how critically important it is to treat hunger as a health issue. The white paper points out that hungry people of all ages, from pregnant women to children to adults to seniors, suffer from a lack of nutrients found in healthy foods. The lack of nutrients results in serious health issues, the very same health issues that cost our Nation over \$130 billion in health care costs alone. That's nuts.

Doctors and nurses should be looking for signs of hunger in their patients. Medical students should have more courses on nutrition. They should be treating hunger just like any other condition. If someone has high blood pressure or a rash, they get a prescription to treat that problem. Doctors should be writing food prescriptions, if that's what it takes, to get nutritious food to the food insecure.

Health care organizations like ProMedica in Ohio and Michigan, UMass Memorial in Worcester, Massachusetts, and Children's Health Watch in four locations, including Boston Medical Center and Drexel University, are trying to right this wrong. They promote health and wellness in general, but they are also treating hunger as a health issue. They are working to reduce the number of hospital readmissions by including food security in their patients' discharge plans. They want to make sure that people don't need to be readmitted to a hospital because they suffer from a setback simply because they don't have food to eat once they leave the hospital. They are also working to raise awareness about nutrition and exercise and to increase access to healthier food in underserved areas.

Mr. Speaker, we need to learn from these organizations and others. That's why I believe it is so important that the White House convene a conference on food and nutrition. We are not going to end hunger now if we don't bring the best and the brightest minds together in one place, including doctors, nurses, nutritionists, dietitians, and other health professionals. We need a national plan of action, and the best way to begin is with a White House conference.

Mr. Speaker, we know that healthy food builds healthy bodies. We know that by ignoring hunger, our Nation pays hundreds of billions of dollars in health care costs. We know that nutritious food is good medicine for body and mind.

Mr. Speaker, in the United States of America, the richest, most prosperous nation on Earth, hunger should not be

an issue. We need to come together, Mr. Speaker. We need to come together now. We need the President to lead on this. We need to come together and end hunger now.

CANCER PATIENT PROTECTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Mrs. ELLMERS) for 5 minutes.

Mrs. ELLMERS. Mr. Speaker, I rise today to discuss H.R. 1416, the Cancer Patient Protection Act of 2013.

On April 1, 2013, the Obama administration reduced Medicare payments to the costs of cancer-fighting drugs. This is having a devastating impact on seniors fighting cancer and the Nation's cancer care delivery system, which is already in crisis.

The Centers for Medicare & Medicaid Services, CMS, said that it does not have the authority to stop these devastating cuts to lifesaving chemotherapy drugs. That's why yesterday I introduced the Cancer Patient Protection Act of 2013, H.R. 1416, to ensure seniors, especially those on lower or fixed incomes, get the treatment they need.

The cuts the Obama administration is choosing to implement will jeopardize patient access to cancer care and result in higher overall costs for both seniors and the Medicare program by forcing patients into costlier hospital treatment settings.

The United States enjoys the most respected and most successful cancer care delivery system in the world. More than 60 percent of U.S. cancer patients rely on Medicare; and, until recently, over 80 percent of the Nation's cancer patients were treated by physicians in the community setting.

According to recent studies by Milliman and Avalere, community oncology clinics provide the most cost-effective model for delivering high-quality cancer services to elderly Americans. Despite this, a series of changes to Medicare reimbursements over the past decade have imperiled these vital innovations. The administration has decided to apply the sequester cut both to payments for part B drugs and to the 6 percent services payment.

A recent survey done by the Community Oncology Alliance shows the CMS cuts will force 72 percent of community cancer centers to stop seeing new Medicare patients, or not see Medicare patients without secondary insurance, and/or send Medicare patients elsewhere for treatment, such as costly hospitals, where treatment costs more.

When community cancer centers are forced to close their doors or limit services, access to cancer care is compromised for all cancer patients, especially the vulnerable population of seniors who rely on Medicare and those on

fixed incomes and lower income individuals whose options are already limited.

Fortunately, the Secretary of Health and Human Services has the authority to protect against further destabilization of the community cancer care safety net.

The Office of Management and Budget, OMB, directed all Federal agencies to "use any available flexibility to reduce operational risks and minimize impacts on the agency's core mission in service of the American people" and to "identify and address operational challenges that could potentially have a significant deleterious effect on the agency's mission or otherwise raise life, safety, or health concerns."

Further, the Social Security Act compels the Secretary to adhere to the Average Sales Price-based formula that Congress established under the Medicare Modernization Act of 2003. The Social Security Act expressly mandates that the Secretary reimburse physicians at 106 percent of ASP for office-administered drugs, providing detailed directions to the Secretary on how to calculate the average sales price.

Congress has distinguished the Medicare drug payment methodology, and these provisions warrant deference under sequestration and guidance from the OMB.

By passing this bill, we are ensuring that everything can be done to prevent these cuts from going into effect. I encourage my colleagues to support this important piece of legislation.

IMMIGRATION REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. VARGAS) for 5 minutes.

Mr. VARGAS. Mr. Speaker, I rise in favor of comprehensive immigration reform.

I would like to thank my colleague from Illinois, who spoke earlier about his experience, saying that he believes in comprehensive immigration reform. I do, too. I just wish that when he was asked, or when he asked the Border Patrol agent, "If there was one thing you could bring back to Congress, one thing, what would it be?" I wish that that gentleman would have said his Bible, because that's what he should have said, "Bring your Bible. That will give you the best guidance. Bring your Bible."

I believe, Mr. Speaker, I'm allowed to read from the Bible. Is that correct? No one will come and tackle me? I'm new at this. It's my first year here, and I hope I'm not violating any law. But if I am, I'm going to do it anyway.

I would like to read from Matthew 25, because Matthew 25 speaks to the judgment. I think it's very important for us to read this section.

□ 1040

It reads like this:

When the Son of Man comes in His glory, escorted by all the angels of Heaven, He will sit upon His royal throne and all the Nations will be assembled before Him, and then He will separate them into two groups as a shepherd separates sheep from goats. The sheep He will place on His right hand, the goats on His left. The King will say to those on His right, "Come. You have my Father's blessing. Inherit the kingdom prepared for you from the creation of the world. For I was hungry and you gave me food; I was thirsty, and you gave me drink; I was a stranger, and you welcomed me."

"I was a stranger and you welcomed me." Who is the stranger? Who is the stranger among us that we welcome? I'll tell you who the stranger is among us who we welcome. The stranger is the wife of the soldier that we spoke to 3 weeks ago here in Washington when he came and he testified and said:

I'm not afraid of dying in Afghanistan or Iraq. I've been on three tours of duty. What I'm afraid is that my wife will get deported because she's undocumented, and then who will take care of my children?

She is the stranger, the soldier's wife.

Who is the stranger? Who is the stranger among us? Who is this least among us? I'll tell you who it is. It's the child and the parents who are here, where the child is born here. He's an American citizen, but the parents weren't, so the parents can get deported and you break the family apart. We deport the parents and we don't know what happens to the children because they go to strangers. We break this family.

Who is the stranger? Those parents, that child. How we treat them is how we're going to be judged.

We have an opportunity here before us, and I'm very thankful now for the churches in this country. The Catholic Church for many years has been saying, We need humane, comprehensive immigration reform. They've said it loud and clear. And now the evangelical churches are out there saying the same thing. God bless them. And I know that they're praying, and I know that my parish is praying that we'll all open our hearts to this.

I have to tell you, I haven't been here long, but I do get the opportunity to pray with my colleagues on the Republican side, and they are great people with great heart, and I hope that God speaks to them at this point in time and says: The stranger is the soldier's wife; the stranger is the child whose parents are going to be ripped away from them. He is, in fact, the people that died crossing the border because they want a better life for themselves. Those are the strangers. We are going to be judged on how we treat them. So we have an opportunity here.

But also, stepping apart from that, people say, But it's illegal, what they've done is illegal. You know, the law is interesting. I happen to be a lawyer. There are two ways to look at the law. There's the law that says it's

malum per se—it's bad or evil in itself. Malum per se in itself. Murder is malum per se. It's always evil, it's always wrong to kill.

On the other side you have malum prohibitum. What is malum prohibitum? Malum prohibitum means it's bad or wrong or illegal because we prohibit it. For example, if you drive 56 miles an hour in a 55-mile-an-hour zone, you've broken the law. Have you done anything illegal? Yes, you have. Have you done anything immoral? No. The road was built to go faster than that, your car was, the brakes are good. You violated the law. What do we often do? In fact we change the law and we say 55 miles an hour doesn't make any sense. We change it to 60 or 65 or 70. I've been through Texas; now it's 75 there. I'm from California. We only have 70. Why? Because the law doesn't make any sense.

Our immigration law doesn't make any sense. So, yes, they've broken the law, but a law that doesn't make any sense. Let's change the law. Let's open our hearts. Let's take this Bible and let's take a look and see what it says to us. What it will say is this: that how we treat the stranger is how we are going to be judged as a Nation.

UNTREATED MENTAL ILLNESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. While the Senate argues about gun issues and talking about what is in the hands of those perpetrators who commit heinous crimes, I want to talk about America's shameful secret that people don't want to be talking about, and that is our willful ignoring of dealing with mental illness. We have to start talking about not what is in people's hands, but what is in their hearts and minds.

Approximately 5 percent of individuals with schizophrenia will die by suicide during their lifetime, a rate 50-fold greater than the general population. Keep in mind now suicide has overtaken all other areas of accidental deaths. It is now the leading cause of death by injury, about 38,000 per year.

We understand that mental disorders are brain disorders with specific systems that are rooted in abnormal patterns of brain activity. Many of those with psychosis show up between ages 14 and 25 when there are changes occurring in the branching and pruning of brain cells. Yet, there is a delay between the first episode of psychosis and the onset of treatment with an average of 110 weeks before someone gets care. There are 100,000 young Americans who will have a first episode of psychosis this year and will join over 2 million others with schizophrenia.

Look at this: one-sixth of murderers in prison are mentally ill. Here are

some other quick facts. The number of murders in the U.S. in 2011 committed with rifles: 323. In 2011, more murders were committed with knives: 1,694; hands, fist and feet: 728; and blunt weapons such as clubs and hammers: 496, according to FBI data.

A while ago I sent a letter to Secretary Sebelius, the Secretary of HHS, seeking clarification of the laws of confidentiality known as HIPAA, specifically asking why we have not loaded 1.5 million more records into the National Instant Criminal Background Check System so that these people cannot purchase guns. I hope the Secretary will respond soon.

Recently, I also handed a note to the President of the United States and will continue to pursue questions with the Government Accountability Office, asking where are we spending our money and is it effective in going to help those with mental illness and severe mental illness. We simply don't know.

In the United States, an estimated 11.4 million Americans, or about 4.4 percent of all adults, suffer from serious mental illness. What happens is that States in many cases do not submit those records to the National Instant Criminal Background Check System. There are many States that haven't submitted any at all, and this is a problem because people who should not be purchasing weapons are.

But underlying all of this, we had better take off our blinders and deal with the underlying root cause of mass violence: untreated mental illness. Look at yesterday in the news when a man went on a campus and attacked people with a knife. Look at the other shootings that have taken place by people with untreated or undertreated mental illness. Why aren't we talking about our action on those?

Our current system is especially falling short for those with a serious mental disorder who deny they're ill. Half of those persons with severe psychosis don't even understand they have mental illness. They refuse their medication or simply cannot function in a community setting. So what have we done historically in this country? We've burned them as witches, we imprison them as dangerous. We still have not dealt with the underlying needs.

There were 500,000 psychiatric beds in 1955. There are 40,000 now. We have a lack of long-term treatment options. There are gaps in the care for young adults. There are artificial limits and barriers to care under insurance. Four years ago plus we passed a mental health parity law, and we still do not have the regulations for that.

Parents who are not informed and cannot get their children help or treatment is another problem with HIPAA laws and the Family Educational Rights and Privacy Act, which creates

barriers between parents knowing what is going on with their children in school when they have a severe mental illness. Of course, there is the stigma of acknowledging there is a problem or getting treatment.

Politicians refer to those committing these murders as evil, as monsters. Television shows where there's tragedy or comedy mock them. This is not the way to deal with the underlying problem. We have a shortage of psychologists and psychiatrists throughout this country and in the military as well, where suicides have overtaken combat as the number one cause of death.

I am asking for an audit from the Government Accountability Office of every single penny spent on mental illness diagnosis, research, and treatment throughout our government, through HHS, through the judiciary, through Labor, every branch. We need to know these answers. It is a shameful secret in this country that we still refuse to deal with mental illness. And if we do not, shame on us.

□ 1050

CONGRATULATIONS TO THE WINNERS OF THE C-SPAN STUDENT DOCUMENTARY CONTEST

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, most Americans watching these proceedings today are watching them on C-SPAN. C-SPAN is a public service that was created by the cable industry in 1979 to carry our House proceedings and other public affairs programming. It's carried in my district by DirecTV, Comcast, and the DISH Network.

I won't bore you with all of the content that appears on C-SPAN. Some is very interesting and some is not. Nevertheless, every year C-SPAN holds a student documentary contest for middle school and high school students.

Today, I am proud to announce that one of my constituents, a young man named Samuel Gladden, a 10th grade student at Miller Grove High School in Lithonia, received \$250 for his honorable mention documentary: "Education: The Greatest Common Factor," about how education is related to the economy.

I also want to congratulate Mr. Zach Cohen, a seventh grade student at the Alfred & Adele Davis Academy in Sandy Springs, Georgia, who received \$1,500 for the second prize, a documentary entitled: "Education: Take a Spin," which is about education in the United States of America. He interviewed me for this piece, and I want to thank him for doing that.

I want to congratulate both Zach and Samuel for winning these prizes out of nearly 2,000 entries.

You can see these and other winning videos at studentcam.org. I would encourage everybody, once you finish

watching C-SPAN, to go to studentcam.org. It will captivate you to see what these young students have done and to listen to their views on education and on how our future will be affected by either our investment in education or in our desire not to do that.

SECURITY IN ENERGY AND MANUFACTURING ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Arizona (Ms. SINEMA) for 5 minutes.

Ms. SINEMA. Mr. Speaker, I rise today to introduce the Security in Energy and Manufacturing Act of 2013.

This bill will extend the Advanced Energy Manufacturing Tax Credit program. The program provides a 30 percent tax credit, or a grant in lieu of a tax credit, to companies that are constructing, expanding, or retrofitting their facilities that manufacture renewable energy.

We have seen our manufacturing base erode as a result of increased global competition. Not only will the SEAM Act help us rebuild our manufacturing industry; it will also provide an opportunity to do so while exploring responsible energy production. Energy innovation is quickly becoming one of the world's largest industries; and countries all over the world are purchasing billions of dollars' worth of wind turbines, solar panels and other green technologies. I want to see these products made in the United States and for our country to remain competitive.

We know this program works. The first allocation of funding was extremely successful in leveraging private capital, and that led to the investment of over 180 energy manufacturing facilities across 43 States in our country. The number of wind turbines and their workable components made in the U.S. has more than doubled since then, and that is just one aspect of the renewable energy field.

Expanding this program also means creating additional high-tech, high-wage manufacturing jobs in our own backyard. Companies like Tempe's Monarch Power could expand and increase the creation of innovative products, ranging from energy generation to energy storage, even a mobile renewable power system—all while remaining affordable. We must partner the power of American innovation with the potential of American production. My bill encourages just that.

In my home State of Arizona, renewable energy enjoys broad bipartisan support. Democrats and Republicans, including Barry Goldwater, Jr. and our own Governor, Jan Brewer, have advocated for solar and renewable energy because they know that the future of our State and the future of our country depend on it. I stand today with a broad coalition of leaders from my

State who have a long history of supporting energy innovation as a smart investment for America.

We have the opportunity to restore U.S. manufacturing jobs, to help our country remain competitive in the manufacturing industry and to invest in a wide range of clean energy production. I ask that the body join me in supporting the SEAM Act of 2013.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 56 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

The Members of Congress are powerful people. Their words bear weight and their positions before the people deserve respect. Therefore, they need to be steered from arrogance on one side and casual routine on the other.

Lord, only the two-edged sword of Your Word and Your purity of Spirit can bring freshness to their spirits and confirming hope to their constituents. Strengthen their pledge to uphold the Constitution against blatant and subtle attacks and to serve the people with all their hearts.

Then may their speech, their decisions, and their working together within the pluralism of this democracy be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Hawaii (Ms. GABBARD) come forward and lead the House in the Pledge of Allegiance.

Ms. GABBARD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

GUN VIOLENCE

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, we all want to prevent gun violence, but anything we do must start by respecting the Second Amendment.

Sadly, a Member of this House ignored that constitutional right last week. She claimed that banning certain kinds of gun magazines would somehow stop killers from killing. She actually said that if Congress would ban gun magazines, they will simply disappear as they're used up. Of course, that's not true. You see, gun magazines are reloadable, much like a stapler.

Mr. Speaker, I hope I can be an asset to my colleagues who may not know how guns work. As a gun owner and an Air Force veteran myself, I've actually exercised my Second Amendment rights. Perhaps those of us who understand the subject matter should lead the effort to stop gun violence.

My colleague's poor understanding of guns will lead to poor policy. Here's some reading material to help bring her up to speed. It's called the Second Amendment. It says, "The right of the people to keep and bear arms shall not be infringed."

THE PRESIDENT'S BUDGET

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I too adhere to the Second Amendment, as all of us do. I can assure the gentleman that anything we do with sensible gun legislation that will protect the lives of babies whose lives were lost in Newtown and Aurora and Virginia Tech and Columbine will be fair and just. I hope my colleagues in the Senate will adhere to those of us who are sending them a letter: no filibuster, but real gun-sensible legislation.

Let me turn to the budget and indicate that it is important that we rid ourselves of the sequester and ask the Speaker to put on the floor H.R. 900. I

think it is good that the President has saved dollars out of the Iraq and Afghan war of over \$1 billion and provided security for embassies and \$222 million for gun legislation enforcement, but we must not have the chained CPI.

Many people don't realize that in this instance of Social Security seniors are paying more money for health care. They will not be able to compensate. Those who are poor and vulnerable will be worse off after the chained CPI.

I join with many, many Members of the United States Congress to say we can make Social Security solvent, Medicare solvent and Medicaid solvent, but we must not have the chained CPI. I oppose it and many others.

TAX CODE

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Mr. Speaker, April 15, the dreaded tax day, is almost here. According to the non-partisan Tax Foundation, Americans will have to work 108 days this year just to be able to pay their taxes—108 days. That's just not right, and Americans are sick of it. The good news is Congress has a chance to do something about it this year.

So what would the average American want to see in a new Tax Code?

One, lower tax rates on individuals and businesses, with an assurance that those rates would remain low;

Two, no ridiculous special interest loopholes or giveaways, especially those that have nothing to do with creating jobs; and

Three, making sure that everyone pays their fair share.

If Congress aims for these goals, Americans should get a Tax Code that encourages work and investment, resulting in economic growth and job creation.

And let's not forget, we cannot allow any future growth-generated revenue to be spent on wasteful government programs. Instead, the revenue should go toward eliminating the deficit and then paying down our debt.

Let's cut spending, lower our deficit, and fix our loophole-ridden, work-penalizing, and jobs-killing Tax Code once and for all.

MAKE IT IN AMERICA

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, later today, I will join House Democratic Whip STENY HOYER to announce our Make It In America agenda, a legislative package that will help reinvigorate our manufacturing sector and grow American manufacturing jobs.

These bills will help to put our country back to work by helping to create good-paying jobs, the kind of jobs that built the American middle class of this country.

Earlier this year, I introduced one such proposal, the Make It In America Manufacturing Act, which establishes a competitive grant program that will help small- to medium-sized manufacturers retool their facilities and retrain their workers to compete in the 21st century.

Senator KIRSTEN GILLIBRAND of New York has introduced a companion bill in the Senate that is cosponsored by Senators JACK REED and SHELDON WHITEHOUSE. These are the kinds of commonsense proposals that we need to support if we are going to get our economy back on the right track and get folks back to work.

I urge my colleagues to support the Make It In America agenda, and I look forward to joining Whip HOYER for his announcement this afternoon.

PRESIDENT OBAMA'S BUDGET

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESJARLAIS. Mr. Speaker, President Obama's budget is 65 days late and trillions of dollars short. And while his plan contains plenty of tax increases, budgetary gimmicks, and stimulus-style spending, it fails to adequately address our Nation's unsustainable deficits and debt. In fact, the President's budget would never balance.

I share President Obama's view of a thriving middle class and strong manufacturing base, but the policies put forth in his budget show the White House is more focused on increasing the size of government than growing the private sector. If the President is truly serious about building a 21st century economy, then he should work with House Republicans in eliminating the roadblocks to innovation and entrepreneurship. That means reducing government red tape, creating a fairer and flatter Tax Code, and ending the deficit spending.

I urge the President to join us in putting forth sound policies that will grow jobs and put our country back on a sustainable path.

□ 1210

WESTERN NEW YORKERS WILL FIGHT FOR WHAT THEY DESERVE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, in western New York, we don't expect anything to be handed to us. History has taught us that we have to fight for

what we deserve. Our community just won two recent victories against Federal bureaucracies by standing up and demanding better.

When the Veterans Administration decided to cancel the Golden Age Games just 2 months before they were to be held in Buffalo and stick our community with a \$2.2 million loss, the community fought back. Last week, the VA reversed its decision and announced that the games would proceed as planned.

When the Army Corps of Engineers decided to prohibit access to Squaw Island Pier in Buffalo, a popular fishing destination on the waterfront, we pushed back hard. This morning, I met with Corps officials. They assured me that public access to the site would continue.

Western New Yorkers won two victories in 2 weeks because we stood up for ourselves. Let this be a lesson to our community and a warning to the Federal bureaucracy: when you make senseless decisions that hurt western New York, you're going to have a fight on your hands.

FATHER EMIL KAPAUN

(Mr. POMPEO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMPEO. It is an honor today to tell you about one really good man. He was born in Pilson, Kansas, and later became an ordained priest in Wichita in 1940.

This very good man, a fellow named Emil Kapaun, served as a military chaplain during World War II and again in September 1948, this time entering the Korean battlefield with his unit, the 3rd Battalion of the 8th Cavalry Regiment of the 1st Cavalry Division.

There we saw what comes of a good man when placed in dangerous times. Father Kapaun became a hero. He died after saving hundreds of lives on the battlefield and in a prisoner of war camp, having dedicated himself to the physical and spiritual health of his fellow prisoners for a very long time.

Tomorrow, President Obama will bestow upon Father Kapaun, this very good man, the Medal of Honor, America's highest military honor.

I want to take this moment to recognize his fellow POWs who never wavered in an effort to secure this medal for Father Kapaun, to the Catholic Diocese of Wichita, and everyone else who has worked so hard for this recognition.

Finally, I want to thank the fellow Members of this body who supported my provision in the NDAA to allow a waiver for the statutory time exception so that he could receive this award.

Father Kapaun is a true American hero, a hero of mankind and so deserving of this Medal of Honor.

PLEASANT GROVE BASKETBALL

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, I rise today to congratulate the Pleasant Grove High School boys basketball's team for recently winning the Division 1 State Championship.

In their hard-fought victory, they displayed sportsmanship and teamwork and became the first local team to host the Division 1 State Championship.

When forward Matt Smreker was asked about the victory, he told reporters:

We don't have the biggest names, but we play hard and together with great chemistry, and we won because we're a team.

Matt was right, the Eagles won because they were accountable to each other. The dedication and commitment of the players, coaches, fans, and parents made this victory possible.

The teamwork displayed by the Pleasant Grove boys basketball team is an example for Washington. In Congress we need to work together and hold each other accountable and work as a team.

Congratulations again to the Eagles for your tremendous victory.

THE DISTINGUISHED WARFARE MEDAL

(Mr. CALVERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CALVERT. Mr. Speaker, our country has a proud history of honoring our military heroes, and in doing so we place an emphasis on recognizing servicemembers whose actions placed them in harm's way for the benefit of our Nation and their fellow soldiers.

It's because of this proud history that I have serious concerns about the Department of Defense placement of a newly established Distinguished Warfare Medal in the order of precedence. Surely it is appropriate to recognize servicemembers who make contributions through technology-driven warfare; however, I agree with the VFW that we must continue to preserve the sanctity of our medals for those Americans who sacrifice their personal safety for the safety of the country and their brothers in arms.

That is why I strongly support the effort led by my friend, Congressman DUNCAN HUNTER, who is a decorated veteran himself, to alter the rank of the Distinguished Warfare Medal such that it ranks below the Purple Heart in precedence.

I would encourage all of my colleagues to join me by cosponsoring his bill, H.R. 833, and urge its passage.

AFGHANISTAN

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, last week I had the chance to visit Afghanistan to get a firsthand perspective of the status of our withdrawal, as well as to visit some of our deployed Hawaii troops.

Our servicemembers continue to serve with the highest level of professionalism, selflessness, and integrity. I'm grateful to them and their families for their unwavering coverage and sacrifice.

Our military and civilian personnel in Afghanistan are committed to the ongoing transfer of responsibility for security to the Afghan National Security Forces. The Afghan forces are made up of warriors who are ready to fight and who are already leading a majority of the security operations, building confidence in their ability to withstand the Taliban and insurgency threats.

The U.S. drawdown is crucial for our military and our resources to focus on addressing imminent and direct threats like North Korea. Along with Guam and Alaska, Hawaii's families have been placed in the crosshairs of this threat. We cannot be complacent. We must take action to ensure that our families and assets are protected and defended.

THE BUDGET

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the President finally decided to join the budget discussion today. Good. It's high time he got off the sidelines.

The contrast between the President's budget and the balanced House Republican budget is stark. The President relies on stimulus and taxes; House Republicans rely on government-spending restraint and reform to achieve economic growth. If recent history is any indication, we chose the better path.

Examine this President's track record of growing the economy: government spending is up, workforce participation is down; national debt is up, family take-home pay is down. If President Obama's trillion-dollar stimulus didn't work, how is a shallow imitation going to help us now? The President's budget will never balance and will yield an endless string of deficits.

The Republican Path to Prosperity requires Washington to make do with a little less and keeps money in the private sector where it can be invested in job creation, expansion, and real economic growth.

The American people waited 65 days for the President's budget. They deserve more than stimulus and taxes.

THE UNEMPLOYMENT CRISIS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's now been 829 days since I arrived in Congress, and the Republican leadership has not allowed a single vote on serious legislation to address our unemployment crisis. Mr. Speaker, I'm devastated by this because the American people are devastated.

Unemployment is depriving people of health care, higher education, and even food and shelter. Does this sound like a civilized Nation?

Mr. Speaker, the American Society of Civil Engineers gave the U.S. a failing grade for infrastructure. We have no shortage of shovel-ready public projects that can put people to work, but this Congress is unwilling to act.

Mr. Speaker, our mantra should be: jobs, jobs, jobs.

□ 1220

THE PRESIDENT'S BUDGET PROPOSAL

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. The President's budget proposal reportedly would cap the amount of money people could save in individual retirement accounts. This is a very bad idea. More than a third of people aged 55 and older are not saving for their retirements. Three-quarters have saved much less than they will need to retire comfortably.

We should be encouraging people to save. We need to encourage people to take more responsibility for their future well-beings instead of discouraging sound financial planning. We need to incentivize self-reliance instead of government dependence. This proposal fails on all of these fronts.

Rest assured, Mr. Speaker, the White House has said that the savings cap will allow "substantially more than is needed to fund reasonable levels of retirement saving." My constituents don't need the President deciding what is reasonable for them in their retirements. They don't need him deciding anything else for them either. We need sensible reform.

IMPACTS OF THE SEQUESTER

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTWRIGHT. I rise today to address the sequester.

Many of those in this House have been telling their constituents that the sequester doesn't make any difference, that nothing has really changed; but that simply is not true.

For example, a cut to the Federal Aviation Administration's budget will result in the furloughing of most of FAA's 47,000 employees, or at least one day per pay period through the end of the fiscal year. Even those employees who provide safety-critical services, like systems specialists and aviation safety inspectors, will be subject to the furlough. As much as 10 percent of the FAA's workforce could be on furlough on any given day, resulting in reduced air traffic control, longer delays and economic losses for air transportation, tourism, and the economy as a whole.

Last week, I visited Lynn Evans-Biga, the executive director of the Luzerne-Wyoming County Head Start in Wilkes-Barre, Pennsylvania, an agency which serves 1,000 students and has a waiting list of 700 already. It will have to accept 49 fewer students because of the 5.2 percent sequester cut.

CONGRATULATIONS TO FLORIDA GULF COAST UNIVERSITY

(Mr. DESANTIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESANTIS. Mr. Speaker, I am here to congratulate a team that captivated the Nation with style, swagger, heart, and class. I'm talking about four letters that few people have ever heard of until just March—that is FGCU—put on the map by their men's basketball team. As a Representative and servant of southwest Florida, I am so proud to have Florida Gulf Coast University in my backyard—our backyard, our home—now known as “Dunk City.”

The men's basketball team and the university itself have only been around for, basically, a few years. Heck, the players are actually older than the school itself. Now, this was only FGCU's second year of Division 1 eligibility, and in their second year they went all the way to the sweet 16—busting brackets, knocking down threes and, of course, representing Dunk City with a total of 148 dunks this year.

I am proud to represent Dunk City. I am proud of our young team and our young campus of Florida Gulf Coast University, and we all look forward to another stunning season next year.

FOSTERING MIDDLE CLASS PROSPERITY

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, we need to focus on fostering middle class prosperity, and I feel investing in job training and education is the best way to do that.

We recently had an opportunity to revamp the Workforce Investment Act. However, the consolidation approach that was taken with that bill was coun-

terproductive. That legislation could have been a bipartisan effort. Instead, it has gone to the Senate to die.

So I propose, instead of belittling Federal employees, attacking unions and repealing environmental protections, why don't we focus on working together across the aisle and doing what we can to equip people with the skills and the education they need to fill the job openings that are out there.

That might sound warm and fuzzy, but that is what Americans want us to do. My constituents have told me again and again: let's focus on practical solutions to the problems people are facing, not political ideology.

FIXING AMERICA'S MENTAL HEALTH SYSTEM

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Pennsylvania. Yesterday, Dylan Quick, a 20-year-old student at Lone Star College in Texas, went on a rampage with a knife, hurting more than a dozen people. He told police he had fantasized since elementary school about stabbing people to death.

Tucson shooter Jared Loughner told his psychologists that he wished he had been taking his anti-psychotic medication. If he had been, Loughner, who has schizophrenia, says the Tucson shooting might not have happened.

A psychiatrist treating James Holmes told campus police a month before the Colorado theater attack that Holmes had homicidal thoughts and was a danger to the public. Holmes also exhibited signs of schizophrenia.

Those with mental illness are generally more likely to be the victims rather than the perpetrators of violence, but those with untreated mental illness are at increased risk of violent behavior. Ten percent of all homicides are committed by individuals with schizophrenia, bipolar disorder, and other psychotic illnesses.

When will we acknowledge that it is not just what is in the killer's hand that makes him dangerous, be it fist, knife or gun, but what is in his mind? We must take off the blinders and acknowledge the importance of the diagnosis of mental illness and severe mental illness. Let's fix our mental illness system.

MARKING 30 YEARS OF SAN RAMON

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Tonight, San Ramon celebrates its 30 years as an incorporated city.

It's a city I know well. My mother grew up there, and my grandfather was

the editor of the Valley Pioneer newspaper. I went to elementary school there, and I coached youth soccer there for years.

Americans first came to San Ramon in 1850 when Leo and Mary Jane Norris purchased property there. The name “San Ramon” came from a Native American sheep herder in the area named Ramon. For many years, agriculture was a key part of San Ramon's economy. Starting in the 1960s, suburban development began there; modern San Ramon emerged; and the population took off. Eventually, the residents voted to incorporate as a separate city.

It has grown from about 4,000 people in 1960 to over 70,000 today. It's the fourth largest city in Contra Costa County. It is the location of the headquarters of 24-Hour Fitness and Chevron, and it is the west coast headquarters of AT&T. Both of its high schools, California High School and Dougherty Valley High School, were ranked by U.S. News & World Report as being in the top 200 California high schools. These are just a few examples of the highly educated, hardworking folks who live in San Ramon.

CONGRATULATIONS TO THE ST. CLOUD STATE UNIVERSITY MEN'S HOCKEY TEAM

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Mr. Speaker, if there is one thing the people of Minnesota understand, it's hockey.

That's why I'm so excited to be able to be here today to congratulate the St. Cloud State University men's hockey team. They're making history. Never before in their history have they advanced to the Frozen Four. I'm here to congratulate them for the first time in the program's history. It has taken talent; it has taken teamwork; it has taken dedication; and the men on this team have shown it all.

I know I speak for all of the people back home in St. Cloud when I say we are extremely proud of these young men and what they've already accomplished. The Cinderella story is going to take place tomorrow evening. It has captivated the community. We can't wait to cheer them on when they take on Quinnipiac in the Frozen Four.

So congratulations. Good luck. Go Huskies.

SEQUESTER

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, we are back from a 2-week recess in the district. Everyone must have been told or seen the impacts of the sequester.

When the sequester went into effect a little over a month ago, people did not see its immediate impact. Now it's different. Many of them, and us, were hoping that the continuing resolution would take care of the sequester, but it did not. Now many of them, and us, are hoping that the President's budget—unlike the Ryan budget, the Republican Study Caucus, or the minority budget in the Senate, which kept the sequester in place—will repeal the sequester.

We know for hospitals like those at home that have large numbers of Medicare patients a 2 percent cut to Medicare is devastating; we know our friends who are still struggling with the recovery from Hurricane Sandy will be affected by the \$1 billion cut to FEMA; and for our Federal employees, the furloughs to cover the sequester will affect not only them and their families but our local economies. We need to recognize that slashing with the sequester is not the answer, but also know that we need to reduce our deficit sensibly.

□ 1230

AMERICANS WANT A BALANCED BUDGET

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, the President released his February 2014 budget proposal this morning, and now for the first time in over 4 years, the House and the Senate and the President all have submitted budget blueprints showing their priorities for getting our Nation's finances back in good standing.

In the House, our budget balances within 10 years by slowing the growth of government, responsibly and carefully reforming Federal spending, while strengthening and preserving Medicare and Social Security for future generations. And the House budget pays down the national debt to zero within our lifetimes.

Just 12 weeks ago, taxes went up on every American; yet, unfortunately, the President's plan raises taxes again on Americans while increasing spending, growing the size of government, and never, ever balancing.

Mr. Speaker, the American people want balance in Congress, and they want a balanced budget. As we go forward, let's do our job and control spending. Let's balance our own books, and let's stop the constant push for higher taxes on the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Members are reminded not to traffic the well while another Member is under recognition.

PROTECTING EARNED BENEFITS

(Mr. NOLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NOLAN. Mr. Speaker, I rise to set the record straight here with regard to Social Security and Medicare:

First of all, neither one of them are responsible for the debt and the current fiscal crisis that we find ourselves facing;

Secondly, neither of them are entitlements. They're earned benefits that people started paying for the very first day, the very first hour they went to work, and they have every right to expect those benefits;

Thirdly, there are some long-term problems with both, and they should and need to be fixed, but they can be done, clearly, without reducing the benefits.

Let me remind all of us that nothing has done more in this country to lift more people out of poverty than Social Security, and nothing has done more to add more life and more years to life than Medicare.

Mr. President, my fellow Members, we must stand up for Social Security and Medicare and protect those benefits going forward.

CONTROLLING GOVERNMENT SPENDING

(Mr. LATHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATHAM. Mr. Speaker, this morning was a remarkable time. The President, even though it's 65 days late, came out with a budget today. And it is interesting to note that it is about \$600 billion of new taxes, after we've just had a \$620 billion tax increase on this economy, with the health care bill, about another \$1.2 trillion of new taxes and fees, and his budget proposal increases the size of government 50 percent over the next 10 years.

Mr. Speaker, I've been home for the last couple of weeks talking to constituents, and what they tell me is the fact that they want a balanced budget. The President's budget never gets to balance. Our budget does. They want a balanced budget. They want us to get control of spending in Washington because they know how it affects themselves, their families, and the future of this country.

The spending coupled with all of the new regulations, the health care mandates coming down on small businesses, they are stopping job growth. We have got to get some common sense in this House.

SEQUESTRATION

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, sequestration has been in effect for 41 days, and already it is hurting American families. Just outside my district at Fort Knox, more than 5,000 civilian employees face at least 2 weeks of furlough because of these indiscriminate cuts in Federal spending.

A constituent of mine whose husband is a military technician for the Kentucky National Guard said her family will lose close to 20 percent of their income because of furloughs. He is one of at least 460 technicians in my district who will be furloughed.

I've talked with a school principal who's forced to lay off special education teachers because of sequestration. I've met with local social service organizations who are concerned that sequestration will eliminate entire Federal grant programs, jeopardizing jobs and essential services for Louisville families. And officials at the University of Louisville are worried that cuts to their research will interrupt lifesaving medical advances.

Mr. Speaker, sequestration was a threat, not a policy. That's why I voted against it. It now is clear that the real threat of sequestration is to middle class families who can least afford another recession. Congress should enact a budget that eliminates sequestration and spares even more American families the pain of this ill-advised austerity.

A BALANCED BUDGET

(Mr. TIPTON asked and was given permission to address the House for 1 minute.)

Mr. TIPTON. Mr. Speaker, we've all heard the statement "a day late and a dollar short." Well, the President is now 2 months late with his budget and billions of dollars short. It's clear, this President wants to balance the increase of government on the backs of the American people. He believes that government needs the resources more than hardworking Americans.

We put forward a budget to be able to protect our senior citizens, to be able to build for the future for our children. The real approach, when we're talking about balance, is to have a budget that truly balances.

This administration continues to grow government, continues to waste the hardworking dollars of the American taxpayer.

Let's stand up and put politics aside and stand up for the people of this country and put forward a budget that will truly put America back to work.

CREATING JOBS

(Mr. VEASEY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. VEASEY. Mr. Speaker, I rise today about the urgent need to create jobs and grow our economy, an issue that should be our number one focus right now. We are nearly a month and a half into the sequester, which has imposed painful cuts to defense, transportation, and education, and it's hurting our economy.

I'm disappointed the House Republican leadership chose the path of the sequester rather than working with House Democrats to stop these needless, across-the-board cuts. I'm also disappointed that House Republicans have chosen the politics of brinksmanship and government shutdowns rather than negotiate a compromise with Democrats.

We must stop politicizing every function of government from the debt ceiling to the budget. Creating jobs and strengthening our economy starts with the private sector and government working together to ensure confidence and investment across the country.

I encourage all of my colleagues to come together and focus on jobs. Let's work on legislation that helps our constituents obtain jobs and grows our economy.

PRESCRIPTION DRUG ABUSE

(Mr. ROGERS of Kentucky asked and was given permission to address the House for 1 minute.)

Mr. ROGERS of Kentucky. Mr. Speaker, prescription drug abuse is killing more people in this country than car wrecks. It's hard to believe, but it sneaked up on us.

In my district 10 years ago, we started an organization called UNITE, Unlawful Narcotics Investigations, Treatment and Education, a holistic approach, and it works. We've put in jail about 4,000 pushers. We've got drug counselors in schools. We've got clubs in schools to entertain young people on nice things to do and the like, drug courts in every county. It works, but the problem persists.

Last week, I had the great honor and pleasure of helping host in Orlando, Florida, a drug summit on prescription drug abuse, almost a thousand people from 49 States and several foreign countries focusing on the problem. It's the second year we've done that, the second straight year. Mayor Bloomberg was there. The head of CDC was there, the head of FDA, heads of all sorts of Federal organizations, and we're determined to help wipe out this big killer in this country.

□ 1240

CELEBRATING THE ACCOMPLISHMENTS OF KEVIN KRIGGER

(Mrs. CHRISTENSEN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, when the horses line up in Churchill Downs for the running of the Kentucky Derby next month, all eyes in the U.S. Virgin Islands will be on young Kevin Krigger, a jockey from my home island of St. Croix, who will be riding the horse, Goldencents.

We're all proud of Kevin, who grew up in LaVallee and attended Central High School. Kevin always wanted to be a jockey and grew up in the sport, riding horses on our beaches and country roads, challenging anyone he could to a race.

Before he was recruited by other Virgin Islanders who race in the States, he was well known on the tracks of St. Croix, St. Thomas, and Tortola as a talent to watch. He proved himself riding on the west coast, in particular, at Emerald Downs in Seattle, Washington, before his historic win on Saturday at the Santa Anita Derby.

On Saturday, Kevin Krigger became the first African American to win the Santa Anita Derby. Last fall, he was the first African American jockey to win a million dollar race in Louisiana's Delta Jackpot. If he rides Goldencents to victory in the Kentucky Derby next month, he will become the first African American to do so since 1902.

Mr. Speaker, Kevin Krigger's family and fans in the Virgin Islands will be cheering wildly on the first Saturday in May. I congratulate his mother, Averil Simmonds, and his father, Albert Krigger, Jr. We're all proud of this young man and his accomplishments, and wish him Godspeed in this and all of his future endeavors.

PRESIDENT OBAMA'S BUDGET

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. Mr. Speaker, you can't spend more money than you bring in. That's a fairly simple concept, isn't it? But apparently not for Democrats who run the administration in Washington.

Under President Obama, we've had 4 years of government spending, each year spending over \$1 trillion more than we took in. That kind of spending is not only irresponsible, it's dangerous. It drives up the national debt, hurts families, neighbors, and our friends.

The time to rein in Washington spending is now, a concept so obvious it has become a cliché. House Republicans understand this. That's why we passed a responsible budget that keeps our taxes low and balances spending. That's more money in your family's pocket.

The President is going to introduce a budget that doesn't balance and tries to raise taxes again.

House Republicans know the way forward, a way forward to foster a healthier economy and help create jobs. It's time for the President to get serious about this issue as well.

PROVIDING FOR CONSIDERATION OF H.R. 678, BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 140 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 140

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 678) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except: (1) those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII dated at least one day before the day of consideration of the amendment; and (2) pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

This resolution provides for a modified open rule for the consideration of H.R. 678, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, and provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

It makes in order all amendments which were preprinted in the CONGRESSIONAL RECORD and which otherwise comply with the rules of the House. So this modified open rule is very fair, it's a generous rule, and it will provide for a balanced and open debate on the merits of this particular bill.

Mr. Speaker, I'm also pleased to stand before the House and support this rule, as well as the underlying legislation, H.R. 678, which is the long title I gave earlier.

I appreciate the hard work of the bill's chief sponsor, the gentleman from Colorado (Mr. TIPTON), as well as the chairman of the Natural Resources Committee, the gentleman from Washington (Mr. HASTINGS), and of the subcommittee of jurisdiction, Mr. MCCLINTOCK of California, for allowing this bill to move forward from the committee and continuing the Natural Resource Committee's record, under Chairman HASTINGS' leadership, of furthering several important pieces of legislation which, if enacted, will greatly improve our Nation's energy policies and provide a responsible, balanced approach to further domestic energy development.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Good afternoon, Mr. Speaker. I thank the gentleman from Utah for yielding me the customary 30 minutes and yield myself such time as I may consume.

Mr. Speaker, last Friday we received the news that the economy had only added 88,000 jobs in the month of March. The percentage of unemployed Americans dropped, but that is almost entirely because thousands of workers have given up looking for jobs at all.

This slowdown is a warning to Congress, but we won't take it, I feel sure, since we've pretty much ignored it. Unless this majority reverses the spending cuts contained in the sequester, the health of our economy is only getting worse.

Months ago, economists were warning that the sequester will stall out our economy and lead to job loss, and as we can see by the March data, their predictions are beginning to come true.

With economic warning bells beginning to toll, one would expect Congress to make job creation our number one priority. But one would certainly be wrong because we haven't done that at all. Unfortunately, such expectations don't even come close.

Instead of working on legislation to grow our economy and to create some good-paying jobs, we are wasting valuable session time discussing yet another bill that went nowhere in the last Congress, and I predict will go nowhere in this one as well. But we seem to have the time to waste.

The majority has decided that erasing environmental regulations for hydropower companies is a better use of

time than putting Americans back to work and to help families pay their bills.

Furthermore, the bill before us today is a solution in search of a problem that does not exist. Despite the rhetoric of the majority, small conduit hydropower projects are rarely delayed because of environmental regulations. In fact, from 2006 to 2010, 13 exemptions were completed in less than a year, and in 2011 there were nine exemptions that were granted in an average of 40 days.

In addition, changes within the last year have made the process even easier for hydropower developers. Under the new regulations by the Bureau of Reclamation, all a developer has to do to avoid a full environmental assessment is to get a simple, 1½ page form filled out with 15 boxes to check "yes" or "no." That is certainly not a burdensome regulation. All they have to do is check the box "yes" or "no," indicate the project is not in an especially sensitive area.

Most small conduit hydropower projects will easily pass this test because the reclamation sites are already developed. But despite what you may hear, there is little evidence that there is even a problem with hydropower regulation that needs to be solved.

Contained within today's legislation is a proposal to clarify the lines of authority between the Bureau of Reclamation and the Federal Energy Regulatory Commission. This is a worthwhile effort that would receive bipartisan support, and we made that very clear. Standing alone, though, this proposal could pass on suspension within a matter of minutes. That would, of course, leave us with nothing to do here today, so here we are.

During the debate in the Natural Resources Committee, the majority was given the opportunity to agree to the noncontroversial and bipartisan parts of the legislation and drop their partisan attacks on environmental safeguards.

□ 1250

Unfortunately, the majority has once again rejected this chance for productive compromise and chosen the partisan path. And as a result, we are here spending time debating another partisan bill that will not pass the Senate and turning our back on the pressing economic needs of this country.

I've said many times on the floor during rules debates that CBS News had estimated it costs \$24 million a week to run the Congress of the United States. And it has been embarrassing that we do so little work. But for millions of Americans, the luxury of the time that we take here is something they cannot afford.

I urge my colleagues to vote "no" on the underlying legislation so we can get back to the task of growing our economy, repealing the sequester, and creating American jobs.

I reserve the balance of my time.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. I yield such time as he may consume to the gentleman from Colorado (Mr. TIPTON), the sponsor of this piece of legislation, to explain why it is so necessary that we do this, even though on paper it seems like this problem is solved.

Mr. TIPTON. I thank Chairman BISHOP for yielding.

When we're talking about job creation in this country, I think it's worthy to note I just traveled through the Third Congressional District of Colorado visiting with people from Pueblo to Alamosa, Durango, Cortez, Montrose, Craig, Hayden, and Steamboat. One of the greatest challenges that they face is regulations coming out of Washington when it comes to job creation.

The fact of the matter is we're spending \$1.75 trillion per year for businesses to be able to comply with government mandates. Is it a sensible approach to be able to look at regulations that simply don't work and are inhibiting job creation and our ability to be able to achieve the most carbon-free, environmentally friendly legislation that we can have? That's hydropower. That is a sensible approach.

Mr. Speaker, I rise today to encourage my colleagues on both sides of the aisle to vote in favor of House Resolution 140 and for an open discussion on how we're going to be able to work together to be able to promote clean, renewable hydropower development in rural America and create much-needed jobs in the process. At a time when our country needs to be able to focus on domestic energy production and job creation, hydropower can play a critical role in providing clean renewable energy while expanding job opportunities in some of our hardest hit rural communities.

Hydropower is the cheapest and cleanest source of electricity available through modern technology. It's the highest source of non-carbon-emitting energy in the world and accounts for approximately 75 percent of the United States' total renewable electricity generation, making it the leading renewable energy resource of power. Canal-based hydropower can produce up to 1,400 megawatts of power in Colorado alone. Let's put this in perspective. This is the equivalent of the power produced by the originally designed output of the Glen Canyon Dam, just out of Colorado, not including the rest of the western United States.

Increased conduit hydropower serves a number of purposes: it produces renewable and emissions-free energy that can be used to pump water or sell electricity to the grid; it can offset diesel-generated pumps; it can generate revenue for the hydropower developer to help pay for aging infrastructure costs and water/power facility modernization; and it can create local jobs and generate revenue for the Federal Government.

As it stands, Federal regulations hinder this development on Federal projects and subject job creators to unnecessary requirements which can render small hydropower projects economically unfeasible. For this reason, I introduced H.R. 678, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act. This legislation authorizes power development at the agency's conduits to clear up multi-agency confusion and duplicative processes and reduces the regulatory costs associated with hydropower development.

H.R. 678, as passed by the Natural Resources Committee with bipartisan support, would eliminate the requirement of duplicative and unnecessary environmental analyses for projects on manmade facilities which already underwent a full environmental review at the time of their construction or when undergoing rehabilitation. The bill covers small hydropower generators installed on manmade pipes, ditches, and canals; and the renewable energy development promoted by the bill in no way impacts the natural environment. By streamlining this process, we can finally make these small conduit hydropower projects financially feasible and unleash private investment in clean energy that will reduce costs for ratepayers and increase tax revenue for the Treasury while putting people back to work.

I understand that some of my friends on the other side have reservations about this provision; and as I have made clear in the past, I'm open to working with my colleagues to be able to address their concerns with the NEPA provision. However, failure to address the existing regulatory uncertainty would negate one of the primary purposes of the bill and would ensure that the renewable energy development envisioned by the bill remains in limbo. I'm optimistic that discussing this issue openly will allay any concerns Members may have and allow us to be able to arrive at a solution which ensures the implementation of a statutory framework that streamlines the project approval process and reduces costs.

I'm proud to have the support of the Family Farm Alliance, the National Water Resources Association, and the American Public Power Association, among others. I think the broad support this bill has seen among those

most directly impacted indicates how close we are to making this renewable energy development a reality. I look forward to an open discussion on the merits of the bill, which I believe will speak for themselves.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time until my colleague is ready to close.

Mr. BISHOP of Utah. Let me take a moment just to give my impression of this particular bill, and then I'll be ready to close at that time.

Mr. Speaker, this is a bipartisan bill which had a bipartisan vote in this body last time and a bipartisan vote in the committee, sent to the Senate, where an errant Senator was able to hold the process up. Fortunately, in this session, there is a new chairman of that committee in the Senate from the West who clearly understands the value and significance of hydroelectric power.

So I think that everyone in this body on both sides of the aisle can agree that our Nation is in great need of more energy. If we want to create real jobs, private sector jobs, there has to be a strong energy component to our ability to do that. Our Nation has tremendous amounts of energy that are locked away domestically in the forms of oil and gas and low sulphur and high-BTU coal reserves; but too often special interest groups and layers of bureaucracy have kept us from becoming more energy self-sufficient with these areas. And we're now seeing and feeling the results every time somebody tries to pay an electric bill.

This administration seems to be dragging its feet on energy development of everything from the Keystone Pipeline to the development of public lands. But there is also another source of energy that is presently being unused and can be put to good use without negatively impacting the environment. The energy resource is what we're addressing here in this particular bill. This bill deals with electricity that can be generated from hydro, a renewable energy resource that is very clean and helpful to the environment.

Numerous witnesses testified this year and last year that there is an uncertainty on the NEPA costs, which throw these projects into limbo and often render projects financially unfeasible and stifle private investment far beyond what has been able to be done. Thus, this is stifling what could be done to produce self-sufficiency in energy production. One witness from Arizona simply testified in 2011 that it would cost them \$20,000 to install this generator that would create energy in a Federal canal. Yet the NEPA analysis would cost them \$50,000 to check the boxes and do that simple paperwork, as we have heard about. The environmental paperwork in this case is almost three times the cost of

the capital that you would put into the project. And it all is redundant since the NEPA analysis was done in the first place for the entire canal. This is a second project put in the same canal that has already gone through this process. It's a manmade canal.

Witnesses have testified this year that despite the Bureau of Reclamation's claim of its categorical exclusions and having a policy in place, not one project has utilized this project because of a potential legal uncertainty surrounding categorical exclusions.

□ 1300

As a result, there is no new development that has occurred, and the gentleman from Colorado's amendment will improve this particular situation. So, once again, let this be done.

This is not denying a NEPA review. NEPA has already been done on every one of these projects. This is saying you don't need to do the same thing a second time, which is simply redundant, it is silly, it's red tape, bungling by administrations that need not be there.

The choice is very simple in this particular bill: Either you can give the administration, the executive branch, the right to make these kinds of decisions on moving us forward, in which case the administration can make and can take away their decision at whim, in which case it invites litigation because of the uncertainty of an administrative policy, and also invites conflict within different administrative agencies. Or we can do what we're supposed to do and actually pass legislation to solve problems. The gentleman from Colorado's approach is simply allowing the legislature to make the decision, to institute what the policy will be and tell the agencies how they will proceed into the future. We can either have the legislature stand up and do our job and do it the right way or we can pass it all off and let the executive branch come up with regulations now which they could change and also are subject to the fear of litigation.

This is an easy thing to do. This bill actually should be a no-brainer. It will increase the energy production we have in the country, it will increase the ability of making sure that we have adequate water resources in the West, it will also give a needed boost of revenues to the canal companies, and it will create ultimately more jobs, especially with a cheap form of highly effective energy production.

This bill is reasonable, and it's understandable why it passed with a bipartisan vote last time. I hope it passes with a bipartisan vote again, and I hope we can recognize that this will move us forward.

Mr. Speaker, I will reserve the balance of my time unless the gentlelady has other speeches that she has requests for.

Ms. SLAUGHTER. Mr. Speaker, I have no requests for time, so I am prepared to close if my colleague is.

Mr. BISHOP of Utah. I am prepared to close when you are.

Ms. SLAUGHTER. I thank the gentleman.

Mr. Speaker, today's bill does nothing to address the pressing economic issues facing every American household and fails to stop the sequestration cuts that are threatening our economy as a whole. It's rather ambiguous. On one hand it gives; on the other hand it takes back away, but we'll get into that in the general debate.

Instead, today's legislation unnecessarily attacks environmental protections while doing nothing to create new jobs. Today's legislation includes a blanket waiver for all small conduit hydropower projects that generate less than 5 megawatts of power. The requirement is arbitrary and would fail to protect the environment. Environmental danger is not determined by the megawatts produced but whether the hydropower project is located where it is likely to do damage. A 1-megawatt project in the wrong location would be more harmful to the environment than a 6-megawatt project in the right location.

Perhaps most importantly, consideration of this legislation is taking up time that we could otherwise be using to repeal the sequester and create jobs. As I have mentioned repeatedly on the House floor, my colleague and ranking member of the Budget Committee, Mr. VAN HOLLEN, has appeared at the Rules Committee repeatedly offering legislation to repeal the sequester and reduce our deficit in a responsible way. The Rules Committee on at least three times has never even allowed it to come to the floor. Despite voting on hydropower legislation twice in the last 13 months, the majority has rejected Mr. VAN HOLLEN, who, as I said, is the ranking member on the Budget Committee, and his bill would save and create thousands of jobs.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 1426 from Representative TIM BISHOP of New York to roll back tax giveaways to big oil companies. The bill is known as the Big Oil Welfare Repeal Act. Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous matter immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so that we can get back to trying to grow our economy and create American jobs, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, in conclusion, let me state a couple of things. Number one, this is a good rule. Therefore, you should vote for this rule. It is a fair and open rule—a fair and modified open rule. More importantly, it is a rule that will allow us to discuss a very good bill. This bill encourages energy production. We may think of these as small energy projects, but I am told that all these small projects already being held up in Colorado would create the amount of energy that comes from a large project like the Glen Canyon Dam. It's a large amount of energy that is clean energy that we will be producing. Number two, this bill gets rid of redundancy. It is not that we are doing away with environmental protection or a review for environmental protection. That environmental protection review has already been done. It is that we're simply saying for these small projects you don't need to do the same thing a second time and incur the cost, which is an amazing amount of cost, and potential litigation factors that go along with it.

If we do want to produce private sector jobs, and that is a worthy goal, you have to have energy to do it. This bill produces the energy which will be used to grow the economy to produce those jobs that we really want. That is why it is a bipartisan bill, and I expect a bipartisan vote on this particular bill. It's a good bill, and we should pass it today. This is a fair rule, and I urge its adoption.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 140 OFFERED BY
MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1426) to disallow the deduction for income attributable to domestic production activities with respect to oil and gas activities of major integrated oil companies. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause

1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1426.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools

for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 236, nays 190, not voting 5, as follows:

[Roll No. 93]

YEAS—236

Aderholt	Fincher	Lankford
Alexander	Fitzpatrick	Latham
Amash	Fleischmann	Latta
Amodei	Fleming	LoBiondo
Bachmann	Flores	Long
Bachus	Forbes	Lucas
Barber	Fortenberry	Luetkemeyer
Barletta	Fox	Lummis
Barr	Franks (AZ)	Marchant
Barton	Frelinghuysen	Marino
Benishek	Gardner	Massie
Bentivolio	Garrett	Matheson
Bilirakis	Gerlach	McCarthy (CA)
Bishop (UT)	Gibbs	McCaul
Black	Gibson	McClintock
Blackburn	Gingrey (GA)	McHenry
Bonner	Gohmert	McIntyre
Boustany	Goodlatte	McKeon
Brady (TX)	Gosar	McKinley
Bridenstine	Gowdy	McMorris
Brooks (AL)	Granger	Rodgers
Brooks (IN)	Graves (GA)	Meadows
Broun (GA)	Graves (MO)	Meehan
Buchanan	Griffin (AR)	Messer
Bucshon	Griffith (VA)	Mica
Burgess	Grimm	Miller (FL)
Calvert	Guthrie	Miller (MI)
Camp	Hall	Miller, Gary
Campbell	Hanna	Mullin
Cantor	Harper	Mulvaney
Capito	Harris	Murphy (PA)
Carter	Hartzler	Neugebauer
Cassidy	Hastings (WA)	Noem
Chabot	Heck (NV)	Nugent
Chaffetz	Hensarling	Nunes
Coble	Herrera Beutler	Nunnelee
Coffman	Holding	Olson
Cole	Hudson	Palazzo
Collins (GA)	Huelskamp	Paulsen
Collins (NY)	Huizenga (MI)	Pearce
Conaway	Hultgren	Perlmutter
Cook	Hunter	Perry
Costa	Hurt	Petri
Cotton	Issa	Pittenger
Cramer	Jenkins	Pitts
Crawford	Johnson (OH)	Poe (TX)
Crenshaw	Johnson, Sam	Pompeo
Culberson	Jones	Posey
Daines	Jordan	Price (GA)
Davis, Rodney	Joyce	Radel
Denham	Kelly	Reed
Dent	King (IA)	Reichert
DeSantis	King (NY)	Renacci
DesJarlais	Kingston	Ribble
Diaz-Balart	Kinzinger (IL)	Rice (SC)
Duffy	Kline	Richmond
Duncan (SC)	Labrador	Rigell
Duncan (TN)	LaMalfa	Roby
Ellmers	Lamborn	Roe (TN)
Farenthold	Lance	Rogers (AL)

Rogers (KY)	Shuster
Rogers (MI)	Simpson
Rohrabacher	Smith (NE)
Rokita	Smith (NJ)
Rooney	Smith (TX)
Roskam	Southerland
Ross	Stewart
Rothfus	Stivers
Royce	Stockman
Runyan	Stutzman
Ryan (WI)	Terry
Salmon	Thompson (PA)
Scalise	Thornberry
Schock	Tiberi
Schweikert	Tipton
Scott, Austin	Turner
Sensenbrenner	Upton
Sessions	Valadao
Shimkus	Wagner

NAYS—190

Andrews	Green, Al	O'Rourke
Barrow (GA)	Green, Gene	Owens
Bass	Grijalva	Pallone
Beatty	Gutierrez	Pascarella
Becerra	Hahn	Pastor (AZ)
Bera (CA)	Hanabusa	Payne
Bishop (GA)	Heck (WA)	Pelosi
Bishop (NY)	Higgins	Peters (CA)
Blumenauer	Himes	Peters (MI)
Bonamici	Hinojosa	Peterson
Brady (PA)	Holt	Pingree (ME)
Braley (IA)	Honda	Pocan
Brown (FL)	Horsford	Polis
Brownley (CA)	Hoyer	Price (NC)
Bustos	Huffman	Quigley
Butterfield	Israel	Rahall
Capps	Jackson Lee	Rangel
Capuano	Jeffries	Roybal-Allard
Cárdenas	Johnson (GA)	Ruiz
Carney	Johnson, E. B.	Ruppersberger
Carson (IN)	Kaptur	Rush
Cartwright	Keating	Ryan (OH)
Castro (TX)	Kennedy	Sanchez, Linda
Chu	Kildee	T.
Cicilline	Kilmer	Sanchez, Loretta
Clarke	Kind	Sarbanes
Clay	Kirkpatrick	Schakowsky
Cleaver	Kuster	Schiff
Clyburn	Langevin	Schneider
Cohen	Larsen (WA)	Schrader
Connolly	Larson (CT)	Schwartz
Conyers	Lee (CA)	Scott (VA)
Cooper	Levin	Scott, David
Courtney	Lewis	Serrano
Crowley	Lipinski	Sewell (AL)
Cuellar	Loeb sack	Shea-Porter
Cummings	Lofgren	Sherman
Davis (CA)	Lowenthal	Sinema
Davis, Danny	Lowe	Sires
DeFazio	Lujan Grisham	Slaughter
DeGette	(NM)	Smith (WA)
Delaney	Luján, Ben Ray	Speier
DeLauro	(NM)	Swalwell (CA)
DelBene	Maffei	Takano
Deutch	Maloney,	Thompson (CA)
Dingell	Carolyn	Thompson (MS)
Doggett	Maloney, Sean	Tierney
Doyle	Matsui	Titus
Duckworth	McCarthy (NY)	Tonko
Edwards	McCollum	Tsongas
Elison	McDermott	Van Hollen
Engel	McGovern	Vargas
Enyart	McNerney	Veasey
Eshoo	Meeks	Vela
Esty	Meng	Velázquez
Farr	Michaud	Visclosky
Fattah	Miller, George	Walz
Foster	Moore	Wasserman
Frankel (FL)	Moran	Schultz
Fudge	Murphy (FL)	Waters
Gabbard	Nader	Watt
Gallego	Napolitano	Waxman
Garamendi	Neal	Welch
Garcia	Negrete McLeod	Wilson (FL)
Grayson	Nolan	Yarmuth

NOT VOTING—5

Castor (FL)	Lynch	Ros-Lehtinen
Hastings (FL)	Markey	

□ 1334

Mr. PASCARELL changed his vote from "yea" to "nay."

Mr. HASTINGS of Washington changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND THE JOINT COMMITTEE ON PRINTING

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Resolution 142, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the resolution is as follows:

H. RES. 142

Resolved,

SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE OF CONGRESS ON THE LIBRARY AND JOINT COMMITTEE ON PRINTING.

(a) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are hereby elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration and the chair of the Subcommittee on the Legislative Branch of the Committee on Appropriations:

- (1) Mr. Harper.
- (2) Mr. Brady of Pennsylvania.
- (3) Ms. Zoe Lofgren of California.

(b) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

- (1) Mr. Harper.
- (2) Mr. Nugent.
- (3) Mr. Brady of Pennsylvania.
- (4) Mr. Vargas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on House Resolution 142.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1175

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to withdraw

Mr. ADRIAN SMITH of Nebraska as a co-sponsor of H.R. 1175.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 678.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore (Mr. BARR). Pursuant to House Resolution 140 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 678.

The Chair appoints the gentleman from Texas (Mr. POE) to preside over the Committee of the Whole.

□ 1338

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 678) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of H.R. 678, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act.

Those of us from the Pacific Northwest know and understand the importance of hydropower and the significant role it plays in our economy. In my home State of Washington, hydropower produces 70 percent of our power, and it helps keep electricity rates low and affordable for our residents.

□ 1340

It is one of the cheapest and cleanest forms of electricity, and helps make other intermittent sources of renewable energy, like wind and solar, possible.

Yet too often, as is frequently the case with energy projects on Federal lands, the development of new hydropower gets caught up in bureaucratic red tape and regulations.

Today's bill, sponsored by our colleague from Colorado, Mr. TIPTON, would cut through that red tape to expand the development of small conduit hydropower. Specifically, it clears up Federal agency confusion by directly authorizing hydropower development at almost 47,000 miles of Bureau of Reclamation canals. It also streamlines the regulatory process for developing small canal and pipeline hydropower projects on existing Bureau of Reclamation facilities.

Mr. Chairman, I want to stress the point that these new projects will only be at existing facilities. These existing man-made facilities have already gone through extensive environmental review when they were initially built. Requiring duplicative reviews on existing facilities only imposes unnecessary delays and, thus, administrative costs.

I realize that the Bureau of Reclamation has come up with its own version of streamlining since we considered this bill in the last Congress, but it's only a theoretical version of streamlining since it has never been used in the 6 months after it was created. This bill simply streamlines the regulatory and administrative process so that water users can be free to develop hydropower at the Federal canals they already operate and maintain.

This bill will help generate thousands of megawatts of clean, cheap, abundant hydropower and, thus, will bring in new revenue to the Federal Government and, more importantly, Mr. Chairman, create new American jobs. Best of all, we can do this at no cost to the American taxpayer. This is exactly the type of commonsense proposal that Republicans support as part of the all-of-the-above energy plan. Hydropower must be part of the solution. Families and small businesses rely on access to affordable electricity, and this bill is a simple way to lower prices by expanding production on one of the best forms of clean, renewable energy.

Mr. Chairman, nearly identical legislation passed the House last Congress with bipartisan support. I hope the House will once again do so today, and that the Senate will take action on this job-creating energy bill.

I want to thank particularly members of the Natural Resources Committee Mr. TIPTON of Colorado, Mr. GOSAR of Arizona, and Mr. COSTA of California for their tremendous work on this bill and for being strong champions of small-scale hydropower production.

I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in support of the general premise of this bill but oppose

the legislation as is due to the inclusion of the NEPA waiver.

Today we are debating H.R. 678, a bill that should be noncontroversial. In fact, it should have already been enacted into law. We all agree that adding small conduit hydropower projects is a great idea—no, it's really a wonderful idea—and H.R. 678 could have easily been passed through the House with overwhelming bipartisan support. But, unfortunately, my esteemed colleagues on the other side have chosen to turn this noncontroversial bill into a partisan fight over ideology by waiving compliance with the National Environmental Policy Act, NEPA, for Federal conduit projects.

As my colleague from Washington indicated, it means jobs. It means the addition of clean energy. It means all of those things, but to the exclusion of NEPA. As the gentleman mentioned, H.R. 678 would amend the Reclamation Project Act of 1939 and, thus, would facilitate and expand the private development of small conduit hydropower at the Bureau of Reclamation facilities. The legislation seeks to accomplish several goals, the most important of which is authorizing reclamation to develop and increase power at most of those facilities.

H.R. 678 also includes a provision that waives NEPA for all conduit projects generating less than 5 megawatts. The bill waives NEPA, which is on page 4, lines 14 to 18, even though the Bureau of Reclamation has implemented a categorical exclusion on their own accord to apply to small conduit projects. You may call it theoretical, but it has only been there 6 months, and it takes government a long time to get the word out to those parties. The waiver of NEPA in this bill is unnecessary, since Reclamation has already implemented this guidance through this categorical exclusion. The legislation seeks to solve a NEPA problem that does not exist. Unfortunately, some Members on the other side of the aisle have characterized the waiver of NEPA as “the main purpose of this legislation.”

The waiver in this bill is the exact same waiver that Republicans put into the nearly identical bill last Congress. Just like the last time, the Senate will not pass it, and the bill will again expire in the Senate. This is totally unnecessary. This is not what anyone on this side of the aisle wants to see happen, and we would support the bill without the NEPA waiver.

Mr. Chairman, I oppose this legislation and ask my colleagues to do the same.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm pleased to yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK), the chairman of the subcommittee dealing with this legislation on the Natural Resources Committee.

Mr. McCLINTOCK. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the so-called streamlining that the Bureau has pledged to do and has done has produced no new projects for reasons that were made very clear to our Subcommittee on Water and Power by numerous witnesses. NEPA is at the heart of the problem. As the chairman said, the Bureau of Reclamation operates 47,000 miles of pipelines and canals that have already undergone extensive environmental review. By installing small generators in the existing pipelines, we could add the equivalent generating capacity of major hydroelectric dams, meaning millions of dollars of new revenue to the government, millions of watts of new, clean, cheap electricity, and all the jobs these projects would produce.

The gentlelady has said that she supports the objective and is willing to do everything that she can to help except by getting government out of the way. The Federal bureaucracy has made it cost prohibitive for people to install these small generators in these existing canals and pipelines. Rather, they force them to conduct crushingly expensive environmental reviews, navigate time-consuming bureaucratic mazes, pay exorbitant administrative fees, and risk the uncertainties of endless internal review and external litigation. These bureaucratic obstacles often cost more than the projects themselves and turn sensible, economic electricity projects into cost-prohibitive farces.

As proposed to be amended, this bill requires the Bureau to categorically exclude the installation of these small, hydroelectric generators in existing facilities that have already undergone environmental review. It designates the central office within the Bureau to provide uniform guidance on processing applications. It establishes a sensible and streamlined process to determine development rights. And it ensures that installation of hydrogenerators will not disrupt existing water operations.

Mr. Chairman, think about the implications just to farming as one example. Some irrigation districts are forced to use diesel generators to pump water to their fields. You put hydroelectric generators in existing canals and pipes, and they become virtually self-sustaining, while reducing reliance on other sources of electricity that do produce air emissions.

It is truly mystifying that a Nation plagued by prolonged economic stagnation, chronic unemployment, and increasingly scarce and expensive electricity would adopt a willful and deliberate policy obstructing the construction of these inexpensive and innocuous generators in already-existing facilities. Even FERC, a bastion of regulatory excess, agrees that these studies

are unnecessary when conducted on similar non-Federal facilities.

I believe this bill is a model for the future. I hope that similar regulatory reforms will soon be extended to other Federal and non-Federal facilities.

Mrs. NAPOLITANO. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I want to thank the ranking member, Congresswoman NAPOLITANO, for her efforts on this legislation, Chairman DOC HASTINGS, as well as the chair of the subcommittee, TOM McCLINTOCK, and the author of this measure, Congressman TIPTON, for trying to bring folks together.

□ 1350

Mr. Chairman, people from every walk of life are looking to Congress today to see if we can come together to deal with any of our problems, whether they be big, small, or in between. I rise today to support legislation, I think, that does that. This isn't the biggest legislation we'll deal with this year, nor is it the smallest; but it's something that will help America's energy policy.

Our bipartisan bill would amend the Reclamation Act, as has been stated, of 1939, to create a permanent process for how local irrigation districts and water agencies develop this very valuable, renewable, carbon-free energy at our reclamation facilities. And as we're putting together an energy policy that uses all-of-the-above, this becomes an important part.

H.R. 678, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, is a bipartisan bill that puts existing resources and knowledge we already have to expand one of the most important tools in our Nation's energy toolbox. Let me repeat that: one of the most important tools in our Nation's energy toolbox.

Hydropower is the single largest source of clean, sustainable energy and has been powering our country for over 100 years throughout the land. When most people think about hydropower, of course, they think about the big projects, Hoover Dam and other modern engineering marvels.

However, the beauty of this hydropower legislation is it can also be used on much smaller scaled, reliable projects in which we already have the infrastructure in place. Every day, water flows thousands of miles through canals, pipes and ditches across this country. I know—I happen to represent one of those places, the great San Joaquin Valley, in which we have a vast network of dams and reservoirs and canals that provide that water for those who most need it, our cities and our farms.

We have an old saying: where water flows, food grows. Every day we miss valuable opportunities to utilize this

resource's full potential. This bill changes that.

This water could easily be harnessed to provide low-cost, renewable energy to American families and help add to the increment of energy that we need in this country.

Currently, small conduit hydropower is largely untapped and underutilized; and it's also, obviously, a clean-energy opportunity. The greatest barrier to unleashing the next generation of hydropower is not technological, because we have made great progress on the technological side. Unfortunately, it's regulatory.

Currently, the Federal Energy Regulatory Commission, otherwise known as FERC, maintains jurisdiction over small projects like those that I am talking about.

Serving on the Natural Resources Committee, I've heard from folks across the country say that these regulations are too costly and too difficult to navigate. Obtaining an exception from FERC's permitting rules can take up to 6 months and cost nearly \$50,000 for a local water district to pursue. That's unnecessary, and it's also a waste of valuable resources.

Our bipartisan bill, again, would amend the Reclamation Act of 1939 to create a permanent process for how local irrigation districts and water agencies develop this very valuable, renewable, carbon-free resource for reclamation facilities.

By streamlining the process, the irrigation districts would be empowered to develop small conduit hydropower at no cost to the taxpayers. These projects typically are 5 megawatts and less.

Harnessing the power of water already flowing through reclamation facilities would stimulate rural economies, reduce pumping costs for farmers who face those pumping costs every year.

I am proud to stand with my colleagues who are supporting this legislation. I want to thank Congressman TIPTON for this effort, because it helps us take advantage of existing facilities that are already in place to provide additional resource of power where we need it.

If we want to strengthen our energy portfolio, let's start with the low-hanging fruit. This is low-hanging fruit.

Let me just give you some numbers. In California there are 20 small hydro projects, should this legislation become law, that would be available to this process. Let me underline that: 20 projects in California that would qualify.

In the Nation, the Bureau of Reclamation has determined that there are 373 projects throughout the country that potentially would qualify should this legislation become law.

The bill does just that. I urge your support for H.R. 678.

Mr. HASTINGS of Washington. Mr. Chairman, I'm pleased to yield 5 minutes to the gentleman from Colorado (Mr. TIPTON), the sponsor of this bipartisan legislation.

Mr. TIPTON. I thank Chairman HASTINGS for yielding.

Mr. Chairman, H.R. 678 is a common-sense piece of legislation to foster clean, renewable energy development, create rural jobs in America, and to do so without taxpayer cost, while returning revenues to the U.S. Treasury and, by all measures, should be considered low-hanging fruit, as our fellow Member has just noted, for congressional action.

There's been a lot of discussion on both sides of the aisle about the need to be able to pursue an all-of-the-above strategy. Hydropower, as the cleanest and most abundant natural energy source, should be at the forefront of any comprehensive natural energy policy.

Increased conduit hydropower serves a number of purposes. It produces renewable and emissions-free energy that can be used to pump water or sell electricity into the grid; it can generate revenue for the irrigation district to be able to help pay for aging infrastructure costs and facilitate modernization; and it can create local jobs and generate revenue to the Federal Government.

It's as simple as this poster demonstrates, as easy as putting a portable generator into moving canal water.

Many irrigation districts and electrical utilities seek to develop hydropower on Bureau of Reclamation pipes, ditches and canals; but regulatory uncertainty and the threat of unnecessary bureaucratic requirements stand in the way.

This legislation seeks to remove duplicative environmental analysis where doing so will considerably reduce costs for hydropower developers, while retaining the analysis necessary to protect valuable natural resources.

While the Bureau of Reclamation has recently begun to inventory facilities suitable for small conduit hydropower generation and develop directives and standards to help promote that end, for far too long, duplicative review for small hydropower projects on existing, manmade facilities rendered these projects financially unfeasible, and significant uncertainty still remains.

The generating units covered by H.R. 678 would be installed on entirely manmade waterways which have already received a full environmental review when they were built or rehabilitated. Any transmission associated with these projects that would result from the passage of this bill must still undergo full environmental review where they impact the environment. To require a lengthy review for dropping a small generator into a pipe simply defies logic, and we cannot pursue an all-

of-the-above energy strategy if we continue business as usual.

In addition to creating regulatory certainty and removing duplicative processes, this legislation authorizes power development at the agency's conduits to clear up multi-Federal agency confusion and further reduces the regulatory costs associated with hydropower development. This provision of the bill will provide the necessary statutory authority to be able to reduce litigation that the agency is sure to seek under the current framework which relies on broad authorities that do not specifically authorize hydropower development.

This legislation ensures the continued use of the Bureau facilities, primarily for water supply and irrigation, and protects the interests of those maintaining and operating these facilities by offering them the first right of refusal to take advantage of small conduit energy development projects.

Non-Federal operators know the details of the facilities best and are locally invested. As a result, it's only logical to offer them the first opportunity to develop this energy on facilities that they maintain.

Additionally, those irrigation districts with preexisting arrangements with the Bureau or the Federal Energy Regulatory Commission for water delivery and hydropower development will not be disturbed by this bill.

I'm proud to have the support of the Family Farm Alliance, the National Water Resources Association, the American Public Power Association, and the National Hydropower Association, among others.

I look forward to working with my colleagues on both sides of the aisle to be able to make this public law and to start putting rural America back to work and developing clean, renewable energy.

Mrs. NAPOLITANO. Madam Chair, I agree with my colleague, except some of those projects were built in 1902 and through the 1970s. I think we do need NEPA protection.

I yield 5 minutes to the gentleman from California (Mr. SWALWELL).

□ 1400

Mr. SWALWELL of California. I would like to thank the ranking member for yielding me time.

Madam Chair, I rise to object today to the consideration of this bill and rather propose that we stand in this House and we consider Mr. HOYER's Make It In America package. We can come together and focus on real solutions that will get our economy moving again, and we should take up Mr. HOYER's Make It In America package because it will strengthen our economy and create non-outsourcable jobs at home, here in America. The Make It In America package includes bills like mine, H.R. 1022, the Securing Energy

Critical Elements and American Jobs Act of 2013 that will help secure America's place as a leader in science and technology with a 21st century workforce.

What are rare Earth elements? Well, these are 17 chemical elements—elements that, prior to coming to Congress and learning about how they affect our economy, I couldn't point out at pistol point—that are very critical to making cell phones, to making our electric cars, and also to making our antimissile systems. Despite the name, they are very abundant in our country and they can be extracted in an environmentally safe manner.

So what's the problem? Well, today, 97 percent of rare Earth elements are extracted and exported from China. Eighty percent of rare Earth magnets and almost 100 percent of related metal production are coming from China. In 2010, China temporarily cut off rare Earth supplies to Japan, the European Union, and the United States, highlighting the potential consequences to the United States for relying so heavily upon China for rare Earth production that is so crucial and critical to what we can create here in America.

My district includes northern Silicon Valley, home of silicon chip processing, home of the technology boom, home of the Internet, and also home of many advanced manufacturing production sites. H.R. 1022, the Securing Energy Critical Elements in American Jobs Act of 2013 aims to help reduce our dependence on China for these critical elements and instead make it here in America. But in order for us to do this, we need to invest in developing our technical workforce here at home.

Currently, the United States lacks the necessary technical expertise to ensure a reliable supply of energy critical elements. My bill, H.R. 1022, enlists the talents of our university students and encourages them to develop the technical expertise necessary to secure America's access to these elements. We need to ensure that the best and brightest minds in our area and our country have the tools and support they need to support America's access to energy critical elements. H.R. 1022 will promote collaboration and research opportunities in the fields of energy-critical elements for students at higher institutions, and coordination of Federal agencies to promote a stable supply of energy-critical elements.

We also have in my congressional district what's called the "Tri-Valley," or, as I like to call it, the "I Valley," or the "Innovation Valley." This area also would rely upon energy-critical elements. And as the ranking member said, we have an opportunity today to work in a bipartisan fashion. Unfortunately, I do not see us doing that. So I would conclude by asking that we come together.

Also, in my bill there's a loan guarantee for companies with new processing and refining technologies. The Securing Energy Critical Elements and American Jobs Act of 2013 will help to spur private investment in companies on the forefront of this critical field. It's very important that we have the Federal Government at the very inception, in the beginning, providing the research and Federal funding. But most important is to get it out into private industry. And that's what this bill calls upon.

So, again, I urge my colleagues to stop wasting time with partisan bills like this today. Instead, let's come together to train and secure a 21st century workforce. Let's harness our own resources. Let's Make It In America, and we can help all Americans make it.

Mr. HASTINGS of Washington. Madam Chairman, before I yield time to the gentlelady from Wyoming, I yield myself such time as I may consume.

I find the gentleman's argument on the other side rather striking because he's talking about American-made jobs and another piece of legislation not associated with this. And I would just point out, what could be more American-made jobs than putting hydropower facilities on American soil? That creates jobs. That's what this bill is all about.

And the second point, the gentleman mentioned the rare Earth issue that we have. Last Congress, we passed legislation here so we could utilize the known rare Earth supplies we have in this country, and it was the other body, controlled by the gentleman's own party, that didn't act on it. And he sounds like it is a big, big issue now. I suspect we may have, Madam Chairman, that legislation again in front of us, and I would hope that we could elicit the gentleman's support when that bill comes to the floor.

With that, Madam Chairman, I am very pleased to yield 2 minutes to the gentlelady from Wyoming (Mrs. LUMMIS), a valuable member of the Natural Resources Committee.

Mrs. LUMMIS. I rise in support of H.R. 678, of which I'm an original cosponsor, and I want to thank Representative TIPTON, Chairman MCCLINTOCK, and Chairman HASTINGS for their hard work on this bill, which unlocks significant hydropower development potential in my home State of Wyoming.

Congress and the Bureau of Reclamation have over the years created hundreds of canals and pipelines to serve water uses in the West. Most of these conduits were never envisioned as power sources because the technology wasn't there or it wasn't yet cost-effective. But technology has changed, and now it's feasible to harness and channel the energy byproduct of these water flows. The Bureau of Reclama-

tion has identified 373 conduits in the West with hydropower potential. Wyoming leads the States with 121 of these sites and is second only to Colorado in terms of the potential energy output. In Wyoming alone, the estimated potential is 82 million kilowatt hours annually from a clean, renewable energy source. Unleashing this potential, while still protecting the environment and end water users, is what this bill is all about.

First, H.R. 678 eliminates bureaucratic confusion by expressly authorizing the Bureau to oversee hydropower development in its conduits.

Second, it directs the Bureau of Reclamation to exempt small hydropower projects from duplicative environmental paperwork requirements. We're talking about placing small power generators in canals and ditches where the ground has already been disturbed. Fences have gone up. Environmental analysis has been conducted, sometimes multiple times because of the Bureau's contract renewals with some water users. Requiring duplicative environmental analysis on preexisting conduits makes no sense, provides no environmental benefit, and imposes more costs and bureaucratic uncertainty on potential developers.

Third, the bill protects water supply and delivery as the primary and fundamental priority for these conduits, whose vital mission will not be disrupted.

I urge my colleagues to support this commonsense, jobs-creating bill.

Mrs. NAPOLITANO. May I inquire as to how much time I have remaining?

The Acting CHAIR (Mrs. MILLER of Michigan). The gentlewoman from California has 18 minutes remaining, and the gentleman from Washington has 16½ minutes remaining.

Mrs. NAPOLITANO. I yield 5 minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. I thank the gentlewoman for giving me the opportunity to speak on this matter.

H.R. 678 could easily be a bipartisan, noncontroversial bill. But Republicans insist on including an unnecessary provision to waive environmental review. It sets the wrong precedent. Nearly 100 days have passed since the 113th Congress has been sworn in, and not one bill has been brought to the floor that would have a measurable effect of reinvigorating our manufacturing sector. In fact, quite the opposite has happened.

Democrats have announced the Make It In America initiative to focus on four areas to help our economy grow. In order to strengthen the economy, this Congress must: adopt and pursue a comprehensive manufacturing strategy; promote the export of U.S. goods; encourage innovation; and train a 21st century workforce. In addition to these four core components, we must work

together to address the equally important task of getting our small business owners access to capital they so desperately need. Without capital, our businesses are stagnant, cannot invest in their own growth, and will not hire that unemployed person who has been searching for a job for months.

We must do more to get the financial institutions back to lending in this country. Now it's up to Republicans and Democrats to work together to enact and pass Make It In America legislation and help secure America as the world leader when it comes to job creation and when it comes to innovation. When it comes to hydropower, it's very important for us to understand yes, we need more hydropower, yes, we need innovation, yes, we need to make sure the small and large hydropower actually moves forward. But doing it at the expense of the environment by waiving environmental review is just not the right way to do it.

□ 1410

Many people in these Chambers speak constantly of making sure that we don't put things on the backs of our children and our grandchildren. Every time we waive environmental review, every time that we don't do things carefully, we move in a direction where it takes sometimes a year or 2 or 3 to go in the wrong direction, it takes decades for us to correct those environmental problems.

So environmental review should be part of the process and, yes, it should be streamlined and, yes, we need to make sure that we do things in a fashion that does put people back to work, but we have to do it carefully and responsibly.

Mr. HASTINGS of Washington. Madam Chairman, I am pleased to yield 4 minutes to the gentleman from Arizona (Mr. GOSAR), another valuable member of the Committee on Natural Resources.

Mr. GOSAR. Thank you, Chairman HASTINGS.

Madam Chairman, I rise in support of H.R. 678, the Bureau of Reclamation and Small Conduit Hydropower Development and Rural Jobs Act of 2013. This legislation was one of Representative TIPTON's and my top priorities in the Natural Resources Committee last Congress, so I am pleased to join him again as an original cosponsor and appreciate that the House is taking up the legislation so quickly in the 113th Congress.

Our country is failing to fully tap its hydroelectric power generation potential. The Federal Government owns over 47,000 miles of canals, laterals, drains, pipeline and tunnels throughout the West that are perfectly suitable for hydropower production, but

hardworking irrigators and power providers in our districts, already operating and maintaining this infrastructure on behalf of the Federal Government, cannot install hydropower generators because government regulations and bureaucratic confusion are making it cost prohibitive.

H.R. 678 will clear away these bureaucratic obstacles that stand between our Nation and thousands of megawatts of clean, cheap, abundant, and reliable hydroelectricity. The resulting development will create jobs in rural communities hit hardest by the recession, increase our country's renewable energy portfolio, and even generate revenue for the Federal Treasury.

The Members of this body opposing this legislation claim it could cause harm to the environment. To be clear, this bill only allows for development on existing irrigation canals and ditch systems, not free-flowing rivers and streams. These conduits have been in place for years, do not contain any endangered wildlife or fish, and were subject to environmental analysis at the time of construction or rehabilitation.

On the poster to my left is a clear example of what we are talking about. Folks, it's concrete. It's been sitting here with running water. I don't see the need and I hope you don't see the need for a NEPA environmental assessment. This canal is in the western part of my congressional district. We have miles of this type of infrastructure throughout the State, including the Central Arizona Project. It provides my constituents with the water necessary to live in the desert and even grow a good portion of this Nation's produce.

The experts on the ground say we are sitting on a hydropower gold mine waiting for the needed clarifications and streamlining that will cut costs and make this program more attractive. There are over 26 locations just like this one in my State alone—mostly in Yuma, Pinal, and western Maricopa Counties—that are suitable for this development. The Agri-Business Council of Arizona believes its members could produce enough low-cost clean energy to power nearly 5,000 homes simply by installing these small hydropower generators. That is a huge economic impact for the small rural communities these irrigators serve. They would provide a real economic boost and lower energy costs.

There are many solutions to our Nation's energy crisis, but hydropower is clearly part of our all-of-the-above plan. It already accounts for about 75 percent of this country's total renewable electricity generation, and we haven't even begun yet.

Early this Congress, the House unanimously passed the Hydropower Regulatory Efficiency Act, which promotes development on privately owned infrastructure. We should do the same

today on Congressman TIPTON's and my legislation that does the same for publicly owned infrastructure.

Congress would be doing the American people an injustice if we didn't move swiftly on this bill. Hydropower must be an integral component of the long-term all-of-the-above energy strategy in Arizona and for our Nation, and this bill will allow rural western communities to play a major role in that future. I will continue to work with Congressman TIPTON to ensure that this bill not only passes the House this year but gets through the Senate and is sent to the President's desk for his signature. Folks, it is that simple: commonsense utilization of infrastructure we already have.

Mrs. NAPOLITANO. Madam Chairman, I am glad that there are some visual effects here. It is important. But I don't know how all the canal and for the release, were there any levee issues. So it is important to have a NEPA review.

I would now like to yield 5 minutes to my colleague, the gentleman from California, Congressman TAKANO.

Mr. TAKANO. I thank the gentlelady from my own home State of California for yielding time.

Madam Chair, this bill is something that Democrats could support if proper environmental review were not made a problem. I really believe this Congress needs to get back to getting serious about discussing how we're going to put our country back to work.

The national unemployment rate is 7.6 percent, and in my own district it's nearly 11 percent. The Congress should be focused on putting Americans back to work. Democrats have a plan. It's called Make It In America. This plan, put together by Mr. HOYER from Maryland, addresses the most pressing crisis that our Nation faces, the jobs crisis, and it will put Americans back to work. It has four main points:

Number one, adopt and pursue a national manufacturing strategy;

Number two, promote the export of American goods;

Number three, encourage manufacturers to bring jobs and innovation back to America;

Number four, train and secure a 21st century workforce.

We have the tools at our disposal to do these things.

The legislation that I have introduced that is a part of the Make It In America plan is called the Jobs Skills for America's Students Act. It encourages partnerships between employers and educational institutions. Employers who participate are able to receive a \$2,000 tax credit per student participating in a qualified technical training and skills program, with a total credit amount cap of \$10,000 per year.

Many of America's fastest growing industries, industries that will benefit from the Make It In America plan, like

advanced manufacturing and clean energy, require a highly skilled workforce. These industries struggle to find workers who possess the technical training that they require. The National Association of Manufacturers estimates that 600,000 manufacturing jobs remain unfilled due to a lack of qualified candidates. Just today, we learned from the Department of Labor that there are 3.9 million job openings in America, the most in almost 5 years. Many of these jobs are unfilled because of the lack of training.

The Job Skills for America's Students Act partners key industries with community colleges and other programs to offer students the opportunity to obtain the training they need to thrive in the field of their choice. To grow our middle class and create a workforce for the future, we must close the skills gap and we must make training affordable and effective.

I urge my Republican colleagues to work with Democrats to pass each piece of the Make It In America legislation.

Mr. HASTINGS of Washington. Madam Chairman, I am pleased to yield 2 minutes to another member of the Natural Resources Committee, the gentleman from Montana (Mr. DAINES).

Mr. DAINES. Chairman HASTINGS, thanks to you and to Mr. TIPTON for the opportunity to speak in support of H.R. 678 today. This bill reflects an issue that is of true importance to my home State of Montana.

You know, when most people think of our rivers and waterways in Montana, they think of celebrities like Brad Pitt standing in the Little Blackfoot River casting for trout in the movie "A River Runs Through It."

Back in Montana, we rely on our rivers and our natural resources as an important part of our way of life. However, I'm here today to focus on a very significant benefit of our waterways, and that's hydropower. Our waterways help power our homes, they irrigate our farms and ranches, and they water our livestock. In Montana, about a third of our energy comes from hydropower, generating 1,100 megawatts per year. To put this in perspective, 1 megawatt will power nearly 600 homes. Six of Montana's 10 largest generating plants run on hydroelectric power. But we're not here to talk about streams and rivers; we're here to talk about man-made canals and man-made waterways.

The Bureau of Reclamation has constructed 32 such projects in Montana, and with the improved ability to harness the energy of moving water in conduits, the Rural Jobs Act would allow each of these projects to generate more than 26 million kilowatts per hour of power. There is no reason red tape should tie up that much alternative energy potential.

This bill will help lower energy costs, create Montana jobs, and provide our

Nation with a sustainable, renewable source of energy. This is common sense. I believe that H.R. 678, the Rural Jobs Act, is important for our country, and I strongly support its passage.

□ 1420

Mrs. NAPOLITANO. Madam Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 3 minutes to the gentleman from California (Mr. LAMALFA), another member of the Natural Resources Committee.

Mr. LAMALFA. I thank the gentleman for yielding.

Madam Chairman, once in awhile a bill comes through that even makes great sense in Washington, D.C., and this is a really commonsense measure. I live on a farm in northern California where I'm surrounded by canals and ditches and water moving all about in my daily life in producing rice, and so there's all these opportunities we would have on installations like that. But we're talking today about Bureau installations to put renewable power in place that, according to this chart here, would affect many, many States with many installations and provide many American jobs.

The opportunities of this bill, just putting the bureaucracy and the red tape aside, for a commonsense measure to take advantage of an opportunity to do something that, on the heels of March Madness here, really, installations would be no harm, no foul. These facilities already exist. It would be easy to put in place. If we could put aside the red tape of NEPA requirements, it would be unnecessary.

As I drive up and down my canals and my ditches, again, no harm, no foul here. We're looking at an easy installation that would be a very valuable thing for, where I come from in California, a renewable energy portfolio, which is 33 percent kicking in. It's pretty hard to find renewable energy, especially when most of those sources are required to be solar or wind.

Hydropower is a very important component in my part of the State here. We have so much water that we can take advantage of to produce, why aren't we doing it in the commonsense areas?

H.R. 678—and I commend the chairman and Mr. TIPTON for bringing this bill forward. This is, again, something that's going to be very positive for rural America, for our renewable energy portfolio, which is affecting, I think, a lot of the country these days, because renewable energy in most cases is very expensive. So the same people that are saying we can't do this without NEPA, the same people that are saying we can't have fracturing, which is bringing very cost-effective electricity to many, many Americans now, the same people that want to re-

move hydroelectric dams in my part of the district in northern California are now wanting to oppose a commonsense measure like this.

Sometimes I just don't get it, but this one here is really an opportunity to move forward with opportunity for our rural States, for rural areas to produce these projects with American know-how and more American jobs. We hear a lot about that here today. Let's put Americans to work with commonsense, reachable measures that are environmentally sound and certainly good for our economy.

Mrs. NAPOLITANO. Madam Chair, may I inquire how many minutes we have remaining?

The Acting CHAIR. The gentlewoman from California has 12 minutes remaining, and the gentleman from Washington has 8½ minutes remaining.

Mrs. NAPOLITANO. May I inquire of my colleague how many other speakers he has?

Mr. HASTINGS of Washington. I am prepared to close general debate if the gentlelady is prepared to close.

Mrs. NAPOLITANO. I am. I thank the gentleman.

Madam Chair, as I've said before, this is a good bill with one bad provision in it, and that is the NEPA waiver that is not needed. It is not good environmental policy, and it is not good energy policy.

NEPA is not just red tape. It is a chance for the Federal Government to consider alternatives, to listen to not only the opponent, but get input from everybody impacted and to consider any possible impacts to the area.

At the appropriate time, I will offer an amendment to fit the one flaw in this bill. I hope my amendment is adopted and we'll send this to the Senate for passage.

Madam Chair, I yield back the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself the balance of my time.

This debate has been rather interesting, because it sounds like on the floor there is widespread support for the concept of this bill. And why shouldn't there be? After all, there are 47,000 miles of canals and ditches that could be utilized for energy production.

There seems to be one problem, and that problem revolves around NEPA, the National Environmental Policy Act, which was put in place, by the way, in 1969. I'm not going to say there's a direct correlation between NEPA and the lack of Bureau of Reclamation projects, but it is very interesting that most of the great projects that were built in the West were built prior to NEPA.

There were environmental statutes on the book, Madam Chairman, back then, and they are all satisfied. I happen to live in central Washington. There are two great projects in central

Washington—the Columbia Basin Project and the Yakima River Project; in total, probably over a million acres of irrigated land.

Here is the truism, Madam Chairman. What we are talking about are our facilities where water is running through them, water is running downhill. We all know that water running downhill creates a certain amount of energy. All we want to do is capture that energy. With the prior chart that the gentleman from California put up, most of the States that will benefit by this are from the West. That means that we can make the desert bloom even more in the West if we utilize these facilities.

Finally, I just want to make one other observation. My good friend from California was saying that, okay, this is like a bill we had last year. We passed it; the Senate didn't do anything. Well, I would just remind the gentlelady, and she should know this, and I know she does, we are two distinct bodies, the House and the Senate. If they have a different view, for goodness sake, pass something. If it's different than our view, then we'll figure out how to come together. But to simply say, this is a good piece of legislation but we don't like NEPA, therefore, don't pass it because the Senate won't take it up, is not doing our job.

Madam Chairman, this is a good piece of legislation. There are some amendments that will be following. We can get into more detail on those. But I urge my colleagues to support passage of this legislation, and I yield back the balance of my time.

Mr. SMITH of Nebraska. Madam Chair, I rise today in support of H.R. 678, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, of which I am a cosponsor, and I want to thank Mr. TIPTON for his efforts.

Expanding access to clean, affordable, reliable energy is one challenge facing our Nation today. And while visionaries are looking for solutions, outdated bureaucracy is stifling innovation.

Though its environmental impacts are negligible, small hydropower development remains a financial challenge.

By exempting small hydropower from NEPA requirements, this bill substantially reduces administrative costs and could help stimulate the economy of rural America at no cost to taxpayers.

Let me be clear, Madam Chair, this bill, like hydropower legislation I introduced last Congress, is limited in scope.

We're not talking about waiving environmental regulations for large, new infrastructure projects; we're talking about streamlining the process of developing clean, renewable energy on existing conduits.

According to a Bureau of Reclamation's March 2012 report on conduit hydropower development, more than 30 irrigation sites in my home State of Nebraska contain more than 5,000 kilowatts of potential hydropower development.

This bill empowers local irrigation districts to produce emissions-free energy which could be used by producers or sold to help pay for aging infrastructure costs.

There are no government mandates and no hidden costs, Madam Chair.

Sustainable, affordable energy is critical to growing our economy and this is commonsense policymaking.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and is considered read.

The text of the bill is as follows:

H.R. 678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act”.

SEC. 2. AUTHORIZATION.

Section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) is amended—

(1) by striking “The Secretary is authorized to enter into contracts to furnish water” and inserting the following:

“(1) The Secretary is authorized to enter into contracts to furnish water”;

(2) by striking “(1) shall” and inserting “(A) shall”;

(3) by striking “(2) shall” and inserting “(B) shall”;

(4) by striking “respecting the terms of sales of electric power and leases of power privileges shall be in addition and alternative to any authority in existing laws relating to particular projects” and inserting “respecting the sales of electric power and leases of power privileges shall be an authorization in addition to and alternative to any authority in existing laws related to particular projects, including small conduit hydropower development”;

(5) by adding at the end the following:

“(2) When carrying out this subsection, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred work, or to the irrigation district or water users association receiving water from the applicable reserved work. The Secretary shall determine a reasonable time frame for the irrigation district or water users association to accept or reject a lease of power privilege offer.

“(3) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to small conduit hydropower development, excluding siting of associated transmission on Federal lands, under this subsection.

“(4) The Power Resources Office of the Bureau of Reclamation shall be the lead office of small conduit hydropower activities conducted under this subsection.

“(5) Nothing in this subsection shall obligate the Western Area Power Administration, the Bonneville Power Administration, or the Southwestern Power Administration to purchase or market any of the power produced by the facilities covered under this subsection and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

“(6) Nothing in this subsection shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower genera-

tion shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved, nor shall it create any unmitigated financial or physical impacts to the project or division involved, and shall be on such terms and conditions as in the judgment of the Secretary in consultation with the appropriate irrigation district or water users association, will adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

“(7) Nothing in this subsection shall alter or affect any existing agreements for the development of conduit hydropower projects or disposition of revenues.

“(8) In this subsection:

“(A) CONDUIT.—The term ‘conduit’ means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

“(B) IRRIGATION DISTRICT.—The term ‘irrigation district’ means any irrigation, water conservation, multicounty water conservation district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

“(C) RESERVED WORK.—The term ‘reserved work’ means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

“(D) TRANSFERRED WORK.—The term ‘transferred work’ means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

“(E) SMALL CONDUIT HYDROPOWER.—The term ‘small conduit hydropower’ means a facility capable of producing 5 megawatts or less of electric capacity.”

The Acting CHAIR. No amendment to the bill shall be in order except those received for printing in the portion of the CONGRESSIONAL RECORD designated for that purpose dated at least 1 day before the day of consideration of the amendment and pro forma amendments for the purpose of debate.

Each amendment so received may be offered only by the Member who submitted it for printing or a designee and shall be considered as read if printed.

Are there any amendments to the bill?

AMENDMENT NO. 3 OFFERED BY MR. TIPTON

Mr. TIPTON. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike lines 14 through 18, and insert the following:

“(3) The Bureau of Reclamation shall apply its categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit hydropower development under this subsection,

excluding siting of associated transmission facilities on Federal lands.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Madam Chairwoman, I offer this amendment in response to the concerns of my colleagues on the other side of the aisle and at the request of the broad range of irrigation districts, water conservation and conservancy districts, and public utilities that are supporting this bill and this commonsense amendment. I'm pleased to have the support of my Democratic colleague JIM COSTA on this effort and the support of the National Hydropower Association, the Family Farm Alliance, the National Water Resources Association, and the American Public Power Association.

This amendment removes the NEPA waiver in the bill and instead codifies the application of the Bureau of Reclamation's categorical exclusion process under the National Environmental Policy Act for small hydropower projects covered by this bill.

This alternative provision would still ensure streamlining the approval process for clean renewable energy and help provide certainty for investors and job creators, while providing flexibility to the Bureau to adjust to changing circumstances moving forward. By advancing these projects under the Bureau's categorical exclusion process, we ensure that all of the elements in that process are retained, including agency discretion for examining extraordinary circumstances. In addition, the amendment specifically mentions codifying the categorical exclusion process for small conduit hydropower.

This is an approach that is supported by Trout Unlimited in its March 19, 2013 letter, which states:

Congress should direct BOR to create a categorical exclusion for small conduit hydropower.

That's exactly what this amendment does.

The use of a categorical exclusion for small conduit hydropower development can mean the difference between private investment in a public good with a multitude of benefits, and unreasonable financial costs and lengthy delays that lead to untapped potential.

My hope is that this amendment, which is broadly supported by the diverse range of groups invested in the bill who are committed to ensuring continued environmental protection, will assuage any reservations about this effort to promote clean renewable energy and allow us to be able to move forward united in our support.

□ 1430

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. TIPTON. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for offering this

amendment. I think it adds a great deal to all the work that you and your bipartisan cosponsors had put into this, and I support the amendment.

Mr. TIPTON. Reclaiming my time, I thank the gentleman for his comments.

With that, Madam Chairman, I yield back the balance of my time.

Mrs. NAPOLITANO. I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Madam Chair, I rise in opposition to Tipton amendment No. 3 for the CONGRESSIONAL RECORD.

We are glad to see the author of the legislation recognizes that in developing conduit hydropower projects, NEPA is not the problem and that the flat NEPA waiver included in the base bill is not good policy.

We also welcome the apparent realization that insisting on an unwarranted and unwise NEPA waiver has been the anchor that has held this bill back and prohibited this largely non-controversial measure from becoming law.

But to be clear, this amendment only tweaks language that should be removed from the bill entirely. The Tipton amendment circles around the edge of the problem while my amendment, which I'll offer in a few minutes, solves the problem by removing the waiver completely so we can move forward and support the bill.

Better yet, if the waiver is removed, there is no need for the artificially low cap on the size of these projects contained in the base bill, which is why my amendment will increase the cap from 5 to 15 megawatts. The Tipton amendment does nothing to raise the cap on these projects.

The Tipton amendment is a significant step in the right direction for the bill's sponsor, and we will not oppose it and will work with the sponsor and Senate to perfect the language. However, my amendment, which we'll see momentarily, is better energy policy and better environmental policy. The amendment is a start, this particular amendment, but I urge my colleagues to vote "yes" on my amendment to really fix this legislation.

With that, I yield back the balance of my time.

Mr. COSTA. Madam Chair, the legislative process is a two way street. It's about listening and incorporating the concerns of our colleagues to improve a bill. This amendment does just that.

Environmental review is important, but it needs to be an appropriate level of review for the project involved. On these types of projects, there isn't much chance of damage, so there shouldn't be much cost involved for review.

Reclamation recognizes this and has made great strides in easing the way for small hydro development on the agency's projects. How-

ever, potential legal conflicts have prevented them from fully implementing this process.

This amendment would bridge the legal gap and clarify questions that have kept the Bureau from moving forward. Specifically, the amendment would codify the steps Reclamation is already taking to ease the way for responsible small conduit hydropower development while also resolving potential litigation concerns.

This is a commonsense amendment that has been endorsed by American Rivers, Trout Unlimited, the Family Farm Alliance, the National Water Resources Association, and the National Hydropower Association.

I urge you to support this amendment and support the underlying bill.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MRS. NAPOLITANO

Mrs. NAPOLITANO. Madam Chair, I rise to offer the Napolitano amendment identified as amendment No. 1 in the CONGRESSIONAL RECORD.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike lines 14 through 18 (and redesignate subsequent provisions accordingly).

Page 7, line 13, strike "5" and insert "15".

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Madam Chair, my amendment is very simple. It would strike the NEPA, known as the National Environmental Policy Act, waiver and give the Secretary of the Interior, acting through the Bureau of Reclamation, the authority to apply Reclamation's directives and standards for lease of power privilege projects, which is known as LOPP.

The Bureau of Reclamation on its own accord has applied a categorical exclusion, known as CE, to small conduit hydropower projects. In fact, their CE went even further. It can be used to expedite a wide variety of low-impact hydropower projects built on Reclamation's water infrastructure. The main point of the legislation is to clarify that Reclamation has jurisdiction over the development of conduit projects on Reclamation facilities.

As I have mentioned before, the sponsor's amendment only tweaks the language that should be removed from the bill entirely. The Tipton amendment tinkers around the edge of the problem while my amendment solves the problem by removing the waiver completely.

As a compromise, my amendment also increases the megawatt limitation from 5 to 15 megawatts for small conduit hydro projects. This would allow for more power to be created at those existing facilities. Without the NEPA waiver, the agency can utilize its own

categorical exclusion, which has no megawatt limitation, and therefore makes the cap on this legislation arbitrary. The NEPA waiver is unnecessary, and I urge my colleagues to vote "yes" on my amendment.

Let me point out that it is my understanding that there have been some projects built under the current—not the CE—that have taken a lot more time and have been costly. And with a categorical exclusion, there will be a cut not only in the cost but in time because it only involves staff and the cost will be diminished.

With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Madam Chair, I just want to make a point because at the end of the general debate, I brought up the issue of NEPA that everybody says this is a wonderful bill except this part. Of course, the gentlelady's amendment strikes the NEPA waiver, which I pointed out again at the end of the general debate there seems to be somewhat cause and effect of having NEPA and having projects go forward.

But here is the important point on this, Madam Chairman, from my point of view: this bill deals with the Bureau of Reclamation, the Bureau of Reclamation that built ditches and conduits out of concrete generally. Again, I spoke of the Columbia Basin Project in my district and the Yakima Project in my district, and virtually all of the ditches are concrete. That means that the land has already been disturbed in order to put these facilities in place.

What the gentleman from Colorado's bill does is simply put a power source within the existing ditches that have gone through environmental review. Why, for goodness' sakes, would you have to jump through more hoops, unless you wanted to slow the process down? Why you'd want to do that, I don't know, because the end result of this is probably less expensive energy. It's certainly American jobs, and it probably adds to a growing economy. Yet there seems to be some idea that only NEPA can save us from all of that.

Well, I reject that, and that's why I oppose the gentlelady's amendment because it would waive that requirement.

Once again, Madam Chairman, this is on existing facilities that have gone through environmental review. It doesn't need to jump through that hoop one more time.

With that, I urge opposition to this amendment, and I yield back the balance of my time.

Mr. TIPTON. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Madam Chairman, we've heard talk today about creating American jobs on American soil to be able to create American energy. No bill better achieves that end than H.R. 678.

The Napolitano amendment, by striking the provision altogether that she is offering, will allow no alternative to be able to streamline the projects' approval process, and this amendment literally will ensure that small investment in small hydropower projects would not be able to be achieved. I think it's important to note we're spending \$1.750 trillion per year in regulatory costs in this Nation.

Now, are all regulations bad? No, they aren't. But redundant regulations which drive up costs, which inhibit our ability to be able to create jobs to be able to put Americans back to work and to be able to create clean, affordable energy should not stand in the way.

Let's put Americans back to work. Let's work together.

The purpose of my amendment is to be able to reach a reasonable compromise between the two opposing ideas in regards to the NEPA provision on manmade projects. As Chairman HASTINGS just ably noted, these are manmade ditches. We have no impediment that's going to be looked at when it comes to endangered species, be it fish or wildlife. This has already gone through the desired process of environmental review. So does it make good common sense to say that an area that's been reviewed that was made by men does not have to go through an additional review process in order to be able to create those jobs and to be able to create American energy? I think that's a sensible approach for us to be able to pursue.

With that, I would urge opposition and defeat of the Napolitano amendment.

Let's get this job done and let's truly work to get Americans back to work.

With that, I yield back the balance of my time.

Mr. MCCLINTOCK. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCCLINTOCK. Madam Chairman, this amendment strikes the NEPA exclusion for small hydroelectric projects. That's the principal point of the bill.

As the Subcommittee on Water and Power has repeatedly been told, it is precisely this process that has doubled the cost of small hydro projects simply making them cost prohibitive. This is akin to having a full environmental review done when you build your home and then having to do it all over again when you want to install a microwave in your kitchen.

□ 1440

One witness testified that installing 15 very small hydropower units on a

nearby Bureau of Reclamation canal system would cost over \$450,000, or \$30,000 per unit, for additional NEPA reviews that would ultimately conclude that there is no environmental impact.

That means the paperwork costs would be greater than the actual capital cost of the hydropower units. No one in his right mind would invest in a project with this kind of requirement. It simply makes no sense, and that's the primary reason conduit hydropower development is not happening.

It is true that the Bureau of Reclamation instituted a new NEPA Categorical Exclusion for small hydroelectric projects back in September of 2012, but 6 months later, this new policy has resulted in precisely zero new projects moving forward. Even if projects were moving forward today, this is only an administrative change and could be changed back at any time.

In addition, an expert witness who happens to be a litigator testified to our subcommittee that the current administrative process is full of legal holes that could be exploited by those wanting to stop these projects. Investors need certainty, and that requires a statutory and not an administrative fix.

I appreciate and support the gentlelady's effort to allow the Bureau to consider units with 15 megawatts, but I would remind her that zero projects times 15 megawatts still equals zero electricity. Indeed, there are practically no projects in this range to begin with, which makes the amendment somewhat disingenuous. Even if there were, if the current regulatory scheme isn't allowing 5-megawatt units, it certainly won't allow 15-megawatt units. That's the problem.

Mr. TIPTON's bill provides an automatic exclusion from this duplicative and destructive NEPA requirement. The gentlelady's amendment takes it back out again. That's not constructive and it's not helpful.

To assure us that one supports small hydropower but opposes the automatic exclusion in Mr. TIPTON's bill reminds me of Leo Tolstoy's observation when he said:

I sit on a man's back, choking him and making him carry me, and all the while, I assure him and anyone who will listen that I am sympathetic for his plight and I am willing to do everything I can to help—except by getting off his back.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. NAPOLITANO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. NAPOLITANO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TIPTON

Mr. TIPTON. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 4, insert "(A)" after "(2)".

Page 4, lines 8 and 10, strike "work" and insert "conduit".

Page 4, line 13, after "offer" insert "for a small conduit hydropower project".

Page 4, after line 13, insert the following:

"(B) If the irrigation district or water users association elects not accept a lease of power privilege offer under subparagraph (A), the Secretary shall offer the lease of power privilege to other parties in accordance with this subsection."

Page 4, line 21, after "hydropower" insert "policy and procedure-setting".

Page 5, line 18 strike "involved, and" and all that follows through line 25 and insert the following "involved. The Secretary shall notify and consult with the irrigation district or water users association operating the transferred conduit before offering the lease of power privilege and shall prescribe terms and conditions that will adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved."

Page 6, after line 4, insert the following:

"(8) Nothing in this subsection shall alter or affect any existing preliminary permit, license, or exemption issued by the Federal Energy Regulatory Commission under Part I of the Federal Power Act (16 U.S.C. 792, et seq.) or any project for which an application has been filed with the Federal Energy Regulatory Commission as of the date of the enactment of the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act."

Page 6, line 5, strike "(8)" and insert "(9)".

Page 6, strike lines 14 through 20, and insert the following:

(B) IRRIGATION DISTRICT.—The term "irrigation district" means any irrigation, water conservation or conservancy, multicounty water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

Page 6, line 21, strike "WORK" and insert "CONDUIT".

Page 6, line 22, strike "work" and insert "conduit".

Page 7, line 3, strike "WORK" and insert "CONDUIT".

Page 7, line 4, strike "work" and insert "conduit".

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Madam Chairwoman, I offer this amendment to provide technical corrections and to eliminate drafting inconsistencies between this year's bill and its counterpart in the 112th Congress.

This amendment reflects changes sought by the Bureau of Reclamation with respect to definitions, to more accurately cover intended matters and properly coincide with existing law and Bureau regulations. Furthermore, the

amendment clarifies that nothing in the bill affects existing arrangements between irrigation and water districts and the Federal Energy Regulatory Commission.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. TIPTON. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

As you say, I think this is a technical amendment. It adds to the bill, and I support it.

Mr. TIPTON. With that, Madam Chairwoman, I yield back the balance of my time.

Mrs. NAPOLITANO. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. The gentleman's amendment makes technical changes that staff has brought to our attention, and it addresses a few of the administration's concerns.

The amendment clarifies that the projects already permitted under FERC would not see any regulatory uncertainty with this bill's passage. We are also in agreement with the amendment changes that require greater consultation with irrigation districts and water user associations prior to the approval of the Lease of Power Privilege.

We have no objections to this technical amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MRS. NAPOLITANO

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Mrs. NAPOLITANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 232, not voting 10, as follows:

[Roll No. 94]

AYES—189

Andrews	Brown (FL)	Castro (TX)
Barber	Brownley (CA)	Chu
Beatty	Bustos	Cicilline
Becerra	Butterfield	Clarke
Bera (CA)	Capps	Clay
Bishop (NY)	Capuano	Cleaver
Blumenauer	Cárdenas	Clyburn
Bonamici	Carney	Cohen
Brady (PA)	Carson (IN)	Connolly
Braley (IA)	Cartwright	Conyers

Cooper	Keating	Pocan	LaMalfa	Palazzo	Shimkus
Costa	Kennedy	Polis	Lamborn	Paulsen	Shuster
Courtney	Kildee	Price (NC)	Lance	Pearce	Simpson
Crowley	Kilmer	Quigley	Lankford	Perry	Smith (NE)
Cuellar	Kind	Rahall	Latham	Peterson	Smith (NJ)
Cummings	Kirkpatrick	Rangel	Latta	Petri	Smith (TX)
Davis (CA)	Kuster	Richmond	LoBiondo	Pittenger	Southerland
Davis, Danny	Langevin	Roybal-Allard	Long	Pitts	Stewart
DeFazio	Larsen (WA)	Ruiz	Lucas	Poe (TX)	Stivers
DeGette	Larson (CT)	Ruppersberger	Luetkemeyer	Pompeo	Stockman
Delaney	Lee (CA)	Rush	Lummis	Posey	Stutzman
DeLauro	Levin	Ryan (OH)	Marchant	Price (GA)	Terry
DelBene	Lewis	Sánchez, Linda T.	Marino	Radel	Thompson (PA)
Deutsch	Lipinski	Sanchez, Loretta	Massie	Reed	Thornberry
Dingell	Loeb	Sarbanes	Matheson	Reichert	Tiberi
Doggett	Loftgren	Schakowsky	McCarthy (CA)	Renacci	Tipton
Doyle	Lowenthal	Schiff	McCaul	Ribble	Turner
Duckworth	Lowe	Schneider	McClintock	Rice (SC)	Upton
Edwards	Lujan Grisham	Schrader	McHenry	Rigell	Valadao
Ellison	(NM)	Schwartz	McKeon	Roby	Wagner
Engel	Luján, Ben Ray	Scott (VA)	McKinley	Roe (TN)	Walberg
Enyart	(NM)	Scott, David	McMorris	Rogers (AL)	Walden
Eshoo	Maffei	Serrano	Rodgers	Rogers (KY)	Walorski
Esty	Maloney,	Sewell (AL)	Meadows	Rogers (MI)	Weber (TX)
Farr	Carolyn	Shea-Porter	Meehan	Rohrabacher	Webster (FL)
Fattah	Maloney, Sean	Sherman	Messer	Rokita	Wenstrup
Foster	Matsui	Sinema	Mica	Rooney	Westmoreland
Frankel (FL)	McCarthy (NY)	Smith	Miller (FL)	Roskam	Whitfield
Fudge	McCollum	Speier	Miller (MI)	Ross	Williams
Gabbard	McDermott	Swalwell (CA)	Miller, Gary	Rothfus	Wilson (SC)
Gallego	McGovern	Takano	Mullin	Royce	Wittman
Garamendi	McIntyre	Thompson (CA)	Mulvaney	Runyan	Wolf
Garcia	McNerney	Thompson (MS)	Murphy (PA)	Ryan (WI)	Womack
Grayson	Meeks	Tierney	Neugebauer	Salmon	Woodall
Green, Al	Meng	Titus	Noem	Scalise	Yoder
Green, Gene	Michaud	Tonko	Nugent	Schock	Yoho
Grijalva	Miller, George	Tsongas	Nunes	Schweikert	Young (AK)
Gutierrez	Moore	Vargas	Nunnelee	Scott, Austin	Young (FL)
Hahn	Moran	Veasey	Olson	Sensenbrenner	Young (IN)
Hanabusa	Murphy (FL)	Vela	Owens	Sessions	
Heck (WA)	Nadler	Velázquez			
Higgins	Napolitano	Visclosky			
Himes	Neal	Wasserman			
Hinojosa	Negrete McLeod	Schultz			
Holt	Nolan	Waters			
Honda	O'Rourke	Watt			
Horsford	Pallone	Waxman			
Hoyer	Pascarella	Welch			
Huffman	Pastor (AZ)	Wilson (FL)			
Israel	Payne	Yarmuth			
Jackson Lee	Pelosi				
Jeffries	Perlmutter				
Johnson (GA)	Peters (CA)				
Johnson, E. B.	Peters (MI)				
Kaptur	Pingree (ME)				

NOES—232

Aderholt	Cole	Gosar
Alexander	Collins (GA)	Govdy
Amash	Conaway	Granger
Amodei	Cook	Graves (GA)
Bachmann	Cotton	Graves (MO)
Bachus	Cramer	Griffin (AR)
Barletta	Crawford	Griffith (VA)
Barr	Crenshaw	Grimm
Barrow (GA)	Culberson	Guthrie
Barton	Daines	Hall
Benishek	Davis, Rodney	Hanna
Bentivoglio	Denham	Harper
Bilirakis	Dent	Harris
Bishop (GA)	DeSantis	Hartzler
Bishop (UT)	DesJarlais	Hastings (WA)
Black	Diaz-Balart	Heck (NV)
Blackburn	Duffy	Hensarling
Bonner	Duncan (SC)	Herrera Beutler
Boustany	Duncan (TN)	Holding
Brady (TX)	Ellmers	Hudson
Bridenstine	Farenthold	Huelskamp
Brooks (AL)	Fincher	Huizenga (MI)
Brooks (IN)	Fitzpatrick	Hultgren
Broun (GA)	Fleischmann	Hunter
Buchanan	Fleming	Hurt
Bucshon	Flores	Issa
Burgess	Forbes	Jenkins
Calvert	Fortenberry	Johnson (OH)
Camp	Fox	Johnson, Sam
Campbell	Frelinghuysen	Jones
Cantor	Gardner	Jordan
Capito	Garrett	Joyce
Carter	Gerlach	Kelly
Cassidy	Gibbs	King (IA)
Chabot	Gibson	King (NY)
Chaffetz	Gingrey (GA)	Kingston
Coble	Gohmert	Kline
Coffman	Goodlatte	Labrador

NOT VOTING—10

Bass	Hastings (FL)	Ros-Lehtinen
Castor (FL)	Kinzinger (IL)	Walz
Collins (NY)	Lynch	
Franks (AZ)	Markey	

□ 1514

Messrs. HENSARLING, LAMALFA, STEWART, and YOUNG of Alaska changed their vote from "aye" to "no."

Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CLARKE, and Messrs. DOGETT and CICILLINE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. COLLINS of New York. Mr. Speaker, on rollcall No. 94, H.R. 678, Agreeing to the Amendment, had I been present, I would have voted "no."

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mrs. MILLER of Michigan, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 678) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes, and, pursuant to House Resolution 140, she reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. GARAMENDI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GARAMENDI. I'm opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Garamendi moves to recommit the bill H.R. 678 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 3. MAKE IT IN AMERICA.

Any lease of power privilege offered pursuant to this Act or the amendments made by this Act shall require, to the extent practicable, that all materials used for conduit hydropower generation be manufactured in the United States.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. I suspect that, Mr. Speaker, all of us would want to see more jobs in America. The great American manufacturing sector over the last 20 years has lost about 9 million jobs. Twenty-five years ago, no one throughout this world would doubt that the greatest manufacturing Nation in the world was America. Twenty-five years later, and 9 million jobs having been lost, America has lost its preeminence—or is about to lose its preeminence. It would seem to me it's our job here as representatives of the American public and the American economy to do everything we possibly can to rebuild and reestablish the great American manufacturing sector, to do everything we can to restore to America those 9 million middle class jobs that have been lost to outsourcing, to our companies moving overseas, and to some rather impractical and rather foolish laws that have been passed and are on the books.

□ 1520

There is something we can do today with this bill. This bill, while seeming to be small, ought to be our very first step this session to make sure that in every piece of legislation we pass there would be an incentive, an obligation, or an advantage for American manufacturers.

Small hydro, who's to care about small hydro? Well, there are four busi-

nesses in America that would care a great deal about small hydro. In New Mexico, the Elephant Butte Irrigation District develops low-cost small hydro. Canyon Hydro in Deming, Washington, manufactures and produces small hydro. NATEL Energy Company in Alameda, California, manufactures small hydro programs. And James Leffel & Company in Springfield, Ohio, manufactures the machinery for small hydro. This bill would provide an opportunity for these four American companies to build these small hydro projects, made in America, made by Americans.

The amendment that I'm proposing simply says, in addition to what is in this bill, that we add a simple paragraph that says:

In all practical purposes, the machinery that is to be constructed and used in these projects shall be made in America by American workers.

One small step, but a necessary step, and one step along the way to rebuilding the American manufacturing sector.

We can do this. There are those who say that, well, we're not making it. Well, we are making it. And when we write laws that require that it be made in America, guess what? Things are made in America.

In that stimulus bill—whatever you may think it, good or bad—there was a provision written in that Amtrak was to have some new locomotives. Someone put in an additional sentence that said these must be 100 percent made in America. Siemens, the German company, came forward and said: We can do that. And in Sacramento, California today, a half-billion-dollar contract is being executed for numerous electric locomotives for Amtrak, 100 percent American made.

We can establish the policies to make it in America and to rebuild the great American manufacturing sector. We ought to be using all of our tax money whenever we purchase something to be made in America. If we're going to subsidize solar panels or wind turbines or even hydro projects, then let it be American manufacturers that get that money—to be made in America. Simple, but it's up to us. It's up to 435 of us.

What is to be our policy? Are we going to encourage American manufacturing with something as simple as this amendment, or are we simply going to shrug our shoulders and ignore the fact that 9 million American manufacturing jobs have been lost? Are we to ignore our responsibility to bring those jobs back here? I don't think there's one of us among the 435 of us here, Mr. Speaker, that would say: not to worry, let it be. No, I think all of us, Mr. Speaker, would want to bring the American manufacturing jobs back.

This amendment—which would be the final amendment to the bill and

which will not kill the bill or send it back to committee—this amendment, if adopted, would proceed immediately to passage and give to American workers a small but significant opportunity to have a well-paying middle class job and once again America being the undisputed leader in manufacturing.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, during the course of debate today, it was mentioned several times—which of course is true—that virtually identical legislation passed in the last Congress with bipartisan support. I find it rather ironic that the author of this motion to recommit last year voted for this bill without the motion to recommit language in it. So I think we have some common ground and we're making some progress, and I thank the gentleman for his vote on that.

But let's talk about what this bill does. This bill takes existing American facilities, like irrigation ditches, and says, my goodness, water running downhill has a sense of energy to it; we ought to somehow capture that energy. The gentleman from Colorado (Mr. Tipton) says: Why don't we put turbines in there and create American energy? Wonderful idea. So that's what this bill is all about. Nothing in this bill prevents anything that the gentleman is proposing in his motion to recommit.

But I will just close by saying what this bill really does and what the essence of what we're talking about here today. This bill creates American jobs and American energy at no cost to the taxpayer. What else is there to say? Vote "no" on the motion to recommit.

Mr. GARAMENDI. Will the gentleman yield for a question?

Mr. HASTINGS of Washington. The gentleman had 5 minutes to make his case. No, I will not yield to the gentleman.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. GARAMENDI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 226, not voting 11, as follows:

[Roll No. 95]

YEAS—194

Andrews
Barber
Barrow (GA)
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Deutch
Dingell
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al

Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Blumenauer
Bonamici
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Maffei
Maloney,
Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan

O'Rourke
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swallow (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—226

Aderholt
Alexander
Amash
Bachmann
Bachus
Barletta
Barr
Barton
Benishok
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon

Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Conaway
Cook
Costa
Cotton
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney

Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs

Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lance
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant

Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney

Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Amodei
Bass
Castor (FL)
Collins (NY)

Cramer
Hastings (FL)
Kinzinger (IL)
Lynch

Markey
Ros-Lehtinen
Walz

□ 1536

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. COLLINS of New York. Mr. Speaker, on rollcall No. 95, H.R. 678, On Motion to Recommit with Instructions, had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 7, not voting 8, as follows:

[Roll No. 96]

YEAS—416

Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Grayson (IN)
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
Denham

Aderholt
Alexander
Amash
Bachmann
Bachus
Barletta
Barr
Barton
Benishok
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon

Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Lewis
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke

Olson	Roybal-Allard	Thompson (MS)
Owens	Royce	Thompson (PA)
Palazzo	Ruiz	Thornberry
Pallone	Runyan	Tiberi
Pascarell	Ruppersberger	Tierney
Pastor (AZ)	Rush	Tipton
Paulsen	Ryan (OH)	Titus
Payne	Ryan (WI)	Tonko
Pearce	Salmon	Tsongas
Pelosi	Sánchez, Linda	Turner
Perlmutter	T.	Upton
Perry	Sanchez, Loretta	Valadao
Peters (CA)	Sarbanes	Van Hollen
Peters (MI)	Scalise	Vargas
Peterson	Schakowsky	Veasey
Petri	Schiff	Vela
Pingree (ME)	Schneider	Velázquez
Pittenger	Schock	Visclosky
Pitts	Schrader	Wagner
Pocan	Schwartz	Walberg
Poe (TX)	Schweikert	Walden
Polis	Scott (VA)	Walorski
Pompeo	Scott, Austin	Wasserman
Posey	Scott, David	Schultz
Price (GA)	Sensenbrenner	Waters
Price (NC)	Serrano	Watt
Quigley	Sessions	Waxman
Radel	Sewell (AL)	Weber (TX)
Rahall	Shea-Porter	Webster (FL)
Rangel	Sherman	Welch
Reed	Shimkus	Wenstrup
Reichert	Shuster	Westmoreland
Renacci	Simpson	Whitfield
Ribble	Sinema	Williams
Rice (SC)	Slaughter	Wilson (FL)
Richmond	Smith (NE)	Wilson (SC)
Rigell	Smith (NJ)	Wittman
Roby	Smith (TX)	Wolf
Roe (TN)	Southerland	Womack
Rogers (AL)	Speier	Woodall
Rogers (KY)	Stewart	Yarmuth
Rogers (MI)	Stivers	Yoder
Rohrabacher	Stockman	Yoho
Rokita	Stutzman	Young (AK)
Rooney	Swalwell (CA)	Young (FL)
Roskam	Takano	Young (IN)
Ross	Terry	
Rothfus	Thompson (CA)	

NAYS—7

Dingell	Maloney,	Sires
Johnson (GA)	Carolyn	Smith (WA)
Levin	Moore	

NOT VOTING—8

Castor (FL)	Hastings (FL)	Ros-Lehtinen
Collins (NY)	Lynch	Walz
Cramer	Markey	

□ 1546

Messrs. PALLONE, POCAN, SWALWELL of California and Ms. DUCKWORTH changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COLLINS of New York. Mr. Speaker, on rollcall No. 96, H.R. 678, On Passage, had I been present, I would have voted “yea.”

BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2014—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-3)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

Thanks to the hard work and determination of the American people, we have made significant progress over the last 4 years. After a decade of war, our brave men and women in uniform are coming home. After years of recession, our businesses have created over six million new jobs. We buy more American cars than we have in 5 years, and less foreign oil than we have in 20 years. Our housing market is healing, our stock market is rebounding, and consumers, patients, and homeowners enjoy stronger protections than ever before.

But we know that there are millions of Americans whose hard work and dedication have not yet been rewarded. Our economy is adding jobs—but too many people still cannot find full-time employment. Corporate profits have skyrocketed to all-time highs—but for more than a decade, wages and incomes have barely budged.

It is our generation's task to reignite the true engine of America's economic growth—a rising, thriving middle class. It is our unfinished task to restore the basic bargain that built this country—the idea that if you work hard and meet your responsibilities, you can get ahead, no matter where you come from, no matter what you look like, or whom you love.

It is our unfinished task to make sure that this Government works on behalf of the many, and not just the few; that it encourages free enterprise, rewards individual initiative, and opens the doors of opportunity to every child across this great Nation.

A growing economy that creates good, middle class jobs—this must be the North Star that guides our efforts. Every day, we should ask ourselves three questions as a Nation: How do we attract more jobs to our shores? How do we equip our people with the skills they need to get those jobs? And how do we make sure that hard work leads to a decent living?

This Budget seeks to answer each of these questions.

Our first priority is making America a magnet for new jobs and manufacturing. After shedding jobs for more than 10 years, our manufacturers have added more than 500,000 jobs over the past 3 years. Companies large and small are increasingly deciding to bring jobs back to America.

To accelerate this trend, the Budget builds on the success of the manufacturing innovation institute we created in Youngstown, Ohio last year, and calls for the creation of a network of 15 of these hubs across the Nation. In these innovation hubs, businesses will partner with universities and Federal agencies to turn regions around our country into global centers of high-tech jobs.

The Budget also includes new initiatives to support manufacturing communities, including a new tax credit to

strengthen their ability to attract investments and jobs. And it expands my Administration's SelectUSA initiative to help draw businesses and investment from around the world to our shores.

If we want to make the best products, we also have to invest in the best ideas. That is why the Budget maintains a world-class commitment to science and research, targeting resources to those areas most likely to contribute directly to the creation of transformational technologies that can create the businesses and jobs of the future.

No area holds more promise than our investments in American energy. The Budget continues to advance my “all-of-the-above” strategy on energy, investing in clean energy research and development; promoting energy efficiency in our cars, homes, and businesses; encouraging responsible domestic energy production; and launching new efforts to combat the threat of climate change.

Modeled after my successful Race to the Top education reform effort, the Budget includes a new Race to the Top energy efficiency challenge for States, rewarding those that implement the most effective policies to cut energy waste. And it establishes a new Energy Security Trust funded by royalty revenue from oil and gas leases to support initiatives to shift our cars and trucks off oil, cutting our Nation's reliance on foreign oil.

Over the last 4 years, we have begun the hard work of rebuilding our Nation's infrastructure. We have built or improved over 350,000 miles of road and more than 6,000 miles of rail. And we have repaired or replaced over 20,000 bridges. But to compete in the 21st Century economy and become a magnet for jobs, we must do more. We need to repair our existing infrastructure, and invest in the infrastructure of tomorrow, including high-speed rail, high-tech schools, and self-healing power grids. These investments will both lay the foundation for long-term economic growth and put workers back on the job now.

My Budget includes \$50 billion for up-front infrastructure investments, including a “Fix-it-First” program that makes an immediate investment to put people to work as soon as possible on our most urgent repairs, like the nearly 70,000 structurally-deficient bridges across the country. And to make sure taxpayers do not shoulder the whole burden, the Budget creates a Rebuild America Partnership to attract private capital to upgrade what our businesses need most: modern ports to move our goods; modern pipelines to withstand a storm; and modern schools worthy of our children.

The Budget also supports efforts I announced earlier this year to modernize and improve the efficiency of the Federal permitting process, cutting

through the red tape that has been holding back even some of the most carefully planned infrastructure projects. These efforts will help us to achieve the new goal I set to cut timelines in half for infrastructure projects, while creating new incentives for better outcomes for communities and the environment.

All of these initiatives in manufacturing, energy, and infrastructure will help entrepreneurs and small business owners expand and create new jobs. But none of it will matter unless we also equip our citizens with the skills and training to fill those jobs.

And that has to start at the earliest possible age. But today, fewer than 3 in 10 4-year-olds are enrolled in a high-quality preschool program, and the high cost of private preschool puts too much of a financial burden on middle class families.

The Budget therefore includes a proposal that ensures 4-year-olds across the country have access to high-quality preschool education through a landmark new initiative in partnership with the States. And it increases the availability of early learning for our youngest children to help their growth and development during the formative early years of life.

Providing a year of free, public preschool education for 4-year-old children is an important investment in our future. It will give all our kids the best start in life, helping them perform better in elementary school and ultimately helping them, and the country, be better prepared for the demands of the global economy. Not only that, it could save hard-working families thousands of dollars each year in child care costs. This is an investment we need to make, and it is fully paid for in this Budget by imposing a new tax on every pack of cigarettes sold.

The Budget also builds on the historic reforms made during my first term to improve our elementary and secondary school system by rewarding excellence and promoting innovation. To help ensure that our high schools are putting our kids on a path to college and a good job, the Budget includes a new competitive fund that will help redesign America's high schools to prepare students with the real world skills they need to find a job right away or go to college. The fund rewards schools that develop new partnerships with colleges and employers, and create classes focusing on science, technology, engineering and mathematics (STEM)—the skills today's employers seek to fill the jobs available right now and in the future.

Even with better high schools, most young people will still need some higher education. Through tax credits, grants, and better loans, we have made college more affordable for millions of students and families over the last 4 years. But skyrocketing costs are still

pricing too many young people out of a higher education, or saddling them with unsustainable debt. And taxpayers cannot continue to subsidize higher and higher costs for higher education.

To encourage colleges to do their part to keep costs down, the Budget includes reforms that will ensure affordability and value are considered in determining which colleges receive certain types of Federal aid. My Administration has also released a new "College Scorecard" that parents and students can use to compare schools.

To further ensure our educational system is preparing students for careers in the 21st Century economy, the Budget includes additional measures to promote STEM education, such as launching a new STEM Master Teacher Corps, to leverage the expertise of some of America's best and brightest teachers in science and mathematics, and to elevate the teaching of these subjects nationwide. It also includes a reorganization and consolidation of STEM education programs to improve the effectiveness of Federal investments in this area.

The Budget takes other critical steps to grow our economy, create jobs, and strengthen the middle class. It implements the Affordable Care Act, giving every American access to the high-quality, affordable health care coverage they deserve, and reducing the deficit by more than \$1 trillion over the next two decades. It implements Wall Street reform, ending too-big-to-fail and protecting consumers against the abuses and reckless behavior that contributed to the financial collapse in 2008. And it includes measures to strengthen our housing market and ensure that every responsible homeowner has the opportunity to refinance at today's rates, saving \$3,000 a year on average.

Our economy is stronger when we harness the talents and ingenuity of striving, hopeful immigrants. That is why I have proposed a plan to fix our broken immigration system that secures our borders, cracks down on employers who hire undocumented workers, attracts highly-skilled entrepreneurs and engineers to help create jobs and drive economic growth, and establishes a responsible pathway to earned citizenship—a path that includes passing a background check, paying taxes and a meaningful penalty, learning English, and going to the back of the line behind the folks trying to come here legally. The Budget makes investments that will make our immigration system more efficient and fair and lay a foundation for this permanent, common-sense reform.

The Budget also builds on the progress made over the last 4 years to expand opportunity for every American and every community willing to do the work to lift themselves up. It creates

new ladders opportunity to ensure that hard work leads to a decent living. It rewards hard work by increasing the minimum wage to \$9 an hour so an honest day's work pays more. It partners with communities by identifying Promise Zones to help rebuild from the recession. It creates pathways to jobs for the long-term unemployed and youth who have been hardest hit by the downturn. And it strengthens families by removing financial deterrents to marriage and supporting the role of fathers.

We also know that economic growth can only be achieved and sustained if America is safe and secure, both at home and abroad. At home, the Budget supports my initiative to help protect our kids, reduce gun violence, and expand access to mental health services. We can protect our Second Amendment rights while coming together around reforms like eliminating background check loopholes to make it harder for criminals to get their hands on a gun—common-sense reforms that will help protect our kids from the scourge of gun violence that has plagued too many communities across the country.

To confront threats outside our borders, the Budget ensures our military remains the finest and best-equipped military force the world has ever known, even as we wind down more than a decade of war.

Already, we have brought home more than 30,000 of our brave servicemembers from Afghanistan. Our remaining forces are moving into a support role, with Afghan security forces taking the lead. And over the next year, another 34,000 American troops will come home. This drawdown will continue and, by the end of next year, our war in Afghanistan will be over. Beyond 2014, the Budget supports our continued commitment to a unified and sovereign Afghanistan.

To maintain our national security, the Budget supports our ongoing fight against terrorists, like al Qaeda. The organization that attacked us on 9/11 is a shadow of its former self. But different al Qaeda affiliates and extremist groups have emerged—from the Arabian Peninsula to Africa. We will confront these emerging security challenges through the full range of U.S. capabilities and tools, including diplomatic, security, intelligence, and economic development.

The Budget also provides the resources we need to act on our commitment to and interests in global development, by promoting food security that reduces dependence and increases prosperity; by investing in the increasingly successful drive toward an AIDS-free generation; and by maintaining our leadership as a global provider of humanitarian assistance that saves lives and reflects American values.

We must also confront new dangers, like cyber attacks, that threaten our

Nation's infrastructure, businesses, and people. The Budget supports the expansion of Government-wide efforts to counter the full scope of cyber threats, and strengthens our ability to collaborate with State and local governments, our partners overseas, and the private sector to improve our overall cybersecurity.

The Budget also focuses resources on the Asia-Pacific region, reasserting American leadership and promoting security, stability, democracy, and economic growth.

Importantly, the Budget upholds our solemn obligation to take care of our servicemembers and veterans, and to protect our diplomats and civilians in the field. It keeps faith with our veterans, investing in world-class care, including mental health care for our wounded warriors, supporting our military families, and giving our veterans the benefits, education, and job opportunities that they have earned.

The Budget does all of these things as part of a comprehensive plan that reduces the deficit. All of these initiatives and ideas are fully paid for, to ensure they do not increase the deficit by a single dime.

By making investments in our people that we pay for responsibly, we will strengthen the middle class, make America a magnet for jobs and innovation, and grow our economy, which will in turn help us to reduce deficits. But economic growth alone will not solve our Nation's long-term fiscal challenges.

As we continue to grow our economy, we must take further action to cut our deficits. We do not have to choose between these two important priorities—we have to do both.

Over the last 4 years, both parties have worked together to reduce the deficit in a balanced way by more than \$2.5 trillion. That is more than halfway toward the goal of \$4 trillion in deficit reduction that economists say we need to stabilize our finances. As we wind down two wars, we have protected our military families and veterans while cutting defense spending on outdated military weapons systems. Domestic discretionary spending is approaching its lowest levels as a share of the economy since President Eisenhower was in office; and we have moved aggressively to cut waste, fraud, and abuse. And together, we have begun to ask the wealthy to do their fair share while keeping income taxes low for middle class families. Overall, we have cut the deficit in a balanced way that protects the investments in education, manufacturing, clean energy, and small businesses we need to grow the economy and strengthen the middle class. There is more work to do, and this Budget is designed to finish the job.

But we should not do it by making harsh and arbitrary cuts that jeopardize our military readiness, dev-

astate priorities like education and energy, and cost jobs. That is not how to grow the economy. We should not ask middle class senior citizens and working families to pay down the rest of our deficit while the wealthiest are asked for nothing more. That does not grow our middle class.

The American people understand that we cannot just cut our way to prosperity. That is why I have repeatedly called for a balanced approach to deficit reduction. And that is why I have offered proposals on multiple occasions that cut wasteful spending, strengthen entitlements, and eliminate special tax breaks and loopholes so the wealthiest pay their fair share.

In my negotiations with House Speaker BOEHNER in December over the so-called "fiscal cliff," I again offered a compromise proposal that was balanced and comprehensive, and would achieve our \$4 trillion deficit reduction goal. That proposal is still on the table. I am including it in this Budget to demonstrate my commitment to making the kind of tough and balanced choices that are needed to put our Nation's finances in order.

To be clear, the package I am offering includes some difficult cuts that I do not particularly like. But these measures will only become law if congressional Republicans agree to meet me in the middle by eliminating special tax breaks and loopholes so millionaires and billionaires do their fair share to cut the deficit. I will not agree to any deal that seeks to cut the deficit on the backs of middle class families. I am willing to make tough choices that may not be popular within my own party, because there can be no sacred cows for either party. And I look forward to working with any member of Congress who takes a similar, balanced approach. This plan is built on the kind of common ground that Democrats and Republicans should be able to reach.

In total, the Budget will cut the deficit by another \$1.8 trillion over the next 10 years, bringing the deficit below 2 percent of GDP by 2023 and putting our debt on a declining path. This is not an end in and of itself—the best way to grow the economy and cut the deficit is by creating good middle class jobs. But this plan to reduce the deficit in a balanced way is a critical step toward ensuring that we have a solid foundation on which to build a strong economy and a thriving middle class for years to come.

Finally, this Budget continues my commitment to reforming and streamlining our Government for the 21st Century. It builds on my Campaign to Cut Waste by further targeting and eliminating wasteful spending wherever we find it. It reorganizes and consolidates agencies and programs to make them leaner and more efficient. It increases the use of evidence and

evaluation to ensure we are making smart investments with our scarce taxpayer dollars. And it harnesses new technologies to allow us to do more with less.

No single Budget can solve every challenge and every problem facing the country. But this Budget shows how we can live within our means while growing our economy, strengthening the middle class, and securing our Nation's future. It is not a Democratic plan or a Republican plan. It is an American plan. And it is a plan that I hope can serve as an outline for us to write the next great chapter of the American story . . . together.

BARACK OBAMA.
THE WHITE HOUSE, April 10, 2013.

ACCESSING NATURAL GAS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday it was reported that the United States has 2.4 quadrillion cubic feet of natural gas that can be recovered by current drilling techniques, according to a study by companies working in various shale basins across the country. That's 26 percent higher than the previous assessment, and at current consumption rates, a 90-year supply. The Marcellus shale has the largest share of resources, with an estimated 741,320 billion cubic feet.

What has caused such a jump in resources and production? Not the Federal Government, that's for sure. According to the Congressional Research Service, production of natural gas has decreased on Federal lands by 33 percent. It's the hard work and innovation of private industry, a combination of technological and drilling advances that have allowed us to access resources that were previously inaccessible, all in a responsible and environmentally friendly way. In fact, just last week, the Energy Information Administration stated that expanded use of natural gas has driven down energy-related U.S. carbon dioxide emissions to their lowest level since 1994.

America is just beginning to realize the opportunity of this growing and economically beneficial resource.

□ 1610

RECOGNIZING THE WORLD'S FOREMOST CLIMATOLOGIST, DR. JAMES HANSEN

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, I rise today to recognize the storied career of America's foremost climatologist, and the world's, Dr. James Hansen. Last

week Dr. Hansen retired from his position as head of the NASA Goddard Institute for Space Studies. After 46 years at NASA, he's leaving the agency to focus his efforts on the political and legal efforts to limit greenhouse gases.

He started his career by working on the atmosphere of the planet Venus in the sixties. Luckily for the world, he changed his emphasis to the atmosphere of the Earth.

Dr. Hansen is perhaps known best for his 1988 testimony to the Senate committees that helped raise the initial broad awareness of global warming across the United States. He sounded the warning bell of the effects of climate change, and can be credited with bringing the issue to the forefront of the American conscience.

Dr. Hansen, who fittingly called the proposed building of the Keystone XL pipeline akin to the "lighting of the carbon bomb," is one of the world's leading advocates of decreased fossil fuel consumption.

While his departure from the Federal climate research community will undoubtedly leave a gaping hole in NASA's climate program, I look forward to the role Dr. Hansen will take on his retirement as he pursues actions to limit emissions and his fight against the development of Keystone and other tar sands pipelines.

The future of our planet rests in the hands of scientists like Dr. Hansen, and I ask my colleagues to join me in wishing him the best of luck in his retirement. I truly hope he can continue the work that he has successfully pursued throughout his storied career in this new capacity.

THE SAFE CLIMATE CAUCUS

The SPEAKER pro tempore (Mr. MULLIN). Under the Speaker's announced policy of January 3, 2013, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the minority leader.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the comments we just heard on the floor from my colleague from Tennessee talking about Dr. Hansen's retirement, a gentleman who has faced a great deal of criticism, including many from this Congress, because of his forceful presentation of his point of view. And time after time after time, Dr. Hansen has been proven correct.

This is the most important issue that we're really not debating in Congress. There are a group of us here who have formed the Safe Climate Caucus to be able to promote this discussion. Today we extended an invitation to the leadership of the Commerce and Energy Committee to join us on the floor of the House for a bipartisan debate, encouraging our Republican colleagues to come to the floor to be able to deal with this issue that, frankly, deserves to be in the spotlight.

We're not aware of any Republican Member who's spoken on the floor of the House about the dangers of climate change or the need to reduce emissions and prepare for its impact in this entire session of Congress. In fact, as near as we can determine, no Republican Member of Congress has even uttered the words "climate change" on the floor in this Congress.

It's, I suppose, better that they're not talking about it at all than what we had in the last Congress where the Republican-led House of Representatives voted 53 times to block action on climate change. My Republican colleagues voted to defund research, to block action by the EPA to control pollution, to prevent energy efficiency measures from going into effect.

Remember, one of the most comical was the assault on light bulb efficiency, an efficiency standard that was developed, admittedly, when Democrats were in charge, but signed with legislation that we worked out with the Bush administration. That was certainly a travesty.

It was interesting. The industry looked at them and shrugged and said, we're moving on, we're not going back to produce less energy-efficient light bulbs.

They voted to stop the administration from encouraging developing countries to do their part.

This year, the Republican members of the Energy and Commerce Committee, which is the committee of primary jurisdiction over energy policy, even voted against holding hearings with scientists who could explain the role of climate change in causing extreme weather, drought, heat waves and wildfires. That's why we've created the Safe Climate Caucus, to work to end the conspiracy of silence here in the House about the dangers of climate change.

But we hope, we sincerely hope, that our Republican colleagues would join us here on the floor of the House in one of these Special Orders to discuss our various approaches. If they don't agree with human-caused impacts of extreme weather events, engage in the debate to explain why. If they do agree that we are at least having extreme weather events, whether or not they're human-caused, let's debate what we should do to be protecting us from those impacts. The American public deserves no less.

So until we're able to engage our Republican colleagues in a spirited, thoughtful debate on the floor of the House, we will continue pointing out the problems that we face, the risks, the danger, the paths forward, because in 2012, there were over 3,500 weather-related records set due to extreme heat, rain, drought, cold and wind. The American public has seen that. They've suffered the consequences. They're concerned.

Hurricane Sandy was one of just 11 weather disasters last year in the

United States that caused more than a billion dollars in losses, a total of over \$60 billion, which taxpayers are being forced to help assume the burden.

Here in Washington, D.C., we set another record, 90 degrees today, for April 10. At the same time, there are snowstorms in Colorado.

2012 was the 36th consecutive year with a global temperature above the 20th century average. The last time there was a year with a global temperature that wasn't above average was 1976, before Jimmy Carter was elected President. We were celebrating the Bicentennial. Most of our staff here in Washington, D.C., on Capitol Hill, has never experienced a year where temperatures weren't above average.

Now, just because our Republican friends don't want to debate it, just because they have fought to prevent our initiative, doesn't mean that it's not having an economic impact. The United States Congress has appropriated \$188 billion for climate-related disasters over the last 3 years.

Just 2 months ago, the Government Accountability Office released a GAO report listing the Federal Government's vulnerability to climate change impacts as one of its greatest areas of potential risk. Climate change could increase investment portfolio risk by 10 percent over the next 2 decades by disrupting supply chains.

Those of us in Congress who are noticing these problems, these changes, these challenges, are not alone. According to the Gallup poll last month, 58 percent of the American public worry a fair amount or a great deal about climate change and its impacts. Sixty-two percent of Republicans believe that America should take steps to address climate change.

Monday, Arnold Schwarzenegger joined the list of Republican politicians who now acknowledge that climate change is a serious concern, speaking at the Price School of Public Policy in California. Governor Schwarzenegger said, if we're smart, we listen to our doctors. If we're stupid, we ignore our doctors, and it takes a heart attack to realize that we should listen.

Schwarzenegger said the national climate assessment report is our physical, and these scientists can give us a prescription for what we need to do to improve our climate. It's our duty to listen to them and encourage action, action all over the country. And Republican Governor Schwarzenegger is to be commended for his vision and stepping forward.

Another of my colleagues from California is with us here this evening, and I notice that he may be willing to step in. He's been greatly concerned about infrastructure, climate, the environment in a long and distinguished career in California politics and now here in Congress.

□ 1620

We're honored that you would be willing to join us, and I would be happy to yield to you if you would like to join in this conversation.

Mr. GARAMENDI. Mr. BLUMENAUER, I would be honored to participate in this conversation. And, Mr. Speaker, it's always a great pleasure and, in fact, important that those of us 435 that have been elected to represent the American citizens rise on the floor to speak to issues of great importance.

When all is debated, at the end of those debates I suppose we ought to say, Was that important? We debated earlier about a piece of this puzzle, but this is the most consequential issue facing the entire globe. Climate change is a very, very real challenge for the human race.

In the early nineties, I was Deputy Secretary at the Department of the Interior and was asked by the President and Vice President at the time to join in developing a strategy for America at the Kyoto Conference, which was the second international effort to come to grips with this issue. We studied the various ramifications of climate change and we predicted that what you just described in your opening statement, Mr. BLUMENAUER, would happen. And, indeed, it is happening—the climate is changing. It is warmer.

There are more extreme events, and the impact is already being perceived in those things that are most unnoticed, which is the change in the vegetation and in the flora and fauna throughout the United States. As you hike through the mountains of the Sierras, you have to go a little higher to see species, both animal and fauna, that lived at a lower elevation. They're moving up the mountain, those that can. Those that can't, for example, some species of trees and plants that aren't able to remove their roots and move up the mountain, and they're simply going to become extinct.

Now, what do we do about it? Well, there are many things we can do without actually harming the economy. In fact, there are many things we can do that will cause the economy to grow, for example, conservation. Conservation of energy is an enormously important way to conserve our money, our energy supplies, and reduce carbon emissions, because much of the energy in the United States actually comes from carbon emissions.

For example, how about better mileage in our cars? Thankfully, we have President Obama and the Democratic administration that has taken very aggressive steps to reduce the consumption of gasoline and diesel in our automobiles and trucks, thereby conserving and saving us money and simultaneously reducing greenhouse gas emission.

There are many, many other things. One bill we took up on the floor today

that passed—and my amendment wasn't adopted—but, nonetheless, it is the small hydro. It's using hydropower wisely where we can, without harming the environment, but also adding to the energy production. Moving away from coal, which we know to be the single biggest source of carbon from power plants as we generate electricity, moving initially to gas-fired power plants, which have significantly less carbon emissions, and in that process, taking the steps to move to renewable power sources of all kinds—hydro, where it makes sense.

How about wind turbines? I don't have the statistics with me today, but we've made an enormous advancement in wind energy and solar energy. And by the way, if we're going to do that in the United States with our tax policies and give a tax rebate or credit, then we ought to make it in America. Have those turbines and solar panels made in America so that we not only do what is right by the environment, but we also do what is right by the American workers so that we can rebuild our American manufacturing.

There are many, many other concepts, all of which grow the economy. They don't harm the economy at all but, rather, grow the economy. Reducing emissions, not only carbon emissions, but from the coal-fired power plants, reducing rather dangerous substances like mercury and arsenic.

So we should move these things forward. Unfortunately, we are running up against a block of votes on the right side of this House—not right on policy but, rather, in location—where they are blocking the efforts that we must make to come to grips with this. My point here is that, while this is a fundamental problem for this Nation, it's also a fundamental opportunity for America to grow a new economy.

We just heard read here on the floor not more than 30 minutes ago the statement by the President of his new budget in which he makes the point that, by addressing climate change, we also address the need to rebuild the American economy and to set it on a path where we can compete and sell these technologies and products all around the world. Because this is not just an American problem, this is a national-international problem, and all of us, wherever we are, whatever country we are in, we must take action. We must take action. We cannot let this slide.

And my plea, as you made yours, Mr. BLUMENAUER, to our Republicans colleagues is: let's debate this. If you don't believe this is a problem, come to the floor and tell us why this is not a problem. If you do not believe that we should manufacture wind turbines and solar panels here in the United States and deploy them rather than continuing with the coal-based economy, then tell us why. I wait for that debate,

and I'll join you in it, Mr. BLUMENAUER.

Thank you for the privilege of joining you. I see that we have another colleague. We may reopen the West Coast-East Coast show, Mr. BLUMENAUER.

Mr. BLUMENAUER. Thank you, Congressman GARAMENDI. Thank you for your comments and for your leadership in your native State of California on so many different levels in pressing this point. Your observation is that there's a great deal of economic opportunity. The installed wind energy has exploded in recent years. In fact, not only are we producing the energy here in the United States, it's American wind. It's not dollars that we're exporting.

Mr. GARAMENDI. If I might interrupt you for a second, there are those that would claim that this place is also a windy Chamber.

Mr. BLUMENAUER. And part of what we need to be harvesting. That's why I have a small wind energy tax credit that I think we can install here in the House Chamber. But part of what we've done with the Recovery Act has increased dramatically the amount of manufacturing that's here in the United States for that installed energy.

We are joined by one of our colleagues, Congressman TONKO from New York. Before he came to Congress, where he's been very active in these areas, he's had his own series of activities providing leadership and technology and energy efficiency.

We'd be honored for you to join in the conversation.

Mr. TONKO. Thank you, Representative BLUMENAUER, for leading us in this discussion. I appreciate the fact that you've brought together this thoughtful discussion, this dialogue on how we need to embrace a stronger sense of stewardship with our environment that ties to our energy policy, that ties to our economic recovery opportunities.

I have to first and foremost mention that you're right; I headed the New York State Energy Research and Development Authority in the State of New York, my last workstation before serving here in the House. I was totally surrounded by consummate professionals who make it their role, their job, their advocacy, their vocation to make a difference with energy policy that allows us to be stronger stewards of our environment and to advance this effort for renewables, for innovation that allows us to reduce that mountain of electrons that we require for the workplace, the home place, for quality of life, and allows us to use that in much more useful, measured terms so that energy efficiency is seen as our fuel of choice and that that comes before any of our energy thinking. And that provides for a greener outcome that allows us to address this phenomenon of climate change.

Now, whether or not you believe in climate change—and to me, the scientific evidence is insurmountable—

but see it as an opportunity for good-paying jobs, jobs that advance research and innovation and intellect and ideas as an economy that can then transition us into a very powerful economic recovery.

But I want to make certain that I introduce onto this floor the discussion about Mother Nature and its grip on the 20th Congressional District and, before redistricting, when I represented the 21st, as major storms Irene and Lee impacted my region. People had lost, Representative BLUMENAUER, everything for which they ever worked—houses swept into the river through storms that just, through the force of Mother Nature, overpowered communities.

□ 1630

Many houses were destroyed. Heritage crown jewel items in the region that were visitation centers and destinations, destroyed. Covered bridge, historic in nature, wiped away through the ravages of water.

This was a profound impact. Lives lost, many injured. Communities are still rebuilding, businesses are coming back, households are still abandoned. The efforts have been powerful. We've witnessed volunteerism to the Nth degree, a tremendous statement about the human heart to respond to the needs of neighbors and at times total strangers. And then this year, seeing what had happened with the ravages of Sandy, Superstorm Sandy, that impacted New England, impacted metro New York, New Jersey and beyond, Pennsylvania. These are atypical situations. Tornadoes, tropical storms, hurricanes as far north as upstate New York had been unheard of.

So there is a statement that Mother Nature is making. We are faced with this climate change phenomenon, a concept that we need to address in scientific measure, in ways that allow us to constructively build a plan that allows us to move forward, again, by enhancing the opportunities for job creation.

What I had seen through the advocacy at NYSEDA, the State Energy Research and Development Authority, was this effort for us to be the keepers of the funds that would go towards innovating and transitioning into a better reliance on renewables, using in a benign way the environment qualities that surround us—the winds, the sun, the soil, the water—in a way that allows us to respond to the needs that we have as a society for energy and to do it through intellect. The intellectual capacity of our Nation is something we constantly cultivate through education, training, higher ed, apprenticeship programs. These are forces that can then bear good news of invention, of innovation.

I have the renewable center for GE, the international center in the heart of

my district. We have the R&D lab in Niskayuna. All of these places are working in a way to allow for us to look at new battery design, the linchpin to innovation that allows us to embrace, perhaps, storage of intermittence power, that it makes it more predictable and of more useful capacity. Investment in cable that allows for less line loss in the delivery, in the transporting of electrons to the source.

There are many, many ways that we can be significantly sensitive to the demands on our society for energy and not to be wasteful, to be innovative in our approach, and to green up our thinking.

I'll say this—and I know we have others that want to speak. When I first arrived here in 2009, after the 2008 election for my first term to serve in the House, I was able to sit at the table when we formed, as Democrats, SEEC, the Sustainable Energy and Environment Coalition. It's a group of like-minded thinkers who want to take us in a green direction, with progressive politics, and enable us to think outside the barrel, to be able to be clever in our approach to provide for new ways to meet society's needs, to open the door to job creation, to provide for soundness of outcomes in a sustainable way that allows us to make a very bold and noble statement, and that is typically this: that we inherit this environment for the moment, and it is our task, I believe, morally to hand it over to the next generations in even better stead.

That is a daunting challenge these days. It's a daunting challenge. But in my heart I believe that we can accomplish what we need to accomplish. We can respond to the challenge by opening up to new thinking, and to not be restrained and restricted by status quo or by the disbelief that these things are happening right before our very eyes, right in the heart of our communities.

I wanted to make certain that I shared the impact on my district of Mother Nature and the clarion call to respond with urgency and with in-depth knowledge, driven by the passion to make a difference because there is always that pioneer spirit in America, and we're at our best when we embrace that inspiration and move forward as a Nation.

Mr. BLUMENAUER. Thank you, Congressman TONKO. I appreciate your comments. I appreciate your leadership on this issue before and after you joined Congress. And I like the notion about thinking outside the barrel.

Mr. TONKO. You're a great leader also, so thank you for leading us in this discussion and leading us routinely on sound transportation quarters, including those bicycles that don't pollute.

Mr. BLUMENAUER. Indeed. Well, the cheapest electron is one that we don't have to use. If we just double

American energy efficiency, we can cut carbon emissions 22 percent by 2020—and, by the way, that would save American consumers \$327 billion a year. This is a tremendous opportunity to achieve savings, generate economic activity, and pay a dividend, economically as well as environmentally.

Mr. TONKO. Representative, if I might just add to that statement, the many discussions I have had with constituents who say where is the wisdom in sending hundreds of billions of dollars to foreign nations—oftentimes enemies of this country—who are using American energy consumer dollars to train troops to fight our son and daughters on the battlefield.

This is a no-brainer. This gluttonous dependency on fossil-based fuels, imported to keep our energy agenda alive, has got to stop. We need to move forward—again, with the progressive thinking that I know we can embrace in this House. Get it done. So I thank you again for your leadership in this dimension.

Mr. BLUMENAUER. That last element is one that makes it so surprising that my Republican friends don't want to talk about dealing with climate change, energy efficiency on the floor, especially given the fact that an amazing stellar array of distinguished foreign policy and military experts who have identified climate change and fossil fuel dependency as a strategic vulnerability for this country, and why they have argued that we ought to move forward aggressively dealing with climate change, dealing with energy efficiency because it strengthens America, rather than sending dollars, as you point out, to people who don't necessarily share our interests or our beliefs. It has been pointed out more than once that we are financing both sides of the war on terror.

But I would like to turn, if I could, to my friend from Memphis, Congressman COHEN, who started us off this evening with a terrific 1-minute observation about Dr. Hansen's retirement. We would welcome your thoughts and further observations about our moving forward.

Mr. COHEN. Thank you. I appreciate your leadership on this issue and your scheduling this Special Order.

Dr. James Hansen did retire. He is considered the foremost climatologist in the world. As I understand it, he shared in a Nobel Prize in 2007 on this general type of issue. He's been the leading proponent of watching out for the future.

The Keystone pipeline, he's the clarion call, I guess, on the problems that that would cause to the environment in the future. Because the tar sands, to mine, is a very carbon-intensive activity. You take away the forest. You also have to use a lot of water and a lot of energy in the production. Just the production of the tar sands causes great

damage to the environment, let alone the potential for damage to our country when they would travel through the pipelines. Then, when they're burnt, that's, I guess, lighting the carbon bomb and letting it go off. But Dr. Hansen studied climate and was one of the first to warn on this issue. He has retired, so we will have his voice.

I live in Memphis. It's kind of the center of the region, Oklahoma over, for tornadoes. Tornadoes have been much, much more prominent in the United States. This just isn't a quirk. Mother Nature can have her times and certain variances in her schedule, but it's obvious what's been happening with the increase in tornadoes, the droughts, the floods. The Mississippi River, it's been the lowest it's ever been in spots—and it's flooded. It had the worst floods in Memphis ever about 2 or 3 years ago, and this year the river was its lowest. We've gone from its highest to its lowest, and something's happening; it's obvious something is happening. Scientists, almost to one, tell us that this is because of what we've done to the environment.

□ 1640

There might be two out of 100 scientists. It seems so unfortunate that the other side always grabs one or two of those people, rather than the 98.

We all have a debt and a duty to protect the Earth and, I think, looking out for issues where we do conserve, as you've said. I've got a company in Memphis I met with last week—they're really in Mississippi—called Griffin, and they have found a way to come up with a system that when a vehicle idles—and they're talking about, in their specific situation, armored cars that have a lot of going around and they idle their engines when they pick up their financial deposits—it costs a lot to the environment in burning of oil when the car is running. They've got a way where the car can be turned off and the idling of the engine can stop, but, nevertheless, the vehicle still gets air-conditioning and power. It can save a tremendous amount of gasoline and protect the environment. Hopefully, they can come within some grants that are already available to make companies that need to retrofit their vehicles to use that, but it is like raising our CAFE standards. The best way to save energy is not to have to use it and to conserve on that.

There are opportunities we have. Obviously, we have to concentrate on this. We've got to look to alternatives, and wind and solar are two of them. It's a disaster waiting to happen, and we just can't close our eyes to it. It's important that we take a leadership role in the world.

Mr. BLUMENAUER, I would like to ask you, the Defense Department that raised those issues about it being important to our national defense, were

they referring to the droughts that they foresaw coming in the future with climate change and what might happen in some of those countries where they have less opportunity to produce food and have water, et cetera?

Mr. BLUMENAUER. Well, the threats are manifold.

One is just when we are subjecting our armed services to try and deal with the extremes that you talked about, it's unpredictable. They have to be dealing with drought and with flood extreme weather events. When we find the disruption that occurs in other parts of the world with drought and with famine, it provides an instability that creates a security challenge for us. And the fact that we are vulnerable still, in terms of energy supply for the United States and for our allies and the world economy can be held hostage, all of these were part of this challenge.

Last but not least, the Department of Defense, the United States military, is the largest consumer of energy in the world. Energy supply, energy cost, energy efficiency is a matter of military readiness and operational efficiency. When we spend \$18 billion for air-conditioning in Iraq and Afghanistan, that's a drain on the budget. When we are sending to the front tanker trucks, because we are so dependent on fossil fuel, they might as well have a great big bull's-eye on them. We've lost thousands of Americans on these fuel convoys.

Being able to be energy efficient, being able to stretch the dollars, being able to promote American security is all part of an equation where these experts are saying, it ought to be a no-brainer to move forward with energy efficiency. Security experts are deeply concerned about the disruptive impact globally of this uncertain climate effect.

I notice that we are joined by my colleague from the State of Oregon, Congresswoman BONAMICI, who has long exercised leadership in areas of environment and energy in her previous career as a distinguished State legislator in Oregon. I welcome her and would invite comments in conversation with us.

Ms. BONAMICI. Thank you so much, Mr. BLUMENAUER, for leading this discussion about such an important topic.

The reality of what we are talking about is really impossible to deny. We've had numerous scientists testify in Congress. You mentioned Dr. Hansen. I want to mention that his first testimony in Congress was 25 years ago. 1988 was the first time that Dr. Hansen, a well-renowned NASA scientist, testified about the problems of climate change—25 years ago. Since, so many peer-reviewed studies have shown the reality of what we are facing and the human impact, a significant contributing factor.

Not only do we have a lot of impacts on the planet, from glacial withdrawal

and loss of sea ice, ocean acidification, rising temperatures and rising sea levels, we are feeling the impact here in our country with record droughts in the American Southwest and historic severe weather events. You probably have already mentioned that, according to the National Oceanic and Atmospheric Administration, NOAA, and NASA, last year, 2012, was the warmest year on record for the United States. The 9 warmest years on record have all occurred since 1998.

I want to talk for a minute, Mr. BLUMENAUER, about some of the effects we are feeling in our home State of Oregon. We have a reputation for quality wine grapes, including the world-renowned pinot noir grape. The quality of wine is attributable to the climate in Oregon. The pinot grapes grow in a temperature range between 57 and 61 degrees, and a minor variation threatens the quality of the grapes and the value, significant value, to Oregon's economy.

Also, the district that I represent, and I know you've been out to our Oregon coast frequently, includes the shellfish industry. There's a thriving fishing community there. There's dungeness for sale on the commercial market and recreational crabbing that helps draw tourists over to the coast. In recent years, the changes have caused low oxygen content in the water. Hypoxia is the condition that results. It is creating dead zones in our ocean that kill fish, crab, and other marine life.

This is a serious problem that's affecting the industry over there. There's a shellfish hatchery, Whiskey Creek, over in Tillamook that supplies three-quarters of the oyster seed used to produce shellfish up and down the West Coast. It's an industry worth \$110 million annually. Their stock of oyster seed is being threatened by the rising acidity of the ocean, which is, again, a serious impact of climate change. So right there in Oregon there's two examples, economic examples, of how our local industry is being affected.

Oregonians, I know, as well as people around this country, they're looking to us for solutions. They're looking to us for leadership. So we need to discuss how we are going to mitigate and begin to reverse these environmental and economic effects. We have a great responsibility, not only to our own home States, but to our country and the rest of the world, and we need to take a leadership role.

Mr. BLUMENAUER. I appreciate that comment. I was just thinking, as you were describing the threats on our Oregon coast, to what we just read in the Washington Post a couple of days ago here where the impacts of climate change are having a profound effect on the blue crab, breeding a super crab that's actually growing more rapidly; at the same time, climate impacts are

weakening the oysters, making them more vulnerable, so the potential here of completely disrupting this critical part of the ecosystem in the Chesapeake Bay.

I appreciate very much your joining in this conversation. I wish that my Republican friends would join us in the invitation to actually debate this issue in the finest tradition of the House of Representatives. There was a time when, in this Chamber, there were echoes of great challenge, debate, where people went back and forth with ideas to be able to bring out the best in us. We actually saw that when the Republicans took control 23 months ago, one of the first things they did was abolish the Special Committee on Climate Change and Global Warming, and since then we haven't really had an opportunity to engage in this fashion.

Mr. COHEN. I appreciate your bringing up the idea of the hottest year. In Memphis, it does occasionally get hot, but it also does in Washington. I think it's supposed to be 90 today. I suspect, and somebody is going to be able to prove me wrong, but this may be the hottest—

□ 1650

Mr. BLUMENAUER. It is an all-time record for today.

Mr. COHEN. I figured it was, and it's just unbelievable. And last week it was cold. I mean, I had my winter suit when I went home, and I brought my summer stuff here today.

The heat does have effects, and you brought up some of the other issues. It's not just the polar bears. I'm a big fan of the polar bears, but they're going to be eliminated because they're going to lose their ability to survive in their natural climate. Also, the flora and the fauna are at risk.

What Mr. BLUMENAUER mentioned about defense made me think of a long time ago when I was in college. There was a man I thought a lot of named Don Wolfson. He was a smart man from a family that had knowledge of power in this country. We were talking about who was the most powerful person in the country and what were the most powerful interests. I had said something about the military industrial complex and how President Eisenhower had warned us in his last address about the military industrial complex. What he warned us about really was the impact they would have on the budget and all those things. But what Don Wolfson told me was the military industrial complex is all tied to one thing: oil. That's what it's about.

The military runs on oil. And as Mr. BLUMENAUER so well pointed out, they're the most consuming user of oil, and they also at the same time are spending much of their efforts defending the trade routes to get oil. That's why the 5th Fleet is over there in Bahrain, and it is defending the Strait of

Hormuz and why Iran has particular significance in the Middle East.

It's amazing what President Eisenhower warned us about, and I don't know if that was part of his warning, but maybe there was more truth to what he said and we probably should spend a part of each day reflecting on President Eisenhower's warning about the military industrial complex and what it has done to our Nation, because that's where the budget has really got a great problem, and that all goes back to our dependence on foreign oil.

Ms. BONAMICI. If I may add, too, that it calls out for continued investment in alternative technologies and energy from electric vehicles to hybrid vehicles to alternative fuels, solar power, wind power, and bicycles. We need to continue that research and investment in those alternative technologies to decrease our dependence on foreign fuel.

One of the things that I want to mention too and what we have debated here on the floor is how much we're going to spend to clean up after disasters. That is something that we have debated here on the floor.

I want to point out that a recent GAO report for the first time lists climate change as a significant financial risk to the Federal Government. We're not well positioned to address the fiscal exposure presented by climate change.

As a Nation, we've become too familiar with the consequences of waiting until the 11th hour to develop solutions. The time is now to work together, to begin to reverse these changes, to develop alternative technologies, to come up with policies that will begin to take on this very serious problem and build our economy at the same time.

And even for those who dispute or ignore the scientific evidence of climate change, we can still discuss the economic gains we can make by investing in a clean-energy economy and modernizing our infrastructure and seeking energy independence, which is also a national security issue, as you had mentioned, as well.

Mr. BLUMENAUER. Absolutely.

Those 11 weather disasters last year cost us over \$60 billion. It's also creating uncertainty in agriculture and in the business of insurance where it's more difficult for them to be able to calculate what they're doing. It places more burden on the Federal Government because in many cases there aren't private alternatives available. That's why we had to create flood insurance. You're touching on an area that has profound economic consequences because of this environmental instability.

Mr. COHEN. Mr. BLUMENAUER, let me ask you this—and we've worked together on the Keystone XL issue—When people come to you and say that

it's going to create all these jobs, we need jobs and they can get this oil, these tar sands to China if they need to by going to the West, what do you tell folks about those jobs and the effect it will have on the future?

Mr. BLUMENAUER. It's very important for us to take a step back and evaluate exactly what the economic employment opportunities are because things that we do to rebuild and renew America in a sustainable way—Keystone has a few thousand temporary construction jobs and maybe a handful—I've heard various estimates—a few dozen, a couple hundred permanent jobs and has, as you pointed out, significant environmental consequences.

But when we're investing in wind, solar, geothermal, these are areas that are producing far more jobs already and that they are using a sustainable source of energy that pays a continuing dividend over time. This wind is American. This geothermal energy is American. It's renewable, and it doesn't cost us anything.

Mr. COHEN. Memphis borders Arkansas, and there was some kind of a pipeline problem over there recently. I think it might have been Exxon. They had a leak. That's kind of an expensive process. That's similar to the Keystone pipeline; isn't it? It gives us kind of a warning of what could occur.

Mr. BLUMENAUER. Well, energy transmission is something that is a part of the broader equation.

Pipeline reliability is something that we all need to be concerned about. More fundamentally, we need to deal with the sources of energy, what is driving them, how we reduce carbon emissions, not sort of how we shift the pieces around. The priority, I think, ought to be sustainable energy, more economic investment, reducing greenhouse gas emissions, not cooking the planet.

I recently had my first two grandchildren in a course of a few months. It was interesting to me—some of these dry debates that we have that talk about by 2100, sea levels may rise 3 or 4—that always seemed kind of remote to me until I realized that these two young men, if they live as long as their great-grandmother, will be alive in the year 2100, and what we do as a Congress helps shape the world that they inherit.

That's our responsibility. That's why I deeply appreciate both of you being a part of this discussion this evening and why I hope that our Republican friends will join us in an actual debate of these policies, practices, what the choices are. Hopefully, it may actually lead to action in the floor of the House for a more sustainable future.

Ms. BONAMICI. I know we join you in that.

I also wanted to mention, while you're talking about renewable energy, the great promise of wave energy as well with the coast.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentlewoman will suspend.

Members are reminded to address their remarks to the Chair and not to others in the second person.

The gentlewoman may continue.

Ms. BONAMICI. Thank you, Mr. Speaker.

I know that Mr. BLUMENAUER has grandchildren. I don't yet. We owe it not only to the current generation, but to future generations to take action on these important issues.

Mr. BLUMENAUER. I'm prepared to yield back, unless my friend from Memphis wants any concluding comment.

Mr. COHEN. I just want to thank you for your leadership, and it's been an honor to join you today on the floor on this issue. It's important to be addressed.

Mr. BLUMENAUER. With that, Mr. Speaker, I yield back the balance of my time.

CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from North Carolina (Mr. JONES) is recognized for 60 minutes as the designee of the majority leader.

Mr. JONES. Mr. Speaker, on April 8, which was 2 days ago, 13 years ago, 19 marines crashed and burned in Marana, Arizona. It was a very tragic time.

The Osprey, Mr. Speaker, is the plane that goes from a helicopter mode to a plane mode. At the time of the accident, it was actually in an experimental phase.

Two years after the accident—I was here at the time the accident took place—I received a letter from the wife of Brooks Gruber. He's on my far left. He was the copilot. At the time of the accident, Colonel John Brow was flying the plane. The sad thing about it is why they had 19 marines on the back. The families do not know. And quite frankly, the former commandant of the Marine Corps during the time of this accident, General Jim Jones, not a relation to me, but I think the world of him, he said to me, I don't know why in the world they did not have sacks of weight in the back instead of those 17 marines sitting back there.

□ 1700

Mr. Speaker, the problem is the lawsuits are over. I've spoken to the lawyer in Texas, Jim Furman, himself a helicopter pilot during the Vietnam war, and he represented the families of Connie Gruber and Trish Brow. In addition, Brian Alexander of New York represented 17 families. Mr. Speaker, I always believe this—I might be wrong because I'm not an attorney—that when a substantial settlement is made, then somebody was seen as being at fault.

The press release has created the problem. On July 27 of the year 2000, in the release, they make reference to a combination of human factors that caused the April 8 accident. Further stated by Marine Corps Commandant General James Jones:

The tragedy is that these were all good marines joined in a challenging mission. Unfortunately, the pilots' drive to accomplish that mission appears to have been the fatal factor.

What the family and myself have been battling for since the year 2000 is that the experts have said that the pilots did not understand vortex ring state and how it impacts the V-22. Vortex ring state is understood in most helicopters, but the V-22 was new, and they had not done any testing at all.

Mr. Speaker, I want to read the paragraph from Connie Gruber when she asked me to look into this. This was dated December 10 of 2002:

With so many wrongs in the world we cannot make right, I ask that you prayerfully consider an injustice that you can help make right. I realize you alone may not be able to amend the report, but you can certainly support my efforts to permanently remove this black mark from my husband's honorable military service record. Military leaders continue to refuse to amend this report, but I am certain there must be other means of making this change. Given the controversy of this aircraft and the Marine Corps' vested interest, surely there is an unbiased, ethical way to rightfully absolve these pilots. Please help me by not only forwarding my request but by also supporting it.

When I received that letter from Mrs. Gruber, I called and told her that I am a strong man of faith, and there was some reason that God put my name in her letter and that I would do everything I could to clear the names of Colonel John Brow and Major Brooks Gruber.

I'm not a pilot, Mr. Speaker—and I don't know—but I cannot really understand being a pilot or a copilot in a situation where you have not been trained, where you didn't understand the vortex ring state and how it would impact the V-22 and what you should do. That's the fault of the United States Marine Corps, and that's the fault of Bell-Boeing. Again, the lawsuits are settled, and Bell-Boeing settled for big bucks, if I can say it that way.

I want to give you just another idea. I have talked to so many people in 10 years that sometimes it gets confusing; but I think what I'm going to read, Mr. Speaker, probably tells the story as well as anything. It's from a publication called "V-22: Wonder Weapon or Widow Maker." I'll read:

That the tests addressing flying qualities and a phenomenon called "vortex ring state" were reduced from 103 mandated test conditions to the 33 actually flown represents a cancellation of almost 68 percent of the tests in this key area, including the crucial two at 20 and 40 knots at high gross weight specifically applicable in this accident.

This article further states:

That aircrews were tasked with participating in that April 8 night operation without benefit of such highly relevant test results and experience represents real—and what some might label criminal—negligence on the part of those NAVAIR and Marine Corps leaders who knew both the parameters of the missing tests and the nature of this nighttime exercise. Without this prior testing experience, data and subsequent analysis, these pilots should not have been flying such a mission.

Mr. Speaker, what makes this so ironic is that, as I've shared with you, I'm in my 12th year of trying to get a letter from the United States Marine Corps that clearly states—and the facts support this—that Colonel John Brow, pilot, and Major Brooks Gruber, copilot, were not prepared to handle vortex ring state in the V-22 Osprey. That's all the wives want. You would think that we were going to be sued or something. I've got letters from the lawyers who say, No more suits. It's over.

Trish has two young boys, Michael and Matthew, and Connie has a little girl who is just as precious as she can be. It's just one of those things that, as a man of faith, you just wonder: Where is the guilt of those who ordered that mission that night? It made no sense. Dick Cheney was opposed to the Osprey, and he was really trying to scrap the program. He was Secretary of Defense at the time. So the Marine Corps ordered a mission where these three planes would go to Marana, Arizona, and they would play that they were going to recapture some Americans being held by terrorists. Really, sometimes you just wonder: Where is the heart? Where is the feeling? These gentlemen, truthfully, were known as two of the best Osprey pilots that the Marine Corps had at that time.

By the way, Mr. Speaker, I actually contacted the three marine investigators for the JAGMAN report. That is the official evaluation of the accident. Major Phil Stackhouse, Colonel Ron Radish, and Colonel Mike Morgan have all given me letters in the last year. Each one clearly states that nothing in the JAGMAN report should indicate that the pilots did anything in a deliberate way, because the pilots had not been trained.

Bell-Boeing, after being sued, hired an experimental test pilot, Tom MacDonald, who is pretty well known in the area of planes. Tom MacDonald spent 700 hours studying one issue: What happens when the V-22 gets in the vortex ring state? In 700 hours, he discovered how they should handle it, and he received a national award known as the Kincheloe.

I've talked to a lot of people in the 12 years on this issue, and the one thing that God has allowed me to understand is that His children deserve to be cleared. I am hopeful. We have back and forth sent a letter that the Marine Corps is reviewing and that the two

wives have said they would be satisfied with, and our hope is that sometime in the next few weeks we will get that letter. I will go to the Secretary of Defense, Chuck Hagel, whom I know and have a friendship with, and I will ask him to assign someone on his immediate staff to work with me on this issue.

I hope that the Marine Corps understands that I do not want to do that, because it would bring more peace to Trish and Connie if the Marine Corps writes the letter. Again, we're probably talking about at most three sentences. Trish has said, for the public, I do not want my children, Michael and Matthew, to go on Google and read that pilot error was the cause of this accident on April 8 of 2000.

□ 1710

Quite frankly, Mr. Speaker, that is what would happen if any of us on this floor tonight Googled "Osprey" and "April 8," you would see that. It indicates it was pilot error.

Sometimes I have some kids in my office, as I did today from my district, some 4-H-ers, and they were asking about the things that a Member of Congress gets involved in. And I said not everything we get involved in should be or needs to be in the press. Some things that we get involved in, it's simply because our heart tells us that if you don't do it, who is going to do it? Who's going to do it if you, Congressman WALTER JONES, don't take it up?

I hope and pray that John Brow and Brooks Gruber and the 17 marines in the back will be able to rest in peace, Mr. Speaker.

Voltaire said:

We owe the living respect; we owe the dead the truth.

That's all we're asking, is that these two marines can rest in peace.

Mr. Speaker, I have said if this comes to be a reality, that I want to go to the graves—John is buried in Arlington—with his wife and their two boys, and say, Colonel Brow, it's over. Then with Major Gruber, with his wife and little girl—he's buried in Jacksonville—is to go with them and say, Sleep, you're not at fault. Sleep.

Mr. Speaker, I apologize for getting emotional, but I just feel so passionate about this.

With that, I yield back the balance of my time.

HONORING GENERAL JAMES MATTIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. HUNTER) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. HUNTER. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. Twenty-two minutes.

Mr. HUNTER. Thank you, Mr. Speaker.

And this is probably appropriate coming after Mr. JONES speaking about the United States Marine Corps. I come before you today, Mr. Speaker, to talk about a great marine, a marine who was just in charge of Central Command and has retired and resigned after decades of service to this Nation, and let me start at the point where I was able to meet him.

Ten years ago today, the war in Iraq was under way. Nineteen days after the invasion, marines and soldiers had dismantled Saddam Hussein's regime. The takedown of Baghdad and Iraq was precise and supremely coordinated, much to the credit of Marine General James Mattis, who led the 1st Marine Division in Baghdad, and just recently completed his tour as the commander of Central Command.

On March 20, 2003, Mattis led the 1st Marine Division to the borders of Iraq. The marines' success and effectiveness, sustaining light casualties, was due to the intellect and the skill of one of the most cerebral warfighters of our lifetime, General Mattis. General Mattis is a tough man, exactly what you would expect from a United States Marine. He's practical in combat while laser-focused on securing the objective.

Let me give you an example, Mr. Speaker. On the march to Baghdad, General Mattis landed C-130s on the highway to keep vehicles and tanks moving. Mattis' marines outsmarted and overpowered Saddam's forces. In the aftermath, Mattis took a totally different tactic. It was harder to win the peace in Iraq to a certain extent than it was to win the war, but that is when Mattis let his intelligence and his outside-of-the-box thinking show through. In the aftermath, General Mattis and his commanders, working to build trust, establish alliances, and support projects that were important to the Iraqi people, befriended what some thought were the worst people in Iraq in the Anbar province where the bloody battles of Fallujah and Ramadi roared.

General Mattis was able to make friends with those sheiks and with those elders and brought about the awakening where those local tribes realized that al Qaeda was their enemy and not the Americans, and they then turned on al Qaeda in Iraq and that was able to precipitate the surge and the drawdown from Iraq where we won, largely as a testament to General Mattis' leadership.

There were a lot of other great generals—General Odierno, General Petraeus, General McChrystal, General Kelly, General Dunford, who's now in Afghanistan in charge of the International Security Assistance Force, a lot of great generals. But General Mattis stands out to me, and I would like to relay a quick experience.

When I got to Iraq in 2003, I was driving north to join the 1st Marine Division, and we got ambushed. My marine that was on the Mark 19 in the gun turret got shot in the arm. And at that point as a lieutenant, we were taught to drive out of an ambush as quick as possible and link up and go back and prosecute the enemy if we were able to. We weren't able to at this point. It was 2003. There was no radio communication at this point in time. We couldn't talk with higher headquarters. So me being the highest ranking officer in this convoy, and I was brand new in Iraq and, frankly, didn't know much about anything, we continued north to where the 1st Marine Division was headquartered in a little place called Diwaniyah.

General Mattis happened to be in the command operations center when I got there and dressed me down for not prosecuting the enemy that had ambushed my convoy. He was angry not that a marine was shot or not that we had escaped; he was angry because we didn't get after the guy that got after us. That's a real trait of General Mattis. But for a lieutenant like me who had been in country for a few hours, it was a stark awakening to, hey, you're in the war, and you have to live up to the expectations and the presence and the example set by people like Jim Mattis.

I got to meet General Mattis again in 2004 when I returned to Iraq in the battle of Fallujah. We would call General Mattis "Chaos." That was his call sign because not only was he the cerebral and intellectual architect regarding a lot of what the Marine Corps did in the Anbar province, but he was also fearless. He would drive alone and unafraid by himself in his own light-armored vehicle, and he would show up anywhere he wanted to, day or night, in any kind of situation, whether there was a fire fight going on or not. And I tell you, he earned the respect, rightfully so, of every single marine and every single soldier who saw him on the front lines during those wars.

General Mattis is now CENTCOM commander. Through his leadership, CENTCOM has overseen the Afghan war with a level of confidence and strategy that is indicative of General Mattis' touch. Aspiring leaders would be smart to take a lesson from General Mattis. He well served the United States Marine Corps and America for more than 40 years.

I would argue, Mr. Speaker, that this administration with this Commander in Chief likes military leaders who agree with it, military leaders that give this administration the answers that they like to get about the way that the world is today. And they are opposed, frankly, to military leaders who give their honest opinions, regardless of who is Commander in Chief.

General Mattis is the type of person that our military needs now more than

ever before. And as he prepares to leave CENTCOM, for reasons that appear to possibly hinge on politics and this administration and General Mattis' take on Iran, I can say that I speak for the marines who have served under Mattis that a leader of his kind is near impossible to replace.

I would like to read a couple of quotes. This book is called "Victory in Iraq: How America Won."

□ 1720

The opening page, General Mattis is featured speaking to his Marines, the 1st Marine Division, in Iraq, or in Kuwait before the invasion. Here's what he said:

When I give you the word, we will cross the line into Iraq. For the mission's sake, our country's sake, and the sake of the men who carried the division's colors in past battles, who fought for life and never lost their nerve, carry out your mission and keep your honor clean. Demonstrate to the world that there is no better friend, no worse enemy than a United States Marine.

I would like to give General Mattis the appreciation of the entire United States House of Representatives and every single Marine, past, present and future, and every single American that owes, at least partly, the safety of this Nation to people like him and to him, literally and explicitly, for what he's done for this Nation.

Semper Fi, General Mattis. We hope that retirement treats you as well as your Marine Corps did.

I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1120, PREVENTING GREATER UNCERTAINTY IN LABOR-MANAGEMENT RELATIONS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113-32) on the resolution (H. Res. 146) providing for consideration of the bill (H.R. 1120) to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress, which was referred to the House Calendar and ordered to be printed.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. PERRY). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Ohio (Mr. RYAN) for 30 minutes.

Mr. RYAN of Ohio. Mr. Speaker, I appreciate the opportunity to be here. We are re-establishing the 30-Something

Working Group, which some may remember. Many—it seems like many years ago, Congressman Kendrick Meek and I and Congresswoman DEBBIE WASSERMAN SCHULTZ came to this floor in 2003 and 2004 and 2005 and 2006, and we were talking about issues of the day and how they applied to people in their thirties or people in their twenties, and tried to take, at that point, some of President Bush's policies and make them understandable to young people in our society.

And so we had many conversations, many late night conversations here on this House floor, sometimes an hour a night, sometimes 2 hours a night, sometimes 3, 4, 5 hours a week, coming to help deliver the message. And at that time, back in 2004 and 2005 and 2006—and let me just take a second to thank all the staff that was here for those late hours, for always being around for us, and some are still here today, as we are still here today. But today, we want to re-establish this.

Back then it was the privatization of Social Security, Mr. Speaker. And President Bush wanted to take the Social Security program and privatize it, put it in the stock market and allow that to be a part of the private investment system and not the insurance system that we have with regard to Social Security. And fortunately, we were able, through the leadership of Minority Leader PELOSI, at that time, before she was Speaker, encouraged us to go out and do this, and we were able, with her leadership, the 30-Something Group and other Members going out across the country, we were able to put a stop to the privatization of Social Security.

And fast forward just a few years, to 2008, 2009, I think there were a lot of Americans who were very happy that we did not, at that time, have the Social Security program in the stock market. Many people would have lost their retirements.

So today, we have a whole new set of challenges, and we have a new crop of very talented, young Members of Congress, members of the Democratic Caucus, who want to come to the floor and talk about the issues of the day as they pertain to young people and people who have been around a little bit, and how some of these proposals that are coming from the Republican Conference, the Republican Study Committee, the Republican Budget Committee, how some of these policies will hit the ground.

In my opinion, we seem to be governing by bumper sticker. So we want smaller government, we want less of this and less of that, and more of this and more of that, that can be phrased to sound really good on a bumper sticker to where you would drive by and you would look at the bumper sticker and you'd think, it makes a lot of sense.

But what we want to do with this working group and the folks who will

be joining me here tonight and over the next several weeks and months is to say, how does this hit the ground? How does the Republican budget hit the ground?

How does it affect you? How does it affect your family? How does it affect your mom and dad? How does it affect your grandma and grandpa? And that's what we would like to talk about here today.

I think, and say this, knowing that many of the folks on the other side of the aisle are friends of mine, dear friends, good friends. Some I like to hang out with, some I don't get an opportunity to hang out with, but are all good people trying to do good things.

But why we need to come here and have this debate and discussion and conversation is that we need to figure out how we're going to move forward as a country. And our arguments on our side are that the Republican budget, the Republican approach, the Republican philosophy has caused a lot of the problems that we have in our economy today. The financial deregulation, looking the other way while Wall Street turned into a crap game, without any regulation at all, no cops on the beat keeping an eye on things.

We saw two wars put on a credit card, Afghanistan and Iraq, no taxpayer, no citizen, other than the families of the military, were asked to make any sacrifice at all, and funding for the two wars was put on a credit card. And then you throw in a prescription drug bill that was not paid for on the credit card.

So this is what happened from 2000 to 2008, where we were running up the deficit, running up the national debt. And here we arrived in 2009, after having to save the banks and do the TARP program in order to plug this trillions of dollars of a hole in our economy to make sure that the banks don't lock up and not loan money and everything else, so we had to go to the taxpayer, and the taxpayer had to foot the bill for the two wars, the prescription drug bill, and the massive deregulation of the financial markets, the too-big-to-fail, and then they failed. And so the taxpayer was asked to foot the bill.

What we are saying here on our side is that that's the wrong approach. Cutting taxes for the wealthiest in our society, this is not to punish the wealthy, this is—our approach is not to punish anybody, but what we're saying is, when the income for the top 1 percent goes up over the last 10, 15, 20 years so dramatically that the average CEO is making 300-plus times what the average worker is making, when you have the rich people that are making hundreds of millions of dollars, the top 1 percent, but then you also have the top .1 percent of the Americans who are making massive amounts of money, hedge funds and whatnot.

□ 1730

What we're saying is, when you have that imbalance and that level of inequality or it becomes a threat to the democratic way of life, that's the democracy piece, but we also have the economic piece. When you get a high concentration of wealth, then the average person doesn't have the amount of money in their pocket to be able to go out and spend in the economy.

So this is a supply side argument, cut taxes for the wealthy, this approach that our friends on the other side, the Republican Party, the Tea Party, has been pitching since 1980: cut taxes for the rich and hopefully something positive will happen for the middle class.

Democrats are saying we've got to invest in the middle class. We've got to help the middle class with health care costs, with the cost of going to school and going to college, getting a trade, going to a community college, helping poor school districts, making sure that families who send their kids to college and take out a student loan, that those loan repayment rates are reasonable. Those are the reforms we made as Democrats here while the Democrats were in charge of the Chamber in 2007, 2008, 2009, and 2010, and those are the investments we made.

We're talking about two separate philosophies. One philosophy on the Republican Tea Party side is to cut taxes for the wealthy, deregulate Wall Street, and look the other way while there's a crap game going on on Wall Street; have two wars, one of them very questionable in why it started in the first place, and a prescription drug bill that all went on the credit card.

So cut taxes, start two wars, and put a prescription drug bill on the credit card, drive up the debt, deregulate the financial markets until the taxpayer has to come in and bail out and the economy collapses, that's what happened. And so we don't really have to have the argument. Those are the facts of a Republican Presidency, House, and Senate that got to implement their tax package. They got to implement their financial regulatory packages. They got to pass budgets that did or did not make certain investments. And what happened is, after a decade of that philosophy being implemented, the economy collapsed. It was not just a normal recession, it was a financial recession, which a lot of economists now are telling us how difficult and how much longer it takes to get out of these financial recessions.

So the discussion that we've had in the last Presidential election and the discussion that we want to have here in this Chamber as to what philosophy should prevail in the United States of House of Representatives, the body that is most directly elected—the Federal piece, anyway—most directly elected, every 2 years, by the people of this country, what philosophy shall we

take? And the Democrats are offering, under the leadership of Leader PELOSI, a different world view, a world view that says we make investments in the infrastructure, we make investments in education, we make sure that we have a fair Tax Code that is simpler and fairer, that it doesn't take forever to fill out your taxes. Keep it simple. And at the same time, we ask those people who have benefited so much over the last decade or two, whose income went up and they now make 300-plus times what the average worker makes, that they help pay their fair share and help us pay for the debts that the Republican Party has incurred by putting two wars on a credit card and a prescription drug bill.

So that's the discussion. That's what we want to do. And the President and the Democrats have made these investments. And if you think that things like only paying a certain percentage of your income back for your student loan is what is part of your philosophy, then you fall in our camp on that issue. If you think that the CEO that's making 300 times more, or \$300 for every dollar the person on the factory floor is making, needs to be balanced out, maybe they need to help us pay down the debt more and shouldn't have all kinds of tax loopholes, then you're going to side with what the Democrats want to do.

So long story short, we are now in a position where we can talk about the Republican budget. And we all are in agreement, I think, Democrats and Republicans, that budgets are documents that represent our values. And we all are in agreement that we need to take care of our long-term debt. We need to reduce our deficits. It is an issue, and one that we all need to take very seriously.

Now, the Republican plan is presented to the American people, and it is taking needed investments and cutting them so deeply that we are going to get leapfrogged by China and India and Europe in some of the coming industries. These cuts, in order to try to balance the budget in a short period of time, are going to be pushed off. The burden of these cuts will be on the middle class—education, economic development, which are the kind of investments that we need to make. Also, these cuts are going to be cut out of programs that help the poorest among us, and that is not a recipe for success.

We have 300-plus million people in the United States. We are competing against India and China on who's going to determine who's going to shape the future of the global economy. Is it going to be the United States? Is it going to be China? Is it going to be India? Is it going to be Europe? That's the question. Who's going to shape this future? And America has always had a recipe, from post-World War II until roughly in the 1980s, where we made in-

vestments in infrastructure, we made investments in research and development, we made investments in education, because we knew that those were public investments that would yield huge benefits for the United States of America.

And now we have a Republican philosophy that says those investments are a waste of money and that any investment that the government makes must be a bad one; that the space program, that the research investments that we make, that making sure that school is affordable, the public-private partnerships that lead to new developments, the research that no one company will make must be made by the public. Those are quality investments that help build our economy for a generation, whether it was post-World War II with the GI Bill and we take all of these soldiers and we make sure that they can go to college, we make sure they can go to law school, we make sure that they can go to medical school, we make sure they can become engineers.

□ 1740

Or the space program, in which public money, with private ingenuity and know-how, came together. That investment in the space program led to a booming economy in the high-tech sector, the other public investments that led to the Internet and satellites and all of these other things, and private companies come in and benefit from that and then invest in a workforce that can take those technologies and make them better and increase productivity so that we have a strong middle class.

Invest in our infrastructure, make sure that we rebuild our country. We've got combined sewer systems, we've got roads, we've got bridges that need done. We need to make sure that we invest in the smart power grids so that we can get alternative energy pumped into our grids, so that we can have a more conservative approach to how we expend energy, a smarter approach because of a smart grid where we're wasting less energy. These are the kind of investments that we need to make, and all the while protecting what's happening and what may happen if the Republican budget would be signed into law.

The dramatic cuts in the Medicare program, asking those going into their senior years to not have a guaranteed benefit that they paid into. Many of those folks who would be hurt by the program, the Republican budget program, would be women, many of them older women. Fifty-five percent of the Medicare population—women. The oldest Medicare beneficiaries, 85 and over, 70 percent of those are women. So as we age, women will see those cuts.

We have proposals from the other side about abolishing Planned Parenthood, about saying that Planned Parenthood does not serve women well. It's many, many women who get basic health care from Planned Parenthood—screenings, birth control, family planning, all done through Planned Parenthood. The other side wants to abolish it, defund it completely.

These are some basic things that we need to do in order to protect the middle class.

So here we are, in the next few weeks and months, we're going to have a discussion about where this country goes and where the House of Representatives goes and what's our philosophy. So we will be coming here week after week after week to compare this philosophy, the philosophy of cut taxes for the top 1 percent, to keep the Tax Code very complicated so the wealthiest benefit from it, or Democratic philosophies and Democratic proposals that say we want a fairer Tax Code, we want a simpler Tax Code, and we want a Tax Code that doesn't have so many loopholes that only if you have high-powered accountants will you be able to take advantage of the Tax Code.

The Tax Code should benefit middle class families. We all need to contribute, but it shouldn't be so complicated that if you have a lot of money or you're a big corporation you're somehow going to get out of paying taxes or you're somehow going to be able to hide your taxes overseas and not pay your fair share. That's one group's philosophy versus ours.

We are saying that, yes, we need to balance the budget, but we want to do it like President Clinton did it and the Democrats did it in 1993. We want to do it in a fair way that continues to make investments in those essential investments that will lead to long-term economic growth.

One of the things we're doing in Youngstown, in my congressional district, is a program that President Obama had to put together administratively—that we want to push for more of these—public-private partnerships and innovative institutes. The innovation institute that we have now in Youngstown is in additive manufacturing, three-dimensional printing, the cutting edge of manufacturing, the cutting edge of additive manufacturing, partnering with big companies like Lockheed and Boeing and other smaller companies in the Mahoning Valley. But public money from the Department of Defense or Department of Energy, the Department of Commerce, public-private partnerships to help position America—not just our region—in the next generation of additive manufacturing help drive the cost down for these printers so that everyone that has a desktop computer now can have a desktop printer that prints products that could revolutionize health care,

revolutionize energy, revolutionize manufacturing in the defense industry. But this is a public-private partnership.

What we cannot do is say, "Oh, my God, that's government money; it's got to be bad," these investments that we make for the poor in the Medicaid program so we can make sure that these kids have basic health care in the United States of America.

And, yes, we do need education reform; yes, we do need innovation within the health care system. We've got a long way to go, even with the health care reform bill and how we can revolutionize health care, how we can revolutionize education, how we can revolutionize the way we take care of our veterans. I will be back on this floor talking about some of those ways that we can go about doing that.

But the issue I have with the Republican proposals are they're all about the budget. Listen, we all know we have a demographic problem—we all know we have the baby boomers moving into the Social Security and the Medicare system—but how are we going to drive down Medicare costs? How are we going to drive down health care costs? That's the question. That's what's important. Of course we need to bring the cost down of health care, but you just don't say, well, we're not going to have any reforms, the free market is somehow going to take care of it and it should be pushed off on the backs of the citizens. That's not going to work. That's not humane. There is a better way to go about it, when you look at the field of integrative health care, for example, how you can help prevent a lot of issues from arising that make people sick.

When you look at 70 or 75 percent of health care costs are caused by things that are behavioral in nature, so how do we shift the health care system to even more prevention like we tried to do in the health care reform bill? How do we make investments into areas in medical schools and hospitals that are looking into driving down health care costs in these other ways? Not just talk about, oh, we're going to have draconian cuts to the Medicare program and then we're going to push it all off on the Medicare recipient to foot the bill and we're going to give them a voucher.

Ladies and gentlemen, that is what happens with this Republican Tea Party budget. You will get a voucher, Mr. Speaker. These folks will get a voucher. My friends on the other side say, well, yeah, but that voucher will help you pay for it. The problem is the voucher that the seniors will get doesn't go up, doesn't rise with the cost of health care. So the voucher only goes up a small bit while health care costs have been going up four, five, six, seven, depending on the plan, more percent. So you get a voucher today and

it's worth \$100 and your health care bill is \$150, but next year your voucher is worth \$102 and health care costs are \$170. That happens every single year. That voucher becomes worthless at some point. The cost will be pushed off onto seniors. They're going to have to come out of pocket. Their kids are going to have to help them.

You see these huge cuts in the Medicaid program, which in many States help senior citizens get into a nursing home and pay for a nursing home.

□ 1750

So the middle class, again, people 40, 50, 60 years old who have parents in a nursing home, are going to have to come out of pocket. That's bad for the economy, less consumer demand.

All of these things fit together. We're going to come back and continue to talk about many of these issues over the course of the next few weeks and months and compare. As I said at the beginning, I've got a lot of Republican friends in this Chamber, I've got a lot of Republican friends in my congressional district, but I also have a lot of Republican friends in my congressional district that would disagree with the approach of the disinvestment in the United States that's coming from the other side.

Mr. Speaker, I look forward to coming back in the next week and months, and I'm sure you're excited for that, too.

I yield back the balance of my time.

RELIGIOUS LIBERTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 30 minutes.

Mr. WALBERG. Mr. Speaker, I appreciate the opportunity to address this Chamber and to address an issue of great concern to me. I just heard my colleague and friend from Ohio and what he had to say, and certainly there is a debate that's going on that's worth being had, a debate about the progression of this great country, the greatest on this Earth, in the history of this Earth, a country that has distinguished itself in just a few short years, 236, 237, as a Nation that understands what liberty is about, but also understands the authority that we come under.

Mr. Speaker, I have wrestled with coming to the floor tonight, because since I first began my legislative career back in 1982 in the Michigan House of Representatives, and when I stood in front of people and asked for their opportunity or their support to give me a privileged position in that great body, I stated clearly, and I have from that point in 1982 to this very day, I've stated that, as a Christian and as a former pastor, while I would not flaunt my religion, I would not hide my faith.

I've continued that in coming to the U.S. House of Representatives as well. I truly believe that all laws are moral. Some of us would consider morality one way and others of us would consider it another. We all come through filters in life. I understand that, and I respect that. I believe that the Framers and Founders of this great country, its ideals that were based upon truth as they determined truth to be, as they understood it, truth coming from the revealed word of God that they declared to be found in the Bible at that time, and they were not ashamed to say that and quoted many times from Scripture, even without reference, because it was clearly understood by the citizens of that day that the basic ideals that this new government was established upon were ideals found and written down in the Bible and clearly understood to be the word of God.

I'd wrestle with the fact that I understand that there are filters, and the moment that I let it out of the bag, as it were, Mr. Speaker, that I'm a pastor, I'm a Christian, I come from a Judeo-Christian value system, that that's my filter, that I would lose the opportunity to speak to society in general. Well, I assume that risk this evening, because we have come to a time in our history where the unified understanding, whether we acknowledged it or fully agreed with it or certainly lived by it, because I know, as one who has feet of clay, that though I understand truth, I don't always live by it, yet our country is at crossroads in a battle along those principles.

I read in this greatest man-made document ever penned, the Constitution of the United States, I read the First Amendment, the Second Amendment, the Third Amendment, and on through the Tenth Amendment, which are classified as the Bill of Rights, Bill of Rights that were given and acknowledged by the Framers and Founders and the implementers of these amendments, the Bill of Rights, as really stemming from God, Himself, unalienable rights, God given, not man given, recognizing these rights as above simple human reasoning.

In recent days, I've read and reread our First Amendment that says:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of people peaceably to assemble, and to petition the government for redress of grievances.

And I go on to the final, the 10th, that gives the States the authority that they should have. And I see what's taking place in relationship at this point in time to one complex bill that was passed, called the Affordable Health Care Act, but with specifically one mandate that I clearly believe runs roughshod of this First Amendment when it, in fact, is a law that prohibits

the free exercise thereof of religious beliefs. Now, again, that's my perspective, but it's a perspective I think is backed up by the Framers and Founders in their writings and their speeches and their beliefs that they implemented into this great, great country.

Just recently I read an article that, more than just simply being an article, gave names of fellow citizens, businesspeople, who through no fault of their own, except for the fact that they were religious, they were people of faith that had firm convictions, convictions that they believed went beyond themselves but went to the God that they honored, people like Chris and Paul Griesedieck—I hope I pronounced that name right. I don't know them personally, but I know they run a 105-year-old company started by their great-grandfather, a company in St. Louis that employs 150 people. They are sincere Christians that believe to be forced to supply health insurance that provides abortifacient coverage, agents that will produce abortions, is against their firmly held Christian beliefs and would be a violation of their responsibility to their God.

Now, that's their morality, that's their filter, but from the inception of this country, believed that that, along with all other religious beliefs, was protected under the Bill of Rights.

They are at a point right now, if they violate the mandate of the law, which they are attempting to get an injunction and attempting ultimately to see themselves covered just like churches and Christian colleges, but if they aren't, they're looking at a \$5 million fine under that mandate, annually. They've indicated that that will put them out of business.

There's another company run by David Green—we all know it well—Hobby Lobby. We've seen their ads at Easter and Christmastime, full-page ads that he pays for with his own money, to declare the meaning of Christmas and the meaning of Easter in his faith. He pays for it, long-standing, and yet if he doesn't fall under this mandate and bow the knee to the government and not keep his knees bowed to his God that he serves, he'll pay a \$1.3 million per day fine, which will take the 13,000 employees that he employs and potentially put them out of a job, many of whom agree with his personal strong faith.

□ 1800

He said, It's come down to the point that I'm forced to either abandon my beliefs in order to stay in business or abandon my business in order to stay true to my belief. That's not the America that was founded by people who put the Bill of Rights together, and specifically the First Amendment.

I could go on with other illustrations about other business owners. Well, let me point out one business owner here

who is doing significant work not only as a very successful 85-year-old insurance executive of an insurance company, but he's taken those resources—like Mr. Green, who has given over \$500 million to charitable causes, living out his faith—but this gentleman has done the same thing in reaching out to many needy people and developing a business that impacts peoples' lives who are in difficult circumstances. His name is Charles Sharpe. He is 85 years old. He founded Heartland Ministries with the money that he developed to provide a Christian rehabilitation program for men and women battling drug and alcohol addiction, and a boarding school for troubled youth, with his own money. Yet, if he falls under the mandate, the employees that are employed running this organization, but more importantly the lives that are impacted positively by this ministry, will be impacted and the ministry will go under.

As I said, I could go on and on with other illustrations of how this First Amendment liberty is being violated by a country that made this as the first of the Bill of Rights.

Just recently we all heard, I believe, a concern that a briefing had been given to U.S. Army Reserve recruits which classified Catholics, some Jews, evangelical Christians and Sunni Muslims as religious extremists along with the KKK, Al Qaeda and Hamas. In America, religions strongly held, firmly believed religious beliefs, are being attacked as extremist, along with terrorist organizations like Al Qaeda, Hamas and KKK.

Mr. Speaker, I submit to you this is not America. I don't care what the courts have said at this point. They've ruled on a tax. But on a constitutional question, I think it's clear for us who read it to understand it is more than just the document, but to understand it as a warning to us and a reminder that the blessings of the freedom of this great Nation come with a commitment to ideals that are beyond us, that are timeless, that are important, that we often call religion but are beyond that. They are faith that goes to our integrity, our convictions, our character.

John Adams, one of the Founders of our country, John Adams, who defended liberty even when he defended the Red Coats under the same premise that we believe that all people deserve a hearing and a just trial, John Adams, who was willing to give his life, his fortune, his sacred honor, said:

Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.

Why in the world would he say that? There is huge wisdom there, but it came from an understanding that humanity wasn't enough in itself. Human beings weren't wise enough in their own right, but rather had to flow from some truth wiser than that.

Social critic Irving Kristol I think encapsulated it when he said:

This appears to be a sociological truth. It is religion that reassures people that this world of ours is a home, not just a habitat, and that the tragedies and unfairness we all experience are features of a more benign, if not necessarily comprehensible, whole. It is religion that restrains the self-seeking hedonistic impulse so easily engendered by a successful market economy.

We are a successful market economy here in the United States, and I'm grateful for that, and we need to do a lot of work to continue that. But our faith beliefs—and I'm not talking about one religion over another. I certainly come from a Judeo-Christian viewpoint, and I believe it to be true. I would not have given my life to that belief if it weren't. It impacts society as a whole.

Alexander Solzhenitsyn understood it with his life. He said:

All individual human rights are granted because man is God's creature; that is, freedom was given to the individual conditionally in the assumption of his constant religious responsibility. Two hundred or even 50 years ago, it would have seemed quite impossible in America that an individual could be granted boundless freedom simply for the satisfaction of his instincts and whims.

Mr. Speaker, I submit to you that seems to be the point in time where we're at right now, where we're willing for our whims, our instincts, our desires, our own purposes to give in to the baseness of those hedonistic philosophies. And it's proven to be true. The results are there. Here are just a few of them.

Since 1960, we have the end of the so-called "Christian America," as the media has called it in *Newsweek*. The U.S. illegitimacy rate has rocketed from 5 percent of all births to 41 percent. Among African Americans, the share of births out of wedlock is 71 percent. That's up from 23 percent in 1960. The percentage of households that were married couple families with children under 18 had plummeted by 2006 to just 21.6 percent. Since *Roe v. Wade*, 50 million-plus abortions have been performed. The Declaration of Independence? We are all endowed with the right to life, liberty and the pursuit of happiness.

Between 1960 and 1990, the teenage suicide rate tripled, though the number then fell. As of 2006, suicide was the third leading cause of death of young adults and adolescents age 15 to 24, just behind homicide.

And I could go on with the tragic results of going away from religious belief, faith belief, truth, a moral character. Again, all laws are moral—right, wrong or indifferent. We all have filters.

I submit to you, Mr. Speaker, that we are challenged economically, we are challenged socially, we are challenged in our security and we are challenged in our liberty because we have wan-

tonly walked away from or in complacency have given away the underpinnings that allowed God to bless this great country, which is still receiving the results of much of that blessing.

The Founders argued very clearly that "virtue derived from religion is indispensable to limited government." The American model of religious liberty takes a strongly positive view of religious practice, both private and public. Far from privatizing religion, it assumes that religious believers and institutions will take active roles in society, including ministers, including engaging in politics and policymaking and helping form the public's moral consensus. In fact, the American Founders considered religious engagement in shaping the public morality essential to ordered liberty and the success of their experiment in self-government.

□ 1810

John Witherspoon, a minister who signed the Declaration of Independence, said in talking about our Republic, "a republic once equally poised must either preserve its virtue or lose its liberty."

Mr. Speaker, as I began, I will never intend to flaunt my religion, but I will not hide my faith; and I believe, in this country where we've given the greatest amount of freedom to all religious beliefs, we would do well to remember that ourselves—to not hold it back but to encourage faith and to encourage laws that respect that to the fullest degree and say to people like David Green or to the Griesediecks or others: we respect you for what you do, your beliefs, and we will certainly honor your freedom. We will not impinge upon you by mandates, no matter how good the law might seem, because there is something higher than health, physical health—and that's our spiritual health, our character health, in this country.

There is a stone above you, Mr. Speaker, that's there tonight and that has been here since this great Chamber was put together, and it's a quote of Daniel Webster's. I read it often, and it says simply this:

"Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests—" Daniel Webster could be speaking to us tonight and to our country, Mr. Speaker—"and see whether we also, in our day and generation, may not perform something worthy to be remembered."

I submit to you, Mr. Speaker, that if we would restore liberty and justice for all, if we were to restore the opportunity to live under our spiritual liberties and beliefs and not mandate people to go against that—bow their knees to almighty government as opposed to bowing to Almighty God—this Nation will be a blessed Nation under God, with liberty and justice for all.

Mr. Speaker, I thank you for the opportunity tonight, and I yield back the balance of my time.

RESTORING THE RULE OF LAW AND REESTABLISHING THE PIL- LARS OF AMERICAN EXCEPTIONALISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker.

As always, it's an honor to be recognized to address you here on the floor of the United States House of Representatives.

I want to say to you, Mr. Speaker, that I come to this floor very troubled here this evening. I am troubled at the current inertia that seems to have been created in the minds and in the positions of a number of people who are here in the House and in the Senate, primarily those on my side of the aisle, who seemed to wake up on the morning of November 7 and decided that Mitt Romney would be President-elect if he just hadn't said two words, "self-deport," and if he hadn't said two other words, "47 percent." They had done this analysis, apparently, before there were any kind of exit polls that could have been considered.

They persist in sticking with this opinion that something must be done about immigration in this country and that there needs to be comprehensive immigration reform passed and that, if that doesn't happen, then there's going to be a kind of calamity that might eliminate or badly weaken the bipartisan, two-party system that we have in this country.

I reject those principles or those opinions, Mr. Speaker, because what I know about the facts refutes them completely. There are no facts that uphold such a position. It is true that the people in my party have lost a growing share of the vote of the list of minority coalitions that there are in the country. It's also true that the other party has demagogued this issue mercilessly, and the effect of their tens of millions of dollars has shown in the polls. My colleagues on my side of the aisle don't seem to recognize that. Perhaps they haven't thought this through, and I hope they do, Mr. Speaker. But the most essential pillar of American exceptionalism that is affected by this debate over immigration is the rule of law.

It appears to me that there are a number of people on my side of the aisle who say—even though they recognize that the comprehensive immigration reform agenda, which has been around since the George W. Bush administration and perhaps before—they believe that somehow, even though it's

fifth or sixth on the list of issues that would be important and relevant to minorities that look at the path to citizenship and at a path to staying in the United States and working and raising their families and being productive here, that jobs and the economy are more important. A whole list of things are more important, but it's fifth or sixth on that priority list. Those who advocate for this Gang of Eight's version, which seems to be emerging from the Senate in comprehensive immigration reform, seem to think that we should do something, that we should pass some type of amnesty because that's what's required to "start the conversation."

I took an oath to uphold this Constitution. This Constitution is the supreme law of the land, and the rule of law is an essential pillar of American exceptionalism; and if there are people in this Congress, House or Senate, who are prepared to sacrifice the rule of law in order to start a conversation, that's enough to get me to come here to the floor tonight, Mr. Speaker, to start the conversation about restoring the rule of law and reestablishing the pillars of American exceptionalism and making sure that this great Nation that we are can go on to our destiny beyond the shining city on the hill to a place that actually does realize American destiny with all of the pillars of American exceptionalism intact, not sacrificing the rule of law for political expediency, which is the bargain that is being negotiated over on the Senate side and behind closed doors here on the House side, although not even publicly admitted to.

So, Mr. Speaker, in the earlier part of this discussion, I would be very pleased to yield to a very strong leader on the rule of law, to one who has led within his own community in Hazleton and who has been a clear and articulate voice on protecting and defending America's rule of law destiny, and that's the gentleman from Pennsylvania (Mr. BARLETTA).

Mr. BARLETTA. Thank you, Congressman KING.

Recently, there has been a lot of talk in Washington about illegal immigration. As the mayor of Hazleton, Pennsylvania, after it was estimated that 10 percent of our entire population was there illegally, I created the first law of its kind in the country. Now, I don't need to be briefed about illegal immigration—I have lived it. Because Washington has failed to protect our borders, cities like mine have been overcome. I had to deal with it myself because of Washington's failure.

Our immigration laws were created for two reasons: one, to protect the American people and our national security; and two, to protect American workers.

Now, in 1986, Ronald Reagan had promised the American people that if

we'd give amnesty to 1.5 million illegal aliens that we would secure our borders and that this would never happen again. After the declaration of amnesty, that 1.5 million actually doubled to over 3 million. Now, a quarter of a century later, over 11 million people are in our country illegally, and our borders are still not secured.

This isn't just about the southern border. There is a lot of focus about, if we secure the southern border, our borders are secure. Forty percent of the people who are in the country illegally did not cross a border—they didn't cross the southern border; they didn't come across Canada. Forty percent of the people who are in the country illegally came on visas and overstayed their visas. In fact, one of the men who was granted amnesty in 1986 was involved in the 1993 attack on the World Trade Center. Now, my city is 2,000 miles away from the nearest southern border, and I have an illegal immigration problem. Any State that has an international airport is a border State.

□ 1820

There are 22 million Americans who are out of work. We should not be encouraging millions more to come here illegally when so many Americans cannot find jobs. Medicare and Social Security are going broke, and yet the Heritage Foundation did a study that said that if we give a pathway to citizenship to the 11 million or more who are here, it will cost over \$2.6 trillion over the next 20 years. We should not even be talking about offering amnesty. There should be no bill that talks about a pathway to citizenship. We should be securing our borders first.

This is something that we should all be able to agree upon, Democrats and Republicans, the Senate and the House, if we are sincere, if we're not trying to fool the American people a second time. We promised them that we would secure our borders before we give amnesty. Offering a pathway to citizenship will make matters worse. It will encourage millions more to come here illegally.

You know, you don't replace your carpet at home when you still have a hole in the roof.

Mr. KING of Iowa. I thank the gentleman from Pennsylvania for coming to the floor to deliver this presentation, this hands-on presentation from the gentleman, Mr. BARLETTA. If you would yield to a question, I'm curious as to the percentage of the population of Hazleton that is a minority population, perhaps Hispanic population, and how your election results turned out the last time you ran for mayor of Hazleton?

Mr. BARLETTA. Sure. When I was mayor of Hazleton, over 40 percent of the entire population of Hazleton was Hispanic, and I won with over 90 percent of the vote. And I don't know of

anyone at the time who took a harder stance against illegal immigration than I had at that time. So this talk that you cannot stand up for the rule of law, that you cannot stand up against illegal immigration and still welcome new immigrants, new American citizens, is totally false.

Mr. KING of Iowa. Reclaiming my time, just doing a quick calculation off of that, 40 percent of the population of Hazleton being Hispanic, presuming that represented a percentage of the voting population that was Hispanic, and you carried 90 percent of the vote, which would indicate that somewhere in the area of 75 percent of the Hispanic population voted for LOU BARLETTA for mayor of Hazleton; would that be close to correct?

Mr. BARLETTA. I believe it would. And again, what I found in my hands-on experience as a mayor in dealing with the problem of illegal immigration, plus a city whose Hispanic population had exploded, for example, to show you how fast our population had grown, in the year 2000, English as a Second Language, the budget for English as a Second Language was \$500. Just 5 years later, it was \$1.5 million. So as our immigrant population grew, we also realized that the most important issues to those that were there were good opportunities, were good jobs. It wasn't about granting amnesty or a pathway to citizenship. They wanted good jobs and a good education for their children. They came to America for that better life. Offering amnesty wasn't going to make their life any better, and they understood that. They also understand that allowing 20 or 30 million more people to come into this country illegally is not helpful for people who are starting out, who need the jobs that they came here for, or many Americans who can't find work.

Mr. KING of Iowa. I'm curious, since you came to Congress here, Mr. BARLETTA, and I'm going to presuppose that you have strong personal relationships among the entire spectrum of the community of Hazleton, have any of them in any appreciable number changed their position on the immigration issue since they sent you to Congress? And can you speak on some of your relationships with your constituents today and those who were your constituents when you were mayor?

Mr. BARLETTA. The position has not changed. And, in fact, I believe the fact that I stood up for the rule of law and I speak for the importance of protecting our national security and our American jobs here, it has allowed me to win elections, getting both Democrat and Republican support. I ran in a district that was 2:1 Democrat, and I won by over 10 percent of the vote. I really believe the fact that I was able to stand up when Washington had let us down was really the reason why Democrats, Republicans, immigrants, and non-immigrants supported me.

Mr. KING of Iowa. Reclaiming my time, the individuals that come here to this Congress from various districts, and surely there are many that come from blue collar-type districts—I'm going to presume that's a fair amount of the Democrat constituency that you represent, me being a blue collar kind of a guy and a hands-on fellow—I started out as an earth-moving contractor, actually in the labor part of the construction business—how do you suppose the constituents of other Members of Congress that don't have this same position that you have on the rule of law and immigration and protecting legal immigrants, what are they hearing do you suppose in those similar districts to the one you have?

Mr. BARLETTA. I believe that people all over the country understand what I'm saying, that illegal immigration is crushing our cities. Our population in Hazleton grew by 50 percent, but our tax revenue remained the same. Our population grew by 50 percent, but our tax revenue remained the same. Small cities, small towns like Hazleton, Pennsylvania, are crushed by the burden of illegal immigration.

I was sued for creating the first law of its kind in the country, and I couldn't find politicians to come near me, to be honest with you. It was pretty refreshing because nobody came to Hazleton. And I thought I was standing there alone until I started getting cards and letters and checks from people all over the United States. In fact, I got checks from every State, including Alaska and Hawaii, to help defend our city in that lawsuit. We raised over half a million dollars, most of it in \$10 and \$20 donations, from people all over America who felt the same way. I am not alone. The American people understand what illegal immigration means. It doesn't mean that we roll up the welcome mat to new immigrants. We ask them to come here through the proper channels, respect the rule of law, and then give them the opportunity that they came to America for.

Mr. KING of Iowa. Reclaiming my time, I remain curious to the wealth of experience that the former mayor and the gentleman from Pennsylvania has provided here, Mr. Speaker. I would ask also, of the illegal drug distribution links that exist in this country and that which I'm going to presume also shows up in Hazleton, illegal drugs and violence, and I will make this statement into the RECORD, Mr. Speaker, and that is, in my meetings with the Drug Enforcement Agency and a number of others that are involved in enforcing the laws against illegal drugs, they tell me that at least one link in every illegal drug distribution chain in America, at least one link in that chain, is carried out by someone who is unlawfully present in the United States. The cost of those illegal drugs to our society, I don't know has been

quantified. That trade itself has been estimated to be something above \$40 billion, perhaps something above \$60 billion a year, and I would ask the gentleman from Pennsylvania if his experience would reflect that to be true?

Mr. BARLETTA. Well, it is absolutely true. I'll give you an example. We had arrested a young man for selling cocaine on a playground. The man was in the country illegally. It took our detectives 5 hours to determine who he was. He had five Social Security cards. He had five identities. Law enforcement has no idea who they are dealing with; many, many are here under fraudulent documentation. Those who are involved in the criminal element, in the gangs or drug trade, I don't believe will be coming forward no matter what laws we pass here. And we can pass all the laws in the world; if we don't enforce the laws of this country and if we don't allow States and local law enforcement to work in harmony with the Federal Government, we will never stop the problem of illegal immigration. But what we shouldn't do is make the same mistake we made in 1986 and give a green light to people all over the world to come here illegally while our borders are still open.

□ 1830

If you were a family waiting to come to the United States because you wanted to obey the law, but you hear a declaration like we're hearing here in Washington, offering a pathway to citizenship and protection while you're here, why would you wait? Why would you wait with your family?

It would be a green light for people to come. That's why the problem will become worse.

Mr. KING of Iowa. And reclaiming my time, it was reported to me today here on the floor, a Representative that represents an area very near the southern border said to me that the illegal border crossings are up 20 percent since the dialog on comprehensive immigration reform, that euphemism began.

So the encouragement for people to get into the United States on the chance that this Congress will pass some kind of an act that would ultimately be amnesty is bringing more people into the United States.

But I wanted to circle back and ask another question of the gentleman from Pennsylvania, and that is that there's a GAO study, a General Accountability Office study, of about 2 years ago that went back through our prison system and asked the question, a number of questions about the population of our prison system that are criminal aliens. And that number was at least 28 percent. Some numbers show 30, depending on how you define that.

But there also was a number in there that was stark to me. The people in

prisons in the United States, both Federal and State, all together, who have been convicted of homicide, now that prison population, according to that study, was 25,064. And when I think of a number that large, multiples of all of our casualties in Iraq and Afghanistan, that is American population, most of it, that's a number, but it's human. It's very, very personal.

And I would ask the gentleman from Pennsylvania if he would have any personal accounts that might reflect a component of that 25,064.

Mr. BARLETTA. Well I did, actually. The final straw for me that made me realize that I needed to do something to protect the people in my town actually happened on May 10, 2006. It was a day that I'll never forget.

Earlier in the day we had arrested a 14-year-old for shooting a gun into a crowded playground. The 14-year-old was in the country illegally. And it was interesting: he had his lawyer on speed dial on his cell phone, which I thought I don't know how many 14-year-olds carry their lawyer on a speed dial.

I remember going home that day and telling my wife that I had—I didn't know what to do anymore. We were losing control of the city. We didn't have the resources to deal with the problem.

That same night I got a call from the chief of police, 1 o'clock in the morning, a 29-year-old city man, father of three children, was shot in the head. He was shot by one of the gang members in the city.

That one homicide, it took our police department 36 hours to bring the people forward that committed that crime. We spent half of our yearly budget in overtime in the police department on that one murder.

And enough was enough. If the Federal Government wasn't going to do anything, then I had to. I took an oath, and I had an obligation to do so. And that's what began my crusade.

I was sued, by the way. I was sued for creating the law. In fact, the plaintiffs that sued the city of Hazleton, many of the plaintiffs were admitted illegal aliens who sued the city. They had their identities kept confidential. They had asked if their identities could be kept confidential, which they were. We were not allowed to ask their names.

They then asked if they could be excused from showing up at the trial because they were in the country illegally and didn't want to go to a Federal courthouse. It was granted.

I never saw our accusers. I took the stand for 2 days. I testified for 2 days, but never saw the people that sued the city of Hazleton. I felt that illegal aliens were given more rights than a United States citizen would be given. You cannot sue your city and remain anonymous.

I vowed to appeal this and fight this to the Supreme Court, which we did.

So what brings me here is a life of experience as a mayor who tries to balance a budget, provide a good quality of life for the people that live there, and realize what happens when illegal immigration, not at the border, not just at the border, not just in Texas. I'm 2,000 miles away from that southern border.

We have good reason to enforce our immigration laws, and we should not be encouraging people to come to this country illegally by granting amnesty. We did it in 1986, and we're talking about this again.

Why obey our immigration laws if we have an administration that won't enforce the laws and a Congress that wants to give amnesty every time the problem comes up again?

We need to enforce our laws. We need to make E-verify mandatory. Protect American jobs. We need to make sure we're protecting our national security. There are people around the world that want to harm us.

And we need to give the immigrants that come here the opportunity that they waited for, those immigrants that stood and waited because they wanted to obey America's laws and they are here, and we are stealing that opportunity away from them. Yet we're telling them we're doing this for the immigrants that are here.

They're smarter than that. And that's why immigration is not the most important issue to the people that are here. They want that education; let's give it to them.

All the programs that the Heritage Foundation talks about that will be impacted by this pathway to citizenship are programs that the most needy need to live. Why are we going to hurt people that need these programs?

I feel very strongly about this issue. I feel very strongly, and that's why I'm here to speak up.

Mr. KING of Iowa. Reclaiming my time, I very much thank the gentleman from Pennsylvania for coming to the floor and voicing his opinion. And I know that he's also occupied with a very tight schedule, so I appreciate that a great deal.

Mr. Speaker, the attention that I've given Mr. BARLETTA, I hope that you and America have given LOU BARLETTA as well. And I hope that he's rewarded, not only by his constituents, but by a policy of protection of the rule of law that can be re-established here in this country.

The idea that we should somehow suspend our good judgment, and we should waive the rule of law, all for some idea of political expediency, is not compatible with the principles of our political party. And sacrificing the rule of law for political expediency seems, to me, to be a foolish idea.

It needs to be precious to be an American citizen. Citizenship should be valuable. And throughout all of the

years that people have come into the United States legally—and the distinction between legal and illegal has been conflated by the open-borders crowd, both Republicans and Democrats.

But you'll watch, Mr. Speaker, how they conflate the language. A few years ago they started blending the term "health care" and "health insurance" till it became one thing, and we got ObamaCare out of that, because people could no longer draw the distinction between health care and health insurance.

And we've also watched during a similar period of time, as the dialog of the distinction between illegal immigrant and immigrant, the distinction—immigrant means someone who came to the United States legally and followed our laws, that saw the image of the Statue of Liberty, was inspired by that image, and found a way to come to America to exercise all the God-given liberties that are here, that were defined so well in our Declaration of Independence and protected in our Constitution. That's "immigrant."

That's where the vigor comes from, for the American population and civilization, among our brothers. It's God-given liberty, but it's also the vigor of those who were inspired to come to America.

So, Mr. Speaker, I recognize there are only about 3 minutes left, but I'd be very happy to yield to the gentleman from Texas, who is very reliable and a very clear voice, as much time as there may remain.

Mr. GOHMERT. Well, thank you. And I'll just take a moment because what you're talking about is so very critical.

And just to reiterate the point that's been coming out in a couple of hearings, I was shocked that 34.9 percent of all prosecutions by this administration were not for drugs; they were for people reentering this country after they've been deported.

□ 1840

They're prosecuting people for illegal entries. You don't even prosecute—this administration—people that just come across one time. And when you think about all the detention, all the prison, the jail space, the prosecutors. We pay for the defense attorneys. You think about all of the prisons around America which contain so many people who came in illegally, when this administration says it cannot afford to secure the border, then they have not taken stock of how much money that this country is having to spend on prisons, prosecutors, jails, defense attorneys, all of the costs that come with that, because they're not doing their job.

And I know it goes back to the Bush administration. That is not a defense. And they need to take care of their job—and I hope and pray they will—instead of using the issue of a secure border as ransom. No, we will only secure

the border if you will give us amnesty so people can vote for Democrats. That is outrageous. And Jay Leno had it right.

Mr. KING of Iowa. Reclaiming my time and thanking the gentleman from Texas, I add up those numbers and it looks like a number approaching 60 percent of the resources used by the Federal Government to prosecute have to do with something coming cross the border, whether it's people, or it's 90 percent of the illegal drugs consumed in America is the other component of that presentation. So if we control this border, Mr. Speaker, we can control the 34.9 percent of the prosecutions about reentry. We have roughly a quarter of that prosecution that has to do with illegal drugs. And the Drug Enforcement Agency does tell us that between 80 and 90 percent of the illegal drugs consumed in America come from or through Mexico.

If there's a universal position on this side of the aisle, Mr. Speaker, it has to do with secure the border, prove you secured the border, establish that, reestablish respect for the rule of law. At that point, we can have a conversation about some of the ideas that are emerging over on the Senate side and in the secret meetings here in the House of Representatives.

With that, Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 11, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

999. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Castor Oil, Polymer with Adipic Acid, Linoleic Acid, Oleic Acid and Ricinoleic Acid Tolerance Exemption [EPA-HQ-OPP-2013-0057; FRL-9381-2] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1000. A letter from the Under Secretary, Department of Defense, transmitting authorization of Brigadier General Thomas W. Bergeson and Colonel David B. Been, United States Air Force, to wear the authorized insignia of the major general and brigadier general; to the Committee on Armed Services.

1001. A letter from the Under Secretary, Department of State, transmitting the National Defense Stockpile (NDS) Annual Materials Plan (AMP) for Fiscal Year 2014, along with proposed plans for FY 2015 through 2018, pursuant to 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

1002. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Adequacy of Oregon Municipal Solid Waste Landfill Permit Program [EPA-R10-RCRA-2013-0105; FRL-9796-6] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1003. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio Ambient Air Quality Standards; Correction [EPA-R05-OAR-2009-0807; FRL-9783-6] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determinations of Attainment of the 1997 8-Hour Ozone Standard for the Pittsburgh-Beaver Valley Moderate Nonattainment Area [EPA-R03-OAR-2012-0409; FRL-9797-8] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1005. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Motor Vehicle Emissions Budgets for the Pennsylvania Counties in the Philadelphia-Wilmington, PA-NJ-DE 1997 Fine Particulate Matter Nonattainment Area [EPA-R03-OAR-2012-0954; FRL-9796-3] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1006. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Prong 3 of Section 110(a)(2)(D)(i) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R04-OAR-2012-0814; FRL-9797-4] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1007. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho; Sandpoint PM 10 Nonattainment Area Limited Maintenance Plan and Redesignation Request [Docket No: EPA-R10-OAR-2012-0017; FRL-9796-5] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1008. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Carolina; New Source Review-Prevention of Significant Deterioration [EPA-R04-OAR-2012-0837; FRL-9797-1] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of National Emission Standards for Hazardous Air Pollutants for the States of Kentucky and Louisiana, Correcting Amendments [EPA-R06-

OAR-2006-0851; FRL-9796-8] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1010. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Greenhouse Gas Reporting Rule: Revision to Best Available Monitoring Method Request Submission Deadline for Petroleum and Natural Gas Systems Source Category (Withdrawal of Direct Final Rule) [EPA-HQ-OAR-2011-0417; FRL-9796-9] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1011. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export [EPA-HQ-OAR-2011-3454; FRL-9797-5] (RIN: 2060-AQ98) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1012. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Reconsideration of Certain New Source Issues: National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units [EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044; FRL-9789-5] (RIN: 2060-AR62) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1013. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-0A, pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1014. A letter from the Assistant Secretary, Department of Defense, transmitting report on Cooperative Threat Reduction Programs in Russia; to the Committee on Foreign Affairs.

1015. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246)), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), the functions of which have been delegated to the Department of State; to the Committee on Foreign Affairs.

1016. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

1017. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report prepared in accordance with section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. No. 107-174; to the Committee on Oversight and Government Reform.

1018. A letter from the Assistant General Counsel, General Law, Ethics and Regulations, Department of the Treasury, transmitting five reports pursuant to the Federal Vacancies Reform Act of 1998; to the Com-

mittee on Oversight and Government Reform.

1019. A letter from the General Counsel, Government Accountability Office, transmitting the Office's annual 2012 report of the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

1020. A letter from the Director, Office of Equal Employment Opportunity, National Archives, transmitting a copy of the Administration's Fiscal Year 2012 Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

1021. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of the Fraud Prevention Fund"; to the Committee on Oversight and Government Reform.

1022. A letter from the Acting Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Residential, Business, and Wind and Solar Resource Leases on Indian Land (RIN: 1076-AE73) received March 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1023. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the annual report entitled, "Prioritizing Resources and Organization for Intellectual Property Act of 2012" for fiscal year 2012; to the Committee on the Judiciary.

1024. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Fiscal Year 2012 Report to the Congress on U.S. Government Receivables and Debt Collection Activities of Federal Agencies; to the Committee on the Judiciary.

1025. A letter from the Secretary, Department of Transportation, transmitting a Report on Recommendations of the Advisory Committee on Aviation Consumer Protection as Required by Public Law 112-95, Section 411; to the Committee on Transportation and Infrastructure.

1026. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes [Docket No.: FAA-2013-0247; Directorate Identifier 2013-CE-001-AD; Amendment 39-17397; AD 2013-06-02] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1027. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0210; Directorate Identifier 2012-NM-053-AD] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1028. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Water Quality Standards; Withdrawal of Certain Federal Water Quality Criteria Applicable to California, New Jersey and Puerto Rico [EPA-HQ-OW-2012-0095; FRL-9795-8] (RIN: 2040-AF33) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX: Committee on Rules. House Resolution 146. Resolution providing for consideration of the bill (H.R. 1120) to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress. (Rept. 113-32). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CLEAVER (for himself and Mr. GRAVES of Missouri):

H.R. 1454. A bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes; to the Committee on Agriculture.

By Mr. THOMPSON of Mississippi (for himself, Mrs. LOWEY, and Mr. RICHMOND):

H.R. 1455. A bill to prohibit subsidiaries of foreign-owned corporations from obtaining contracts for the performance of passenger and baggage security screening at domestic commercial airports, and for other purposes; to the Committee on Homeland Security.

By Mr. COLE (for himself, Mr. MULLIN, Mr. LONG, and Mr. LATTA):

H.R. 1456. A bill to make improvements to the Children's Gasoline Burn Prevention Act; to the Committee on Energy and Commerce.

By Mr. FARENTHOLD:

H.R. 1457. A bill to provide that certain establishments of the Federal Government shall submit to the Committees on Appropriations budget plans that reflect a 5 percent reduction from the amount proposed for such an establishment in the President's budget submission, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GARRETT (for himself, Mr. ANDREWS, Mr. LOBIONDO, Mr. RUNYAN, Mr. SMITH of New Jersey, Mr. PALONE, Mr. LANCE, Mr. SIREY, Mr. PASCRELL, Mr. PAYNE, Mr. FRELINGHUYSEN, and Mr. HOLT):

H.R. 1458. A bill to designate the facility of the United States Postal Service located at 1 Walter Hammond Place in Waldwick, New Jersey, as the "Staff Sergeant Joseph D'Augustine Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of Utah (for himself, Mr. GOSAR, Mr. CHAFFETZ, Mr. WALDEN, Mr. PEARCE, Mrs. LUMMIS, Mr. AMODEI, and Mr. STEWART):

H.R. 1459. A bill to ensure that the National Environmental Policy Act of 1969 applies to the declaration of national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri (for himself, Mrs. HARTZLER, Mr. LUETKEMEYER, and Mr. LONG):

H.R. 1460. A bill to direct the Chief of the Army Corps of Engineers to revise certain authorized purposes described in the Missouri River Mainstem Reservoir System Master Water Control Manual; to the Committee on Transportation and Infrastructure.

By Mr. GOODLATTE (for himself, Mr. SCALISE, Mr. MATHESON, Mr. FLORES, Mr. GRAVES of Georgia, Mr. SAM JOHNSON of Texas, Mr. LANKFORD, Mr. NUNES, Mr. OLSON, Mr. SENSENBRENNER, Mr. WESTMORELAND, Mr. VALADAO, and Mr. WEBER of Texas):

H.R. 1461. A bill to repeal the renewable fuel program of the Environmental Protection Agency; to the Committee on Energy and Commerce.

By Mr. GOODLATTE (for himself, Mr. WOMACK, Mr. COSTA, Mr. WELCH, Mr. CAMPBELL, Mr. CRAWFORD, Mr. CUELLAR, Mr. FARENTHOLD, Mr. GRAVES of Georgia, Mr. GRIFFIN of Arkansas, Mr. HARRIS, Mr. HURT, Mr. LAMALFA, Mr. LONG, Mr. MATHESON, Mr. MORAN, Mr. PITTS, Mr. AUSTIN SCOTT of Georgia, Mr. SENSENBRENNER, Mr. WESTMORELAND, Mr. VALADAO, and Mr. YOHIO):

H.R. 1462. A bill to amend the Clean Air Act to eliminate certain requirements under the renewable fuel program, to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana (for himself, Mr. RANGEL, Mr. HASTINGS of Florida, Mr. MCGOVERN, Mr. RYAN of Ohio, Mr. LOWENTHAL, Mr. GRIJALVA, Mr. TAKANO, and Mr. ENYART):

H.R. 1463. A bill to amend title 10, United States Code, to improve the mental health assessments provided to members of the Armed Forces deployed in support of a contingency operation; to the Committee on Armed Services.

By Mr. CARSON of Indiana (for himself, Mr. RANGEL, Ms. WILSON of Florida, Mr. CONYERS, Ms. MOORE, Mr. BUCSHON, and Mr. MCGOVERN):

H.R. 1464. A bill to amend title 10, United States Code, to provide notice to members of the Armed Forces, beginning with recruit basic training and the initial training of officer candidates, regarding the availability of mental health services, to help eliminate perceived stigma associated with seeking and receiving mental health services, and to clarify the extent to which information regarding a member seeking and receiving mental health services may be disclosed; to the Committee on Armed Services.

By Mr. GIBSON (for himself and Mr. THOMPSON of California):

H.R. 1465. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes; to the Committee on Ways and Means.

By Ms. LEE of California:

H.R. 1466. A bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BARBER:

H.R. 1467. A bill to reduce the annual rates of pay of Members of Congress by 20 percent

and prohibit further adjustments to such rates; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN:

H.R. 1468. A bill to improve information security, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Oversight and Government Reform, the Judiciary, Armed Services, Intelligence (Permanent Select), and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 1469. A bill to repeal certain amendments to the Clean Air Act relating to the expansion of the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAPPES:

H.R. 1470. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the safety of America's schools; to the Committee on the Judiciary.

By Mr. COURTNEY (for himself, Mr. NEAL, and Mr. MCGOVERN):

H.R. 1471. A bill to designate the Quinebaug and Shetucket Rivers Valley National Heritage Corridor as "The Last Green Valley National Heritage Corridor"; to the Committee on Natural Resources.

By Mr. GINGREY of Georgia (for himself, Mr. HARPER, Mr. MCCLINTOCK, Mr. WESTMORELAND, Mr. CASSIDY, Mr. ROE of Tennessee, Mr. TERRY, Mr. SCHOCK, and Mr. LANCE):

H.R. 1472. A bill to restore the long-standing partnership between States and the Federal Government in managing the Medicaid program; to the Committee on Energy and Commerce.

By Mr. GINGREY of Georgia (for himself and Mr. CUELLAR):

H.R. 1473. A bill to prevent certain Federal health care laws from establishing health care provider standards of care in medical malpractice cases, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL:

H.R. 1474. A bill to reauthorize the ban on undetectable firearms, and to extend the ban to undetectable firearm receivers and undetectable ammunition magazines; to the Committee on the Judiciary.

By Ms. JENKINS:

H.R. 1475. A bill to amend the Congressional Budget Act of 1974 to provide for supplemental estimates of certain revenue bills or joint resolutions that incorporates the macroeconomic effects of that measure; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. RANGEL, Mr. GRIMM, Mr. HUIZENGA of Michigan, Ms. WILSON of Florida, and Mr. RODNEY DAVIS of Illinois):

H.R. 1476. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from individual retirement plans for adoption expenses; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. WAXMAN, Mr. RANGEL, Mr. GRIMM, and Mr. PIERLUISI):

H.R. 1477. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Education and the Workforce.

By Ms. NORTON (for herself, Mr. LANDEVIN, and Ms. DELBENE):

H.R. 1478. A bill to amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to include the pay of Members of Congress within the coverage of the provisions of such Act which provide for budget enforcement through sequestration; to the Committee on the Budget.

By Mr. SENSENBRENNER (for himself and Mr. MATHESON):

H.R. 1479. A bill to amend the Internal Revenue Code of 1986 to remove the deduction for charitable contributions from the overall limitation on itemized deductions; to the Committee on Ways and Means.

By Ms. SHEA-PORTER:

H.R. 1480. A bill to amend chapter 83 of title 41, United States Code (commonly known as the Buy American Act), to require each department or independent establishment to conduct an annual audit of its contracts for compliance with such chapter, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SHUSTER (for himself, Mr. TURNER, Ms. TSONGAS, and Mr. COFFMAN):

H.R. 1481. A bill to direct the Secretary of Defense to reprogram amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System; to the Committee on Armed Services.

By Mr. WOMACK (for himself, Mr. GARAMENDI, Mr. CRAWFORD, and Mr. GRIFFIN of Arkansas):

H.R. 1482. A bill to amend the Clean Air Act to eliminate certain requirements under the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCAUL (for himself and Mr. ANDREWS):

H. Con. Res. 29. Concurrent resolution expressing the sense of Congress that the United States should resume normal diplomatic relations with Taiwan, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RADEL (for himself, Ms. MENG, Mr. KING of New York, and Mr. SCHNEIDER):

H. Con. Res. 30. Concurrent resolution recognizing the 65th anniversary of the independence of the State of Israel; to the Committee on Foreign Affairs.

By Ms. SHEA-PORTER (for herself and Ms. PINGREE of Maine):

H. Res. 145. A resolution recognizing the 50th anniversary of the sinking of U.S.S. Thresher (SSN 593); to the Committee on Armed Services.

By Mr. CASSIDY (for himself, Mr. LABRADOR, Mr. WAXMAN, Ms. BONAMICI, Mr. FRANKS of Arizona, Mr. HARRIS, Mr. MEADOWS, Mr. SIMPSON, Mr. ADERHOLT, Mrs. HARTZLER, Mr. MCHENRY, Mr. BACHUS, Mr. GARRETT, Mr. JONES, Mr. WEBER of Texas, Mr.

ROSKAM, Mr. WESTMORELAND, Mr. FINCHER, Mr. HOLT, Mr. MCGOVERN, Mr. BUCHANAN, Mr. BENISHEK, Mr. STOCKMAN, Mr. HUELSKAMP, Mr. CRAMER, Mr. HULTGREN, Mr. BENTIVOLIO, Mr. PITTS, Mr. BRIDENSTINE, Mr. NEUGEBAUER, Mr. SCHOCK, Mr. LATTI, Mr. NUNNELEE, Mr. BURGESS, Mr. KING of New York, Mr. WEBSTER of Florida, Mr. JOHNSON of Ohio, Mr. PALAZZO, Mr. SCALISE, Mr. LANKFORD, Mr. OLSON, Mrs. LUMMIS, Mr. MULLIN, Mr. LONG, and Mr. WOLF):

H. Res. 147. A resolution calling for the release of United States citizen Saeed Abedini and condemning the Government of Iran for its persecution of religious minorities; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Mr. ELLISON, Ms. ROYBAL-ALLARD, Ms. MCCOLLUM, Mr. RANGEL, Ms. NORTON, Mr. PAYNE, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. CLAY, Mr. CARSON of Indiana, Mr. HASTINGS of Florida, Ms. CLARKE, Mr. CONYERS, Mr. CUMMINGS, Ms. WATERS, Ms. BORDALLO, Ms. SCHAKOWSKY, Mr. TAKANO, Mr. LEWIS, and Mr. CICILLINE):

H. Res. 148. A resolution supporting the goals and ideals of National Youth HIV & AIDS Awareness Day; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. KING of New York, and Mr. VAN HOLLEN):

H. Res. 149. A resolution expressing support for designation of April as Parkinson's Awareness Month; to the Committee on Energy and Commerce.

By Mr. RADEL:

H. Res. 150. A resolution congratulating the Florida Gulf Coast University Eagles for becoming the first 15 seed to advance to the "Sweet 16" 4th Round in the NCAA Men's Basketball Tournament; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CLEAVER:

H.R. 1454.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 1455.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. COLE:

H.R. 1456.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 5 which allows Congress to "fix the Standard of Weights and Measures." This legislation would set the standards of portable fuel containers.

Additionally, Article I, Section 8, Clause 3 allows Congress to "regulate Commerce . . .

among the several states." As portable fuel containers are objects of interstate commerce, it is appropriate for Federal standards to be set.

By Mr. FARENTHOLD:

H.R. 1457.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GARRETT:

H.R. 1458.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 ("To establish Post Offices and post Roads") and Article I, Section 8, Clause 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereon).

By Mr. BISHOP of Utah:

H.R. 1459.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GRAVES of Missouri:

H.R. 1460.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

"Congress shall have the power to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes"

The management of the Missouri river by the Army Corps of Engineers directly impacts commerce. The river is a source of barge traffic carrying a variety of goods.

By Mr. GOODLATTE:

H.R. 1461.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3. Because the federal government has stretched Article I, Section 8, Clause 3 (the commerce clause) beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3.

By Mr. GOODLATTE:

H.R. 1462.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3. Because the federal government has stretched Article I, Section 8, Clause 3 (the commerce clause) beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3."

By Mr. CARSON of Indiana:

H.R. 1463.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, clauses 12, 13, 14, and 16, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. CARSON of Indiana:

H.R. 1464.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, clauses 12, 13, 14, and 16, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. GIBSON:

H.R. 1465.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1.

By Ms. LEE of California:

H.R. 1466.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BARBER:

H.R. 1467.

Congress has the power to enact this legislation pursuant to the following:

Congress is required by Article I, Section 6, of the Constitution to determine its own pay.

By Mrs. BLACKBURN:

H.R. 1468.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. BURGESS:

H.R. 1469.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls under Congress' enumerated constitutional authority to regulate interstate commerce pursuant to Article I, Section 8, clause 3.

By Mr. CAPPS:

H.R. 1470.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. COURTNEY:

H.R. 1471.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3, Clause 2 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. GINGREY of Georgia:

H.R. 1472.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in Article I Section 8, Clause 1 of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. GINGREY of Georgia:

H.R. 1473.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 18, Congress has power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers" when the need exists to clarify existing law.

By Mr. ISRAEL:

H.R. 1474.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. JENKINS:

H.R. 1475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KING of New York:

H.R. 1476.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1477.

Congress has the power to enact this legislation pursuant to the following:

Spending Authorization

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. NORTON:

H.R. 1478.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 6 of article I of the Constitution.

By Mr. SENSENBRENNER:

H.R. 1479.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. SHEA-PORTER:

H.R. 1480.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SHUSTER:

H.R. 1481.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of Article 1 of the Constitution: To regulate commerce with foreign nations, and among the several states, and with the Indian Tribes.

By Mr. WOMACK:

H.R. 1482.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. MILLER of Florida and Mr. GOSAR.

H.R. 24: Mr. BENISHEK, Mr. SALMON, Mr. DUFFY, Mr. YOUNG of Alaska, and Mr. STEWART.

H.R. 79: Mr. FALCOMA-VAEGA.

H.R. 139: Ms. KUSTER, Mr. DEUTCH, Mrs. CAROLYN B. MALONEY of New York, Mr. LOEBACK, Mr. NOLAN, and Mr. TONKO.

H.R. 147: Ms. ROS-LEHTINEN.

H.R. 164: Mr. DAINES and Mr. MCHENRY.

H.R. 176: Mr. ALEXANDER and Mr. BENISHEK.

H.R. 180: Mr. DUNCAN of Tennessee.

H.R. 182: Mr. LOWENTHAL, Ms. SCHAKOWSKY, and Ms. HANABUSA.

H.R. 184: Mr. BURGESS.

H.R. 197: Mr. RANGEL, Mr. CONYERS, and Ms. WILSON of Florida.

H.R. 198: Ms. JACKSON LEE and Mr. HONDA.

H.R. 207: Mr. ROSKAM.

H.R. 262: Mrs. CAROLYN B. MALONEY of New York and Mr. ROSKAM.

H.R. 274: Mrs. NAPOLITANO.

H.R. 303: Ms. LOFGREN, Mr. HASTINGS of Florida, and Mr. MASSIE.

H.R. 311: Mr. LOEBACK.

H.R. 411: Mr. DAINES.

H.R. 421: Mr. BENISHEK.

H.R. 435: Mr. RYAN of Wisconsin.

H.R. 447: Mr. COLLINS of Georgia and Mr. RIBBLE.

H.R. 450: Mr. GRAVES of Georgia.

H.R. 485: Mr. FARR and Mr. HORSFORD.

H.R. 503: Mr. TIBERI and Mr. BRIDENSTINE.

H.R. 508: Mr. MICHAUD.

H.R. 517: Ms. CLARKE.

H.R. 519: Ms. KAPTUR, Mr. MORAN, Mr. SHERMAN, and Mr. CLAY.

H.R. 523: Mr. PEARCE, Mr. SMITH of New Jersey, Mrs. ROBY, and Mr. MILLER of Florida.

H.R. 543: Mr. LOWENTHAL and Mr. DELANEY.

H.R. 544: Mr. MULVANEY.

H.R. 556: Mr. MILLER of Florida and Mr. FLEMING.

H.R. 559: Mr. WELCH.

H.R. 565: Mr. LYNCH.

H.R. 574: Mr. QUIGLEY.

H.R. 580: Mr. SALMON.

H.R. 597: Ms. NORTON and Mr. HASTINGS of Florida.

H.R. 627: Mr. LAMBORN and Mr. HURT.

H.R. 630: Mr. PALLONE, Mr. NEAL, Mr. GENE GREEN of Texas, Mr. DAVID SCOTT of Georgia, and Mr. COSTA.

H.R. 633: Mr. COLLINS of Georgia and Mr. PETERS of California.

H.R. 647: Mr. POCAN, Mr. GARDNER, Mr. TIERNEY, Mr. O'ROURKE, Mr. CULBERSON, Ms. CASTOR of Florida, Mr. GRAVES of Missouri, Mr. VEASEY, Mr. HALL, Ms. WASSERMAN SCHULTZ, Mr. CRAWFORD, Mr. DELANEY, Mrs. BLACKBURN, Mr. YOUNG of Alaska, Mr. TURNER, Mr. RICHMOND, Mr. LYNCH, Mr. COLE, Mr. LOWENTHAL, and Mr. THOMPSON of California.

H.R. 655: Mr. TURNER.

H.R. 656: Mr. TURNER.

H.R. 659: Mr. TIBERI and Mrs. LUMMIS.

H.R. 661: Mr. POCAN and Mrs. NAPOLITANO.

H.R. 669: Ms. BROWNLEY of California.

H.R. 675: Mr. DAVID SCOTT of Georgia, Ms. LEE of California, and Mr. JOHNSON of Georgia.

H.R. 679: Mr. RYAN of Ohio, Ms. SHEA-PORTER, Mr. LOBIONDO, Mr. TAKANO, Mrs. NOEM, Mr. SOUTHERLAND, Mr. VEASEY, Mr. KEATING, Mr. WOMACK, Ms. BROWN of Florida, and Mr. KILDEE.

H.R. 684: Ms. DUCKWORTH, Mr. FOSTER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. POCAN.

H.R. 705: Mr. MARCHANT and Mr. PEARCE.

H.R. 714: Mr. HASTINGS of Florida.

H.R. 724: Mr. RYAN of Ohio, Mr. CONNOLLY, Mr. HUIZENGA of Michigan, Mr. CHABOT, Mr. CONYERS, Mrs. MILLER of Michigan, Mr. POCAN, Mr. MCINTYRE, Mr. TERRY, and Mr. CARNEY.

H.R. 725: Mr. FARR and Mr. LANGEVIN.

H.R. 726: Mr. CONNOLLY.

H.R. 732: Mr. RYAN of Wisconsin, Mr. GIBBS, Mr. KINGSTON, and Mrs. ROBY.

H.R. 742: Mr. DEUTCH.

H.R. 755: Mr. MILLER of Florida and Mr. TAKANO.

H.R. 783: Ms. EDWARDS, Mr. GRIJALVA, and Mr. McDERMOTT.

H.R. 784: Mr. HASTINGS of Florida.

H.R. 786: Mr. HOLT, Mr. NADLER, Mr. CARTWRIGHT, and Mr. MORAN.

H.R. 792: Mr. COBLE and Mr. COLLINS of New York.

H.R. 794: Mr. HASTINGS of Florida and Ms. MCCOLLUM.

H.R. 808: Mr. GRIJALVA, Mr. MARKEY, and Ms. NORTON.

H.R. 812: Mr. PERLMUTTER and Mr. TAKANO.

H.R. 828: Mr. PERRY, Mr. HALL, Mr. MULVANEY, Mr. PITTS, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. COLLINS of Georgia, Mr. YOHIO, Mr. ROE of Tennessee, Mr. ROKITA, Mr. MESSER, Mr. SOUTHERLAND, Mr. PITTINGER, and Mrs. BLACKBURN.

H.R. 845: Mr. WALBERG.

H.R. 850: Mr. KILMER, Ms. WASSERMAN SCHULTZ, Ms. BONAMICI, and Mr. KLINE.

H.R. 853: Mrs. NEGRETE McLEOD, Mr. TAKANO, and Mr. GOSAR.

H.R. 863: Mrs. NAPOLITANO and Ms. WASSERMAN SCHULTZ.

H.R. 864: Mr. COBLE and Mr. PRICE of North Carolina.

H.R. 868: Ms. WILSON of Florida.

H.R. 880: Mr. POCAN.

H.R. 918: Mrs. NEGRETE McLEOD.

H.R. 935: Mr. LAMALFA, Mr. DENHAM, Mr. MCCAUL, Mr. JONES, Mr. HUELSKAMP, Mr. KINZINGER of Illinois, Mr. HUIZENGA of Michigan, Mr. ROKITA, Mr. YODER, Mr. WALDEN, Mr. FORBES, Mr. SOUTHERLAND, Mr. BISHOP of Georgia, Mr. CONAWAY, Mr. BONNER, Mrs. LUMMIS, Mr. NUNNELEE, Mr. SMITH of Nebraska, Mr. VALADAO, Mr. MARINO, Mr. KING of Iowa, Mr. KINGSTON, Mr. PETERSON, Mr. LUCAS, Mr. JOHNSON of Ohio, Mr. POE of Texas, Mr. STOCKMAN, Mr. HUDSON, Mrs. HARTZLER, Mr. ENYART, Mr. GUTHRIE, and Mr. CRAWFORD.

H.R. 940: Mr. ROKITA, Mr. ROGERS of Kentucky, Mr. RYAN of Wisconsin, and Mr. COLE.

H.R. 946: Mr. TIPTON, Mrs. ROBY, and Mr. SESSIONS.

H.R. 949: Ms. CASTOR of Florida.

H.R. 958: Ms. LORETTA SANCHEZ of California.

H.R. 960: Mr. GIBSON and Mr. RUNYAN.

H.R. 961: Mr. QUIGLEY, Ms. HAHN, Mr. SIREN, Mr. ENYART, Mr. BRADY of Pennsylvania, Mr. PASCRELL, and Mr. HOLT.

H.R. 973: Mr. SESSIONS, Mr. KINGSTON, and Mr. RYAN of Wisconsin.

H.R. 974: Mr. GARAMENDI, Mr. SCHIFF, and Mrs. NEGRETE McLEOD.

H.R. 975: Mr. RYAN of Ohio, Mr. ISRAEL, Ms. KUSTER, Mr. WHITFIELD, Mr. RAHALL, Mr. MCGOVERN, Ms. SINEMA, Ms. BORDALLO, Mr. POCAN, Mr. BISHOP of New York, Mr. HASTINGS of Florida, Mr. MICHAUD, Mr. LOEBACK, Mr. RUSH, Mr. LYNCH, Mr. CICILLINE, and Ms. BONAMICI.

H.R. 997: Mr. DUNCAN of South Carolina.

H.R. 1007: Ms. JACKSON LEE.

H.R. 1008: Mr. PASTOR of Arizona, Mr. FARR, Mr. CONNOLLY, Mr. HORSFORD, Mr. WOLF, and Mr. SCHOCK.

H.R. 1014: Ms. SCHWARTZ, Mrs. CAPITO, Mr. MCGOVERN, Mr. PERRY, Mr. RYAN of Ohio, Mr. THOMPSON of Pennsylvania, Mr. RUIZ, and Mr. HARPER.

H.R. 1020: Mr. LATTA and Mr. GARDNER.

H.R. 1025: Ms. MATSUI.

H.R. 1026: Mr. GIBBS, Mr. WALZ, Mr. LAMALFA, and Mr. SIMPSON.

H.R. 1028: Mr. SHERMAN.

H.R. 1029: Ms. MCCOLLUM and Mr. CICILLINE.

H.R. 1030: Mr. MCGOVERN and Ms. MCCOLLUM.

H.R. 1078: Mr. HUIZENGA of Michigan.

H.R. 1081: Mrs. ROBY.

H.R. 1087: Mr. PAYNE, Mr. LANGEVIN, Mr. POLIS, and Mr. MORAN.

H.R. 1090: Mr. LOWENTHAL.

H.R. 1097: Mr. FLEMING.

H.R. 1122: Mr. FINCHER, Mr. FLEMING, Mr. DAINES, and Mr. JORDAN.

H.R. 1124: Ms. CLARKE, Ms. FUDGE, and Mr. CONNOLLY.

H.R. 1146: Mr. BUCSHON.

H.R. 1148: Mr. SCHOCK.

H.R. 1150: Ms. DELAURO, Mr. LANGEVIN, Ms. DEGETTE, Ms. LEE of California, Mr. RANGEL, Mrs. NAPOLITANO, Mr. CONNOLLY, Mrs. CAROLYN B. MALONEY of New York, Mr. HOLT, Ms. MOORE, Ms. KAPTUR, Ms. CLARKE, Ms. LOFGREN, Mr. HIMES, Mr. MORAN, Mr. WAXMAN, Mr. LARSEN of Washington, Mr. PRICE of North Carolina, and Ms. MCCOLLUM.

H.R. 1151: Mr. FARENTHOLD, Mr. HOLDING, and Ms. BORDALLO.

H.R. 1155: Mr. HURT and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1179: Mrs. CAPPS, Ms. MOORE, Mr. KENNEDY, Mrs. BONAMICI, Ms. SCHWARTZ, and Mr. ELLISON.

H.R. 1187: Mr. CONYERS and Mr. ELLISON.

H.R. 1205: Mr. NEUGEBAUER.

H.R. 1243: Mr. ELLISON.

H.R. 1250: Mr. YODER, Mrs. WAGNER, Mr. HIGGINS, Ms. LOFGREN, Mr. HARRIS, Mr. ROYCE, Mr. BEN RAY LUJAN of New Mexico, Ms. MCCOLLUM, and Mr. COTTON.

H.R. 1288: Mr. MCCAUL, Mr. POSEY, Mr. RYAN of Ohio, and Mr. WOLF.

H.R. 1304: Mrs. BLACKBURN.

H.R. 1314: Mr. OLSON.

H.R. 1331: Mr. LONG and Mr. BURGESS.

H.R. 1333: Mr. BLUMENAUER and Ms. CHU.

H.R. 1340: Mr. GENE GREEN of Texas and Mr. SIREN.

H.R. 1389: Mr. PAYNE.

H.R. 1406: Ms. FOXX, Mr. McKEON, Mr. HECK of Nevada, Mr. WALDEN, Mr. MESSER, Mrs. WAGNER, Mr. BONNER, Mr. BROOKS of Ala-

bama, Mrs. NOEM, Mr. BUCSHON, Ms. JENKINS, Mr. CAMPBELL, Mr. ROE of Tennessee, Mrs. BROOKS of Indiana, Mr. WILSON of South Carolina, Mr. ROGERS of Alabama, Mr. CASIDY, Mr. PRICE of Georgia, Mrs. ELLMERS, Mr. HUNTER, Mr. ROSKAM, Mrs. HARTZLER, Mr. LUCAS, Mr. GOWDY, Mrs. WALORSKI, Mr. SOUTHERLAND, Mr. ROHRABACHER, Mr. COBLE, Mr. SAM JOHNSON of Texas, Mr. GOODLATTE, Mr. BACHUS, Mrs. BLACK, Mr. THORNBERRY, Mr. GINGREY of Georgia, Mr. BRADY of Texas, Mr. FORBES, Mr. MCCARTHY of California, Mr. REED, Mr. NUGENT, Ms. HERRERA BEUTLER, Mrs. BLACKBURN, Mr. CALVERT, Mr. CAMP, Mr. CARTER, Mr. CULBERSON, and Ms. GRANGER.

H.R. 1420: Mr. PETERS of California.

H.R. 1433: Mr. ELLISON, Mr. SABLON, Mr. O'ROURKE, Mr. GENE GREEN of Texas, Mr. ENYART, and Mr. MCINTYRE.

H.R. 1449: Mr. GERLACH.

H.J. Res. 31: Mr. COHEN.

H. Con. Res. 17: Mr. RANGEL.

H. Con. Res. 23: Mr. GIBBS, Mr. RIBBLE, Mr. MASSIE, and Mr. PITTS.

H. Con. Res. 26: Mr. NUNNELEE.

H. Res. 19: Mr. PETERS of California.

H. Res. 24: Mr. O'ROURKE.

H. Res. 36: Mr. GOWDY, Mr. GIBSON, Mr. BUCHANAN, Mr. DAINES, Mr. PRICE of Georgia, Mr. PITTINGER, Mr. GRIMM, and Mr. PEARCE.

H. Res. 69: Mr. SCHIFF and Mrs. DAVIS of California.

H. Res. 89: Mr. PRICE of Georgia, Mr. BURGESS, Mr. HALL, Mr. RUSH, Mr. GOSAR, Mr. MARKEY, Mr. COOK, Ms. CHU, Mr. VARGAS, Mr. MARCHANT, Mr. CAPUANO, Ms. SINEMA, Mr. NEUGEBAUER, and Mr. SIREN.

H. Res. 90: Mr. SCHIFF, Ms. WILSON of Florida, Mr. PETERS of Michigan, Ms. TITUS, Mrs. MCCARTHY of New York, Mr. THOMPSON of Mississippi, Mr. PAYNE, Mr. POCAN, Ms. BASS, Mr. TONKO, Mr. HINOJOSA, Ms. CHU, Ms. JACKSON LEE, Mr. SARBANES, Mr. PALLONE, Mr. GALLEGO, Ms. ESHOO, Mr. DOGGETT, Mr. FATTAH, and Mr. CONNOLLY.

H. Res. 94: Ms. CLARKE, Mr. CONNOLLY, Mrs. DAVIS of California, and Mrs. CAROLYN B. MALONEY of New York.

H. Res. 95: Mr. SALMON.

H. Res. 108: Mr. MORAN.

H. Res. 109: Mr. ROSKAM.

H. Res. 112: Ms. MATSUI, Mr. WHITFIELD, and Mr. GOSAR.

H. Res. 134: Mr. LOWENTHAL, Mr. NUNNELEE, Mr. POCAN, Mr. BRIDENSTINE, Mr. MULLIN, Mr. LONG, Mr. PEARCE, Mr. ENYART, Mr. ROSS, and Mr. COBLE.

H. Res. 135: Ms. JACKSON LEE, Mr. GRIJALVA, Mr. RANGEL, Mr. ELLISON, Mr. MORAN, and Ms. LEE of California.

H. Res. 136: Mr. PALLONE, Mr. SARBANES, Mr. MCGOVERN, and Ms. TSONGAS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1175: Mr. SMITH of Nebraska.

EXTENSIONS OF REMARKS

IN MEMORY OF RICHARD A. HILL,
JR.

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to ask that we acknowledge the significant contributions of a great public servant and loyal family man, Richard A. Hill, Jr., who was taken away too soon from us, and from his beloved wife Anne and their two fine children Regina and John. Richard Hill joined the Department of Health and Human Services in 1989, and later the Social Security Administration in 1995, following successful completion of Fordham School of Law where he earned honors, demonstrating the same dedication and drive that was to characterize his successful performance of duty in later years. Richard Hill was always mindful of the vital role that the Social Security Administration's program played in the lives of the American people. He received numerous awards recognizing his service, including Vice President Albert Gore's Government Reinvention "Hammer" Award, Commissioner of Social Security Citations, and most recently the Louis J. Lefkowitz Public Service Award from his alma mater, Fordham School of Law. As attorney, supervisor, Deputy Regional Chief Counsel, and Director of Learning Initiatives at the Social Security Administration's Office of the General Counsel, Richard Hill had inexhaustible passion, a natural intellectual curiosity, and a never-ending wealth of information regarding the work he did at the Social Security Administration. As Director of Learning Initiatives, Richard Hill developed, shaped, and implemented the Office of the General Counsel's national training program for its new attorneys, and he was most proud of his part in training young attorneys en route to careers dedicated to helping others. Richard Hill's warm and kind spirit, collaborative nature, and unparalleled dedication to federal service and the American people will truly be missed.

IN HONOR OF THE FIRST UNITED
METHODIST CHURCH OF PACIFIC
GROVE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. FARR. Mr. Speaker, I rise today to congratulate the First United Methodist Church of Pacific Grove on the 50th anniversary of the relocation of their campus from downtown to its current site at the corner of Sunset Drive and the historic Seventeen Mile Drive.

In the early 1870s, a group of ministers of the Methodist Episcopal Church in California

began the search for a site to build a summer retreat. They found the perfect spot in the pine woods on the point of the Monterey Peninsula, and in 1875 the Pacific Grove Retreat Association was formed. Modeled after the popular Chautauqua program in New York, the Retreat attracted hundreds of campers every year. A hall was built to house the Chautauqua events and provide a place of worship. Lots were sold and a tent village emerged. The healthy climate and beautiful scenery attracted a year-round population and over time the tents were replaced with permanent homes. In 1888, the cornerstone was laid for a sanctuary and the following year Pacific Grove was incorporated as a town.

The old church building was famous for its twin spires and lighted, revolving cross that could be seen for miles out to sea. Over the years, guest speakers included Presidents Benjamin Harrison, William McKinley, and Theodore Roosevelt, as well as Susan B. Anthony, Georgia Harkness, and Maud Booth. By the 1950s, the structure was falling into disrepair and areas of it were declared unsafe. The Sunday School had to rent the movie theater across the street to meet in and the office was moved downstairs where the heavy furniture would not be a hazard. The beloved old building would have to be replaced; the question remained whether to rebuild on the same site or find another location.

In the end, it was found that rebuilding on the same site would be more expensive than moving. The new site on Seventeen Mile Drive just outside the gate into Pebble Beach offered space for parking and room to build and grow. A quiet spot in a pine forest and home to a large herd of mule deer, it evoked memories of the original Retreat from so many years ago. Ground was broken in 1962 on Palm Sunday, and on April 7, 1963, again on Palm Sunday, the first worship service was held. Sunday, April 7, 2013 marked the fiftieth anniversary of that first service.

First United Methodist Church has been a beacon of love and of spiritual health and renewal in this community. The contributions and efforts that they have made and will continue to make are invaluable, and I am honored to be able to recognize their achievements.

Mr. Speaker, I know the whole House joins me in heartfelt congratulations on this auspicious day and wishing the congregation good luck in all of their future endeavors.

IN RECOGNITION OF THE SANTA
BARBARA SUMMIT FOR TIBET

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mrs. CAPPS. Mr. Speaker, today I rise to recognize the distinguished efforts of the

Santa Barbara Summit for Tibet (SBST) in raising awareness about the vibrant culture, deep spirituality, and peaceful philosophy of the Tibetan people. SBST has worked diligently to ensure the Santa Barbara community is engaged on this issue of great importance.

Recent acts of protest in Tibet have served as a disturbing reminder of the suffering that Tibetans continue to endure. We are witnessing the profound struggle of a people that seek to preserve their traditions and religion.

SBST recently held the First Annual "Tibet Week Awareness Celebration" to honor the perseverance and resiliency of the Tibetan people and their culture, and to demonstrate our shared cultural values. This celebration will raise awareness in our community surrounding the struggle faced by Tibetans and promote the universal values of compassion and non-violent practices.

To express my commitment to this issue, I recently joined many of my colleagues in the House of Representatives in sending President Obama a letter, urging him to prioritize addressing human rights issues in Tibet during his second term. Like SBST and the residents of Santa Barbara, I believe the U.S. should take a leading role to engage partner nations on measures to bring improvements in the human rights situation in Tibet.

Today, we stand with the people of Tibet and express our solidarity with them and to all people suffering oppression around the world. As your Representative in Congress, I commend and thank you for your deep commitment to this issue.

HONORING THE LIFE OF DR.
JACQUELIN PERRY

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. COHEN. Mr. Speaker, I rise today to honor the life of Dr. Jacquelin Perry, a renowned orthopedic surgeon and physical therapist known for her revolutionary work on treating Polio. Dr. Perry was born on May 31, 1918 in Denver, Colorado and was raised in Los Angeles, California. She attended the University of California, Los Angeles and graduated in 1940 with a bachelor's degree in Physical Education. After earning her degree, she joined the United States Army and trained to be a physical therapist at Walter Reed Army Medical Center in Washington, D.C. She was then assigned to a hospital in Hot Springs, Arkansas, where many polio patients were being treated.

She continued her education and in 1950, Dr. Perry was one of seven women who received a medical degree from the University of California, San Francisco in a class of seventy-six graduates. When her residency was

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

completed in San Francisco, Dr. Perry was recruited to work at Rancho Los Amigos National Rehabilitation Center. While there, she created a program for patients suffering from polio and other diseases and helped develop the "Halo," a metal ring that screwed into the skull to immobilize a patient's spine and neck that were weakened by polio complications.

From 1972 to the late 1990s, she taught at the University of Southern California's School of Medicine. While there, Perry established a scholarship for the study of the human gait, which she used to research how forward motion is achieved in the legs. During her lifetime, she wrote over four hundred peer-reviewed papers and contributed to numerous scientific publications. Her book, "Gait Analysis: Normal and Pathological Function," published in 1992, has become a standard textbook for orthopedists, physical therapists and other rehabilitation professionals.

Dr. Jacquelin Perry passed away on March 11, 2013, at 94 years of age in her Downey, California home. Although she suffered from Parkinson's disease, it did not deter her from attending work a week before her death. Dr. Perry leaves behind a legacy as an inventive physician, author and teacher. She lived an extraordinary life, and gave her time, her effort and her expertise to the advancement of medicine, and to the struggle to defeat Polio and Post-Polio syndrome. As a survivor of Polio myself, I ask my colleagues to join me in recognizing the life and work of Dr. Jacquelin Perry.

TAIWAN RELATIONS ACT

HON. MICHAEL T. MCCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. MCCAUL. Mr. Speaker, I rise to commemorate the 34th anniversary of the enactment of the Taiwan Relations Act.

Since the end of World War II, the United States and Taiwan have fostered a close relationship that has been of enormous strategic and economic benefit to both countries. When the United States shifted diplomatic relations from Taiwan to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act (TRA) to ensure that the United States would continue its robust engagement with Taiwan in the areas of commerce, culture, and security cooperation. With President Carter's signature on April 10, 1979, this important and lasting piece of legislation became the law of the land and served as the statutory basis for U.S.-Taiwan relations going forward.

After 34 years, the TRA still stands as a model of congressional leadership in the history of our foreign relations, and, together with the 1982 "Six Assurances," it remains the cornerstone of a very mutually beneficial relationship between the United States and Taiwan. Through three decades marked by momentous social, economic, and political transformations, Taiwan has remained a trusted ally of the United States that now shares with us the ideals of freedom, democracy and self-determination. The foresight of the TRA's

drafters in providing that "the United States will make available to Taiwan such defense articles and defense services . . . to enable Taiwan to maintain a sufficient self-defense capability," and affirming "the preservation and enhancement of the human rights of all the people on Taiwan" as explicit objectives of the United States, has contributed in large measure to make Taiwan what it is today—a vibrant, open society governed by democratic institutions.

Though the people of Taiwan now enjoy fundamental human rights and civil liberties, they continue to live day after day under the ominous shadow cast by over 1400 short- and medium-range ballistic missiles that the People's Republic of China (PRC) has aimed at them. The PRC persists in claiming Taiwan as a 'renegade province,' refusing to renounce the use of force to prevent formal de jure independence, even codifying its right to military action via passage of the so-called "Anti-Secession Law" on March 14, 2005. The United States Congress strongly condemned the "Anti-Secession Law" in House Concurrent Resolution 98, passed on March 16, 2005.

The TRA affirmed that the United States' decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means. Furthermore, it stipulates that it is the policy of the United States "to consider any effort to determine the future of Taiwan by other than peaceful means . . . a threat to the peace and security of the Western Pacific area and of grave concern to the United States." The unambiguous and principled stance contained in these provisions has been instrumental to the maintenance of peace and stability across the Taiwan Strait for more than thirty years, in spite of the growing military threat posed by the PRC.

I therefore invite my colleagues to join me in commemorating the 34th anniversary of the TRA, to further underline our unwavering commitment to the TRA and our support for the strong and deepening relationship between the U.S. and Taiwan.

IN RECOGNITION OF JAMES K. WIGHT'S LEADERSHIP TO THE AMERICAN CONCRETE INSTITUTE

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize James K. Wight, a resident of Michigan, for his volunteer leadership to the American Concrete Institute (ACI) headquartered in Farmington Hills, Michigan, an organization whose work is fundamental to our nation's critical infrastructure, key to our economic competitiveness. As a Member of Congress, I am privileged and honored to recognize Dr. Wight for his leadership and lifelong commitment to this organization and to advancing concrete knowledge in the United States and abroad.

ACI has been the pioneer in all concrete-related fields: research and development, struc-

tural design, architectural design, construction, and product manufacture. With 99 chapters, 65 student chapters, and nearly 20,000 members spanning over 120 countries, the American Concrete Institute provides knowledge and information for the best use of concrete. Through a host of activities including continuing education, certification, seminars, publications, and conventions, ACI plays an active and vital role in the concrete industry. Core to ACI is the development of codes and standards, adopted by reference in building codes impacting potentially every concrete project in the United States. Additionally, there are some 21 countries worldwide that base part or all of their national building codes on the ACI 318 Structural Concrete Building Code provisions.

On April 18, 2013, Professor Wight will complete his service as president of ACI, the culmination of 40 years of volunteer service. Wight was named a Fellow of the Institute in 1984 and previously served on the ACI Board of Direction. He is a past Chair of the ACI Technical Activities Committee; ACI Committee 318, Structural Concrete Building Code; and Joint ACI-ASCE Committee 352, Joints and Connections in Monolithic Concrete Structures. He is a Past President of the ACI Greater Michigan Chapter.

ACI has honored him with the Delmar L. Bloem Distinguished Service Award, the Joe W. Kelly Award, the Arthur J. Boase Award, the Alfred E. Lindau Award, the Chester Paul Siess Award for Excellence in Structural Research, and the Wason Medal for the Most Meritorious Paper in 2011. He has also received the Arthur Y. Moy Award from the ACI Greater Michigan Chapter for outstanding service in the field of concrete technology.

Also of note, James K. Wight, who received his undergraduate education at Michigan State University, is the F.E. Richart Jr. Collegiate Professor of Civil Engineering at the University of Michigan, Ann Arbor, Mich. He has been a professor in the structural engineering area of the civil and environmental engineering department since September 1973, where he teaches undergraduate and graduate classes on structural analysis and design of concrete structures. Wight is known for his work in earthquake-resistant design of concrete structures. His more recent research has concentrated on the strength and inelastic behavior of connections in composite structures (reinforced concrete and steel) and the use of high-performance fiber-reinforced concrete composites for earthquake-resistant design of critical members in concrete structures. He has been involved with post-earthquake damage studies following earthquakes in Mexico, Chile, Armenia, Egypt, California, Japan, and India.

Mr. Speaker, I ask my colleagues to join me today to honor Dr. James Wight's leadership and service to the American Concrete Institute.

HONORING THE LIFE OF MR.
LOUIS C. DEBERGALIS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life of Louis C. DeBergalis, who passed away on Saturday, February 2, 2013 at the age of 69.

A proud member of Ironworkers Local 6 who shared a family-owned small business, Mr. DeBergalis exemplified the American Dream. Along with his brother, Rocco Jr., he co-owned Rod Placing, a steel reinforcing company started by his father, Rocco.

Mr. DeBergalis was a family man. In addition to his role and pride in the family business, he loved his wife, Christine; daughters, Tonya Balash and Jacquelyn Criola; son, Jeffrey; mother, Olympia; sister, Mary Rose Gaughan; and three brothers Joseph, Paul, and Rocco Jr.

Mr. DeBergalis lived most of his life in Bufalo's Lovejoy neighborhood. He took pride in his heritage and community, holding membership in the Big Timers Italian-American Club. In his down time, he enjoyed a variety of activities including gardening, cooking, and stone carving.

Mr. Speaker, I kindly ask you to join me and our colleagues as we stand in this moment to honor the life of Mr. Louis C. DeBergalis and offer our deepest condolences to his family.

EQUAL PAY DAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, women played a tremendous role in the 2012 elections—including fighting for equal pay. Today, we commemorate Equal Pay Day, the time typically three months into the new year that it takes for women's wages to catch up to what men were paid in the previous year. This is an annual reminder that the wallets of America's women are not as heavy as they should be because women face pay discrimination. Even when accounting for education, industry, and hours worked there remains a wage gap.

Women's lifetime earnings will never recover from the persistent reduction in wages they receive relative to their male counterparts. Nationwide, women make 77 cents for every dollar earned by a man. While these sound like pennies, in fact they add up to a yearly gap of \$11,084 between full-time working men and women. This decrease in take home pay affects not just women but also their families.

In New York City, which I'm proud to represent, women who work full time are paid 85 cents for every dollar paid to men who work full time, adding up to a yearly gap of \$8,429. As a result, New York City's women collectively lose more than \$23 million a year because of the wage gap. This is simply unac-

ceptable for working women and their families in New York and nationwide.

In the 111th Congress, I was proud to serve as the first female Chair of the Joint Economic Committee. At the end of my tenure I issued the report, "Invest in Women, Invest in America: A Comprehensive Review of Women in the U.S. Economy." This comprehensive report included research done by the Committee, testimony from several hearings, and GAO reports assessing the detrimental gender wage gap for part-time workers and older Americans as well as wider discussions of women's continued under-representation in management level positions. As I said in that report, "The decisions we make today will have dramatic impacts on our nation's future economic well-being, and we must carefully consider what those decisions will mean for women, both as consumers and as producers."

There is a remedy to this persistent problem of unequal pay. I have consistently supported the Paycheck Fairness Act, commonsense legislation that gives women the tools to fight wage discrimination and provides stronger workplace protections for working women. This Congress must stand up for working families and provide for the basic rights and fairness of 51 percent of the U.S. population.

34TH ANNIVERSARY OF TAIWAN
RELATIONS ACT

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. LOWENTHAL. Mr. Speaker, for sixty years the United States and Taiwan have fostered a close relationship that has been of mutual political, economic, cultural and strategic benefit. When the United States shifted diplomatic relations from the Republic of China (Taiwan) to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act (TRA) to ensure that the United States would have continued commercial and cultural relations with Taiwan. This year marks the 34th anniversary of the TRA.

This important piece of legislation codified the basis for relations between the U.S. and Taiwan and has been instrumental in maintaining peace, security and stability across the Taiwan Strait.

Today, Taiwan is one of the leading U.S. trading partners and, in my district, accounts for the second-largest percentage of cargo activity at the Port of Long Beach.

It is my hope that the United States and Taiwan will continue to work together to promote enduring peace, stability, and prosperity in the Asia-Pacific region.

HONORING MS. LANA FELTON-
GHEE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Ms. Lana Felton-Ghee, a constituent of Pennsylvania's 1st District, for her 66th birthday.

Born, raised and educated in Philadelphia, Lana is well known for her successes in business and politics. Graduating from Temple University, Ms. Felton-Ghee led a longtime, high profile career in marketing and public relations. She established her own business in 1995, Lana Felton-Ghee Associates, Inc., and took on challenging projects in our area and throughout the country. Her expertise was recognized nationally, and she became a key consultant on campaigns for figures such as Mayor Ed Rendell and President Bill Clinton.

Throughout her busy and successful career, Ms. Felton-Ghee also made time for a fulfilling family life and is a proud mother of four and grandmother of ten.

I ask that you and my other distinguished colleagues help me in honoring Ms. Felton-Ghee and her birthday. Ms. Felton-Ghee is the epitome of a life-long Philadelphian and a model citizen. We can all learn something from her fortitude and her commitment to her career, her city and her family. She has been known to say that "there is no place like Philadelphia," but Philadelphia would not be nearly as bright a place without her vibrant and dedicated personality.

CONTRACT SCREENER REFORM
AND ACCOUNTABILITY ACT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in strong support of the "Contract Screener Reform and Accountability Act."

Together with my colleagues in the House, Representative NITA LOWEY of New York and CEDRIC RICHMOND of Louisiana, I am introducing this legislation to reform, enhance oversight of, and provide greater workforce protections to the Transportation Security Administration's (TSA) contract screener program known as the Screening Partnership Program (SPP). I am very pleased that a companion measure is being introduced in the other chamber by Senator SHERROD BROWN of Ohio. Specifically, the "Contract Screener Reform and Accountability Act" would:

Bar subsidiaries of foreign owned corporations from providing for security screening at domestic airports under the SPP;

Mandate covert testing of contract screeners so that their performance can be monitored and compared to airports where screening is carried out by TSA and protect the integrity of those tests by imposing penalties for compromising such testing;

Require security breaches at airports with contracted screening services to be reported;

Ensure national security through requiring training for the proper handling of sensitive security information at SPP airports;

Provide new compensation, benefits, and whistleblower protections for screeners; and

Enhance customer service for the flying public who are screened at SPP airports.

With enactment of the "FAA Modernization and Reform Act of 2012" (P.L. 112-95), subsidiaries of foreign owned corporations are permitted, for the first time since the terrorist attacks of September 11, 2001, to provide screening services at our nation's commercial service airports. This change in law was enacted without debate about the security implications and despite the need, in the current economic climate, to encourage opportunities for U.S. companies rather than outsourcing work and diverting taxpayer dollars to subsidiaries of foreign owned corporations.

The reforms concerning covert testing are necessary in light of the Department of Homeland Security Office of Inspector General's previous finding that the contractor for screening services at San Francisco International Airport (SFO), the nation's largest and busiest airport with contract screeners, compromised covert testing.

It is imperative that the integrity of covert security testing be protected so that we are assured that contract screeners perform at the same level as Transportation Security Officers.

TSA has reported numerous security breaches occurring regularly at airports with contract screeners, including at SFO. These breaches include contract screener personnel not detecting prohibited items such as knives and bullets in carry-on baggage, improperly clearing passengers without verification of their identity, and not conducting the required additional screening of passengers referred to secondary screening.

For example, on August 21, 2009, a passenger at SFO alarmed the walk-through metal detector and was referred to the secondary area for additional screening. The passenger promptly let herself out of the holding area and collected her accessible property. It was three minutes before an employee of the private screening company noticed that she was missing.

More needs to be done to prevent security breaches at SPP airports.

Similarly, given that the documented mishandling of sensitive information can have tragic consequences, more needs to be done to prevent such violations as well.

Today, TSA does not have a process in place for ensuring that all employees of corporations with contracts for screening services receive training on the proper handling of sensitive information.

This is the case despite several instances of sensitive security information having been mishandled by employees of corporations with contracts for screening services under the SPP.

For example, on July 18, 2010, a new hire training manual containing sensitive security information (SSI) about screening practices was stolen after a private security company employee in possession of the manual removed it from SFO. In response, TSA sent a letter to the company that conducts screening services for SFO, as well as to all other SPP

contractors, directing that any SSI materials be retained in a secure fashion at the airport and only removed with expressed, written permission of a TSA Contracting Officer.

I understand that similar incidents have occurred at other SPP airports. However, since TSA has not always taken action or documented their actions to correct the mishandling of the SSI information, reports on such incidents are currently unavailable.

Regarding workforce protections, the bill would protect workers' pay and benefits by requiring that when an airport privatizes, the private screening company provide Transportation Security Officers employed at the time of the switch the right of first refusal to screening jobs and offer compensation and benefits equal to or greater than what they received at the time the contract was awarded.

No worker on the front lines in securing our aviation system should lose their job, see a reduction in pay, or lose benefits because an airport opts to utilize a private screening company.

As all of my colleagues can attest to, customer service at airports, and in particular in the security screening lanes, is an issue that evokes passionate reactions from constituents all across the country.

Currently, there is no requirement that private screening companies report customer complaints regarding their screening experience to TSA or Congress. The bill would provide the public an avenue for expressing concerns with screening at airports with contract screeners, thus ensuring that the flying public's concerns can be addressed.

In the wake of the deadly attacks of September 11, 2001, TSA was created to secure all modes of transportation so that a terrorist attack on the scale of 9/11 would never happen again.

Since TSA's earliest days, it has struggled to fulfill its mission, but, with every passing year, it matures and improves as a security agency. Opponents of TSA have not forgone any opportunity to exploit a misstep to advance their ultimate goal—the dismantling of TSA. At the same time, they have willfully turned a blind eye to lapses, breaches, and problems at airports secured by contract screeners.

Just as we must act to strengthen TSA's security operations, it is imperative that we address SPP's glaring security challenges.

It is my hope that the "Contract Screener Reform and Accountability Act" be enacted to ensure that we do just that.

HONORING THE 80TH BIRTHDAY OF ARTHUR EVE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the former Deputy Speaker of the New York State Assembly, and my former colleague, Arthur O. Eve, on the occasion of his 80th birthday. A Korean war veteran, factory worker, national political activist, and tireless advocate for all those forced to occupy the

margins of society, Art's selfless public service inspires me to this day.

Born in New York City and raised in Florida during segregation, Art arrived in Buffalo in February 1953. Having just earned his Bachelor's of Science from West Virginia State College, he enlisted in the United States Army. Art honorably served our country, fighting in the Korean War from 1953 to 1955. While serving his tour of duty in Germany, he managed a program for orphans, foreshadowing his legacy of advocacy for children, the elderly, the homeless, the poor, and all others who suffer discrimination.

In 1955, Art completed his service and returned to Buffalo, securing a job at a local Chevrolet plant. It was there he first observed the desperate plight Buffalo's youth. Due to a complete absence of role models and guidance, young people often succumbed to drugs and other criminal activities. A former All-High basketball player in Florida and an All-European player in Germany, Art intimately understood the immeasurable benefits of role models and organized activities in children's lives.

Art became inspired to quit his job at Chevrolet to seek a position in parks and recreation. He found civil service jobs, the foundation of our city, were rarely awarded based on merit. Determined to transform the system from within, Art joined the local Democratic Party and soon earned his position in the Parks Department.

A true reformer, Art was the sole ward leader who remained separate from the political establishment by 1958. He became known for his courageous independent activism and civil rights advocacy, which led to his election to the New York State Assembly in 1966.

Art dedicated his extraordinary tenure in the Assembly to representing those who others ignored. During his first term, he pioneered efforts to secure \$500,000 to begin the State University of New York system's SEEK/Educational Opportunity Program. The program provides financially disadvantaged students with academic support and supplemental funding to facilitate their pursuit of higher education. As of 2013, the program had \$3.5 million worth of funding.

Art's reputation as a champion of equality spread. Ahead of his time, Art supported many issues that remain relevant today, including legislation in favor of expanded access to healthcare and against hate crimes. By the 1970s, colleges in New York had established the Arthur O. Eve Higher Education Opportunity Program to aid students without scholastic or financial resources. In 1988, the Kennedy Center recognized Art's legacy with their prestigious Distinguished Leadership in Arts and Education Award.

In 1979, Art became Deputy Speaker of the New York State Assembly. His tireless work towards equality and human rights brought national attention to the New York State Assembly. As Deputy Speaker, he was the highest ranking African American in the New York State Legislature. He was a founding member of the New York State Black and Puerto Rican Legislative Caucus, and served on the committee of public officials who attempted to quell the conflict at Attica State Prison. He remained Deputy Speaker until his retirement from the State Assembly in 2002.

Art's rise to political prominence demonstrated great strides for the African-American community. In Buffalo, Art became the first African American to win the Buffalo Mayoral Democratic Primary. During his campaign, he led a historic voter registration drive, registering thousands of new African-American voters. Nationally, Art served as an adviser to Jesse Jackson's 1984 presidential campaign.

I feel highly privileged to have served with Art in the State Assembly from 1999 to 2002. During my time there, I valued Art's advice and counsel. As a new legislator in Albany, I treasured the wisdom and companionship of my colleague and fellow advocate for Western New York. To this day, I feel extremely fortunate to have shared time in the New York State Legislature with Art.

Thank you, Mr. Speaker, for allowing me to celebrate Arthur Eve's extraordinary work in honor of his 80th birthday. I am profoundly grateful for his service and friendship, and continue to be inspired by his incredible legacy.

IN OBSERVANCE OF HOLOCAUST
REMEMBRANCE DAY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. WAXMAN. Mr. Speaker, I rise today to remember those who perished during the Holocaust and to honor those who survived.

This week, when the world observes Yom Hashoah, Holocaust Remembrance Day, we recall the 6 million who died at the hands of the Nazis. We remember their stories—as sons, daughters, mothers, fathers. Whole communities have been lost.

This week, Congress will assemble for a memorial service for the Days of Remembrance to pay our respects to the victims of the Holocaust.

In Washington, DC, Yom Hashoah is commemorated as part of the Days of Remembrance sponsored by U.S. Holocaust Memorial Museum in Washington, DC. The theme of this year's event is "Never Again: Heeding the Warning Signs." The theme raises questions: When faced with opportunities to stop the Nazis, why did we miss the warning signs? How could we have failed to act? These questions speak to us today about our responsibility to act—even when others don't.

I would also like to acknowledge the work of the Los Angeles Museum of the Holocaust. This year, they convened an intergenerational walk with Holocaust survivors to bring awareness to the community. Pan Pacific Park was transformed into a timeline of the events of the Holocaust so that participants could learn more about the deep tragedy of Nazi atrocities. This event also shows survivors that they are not alone. They have a community around them to support them.

It is my honor to represent the Los Angeles area, which is home to approximately 10,000 survivors. This week—and every week—we honor their courage and their strength. At a time when fewer and fewer survivors are alive to tell their stories, we must all bear witness to their tremendous legacy.

RECOGNIZING THE 27TH ANNUAL
NATIONAL ALCOHOL AWARENESS
MONTH

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. RYAN of Ohio. Mr. Speaker, April marks the 27th annual National Alcohol Awareness Month.

As co-chair of the House Addiction, Treatment and Recovery (ATR) caucus, I rise today to talk about the importance of this milestone and to applaud the National Council on Alcoholism and Drug Dependence (NCADD), which since 1987 has sponsored Alcohol Awareness Month to increase public awareness and understanding, reduce stigma and encourage local communities to focus on alcoholism and alcohol-related issues.

Alcohol abuse is one of the leading causes of death in this country and is a huge contributor to other pressing health care problems like hypertension, high blood pressure, heart disease and stroke. Not a day goes by that we as a Caucus don't hear another story about the tragedy wrought by the abuse of alcohol. Some have even gone so far as to call the abuse of alcohol and other drugs the number one public health crisis facing this country.

This year, National Alcohol Awareness Month is highlighting the important public health issue of underage drinking, a problem with devastating individual, family and community consequences. With this year's theme, "Help for Today, Hope for Tomorrow," the month of April will be filled with local, state, and national events aimed at educating people about the treatment and prevention of alcoholism. Local NCADD Affiliates as well as schools, colleges, churches, and countless other community organizations will sponsor activities that create awareness and encourage individuals and families to get help for alcohol-related problems.

Alcohol use by young people is extremely dangerous—both to themselves and to society, and is directly associated with traffic fatalities, violence, suicide, educational failure, alcohol overdose, unsafe sex and other problem behaviors. Annually, over 6,500 people under the age of 21 die from alcohol-related injuries. Additionally:

Alcohol is the number one drug of choice for America's young people, and is more likely to kill young people than all illegal drugs combined.

Each day, 7,000 kids in the United States under the age of 16 take their first drink.

More than 1,700 college students in the U.S. are killed each year—about 4.65 a day—as a result of alcohol-related injuries.

25% of U.S. children are exposed to alcohol-use disorders in their family. Underage alcohol use costs the nation an estimated \$62 billion annually.

And yet, these statistics don't fully convey the danger of underage drinking. The more we learn about the human brain, the more we learn how dangerous early drinking is for underage drinkers.

Reducing underage drinking is critical to securing a healthy future for America's youth

and requires a cooperative effort from parents, schools, community organizations, business leaders, government agencies, the entertainment industry and alcohol manufacturers/retailers. Underage drinking is a complex issue, one that can only be solved through a sustained and cooperative effort. As a nation, we need to wake up to the reality that for some, alcoholism and addiction develop at a young age and that prevention, intervention, treatment and recovery support are essential for them and their families. We can't afford to wait any longer.

Mr. Speaker, I urge my colleagues to highlight this important issue with a National Alcohol Awareness Month event in their districts. This is a problem that plagues all of our communities but working together, we can restore hope to our young people and their families.

GEORGIA NATIONAL GUARD WINS
TOP ACOE AWARD

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to honor the Georgia National Guard on being selected as the winner of the National Guard Special Category in the 2013 Army Communities of Excellence (ACOE) awards competition.

It is a source of pride to see Georgia's own National Guard recognized for excellence. These servicemen and women have gone above and beyond the call of duty to earn this prestigious award.

The yearly ACOE competition reviews leadership, strategic planning, customer focus, and performance criteria to rank installations on their overall Army readiness and quality management. The U.S. Army chief of staff chooses National Guard installations that best exemplify these qualities.

As this year's deserving winner, the Georgia National Guard's prize will include funding towards installation upgrades that will improve facilities, and boost morale of soldiers, retirees, and civilians serving there.

Mr. Speaker, this is a momentous occasion for the State of Georgia, and it is with sincere gratitude that I would like to extend my deepest thanks and appreciation to the Georgia National Guard for the sacrifice and hard work that ensures America's safety and won them this esteemed award.

HONORING FRANCIS B. GIBBS

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. ALEXANDER. Mr. Speaker, I rise today to honor the achievements and the unwavering commitment to public service of Francis B. Gibbs.

It seems like yesterday that Francis came to Washington to work for his hometown Congressman, ANDER CRENSHAW. He went on to

be a trusted aide and friend to U.S. Rep. Connie Mack. Francis spent over five years by Congressman Mack's side, and his fingerprints could be found on legislative matters concerning government expansion, protection of our Constitution and the principles of federalism.

Francis is a man rooted in principle. From his work on the Patriot Act to defending freedom for people in Venezuela and around the Western Hemisphere, Francis served as a tireless advocate for making this government a "more perfect Union" by protecting people's individual rights and liberty.

After his son Couper was born, Francis and his wife LeAnne—who worked for Congressman Mike Pence—decided to leave Washington to raise their new family in the Sunshine State. Francis took his drive and passion back to the Florida Department of Transportation, where he serves as the chief of staff, leveraging his experience in Washington with his knack for building consensus to get the right things done for the right reasons.

Mr. Speaker, we know all too well that the political arena can be viewed as a cold and cynical process. Francis's approach has always been different. He builds bridges and more importantly, he creates enduring friendships that remind us that there is a way to serve honorably.

Francis is now facing a fight with colon cancer. He has fought this with the same tenacity he exuded during his congressional days when he battled legislative threats to the Constitution—with passion and grace.

LeAnne, has been a constant source of strength, compassion and grace. Ernest Hemingway had somebody like LeAnne in mind when he wrote "courage is grace under fire." Their anchors are two beautiful children, Couper and Riley.

Francis has a long-term view of what America can and should be. He believes that ultimately America promises a better life for the next generation. He embodies everything that this promise stands for, and his children will live out this American Dream that their dad shaped. Over the years, legislative achievements are forgotten by the public and often become footnotes in a textbook. However, the difference that Francis made—the issues he worked on—will carry on. More importantly, the way he treated people will not be forgotten by those of us fortunate enough to spend time in these hallowed halls.

Mr. Speaker, let us today celebrate Francis Gibbs, honor his wife LeAnne, and tell his children that America will be a better place for them because of the work, love and devotion of their parents.

**HONORING PATAGONIA FOUNDER
YVON CHOUINARD, RECIPIENT
OF THE LOS PADRES FOREST
WATCH WILDERNESS LEGACY
AWARD**

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. BROWNLEY of California. Mr. Speaker, today, I congratulate Yvon Chouinard, the

2013 recipient of the Los Padres Forest Watch Wilderness Legacy Award.

Mr. Chouinard started out as a self-taught blacksmith, selling aluminum pitons for mountain climbing out of the trunk of his car. The only pitons available at that time were made of soft iron, placed once, and then left in the rock to rust. In Yosemite, multiday ascents requiring hundreds of placements had left these once-smooth majestic surfaces scarred and pocked. Aluminum pitons revolutionized the sport, preventing further damage and preserving awe-inspiring peaks across the United States. This past year, the company Mr. Chouinard founded, Patagonia, Inc., grossed \$414 million dollars in sales.

As his business expanded to outdoor gear and clothing, Mr. Chouinard has brought these same ethical principles to bear by using recycled and organic materials and adapting energy efficient production methods. Every year, Patagonia pledges 1% of its yearly sales to further conservation work across the globe. Patagonia's tireless commitment has proven that in business the planet does not need to be sacrificed for profit.

Patagonia is an invaluable partner in the Ventura County community, working with local organizations like Los Padres Forest Watch to protect California's wild places. Shortly after Los Padres Forest Watch held its first board meeting in 2004, they received a grant from Patagonia. Since that time, Patagonia has generously given grants to support their important local forest protection work, as well as volunteering their employees, donating their products, and organizing fundraising events like the annual 5k Salmon Run. Yvon Chouinard and Patagonia have had a positive and lasting influence on the preservation of the Los Padres National Forest.

I am pleased to join Los Padres Forest Watch in honoring Mr. Chouinard for his legacy of environmental activism and ensuring Patagonia is an exemplary model of environmental corporate stewardship.

JOHN PATRICK FISCHBACH

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud John Patrick Fischbach for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. John Patrick Fischbach is a 12th grader at Ralston Valley High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by John Patrick Fischbach is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to John Patrick Fischbach for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the

same dedication and character in all of his future accomplishments.

**HONORING THE 34TH ANNIVERSARY
OF THE TAIWAN RELATIONS
ACT**

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. ROS-LEHTINEN. Mr. Speaker, today, on the 34th anniversary of the Taiwan Relations Act, I want to take a moment to recognize this landmark legislation, the special relationship that exists between the United States and Taiwan, and the exceptional work by this Congress to reinforce the bond between our peoples. Yesterday also marked another important date in U.S. Taiwan relations: the 11th anniversary of the founding of the Congressional Taiwan Caucus. Since April 9, 2002, the Taiwan Caucus has grown into one of the most prominent caucuses in Congress with almost 140 current members, and has led the way in strengthening diplomatic, security, and economic relations between our two nations.

Since this Congress came together 34 years ago to pass the Taiwan Relations Act, the legislation has constituted the cornerstone of our unique relationship with one of the world's most vibrant democracies. For 30 years, the United States recognized the Republic of China (Taiwan) as the legitimate representative of the Chinese people. Yet, in 1979, the Carter administration switched sides and recognized the People's Republic of China, and at the same time derecognized the Republic of China (Taiwan). In an effort to counter this act of injustice, a unified United States Congress came together to pass the Taiwan Relations Act. To this day, our great nations continue to prosper through mutually beneficial trade relations, shared security interests, and the policies codified by the Taiwan Relations Act.

Mr. Speaker, while recognizing the accomplishments of the Taiwan Relations Act, we must also recognize the need to strengthen our commitment to Taiwan through expanded diplomatic, security, and trade ties. Earlier this year, I was proud to introduce, with my colleagues, the co-chairs of the Congressional Taiwan Caucus, Representatives MARIO DIAZ-BALART, JOHN CARTER, ALBIO SIRE, GERALD CONNOLLY, the Taiwan Policy Act, which seeks to accomplish these goals. If enacted, our proposed legislation would permit Taiwan's leaders to meet with U.S. officials in all executive branches, authorize the transfer of decommissioned Perry class guided missile frigates, and support the sale of F16 C/D fighter jets to the Armed Forces of Taiwan. With the growing antagonism of North Korea and the ever expanding territorial ambitions of China, our alliance with the democratic nation of Taiwan is even more important.

In 2012, as our 11th largest trading partner, 16th largest export market, and 11th largest import market, Taiwan and the United States shared in \$63.2 billion in total trade. It is clear that Taiwan is already a close and valuable trade partner for the United States but there is more work to be done. We are glad that TIFA

talks were resumed and that the most recent round was concluded in a satisfying fashion. As a next step, our U.S. Trade Representative should begin negotiations on a Bilateral Investment Agreement. A free trade agreement with Taiwan should be our ultimate goal and it is my hope that we can begin negotiations in the near future. The United States should also support Taiwan receiving observer status in the International Civil Aviation Organization.

We, as a nation, are fortunate to have Taiwan as an ally, friend, and one of our largest trading partners. Taiwan is a nation we truly can depend upon; a people who share the same dreams and aspirations as we do here in the United States. Today, we remember our predecessors here in the United States Congress who created the Taiwan Relations Act, as well as the founding members of the Congressional Taiwan Caucus, who have helped the relationship between our two nations blossom into an enduring partnership.

RECOGNIZING KEVIN KRIGGER

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mrs. CHRISTENSEN. Mr. Speaker, when the horses line up in Churchill Downs for the running of the Kentucky Derby next month, all eyes in my district, the U.S. Virgin Islands, will be on young Kevin Krigger, a jockey from my home island of St. Croix, who will be riding the horse Goldencents.

We are all proud of Kevin, who grew up in LaVallee and attended Central High School. According to Kevin, he has always wanted to be a jockey and grew up in the sport, riding horses on the beaches and country roads of the island and challenging anyone he could to a race. Before he was recruited by other Virgin Islands born jockeys who race in the States to join their ranks, he was well known on the tracks of St. Croix, St. Thomas and Tortola as a talent to watch. He proved himself riding on the West Coast, in particular at Emerald Downs in Seattle, Washington before his historic win on Saturday at the Santa Anita Derby.

With Saturday's win, Kevin Krigger has become the first African American to win the Santa Anita Derby. Last fall, he was the first African American jockey to win a million dollar race in Louisiana's Delta Jackpot. If he rides Goldencents to victory in the Kentucky Derby next month, he will become the first African American to do so since 1902. Goldencents is co-owned by the stable of Louisville basketball coach Rick Pitino and is trained by Doug O'Neill.

Mr. Speaker, Kevin Krigger's family and fans in the U.S. Virgin Islands will be cheering wildly on the first Saturday in May. I congratulate his mother Averil Simmonds and father Albert Krigger, Jr. We are all proud of this young man and his accomplishments and wish him Godspeed in this and all of his future endeavors.

HONORING INVESTIGATOR FRANCESCO Z. MCBRIDE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Investigator Francesco Z. McBride, a constituent of my district, who has been chosen to receive the distinguished honor of the Amtrak Police Department's Officer of the Year for 2012 for his numerous and significant contributions to the department.

A resident of Sharon Hill, Investigator McBride joined the Amtrak Police Department (APD) in 2001 initially as an Officer, and is now an Investigator in Amtrak's Mid-Atlantic Division. He is a member of the APD Pipe and Drum Unit.

Investigator McBride's exemplary service has resulted in arrests in cases that have a combined monetary value of approximately \$325,000. These cases include copper wire theft in Baltimore that has resulted in damage and serious disruptions to train operations; recovering Amtrak-owned tools and equipment from burglar's barn; and tracking down the culprits of the theft of copper materials in Philadelphia. These are just a few examples of Investigator McBride's invaluable work that has earned him the distinction of Amtrak Police Officer of the Year.

I ask that you and my other distinguished colleagues help me in honoring the Officer of the Year, Investigator McBride, for his admirable work with Amtrak.

COMMENDING THE ANTHONY TELESCA FOUNDATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. BILIRAKIS. Mr. Speaker, I rise today to commend the Anthony Telesca Foundation for selflessly working to improve the safety of communities in Florida by promoting safe driving habits to Florida's teenagers. The organization helps to educate and encourage teenagers to drive safely by hosting safety awareness functions with local high schools and law enforcement officials.

In December 2002, 16-year-old Anthony Joseph Telesca passed away as the result of a reckless driving incident. As a result of this unfortunate and tragic incident, the Anthony Telesca Foundation was created to work with local high school and law enforcement officials to increase driver safety awareness among teenagers. The Foundation also provides scholarships and philanthropic support in order to meet its mission of preventing reckless teenage driving and driving accidents, injuries, and fatalities.

Among other activities, the Foundation has hosted events with the Pinellas County Sheriff's Office and high schools in northern Pinellas County, Florida, which I represent, to reward teenagers who have been observed practicing safe driving habits. Educating and

rewarding teenagers to drive safe has helped to prevent needless motor accidents from occurring.

Mr. Speaker, in the decade since the unfortunate passing of Anthony Telesca, the foundation that was established in his honor has represented the best of the human spirit, and the organization has become a shining example of how to turn an unfortunate tragedy into something meaningful. The Anthony Telesca Foundation's humanitarian efforts and successes exemplify the strength and compassion within people, and I commend them for their contributions.

JOEY ROOT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Joey Root for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Joey Root is a 12th grader at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Joey Root is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Joey Root for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 90 "to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project" (H.R. 254). Had I been present, I would have voted "yes".

RESOLUTION ON APRIL AS PARKINSON'S DISEASE MONTH

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, along with my fellow co-chairs of the Congressional Caucus on Parkinson's Disease, Reps. PETER KING and CHRIS VAN HOLLEN, today I am introducing a resolution designating April as Parkinson's Awareness Month.

As co-chairs of the Caucus we have worked to bring attention to the second most common neurological disease in the United States. This chronic, progressive neurological disease debilitates those living with Parkinson's and affects their families, as well. In the U.S. there are an estimated 500,000 to 1.5 million people with Parkinson's disease, with some predictions showing the prevalence will more than double by 2040.

Currently, there is no therapy or drug to slow its progression and a cure has yet to be found. This resolution supports continued education and research to find more effective treatments and eventually a cure. It also applauds the dedicated organizations, volunteers, medical researchers, and millions of Americans working to improve the quality of life of persons living with Parkinson's disease and their families.

As the loved one of someone afflicted by Parkinson's disease, I witnessed personally the effect of Parkinson's disease on my father. As a result, I know firsthand that we must provide support to the loved ones, caregivers and researchers attempting to improve the welfare of those living with Parkinson's. I urge my colleagues to support this resolution.

HONORING TAIWAN

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. MESSER. Mr. Speaker, I rise today to commemorate the Taiwan Relations Act (TRA). On April 10th, the United States and the Republic of China, more commonly referred to as Taiwan, will celebrate the 34th anniversary of the TRA, which is the premier law that governs U.S.-Taiwan bilateral relations. In 1979, President Jimmy Carter signed the TRA into law and since that time it has been the cornerstone to maintaining peace, security, and stability in the Western Pacific. The TRA has held up well for over 34 years and is an important reminder of the strong alliance between our two sides.

All facets of the U.S.-Taiwan bilateral relationship—cultural, economic, and strategic—have expanded and grown stronger since the signing into law of the TRA. Taiwan is the United States' 10th largest trading partner. Taiwan is the seventh largest export market for U.S. agriculture. Since 1998, Taiwan has purchased over \$5.5 billion in corn and \$4 billion in soybeans from the United States. For my home state of Indiana, Taiwan is one of its top export markets in Asia. Recently, Taiwan signed a multi-million dollar agreement with the State of Indiana for the purchase of corn and soybeans for the years 2012 and 2013. Without a doubt, Hoosier farmers and my state's economy have benefitted greatly from trade agreements with Taiwan.

As a new member of the House Subcommittee on Asia and the Pacific and the Congressional Taiwan Caucus, I have had the pleasure to meet with Ambassador Pu-tung King, Taiwan's Representative serving in Washington, DC. We discussed the unique circumstances that define our two countries' rela-

tions. I look forward to working with Ambassador King on additional initiatives that could benefit the people of Indiana and Taiwan.

I was pleased to learn from Ambassador King of the many steps Taiwan has taken to reduce tensions with China, their neighbors along the Taiwan Strait. Although Taiwan and China split amid civil war in 1949, bilateral relations between the two are at an all-time high. Today, China is Taiwan's largest trading partner. Starting in 2008, Taiwan and China signed an agreement to improve direct links between the two countries. This agreement has been a resounding success eliminating barriers to air and sea travel between the two sides. As a result, there are about 600 direct passenger flights that operate each week between Taiwan and China. Cargo ships now transit directly between the two sides. Building upon the successes of the 2008 agreement, in 2010, Taiwan and China signed a landmark trade agreement called the Economic Cooperation Framework Agreement, which reduced tariffs and commercial barriers between the two sides. The people of China and Taiwan are more connected today than ever before.

Like many of my colleagues in the House, I believe that a strong Taiwan is vital for maintaining stability in the region. Like Congressman ROYCE, Chairman of the House Foreign Affairs Committee, I, too, support the sale of newer, diesel submarines and F-16s upgrades to Taiwan's government, which will serve to protect U.S. national interests in the region. I intend to work closely with my Congressional colleagues to encourage the Administration to expedite the U.S. sale of needed military hardware to Taiwan's government.

Simply put, a strong, prosperous Taiwan serves both our nations' interests. I am certainly thankful to my predecessors who passed the Taiwan Relations Act, which remains the hallmark of the U.S.-Taiwan alliance.

JESUS LOZANO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jesus Lozano for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jesus Lozano is an 11th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jesus Lozano is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jesus Lozano for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE OUTSTANDING SERVICE OF GLEN DOHERTY, VICTIM OF THE ATTACK ON THE U.S. EMBASSY IN BENGHAZI

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. ISSA. Mr. Speaker, I rise today to recognize the service of Mr. Glen Doherty, who was tragically killed on September 11, 2012 at the age of 42 in the armed assault against the U.S. diplomatic mission in Benghazi, Libya. I commend Mr. Doherty's career and offer my sincerest thanks for his dedicated service in protecting our nation.

A desire to push himself and to use his talents to make genuine change in the world led Glen to join the Navy SEALs in 1995, where he served as a paramedic and sniper in the Middle East. Among other missions, his team responded to the terrorist attack on the USS *Cole* in 2000. Following knee reconstruction in 2001, Glen had planned on leaving the military but when our nation was attacked on September 11th, Glen decided to remain with the SEALs.

Mr. Doherty twice deployed in support of Operation IRAQI FREEDOM. On his first tour, he joined the earliest Marine contingents on their march to Baghdad. He was taken from his unit for sniper duty for several days, but returned to them before they took Baghdad and continued with them to take Saddam Hussein's hometown of Tikrit as well. Glen believed that the possibility of liberating a troubled country from a tyrant and making democracy possible for the Iraqi people was something worth risking his life.

In 2005, Glen left the SEALs, but remained focused on the Middle East as a private security contractor. He worked for peace and security in Afghanistan, Pakistan, Yemen, Lebanon, and other high threat areas in the region.

I again offer Mr. Doherty my sincerest thanks and hope that his family and those who knew him best can find comfort in the outstanding service he gave his nation, as well as the passion and conviction that drove him into a career and life of defending others.

Mr. Speaker, I ask that my colleagues please join me in recognizing the distinguished career of Glen Doherty and his selfless sacrifice to a grateful nation.

IN SUPPORT OF H.R. 1287

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. MCINTYRE. Mr. Speaker, I rise to speak in support of H.R. 1287, the Sound Science Act of 2013. Congressman STEPHEN FINCHER and I introduced this bill on March 20, 2013 to ensure the highest level of Scientific Integrity at our federal agencies.

Our bill is a sensible approach requiring federal agencies to develop scientific integrity policies that adhere to the scientific method,

therefore maximizing the quality and integrity of science used in the regulatory decision-making process.

Mr. Speaker, this bill is a continuation of the efforts the Administration has put forth on the issue of scientific integrity. In March of 2009, President Obama issued a Presidential memorandum directing the Office of Science and Technology Policy (OSTP) to require federal departments and agencies to develop procedures "for restoring scientific integrity to government decision making."

At the beginning of last year, the President continued this work by issuing Executive Order 13563, "Improving Regulation and Regulatory Review," which stated that each agency "shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions."

Since that process began, departments and agencies have developed their own policies to address the President's concerns. Unfortunately, not all agencies have made an equal commitment to scientific integrity.

In fact, earlier this month, the Union of Concerned Scientists (UCS), released a report on the status of such policies—now four years after this process started. Unfortunately, a variety of Departments and agencies have received an unfavorable review from UCS, including the Department of Energy, Health and Human Services, and the USDA to name a few. UCS notes that these departments have developed "policies that do not make adequate commitments to scientific integrity."

This bill attempts to address some of the inadequacies highlighted by UCS and builds on the Administration's initiative by codifying the requirement that the Director of the Office of Science and Technology Policy compel each federal agency to develop guidelines regarding the scientific information used by federal agencies.

Additionally, this legislation clarifies that scientific information be supported by peer review when appropriate; ensures that scientific studies used in making decisions be disclosed to the public, and requires an opportunity for stakeholder input.

It also requires federal agencies to give greatest weight to information based on reproducible data that is developed in accordance with the scientific method.

Finally, the bill establishes any regulatory action in violation of an agency's internal scientific integrity guidelines be deemed arbitrary and subject to challenge by affected stakeholders.

Mr. Speaker, I urge my colleagues to support this bill to ensure that government decisions are fact-based and made in sound science.

HONORING ARMY CORPORAL
WILLIAM L. McMILLAN III

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. BARR. Mr. Speaker, nearly five years ago Army Corporal William L. McMillan III

gave the ultimate sacrifice for our Nation. He was assigned to the 1st Battalion, 21st Infantry Regiment, 2nd Stryker Brigade Combat Team, 25th Infantry Division, Schofield Barracks, Hawaii, and was only 22 years of age when he gave his life for this country.

There is nothing as noble as the character of a man who so willingly dedicates his life for others. The American warriors serving our military, and their families, understand that better than anybody. They embody what it means to be an American.

William McMillan gave his life on June 8, 2008 in Baghdad when his patrol was struck by an improvised explosive device. CPL McMillan is survived by his wife, Elizabeth; his parents, Marge and Lloyd McMillan; his brother Brad, sister Laura Buchanan and husband Rob, niece Paige, and nephew Chance.

William grew up in Lexington, Kentucky, and was always going to be a military man like his father, who graduated from West Point and served in Vietnam. He was a star athlete at Hargrave Military Academy in Virginia, where he was captain of the football, wrestling, and lacrosse teams. He attended Virginia Military Institute for one year before enlisting in the Army. William was serving his first tour of duty in Iraq, and his awards include the Bronze Star Medal with Oak Leaf Cluster, Purple Heart, Combat Action Badge, National Defense Service Medal, Iraq Campaign Medal with Bronze Service Star, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, and the Weapons Qualifications Badge of Expert.

We grieve the loss of this American warrior, but we celebrate and honor his life and his service. William stood for the best of the American ideals and values exemplified in our fighting infantrymen. He served this Nation as the fine soldier he always wanted to be. He fought for liberty for a people he did not know in a land where he had never been.

As a U.S. Congressman, I am forever grateful for William McMillan's service to our country and am both humbled and honored by the sacrifice he made for the price of our freedom. Because of his bravery and that of his fellow men and women in uniform, our American freedoms are protected for future generations. Truly, he is a hero to us all.

LOGAN BANNER 125 YEAR
ANNIVERSARY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. RAHALL. Mr. Speaker, I rise today to honor the work of a local newspaper in the heart of the coalfields of southern West Virginia. This year, the Logan Banner celebrates 125 years of excellence in journalism and service to the greater Logan County area and beyond.

For a century and a quarter, the Logan Banner has made banner headlines out of local and regional news stories that inform its readers on matters most important to them, what is happening in their own backyards.

In a world awash in news and information services, there is still no substitute for home-

grown news coverage on the important events and happenings that only a local community paper can provide. From the city crime report to the latest little league scores, the Banner is the face of the community.

Through thick and thin, the Banner has operated as a reliable news source for Southern West Virginia's coal counties, and today, through subscription and on-line edition, the newspaper knows no geographic bounds around the globe.

Our Founders were quick to add in the first amendment to our Constitution, declaring Congress shall make no law to abridge the freedom of the press. Our Republic has been buoyed over the centuries by dedicated journalists doing a yeoman's task of reporting the news of the day regardless of whose ox is being gored. As a recent Banner editorial proclaimed, within its pages, the reader gets the good, the bad, and the ugly of insightful news impacting their lives.

Every member of the Logan Banner's team can take due pride in knowing that with every edition of the Banner they publish, they strengthen the bulwark of our Republic, a more informed citizen. Mr. Speaker, fellow colleagues, in recognition of its lasting contribution to our Nation, please join me in wishing Godspeed to the Logan Banner in its next 125 years of publishing.

JENNICA TROVER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jennica Trover for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jennica Trover is a 10th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jennica Trover is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jennica Trover for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

THE INTRODUCTION OF THE MEM-
BER OF CONGRESS PAY SEQUESTRATION AND FAIRNESS ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. NORTON. Mr. Speaker, I rise today to introduce the Member of Congress Pay Sequestration and Fairness Act, which would

subject the pay of Members of the House and Senate to any future sequestration, or automatic, across-the-board spending cuts. While Members of Congress may differ on the merits of sequestration, once the cuts are a matter of law, Members should abide by the laws we impose on the American people. The most serious effects of these arbitrary, across-the-board cuts are being felt by the American people. For example, during the remainder of this fiscal year, as a result of sequestration cuts to Medicare, many cancer clinic patients will have to go to hospitals for outpatient chemotherapy at sharply higher costs, or face reduced access to treatment. More than a million federal employees may be furloughed, which will result in reduced pay. It is simply unfair for well-paid Members of Congress to subject federal employees, who not only usually earn considerably less but are now also in their third year of frozen wages, to pay cuts that Members are unwilling to take themselves.

Under the 1985 law that established the sequestration process, the Balanced Budget and Emergency Deficit Control Act (also known as the Gramm-Rudman-Hollings Act), Congress expressly exempted certain federal programs, activities, and projects, including the President's pay, from sequestration. The pay of Members of Congress is not expressly exempt. Nevertheless, the Office of Management and Budget has interpreted the law to exempt the pay of Members. I would hope that today's Congress would revise the law. My bill would subject Member pay to any future sequestration implemented under the Gramm-Rudman-Hollings Act, including the Budget Control Act of 2011 and the Statutory Pay-As-You-Go Act of 2010. In order to comply with the 27th Amendment of the U.S. Constitution, which prohibits changes to Member pay until an intervening election, this bill would take effect next Congress.

I ask my colleagues to follow the example we set for ourselves when, in passing the Congressional Accountability Act, we pledged that the laws that apply to the American people would also apply to Members of Congress.

A TRIBUTE IN HONOR OF THE
LIFE OF OLIVE "OLLIE" MAYER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the extraordinary life of an extraordinary woman. Ollie Mayer died at the age of 94, in Woodside, California, after a lifetime of firsts, mosts, and bests. She was a force of nature, a force for nature, and a force for all things good and just. She was ahead of her time in everything she did, and the list of challenges she dared to face is long and daunting. Our beloved San Francisco Peninsula has been the beneficiary of so much of her brilliance and activism, and our world is a better place because she graced it.

Olive Hendricks was born on the East Coast and studied engineering at Swarthmore College. She and her husband, Dr. Henry Mayer,

met while hiking the Rocky Mountains. They moved to Woodside, California, where Ollie started a machine shop, then a science education company, and then began devoting all her energies to environmental causes in the early 1970s. She was an activist for free speech during the McCarthy era and provided support for victims of blacklisting. She was an organizer of cultural exchanges between U.S. and Soviet women in the early 1960s. She was an early opponent of the Vietnam war and an early civil rights activist. She fearlessly took on unpopular causes, often alone. What an extraordinary example she set for generations to come.

Ollie's husband, Dr. Mayer, preceded her in death. She was the loving mother of Judy and Robert, and the devoted grandmother of four. She leaves behind countless friends, and I feel privileged to count myself among that group. I ask my colleagues to join me in extending our condolences to her family and her friends who mourn the passing of this great and good woman who did so much to strengthen our democracy and protect our environment, and lived a life that stands as an eloquent statement for the ages.

THE INTRODUCTION OF THE
SIMON WIESENTHAL HOLOCAUST
EDUCATION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, as we commemorate Holocaust Remembrance Week, I am pleased to reintroduce the bipartisan Simon Wiesenthal Holocaust Education Act, along with Representatives RANGEL, WAXMAN, PIERLUISI, and GRIMM.

Named for the honored Holocaust survivor Simon Wiesenthal, who spent his life working for justice for those murdered by the Nazis and to hunt down those who perpetrated such atrocities, this legislation would provide federal grants to educational organizations to teach students about the Holocaust. Through grants from the Department of Education, Holocaust organization programs would be able to apply for funds to improve the awareness and understanding of the Holocaust through classes, seminars, conferences, educational materials, and teacher training.

We must ensure that we learn from the legacy of previous generations of Holocaust survivors. Over 11 million people, including 6 million European Jews as well as gypsies, the disabled and mentally ill, homosexuals, and others, were systematically and brutally murdered in the Holocaust as the Nazis swept across Europe, destroying entire villages and communities.

More than half a century later, persecution and murder on the basis of religion, ethnicity, and sexuality continue across the globe. We need programs in our schools that allow students to learn about the consequences of intolerance and hate, so that we can truly say, "never again."

The Simon Wiesenthal Holocaust Education Assistance Act is a positive step toward that

end. I urge my colleagues to support this legislation.

JAZMIN MONTOYA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jazmin Montoya for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jazmin Montoya is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jazmin Montoya is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jazmin Montoya for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

SRIRAM HATHWAR CLINCHES
SPOT FOR HIS FOURTH TRIP TO
THE NATIONAL SCRIPPS SPELL-
ING BEE IN WASHINGTON, DC

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Sriram Hathwar who, this May, will compete in the National Scripps Spelling Bee for the fourth time in his scholastic career. During his first attendance in 2008, Hathwar notably became the youngest speller in the history of the event but was eliminated in the preliminaries. He performed increasingly better in 2009 and 2011, finishing sixth in 2011.

Sriram, a 12-year-old from Painted Post, New York, attends Corning's Alternative School for Math and Science. This year marks his sixth time contending in the Regional Spelling Bee, but it came with a new challenge: his younger brother. Out of 40 contestants, Sriram came head to head with his 10-year-old brother, Jairam Hathwar, in the final round. The last two standing flawlessly spelled out words such as "liquesce" and "flexuosity" for three rounds, until Jairam stumbled on "jicama." Sriram then clinched the regional title with the word "mobiliary."

The National Scripps Spelling Bee, run on a not-for-profit basis by the E.W. Scripps Company and local spelling bee sponsors across the country, is the longest-running and largest educational promotion in the United States.

Sriram will compete live on ESPN in the 88th National Scripps Spelling Bee from May 28th-30th in our nation's capital. I wish him the best of luck in May.

CELEBRATING THE 60TH ANNIVERSARY OF THE PRESTON WEST REPUBLICAN WOMEN

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of the 60th anniversary of the Preston West Republican Women. This group organized in 1953 and has continued its mission to represent and strengthen the voice of women in northern-most developmental areas of Dallas.

This organization's leadership has provided their community and their neighbors with the opportunity to meet and know their representatives in local, state and the federal government. These exceptional women have worked diligently to recruit citizens and involve them in the political process, and promote the understanding of the conservative philosophy.

It is encouraging to see these leaders from Texas's Twenty-Fourth District do such great things. I continue to applaud them for their accomplishments over the last 60 years in raising awareness of their values, promoting the voice of women in North Dallas and being a guard for conservative beliefs.

Mr. Speaker, it is a great privilege to honor the members of the Preston West Republican Women for their 60 years of achievement and unwavering resolution in building this organization for the conservative women of North Dallas. I join their family, friends, and colleagues in congratulating them and wishing them continued growth and success.

IN OBSERVANCE OF HOLOCAUST REMEMBRANCE DAY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in observance of the six million Jewish victims and millions of other victims who perished during the Shoah on Holocaust Remembrance Day.

As we commit ourselves to the memories of those lost, we must also remember the heroes and survivors of the Holocaust, whose strength and perseverance continue to inspire us to this day.

Our nation and the international community must never forget what took place throughout Europe during the Second World War at the hands of the murderous Nazis. Nor can we forget the government-sponsored discrimination, repression, and persecution that took place before the beginning of the war.

Throughout our country, Americans can observe the Holocaust at local community events, military bases, workplaces, schools, churches, synagogues, and museums. The U.S. Holocaust Memorial Museum in Washington, DC, has designated "Never Again: Heeding the Warning Signs" as the theme for the 2013 observance.

In my hometown of Houston, Texas, the Holocaust Museum Houston is observing Hol-

ocaust Remembrance Day with testimonials from survivors and for concerned Houstonians to share their views about genocide and see what can be done to end genocide in the present day.

In Israel, Yom Hashoah is remembered annually with a two minute siren where the country comes to a standstill to pay tribute to the dead. Flags are flown at half mast and ceremonies and services are locally held throughout the country.

Mr. Speaker, I would like to conclude by asking our fellow citizens to take a moment this week to remember the memories of those who did not survive the Holocaust and to reflect on what we can do, as Americans, to prevent such a tragedy from happening again.

JOHN JONES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud John Jones for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. John Jones is a 12th grader at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by John Jones is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to John Jones for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING THE FLORIDA HIGHWAYMEN

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. WILSON of Florida. Mr. Speaker, it is with great pride that I rise to honor the Florida Highwaymen, a group of twenty-six landscape artists who have been called "The Last Great American Art Movement of the 20th century."

Against tremendous odds and severe racial discrimination, these African American artists were able to define themselves as artistic innovators, producing more than 200,000 celebrated paintings.

The works of the Florida Highwaymen are unique. They developed their own individual techniques and captured waterscapes, backcountry marshes, and inlets before residential and industrial development. Their work—which is now proudly displayed in the Florida Capitol and the United States Senate—marks the beginning of Florida's contem-

porary art tradition and the "Indian River School" art movement.

Painting in the era of Jim Crow, the Highwaymen could not sell their paintings through traditional channels. Galleries and art festivals would not accept their works. The Highwaymen were forced to sell their artwork along roadsides in towns and cities throughout the eastern coastal roads of Florida. From the 1950s to the 1980s, the Highwaymen pressed forward, offering their works at bargain prices to the public. Until recently, countless Americans appreciated their artistry without knowing their identities.

The twenty-six members of the original Highwaymen are still alive. These men and women have earned their place in history. On Saturday, March 30, 2013, in the City of Pembroke Pines at the South West Focal Point Community Center their unique depictions of artwork will be displayed for the community to appreciate and view.

It is with heartfelt appreciation that I recognize their legacy. Please join me in honoring the Florida Highwaymen for their contributions to the world of art.

RECOGNIZING DAVID V. AGUILAR

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Mr. David V. Aguilar for his retirement from his position as Deputy Commissioner with the U.S. Customs and Border Protection. Mr. Aguilar has dedicated his service leading the agency in protecting our nation's borders and its communities.

Mr. Aguilar joined the Border Patrol in June 1978 at Laredo, Texas, where he held positions of Assistant Patrol Agent in Charge and Patrol Agent in Charge.

From 1988 to August 1996, Mr. Aguilar served as Patrol Agent in Charge of three Border Patrol Stations in Texas (Dallas, Rio Grande Valley and Brownsville). Under his command, the Dallas and Brownsville stations were awarded the Commissioner's Award for Group Achievement.

From August 1996 to November 1999, Mr. Aguilar served as Assistant Regional Director for the Border Patrol in the central region of the former Immigration and Naturalization Service. As such, Mr. Aguilar was the principal advisor to the Regional Director, where he managed, directed and guided the regional program.

Mr. Aguilar was subsequently appointed as Chief Patrol Agent of the Tucson Sector. As Tucson Sector Chief, he had more than 2,000 agents and 200 support personnel under his command. Mr. Aguilar had oversight of eight geographically dispersed Border Patrol stations along 261 miles of the Arizona/Mexico border. In 2003, the Tucson sector earned the CBP Commissioner's anti-terrorism award for achievements under Operation Desert Safe-guard, an operation planned, designed and implemented in the high-risk areas of the Tucson sector.

In March 2004, the Department of Homeland Security designated Mr. Aguilar as the

Border and Transportation Security Integrator for the execution of the Arizona Border Control Initiative. In 2004, Mr. Aguilar was also elected as the President of the Southern Arizona Federal Executive Association.

In July 2004, Mr. Aguilar was named National Chief of the Border Patrol, assuming the position as the nation's highest-ranking Border Patrol agent. With expertise and knowledge gained from more than 31 years of service with the Border Patrol, Mr. Aguilar directed the enforcement efforts of more than 20,000 agents nationwide.

In April 2010, Mr. Aguilar was appointed Deputy Commissioner of U.S. Customs and Border Protection. From December 2011 to August 2012, Mr. Aguilar served as acting Commissioner, CBP's highest-ranking official, leading the agency in border security, while fostering our Nation's economic security through lawful international trade and travel. Mr. Aguilar led a workforce of 60,000, including 43,000 uniformed law enforcement officers.

Mr. Aguilar holds an associate degree in accounting from the Laredo Community College, and attended Laredo State University and University of Texas at Arlington. He is a Senior Executive Fellow of the John F. Kennedy School of Government at Harvard University. Mr. Aguilar is the recipient of the 2005 President's Meritorious Excellence Award and in 2008 was a recipient of the Presidential Rank Award.

Mr. Speaker, I am honored and privileged to have the opportunity to pay tribute to Mr. Aguilar for his outstanding service in protecting our communities and his extraordinary commitment to our country. He has truly contributed to this nation in his efforts to protect our borders.

HONORING CALIFORNIA STATE
SENATOR NICHOLAS PETRIS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the exceptional life of California State Senator Nicholas Petris. Known throughout California politics as a brilliant democratic lawmaker with visionary foresight, Nicholas Petris was also renowned for his professionalism, speaking prowess, and tireless advocacy for the underserved. With his passing, we look to Senator Petris' political legacy and the outstanding quality of his life's work.

Over a career that spanned four decades, Senator Petris was a hero to many—pioneering initiatives far ahead of their time in areas like environmental protection, mental health rights, and low-income housing. A child of Greek immigrants, Nicholas Petris was born in Oakland and educated in the Bay Area, graduating from the University of California, Berkeley and Stanford University Law School. He served in the Office of Strategic Service during World War II and practiced law for about a decade before being elected to the California Assembly in 1959.

In 1965, as an assemblyman, he famously collaborated with State Senator Eugene

McAteer to write the bill that created the San Francisco Bay Conservation and Development Commission, laying the foundation for the non-profit Save The Bay to protect the resource from harmful development. He also worked to direct crucial resources to expand the University of California system.

Upon being elected to the State Senate in 1967, he immediately worked to pass the Lanterman-Petris-Short Act, which prohibited involuntary commitment and made quality mental health services more accessible. Furthermore, he continued the decade fearlessly taking on controversial battles: challenging the internal-combustion engine and emission practices of the auto industry and writing laws to ban smoking on airplanes and public transportation. These efforts eventually helped to usher in an era of air quality and clean-fuel regulation in California that was often stricter than the national standard. He also introduced bills to ban DDT and control ballooning vehicle numbers, which, although unsuccessful, demonstrated remarkable prescience in the face of today's environmental challenges.

As a passionate advocate for the poor, Senator Petris passed legislation that required redevelopment agencies to build housing for low-income families. He also championed tenants' and workers' rights, inspiring lawmakers in both major parties to listen to the voices of average Californians. All the while, he was a loving husband to his wife of 60 years, the late Anna Vlahos.

On a personal note, I was incredibly honored to succeed Senator Petris upon his retirement due to term limits in 1996. He was a steadfast friend and provided wise counsel to me throughout my time in the California Legislature. Particularly, I will always remember Senator Petris and his beloved wife, Anna, taking me to dinner prior to my first visit to Greece. They provided me with invaluable travel tips for restaurants, shopping, and tourist attractions that made my first visit so exciting. Senator Petris' beloved Greece became one of my favorite countries to visit.

Today, we mourn the loss of a wise political pioneer, a respected lawmaker, and an innovative thinker who helped shape the State of California as we know it. His legislative insight, legendary eloquence, and the camaraderie he inspired among his colleagues is unmatched. Senator Nicholas Petris' legacy continues to thrive among generations of advocates committed to championing progressive California policy as a model for environmental and social justice throughout the world. I offer my sincerest condolences to his surviving family and to the many friends and associates whose lives he touched over the course of his long and fruitful life. He will be deeply missed.

JHAMIER RYAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jhamier Ryan for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jhamier Ryan

is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jhamier Ryan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jhamier Ryan for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. BILIRAKIS. Mr. Speaker, on Tuesday, April 9th, 2013, I missed rollcall vote numbers 90, 91, and 92 for unavoidable reasons.

Had I been present, I would have voted as follows:

Rollcall no. 90: "yea" (On motion to suspend the rules and pass H.R. 254, to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamon Fork System of the Central Utah Project.)

Rollcall no. 91: "nay" (On motion to suspend the rules and pass H.R. 1033, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.)

Rollcall no. 92: "yea" (On approving the Journal.)

INTRODUCTION OF RFS REFORM
ACT AND RFS ELIMINATION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. GOODLATTE. Mr. Speaker, I have long been a critic of the renewable fuel standard and we must act now to fix this broken policy.

While the livestock industry has been witnessing the effects of the RFS mandate for several years, the drought last year highlighted for many the extreme reach of the RFS throughout our economy. But even before the drought, by diverting feed stocks to fuel there have been diminished corn supplies for livestock and food producers. Tightening supplies have driven up the price of corn. The higher cost for corn is passed on to livestock and food producers. In turn, consumers see that price reflected in the price of food on the grocery store shelves and restaurants.

This year, the U.S. is expected to hit the blend wall—where the ethanol mandate will require more ethanol be produced than can be

safely blended into gasoline. In order to address the blend wall by reducing the RFS mandate, EPA is working to push E15. EPA has granted a partial waiver to allow E15 blends for model cars 2001 and newer, despite the fact that a study from the Coordinating Research Council, commissioned by U.S. automakers and oil companies, found that 25 percent of cars approved by the EPA to run on E15 experienced engine damage—and even failure. The EPA should not be promoting fuel that is unsafe on the roadways just to meet a mandate.

EPA administrators from both parties have constantly refused to use the flexibility granted to them by law to alter the RFS, so Congress must act. That is why I am introducing two bills that would alter this artificially created government market.

The first bill, the Renewable Fuel Standard Elimination Act is simple; it would eliminate the RFS and make ethanol compete in a free market. The government should not be creating a market to sustain an entire industry. While, I believe that we should completely eliminate the RFS, I recognize that there may not yet be the political will in Congress to completely eliminate this mandate. And while there may not yet be the political will to eliminate this mandate we have to address the reality that we are being confronted and reform the broken RFS policy.

That is why I have joined with several colleagues in introducing legislation to reform the RFS. The Renewable Fuel Standard Reform Act eliminates the corn based ethanol requirements and caps the amount of ethanol that can be blended into conventional gasoline at 10 percent—a level that is safe for all vehicle models. And this legislation will require the EPA to set cellulosic biofuels levels at production levels—oil and gas refiners should not be fined for not being able to blend products that do not exist.

More than 40 diverse organizations are joining us to call for action to address the problems created by the RFS mandate. This is no longer just a debate about fuel or food. It is also a debate about jobs, small business, and economic growth. This mandate has wide reaching and negative impacts on a broad swath of industries. Congress created this artificial market that is distorting the food and feed market, and we must provide relief of its unintended consequences. I urge the Congress to pass this legislation.

PERSONAL EXPLANATION

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote Number 91 “To authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program” (H.R. 1033). Had I been present, I would have voted “yes.”

JEREMIAH BATES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jeremiah Bates for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jeremiah Bates is an 11th grader at Jeffco's 21st Century Virtual Academy and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jeremiah Bates is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jeremiah Bates for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

NATIONAL ASSISTANT PRINCIPALS WEEK

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. HONDA. Mr. Speaker, I rise today to express my support for National Assistant Principals Week, April 8 through April 12, 2013. Assistant principals are vital school leaders responsible for establishing a positive learning environment and building strong school community relationships. The National Association of Secondary School Principals/Virco National Assistant Principal of the Year program began in 2004 to recognize outstanding middle and high school assistant principals who have demonstrated success in leadership, curriculum, and personalization. This week, 47 assistant principals from across the country will participate in professional development, networking, and advocacy to share best practices and discuss the issues facing school leaders today.

As a former principal, I would like to recognize these distinguished school leaders for the pivotal role they play in their school communities. Assistant principals interact with all sectors of the school community, including support and instructional staff members, students, and parents. Assistant principals play a significant role in the instructional leadership of the school by conducting instructional supervision, mentoring teachers, encouraging collaboration, and ensuring the implementation of best practices. Assistant principals also monitor student-achievement goals and progress, facilitate and model data-driven decision making to inform instruction, and foster continual school improvement. Furthermore, assistant principals support the day-to-day logistical operations of facility management, attendance, transpor-

tation, and scheduling, as well as supervise extra- and co-curricular events. Lastly, assistant principals are entrusted with maintaining an inviting, safe, and orderly school environment that supports the growth and achievement of each and every student by nurturing positive peer relationships, recognizing student achievement, analyzing behavior patterns, providing interventions, and conducting discipline.

I applaud the work of assistant principals and recognize their contributions to the success of students in schools in the United States. I encourage the people of the United States to observe National Assistant Principals Week with appropriate ceremonies and activities that promote awareness of the primacy of school leadership in ensuring that every child has access to a high-quality education.

IN HONOR OF GREY NUN ACADEMY'S 50TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. FITZPATRICK. Mr. Speaker I rise today to congratulate the 50th Anniversary of the Grey Nun Academy, a private Catholic school located within my district that serves pre-kindergartners through the eighth grade.

Founded in 1963, the Grey Nun Academy opened in 1963 as the D'Youville Manor Academy in honor of Saint Margurite D'Youville, who founded the Grey Nuns of the Sacred Heart. Since then, The Grey Nun Academy has evolved into a school of 200 boys and girls. In 2009, the faculty of Grey Nun's educational work was recognized on the national level when the school was named a Blue Ribbon School of Excellence by the US Department of Education. Grey Nun Academy prides itself in creating a nurturing educational environment that encourages students to learn about themselves, and their faith.

As a lifelong resident of Bucks County, I greatly admire the Grey Nun Academy. Their commitment to creating exceptional students is highly valued within the community. Institutions such as the Grey Nun Academy are learning environments graced with dedicated teachers, administrators, and students. Grey Nun provides students with a strong foundation for success that influences their young students well into adulthood.

I am pleased to congratulate the Grey Nun Academy on its successes over the past 50 years and I hope that the Grey Nun Academy may provide a safe and compassionate learning environment in the coming years.

HONORING DR. MARKLEY SUTTON

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Dr. Markley Sutton, who is retiring after 31 years of service to the Sonoma Developmental Center.

Dr. Markley Sutton served in several different capacities at the Sonoma Developmental Center, most recently as the Senior Supervising Psychologist from 2003–2011. In this role he not only solved issues that arose with residents with behavioral problems, but also acted as a mentor and friend to the psychologists he supervised. He was always ready to pass on his considerable knowledge, and has taught at many universities on a range of topics centering on clinical issues, behavior concerns, and psychopharmacology for those with multiple diagnoses.

Dr. Sutton has received awards for his leadership including the Superior Accomplishment Award Supervisory Bonus Program from the State of California in both 1986 and 1992. He received the Outstanding Leadership Pioneer Award in 1998 and the Who's Who in California award in 1982, 1988 and 1989.

Dr. Sutton has a long and distinguished career in working with individuals with mental illness, developmental disabilities, and individuals with some of the most challenging behavioral problems. Yet it is his ability to remain engaged, curious and always ready to pitch in when needed that most exemplifies him. There is no issue too challenging, no resident too difficult, nor any task beneath him.

Mr. Speaker, Dr. Sutton has a long and distinguished career of service to others, most notably to the developmentally disabled population at Sonoma Developmental Center and those who seek his support in his private practice. It is therefore appropriate that we acknowledge Dr. Sutton today and wish him well in his retirement from Sonoma Developmental Center.

JAZMIN PHELPS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jazmin Phelps for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jazmin Phelps is an 8th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jazmin Phelps is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jazmin Phelps for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING DURHAM, NORTH CAROLINA AS THE "TASTIEST TOWN IN THE SOUTH"

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate the city of Durham, North Carolina that was recently recognized as the "Tastiest Town in the South," by Southern Living magazine.

This year, from mid-January to February, ten Southern regions competed for the ultimate title of "Tastiest Town in the South." During the voting period, over half a million votes were cast. The editors of Southern Living magazine highlighted Durham's unique ties to the land and its great prices—noting the burgeoning food scene has quietly made Durham one of the best food destinations in the South. In addition, many chef-owners, such as James Beard of Nana's Diner, have really helped to establish a diverse assortment of landmark restaurants—ranging from breweries and café's to comfort food.

Southern Living magazine listed several other notable places to eat in Durham including: Fullsteam Brewery, Pizzeria Toro, Geer Street Garden, Mateo Tapas, Monuts Donuts, Cocoa Cinnamon, Counter Culture Coffee, and Scratch Bakery. Other great Durham restaurants include Blue Coffee Café, Beyu Caffé, and Bistro Vin Rouge, just to name a few.

Mr. Speaker, when considering that Durham was competing against many more widely known Southern locales known for excellent cuisine, such as New Orleans, Atlanta, and Charleston, it's quite remarkable and impressive that Durham has created its own culinary niche. I share Durham County Commissioner Fred Foster's opinion that this award's impact will be felt for years to come.

This award is truly a tribute to the pioneers and current residents of Durham and the region. It is with great pleasure that I congratulate Durham for its recognition as the "Tastiest Town in the South."

HONORING THE ACCOMPLISHMENTS AND SERVICE OF JEREMIAH LOWNY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. COURTNEY. Mr. Speaker, it is with great pride and admiration that I rise today to share with you the accomplishments of Jeremiah Lowney of Norwich, Connecticut.

I am pleased that the White House is honoring Jeremiah Lowney as a Champion of Change, which is a well deserved honor. On April 5, 2013 Jerry was honored with 11 other Rotary International Members that have improved the lives of thousands both in the United States and abroad. For over thirty years, Jeremiah "Jerry" Lowney has successfully applied his exceptional skills in ortho-

dontia and medicine to helping those living in some of the world's most inhospitable conditions. After cultivating a fruitful career as an orthodontist, Jerry became focused on providing the most basic and necessary health services to those who needed it more than almost anyone in the world: the citizens of Port-au-Prince, Haiti. In doing so, Jerry selflessly prioritized his own health concerns below those of his future patients: he was recovering from surgery and radiation following treatment of a rare form of cancer when he embarked on his first mission trip to Haiti in 1982.

After dedicating three years of service toward Mother Teresa's Sisters of Charity providing free dental care to Haitians in Port-au-Prince, Jerry was asked by Mother Teresa to branch out to Jeromie, a rural city in Southwestern Haiti suffering from severe deficiencies in both the quality and availability of health care. Jerry's tireless efforts led what was initially a small outreach group to blossom into the Haitian Health Foundation (HHF), a stalwart organization that has offered health care services to Jeromie and over 100 of the rural and remote mountain villages which surround it.

Though the Foundation's successes are innumerable in quantity, some recent highlights include: a 90 percent immunization rate, almost 100 percent reduction in diarrhea deaths, a national award for Vitamin A program which prevents child blindness, and a reduction in childhood deaths from bacterial pneumonia by more than 50 percent. In addition, the HHF maintains programs which distribute hot meals and take-home food for thousands of malnourished children, as well as a family sponsorship program that sends thousands of children to school each year.

As a recipient of dozens of humanitarian awards, Jerry's efforts have certainly not gone unrecognized. Yet despite his philanthropic accomplishments, Jerry has never lost his quiet, humble sense of duty and compassion for those less fortunate. Jerry's unwavering determination, skills, and philanthropic nature have led him to extraordinary success in one of the world's most impoverished regions. His actions have improved the lives of hundreds of thousands of impoverished Haitians, who without him may never have been able to find adequate care. Jerry has offered more than health and dental services to these people; he has offered them hope. Despite his grueling schedule running a busy dental practice and managing the Haitian clinic he also is active in the Norwich community lending a hand to civic and charitable causes of every type. His family, his hometown of Norwich, and all of eastern Connecticut are proud of Jerry Lowney's remarkable success, and I applaud the White House for recognizing his accomplishments.

Mr. Speaker, I ask all my colleagues to join me in honoring the service and accomplishments of Jeremiah Lowney.

HONORING MARY O'RIORDAN, PARENT HOSPITAL ASSOCIATION COUNTY OF SONOMA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Mary O'Riordan, who is retiring after nine years as President of the Parent Hospital Association (PHA) at Sonoma Developmental Center.

Ms. O'Riordan dedicated her life to serving persons with developmental disabilities. As President of PSA, she was in constant contact with state legislators in Sacramento and federal representatives in Washington, DC, traveling multiple times to both capitals to advocate on behalf of association members. She also served six years on the board of directors of VOR, the national advocacy group for persons with developmental disabilities.

Ms. O'Riordan's advocacy is rooted in her personal experience. Michael, the second of her four sons, was severely disabled and lived at Sonoma Developmental Center (SDC) until his death in January 2011. It was his experiences at SDC, the place he called home, that led her to champion the institution, its staff and its residents.

Ms. O'Riordan was passionate about her calling, stating, "I look forward to the day when every family—those who have a developmentally disabled child and those who do not—are equally involved, engaged and concerned about the special needs of our developmentally disabled citizens and to the day when all legislators have their needs on the top of their list of priorities."

In addition to her advocacy on behalf of SDC, Ms. O'Riordan was the administrative assistant for the Deputy Chief of Administration at the San Francisco Fire Department for 35 years. In this capacity, she was honored by the San Francisco Board of Supervisors for her outstanding service.

Mr. Speaker, Mary O'Riordan has a long and distinguished career in service to others, most notably to our developmentally disabled population. Her tireless commitment to her community is apparent and it is therefore appropriate that we acknowledge her today and wish her well in her retirement as President of the Parent Hospital Association.

ment that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to James Cleary for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

REMEMBERING THE LEGACY OF
POLISH PRESIDENT LECH
KACZYNSKI

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mrs. BACHMANN. Mr. Speaker, three years ago, the Air Force TU 154 plane carrying Polish President Lech Kaczynski, his wife Maria, and 94 other top Polish officials crashed near Smolensk, Russia. The delegation had been on their way to Katyn to commemorate the deaths of 4400 Polish Army officers who were ruthlessly executed by the Soviets in 1943.

In the 1970s, Kaczynski, a staunch anti-communist, made a name for himself as an underground oppositionist, and, in 1980, when the Solidarity workers' union was founded, he assisted in the Gdansk Shipyard strike and later served as the group's legal adviser. In 1981, after the imposition of the martial law, he was put in prison.

In free Poland, Kaczynski served many roles—Senator, Mayor of Warsaw, Attorney General, Minister of Justice, and, in 2001, he was elected President.

President Kaczynski was always supportive of strong Poland-U.S. relations, and was skeptical of close relations with the German/French dominated European Union. Kaczynski rightly feared that reliance on Russian energy supplies would inhibit sober evaluation of Russian policies at home and abroad.

Americans appreciate our country's alliance with this great nation in the ongoing fight for freedom across the world. Today, three years after the tragic crash, we stand in solidarity with the people of Poland and mourn the loss of their President and countrymen.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily

Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 11, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 15

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for Veterans' Programs.

SR-418

APRIL 16

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the situation in Afghanistan.

SH-216

9:45 a.m.

Committee on Foreign Relations

Subcommittee on African Affairs

To hold hearings to examine ongoing conflict in Eastern Congo.

SD-419

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Forest Service.

SD-366

Committee on Finance

To hold hearings to examine tax fraud and tax identity theft, focusing on moving forward with solutions.

SD-215

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine college affordability.

SD-430

Committee on the Judiciary

Subcommittee on the Constitution, Civil Rights and Human Rights

To hold hearings to examine drone wars, focusing on the constitutional and counterterrorism implications of targeted killing.

SD-226

2:15 p.m.

Committee on Foreign Relations

Business meeting to consider S. 657, to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, S. Res. 90, standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts, the nomination of Jacob J. Lew, of New York, to be United States Governor of the International Monetary Fund, United States Governor of the International Bank for Reconstruction and Development, United States Governor of the Inter-American Development Bank, and United States Governor of the European Bank for Reconstruction and Development, and lists in the Foreign Service.

S-116

JAMES CLEARY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 10, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud James Cleary for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. James Cleary is an 8th grader at Arvada K-8 and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by James Cleary is exemplary of the type of achieve-

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine aviation safety, focusing on the Federal Aviation Administration's (FAA) progress on key safety initiatives.

SR-253

Committee on Energy and Natural Resources

Subcommittee on Water and Power

To hold hearings to examine S. 211, to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, S. 284, a bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico, S. 510, to authorize the Secretary of the Interior to convey certain interests in Federal land acquired for the Scofield Project in Carbon County, Utah S. 659, to reauthorize the Reclamation States Emergency Drought Relief Act of 1991, S.J. Res. 12, to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission, Act, 1920 and H.R. 316, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

SD-366

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold an oversight hearing to examine the enforcement of the antitrust laws.

SD-226

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

3 p.m.

Committee on the Budget

To hold hearings to examine the President's proposed budget and revenue request for fiscal year 2014.

SD-608

APRIL 17

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a briefing on the situation in Syria.

SH-216

10 a.m.

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Education.

SD-138

Committee on Finance

To hold hearings to examine the President's proposed budget request for fiscal year 2014.

SD-215

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Department of Homeland Security.

SD-342

Committee on Small Business and Entrepreneurship

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Small Business Administration.

SR-428A

2 p.m.

Committee on Armed Services

Subcommittee on Personnel

To hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Nuclear Security Administration.

SD-192

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine nuclear forces and policies in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a closed session SVC-217.

SR-222

Committee on Commerce, Science, and Transportation

To hold hearings to examine the future of passenger rail, focusing on what's next for the Northeast Corridor.

SR-253

Committee on the Judiciary

To hold hearings to examine comprehensive immigration reform legislation.

SD-226

APRIL 18

9:30 a.m.

Joint Economic Committee

To hold hearings to examine the Federal Reserve System at 100, focusing on monetary policy.

SH-216

10 a.m.

Committee on Armed Services

To hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC-217 following the open session.

SD-106

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Department of Energy.

SD-366

2:30 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To hold hearings to examine the role of the Department of Defense science and technology enterprise for innovation and affordability in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine the current readiness of U.S. forces in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

APRIL 23

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-106

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine S. 306, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 545, to improve hydropower, and an original bill to promote energy savings in residential and commercial buildings and industry.

SD-366

2:30 p.m.

Committee on Energy and Natural Resources

To hold hearings to examine S. 59, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 155, to designate a mountain in the State of Alaska as Denali, S. 156, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska, S. 219, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 225, to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, S. 228, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 285, to designate the Valles Caldera National Preserve as a unit of the National Park System, S. 305, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 349, to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, S. 371, to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 486, to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, S. 507, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico,

and Hanford, Washington, and S. 615, to establish Coltsville National Historical Park in the State of Connecticut.

SD-366

APRIL 24

10 a.m.

Committee on Armed Services
Subcommittee on Personnel

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

2:30 p.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support

To hold hearings to examine military construction, environmental, and base closure programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

APRIL 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

MAY 7

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SH-216

MAY 8

9:30 a.m.

Committee on Armed Services
Subcommittee on Airland

To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Armed Services
Subcommittee on SeaPower

To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

JUNE 11

9:30 a.m.

Committee on Armed Services
Subcommittee on Airland

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

11 a.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

Committee on Armed Services
Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

3:30 p.m.

Committee on Armed Services
Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

JUNE 12

9:30 a.m.

Committee on Armed Services
Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

2:30 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 13

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 14

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

SENATE—Thursday, April 11, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Holy God, friend unseen, we lean on Your everlasting arm. Help our Senators throughout life's changing seasons. When they are discouraged, fill them with Your faith. When they are oppressed, empower them to persevere with Your might, for You are our strength, our rock, our all. Remind them that any effort You require of them will ultimately have a positive effect. Give them the spirit of wisdom so that they will know You better. Lord, guide them so that they will find a way to unite in producing creative legislation.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 11, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume

consideration of the gun legislation. The time until 11 a.m. will be equally divided and controlled between the two leaders or their designees. At 11 o'clock there will be a cloture vote on a motion to proceed to S. 649, which is the gun safety legislation.

If cloture is invoked, I hope we can reach an agreement to begin debate on the bill today. We have people waiting in the wings to offer amendments. The first amendment that will be offered is one that has been being negotiated for quite some time between Senator MANCHIN and Senator TOOMEY and Senator KIRK. I have had calls from my Republican colleagues indicating they have some amendments they want to offer. So let's get on the bill. Let's not waste 30 hours. I hope that can happen so we can start legislating today.

GUN SAFETY

Mr. REID. Mr. President, life can change in a moment. In Carson City, NV, a little over a year ago—actually, time goes quickly; it was in September of 2011, September 6—shortly before 9 o'clock in the morning, a deeply disturbed man with an automatic weapon stepped out of his car outside of a Carson City, NV, restaurant. In the few brief seconds that followed, he fired nearly 80 rounds from an automatic weapon, spraying bullets over the parking lot and into an IHOP restaurant that was packed with customers for breakfast. He killed four people instantly, wounded seven others, and then he took his own life after that. That took 85 seconds. In those 85 seconds, 5 lives ended, and countless more were altered forever.

Three Nevada Army National Guardsmen were on their way to work that morning: 31-year-old SFC Miranda McElhiney, 38-year-old SFC Christian Riege, and 35-year-old MAJ Heath Kelly. Florence Donovan-Gunderson, who was eating breakfast with her husband, was also killed—murdered.

In 85 seconds, Carson City joined the likes of Tucson, AZ, Fort Hood, TX, Blacksburg, VA, Columbine, CO, and scores of other cities and towns in America rocked by mass shootings in recent decades. And as were those other cities and towns, Carson City was left asking, Why? Maybe we will never know.

The gunman had been diagnosed earlier with schizophrenia. He had been involuntarily committed by law enforcement officials to a mental institution. He recently confided to a priest that voices he heard in his head told him to continue to do bad things. A lot is not clear.

What is clear is how the shooter obtained two assault rifles, two handguns, and almost 600 rounds of ammunition he took to the IHOP that day. I don't know—no one really knows—what happened. It is not clear what happened. Where did he get those weapons—two assault rifles, two handguns, and about 600 rounds of ammunition that he took with him to the parking lot to start shooting people?

Even though all of that is not clear in terms of how he obtained those assault weapons, this much is clear: We have a responsibility to do everything in our power to keep guns out of the hands of those who suffer from mental illness. I think it is clear we mean severe mental illness. Within our families we all have individuals who have periods of time when they are depressed. We must keep weapons out of the hands of those with illnesses that make them a danger to themselves and others. We have a responsibility also to keep the guns out of the hands of criminals—convicted felons.

The measure before the Senate today would institute universal background checks that would prevent people with severe mental illness from buying firearms—those with severe mental illness; I want to make sure we stress that—and criminals. This legislation would also crack down on anyone who buys a gun to funnel it to criminals and it would give schools the resources to improve security to keep children safe.

This bill won't stop every madman determined to take innocent lives. I know that. We all know that. Nor is this bill the only suggestion to prevent gun violence. In the coming days we will debate other proposals to make Americans safer.

An assault weapons ban will be debated and voted on. Improvements to our mental health system will be debated and voted on. A ban on high-capacity clips such as those used to kill four people in Carson City at the IHOP, and how the man in Columbine, CO, was able to get a magazine with 100 bullets in it—that is the only reason the people in Colorado weren't massacred even more. The gun jammed.

There are powerful feelings about each of the proposals I have mentioned, both strong support and strong opposition. But whichever side one is on, we ought to be able to agree to exchange thoughtful debate about these measures. Let's engage in it. We ought to be able to agree to a careful examination of the culture of violence that is growing in this Nation.

I am pleased a number of reasonable Republicans have joined Democrats in

welcoming this debate saying they are not going to debate cloture. I hope we have enough to have cloture invoked. I feel fairly confident that, in fact, is the case.

As I have indicated for the last many weeks, we are going to have an open amendment process, as much as possible, on this bill. As always, the process will depend on the goodwill of all Senators. Somebody could come and do all kinds of things to stop us from doing anything on the bill. I hope that is not the case.

Once we are on the underlying bill, the first amendment, as I have indicated, will be on a substitute compromise background check proposal offered by Senators MANCHIN, TOOMEY, KIRK, and SCHUMER. I thank the Senators for their diligent work on this issue. They have been working a long time.

I am hopeful we will be able to debate and vote on a reasonable number of amendments offered by Senators who feel passionately about reducing gun violence or respecting Americans' second amendment rights. I also respect those who want to weaken the laws that now exist. They have a right to try to do that. But three soldiers—Miranda, Christian, and Heath—and Florence, who was not a soldier but was one of those killed—deserve some attention. There were seven people who were hurt as a result of these bullets as well as those killed. That was a terrible day in Carson City. Each one of them deserves a thoughtful debate, and they deserve votes.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

GUN SAFETY

Mr. McCONNELL. Mr. President, today the Senate will vote on whether to invoke cloture on proceeding to S. 649. I will vote against invoking cloture and I wish to explain why.

I believe the government should focus on keeping firearms out of the hands of criminals and those with mental issues that could cause them to be a threat to our society. The government should not punish or harass law-abiding citizens in the exercise of their second amendment rights. Unfortunately, S. 649 has the focus entirely backwards.

For example, the background check portion of S. 649 is Senator SCHUMER's bill that the Judiciary Committee reported out on a party-line basis. The aim of that bill, from its plain terms, could not be more clear. Section 121, the purpose section, provides that the aim of the bill is to require Americans to undergo background checks for "all

sales and transfers of firearms." If they don't, it is a Federal crime. Again, the requirement applies to all sales, and even transfers, of all firearms. And with very few exceptions, that is exactly what S. 649 does. The next section of the bill makes plain why that overly broad language is so problematic.

That section, section 122, provides that it is "unlawful" for any private party to "transfer a firearm to any other person" without first turning over that firearm to a commercial firearms dealer and having that dealer perform a background check. There are a few limited exceptions such as for gifts between immediate family members and inheriting a firearm. But that is it. In fact, the bill makes clear that transfer means not just sale but a "gift, loan" or any "other disposition" of that firearm.

So under the Schumer legislation, the following offenses would now be Federal crimes absent surrendering the firearms and conducting a background check. Federal offenses: An uncle giving his nephew a hunting rifle for Christmas; a niece giving her aunt a handgun for protection; a cousin loaning another cousin his hunting rifle if the loan occurs just 1 day before the beginning of hunting season; or one neighbor loaning another a firearm so his wife can protect herself while her husband is away.

The people I am describing are not criminals—they are neighbors, friends, and family—and the scenarios I am describing are not fanciful. They happen countless times in our country. But the Schumer bill would outlaw these transfers and it would make people such as these criminals.

But there are other problems with the legislation from the Senator from New York. Under his legislation, it is a crime for someone who lawfully possesses a firearm not to report a lost or stolen firearm to both the "appropriate local authorities," whoever they are, and the Attorney General within 24 hours. People should report firearms that are lost or stolen, but are we really going to make their failure to do so within 24 hours a Federal crime that is punishable by up to 5 years in prison? What if the person thinks the firearm is misplaced, not lost or stolen, but the person is actually wrong about that? And what if the person comes to the realization after 2 days instead of 1, and if they report the lost or stolen firearm to their sheriff—assuming he is one of the undefined "appropriate local authorities"—why is it a crime if they don't report it to the Attorney General?

Why would the provision target only those who "lawfully possess" firearms, rather than criminals who do not lawfully possess them?

I could go on and on and list other problems with S. 649, but I think I have

made my point. This bill is a clear overreach that will predominantly punish and harass our neighbors, our friends, and our families. To protect the rights of the law-abiding citizens of the Commonwealth of Kentucky and other States, I will oppose invoking cloture on S. 649.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 649, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, we are on the verge of a historic vote that will determine whether we make America safer and assure that we do everything possible as Senators and citizens to ensure there are no more Newtowns.

On the evening of December 14, when we left the firehouse at Sandy Hook, there was a vigil at a church in Newtown, St. Rose of Lima, presided over by Father Bob, who is Monsignor Robert Weiss. It was a very moving and powerful experience. The church was filled. People stood at the windows to hear what was going on.

The Governor spoke and so did I. I said that evening: The world is watching Newtown. And, in fact, the world was watching Newtown, as we knew from the horror of that afternoon, when many of us arrived at the church, and first at the firehouse, to see families emerging and learning for the first time that their children, their babies, would not be coming home that evening. It was an experience that will stay with me forever. The sights and sounds of that afternoon, filled with grief and pain, will never leave me.

The world was watching Newtown that day and that evening and has watched Newtown and Connecticut in

the days and months since, and I have been privileged to spend many hours and days and weeks and these past months with the families.

The world has watched the families, and it has seen in them and in Newtown—a great community, a quintessential New England town—strength and courage that was as unimaginable as the horror of that day, strength and courage that represents what is good about America and what is strong and courageous about our Nation.

The world has watched Newtown and the families of Newtown and it has watched Connecticut. Now the world is watching the Senate. It is watching the Senate to see whether democracy works. It sounds simple, but it is true. Will democracy work to reflect the majority of the United States of America, the majority of our people who say we need to do something about the guns. That is what the families said to me that day and in days since and what people in Connecticut and across the country have said to their Senators: We must do something about gun violence.

I remember talking to one of the families that evening and saying: When you are ready, we ought to talk about what we can do in Congress to stop gun violence. She said to me: I am ready now.

The Senate must be ready now to act. It must keep faith with those families and victims—as the world watches—with Benjamin Andrew Wheeler, age 6. His father David is here today, and Benjamin is here in spirit as we decide in the Senate whether we will move forward toward progress.

Ana Grace Marquez-Greene, also age 6. Her mother Nelba is here today. Ana is with us in spirit.

Dylan Hockley, age 6, whose mother Nicole is here, is also here in spirit.

Daniel Barden, age 7. His mother Jackie and his father Mark are here.

Jesse Lewis, age 6. His father Neil Heslin is here.

Mary Sherlach, one of the six educators killed at Sandy Hook Elementary, whose husband Bill is here—Jesse and Mary are here with us too.

We know compromise and action are possible because two of our colleagues have forged a bipartisan compromise that will enable us to come closer. It is imperfect. It is less than what I would have preferred in achieving universal background checks. It is a starting point. It is a step in the right direction, and it will help us achieve a larger bipartisan compromise because background checks are only one part of a comprehensive strategy that must include a ban on illegal trafficking, strengthening school safety, as well as mental health initiatives and a ban on assault weapons and high-capacity magazines. I will be privileged to spearhead that effort on high-capacity magazines—hopefully next week—after

today's vote, along with colleagues such as DIANNE FEINSTEIN, FRANK LAUTENBERG, and my colleague, CHRIS MURPHY.

Today, let us decide, as the world watches, there will be no more Newtowns. That is what the families want. That is what America wants. Let us resolve that we will make democracy work as we go beyond this first step and decide to proceed on a bill that also is imperfect but provides a starting point, provides a way forward, so we can make our communities safer.

The families of Newtown have performed an extraordinary service for our Nation. Not only has the world watched and been inspired by their strength and courage, but they have turned the tide. They have visited with our colleagues and they have impacted this process more profoundly and more directly than any other single group. They have shown we can break the stranglehold of special interests and the NRA, that speaking truth to power still works. To them we owe a special thanks. To them, as a nation, we owe a debt of gratitude for the lives that will be saved, for the futures that will be given. Even if their children and their loved ones will not enjoy that future, they have given futures to countless Americans who will be saved from the scourge of gun violence.

To them I say thank you. They are in this building, and their children, their loved ones, are with us in spirit as we take this historic step.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I am honored to be on the floor this morning to begin today's debate on this historic gun violence measure with my colleague Senator BLUMENTHAL. I join with him in my awe of the Newtown families who are here this week. People have watched them on the news as they have gone from office to office and told the story of their loved ones. Nobody can paint a picture better as to why we need to act next week than the families of those people who lost their lives in Newtown.

There are so many stories they can tell better than anyone else. They can tell the story of their lost first graders, but they can also tell the story of the five little boys and girls who escaped that morning, who escaped when the shooter went to reload and there was a brief period of time where some kids could run out of one of those first-grade classrooms.

Better than anyone else, these families can posit as to whether their little boys and girls would still be alive if the shooter walked in with 10-round clips rather than 30-rounds clips, if he had to exchange magazines 15 times rather than 5 or 6 times. Nobody can tell that story better than these families.

What I have tried to do over the course of the last couple days is to help

these families tell the story of their loved ones but to also paint a broader picture to talk about the 30 lives every day that are ended by gun violence. I think we need to talk about the victims and allow for the voices of those victims to be part of the debate, because while the tragedy in Newtown has gotten the headlines and the highlights and is certainly the reason we are standing here today, more people than were killed in Newtown die every day in this country from gun violence—on the streets of Washington and Hartford and Bridgeport and Baltimore—all across the country.

These victims need to be our imperative, whether they be the 6- and 7-year-old kids and the teachers in Newtown or the 25-year-olds and 17-year-olds who are dying every single day across our country. It has to end. The answer cannot be, as it has been for 20 years, that we are going to do nothing. So I wish to take a few minutes to continue telling these stories this morning.

I wish to begin with Dylan Hockley. Dylan's mother has probably been one of the most articulate spokesmen for this cause. His parents Nicole and Ian have been amazing in their ability to grieve and also to come down to Washington and argue their cause.

Dylan loved video games. He loved jumping on trampolines. He loved watching movies. He was autistic, but he was doing so much better. He was so proud of the fact that he had learned how to read, and he was taking out books every day from the library to bring home. His parents chose Sandy Hook Elementary School because of its great autism program.

I spoke yesterday about his paraprofessional, his special education aid, who was so wonderful to assist him in doing better every single day. Because of his autism, he was a child who loved routine and repetition, and there were a few movies he would watch over and over and over again—"Up," "WALL-E," "The Gruffalo"—and he would find those portions of the movies he loved so much. He would sit in front of the TV with his headphones on rewinding those portions over and over and over again, and every single time he watched those movies, he would laugh over and over and over again.

His parents have created an organization called Dylan's Wings of Change. It is a memorial fund to benefit children with autism. It is just one of a multitude of efforts that have flowed forth from this tragedy. Dylan's life was ended, but this fund is going to help make sure other kids like him have the chance to lead great, normal lives, even though they deal with complex problems such as autism.

Mr. DURBIN. Would the Senator from Connecticut yield for a question?

Mr. MURPHY. I would be happy to yield.

Mr. DURBIN. Mr. President, I wish to commend the Senator from Connecticut, Mr. MURPHY, as well as Senator BLUMENTHAL. In the last 2 days they have come to the floor many times leading the floor debate and discussion on the pending legislation we will vote on soon relative to guns and gun safety. It is appropriate that they are here because, being the Senators representing Newtown, CT, they have personal attachment to the families who have weathered this tragedy.

This morning I met with those families in my office. Tears were shed, as you might expect. These families have lost little children like Dylan and so many others. It is a loss they will feel for a lifetime, but in their grief, they have come forward and shown extraordinary courage to walk through the corridors of power in Washington to bring a simple message: that they do not want this to happen to any other parent.

I thank Senator MURPHY and Senator BLUMENTHAL for reminding us that we have the power, we have been given the power by the people we represent to make this a safer nation for families, for children, for schools, and for communities across the board. Soon we will have a vote. We are hoping—I think that is a positive hope—that enough on the other side of the aisle will step forward to defy the filibuster that has been threatened and bring this matter to the floor for a vote.

I know Senator MURPHY and Senator BLUMENTHAL have come to the floor for the last day and a half and more to dramatize that issue. What I found interesting, and I would like to ask the Senator from Connecticut to comment on it, is the promise of this community. They gave me a list of things and said: This goes beyond guns and gun safety. I would ask the Senator if he could address this promise that came out of Newtown, CT, after the terrible tragedy on December 14.

Mr. MURPHY. I thank the Senator for his career fighting on behalf of legislation that will address gun violence. The summation of all of that work hopefully will be with us this week and next week.

I thank the Senator for his question about the Sandy Hook promise. The Sandy Hook promise, which has been signed by tens of thousands of people all across the country, came out of this tragedy because there was a recognition, as you said, that this was not a sprint, that this was a marathon, that the promise we needed to make to each other in the wake of this horrific tragedy was not just that we were going to do everything within our power, our individual powers to try to reduce the incidence of gun violence—and as Senator DURBIN points out, we have more power, the 100 of us, than almost anyone else, and shame on us if we do not use it. But the Sandy Hook promise is

that there are so many other things that you can do: that you can make smaller commitments in your communities to build bigger and better systems of mental health; that you can try to forge atmospheres in schools that are more inviting, that are more positive; that you can, frankly, just be nicer to your neighbors, you can be more thoughtful in your everyday interactions, knowing there could be some tragedy around the corner that takes your neighbor away from you; make sure you say everything you want to say to that person.

So this promise—a promise to do everything within our power to try to make sure this never happens again, but to bring a new level of positivity to our world in the wake of this awful violence, is one of the most important things that come from it.

We are so grateful that these families are here not just challenging us to pass specific pieces of legislation but also to make our lives change in the wake of this situation.

Mr. DURBIN. I would like to ask if the Senator would yield for a further question through the Chair.

One of the issues the Senator just raised is one I would like to have him expound on; that is, the issue of mental illness and mental health. I think this is something in my lifetime on which we have seen dramatic progress made, not just in the treatment of mental illness but in our attitude toward mental illness.

There was a time in the history of this country and this world when mental illness was viewed not as an illness but a curse. The people who were afflicted by it were often shunned and institutionalized and treated very badly because it was considered to be something incurable and they had somehow been cursed. That was their plight on Earth. Thank goodness that has changed and we now have a more positive attitude toward dealing with mental illness.

I might say I have read—I believe it is accurate—more than half the people in America suffer from some form of depression. It is very common in most families. It is treatable. Most mental illnesses are treatable. Most victims of mental health illness are people who are peaceful, God-fearing, loving people who need understanding and help. They are no threat to anyone. More often, they are the victims of violence rather than the perpetrators of violence.

One person in the community of Newtown who stepped up and clearly was unstable and used those firearms on December 14 to kill innocent people has caused us to step back and take a look at the issue of mental illness as it relates to guns and firearms. I think what we are trying to do in this legislation is to say: If your mental illness has reached such an extreme, if you are so unstable or threatening that you

need to be watched in terms of purchasing firearms, let's make sure the records are there.

But I hope—I know the Senator agrees with this—I hope we will not allow this discussion to take us away from the beginning part: that treating mental illness and helping people is the right thing to do, not shunning them, not pushing them aside from the rest of the mainstream, but understanding that treatment of mental illness makes us a better people, gives them a better chance at life. It is that small, small minority of those suffering from these afflictions who need to be monitored in terms of the use and purchase of firearms.

Mr. MURPHY. I thank the Senator for that comment. As he knows, there is absolutely nothing inherent in mental illness that creates a connection to violence. As the Senator said very correctly, people with mental illness are much more likely to be the victims of violence than to perpetrate a crime. The great irony coming out of this debate could be that if we make the awful mistake of equating violence with mental illness, then we will frankly make it harder for people to go out and seek treatment, not easier.

Adam Lanza was a deeply disturbed individual. His mother made awful mistakes, but she was certainly trying to figure out a way to get him help. The fact is that there are far too many families out there who do not have places to turn for treatment. That is the right thing to do independent of this debate today. We should absolutely be talking about the comprehensive commitment to ending gun violence, but the reality is that today there are way too many families who hit brick walls in trying to find mental health treatment for children.

If we were to go through this debate and somehow stereotype people with mental illness as prone to violence, then it would, frankly, create more barriers. There is a proposal out there from one of the gun lobby groups to create a registry of everyone with mental illness across this country. It is an absolutely ludicrous idea, especially when this very same group opposes keeping a registry of everyone with guns in this country.

I take the Senator's concerns to heart.

This was a very serious incident in Newtown, but it should not cause us to take steps backward in terms of the support we give families who are looking for help for their loved ones.

Mr. DURBIN. Mr. President, the last point I would like to make is that included in the bill that came before us is not only an opportunity to change some of the circumstances that might have saved lives in Newtown but also to address some underlying issues of gun violence that is not resulting in a mass killing but the killing on a day-to-day basis of innocent people.

A measure I have joined Senator LEAHY, Senator KIRK, and Senator COLLINS in introducing relates to straw purchases. These are purchases by some individual who does not have a problem in their background that would disqualify them from buying a gun. They buy a gun and then turn it over to someone who has a problem. This straw purchase or third-party purchase happens way too often.

In the city of Chicago, where we are making progress toward reducing gun violence and murder, in a recent survey of the crime guns confiscated in the last 10 years, 9 percent of them in the city of Chicago came from the State of Mississippi. The State of Mississippi is not contiguous to Illinois. It is a long way away. But clearly someone had started an industry of buying guns easily in Mississippi and moving them up the interstate system all the way to Chicago and selling them to the gang bangers and the thugs and criminal elements in this city.

Another 20 percent of the guns came from one gun shop outside the city of Chicago, in the suburbs. We know exactly where it is—it is in Riverdale, IL. That has become the venue of choice for girlfriends to go buy a gun for their boyfriends, who are going to use them to kill somebody. Well, the provision in the law we are going to try to bring to the floor in the base bill says that this will now be a stiff Federal crime—a hard-time Federal crime—to buy a gun that you knew or should have known was going to be used in the commission of a crime. So although it does not directly affect the circumstances of the tragedy in Newtown, it really does hold out promise to reduce some of the other deaths.

Yesterday the Senator gave us a chart that showed how many have died from gun violence since December 14. It was a big chart with a lot of faces on it of people who had died. I thank the Senator for what he has done in terms of what has affected Newtown, but I also thank him for supporting this underlying legislation.

I think this chart is now being shown here. I hope we keep in mind that gun safety and reducing gun violence means start with the massacres, the tragedies that have stricken us, but also go beyond that and find a way to make the streets safer for Hadiya Pendleton, a high school girl who came up from Chicago for the inauguration, could not have had a happier day, and then 10 days later was gunned down in a park next to her school in the city.

So we want to make this a comprehensive and a balanced, common-sense approach to gun safety. I thank the Senator from Connecticut for that.

Mr. MURPHY. I thank the majority whip. Just to add to his last comment, my constituents are amazed that we do not have a Federal law banning gun trafficking today. They are amazed

that if you go into a store and buy guns legally and then walk outside that store and sell them to people who are prohibited, that you have not committed a Federal crime. There is an assumption that the Federal Government would disallow that. We have not. But hopefully at the end of this debate we will. I thank Senator DURBIN for all of his fantastic work on that issue.

Let me tell a few more stories. I want to get to Senator DURBIN's point and tell some stories about the victims of urban gun violence as well, but let me tell one more story from Newtown.

This is the story of our heroic principal. Dawn Hochsprung was the principal at Sandy Hook Elementary School. People have heard a lot about her because she was perhaps the first to die that day. When the bullets started flying, when she heard the gunman enter through the front door, she ran straight to him. Some of the investigators have posited, given the way the crime scene shook out, that she may have even lunged for the gunman to try to stop him before he turned the corner to the first grade classrooms. She was unsuccessful. She was killed—perhaps the first that day.

The irony surrounding this day is multifold, but part of it involves the fact that one of her most recent proudest accomplishments as principal of that school was the establishment and integration of a brand new security system, one that made sure every visitor who entered that school after 9:30 had to buzz in, had to talk to the security people, the front desk people, before they entered the school. That does not work too well when the person trying to gain entry does not need to press the buzzer but instead can take an AR-15, which sprays six bullets a second, and just knock out all of the windows.

She was a passionate educator. She dove into her work at Sandy Hook. She was one of those folks who did not sit in their office. She was out amongst the hallways at all times trying to make that place a much more positive environment.

She grew up in Connecticut. She lived in Woodbury, CT, with her husband and her two daughters and three stepdaughters. She grew up loving the outdoors. Her friends recalled that Dawn Lafferty at the time was a tomboy who loved sports in high school. She wasn't a top-level athlete, but that didn't stop her.

One of the most amazing stories I have heard about Dawn was that when she was in school at Naugatuck High School, she wanted to run with the boys track team. She wanted to run sprints. She wasn't allowed to do that. She protested to the coach, the administration, and they still said she couldn't run sprints with the boys track team. She took her case to the school board—as a high school student—and won her case. When she

came back to her high school, she didn't just run sprints with the boys, but she recruited other girls to run sprints with her. She was a born leader.

Perhaps we may take some solace in the fact that so many of these other kids here—Dylan, Chase, Benjamin, Jesse, and Ana—were leaders too. They were going to do amazing things with their lives. At least we were able to know with Dawn what her true potential was. We saw that potential in the wonderful school she built.

I just spoke about Dylan. Dylan's parents came from England all the way to Sandy Hook, CT, for this school because of the programs Dawn built there. If they ever had any doubt as to whether they had chosen the right leader, they were confident of this when she ran to the gunman to try to stop the carnage from becoming worse.

Let me speak about one more little girl, age 6, Madeleine Hsu. Madeleine was, again, one of the youngest victims that day. She was a shy and relatively quiet 6-year-old, but there were certain things that would make her light up. A lot of these kids loved animals. Madeleine loved dogs. She lit up around dogs. They were her passion. She was an avid reader, and she loved running and dancing. More than anything else, she loved to wear bright, flowery dresses which matched her personality. She shared a bed with two of her sisters. They had their own rooms, but they loved each other so much, they chose to sleep together at night. They miss her dearly.

As Senator DURBIN pointed out, 20 kids and 6 adults were killed in Newtown that day; 2 others, Adam and Nancy Lanza—28 total. This is less than the average number of people who are killed by gun violence across this country every day. We deserve to talk about them as well.

Before I leave the floor today, I would like to talk about a couple of the most recent victims of gun violence. One can't even really read this poster Senator DURBIN referred to because each one of these little dots is an individual figure representing people who have been killed in this country since December 14. The 28 people from Newtown aren't even on this chart. We are speaking about 3,800 people who have died as a result of gun violence.

Some of these people died because they were possibly doing something wrong or in the midst of an activity they shouldn't have been a part of. However, Chuck Walker was 15 years old and walking on his way to visit his girlfriend to deliver some new shoes he purchased for her. He was bringing a gift to his girlfriend. His family said this was a kid who never, ever was in trouble. He was walking to visit his girlfriend, and he was gunned down on the streets of Hillcrest Heights, MD, in an apparent robbery.

Marckel Worman Ross, who was 18 years old, on September 11, 2012, was

walking to school. He was a member of the track team, ROTC, and was thinking about a career in the military. He was found in his school uniform still holding his backpack. It was a random act of violence on the way to school.

Moses Walker was older—40 years old. He was a police officer. He had just finished his shift in August of 2012. He was four blocks from his police station, and he was gunned down—1 year away from retirement. He was very active in his community, not only a great police officer but served as deacon of his church. He was remembered as a courteous, polite, and humble police officer—gunned down four blocks from his police station.

These are the tragedies bringing us here to the floor today. As we have this debate, we should remember that every day 30 people across this country are dying from guns. We have the power to do something about it.

I am as pleased as Senator BLUMENTHAL about the compromise brought to this floor by Senators MANCHIN and TOOMEY. It is not perfect, but it is important. It is important because it will make our streets safer and ensure fewer criminals across this country have access to guns. It is a platform for more next week, but it is a very important start.

I will be back to the floor later today and next week to speak about more of these victims.

I yield the floor.

Mr. GRASSLEY. Mr. President, earlier I met with families from Newtown, CT, to discuss the legislation we are currently debating. It was emotional and difficult for all of us. I thank them for sharing their stories of their loved ones and their concerns with me. I hope my colleagues will also consider meeting with these families.

At the meeting, they called for a debate on the legislation, a debate we are having. Nonetheless, we are in the unusual position of being asked to take a leap into the unknown. We are being asked to vote to proceed to an uncertain bill. That bill is not even the bill that we would likely consider if the motion to proceed were successful. The language on background checks would change. We have not seen the actual new background check language. But we are being asked to proceed to the bill anyway. What we do have is a summary of the proposed background check language. That summary raises questions. For instance, the summary states that the background check language applies to sales at gun shows and online. Is a background check required if someone sees a gun at a gun show, then proceeds to purchase the gun outside the gun show, maybe even in a parking lot? What if someone at a gun show trades but does not sell a gun? And it applies beyond gun shows. If a private person advertises a gun, then the transfer would have to go through

a licensed dealer, at a price. So if someone takes out an ad to sell their gun in the local Farm Bureau newsletter or in their church bulletin, they would have to find a licensed gun dealer to conduct a background check before sale could go through.

That is quite a limitation on private sales and ownership of guns. And it takes time in many places in this country to find that gun dealer to conduct that background check. The summary is not specific: which private sales would be exempt from the bill's background check requirements? The summary states that background checks are "required for sales at gun shows and online while securing certain aspects of 2nd amendment rights for law abiding citizens."

That should cause everyone concern. If the background check language secures "certain aspects of 2nd Amendment rights," then what aspects of second amendment rights of law abiding citizens does it not secure?

The summary says that the new language exempts "temporary transfers." What is the difference between a "temporary" and a permanent transfer? How would a law-abiding citizen know whether the transfer would be considered to be "temporary"? What if the person making the transfer thought at the time it was made that the transfer would be temporary but later decides that it should be for a longer time?

And the summary claims that it will close the "gun show and other loopholes." What "other loopholes"? We should be skeptical about what rights could be infringed based on that claim. It is important to understand that there is no such thing as a "gun show loophole." Under existing law, background checks are required for gun purchases from a federally licensed firearms dealer. This is true whether the purchase is made at a gun show or any other location. Also, under existing law, gun purchases made through someone who is not a federally licensed firearms dealer do not require a background check.

This is true whether the sale is made at a gun show or not. Whether a sale is made at a gun show is therefore irrelevant to whether a background check is required. There is one rule for sales from licensed dealers and another for private sales. But under the new language, not all private sales will be treated the same. Some private sales will require background checks and others will not. That distinction will create, not close, a loophole. No longer would all private sales be treated the same. Some private sales will require background checks and others will not. There will be political pressure then to say that all private sales should be covered—universal background checks, in other words. And we heard testimony in the Judiciary Committee, and the Deputy Director of the National Insti-

tute of Justice has written, that universal background checks can be enforced only if gun registration is mandated.

Now it has been said on the floor recently that background check legislation cannot lead to gun registries because Federal law prohibits that. But current Federal law can be changed. And the language currently before us requires recordkeeping, a step toward registration. Although the sponsor of that language said that the bill expressly provided that no registry could be created, the bill contains no such language at present. The sponsor was misinformed about his own bill. He admitted that the current background check language was not yet ready for consideration and needed clarifications that so far have not been forthcoming.

We should have answers to these and other questions before we should proceed to the bill.

And we should be wary of going to a bill when various senators have announced their intention to offer amendments to that bill that in my judgment raise serious constitutional questions under the second amendment.

Mr. President, how can we responsibly proceed to a bill that contains language that even its sponsor admits is not ready for consideration?

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEAHY. Mr. President, would the Senator yield?

Mr. LEE. I yield to the Senator.

Mr. LEAHY. Mr. President, I ask unanimous consent that upon the conclusion of the comments by the distinguished Senator from Utah, I be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEE. I appreciate the cooperation and friendship of the senior Senator from Vermont.

Mr. President, yesterday on the floor I discussed an initiative I launched this week called Protect2A to give voice to the millions of second amendment supporters around the United States who are very concerned about Congress enacting any new gun control measures.

I am pleased to announce that we now have over 3,000 responses from citizens all across this country who are sharing their stories, their experiences, and their opinions about why they feel we should do everything in our power to protect their second amendment rights. I had only a brief time to share some of those stories yesterday and wish to use a few minutes today to share a few more.

Kathy from the State of Virginia writes:

My husband and I are senior citizens. He is a veteran of the U.S. Army. Over the past several years, we have seen our constitutional rights trampled and twisted, until we

no longer trust that our government has our well-being as its primary concern. Last year, for the first time in our lives, we bought a gun, not only to ensure our safety against criminals, but to protect and defend our God-given rights as citizens. The most basic right of all mankind, the right to life itself, no longer exists in this country. Protecting our rights, the few the government has left us, is of the utmost importance to us and we will do everything necessary to hold onto those rights, regardless of the source of the threats against them. God bless America.

Emily from Pennsylvania writes:

I am 19 years old and I want to protect myself as soon as I am legal to. As a young female living in Allentown, PA, I don't like walking in the city because I'm afraid of something happening to me. I believe in the power of the Constitution and especially my second amendment rights. I am a strong conservative who believes that the Constitution is our guiding power and not the cronyism that seems to blanket DC. The founding fathers knew what they were doing. As soon as I am legal, I want to take gun safety classes and purchase a handgun of my very own. I like to think that I can protect my own life as well as another person whose life may be in danger. Gun control doesn't solve anything. Criminals will get guns no matter what. I want to be able to protect myself as well as someone else. Please don't take away my second amendment rights.

Well said, Emily.

William from Connecticut submitted the following statement:

On Tuesday, February 11, 2003, my brother was confronted by three armed thugs in a parking lot. Out of their stolen car, with a stolen shotgun, they tried to rob him. Much to their surprise, my brother had his legally owned pistol (with a legal carry permit). He thwarted this and saved his own life and held them at bay until the police arrived. Without this second amendment he would've been another victim to the growing street crime that these bills do not address.

These are the rights we are trying to protect by requiring a 60-vote threshold on any new gun control legislation. In so doing, we are trying to prevent the ability of Members to push through legislation before anyone has had time to read and evaluate the language and then tell the American people what that language means for them, what the language would mean for their rights. Unfortunately, this is exactly what we are faced with today.

Yesterday Senators TOOMEY and MANCHIN announced a new proposal that is widely expected to replace the current language on the background checks in this bill. Yet, as of this morning, this very moment, not a single Senator has been provided the legislative text of this provision. Because the background check measure is the centerpiece of this legislation, it is critical that we all know what is in the bill before we vote on it.

As I have argued on this floor, in the national media, and back home in my home State of Utah, we should not be legislating by negotiating closed-door, backroom deals away from the eyes of the American people. We should not be voting before we read and understand

exactly how these proposals will affect the rights of law-abiding citizens and whether we can say with any level of certainty they will reduce crime. This is exactly why we need more debate and why I ask my colleagues to vote no on cloture—so Senators and the American people may fully understand the consequences of this legislation.

To be clear, the vote we will have this morning will be to end debate on whether the Senate should take up a bill, the very heart of which is being concealed from the Senate and concealed from the American people as of this very moment. Proponents say the people deserve a vote. Don't they deserve to know what they are voting on? I think they do.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am about to suggest the absence of a quorum for about 1 minute and ask unanimous consent that upon coming out of the quorum, I be recognized.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, earlier this week I spoke about the need for the Senate to consider legislation to help increase Americans' safety by reducing gun violence. I came to the floor of the Senate and I urged my fellow Senators to abandon efforts to filibuster proceeding to this bill. The Senate should not have to overcome a filibuster to respond to the call for action in response to the violence they are experiencing.

I have the privilege of being the longest serving Member of this body. I have watched debate on so many issues. If there were ever an issue where all 100 of us should vote yes or no it is here.

I was encouraged by the comments of a number of Senate Republicans that they are prepared to debate this matter and will not support this wrongheaded filibuster. Even the Wall Street Journal editorialized against this filibuster yesterday in a lead editorial entitled "The GOP's Gun Control Misfire." I do not agree with much of that editorial, but I would quote this:

If conservatives want to prove their gun-control bona fides, the way to do it is to debate the merits and vote on the floor.

Senators should understand what is in this bill that a small minority of Re-

publicans are seeking to prevent the Senate from even considering. The bill has three parts. None of them threaten the second amendment rights, none of them call for gun confiscation or a government registry. In fact, two of the three parts have always had bipartisan support. With regard to the third component—the provisions closing loopholes in our current background check system—Senators MANCHIN and TOOMEY yesterday announced they are going to have a bipartisan amendment for this component as well.

Since the beginning of the 113th Congress, in the months since the tragedy in Newtown, the Judiciary Committee held three hearings and four mark ups focused on the issue of gun violence. The Committee voted in favor of the Leahy-Collins gun trafficking proposal that is now part of the legislative package the Majority Leader created to allow for Senate consideration. I described our legislation in some detail on Monday. I thanked our Ranking Republican on the Judiciary Committee, Senator GRASSLEY, for working with us and supporting our gun trafficking bill. I commended Senator COLLINS, who has been my partner as we have moved forward with legislation to combat illegal gun trafficking and straw purchasers who obtain firearms to provide them to criminals and gangs. We have been joined in that bipartisan effort by Senators DURBIN, GILLIBRAND, KIRK, KLOBUCHAR, FRANKEN, BLUMENTHAL, SHAHEEN and KING. A bipartisan majority of the Judiciary Committee voted for the Stop Illegal Trafficking in Firearms Act.

Our bill is intended to give law enforcement better and more effective tools. It was an ATF whistleblower who testified last Congress that the existing firearms laws are "toothless." We can create better law enforcement tools and that is what we are doing with the Stop Illegal Trafficking in Firearms Act. We need to close this dangerous loophole in the law that Mexican drug cartels, gangs and other criminals have exploited for too long.

Straw purchasers circumvent the purposes of the background check system. Straw purchasing firearms is undertaken for one reason to get a gun into the hands of someone who is legally prohibited from having one. We know that many guns used in criminal activities are acquired through straw purchases.

It was a straw purchaser who enabled the brutal murders of two brave firefighters in Webster, New York this past Christmas Eve, and it was a straw purchaser who provided firearms to an individual who murdered a police officer in Plymouth Township, Pennsylvania, last September.

We need a meaningful solution to this serious problem. We also include suggestions from Senator GILLIBRAND to go after those who traffic in firearms by wrongfully obtaining two or

more firearms. We worked hard to develop effective, targeted legislation that will help combat a serious problem and that will do no harm to the second amendment rights of law-abiding Americans.

Yesterday, Senator COLLINS, the senior Senator from Maine, and I were able to announce another step toward consensus. We had previously been engaged in discussions with law enforcement and victims groups. More recently we have been engaged in discussions with the National Rifle Association. We have agreed on modifications to the Stop Illegal Trafficking in Firearms Act. They address all of its substantive concerns while doing as we have always wanted to do—providing law enforcement officials with the tools they need to investigate and prosecute illegal gun trafficking and straw purchasing.

Senator COLLINS and I are both strong supporters and advocates of second amendment rights for law-abiding Americans. We also agree that our law enforcement officials deserve our support in their efforts to keep guns out of the wrong hands. We worked with the NRA and are confident that nothing in our bill infringes on the Second Amendment rights of lawful gun owners and purchasers, while still providing a strong new set of tools for law enforcement officials.

We protect legitimate sales and do not place unnecessary burdens on lawful transactions. We are pleased that the NRA agrees with us that this legislation is a focused approach to combat the destructive practices of straw purchasing and firearms trafficking while protecting the second amendment rights of Americans. Having now worked out differences with the NRA on our bipartisan legislation that would help keep guns out of the hands of dangerous criminals and individuals with severe mental illnesses, and give law enforcement the tools they need to investigate and prosecute these crimes more effectively, it seems absurd that some Senators nonetheless persist in filibustering consideration of our bill.

The American people expect us to stand and face our responsibilities. Whether we like having to vote or not, we have taken an oath of office to uphold the Constitution, to uphold our laws. Congress has to confront the serious role that straw purchasing and gun trafficking play in supplying criminals with firearms for illegal purposes. It is not enough to stand on the floor of the Senate and say you are pro law enforcement. Let's take as a given everybody is pro law enforcement, but then give law enforcement the tools they need. The bipartisan Stop Illegal Trafficking in Firearms Act will create specific Federal criminal statutes prohibiting the trafficking and straw purchasing of firearms, and also strengthens other law enforcement tools to as-

sist those investigating these crimes. This is a common sense response to help in the fight against gun violence.

This is a commonsense response to help in the fight against gun violence, and it will help law enforcement. That is why law enforcement strongly supports our bill. Yet some are seeking to filibuster it. Let them go to law enforcement groups and say they are trying to block them and take away the tools they need to keep every one of us safe.

Our bill protects second amendment rights of lawful gun owners, while cracking down on criminals and those who would assist them. The bill does not create a national firearms registry, nor does it place any additional burdens on law-abiding gun owners or purchasers. It sends a clear message that those who would buy a gun on behalf of a criminal, a member of a drug cartel, or a domestic abuser will be held accountable. That is why our bill is strongly supported by law enforcement. Yet that is what some are seeking to filibuster. Congress should be confronting the serious role that straw purchasing and gun trafficking play in supplying criminals with firearms for illegal purposes, not ducking the issue.

Senators are filibustering a bipartisan proposal that received bipartisan backing of the Senate Judiciary Committee to provide some Federal assistance to schools to create safer environments for children and young people. There is nothing unconstitutional about that. We should proceed to consider it and I would hope pass it so that more school resource officers can be hired and more can be done to help and protect our young people who are in schools around the country, where there are supposed to be.

Finally, it is hard to understand how improving our background check system and plugging some of the loopholes in it that allow those who are by law prohibited from purchasing guns because they are dangerous criminals or dangerous to themselves and others because of mental illness justifies a filibuster. We have had background requirements for gun purchases for decades. We have had a background check system for decades. We have improved it repeatedly over time.

I know gun store owners in Vermont. They follow the law and conduct background checks to block the conveyance of guns to those who should not have them. They wonder why others who sell guns do not have to follow these same protective rules. I agree with these responsible business owners.

As I said, Congress should be confronting the serious role straw purchasing and gun trafficking play in supplying criminals with firearms for illegal purposes, not ducking the issue. Stand up and be counted. Stand up and be counted. Don't give speeches saying you are in favor of law enforcement but

we are going to take away tools law enforcement needs. Stand up and be counted. Stand up and be counted. If we can all agree that criminals and those adjudicated as mentally ill should not buy firearms, why should we not try to plug the loopholes in the law that allow them to buy guns without background checks?

If we agree the background check system is worthwhile, should we not try to reform its content so it can be more effective? What responsible gun owner objects to improving the background check system? Stand up and be counted.

At our January hearing I pointed out that Wayne LaPierre of the NRA testified in 1999 in favor of mandatory criminal background checks for, as he put it, "every sale at every gun show." He went on to emphasize the NRA's support for closing the loophole in the background check system by saying—in what has become an oft-quoted remark—"no loopholes anywhere for anyone."

Well, of course, it is common sense to close the gun show loophole. The Senate voted to do so in 1999. We should vote to do so again. This time we should get it enacted. One of the ways to do so is with the bipartisan proposal from Senators MANCHIN and TOOMEY to improve the law, if we are able to stop this ill-conceived filibuster and get to the bill.

Americans across this great country are looking to us for solutions and for action, not filibustering or sloganeering. Americans are saying: Stand up and be counted. I opened our first hearing on these issues in January, asking Senators on both sides of the aisle to join in the discussion as part of a collective effort to find solutions to help assure that no family, no school, no community ever has to endure the kind of tragedy the families at Newtown and Aurora and Oak Creek, Tucson, Blacksburg or Columbine had to suffer.

As I emphasized throughout the committee process, the second amendment is secure. It is going to remain secure and protected as part of my oath of office as a Senator. In two recent cases, the Supreme Court has confirmed that the second amendment, as the other aspects of our Bill of Rights, secures that fundamental individual right. Americans have the right to self-defense. They have the right to have guns in their homes to protect their families. No one is going to take away these rights or these guns. That second amendment right is the foundation on which our discussion rests. They are not at risk. But we cannot close our eyes to what is at risk: lives are at risk when responsible people fail to set up the laws to keep the guns out of the hands of those who will use them to commit mass murder.

So I ask my fellow Senators to focus our discussion and debate on these proposed statutory measures intended to better protect our children and all Americans. Ours is a free society, an open society, a wonderful society. We should be coming together as elected representatives of all of the American people to consider how to become a safer and more secure society. I would have hoped all Senators from both parties would join together in good faith to strengthen our law enforcement efforts against gun violence and to protect public safety. Let's focus on our responsibilities to the American people.

We are the 100 Senators elected to represent more than 314 million Americans. That is an awesome responsibility. Let's stand up to that responsibility. We are accountable to those people. We are not accountable to special interest groups on either the right or the left. We are accountable to the more than 300 million Americans. Special interest lobbies on either the left or right should not dictate what we do. We do not need a lobby's permission to pass laws to improve public safety. That is our responsibility.

I urge Senators to be less concerned with special interest scorecards and more focused on fulfilling our oath to faithfully discharge the duties of our office as Senators.

I consider myself a responsible gun owner, but I am also someone who cherishes all of our constitutional rights. As a Senator who has sworn an oath to uphold those rights, as a father and a grandfather, and as a former prosecutor who has seen the results of gun violence firsthand, I have been working to build consensus around commonsense solutions. I am prepared to debate and vote on the measures before us. I challenge other Senators to do the same. Do the same. Stand up and be counted. Stand up and be counted.

A filibuster says you are not willing to take a stand; that you vote maybe. Stand up and be counted. Have the courage. Stand up and be counted. Then let us work together to make all Americans safer.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, yesterday I had the solemn privilege of meeting with some of the families who lost loved ones in the Sandy Hook shooting. As a father, I can hardly begin to comprehend the enormous grief these indi-

viduals have suffered, losing such a young child or a spouse or a mother in an act of what would appear to be just senseless violence. Burying your child is something no parent should have to do.

The families and friends of the victims at Sandy Hook are owed the dignity and respect of a transparent, good-faith effort to address gun violence. I do believe there is common ground upon which Republicans and Democrats can come together. The issue of mental health of the gun owner is that common ground for me, along with enforcing current laws that are on the books.

If there is one thread that connects the horrific series of gun violence episodes in our country, particularly in recent times, it is the mental illness of the shooter. In every case, the perpetrator's mental illness should have been detected. In some instances it was detected but not reported. These individuals should never be allowed access to a gun. This is actually something we can and should do something about. We need to make sure the mentally ill are getting the help they need, not guns. As I said, this is something I believe all of us can agree on.

In response to the tragedy at Virginia Tech in 2007, the Senate and the Congress unanimously passed a measure to bolster mental health reporting requirements on background checks.

Some States, such as mine, Texas, have received high marks for their compliance. But many States have essentially been noncompliant, and the Department of Justice has failed to adequately back implementation of the law. So essentially the law that we passed in the wake of the Virginia Tech shooting to require reporting of people who are actually adjudicated mentally ill in their respective States is not working the way it should. Rather than string along an ineffective program, I think this is a wonderful opportunity for us to fix it. And we should fix it.

I want to say a word, though, about symbolism versus solutions. I am not interested in Congress voting on a measure that would have no impact on the horrific violence we have seen in recent months. I am not interested in a symbolic gesture which would offer the families of the Sandy Hook shooting no real solutions. They told me they are not political. They don't come with an agenda. They are not asking us to pass a specific piece of legislation. They just want to know that their loved one did not die in vain, and that something good can come out of this terrible tragedy.

So I think dealing with this mental health reporting issue is a common ground we could come together on. But we also need to make sure we are not just going to pass additional laws that will not be enforced. What possible solution could that be to these families, for

Congress to pass additional laws that will never be enforced?

Take, for example, the National Instant Criminal Background Check System—the NIC system, as it is called—which flags people who lie on their background check. The annual number of cases referred for prosecution fell sharply during the first 2 years of the current President's term of office. Indeed, there was a 58-percent drop in referrals and a 70-percent drop in prosecutions for people who lie on the background check. We can fix this.

Let's make sure that guns aren't getting into the hands of people who we all agree should not have them. We could be doing this right now with broad bipartisan support.

Let me conclude with a couple of observations about where we find ourselves with an 11 o'clock vote on an underlying bill which remains controversial and which I think the majority leader and all of us know has very little chance, if any, of going anywhere.

We heard yesterday that our colleagues from West Virginia and Ohio have come together on a bipartisan background check bill. I asked my staff as recently as on my way over here whether the language had been released so we could actually read it and find out what is in it, and it has not. We have no commitment in front of the Senate by the majority leader that there will be a robust debate and amendment process, because there are a lot of amendments that need to be offered to whatever that so-far-unwritten bill says. I am sure. And we need to have a full, robust, transparent discussion of this issue in front of the American people.

So I am not going to vote to proceed to a bill that has not yet been written, no matter how well intentioned it may be. We need to make sure that what we do is address the cause of this violence, and to come up not with symbolic gestures that will have no impact or to pass other laws that will not be enforced but to come together with real solutions. Rather than put on a show and pat ourselves on the back and call it a day, let's do something good to make sure we have done everything in our human capacity to prevent another Sandy Hook. This is what these families want. This is what they deserve. And this is what the American people deserve.

This calls on the Senate to exercise its historic and its central role in bringing all sides together to try to come up with solutions. But if we can't do that here, if we can't do that now, when will we ever address this tragedy?

The President has told some of these victims' families that this side of the aisle doesn't care about their loss. That is not true. That is false. The President is wrong. All of us care about these families. All of us should care about violence in our communities, and

we should try to work together to find ways to address this—not in a symbolic sort of way but in a real way that offers a solution and maybe a little bit of progress on this issue that would allow these families to say, no, my loved one did not die in vain; something good came out of this. We want to work together to find real solutions to this type of senseless, incomprehensible violence that has taken too many lives. I hope we will.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check for every firearm sale, and for other purposes.

Harry Reid, Patrick J. Leahy, Robert Menendez, Sheldon Whitehouse, Jeff Merkley, Christopher A. Coons, Benjamin L. Cardin, Barbara Boxer, Debbie Stabenow, Kirsten E. Gillibrand, Richard J. Durbin, Patty Murray, Jack Reed, Dianne Feinstein, Richard Blumenthal, Christopher Murphy, Elizabeth Warren

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 31, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—68

Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Baldwin	Graham	Murphy
Baucus	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Heller	Rockefeller
Burr	Hirono	Sanders
Cantwell	Hoeven	Schatz
Cardin	Isakson	Schumer
Carper	Johnson (SD)	Shaheen
Casey	Kaine	Stabenow
Chambliss	King	Tester
Coburn	Kirk	Toomey
Collins	Klobuchar	Udall (CO)
Coons	Landrieu	Udall (NM)
Corker	Leahy	Warner
Cowan	Levin	Warren
Donnelly	Manchin	Whitehouse
Durbin	McCain	Wicker
Feinstein	McCaskey	Wyden
Flake	Menendez	

NAYS—31

Barrasso	Grassley	Pryor
Begich	Hatch	Risch
Blunt	Inhofe	Roberts
Boozman	Johanns	Rubio
Coats	Johnson (WI)	Scott
Cochran	Lee	Sessions
Cornyn	McConnell	Shelby
Crapo	Moran	Thune
Cruz	Murkowski	Vitter
Enzi	Paul	
Fischer	Portman	

NOT VOTING—1

Lautenberg

The ACTING PRESIDENT pro tempore.

On this vote, the yeas are 68, the nays are 31. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. REID. Mr. President, I appreciate everyone's cooperation. I am glad we were able to get cloture on this legislation. This legislation and this vote that just took place are, of course, important for our country, especially for the people from Connecticut who have lived through their tragedy. But it is also important for this body, this Senate. There have been many things written in the last several months about how the Senate cannot operate. And I so appreciate the Members on the other side of the aisle—especially JOHN MCCAIN on a Sunday show who said: I don't think there should be a filibuster on this. JOHN MCCAIN is a leader and has been a leader in this country for 31 years and people respect his opinion. I am grateful to all Republicans who joined with us to allow this debate to go forward.

The hard work starts now. As everyone knows, because we have all heard this on a number of occasions, the first amendment is going to be one that has been worked on for weeks by Senator MANCHIN, Senator TOOMEY, and Senator KIRK. That will be the first amendment. We expect to lay that down later today. I hope there will be no efforts to continue this filibuster with the 30

hours. There is no reason we shouldn't get to legislating.

We have an important lunch, as everyone knows. We are going to finish that lunch, and I hope we can come back and lay down this amendment and start some debate on it. I have indicated to Senators TOOMEY and MANCHIN—they want to spend a lot of time because they have to get prepared for what they are going to do beginning Tuesday morning—and I said that is fine. In the meantime, there are other things we can do on this legislation.

We know there are other amendments, and I hope no one is going to say, Well, I am going to filibuster every amendment that is offered. That defeats the whole purpose of why we are here. We can't allow that to happen. It would be such a shame if that, in fact, did happen.

We are going to have an open amendment process, meaning Senators are going to be able to offer amendments. One thing we can't do is have pending scores of amendments and we are not going to do that. We need to make this debate so people understand what is going on.

There are certain things we are going to have to vote on here. We are going to have to vote on the Manchin-Toomey amendment. We are going to have to have a vote on assault weapons. Some people love it, some people hate it, but we are going to have to have a vote on it. We are also going to have to have a vote on the size of clips or magazines. Those are the only votes I am going to make sure we have. Other than that, we should have amendments. If people think the present law is too weak, they can change that or if people think it is too strong, have some amendments to change that. We cannot have just a few Senators spoiling everything for everyone here. This is the time we should lay down amendments and see if we can pass them. We can set up procedures here, as we have done, to make sure everyone is heard.

I can remember when I had to meet with the families from Newtown. To be very honest, I didn't want to, but I did. I met them over here in room 219. That was a hard meeting, because everyone knows how I have approached things in the past with regard to these matters now before us. I am like virtually everyone in America: The events of the last few months have been very tragic—people going to a movie theater to watch a movie and they are gunned down, and more would have been gunned down but for the fact that the man's 100-clip magazine jammed. Newtown, we have all seen the pictures that are not here today of those babies who were shot, more than once. So America has a different view of this violence than they did just a little while ago.

We all believe in the Constitution. We all know what all of these amendments are about and what they are supposed to do and we are going to make sure that during this debate we keep the Constitution in mind.

The families of the most recent tragedy in Newtown deserve a debate, because these people from Newtown who are the survivors of this tragedy are representing everybody in America. That is why we need this debate. The Senate is going to give these family members, friends, and people who live in Newtown, no matter how long it takes, the ability to see how people stand on these issues. So the Senate is going to give them votes. We hope it will be sooner rather than later, but we are going to work through this.

Senators on both sides have amendments they want to offer. We have our most experienced Senator, who has been here longer than anyone else, managing this bill, Senator LEAHY of Vermont. He has always been a fair man and he will continue to be. He knows there are a few amendments that have to go forward, but after that we are going to be as deliberative as we can to make sure people have the opportunity to offer amendments.

I repeat, after we get through the Manchin-Toomey amendment, the assault weapons, and the high-capacity magazines, we are going to make sure everyone has the opportunity, and the Republicans can catch up. We can have the first amendment, the Toomey-Manchin amendment—I don't know if it is a Democratic amendment or a Republican amendment, but that is the first one we are going to do. After we get through these two things, we will have the Republicans. If they are two or three behind, they can catch up with us and then we can alternate back and forth. Even though there is no rule requiring it, that is the best way to move forward.

I am grateful to everyone we are here and able to start legislating on this issue that has caught the attention of the American people and, frankly, the world.

ORDER FOR RECESS

Mr. President, we are having a joint meeting. I ask unanimous consent the Senate recess from 12:30 until 2:30 today to allow for a joint caucus meeting, and that all time during recess and morning business count postcloture on the motion to proceed to S. 649.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, before I make a statement relative to an unrelated issue, I just want to say a very quick word about the historic vote that took place a few minutes ago on the floor of the Senate. I believe we had 16 Republicans who joined us in an effort to proceed to a bill that will initiate a debate—one of the first in years—on the floor of the Senate about gun safety in America.

I salute those Members of the Senate from both sides of the aisle who supported that motion to proceed, but especially from the other side. I know it took a great deal of courage, political courage, for them to step up and to at least initiate this debate. I will tell you, there were those among them—some 13—who signed a letter saying: We are going to filibuster this matter to stop it. They did not succeed today in that effort because 16 on the Republican side joined us. I do not presume they are going to vote for all or any of the amendments to be offered. But at least they allowed the Senate to be the Senate instead of having us bogged down—as we have over 400 times in the last 6 years—in a filibuster.

I hope during the course of this debate on the floor we are able to have amendments debated and voted on. The majority leader made that request earlier, and I believe, for the good of this Senate—and certainly for the debt we owe to America to address the issues of the day—we should address them in a bipartisan fashion in courteous but thorough debate. That is what the Senate has stood for as an institution, and I hope it does, and continues to.

Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

(The remarks of Mr. DURBIN and Mr. COONS pertaining to the introduction of S. 718 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COONS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:30 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

bled when called to order by the Presiding Officer (Ms. HEITKAMP).

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED—Continued

Mr. MURPHY. I come down to the floor for the second time today and maybe the fifth time over the last 2 days to talk again about the real reason we are here on the floor of the Senate this week and next week—to talk about the scourge of gun violence across the country and its victims.

We have had a good week this week on the floor of the Senate—a breakthrough on the matter of background checks, an agreement that we hope can forge the basis of a bill next week, an agreement that maybe doesn't move us as far as some of us would like in terms of making sure criminals in this country don't have guns but that moves us very far down the line toward a day when no criminals can go onto the streets of this country with guns, and then a very positive vote today in which Democrats and Republicans joined to break a threatened filibuster.

But these are the kids we are really here to talk about, and I wanted to come down before the week was over to talk about a few more victims just to make sure we are really clear about whom and what we are talking about.

Let me tell you about Chase Kowalski, one of the 7-year-olds killed by the gunman's bullets in Sandy Hook Elementary School. He was an amazing little kid. He was an athlete. Much like Jack Pinto, whom I talked about yesterday, Chase was a young jock. He was 6 years old when he actually completed and won a kids triathlon in Mansfield, CT. He was so inspired from watching the Olympics last summer, seeing his heroes Michael Phelps and Ryan Lochte do so well, that he went out and decided to learn how to swim and do it competitively. So with a little bit of help, he became a swimmer as well. His parents and surviving two older sisters, with a lot of his friends and family, ran together in honor of Chase's love for sports in a Sandy Hook 5K run that attracted thousands of people to the streets of Hartford.

Chase Kowalski could have done a lot of things. He clearly had this drive and initiative you don't find in a lot of kids who are only 7 years old. We will never really know who Chase was going to grow up to be, but he was a pretty remarkable young boy.

Jesse Lewis is here on this poster. His father, Neil Heslin, is here this week arguing and pleading for us to do something.

Jesse was a pretty amazing kid in his own right. He was 6 years old. The evening before the tragedy, he and his father had been out shopping for Christmas presents for his friends and family. One of the gifts they were

going out to get was for his teacher Vicki Soto, who was killed the next morning along with him. Jesse was spending his own money on all these presents. He had \$37 to spend, which he had earned by helping his father with a variety of odd jobs.

That was Jesse. He wanted to do nice things for people, but he wanted to earn the right to do it, so it wasn't the first time he had gone out and basically earned the money at 6 years old in order to buy things. But he was still a kid. He grew up on a farm, so he loved horses and dogs and chicks, and he liked to go out and fish and play soccer. His dad was always outside working on projects, and he always wanted to be with his dad Neil.

He was a pretty amazing kid with a lot of initiative and drive for a 6-year-old. We will never really know who he was going to grow up to be either.

As I have talked about on this floor over the last 2 days, although so much of the attention is on those 20 kids, the reality is that 3,300 people have died since Newtown. That is where our focus should be as well, on people such as Brian Herrera, 16 years old, a straight-A student at Miami Jackson Senior High School. Three days before Christmas of last year, only about a week after the Newtown shootings, Brian was riding his bike to his best friend's house. He was doing exactly what he should have done—going to a friend's house to work on a school project—and he was gunned down in broad daylight in the middle of the pavement. He was still carrying his red backpack—a story we heard earlier today about someone else. This was a totally random shooting. I am not sure if this has been solved at this point, but at the time the police had absolutely no idea why this happened. But there are so many guns out on the streets today—many of them illegal guns because we don't have a gun trafficking law and we don't have a good background checks law—that these things happen.

Jeremy Lee Khaoone, 25 years old, was shot in California about 1 month ago. He was one of five brothers. His father had just lost his wife. He was a native of Stockton, CA, an ironworker. He was always cheerful and smiling. Jeremy was killed by gun violence, and he left behind a 3-year-old son in February of this year.

Every single day 30 people in this country die from gun violence. You can't even see the differentiation between the little figurines on this chart because it happens so often. So I have been coming down to the floor not to hold time but just to remind my colleagues of whom we are really talking and the fact that what we are proposing to do next week really will make a difference.

If we want to get all these illegal guns off the street, then we can't just accept the status quo. We have to do

something about it. It is ridiculous that we don't have a Federal law that bans gun trafficking. It is not OK that perhaps 4 out of every 10 guns in this country are sold without background checks. A person shouldn't be able to walk into a school or a movie theater or a church with a 100-round drum of ammunition. There is no reason for it.

We are not going to wipe gun violence off the face of this Earth, but we have to remember these victims. We have to remember the Jeremies, we have to remember the Jesses, we have to remember the Brians and the Charlottes and the Madeleines and all of these people who have lost their lives. We can't bring them back, but we can certainly make sure that 3 or 4 months from now this chart is a little bit smaller. We have the ability to do that.

I will be back next week with other stories of victims—from Connecticut, to Colorado, to Tucson, to New York City, to Chicago, to Miami—so that as we move into maybe the most critical week on the floor of this body with respect to the debate on gun violence in decades, we are really sure about whom we are talking about and the difference we can make.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Nebraska.

THE BUDGET

Mrs. FISCHER. Madam President, I rise today to speak on the budget proposal released at long last yesterday by President Obama. Tardy though this budget may be, and despite our differences in opinion, I welcome the President's ideas to begin addressing our Nation's fiscal crisis and runaway spending. Unfortunately, though, I am disappointed that this budget amounts to more taxes, more spending, and more debt. The President's budget calls for \$1.1 trillion more in taxes, on top of the \$660 billion in tax hikes the President already demanded and won as part of the fiscal cliff deal enacted at the beginning of the year, before I arrived in Washington. That is a grand total of \$1.8 trillion in tax hikes—before we add in another trillion dollar tax from ObamaCare. Yet, despite all of this new so-called "revenue," the President's budget would never balance. No amount of taxes will ever begin to address our Nation's \$17 trillion debt.

But taxes aren't the only problem with the President's budget. There is also a trillion dollars in new spending. We tried that in 2009. It didn't work then and it won't work now. To spend more, we have to borrow more. The President's budget would add \$8.2 trillion in new debt over the next 10 years.

Of particular concern to farmers, ranchers, and small businesses in Nebraska is a proposed hike in the death tax. Under the fiscal cliff deal reached at the beginning of this year, the death tax was set at 40 percent, with an exemption per estate of \$5 million, in-

dexed for inflation. This is already an increase from 2011 and 2012, when the death tax rate was 35 percent. The President's budget, however, would hike the rate further, to 45 percent, while also diminishing the exemption per estate to \$3.5 million.

This disregards the bipartisan will of Congress. The Senate has repeatedly supported a lower death tax rate and higher exemption. Just 3 weeks ago, 80 senators—myself included—supported an amendment seeking to repeal, or at least reduce, the death tax. Instead, the President's death tax proposal would result in a \$72 billion tax hike. This would be particularly harmful to family farmers and ranchers in my State of Nebraska and across our Nation. On average, more than 80 percent of the value of a family-owned farm or ranch is derived from land, buildings, and equipment. Following the death of a loved one, families often must sell part or even all of their land and property to pay the death tax bill. Yet these are illiquid assets which rarely receive their assessed value on the open market, leaving families to take cents on the dollar in order for them to keep that farm or ranch.

Each day, farmers and ranchers across Nebraska and the United States rise well before dawn only to retire well after dark. After building a successful enterprise, family farmers and ranchers should be able to pass along the fruits of their labor to their children. Instead, the President's budget proposal would reward this lifetime of hard work with a higher tax bill.

I will proudly cosponsor legislation to be introduced soon by Senator JOHN THUNE to permanently repeal the death tax. Absent a full repeal, I will continue fighting to ensure that family farmers, ranchers, and other small businesses escape as much of the brunt of the death tax as possible. This is not to say that I disagree with every aspect of the President's budget. Medicare and Social Security are both on the path to insolvency. I appreciate that the President sees this unsustainable path and has offered concrete proposals to reform these programs.

Without action, seniors and other beneficiaries will see steep cuts in benefits from Medicare by 2024 and Social Security by 2033. While these cuts will not come overnight, neither will the solutions we need to keep the promises we have made to our seniors and those nearing retirement.

This is the first step in what will be—and quite frankly needs to be—a prolonged, well-reasoned debate. I look forward to working with the President in good faith to reform and save these critical programs. I also appreciate the President's desire for revenue-neutral corporate tax reform. The devil, of course, is in the details. I have great reservations that the President's proposal would basically redistribute tax

preferences instead of doing more to bring down what is the highest corporate income tax rate in the world. And I believe that we should not merely do this on the corporate side but reform our entire tax code on a revenue-neutral basis in order to unleash the economic growth of our Nation.

There are areas where we can work together—and I am eager to do so. But higher taxes, higher spending, and higher debt are not the answer to the fiscal challenges our Nation faces.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Madam President, I join my other colleagues in thanking the Senators who joined us in the vote earlier today. My profound thanks go to all who voted among the 68 to enable this debate to go forward, to provide and permit debate and votes in coming days, and to enable the families of Newtown to have a vote; to enable the victims of Tucson and Virginia Tech and Aurora and Oak Ridge to have a vote.

Voting is what we are sent here to do. The American people hold us accountable when we have votes. Votes enable us to be held accountable and those votes will take place. The vote today is exciting and encouraging and energizing, but it is only a first step. The critical test and profoundly significant steps will be next week when we vote on the bipartisan compromise that our colleagues have fashioned, that Senators MANCHIN and TOOMEY have together forged on national criminal background checks.

That is not necessarily as strong as many of us might have preferred. That is not a final or ultimate result on this issue for all time. But it is a solid foundation and a path forward to enable more bipartisan compromise, more momentum and impetus.

The brave families from Newtown who were part of this discussion this week deserve our thanks as well. They turned the tide. They faced our colleagues in meetings, visit after visit, conversation after conversation—painful, demanding, grief-stricken in recalling those hours after that horrific, unspeakable tragedy. As one who arrived there within hours of the shooting, I saw, firsthand, their unimaginable pain and grief as they came out of the Sandy Hook firehouse after learning for the first time that their babies would not return; loved ones, teachers, educators perishing while trying to save their children in their care.

Those families came to Washington to tell their stories and advocate for change so that others would be spared that same experience, so that others would be spared the same fate as the 3,300 who have died since Newtown and the horror they and their families experienced.

Just 4 months ago the conventional wisdom was that gun violence legisla-

tion would never go anywhere in the Congress. In fact, gun violence was politically untouchable. Just days ago, 60 votes was thought to be unreachable as a goal. The fact is the political landscape is changing seismically as we speak. As we deliberate, minds are changing. Voices are piercing that conventional wisdom. The courage and compassion of the Newtown families have disproved and completely defeated the pundits, the conventional wisdom, the prognosticators who said it could not be done.

The world watched that tragedy on December 14 at Newtown. I said on that evening at the vigil at St. Rose of Lima Church: The world is watching Newtown.

Indeed, the world watched Newtown, and today the world watched the Senate as it took this historic, and for many of our colleagues a courageous, brave step.

Today we kept faith with those families and the victims of that tragedy in a first step to finally do something about gun violence. Now we must continue working, taking nothing for granted, avoiding complacency and overconfidence because every step is uphill when it comes to gun violence.

I thank particularly two of my colleagues, JOE MANCHIN and PAT TOOMEY, because they stepped forward from States that may not be as receptive to what they have done as others, but they deserve the thanks and gratitude of their States in their statesmanship in supporting and forging this compromise.

I will continue to support and work for a truly universal background check system, but this bipartisan compromise represents significant progress. It is a vast improvement over current law. It will make sure that a lot fewer criminals get their hands on guns. It will make our streets and schools safer.

On the morning of December 14, I—along with Senator MURPHY—pledged to do everything I could to make sure more parents will not have to bury their children because of preventable gun violence. Expanded background checks are part of that pledge, and we are helping to fulfill it by supporting it. This is only part of a bigger and more comprehensive solution to this problem, but this compromise is a good starting point for next week's debate on gun violence.

We have talked a lot about Newtown and the victims who have evoked our most powerful grief, breaking our hearts, and evoking memories of our own children at that age. As I said, I went to Newtown as a public official, but what I saw was through the eyes of a parent. Other victims of loved ones evoke the same memories.

Today, I wish to evoke the memory of another tragedy that many of us in Connecticut remember well. It hap-

pened at Hartford Distributors, which is just outside Hartford.

On a beautiful morning, August 2, 2010—and a lot of what I am going to summarize comes from this great newspaper account which appeared in the Hartford Courant shortly thereafter.

As the Courant reported:

In three minutes on that bright summer morning, Thornton executed eight men, shooting them all from behind and laughing at one point as he chased down a wounded victim.

Thornton went into a kitchenette near the office, saying that he wanted a drink of water. He pulled a pistol from his lunch pail and shot operations director Louis Felder. Hollander said he heard Felder yell: "Omar, you can't!" followed by loud bangs.

Hollander was hit by one of the bullets that passed through Felder. As he crawled into his father's office—

Hartford Distributors is owned by the Hollander family.

Hollander heard Cirigliano yell—"Omar, no! Omar, no!" Thornton shot Cirigliano twice, once in the back of the head and once in the forehead.

He systematically executed another six people after those two, and then he killed himself.

The victims that day were men who came to work every day and had families. They came to work expecting to come home at the end of the day. Their families expected them to come home. They were men who had worked in that place for many years by dint of their sweat and backbreaking labor. They had come to a place in their lives where they could enjoy it. They had enough financial security that they expected to enjoy it for some time. That day the killer deprived them of their future and their families' future as well.

Gun violence affects all of us in different ways. I have visited the memorial that was established for the brave men who died that day at Hartford Distributors. It is a quiet, peaceful place that is exquisitely and beautifully done. It evokes the memories of men who died while they were on the job because of a deranged individual who was, in fact, about to be fired.

Connecticut's experience with this kind of death extends to its own facility. The State lottery experienced a similar horrific and brutal slaying. The scene played out in seconds, which seemed to take an eternity, on a Friday morning.

It was a routine morning for dozens of State lottery office workers, and it turned into a nightmare of blood, fear, and betrayal. The shooter was named Matthew Beck, and he summarily executed men and women there that day. Connecticut remembers those State employees who provided public service day in and day out and were killed while they were at work. Again, they were working men and women who wanted nothing more than to go home safely that night.

My colleague, CHRIS MURPHY, has recounted many stories. Many of the stories were about children. All of them had their future ahead of them. Their future ended brutally and horrifically because of gun violence.

We have taken a step today—a first step—hopefully followed by more steps next week.

I wish to end by thanking Members of this Chamber for giving us the opportunity to debate and vote and say to the American people we are willing to be held accountable.

The majority of American people want commonsense and sensible measures to end the violence on the streets, in our neighborhoods, and in our place of work, such as Hartford Distributors and the State lottery. We want to make sure the hard-working men and women who go to their jobs, play by the rules, and expect fairness have the opportunity to go home that night.

I thank this Chamber and the Members who voted today, and I hope those Members will join us in the future so we can make sure fewer victims perish as a result of this horrific epidemic in our country, gun violence.

Thank you.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

MODIFYING THE REQUIREMENTS UNDER THE STOCK ACT

Mr. COONS. Madam President, I ask unanimous consent the Senate proceed to the consideration of S. 716, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 716) to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

There being no objection, the Senate proceeded to consider the bill.

Mr. COONS. I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 716) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATIONS OF ONLINE ACCESS TO CERTAIN FINANCIAL DISCLOSURE STATEMENTS AND RELATED FORMS.

(a) PUBLIC, ONLINE DISCLOSURE OF FINANCIAL DISCLOSURE FORMS.—

(1) IN GENERAL.—Except with respect to financial disclosure forms filed by officers and employees referred to in paragraph (2), section 8(a) and section 11(a) of the STOCK Act (5 U.S.C. App. 105 note) shall not be effective.

(2) EXEMPTED OFFICERS AND EMPLOYEES.—The officer and employees referred to in paragraph (1) are the following:

- (A) The President.
- (B) The Vice President.
- (C) Any Member of Congress.
- (D) Any candidate for Congress.
- (E) Any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position.

(3) CONFORMING AMENDMENT.—Section 1 of the Act entitled “An Act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes” is repealed.

(b) ELECTRONIC FILING AND ONLINE AVAILABILITY.—

(1) FOR MEMBERS OF CONGRESS AND CANDIDATES.—Section 8(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “, OFFICERS OF THE HOUSE AND SENATE, AND CONGRESSIONAL STAFF”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by Members of Congress and candidates for Congress,

“(ii) reports filed by Members of Congress and candidates for Congress of a transaction disclosure required by section 103(l) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official websites of the House of Representatives and the Senate.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this section” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

(2) FOR EXECUTIVE BRANCH OFFICIALS.—Section 11(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “EMPLOYEES” and inserting “OFFICIALS”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by the President, the Vice President, and any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position,

“(ii) reports filed by any individual described in clause (i) of a transaction disclosure required by section 103(l) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official website of the Office of Government Ethics.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this section” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED—Continued

Mr. COONS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. COONS assumed the Chair.)

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WARNER). Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that all postcloture time on the motion to proceed be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

The question is on agreeing to the motion to proceed.

The motion was agreed to.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 715

(Purpose: To protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process)

Mr. MANCHIN. Mr. President, I have an amendment at the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. MANCHIN] for himself, Mr. TOOMEY, Mr. KIRK, and Mr. SCHUMER, proposes an amendment numbered 715.

(The amendment is printed in today's RECORD under "Text of Amendments.")

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE ROTARY CLUB OF CARSON CITY

Mr. REID. Mr. President, I rise to honor the Rotary Club of Carson City. Celebrating 75 years of service to the community, the Rotary Club has shown great dedication to America's ideals of prosperity, education, and opportunity. It is my great honor to acknowledge the Rotary Club of Carson City's rich history of service, particularly in light of its recent anniversary.

Hans Jepson, president of the Minden Rotary Club, and the civic-minded Rev. John L. Harvey, began plans to create the Carson City Rotary Club in the summer of 1937. The first meeting saw five attendees who sketched plans for the organization's future. Their first plan of action was to add the Carson City Rotary Club to the Nevada roster.

After carefully selecting additional members, the Rotary Club of Carson City had its first official meeting on January 25, 1938. A month later, it was accepted as a member of Rotary International—an achievement that reflected several months of earnest effort on the part of the pioneers of the local movement.

Initially comprised of only 25 men, the Rotary Club of Carson City has since expanded to encompass almost 90 members. Ever mindful of the organization's previous motto "He Profits Most Who Serves The Best", the members provide "Service Above Self" to the Carson City community.

Since its founding, the Rotary Club of Carson City has realized many accomplishments, including its participation in the global campaign that reduced transmission of the Polio Virus

by 99 percent since 1985 and its successful efforts to place a town hall clock in front of the Legislative Building of Carson City.

The Rotary Club has a special focus on education. It awards a 4-year scholarship to a non-traditional student and recognizes exceptional educators through Teacher of the Year and Teacher of the Month awards. It also sponsors high school students' involvement both in the Rotary Youth Leadership Academy and the Rotary Youth Exchange Program, where students spend a year abroad and, host international students in Carson City.

Moreover, the club supports various programs offered by FISH, Friends in Service Helping, Capital City Circles Initiative, Western Nevada Boys and Girls Club, and Food for Thought, in addition to its various community service projects, such as Rotarians at Work Day.

I laud the Rotary Club of Carson City's dedication to the community and am pleased to congratulate its members on seventy-five much appreciated years of service.

TRIBUTE TO CRAIG WARNER

Mr. REID. Mr. President, I rise to honor a man who has dedicated his life to serving others, Craig Warner. Although this chapter of his career is coming to a close, his legacy in volunteerism will live on.

Craig began his career in public service by joining the Peace Corps after graduating from Iowa State University. He spent two years in Lesotho, Africa, after which he became a recruiter for the Peace Corps. He then served for 16 years as a state program specialist with the ACTION Agency in the Tennessee State Office supporting VISTA and Senior Corps programs. In 1991, he brought his expertise to Nevada. When ACTION was replaced by the Corporation for National and Community Service, CNCS, Governor Bob Miller made Craig one of the original appointees to CNCS, where he served as the state director for more than 20 years.

Bringing his great sense of humor to every project he works on, Craig has been a mentor in addition to director. Craig is a warm and compassionate man with a kind heart, intent on doing everything possible to make life better for those seeking help. He has high expectations for projects and pushes to make sure they are done right. Even so, he is always ready to lend a hand and give advice to make sure projects are successful. Craig is an honest man who treats colleagues with respect, genuine kindness, and interest.

Volunteerism is a vital component of every community, and I am proud to honor Craig for the tradition of service he has built in Nevada. Working with the Nevada Commission for National and Community Service since its in-

ception, Craig has shaped the organization, now called Nevada Volunteers, as well as the way Nevada has served its community for the last 20 years.

Craig is to be commended for his more than 40 years of service to the citizens of our State and to our Nation. He is an exemplary model for all Nevadans. I join in recognizing Craig and look forward to his future contributions.

TRIBUTE TO MAYOR ARLENE MULDER

Mr. DURBIN. Mr. President, Arlington Heights, IL, is known as the City of Good Neighbors—and if you ask people there who best embodies that spirit, there's a pretty good chance they'll answer: Mayor Arlene Mulder.

After 20 years as mayor and more than three decades serving her community, Mayor Mulder is retiring from public life in just a few weeks. I would like to personally acknowledge Arlene's significant contributions to the people of Arlington Heights, thank her for her good work, and wish her every success in the coming years.

Both in public service and private life, Mayor Mulder was always a good neighbor. She worked to reduce aircraft noise, improve air quality and quality of life for residents, and to redevelop Arlington Heights' downtown district.

Even outside her role as mayor, she always advocated for the people and businesses of Arlington Heights. As a member of the board of directors of Metra, Northeast Illinois' commuter rail system, Arlene worked to improve the region's transportation network because she understood that when cities and suburbs work together, everyone benefits.

Those who know her well have nothing but good things to say about her. She practices an inclusive brand of leadership to bring people together and get results, genuinely cares about her community, and she really listens to their needs.

I always knew that Arlene would aspire to the highest levels of professionalism in her work. She managed to conduct her work with a smile—which you could see often at any of the daily public appearances around town for which she is well known.

While Mayor Mulder is ending her career in public life to spend more time with her husband, children, and grandchildren, I know she'll continue to be a good neighbor to the Arlington Heights community. This is what she has always done. That is just who she is.

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, for months, Members on both sides of the aisle have been working to find common ground on ways to fix our broken

immigration system. This group has been meeting behind closed doors to forge a consensus on a very difficult topic. The group released a framework, or a document of principles, that would guide their negotiations. I cannot stress the importance of the first sentence in their preamble that states: "We will ensure that this is a successful permanent reform to our immigration system that will not need to be revisited." In other words, the group claimed to understand that we need a long-term solution to our immigration problems. That sentence is the most important part of their document, and as we work together on this issue, we must not lose sight of that goal.

In order to achieve that goal, we need to learn from our previous mistakes so that we truly don't have to revisit the problem. There is clear evidence that the 1986 amnesty program didn't solve our immigration problem, despite the intent of the law. Even though, for the first time ever, we made it illegal to knowingly hire or employ someone here illegally, illegal immigration soared because we rewarded the undocumented population. We set penalties to deter the hiring of people here illegally. Yet, an industry of counterfeiting and identity theft flourished and made a mockery of the law.

Unfortunately, the 1986 law didn't adequately provide for securing our borders or provide the tools to enforce the laws, nor did it properly address the need to create or enhance the legal avenues for people to enter the country. The bill focused on legalizing millions of people here rather than creating a system that would work for generations to come.

So, I have made a point of trying to remind my colleagues that we must learn from the mistakes we made. As a member of the Judiciary Committee, I have been adamant about making sure all members have an opportunity to review, analyze, and debate the bill. Along with other members, we have asked for hearings. We have pressed the bipartisan group to work with us and ensure that we have a deliberative and healthy debate.

Unfortunately, this bipartisan group has failed to consult with many members of the Judiciary Committee, which has jurisdiction over immigration matters. They are working with the Chamber of Commerce and the AFL-CIO. They are sharing language with K Street and interest groups. They are leaking details of their plans to certain media outlets. Yet, Members of the Senate are forced to learn through these avenues about their negotiations. And, all along, the American people have been in the dark.

When the bill is unveiled, possibly next week, every Member of the Senate will have questions. We will comb through the details and determine if the proposal will truly fix the problems

once and for all. So allow me to share some of the questions I have. In an effort to ensure that the bill does what their framework insisted that the problem be fixed once and for all I will ask these questions when the bill is finally revealed to the public.

Is this bill enforcement first or legalization first?

What is the expected cost? How will it be paid for?

Will the bill ensure that undocumented immigrants don't get public benefits?

Will the bill move us closer to a merit-based system?

Will the bill be an avenue for labor unions to push Davis Bacon?

What are the concrete metrics used to measure border security?

Who will determine that these metrics are met? Will it be Congress, a commission or a Secretary who doesn't think that the border matters?

Will the entry/exit system Congress mandated in 1996 finally be implemented? Will it be a part of the trigger?

Will the language be tight enough to prevent criminals—those with DUIs and other aggravated felonies from being eligible for legalization?

Will individuals already apprehended, or people in removal proceedings be eligible or even allowed to apply for the legalization program?

Will the bill ensure that the legalization program is covered by beneficiaries, and not taxpayers?

What will happen to individuals who do not come forward and register or get provisional status?

What will happen if the border is never secured? What will be the consequences, including for those who have already received registered provisional status?

Will the agency in charge of immigration benefits be able to handle the additional workload while also preventing fraud and abuse?

Will the bill encourage cooperation between the Federal Government and State and locals to enforce the laws?

How will the bill ensure that ICE agents are allowed to do their job?

Will E-Verify be mandatory for all businesses? Will there be exceptions to the rule?

Will the bill require all businesses to use E-Verify now or will it drag out the requirement even though it is ready to go nationwide?

Will the bill exempt or preserve State laws that require E-Verify?

What are the concessions to the unions and to the business community?

Will the new temporary worker program, which is a new model encompassing instant portability, truly work? How will employers be held responsible for the visa holders, if at all?

Is the new temporary worker program truly temporary? Will they get a special green card process?

Will the bill exempt certain industries, such as construction, from this new visa program?

Will the 11 million people here illegally get priority in this new temporary worker program? Will they be able to use it?

Will the bill require employers to first recruit and hire Americans?

We have a long road ahead of us to pass legislation to reform our immigration system. We will have many more questions and, hopefully, a transparent and deliberative process to improve the bill. I look forward to working with my colleagues on this issue and solving the problem once and for all.

THE PRESIDENT'S BUDGET

Mr. ENZI. Mr. President, today I wish to share a startling fact with the American public. For the first time since the President has been required to submit a budget—since 1922, 91 years ago—the President failed to provide a budget proposal before the Senate passed one. This year the President's budget proposal was submitted to Congress 65 days late. And even with that extra time to find solutions that would jumpstart the economy, the budget proposed by the President continues the policies that have led to anemic economic growth and stagnant job creation—more taxes, more spending, more government.

The last time we voted on the President's budget, it received zero votes. Let me repeat that—zero votes. Not even the members of his own party supported his budget. Since the President's budget is arriving after we have already taken up a budget here in the Senate, I doubt that we will vote on this proposal. But I don't think it's a stretch to say that a vote on this budget might obtain the same result.

We have already heard cries from members of his own party that he is included proposals they don't like for example, a provision called "chained CPI" that changes the inflation measurement for many Federal programs, such as Social Security, and for certain provisions of the tax code. The President's budget estimates that this provision will reduce the deficit by nearly \$230 billion over 10 years. And a budget such as the President's that raises taxes by nearly \$1 trillion over the next 10 years—and that is in addition to the \$600 billion in tax increases that went into effect earlier this year certainly will not win over any members on my side of the aisle. While there are some provisions in this budget I might support, the budget taken as a whole is a far cry from what we need to get the country on the right fiscal path.

The President and his party like to talk about a so-called "balanced approach." But there is nothing balanced about a budget proposal that raises taxes by nearly \$1 trillion and can't

even balance. That is right the President's budget does not balance in any of the next 10 years. What we really need is a budget that gets us to balance and puts us on a path to start paying down our country's \$16 trillion debt. We have to start paying down the debt.

The President's budget proposal would increase taxes as a percent of the Nation's total output, or GDP, each year over the next 10 years, resulting in revenues as a percent of GDP at 20 percent in fiscal year 2023. The average rate over the past 40 years has been approximately 18 percent of GDP. The U.S. has balanced the budget 12 times since World War II. The average revenue for those 12 years was 18 percent of GDP. These numbers tell the story—our problem is not that we tax too little but that we spend too much. I have introduced a bill called the Penny Plan that cuts spending by one percent for each of the next three years, and balances the budget in 2016. Our Nation owes over \$16 trillion and no one is talking about reducing it. We have to get to balance—the sooner the better—and start paying down the debt.

I am very disappointed, but not surprised, that the President yet again has not taken the opportunity to fully address the drivers of our growing deficits and debt spending programs such as Medicare and Social Security. The President won his re-election last year. The time for campaigning is over; it is time to start governing and make the tough choices to save these programs for current and future beneficiaries.

I said this during the debate on the majority's budget resolution a few weeks ago, and it is worth repeating now we need to grow the economy, not the government. One of the ways we can grow the economy is by reforming our outdated tax code. We have to lower tax rates and broaden the tax base and make the tax code simpler and fairer for all taxpayers. I was happy to see the President's budget call for revenue-neutral business tax reform. But then I read the fine print and realized the President was calling for lowering the corporate tax rate only and by paying for it by increasing taxes on U.S. multinational companies and oil and gas companies. I agree we need to lower the corporate tax rate. We also need to fix our outdated international tax system so we don't hamper our U.S. multinational companies from competing globally. And I have an international tax reform bill that addresses those issues. But in addition to lowering the corporate tax rate, we have to ensure we address the taxes paid by so-called "flow-through" businesses these are the partnerships, S-corporations, and limited liability companies. Just fixing the corporate side doesn't help the millions of businesses structured as flow-through entities. I appreciate the President wanting to do revenue-neutral corporate tax

reform. But that only addresses part of the problem.

I generally don't like to do things "comprehensively." We should do legislation in smaller parts so people can understand what is in them and can vote for and against the things they support and don't support. But given the interaction between the individual and corporate side of the tax code, we really need to look at them together and make sure changes we make in one area don't make things worse in another area.

So now we have finally seen the President's budget proposal. And while there are a few good things in it, I am sorry to tell my constituents back in Wyoming and the American public that the President has yet again failed to seize the opportunity to move the country's economy forward. It is more taxes, more spending, more government. That is not the recipe for growing the economy. I hope that over the coming months the President and his party will work with me and the Members on my side of the aisle to fix our tax code, both individual and corporate, and reform our spending on programs such as Medicare and Social Security. The American people deserve nothing less.

RECOGNIZING PENNSYLVANIA STATE UNIVERSITY

Mr. TOOMEY. Mr. President, today I wish to recognize Pennsylvania State University as the school celebrates 150 years of history. April 1, 2013, marked this monumental anniversary when Pennsylvania designated the then-Agricultural College of Pennsylvania to be the sole land grant college in the Commonwealth. Of course the Agricultural College would eventually become Pennsylvania State College in 1874 and Pennsylvania State University in 1953.

While maintaining its agriculture base, Penn State expanded its focus shortly after opening its doors to students and began offering degrees in liberal arts and other fields. Notably, Penn State quickly became one of the Nation's largest engineering schools in the late 19th century.

Today, the Pennsylvania State University is the largest university in the Commonwealth and grants more baccalaureate degrees than any other school in Pennsylvania, and it has one of the largest graduate schools in the country. In all, Penn State offers students the opportunity to pursue studies in more than 150 different disciplines. Penn State graduates have gone on to great success in agriculture, engineering, business, law, medicine, academia, government, and sports. Enrollment at Penn State's 20 undergraduate campuses, the World Campus, the Graduate School, the Dickinson School of Law, the College of Medicine, and the College of Technology is approaching

100,000. Penn State can boast that 1 in every 117 Americans with a college degree is an alumni of Pennsylvania State University. That is quite an achievement. It has been a great success, and has served Pennsylvania, and the Nation, well.

Penn State has also created an environment that promotes the importance of public service and volunteer work. Most notably, Penn State students participate in an annual fundraiser known as THON, which benefits pediatric cancer care and research. THON culminates each year with a multiday dance marathon at the Bryce Jordan Center. Since its inception in 1977, THON has raised more than \$100 million. In 2013 alone, THON raised nearly \$12.5 million for pediatric cancer. These fundraising efforts are truly remarkable and Penn State students should be proud of all they have done to help children and families who are fighting pediatric cancer.

In addition to THON, Penn State University also hosts annual events such as Ag Progress Days, the Engineering Design Showcase, and the Arts Festival Weekend. All of these events bring together Penn State students, alumni, and other interested parties by providing a forum where relevant technological advances in the related fields, best business practices between interacting disciplines and creative innovation can be shared and displayed for the betterment of all involved.

Lastly, and perhaps most importantly, I should recognize the outstanding faculty who make Penn State what it is. The faculty at Penn State are leaders in their respective fields and conduct cutting edge research in numerous disciplines. The success of the university is dependent on the high quality faculty who dedicated their lives to academia, and all of the Penn State faculty should be proud of their accomplishments. They are educating the next generation of leaders, and, through their research, are bettering the lives of people throughout the Commonwealth, Nation, and the world.

Again, I want to congratulate Pennsylvania State University on reaching this milestone. You make the Commonwealth a better place, and I am confident the next 150 years of accomplishments will be even greater than the last.

PRESIDENT LINCOLN'S FUNERAL TRAIN

Mr. PORTMAN. Mr. President, today I wish to recognize the installation of an Ohio Historical Society marker commemorating President Lincoln's funeral train stop in Urbana, OH on April 29, 1865. Urbana was one of the Ohio communities President Lincoln's funeral train passed through on its 1,654-mile trek from Washington D.C. to Springfield, IL. Around midnight on

April 29, 1865, 10,000 mourners gathered near Urbana's train station to pay their respects to President Lincoln during the train's 20-minute stop.

To commemorate this historic event, the Champaign County Bicentennial Historical Marker Committee is installing an Ohio Historical Society marker in Urbana. This marker will not only honor one of America's greatest presidents, but it will also recognize this historical event which contributes greatly to Urbana's rich heritage.

I wish to recognize Champaign County for keeping history alive for future generations through the installation of the Ohio Historical Society marker, and for other historical preservation and commemorations in an Ohio county with a rich history.

ADDITIONAL STATEMENTS

REMEMBERING TERRY GIBSON

• Mr. CRAPO. Mr. President, today I wish to pay tribute to the life and legacy of an outstanding leader and friend, Shoshone-Paiute Tribal Chairman Terry Gibson. He left a lasting mark in his far too few years of life.

Terry carried an absolute commitment to better the lives of the people he led and those of future generations. He had a deep understanding of the strengths and challenges of the Shoshone-Paiute Tribes, and he focused on making progress. Prior to serving as chairman, he served on the tribal council and worked as health director, compliance officer and natural resource director for the tribes. His experience and knowledge contributed to his exemplary leadership.

He was dedicated to encouraging tribal youth to achieve educational and career success, and he worked to address unemployment, domestic violence and poverty. Terry furthered the mission of protecting and preserving the Shoshone-Paiute tribal culture and natural resources while also assisting and encouraging the economic development of the tribes. He was mindful of ensuring future generations would also have the opportunity to benefit from our resources.

We worked together on projects to benefit tribal members, and he was always a trusted partner and strong leader with the courage and foresight to tackle the many issues facing the tribes. He is recognized as a dedicated leader who thoughtfully carried out his duties in advancing the objectives of the tribal membership. Terry was a sensible, strong and reliable voice.

The unexpected passing of Chairman Gibson brings great sadness to the tribes, the Owyhee area, Idaho and me. My prayers are with his wife, Debbie, his children, his family, the people he led, and the many lives he reached. I

join his family members and many friends in mourning his loss. I am thankful I had the opportunity to know Terry and work with him. While Terry will be sorely missed, his legacy will endure. His steady and dedicated leadership will not be forgotten.●

TRIBUTE TO JESSE DAUNIS

• Mr. HELLER. Mr. President, today I am proud to recognize one of Nevada's veterans whose overwhelming sacrifice on behalf of those who served our great Nation is inspiring. On April 1, 2013, Jesse Daunis began his journey on foot across the State of Nevada to raise money and awareness to assist veterans dealing with depression, post-traumatic stress disorder, and many other issues related to the difficult transition from soldier to civilian.

The brave men and women who served our country and fought to protect our freedom are coming back to a struggling economy. Our Nation's servicemembers have made great sacrifices for our country, and they deserve our gratitude and support. We must welcome them home and help them transition to civilian life. Assisting our Nation's veterans and families is of the utmost importance.

I am grateful Mr. Daunis is raising awareness for an issue about which I care deeply. Having a family member who has served in the Armed Forces, I have always been an advocate for our troops. As a member of the United States Senate Committee on Veterans Affairs, I will continue to vocalize my support for our servicemembers. I applaud Mr. Daunis for undertaking this 448-mile journey over 18 days from Reno to Las Vegas, and I stand with him.

Mr. Daunis' selfless efforts to honor and acknowledge our Nation's veterans embodies the value of service over self. I commend Mr. Daunis for his steadfast determination in raising awareness for those who keep us safe. Today, I ask my colleagues to join me in recognizing Mr. Daunis for his service to our country and commitment to helping veterans in need.●

TRIBUTE TO LAURA HODSON

• Mr. THUNE. Mr. President, today I recognize Laura Hodson, an intern in my Aberdeen, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Laura is a graduate of Bennett County High School in Martin, SD. Currently, she is attending Northern State University, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Laura for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1113. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Establishment of the Multi-State Plan Program for the Affordable Insurance Exchanges" (RIN3206-AM47) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1114. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Health Plan Value Methodology"; to the Committee on Health, Education, Labor, and Pensions.

EC-1115. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Final Sequestration Report to the President and Congress for Fiscal Year 2013"; to the Committees on Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC-1116. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Styrene-Ethylene-Propylene Block Copolymer; Tolerance Exemption" (FRL No. 9380-5) received in the Office of the President of the Senate on April 8, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1117. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Corporation's fiscal year 2014 Congressional Budget Justification and fiscal year 2012 Annual Performance Report; to the Committee on Health, Education, Labor, and Pensions.

EC-1118. A communication from the Chairman, Merit Systems Protection Board,

transmitting, pursuant to law, the Board's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1119. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Residential, Business, and Wind and Solar Resource Leases on Indian Land" (RIN1076-AE73) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on Indian Affairs.

EC-1120. A communication from the Director, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, a report relative to the notification of eligible members for per capita payments in the subject judgment funds; to the Committee on Indian Affairs.

EC-1121. A communication from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, a report relative to restoring certain funds to the Delaware Tribe of Indians; to the Committee on Indian Affairs.

EC-1122. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to Patent Term Adjustment" (RIN0651-AC84) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on the Judiciary.

EC-1123. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Representation of Others Before the United States Patent and Trademark Office" (RIN0651-AC81) received during the adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on the Judiciary.

EC-1124. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "The Office on Violence Against Women's Grant Funds Used to Address Stalking: 2012 Report to Congress"; to the Committee on the Judiciary.

EC-1125. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department of Justice's 2012 Freedom of Information Act (FOIA) Litigation and Compliance Report; to the Committee on the Judiciary.

EC-1126. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report of proposed legislation entitled "Criminal Judicial Procedure, Administration, and Technical Amendments Act of 2013"; to the Committee on the Judiciary.

EC-1127. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report relative to bankruptcy judgeship recommendations and corresponding draft legislation for the 113th Congress; to the Committee on the Judiciary.

EC-1128. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report on crime victims' rights; to the Committee on the Judiciary.

EC-1129. A communication from the Associate Administrator, Office of Government Contracting and Business Development, Small Business Administration, transmitting, pursuant to law, a report entitled "2011 Fiscal Year Report to the U.S. Congress on Minority Small Business and Capital Ownership Development"; to the Committee on Small Business and Entrepreneurship.

EC-1130. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Grants to States for Construction or Acquisition of State Homes" (RIN2900-AO60) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 689. A bill to reauthorize and improve programs related to mental health and substance use disorders.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Kenneth John Gonzales, of New Mexico, to be United States District Judge for the District of New Mexico.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. HIRONO (for herself and Mr. HATCH):

S. 703. A bill to amend the Immigration and Nationality Act to provide for the eligibility of the Hong Kong Special Administration Region for designation for participation in the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

By Mr. CASEY:

S. 704. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURR (for himself, Mr. JOHANNES, Mr. RUBIO, Mr. ISAKSON, and Mr. BOOZMAN):

S. 705. A bill to amend title 36, United States Code, to ensure that memorials commemorating the service of the United States Armed Forces may contain religious symbols, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. BLUMENTHAL, Ms. HEITKAMP, Ms. KLOBUCHAR, Mr.

UDALL of New Mexico, and Mr. WYDEN):

S. 706. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. FRANKEN, Ms. STABENOW, Mr. WHITEHOUSE, Mr. SANDERS, and Mr. BROWN):

S. 707. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. REED, Ms. STABENOW, and Mr. FRANKEN):

S. 708. A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Ms. COLLINS, Mr. BEGICH, Mr. BROWN, Mr. FRANKEN, Ms. KLOBUCHAR, Mrs. GILLIBRAND, and Mr. MENENDEZ):

S. 709. A bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. TOOMEY, Mr. CARPER, Mr. MORAN, and Mr. JOHANNES):

S. 710. A bill to provide exemptions from municipal advisor registration requirements; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 711. A bill to designate the Federal building located at 118 South Mill Street, Fergus Falls, Minnesota, as the Edward J. Devitt United States Courthouse; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself and Mr. COONS):

S. 712. A bill to allow acceleration certificates awarded under the Patents for Humanity Program to be transferrable; to the Committee on the Judiciary.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 713. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself, Mr. COBURN, Mr. LEE, Mr. RUBIO, Mr. CORNYN, Mrs. FISCHER, Mr. CRUZ, and Mr. PAUL):

S. 714. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself, Mr. TESTER, Mr. UDALL of New Mexico,

Ms. KLOBUCHAR, Mr. FRANKEN, Mr. JOHNSON of South Dakota, Mr. HEINRICH, Mr. HOEVEN, Ms. HEITKAMP, and Mr. HARKIN):

S. 715. A bill to authorize the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REID:

S. 716. A bill to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms; considered and passed.

By Ms. KLOBUCHAR (for herself and Mr. HOEVEN):

S. 717. A bill to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. COONS, Ms. LANDRIEU, and Mr. CARDIN):

S. 718. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mrs. GILLIBRAND, Mr. REED, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. SCHUMER):

S. 719. A bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR:

S. Res. 96. A resolution recognizing the celebration of National Student Employment Week at the University of Minnesota Duluth; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 54

At the request of Mr. LEAHY, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 54, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 307

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 307, a bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

S. 309

At the request of Mr. HARKIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 403

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 500

At the request of Mr. SANDERS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 500, a bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of \$250,000.

S. 535

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 535, a bill to require a study and report by the Small Business Administration regarding the costs to small business concerns of Federal regulations.

S. 536

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 536, a bill to require a study and report by the Comptroller General of the United States regarding the costs of Federal regulations.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 576

At the request of Mr. JOHANNES, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 576, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 646

At the request of Mr. WHITEHOUSE, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 646, a bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 675

At the request of Ms. AYOTTE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 675, a bill to prohibit contracting with the enemy.

S. 679

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 680

At the request of Ms. AYOTTE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 680, a bill to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes.

S. 687

At the request of Mr. MORAN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Washington (Ms. CANTWELL) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 695

At the request of Mr. BEGICH, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

At the request of Mr. BOOZMAN, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 695, *supra*.

S. 700

At the request of Mr. KAINE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. HIRONO (for herself and Mr. HATCH):

S. 703. A bill to amend the Immigration and Nationality Act to provide for the eligibility of the Hong Kong Special Administration Region for designation for participation in the visa waiver program for certain visitors to the United States; to the Committee on the Judiciary.

Ms. HIRONO. Mr. President, I rise today to introduce S. 703 with Senator HATCH to fix a technical problem that prevents Hong Kong from joining the Visa Waiver Program. Under current law, only "countries" are eligible for the program, and Hong Kong is not a sovereign country, so a special provision needs to be added to the law to make Hong Kong eligible.

On July 1, 1997, after over 150 years of British rule, Hong Kong became a Special Administrative Region of China, retaining its own currency, free market economy, political system, civil liberties, and immigration policies. This autonomy was recognized by the United States and affirmed by Congress in passing the United States-Hong Kong Policy Act.

Today we have a robust bilateral relationship with Hong Kong, a global financial and trading hub, which was our 10th largest export market last year and whose trade ties are significant for many States. The State Department considers Hong Kong an important law enforcement partner in combating money laundering and eliminating funding for terrorist networks.

Despite our visa policies treating it separate from Mainland China, because it is not a "country," Hong Kong is unable to be considered for the Visa Waiver Program. The Visa Waiver Program is an essential tool for promoting travel and tourism to America while protecting national security by allowing precleared business and leisure travelers from 37 countries to visit the U.S. for up to 90 days without obtaining a nonimmigrant visitor visa.

Hong Kong has secured visa waivers for its passport holders from over 140 countries and territories, including allies such as Canada, Australia, New Zealand, Japan, South Korea, and all member states of the European Union. Hong Kong has already extended visa waivers to American citizens. Our laws shouldn't be a barrier to do the same in the future.

As our largest industry, tourism is important to Hawaii, especially from Asia. Our largest source of foreign tourists comes from Japan, a visa waiver country since 1988. In 2011, domestic and international visitors to Hawaii spent \$16.9 billion which supported 160,800 jobs in the islands according to the U.S. Travel Association.

I urge my colleagues to cosponsor this bipartisan, commonsense legislation.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. BLUMENTHAL, Ms. HEITKAMP, Ms. KLOBUCHAR, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 706. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Transnational Drug Trafficking Act of 2013 with my colleagues and friends, Senator CHARLES GRASSLEY, Senator RICHARD BLUMENTHAL, Senator HEIDI HEITKAMP, Senator AMY KLOBUCHAR, Senator TOM UDALL and Senator RON WYDEN.

This bill, which passed the Senate unanimously in the last Congress, will support the Obama administration's Strategy to Combat Transnational Organized Crime by providing the Department of Justice with crucial tools to help combat the international drug trade. As drug traffickers find new and innovative ways to avoid prosecution, we must keep up with them rather than allowing them to exploit loopholes as our laws lag behind.

This legislation has three main components. First, it puts in place penalties for extraterritorial drug trafficking activity when individuals have reasonable cause to believe that illegal drugs will be trafficked into the United States. Current law says that drug traffickers must know that illegal drugs will be trafficked into the United

States and this legislation would lower the knowledge threshold to reasonable cause to believe.

The Department of Justice has informed my office that with increasing frequency, it sees drug traffickers from Colombia, Ecuador and Peru who produce cocaine in their countries but leave transit of cocaine to the United States in the hands of Mexican drug trafficking organizations such as the Zetas. Under current law, our ability to prosecute source-nation traffickers from Colombia, Ecuador and Peru is limited since there is often no direct evidence of their knowledge that illegal drugs were intended for the United States. But make no mistake, drugs produced in these countries fuel violent crime throughout the Western Hemisphere as well as addiction and death in the United States.

Second, this bill puts in place penalties for precursor chemical producers from other countries, such as those producing pseudoephedrine used for methamphetamine, who illegally ship precursor chemicals into the United States knowing that these chemicals will be used to make illegal drugs.

Third, this bill will make a technical fix to the Counterfeit Drug Penalty Enhancement Act which was signed into law last year and increases penalties for the trafficking of counterfeit drugs. The fix, requested by the Department of Justice, puts in place a "knowing" requirement which was unintentionally left out of the original bill. The original bill makes the mere sale of a drug that happens to be counterfeit a federal felony offense regardless of whether the seller knew the drug was counterfeit. Under the original bill, a pharmacist could be held criminally liable if he or she unwittingly sold counterfeit drugs to a customer. Adding a "knowing" requirement corrects this problem.

As Chairman of the Senate Caucus on International Narcotics Control and as a public servant who has focused on law enforcement issues for many years, I know that we cannot sit idly by as drug traffickers find new ways to circumvent our laws. We must provide the Department of Justice with all of the tools it needs to prosecute drug kingpins both here at home and abroad.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Transnational Drug Trafficking Act of 2013".

SEC. 2. POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.

Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking “It shall” and all that follows and inserting the following: “It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

“(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

“(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

“(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.”.

SEC. 3. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.

Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking “section 2320(e)” and inserting “section 2320(f)”;

and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

“(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug.”;

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking “counterfeit drug” and inserting “drug that uses a counterfeit mark on or in connection with the drug”;

(C) in subsection (f), by striking paragraph (6) and inserting the following:

“(6) the term ‘drug’ means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).”.

By Mr. REED (for himself, Mr. FRANKEN, Ms. STABENOW, Mr. WHITEHOUSE, Mr. SANDERS, and Mr. BROWN):

S. 707. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, once again, on July 1, millions of college students will see the interest rate double on their student loans from 3.4 percent to 6.8 percent unless Congress takes action. Borrowers will pay an estimated \$1,000 more in interest on their loans each year of repayment if Congress fails to act.

Student loan debt is second only to mortgage debt for American families. Now is not the time to add to student loan debt by allowing the interest rate on need-based student loans to double. I am pleased to introduce the Student Loan Affordability Act with my colleagues Senator AL FRANKEN, Senator SHELDON WHITEHOUSE, Senator DEBBIE

STABENOW, Senator SHERROD BROWN, and Senator BERNIE SANDERS to maintain the current 3.4 percent interest rate for the next 2 years, as we work towards a long-term solution in the reauthorization of the Higher Education Act.

Last Congress, we narrowly averted a doubling of the interest rate on need-based student loans. It took thousands of calls, letters, and rallies from students and parents across the country and our concerted effort to negotiate a bipartisan solution. However, we were only able to get a temporary, 1-year fix.

The budget passed by the House Republicans assumes a doubling of the interest rate. In stark contrast, the budget resolution we passed last month accommodates legislation to keep rates low.

We need to come together to develop long-term solutions to the growing burden of student loan debt, the rising cost of college, and the need to improve higher education outcomes so that students complete their degrees and get the full benefit of their investment in education. Everyone agrees that college costs are too high and climbing higher. Families will be priced out of a college education, even with grants and loans, if we do not take real action on curbing cost increases.

What we can do right now is reassure students and families that we will not allow the interest rate to double this July at a time when interest rates are at historic lows.

Student loan debt affects millions of Americans. Two-thirds of the class of 2011 graduated owing student loans, with an average debt of \$26,000. Student loan debt has passed the \$1 trillion mark—exceeding credit card debt. Moreover, the students and families we are trying to help with the Student Loan Affordability Act have demonstrated economic need. Indeed, approximately 60 percent of the dependent students who qualify for subsidized loans come from families with incomes of less than \$60,000.

The question before us is will we make the student loan debt burden worse by allowing interest rates to double or will we take action to protect low and moderate income students.

We need to act fast. July 1 is only 81 days away. I urge all our colleagues to join us in supporting the Student Loan Affordability Act.

By Mr. LEAHY (for himself and Mr. COONS):

S. 712. A bill to allow acceleration certificates awarded under the Patents for Humanity Program to be transferrable; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, the American intellectual property system is rightly held as the global standard

for promoting innovation and driving economic growth. This is particularly true of our patent system, which was recently updated and strengthened for the 21st century by the Leahy-Smith America Invents Act. The fundamental truth that our Founders recognized more than 200 years ago—that limited exclusive rights for inventors incentivize research and development—continues to benefit consumers and the American economy at large.

These limited rights can also be applied to incentivize research and discoveries that advance humanitarian needs. In my time in the Senate, I have worked to promote policies that encourage intellectual property holders to apply their work to address global humanitarian challenges. Today, I am pleased to join with Senator COONS in reintroducing the Patents for Humanity Program Improvement Act to again advance such policies.

This legislation improves on a program created by the United States Patent and Trademark Office, PTO, last year. The PTO's Patents for Humanity Program provides rewards to selected patent holders who apply their technology to a humanitarian issue that significantly affects the public health or quality of life of an impoverished population. Those who receive the award are given a certificate to accelerate certain PTO processes.

This year, the innovations that received awards touched on critical areas that will help improve the quality of life for people throughout the world. Award winners worked to improve the treatment and diagnosis of devastating diseases, improve nutrition and the environment, and combat the spread of dangerous counterfeit drugs. These are innovations that will make a real difference in the lives of people in the developing world and elsewhere.

Following a Judiciary Committee hearing last year, I asked PTO Director Kappos whether the Patents for Humanity program would be more effective, and more attractive to innovators, if the acceleration certificates awarded were transferable to a third party. He responded that it would, and that it would be particularly beneficial to small businesses. The Patents for Humanity Program Improvement Act makes these acceleration certificates transferrable. It is a straightforward, cost-neutral bill that will strengthen this useful program.

When Congress can establish policies that provide business incentives for humanitarian endeavors, it should not hesitate to act. I urge the Senate to work swiftly to pass this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 712

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patents for Humanity Program Improvement Act of 2013”.

SEC. 2. TRANSFERABILITY OF ACCELERATION CERTIFICATES.

(a) IN GENERAL.—A holder of an acceleration certificate issued pursuant to the Patents for Humanity Program (established in the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012)), or any successor thereto, of the United States Patent and Trademark Office, may transfer (including by sale) the entitlement to such acceleration certificate to another person.

(b) REQUIREMENT.—An acceleration certificate transferred under subsection (a) shall be subject to any other applicable limitations under the notice entitled “Humanitarian Awards Pilot Program”, published at 77 Fed. Reg. 6544 (February 8, 2012), or any successor thereto.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 713. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President, today, along with my colleague Senator WHITEHOUSE, I am introducing the Rhode Island Fishermen’s Fairness Act of 2013.

For nearly a decade, I have worked to give the fishermen of my state full participation in the management of the fish stocks that they rely on for their livelihoods.

The Magnuson-Stevens Fishery Conservation and Management Act established eight regional fishery management councils to give fishermen and other stakeholders the leading role in developing the fishery management plans for federally-regulated species. As such, the councils have enormous significance on the lives and livelihoods of fishermen. To ensure equitable representation, the statute sets out the states from which appointees are to be drawn for each council.

Under the Magnuson-Stevens Act, the State of Rhode Island was granted voting membership on the New England Fishery Management Council, NEFMC, as NEFMC-managed stocks represent a significant percentage of landings and revenue for the state. However, while Rhode Island’s participation in the New England fishery remains important, its stake in the Mid-Atlantic fishery has become more critical. Yet, it does not have voting representation on the Mid-Atlantic Fishery Management Council, MAFMC, which currently consists of representatives from New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina.

Rhode Island’s stake in the Mid-Atlantic fishery is hardly incidental. According to National Oceanic and Atmospheric Administration, NOAA, data, Rhode Island accounted for approximately 20 percent of the commercial catch from this fishery in 2012, and its landings are greater than the combined total of landings for the States of New York, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. In fact, New Jersey is the only state currently represented on the MAFMC that lands more MAFMC-regulated species than Rhode Island.

While Rhode Island is represented on some policy-setting committees on the MAFMC, its position on those committees is not guaranteed nor does the state have a vote on matters as they come before the full council. Having that representation can be critically important to Rhode Island as decisions are made on critical stocks like squid, which comprised 40 percent of the state’s annual landings in 2012 according to NOAA data, and is a major part of our commercial fishing sector.

This legislation offers Rhode Island that voice. Following current practice, the Rhode Island Fishermen’s Fairness Act would create two seats on the MAFMC for Rhode Island: one seat appointed by the Secretary of Commerce based on recommendations from the Governor of Rhode Island, and a second seat filled by Rhode Island’s principal State official with marine fishery management responsibility. To accommodate these new members, the MAFMC would increase in size from 21 voting members to 23.

There is precedent for this type of change. North Carolina was added to the MAFMC through an amendment to the Sustainable Fisheries Act in 1996. Like Rhode Island, a significant proportion of North Carolina’s landed fish species were managed by the MAFMC, yet the state had no vote on the council.

With mounting economic, ecological, and regulatory challenges, it is more important than ever that Rhode Island’s fishermen have a voice in the management of the fisheries on which they depend. I look forward to working with Senator WHITEHOUSE and my other colleagues to restore a measure of equity to the fisheries management process by passing the Rhode Island Fishermen’s Fairness Act.

By Mr. REID:

S. 716. A bill to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms; considered and passed.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATIONS OF ONLINE ACCESS TO CERTAIN FINANCIAL DISCLOSURE STATEMENTS AND RELATED FORMS.

(a) PUBLIC, ONLINE DISCLOSURE OF FINANCIAL DISCLOSURE FORMS.—

(1) IN GENERAL.—Except with respect to financial disclosure forms filed by officers and employees referred to in paragraph (2), section 8(a) and section 11(a) of the STOCK Act (5 U.S.C. App. 105 note) shall not be effective.

(2) EXEMPTED OFFICERS AND EMPLOYEES.—The officer and employees referred to in paragraph (1) are the following:

- (A) The President.
- (B) The Vice President.
- (C) Any Member of Congress.
- (D) Any candidate for Congress.

(E) Any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position.

(3) CONFORMING AMENDMENT.—Section 1 of the Act entitled “An Act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes” is repealed.

(b) ELECTRONIC FILING AND ONLINE AVAILABILITY.—

(1) FOR MEMBERS OF CONGRESS AND CANDIDATES.—Section 8(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “, OFFICERS OF THE HOUSE AND SENATE, AND CONGRESSIONAL STAFF”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by Members of Congress and candidates for Congress,

“(ii) reports filed by Members of Congress and candidates for Congress of a transaction disclosure required by section 103(1) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official websites of the House of Representatives and the Senate.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this section” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

(2) FOR EXECUTIVE BRANCH OFFICIALS.—Section 11(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “EMPLOYEES” and inserting “OFFICIALS”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by the President, the Vice President, and any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position,

“(ii) reports filed by any individual described in clause (i) of a transaction disclosure required by section 103(l) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official website of the Office of Government Ethics.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. COONS, Ms. LANDRIEU, and Mr. CARDIN):

S. 718. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Foreign Relations.

Mr. DURBIN. Mr. President, I rise to discuss the Increasing American Jobs through Greater Exports to Africa Act of 2013.

I am introducing this bill along with my partners from the last Congress. Senator CHRIS COONS from the State of Delaware is in the Chamber, the chair of the African Affairs Subcommittee of the Senate Foreign Relations Committee. Senators JOHN BOOZMAN, BEN CARDIN, and MARY LANDRIEU have joined us in this bipartisan effort. We expect Representatives CHRIS SMITH and KAREN BASS will soon introduce companion legislation in the House.

This is a very straightforward, commonsense piece of legislation.

It is about creating jobs, American jobs. Every \$1 billion in exports from America supports over 5,000 jobs. This bill seeks to expand U.S. exports specifically to Africa by 200 percent in real dollar value over the next 10 years. The African market is ripe for greater American commercial engagement. In the past 10 years, people do not believe this, but they should take a look at the facts. In the past 10 years, six of the

worlds fastest growing economies were located in Sub-Saharan Africa.

In the next decade, 7 of the top 10 will be in Sub-Saharan Africa. The mental image which most Americans have of Africa is completely out of date. Africa is growing, not only in population but in economic activity. The middle class of Africa is growing as well. Their appetite for goods and service puts an opportunity before us to export from America and to create good jobs in our country with exports to Africa.

In the last decade, the number of Africans with access to the Internet has doubled. From 1998 to today, the number of mobile phones on the continent has grown from 4 million to 500 million. Seventy-eight percent of Africa's rural population now has access to clean water. Over the last 10 years, real income per person in Africa has increased by more than 30 percent. Positive health outcomes are increasing. Enrollment in school is growing.

These are signs of a growing middle class and what the World Bank has called the brink of an economic takeoff in Africa. As my colleague and friend Senator COONS has noted, in a report he recently released on the topic, economic growth in Africa has risen dramatically in recent years. But the continent's vast economic potential has not yet been fully realized by the U.S. Government or the American people.

That report from Senator COONS could not have been more timely and accurate as far as I am concerned. I can tell you, American companies are eager to get into the African market. They should be. But they often face a private finance system that is stuck, thinking about Africa through the prism of the past: wars, famine, strongmen dictators.

I have met with these company leaders, large and small companies alike. They tell me the same thing: The U.S. does not have a coordinated strategy for Africa. Others do. China and others are gaining a foothold in Africa at the expense of our workers. Yesterday, the Ambassador from Algeria came to see me. It is a country that has a fascinating background, colonized like most of the countries in Africa. It went through a storied period of independence in the 1960s and has French roots. The Ambassador said: We pride ourselves, we believe we speak better French than the people living in France. That is their past.

I asked them about their future. I said: What is the presence of China in Algeria today? He said: It is a growing presence. When it comes to the infrastructure of Algeria, it is China that is playing a major role. It is China that is loaning the money to Algeria to build the roads and the bridges and the airports. But there is a catch. You want to borrow the money from China? There will be Chinese architects, Chi-

nese engineers, Chinese contractors, and half the workforce will be Chinese.

Pretty soon they will have become part of Algeria. The next time there is a decision, whether it is for a telecommunications system, whatever it might be, you can bet the Chinese, with a history of working with the Algerian Government, will be first in line.

They know what is happening there. Africa is developing its economy and they are part of it. They see Africa from two or three different perspectives. First, obviously, it is an opportunity to sell things. It is a market. Second, it can provide basic resources and energy needed by the Chinese. Third, as the middle class grows in each of these countries, the appetite for more and more economic activity will grow.

There was a time when America knew that too. There was a time when we visited the four corners of the world looking for those same opportunities. We are sitting back now and watching. As we watch, China is moving. As I have said many times, the U.S. system of export, promotion, and finance is so poorly coordinated that it is a shame we are losing so many opportunities.

We have dozens of government agencies that are supposed to be working on this problem. I called many of them in my office. It was the first time some of them had met one another. They are supposed to be working together. This bill we are introducing will fix it. It would require a coordinated government strategy to help increase U.S. exports to Africa.

Responsibility for overseeing the implementation of this strategy would be vested in a single position, one coordinator. No more agencies tripping over one another. No more competing priorities. Every day we delay, China and, I might add, India and others will fill the void if America does not step forward.

Since 2009, China has been Africa's largest trading partner. It has flooded the continent with billions of dollars building high-profile construction projects. Often the assistance comes in the form of concessional loans, loans that, frankly, suggest you can borrow \$100 million, you only have to pay back \$70 million. That practice distorts markets, puts our companies in America at a disadvantage.

Between 2008 and 2010, China provided more to the developing world than the World Bank, to the tune of \$110 billion. Currently, China's exports to Africa outnumber America's three to one. The Chinese get it. Should America not get it? Through this engagement, the Chinese are becoming major players all over Africa. I defy you to find a country in Africa where the Chinese are not already a part of the economy and part of the economic conversation.

Recently, Senegal's President Macky Sall told President Obama exactly that

in a meeting at the White House, arguing the West should pay as much attention to Africa as China does. I have heard the same thing firsthand, not just from the Algerian Ambassador but from the former President of Ethiopia. Across the continent, it is the same question: Where is the United States?

This bill answers the question. No longer would Africans wonder why American companies were not doing business there. The bill bolsters U.S. Government ability to support these companies, maintains a solid presence of U.S. commercial Foreign Service officers. It is going to help small and medium businesses in the United States compete in Africa. It will increase the focus of the Export-Import Bank, giving it greater incentive to aggressively counter those concessional loans. It will help the Export-Import Bank and the Overseas Private Investment Corporation more quickly process applications so we can be competitive.

Last Congress we almost passed this bill. One would almost think that it is a no-brainer. But, unfortunately, we did not. One Senator objected. He had the courage to come to the floor and voice his objections. I appreciate that very much. But at the same time, on the other side of the aisle, Senators JOHNSON, COBURN, and CORKER were working with me to pass the bill. So we have not given up on making this a successful bipartisan effort.

I think the United States cannot stand by the sidelines just to say we believe in a market economy, get the government out of the picture is to overlook the obvious. The Chinese Government is in the picture, and they are running circles around American companies because of it. In thinking about the issue, we must also not ignore the interests of the Africans themselves—something sometimes our competitors do not focus on.

Chinese engagement comes with a price. China gobbles up natural resources that are needed many times for that growing domestic economy. The infrastructure projects, as I mentioned, often come with Chinese professionals: architects and engineers and workers. When local labor is used, African workers often suffer poor labor standards, if the Chinese are in charge. Environmental standards are ignored. They should be a priority all over the world. We also have to factor in the cost of having to replace products and goods much sooner because, sadly, the Chinese workmanship as well as the quality of their goods does not match what the United States can bring.

I also wish to mention a growing problem that stems from China's presence in Africa; that is, the resurgence of elephant poaching and ivory trafficking. Several recent New York Times articles have highlighted tens of thousands of elephants have been slaughtered.

One may say: I thought we solved this a few years ago with a worldwide ivory ban. It turns out ivory is so popular in the Chinese culture in part of its burgeoning population, one item is sought as an ultimate status symbol in China: Ivory. Reports are that as much as 70 percent of the ivory harvested from slaughtered elephants is smuggled to China. In fact, there is growing evidence that ivory poaching actually increases in elephant-rich areas where the Chinese construction workers are building roads.

Even more troubling, the Chinese demand for ivory funds some of the most despicable actors in Africa. Much of the proceeds from the illegal ivory trade ended up in the hands of Joseph Kony and his murderous group the Lord's Resistance Army. I recently went to Uganda and met two of the victims of Joseph Kony. He is a madman. He has used his beatific visions to generate an Army of slaves, literally soldier slaves. I met one of them, a young man who was dragged out of his African village in Uganda.

Everybody was lined up at the village as Kony and his soldiers stood around with their automatic weapons. They said to this young man: You are going to join our army here or we are going to kill you. Before you join the army, though, there is one thing we have to ask you: Who would you spare among the members of your family here? We are going to kill the rest of them. Which one would you spare?

The young man said, after some hesitation: My father. They walked over and killed his father first. That is the kind of ruthless madman we are dealing with in Joseph Kony. Believe me, President Obama has recently put a target on his back. We are going after this man. We have driven him out of Uganda. We believe he is in the Central African Republic. I saw firsthand while visiting there what we are doing to make sure his reign of terror comes to an end very quickly.

It turns out Kony's reign of terror has been fed and financed by the Chinese demand for ivory. He is poaching ivory from the elephants, slaughtering them in the area and using this ivory to keep his men in arms and for their reign of terror to continue.

The Increasing American Jobs Through Greater Exports to Africa Act has something for everyone to support. It is good for the American economy, helps U.S. businesses create jobs, it is good for U.S. foreign policy, keeps America in a position of global leadership. It is good for the people of Africa by making superior American products and services the standard in their future.

I urge my colleagues to sign on to support this important effort. While we wait and do nothing, the Chinese are acting every single day and America is falling further and further behind.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 718

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Increasing American Jobs Through Greater Exports to Africa Act of 2013".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Export growth helps United States businesses grow and create American jobs. In 2011, United States exports supported 9,700,000 jobs and 97.8 percent of United States exports came from small- and medium-sized businesses in 2010.

(2) The more than 20 Federal agencies that are involved in export promotion and financing are not sufficiently coordinated to adequately expand United States commercial exports to Africa.

(3) The President has taken steps to improve how the United States Government supports American businesses by mandating an executive review across agencies and a new Doing Business in Africa initiative, but a substantially greater high-level focus on Africa is needed.

(4) Many other countries have trade promotion programs that aggressively compete against United States exports in Africa and around the world. For example, in 2010, medium- and long-term official export credit general volumes from the Group of 7 countries (Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States) totaled \$65,400,000,000. Germany provided the largest level of support at \$22,500,000,000, followed by France at \$17,400,000,000 and the United States at \$13,000,000,000. Official export credit support by emerging market economies such as Brazil, China, and India are significant as well.

(5) Between 2008 and 2010, China alone provided more than \$110,000,000,000 in loans to the developing world, and, in 2009, China surpassed the United States as the leading trade partner of African countries. In the last 10 years, African trade with China has increased from \$11,000,000,000 to \$166,000,000,000.

(6) The Export-Import Bank of the United States substantially increased lending to United States businesses focused on Africa from \$400,000,000 in 2009 to \$1,400,000,000 in 2011, but the Export-Import Bank of China dwarfed this effort with an estimated \$12,000,000,000 worth of financing. Overall, China is outpacing the United States in selling goods to Africa at a rate of 3 to 1.

(7) Other countries such as India, Turkey, Russia, and Brazil are also aggressively seeking markets in Africa using their national export banks to provide concessional assistance.

(8) The Chinese practice of concessional financing runs contrary to the principles of the Organization of Economic Co-operation and Development related to open market rates, undermines naturally competitive rates, and can allow governments in Africa to overlook the troubling record on labor practices, human rights, and environmental impact.

(9) As stated in a recent report entitled "Embracing Africa's Economic Potential"

by Senator Chris Coons, "Economic growth in Africa has risen dramatically, but the continent's vast economic potential has not yet been fully realized by the U.S. Government or the American private sector."

(10) The African continent is undergoing a period of rapid growth and middle class development, as seen from major indicators such as Internet use, clean water access, and real income growth. In the last decade alone, the percentage of the population with access to the Internet has doubled. Seventy-eight percent of Africa's rural population now has access to clean water. Over the past 10 years, real income per person in Africa has grown by more than 30 percent.

(11) Economists have designated Africa as the "next frontier market", with profitability of many African firms and growth rates of African countries exceeding global averages in recent years. Countries in Africa have a collective spending power of almost \$9,000,000,000 and a gross domestic product of \$1,600,000,000,000, which are projected to double in the next 10 years.

(12) In the past 10 years, Africa has been home to 6 of the 10 fastest growing economies in the world. Sub-Saharan Africa is projected to have the fastest growing economies in the world over the next 10 years, with 7 of the 10 fastest growing economies located in sub-Saharan Africa.

(13) When countries such as China assist with large-scale government projects, they also gain an upper hand in relations with African leaders and access to valuable commodities such as oil and copper, typically without regard to environmental, human rights, labor, or governance standards.

(14) Unless the United States can offer competitive financing for its firms in Africa, it will be deprived of opportunities to participate in African efforts to close the continent's significant infrastructure gap that amounts to an estimated \$100,000,000,000.

(b) PURPOSE.—The purpose of this Act is to create jobs in the United States by expanding programs that will result in increasing United States exports to Africa by 200 percent in real dollar value within 10 years.

SEC. 3. DEFINITIONS.

In this Act:

(1) AFRICA.—The term "Africa" refers to the entire continent of Africa and its 54 countries, including the Republic of South Sudan.

(2) AFRICAN DIASPORA.—The term "African diaspora" means the people of African origin living in the United States, irrespective of their citizenship and nationality, who are willing to contribute to the development of Africa.

(3) AGOA.—The term "AGOA" means the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(5) DEVELOPMENT AGENCIES.—The term "development agencies" includes the Department of State, the United States Agency for International Development (USAID), the Millennium Challenge Corporation (MCC),

the Overseas Private Investment Corporation (OPIC), the United States Trade and Development Agency (USTDA), the United States Department of Agriculture (USDA), and relevant multilateral development banks.

(6) TRADE POLICY STAFF COMMITTEE.—The term "Trade Policy Staff Committee" means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations, and is composed of representatives of Federal agencies in charge of developing and coordinating United States positions on international trade and trade-related investment issues.

(7) MULTILATERAL DEVELOPMENT BANKS.—The term "multilateral development banks" has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(8) SUB-SAHARAN REGION.—The term "sub-Saharan region" refers to the 49 countries listed in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706) and includes the Republic of South Sudan.

(9) TRADE PROMOTION COORDINATING COMMITTEE.—The term "Trade Promotion Coordinating Committee" means the Trade Promotion Coordinating Committee established by Executive Order 12870 (58 Fed. Reg. 51753).

(10) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term "United States and Foreign Commercial Service" means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SEC. 4. STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa.

(b) FOCUS OF STRATEGY.—The strategy required by subsection (a) shall focus on—

(1) increasing exports of United States goods and services to Africa by 200 percent in real dollar value within 10 years from the date of the enactment of this Act;

(2) promoting the alignment of United States commercial interests with development priorities in Africa;

(3) developing relationships between the governments of countries in Africa and United States businesses that have an expertise in such issues as infrastructure development, technology, telecommunications, energy, and agriculture;

(4) improving the competitiveness of United States businesses in Africa, including the role the African diaspora can play in enhancing such competitiveness;

(5) exploring ways that African diaspora remittances can help communities in Africa tackle economic, development, and infrastructure financing needs;

(6) promoting economic integration in Africa through working with the subregional economic communities, supporting efforts for deeper integration through the development of customs unions within western and central Africa and within eastern and southern Africa, eliminating time-consuming border formalities into and within these areas, and supporting regionally based infrastructure projects;

(7) encouraging a greater understanding among United States business and financial communities of the opportunities Africa holds for United States exports;

(8) fostering partnership opportunities between United States and African small- and medium-sized enterprises; and

(9) monitoring—

(A) market loan rates and the availability of capital for United States business investment in Africa;

(B) loan rates offered by the governments of other countries for investment in Africa; and

(C) the policies of other countries with respect to export financing for investment in Africa that are predatory or distort markets.

(c) CONSULTATIONS.—In developing the strategy required by subsection (a), the President shall consult with—

(1) Congress;

(2) each agency that is a member of the Trade Promotion Coordinating Committee;

(3) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(4) each agency that participates in the Trade Policy Staff Committee;

(5) the President's National Export Council;

(6) each of the development agencies;

(7) any other Federal agencies with responsibility for export promotion or financing and development; and

(8) the private sector, including businesses, nongovernmental organizations, and African diaspora groups.

(d) SUBMISSION TO CONGRESS.—

(1) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(2) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by subsection (a).

(3) CONTENT OF REPORT.—The report required by paragraph (2) shall include an assessment of the extent to which the strategy required by subsection (a)—

(A) has been successful in developing critical analyses of policies to increase exports to Africa;

(B) has been successful in increasing the competitiveness of United States businesses in Africa;

(C) has been successful in creating jobs in the United States, including the nature and sustainability of such jobs;

(D) has provided sufficient United States Government support to meet third country competition in the region;

(E) has been successful in helping the African diaspora in the United States participate in economic growth in Africa;

(F) has been successful in promoting economic integration in Africa; and

(G) has made a meaningful contribution to the transformation of Africa and its full integration into the 21st century world economy, not only as a supplier of primary products but also as full participant in international supply and distribution chains and as a consumer of international goods and services.

SEC. 5. SPECIAL AFRICA STRATEGY COORDINATOR.

The President shall designate an individual to serve as Special Africa Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by section 4; and

(2) to coordinate with the Trade Promotion Coordinating Committee, (the interagency AGOA committees), and development agencies with respect to developing and implementing the strategy.

SEC. 6. TRADE MISSION TO AFRICA.

It is the sense of Congress that, not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct a joint trade mission to Africa.

SEC. 7. PERSONNEL.

(a) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—

(1) IN GENERAL.—The Secretary of Commerce shall ensure that not less than 10 total United States and Foreign Commercial Service officers are assigned to Africa for each of the first 5 fiscal years beginning after the date of the enactment of this Act.

(2) ASSIGNMENT.—The Secretary shall, in consultation with the Trade Promotion Coordinating Committee and the Special Africa Export Strategy Coordinator, assign the United States and Foreign Commercial Service officers described in paragraph (1) to United States embassies in Africa after conducting a timely resource allocation analysis that represents a forward-looking assessment of future United States trade opportunities in Africa.

(3) MULTILATERAL DEVELOPMENT BANKS.—

(A) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Commerce shall, using existing staff, assign not less than 1 full-time United States and Foreign Commercial Service officer to the office of the United States Executive Director at the World Bank and the African Development Bank.

(B) RESPONSIBILITIES.—Each United States and Foreign Commercial Service officer assigned under subparagraph (A) shall be responsible for—

(i) increasing the access of United States businesses to procurement contracts with the multilateral development bank to which the officer is assigned; and

(ii) facilitating the access of United States businesses to risk insurance, equity investments, consulting services, and lending provided by that bank.

(b) EXPORT-IMPORT BANK OF THE UNITED STATES.—Of the amounts collected by the Export-Import Bank that remain after paying the expenses the Bank is authorized to pay from such amounts for administrative expenses, the Bank shall use sufficient funds to do the following:

(1) Increase the number of staff dedicated to expanding business development for Africa, including increasing the number of business development trips the Bank conducts to Africa and the amount of time staff spends in Africa to meet the goals set forth in section 9 and paragraph (4) of section 6(a) of the Export-Import Bank of 1945, as added by section 9(a)(2).

(2) Maintain an appropriate number of employees of the Bank assigned to United States field offices of the Bank to be distributed as geographically appropriate through the United States. Such offices shall coordinate with the related export efforts undertaken by the Small Business Administration regional field offices.

(3) Upgrade the Bank's equipment and software to more expeditiously, effectively, and efficiently process and track applications for financing received by the Bank.

(c) OVERSEAS PRIVATE INVESTMENT CORPORATION.—

(1) STAFFING.—Of the net offsetting collections collected by the Overseas Private Investment Corporation used for administrative expenses, the Corporation shall use suf-

ficient funds to increase by not more than 5 the staff needed to promote stable and sustainable economic growth and development in Africa, to strengthen and expand the private sector in Africa, and to facilitate the general economic development of Africa, with a particular focus on helping United States businesses expand into African markets.

(2) REPORT.—The Corporation shall report to the appropriate congressional committees on whether recent technology upgrades have resulted in more effective and efficient processing and tracking of applications for financing received by the Corporation.

(3) CERTAIN COSTS NOT CONSIDERED ADMINISTRATIVE EXPENSES.—For purposes of this subsection, systems infrastructure costs associated with activities authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 231 et seq.) shall not be considered administrative expenses.

(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as permitting the reduction of Department of Commerce, Department of State, Export Import Bank, or Overseas Private Investment Corporation personnel or the alteration of planned personnel increases in other regions, except where a personnel decrease was previously anticipated or where decreased export opportunities justify personnel reductions.

SEC. 8. TRAINING.

The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the Overseas Private Investment Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than 1 year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country shall receive that training.

SEC. 9. EXPORT-IMPORT BANK FINANCING.

(a) FINANCING FOR PROJECTS IN AFRICA.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that foreign export credit agencies are providing non-OECD arrangement compliant financing in Africa, which is trade distorting and threatens United States jobs.

(2) IN GENERAL.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended by adding at the end the following:

“(4) PERCENT OF FINANCING TO BE USED FOR PROJECTS IN AFRICA.—The Bank shall, to the extent that there are acceptable final applications, increase the amount it finances to Africa over the prior year's financing for each of the first five fiscal years beginning after the date of the enactment of the Increasing American Jobs Through Greater Exports to Africa Act of 2013.”.

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall report to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Committee on Financial Services, the Committee on Foreign Affairs, and the

Committee on Appropriations of the House of Representatives if the Bank has not used at least 10 percent of its lending capabilities for projects in Africa as described in paragraph (4) of section 6(a) of the Export-Import Bank of 1945, as added by paragraph (2). The report shall include the reasons why the Bank failed to reach this goal and a description of all final applications for projects in Africa that were deemed unworthy of Bank support.

(b) AVAILABILITY OF PORTION OF CAPITALIZATION TO COMPETE AGAINST FOREIGN CONCESSIONAL LOANS.—

(1) IN GENERAL.—The Bank shall make available annually such amounts as are necessary for loans that counter trade distorting non-OECD arrangement compliant financing or preferential, tied aid, or other related non-market loans offered by other nations for which United States companies are also competing or interested in competing.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall submit to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives a report on all loans made or rejected that were considered to counter non-OECD arrangement compliant financing offered by other nations to its firms. The report shall not disclose any information that is confidential or business proprietary, or that would violate section 1905 of title 18, United States Code (commonly referred to as the “Trade Secrets Act”). The report shall include a description of trade distorting non-OECD arrangement compliant financing loans made by other countries during that fiscal year to firms that competed against the United States firms.

SEC. 10. SMALL BUSINESS ADMINISTRATION.

Section 22(b) of the Small Business Act (15 U.S.C. 649(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting “the Trade Promotion Coordinating Committee,” after “Director of the United States Trade and Development Agency,”; and

(2) in paragraph (3), by inserting “regional offices of the Export-Import Bank,” after “Retired Executives,”.

SEC. 11. BILATERAL, SUBREGIONAL AND REGIONAL, AND MULTILATERAL AGREEMENTS.

Where applicable, the President shall explore opportunities to negotiate bilateral, subregional, and regional agreements that encourage trade and eliminate nontariff barriers to trade between countries, such as negotiating investor friendly double-taxation treaties and investment promotion agreements. United States negotiators in multilateral forum should take into account the objectives of this Act. To the extent any such agreements exist between the United States and an African country, the President shall ensure that the agreement is being implemented in a manner that maximizes the positive effects for United States trade, export, and labor interests as well as the economic development of the countries in Africa.

Mr. COONS. I rise to thank Senator DURBIN of Illinois for his leadership on these vital issues. You just heard in the comments he made the reach and scope of his vision. I am so impressed

with the breadth and depth of his engagement first on behalf of American workers.

The Senator recognizes so clearly that 95 percent of the world's consumers live outside our country, and we have to have a coordinated, capable, competent export strategy in order to continue to access the most promising, most rapidly growing markets in Africa. The 54 countries of the continent of Africa provide enormous opportunity as their growing middle class, increasing access to their human and mineral and natural resources create opportunities for us to grow jobs in the United States.

Nearly 10 million new jobs are supported in the United States by exports to the rest of the world. But as Senator DURBIN has wisely seen and pointed out, our competitors are beating us in the race to access these great opportunities. The Chinese, the Brazilians, the Russians, the Indians, in every country on the continent they are present, they are investing, and they are growing.

Senator DURBIN rightly recognized that China has eclipsed the United States as the leading trading partner for Africa. There are real consequences for Africans and for African countries because, sadly, often Chinese investments bring with them Chinese contractors, workers, and a different approach to values: priority in terms of development, a lack of focus on transparency, on human rights, on the environment. As Senator DURBIN detailed in his comments, the consequences can even be so far-reaching as conservation and the impact on wildlife and the ultimate consequences of supporting the worst actors on the continent, folks such as Joseph Kony.

But let me turn, if I might briefly, to the bill which I am proud to cosponsor with Senator DURBIN, which focuses on trying to ensure that more than 10 U.S. Government agencies responsible for export promotion have a coordinated strategy. One of the principal points of Senator DURBIN's bill, which I am proud to cosponsor, challenges the executive branch to sustain and increase our investment in the Foreign Commercial Service, to sustain and increase our resources through entities such as OPIC and Ex-Im and ask the executive branch to create a coordinator to ensure that all of this is done responsibly and in a cost-effective way.

Other things I mentioned in the trade report, which Senator DURBIN was kind enough to quote and to reference, are that in the United States we have an enormous African community which can be strategically vital as American businesses seek to access these growing opportunities across the continent of Africa.

We also look to bolster support for agencies that finance U.S. commercial engagement overseas. Our competitors—in particular, the Chinese—have

a very different approach to financing exports. The United States needs to better coordinate and align to act as one Nation.

The goal that is set in this legislation—a 200-percent increase—is an ambitious goal. The goal is to increase U.S. exports to Africa in the next 10 years. If we were to accomplish this goal in a cost-effective way—through more responsibly coordinating the investments we are already making in these Federal agencies to better coordinate the private sector efforts of the United States—think of how many jobs we might create, how many countries we might better connect to the United States. Think of how many towns and workplaces across this country would benefit.

I thank Senator DURBIN today for his leadership, the clarity of his vision, and the breadth of his engagement and investment of time. Someone in his position has so many other issues on which he could be investing his time. Over his entire service here in the Senate of the United States, he has been passionate about clean water for the continent of Africa and passionate about high-quality jobs for the workers of the United States. In this bill he finds a way to make good on both of those passions, improving the lives of Africans across a growing continent and improving the lives of workers across our Nation.

I thank the Senator for his leadership, and I am proud to join him today in cosponsoring this reintroduced bipartisan, soon-to-be bicameral, commonsense bill. Let's hope all of our colleagues will help to take it up and pass it in this Congress.

Mr. BOOZMAN. Mr. President, I would like to thank the Senator from Illinois not only for the chance to help with this effort, but more importantly for his steadfast work to strengthen our bond with the countries of Africa.

We were on the floor last year talking about the importance of this bill—the importance of creating a comprehensive trade strategy with Africa. I know the Senator from Illinois made a valiant effort to get our bill through at the end of the last Congress, but he ran into some resistance. It is my hope that as we re-introduce this bill, we can assuage any outstanding concerns and get this bill passed early in this session.

As the Senator from Illinois stated, Africa is home to many of the few emerging bright spots in a tough global economy. In fact, an article from *The Economist* this week called it the “hottest frontier.” They are right. Within the next decade, Africa will be home to 7 of the 10 fastest growing economies in the world—Nigeria, Ethiopia, Chad, Rwanda, Mozambique and Angola. The *Economist* article pointed out that by 2020, more than half of African households will have enough income to spend

some on non-essentials and that within three decades, the continent will have a larger working age population than China.

When I served in the House, I was on the Africa Subcommittee and traveled often to the continent. I still make trips there to visit with their leaders and the top issue on every meeting agenda continues to be trade. Many African leaders are very concerned about China's increasing footprint in Africa and want the U.S. to be more engaged and involved in their economies.

So, the eagerness and willingness to be good trade partners on the part of African nations is there. They want our goods and services because Africans know they are high quality. The desire for American products, along with our ideals, is strong. The only thing missing is a cohesive strategy on our end. That is what we are aiming to create with this legislation.

This bill will develop a comprehensive strategy to create American jobs by increasing exports of U.S. goods and services to Africa by at least 200 percent in real dollar value over the next 10 years. It increases our ability to help U.S. companies expand into African markets without adding to our debt. So it is a win-win for our economy. It will create jobs here at home and bring in additional income instead of increasing our debt.

When we talk about job creation, free and fair trade is a vital component to a successful plan. Sixty percent of American exports came from small and medium size businesses. That is huge. Small business is the backbone of our economy. The bottom line is that trade equals jobs.

As I already mentioned, China is bullish on Africa. We need to be too. China is outpacing us in exports to Africa by an alarming 3 to 1 pace. By 2009, China had surpassed us as the African continent's largest trading partner. This bill lets us establish a plan that will allow us to compete with nations like China that are already extremely active in the African market. And that will help our small companies create jobs.

My home State, Arkansas, stands to benefit greatly through the creation of a comprehensive trade plan with Africa. Free and fair trade is an important component to our State's economy. Arkansas exported \$5.6 billion in merchandise overseas in 2011, up 7 percent from the previous year. In 2008, over 1,500 companies exported goods from Arkansas. Over ¼ of exports were from small and medium-sized businesses with fewer than 500 employees. An effective trade strategy with African nations will help us build on that significantly.

So again, increased trade equals increased jobs at home. America needs jobs. That is what this bill is about. That is why we need to move it quickly in this session.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 96—RECOGNIZING THE CELEBRATION OF NATIONAL STUDENT EMPLOYMENT WEEK AT THE UNIVERSITY OF MINNESOTA DULUTH

Ms. KLOBUCHAR submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 96

Whereas National Student Employment Week offers the University of Minnesota Duluth the opportunity to recognize students who work while attending college;

Whereas the University of Minnesota Duluth is committed to increasing awareness of student employment as an educational experience for students and as an alternative to financial aid;

Whereas there are nearly 1,500 student employees at the University of Minnesota Duluth;

Whereas the University of Minnesota Duluth recognizes the importance of student employees to their employers; and

Whereas National Student Employment Week is celebrated the week of April 8 through 12, 2013: Now, therefore, be it

Resolved, That the Senate recognizes the celebration of National Student Employment Week at the University of Minnesota Duluth.

AMENDMENTS SUBMITTED AND PROPOSED

SA 711. Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEVIN, Mr. HARKIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. CARPER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. WARREN, and Mr. COWAN) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table.

SA 712. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

SA 713. Mr. LEAHY (for himself, Ms. COLLINS, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 714. Mr. BLUMENTHAL (for Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. MURPHY, Mr. WHITEHOUSE, Mr. COWAN, Ms. HIRONO, Mr. KAINE, Mr. ROCKEFELLER, Mr. MERKLEY, Mrs. BOXER, Mr. CARPER, Ms. WARREN, Mr. LEVIN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. CARDIN, Mr. SCHUMER, and Mr. HARKIN)) submitted an amendment intended to be proposed by Mr. BLUMENTHAL to the bill S. 649, supra; which was ordered to lie on the table.

SA 715. Mr. MANCHIN (for himself, Mr. TOOMEY, Mr. KIRK, and Mr. SCHUMER) proposed an amendment to the bill S. 649, supra.

TEXT OF AMENDMENTS

SA 711. Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEVIN, Mr. HARKIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. CARPER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. WARREN, and Mr. COWAN) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—ASSAULT WEAPONS BAN**SEC. 401. SHORT TITLE.**

This title may be cited as the “Assault Weapons Ban of 2013”.

SEC. 402. DEFINITIONS.

(a) IN GENERAL.—Section 921(a) of title 18, United States Code, is amended—

(1) by inserting after paragraph (29) the following:

“(30) The term ‘semiautomatic pistol’ means any repeating pistol that—

“(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round; and

“(B) requires a separate pull of the trigger to fire each cartridge.

“(31) The term ‘semiautomatic shotgun’ means any repeating shotgun that—

“(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round; and

“(B) requires a separate pull of the trigger to fire each cartridge.”; and

(2) by adding at the end the following:

“(36) The term ‘semiautomatic assault weapon’ means any of the following, regardless of country of manufacture or caliber of ammunition accepted:

“(A) A semiautomatic rifle that has the capacity to accept a detachable magazine and any 1 of the following:

“(i) A pistol grip.

“(ii) A forward grip.

“(iii) A folding, telescoping, or detachable stock.

“(iv) A grenade launcher or rocket launcher.

“(v) A barrel shroud.

“(vi) A threaded barrel.

“(B) A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

“(C) Any part, combination of parts, component, device, attachment, or accessory that is designed or functions to accelerate the rate of fire of a semiautomatic rifle but not convert the semiautomatic rifle into a machinegun.

“(D) A semiautomatic pistol that has the capacity to accept a detachable magazine and any 1 of the following:

“(i) A threaded barrel.

“(ii) A second pistol grip.

“(iii) A barrel shroud.

“(iv) The capacity to accept a detachable magazine at some location outside of the pistol grip.

“(v) A semiautomatic version of an automatic firearm.

“(E) A semiautomatic pistol with a fixed magazine that has the capacity to accept more than 10 rounds.

“(F) A semiautomatic shotgun that has any 1 of the following:

“(i) A folding, telescoping, or detachable stock.

“(ii) A pistol grip.

“(iii) A fixed magazine with the capacity to accept more than 5 rounds.

“(iv) The ability to accept a detachable magazine.

“(v) A forward grip.

“(vi) A grenade launcher or rocket launcher.

“(G) Any shotgun with a revolving cylinder.

“(H) All of the following rifles, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:

“(i) All AK types, including the following:

“(I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM.

“(II) IZHMAH Saiga AK.

“(III) MAADI AK47 and ARM.

“(IV) Norinco 56S, 56S2, 84S, and 86S.

“(V) Poly Technologies AK47 and AKS.

“(ii) All AR types, including the following:

“(I) AR-10.

“(II) AR-15.

“(III) ArmaLite M15 22LR Carbine.

“(IV) ArmaLite M15-T.

“(V) Barrett REC7.

“(VI) Beretta AR-70.

“(VII) Bushmaster ACR.

“(VIII) Bushmaster Carbon 15.

“(IX) Bushmaster MOE series.

“(X) Bushmaster XM15.

“(XI) Colt Match Target Rifles.

“(XII) DoubleStar AR rifles.

“(XIII) DPMS Tactical Rifles.

“(XIV) Heckler & Koch MR556.

“(XV) Olympic Arms.

“(XVI) Remington R-15 rifles.

“(XVII) Rock River Arms LAR-15.

“(XVIII) Sig Sauer SIG516 rifles.

“(XIX) Smith & Wesson M&P15 Rifles.

“(XX) Stag Arms AR rifles.

“(XXI) Sturm, Ruger & Co. SR556 rifles.

“(iii) Barrett M107A1.

“(iv) Barrett M82A1.

“(v) Beretta CX4 Storm.

“(vi) Calico Liberty Series.

“(vii) CETME Sporter.

“(viii) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C.

“(ix) Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.

“(x) Feather Industries AT-9.

“(xi) Galil Model AR and Model ARM.

“(xii) Hi-Point Carbine.

“(xiii) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.

“(xiv) Kel-Tec Sub-2000, SU-16, and RFB.

“(xv) SIG AMT, SIG PE-57, Sig Sauer SG 550, and Sig Sauer SG 551.

“(xvi) Springfield Armory SAR-48.

“(xvii) Steyr AUG.

“(xviii) Sturm, Ruger Mini-14 Tactical Rifle M-14/20CF.

“(xix) All Thompson rifles, including the following:

“(I) Thompson M1SB.

“(II) Thompson T1100D.

“(III) Thompson T150D.

“(IV) Thompson T1B.

“(V) Thompson T1B100D.

“(VI) Thompson T1B50D.

“(VII) Thompson T1BSB.

“(VIII) Thompson T1-C.
 “(IX) Thompson T1D.
 “(X) Thompson T1SB.
 “(XI) Thompson T5.
 “(XII) Thompson T5100D.
 “(XIII) Thompson TM1.
 “(XIV) Thompson TM1C.
 “(xx) UMAREX UZI Rifle.
 “(xxi) UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine.
 “(xxii) Valmet M62S, M71S, and M78.
 “(xxiii) Vector Arms UZI Type.
 “(xxiv) Weaver Arms Nighthawk.
 “(xxv) Wilkinson Arms Linda Carbine.
 “(I) All of the following pistols, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:
 “(i) All AK-47 types, including the following:
 “(I) Centurion 39 AK pistol.
 “(II) Draco AK-47 pistol.
 “(III) HCR AK-47 pistol.
 “(IV) IO Inc. Hellpup AK-47 pistol.
 “(V) Krinkov pistol.
 “(VI) Mini Draco AK-47 pistol.
 “(VII) Yugo Krebs Krink pistol.
 “(ii) All AR-15 types, including the following:
 “(I) American Spirit AR-15 pistol.
 “(II) Bushmaster Carbon 15 pistol.
 “(III) DoubleStar Corporation AR pistol.
 “(IV) DPMS AR-15 pistol.
 “(V) Olympic Arms AR-15 pistol.
 “(VI) Rock River Arms LAR 15 pistol.
 “(iii) Calico Liberty pistols.
 “(iv) DSA SA58 PKP FAL pistol.
 “(v) Encom MP-9 and MP-45.
 “(vi) Heckler & Koch model SP-89 pistol.
 “(vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9.
 “(viii) Kel-Tec PLR 16 pistol.
 “(ix) The following MAC types:
 “(I) MAC-10.
 “(II) MAC-11.
 “(III) Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol.
 “(IV) Military Armament Corp. Ingram M-11.
 “(V) Velocity Arms VMAC.
 “(x) Sig Sauer P556 pistol.
 “(xi) Sites Spectre.
 “(xii) All Thompson types, including the following:
 “(I) Thompson TA510D.
 “(II) Thompson TA5.
 “(xiii) All UZI types, including Micro-UZI.
 “(J) All of the following shotguns, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:
 “(i) Franchi LAW-12 and SPAS 12.
 “(ii) All IZHMASH Saiga 12 types, including the following:
 “(I) IZHMASH Saiga 12.
 “(II) IZHMASH Saiga 12S.
 “(III) IZHMASH Saiga 12S EXP-01.
 “(IV) IZHMASH Saiga 12K.
 “(V) IZHMASH Saiga 12K-030.
 “(VI) IZHMASH Saiga 12K-040 Taktika.
 “(iii) Streetsweeper.
 “(iv) Striker 12.
 “(K) All belt-fed semiautomatic firearms, including TNW M2HB.
 “(L) Any combination of parts from which a firearm described in subparagraphs (A) through (K) can be assembled.
 “(M) The frame or receiver of a rifle or shotgun described in subparagraph (A), (B), (C), (F), (G), (H), (J), or (K).
 “(37) The term ‘large capacity ammunition feeding device’—
 “(A) means a magazine, belt, drum, feed strip, or similar device, including any such

device joined or coupled with another in any manner, that has an overall capacity of, or that can be readily restored, changed, or converted to accept, more than 10 rounds of ammunition; and

“(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.”.

(b) RELATED DEFINITIONS.—Section 921(a) of title 18, United States Code, as amended by this Act, is amended by adding at the end the following:

“(38) The term ‘barrel shroud’—

“(A) means a shroud that is attached to, or partially or completely encircles, the barrel of a firearm so that the shroud protects the user of the firearm from heat generated by the barrel; and

“(B) does not include—

“(i) a slide that partially or completely encloses the barrel; or

“(ii) an extension of the stock along the bottom of the barrel which does not encircle or substantially encircle the barrel.

“(39) The term ‘detachable magazine’ means an ammunition feeding device that can be removed from a firearm without disassembly of the firearm action.

“(40) The term ‘fixed magazine’ means an ammunition feeding device that is permanently fixed to the firearm in such a manner that it cannot be removed without disassembly of the firearm.

“(41) The term ‘folding, telescoping, or detachable stock’ means a stock that folds, telescopes, detaches or otherwise operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability, of a firearm.

“(42) The term ‘forward grip’ means a grip located forward of the trigger that functions as a pistol grip.

“(43) The term ‘rocket’ means any simple or complex tubelike device containing combustibles that on being ignited liberate gases whose action propels the tube through the air and has a propellant charge of not more than 4 ounces.

“(44) The term ‘grenade launcher or rocket launcher’ means an attachment for use on a firearm that is designed to propel a grenade, rocket, or other similar destructive device.

“(45) The term ‘permanently inoperable’ means a firearm which is incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition.

“(46) The term ‘pistol grip’ means a grip, a thumbhole stock, or any other characteristic that can function as a grip.

“(47) The term ‘threaded barrel’ means a feature or characteristic that is designed in such a manner to allow for the attachment of a device such as a firearm silencer or a flash suppressor.

“(48) The term ‘qualified law enforcement officer’ has the meaning given the term in section 926B of title 18, United States Code.

“(49) The term ‘grandfathered semiautomatic assault weapon’ means any semiautomatic assault weapon the importation, possession, sale, or transfer of which would be unlawful under section 922(v) but for the exception under paragraph (2) of such section.

“(50) The term ‘belt-fed semiautomatic firearm’ means any repeating firearm that—

“(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round;

“(B) requires a separate pull of the trigger to fire each cartridge; and

“(C) has the capacity to accept a belt ammunition feeding device.”.

SEC. 403. RESTRICTIONS ON ASSAULT WEAPONS AND LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) IN GENERAL.—Section 922 of title 18, United States Code, as amended by section 123(a) of this Act, is amended—

(1) by inserting after subsection (u) the following:

“(v)(1) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a semiautomatic assault weapon.

“(2) Paragraph (1) shall not apply to the possession, sale, or transfer of any semiautomatic assault weapon otherwise lawfully possessed under Federal law on the date of enactment of the Assault Weapons Ban of 2013.

“(3) Paragraph (1) shall not apply to any firearm that—

“(A) is manually operated by bolt, pump, lever, or slide action;

“(B) has been rendered permanently inoperable; or

“(C) is an antique firearm, as defined in section 921 of this title.

“(4) Paragraph (1) shall not apply to—

“(A) the importation for, manufacture for, sale to, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a sale or transfer to or possession by a qualified law enforcement officer employed by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, for purposes of law enforcement (whether on or off duty), or a sale or transfer to or possession by a campus law enforcement officer for purposes of law enforcement (whether on or off duty);

“(B) the importation for, or sale or transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

“(C) the possession, by an individual who is retired in good standing from service with a law enforcement agency and is not otherwise prohibited from receiving a firearm, of a semiautomatic assault weapon—

“(i) sold or transferred to the individual by the agency upon such retirement; or

“(ii) that the individual purchased, or otherwise obtained, for official use before such retirement;

“(D) the importation, sale, manufacture, transfer, or possession of a semiautomatic assault weapon by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General; or

“(E) the importation, sale, manufacture, transfer, or possession of a firearm specified in Appendix A to this section, as such firearm was manufactured on the date of introduction of the Assault Weapons Ban of 2013.

“(5) For purposes of paragraph (4)(A), the term ‘campus law enforcement officer’ means an individual who is—

“(A) employed by a private institution of higher education that is eligible for funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(B) responsible for the prevention or investigation of crime involving injury to persons or property, including apprehension or detention of persons for such crimes;

“(C) authorized by Federal, State, or local law to carry a firearm, execute search warrants, and make arrests; and

“(D) recognized, commissioned, or certified by a government entity as a law enforcement officer.

“(6) The Attorney General shall establish and maintain, in a timely manner, a record of the make, model, and, if available, date of manufacture of any semiautomatic assault weapon which the Attorney General is made aware has been used in relation to a crime under Federal or State law, and the nature and circumstances of the crime involved, including the outcome of relevant criminal investigations and proceedings. The Attorney General shall annually submit a copy of the record established under this paragraph to the Congress and make the record available to the general public.

“(w)(1) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a large capacity ammunition feeding device.

“(2) Paragraph (1) shall not apply to the possession of any large capacity ammunition feeding device otherwise lawfully possessed on or before the date of enactment of the Assault Weapons Ban of 2013.

“(3) Paragraph (1) shall not apply to—

“(A) the importation for, manufacture for, sale to, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a sale or transfer to or possession by a qualified law enforcement officer employed by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State for purposes of law enforcement (whether on or off duty), or a sale or transfer to or possession by a campus law enforcement officer for purposes of law enforcement (whether on or off duty);

“(B) the importation for, or sale or transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

“(C) the possession, by an individual who is retired in good standing from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device—

“(i) sold or transferred to the individual by the agency upon such retirement; or

“(ii) that the individual purchased, or otherwise obtained, for official use before such retirement; or

“(D) the importation, sale, manufacture, transfer, or possession of any large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General.

“(4) For purposes of paragraph (3)(A), the term ‘campus law enforcement officer’ means an individual who is—

“(A) employed by a private institution of higher education that is eligible for funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(B) responsible for the prevention or investigation of crime involving injury to persons or property, including apprehension or detention of persons for such crimes;

“(C) authorized by Federal, State, or local law to carry a firearm, execute search warrants, and make arrests; and

“(D) recognized, commissioned, or certified by a government entity as a law enforcement officer.”; and

(2) by adding at the end the following:

“(bb) SECURE STORAGE OR SAFETY DEVICE REQUIREMENT FOR GRANDFATHERED SEMIAUTOMATIC ASSAULT WEAPONS.—It shall be unlawful for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to store or keep under the dominion or control of that person any grandfathered semiautomatic assault weapon that the person knows, or has reasonable cause to believe, will be accessible to an individual prohibited from receiving or possessing a firearm under subsection (g), (n), or (x), or any provision of State law, unless the grandfathered semiautomatic assault weapon is—

“(1) carried on the person, or within such close proximity that the person can readily retrieve and use the grandfathered semiautomatic assault weapon as if the grandfathered semiautomatic assault weapon were carried on the person; or

“(2) locked by a secure gun storage or safety device that the prohibited individual has no ability to access.”.

(b) IDENTIFICATION MARKINGS FOR SEMIAUTOMATIC ASSAULT WEAPONS.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: “The serial number of any semiautomatic assault weapon manufactured after the date of enactment of the Assault Weapons Ban of 2013 shall clearly show the date on which the weapon was manufactured or made, legibly and conspicuously engraved or cast on the weapon, and such other identification as the Attorney General shall by regulations prescribe.”.

(c) IDENTIFICATION MARKINGS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 923(i) of title 18, United States Code, as amended by subsection (b) of this section, is amended by adding at the end the following: “A large capacity ammunition feeding device manufactured after the date of enactment of the Assault Weapons Ban of 2013 shall be identified by a serial number and the date on which the device was manufactured or made, legibly and conspicuously engraved or cast on the device, and such other identification as the Attorney General shall by regulations prescribe.”.

(d) SEIZURE AND FORFEITURE OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 924(d) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “or large capacity ammunition feeding device” after “firearm or ammunition” each time it appears;

(B) by inserting “or large capacity ammunition feeding device” after “firearms or ammunition” each time it appears; and

(C) by striking “or (k)” and inserting “(k), (r), (v), or (w)”;

(2) in paragraph (2)(C), by inserting “or large capacity ammunition feeding devices” after “firearms or quantities of ammunition”; and

(3) in paragraph (3)(E), by inserting “922(r), 922(v), 922(w),” after “922(n).”.

(e) APPENDIX A.—Section 922 of title 18, United States Code, as amended by subsection (a) of this section, is amended by adding at the end the following:

“APPENDIX A—FIREARMS EXEMPTED BY THE ASSAULT WEAPONS BAN OF 2013

“CENTERFIRE RIFLES—AUTOLOADERS

“Benelli R1 Rifle

“Browning BAR Mark II Safari Magnum Rifle

“Browning BAR Mark II Safari Semi-Auto Rifle

“Browning BAR Stalker Rifles

“Browning High-Power Rifle

“Browning Longtrac Rifle

“Browning Shorttrac Rifle

“Heckler & Koch HK630

“Heckler & Koch HK770

“Heckler & Koch HK940

“Heckler & Koch Model 300 Rifle

“Heckler & Koch SL7 Rifle

“Iver Johnson 50th Anniversary M-1 Carbine (w/o folding stock)

“Iver Johnson M-1 Carbine (w/o folding stock)

“M-1 Carbines with standard fixed stock

“M-1 Garand with fixed 8 round capacity and standard stock

“Marlin Model 9 Camp Carbine

“Marlin Model 45 Carbine

“Remington Model 74

“Remington Model 81

“Remington Model 740

“Remington Model 742

“Remington Model 750 Synthetic

“Remington Model 750 Woodmaster

“Remington Model 7400 Rifle

“Remington Model 7400 Special Purpose Auto Rifle

“Remington Nylon 66 Auto-Loading Rifle

“Ruger Mini 30

“Ruger Mini-14 (w/o folding stock)

“Ruger PC4

“Ruger PC9

“SKS type rifles with fixed 10 round magazine and standard fixed stock

“Winchester Model SXR

“CENTERFIRE RIFLES—LEVER & SLIDE

“Action Arms Timber Wolf Pump Action

“Beretta 1873 Renegade Lever Action

“Beretta Gold Rush Slide Action

“Big Horn Armory Model 89

“Browning BLR Model 181 Lever Action, All Models

“Browning BPR Pump Rifle

“Browning Model 53 Lever Action

“Browning Model 65 Grade 1 Lever Action Rifle

“Browning Model 71 Rifle and Carbine

“Browning Model 81 BLR

“Browning Model 81 BLR Lever-Action Rifle

“Browning Model 81 Long Action BLR

“Browning Model 1886 High Grade Carbine

“Browning Model 1886 Lever-Action Carbine

“Browning Model B-92 Carbine

“Charles Daly Model 1892 Lever Action, All Models

“Chiappa 1886 Lever Action Rifles

“Cimarron 1860 Henry Replica

“Cimarron 1866 Winchester Replicas

“Cimarron 1873 30” Express Rifle

“Cimarron 1873 Short Rifle

“Cimarron 1873 Sporting Rifle

“Cimarron 1873 Winchester Replicas

“Dixie Engraved 1873 Rifle

“Dixie Lightning Rifle and Carbines

“E.M.F. 1860 Henry Rifle

“E.M.F. 1866 Yellowboy Lever Actions

“E.M.F. Model 73 Lever-Action Rifle

“E.M.F. Model 1873 Lever Actions

“Henry .30/30 Lever Action Carbine

“Henry Big Boy .357 Magnum

“Henry Big Boy .44 Magnum

“Henry Big Boy .45 Colt

“Henry Big Boy Deluxe Engraved .44 Magnum

“Henry Big Boy Deluxe Engraved .45 Colt

“Marlin Model 30AS Lever-Action Carbine

“Marlin Model 62 Lever Action

“Marlin Model 93 Lever Action

- “Marlin Model 308MX
- “Marlin Model 308MXLR
- “Marlin Model 336 Deluxe
- “Marlin Model 336C
- “Marlin Model 336CS Lever-Action Carbine
- “Marlin Model 336DL Lever Action
- “Marlin Model 336SS
- “Marlin Model 336W
- “Marlin Model 336XLR
- “Marlin Model 338MX
- “Marlin Model 338MXLR
- “Marlin Model 444
- “Marlin Model 444 Lever-Action
- “Marlin Model 444XLR
- “Marlin Model 1894 Marlin Model 1894 Cowboy
- “Marlin Model 1894 Lever Action, All Models
- “Marlin Model 1894C
- “Marlin Model 1894CL Classic
- “Marlin Model 1894CS Carbine
- “Marlin Model 1894S Lever-Action Carbine
- “Marlin Model 1894SS
- “Marlin Model 1895
- “Marlin Model 1895 Cowboy
- “Marlin Model 1895 Lever Action, All Models
- “Marlin Model 1895G
- “Marlin Model 1895GS
- “Marlin Model 1895M
- “Marlin Model 1895MXLR
- “Marlin Model 1895SBL
- “Marlin Model 1895SS Lever-Action Rifle
- “Marlin Model 1895XLR
- “Marlin XLR Lever Action Rifles
- “Mitchell 1858 Henry Replica
- “Mitchell 1866 Winchester Replica
- “Mitchell 1873 Winchester Replica
- “Mossberg 464 Lever Action Rifle
- “Mossberg Model 472 Lever Action
- “Mossberg Model 479 Lever Action
- “Navy Arms 1866 Yellowboy Rifle
- “Navy Arms 1873 Sporting Rifle
- “Navy Arms 1873 Winchester-Style Rifle
- “Navy Arms 1892 Short Rifle
- “Navy Arms Henry Carbine
- “Navy Arms Henry Trapper
- “Navy Arms Iron Frame Henry
- “Navy Arms Military Henry Rifle
- “Puma Bounty Hunter Rifle
- “Puma Model 92 Rifles & Carbins
- “Remington 7600 Slide Action
- “Remington Model 6 Pump Action
- “Remington Model 14, 14 ½ Pump Actions
- “Remington Model 141 Pump Action
- “Remington Model 760 Slide Actions
- “Remington Model 7600 Special Purpose Slide Action
- “Remington Model 7600 Synthetic
- “Remington Model 7615 Camo Hunter
- “Remington Model 7615 Ranch Carbine
- “Remington Model 7615 SPS
- “Rossi M92 SRC Saddle-Ring Carbine
- “Rossi M92 SRS Short Carbine
- “Rossi R92 Lever Action Carbins
- “Ruger Model 96/44 Lever Action
- “Savage 99C Lever-Action Rifle
- “Savage Model 170 Pump Action
- “Taurus Thunderbolt Pump Action
- “Taylor’s & CO., Inc. 1865 Spencer Carbine/Rifle
- “Taylor’s & CO., Inc. 1892 Carbine/Rifle
- “U.S. Fire Arms Standard Lightning Magazine Rifle
- “Uberti 1866 Sporting Rifle Uberti 1873 Sporting Rifle
- “Uberti 1876 Rifle
- “Uberti 1883 Burgess Lever Action Rifle/Carbine
- “Uberti Henry Rifle
- “Uberti Lightning Rifle/Carbine
- “Winchester Lever Actions, All Other Center Fire Models
- “Winchester Model 94 Big Bore Side Eject Lever-Action Rifle
- “Winchester Model 94 Side Eject Lever-Action Rifle
- “Winchester Model 94 Trapper Side Eject
- “Winchester Model 94 Wrangler Side Eject
- “Winchester Model 1895 Safari Centennial
- “CENTERFIRE RIFLES—BOLT ACTION
- “Accurate Arms Raptor & Backpack Bolt Action Rifles
- “Alpine Bolt-Action Rifle
- “Anschutz 1700D Bavarian Bolt-Action Rifle
- “Anschutz 1700D Classic Rifles
- “Anschutz 1700D Custom Rifles
- “Anschutz 1733D Mannlicher Rifle
- “Arnold Arms African Safari & Alaskan Trophy Rifles
- “A-Square Caesar Bolt-Action Rifle
- “A-Square Genghis Khan Bolt Action Rifle
- “A-Square Hamilcar Bolt Action Rifle
- “A-Square Hannibal Bolt-Action Rifle
- “Auguste Francotte Bolt-Action Rifles
- “Bansners Ultimate Bolt Action Rifles
- “Beeman/HW 60J Bolt-Action Rifle
- “Benton & Brown Firearms, Inc. Model 93 Bolt Action Rifle
- “Blackheart International BBG Hunter Bolt Action
- “Blackheart International LLC BBG Light Sniper Bolt Action
- “Blaser R8 Professional
- “Blaser R84 Bolt-Action Rifle
- “Blaser R93 Bolt Action Rifle
- “BRNO 537 Sporter Bolt-Action Rifle
- “BRNO ZKB 527 Fox Bolt-Action Rifle
- “BRNO ZKK 600, 601, 602 Bolt-Action Rifles
- “Brown Precision Company Bolt Action Sporter
- “Browning A-Bolt Gold Medallion
- “Browning A-Bolt Left Hand
- “Browning A-Bolt Micro Medallion
- “Browning A-Bolt Rifle
- “Browning A-Bolt Short Action
- “Browning A-Bolt Stainless Stalker
- “Browning Euro-Bolt Rifle
- “Browning High-Power Bolt Action Rifle
- “Browning X-Bolt Bolt Action Rifle
- “Carbon One Bolt Action Rifle
- “Carl Gustaf 2000 Bolt-Action Rifle Century
- “Centurion 14 Sporter
- “Century Enfield Sporter #4
- “Century M70 Sporter
- “Century Mauser 98 Sporter
- “Century Swedish Sporter #38
- “Cheytac M-200
- “Cheytac M70 Sporter
- “Cooper Model 21 Bolt Action Rifle
- “Cooper Model 22 Bolt Action Rifle
- “Cooper Model 38 Centerfire Sporter
- “Cooper Model 56 Bolt Action Rifle
- “CZ 527 Bolt Action Rifles
- “CZ 550 Bolt Action Rifles
- “CZ 750 Sniper Rifle
- “Dakota 22 Sporter Bolt-Action Rifle
- “Dakota 76 Classic Bolt-Action Rifle
- “Dakota 76 Safari Bolt-Action Rifle
- “Dakota 76 Short Action Rifles
- “Dakota 97 Bolt Action Rifle
- “Dakota 416 Rigby African
- “Dakota Predator Rifle
- “DSA DS-MP1 Bolt Action Rifle
- “E.A.A./Sabatti Rover 870 Bolt-Action Rifle
- “EAA/Zastava M-93 Black Arrow Rifle
- “Ed Brown Hunting and Model 704 Bolt Action Rifles
- “Heym Bolt Action Rifles
- “Heym Magnum Express Series Rifle
- “Howa Bolt Action Rifles
- “Howa Lightning Bolt-Action Rifle
- “Howa Realtree Camo Rifle
- “H-S Precision Bolt Action Rifles
- “Interarms Mark X Bolt Action Rifles
- “Interarms Mark X Viscount Bolt-Action Rifle
- “Interarms Mark X Whitworth Bolt-Action Rifle
- “Interarms Mini-Mark X Rifle
- “Interarms Whitworth Express Rifle
- “Iver Johnson Model 5100A1 Long-Range Rifle
- “KDF K15 American Bolt-Action Rifle
- “Kenny Jarrett Bolt Action Rifle
- “Kimber Bolt Action Rifles
- “Krico Model 600 Bolt-Action Rifle
- “Krico Model 700 Bolt-Action Rifles
- “Magnum Research Mount Eagle Rifles
- “Marlin Model XL7
- “Marlin Model XL7C
- “Marlin Model XL7L
- “Marlin Model XL7W
- “Marlin Model XS7
- “Marlin Model XS7C
- “Marlin Model XS7Y
- “Marlin XL-7/XS7 Bolt Action Rifles
- “Mauser Model 66 Bolt-Action Rifle
- “Mauser Model 99 Bolt-Action Rifle
- “McMillan Classic Stainless Sporter
- “McMillan Signature Alaskan
- “McMillan Signature Classic Sporter
- “McMillan Signature Super Varminter
- “McMillan Signature Titanium Mountain Rifle
- “McMillan Talon Safari Rifle
- “McMillan Talon Sporter Rifle
- “Merkel KR1 Bolt Action Rifle
- “Midland 1500S Survivor Rifle
- “Mossberg Model 100 ATR (All-Terrain Rifle)
- “Navy Arms TU-33/40 Carbine
- “Nosler Model 48 Varmint Rifle
- “Parker Hale Bolt Action Rifles
- “Parker-Hale Model 81 Classic African Rifle
- “Parker-Hale Model 81 Classic Rifle
- “Parker-Hale Model 1000 Rifle
- “Parker-Hale Model 1100 Lightweight Rifle
- “Parker-Hale Model 1100M African Magnum
- “Parker-Hale Model 1200 Super Clip Rifle
- “Parker-Hale Model 1200 Super Rifle
- “Parker-Hale Model 1300C Scout Rifle
- “Parker-Hale Model 2100 Midland Rifle
- “Parker-Hale Model 2700 Lightweight Rifle
- “Parker-Hale Model 2800 Midland Rifle
- “Remington 700 ADL Bolt-Action Rifle
- “Remington 700 BDL Bolt-Action Rifle
- “Remington 700 BDL European Bolt-Action Rifle
- “Remington 700 BDL Left Hand
- “Remington 700 BDL SS Rifle
- “Remington 700 BDL Varmint Special
- “Remington 700 Camo Synthetic Rifle
- “Remington 700 Classic Rifle
- “Remington 700 Custom KS Mountain Rifle
- “Remington 700 Mountain Rifle
- “Remington 700 MTRSS Rifle
- “Remington 700 Safari
- “Remington 700 Stainless Synthetic Rifle
- “Remington 700 Varmint Synthetic Rifle
- “Remington Model 40-X Bolt Action Rifles
- “Remington Model 700 Alaskan Ti
- “Remington Model 700 Bolt Action Rifles
- “Remington Model 700 CDL
- “Remington Model 700 CDL ‘Boone and Crockett’
- “Remington Model 700 CDL Left-Hand
- “Remington Model 700 CDL SF Limited Edition
- “Remington Model 700 LSS
- “Remington Model 700 Mountain LSS
- “Remington Model 700 Sendero SF II
- “Remington Model 700 SPS
- “Remington Model 700 SPS Buckmasters Edition
- “Remington Model 700 SPS Buckmasters Edition ‘Young Bucks’ Youth

- “Remington Model 700 SPS Stainless
- “Remington Model 700 SPS Tactical Rifle
- “Remington Model 700 SPS Varmint
- “Remington Model 700 SPS Varmint (Left-Hand)
- “Remington Model 700 SPS Youth Synthetic Left-Hand
- “Remington Model 700 VL SS Thumbhole
- “Remington Model 700 VLS
- “Remington Model 700 VS SF II
- “Remington Model 700 VTR
- “Remington Model 700 XCR
- “Remington Model 700 XCR Camo
- “Remington Model 700 XCR Compact Tactical Rifle
- “Remington Model 700 XCR Left-Hand
- “Remington Model 700 XCR Tactical Long Range Rifle
- “Remington Model 715
- “Remington Model 770
- “Remington Model 770 Bolt Action Rifles
- “Remington Model 770 Stainless Camo
- “Remington Model 770 Youth
- “Remington Model 798
- “Remington Model 798 Safari
- “Remington Model 798 SPS
- “Remington Model 799
- “Remington Model Seven 25th Anniversary
- “Remington Model Seven Bolt Action Rifles
- “Remington Model Seven CDL
- “Remington Model Seven Custom KS
- “Remington Model Seven Custom MS Rifle
- “Remington Model Seven Predator
- “Remington Model Seven Youth Rifle
- “Ruger M77 Hawkeye African
- “Ruger M77 Hawkeye Alaskan
- “Ruger M77 Hawkeye All-Weather
- “Ruger M77 Hawkeye All-Weather Ultra Light
- “Ruger M77 Hawkeye Compact
- “Ruger M77 Hawkeye International
- “Ruger M77 Hawkeye Laminate Compact
- “Ruger M77 Hawkeye Laminate Left-Handed
- “Ruger M77 Hawkeye Predator
- “Ruger M77 Hawkeye Sporter
- “Ruger M77 Hawkeye Standard
- “Ruger M77 Hawkeye Standard Left-Handed
- “Ruger M77 Hawkeye Tactical
- “Ruger M77 Hawkeye Ultra Light
- “Ruger M77 Mark II All-Weather Stainless Rifle
- “Ruger M77 Mark II Express Rifle
- “Ruger M77 Mark II Magnum Rifle
- “Ruger M77 Mark II Rifle
- “Ruger M77 Mark II Target Rifle
- “Ruger M77 RSI International Carbine
- “Ruger M77
- “Ruger Compact Magnum
- “Ruger M77RL Ultra Light
- “Ruger M77VT Target Rifle
- “Ruger Model 77 Bolt Action Rifles
- “Sako Bolt Action Rifles
- “Sako Classic Bolt Action
- “Sako Deluxe Lightweight
- “Sako FiberClass Sporter
- “Sako Hunter Left-Hand Rifle
- “Sako Hunter LS Rifle Sako Hunter Rifle
- “Sako Mannlicher-Style Carbine
- “Sako Safari Grade Bolt Action
- “Sako Super Deluxe Sporter
- “Sako TRG-S Bolt-Action Rifle
- “Sako Varmint Heavy Barrel
- “Sauer 90 Bolt-Action Rifle
- “Savage 16/116 Rifles
- “Savage 110 Bolt Action Rifles
- “Savage 110CY Youth/Ladies Rifle
- “Savage 110F Bolt-Action Rifle
- “Savage 110FP Police Rifle
- “Savage 110FXP3 Bolt-Action Rifle
- “Savage 110G Bolt-Action Rifle
- “Savage 110GV Varmint Rifle
- “Savage 110GXP3 Bolt-Action Rifle
- “Savage 110WLE One of One Thousand Limited Edition Rifle
- “Savage 112 Bolt Action Rifles
- “Savage 112FV Varmint Rifle
- “Savage 116 Bolt Action Rifles
- “Savage 116FSS Bolt-Action Rifle
- “Savage Axis Series Bolt Action Rifles
- “Savage Model 10 Bolt Action Rifles
- “Savage Model 10GXP Package Guns
- “Savage Model 11/111 Series Bolt Action Rifles
- “Savage Model 12 Series Rifles
- “Savage Model 14/114 Rifles
- “Savage Model 25 Bolt Action Rifles
- “Savage Model 110GXP3 Package Guns
- “Savage Model 112BV Heavy Barrel Varmint Rifle
- “Savage Model 112FVS Varmint Rifle
- “Savage Model 116FSK Kodiak Rifle
- “Shilen Rifles Inc. DGA Bolt Action Rifles
- “Smith & Wesson i-Bolt Rifle
- “Steyr Scout Bolt Action Rifle
- “Steyr SSG 69 PII Bolt Action Rifle
- “Steyr SSG08 Bolt Action Rifle
- “Steyr-Mannlicher Luxus Model L, M, S
- “Steyr-Mannlicher Model M Professional Rifle
- “Steyr-Mannlicher Sporter Models SL, L, M, S, S/T
- “Thompson/Center ICON Bolt Action Rifles
- “Thompson/Center Icon Classic Long Action Rifle
- “Thompson/Center Icon Medium Action Rifle
- “Thompson/Center Icon Precision Hunter
- “Thompson/Center Icon Weather Shield Long Action Rifle
- “Thompson/Center Icon Weather Shield Medium Action Rifle
- “Thompson/Center Venture
- “Tikka Bolt-Action Rifle
- “Tikka Premium Grade Rifles
- “Tikka T3 Bolt Action Rifles
- “Tikka Varmint/Continental Rifle
- “Tikka Whitetail/Battue Rifle
- “Ultra Light Arms Model 20 Rifle
- “Ultra Light Arms Model 24
- “Ultra Light Arms Model 28, Model 40 Rifles
- “Voere Model 2155, 2150 Bolt-Action Rifles
- “Voere Model 2165 Bolt-Action Rifle
- “Voere VEC 91 Lightning Bolt-Action Rifle
- “Weatherby Classicmark No. 1 Rifle
- “Weatherby Lasermark V Rifle
- “Weatherby Mark V Crown Custom Rifles
- “Weatherby Mark V Deluxe Bolt-Action Rifle
- “Weatherby Mark V Rifles
- “Weatherby Mark V Safari Grade Custom Rifles
- “Weatherby Mark V Sporter Rifle
- “Weatherby Vanguard Bolt Action Rifles
- “Weatherby Vanguard Classic No. 1 Rifle
- “Weatherby Vanguard Classic Rifle
- “Weatherby Vanguard VGX Deluxe Rifle
- “Weatherby Vanguard Weatherguard Rifle
- “Weatherby Weatherguard Alaskan Rifle
- “Weatherby Weathermark Alaskan Rifle
- “Weatherby Weathermark Rifle
- “Weatherby Weathermark Rifles
- “Wichita Classic Rifle
- “Wichita Varmint Rifle
- “Winchester Model 70 Bolt Action Rifles
- “Winchester Model 70 Custom Sharpshooter
- “Winchester Model 70 Custom Sporting Sharpshooter Rifle
- “Winchester Model 70 DBM Rifle
- “Winchester Model 70 DBM-S Rifle
- “Winchester Model 70 Featherweight
- “Winchester Model 70 Featherweight Classic
- “Winchester Model 70 Featherweight WinTuff
- “Winchester Model 70 Lightweight Rifle
- “Winchester Model 70 SM Sporter
- “Winchester Model 70 Sporter
- “Winchester Model 70 Sporter WinTuff
- “Winchester Model 70 Stainless Rifle
- “Winchester Model 70 Super Express Magnum
- “Winchester Model 70 Super Grade
- “Winchester Model 70 Synthetic Heavy Varmint Rifle
- “Winchester Model 70 Varmint
- “Winchester Ranger Rifle
- “CENTERFIRE RIFLES—SINGLE SHOT
- “Armsport 1866 Sharps Rifle, Carbine
- “Ballard Arms Inc. 1875 #3 Gallery Single Shot Rifle
- “Ballard Arms Inc. 1875 #4 Perfection Rifle
- “Ballard Arms Inc. 1875 #7 Long Range Rifle
- “Ballard Arms Inc. 1875 #8 Union Hill rifle
- “Ballard Arms Inc. 1875 1 ½ Hunter Rifle
- “Ballard Arms Inc. 1885 High Wall Sporting Rifle
- “Ballard Arms Inc. 1885 Low Wall Single Shot
- “Brown Model 97D Single Shot Rifle
- “Brown Model One Single Shot Rifle
- “Browning Model 1885 Single Shot Rifle
- “C. Sharps Arms 1875 Target & Sporting Rifle
- “C. Sharps Arms Custom New Model 1877
- “C. Sharps Arms New Model 1885 High Wall Rifle
- “C. Sharps Arms 1874 Bridgeport Sporting Rifle
- “C. Sharps Arms 1875 Classic Sharps
- “C. Sharps Arms New Model 1874 Old Reliable
- “C. Sharps Arms New Model 1875 Rifle
- “C. Sharps Arms New Model 1875 Target & Long Range
- “Cabela’s 1874 Sharps Sporting
- “Cimarron Billy Dixon 1874 Sharps
- “Cimarron Model 1885 High Wall
- “Cimarron Quigley Model 1874 Sharps
- “Cimarron Silhouette Model 1874 Sharps
- “Dakota Model 10 Single Shot Rifle
- “Dakota Single Shot Rifle
- “Desert Industries G-90 Single Shot Rifle
- “Dixie Gun Works 1873 Trapdoor Rifle/Carbine
- “Dixie Gun Works 1874 Sharps Rifles
- “Dixie Gun Works Remington Rolling Block Rifles
- “EMF Premier 1874 Sharps
- “Harrington & Richardson Buffalo Classic Rifle (CR-1871)
- “Harrington & Richardson CR 45-LC
- “Harrington & Richardson Handi-Mag Rifle
- “Harrington & Richardson Handi-Rifle
- “Harrington & Richardson Handi-Rifle Compact
- “Harrington & Richardson New England Hand-Rifle/Slug Gun Combos
- “Harrington & Richardson Stainless Handi-Rifle
- “Harrington & Richardson Stainless Ultra Hunter Thumbhole Stock
- “Harrington & Richardson Superlight Handi-Rifle Compact
- “Harrington & Richardson Survivor Rifle
- “Harrington & Richardson Synthetic Handi-Rifle
- “Harrington & Richardson Ultra Hunter Rifle
- “Harrington & Richardson Ultra Varmint Fluted
- “Harrington & Richardson Ultra Varmint Rifle
- “Harrington & Richardson Ultra Varmint Thumbhole Stock
- “Krieghoff Hubertus Single Shot
- “Meacham High Wall

- “Merkel K1 Lightweight Stalking Rifle
- “Merkel K2 Custom Stalking Rifle
- “Model 1885 High Wall Rifle
- “Navy Arms #2 Creedmoor Rifle
- “Navy Arms 1873 John Bodine Rolling Black Rifle
- “Navy Arms 1873 Springfield Cavalry Carbine
- “Navy Arms 1874 Sharps Rifles
- “Navy Arms 1874 1885 High Wall Rifles
- “Navy Arms Rolling Block Buffalo Rifle
- “Navy Arms Sharps “Quigley” Rifle
- “Navy Arms Sharps Cavalry Carbine
- “Navy Arms Sharps Plains Rifle
- “New England Firearms Handi-Rifle
- “New England Firearms Sportster/Versa Pack Rifle
- “New England Firearms Survivor Rifle
- “Red Willow Armory Ballard No. 1.5 Hunting Rifle
- “Red Willow Armory Ballard No. 4.5 Target Rifle
- “Red Willow Armory Ballard No. 5 Pacific
- “Red Willow Armory Ballard No. 8 Union Hill Rifle
- “Red Willow Armory Ballard Rifles
- “Remington Model Rolling Block Rifles
- “Remington Model SPR18 Blued
- “Remington Model SPR18 Nickel
- “Remington Model SPR18 Single Shot Rifle
- “Remington-Style Rolling Block Carbine
- “Rossi Match Pairs Rifles
- “Rossi Single Shot Rifles
- “Rossi Wizard
- “Ruger No. 1 RSI International
- “Ruger No. 1 Stainless Sporter
- “Ruger No. 1 Stainless Standard
- “Ruger No. 1A Light Sporter
- “Ruger No. 1B Single Shot
- “Ruger No. 1H Tropical Rifle
- “Ruger No. 1S Medium Sporter
- “Ruger No. 1V Special Varminter
- “Sharps 1874 Old Reliable
- “Shiloh 1875 Rifles
- “Shiloh Sharps 1874 Business Rifle
- “Shiloh Sharps 1874 Long Range Express
- “Shiloh Sharps 1874 Military Carbine
- “Shiloh Sharps 1874 Military Rifle
- “Shiloh Sharps 1874 Montana Roughrider
- “Shiloh Sharps Creedmoor Target
- “Thompson/Center Contender Carbine
- “Thompson/Center Contender Carbine Survival System
- “Thompson/Center Contender Carbine Youth Model
- “Thompson/Center Encore
- “Thompson/Center Stainless Contender Carbine
- “Thompson/Center TCR '87 Single Shot Rifle
- “Thompson/Encore Rifles
- “Traditions 1874 Sharps Deluxe Rifle
- “Traditions 1874 Sharps Standard Rifle
- “Traditions Rolling Block Sporting Rifle
- “Uberty (Stoeger Industries) Sharps Rifles
- “Uberty 1871 Rolling Block Rifle/Carbine
- “Uberty 1874 Sharps Sporting Rifle
- “Uberty 1885 High Wall Rifles
- “Uberty Rolling Block Baby Carbine
- “Uberty Springfield Trapdoor Carbine/Rifle
- “DRILLINGS, COMBINATION GUNS, DOUBLE RIFLES
- “A. Zoli Rifle-Shotgun O/U Combo
- “Auguste Francotte Boxlock Double Rifle
- “Auguste Francotte Sidelock Double Rifles
- “Baikal IZH-94 Express
- “Baikal MP94- (IZH-94) O/U
- “Beretta Express SSO O/U Double Rifles
- “Beretta Model 455 SxS Express Rifle
- “Chapuis RGExpress Double Rifle
- “CZ 584 SOLO Combination Gun
- “CZ 589 Stopper O/U Gun
- “Dakota Double Rifle
- “Garbi Express Double Rifle
- “Harrington & Richardson Survivor
- “Harrington & Richardson Synthetic Handi-Rifle/Slug Gun Combo
- “Heym Model 55B O/U Double Rifle
- “Heym Model 55FW O/U Combo Gun
- “Heym Model 88b Side-by-Side Double Rifle
- “Hoenig Rotary Round Action Combination Rifle
- “Hoenig Rotary Round Action Double Rifle
- “Kodiak Mk. IV Double Rifle
- “Kreighoff Teck O/U Combination Gun
- “Kreighoff Trumpf Drilling
- “Krieghoff Drillings
- “Lebeau-Courally Express Rifle 5X5
- “Merkel Boxlock Double Rifles
- “Merkel Drillings
- “Merkel Model 160 Side-by-Side Double Rifles
- “Merkel Over/Under Combination Guns
- “Merkel Over/Under Double Rifles
- “Remington Model SPR94 .410/Rimfire
- “Remington Model SPR94 12 Gauge/Centerfire
- “Rizzini Express 90L Double Rifle
- “Savage 24F O/U Combination Gun
- “Savage 24F-12T Turkey Gun
- “Springfield Inc. M6 Scout Rifle/Shotgun
- “Tikka Model 412s Combination Gun
- “Tikka Model 412S Double Fire
- “RIMFIRE RIFLES—AUTOLOADERS
- “AMT Lightning 25/22 Rifle
- “AMT Lightning Small-Game Hunting Rifle II
- “AMT Magnum Hunter Auto Rifle
- “Anschutz 525 Deluxe Auto
- “Armscor Model 20P Auto Rifle
- “Browning Auto .22 Rifles
- “Browning Auto-22 Rifle
- “Browning Auto-22 Grade VI
- “Browning BAR .22 Auto Rifle
- “Browning SA-22 Semi-Auto 22 Rifle
- “Henry U.S. Survival .22
- “Henry U.S. Survival Rifle AR-7
- “Krico Model 260 Auto Rifle
- “Lakefield Arms Model 64B Auto Rifle
- “Marlin Model 60 Self Loading Rifles
- “Marlin Model 60C
- “Marlin Model 60SB
- “Marlin Model 60S-CF
- “Marlin Model 60SN
- “Marlin Model 60ss Self-Loading Rifle
- “Marlin Model 70 Auto-loading Rifles
- “Marlin Model 70 HC Auto
- “Marlin Model 70P Papoose
- “Marlin Model 70PSS
- “Marlin Model 795
- “Marlin Model 795SS
- “Marlin Model 922 Magnum Self-Loading Rifle
- “Marlin Model 9901 Self-Loading Rifle
- “Marlin Model 995 Self-Loading Rifle
- “Mossberg 702 Plinkster
- “Norinco Model 22 ATD Rifle
- “Remington 552BDL Speedmaster Rifle
- “Remington Model 522 Viper Autoloading Rifle
- “Remington Model 597 Blaze Camo
- “Remington Model 597 Pink Camo
- “Remington Model 597 Synthetic Scope Combo
- “Ruger 10/22 Autoloading Carbine (w/o folding stock)
- “Ruger 10/22 Compact
- “Ruger 10/22 Sporter
- “Ruger 10/22 Target
- “Survival Arms AR-7 Explorer Rifle
- “Texas Remington Revolving Carbine
- “Thompson/Center R-55 All-Weather
- “Thompson/Center R-55 Benchmark
- “Thompson/Center R-55 Classic
- “Thompson/Center R-55 Rifles
- “Thompson/Center R-55 Sporter
- “Voere Model 2115 Auto Rifle
- “RIMFIRE RIFLES—LEVER & SLIDE ACTION
- “Browning BL-22 Lever-Action Rifle
- “Henry .22 Lever Action Rifles, All Models
- “Henry Golden Boy .17 HMR
- “Henry Golden Boy .22
- “Henry Golden Boy .22 Magnum
- “Henry Golden Boy Deluxe
- “Henry Lever .22 Magnum
- “Henry Lever Action .22
- “Henry Lever Carbine .22
- “Henry Lever Octagon .22
- “Henry Lever Octagon .22 Magnum
- “Henry Lever Youth Model .22
- “Henry Pump Action Octagon .22
- “Henry Pump Action Octagon .22 Magnum
- “Henry Varmint Express .17 HMR
- “Marlin 39TDS Carbine
- “Marlin Model 39A Golden Lever Action
- “Marlin Model 39AS Golden Lever-Action Rifle
- “Mossberg Model 464 Rimfire Lever Action Rifle
- “Norinco EM-321 Pump Rifle
- “Remington 572BDL Fieldmaster Pump Rifle
- “Rossi Model 62 SA Pump Rifle
- “Rossi Model 62 SAC Carbine
- “Rossi Model G2 Gallery Rifle
- “Ruger Model 96 Lever-Action Rifle
- “Taurus Model 62- Pump
- “Taurus Model 72 Pump Rifle
- “Winchester Model 9422 Lever-Action Rifle
- “Winchester Model 9422 Magnum Lever-Action Rifle
- “RIMFIRE RIFLES—BOLT ACTIONS & SINGLE SHOTS
- “Anschutz 1416D/1516D Classic Rifles
- “Anschutz 1418D/1518D Mannlicher Rifles
- “Anschutz 1700 FWT Bolt-Action Rifle
- “Anschutz 1700D Bavarian Bolt-Action Rifle
- “Anschutz 1700D Classic Rifles
- “Anschutz 1700D Custom Rifles
- “Anschutz 1700D Graphite Custom Rifle
- “Anschutz 1702 D H B Classic
- “Anschutz 1713 Silhouette
- “Anschutz Achiever
- “Anschutz Achiever Bolt-Action Rifle
- “Anschutz All other Bolt Action Rimfire Models
- “Anschutz Kadett
- “Anschutz Model 1502 D Classic
- “Anschutz Model 1517 D Classic
- “Anschutz Model 1517 MPB Multi Purpose
- “Anschutz Model 1517 S-BR
- “Anschutz Model 1710 D KL
- “Anschutz Model 1717 Classic
- “Anschutz Model 1717 Silhouette Sporter
- “Anschutz Model G4 MPB
- “Anschutz Model Woodchucker
- “Armscor Model 14P Bolt-Action Rifle
- “Armscor Model 1500 Rifle
- “Beeman/HW 60-JT Bolt-Action Rifle
- “BRNO ZKM 452 Deluxe
- “BRNO ZKM-456 Lux Sporter
- “BRNO ZKM-452 Deluxe Bolt-Action Rifle
- “Browning A-Bolt 22 Bolt-Action Rifle
- “Browning A-Bolt Gold Medallion
- “Browning T-Bolt Rimfire Rifles
- “Cabanas Espronceda IV Bolt-Action Rifle
- “Cabanas Leyre Bolt-Action Rifle
- “Cabanas Master Bolt-Action Rifle
- “Cabanas Phaser Rifle
- “Chipmunk Single Shot Rifle
- “Cooper Arms Model 36S Sporter Rifle
- “Cooper Model 57-M Bolt Action Rifle
- “CZ 452 Bolt Action Rifles
- “Dakota 22 Sporter Bolt-Action Rifle
- “Davey Crickett Single Shot Rifle
- “Harrington & Richardson Sportster
- “Harrington & Richardson Sportster 17 Hornady Magnum Rimfire

“Harrington & Richardson Sportster Compact	“Winchester Wildcat Bolt Action Rifle 22	“Benelli M1
“Henry ‘Mini’ Bolt Action Rifle	“COMPETITION RIFLES—CENTERFIRE & RIMFIRE	“Benelli M1 Defense
“Henry Acu-Bolt .22	“Anschutz 1803D Intermediate Match	“Benelli M1 Tactical
“Henry Mini Bolt Youth .22	“Anschutz 1808D RT Super Match 54 Target	“Benelli M1014 Limited Edition
“Kimber Bolt Action .22 Rifles	“Anschutz 1827B Biathlon Rifle	“Benelli M2
“Krico Model 300 Bolt-Action Rifles	“Anschutz 1827BT Fortner Biathlon Rifle	“Benelli M2 Field Steady Grip
“Lakefield Arms Mark I Bolt-Action Rifle	“Anschutz 1903 Rifles	“Benelli M2 Practical
“Lakefield Arms Mark II Bolt-Action Rifle	“Anschutz 1903D Match Rifle	“Benelli M2 Tactical
“Magtech Model MT Bolt Action Rifle	“Anschutz 1907 Match Rifle	“Benelli M2 American Series
“Magtech Model MT-22C Bolt-Action Rifle	“Anschutz 1910 Super Match II	“Benelli M3 Convertible
“Marlin Model 15YN ‘Little Buckaroo’	“Anschutz 1911 Match Rifle	“Benelli M4 Models Vinci Steady Grip
“Marlin Model 25MN Bolt-Action Rifle	“Anschutz 1912 Rifles	“Benelli Montefeltro Super 90 20-Gauge Shotgun
“Marlin Model 25N Bolt-Action Repeater	“Anschutz 1913 Super Match Rifle	“Benelli Montefeltro Super 90 Shotgun
“Marlin Model 880 Bolt-Action Rifle	“Anschutz 54.18MS REP Deluxe Silhouette Rifle	“Benelli Raffaello Series Shotguns
“Marlin Model 881 Bolt-Action Rifle	“Anschutz 54.18MS Silhouette Rifle	“Benelli Sport Model
“Marlin Model 882 Bolt-Action Rifle	“Anschutz 64 MP R Silhouette Rifle	“Benelli Super 90 M1 Field Model
“Marlin Model 883 Bolt-Action Rifle	“Anschutz 64-MS Left Silhouette	“Benelli Super Black Eagle II Models
“Marlin Model 883SS Bolt-Action Rifle	“Anschutz Super Match 54 Target Model 2007	“Benelli Super Black Eagle II Steady Grip
“Marlin Model 915 YN ‘Little Buckaroo’	“Anschutz Super Match 54 Target Model 2013	“Benelli Super Black Eagle Models
“Marlin Model 915Y (Compact)	“Beeman/Feinwerkbau 2600 Target Rifle	“Benelli Super Black Eagle Shotgun
“Marlin Model 915YS (Compact)	“Cooper Arms Model TRP-1 ISU Standard Rifle	“Benelli Super Black Eagle Slug Gun
“Marlin Model 917	“E.A.A./HW 60 Target Rifle	“Benelli Super Vinci
“Marlin Model 917S	“E.A.A./HW 660 Match Rifle	“Benelli Supersport
“Marlin Model 917V	“E.A.A./Weihrauch HW 60 Target Rifle	“Benelli Two-Gun Sets
“Marlin Model 917VR	“Ed Brown Model 704, M40A2 Marine Sniper	“Benelli Ultralight
“Marlin Model 917VS	“Finnish Lion Standard Target Rifle	“Benelli Vinci
“Marlin Model 917VS-CF	“Krico Model 360 S2 Biathlon Rifle	“Beretta 390 Field Auto Shotgun
“Marlin Model 917VSF	“Krico Model 360S Biathlon Rifle	“Beretta 390 Super Trap, Super Skeet Shotguns
“Marlin Model 917VST	“Krico Model 400 Match Rifle	“Beretta 3901 Citizen
“Marlin Model 917VT	“Krico Model 500 Kricotronic Match Rifle	“Beretta 3901 Rifled Slug Gun
“Marlin Model 925	“Krico Model 600 Match Rifle	“Beretta 3901 Statesman
“Marlin Model 925C	“Krico Model 600 Sniper Rifle	“Beretta A-303 Auto Shotgun
“Marlin Model 925M	“Lakefield Arms Model 90B Target Rifle	“Beretta A400 Series
“Marlin Model 925R	“Lakefield Arms Model 91T Target Rifle	“Beretta AL-2 Models
“Marlin Model 925RM	“Lakefield Arms Model 92S Silhouette Rifle	“Beretta AL-3 Deluxe Trap
“Marlin Model 980S	“Marlin Model 2000 Target Rifle	“Beretta AL390 Series
“Marlin Model 980S-CF	“Mauser Model 86-SR Specialty Rifle	“Beretta AL391 Teknys Gold
“Marlin Model 981T	“McMillan 300 Phoenix Long Range Rifle	“Beretta AL391 Teknys Gold Sporting
“Marlin Model 982 Bolt Action Rifle	“McMillan Long Range Rifle	“Beretta AL391 Teknys Gold Target
“Marlin Model 982VS	“McMillan M-86 Sniper Rifle	“Beretta AL391 Urika 2 Camo AP
“Marlin Model 982VS-CF	“McMillan M-89 Sniper Rifle	“Beretta AL391 Urika 2 Camo Max-4
“Marlin Model 983	“McMillan National Match Rifle	“Beretta AL391 Urika 2 Classic
“Marlin Model 983S	“Parker-Hale M-85 Sniper Rifle	“Beretta AL391 Urika 2 Gold
“Marlin Model 983T	“Parker-Hale M-87 Target Rifle	“Beretta AL391 Urika 2 Gold Sporting
“Marlin Model XT-17 Series Bolt Action Rifles	“Remington 40-X Bolt Action Rifles	“Beretta AL391 Urika 2 Parallel Target SL
“Marlin Model XT-22 Series Bolt Action Rifles	“Remington 40-XB Rangemaster Target Centerfire	“Beretta AL391 Urika 2 Sporting
“Mauser Model 107 Bolt-Action Rifle	“Remington 40-XBBR KS	“Beretta AL391 Urika 2 Synthetic
“Mauser Model 201 Bolt-Action Rifle	“Remington 40-XC KS National Match Course Rifle	“Beretta ES100 Pintail Series
“Meacham Low-Wall Rifle	“Remington 40-XR KS Rimfire Position Rifle	“Beretta Model 1200 Field
“Mossberg Model 801/802 Bolt Rifles	“Sako TRG-21 Bolt-Action Rifle	“Beretta Model 1201F Auto Shotgun
“Mossberg Model 817 Varmint Bolt Action Rifle	“Sako TRG-22 Bolt Action Rifle	“Beretta Model 300
“Navy Arms TU-33/40 Carbine	“Springfield Armory M-1 Garand	“Beretta Model 301 Series
“Navy Arms TU-KKW Sniper Trainer	“Steyr-Mannlicher SSG Rifles	“Beretta Model 302 Series
“Navy Arms TU-KKW Training Rifle	“Steyr-Mannlicher Match SPG-UIT Rifle	“Beretta Model 60
“New England Firearms Sportster Single Shot Rifles	“Steyr-Mannlicher SSG P-I Rifle	“Beretta Model 61
“Norinco JW-15 Bolt-Action Rifle	“Steyr-Mannlicher SSG P-II Rifle	“Beretta Model A304 Lark
“Norinco JW-27 Bolt-Action Rifle	“Steyr-Mannlicher SSG P-III Rifle	“Beretta Model AL391 Series
“Remington 40-XR Rimfire Custom Sporter	“Steyr-Mannlicher SSG P-IV Rifle	“Beretta Model TX4 Storm
“Remington 541-T	“Tanner 300 Meter Free Rifle	“Beretta Silver Lark
“Remington 541-T HB Bolt-Action	“Tanner 50 Meter Free Rifle	“Beretta UGB25 Xcel
“Rifle Remington 581-S Sportsman Rifle	“Tanner Standard UIT Rifle	“Beretta Vittoria Auto Shotgun
“Remington Model Five	“Time Precision 22RF Bench Rifle	“Beretta Xtrema2
“Remington Model Five Youth	“Wichita Silhouette Rifle	“Breda Altair
“Rossi Matched Pair Single Shot Rifle	“SHOTGUNS—AUTOLOADERS	“Breda Altair Special
“Ruger 77/17	“American Arms	“Breda Aries 2
“Ruger 77/22	“American Arms/Franchi Black Magic 48/AL	“Breda Astro
“Ruger 77/22 Rimfire Bolt-Action Rifle	“Benelli Bimillioneaire	“Breda Astrolux
“Ruger 77/44	“Benelli Black Eagle Competition Auto Shotgun	“Breda Echo
“Ruger K77/22 Varmint Rifle	“Benelli Cordoba	“Breda Ermes Series
“Savage CUB T Mini Youth	“Benelli Executive Series	“Breda Gold Series
“Savage Mark I-G Bolt Action	“Benelli Legacy Model	“Breda Grizzly
“Savage Mark II Bolt Action Rifles		“Breda Mira
“Savage Model 30 G Stevens Favorite		“Breda Standard Series
“Savage Model 93 Rifles		“Breda Xanthos
“Thompson/Center Hotshot Youth Rifle		“Brolin BL-12
“Ultra Light Arms Model 20 RF Bolt-Action Rifle		“Brolin SAS-12
“Winchester Model 52B Sporting Rifle		“Browning A-500G Auto Shotgun

- “Browning Auto-5 Stalker
- “Browning B2000 Series
- “Browning BSA 10 Auto Shotgun
- “Browning BSA 10 Stalker Auto Shotgun
- “Browning Gold Series
- “Browning Maxus Series
- “Charles Daly Field Grade Series
- “Charles Daly Novamatic Series
- “Charles Daly Tactical
- “Churchill Regent
- “Churchill Standard Model
- “Churchill Turkey Automatic Shotgun
- “Churchill Windsor
- “Cosmi Automatic Shotgun
- “CZ 712
- “CZ 720
- “CZ 912
- “Escort Escort Series
- “European American Armory (EAA) Bundra Series
- “Fabarms Ellegi Series
- “Fabarms Lion Series
- “Fabarms Tactical
- “FNH USA Model SLP
- “Franchi 610VS
- “Franchi 612 Series
- “Franchi 620
- “Franchi 712
- “Franchi 720
- “Franchi 912
- “Franchi AL 48
- “Franchi AL 48 Series
- “Franchi Elite
- “Franchi I-12 Inertia Series
- “Franchi Prestige
- “H&K Model 512
- “H&R Manufrance
- “H&R Model 403
- “Hi-Standard 10A
- “Hi-Standard 10B
- “Hi-Standard Semi Automatic Model
- “Hi-Standard Supermatic Series
- “Ithaca Mag-10
- “Ithaca Model 51 Series
- “LaSalle Semi-automatic
- “Ljutic Bi-matic Autoloader
- “Luger Ultra-light Model
- “Marlin SI 12 Series
- “Maverick Model 60 Auto Shotgun
- “Model AL-1
- “Mossberg 1000
- “Mossberg Model 600 Auto Shotgun
- “Mossberg Model 930 All-Purpose Field
- “Mossberg Model 930 Slugster
- “Mossberg Model 930 Turkey
- “Mossberg Model 930 Waterfowl
- “Mossberg Model 935 Magnum Combos
- “Mossberg Model 935 Magnum Flyway Series Waterfowl
- “Mossberg Model 935 Magnum Grand Slam Series Turkey
- “Mossberg Model 935 Magnum Turkey
- “Mossberg Model 935 Magnum Waterfowl
- “New England Firearms Excell Auto Combo
- “New England Firearms Excell Auto Synthetic
- “New England Firearms Excell Auto Turkey
- “New England Firearms Excell Auto Wal-nut
- “New England Firearms Excell Auto Waterfowl
- “Nighthawk Tactical Semi-auto
- “Ottomanguns Sultan Series
- “Remington 105Ti Series
- “Remington 1100 20-Gauge Deer Gun
- “Remington 1100 LT-20 Auto
- “Remington 1100 LT-20 Tournament Skeet
- “Remington 1100 Special Field
- “Remington 11-48 Series
- “Remington 11-96 Series
- “Remington Model 105 Cti
- “Remington Model 11 Series
- “Remington Model 1100 Classic Trap
- “Remington Model 1100 Competition
- “Remington Model 1100 G3
- “Remington Model 1100 G3
- “Remington Model 1100 Series
- “Remington Model 1100 Shotgun
- “Remington Model 1100 Sporting Series
- “Remington Model 11-87 Sportsman Camo
- “Remington Model 11-87 Sportsman Super Mag Synthetic
- “Remington Model 11-87 Sportsman Super Mag Waterfowl
- “Remington Model 11-87 Sportsman Synthetic
- “Remington Model 11-87 Sportsman Youth
- “Remington Model 11-87 Sportsman Youth Synthetic
- “Remington Model 48 Series
- “Remington Model 58 Series
- “Remington Model 870 Classic Trap
- “Remington Model 878A Automaster
- “Remington Model SP-10 Magnum Satin
- “Remington Model SP-10 Waterfowl
- “Remington Model SPR453
- “Remington Versa-Max Series
- “Savage Model 720
- “Savage Model 726
- “Savage Model 740C Skeet Gun
- “Savage Model 745
- “Savage Model 755 Series
- “Savage Model 775 Series
- “Scattergun Technologies K-9
- “Scattergun Technologies SWAT
- “Scattergun Technologies Urban Sniper Model
- “SKB 1300 Upland
- “SKB 1900
- “SKB 300 Series
- “SKB 900 Series
- “SKS 3000
- “Smith & Wesson Model 1000
- “Smith & Wesson Model 1012 Series
- “Spartan Gun Works SPR453
- “TOZ Model H-170
- “Tri-Star Diana Series
- “Tri-Star Phantom Series
- “Tri-Star Viper Series
- “Tula Arms Plant TOZ 87
- “Verona 401 Series
- “Verona 405 Series
- “Verona 406 Series
- “Verona SX801 Series
- “Weatherby Centurion Series
- “Weatherby Field Grade
- “Weatherby Model 82
- “Weatherby SA-08 Series
- “Weatherby SA-459 TR
- “Weatherby SAS Series
- “Winchester 1500
- “Winchester Model 50
- “Winchester Model 59
- “Winchester Super X1 Series
- “Winchester Super X2 Series
- “Winchester Super X3 Series
- “SHOTGUNS—SLIDE ACTIONS
- “ADCO Diamond Grade
- “ADCO Diamond Series Shotguns
- “ADCO Mariner Model
- “ADCO Sales Inc. Gold Elite Series
- “Armcor M-30 Series
- “Armcor M-5
- “Baikal IZH-81
- “Baikal MP133
- “Benelli Nova Series
- “Benelli Supernova Series
- “Beretta Ariete Standard
- “Beretta Gold Pigeon Pump
- “Beretta Model SL-12
- “Beretta Ruby Pigeon Pump
- “Beretta Silver Pigeon Pump
- “Brolin Field Series
- “Brolin Lawman Model
- “Brolin Slug Special
- “Brolin Slugmaster
- “Brolin Turkey Master
- “Browning BPS Game Gun Deer Special
- “Browning BPS Game Gun Turkey Special
- “Browning BPS Pigeon Grade Pump Shotgun
- “Browning BPS Pump Shotgun
- “Browning BPS Pump Shotgun (Ladies and Youth Model)
- “Browning BPS Series Pump Shotgun
- “Browning BPS Stalker Pump Shotgun
- “Browning Model 12 Limited Edition Series
- “Browning Model 42 Pump Shotgun
- “Century IJ12 Slide Action
- “Century Ultra 87 Slide Action
- “Charles Daly Field Hunter
- “Ducks Unlimited Dinner Guns
- “EAA Model PM2
- “Escort Field Series
- “Fort Worth Firearms GL18
- “H&R Pardner Pump
- “Hi-Standard Flite-King Series
- “Hi-Standard Model 200
- “Interstate Arms Model 981
- “Interstate Arms Model 982T
- “Ithaca Deerslayer II Rifled Shotgun
- “Ithaca Model 87 Deerslayer Shotgun
- “Ithaca Model 87 Deluxe Pump Shotgun
- “Ithaca Model 87 Series Shotguns
- “Ithaca Model 87 Supreme Pump Shotgun
- “Ithaca Model 87 Turkey Gun
- “Magtech Model 586-VR Pump Shotgun
- “Maverick Models 88, 91 Pump Shotguns
- “Mossberg 200 Series Shotgun
- “Mossberg 3000 Pump shotgun
- “Mossberg 535 ATS Series Pump Shotguns
- “Mossberg Field Grade Model 835 Pump Shotgun
- “Mossberg Model 500 All Purpose Field
- “Mossberg Model 500 Bantam
- “Mossberg Model 500 Bantam Combo
- “Mossberg Model 500 Bantam Pump
- “Mossberg Model 500 Camo Pump
- “Mossberg Model 500 Combos
- “Mossberg Model 500 Flyway Series Waterfowl
- “Mossberg Model 500 Grand Slam Series Turkey
- “Mossberg Model 500 Muzzleloader
- “Mossberg Model 500 Muzzleloader Combo
- “Mossberg Model 500 Series Pump Shotguns
- “Mossberg Model 500 Slugster
- “Mossberg Model 500 Sporting Pump
- “Mossberg Model 500 Super Bantam All Purpose Field
- “Mossberg Model 500 Super Bantam Combo
- “Mossberg Model 500 Super Bantam Slug
- “Mossberg Model 500 Super Bantam Turkey
- “Mossberg Model 500 Trophy Slugster
- “Mossberg Model 500 Turkey
- “Mossberg Model 500 Waterfowl
- “Mossberg Model 505 Series Pump Shotguns
- “Mossberg Model 505 Youth All Purpose Field
- “Mossberg Model 535 ATS All Purpose Field
- “Mossberg Model 535 ATS Combos
- “Mossberg Model 535 ATS Slugster
- “Mossberg Model 535 ATS Turkey
- “Mossberg Model 535 ATS Waterfowl
- “Mossberg Model 835 Regal Ulti-Mag Pump
- “Mossberg Model 835 Series Pump Shotguns
- “Mossberg Model 835 Ulti-Mag
- “Mossberg Turkey Model 500 Pump
- “National Wild Turkey Federation (NWTFF) Banquet/Guns of the Year
- “New England Firearms Pardner Pump Combo
- “New England Firearms Pardner Pump Field

"New England Firearms Pardner Pump Slug Gun
 "New England Firearms Pardner Pump Synthetic
 "New England Firearms Pardner Pump Turkey Gun
 "New England Firearms Pardner Pump Walnut
 "New England Firearms Pardner Pump-Compact Field
 "New England Firearms Pardner Pump-Compact Synthetic
 "New England Firearms Pardner Pump-Compact Walnut
 "Norinco Model 98 Field Series
 "Norinco Model 983
 "Norinco Model 984
 "Norinco Model 985
 "Norinco Model 987
 "Orvis Grand Vazir Series
 "Quail Unlimited Limited Edition Pump Shotguns
 "Remington 870 Express
 "Remington 870 Express Rifle Sighted Deer Gun
 "Remington 870 Express Series Pump Shotguns
 "Remington 870 Express Turkey
 "Remington 870 High Grade Series
 "Remington 870 High Grades
 "Remington 870 Marine Magnum
 "Remington 870 Special Field
 "Remington 870 Special Purpose Deer Gun
 "Remington 870 Special Purpose Synthetic Camo
 "Remington 870 SPS Special Purpose Magnum
 "Remington 870 SPS-BG-Camo Deer/Turkey Shotgun
 "Remington 870 SPS-Deer Shotgun
 "Remington 870 SPS-T Camo Pump Shotgun
 "Remington 870 TC Trap
 "Remington 870 Wingmaster
 "Remington 870 Wingmaster Series
 "Remington 870 Wingmaster Small Gauges
 "Remington Model 11-87 XCS Super Magnum Waterfowl
 "Remington Model 870 Ducks Unlimited Series Dinner Pump Shotguns
 "Remington Model 870 Express
 "Remington Model 870 Express JR.
 "Remington Model 870 Express Shurshot Synthetic Cantilever
 "Remington Model 870 Express Super Magnum
 "Remington Model 870 Express Synthetic
 "Remington Model 870 Express Youth Gun
 "Remington Model 870 Express Youth Synthetic
 "Remington Model 870 SPS Shurshot Synthetic Cantilever
 "Remington Model 870 SPS Shurshot Synthetic Turkey
 "Remington Model 870 SPS Special Purpose Magnum Series Pump Shotguns
 "Remington Model 870 SPS Super Mag Max Gobbler
 "Remington Model 870 XCS Marine Magnum
 "Remington Model 870 XCS Super Magnum
 "Winchester 12 Commercial Riot Gun
 "Winchester 97 Commercial Riot Gun
 "Winchester Model 12 Pump Shotgun
 "Winchester Model 120 Ranger
 "Winchester Model 1200 Series Shotgun
 "Winchester Model 1300 Ranger Pump Gun
 "Winchester Model 1300 Ranger Pump Gun Combo & Deer Gun
 "Winchester Model 1300 Series Shotgun
 "Winchester Model 1300 Slug Hunter Deer Gun
 "Winchester Model 1300 Turkey Gun
 "Winchester Model 1300 Walnut Pump
 "Winchester Model 42 High Grade Shotgun
 "Winchester Speed Pump Defender
 "Winchester SXP Series Pump Shotgun
 "Zoli Pump Action Shotgun
 "SHOTGUNS—OVER/UNDERS
 "ADCO Sales Diamond Series Shotguns
 "American Arms/Franchi Falconet 2000 O/U
 "American Arms Lince
 "American Arms Silver I O/U
 "American Arms Silver II Shotgun
 "American Arms Silver Skeet O/U
 "American Arms Silver Sporting O/U
 "American Arms Silver Trap O/U
 "American Arms WS/OU 12, TS/OU 12 Shotguns
 "American Arms WT/OU 10 Shotgun
 "American Arms/Franchi Sporting 2000 O/U
 "Armsport 2700 O/U Goose Gun
 "Armsport 2700 Series O/U
 "Armsport 2900 Tri-Barrel Shotgun
 "AYA Augusta
 "AYA Coral A
 "AYA Coral B
 "AYA Excelsior
 "AYA Model 37 Super
 "AYA Model 77
 "AYA Model 79 Series
 "Baby Bretton Over/Under Shotgun
 "Baikal IZH27
 "Baikal MP310
 "Baikal MP333
 "Baikal MP94
 "Beretta 90 DE LUXE
 "Beretta 682 Gold E Skeet
 "Beretta 682 Gold E Trap
 "Beretta 682 Gold E Trap Bottom Single
 "Beretta 682 Series
 "Beretta 682 Super Sporting O/U
 "Beretta 685 Series
 "Beretta 686 Series
 "Beretta 686 White Onyx
 "Beretta 686 White Onyx Sporting
 "Beretta 687 EELL Classic
 "Beretta 687 EELL Diamond Pigeon
 "Beretta 687 EELL Diamond Pigeon Sporting
 "Beretta 687 series
 "Beretta 687EL Sporting O/U
 "Beretta Alpha Series
 "Beretta America Standard
 "Beretta AS
 "Beretta ASE 90 Competition O/U Shotgun
 "Beretta ASE 90 Gold Skeet
 "Beretta ASE Gold
 "Beretta ASE Series
 "Beretta ASEL
 "Beretta BL Sereis
 "Beretta DT10 Series
 "Beretta DT10 Trident EELL
 "Beretta DT10 Trident L Sporting
 "Beretta DT10 Trident Skeet
 "Beretta DT10 Trident Sporting
 "Beretta DT10 Trident Trap Combo
 "Beretta Europa
 "Beretta Field Shotguns
 "Beretta Gamma Series
 "Beretta Giubileo
 "Beretta Grade Four
 "Beretta Grade One
 "Beretta Grade Three
 "Beretta Grade Two
 "Beretta Milano
 "Beretta Model 686 Ultralight O/U
 "Beretta Model SO5, SO6, SO9 Shotguns
 "Beretta Onyx Hunter Sport O/U Shotgun
 "Beretta Over/Under Field Shotguns
 "Beretta Royal Pigeon
 "Beretta S56 Series
 "Beretta S58 Series
 "Beretta Series 682 Competition Over/Unders
 "Beretta Silver Pigeon II
 "Beretta Silver Pigeon II Sporting
 "Beretta Silver Pigeon III
 "Beretta Silver Pigeon III Sporting
 "Beretta Silver Pigeon IV
 "Beretta Silver Pigeon S
 "Beretta Silver Pigeon V
 "Beretta Silver Snipe
 "Beretta Skeet Set
 "Beretta SO-1
 "Beretta SO-2
 "Beretta SO-3
 "Beretta SO-4
 "Beretta SO5
 "Beretta SO6 EELL
 "Beretta SO-10
 "Beretta SO10 EELL
 "Beretta Sporting Clay Shotguns
 "Beretta SV10 Perennia
 "Beretta Ultralight
 "Beretta Ultralight Deluxe
 "Bertuzzi Zeus
 "Bertuzzi Zeus Series
 "Beschi Boxlock Model
 "Big Bear Arms IJ-39
 "Big Bear Arms Sterling Series
 "Big Bear IJ-27
 "Blaser F3 Series
 "Bosis Challenger Titanium
 "Bosis Laura
 "Bosis Michaelangelo
 "Bosis Wild Series
 "Boss Custom Over/Under Shotguns
 "Boss Merlin
 "Boss Pendragon
 "Breda Pegaso Series
 "Breda Sirio Standard
 "Breda Vega Series
 "Bretton Baby Standard
 "Bretton Sprint Deluxe
 "BRNO 500/501
 "BRNO 502
 "BRNO 801 Series
 "BRNO 802 Series
 "BRNO BS-571
 "BRNO BS-572
 "BRNO ZH-300
 "BRNO ZH-301
 "BRNO ZH-302
 "BRNO ZH-303
 "Browning 325 Sporting Clays
 "Browning 625 Series
 "Browning 725 Series
 "Browning B-25 Series
 "Browning B-26 Series
 "Browning B-27 Series
 "Browning B-125 Custom Shop Series
 "Browning Citori 525 Series
 "Browning Citori GTI Sporting Clays
 "Browning Citori Lightning Series
 "Browning Citori O/U Shotgun
 "Browning Citori O/U Skeet Models
 "Browning Citori O/U Trap Models
 "Browning Citori Plus Trap Combo
 "Browning Citori Plus Trap Gun
 "Browning Cynergy Series
 "Browning Diana Grade
 "Browning Lightning Sporting Clays
 "Browning Micro Citori Lightning
 "Browning Midas Grade
 "Browning Special Sporting Clays
 "Browning Sporter Model
 "Browning ST-100
 "Browning Superlight Citori Over/Under
 "Browning Superlight Citori Series
 "Browning Superlight Feather
 "Browning Superposed Pigeon Grade
 "Browning Superposed Standard
 "BSA Falcon
 "BSA O/U
 "BSA Silver Eagle
 "Cabela's Volo
 "Caprinus Sweden Model
 "Centurion Over/Under Shotgun
 "Century Arms Arthemis
 "Chapuis Over/Under Shotgun

- "Charles Daly Country Squire Model
- "Charles Daly Deluxe Model
- "Charles Daly Diamond Series
- "Charles Daly Empire Series
- "Charles Daly Field Grade O/U
- "Charles Daly Lux Over/Under
- "Charles Daly Maxi-Mag
- "Charles Daly Model 105
- "Charles Daly Model 106
- "Charles Daly Model 206
- "Charles Daly Over/Under Shotguns, Japanese Manufactured
- "Charles Daly Over/Under Shotguns, Prussian Manufactured
- "Charles Daly Presentation Model
- "Charles Daly Sporting Clays Model
- "Charles Daly Superior Model
- "Charles Daly UL
- "Churchill Imperial Model
- "Churchill Monarch
- "Churchill Premiere Model
- "Churchill Regent Trap and Skeet
- "Churchill Regent V
- "Churchill Sporting Clays
- "Churchill Windsor III
- "Churchill Windsor IV
- "Classic Doubles Model 101 Series
- "Cogswell & Harrison Woodward Type
- "Connecticut Shotgun Company A. Galazan Model
- "Connecticut Shotgun Company A-10 American
- "Connecticut Valley Classics Classic Field Waterfowler
- "Connecticut Valley Classics Classic Sporter O/U
- "Continental Arms Centaure Series
- "Cortona Over/Under Shotguns
- "CZ 581 Solo
- "CZ Canvasback 103D
- "CZ Limited Edition
- "CZ Mallard 104A
- "CZ Redhead Deluxe 103FE
- "CZ Sporting
- "CZ Super Scroll Limited Edition
- "CZ Upland Ultralight
- "CZ Wingshooter
- "Dakin Arms Model 170
- "Darne SB1
- "Darne SB2
- "Darne SB3
- "Depar ATAK
- "Dumoulin Superposed Express
- "Ducks Unlimited Dinner Guns / Guns of the Year, Over/ Under Models
- "Dumoulin Boss Royal Superposed
- "E.A.A. Falcon
- "E.A.A. Scirocco Series
- "E.A.A./Sabatti Falcon-Mon Over/Under
- "E.A.A./Sabatti Sporting Clays Pro-Gold O/U
- "ERA Over/Under
- "Famars di Abbiatico & Salvinelli Aries
- "Famars di Abbiatico & Salvinelli Castrone
- "Famars di Abbiatico & Salvinelli Dove Gun
- "Famars di Abbiatico & Salvinelli Excaliber Series
- "Famars di Abbiatico & Salvinelli Jorema
- "Famars di Abbiatico & Salvinelli Leonardo
- "Famars di Abbiatico & Salvinelli Pegasus
- "Famars di Abbiatico & Salvinelli Posiden
- "Famars di Abbiatico & Salvinelli Quail Gun
- "Famars di Abbiatico & Salvinelli Royal
- "Famars di Abbiatico & Salvinelli Royale
- "Fausti Boutique Series
- "Fausti Caledon Series
- "Fausti Class Series
- "Ferlib Boss Model
- "Finnclassic 512 Series
- "Franchi 2004 Trap
- "Franchi 2005 Combination Trap
- "Franchi Alcione Series
- "Franchi Aristocrat Series
- "Franchi Black Majic
- "Franchi Falconet Series
- "Franchi Instict Series
- "Franchi Model 2003 Trap
- "Franchi Renaissance Series
- "Franchi Sporting 2000
- "Franchi Undergun Model 3000
- "Franchi Veloce Series
- "Galef Golden Snipe
- "Galef Silver Snipe
- "Golden Eagle Model 5000 Series
- "Griffon & Howe Black Ram
- "Griffon & Howe Broadway
- "Griffon & Howe Claremont
- "Griffon & Howe Madison
- "Griffon & Howe Silver Ram
- "Griffon & Howe Superbrite
- "Guerini Apex Series
- "Guerini Challenger Sporting
- "Guerini Ellipse Evo
- "Guerini Ellipse Evolution Sporting
- "Guerini Ellipse Limited
- "Guerini Essex Field
- "Guerini Flyaway
- "Guerini Forum Series
- "Guerini Magnus Series
- "Guerini Maxum Series
- "Guerini Summit Series
- "Guerini Tempio
- "Guerini Woodlander
- "H&R Harrich #1
- "H&R Model 1212
- "H&R Model 1212WF
- "H&R Pinnacle
- "Hatfields Hatfield Model 1 of 100
- "Heym Model 55 F
- "Heym Model 55 SS
- "Heym Model 200
- "Holland & Holland Royal Series
- "Holland & Holland Sporting Model
- "IGA 2000 Series
- "IGA Hunter Series
- "IGA Trap Series
- "IGA Turkey Series
- "IGA Waterfowl Series
- "K.F.C E-2 Trap/Skeet
- "K.F.C. Field Gun
- "Kassnar Grade I O/U Shotgun
- "KDF Condor Khan Arthemis Field/Deluxe
- "Kimber Augusta Series
- "Kimber Marias Series
- "Krieghoff K-80 Four-Barrel Skeet Set
- "Krieghoff K-80 International Skeet
- "Krieghoff K-80 O/U Trap Shotgun
- "Krieghoff K-80 Skeet Shotgun
- "Krieghoff K-80 Sporting Clays O/U
- "Krieghoff K-80/RT Shotguns
- "Krieghoff Model 20 Sporting/Field
- "Krieghoff Model 32 Series
- "Lames Field Model
- "Lames Skeet Model
- "Lames Standard Model
- "Lames California Model
- "Laurona Model 67
- "Laurona Model 82 Series
- "Laurona Model 83 Series
- "Laurona Model 84 Series
- "Laurona Model 85 Series
- "Laurona Model 300 Series
- "Laurona Silhouette 300 Sporting Clays
- "Laurona Silhouette 300 Trap
- "Laurona Super Model Over/Unders
- "Lebeau Baron Series
- "Lebeau Boss Verres
- "Lebeau Boxlock with sideplates
- "Lebeau Sidelock
- "Lebeau Versailles
- "Lippard Custom Over/Under Shotguns
- "Ljutic LM-6 Deluxe O/U Shotgun
- "Longthorne Hesketh Game Gun
- "Longthorne Sporter
- "Marlin Model 90
- "Marocchi Avanza O/U Shotgun
- "Marocchi Conquista Over/Under Shotgun
- "Marocchi Conquista Series
- "Marocchi Model 100
- "Marocchi Model 99
- "Maverick HS-12 Tactical
- "Maverick Hunter Field Model
- "McMillan Over/Under Sidelock
- "Merkel 201 Series
- "Merkel 2016 Series
- "Merkel 2116 EL Sidelock
- "Merkel 303EL Luxus
- "Merkel Model 100
- "Merkel Model 101
- "Merkel Model 101E
- "Merkel Model 200E O/U Shotgun
- "Merkel Model 200E Skeet, Trap Over/Unders
- "Merkel Model 200SC Sporting Clays
- "Merkel Model 203E, 303E Over/Under Shotguns
- "Merkel Model 204E
- "Merkel Model 210
- "Merkel Model 301
- "Merkel Model 302
- "Merkel Model 304E
- "Merkel Model 310E
- "Merkel Model 400
- "Merkel Model 400E
- "Merkel Model 2000 Series
- "Mossberg Onyx Reserve Field
- "Mossberg Onyx Reserve Sporting
- "Mossberg Silver Reserve Field
- "Mossberg Silver Reserve Series
- "Mossberg Silver Reserve Sporting
- "Norinco Type HL12-203
- "Omega Standard Over/Under Model
- "Orvis Field
- "Orvis Knockabout
- "Orvis Premier Grade
- "Orvis SKB Green Mountain Uplander
- "Orvis Sporting Clays
- "Orvis Super Field
- "Orvis Uplander
- "Orvis Waterfowler
- "Pederson Model 1000 Series
- "Pederson Model 1500 Series
- "Perazzi Boxlock Action Hunting
- "Perazzi Competition Series
- "Perazzi Electrocibles
- "Perazzi Granditalia
- "Perazzi Mirage Special Four-Gauge Skeet
- "Perazzi Mirage Special Skeet Over/Under
- "Perazzi Mirage Special Sporting O/U
- "Perazzi MS80
- "Perazzi MT-6
- "Perazzi MX1/MX2
- "Perazzi MX3
- "Perazzi MX4
- "Perazzi MX5
- "Perazzi MX6
- "Perazzi MX7 Over/Under Shotguns
- "Perazzi MX8/20 Over/Under Shotgun
- "Perazzi MX8/MX8 Special Trap, Skeet
- "Perazzi MX9 Single Over/Under Shotguns
- "Perazzi MX10
- "Perazzi MX11
- "Perazzi MX12 Hunting Over/Under
- "Perazzi MX14
- "Perazzi MX16
- "Perazzi MX20 Hunting Over/Under
- "Perazzi MX28, MX410 Game O/U Shotguns
- "Perazzi MX2000
- "Perazzi MX2005
- "Perazzi MX2008
- "Perazzi Sidelock Action Hunting
- "Perazzi Sporting Classic O/U
- "Perugini Maestro Series
- "Perugini Michelangelo
- "Perugini Nova Boss
- "Pietro Zanoletti Model 2000 Field O/U
- "Piotti Boss Over/Under Shotgun
- "Pointer Italian Model

- “Pointer Turkish Model
- “Remington 396 Series
- “Remington 3200 Series
- “Remington Model 32 Series
- “Remington Model 300 Ideal
- “Remington Model 332 Series
- “Remington Model SPR310
- “Remington Model SPR310N
- “Remington Model SPR310S
- “Remington Peerless Over/Under Shotgun
- “Remington Premier Field
- “Remington Premier Ruffed Grouse
- “Remington Premier Series
- “Remington Premier STS Competition
- “Remington Premier Upland
- “Richland Arms Model 41
- “Richland Arms Model 747
- “Richland Arms Model 757
- “Richland Arms Model 787
- “Richland Arms Model 808
- “Richland Arms Model 810
- “Richland Arms Model 828
- “Rigby 401 Sidelock
- “Rota Model 650
- “Rota Model 72 Series
- “Royal American Model 100
- “Ruger Red Label O/U Shotgun
- “Ruger Sporting Clays O/U Shotgun
- “Ruger Woodside Shotgun
- “Rutten Model RM 100
- “Rutten Model RM285
- “S.I.A.C.E. Evolution
- “S.I.A.C.E. Model 66C
- “S.I.A.C.E.600T Lusso EL
- “San Marco 10-Ga. O/U Shotgun
- “San Marco 12-Ga. Wildflower Shotgun
- “San Marco Field Special O/U Shotgun
- “Sauer Model 66 Series
- “Savage Model 242
- “Savage Model 420/430
- “Sig Sauer Aurora Series
- “Sig Sauer SA-3
- “Sig Sauer SA-5
- “Silma Model 70 Series
- “SKB Model 85 Series
- “SKB Model 500 Series
- “SKB Model 505 Deluxe Over/Under Shotgun
- “SKB Model 505 Series
- “SKB Model 600 Series
- “SKB Model 605 Series
- “SKB Model 680 Series
- “SKB Model 685 Over/Under Shotgun
- “SKB Model 685 Series
- “SKB Model 700 Series
- “SKB Model 785 Series
- “SKB Model 800 Series
- “SKB Model 880 Series
- “SKB Model 885 Over/Under Trap, Skeet, Sporting Clays
- “SKB Model 885 Series
- “SKB Model 5600 Series
- “SKB Model 5700 Series
- “SKB Model 5800 Series
- “SKB Model GC-7 Series
- “Spartan SPR310/320
- “Stevens Model 240
- “Stevens Model 512
- “Stoeger/IGA Condor I O/U Shotgun
- “Stoeger/IGA ERA 2000 Over/Under Shotgun
- “Techni-Mec Model 610 Over/Under
- “Tikka Model 412S Field Grade Over/Under
- “Traditions 350 Series Traditions Classic Field Series
- “Traditions Classic Upland Series
- “Traditions Gold Wing Series
- “Traditions Real 16 Series
- “Tri Star Model 330 Series
- “Tri-Star Hunter EX
- “Tri-Star Model 300
- “Tri-Star Model 333 Series
- “Tri-Star Setter Model
- “Tri-Star Silver Series
- “Tri-Star Sporting Model
- “TULA 120
- “TULA 200
- “TULA TOZ34
- “Universal 7112
- “Universal 7312
- “Universal 7412
- “Universal 7712
- “Universal 7812
- “Universal 7912
- “Verona 501 Series
- “Verona 680 Series
- “Verona 702 Series
- “Verona LX692 Series
- “Verona LX980 Series
- “Weatherby Athena Grade IV O/U Shotguns
- “Weatherby Athena Grade V Classic Field O/U
- “Weatherby Athena Series
- “Weatherby Classic Field Models
- “Weatherby II, III Classic Field O/Us
- “Weatherby Orion II Classic Sporting Clays O/U
- “Weatherby Orion II series
- “Weatherby Orion II Sporting Clays O/U
- “Weatherby Orion III Series
- “Weatherby Orion O/U Shotguns
- “Winchester Model 91
- “Winchester Model 96
- “Winchester Model 99
- “Winchester Model 101 All Models and Grades
- “Winchester Model 1001 O/U Shotgun
- “Winchester Model 1001 Series
- “Winchester Model 1001 Sporting Clays O/U
- “Winchester Model G5500
- “Winchester Model G6500
- “Winchester Select Series
- “Zoli Condor
- “Zoli Deluxe Model
- “Zoli Dove
- “Zoli Field Special
- “Zoli Pigeon Model
- “Zoli Silver Snipe
- “Zoli Snipe
- “Zoli Special Model
- “Zoli Target Series
- “Zoli Texas
- “Zoli Z Series
- “Zoli Z-90 Series
- “Zoli Z-Sport Series
- “SHOTGUNS—SIDE BY SIDES
- “Armas Azor Sidelock Model
- “ADCO Sales Diamond Series Shotguns
- “American Arms Brittany Shotgun
- “American Arms Derby Side-by-Side
- “American Arms Gentry Double Shotgun
- “American Arms Grulla #2 Double Shotgun
- “American Arms TS/SS 10 Double Shotgun
- “American Arms TS/SS 12 Side-by-Side
- “American Arms WS/SS 10
- “Arizaga Model 31 Double Shotgun
- “Armes de Chasse Sidelock and Boxlock Shotguns
- “Armsport 1050 Series Double Shotguns
- “Arrieta Sidelock Double Shotguns
- “Auguste Francotte Boxlock Shotgun
- “Auguste Francotte Sidelock Shotgun
- “AYA Boxlock Shotguns
- “AYA Sidelock Double Shotguns
- “Baikal IZH-43 Series Shotguns
- “Baikal MP210 Series Shotguns
- “Baikal MP213 Series Shotguns
- “Baikal MP220 Series Shotguns
- “Baker Gun Sidelock Models
- “Baltimore Arms Co. Style 1
- “Baltimore Arms Co. Style 2
- “Bayard Boxlock and Sidelock Model Shotguns
- “Beretta 450 series Shotguns
- “Beretta 451 Series Shotguns
- “Beretta 452 Series Shotguns
- “Beretta 470 Series Shotguns
- “Beretta Custom Grade Shotguns
- “Beretta Francia Standard
- “Beretta Imperiale Montecarlo
- “Beretta Model 452 Sidelock Shotgun
- “Beretta Omega Standard
- “Beretta Side-by-Side Field Shotguns
- “Beretta Verona/Bergamo
- “Bertuzzi Ariete Hammer Gun
- “Bertuzzi Model Orione
- “Bertuzzi Venere Series Shotguns
- “Beschi Sidelock and Boxlock Models
- “Bill Hanus Birdgun Doubles
- “Bosis Country SxS
- “Bosis Hammer Gun
- “Bosis Queen Sidelock
- “Boss Robertson SxS
- “Boss SxS
- “Boswell Boxlock Model
- “Boswell Featherweight Monarch Grade
- “Boswell Merlin Sidelock
- “Boswell Sidelock Model
- “Breda Andromeda Special
- “BRNO ZP Series Shotguns
- “Brown SxS Shotgun
- “Browning B-SS
- “Browning B-SS Belgian/ Japanese Prototype
- “Browning B-SS Sidelock
- “Browning B-SS Sporter
- “Bruchet Model A
- “Bruchet Model B
- “BSA Classic
- “BSA Royal
- “Cabela’s ATA Grade II Custom
- “Cabela’s Hemingway Model
- “Casartelli Sidelock Model
- “Century Coach SxS
- “Chapuis RGP Series Shotguns
- “Chapuis RP Series Shotguns
- “Chapuis Side-by-Side Shotgun
- “Chapuis UGP Round Design SxS
- “Charles Daly 1974 Wildlife Commemorative
- “Charles Daly Classic Coach Gun
- “Charles Daly Diamond SxS
- “Charles Daly Empire SxS
- “Charles Daly Model 306
- “Charles Daly Model 500
- “Charles Daly Model Dss Double
- “Charles Daly Superior SxS
- “Churchill Continental Series Shotguns
- “Churchill Crown Model
- “Churchill Field Model
- “Churchill Hercules Model
- “Churchill Imperial Model
- “Churchill Premiere Series Shotguns
- “Churchill Regal Model
- “Churchill Royal Model
- “Churchill Windsor Series Shotguns
- “Cimarron Coach Guns
- “Classic Doubles Model 201
- “Classic Clot 1878 Hammer Shotgun
- “Cogswell & Harrison Sidelock and Boxlock Shotguns
- “Colt 1883 Hammerless
- “Colt SxS Shotgun
- “Connecticut Shotgun Co. Model 21
- “Connecticut Shotgun Co. RBL Series
- “Continental Arms Centaure
- “Crescent SxS Model
- “Crucelegui Hermanos Model 150 Double
- “CZ Amarillo
- “CZ Bobwhite
- “CZ Competition
- “CZ Deluxe
- “CZ Durango
- “CZ Grouse
- “CZ Hammer Models
- “CZ Partridge
- “CZ Ringneck
- “CZ Ringneck Target
- “Dakin Model 100
- “Dakin Model 147

- "Dakin Model 160
- "Dakin Model 215
- "Dakota American Legend
- "Dakota Classic Grade
- "Dakota Classic Grade II
- "Dakota Classic Grade III
- "Dakota Premier Grade
- "Dan Arms Deluxe Field Model
- "Dan Arms Field Model
- "Darne Sliding Breech Series Shotguns
- "Davidson Arms Model 63B
- "Davidson Arms Model 69SL
- "Davidson Arms Model 73 Stagecoach
- "Dumoulin Continental Model
- "Dumoulin Etendard Model
- "Dumoulin Europa Model
- "Dumoulin Liege Model
- "E.A.A. SABA
- "E.A.A./Sabatti Saba-Mon Double Shotgun
- "E.M.F. Model 1878 SxS
- "E.M.F. Stagecoach SxS Model
- "ERA Quail SxS
- "ERA Riot SxS
- "ERA SxS
- "Famars Boxlock Models
- "Famars Castore
- "Famars Sidelock Models
- "Fausti Caledon
- "Fausti Class
- "Fausti Class Round Body
- "Fausti DEA Series Shotguns
- "Ferlib Mignon Hammer Model
- "Ferlib Model F VII Double Shotgun
- "FN Anson SxS Standard Grade
- "FN New Anson SxS Standard Grade
- "FN Sidelock Standard Grade
- "Fox Higher Grade Models (A-F)
- "Fox Sterlingworth Series
- "Franchi Airone
- "Franchi Astore Series
- "Franchi Destino
- "Franchi Highlander
- "Franchi Sidelock Double Barrel
- "Francotte Boxlock Shotgun
- "Francotte Jubilee Model
- "Francotte Sidelock Shotgun
- "Galef Silver Hawk SxS
- "Galef Zabala SxS
- "Garbi Model 100
- "Garbi Model 101 Side-by-Side
- "Garbi Model 103A, B Side-by-Side
- "Garbi Model 200 Side-by-Side
- "Gastinne Model 105
- "Gastinne Model 202
- "Gastinne Model 353
- "Gastinne Model 98
- "Gib 10 Gauge Magnum
- "Gil Alhambra
- "Gil Diamond
- "Gil Laga
- "Gil Olimpia
- "Greener Sidelock SxS Shotguns
- "Griffin & Howe Britte
- "Griffin & Howe Continental Sidelock
- "Griffin & Howe Round Body Game Gun
- "Griffin & Howe Traditional Game Gun
- "Grulla 217 Series
- "Grulla 219 Series
- "Grulla Consort
- "Grulla Model 209 Holland
- "Grulla Model 215
- "Grulla Model 216 Series
- "Grulla Number 1
- "Grulla Royal
- "Grulla Super MH
- "Grulla Supreme
- "Grulla Windsor
- "H&R Anson & Deeley SxS
- "H&R Model 404
- "H&R Small Bore SxS hammer Gun
- "Hatfield Uplander Shotgun
- "Henry Atkin Boxlock Model
- "Henry Atkin Sidelock Model
- "Holland & Holland Cavalier Boxlock
- "Holland & Holland Dominion Game Gun
- "Holland & Holland Northwood Boxlock
- "Holland & Holland Round Action Sidelock
- "Holland & Holland Round Action Sidelock Paradox
- "Holland & Holland Royal Hammerless Ejector Sidelock
- "Holland & Holland Sidelock Shotguns
- "Holloway premier Sidelock SxS Model
- "Hopkins & Allen Boxlock and Sidelock Models
- "Huglu SxS Shotguns
- "Husqvarna SxS Shotguns
- "IGA Deluxe Model
- "IGA Turkey Series Model
- "Interstate Arms Model 99 Coach Gun
- "Ithaca Classic Doubles Series Shotguns
- "Ithaca Hammerless Series
- "Iver Johnson Hammerless Model Shotguns
- "Jeffery Boxlock Shotguns
- "Jeffery Sidelock Shotguns
- "K.B.I Grade II SxS
- "Khan Coach Gun
- "Kimber Valier Series
- "Krieghoff Essencia Boxlock
- "Krieghoff Essencia Sidelock
- "Lanber Imperial Sidelock
- "Laurona Boxlock Models
- "Laurona Sidelock Models
- "Lefever Grade A Field Model
- "Lefever Grade A Skeet Model
- "Lefever New
- "Lefever Model
- "Lefever Nitro Special
- "Lefever Sideplate Models
- "Leforgeron Boxlock Ejector
- "Leforgeron Sidelock Ejector
- "Liberty Coach Gun Series
- "MacNaughton Sidelock Model
- "Malin Boxlock Model
- "Malin Sidelock Model
- "Masquelier Boxlock Model
- "Masquelier Sidelock Model
- "Medwell SxS Sidelock
- "Merkel Model 8, 47E Side-by-Side Shotguns
- "Merkel Model 47LSC Sporting Clays Double
- "Merkel Model 47S, 147S Side-by-Sides
- "Merkel Model 76E
- "Merkel Model 122E
- "Merkel Model 126E
- "Merkel Model 280 Series
- "Merkel Model 360 Series
- "Merkel Model 447SL
- "Merkel Model 1620 Series
- "Merkel Model 1622 Series
- "Mossberg Onyx Reserve Sporting
- "Mossberg Silver Reserve Field
- "Navy Arms Model 100
- "Navy Arms Model 150
- "Orvis Custom Uplander
- "Orvis Field Grade
- "Orvis Fine Grade
- "Orvis Rounded Action
- "Orvis Waterfowler
- "Parker Fluid Steel Barrel Models (All Grades)
- "Parker Reproductions Side-by-Side
- "Pederson Model 200
- "Pederson Model 2500
- "Perazzi DHO Models
- "Perugini Ausonia
- "Perugini Classic Model
- "Perugini Liberty
- "Perugini Regina Model
- "Perugini Romagna Gun
- "Piotti Hammer Gun
- "Piotti King Extra Side-by-Side
- "Piotti King No. 1 Side-by-Side Piotti Lunik Side-by-Side
- "Piotti Monaco Series
- "Piotti Monte Carlo
- "Piotti Piuma Side-by-Side
- "Piotti Westlake
- "Precision Sports Model 600 Series Doubles
- "Premier Italian made SxS Shotguns
- "Premier Spanish made SxS Shotguns
- "Purdy Best Quality Game Gun
- "Remington Model 1900 Hammerless
- "Remington Model SPR210
- "Remington Model SPR220
- "Remington Model SPR220 Cowboy
- "Remington Premier SxS
- "Richland Arms Co. Italian made SxS Models
- "Richland Arms Co. Spanish made SxS Models
- "Rigby Boxlock Shotgun
- "Rigby Hammer Shotgun
- "Rizzini Boxlock Side-by-Side
- "Rizzini Sidelock Side-by-Side
- "Rossi Overlund
- "Rossi Squire
- "Rota Model 105
- "Rota Model 106
- "Rota Model 411 Series
- "Royal American Model 600 Boxlock
- "Royal American Model 800 Sidelock
- "Ruger Gold Label
- "SAE Model 209E
- "SAE Model 210S
- "SAE Model 340X
- "Sarasqueta Mammerness Sidelock
- "Sarasqueta Model 3 Boxlock
- "Sauer Boxlock Model Shotguns
- "Sauer Sidelock Model Shotguns
- "Savage Fox Model FA-1
- "Savage Model 550
- "Scott Blenheim
- "Scott Bowood
- "Scott Chatsworth
- "Scott Kinmount
- "SIACE Italian made SxS Shotguns
- "SKB Model 100
- "SKB Model 150
- "SKB Model 200
- "SKB Model 280
- "SKB Model 300
- "SKB Model 385
- "SKB Model 400
- "SKB Model 480
- "SKB Model 485
- "Smith & Wesson Elite Gold Series Grade I
- "Smith & Wesson Elite Silver Grade I
- "Smith, L.C. Boxlock Hammerless Shotguns
- "Smith, L.C. Sidelock Hammerless Shotguns
- "Spartan SPR Series Shotguns
- "Stevens Model 311/315 Series
- "Stoeger/IGA Uplander Side-by-Side Shotgun
- "Taylor's SxS Model
- "Tri-Star Model 311
- "Tri-Star Model 411 Series
- "Ugartechea 10-Ga. Magnum Shotgun
- "Universal Double Wing SxS
- "Vouzelaud Model 315 Series
- "Walther Model WSF
- "Walther Model WSFD
- "Weatherby Atheana
- "Weatherby D'Italia Series
- "Weatherby Orion
- "Westley Richards Best Quality Sidelock
- "Westley Richards Boxlock Shotguns
- "Westley Richards Connaught Model
- "Westley Richards Hand Detachable Lock Model
- "William Douglas Boxlock
- "Winchester Model 21
- "Winchester Model 24
- "Zoli Alley Cleaner
- "Zoli Classic
- "Zoli Falcon II
- "Zoli Model Quail Special

“Zoli Pheasant
 “Zoli Silver Hawk
 “Zoli Silver Snipe
 “SHOTGUNS—BOLT ACTIONS & SINGLE SHOTS
 “ADCC Diamond Folding Model
 “American Arms Single-Shot
 “ARMSCOR 301A
 “Armsport Single Barrel Shotgun
 “Baikal MP18
 “Beretta 471 EL Silver Hawk
 “Beretta 471 Silver Hawk
 “Beretta Beta Single Barrel
 “Beretta MKII Trap
 “Beretta Model 412
 “Beretta Model FS
 “Beretta TR-1
 “Beretta TR-1 Trap
 “Beretta Vandalia Special Trap
 “Browning BT-99 Competition Trap Special
 “Browning BT-99 Plus Micro
 “Browning BT-99 Plus Trap Gun
 “Browning Micro Recoilless Trap Shotgun
 “Browning Recoilless Trap Shotgun
 “Crescent Single Shot Models
 “CZ Cottontail
 “Desert Industries Big Twenty Shotgun
 “Fefever Long Range Field
 “Frigon FS-4
 “Frigon FT-1
 “Frigon FT-C
 “Gibbs Midland Stalker
 “Greener General Purpose GP MKI/MKII
 “H&R Survivor
 “H&R Tracker Slug Model
 “Harrington & Richardson N.W.T.F. Turkey Mag
 “Harrington & Richardson Pardner
 “Harrington & Richardson Pardner Compact
 “Harrington & Richardson Pardner Compact Turkey Gun
 “Harrington & Richardson Pardner Screw-In Choke
 “Harrington & Richardson Pardner Turkey Gun
 “Harrington & Richardson Pardner Turkey Gun Camo
 “Harrington & Richardson Pardner Waterfowl
 “Harrington & Richardson Tamer
 “Harrington & Richardson Tamer 20
 “Harrington & Richardson Topper Classic Youth Shotgun
 “Harrington & Richardson Topper Deluxe Classic
 “Harrington & Richardson Topper Deluxe Model 098
 “Harrington & Richardson Topper Junior
 “Harrington & Richardson Topper Model 098
 “Harrington & Richardson Topper Trap Gun
 “Harrington & Richardson Tracker II Slug Gun
 “Harrington & Richardson Ultra Slug Hunter
 “Harrington & Richardson Ultra Slug Hunter Compact
 “Harrington & Richardson Ultra Slug Hunter Deluxe
 “Harrington & Richardson Ultra Slug Hunter Thumbhole Stock
 “Harrington & Richardson Ultra-Lite Slug Hunter
 “Hi-Standard 514 Model
 “Holland & Holland Single Barrel Trap
 “IGA Reuna Model
 “IGA Single Barrel Classic
 “Ithaca Model 66
 “Ithaca Single Barrel Trap
 “Iver Johnson Champion Series
 “Iver Johnson Commemorative Series Single Shot Shotgun
 “Iver Johnson Excel
 “Krieghoff K-80 Single Barrel Trap Gun
 “Krieghoff KS-5 Special
 “Krieghoff KS-5 Trap Gun
 “Lefever Trap Gun
 “Ljutic LTX Super Deluxe Mono Gun
 “Ljutic Mono Gun Single Barrel
 “Ljutic Recoilless Space Gun Shotgun
 “Marlin Model 55 Goose Gun Bolt Action
 “Marlin Model 60 Single Shot
 “Marocchi Model 2000
 “Mossberg Models G-4, 70, 73, 73B
 “Mossberg Models 75 Series
 “Mossberg Models 80, 83, 83B, 83D
 “Mossberg 173 Series
 “Mossberg Model 183 Series
 “Mossberg Model 185 Series
 “Mossberg Model 190 Series
 “Mossberg Model 195 Series
 “Mossberg Model 385 Series
 “Mossberg Model 390 Series
 “Mossberg Model 395 Series
 “Mossberg Model 595 Series
 “Mossberg Model 695 Series
 “New England Firearms N.W.T.F. Shotgun
 “New England Firearms Standard Pardner
 “New England Firearms Survival Gun
 “New England Firearms Tracker Slug Gun
 “New England Firearms Turkey and Goose Gun
 “Parker Single Barrel Trap Models
 “Perazzi TM1 Special Single Trap
 “Remington 90-T Super Single Shotgun
 “Remington Model No. 9
 “Remington Model 310 Skeet
 “Remington Model No. 3
 “Rossi Circuit Judge Lever Action Shotgun
 “Rossi Circuit Judge Shotgun
 “Ruger Single Barrel Trap
 “S.W.D. Terminator
 “Savage Kimel Kamper Single Shot
 “Savage Model 210F Slug Warrior
 “Savage Model 212 Slug Gun
 “Savage Model 220 Series
 “Savage Model 220 Slug Gun
 “SEITZ Single Barrel Trap
 “SKB Century II Trap
 “SKB Century Trap
 “SKB Model 505 Trap
 “SKB Model 605 Trap
 “Smith, L.C. Single Barrel Trap Models
 “Snake Charmer II Shotgun
 “Stoeger/IGA Reuna Single Barrel Shotgun
 “Tangfolio Model RSG-16
 “Tangfolio Blockcard Model
 “Tangfolio Model DSG
 “Tangfolio Model RSG-12 Series
 “Tangfolio Model RSG-20
 “Tangfolio RSG-Tactical
 “Taurus Circuit Judge Shotgun
 “Thompson/Center Encore Shotgun
 “Thompson/Center Pro Hunter Turkey Shotgun
 “Thompson/Center TCR '87 Hunter Shotgun
 “Universal Firearms Model 7212 Single Barrel Trap
 “Winchester Model 36 Single Shot
 “Winchester Model 37 Single Shot
 “Winchester Model 41 Bolt Action
 “Winchester Model 9410 Series
 “Zoli Apache Model
 “Zoli Diano Series
 “Zoli Loner Series”.

SEC. 404. PENALTIES.

Section 924(a)(1)(B) of title 18, United States Code, as amended by section 123(b) of this Act, is amended by striking “or (aa) of section 922” and inserting “(r), (v), (w), (aa), or (bb) of section 922”.

SEC. 405. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS FOR SEMIAUTOMATIC ASSAULT WEAPONS AND LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 501(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)), as amended by section 306(b)(1)(A)(ii) of this Act, is amended by adding at the end the following:

“(I) Compensation for surrendered semiautomatic assault weapons and large capacity ammunition feeding devices, as those terms are defined in section 921 of title 18, United States Code, under buy-back programs for semiautomatic assault weapons and large capacity ammunition feeding devices.”.

SEC. 406. STUDY BY NATIONAL INSTITUTES OF JUSTICE ON MASS SHOOTINGS.

(a) IN GENERAL.—

(1) STUDY.—Not later than 90 days after the date of enactment of this title, the Attorney General shall instruct the Director of the National Institutes of Justice to conduct a peer-reviewed factual study of incidents of mass shootings in the United States. Any studies, research, data, or testimony the Director considers must be peer-reviewed, scientifically and methodologically sound, and otherwise bear the indicia of the highest degree of reliability within the relevant field of expertise.

(2) REPORT.—Not later than 1 year after the date on which the study required under paragraph (1) begins, the Director shall submit to Congress a report detailing the findings of the study.

(b) ISSUES EXAMINED.—In conducting the study under subsection (a)(1), the Director shall examine the impact, if any, upon perpetrators of mass shooting of each of the following:

- (1) Childhood abuse or neglect.
- (2) Exposure to criminal acts, including gang violence.
- (3) Exposure to bullying.
- (4) Mental illness.
- (5) The effectiveness of, and resources available for, the mental health system in understanding, detecting, and countering tendencies toward violence.
- (6) The availability of mental health and other resources and strategies to help families detect and counter tendencies toward violence.
- (7) Familial relationships, including the level of involvement and awareness of parents in the lives of their children.
- (8) School supportiveness, including the level of involvement and awareness of teachers and school administrators in the lives of their students, and the availability of mental health and other resources at schools to help detect and counter tendencies of students toward violence.
- (9) School performance, academic success and persistence.
- (10) The nature and impact of the alienation of the perpetrators of such incidents of violence from their schools, families, peer groups, and places of work.
- (11) The availability and nature of firearms, including the means of acquiring such firearms.
- (12) The availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of violence.
- (13) Depictions of violence in the video game, media and entertainment industry.
- (14) Poverty or other socioeconomic factors on creating tendencies toward violence.

SEC. 407. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

SA 712. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO FIREARMS FOR FOREIGN FELONS ACT OF 2013.

(a) **SHORT TITLE.**—This section may be cited as the “No Firearms for Foreign Felons Act of 2013”.

(b) DEFINITIONS.—

(1) **COURTS.**—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

“(36) The term ‘any court’ includes any Federal, State, or foreign court.”.

(2) **EXCLUSION OF CERTAIN FELONIES.**—Section 921(a)(20) of title 18, United States Code, is amended—

(A) in subparagraph (A), by striking “any Federal or State offenses” and inserting “any Federal, State, or foreign offenses”;

(B) in subparagraph (B), by striking “any State offense classified by the laws of the State” and inserting “any State or foreign offense classified by the laws of that jurisdiction”; and

(C) in the matter following subparagraph (B), in the first sentence, by inserting before the period the following: “, except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States”.

(c) **DOMESTIC VIOLENCE CRIMES.**—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking “subparagraph (C)” and inserting “subparagraph (B)”; and

(B) in clause (i)—

(i) by inserting “(I)” after “(i)”; and

(ii) by striking “and” and inserting “or”; and

(iii) by adding at the end the following:

“(II) is a crime under foreign law that is punishable by imprisonment for a term of not more than 1 year; and”;

(2) in subparagraph (B)(ii), by striking “if the conviction has” and inserting the following: “if the conviction—

“(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

“(II) has”.

(d) **PENALTIES.**—Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended—

(1) by striking “an offense under State law” and inserting “an offense under State or foreign law”; and

(2) by inserting before the semicolon the following: “, except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States”.

SA 713. Mr. LEAHY (for himself, Ms. COLLINS, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

Strike title II and insert the following:

TITLE II—STOP ILLEGAL TRAFFICKING IN FIREARMS ACT OF 2013**SEC. 201. SHORT TITLE.**

This title may be cited as the “Stop Illegal Trafficking in Firearms Act of 2013”.

SEC. 202. HADIYA PENDLETON AND NYASIA PRYEAR-YARD ANTI-STRAW PURCHASING AND FIREARMS TRAFFICKING AMENDMENTS.

(a) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

“§ 932. Straw purchasing of firearms

“(a) For purposes of this section—

“(1) the term ‘crime of violence’ has the meaning given that term in section 924(c)(3);

“(2) the term ‘drug trafficking crime’ has the meaning given that term in section 924(c)(2); and

“(3) the term ‘purchase’ includes the receipt of any firearm by a person who does not own the firearm—

“(A) by way of pledge or pawn as security for the payment or repayment of money; or

“(B) on consignment.

“(b) It shall be unlawful for any person (other than a licensed importer, licensed manufacturer, licensed collector, or licensed dealer) to knowingly purchase, or attempt or conspire to purchase, any firearm in or otherwise affecting interstate or foreign commerce—

“(1) from a licensed importer, licensed manufacturer, licensed collector, or licensed dealer for, on behalf of, or at the request or demand of any other person, known or unknown; or

“(2) from any person who is not a licensed importer, licensed manufacturer, licensed collector, or licensed dealer for, on behalf of, or at the request or demand of any other person, known or unknown, knowing or having reasonable cause to believe that such other person—

“(A) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

“(B) is a fugitive from justice;

“(C) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

“(D) has been adjudicated as a mental defective or has been committed to any mental institution;

“(E) is an alien who—

“(i) is illegally or unlawfully in the United States; or

“(ii) except as provided in section 922(y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));

“(F) has been discharged from the Armed Forces under dishonorable conditions;

“(G) having been a citizen of the United States, has renounced his or her citizenship;

“(H) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this subparagraph shall only apply to a court order that—

“(i) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(ii)(I) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(II) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(I) has been convicted in any court of a misdemeanor crime of domestic violence;

“(J)(i) does not reside in any State; and

“(ii) is not a citizen or lawful permanent resident of the United States;

“(K) intends to sell or otherwise dispose of the firearm to a person described in any of subparagraphs (A) through (J); or

“(L) intends to—

“(i) use, carry, possess, or sell or otherwise dispose of the firearm in furtherance of a crime of violence or drug trafficking crime; or

“(ii) export the firearm in violation of law;

“(c)(1) Except as provided in paragraph (2), any person who violates subsection (b) shall be fined under this title, imprisoned for not more than 15 years, or both.

“(2) If a violation of subsection (b) is committed knowing or with reasonable cause to believe that any firearm involved will be used to commit a crime of violence, the person shall be sentenced to a term of imprisonment of not more than 25 years.

“(d) Subsection (b)(1) shall not apply to any firearm that is lawfully purchased by a person—

“(1) to be given as a bona fide gift to a recipient who provided no service or tangible thing of value to acquire the firearm;

“(2) to be given to a bona fide winner of an organized raffle, contest, or auction conducted in accordance with law and sponsored by a national, State, or local organization or association;

“(3) to be given as a bona fide gratuity to a hunting guide;

“(4) to be given as a bona fide bonus to an employee as the result of lawful services performed in the course of an employment relationship; or

“(5) to be given as a bona fide commemorative award or honorarium;

unless the purchaser knows or has reasonable cause to believe the recipient of the firearm is prohibited by Federal law from possessing, receiving, selling, shipping,

transporting, transferring, or otherwise disposing of the firearm.

“§ 933. Trafficking in firearms

“(a) It shall be unlawful for any person to—

“(1) ship, transport, transfer, cause to be transported, or otherwise dispose of 2 or more firearms to another person in or otherwise affecting interstate or foreign commerce, if such person knows or has reasonable cause to believe that the use, carrying, or possession of a firearm by the recipient would be in violation of any Federal law punishable by a term of imprisonment exceeding 1 year;

“(2) receive from another person 2 or more firearms in or otherwise affecting interstate or foreign commerce, if the recipient knows or has reasonable cause to believe that such receipt would be in violation of any Federal law punishable by a term of imprisonment exceeding 1 year; or

“(3) attempt or conspire to commit the conduct described in paragraph (1) or (2).

“(b)(1) Except as provided in paragraph (2), any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 15 years, or both.

“(2) If a violation of subsection (a) is committed by a person in concert with 5 or more other persons with respect to whom such person occupies a position of organizer, leader, supervisor, or manager, the person shall be sentenced to a term of imprisonment of not more than 25 years.

“§ 934. Forfeiture and fines

“(a)(1) Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law—

“(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

“(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, except that for any forfeiture of any firearm or ammunition pursuant to this section, section 924(d) shall apply.

“(2) The court, in imposing sentence on a person convicted of a violation of section 932 or 933, shall order, in addition to any other sentence imposed pursuant to section 932 or 933, that the person forfeit to the United States all property described in paragraph (1).

“(b) A defendant who derives profits or other proceeds from an offense under section 932 or 933 may be fined not more than the greater of—

“(1) the fine otherwise authorized by this part; and

“(2) the amount equal to twice the gross profits or other proceeds of the offense under section 932 or 933.”

(b) TITLE III AUTHORIZATION.—Section 2516(1)(n) of title 18, United States Code, is amended by striking “and 924” and inserting “, 924, 932, or 933”.

(c) RACKETEERING AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “section 932 (relating to straw purchasing), section 933 (relating to trafficking in firearms),” before “section 1028”.

(d) MONEY LAUNDERING AMENDMENT.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by striking “section 924(n)” and inserting “section 924(n), 932, or 933”.

(e) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994

of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend its guidelines and policy statements to ensure that persons convicted of an offense under section 932 or 933 of title 18, United States Code and other offenses applicable to the straw purchases and firearms trafficking of firearms are subject to increased penalties in comparison to those currently provided by the guidelines and policy statements for such straw purchasing and firearms trafficking offenses. In its review, the Commission shall consider, in particular, an appropriate amendment to reflect the intent of Congress that straw purchasers without significant criminal histories receive sentences that are sufficient to deter participation in such activities. The Commission shall also review and amend its guidelines and policy statements to reflect the intent of Congress that a person convicted of an offense under section 932 or 933 of title 18, United States Code, who is affiliated with a gang, cartel, organized crime ring, or other such enterprise should be subject to higher penalties than an otherwise unaffiliated individual.

(f) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by adding at the end the following:

“932. Straw purchasing of firearms.

“933. Trafficking in firearms.

“934. Forfeiture and fines.”

SEC. 203. AMENDMENTS TO SECTION 922(d).

Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(3) by striking the matter following paragraph (9) and inserting the following:

“(10) intends to sell or otherwise dispose of the firearm or ammunition to a person described in any of paragraphs (1) through (9); or

“(11) intends to sell or otherwise dispose of the firearm or ammunition in furtherance of a crime of violence or drug trafficking offense or to export the firearm or ammunition in violation of law.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925.”

SEC. 204. AMENDMENTS TO SECTION 924(a).

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “(d), (g),”; and

(2) by adding at the end the following:

“(8) Whoever knowingly violates subsection (d) or (g) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.”

SEC. 205. AMENDMENTS TO SECTION 924(D).

Section 924(d) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “932, or 933” after “section 924,”; and

(2) in paragraph (3)—

(A) in subparagraph (E), by striking “and” at the end;

(B) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(G) any offense under section 932 or 933.”

SEC. 206. AMENDMENTS TO SECTION 924(h).

Section 924 of title 18, United States Code, is amended by striking subsection (h) and inserting the following:

“(h)(1) Whoever knowingly receives or transfers a firearm or ammunition, or attempts or conspires to do so, knowing or having reasonable cause to believe that such firearm or ammunition will be used to commit a crime of violence (as defined in subsection (c)(3)), a drug trafficking crime (as defined in subsection (c)(2)), or a crime under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), shall be imprisoned not more than 25 years, fined in accordance with this title, or both.

“(2) No term of imprisonment imposed on a person under this subsection shall run concurrently with any term of imprisonment imposed on the person under section 932.”

SEC. 207. AMENDMENTS TO SECTION 924(k).

Section 924 of title 18, United States Code, is amended by striking subsection (k) and inserting the following:

“(k)(1) A person who, with intent to engage in or to promote conduct that—

“(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

“(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802); or

“(C) constitutes a crime of violence (as defined in subsection (c)(3)),

smuggles or knowingly brings into the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.

“(2) A person who, with intent to engage in or to promote conduct that—

“(A) would be punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46, if the conduct had occurred within the United States; or

“(B) would constitute a crime of violence (as defined in subsection (c)(3)) for which the person may be prosecuted in a court of the United States, if the conduct had occurred within the United States,

smuggles or knowingly takes out of the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.”

SEC. 208. LIMITATION ON OPERATIONS BY THE DEPARTMENT OF JUSTICE.

The Department of Justice, and any of its law enforcement coordinate agencies, shall not conduct any planned operation where a Federal firearms licensee is directed, instructed, enticed, or otherwise encouraged by the Department of Justice to sell a firearm to an individual if the Department of Justice, or a coordinate agency, knows or has reasonable cause to believe that such an individual is purchasing on behalf of another for an illegal purpose unless the Deputy Attorney General, the Assistant Attorney General for the Criminal Division, or the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives certifies in writing that the planned operation includes sufficient safeguards to prevent firearms from

being transferred to third parties without law enforcement taking reasonable steps to lawfully interdict those firearms.

SA 714. Mr. BLUMENTHAL (for Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. MURPHY, Mr. WHITEHOUSE, Mr. COWAN, Ms. HIRONO, Mr. KAINE, Mr. ROCKEFELLER, Mr. MERKLEY, Mrs. BOXER, Mr. CARPER, Ms. WARREN, Mr. LEVIN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. CARDIN, Mr. SCHUMER, and Mr. HARKIN)) submitted an amendment intended to be proposed by Mr. BLUMENTHAL to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—LARGE CAPACITY AMMUNITION FEEDING DEVICES

SEC. 401. DEFINITIONS.

Section 921(a) of title 18, United States Code, is amended by inserting after paragraph (29) the following:

“(30) The term ‘large capacity ammunition feeding device’—

“(A) means a magazine, belt, drum, feed strip, or similar device, including any such device joined or coupled with another in any manner, that has an overall capacity of, or that can be readily restored, changed, or converted to accept, more than 10 rounds of ammunition; and

“(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

“(31) The term ‘qualified law enforcement officer’ has the meaning given the term in section 926B.”

SEC. 402. RESTRICTIONS ON LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) IN GENERAL.—Section 922 of title 18, United States Code, as amended by this Act, is amended by inserting after subsection (u) the following:

“(v)(1) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a large capacity ammunition feeding device.

“(2) Paragraph (1) shall not apply to the possession of any large capacity ammunition feeding device otherwise lawfully possessed on or before the date of enactment of the Safe Communities, Safe Schools Act of 2013.

“(3) Paragraph (1) shall not apply to—

“(A) the importation for, manufacture for, sale to, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a sale or transfer to or possession by a qualified law enforcement officer employed by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State for purposes of law enforcement (whether on or off duty), or a sale or transfer to or possession by a campus law enforcement officer for purposes of law enforcement (whether on or off duty);

“(B) the importation for, or sale or transfer to a licensee under title I of the Atomic

Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

“(C) the possession, by an individual who is retired in good standing from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device—

“(i) sold or transferred to the individual by the agency upon such retirement; or

“(ii) that the individual purchased, or otherwise obtained, for official use before such retirement; or

“(D) the importation, sale, manufacture, transfer, or possession of any large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General.

“(4) For purposes of paragraph (3)(A), the term ‘campus law enforcement officer’ means an individual who is—

“(A) employed by a private institution of higher education that is eligible for funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(B) responsible for the prevention or investigation of crime involving injury to persons or property, including apprehension or detention of persons for such crimes;

“(C) authorized by Federal, State, or local law to carry a firearm, execute search warrants, and make arrests; and

“(D) recognized, commissioned, or certified by a government entity as a law enforcement officer.”

(b) IDENTIFICATION MARKINGS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: “A large capacity ammunition feeding device manufactured after the date of enactment of the Safe Communities, Safe Schools Act of 2013 shall be identified by a serial number and the date on which the device was manufactured or made, legibly and conspicuously engraved or cast on the device, and such other identification as the Attorney General shall by regulations prescribe.”

(c) SEIZURE AND FORFEITURE OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 924(d) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “or large capacity ammunition feeding device” after “firearm or ammunition” each place the term appears;

(B) by inserting “or large capacity ammunition feeding device” after “firearms or ammunition” each place the term appears; and

(C) by striking “or (k)” and inserting “(k), or (v)”;

(2) in paragraph (2)(C), by inserting “or large capacity ammunition feeding devices” after “firearms or quantities of ammunition”; and

(3) in paragraph (3)(E), by inserting “922(v),” after “922(n).”

SEC. 403. PENALTIES.

Section 924(a)(1)(B) of title 18, United States Code, as amended by this Act, is amended by inserting “(v),” after “(q).”

SEC. 404. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 501(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)), as amended by this Act, is amended by adding at the end the following:

“(I) Compensation for surrendered large capacity ammunition feeding devices, as that term is defined in section 921 of title 18, United States Code, under buy-back programs for large capacity ammunition feeding devices.”

SEC. 405. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

SA 715. Mr. MANCHIN (for himself, Mr. TOOMEY, Mr. KIRK, and Mr. SCHUMER) proposed an amendment to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; as follows:

Strike title I and insert the following:

TITLE I—PUBLIC SAFETY AND SECOND AMENDMENT RIGHTS PROTECTION ACT

SECTION 101. SHORT TITLE.

This title may be cited as the “Public Safety and Second Amendment Rights Protection Act of 2013”.

SEC. 102. FINDINGS.

Congress finds the following:

(1) Congress supports, respects, and defends the fundamental, individual right to keep and bear arms guaranteed by the Second Amendment to the Constitution of the United States.

(2) Congress supports and reaffirms the existing prohibition on a national firearms registry.

(3) Congress believes the Department of Justice should prosecute violations of background check requirements to the maximum extent of the law.

(4) There are deficits in the background check system in existence prior to the date of enactment of this Act and the Department of Justice should make it a top priority to work with States to swiftly input missing records, including mental health records.

(5) Congress and the citizens of the United States agree that in order to promote safe and responsible gun ownership, dangerous criminals and the seriously mentally ill should be prohibited from possessing firearms; therefore, it should be incumbent upon all citizens to ensure weapons are not being transferred to such people.

SEC. 103. RULE OF CONSTRUCTION.

Nothing in this title, or any amendment made by this title, shall be construed to—

(1) expand in any way the enforcement authority or jurisdiction of the Bureau of Alcohol, Tobacco, Firearms, and Explosives; or

(2) allow the establishment, directly or indirectly, of a Federal firearms registry.

SEC. 104. SEVERABILITY.

If any provision of this title or an amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be invalid for any reason in any court of competent jurisdiction, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any other person or circumstance, shall not be affected.

Subtitle A—Ensuring That All Individuals Who Should Be Prohibited From Buying a Gun Are Listed in the National Instant Criminal Background Check System

SEC. 111. REAUTHORIZATION OF THE NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM.

Section 106(b) of Public Law 103-159 (18 U.S.C. 922 note) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “of this Act” and inserting “of the Public Safety and Second Amendment Rights Protection Act of 2013”; and

(2) by striking paragraph (2) and inserting the following:

“(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this subsection \$100,000,000 for each of fiscal years 2014 through 2017.”.

SEC. 112. IMPROVEMENT OF METRICS AND INCENTIVES.

Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended to read as follows:

“(b) IMPLEMENTATION PLAN.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2013, the Attorney General, in coordination with the States, shall establish for each State or Indian tribal government desiring a grant under section 103 a 4-year implementation plan to ensure maximum coordination and automation of the reporting of records or making records available to the National Instant Criminal Background Check System.

“(2) BENCHMARK REQUIREMENTS.—Each 4-year plan established under paragraph (1) shall include annual benchmarks, including both qualitative goals and quantitative measures, to assess implementation of the 4-year plan.

“(3) PENALTIES FOR NON-COMPLIANCE.—

“(A) IN GENERAL.—During the 4-year period covered by a 4-year plan established under paragraph (1), the Attorney General shall withhold—

“(i) 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the first year in the 4-year period;

“(ii) 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the second year in the 4-year period;

“(iii) 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the third year in the 4-year period; and

“(iv) 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the fourth year in the 4-year period.

“(B) FAILURE TO ESTABLISH A PLAN.—A State that fails to establish a plan under paragraph (1) shall be treated as having not met any benchmark established under paragraph (2).”.

SEC. 113. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

(a) IN GENERAL.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking section 103 and inserting the following:

“SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

“(a) AUTHORIZATION.—From amounts made available to carry out this section, the Attorney General shall make grants to States, Indian Tribal governments, and State court systems, in a manner consistent with the National Criminal History Improvement Program and consistent with State plans for integration, automation, and accessibility of criminal history records, for use by the State, or units of local government of the State, Indian Tribal government, or State court system to improve the automation and transmittal of mental health records and criminal history dispositions, records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, court orders, and mental health adjudications or commitments to Federal and State record repositories in accordance with section 102 and the National Criminal History Improvement Program.

“(b) USE OF GRANT AMOUNTS.—Grants awarded to States, Indian Tribal governments, or State court systems under this section may only be used to—

“(1) carry out, as necessary, assessments of the capabilities of the courts of the State or Indian Tribal government for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

“(2) implement policies, systems, and procedures for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

“(3) create electronic systems that provide accurate and up-to-date information which is directly related to checks under the National Instant Criminal Background Check System, including court disposition and corrections records;

“(4) assist States or Indian Tribal governments in establishing or enhancing their own capacities to perform background checks using the National Instant Criminal Background Check System; and

“(5) develop and maintain the relief from disabilities program in accordance with section 105.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—To be eligible for a grant under this section, a State, Indian Tribal government, or State court system shall certify, to the satisfaction of the Attorney General, that the State, Indian Tribal government, or State court system—

“(A) is not prohibited by State law or court order from submitting mental health records to the National Instant Criminal Background Check System; and

“(B) subject to paragraph (2), has implemented a relief from disabilities program in accordance with section 105.

“(2) RELIEF FROM DISABILITIES PROGRAM.—For purposes of obtaining a grant under this section, a State, Indian Tribal government, or State court system shall not be required to meet the eligibility requirement described in paragraph (1)(B) until the date that is 2 years after the date of enactment of the Pub-

lic Safety and Second Amendment Rights Protection Act of 2013.

“(d) FEDERAL SHARE.—

“(1) STUDIES, ASSESSMENTS, NON-MATERIAL ACTIVITIES.—The Federal share of a study, assessment, creation of a task force, or other non-material activity, as determined by the Attorney General, carried out with a grant under this section shall be not more than 25 percent.

“(2) INFRASTRUCTURE OR SYSTEM DEVELOPMENT.—The Federal share of an activity involving infrastructure or system development, including labor-related costs, for the purpose of improving State or Indian Tribal government record reporting to the National Instant Criminal Background Check System carried out with a grant under this section may amount to 100 percent of the cost of the activity.

“(e) GRANTS TO INDIAN TRIBES.—Up to 5 percent of the grant funding available under this section may be reserved for Indian tribal governments for use by Indian tribal judicial systems.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2014 through 2017.”.

(2) by striking title III; and

(3) in section 401(b), by inserting after “of this Act” the following: “and 18 months after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2013”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections in section 1(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking the item relating to section 103 and inserting the following:

“Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.”.

SEC. 114. RELIEF FROM DISABILITIES PROGRAM.

Section 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by adding at the end the following:

“(c) PENALTIES FOR NON-COMPLIANCE.—

“(1) 10 PERCENT REDUCTION.—During the 1-year period beginning 2 years after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2013, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(2) 11 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (1), the Attorney General shall withhold 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(3) 13 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (2), the Attorney General shall withhold 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(4) 15 PERCENT REDUCTION.—After the expiration of the 1-year period described in paragraph (3), the Attorney General shall withhold 15 percent of the amount that would

otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.”.

SEC. 115. ADDITIONAL PROTECTIONS FOR OUR VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

“§5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“(a) IN GENERAL.—In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is determined by the Secretary to be mentally incompetent shall not be considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 until—

“(1) in the case in which the person does not request a review as described in subsection (c)(1), the end of the 30-day period beginning on the date on which the person receives notice submitted under subsection (b); or

“(2) in the case in which the person requests a review as described in paragraph (1) of subsection (c), upon an assessment by the board designated or established under paragraph (2) of such subsection or court of competent jurisdiction that a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

“(b) NOTICE.—Notice submitted under this subsection to a person described in subsection (a) is notice submitted by the Secretary that notifies the person of the following:

“(1) The determination made by the Secretary.

“(2) A description of the implications of being considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18.

“(3) The person’s right to request a review under subsection (c)(1).

“(c) ADMINISTRATIVE REVIEW.—(1) Not later than 30 days after the date on which a person described in subsection (a) receives notice submitted under subsection (b), such person may request a review by the board designated or established under paragraph (2) or a court of competent jurisdiction to assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency. In such assessment, the board may consider the person’s honorable discharge or decoration.

“(2) Not later than 180 days after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2013, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

“(d) JUDICIAL REVIEW.—Not later than 30 days after the date of an assessment of a person under subsection (c) by the board designated or established under paragraph (2) of such subsection, such person may file a petition for judicial review of such assessment with a Federal court of competent jurisdiction.

“(e) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2013, the Secretary shall provide written notice of the opportunity for administrative review and appeal under subsection (c) to all persons who, on the date of

enactment of the Public Safety and Second Amendment Rights Protection Act of 2013, are considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department of Veterans Affairs to be mentally incompetent.

“(f) FUTURE DETERMINATIONS.—

“(1) IN GENERAL.—Not later than 180 days after the enactment of the Public Safety and Second Amendment Rights Protection Act of 2013, the Secretary shall review the policies and procedures by which individuals are determined to be mentally incompetent, and shall revise such policies and procedures as necessary to ensure that any individual who is competent to manage his own financial affairs, including his receipt of Federal benefits, but who voluntarily turns over the management thereof to a fiduciary is not considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18.

“(2) REPORT.—Not later than 30 days after the Secretary has made the review and changes required under paragraph (1), the Secretary shall submit to Congress a report detailing the results of the review and any resulting policy and procedural changes.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

(c) APPLICABILITY.—Section 5511 of title 38, United States Code (as added by this section), shall apply only with respect to persons who are determined by the Secretary of Veterans Affairs, on or after the date of the enactment of this Act, to be mentally incompetent, except that those persons who are provided notice pursuant to section 5511(e) shall be entitled to use the administrative review under section 5511(c) and, as necessary, the subsequent judicial review under section 5511(d).

SEC. 116. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of Public Law 103–159 (18 U.S.C. 922 note), is amended by adding at the end the following:

“(F) APPLICATION TO FEDERAL COURTS.—In this subsection—

“(i) the terms ‘department or agency of the United States’ and ‘Federal department or agency’ include a Federal court; and

“(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.”.

SEC. 117. CLARIFICATION THAT SUBMISSION OF MENTAL HEALTH RECORDS TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM IS NOT PROHIBITED BY THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT.

Information collected under section 102(c)(3) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) to assist the Attorney General in enforcing section 922(g)(4) of title 18, United States Code, shall not be subject to the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

SEC. 118. PUBLICATION OF NICS INDEX STATISTICS.

Not later than 180 days after the date of enactment of this Act, and biannually there-

after, the Attorney General shall make the National Instant Criminal Background Check System index statistics available on a publicly accessible Internet website.

SEC. 119. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect 180 days after the date of enactment of this Act.

Subtitle B—Providing a Responsible and Consistent Background Check Process

SEC. 121. PURPOSE.

The purpose of this subtitle is to enhance the current background check process in the United States to ensure criminals and the mentally ill are not able to purchase firearms.

SEC. 122. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by repealing subsection (s);

(2) by redesignating subsection (t) as subsection (s);

(3) in subsection (s), as redesignated—

(A) in paragraph (1)(B)—

(i) in clause (i), by striking “or”;

(ii) in clause (ii), by striking “and” at the end; and

(iii) by adding at the end the following:

“(iii) in the case of an instant background check conducted at a gun show or event during the 4-year period beginning on the effective date under section 130(a) of the Public Safety and Second Amendment Rights Protection Act of 2013, 48 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; or

“(iv) in the case of an instant background check conducted at a gun show or event after the 4-year period described in clause (iii), 24 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and”;

(B) in paragraph (3)(C)(ii), by striking “(as defined in subsection (s)(8))”; and

(C) by adding at the end the following:

“(7) In this subsection—

“(A) the term ‘chief law enforcement officer’ means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual; and

“(B) the term ‘gun show or event’ has the meaning given the term in subsection (t)(7).

“(8) The Federal Bureau of Investigation shall not charge a user fee for a background check conducted pursuant to this subsection.

“(9) Notwithstanding any other provision of this chapter, upon receiving a request for an instant background check that originates from a gun show or event, the system shall complete the instant background check before completing any pending instant background check that did not originate from a gun show or event.”; and

(4) by inserting after subsection (s), as redesignated, the following:

“(t)(1) Beginning on the date that is 180 days after the date of enactment of this subsection and except as provided in paragraph (2), it shall be unlawful for any person other than a licensed dealer, licensed manufacturer, or licensed importer to complete the transfer of a firearm to any other person who is not licensed under this chapter, if such transfer occurs—

“(A) at a gun show or event, on the curtilage thereof; or

“(B) pursuant to an advertisement, posting, display or other listing on the Internet

or in a publication by the transferor of his intent to transfer, or the transferee of his intent to acquire, the firearm.

“(2) Paragraph (1) shall not apply if—

“(A) the transfer is made after a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s), and upon taking possession of the firearm, the licensee—

“(i) complies with all requirements of this chapter as if the licensee were transferring the firearm from the licensee’s business inventory to the unlicensed transferee, except that when processing a transfer under this chapter the licensee may accept in lieu of conducting a background check a valid permit issued within the previous 5 years by a State, or a political subdivision of a State, that allows the transferee to possess, acquire, or carry a firearm, if the law of the State, or political subdivision of a State, that issued the permit requires that such permit is issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by the unlicensed transferee would be in violation of Federal, State, or local law;

“(B) the transfer is made between an unlicensed transferor and an unlicensed transferee residing in the same State, which takes place in such State, if—

“(i) the Attorney General certifies that State in which the transfer takes place has in effect requirements under law that are generally equivalent to the requirements of this section; and

“(ii) the transfer was conducted in compliance with the laws of the State;

“(C) the transfer is made between spouses, between parents or spouses of parents and their children or spouses of their children, between siblings or spouses of siblings, or between grandparents or spouses of grandparents and their grandchildren or spouses of their grandchildren, or between aunts or uncles or their spouses and their nieces or nephews or their spouses, or between first cousins, if the transferor does not know or have reasonable cause to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law; or

“(D) the Attorney General has approved the transfer under section 5812 of the Internal Revenue Code of 1986.

“(3) A licensed importer, licensed manufacturer, or licensed dealer who processes a transfer of a firearm authorized under paragraph (2)(A) shall not be subject to a license revocation or license denial based solely upon a violation of those paragraphs, or a violation of the rules or regulations promulgated under this paragraph, unless the licensed importer, licensed manufacturer, or licensed dealer—

“(A) knows or has reasonable cause to believe that the information provided for purposes of identifying the transferor, transferee, or the firearm is false;

“(B) knows or has reasonable cause to believe that the transferee is prohibited from purchasing, receiving, or possessing a firearm by Federal or State law, or published ordinance; or

“(C) knowingly violates any other provision of this chapter, or the rules or regulations promulgated thereunder.

“(4)(A) Notwithstanding any other provision of this chapter, except for section 923(m), the Attorney General may implement this subsection with regulations.

“(B) Regulations promulgated under this paragraph may not include any provision re-

quiring licensees to facilitate transfers in accordance with paragraph (2)(A).

“(C) Regulations promulgated under this paragraph may not include any provision requiring persons not licensed under this chapter to keep records of background checks or firearms transfers.

“(D) Regulations promulgated under this paragraph may not include any provision placing a cap on the fee licensees may charge to facilitate transfers in accordance with paragraph (2)(A).

“(5)(A) A person other than a licensed importer, licensed manufacturer, or licensed dealer, who makes a transfer of a firearm in accordance with this section, or who is the organizer of a gun show or event at which such transfer occurs, shall be immune from a qualified civil liability action relating to the transfer of the firearm as if the person were a seller of a qualified product.

“(B) A provider of an interactive computer service shall be immune from a qualified civil liability action relating to the transfer of a firearm as if the provider of an interactive computer service were a seller of a qualified product.

“(C) In this paragraph—

“(i) the term ‘interactive computer service’ shall have the meaning given the term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

“(ii) the terms ‘qualified civil liability action’, ‘qualified product’, and ‘seller’ shall have the meanings given the terms in section 4 of the Protection of Lawful Commerce in Arms Act (15 U.S.C. 7903).

“(D) Nothing in this paragraph shall be construed to affect the immunity of a provider of an interactive computer service under section 230 of the Communications Act of 1934 (47 U.S.C. 230).

“(6) In any civil liability action in any State or Federal court arising from the criminal or unlawful use of a firearm following a transfer of such firearm for which no background check was required under this section, this section shall not be construed—

“(A) as creating a cause of action for any civil liability; or

“(B) as establishing any standard of care.

“(7) For purposes of this subsection, the term ‘gun show or event’—

“(A) means any event at which 75 or more firearms are offered or exhibited for sale, exchange, or transfer, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

“(B) does not include an offer or exhibit of firearms for sale, exchange, or transfer by an individual from the personal collection of that individual, at the private residence of that individual, if the individual is not required to be licensed under section 923.”

(b) PROHIBITING THE SEIZURE OF RECORDS OR DOCUMENTS.—Section 923(g)(1)(D) is amended by striking, “The inspection and examination authorized by this paragraph shall not be construed as authorizing the Attorney General to seize any records or other documents other than those records or documents constituting material evidence of a violation of law,” and inserting the following: “The Attorney General shall be prohibited from seizing any records or other documents in the course of an inspection or examination authorized by this paragraph other than those records or documents constituting material evidence of a violation of law.”

(c) PROHIBITION OF NATIONAL GUN REGISTRY.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

“(m) The Attorney General may not consolidate or centralize the records of the—

“(1) acquisition or disposition of firearms, or any portion thereof, maintained by—

“(A) a person with a valid, current license under this chapter;

“(B) an unlicensed transferor under section 922(t); or

“(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.”

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking “, (g)(5)(B), and (s)(3)(B)(v)(II)” and inserting “and (g)(5)(B)”.

(2) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking “subsection 922(t)” and inserting “subsection (s) or (t) of section 922” each place it appears.

SEC. 123. PENALTIES.

Section 924 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

“(8) Whoever makes or attempts to make a transfer of a firearm in violation of section 922(t) to a person not licensed under this chapter who is prohibited from receiving a firearm under subsection (g) or (n) of section 922 or State law, to a law enforcement officer, or to a person acting at the direction of, or with the approval of, a law enforcement officer authorized to investigate or prosecute violations of section 922(t), shall be fined under this title, imprisoned not more than 5 years, or both.”; and

(2) by adding at the end the following:

“(q) IMPROPER USE OF STORAGE OF RECORDS.—Any person who knowingly violates section 923(m) shall be fined under this title, imprisoned not more than 15 years, or both.”

SEC. 124. FIREARMS DISPOSITIONS.

Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “located” and inserting “located or temporarily located”; and

(2) in subparagraph (A)—

(A) by striking “rifle or shotgun” and inserting “firearm”; and

(B) by striking “located” and inserting “located or temporarily located”; and

(C) by striking “both such States” and inserting “the State in which the transfer is conducted and the State of residence of the transferee”.

SEC. 125. FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.

Section 103(b) of Public Law 103-159 (18 U.S.C. 922 note), is amended—

(1) by striking “Not later than” and inserting the following:

“(1) IN GENERAL.—Not later than”; and

(2) by adding at the end the following:

“(2) VOLUNTARY BACKGROUND CHECKS.—Not later than 90 days after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2013, the Attorney General shall promulgate regulations allowing licensees to use the National Instant Criminal Background Check System established under this section for purposes of conducting voluntary preemployment background checks on prospective employees.”.

SEC. 126. DEALER LOCATION.

Section 923 of title 18, United States Code, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking “, and such location is in the State which is specified on the license”; and

(B) in the last sentence—

(i) by inserting “transfer,” after “sell,”; and

(ii) by striking “Act,” and all that follows and inserting “Act.”; and

(2) by adding after subsection (m), as added by section 122(c), the following:

“(n) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition not otherwise prohibited under this chapter—

“(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

“(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.”.

SEC. 127. RESIDENCE OF UNITED STATES OFFICERS.

Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) For purposes of this chapter:

“(1) A member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

“(A) the State in which the member or spouse maintains legal residence;

“(B) the State in which the permanent duty station of the member is located; and

“(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.

“(2) An officer or employee of the United States (other than a member of the Armed Forces) who is stationed outside the United States for a period of more than 1 year, and a spouse of such an officer or employee, is a resident of the State in which the person maintains legal residence.”.

SEC. 128. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

“§ 926A. Interstate transportation of firearms or ammunition

“(a) DEFINITION.—In this section, the term ‘transport’—

“(1) includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport; and

“(2) does not include transportation—

“(A) with the intent to commit a crime punishable by imprisonment for a term exceeding 1 year that involves a firearm; or

“(B) with knowledge, or reasonable cause to believe, that a crime described in subparagraph (A) is to be committed in the course of, or arising from, the transportation.

“(b) AUTHORIZATION.—Notwithstanding any provision of any law (including a rule or regulation) of a State or any political subdivision thereof, a person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to—

“(1) transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation—

“(A) the firearm is unloaded; and

“(B)(i) if the transportation is by motor vehicle—

“(I) the firearm is not directly accessible from the passenger compartment of the motor vehicle; or

“(II) if the motor vehicle is without a compartment separate from the passenger compartment, the firearm is—

“(aa) in a locked container other than the glove compartment or console; or

“(bb) secured by a secure gun storage or safety device; or

“(ii) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device; and

“(2) transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation—

“(A) the ammunition is not loaded into a firearm; and

“(B)(i) if the transportation is by motor vehicle—

“(I) the ammunition is not directly accessible from the passenger compartment of the motor vehicle; or

“(II) if the motor vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

“(ii) if the transportation is by other means, the ammunition is in a locked container.

“(c) LIMITATION ON ARREST AUTHORITY.—A person who is transporting a firearm or ammunition may not be—

“(1) arrested for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is probable cause that the transportation is not in accordance with subsection (b); or

“(2) detained for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is reasonable suspicion that the transportation is not in accordance with subsection (b).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 926A and inserting the following:

“926A. Interstate transportation of firearms or ammunition.”.

SEC. 129. RULE OF CONSTRUCTION.

Nothing in this subtitle, or an amendment made by this subtitle, shall be construed—

(1) to extend background check requirements to transfers other than those made at gun shows or on the curtilage thereof, or pursuant to an advertisement, posting, display, or other listing on the Internet or in a publication by the transferor of the intent of the transferor to transfer, or the transferee of the intent of the transferee to acquire, the firearm; or

(2) to extend background check requirements to temporary transfers for purposes including lawful hunting or sporting or to temporary possession of a firearm for purposes of examination or evaluation by a prospective transferee.

SEC. 130. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle and the amendments made by this subtitle shall take effect 180 days after the date of enactment of this Act.

(b) FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.—Section 125 and the amendments made by section 125 shall take effect on the date of enactment of this Act.

Subtitle C—National Commission on Mass Violence**SEC. 141. SHORT TITLE.**

This subtitle may be cited as the “National Commission on Mass Violence Act of 2013”.

SEC. 142. NATIONAL COMMISSION ON MASS VIOLENCE.

(a) ESTABLISHMENT OF COMMISSION.—There is established a commission to be known as the National Commission on Mass Violence (in this subtitle referred to as the “Commission”) to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and all positive and negative impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The Commission shall be composed of 12 members, of whom—

(A) 6 members of the Commission shall be appointed by the Majority Leader of the Senate, in consultation with the Democratic leadership of the House of Representatives, 1 of whom shall serve as Chairman of the Commission; and

(B) 6 members of the Commission shall be appointed by the Speaker of the House of Representatives, in consultation with the Republican leadership of the Senate, 1 of whom shall serve as Vice Chairman of the Commission.

(2) PERSONS ELIGIBLE.—

(A) IN GENERAL.—The members appointed to the Commission shall include—

(i) well-known and respected individuals among their peers in their respective fields of expertise; and

(ii) not less than 1 non-elected individual from each of the following categories, who has expertise in the category, by both experience and training:

(I) Firearms.

(II) Mental health.

(III) School safety.

(IV) Mass media.

(B) EXPERTS.—In identifying the individuals to serve on the Commission, the appointing authorities shall take special care to identify experts in the fields described in section 143(a)(2).

(C) PARTY AFFILIATION.—Not more than 6 members of the Commission shall be from the same political party.

(3) COMPLETION OF APPOINTMENTS; VACANCIES.—Not later than 30 days after the date of enactment of this Act, the appointing authorities under paragraph (1) shall each make their respective appointments. Any vacancy that occurs during the life of the Commission shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

(4) OPERATION OF THE COMMISSION.—

(A) MEETINGS.—

(i) IN GENERAL.—The Commission shall meet at the call of the Chairman.

(ii) INITIAL MEETING.—The initial meeting of the Commission shall be conducted not later than 30 days after the later of—

(I) the date of the appointment of the last member of the Commission; or

(II) the date on which appropriated funds are available for the Commission.

(B) QUORUM; VACANCIES; VOTING; RULES.—A majority of the members of the Commission

shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings scheduled by the Commission. Each member of the Commission shall have 1 vote, and the vote of each member shall be accorded the same weight. The Commission may establish by majority vote any other rules for the conduct of the Commission's business, if such rules are not inconsistent with this subtitle or other applicable law.

SEC. 143. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—It shall be the duty of the Commission to conduct a comprehensive factual study of incidents of mass violence, including incidents of mass violence not involving firearms, in the context of the many acts of senseless mass violence that occur in the United States each year, in order to determine the root causes of such mass violence.

(2) MATTERS TO BE STUDIED.—In determining the root causes of these recurring and tragic acts of mass violence, the Commission shall study any matter that the Commission determines relevant to meeting the requirements of paragraph (1), including at a minimum—

(A) the role of schools, including the level of involvement and awareness of teachers and school administrators in the lives of their students and the availability of mental health and other resources and strategies to help detect and counter tendencies of students towards mass violence;

(B) the effectiveness of and resources available for school security strategies to prevent incidents of mass violence;

(C) the role of families and the availability of mental health and other resources and strategies to help families detect and counter tendencies toward mass violence;

(D) the effectiveness and use of, and resources available to, the mental health system in understanding, detecting, and countering tendencies toward mass violence, as well as the effects of treatments and therapies;

(E) whether medical doctors and other mental health professionals have the ability, without negative legal or professional consequences, to notify law enforcement officials when a patient is a danger to himself or others;

(F) the nature and impact of the alienation of the perpetrators of such incidents of mass violence from their schools, families, peer groups, and places of work;

(G) the role that domestic violence plays in causing incidents of mass violence;

(H) the effect of depictions of mass violence in the media, and any impact of such depictions on incidents of mass violence;

(I) the availability and nature of firearms, including the means of acquiring such firearms, and all positive and negative impacts of such availability and nature on incidents of mass violence or in preventing mass violence;

(J) the role of current prosecution rates in contributing to the availability of weapons that are used in mass violence;

(K) the availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of mass violence;

(L) the views of law enforcement officials, religious leaders, mental health experts, and other relevant officials on the root causes and prevention of mass violence;

(M) incidents in which firearms were used to stop mass violence; and

(N) any other area that the Commission determines contributes to the causes of mass violence.

(3) TESTIMONY OF VICTIMS AND SURVIVORS.—In determining the root causes of these recurring and tragic incidents of mass violence, the Commission shall, in accordance with section 144(a), take the testimony of victims and survivors to learn and memorialize their views and experiences regarding such incidents of mass violence.

(b) RECOMMENDATIONS.—Based on the findings of the study required under subsection (a), the Commission shall make recommendations to the President and Congress to address the causes of these recurring and tragic incidents of mass violence and to reduce such incidents of mass violence.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than 3 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress an interim report describing any initial recommendations of the Commission.

(2) FINAL REPORT.—Not later than 6 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a comprehensive report of the findings and conclusions of the Commission, together with the recommendations of the Commission.

(3) SUMMARIES.—The report under paragraph (2) shall include a summary of—

(A) the reports submitted to the Commission by any entity under contract for research under section 144(e); and

(B) any other material relied on by the Commission in the preparation of the report.

SEC. 144. POWERS OF THE COMMISSION.

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under section 143.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out its duties under section 143. Upon the request of the Commission, the head of such agency may furnish such information to the Commission.

(c) INFORMATION TO BE KEPT CONFIDENTIAL.—

(1) IN GENERAL.—The Commission shall be considered an agency of the Federal Government for purposes of section 1905 of title 18, United States Code, and any individual employed by any individual or entity under contract with the Commission under subsection (d) shall be considered an employee of the Commission for the purposes of section 1905 of title 18, United States Code.

(2) DISCLOSURE.—Information obtained by the Commission or the Attorney General under this subtitle and shared with the Commission, other than information available to the public, shall not be disclosed to any person in any manner, except—

(A) to Commission employees or employees of any individual or entity under contract to the Commission under subsection (d) for the purpose of receiving, reviewing, or processing such information;

(B) upon court order; or

(C) when publicly released by the Commission in an aggregate or summary form that does not directly or indirectly disclose—

(i) the identity of any person or business entity; or

(ii) any information which could not be released under section 1905 of title 18, United States Code.

(d) CONTRACTING FOR RESEARCH.—The Commission may enter into contracts with any entity for research necessary to carry out the duties of the Commission under section 143.

SEC. 145. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional employees as may be necessary to enable the Commission to perform its duties. The employment and termination of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(2) COMPENSATION.—The executive director shall be compensated at a rate not to exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. The Chairman may fix the compensation of other employees without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 146. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission and any agency of the Federal Government assisting the Commission in carrying out its duties under this subtitle

such sums as may be necessary to carry out the purposes of this subtitle. Any sums appropriated shall remain available, without fiscal year limitation, until expended.

SEC. 147. TERMINATION OF THE COMMISSION.

The Commission shall terminate 30 days after the Commission submits the final report under section 143(c)(2).

NOTICES OF HEARINGS

Ms. CANTWELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on April 24, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing on "The President's Fiscal Year 2014 Budget for Tribal Programs."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public of an addition to a previously announced hearing before Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 16, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Committee will also consider:

S. 684, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes;

S. 693, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes;

and,

S. 715, to authorize the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to john_assini@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224, or John Assini at (202) 224-9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on April 11, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 11, 2013, at 10:30 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled "Hearing on the Nomination of Gina McCarthy to be Administrator of the U.S. Environmental Protection Agency."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 11, 2013, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Fiscal Year 2014 Budget."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 11, 2013, at 2:15 p.m., to conduct a hearing entitled, "U.S. Policy Toward Syria."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "A New, Open Marketplace: The Effect of Guaranteed Issue and New Rating Rules" on April 11, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 11, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 11, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on April 11, 2013, at 10 a.m. to conduct a hearing entitled "Outsourcing Accountability—Examining the Role of Independent Consultants."

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MANCHIN. I ask unanimous consent that on Monday, April 15, 2013, at 5 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 21; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nomination; further, that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 22 and 23; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; further, that following the votes on Calendar No. 21 and Calendar No. 23, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and the Senate then resume legislative action.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, APRIL 15, 2013

Mr. MANCHIN. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, April 15, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; further, that at 5 p.m., the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MANCHIN. At 5:30 p.m. on Monday there will be a rollcall vote on confirmation of the O'Connell nomination to be a U.S. district judge in California.

ADJOURNMENT UNTIL MONDAY, APRIL 15, 2013, AT 2 P.M.

Mr. MANCHIN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:37 p.m., adjourned until Monday, April 15, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

BROADCASTING BOARD OF GOVERNORS

MATTHEW C. ARMSTRONG, OF ILLINOIS, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2015, VICE DANA M. PERINO, RESIGNED.

DEPARTMENT OF STATE

TULINABO SALAMA MUSHINGI, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BURKINA FASO.

NATIONAL MEDIATION BOARD

HARRY R. HOGLANDER, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2014. (REAPPOINTMENT)

LINDA A. PUCHALA, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2015. (REAPPOINTMENT)

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

RICK LOWE, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018, VICE JOANN FALETTA, TERM EXPIRED.

DOROTHY KOSINSKI, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE RICARDO QUINONES, TERM EXPIRED.

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

JAMES BENJAMIN GREEN, OF THE DISTRICT OF COLUMBIA

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF AGRICULTURE

CANDICE EVETTE PARKER BRUCE, OF GEORGIA
JENNIFER ARGUETA CLEVER, OF THE DISTRICT OF COLUMBIA

JOSHUA EMMANUEL LAGOS, OF TEXAS
LASHONDA V. MCLEOD, OF MISSISSIPPI
JOHN P. SLETTE, OF MINNESOTA

LINSTON WINSTON TERRY, OF THE DISTRICT OF COLUMBIA

ORESTES H. VASQUEZ, OF FLORIDA
ROBERT THOMSON WRIGHT, OF WASHINGTON
JEFFREY E. ZIMMERMAN, OF MINNESOTA

THE FOLLOWING-NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 27, 2013:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

GEOFFREY W. WIGGIN, OF SOUTH DAKOTA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. GABRIEL TROIANO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. JEFFREY B. CLARK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JAMES A. ADKINS

To be brigadier general

COL. JAMES D. CAMPBELL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL WAYNE L. BLACK
COLONEL MICHAEL K. HANIFAN
COLONEL DANIEL M. KRUMREI
COLONEL ROBERT E. WINDHAM, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL MARK E. ANDERSON
BRIGADIER GENERAL JULIE A. BENTZ
BRIGADIER GENERAL COURTNEY P. CARR
BRIGADIER GENERAL DANIEL R. HOKANSON
BRIGADIER GENERAL FRANCIS S. LAUDANO III
BRIGADIER GENERAL SCOTT D. LEGWOLD
BRIGADIER GENERAL ROGER L. MCCLELLAN
BRIGADIER GENERAL TIMOTHY M. MCKEITHEN
BRIGADIER GENERAL MICHAEL D. NAVRKAL
BRIGADIER GENERAL BRUCE E. OLIVEIRA
BRIGADIER GENERAL CHARLES E. PETRARCA, JR.
BRIGADIER GENERAL KENNETH C. ROBERTS
BRIGADIER GENERAL WILLIAM F. ROY
BRIGADIER GENERAL WILLIAM L. SMITH

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL STEVEN R. BEACH
COLONEL KENNETH A. BEARD
COLONEL FRED C. BOLTON
COLONEL MICHAEL J. BOUCHARD
COLONEL GREGORY S. BOWEN
COLONEL MARK D. BRACKNEY
COLONEL JOHN E. BURK
COLONEL CHRISTOPHER M. BURNS
COLONEL SEAN M. CASEY
COLONEL RUSSELL A. CRANE
COLONEL RICHARD H. DAHLMAN
COLONEL MARC FERRARO
COLONEL ROBERT A. FODE
COLONEL CHRISTOPHER J. FOWLER
COLONEL PAUL F. GRIFFIN
COLONEL GERALD E. HADLEY
COLONEL PATRICK M. HAMILTON
COLONEL WILLIAM M. HART
COLONEL ROBERT T. HERBERT
COLONEL MARVIN T. HUNT
COLONEL CHARLES T. JONES
COLONEL HUNT W. KERRIGAN
COLONEL JOHN F. KING
COLONEL DIRK R. KLOSS
COLONEL JEFFERY P. KRAMER
COLONEL GORDON D. KUNTZ
COLONEL MASAKI G. KUWANA, JR.
COLONEL DONALD P. LAUCIRICA
COLONEL MARK S. LOVEJOY
COLONEL MARK A. LUMPKIN
COLONEL ROBERT K. LYTLE
COLONEL TAMMY J. MAAS
COLONEL FRANCIS B. MAGURN II
COLONEL MARK G. MALANKA
COLONEL THOMAS R. MCCUNE
COLONEL FRANCIS M. MCGINN
COLONEL MICHAEL D. MERRITT
COLONEL RICHARD J. NORIEGA
COLONEL ROBERT D. PASQUALUCCI
COLONEL VAL L. PETERSON
COLONEL CHRISTOPHER J. PETTY
COLONEL JOHN M. RHODES
COLONEL CHRISTOPHER A. ROFRANO
COLONEL SCOTT H. SCHOFIELD
COLONEL TIMOTHY J. SHERIFF
COLONEL LINDA L. SINGH
COLONEL DANNY K. SPEIGNER
COLONEL BRYAN E. SUNTHEIMER
COLONEL MICHAEL A. SUTTON
COLONEL STEVEN A. TABOR
COLONEL GREGORY A. THINGVOLD
COLONEL MICHAEL C. THOMPSON
COLONEL KIRK E. VANPELT
COLONEL WILLIAM A. WARD
COLONEL STEVEN R. WATT
COLONEL RONALD P. WELCH

COLONEL DAVID B. WILES
COLONEL GISELLE M. WILZ
COLONEL JAMES P. WONG
COLONEL JERRY L. WOOD
COLONEL GARY S. YAPLE

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CHRISTOPHER E. CURTIS
RASHMI G. JUNEJA
JOSEPH P. TOMSIC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

TIMOTHY A. BUTLER
DWAYNE R. PEOPLES
LISA H. TICE
GARY J. ZICCARDI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOHN T. GRIVAKIS

To be lieutenant colonel

MATTHEW T. BARNES
TRACY R. CARVER
KEVIN S. CURRIE
JERROD W. DUGGAN
CRAIG L. HARVEY
MICHAEL R. SHEPHERD
ALESSANDRO V. SMITH
SARAH K. TOBIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANNY L. BLAKE
DUANE M. BRAGG
JOHN R. BROOKS
KEVIN M. FRANKE
SEAN A. HOLLOWAY
RONALD L. JOHNSON
DANIEL E. LEE
MICHAEL D. LOVERING
CHRISTOPHER A. PHILLIPS
STEVEN P. VANDEWALLE
ANDREA C. VINYARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD G. ANDERSON
JAMES R. ARMSTRONG
KLEET A. BARCLAY
PAUL CASTILLO
JANIS A. B. DASHNER
TRENT C. DAVIS
PETER N. FISCHER
GLENN H. GRESHAM
RANDALL D. GROVES
TIMOTHY S. MOERMOND
MICHAEL J. MORRIS
JOSHUA NARROWE
BRENDON M. ODOWD
MARK J. ROBERTS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JEFFERY R. ALDER
PETER G. BREED
RENE J. CHADWELL
KEVIN W. CULP
DANA J. DANE
VERNE S. FUTAGAWA
NATHAN H. JOHNSON
THERESA A. LAWSON
TRACY A. NEALWALDEN
WENDY E. ODDEN
KIRK A. PHILLIPS
TASHA L. PRAVECEK
SHARI FOX SILVERMAN
JEFFREY A. STINSON
TRENT J. TATE
NORMAN S. WEST
KEVIN L. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RONNELLE ARMSTRONG
ZEBULON E. BECK
CHAD A. BELLAMY
SHAWN C. BISHOP
CHRISTOPHER A. CONKLIN

DANIEL W. FORMAN
WALID A. HABASH
RICHARD H. HOLMES
TONY G. KING
JASON M. KNUDESON
DALE E. MARLOWE
MARK B. MCKELLEN
LASERIAN I. NWOGA
EUSEBIA D. RIOS
GABRIEL A. RIOS
MELVIN K. SMITH
ERIK A. TISHER
JOSEPH M. WATSON
MARK R. WILLIAMS
CHAD W. ZIELINSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MAIYA D. ANDERSON
MONTY T. BAKER
MARK BALLESTERO
MICHAEL A. BLOWERS
STEPHEN L. BOGLARSKI
DAVID L. BRAZEAU
SCOTT L. CARBAUGH
REBECCA W. CARTER
DANIEL J. CASTIGLIA
RAMIL C. CODINA
KATHLEEN A. CRIMMINS
MELINDA EATON
CLAUDIA M. EID
VALLA C. FAIRLEY
KEVIN J. FAVERO
JAMES D. FOLTZ
DONNA J. FOX
DAVID W. HAGERTY
ACHILLES J. HAMLOTHORIS
DAVID M. KEMPISTY
PATRICK W. KENNEDY
TIMOTHY R. LANDIS
STEVEN H. LANGE
ROBERTA A. LENSKE
MARYBETH E. LUNA
TERESA L. MADDOX
RYAN W. MARESH
ROBERT G. MARTIN
THOMAS V. MASSA
MICHAEL L. NEACE
ALICIA N. NELSON
TODD W. NEU
LAWRENCE B. NOEL, JR.
MATTHEW W. OSTLER
MELISSA J. PAMMER
DWAYNE I. PORTER
LEEANN RACZ
ROBERT W. RAINEY
JUAN M. RAMIREZ
RUTH A. ROANAVARRETE
DANIEL A. ROBERTS
IAN C. RYBCZYNSKI
ERIC E. SASSI
MADELAINE SUMERA
LISA A. TAUAI
JEANNETTE M. WATTERSON
JAMES L. WEINSTEIN
MARC D. WEISHAAR
JON E. WILSON
ELLEN M. WIRTZ
JEFFREY L. WISNESKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MATTHEW G. ADKINS
TREVOR L. AMBRON
CHRISTINA M. ANDERSON
LYNNETTE V. ANGEL
ROBERT F. ATKINSON III
BECKY K. AZAMA
JOSEPH E. BALL
JURAM R. BALSZA
ERIC W. BARONI
ADAM S. BATCHELLOR
HEATHER D. BAUTISTA
ROY D. BLOUNT
CHRISTOPHER A. BREWER
SHERROD A. BROWN
STEVEN L. BRYANT
ADAM G. BUFFINGTON
EMILY YOUNG BULLOCK
DONNA M. BURROWES
CHRISTOPHER J. BUTTON
KIRSTYN D. CALDWELL
JASON CALL
JOEL M. CARTIER
WILLIAM J. CHALMERS III
LARRY E. CHUPP
ERIC R. CLINTON
CONNIE M. CONVERSE
CASEY W. COOPER
CHRISTY S. CRUZ
KEVIN W. CURTIS
KATHERINE A. DANIEL
RICARDO DEJESUS
ABRAHAM C. DIAZ, JR.
CARLOS DORIA, JR.
MARYANN A. EDWARDS
MITZI D. ELLIOTT

NICOLE M. ESCHER
ZACHARY G. FINNEY
KIMBERLY J. FISK
COURTNEY A. FITZGERALD
JOHN M. FOSTER
ANTHONY A. FRANCISCO
DAVID FRANKLIN FERNANDEZ
JASMIN S. FURLOUGH
DAMIAN X. GARZA
ANDREW E. GAWLIKOWSKI
JONATHAN P. GORHAM
MICHELLE A. GRAMLING
ROBERT D. GREIMAN, JR.
PERCIVAL C. HARGROVE
KRISTIN N. HENLEY
JUSTIN R. HOLBROOK
MARCY N. HOLLOWAY
CHASTITY V. HOWARD
JOSHUA L. HUBBELL
KEVIN D. HURLEY
KRISTA K. HUTCHINSON
FELIX ISLAS
JOHN J. JAHNKE
CAROLYN A. JENSEN
BRYAN W. JOHNSON
JEREMIAH E. JOHNSON
JUSTIN R. KANDLE
JULIE KENA
RICHARD L. KICE
ERIKA L. KING
SCOTT T. KING
ALEX C. KWON
MICHAEL KWON
MICHAEL J. KWON
SYREETA DANIELS LAWRENCE
JENNIFER E. LEPPER
IVY TAT MADSON
JOLENE A. MANCINI
JOHN C. MARREN
DENISE M. MARTIN ZONA
SHANE M. MARTIN
JEFFREY L. MCCLELLAN
JANICE MCDOWELL
CHRISTINA M. MCQUAIDE
REGAN R. MILLER
JENNIFER R. MILLINGTON
BRIAN M. MIRACLE
JONATHON W. MUELLER
TAMARAH G. MURPHY
KRISTEN NEWSOME
MY N. NGUYEN
JOHN C. NOAH
ANGELA M. OKROI
ROBERT A. OLIVI
CHRISTIANNE N. OPRESKO
ALLISON E. PANGANIBAN
SOKUNTHEA PEOU
BRANDY R. PERRY
THOA N. PHAM
ERIC D. POWELL
RAY M. QUENNEVILLE
KATIE M. RAGAN
JOHN M. REARDON
RETT J. REBER
ROMAN REPCHAK
SCOTT A. ROBERTSON
MICHELE M. SAMPAYAN
DANIELLE E. SCHNITKER
WILLIAM A. SCHULTZ
CRESCENT A. SEIBERT
PATRICK D. SHORTER
RITA N. SIRCAR
LEONARDO G. SOMERA III
TARA A. STOGDILL
ERIN R. STURGELL
DAVID PAUL SUPINSKI, JR.
STEVEN C. TANG
ALDEN L. TAYLOR
MARK A. TENN
NICOLE R. THOMPSON
MICHAEL A. TOMMOLINO
MICHAEL VALDOVINOS
BROOKE MARIE VAN EEGHEN
CARIST WASHINGTON
WADE F. WHEELER
CHAD E. WILLIS
ETHAN C. WOODBURY
KATHY L. WYNKOOP
ROBEL A. YOHANNES
JOSEPH ZAMORA, JR.
NORMAN DALE ZELLERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BENNIE EARL ABBOTT
ISRAEL ABENSUR
ADAM BENNETTE ABERCROMBIE
DONALD P. ABRAHAM
CHRISTOPHER M. ACS
ALPHANSO R. ADAMS
CHRISTOPHER GENE ADAMS
MATTHEW S. ADAMS
RICHARD G. ADAMS
THOMAS CALVIN ADAMS
STEPHEN M. ADDINGTON
MATTHEW C. ADDISON
PHILLIP C. ADKINS
RODNEY DANIEL ADKINS
JASON S. AHRENS
LEE EDMOND AKERS

YALUNDA M. AKINLOBA
AARON J. ALBANO
BRIAN A. ALBARADO
LOUIS J. ALDINI
LEE J. ALEXANDER
STEPHEN V. S. ALEXANDER
JUSTIN T. ALFORD
JOHNEMMANUEL E. ALFREDOCKIYA
DANIEL S. ALLEN
GEORGE M. ALLEN
SHEILA A. ALLEN
CHRISTOPHER W. ALLGEIER
EDGAR ADOLFO ALONSOBERNAL
ERIC A. ALONSOBERNAL
MATTHEW S. ALTER
CARLO E. ALVAREZ
JAKE ALVERSON
NICHOLAS JAMES AMATO
GEORGE AMBELANG
JACOB CASSIDY AMES
RANDY ALAN ANDERSEN
ANDREW D. ANDERSON
BRIAN EDWARD ANDERSON
CHRISTINA M. ANDERSON
CLIFTON R. ANDERSON
DEREK C. ANDERSON
ERICA L. ANDERSON
GEOFFREY P. ANDERSON
JEREMY D. ANDERSON
JONATHAN D. ANDERSON
NICHOLAS J. ANDERSON
RUSSELL E. ANDERSON
WILLIAM M. ANDREOTTA
JOSEPH B. ANDRESKY
LINDSAY C. ANDREW
MATTHEW M. ANDREWS
CHRISTINE MARAL ANOUCHIAN
REBECCA L. ANTECKI
JOHN W. ANTHERS
HOWARD SHELDON ANTOINE
MARCUS C. ANTONINI
SHANNON L. ANTONSON
RYAN A. ANTOON
DAVID J. APARICIO
LAURA L. APELDOORN
PATRICK R. APPELEGATE
JUAN J. ARAOZ
JEREMY P. AREL
CHRISTOPHER DAVID ARENDT
GAVIN T. G. ARITA
JOSHUA O. ARKI
CHARLES J. M. ARMSTRONG
ERIC H. ARMSTRONG
EARL F. ARNOLD
MATTHEW R. ARNOLD
MICHAEL W. ARNOLD
ALANA ROSE ARNOT
PAULA ANN ARQUETTE
TODD L. ARTHUR
BRIAN C. ASHBURN
JOSEPH R. ASHCROFT
ERIC M. ASHE
ERIC B. ASKER
GEORGE K. ASSELANIS
EDWARD C. ATKINS
SEAN A. ATKINS
CHAD C. ATKINSON
TERMAIN S. ATWATER
JOSEPH AUBERT
MELISSA AUERS
THOMAS L. AUERS
KEVIN P. AUGER
LUCIANA L. AUGUSTINE
JOSHUA M. AULTMAN
SHAYNE C. AUNE
DOUGLAS ANDREW AUSTIN
JORGE H. AVILA
GARY A. AXLEY
AARON M. AYERS
BRYSON AYERS
MATTHEW J. BAAN
JUDSON T. BABCOCK
ERIC M. BABER
RYAN C. BACHMAN
PAMELA K. BACKLEY
MATTHEW G. BAGG
LISA A. BAGHAL
TROY BAGLEY
ALEXIS M. BAILEY
ERIC J. BAILEY
NATHAN F. BAILEY
STEVEN A. BAILEY
ANDREW J. BAKER
CLAYTON A. BAKER
DERRICK G. BAKER
JOHN W. BAKER
SCOTT W. BAKER
STEVEN M. BAKER
JOHN G. BALACONIS
VIVEK P. BALAJI
JONATHAN M. BALLARD
JUSTIN R. BALLARD
BRYAN D. BALLESTERO
EDMUND A. BALLEW
TERENCE Y. BALMACEA
MONESSA BALZHISER
SHANNON L. BANCROFT
JUSTIN D. BANEZ
CHRISTOPHER D. BANKS
JASON S. BANQUER
CAPRI GUNN BAPTISTE
BRIAN S. BARBA

BRIAN M. BARBER
 JONATHAN M. BARBER
 LUIS F. BARBERENA
 ANTHONY DAVID BARES
 GREGORY L. BARKER
 CHARLES DAVID BARNES
 LAURA F. BARNES
 JEREMY A. BARNETT
 NATHAN WARD BARNHART
 JOSEPH MATTHEW BARNUM
 JEREMY E. BARRETT
 MORTON JOSH BARTLETT
 CHARLES A. BARTON III
 MAXWELL J. BASSMAN
 LANDON B. BASTOW
 RYAN DALLAS BATCHELOR
 AMY D. BATES
 CASSANDRA BATES
 PHILLIP N. BATTLES
 ANDREW M. BAUER
 LINDSEY A. BAUER
 BRANDON P. BAUGHMAN
 CHRISTOPHER W. BAUGHMAN
 ANDY M. BAUMANN
 JONATHAN W. BAUSER
 REYNALDO BAUTISTA BAUTISTA
 MICHELLE L. BAXTER
 CLARA F. BAYNE
 TODD J. BEALES
 WILLIAM C. BEAN
 JOSHUA S. BEASLEY
 CHRISTOPHER J. BEATTY
 BRENT E. BECK
 FREDERICK D. BECK
 MATTHEW C. BECK
 EDWARD C. BECKETT
 JAMES R. BEHN
 GARY SCOTT BEISNER II
 MATTHEW DAVID BEJCEK
 KEVIN BELCHER
 KRISTINA MADELIEN BELCOURT
 EDWIN MOSES BELL
 GEORGE BELL
 SEAN P. BELL
 ROBERT S. BELLAMY
 CHARLIE T. BELLOW
 SCOTT LAWRENCE BELTON
 TRAVIS J. BEMROSE
 CONNOR W. BENEDICT
 CHRISTOPHER M. BENGSTON
 ALLYSON DENISE BENKO
 ERIC RYAN BENNETT
 DAVID J. BENSON
 KATHRYN LEIGH BENSON
 JULIAN L. BENTON
 LEWIS BENTON III
 BRIAN MATTHEW BERG
 STEVEN M. BERGSTROM
 BRIAN PATRICK BERLAKOVICH
 PHIL A. L. BERNAL
 WILLIAM S. BERNECKER
 ANDREW A. BERRIGAN III
 MARK W. BERTHELOTTE
 LAURA AILEEN BETCHER
 TANNER J. BETSINGER
 BRYANT L. BEVAN
 DAVID JASON BEWLEY
 DAVID L. BEYLUND
 TYGINA J. BIBBS
 JOEL W. BIER
 ANDREW L. BIGLEY
 ANDREW E. BILLHARTZ
 ROBERT ALLAN BIRD
 JASON DOUGLAS BIRDSALL
 BRIAN W. BISHOP
 ELIJAH N. BISHOP
 DANIEL IAN BLACKLEDGE
 STEPHEN J. BLACKSTONE
 IVAN L. BLACKWELL
 RONALD K. BLANKENSHIP
 JOMIA T. BLAS
 SEAN N. BLAS
 SETH BLISS
 KACEY E. BLUNCK
 DAN M. BODINE
 THEODORE R. BOENDER
 RICHARD K. BOGUSKY
 SEAN R. BOJANOWSKI
 BRIAN A. BOLAND
 WILLIAM BRIAN BOLLINGER
 RICHARD V. BOLTON
 GIOVANNI BATTISTA BONDI
 KRISTEN ALYCE BONEBERG
 GEROD M. BONHOFF
 ASCENZO J. BONITATTI
 ANDREW W. BOOE
 MORONI CRAIG BOOTH
 THERESA M. BOROWIECKI
 KELLY BORUKHOVICH
 JAMES E. BOSAK
 KEVIN KOREY BOSS
 ALEX S. BOTARDO
 MICHELLE D. BOTTOMS
 JERALD WAYNE BOUIE, JR.
 KEVIN M. BOURNE
 SPENCER J. BOWEN
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 ERIN E. SHAY
 JONATHAN P. SHEA
 BRIAN H. SHEEHAN
 TIMOTHY C. SHEEHAN
 JEREMY R. SHERMAN
 JAMES HENSLEY SHIELDS
 DANIEL WESLEY SHIMONSKY
 JEROMIE L. SHOULDER
 BRYAN P. SHOUBE
 DANIEL J. SHOWALTER
 BRANDON R. SHROYER
 AMANDA J. SHUMAKER
 ROBERT FREDERICK SHUMAKER
 ROBERT WAYNE SHUPING, JR.
 MICHAEL E. SIAN
 AMANDA R. SICKELS
 GEORGE W. SICKELS
 JOHN DAVID SIEPS
 TIMOTHY R. SILFIES, JR.
 AMANDA L. SILL
 SEAN M. SILVA
 STEPHANIE M. SILVA
 DENNIS MARK SIMERLY
 DAVID BENJAMIN SIMMONS
 LADY NOREEN SANTOS SIMMONS
 MATTHEW C. SIMMONS
 THOMAS ERIC SIMMONS
 JUSTIN D. SIMMS
 ANTHONY ROY SIMPSON
 RYAN A. SIMPSON
 BENJAMIN M. SIMS
 KAZUMI UDAGAWA SIMS
 MATTHEW E. SIMS
 JAMES SINCLAIR
 JOSHUA A. SINGSAAS
 BRIAN R. SINKULE
 SHANE NATHAN SIRIANNI
 ANDREW S. SISLER
 FORREST S. SISSON
 THANE A. SISSON
 RYAN DANIEL SKAGGS
 STEVEN EARL SLAGLE
 CHRISTOPHER J. SLAUSON
 JAMES C. SLAYTON
 DAVID PETER SLEEPER
 ANDREW TERRY SMECKERT
 BRENT L. SMITH
 DEAN A. SMITH
 GEORGE E. SMITH
 JAMES LEON SMITH
 JEFFREY E. SMITH
 JOSEPH M. SMITH
 KELLY M. SMITH
 LATOYA D. SMITH
 MARSHA L. SMITH
 RICHARD M. SMITH
 RIKKI D. SMITH
 ROBERT A. SMITH
 TIFFANY LAKEESHA SMITH
 TYLER SMITH
 ZACHARY M. SMITH
 JORDAN M. SMYTH
 JOEL MICHAEL SNOWDEN
 ERIC BENJAMIN SNYDER
 JAMES SNYDER
 WILLIAM A. SOCTOMAH
 JASON T. SODEN

ANDREW TOM SOINE
 JESSE PAUL SOMANN
 JARED W. SORESENSEN
 LENARD C. SORIANO
 JARED B. SORTERS
 MATTHEW WAYNE SOWARDS
 CARMEN M. SOWERS
 CHARLES C. SPAULDING
 CHRIS B. SPAULDING, JR.
 JASON W. SPAULDING
 JONATHAN CHARLES SPAULDING
 DEREK G. SPEAR
 DEVIN A. SPERLING
 JASON A. SPINDLER
 JONATHAN E. SPRAGUE
 DEVIN L. SPROSTON
 JAMES C. SPRYS
 WESLEY N. SPURLOCK III
 ALBERT F. SQUIRE
 CHRISTOPHER S. STACHEWICZ
 JASON E. STACK
 MICHAEL J. STACKHOUSE
 MATTHEW J. STAMPER
 CHRISTOPHER K. STANLEY
 SEAN THOMAS STAPLER
 ALEXANDER J. STARK
 DUSTIN PAUL STEDNITZ
 VIRGIL V. STEELE IV
 ANDREW M. STEIN
 DANIEL M. STEINHISER
 BRETT A. STENSRUDE
 LUCAS Z. STEPANEK
 ANGELINA R. STEPHENS
 JOHN RICHARD STEPHENS III
 WILLIAM JAMES STEPHENSON
 KYE D. STEPP
 KENNETH R. STERLING
 LYSA M. STERN
 SEAN CHRISTOPHER STEVENS
 DOUGLAS W. STEVENSON
 ERNEST R. STEWART, JR.
 PAUL D. STGEORGE
 JOHN WILLIAM STILES
 JUSTIN W. STIMETS
 MATTHEW STINES
 BRETT A. STITT
 DEREK J. STJOHN
 MICHAEL H. STOBIE
 BRANDON J. STOCK
 BRANDON W. STOCK
 JOHN D. STOCK
 RICHARD C. STOCKER
 DANA S. STOCKTON
 ANDREW T. STOLLEE
 KEVIN THOMAS STONE
 BRADLEY JOHN STOOR
 JOHN BLAKENEY STOVALL
 DANIEL A. STOWELL
 KYLE J. STRANG
 JAMES J. STRAUB, JR.
 WAYNE M. STRAW
 MARCELL S. STRBICH
 ADAM M. STRECKER
 BENJAMIN A. STREET
 MELANIE D. STRICKLIAN
 MARK D. STRUSKA
 MATTHEW S. STRUTHERS
 KELLY A. STUART
 JAMES G. STUDER
 MATTHEW D. STURTEVANT
 CHRISTOPHER STUTHEIT
 JASON A. STUTZMAN
 ERIC LANDON SUITS
 CHRISTINA J. SUKACH
 BRADLEY KENT SULLIVAN
 KATHLEEN SULLIVAN
 TIMOTHY S. SULLIVAN
 ERIC JOSEPH SULSER
 DANIEL SCOTT SUMMERS
 KEVIN L. SUMMERS
 MATTHEW R. SUMMEY
 NICHOLAS A. SUPPA
 AMY L. SWEAZY
 MATTHEW A. SWEE
 PHILIP HENRY SWENSON
 DEBBIE L. SWETLAND
 TIMOTHY M. SWIERZBIN
 SCOTT A. SWIGERT
 ROBERT A. SWITZER
 JOHN S. SYKES
 RONNIE JOSEPH SYNAKOWSKI
 JAMIE M. SZMODIS
 BENJAMIN TABER
 RUDY R. TALAMANTEZ
 ANDREW C. TALBERT
 EMILIO L. TALIPAN, JR.
 BRADLEY R. TALLEY
 PETER C. TALLEY
 MAUREEN E. TANNER
 RAYMOND DION TANSIL
 ALVIN TAT
 JOHN J. TATAR
 STEVE M. TATRO
 SCOTT TAYLOR
 ERIN MAUREN TEDESCO
 RYAN M. TEEL
 TYWANN D. ANDRE TELFAIR
 DAVID ISAAC TEMPLE
 SEAN C. TEMPLE
 PAVEL G. TENDETNIK
 TERENCE BRADY TENNANT
 MICHAEL D. TERRELL

CHRISTOPHER M. THACKABERRY
 FRANKLIN M. THARP
 JOEL A. THEISEN
 JAEFEN THIELKER
 CHARLES D. THOMAS
 DAVID WAYNE THOMAS II
 JULIAN T. THOMAS
 STEPHEN L. THOMAS
 VICTORIA LEE THOMAS
 JOAN E. THOMPSON
 JOHN D. THOMPSON
 JOHN M. THOMPSON
 MARK WILLIAM THOMPSON
 MATTHEW S. THOMPSON
 THOMAS W. THOMPSON
 WILLIAM J. THOMPSON
 TIMOTHY A. THOREN
 CAITLIN R. THORN
 RYAN C. THULIN
 MATTHEW A. THURBER
 TRAVIS L. THURMOND
 JOHN R. TICE
 WILLIAM E. TIERNEY, JR.
 MICHAEL L. TILLIS
 SHANNA MARIE TIMLIN
 JEFFREY A. TIMM
 JASON P. TINGSTROM
 DONALD L. TINSLEY
 JEREMY N. TIPPEY
 CATHERINE TOBIN
 JASON TOMCHO
 MICHAEL P. TONKS
 DUSTIN C. TORBENSEN
 MATTHEW A. TORNEY
 JONAH R. TORRES
 JOSEPH A. TORTELLA
 JOHNNY L. TOUCHSTONE
 SARAH E. TOWLER
 ANDREW G. TOWNSEND
 JEREMIAH C. TRAWICK
 BRANT C. TRETTER
 MICHAEL M. TRIMBLE
 BRIAN TRIPP
 JOHN V. TROMBETTA
 JOHN W. TROMBETTA, JR.
 NICHOLAS TRUDELL
 BRIAN M. TRUMBLE
 COREY L. TRUSTY
 HSIENTLIANG R. TSENG
 SPIRIDON J. TSITSILIANOS
 ADAM TUCCI
 KENNETH W. TUCK, JR.
 SEAN REIDY TUCKER
 SUZANNE L. TUCKER
 CHRISTOPHER M. TULIP
 STEVEN M. TUPPER
 LEE M. TURCOTTE
 HOWARD C. TURNER III
 TIMOTHY A. TURNER
 PETER A. TYMITZ
 JOSHUA MICHAEL TYSON
 SHAI TZIONY
 DANIEL JAMES UGER
 MASON R. ULLRICH
 DAVID M. UNDERWOOD
 MARCUS LEE UNDERWOOD
 SAMANTHA MICHKO UNRUH
 AARON J. URBANOVSKY
 MOSES A. URIBARRI
 KYLE G. VACCA
 SCOTT B. VALENTINE, JR.
 GLENN VALLEJO
 JAMES M. VALPIANI
 NICHOLAS C. VAN ELSACKER
 JESSE W. VANASSE
 RONIECE VANDYKE
 SCOTT CHARLES VANHOOGEN
 GEORGE M. VANOSTEROM
 JASON T. VANTA
 ELLIOT B. VASQUEZ
 FRANK VASQUEZ III
 JACOB J. VAUGHT
 SHELLIE R. VAUGHT
 TRAVIS JOHN VAZANSKY
 MATTHEW E. VEALE
 STEVEN L. VEGA
 PEDRO VELEZ CRUZ
 BRIAN BAUTISTA VELEZ
 PHILLIP WILLIAM VENTURA
 TERRA S. VERBIK
 JACK VETAS
 STEVEN M. VICK
 JAMES A. VICKERY
 OMAR VILLARREAL
 BRIAN VIOLA
 LUKE D. VITOLO
 STEVEN VIVEIROS
 JAY BELOY VIZCARRA
 BENJAMIN J. VOETBERG
 MATTHEW S. VOGEL
 STACIE L. VOORHEES
 RYAN S. VORHIES
 NICHOLAS WABEKE
 JOSEPH T. WADDELL
 BRANDY L. WADE
 JENNIFER D. WADE
 WESLEY ADAM WADE
 MARK R. WAGNER
 DANIEL EARL WAID
 MICHAEL F. WAITES
 JASON D. WALDOW
 BENJAMIN D. WALKER

HUGH E. WALKER III
JACK B. WALKER
JOHNATHAN T. WALKER
JONATHAN M. WALKER
RYAN T. WALKER
WHITNEY P. WALKER
JASON P. K. WALL
NEAL D. WALL
GARY D. WALLACE
JOHN SILAS WALLACE
TREVOR M. WALLACE
BRANDON D. WALSH
JOHN T. WALSH
SHAWN P. WALSH
THOMAS ALAN WALSH
CASEY WALTERSCHEID
DANIEL A. WALTON
KEVIN M. WALTON
MARCI J. WALTON
ANDY YUEHCHUNG WANG
TIMOTHY M. WANKOWSKI
KIRK A. WANNER
MICHAEL E. WARD
JOHN R. WARE
MARK A. WARNER
MICHAEL V. WARNER, JR.
BENJAMIN D. WARREN
SHANE M. WARREN
ANDREW M. WASHBURN
BENJAMIN R. WASHBURN
KENNETH GERARD WASILIK
DANIEL W. WASSERMAN
DANIEL C. WASSMUTH
RAY A. WATERMAN
ERIC WATERS
ADAM RICHMOND WATKINS
MICHAEL S. WATKINS
BRIAN D. WEAR
ANGELA M. WEBB
BEACHER R. WEBB III
BRYON S. WEBB
PATRICK H. WEBSTER
ANTHONY J. WEEDN
JOSHUA WEHRLE
YU HANG WEI
GREGORY D. WEIGEL
TREVOR R. WEINERT
CORY N. WEISS
KURT WEISSGERBER
ADAM C. WELCH
MICHAEL S. WELCH
ERIKA ANNE WELLER
RYAN PATRICK WELLS
NATHAN F. WELTY
BRIAN ALLEN WERSCHING
JAMES RUSSELL WEST
TYLER A. WEST
MALCOLM C. WESTBERRY
JEFFREY M. WESTERMAN
ANDREW WESTMAN
JUSTIN T. WESTMORELAND
JUSTIN W. WETTERHALL
MICHAEL SCOTT WHEELER
PAMELA L. WHEELER
RICHARD E. WHEELER
CHRISTOPHER L. WHITAKER
ANTHONELLI WHITE, JR.
CLARENCE E. WHITE, JR.
EMILY JOY WHITE
ERIC T. WHITE
GREGORY C. WHITE
JOHN M. WHITE
NATHAN JUDE WHITE
THOMAS W. WHITE
CHARLES J. WHITEHEAD
JALEN A. WHITENER
GEOFFREY S. WHITMER
BISHANE ANTHONY WHITMORE
MICHAEL J. WHITMORE
CHARLES M. WHITWORTH
BRIAN DOUGLAS WICHAEL
CHRISTOPHER D. WICKLINE
DENNIS S. WIDNER
JOSEPH E. WIERENGA
ERIC B. WIETLISBACH
DOUGLAS EUGENE WIGGERS
JEREMY WIGGINS
SEAN MATHEW WILE
CHRISTOPHER GLEN WILEY
WAYNE P. WILEY
WILLIAM R. WILKERSON
ADAM M. WILLIAMS
BENJAMIN C. WILLIAMS
CHRISTINA MARIKO WILLIAMS
DAMIEN P. WILLIAMS
JOHN S. WILLIAMS
JONATHAN WHITNEY WILLIAMS
MARK E. WILLIAMS
MICHAEL S. WILLIAMS
NICHOLAS DURWOOD WILLIAMS
SAMUEL L. WILLIAMS, JR.
SEAN M. WILLIAMS
TRAVIS K. WILLIAMS
TREVOR L. WILLIAMS
REBECCA LYNN WILLIAMSON

NATHAN J. WILLIS
JEFFREY D. WILLS
SHANEA L. WILSON CAMPBELL
AARON P. WILSON
MICHAEL R. WILSON
SCOTT NIXON WILSON
MACIEJ MAREK WILTOWSKI
JACOB JOSEPH WILWERT
JOHN P. WIMBERLEY
THOMAS B. WINGARD
ALEXANDER D. WINN
TYLER J. WINTERMOTE
WILLIAM L. WISEHART
JOSEPH ROBERT WITHERSPOON
THOMAS I. WITKOWSKI
BARRY WITT
JOSEPH P. WITT
THOMAS M. WNETRZAK
CASANDRA M. WOLAK
JUSTIN C. WOLD
KEVIN D. WONG
STANLEY Y. WONG
ANDREW L. WOOD
BENJAMIN J. WOOD
JAMES BRANSON WOOD
DORIAN H. WOODLIFF
GEOFFREY R. WOOLF
CHARLES A. WRIGHT
ERIC W. WRIGHT
JONATHAN G. WRIGHT
JOSEPH CAMPBELL WRIGHT
LARRY DOUGLAS WRIGHT II
SCOTT K. WRIGHT
DARIUSZ WUDARZEWSKI
INGA E. WUERGES
MARK ARNOLD WUERTZ II
MATTHEW C. WUNDERLICH
COLIN EDWARD WYATT
DAVID W. WYATT
JOHN B. WYDRO
HILLARY B. WYKES
SEAN PATRICK YANDLE
RUVEN G. YARBROUGH
JERRY W. YARRINGTON, JR.
JOSEPH W. YASUNAGA
ERIKA ANNE YEPSEN
MICHAEL YEUNG
WILLIAM D. YOAKLEY
YESUN YOON
CHRISTOPHER J. YORK
MATTHEW L. YOUNG
ROBERT J. YOUNG
WILLIAM C. YOUNG, JR.
ZACHARY GILBERT YOUNG
MICHAEL GRAY YTTRI
AARON J. ZAMORA
JONATHAN A. ZANNIS
DANIEL J. ZAPPE
BENJAMIN DONALD ZATORSKI
JONATHAN DRYDEN ZEBRE
ARTHUR ZEITLER
CHRISTINE LYNN ZENS
ANTHONY L. ZERWIG
TODD M. ZIELINSKI
AMANDA L. ZUBER
BRYAN S. ZUMBRO
BENJAMIN ZUNIGA
LAURA L. ZURESS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333 (B) AND 4336 (A):

To be colonel

SUZANNE C. NIELSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ANN M. RUDICK

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MATTHEW P. WEBERG

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

GRADY L. GENTRY

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DEVIN R. BLOWES

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KEVIN J. PARKER

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

OLEH HALUSZKA

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

STEPHEN S. CHO
CALEB J. NOORDMANS
JAMES W. WINDE

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

TIMOTHY R. ANDERSON
FREDERICK ATIENZA
DANIEL B. BOND
VICTOR J. BOZA
DAMON J. BRIDGES
MATTHEW C. CHERRSTROM
RANDALL J. CLEMONS
JASON A. CONLEY
JASON C. CREWS
CHRISTOPHER T. DEITZ
JAMES R. J. DIEFENDERFER
JOSH W. DUGGAN
ROBERT L. EDMONSON III
SHANNYN W. FOWLER
PETER A. GAAL
THOMAS P. GILFILLAN
MICHAEL C. GRAHAM
NATHAN A. HALL
RYAN M. HERNANDEZ
SAMUEL HIGGINBOTHAM
NICHOLAS S. HILL
JEREMY L. JAMES
DEVINE JOHNSON
RUSSELL J. KUNTZ
DAVID D. MAHONEY
JAMES G. MASSIE III
JEREMY B. MITCHELL
TOD F. O'CONNELL
JOSHUA D. PETERS
MATTHEW D. W. PHILLIPS
SCOTT D. RATHKE
ERIC A. REARDON
TIMOTHY W. ROCHHOLZ
ALERON B. ROGNLIE
ERIC T. RYAN
DAVID C. SANDOMIR
DESTINY N. SAVAGE
SAMUEL M. SPLETZER
DAVID L. STARNES
NATHAN C. STUHLMACHER
CHAD T. TELLA
MICHAEL J. TOZZI
MICHAEL C. WALTERS
MICHAEL R. WEBB
RYAN S. WILLETTTE
JOHN E. WOODSON
ANDREW J. WOOLLEY

IN THE COAST GUARD

PURSUANT TO SECTION 336(B) AND (C), TITLE 14, U.S. CODE, THE FOLLOWING OFFICER OF THE UNITED STATES COAST GUARD TO THE POSITION OF COAST GUARD BAND DIRECTOR IN THE GRADE INDICATED:

To be lieutenant commander

ADAM R. WILLIAMSON

PURSUANT TO SECTION 188, TITLE 14, U.S. CODE, THE FOLLOWING NAMED OFFICER AS A MEMBER OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES COAST GUARD:

To be commander

KEVIN J. LOPES

HOUSE OF REPRESENTATIVES—Thursday, April 11, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 11, 2013.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

REGULATE THE REGULATORS—THE REINS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. The regulators continue their reign of regulation terror on businesses across America.

Jerry McKinney, from Crosby, Texas, wrote me this:

I work in the industrial chemical business and I see the result of government regulations like those from the EPA. These cost my company good money, with no positive effects.

Larry, a doctor from Kingwood, Texas, said this to me:

Small businesses need relief from the ridiculous OSHA standards. Our veterinary practice is having to spend hours and money trying to decipher all the regulations some bureaucrat has dreamed up to justify his job.

Madam Speaker, the fourth branch of government meddles in every aspect of our lives. In the name of saving us from ourselves, the regulators regulate, regulate, and when they're through, they regulate some more, without regard to the consequences of these expensive government mandates. Sometimes they put businesses out of business because of their regulations.

Dana, from southeast Texas, writes me this:

I owned a business—bought a bowling center, my dream job, in 2007. Was totally unprepared for the amount of regulation and fees and taxes. I employed 32 people. I went bankrupt in October of 2012 because of this. I have the drive and desire and a great business plan for a new business that would employ 20 to 30 people, but I'm not sure I want to dive back into all this.

Michael, from Houston, said:

Where should I begin? Real estate market is flooded with, yes, new regulations. It seems that banks are prevented from foreclosing on homeowners who are basically living in the house for free for several years.

Susan, a small business owner in Texas, says this:

Our small business has operated on a shoestring for several years, and we started way back in 1978, but I fear we are at an end. We manufacture 400 products, all made from the same materials. But the new product safety regulations require we certify every product to the tune of about \$500 per product, even though they're all made from the same materials. Do the math: \$175,000 or more just to get these same products that we've been making since 1978 certified by the Federal Government. Add on the health care fines and the rising cost of gasoline and the rising property and sales taxes and income taxes—well, you know the rest of the story.

Madam Speaker, this ought not to be—regulators putting businesses out of business by dreaming up new, sometimes silly rules that don't solve any problem. The regulators dream up new rules to add to their 100,000 commandments every day.

Regulators regulate. That's what they do. That's what they like to do. But their addiction to power and to new, unnecessary rules must stop. Burdensome, expensive Federal regulations cost \$2 trillion a year. What does that mean? That's the same amount of money all American citizens and corporations paid in income tax in 2008—\$2 trillion. A lot of money.

Regulators have no concept of the cost of running a business. They don't even understand the rules and business costs that can put some American businesses out of business. So Congress should approve any regulation that reaches a certain cost threshold or has a significant economic impact. That's why I'm an original cosponsor of the REINS Act. The REINS Act requires Congress, the elected, to approve the expensive rules of the unelected or the rules will not take effect. If a new rule affects the economy in the United States over \$100 million throughout the country, Congress must approve this new rule or it does not take effect by the rulemakers.

We should make new rules for the rulemakers. That's what our responsibility is. So it's time for Congress to rein in the out-of-control government and start regulating regulators.

And that's just the way it is.

TRIBUTE TO ANNE SMEDINGHOFF

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, on Sunday, April 6, at 11 a.m., America lost five of our best and brightest in Afghanistan when the convoy they were traveling in, along with an Afghan doctor, was attacked by a suicide bomber. One of them, 25-year-old Anne T. Smedinghoff, who grew up in River Forest, Illinois, in the Seventh Congressional District where her family still lives, became the first U.S. State Department officer to die in Afghanistan since the 1970s. She had less than 4 months left to serve in Afghanistan.

Secretary of State Kerry said in Istanbul, where he is on a diplomatic trip:

A brave American was determined to brighten the light of learning through books written in the native tongue of the students that she had never met, but whom she felt compelled to help, and she was met by cowardly terrorists determined to bring darkness and death to total strangers.

Anne was killed while delivering donated textbooks to children at a new school. For Anne, who could have remained relatively safe in the embassy, delivering these books was essential to her mission, just as appearing on one of the most watched Afghan television shows to explain to the Afghan people the similarities between Eid, a Muslim holiday that celebrates giving and sharing, and Thanksgiving. Both give thanks for life's blessings, and Anne Smedinghoff discussed how she and her family celebrated back at home.

Anne recently worked on a campaign to end gender violence by producing and distributing videos to the press across the country and was rewarded when she and her colleagues saw photographs of Afghan men in markets wearing purple ribbons, a symbol of the campaign.

Her parents, Tom and Mary Beth Smedinghoff, said the foreign service was a calling, and Afghanistan was her second deployment, an assignment for which she had volunteered after a tour in Caracas, Venezuela. She died her parents said, doing a job she thought must be done. They said:

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

She particularly enjoyed the opportunity to work directly with the Afghan people, and was always looking for opportunities to reach out and help make a difference in the lives of those living in a country ravaged by war. We are consoled knowing that she was doing what she loved and that she was serving her country by helping to make a positive difference in the world.

Before she joined the State Department, Anne served on the board of directors for the Ulman Cancer Fund for Young Adults' 4K for Cancer program, spending a summer cycling across the United States to raise money and awareness. She was full of life and hope. She rode her bicycle from the Red Sea to the Dead Sea. She was once photographed with a boa constrictor around her neck in South America.

□ 1010

The residents of the Seventh Congressional District join me in honoring her life and work. Her bravery, her focus on using public diplomacy for positive change, her vision of the human potential, wherever it might be, sets a standard that it behooves all of us to try and emulate.

Today a flag is being flown across the United States Capitol in her honor in recognition of her service to our country. My thoughts and prayers are with her parents, brothers, sisters, and friends during these difficult days. She is indeed a hero.

WHO WILL SPEAK FOR UNDERPRIVILEGED WOMEN?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 5 minutes.

Mr. PERRY. I'm wondering who will speak for underprivileged women, not only in the United States, but very particularly in Philadelphia.

I'm here today to talk about an uncomfortable subject which no one seems to want to talk about. It is the Gosnell trial in Philadelphia. The media doesn't want to talk about it—not NBC, CBS, ABC, CNBC, not Fox, and not the leaders of our Nation, not the President. It is uncomfortable, and I'd ask you to bear with me while I read to you some of the testimony that comes from this trial because I feel we must.

This man is charged with killing seven babies and murdering one woman. The prosecutors believe Mr. Gosnell killed hundreds of infants and destroyed the related records so we will never know. Mr. Gosnell "induced labor, forced the live birth of viable babies in the sixth, seventh, eighth month of pregnancy and then killed those babies by cutting into the back of the neck with scissors and severing their spinal cord." He called it "snipping." Sherry West, one of his clinic employees, testified on Monday that one newborn at the clinic was 18 to 24 inches long when it was killed:

There were scores more. At least one other mother died following an abortion in which Gosnell punctured her uterus and then sent her home. He left an arm and a leg of a partially aborted fetus in the womb of another woman, and then told her he did not need to see her when she became sick days later, having developed a temperature of 106 degrees. He perforated bowels, cervixes, and uteruses. He left women sterile.

The clinic reeked of animal urine. Furniture and blankets were stained with blood, and instruments were not properly sterilized, according to the grand jury report.

These women are the most vulnerable women in our society, and they were, indeed, most likely at their darkest hour. They went to this clinic to seek help, and they did not know that this man was not qualified nor was his staff qualified to perform any of the procedures that they performed:

There were bags and bottles holding aborted fetuses scattered throughout the building. There were jars lining shelves with severed feet that he kept for no medical purpose.

These women came because they were probably the product of violent home lives, where they felt they had no options. They came to this care provider, who was essentially unregulated. This does fall into the purview of the United States Attorney General because these patients oftentimes traveled across State lines.

This is an isolated incident. It would be disingenuous to think that all caregivers fall into this category because we know that they do not. But we also know that if there is one, there may likely be others, and that is, indeed, sad.

Prosecutors say that none of Gosnell's staff were licensed nurses or doctors and that a 15-year-old student performed anesthesia with potentially lethal narcotics.

Abortions after the 24th week are illegal in Pennsylvania. However, Gosnell allegedly aborted and killed babies in the sixth and seventh month of pregnancy and charged more for bigger babies. He also took extra precautions with white women from the suburbs, according to a grand jury report. He allegedly ushered them into a slightly cleaner area because he thought they would be more likely to file a complaint.

The abortions of the biggest babies allegedly were scheduled for Sundays, when the clinic was closed. The only person allowed to assist with such cases was Gosnell's wife, Pearl Gosnell. She was one of nine employees charged with him as well in this, and she has not obtained a lawyer at this time. He allegedly took the files home with him from the patients that he dealt with and then disposed of them.

I would say this. It gives me great pain and sorrow to have this entered and read into the RECORD. But since the media outlets refuse to cover this because it's uncomfortable, because it

might not meet with their agenda, and because many of the leaders of this country refuse to discuss it, I think it's important that we have it read into the RECORD so that this history and their stories don't remain untold—the stories of these women in their most desperate hours, and the stories of these little babies that will never know the privilege of being an American, that will never realize their dream.

I would make this charge today: Mr. President, your silence is deafening. Are you so blind, are you so intractable, are you so extreme that you yourself can't even call this out for what it is, something that is reprehensible? Pro-life or pro-choice, this is reprehensible. As a father, as I am, of two little girls, it is worthy of your attention, it is worthy of your leadership, it is worthy of your direction.

DON'T FILIBUSTER GUN CONTROL LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Today, the bodies of this Congress have an opportunity to save lives. In fact, they have an historic moment. They actually have the ability to act for once after a tragedy of the proportions of Newtown, having not acted over the years—after Columbine, the theater in Aurora, the horrific tragedy at Virginia Tech, and many, many others, including that of our colleague in Arizona.

So I am hoping that as we stand here today that the right consciences of those who have the opportunity in the other body to pass sensible gun legislation will do so. In order to aid them, to listen to the voices of the people, 50 Members of the United States House of Representatives have asked for those in the other body not to filibuster any gun legislation, but to have an up-or-down vote. The reason we say that is because of the massive numbers of loss of children, some 80 children who die every month by gunshot, the thousands of teenagers who pick up guns to resolve differences, and the million people who were killed by guns since the assassination of Martin Luther King and John F. Kennedy.

This is a Nation that is gunned, but not safe. The tragedy that happened in my area just a few days ago with the slashing of students by another student at a community college. Just imagine—14 people were injured—if that person had had an assault weapon with multiple rounds, similar to the heinous acts that occurred in Newtown, when 155 rounds were shot in 5 minutes. So I'm hoping that this letter will move those Senators not to filibuster and to let us have an up-or-down vote.

I also rise today to encourage us to do the right thing and to vote "no" on

the National Labor Relations Board legislation that wants to stop the President from his Presidential authority, and that is to make sure that the government runs by appointing people to the NLRB through recess appointments, among others, just like President George Bush did 140 times, to make recess appointments to be able to move the government forward. In contrast to the D.C. Court of Appeals decision that ruled that our President cannot, three other decisions and other court decisions said you can.

We need to vote “no” on this legislation. It is destructive, it is only to stall government, and it is only to stop the work of the NLRB, where workers and corporations come together to solve their problems.

What we should be doing is working to create jobs. That’s what Americans want us to do. They want us to make it in America. They want us to build up manufacturing. They want us to create and pass legislation, as we introduced yesterday with whip HOYER, 38 pieces of legislation that we all are joining to support to create jobs.

One thing they don’t want us to do is to pass anything with a chained CPI on Social Security because Social Security is solvent. Those people are not the fault of any deficit or any debt; they are hardworking people. I will not ever vote for a chained CPI. And I am not a whiner.

□ 1020

I, frankly, see those people in my district who are supported by Social Security and Medicare, which they earn because they work for it. They did not have it as a handout, because seniors are important and seniors believe in young people. We should protect our seniors; we should invest in education.

I salute the President for his early pre-K initiative, that every child should have the opportunity to be in a pre-K program, supporting our teachers. So here we are; this is what we should be doing. We should be promoting job creation to bring down unemployment and to, in fact, get those who are underemployed and those who have completely gone out of the marketplace. They can be hired, they have skills, including our disabled.

Then we should continue to invest in education, including higher education, making it easier for parents to get the Parent PLUS Loans to send their children to college and putting the burden on colleges to make sure that these young people finish college and not go in and get debt and, therefore, come out with a large debt and no degree.

This is what America is about, investing in young people, protecting our seniors, and realizing that the chained CPI is not the way to go on Social Security. It’s to save it because they earned it.

TRIBUTE TO THE LIFE AND LEGACY OF DEBATE COACH WILLIAM “BILLY” TATE, JR.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Madam Speaker, I rise today to recognize and pay tribute to the life and legacy of William Woods Tate, Jr., a beloved educator and high school debate coach, who was an extraordinary mentor to me and so many others. Coach Billy Tate, as he was known, was an accomplished speech and debate coach in Alabama and Tennessee for over 40 years. Coach Tate, sadly, passed away suddenly on Saturday, April 6, 2013, at the age of 69, leaving behind a legacy defined by his commitment to developing the oratorical skills of future leaders.

At the time of his death, Coach Tate was a five-diamond debate coach at Montgomery Bell Academy in Nashville, Tennessee, where he taught speech and coached winning debate teams for more than 30 years. He was an outstanding teacher and an inspirational leader in the National Forensic League, the oldest and largest honor society for high school students in speech and debate.

During his illustrious career, Coach Tate had multiple national finalists in policy debate and extemporaneous speaking. In 1999, his policy debate team reached the national finals, and in 2006 Coach Billy Tate made coaching history as two of his policy teams closed out the national finals winning the first-ever NFL co-citizenship in policy debate.

He was an extraordinary individual. Not only did he teach his students so brilliantly. In his spare time, he loved bridge. He was a devoted son, who always saw to the care of his beloved mother in Selma. Coach Tate also managed to keep up with his debate students through the years and relished their life successes. He demanded excellence from his students, teaching them not only the importance of debate prep and strategy, but also took great pride in exposing his students to the very best restaurants, and that included important table etiquette that accompanied such an experience.

Although Coach Tate spent the bulk of his career at Montgomery Bell Academy in Nashville, he began his speech and debate experience in 1975 at Selma High School in his beloved town of Selma, Alabama. I know that his students at Montgomery Bell Academy believe they had his best coaching years; but I am here to tell you from personal experience that the 1970s and 1980s at Selma High School honed his craft and greatly influenced his strategy. He produced some of the finest high school debaters the State of Alabama has ever seen to date, and I am proud to say that I was one of those students.

Billy Tate was my debate coach for 3 years at Selma High School. For a pub-

lic high school in rural Alabama, we dominated the competition and won many State championships. For many years, the walls of Selma High School’s library were lined with the hundreds of debate and speech trophies won by the teams coached by Billy Tate. Debate was more than an average extracurricular activity; it was a serious discipline. Those of us who had the privilege of being coached by him knew that it was a serious time commitment, a commitment of both time, money, and talent.

To be on Billy Tate’s debate team, a student had to commit to attending summer debate camps and countless weekend travel to tournaments all across Alabama, Mississippi, Tennessee, and Georgia during the academic year. It was not the average debate class. I know that my life journey would not have been possible were it not for my debate experience under the tutelage of Coach Billy Tate at Selma High School.

I know that I speak on behalf of all the debaters at Selma High School and Montgomery Bell Academy in expressing our sincere gratitude for Coach Tate’s guidance, his dedication, and unwavering belief in our abilities. I especially dedicate this tribute to the Selma High School debaters I had the privilege of competing with—Tom Bundenthal, Lawrence “Bubba” Wall, Derek Edwards, Max Andrews, John Polk, Leslie Looper, and Crystal Boykin, to name a few.

To say thank you to Coach Tate seems woefully inadequate, but I do take comfort in knowing that his legacy will live on through those of us he influenced. May Coach Billy Tate always be remembered for the excellence he inspired in all of us.

Today, I ask my colleagues in the United States Congress to join with me and the hundreds of debaters he taught in his 40 years of coaching in celebrating the life and legacy of a native Alabamian and a nationally renowned debate coach, Mr. William Woods Tate, Jr.

HONORING THE UNIVERSITY OF LOUISVILLE CARDINALS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. YARMUTH) for 5 minutes.

Mr. YARMUTH. Madam Speaker, I rise to honor the University of Louisville Cardinals, who went to a second straight Final Four this season and returned home national champions.

Going into the NCAA tournament, the question was whether the Cards’ stifling defense would be enough to win it all. Well, we’ll never know, because the country’s best defense became the best offense too, shooting 52 percent to a tournament best 79.5 points per game. That’s more than crazy. It’s “Russdicolous.”

They said he never met a shot he didn't like; but during the past month, Russ Smith hardly took a shot he couldn't make, setting Louisville's new tournament-scoring record and earning the respect and affection of a city. The All-American, regional MVP, and defensive phenom no longer cares who's scoring, as long as the jersey reads Louisville.

When these guys say the team motto "Louisville First, Cards Forever," they mean it. We saw it when the team rallied around their injured teammate, Kevin Ware, as he courageously repeated, "I'm fine, just win the game," before being carted off the court during the Elite Eight. We saw it when they came together to "Win for Ware." But before that, the Cards won with Ware. On this team, Kevin was one of eight Cardinals to score double figures in a tournament game. That doesn't even include the players who set this team off on some of the year's most unlikely and electrifying rallies.

Walk-on Tim Henderson scored six of his season's 22 points in 45 seconds to cut a late 12-point Final Four deficit in half. All year, Stephen Van Treese snatched rebounds from future NBA big men, denied them in the paint, and set precision picks strong enough to stop a truck. And freshman Montrezl Harrell provided a constant spark off the bench, his unrelenting effort the only thing close to matching his natural ability.

Peyton Siva embodies the "Louisville First" spirit. Happier setting up his teammates than knocking it down himself, Peyton reminded the Nation he can also drop 18 points on the Player of the Year in the championship game. Unselfish, but a thief, he'll graduate with the school record for steals in a season and career.

Big man Gorgui Deing is unselfish, too. Louisville's record-setting shot-blocker and monster rebounder used his jump shot to pull defenders and find teammates for six assists in the championship game—three to Chane Behanan, who tied Louisville's single-season dunk record, officially making him the latest doctor of dunk. Cutting down the nets in Atlanta was great, but they should give Chane the backboards because he owned them all night.

□ 1030

This team also showed tremendous perseverance. Wayne Blackshear overcame two shoulder injuries to reach the starting lineup. And it's a good thing: he hit threes to start the Cards' scoring in both championship halves.

But the Final Four's breakout star was its most outstanding player, Luke Hancock, who scored his career-high in the semifinal and then broke it 2 days later. Luke didn't use the force; he was a force. And nothing would stop him from winning for his father, for Kevin Ware and, as always, for Louisville.

That's what Coach Rick Pitino taught this team, the master motivator, who's done everything this week but cartwheels on the Moon, built a team and mentored men we should be proud of.

And like Pitino, Jeff Walz will tell you this isn't about one person or even one team. It's about a program and a community. Trust him. That mad scientist led U of L's women to four straight NCAA tournament upsets, including what is considered to be the biggest upset in college basketball history.

Behind the jaw-dropping plays of Shoni and Jude Shimmel, sharpshooting of Antonita Slaughter, tenacity and skill of Sara Hammond, Sherrone Vails, and Bria Smith, and the unbelievable toughness of Monique Reid and Shelby Harper, the national runners-up crashed nearly every party around.

These players and coaches define an extraordinary program. Only three coaches in NCAA history have gone to a men's and women's basketball final in the same season. Louisville is the first to add a BCS Bowl victory to the mix.

But if you think it's the last, you don't know Athletics Director Tom Jurich. With sparkling new facilities, outstanding coaches, and stellar student athletes in competition and class, Tom has every U of L sport at the top of their game and climbing.

The university and the community have thrived along with them, continuing a proud tradition that began with Peck Hickman and rocketed to the top under the great Denny Crum.

I'm honored to congratulate the University of Louisville for its unparalleled winning streak, capped off by the Cards' third Men's Basketball National Championship. Go Cards.

THE AMERICAN JOBS MATTER ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Mrs. BUSTOS) for 5 minutes.

Mrs. BUSTOS. Madam Speaker, I rise today to talk about our most pressing issue facing my district and our country, and that is boosting American manufacturing and creating jobs here at home.

Just this week, I introduced a bill called the American Jobs Matter Act. This commonsense bill would enable the Federal Government to find out how contracted work would impact American jobs. Contractors would be able to include how their offers would create American jobs.

My bill would raise the importance of creating jobs at home in our country and building our manufacturing industry here as Federal contractors are considered for their jobs. It would also help ensure that taxpayer money is being used to create jobs in places like

Rockford, Moline, Galesburg, and Peoria, and in cities and towns across my district, across my State, and across our country—not overseas.

I'm proud to say that this bill has been incorporated into Congressman HOYER's Make It In America plan, which seeks to promote American workers, jobs, innovation, and infrastructure.

Madam Speaker, we need to do more to create jobs and support American manufacturing. My bill does just that.

THE IMMINENT THREAT POSED BY NORTH KOREA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Hawaii (Ms. GABBARD) for 5 minutes.

Ms. GABBARD. Madam Speaker, I rise today to address the recent developments and the growing instability on the Korean Peninsula.

Today we are seeing an increasingly belligerent hostile stance by the North Korean regime toward its perceived enemies. For some, this may sound like a far-off annoyance, saber rattling coming from the East; however, nothing could be farther from the truth for families in my home State of Hawaii and in Guam who sit as named threats by the increasingly aggressive and unpredictable regime led by Kim Jong Un.

He has demonstrated a pattern of belligerent threats and even unprovoked attacks on South Korea in recent years. This new leader has adopted many of the same destructive policies of the past in his pursuit of nuclear weapons and ballistic missile capabilities. He's revealed the willingness to sacrifice the safety and needs of the North Korean people in order to advance his hostile, unproductive agenda. Rather than caring for his people, Kim Jong Un remains singularly focused on making provocations and establishing a "military first" doctrine.

Along with Guam and Alaska, Hawaii has been placed in the crosshairs of this intensifying threat. It's crucial for the United States, and Hawaii in particular, to take these threats from North Korea seriously. We cannot be complacent. We cannot afford a mistake that puts the lives of our families at risk.

Intelligence and previous missile launches have shown that Hawaii, Guam, and Alaska are within range of North Korea's intercontinental ballistic missile capabilities. New intelligence suggests that North Korea may be planning multiple missile launches in the coming days beyond the two Musudan mobile missiles it has fueled, raised, and positioned along its east coast.

Our Nation's focus and commitment to the security and stability of the Asia-Pacific region now faces a serious test. As we rebalance and realign our

presence in the region, it's vitally important that we get it right in terms of the strategy, as well as resourcing.

The United States has an important interest in maintaining peace on the Korean Peninsula, as well as in the Asia-Pacific region. We must stand together with our allies in the region ready to respond to any contingency, and we must take a forward-leaning approach to address this imminent threat to prevent further provocations and to protect our families and our national assets.

The international community has clearly stated its opposition to his actions and threats, but we need to ask more of those influential nations that have remained quiet. China, in particular, should be playing a strong role as a deterrent of North Korea's military ambitions.

We're also seeing a destabilizing effect outside of the region as a result of the dangerous partnership between the two isolated rogue states of Iran and North Korea as regimes working together to develop more powerful weapons, missile delivery systems, and nuclear capabilities.

It would be safe to assume that by addressing the threat on our country by North Korea, we are also affecting Iran and their nuclear ambitions.

I commend our military commanders for their firm and confident resolve that they've shown in response to the endless posturing and provocative behavior of North Korea; however, from a U.S. policy standpoint, it's time to make a serious change. Such a change must be comprehensive, carving a new path forward using diplomatic and military means in order to break the cycle of threats that has existed for far too long.

The carrot-and-stick approach that we've taken in the past has not effectively deterred North Korea's nuclear ambitions. To the contrary, we continue to face escalated threats which now extend beyond the region.

Considering the serious threats we face today and the fact that the threat of missile attack on the U.S. is likely to grow, I'm deeply concerned about the President's proposed cuts to the missile defense budget in fiscal year 2014. This is a portion of the budget that should be increased, not decreased, to ensure the safety and security of our people.

In the coming days and months, I look forward to continuing to work with my colleagues in pushing for action and resources to ensure that Hawaii and our country is protected and any potential attack is prevented.

□ 1040

NEGATIVE EFFECTS OF SEQUESTRATION ON LOCAL EMPLOYERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY. During the past 2 weeks, I met with local employers and constituents who expressed continued frustration with the negative effects of sequestration in our community. Republicans and Democrats alike spent most of the past year warning of the dire consequences these cuts would have on our economy, and yet the recently adopted continuing resolution for the rest of the fiscal year bakes in those very harmful cuts. I share my constituents' frustrations, which is why I voted against the self-inflicted wound on our economy.

Every community in America will feel the ripple effects of sequestration, but my northern Virginia district will be disproportionately impacted because of the high concentration of military facilities, Federal employees and businesses that partner with the Federal Government. We do cybersecurity, custodial services, and everything in between. I met with a number of these employers. They expressed real concern that the lingering uncertainty over sequestration threatens job security and the ability to remain competitive economically.

I fear the consequences of sequestration and what that will mean to small businesses that don't have the same resources as their larger counterparts to weather these steep cuts. I visited one company with 200 employees who are developing a laser-based flight guidance system for NASA through a Small Business Innovation Research grant. Just recently, it announced that their technology is being deployed through a contract with the Defense Department to assist with remote detection of explosives to better protect our troops in the field. They're worried about cutbacks.

The Small Business Administration's fiscal '13 budget will be reduced by more than \$92 million as a result of sequestration, and more than one-fourth of those cuts will come from the Small Business Loan Program, directly affecting small businesses, veteran-owned businesses, and female- and minority-owned businesses in their ability to hire. As my colleagues know, the Federal Government has a small business contracting goal of 23 percent. We have fallen short of that goal in the last 6 years, and sequestration will actually make it harder to ever achieve that goal.

I also met with my local chamber of commerce to discuss its desire to expand the regional Metro system here in the Nation's Capital to accommodate future growth and development throughout the region. The most recent census data says our community has the highest concentration of megacommuters in the country. There is no question we need to invest more in our regional transportation network. This particular proposal enjoys bipartisan support, but yet, under sequestration,

it's headed nowhere because the New Starts program, under the Federal Transit Administration, will be cut by as much as \$100 million because of sequestration.

Whether it's cuts in small business assistance or in transportation, sequestration is reducing our investments in the very things that create jobs and provide for our competitive advantage in the future. Local realtors I met with expressed concern about the uncertainty of sequestration putting the brakes on sales just as regional and national housing markets are finally showing signs of a robust recovery. The slow-down in Federal spending is already creating a drag on local economies. A 22 percent drop in defense spending shaved nearly 3 points off economic growth in the last quarter, and the CBO projects it could be half of the growth otherwise projected in all of 2013 because of sequestration.

Madam Speaker, I don't argue that cuts are needed, but sequestration uses a mindless, meat-ax approach in which nothing is spared and nothing is differentiated. I've long called for Members of the House to work together in a bipartisan fashion and in a balanced way—balanced between revenue growth and discrete spending cuts—to move forward and reduce the debt. This week's delivery of the President's budget is a heartening sign because he does just that. I hope we will heed his budget. I hope we will try to work with the President to achieve a balanced approach that replaces this mindless sequestration.

THE HOUSING FAIRNESS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. I thank the many persons who have labored long and hard to help fulfill Dr. Martin Luther King's dream. He devoted his life to transforming neighborhoods into brotherhoods, and I'd like to speak to you today about this concept because, to do this—to transform neighborhoods into brotherhoods—we must become neighbors. We have to have communities wherein all persons are a part of the fiber and fabric of the various communities that we live in.

Dr. King was in Memphis, Tennessee, in 1968, and he was there on this mission of bringing people together. He was there to help with some issues related to workers and workers' rights. Unfortunately, on April 4 of 1968, Dr. King was assassinated. His life's work did not end, however. His dream is still alive, and because he dared to transform neighborhoods into brotherhoods, the President of the United States at that time, President Johnson, took up the fight for Dr. King, and within 7 days a piece of legislation passed

through the House that dealt with discrimination as it relates to where people live.

This legislation had bipartisan support. The Democratic supporter was Senator Walter Mondale, a very well-known figure in American politics. The Republican supporter was an African American, by the way, who was a member of the Senate, the Honorable Edward Brooke. These two Senators had for years been trying to pass this legislation to eliminate discrimination in housing. They had some degree of success, but they were not able to get the legislation passed.

In 1968, 7 days after Dr. King's death, the Fair Housing Act of 1968 passed, prohibiting discrimination based upon race, color, religion or national origin as it relates to the sale or to the financing of housing. In 1974, the act was amended to include sex discrimination. In 1988, it was amended to prohibit discrimination based upon physical or mental handicap as well as familial status.

The Housing Fairness Act, which I have introduced, models this piece of legislation. It, too, deals with discrimination that is invidious with reference to refusing to rent to a person, to sell housing to a person, to negotiate housing, to make housing available, to set different terms for some than for others, to falsely deny that housing is unavailable when it is available. This kind of discrimination still exists, but it's important for us today to realize that it is very much having an impact on persons whom many of us do not assume are victims of housing discrimination. The FY 2011 statistics, the latest available to me, connote that 27,092 complaints were filed with programs associated with the Fair Housing Initiatives, and of these complaints about 12 percent to 54 percent of them were complaints based upon disability.

Now, it's important for us to focus on disability for a moment because many of our veterans returning from wars, persons who chose to go to distant places, don't always return the same way they left. Many of them have given their lives, and others have survived, but they have survived and they are handicapped. Many of them returning will be discriminated against because there are people who discriminate against people who are handicapped. They may not know that it's a veteran, but whether they know or not, the act of discrimination is still harmful.

I will submit to you that it makes sometimes tears well in the eyes of people who understand how our veterans have fought for us. So I am here today to make an appeal that we support Fair Housing Initiatives and that we do all that we can to transform neighborhoods into brotherhoods.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear God, we give You thanks for giving us another day.

Bless abundantly the Members of this people's House. During the season of new growth, may Your redemptive power help them to see new ways to productive service, fresh approaches to understanding each other, especially those across the aisle, and renewed commitment to solving the problems facing our Nation.

May they, and may we all, be transformed by Your grace and better reflect the sense of wonder, even joy, at the opportunities to serve that are ever before us.

The issues of our day are a challenge for a Nation who claims Your blessing. May we not forget the reminders to Your chosen people of once having been oppressed foreigners and the admonitions of Scripture that we might be entertaining angels in the strangers among us. Help the Members of this House to find a balance that meets the demands of our beliefs with the practical realities that challenge us as a complex Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. SIRE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal. The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SIRE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Michigan (Mr. WALBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. WALBERG led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

THE BUDGET

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, President Obama finally released his 2014 budget this week, 2 months late and trillions of dollars short.

Similar to last year's plan, it taxes more to spend more. While the President claims his budget will reduce the deficit in a balanced way, it won't ever balance—not in 10 years, not ever.

The President's plan is \$8.2 trillion of new debt. It also includes \$1.1 trillion in new taxes. Hardworking taxpayers don't deserve more taxes; they deserve a budget that allows them to keep more of their own money and not worry about financial debt being placed on their children and grandchildren.

House Republicans have passed such a budget, one that balances: a proactive budget that eliminates the deficit while also providing economic security for employers and employees, a sustainable safety net for the poor and those retiring, and a secure future for our children and grandchildren.

Americans know what it takes to create a balanced budget for their own families and their own businesses, and they deserve the same from their government.

EARTH DAY

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, the founder of Earth Day, Wisconsin Senator Gaylord Nelson, was asked in 2005, just before his death at the age of 89, if Earth Day should be celebrated. "Our work is not finished," he replied. "There's a lot more that needs to be done."

As we enter wildfire season, watershed infrastructure that would mitigate future contamination of local rivers and reservoirs is still being rebuilt from last season, and funding for rebuilding is only now being allocated,

having been delayed under sequestration, affecting lives and homes.

We've yet to craft an agenda that talks of a multiyear transportation plan or climate change. And, of course, the green legislator at heart would love to see tools like the Antiquities Act as a job-creating mechanism rather than spending time on the floor fighting against rolling back NEPA as we're doing this week with H.R. 678, unnecessarily, at the expense of supporting hydropower, as we should.

No, our work is not finished. There's a lot more to be done.

MOVING FORWARD WITH LIQUIFIED NATURAL GAS

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Mr. Speaker, in 2009, the United States surpassed Russia in becoming the world's largest producer of natural gas. Due to recent technological advancements, large deposits of natural gas, mainly shale gas, are now being harvested. Through the use of hydraulic fracturing and horizontal drilling, previously inaccessible hydrocarbons are now seeing the light of day.

Having Henry Hub located in the center of the Third Congressional District, I'm fully aware that the market price of U.S. natural gas is at an all-time low and much lower than Asian and European natural gas prices. While this fact presents challenges, it also provides an opportunity for our Nation to fast become a global energy hub by exporting one of our most abundant natural resources in the form of liquified natural gas, or LNG.

With domestic demand being met, exporting LNG leads to job creation at home, a reduction in the national trade deficit, and an increase in revenues for the Federal Government. As a member of the House Ways and Means Subcommittee on Trade, these are all value-added benefits for our Nation.

The domestic natural gas boom presents the United States with an enormous economic opportunity and geopolitical opportunity. Our Nation should seize this opportunity and not let it pass. It's in the public interest.

INVEST IN AMERICAN MANUFACTURING

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this week I took part in a town hall meeting in Buffalo, along with the Alliance for American Manufacturing, and discussed the importance of manufacturing jobs to our region and to our Nation.

With western New York's dedicated workforce and history of manufac-

turing success, we are ready to grow our economy with the resurgence of advanced manufacturing industry. But to do this, our workers and businesses need a willing partner in their government.

This Congress must make investing in our infrastructure and investing in our people top priorities. Robust funding to rebuild roads and bridges, along with fostering job-training programs and passing legislation in the House Democrats' Make It In America agenda, will enable us to compete with any other nation in the world.

Mr. Speaker, investing in American manufacturing creates jobs and reduces the deficit. There is much work to be done, and there are Americans who need the work.

□ 1210

THE GOVERNMENT ACCOUNTABILITY OFFICE'S REPORT ON WASTE

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Mr. Speaker, we engage in so much Washington speak in our debates—words like “sequestration,” “continuing resolutions,” and “debt ceiling”—that the structure of our debates, I feel, can be off-putting to many Americans. So let's try to be a little more straightforward.

The reality is that we have a huge mismatch between revenues and expenditures. We all know that this is a struggle, but we have to get our fiscal house in order, just like American families do, businesses do and even local governments do; but instead of hashing through the same old debates, perhaps there is an easier way forward.

Right here, Mr. Speaker, is a Government Accountability Office report that came out this week. It's a new report that builds upon former reports. There are more than 300 areas in which we can tackle redundant spending across the Federal Government. So here is the right place to start, Mr. Speaker—in delivering a smarter and more effective government while also saving money.

GUN REFORM

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, throughout the United States, in red and blue States alike, we have speed limits for travel on public roads. These laws are good public policy because they prohibit behavior that can endanger the lives of others. But imagine if we blocked our police from using speed detection devices so they could never

prove that you were speeding or if we only allowed the use of those devices on certain roads. Such a policy would make speed limits mere suggestions with no consequences for those who would violate the law.

It sounds ridiculous, but this is exactly the strategy we currently use to prohibit the purchase of firearms by criminals and those with serious mental illness. Federal law bans the purchase of guns by dangerous people, but massive loopholes in our background check system permit at least 40 percent of purchases to evade the law without detection by law enforcement.

The NRA and its supporters often claim that we need to enforce the laws on the books. Agreed. Universal background checks are designed to do just that—to provide an actual enforcement mechanism. That's what the Congress should require because 90 percent of the American public wants us to do at least that.

SITTIN' ON THE DOCK OF THE BAY

(Mr. JORDAN asked and was given permission to address the House for 1 minute.)

Mr. JORDAN. Mr. Speaker, this week, the President hosted a star-studded concert at the White House for his friends, featuring the music of Otis Redding and others. One of Otis Redding's lines in his “(Sittin' on) the Dock of the Bay” sums up my thoughts on the President's budget: “Looks like nothing's gonna change. Everything remains the same.”

Just like the Senate, the President's budget raises taxes, increases the debt and never, ever, ever balances. The Obama budget has a trillion dollars in new taxes on top of the trillion-dollar ObamaCare tax and the \$600 billion “fiscal cliff” tax from earlier this year. The Obama budget spends \$46 trillion, borrows another \$8 trillion, and increases the national debt to \$25.4 trillion over the next 10 years. Then, after all those taxes and all that spending, we still have a budget that never, ever, ever balances.

Mr. President, we can't borrow forever. We can't keep spending more than we take in. These problems are staring us right in the face, but the big spenders in Washington are just sittin' on the dock of the bay, wasting time.

NEW JERSEY'S LIFE SCIENCES CONTRIBUTIONS TO THE COMMUNITY

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Mr. Speaker, I rise today to commend the contributions of the biopharmaceutical and medical technology companies in New Jersey to Hurricane Sandy relief activities.

New Jersey companies in the biopharmaceutical field have donated an

estimated \$11.1 million towards Sandy relief efforts. The New Jersey biopharmaceutical and medical technology companies made contributions to a large number of organizations, including the American Red Cross, AmeriCares, Direct Relief International, Feeding America, the Salvation Army, Save the Children, United Way, and the Hurricane Sandy New Jersey Relief Fund.

The community also coordinated with the Department of Health and Human Services to ensure an uninterrupted supply chain of critical life-saving drugs as well as having teamed up with local pharmacies to provide free or discounted prescriptions to affected patients. In addition, individual companies performed a variety of services in the immediate aftermath of Sandy, including the distribution of hygiene kits; providing generators to local municipalities; deploying emergency decontamination units; preparing food for first responders; and working to supply hospitals, pharmacies, and retailers with supplies that their patients and customers needed.

While our community as a whole came together to provide relief to the victims of Sandy, we thank the biopharmaceutical industry of New Jersey.

THE ECONOMIC IMPACT OF THE PRESIDENT'S PROPOSED BUDGET

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, there is much that could be said about the President's proposed budget, but I think ordinary taxpayers need to know its impact on jobs and the economy.

Economists and national accounting firms have stated that the tax increases that President Obama pushed through in January have slowed the economy and contributed to a loss of 24,000 retail jobs in March, part of a very dismal jobs report. When consumers have less money in their pockets, the inevitable results in fewer jobs.

Apparently, President Obama has not learned from his mistake. His budget contains almost \$600 billion in even more new taxes. At a time when millions of Americans are giving up hope of finding jobs and are exiting the workforce, President Obama's budget will only inflict more pain on ordinary families.

House Republicans have passed a responsible budget that leads to balance while also preserving Social Security and Medicare. Let's work together for fiscally accountable government that will help restore jobs to American families.

REDUCING GUN VIOLENCE IN AMERICA

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, today, the Senate is taking up commonsense legislation to help reduce gun violence in America.

I have and always will be a staunch supporter of the Second Amendment, and I strongly support the constitutional rights of my constituents to own guns. This bipartisan legislation to expand background checks does not infringe on the rights of law-abiding gun owners. Instead, it strengthens our existing system of background checks to help keep guns out of the hands of dangerous offenders.

Forty percent of guns sold in the United States currently don't go through background checks. Failing to act means that just anyone can continue to buy weapons at gun shows or over the Internet without being subject to a background check. The vast majority of Americans support background checks. Democrats and Republicans support background checks. The vast majority of responsible gun owners support background checks.

It is commonsense legislation that should be enacted, and it will make our country safer. I urge the House to take this up as soon as the Senate completes its work.

KEYSTONE XL WILL HELP LOWER UTILITY RATES

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, last week, I was home in Montana to highlight the important role that natural resources play in our State's economy. In fact, I put 3,000 miles in traveling around our great State. One question I was asked repeatedly was: When will the Keystone pipeline be approved?

We all know the tremendous economic impact the Keystone pipeline would have and the jobs that would be created; but when I was in Glasgow, Montana, I learned of a relatively unknown benefit as a result of the pipeline.

You see, NorVal Electric Co-Op in Glasgow is slated to supply electricity to one of the Keystone XL pump stations. If the pipeline is built, this rural electric co-op will be able to spread its cost burdens with the pipeline and, consequently, hold rates steady for its 3,000-plus Montana customers. If the pipeline is not approved, it told me that NorVal customers will see upwards of a 40-percent increase in their utility rates over the next 10 years.

As I've said time and time again, this is common sense. Keystone means jobs; it means another step towards energy

independence; and it means lower utility rates for rural Montanans, for hard-working Montana families.

President Obama, it's time to approve the Keystone pipeline.

□ 1230

HUMANE IMMIGRATION REFORM

(Mr. VARGAS asked and was given permission to address the House for 1 minute.)

Mr. VARGAS. Mr. Speaker, I rise to thank the faith-based communities in this country for praying for a humane and just immigration reform. We heard from the Chaplain today in his prayer, and we probably all caught the three references. The first one was from Leviticus 19, the issue of treating the foreign born as your own. Then we heard the Hebrews treating the stranger, treat him well because he may be the angel among you. And then of course, lastly, Matthew 25, treating the stranger because that's how you're going to be judged.

I want to thank each and every pastor, each and every priest, each and every rabbi that has been praying for us on this issue. I think that hardened hearts are changing here. Certainly the debate that we've been having has been humane. Much of the leadership has come from a bipartisan group of Democrats and Republicans with open hearts, and I appreciate that. And that has not happened by itself. It has happened because of the prayers and the supplication of all of these people around the Nation saying we have to do something that matches our values.

THE PRESIDENT'S BUDGET

(Mr. LUETKEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUETKEMEYER. Mr. Speaker, the President's just-released budget calls for higher taxes, more spending, and bigger government, all of which would make it more difficult for hard-working Americans, like those in the Third District of Missouri, to find jobs. More troubling yet is the President's budget simply does not balance. Every family must balance their budget, and we in Washington should, too. We cannot continue to spend money we don't have, and it's not right for the President to take more to spend more.

Several weeks ago, I proudly supported a Republican budget that provides for a balanced budget, will foster a healthier economy and help create jobs. The President's budget, meanwhile, holds any reforms and spending cuts hostage in exchange for more tax hikes.

The American people are tired of the same old song and dance from the President and his allies when it comes

to spending their hard-earned tax dollars. This budget proposal, which is months overdue, isn't a serious plan.

Mr. Speaker, I'm from the "Show Me" State, and this budget doesn't show me anything.

SHOUT OUT TO MEMPHIS MUSIC

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, the gentleman from Ohio mentioned the concert that the President hosted with PBS and the Grammys on Tuesday, and did a poor imitation, I guess, of Justin Timberlake on "(Sittin' on) the Dock of the Bay."

It was a phenomenal shout-out to Memphis music; and while there were a lot of great performers there, I want to put a particular shout-out to Ms. Cyndi Lauper because she's special. She did another Otis Redding song, "Try a Little Tenderness," and it was a phenomenal performance.

I would suggest to some of my colleagues on other side of the aisle that they ought to try a little tenderness on occasion.

Ms. Lauper is special. She did an album called "Memphis Blues" in 2010. It was one of the best albums of the year. It brought blues back. She had Memphians B.B. King and Ann Peebles and Charlie Musselwhite on the album. She's a phenomenal lady, and I give a special shout-out to Cyndi Lauper and Memphis music.

BALANCING THE BUDGET

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, after decades of Washington irresponsibility, Americans are facing nearly \$17 trillion of debt and struggling through a deficit-driven unemployment crisis.

Unfortunately, this administration isn't offering solutions. Yesterday, President Obama introduced a budget that never ever balances and will only make these problems worse. Two months after he missed the law's deadline, President Obama introduced a reheated version of the same failed tax, borrow, and spend policies that created this mess to begin with. President Obama's budget raises taxes by \$1.1 trillion, adds another \$8.2 trillion to the national debt, and doesn't come close to addressing the long-term stability of our Nation's safety net programs. Under the President's plan, taxpayers can expect consequences of endless deficits and future downgrades.

House Republicans are offering a real solution. We've put forward a reasonable plan that actually balances the budget in 10 years, not because we are

interested in spreadsheets and time-tables, but because Americans shouldn't have to wait any longer for success and prosperity.

Let's balance the budget and put our trust in hardworking Americans.

ADDRESSING GUN VIOLENCE

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, elementary schools, high schools, movie theaters, universities, and shopping malls have all been scenes of horrific incidents where innocent lives were lost, along with our sense of security. After each tragedy, we hear sermons, speeches, console survivors and loved ones, but we in Congress have done little to change the way we address gun violence. I want to change that.

While massacres such as the one that occurred in Newtown draw significant attention to the issue of gun violence, it is a persistent problem throughout the Nation. According to a recent Johns Hopkins University survey, a solid majority of Americans, gun owners and nongun owners alike, support several initiatives to slow gun violence. For example, 89 percent of all respondents, and 75 percent of those identified as NRA members, support universal background checks for gun sales.

President Obama's plan also calls for a ban on military-style assault weapons and high-capacity magazines, like the kind that have been commonly used in so many of the mass shootings we have witnessed in the United States.

We can never prevent all crimes or gun violence, but we can work together to find ways to limit the loss of lives with commonsense solutions.

COMMON SENSE IN COMPENSATION ACT

(Mr. MEADOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEADOWS. Mr. Speaker, over the past 2 months, Federal official after Federal official has talked about the need to furlough employees due to sequestration, yet the government continues to hand out millions of dollars in bonuses to Federal employees. Seventy-five percent of senior executive service employees received bonuses, at an average of \$13,081. Regular, oftentimes blue-collar Federal workers are facing furloughs while senior employees are cashing in.

The FAA has been talking about 90-minute waits for passengers, but yet in fiscal year 2011, they handed out \$40,000 bonuses to more than 86 different employees. This is unacceptable, and the recent OMB guidelines don't go far enough.

The Common Sense in Compensation Act bill that I am introducing today would prohibit those bonuses for the rest of fiscal year 2013 and cap them at a maximum of 5 percent of the salary going forward. I urge my colleagues to cosponsor my bill.

UNEMPLOYMENT IS OUR TRUE DEFICIT

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it has now been 830 days since I arrived in Congress, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis. I have news for my colleagues: unemployment is our true deficit.

By getting Americans trained and back to work, we can increase our tax base and stop our borrowing. By reducing unemployment, we can stop our national epidemic of foreclosures. Regardless of the assistance you receive, you cannot keep your home if you do not have a job. My State is the Nation's foreclosure State, and my hometown, Miami, is the foreclosure capital.

Mr. Speaker, unemployment is destroying families and depressing property values. It is devastating our people and dragging down our recovery. Our mantra in this Congress should be: Jobs, jobs, jobs.

□ 1230

A TALE OF TWO CITIES

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, Members of Congress have just come back now from 2 weeks of recess being at home. And group after group after group that I spoke with talked about exactly the same thing that the previous speaker and others are talking about, and that is jobs, job creation, and the opportunity for our children, and sometimes our spouses, to get back into the jobs marketplace.

I remind the people of Dallas, Texas, that there's really a tale of two States or two cities. One is Dallas, Texas, and the other is Chicago, Illinois, the State of Illinois vs. Texas.

Texas, over the last few years, has created more jobs than the other 49 States combined. The reason why we've done this is because we chose not to do the path that Illinois has done, and that is, raising taxes, lowering job expectations and performance, and the ability for people to want to invest in that State and their future.

Mr. Speaker, that's exactly the same background and philosophy that our President and Democrats are having to run jobs out of America. I stand for the

Texas model, lowering taxes and making sure we have jobs.

GUN VIOLENCE PREVENTION LEGISLATION

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I'm happy that, finally, we are moving forward on gun violence prevention legislation in this country. And I really applaud our Senators, JOE MANCHIN and PAT TOOMEY, for coming together, finally, in a bipartisan fashion to push forward legislation to expand background checks in gun shows and for online purchases.

This is a strong first step towards a meaningful solution to end gun violence in this country. And I hope the House, I hope we take this up soon, and pass this legislation.

But I think we need to do more. And if losing 20 young innocent lives doesn't shake us up to end this epidemic of gun violence that has plagued our Nation's neighborhoods, schools, and churches, then nothing will.

If we harden our hearts to the tears and the testimonies of the parents of Newtown here with us this week, then we're telling every family that has been shattered by a gun and every family that has been shattered by this kind of violence that, if we don't act, we're washing our hands of their agony.

You know, I hope that we still have a ban on military-style assault weapons and high-capacity magazines, but this is a good first start.

THE HOUSE REPUBLICAN BUDGET

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, saving Medicare and Social Security for future generations is something Republicans and Democrats can and should agree on. The House Republican budget preserves Social Security and Medicare for current seniors and future generations by beginning the work of making incremental cost-saving reforms.

President Obama, however, sees the threat to Medicare and Social Security solvency as a chance to get more of what he wants. While Medicare and Social Security are going bankrupt, the President is refusing to consider reforms to save our senior safety nets unless he's allowed to raise taxes in exchange.

When it comes to tax increases, how quickly the President forgets. The President just got done raising taxes on the American people on January 1.

The American people send enough of their hard-earned money to Washington each year, and more should not be taken from them to enable further travails in misguided "stimulus."

Reforms to save Medicare and Social Security are critically important to future generations of Americans. They should be treated as more than bargaining chips by the President.

CELEBRATING THE LIFE OF GENE SEGERBLOM

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, I rise today to celebrate the life of Gene Segerblom, who recently passed away at the age of 94. A true public servant to the end, Gene served Nevada throughout her life, first as a high school teacher, then a Boulder City Councilman and, finally, as a four-term assemblywoman in the Nevada State Legislature, beginning at the young age of 74.

While in the legislature, she worked hard to defend the rights of women and children, as well as to protect the environment and Nevada's beauty, which was painted by her husband, Cliff, in many beautiful watercolors.

The Segerblom family has been a fixture in Nevada politics for four generations. Gene's legacy continues through her son, Tick, who is a State senator today. Tick put it perfectly when he said simply, "She loved Nevada. My mother always had a smile on her face, and she never had a bad day."

I miss her personally, and Nevada mourns her loss.

LET'S PUT OUR FISCAL HOUSE IN ORDER

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Madam Speaker, over the past break, I had the chance to go home to the beautiful Georgia Ninth, where I'm born and raised. And one of the things that I find when I go back that is always refreshing is people seem to want to find answers. They find answers to the problems of their life. They want to know what is happening, and they do not understand inside-the-Beltway-thinking that simply adds more and more talk and more and more rhetoric.

Over the past week I have sat in two committees in which the government's own inspectors have found waste, have found duplication, have found fragmentation, in which everything is going in a way in which people back home don't understand.

Sometimes we come to this well and we say, People, we need to come together. Well, what we've got to understand is what we have just heard the last 2 weeks from people in our district is that they want to see action. They don't understand sequester when you've got all this money sitting out

there that is being wasted and duplication in programs such as three programs to study catfish.

As I said in the committee the other day, I've fished for catfish all my life. I don't understand why we need that much inspection.

What we need now is action to cut the waste. We've proposed a balanced budget from the Republican perspective. We're going to continue to fight to put our fiscal house in order.

REDUCING GUN VIOLENCE

(Mr. PAYNE asked and was given permission to address the House for 1 minute.)

Mr. PAYNE. Madam Speaker, the gun safety debate that we are having is not about politics or political means. It is about doing what's right by our families, protecting our children, and reducing the gun violence that persists in the streets of my district every single day. If Congress has the power to prevent some of this senseless violence, then we have a moral obligation to do so.

Background checks are an absolute must. Criminals and the mentally ill should not be able to go online or walk into a gun show and walk away with a gun.

My bill, the Safer Neighborhoods Gun Buyback Act, provides a 25 percent markup on guns traded in, creating an incentive to get the most widely used guns in crimes off of our streets.

It's not complicated. These are commonsense reforms, and the victims of gun violence and their families deserve a vote.

So I urge my Republican colleagues to bring this legislation to the floor. We owe it to the American people, and New Jersey families should not have to wait any longer for commonsense reform.

THE 50TH ANNIVERSARY OF THE USS "THRESHER" DISASTER

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SHEA-PORTER. This week marks the 50th anniversary of a terrible submarine disaster. The USS *Thresher*, the first in a new class of subs designed to answer the Soviet threat in the Cold War, left the world's greatest shipyard, the Portsmouth Naval Shipyard, to conduct sea trials on April 10, 1963. Disaster struck, and America lost 129 of its finest men that day.

I honor these men who are on eternal patrol, and I honor their families, their wives and their children, some of whom never met their dads. Their sacrifices did lead to a sub safety program.

One of the surviving children wrote a song about his dad, and he said, "A

man whose love is stronger than the tide that's taken you away."

Let's pause and remember these great men and their families.

STOP THE SENSELESS GUN VIOLENCE

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, I'm here because of Angel. Angel was just an ordinary teenager. She loved basketball. She liked to hang out. In fact, that's all she was doing on a balmy night in West Palm Beach, just hanging out, when she was violently killed by a man, devoid of humanity, armed with a gun.

And so, instead of dressing Angel for her prom, her mother dressed her for her funeral. Instead of attending Angel's graduation, her family visited her gravesite.

Isn't it time to take the guns out of the hands of criminals and madmen?

Isn't it time for this Congress to stop the senseless gun violence?

Mr. Speaker, let us vote.

□ 1240

AMERICA WORKS ACT

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute.)

Mr. SCHNEIDER. Mr. Speaker, this week, Mr. HOYER launched his Make It In America initiative to strengthen our manufacturing sector and spur job growth. American manufacturing has been a bright spot in our economic recovery, but too often I hear from my district that a lack of skilled workers is limiting their opportunities for growth. In Illinois' 10th District, we have nearly 700 manufacturing facilities employing over 98,000 people. These businesses, and our country, will remain globally competitive only if we continue to develop and train our workforce with the skills necessary for the highly technical work that 21st-century manufacturing requires.

That's precisely why I introduced the AMERICA Works Act. I'm proud to have it included in the Make It In America agenda. This commonsense legislation promotes collaboration between industry leaders, colleges, and job-training programs to prepare students and workers with the precise skills and jobs where talented people are most needed. AMERICA Works and the Make It In America agenda is the comprehensive approach we need to ensure success for American workers and manufacturers.

PROVIDING FOR CONSIDERATION OF H.R. 1120, PREVENTING GREATER UNCERTAINTY IN LABOR-MANAGEMENT RELA- TIONS ACT

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 146 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 146

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1120) to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-6, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 146 provides for a closed rule providing for consideration of H.R. 1120, the Preventing Greater Uncertainty in Labor-Management Relations Act. Although the Rules Committee solicited amendments last week, we received only two amendments, one Democrat and one Republican, neither of which was germane to the bill.

Mr. Speaker, my colleagues on the House Education and Workforce Committee and I have been hard at work

conducting oversight and challenging the National Labor Relations Board on its anti-jobs agenda. In January 2012, President Obama made three so-called "recess appointments" to the National Labor Relations Board while Congress was not in recess, in violation of the Constitution. The U.S. Court of Appeals for the District of Columbia recently ruled these appointments were unconstitutional. This decision calls into question every action the Board has taken since these so-called recess appointments were made.

The bill before us today, H.R. 1120, would provide greater certainty for employers and unions by requiring the Board to cease all activity that requires a three-member quorum and prohibits the Board from enforcing any decision made since the appointments in question were made in January 2012.

It is important to note also what this bill does not do. It does not prohibit the National Labor Relations Board's regional offices from accepting and processing charges of unfair labor practices. The bill also allows the Board to resume activities if one of the three following conditions is met:

The U.S. Supreme Court rules on the constitutionality of recess appointments;

A quorum of the Board is confirmed by the Senate;

The expiration of the recess appointees' terms at the end of this year.

Finally, H.R. 1120 ensures any action approved by the so-called "recess appointees" is reviewed and approved by a future Board that has been constitutionally appointed.

As my colleagues across the aisle are sure to point out, the President has recently nominated three individuals for Senate confirmation, in addition to the two he nominated in February. The bill before us remains necessary as a commonsense pause button on the Board's activities while the legal uncertainty is resolved. It would give employers and unions the certainty they need to operate in the interim.

Mr. Speaker, I urge my colleagues to vote in favor of this rule and the underlying bill, and I reserve the balance of my time.

Mr. POLIS. I thank the gentlelady for yielding the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to both the rule and the underlying bill. The bill is inaccurately named. In fact, quite to the contrary, the bill should be called the Creating Greater Uncertainty in Labor-Management Relations Act, throwing into question actions of this Board, decisions on both sides, as well as agreements that have been reached through the process in the interest of business, as well as working Americans.

Two weeks ago, Congress approved a continuing resolution on a bipartisan

basis to prevent the Federal Government from closing. There were give-and-takes. There were things in it from both sides that weren't perfect. Nevertheless, the majority and minority in this House, the Republicans and Democrats, worked together in good faith, successfully, to prevent a government shutdown, consistent with what the American people wanted and consistent with any responsible stewardship of the public trust.

After achieving that, I was initially optimistic that when the House reconvened this week, we might be able to build on the spirit of compromise, perhaps tackling the difficult issue of fixing our broken immigration system and replacing it with one that works, that restores the rule of law, perhaps dealing with some of the gun safety issues that are being debated across society, perhaps dealing with tax reform and bringing down our rates and broadening the base, perhaps dealing with finally battling our budget deficit.

But, instead, here we are back in Congress, picking up where we were before we worked together on the continuing resolution, passing pointless bills for presumably political reasons—bills that have no sign of passage in the Senate, bills that have a direct veto threat from the President of the United States, which is in his Statement of Administration Policy which I entered into the RECORD last night in the Rules Committee, and just as importantly, a bill that has no positive impact on the most important issue facing our country today—job creation and economic growth.

Mr. Speaker, this bill is an attack on American workers; this bill is an attack on American businesses. Pure and simple, H.R. 1120 would effectively shut down the National Labor Relations Board, invalidate all 569 decisions that the NLRB made between January 12 and March of this year.

My colleagues claim this is a response to the D.C. Circuit Court decision. But when have we ever enshrined an intermediate court decision into statute? It makes absolutely no sense. This court decision found that nearly all recess appointments are invalid; but the reality is the decision of the D.C. Circuit conflicts entirely with judicial precedent and past practice.

President Reagan made 232 recess appointments. George H.W. Bush made 78. George W. Bush made 171. So far, President Obama has made 32—far fewer than his predecessors. In fact, every President since Reagan has appointed a member of the NLRB through a recess appointment.

In the absence of legislative action, any responsible Chief Executive takes the prerogative to make our laws and system of government work. If this body fails to pass immigration reform, the President might build upon the deferred action program and try to do

what he can for detention reform. We need to change the laws. But failing that, what can a President do besides try to make those laws work?

□ 1250

In the absence of taking up ESEA reauthorization, in the absence of replacing No Child Left Behind with a Federal education law that gets accountability right and expands and replicates what works in public education and improves what isn't working, in the absence of doing that, the President and Secretary Duncan have taken the prerogative to grant waivers for States on a statutory framework that we know is insufficient and doesn't work.

So, again, it's no surprise that, in the absence of taking up nominees, the President used his recess appointment power to make sure that the important functions of government could continue.

When have we ever, as a House, responded directly to intermediate circuit court decisions by instantly making them statutes? Look, the majority of this House of Representatives wasn't so confident in the D.C. Circuit when it said that ObamaCare was constitutional. We didn't see bills instantly to say ObamaCare is constitutional because the D.C. District Court said it was constitutional. What about when the D.C. District Court upheld the constitutionality of civil unions in Washington, D.C.? Was there a bill from my colleagues on the other side to instantly say that civil unions are constitutional?

Look, this is in process through the judicial branch of government. We need to wait until the Supreme Court has decided if they will even rule in this case before we decide what to do on a statutory basis.

The executive branch needs to make the mechanisms of government work to the best of their ability. The legislative branch makes the laws. The judicial branch determines if either of the other two branches impugn the rights of one another or of the American people. It is a system that has served us well since our founding, and it's one that this bill flies in the face of.

Again, despite this bill's title, "Preventing Greater Uncertainty in Labor-Management Relationships," it actually achieves the exact opposite—creates greater uncertainty in labor-management relationships. It throws judicial precedent and nearly 600 NLRB rulings into limbo.

American businesses would be severely harmed if this bill were to become law, which, of course, there is no chance of. It won't be taken up by the Senate. The President would veto it.

But were it to become law, like many other political measures that have been pursued in this body, it would generate regulatory uncertainty that

would hang over business, hurting their valuations, preventing hiring of new employees, hurting the public marketplace, impacting entrepreneurs, employers, and workers to the detriment of our economy, destroying jobs in this country. Without a forum in which to mediate disagreements, labor and management, alike, have no recourse to iron out their differences and less incentive to iron out their differences. Passage of this bill could cause more strikes from workers, damaging businesses and hurting workers.

The underlying bill could very well be named the "Strike Promotion Act." Instead of allowing Members and encouraging both sides of labor-management disputes to offer improvements and find common ground, quite the contrary, it destroys the very incentives that they have to reach agreement.

Mr. Speaker, it's too bad that the NLRB has become such a political punching bag, because I and many of my colleagues would certainly enjoy the opportunity to debate common-sense proposals to improve the relationship between employers and employees. If we want to have a debate about the NLRB, let us have that debate directly, not through some imposition into judicial prerogative. Let's bring in representatives from businesses and labor organizations. Let's hear from workers and businesses across America.

Look, if there's improvements to be made to the process that can lead to quicker response times, that can lead to fairer adjudication, if there's improvements that American businesses and American workers can agree on to make the process work better for economic growth and prosperity, let's do it. This bill does none of that. It leads to more strikes, leads to greater economic uncertainty, leads to destruction of jobs, leads to an interruption in the ability of a Chief Executive of this country—whomever he or she may be—from implementing the law to the best of their ability; and it's a bill that is, frankly, a waste of our time to even debate here on the floor of the House since we know that it has no chance of passage.

This bill is purely put before us for political intentions to perhaps satisfy some fringe element somewhere that likes this bill and likes to bash the rights of workers. But there's a lot of important work to be done, work that is too important for us to waste our time on this form of political posturing, which only stands to destroy jobs, hurt the economy, and create greater uncertainty, damaging American businesses and American workers.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, we need jobs in this country. There are nearly 12 million Americans unemployed and anxious to find work.

President Obama and the Senate Democrats' policies of higher taxes, record spending, and bigger government have failed to create jobs or boost economic growth. Put simply, this economy is growing too slowly to replace the millions of jobs lost. The failure of the President's runaway spending, deficits, and debt is being felt by every family struggling to put food on the table and pay their mortgages.

The March 2013 labor force participation rate is the lowest since 1979, and the 1-month increase in March 2013 of 663,000 new people not in the labor force is the largest increase ever recorded for the month of March since this data started being collected in 1975. If these individuals "not in the workforce" were counted in the official unemployment rate, that rate would increase to 11.2 percent.

Additionally, there are 47.3 million Americans receiving food stamps, which is equivalent to 15 percent of the population and represents, by far, the largest number in history. This number stands in stark contrast to when President Obama took office and there were only 31.9 million Americans using food stamps. Today, nearly one in seven Americans is on food stamps. What a sad commentary about our country.

All these statistics ultimately say the same thing: everyday Americans will keep struggling until our economy turns around. Fortunately for the American people, House Republicans have a plan for helping to restore economic growth and create jobs throughout the country.

The liberal elite simply cannot understand that more spending does not mean more jobs. Reckless deficit spending, mounting debt, growing red tape, higher taxes, a confusing Tax Code, higher energy prices, and rampant uncertainty all have job creators playing defense.

Campaigning for another failed stimulus and more job-destroying taxes, President Obama has repeatedly and falsely asserted that "Congress isn't willing to move" legislation to facilitate job growth.

While the President plays politics, House Republicans have been working and approving legislation to promote economic growth and job creation. The Republican plan for growth tears down barriers to job creation because jobs are priority number one.

As part of this plan, we are working diligently to cut job-killing red tape that costs small businesses \$10,585 per employee each year; reduce gas prices; create jobs by producing more American energy, which is important since every penny increased per gallon of gas costs consumers \$4 million per day; simplify the job-killing Tax Code that cost Americans \$168 billion in 2010 just to comply with it; prevent job-killing tax hikes on small businesses; reduce uncertainty by tackling the debt crisis

with responsible spending cuts; and the Republican plan will get Washington out of the way and put American job creators back on the offense.

Growing jobs and eliminating the deficit go hand in hand. To balance the budget, we need both spending cuts and real economic growth.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Well, it sounds like I agree with the gentlelady on many of our national priorities. For goodness sake, let's reform the Tax Code; let's bring down rates. Gas prices, my constituents are complaining about them; let's take action. Preventing tax increases, balancing the budget, making sure that we have a business climate that's friendly for small businesses, why aren't we talking about any of that on the floor of the House today instead of enshrining a D.C. District Court decision into statute, to the detriment of job creation, to the detriment of American business, against many of those great concepts that my colleague, Dr. FOXX, espoused?

So, I mean, I think there's got to be a connection here. I think the American people are smart enough to make it. It's great to pay lip service to all these wonderful things that Democrats and Republicans want to pursue, but what are we doing with our legislative time that taxpayers pay for here in the House? We're trying to prevent the President from implementing the law that Congress has made.

With that, Mr. Speaker, I'd like to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

In the summer of 2011, as the country continued to see rising deficits, Members of the Congress knew that they had to do something about that in connection with the extension of what we call the debt ceiling, which lets the country borrow money to pay its bills.

□ 1300

As a part of that agreement, a large number of people from both parties voted for something that hasn't turned out very well, and it's called sequestration. This is not something that's just a word that gets tossed around in this Chamber and has political consequences; it is having a real and negative impact on the country.

I just came from a hearing of the Armed Services Committee where the chairman of the Joint Chiefs of Staff and the Secretary of Defense told us that nine battle groups and three bomber groups of our Air Force and our Navy planes have been grounded. About one-third of the Nation's air capacity isn't flying.

Across the country today, people who are on Medicare who need chemotherapy treatments from their doctors' offices are finding that many doctors

are declining to do chemotherapy treatments for cancer patients because of the cuts that take place in sequestration.

I met earlier this week with employees of the Naval Sea Systems engineering command in Philadelphia, whom I represent. They are looking at a 20 percent pay cut because of furloughs. These are real problems that are affecting real people. The House is opting to do nothing about this—nothing.

The economists have told us that these ill-advised sequestration cuts will cost the economy 750,000 jobs this year. Mr. VAN HOLLEN, my friend from Maryland, has a bill, and that bill says that we should save an amount of money equal to what the sequestration is allegedly saving and not have these cuts in cancer care and not have a third of our air power grounded and not have Federal employees take a 20 percent pay cut.

Mr. VAN HOLLEN proposes that we cut subsidies to huge oil companies, that we cut subsidies to huge agribusinesses, and we have people who make more than \$1 million a year in income pay a slightly higher tax rate. I understand, ladies and gentlemen of the House, that some would agree with that proposal and others would disagree with that proposal. That's democracy.

We're not even taking a vote on that proposal because the majority Republican leadership has refused to put on this floor any piece of legislation that would stop this harm to the country. I know they'll say it's the President's fault or it's the Senate's fault or it's whoever.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional minute.

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, I know that there will be lots of back and forth about whose fault it was that we got into this position. It's everyone's fault. There are people on both sides of the aisle that made a bad judgment on this. I'm one of them. But now we have a responsibility to fix it; and if the majority has an idea as to how we could fix the sequester problem, bring it to the floor.

Since the new Congress took office on January 3 of this year, there has not been one hearing, not one markup, not one bill, not one vote on fixing this problem that threatens the jobs of 750,000 Americans. Rather than this metaphysical legal debate we're about to have about the National Labor Relations Board, why don't we put on the House floor legislation that would create jobs in this country, postpone the sequester, and deal with the problems that we talked about here today. The House is in session, but it's missing in action when it comes to addressing the real problems of the American people.

Ms. FOXX. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I will offer an amendment to this rule that will allow the House to hold a vote on the Paycheck Fairness Act. Here we are in 2013—2013—and yet women make 77 cents for every dollar made by a man for equal work. Equal pay is not just a problem for women, but for all American families who work hard to pay their bills. It's high time that this body took up the Paycheck Fairness Act, which we will do if we defeat the previous question.

To discuss our proposal, I would like to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to the previous question. Defeat of the previous question will allow the gentleman from Colorado to amend the rule to provide for consideration of the Paycheck Fairness Act, an act that addresses the persistent problem of unequal pay in our economy.

It has now been 50 years since Congress passed the Equal Pay Act to confront the "serious and endemic" problem of unequal wages in America. President John F. Kennedy signed that bill into law to end "the unconscionable practice of paying female employees less wages than male employees for the same job."

But that practice persists today. Today, even though women are now half of the Nation's workforce, they are still only being paid 77 cents on the dollar as compared to men. This holds true across occupations and education levels. Don't let anyone fool you or tell you that if you hold constant for education and other areas that, in fact, there is no wage gap; it is just not true. A simple piece of legislation that says: men and women—same job, same pay. Those of us who serve in the Congress, men and women, all parts of the country, different education skills, different skill sets in general, we get paid the same amount of money. It's true in the military as well.

This week, we once again recognize Equal Pay Day, the day in 2013 when a woman's earnings for 2012 catch up to what a man made last year. Unequal pay not only affects women; it affects families all across the country who are trying to pay their bills, trying to achieve the American Dream, and are getting less take-home pay than they deserve for their hard work.

Everyone here agrees that women should be paid the same as men for the same work. That is what paycheck fairness is all about—same job, same pay.

It is why President Obama called for passage of the Paycheck Fairness Act in the State of the Union address in January.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlelady an additional 30 seconds.

Ms. DELAURO. Because it is time for us to come together and take the next steps to stop pay discrimination—by putting an end to pay secrecy, strengthening workers' ability to challenge discrimination, and bringing equal pay law into line with other civil rights laws.

I urge my colleagues to defeat the previous question, support the Paycheck Fairness Act and end unequal pay for good. Fifty years after the Equal Pay Act, it is finally time to give women the tools they need to ensure that they are paid what they deserve for the same day's work. What are we waiting for in this body?

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

This is a typical liberal habit: do as I say, not as I do.

I think, Mr. Speaker, that our colleague from Connecticut should direct her comments to the White House. There is absolutely nothing to stop the White House from correcting the egregious pay differentials that exist there among the most liberal group in the country.

With that, I reserve the balance of my time.

Mr. POLIS. Before further yielding, I am going to yield 30 seconds to the gentlelady from Connecticut to respond.

Ms. DELAURO. Mr. Speaker, I would tell my colleague that, in fact, this body, under different leadership than this current majority, passed the paycheck fairness bill twice. It has to be done through the Congress; we have the ability to do it. I would suggest to my colleagues, who on the other side of the aisle would like to talk about pay equity for women, that they sign the discharge petition. We have 200 Members who are aboard. Let's get this bill out of the committee, onto the floor, vote for it as we did in the past, and send it to the Senate so that it could be passed there as well.

I thank the gentleman for yielding.

Mr. POLIS. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Maryland (Mr. DELANEY).

□ 1310

Mr. DELANEY. I appreciate my good friend from Colorado yielding me this time.

Mr. Speaker, I also rise in support of the Paycheck Fairness Act.

Last year, 58 percent of the college graduates in this country were women. Right now in this country, over 50 percent of the individuals that have college degrees are women, and last year in corporate America, 53 percent of new hires for positions that required a college degree were given to women. This reflects broad, gender-based parity with respect to universities and with respect to entry-level positions in corporate America.

However, Mr. Speaker, when we look at what's going on with respect to advancement—in other words, women's ability to climb or ascend the corporate ladder—we see a very different story emerging. Even though 50 percent of the workers with college degrees in corporate America are women, when it came to promotions for managers, only 37 percent of those went to women. When it came to promotions for vice presidents, only 25 percent went to women. And when it came to promotions towards the executive committee level or the C-suite, if you will, only 15 percent went to women. This reflects a significant talent drain that occurs with respect to women as they advance in corporate America.

Mr. Speaker, this is a very significant problem for this country and for every American. It's a problem if you care about our economy. To have a productive and growth-oriented economy, we need diversity, diversity of ideas, and we cannot have that unless women are represented in policymaking decisions of corporations.

This is a problem, Mr. Speaker, if we care about competitiveness because we cannot have a competitive economy if we make decisions based on gender and not based on merit.

This is a problem, Mr. Speaker, if you care about working families. More than 50 percent of the breadwinners in this country are women. If they don't have the same access that men do, it not only affects them, but it affects their children.

Mr. Speaker, this is a problem if we care about women, if we care about young women in particular and our daughters. And as a father of four daughters, I care very deeply about making sure my daughters have a view that they have equality of opportunity regardless of whatever career they choose.

We have to change the mindset of institutions, the mindset of individuals, and this legislation helps do that.

Ms. FOXX. Mr. Speaker, I'd like to reiterate again—and my colleague from Connecticut has left—that there is absolutely nothing that would prevent the White House from giving equal pay to people in jobs there. We don't need new legislation to do that. It's certainly possible for the White House to do it now. And that is one of the most egregious situations of differential pay that exists in the country right now.

With that, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I would respond to the gentlelady that most women in this country don't work for the White House. Most women in this country work for private sector employers, public sector employers, and others.

We care about all women. We want to ensure paycheck fairness—same work,

same pay. But somehow addressing this among a handful of women in the White House hardly addresses the real needs of American families, where women across our country in Colorado, in California, North Carolina, and Texas are earning 77 cents on the dollar.

It's unfair. And as my colleague Mr. DELANEY pointed out, it doesn't enhance American economic competitiveness. It hurts us as a country to have pay based on bias rather than merit. It's simply the wrong way to go.

President Obama needs this body to act and pass the Paycheck Fairness Act for us to be able to make sure that pay discrimination cannot endure in this country.

With that, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank my colleagues and friends who are managing this legislation.

We are in the Judiciary Committee passing something called the REINS Act because our friends on the other side of the aisle don't believe that the President is omnipotent.

Frankly, as my good friend from Colorado said, the President doesn't control the bus drivers and school aides and nurses aides and doesn't control the secretaries and doesn't control the construction workers who happen to be women. They don't control those individuals. Oh, and let's not forget the office workers who happen to be women.

Many of my constituents who get up every morning—I saw one young woman, Mr. POLIS, get on a city bus, drop her child off at the school, really do a marathon dash to the school in order for the bus to make a U-turn around—not a school bus, a city bus—to get on that bus to track all the way across to get to her job. I can assure you that she is not getting probably equal pay for equal work because that is the dilemma that we have.

So I support ordering the previous question and voting “no” so that we can move forward and do the right thing.

And that just compounds my reason for coming to oppose this rule on the Preventing Greater Uncertainty in Labor-Management Relations Act because it is, in essence, a complete opposite. I would call it something else, but I'm going to restrain myself. H.R. 1120 is ridiculous.

In actuality, my friends, what it does is put a spear through the relationships that corporate and workers are able to have before the NLRB. The President has just finished appointing Republicans and Democrats—three Democrats and two Republicans—to do the work that brings businesses together for a fair assessment of their issue with working people.

Many resolutions of issues dealing with fair pay, dealing with working conditions are done at the NLRB.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the gentleman.

Do you know what this bill does? It puts a knife in the process that has been used by President Bush 140 times—recess appointments—to keep the work of the American people going forward. How backwards is that?

I love my friends, but we need to put on the floor sensible gun legislation, we need to be talking about immigration reform. But to talk about blocking the NLRB from work when President Bush used the same process. And the fact that a court ordered something—300 other opinions said the recess appointments are legitimate.

I ask my colleagues to vote down the rule, vote down the bill, stand with your working friends in America, stand with our unions, stand with making America great, and stand with peace and reconciliation by a working NLRB.

Mr. Speaker, I rise to oppose this rule, and the underlying bill, H.R. 1120, the “Preventing Greater Uncertainty in Labor-Management Relations Act.”

This bill effectively prevents American employees from seeking remedies when their rights under the National Labor Relations Act, or NLRA, are violated.

The NLRA guarantees American workers in the private sector the right to act collectively to improve the conditions of their workplace. This applies for formal meetings with supervisors, as well as to employees who gather in the break room to discuss a new company policy or compare their paychecks. It also protects workers when they act together to protest working conditions, such as leaving the building because the employer refuses to turn on the heat. Recently, these laws protected employees who discussed their salaries with each other on facebook. You don't need to be part of a union to be protected by these laws.

Under the NLRA, employees can go to the National Labor Relations Board, or NLRB, with these grievances.

The NLRB is also charged with conducting elections for labor union representation and with investigating and remedying unfair labor practices involving unions.

Recently, the D.C. Circuit, one of our federal appellate courts, ruled that the National Labor Relations Board, or NLRB, cannot carry out its congressionally delegated duties of enforcing the NLRA because it deemed President Obama's appointments to the Board invalid.

The entire decision hinged on a controversial interpretation of the word “the” in our Constitution. Article II states that “The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate.” The court decided that this clause of our Constitution refers to some recesses, but not others. Many other federal courts have disagreed with this stretched reading of our Constitution, and in areas of the U.S. covered by these courts, the D.C. Circuit decision does not apply.

While we eagerly await the Supreme Court's verdict on the meaning of the word “the,” the NLRB is still allowed to continue carrying out its statutory duties under the NLRA, and American workers still retain their rights under the NLRA.

That is why I am opposing. This bill merely eliminates the rights of American workers in places outside the D.C. Circuit to seek a remedy when their employer violates our National Labor Relations Act. Without a remedy, rights are meaningless. Depriving employees of this remedy during these difficult economic times is merely a stab in the back to hard working Americans across the country. This Congress should not take actions that undermine American employees and working families.

The argument that an active NLRB produces economic uncertainty is unfounded. America has prospered since the creation of the NLRB. Other countries that have much stronger laws protecting worker rights and are much more heavily unionized, such as Australia, Canada, Germany, and the Netherlands, are doing better or at least as well as the United States in this economic downturn. H.R. 1120 merely seeks to add more uncertainty and create fewer rights for American workers during these tough economic times.

Mr. Speaker, I oppose this rule, and the underlying bill. Congress should not remove the ability for employees to seek redress for workplace wrongs. Instead, we need to stand up for our employees and working families.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I want to respond again to my colleague from Colorado in his saying that we have to pass a bill on pay equity to get the President to do the right thing. That just seems incomprehensible to me.

I think the President should be our leader in this country and should practice what he preaches, and so should our colleagues across the aisle. I think that the White House could show itself as a model for the rest of the country by paying the women in the White House the same as the men are being paid. I find it interesting that our colleagues have simply ignored what is happening in the White House and call for a bill to be passed to make the President do what is the right thing. In the past, our country and the people in our country have looked to our President to be a role model for us.

With that, Mr. Speaker, I reserve the balance of my time, and I would ask the gentleman if he is ready to close.

Mr. POLIS. Mr. Speaker, I have one remaining speaker.

I happen to have a gentlelady currently working for the Rules Committee sitting next to me here and helping with our research on this bill, and she informs me she used to work for the White House. She's a female. She tells me she was paid the exact same amount as her male colleagues.

With that, I'd like to yield 2 minutes to the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank Congressman POLIS, a leader on these issues, for yielding me time.

I rise, Mr. Speaker, in opposition to the rule and the underlying bill, which would prevent the National Labor Relations Board from doing its job.

The NLRB is tasked with protecting employees' rights to organize by helping employees determine whether they want a union to represent their interests or not.

Nations with bargaining rights have middle classes; those that don't have bargaining rights don't have middle classes.

The NLRB also investigates charges of unfair labor practices from both employees and employers, facilitates settlements rather than expensive lengthy litigation, and enforces rules by administrative law judges that provide orderly procedures to prevent the disruption of the flow of commerce due to a labor dispute.

This bill before us is just another partisan ploy to undermine union workers and continues the Republican war against the middle class.

First we had the Ryan budget, which would put the burden of paying for two wars and tax cuts for the wealthy on the backs of seniors and our middle class families. Now we have a bill that would result in violations of worker rights going unpunished, union elections not being certified, and that would end recourse for workers who are wrongfully terminated.

Instead of letting the courts do their job, Republicans want to take a Big Government action by preempting any decision from a higher court.

□ 1320

This bill ignores the fact that Republicans in the Senate would not allow for a vote on any of the President's nominees, and said publicly that they just wanted to make the NLRB inoperative.

It is ironic that when President Obama follows the path as President Reagan and President Bush did, that of appointing individuals to carry out the work of our government, the Republican House proposes a bill to completely undermine an independent Federal agency.

Finally, studies show that the world's best performing economies and strongest middle classes have high union density and a high level of cooperation between labor and management. If Republicans care about creating jobs and strengthening our economy, then why are they considering a bill that would take away a forum for employers and unions to work out their differences?

Mr. Speaker, I urge my colleagues to join me in opposing this rule and the underlying bill.

Ms. FOXX. Mr. Speaker, I assume the gentleman is ready to close, so I reserve the balance of my time.

Mr. POLIS. I am ready to close, and I yield myself the remainder of my time.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 4 minutes.

Mr. POLIS. Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, rather than addressing a number of issues that my colleagues have talked about here today, whether that issue is gas prices, whether it's equal pay for women, whether that's equal pay in the White House or equal pay for Main Street America, that's something that's important to American families. Whether it's balancing our budget, whether it's keeping taxes low and making sure that American businesses can go and create jobs, none of those things are being talked about here today. Instead, we are bringing forward a bill that would be a bureaucratic nightmare, all without protecting a single American worker and without protecting a single American business.

This bill was reported out of the Education and the Workforce Committee, on which I serve, without a single Democratic vote, and it is being rushed to the floor for consideration at a time when we face record deficits, record gas prices, have a crisis for which we need to create jobs; yet here we are, debating a bill that will go nowhere, and if it did, it would destroy jobs in our country.

I'd love to see us spending more time balancing the budget and in training and educating our workforce—preparing kids for the jobs of the future. We have limited floor time here in Washington. Every moment that we have is sponsored by the taxpayers of this great country. We owe it to those who elect us and those who pay for this body to be open as they pay for the very cameras which allow Americans to watch us here today. We owe it to them to invest the limited time we have here wisely, on critical issues of national importance, including making sure that women across our country are paid the same amount for equal work.

If we are going to have a discussion of the NLRB, let's at least do it in a serious way rather than trying to enshrine a D.C. District Court decision into law. Let's bring businesses and workers together and have serious discussion; involve Senate Republicans, involve Senate Democrats, involve the administration to come up with a better framework for ensuring that labor and management can work together to promote American competitiveness, to grow jobs and to grow the middle class.

That's not what today's process is about, but these are just a few of the

ways we could improve the broken process. Unfortunately, again, it seems like the Republicans have chosen none of the above.

I urge a "no" vote on the rule and on the bill, and I urge my colleagues to vote "no" and defeat the previous question.

With that, Mr. Speaker, I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself the balance of my time.

In closing, Mr. Speaker, House Republicans are committed to upholding the Constitution and providing certainty for employers, employees, and unions. The rule before us today provides for the consideration of a bill that ensures that certainty by pressing "pause" on the National Labor Relations Board's activities until the legal uncertainty is resolved.

Therefore, I urge my colleagues to vote for this rule and the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 146 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 377) To amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the H.R. 377 as specified in section 2 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 146, if ordered, and approving the Journal.

The vote was taken by electronic device, and there were—yeas 226, nays 192, not voting 13, as follows:

[Roll No. 97]

YEAS—226

Aderholt	Granger	Pearce
Alexander	Graves (GA)	Perry
Amash	Graves (MO)	Petri
Amodei	Griffin (AR)	Pittenger
Bachmann	Griffith (VA)	Pitts
Bachus	Grimm	Poe (TX)
Barletta	Guthrie	Posey
Barr	Hall	Price (GA)
Benish	Hanna	Radel
Bentivolio	Harper	Reed
Bilirakis	Harris	Reichert
Bishop (UT)	Hartzler	Renauci
Black	Hastings (WA)	Ribble
Blackburn	Heck (NV)	Rice (SC)
Bonner	Hensarling	Rigell
Boustany	Herrera Beutler	Roby
Brady (TX)	Holding	Roe (TN)
Bridenstine	Hudson	Rogers (AL)
Brooks (AL)	Huizenga (MI)	Rogers (KY)
Brooks (IN)	Hultgren	Rogers (MI)
Broun (GA)	Hunter	Rohrabacher
Buchanan	Hurt	Rokita
Bucshon	Issa	Rooney
Burgess	Jenkins	Ros-Lehtinen
Calvert	Johnson (OH)	Roskam
Camp	Johnson, Sam	Ross
Campbell	Jones	Rothfus
Cantor	Jordan	Royce
Capito	Joyce	Runyan
Carter	Kelly (PA)	Ryan (WI)
Cassidy	King (IA)	Salmon
Chabot	King (NY)	Scalise
Chaffetz	Kingston	Schock
Coble	Kinzinger (IL)	Schweikert
Coffman	Kline	Scott, Austin
Cole	Labrador	Sensenbrenner
Collins (GA)	LaMalfa	Sessions
Conaway	Lamborn	Shimkus
Cook	Lance	Shuster
Cotton	Lankford	Simpson
Cramer	Latham	Smith (NE)
Crawford	Latta	Smith (NJ)
Crenshaw	LoBiondo	Smith (TX)
Culberson	Long	Southerland
Daines	Lucas	Stewart
Davis, Rodney	Luetkemeyer	Stivers
Denham	Lummis	Stockman
Dent	Marchant	Stutzman
DeSantis	Marino	Terry
DesJarlais	Massie	Thompson (PA)
Diaz-Balart	McCarthy (CA)	Thornberry
Duffy	McCaul	Tiberi
Duncan (SC)	McClintock	Tipton
Duncan (TN)	McHenry	Turner
Ellmers	McKeon	Upton
Farenthold	McKinley	Valadao
Fincher	McMorris	Wagner
Fitzpatrick	Rodgers	Walberg
Fleischmann	Meadows	Walden
Fleming	Meehan	Walorski
Flores	Messer	Weber (TX)
Forbes	Mica	Webster (FL)
Fortenberry	Miller (FL)	Wenstrup
Fox	Miller (MI)	Westmoreland
Franks (AZ)	Miller, Gary	Whitfield
Frelinghuysen	Mullin	Williams
Gardner	Mulvaney	Wilson (SC)
Garrett	Murphy (PA)	Wittman
Gerlach	Neugebauer	Wolf
Gibbs	Noem	Womack
Gibson	Nugent	Woodall
Gingrey (GA)	Nunes	Yoder
Gohmert	Nunnelee	Yoho
Goodlatte	Olson	Young (AK)
Gosar	Palazzo	Young (IN)
Gowdy	Paulsen	

NAYS—192

Andrews	Grijalva	Owens
Barber	Gutierrez	Pallone
Barrow (GA)	Hahn	Pascarella
Bass	Hanabusa	Pastor (AZ)
Beatty	Heck (WA)	Payne
Becerra	Higgins	Pelosi
Bera (CA)	Himes	Perlmutter
Bishop (GA)	Hinojosa	Peters (CA)
Bishop (NY)	Holt	Peters (MI)
Bonamici	Honda	Peterson
Brady (PA)	Horsford	Pingree (ME)
Brown (FL)	Hoyer	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Israel	Price (NC)
Butterfield	Jackson Lee	Quigley
Capps	Jeffries	Rahall
Capuano	Johnson (GA)	Rangel
Cardenas	Johnson, E. B.	Richmond
Carney	Kaptur	Roybal-Allard
Carson (IN)	Keating	Ruiz
Cartwright	Kennedy	Ruppersberger
Castro (TX)	Kildee	Rush
Chu	Kilmer	Ryan (OH)
Cicilline	Kind	Sánchez, Linda T.
Clarke	Kirkpatrick	Sanchez, Loretta
Clay	Kuster	Sarbanes
Cleaver	Langevin	Schakowsky
Clyburn	Larsen (WA)	Schiff
Cohen	Larson (CT)	Schneider
Connolly	Lee (CA)	Schrader
Conyers	Levin	Schwartz
Cooper	Lewis	Scott (VA)
Courtney	Lipinski	Scott, David
Crowley	Loebach	Serrano
Cuellar	Lofgren	Sewell (AL)
Cummings	Lowenthal	Shea-Porter
Davis (CA)	Lowey	Sherman
Davis, Danny	Lujan Grisham (NM)	Sinema
DeFazio	Luján, Ben Ray (NM)	Sires
DeGette	Maloney, Carolyn	Slaughter
Delaney	Maloney, Sean	Smith (WA)
DeLauro	Matheson	Swalwell (CA)
DelBene	Matsui	Takano
Deutch	McCarthy (NY)	Thompson (CA)
Dingell	McCollum	Thompson (MS)
Doggett	McDermott	Tierney
Doyle	McGovern	Titus
Duckworth	McIntyre	Tonko
Edwards	McNerney	Tsongas
Ellison	Meeks	Van Hollen
Engel	Meng	Vargas
Enyart	Michaud	Veasey
Eshoo	Miller, George	Vela
Esty	Moore	Velázquez
Farr	Moran	Visclosky
Fattah	Murphy (FL)	Walz
Foster	Nadler	Wasserman
Frankel (FL)	Napolitano	Schultz
Fudge	Neal	Waters
Gabbard	Negrete McLeod	Watt
Gallego	Nolan	Waxman
Garcia	O'Rourke	Welch
Grayson		Wilson (FL)
Green, Al		Yarmuth
Green, Gene		

NOT VOTING—13

Barton	Costa	Pompeo
Blumenauer	Hastings (FL)	Speier
Braley (IA)	Huelskamp	Young (FL)
Castor (FL)	Lynch	
Collins (NY)	Markey	

□ 1351

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. COLLINS of New York. Mr. Speaker, on rollcall No. 97, H. Res. 146, On Ordering the Previous Question, had I been present, I would have voted "yea."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 11, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Mr. Rupert T. Borgsmiller, Executive Director, Illinois State Board of Elections, indicating that, according to the unofficial returns of the Special Election held April 9, 2013, the Honorable Robin L. Kelly was elected Representative to Congress for the Second Congressional District, State of Illinois.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

STATE BOARD OF ELECTIONS,
STATE OF ILLINOIS,
Springfield, IL, April 11, 2013.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, The Capitol,
Washington, DC.

DEAR MS. HAAS: Although it is not the normal practice of the Illinois State Board of Elections to release unofficial election results, in response to a request from your office, we are hereby transmitting UNOFFICIAL election results for the April 9, 2013 Special Election in the Second Congressional District in the State of Illinois.

Sincerely,

RUPERT T. BORGS MILLER,
Executive Director.

SWEARING IN OF THE HONORABLE ROBIN L. KELLY, OF ILLINOIS, AS A MEMBER OF THE HOUSE

Mr. GUTIERREZ. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois, the Honorable Robin Kelly, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Will Representative-elect Kelly and the members of the Illinois delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise her right hand.

Ms. KELLY of Illinois appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 113th Congress.

WELCOMING THE HONORABLE ROBIN L. KELLY TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Illinois (Mr. GUTIERREZ) is recognized for 1 minute.

There was no objection.

Mr. GUTIERREZ. Mr. Speaker, I yield that 1 minute to the distinguished gentleman from Illinois, BOBBY RUSH. His name obviously ends in R and mine in G and that's why I got to be the dean, but we're sharing this together because this is a joyous day.

Congressman BOBBY RUSH, please introduce the gentlelady.

Mr. RUSH. I want to thank my colleague, LUIS GUTIERREZ, the dean of the Illinois delegation.

Ladies and gentlemen of the House, it is my honor to introduce to you one of the most remarkable persons that you will ever want to meet—a fine, outstanding, accomplished public servant, one who has cut her teeth helping to address the pain and the problems of those who reside in the Second Congressional District.

This fine woman is a sterling example of the kind of public officials that we send to Washington from the Land of Lincoln. She's beyond reproach in every area of her life. She commits herself day and night to solving the problems of common, everyday, ordinary people. She's a person with keen vision, enormous insight, and enormous capacity to accomplish what she starts out and what she began. She is indeed an inspiration to all of us. She is a person that's going to make this House proud, the State of Illinois proud, and the people from the Second Congressional District very, very proud of her.

As the Congressman from the First Congressional District, I'm so glad to introduce you to the new Congresswoman from the Second Congressional District, ROBIN KELLY.

Mr. GUTIERREZ. Mr. Speaker, I now yield to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. I thank my colleague.

We want to welcome ROBIN KELLY to the Chamber. You'll find that people are working hard on both sides of the aisle to represent the folks that they are here to represent. The Illinois delegation has a monthly bicameral luncheon, and we look forward to meeting with you there so that those downstaters and those from other districts can understand the concerns of the south side of Chicago, and the like, and you can understand the concerns of real rural, deep southern Illinois.

Thank you, and welcome to the Chamber.

Mr. GUTIERREZ. Thank you, Congressman SHIMKUS.

And now, ladies and gentlemen, the newest distinguished lady from the State of Illinois (Ms. KELLY).

The SPEAKER. The gentlewoman from Illinois is recognized.

Ms. KELLY of Illinois. Thank you so very much. It is truly an honor to be standing here and humbling to have been chosen to represent the families of the Second Congressional District. I thank the entire Illinois delegation for their support and advice. I would also like to thank my many family members, friends, and staff who are here in the gallery today.

□ 1400

As I look around this hallowed Chamber, I know this is a place where so much history has been made. But today, I stand before you to talk about our present.

I ran for Congress so that I could work to bring about a safer, less violent, and more prosperous future, one in which our children can grow up without the fear of gun violence. Today is an important day in that fight. I look forward to working with you to protect our children from criminals and to protect our Second Amendment rights for law-abiding citizens. Because we should—and can—do both.

I look forward to working on the many issues we face, such as creating jobs, passing immigration reform, and continuing the hard work of improving our health care system. But today is about a new beginning for the people of the Second Congressional District, who I am so proud and honored to represent. I look forward to being their advocate and their champion and to working with you to create a brighter future for all of our constituents.

Thank you and God bless.

Mr. GUTIERREZ. Mr. Speaker, I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from Illinois (Ms. KELLY), the whole number of the House is 433.

PROVIDING FOR CONSIDERATION OF H.R. 1120, PREVENTING GREATER UNCERTAINTY IN LABOR-MANAGEMENT RELATIONS ACT

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 194, not voting 12, as follows:

[Roll No. 98]

YEAS—226

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen

Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—194

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)

Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver

Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette

Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster

Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmuter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis

Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Barton
Braley (IA)
Castor (FL)
Collins (NY)
Hastings (FL)
Huelskamp
Lynch
Markey

□ 1408

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COLLINS of New York. Mr. Speaker, on rollcall No. 98, H. Res. 146, On Adoption of the Rule, had I been present, I would have voted "yea."

THE JOURNAL

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 272, nays 136, answered "present" 1, not voting 23, as follows:

[Roll No. 99]

YEAS—272

Gibbs
Goodlatte
Gosar
Gowdy
Grayson
Grimm
Guthrie
Hahn
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Heck (WA)
Hensarling
Himes
Hinojosa
Holt
Horsford
Hoyer
Huffman
Hultgren
Hunter
Hurt
Issa
Johnson, Sam
Kaptur
Kelly (PA)
Kildee
King (IA)
King (NY)
Kingston
Kline
Kuster
Labrador
LaMalfa
Lamborn
Langevin
Lankford
Larsen (WA)
Levin
Lipinski
Loeb sack
Lofgren
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Marino
Massie
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunes
Nunnelee
O'Rourke
Olson
Pascarell
Paulsen

Pearce
Pelosi
Perlmuter
Perry
Pingree (ME)
Pitts
Pocan
Polis
Posey
Price (NC)
Quigley
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Scalise
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stewart
Swalwell (CA)
Takano
Thompson (PA)
Thornberry
Tierney
Titus
Tonko
Tsongas
Upton
Van Hollen
Vela
Wagner
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoho
Young (IN)

NAYS—136

Amash	Griffin (AR)	Nugent
Andrews	Griffith (VA)	Palazzo
Barr	Gutierrez	Pallone
Bass	Hall	Pastor (AZ)
Benishek	Hanna	Payne
Bentivolio	Heck (NV)	Peters (CA)
Bishop (NY)	Herrera Beutler	Peters (MI)
Bonner	Holding	Peterson
Brady (PA)	Honda	Pittenger
Brooks (IN)	Hudson	Poe (TX)
Broun (GA)	Huizenga (MI)	Price (GA)
Burgess	Israel	Radel
Capuano	Jackson Lee	Rahall
Chaffetz	Jeffries	Reed
Clarke	Jenkins	Renacci
Cleaver	Johnson (OH)	Ribble
Clyburn	Johnson, E. B.	Rigell
Coffman	Jones	Rooney
Cohen	Jordan	Rush
Collins (GA)	Joyce	Ryan (OH)
Conyers	Keating	Salmon
Costa	Kelly (IL)	Sanchez, Loretta
Cotton	Kennedy	Sarbanes
Courtney	Kilmer	Schakowsky
Crenshaw	Kind	Schock
Crowley	Kinzinger (IL)	Sires
Davis, Rodney	Kirkpatrick	Slaughter
DeFazio	Lance	Southerland
Denham	Larson (CT)	Stivers
Dent	Latham	Stockman
Dingell	Latta	Terry
Duckworth	Lee (CA)	Thompson (CA)
Duffy	Lewis	Thompson (MS)
Fitzpatrick	LoBiondo	Tiberi
Flores	Lowenthal	Tipton
Foxx	Maffei	Turner
Garcia	Maloney,	Valadao
Gardner	Carolyn	Vargas
Garrett	Maloney, Sean	Veasey
Gerlach	Marchant	Velázquez
Gibson	Matheson	Visclosky
Gingrey (GA)	McDermott	Walberg
Graves (GA)	McGovern	Woodall
Graves (MO)	Miller (FL)	Yoder
Green, Al	Miller, George	Young (AK)
Green, Gene	Negrete McLeod	

ANSWERED "PRESENT"—1

Owens

NOT VOTING—23

Barton	Hastings (FL)	Pompeo
Braley (IA)	Higgins	Rangel
Castor (FL)	Huelskamp	Reichert
Collins (NY)	Johnson (GA)	Simpson
Farr	Lynch	Speier
Gohmert	Markey	Stutzman
Granger	Moran	Young (FL)
Grijalva	Nolan	

□ 1416

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. COLLINS of New York. Mr. Speaker, on rollcall No. 99, Journal, On Approval of the Journal, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HUELSKAMP. Mr. Speaker, I was unavoidably detained by the Medal of Honor ceremony for Father Emil Kapaun on Thursday, April 11th and missed rollcall votes 97, 98 and 99.

Had I been present, I would have voted as follows: "yea" on rollcall No. 97, "yea" on rollcall No. 98, "yea" on rollcall No. 99.

 HOUR OF MEETING ON TOMORROW

Ms. FOXX. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

 PROTECTING LIFE

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, there is nothing on Earth more precious than life. No matter where you stand on the abortion issue, most Americans find the practice and actions of Dr. Kermit Gosnell, an abortion provider, to be brutal, unconscionable, and barbaric.

The astounding reality is that Dr. Gosnell's methods of killing babies who survive abortions are commonly used by clinics across the Nation. Similar deadly actions take the lives of 1 million unborn children each year in the United States. This is a violent act that is entirely unjustifiable.

I am a firm believer that every human being is created in God's own image, every life is precious, and we have an obligation to protect life at every stage. It's time we get rid of this gruesome procedure once and for all, and I hope and pray that the President will consider it before more innocent lives are taken.

 HONORING THE MEMORY AND MOURNING THE LOSS OF RONNIE RASPBERRY OF HOUSTON, TEXAS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise today to pay tribute to one of the greatest labor leaders that I have known and to honor the memory and mourn the loss of Ronnie Raspberry of Houston, Texas. I rise to pay tribute to him as a champion of working people, one of the great community leaders in the cities of Houston and Harris in Texas.

Unfortunately, he passed. In this month of April, we lost a dear friend. Ronnie Raspberry was born in 1941 in the midst of the times of challenge. And he married his beloved wife, Roycie, and they are proud parents of five children.

Being born in the midst of World War II, he understood as a child the value of service, and so he joined the United States Marine Corps and was honorably discharged.

He then began to work in an apprenticeship program under the Houston Joint Apprenticeship and Training Committee for the Electrical Industry. He then became a member of Local Union No. 716 of the International Brotherhood of Electrical Workers, where I first met him. What a generous heart; what a man who loved people. He loved to train people. He was a

fighter to ensure that there was dignity in the workplace.

In 1974, at age 32, he was elected as business manager. He held that position for 15 years. During his stewardship, he served as its chief contract negotiator, chairman, and secretary of numerous boards and trusts and committees. He continued to represent labor at labor conferences. He was elected and served 5 years as a representative of the Sixth District International Executive Council.

Ronnie was awarded the West Gulf Ports Council "Labor Leader of the Year," Mr. Speaker, and appointed to many other positions by Governor White. We knew he was a good leader.

So I stand here today to offer my deepest sympathy to his wife and family and to thank him for his service as he rests in peace. We love you. We thank you for being the great leader that you've been to all those who are in need, fighting for the working people. Thank you, Ronnie. God bless you. And, again, may you rest in peace.

Mr. Speaker, I rise to pay tribute to Mr. Ronnie Raspberry, a great American, a champion of working people, and one of the great community leaders in the City of Houston. Ronnie Raspberry died this past Monday, April 8, 2013, at the age of 71. His loss is mourned not only by his family and friends but the thousands of people he helped and inspired over the course of his full and eventful life.

Born on August 14, 1941, Ronnie Raspberry later met and married his beloved wife, Roycie, and they were the proud parents of five children.

After serving and receiving an Honorable Discharge from the United States Marine Corps, Ronnie applied for and was accepted into a 4-year Apprenticeship Program under the Houston Joint Apprenticeship and Training Committee for the Electrical Industry.

After completing his first of apprenticeship training, Ronnie became a member of Local Union #716 of the International Brotherhood of Electrical Workers. Ronnie served on every committee his local union, IBEW Local #716, would allow.

Ronnie completed his apprenticeship, graduating with honor. He then ran for and was elected to a number of Board positions in his Local Union.

In 1974, at the age of 32, he was elected as Business Manager of IBEW Local Union #716. He held this position for 15 years.

During Ronnie's stewardship of Local Union No. 716, he served as its Chief Contract Negotiator, and as both Chairman and/or Secretary of numerous Boards, Trusts, and Committees, as well as all other responsibilities that go with being Business Manager. He continued to represent labor at Labor Conferences and Conventions, as well as Political Conferences and Conventions.

Ronnie was elected and served 5 years as representative to the Sixth District International Executive Council of the International Brotherhood of Electrical Workers representing the IBEW members from Texas, Oklahoma, Louisiana, Arkansas, New Mexico, and Arizona.

In 1986, Ronnie was awarded the West Gulf Ports Council "Labor Leader of the Year"

Award. Ronnie also appointed by then Governor Mark White, to serve on the Management Task Force for the Texas State Treasurer, Ann Richards. He later was appointed by Governor Ann Richards as a Commissioner on the Texas State Licensing and Regulation Commission, a position he held for six years.

Ronnie served as the Executive Secretary of the Houston Gulf Coast Building and Construction Trades Council until December 2012 when he finished his term. He then joined the high respected law firm of Williams Bailey, now Williams Kherkher, of Houston, Texas, serving as Labor Relations Officer, a position he held until he passed away earlier this week.

Mr. Speaker, Ronnie Raspberry lived a full and consequential life and he will be deeply missed by all who knew him as a friend, colleague, advocate, and community leader. Most of all he will be missed by his relatives and his children who knew and loved him as Dad; his loving wife, Roycie.

Mr. Speaker, I ask a moment of silence in honor of the memory of Ronnie Raspberry.

□ 1420

THE RECOVERING SERVICE MEMBERS DISABILITY BENEFITS ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today my colleague, Representative LOEBSACK, and I are proud to reintroduce the Recovering Service Members Disability Benefits Act. This legislation is commonsense and fixes a glaring problem.

Currently, our Nation's wounded warriors are forced to wait 5 months for their approved Social Security disability benefits. This is injustice to our Nation's heroes. These are benefits that they have earned at a very high price, and they deserve better.

The Recovering Service Members Disability Benefits Act will remove this mandatory 5-month waiting period, allowing the wounded warriors to collect the benefits for which they have been already approved. To be clear, this bill does not approve benefit requests or add new individuals into the system. The bill simply expedites earned and approved benefits to eligible wounded warriors.

It is an honor to introduce this legislation and correct this issue. Our disabled servicemembers deserve the immediate reassurance of knowing there is financial support as they cope with the emotional and physical challenges of recovery.

Together, we hope this bipartisan legislation will be brought through committee and to the House floor in a swift manner.

Thank you, and God bless all those who serve our country.

CLIMATE CHANGE

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, I rise today in solidarity with my colleagues from the Safe Climate Caucus to call on Republicans to end their silence and join the conversation on climate disruption.

A recent United Nations report provides a stark warning, saying that if we don't address climate disruption, the number of people living in extreme poverty could increase by up to 3 billion by 2050.

The report is clear: failing to act now creates a much larger and more costly problem later. Fortunately, we have the ability and the means to address climate disruption.

I'm proud to say that clean-energy companies and universities in my own district are leading the way in research, clean-job creation, and sustainable long-term solutions.

But this type of innovation and job creation cannot go on if Republicans continue to ignore the threat of climate change and recklessly cut funding to important programs that protect the air we breathe and the water we drink.

I urge my Republican colleagues to think about their moral responsibility to join this dialogue and to protect our planet for their children and for the long-term stability of this country.

THE BUDGET

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, I rise today to congratulate the President on finally sending up a budget, though it was 65 days late with no real explanation for why it was late.

Of course, the House passed its budget on time. The Senate, to their credit, for the first time in 4 years passed a budget on time. And the amazing thing, Mr. Speaker, is that in the face of an almost \$1 trillion deficit and a \$17 trillion debt, the President sent up a budget that increases spending, increases taxes, increases the deficit, cuts Social Security and Medicare, and still never balances. That's quite a feat.

Mr. Speaker, America knows our debt and our deficit are strangling our economy. Let's roll up our sleeves, work with the Senate, and solve the fiscal mess this Nation is in.

GUN SAFETY

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I am encouraged by the clear bipartisan support in the Senate for a full and fair debate on meaningful ways to reduce gun violence in our country.

Having experienced a gun accident myself that left me paralyzed more than 30 years ago, I know firsthand that the answer to keeping people, especially our children, safe is not having more guns around our kids and our communities as the gun lobby has proposed.

I am hopeful that the Senate has heard the public outcry for real change with 90 percent of Americans favoring the basic step of universal background checks.

Forty percent of the gun sales in America occur at gun shows that require no background check at all. Let's close the gun show loophole and ensure that whenever a gun is bought or sold in this country, that there's a background check so we keep the guns out of the hands of criminals or those who have mental illness that is so severe that they would be a danger to themselves or their community.

As the Senate moves forward, I continue to urge Speaker BOEHNER to stop delaying full debate on the House floor on responsible gun safety legislation. The House Gun Violence Prevention Task Force has put forward a comprehensive set of proposals, and I welcome ideas from both parties.

What is inexcusable in the wake of so many gun tragedies is inaction. We cannot sit back and wait any longer.

THE BUDGET

(Mr. WOODALL asked and was given permission to address the House for 1 minute.)

Mr. WOODALL. Mr. Speaker, I come to the House floor today fresh from a Budget Committee hearing. We had the OMB Director presenting the President's budget today.

I know so many folks have said, I thought the budget was required by law to be here the first week of February. That's true. Better late than never continues to be true, as well. But as we listened to the details of the budget, Mr. Speaker, what we heard was that the President is proposing to increase spending, increase taxes, and increase the debt.

Mr. Speaker, there are thousands of pages to this budget. I hope we'll find some things that we can agree on. But I know that the American people agree with Republicans in this House when we say taxes are already too high, spending is already too high, and the debt is already too high.

The President's budget never, ever pays one penny of our Federal debt. It's wrong. We can do better. This House must come together and lead that charge.

REGARDING NATIONAL MEDIA COVERAGE OF PHILADELPHIA MURDER TRIAL

THE SPEAKER pro tempore (Mr. PITTINGER). Under the Speaker's announced policy of January 3, 2013, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, will the decades-long national news media cover-up of the brutality and the violence of abortion methods ever end?

Will Americans ever be told of the horrifying details as to how and how often abortionists dismember, decapitate, and chemically poison innocent babies?

Will Americans ever be informed by a conscientious, unbiased national news media that in the past 40 years over 55 million child victims have been brutally killed by abortion, a staggering loss of children's lives that equates to the entire population of England, and that many women have been hurt physically, emotionally, and psychologically? And according to the Center for Disease Control—and this is a very conservative estimate from CDC—over 400 women have actually died from legal abortions.

Will Americans ever be told that of the 55 million children, Planned Parenthood alone claims responsibility for destroying 6 million babies and that just 2 weeks ago a Planned Parenthood leader in Florida testified at a legislative hearing at a State initiative to protect born-alive infants that even when a child survives an abortion, the decision to assist or kill the born-alive infant should be “up to the woman, her family and her physician”? In other words, if a child intended to be aborted survives the assault, the choice to kill remains—so-called “after-birth abortion.”

□ 1430

Isn't that extreme child abuse?

Murdering newborns in the abortion clinic, it seems to me, is indistinguishable from any other child predator wielding a knife or a gun. Why isn't the child also seen as a patient in need of medical care, warmth, nutrition, and—dare I say—love?

Now another national media cover-up—in this case, even when a Jeffrey Dahmer-like murder trial of an abortionist named Kermit Gosnell, who ran the benign-sounding Women's Medical

Society unfolds in a Philadelphia courtroom, replete with shocking testimony of beheadings, unfathomable abuse, death, and body parts in jars. To this day, the national news media remains uninterested, woefully indifferent—AWOL.

Why the censorship? Why does Gosnell's house of horrors—his trial—fail to this day to attract any serious and meaningful national news reporting?

Dr. Kermit Gosnell is on trial for eight counts of murder. One count is for the death of a woman, a victim who died during an abortion in his clinic. Seven counts are for babies who survived their abortions and were born alive but then killed by severing their spinal cords with a pair of scissors.

In the words of the grand jury report: “Gosnell had a simple solution for unwanted babies—he killed them.” He didn't call it that. He called it “ensuring fetal demise”—a nice euphemism. The way he ensured fetal demise was by sticking scissors in the back of the baby's neck and cutting the spinal cord. He called that “snipping.” Over the years, according to the grand jury report, there were hundreds of snippings.

Indeed, the national news media has not only taken a pass and looked the other way, but their stunning indifference has done a grave disservice to Gosnell's victims: the woman killed, other women injured, and children slaughtered by Gosnell. Because of the national news media's indefensible silence and because of their failure to report, other women and children at other abortion mills might also be at risk.

The grand jury report, again in January of 2011, pointedly pointed out and noted that an absence of press coverage and gross negligence by the health department in Pennsylvania enabled Gosnell to show a “contemptuous disregard for the health, safety, and dignity of his patients that continued for 40 years.”

Right from the beginning of *Roe v. Wade*, he was overlooked by a media that was disinterested. Some media commentators, however, are beginning to take note of the national news media blackout and the bias that undergirds and is inherent in that blackout.

The title of an editorial yesterday in the *Investors Business Daily* was “Newtown in the Clinic: The Media Ignore the Gosnell Trial.” It begins in part:

Media bias: A basketball coach who shoves and curses at his players merits constant coverage by a media also transfixed by Newtown; but a Philadelphia doctor on trial for murdering a woman and seven babies? It's ignored.

Those who get their news from the three major networks have probably not heard of Dr. Kermit Gosnell, now on trial in Philadelphia, charged with seven counts of first-de-

gree murder and one count of third-degree murder for killing seven babies who survived abortions and a woman who died after a botched painkiller injection.

The editorial points out that, according to the Media Research Center, in 1 week, Rice—who is the coach from Rutgers—received 41 minutes, 26 seconds on ABC, CBS, and NBC in 36 separate news stories. Gosnell received zero coverage.

The editorial points out:

If Dr. Gosnell had walked into a nursery and shot seven infants with an AR-15, it would be national news and the subject of Presidential hand-wringing.

In today's edition of *USA Today*, columnist Kirsten Powers writes:

Infant beheadings, severed baby feet in jars, a child screaming after it was delivered during an abortion procedure. Haven't heard about those sickening accusations?

It's not your fault. Since the murder trial of Pennsylvania abortion doctor Kermit Gosnell began March 18, there has been precious little coverage of the case that should be on every news show and front page.

She goes on to write in her column:

A LexisNexis search shows none of the news shows on the three major national television networks has mentioned the Gosnell trial in the last 3 months. The exception is when *Wall Street Journal* columnist Peggy Noonan hijacked a segment on “Meet the Press.”

Again, I ask my colleagues, and I ask the news media: Why the blackout?

Will America ever be told the brutality of abortion and the violence that is commonplace inside the abortion industry; or will the media, the national media especially, continue to censor and censor and, in this case, censor a trial—a trial of the century—that exposes all of the all too inconvenient truth: that not only are unborn children destroyed in these killing centers by being decapitated and dismembered but that even babies who survive the abortions can't escape the deadly hand of these child predators?

I would like to yield to my good friend and colleague, VICKY HARTZLER.

Mrs. HARTZLER. Thank you so much. I appreciate this opportunity to share today, as we look at the national media coverup of this very, very horrific act.

As we gather today to bring awareness to the trial of Kermit Gosnell and to the horrific actions he has been charged with, we remember the many who were murdered at the Women's Medical Society clinic and denied the chance to be our siblings, playmates, our friends, our peers. We mourn their losses, and we mourn the deep pain and confusion that abortion has inflicted upon women, men, and their families.

This trial provides revealing insights into the abortion industry, and it specifically highlights the reality that abortion involves taking a human life. These killings expose the very gruesome nature of what happens in abortion clinics all across this country

where over 1.2 million unborn children die in abortions every year.

As a legislator, I will continue to speak in defense of the most basic human right—life. I will continue to support legislation that would stop the Federal funding for abortion providers, and I will continue to champion the inherent human dignity of every life born and unborn.

Mr. SMITH of New Jersey. I thank my good friend and colleague Mrs. HARTZLER for her very eloquent statement, for her championing the rights of the unborn and their mothers, and for joining us in this Special Order today.

I'd like to now yield to a medical doctor who has been the leader on conscience rights in the House of Representatives, in the Congress, Dr. FLEMING.

Mr. FLEMING. I certainly want to thank my good friend from New Jersey for all the great work that you've done on this and the work you continue to do.

I have to say, Mr. Speaker, that just hearing about this trial—and quite frankly, I haven't heard about it on TV. If I weren't informed about it in leading up to this Special Order, I wouldn't know about the Gosnell trial—one in which, I think, it is really sickening just to hear the facts.

It's interesting. This country has reached a point in which we have focused so much on the humane treatment of animals—that is, to treat animals like humans. Then that leaves the question: Why do we not treat people like people? Why don't we treat humans humanely? I think that is an important question. What do people say who themselves have survived abortion?

I was at a meeting several months ago, and I met two fantastic mothers, mothers of children today. As to one of them, her mom, while she was still pregnant with her, attempted to have an abortion, but for whatever reason, she never could get around to it. She couldn't get it lined up or whatever, and eventually, she just ended up not having the abortion. Of course, this beautiful lady was eventually born, and now she has grown up to be an adult, and is very productive and very beautiful and herself has children. Of course, if you asked her, Well, what do you think about your mother's attempt to have an abortion of you while you were still in the womb? She would say—speaking, I think, for millions of unborn today and unborn in the past—Let me live. Give me an opportunity—I, the innocent unborn—to live. Give me a chance to live in society.

□ 1440

I met another beautiful lady at this meeting. Her mother, while still pregnant with her, late term, actually attempted to have a saline abortion. It

was a botched abortion. It didn't work. By that I mean she was born alive and remained alive. And, fortunately for her, the health care workers decided to go ahead and revive and resuscitate her. And, of course, we know that saline abortions, if you have a child that survives, it scalds the skin. It creates injury to that baby. But she was treated, and she grew up to be a beautiful woman who married and who had children. If you asked her today, she would tell you she speaks for the millions of the unborn, both in the past and those who are killed in the womb today: Yes, let me live. Give me a chance to live.

Well, what about the question of infanticide? That's really what we're talking about in the Gosnell case. These babies, for whatever reason, he certainly wasn't a good enough doctor to accomplish the abortion while the babies were still in the womb, and then has to go on and do something I think most Americans would consider murder, and that is infanticide. In most places, perhaps all places in America today, infanticide is murder.

But the question is: Do you realize there are two bioethicists in Australia who have recently proposed a concept called "post-delivery abortion?" Of course, we know that to be infanticide. Once the baby is born, if you kill the baby, that's infanticide. But they want to do a little wordsmithing and call it something else—post-delivery abortion. What they mean is this: if the baby is born and there's something about the baby that you're dissatisfied with, maybe it has an abnormality of some sort, maybe it's going to cost some money for a heart deformity or a facial deformity, maybe it's born with a genetic defect, that you should have, as a mother, the option of killing that baby even outside of the womb. There has even been a hint that perhaps taking a baby's life, even up to the age of conscious life, which can be, I don't know, a year or even more, would be still incongruent with the concept of post-delivery abortion.

So you see, Mr. Speaker, this is a slippery slope. Once you get past the fact that life begins at conception, and of course with today's technology, infants born as early as age 22 weeks, certainly 24 weeks, often survive at a time when they couldn't in the past. This has become an extremely slippery slope to the point where there are many out there who would actually turn their backs on life even after the point of delivery.

Well, Mr. Speaker, what about the lives of the women themselves? I'm a physician, and I've seen women after they've had an abortion. I can even think of a couple of cases in my practice when of course I would never send a lady for an abortion, but I was forced to treat a lady after an abortion because she was treated by an itinerant physician who comes into town, does a

bunch of abortions, leaves town, and says if you have any complications, go see your family doctor. Well, of course, that is sickening for me. That means I am involuntarily participating, at least tacitly, in treating a lady who has had complications from an abortion.

This really goes to show you to the point with Dr. Gosnell just how unfeeling and inhumane the whole consideration is.

But what drives people to do this? Well, we know if you look at studies, it's about money. It's all about money, Mr. Speaker. They make millions of dollars. I think in the case of Dr. Gosnell, he became a multimillionaire because of all of the many abortions he provided over the years.

But, again, back to the women. What happens to the women who have abortions? Well, these are some things that we know. Once a woman has an abortion, her chance of having a future miscarriage goes up. And so now we're talking about miscarriages, stillborn, and the issue of infertility. Rate of suicides, they're higher in women who have had abortions. What about the rate of other complications, rates of depression and other things? We know they're all higher. The outcomes in the future lives of young women, and even not-so-young women who undergo abortions, Mr. Speaker, are really not very positive. So why would we encourage this? And certainly we know that a woman who gets an abortion a first time is far more likely to get a second and a third abortion, and oftentimes it really becomes a form of birth control.

So, in summary, Mr. Speaker, I stand up with my colleagues today to speak out against the fact that not only are we seeing abortion continue, the taking of innocent life through this Nation, but even the mere consideration of ending the life of an infant after birth, either because of a botched abortion or even deliberately just because there is some dissatisfaction with the outcome. I think is really horrible and something we should be ashamed of. Certainly, Mr. Speaker, if we can give consideration and humane treatment to animals, should we not do this for our own as well?

So, again, I rise in support of my colleagues on this very important issue. I do think that if we can't do it on a Federal level, we need to move forward in our States, such as my own State of Louisiana, where we have developed certain requirements, elevated requirements of accountability for doctors who provide abortions so that they can't just fly in and fly out and leave a mess. They have to have certain credentials and maintain hospital privileges perhaps; create limitations after so many weeks can an abortion actually be done. Let's do away with late-term abortions, again, an abominable act. We know through studies that the

unborn feel pain at least as early as 20 weeks gestation, and maybe earlier.

Certain States, such as Arkansas, recently passed laws against late-term abortions. And, again, in my home State of Louisiana, we have a cooling-off period where you have to think about this. Think one more time, just think for 24 hours, maybe even pray about it: Is this something I really want to go forward with, end the life of my progeny? And certainly the requirement of an ultrasound, at least a requirement of the option of seeing your baby before you terminate its poor life.

Once again, I thank my colleagues. It is certainly a privilege and an honor to speak on what is, I think, one of the most important issues that we have in America.

Mr. SMITH of New Jersey. I thank you, Dr. FLEMING, so much for your leadership and for that very concise statement. And now I would like to yield to my good friend and colleague, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. Mr. Speaker, I thank the gentleman for arranging today's Special Order. I thank the gentleman from New Jersey also for his leadership on this very important issue, not just today, not just yesterday, but over years, year after year after year, coming to this floor, speaking around our State, speaking around the Nation as well, speaking for those who do not have a voice, speaking for the weak, the unborn. We thank you for your leadership in this area. We recognize that you have done a profound thing for this Nation, and we thank you for that.

I, too, come from New Jersey; and tonight I would like to speak briefly, and I will reference a woman who lived in New Jersey, who lived in Bergen County, who actually lived in Tenafly, up in my neck of the woods. And maybe some of you have heard her name before, and you would if you've walked about this Capitol, because she is commemorated in a sculpture located in the rotunda of this building, and I'm talking about Elizabeth Cady Stanton. She was a suffragette. She was a women's rights activist. She was someone who fought long and hard to ensure the equality of women before the law in this country. And also she fought for the important issue of the sanctity of life. Way back over 100 years ago in 1873, she wrote a letter to Julia Ward Howe, a prominent abolitionist and also a suffragette, and in it she wrote the following:

When we consider that women are treated as property, it is degrading to women that we should treat our own children as property to be disposed of as we see fit.

□ 1450

So she classified abortion as a form of infanticide.

Today, Mrs. Stanton, I believe, would be horrified. I believe she would be dis-

gusted, as my colleagues are as well, with what millions of Americans are watching going on in Philadelphia right now.

Kermit Gosnell is on trial in a city that gave birth to America, in a city that gave birth to the Declaration of Independence, a city that gave birth to the idea, the promise of life and liberty and the pursuit of happiness. He's there on trial for the callous murder of eight Americans, one woman, she who died from a botched abortion, and seven innocent, defenseless children who were born alive and healthy but then were killed by the abortionist.

These are only the murders that Gosnell is being charged with. His clinic, it is recorded, has carried out literally hundreds, thousands of abortions over the years using the doctor's own gruesome techniques on children, who were often over the Pennsylvania legal limit of 24 weeks.

Now, as was pointed out, news reports on the trial are nonexistent. Reports of testimony in the grand jury are basically nonexistent in the media. But if you dig down and you get a copy of the grand jury's report, you see what we're talking about and how gruesome it is.

According to the grand jury's report, "Gosnell had a simple solution"—this is from the grand jury's report. "Gosnell had a simple solution for unwanted babies; he killed them." He didn't call it that. He called it, ensuring fetal demise. He called it, then, "snipping." Over the years there were literally hundreds of snippings. This we find from the grand jury's report.

Snipping? This is not a medical procedure. This is murder, and we should call it for what it is.

Where, then, is the protection of life? Where, then, is the protection of liberty? Where is the protection of the pursuit of happiness?

Where is the outrage at what is going on there? Where is the outrage that nothing of this is being reported in any of the major newspapers across this country, on any of the major radio stations, on any of the major TV or cable channels across this country?

You have to dig, as I did, to find it in the back pages. The media and the pro-abortion movement are more concerned about things like Rush Limbaugh's comments on contraception, or ensuring that girls under 18, kids, have easy access to the morning after pill than they are with this trial, the gruesome acts in the trial, they allege, of Dr. Gosnell, or for the 1.2 million unborn Americans who die in America every year.

So, Mr. Speaker I join the rest of my colleagues tonight in expressing my disgust with this case and the failure also, the disgust also with the media to cover these actions.

Every child is precious. Every child is a gift. We must continue, then, this

fight to protect this most fundamental right for the unborn, and each of us, the right to life. And we must also make sure that when it is destroyed, that it is exposed.

Again, with that, I conclude, and I thank the gentleman from New Jersey for his actions tonight.

Mr. SMITH of New Jersey. I want to thank Mr. GARRETT for his eloquence, but also for his faithfulness in defending the powerless and the people who need voices, unborn children and their mothers, all those who are similarly situated, the vulnerable and the weak. He is always there, and I want to thank you so much, SCOTT.

I'd like to now yield to the chairman of the Health Subcommittee for the Energy and Commerce Committee for the House of Representatives, JOE PITTS, and note that Congressman PITTS, Chairman PITTS, is the author of the Abortion Control Act of 1989, the legislation that established, within the framework of *Roe v. Wade*, a very aggressive attempt to protect, to the maximum extent possible, pursuant to that onerous decision by the Supreme Court, and it was upheld by the Supreme Court, to do investigations of clinics and to just hold to a higher standard so that, to the greatest extent possible, life would be protected.

Congressman PITTS has been leading the charge on life for his entire career, both in the State legislature and in the U.S. House of Representatives, so it is a distinct honor to yield to my good friend.

Mr. PITTS. Thank you, Congressman SMITH, for your leadership on this issue here in Congress, very, very wonderful, inspiring leadership to all of us who've been engaged in this, on this issue for years in State legislatures like Pennsylvania and across the other parts of the country.

But U.S. Route 30 runs through the heart of my district, in Lancaster County and Chester County, in Pennsylvania. You follow that road all the way into Philadelphia, you'll pass a nondescript, triangle-shaped brick building at 38th Street. And for years, Dr. Kermit Gosnell operated a factory of death in this location, just across the street from a church.

This week, Gosnell is on trial for multiple homicides that demonstrate just how thin the line between abortion and murder is in this country.

Dr. Kermit Gosnell spent years taking advantage of vulnerable women, offering illegal and dangerous abortions in exchange for cash. He also operated a pill mill, selling prescription drugs to anyone in the neighborhood with enough cash.

He sold death to the poor, and he lived handsomely for years. State authorities never darkened the door of what he called a "clinic" until a mother died of an overdose during one of Gosnell's procedures.

He used clinical terminology to pave over the fact that in many cases he was killing a child who had already been born. While he is charged with seven counts of murdering an infant and a single count of murdering a mother, we don't really know how many children died after they were born.

Just as he was careless with the lives of children, he was careless with the lives of mothers, and he treated them in terrible conditions, often sending them out of the clinic injured and still under the influence of anesthesia.

We should always remember that abortion is the most violent form of death known to humankind. And there are always two victims in every abortion. One is the child, the unborn child. The other is the mother. One is dead, one is wounded.

An abortion is violence against the unborn. It's also violence against women.

But the facts of this case raise the disturbing question of just how close legal abortion practices come to outright murder. Gosnell knew that there was little real medical difference between killing the child in-utero and killing them outside of the mother.

Like standard, legal abortion practice, he would use chemicals to first poison the unborn child. And if he had waited until death to remove their bodies, he would be within the law. Because he took the children out of the mothers while they were still alive, he is guilty of murder.

Gosnell only took a leap that certain intellectuals and so-called medical ethicists have been talking about for decades. Just last year, two researchers published a paper in the prestigious *Journal of Medical Ethics* entitled "After Birth Abortion." Their assertion was that a fetus doesn't become a child until they are wanted.

Let us never say that these are unwanted children, not while there are tens of thousands of married couples waiting to adopt, couples who wait months or years to bring home a baby boy or a girl. Many Americans even travel far abroad in order to adopt. In many cases, they go all the way to China or Ethiopia.

Gosnell's victims, and the millions of other lives lost to abortion are, by no means, unwanted.

The case of Dr. Gosnell is gruesome. The place that he ran was a gruesome factory and disturbing, but only because it strips away the clinical nature of most abortions.

□ 1500

His carelessness exposed what the fetus actually was—a human that he cruelly murdered. And yet the press will ignore, will remain silent on what is happening in this very important trial in Philadelphia. We ignore the tiniest human life at great peril because, as Gosnell demonstrates,

flippancy for life creeps from the infant to the adult. We must protect all life, no matter how small or at what stage.

And so I commend Congressman SMITH and my other colleagues who have come to speak today about this important policy issue. It's about people, it's about children, it's about women.

Mr. SMITH of New Jersey. I want to thank Chairman PITTS for his very eloquent statement. Even the grand jury report noted that if Mr. PITTS' law had been followed faithfully, the whole Gosnell destruction of not only women's lives but the death and murder of one woman and the killing of these children might not have occurred.

I'd like to yield to Dr. ANDY HARRIS, a Johns Hopkins physician and also a Member of the U.S. House from Maryland.

Dr. HARRIS.

Mr. HARRIS. Thank you very much. I would like to thank the gentleman from New Jersey for bringing this subject to the attention of the American people because this is a subject that's not going away.

What we're talking about today, of course, is a trial going on in Pennsylvania, little heard about in the press, but one that's very significant. Because when it's coupled with what the gentleman from Pennsylvania and the gentleman from Louisiana spoke about, the overarching medical ethics question, it's something that we have to come to deal with. Because, Mr. Speaker, it is true that apparently in Dr. Gosnell's mind there was little difference between a late-term abortion and killing a baby after birth. And make no mistake about it, these children were killed. Because the trial right now is for seven cases of murder on those newborns. Interestingly, it was only discovered because of the death of the mother. And to show how flippantly many States have dealt with the issue of regulating clinics like that, we would never have known unless this mother died.

In my home State of Maryland, two deaths have recently occurred; and only as a result of those deaths has the Department of Health and Mental Hygiene decided that, yes, maybe we actually should regulate clinics where this kind of surgery is done. And, in fact, they have closed four of those clinics until they can bring them up to standards that we would consider modern medical practice.

But let's pay attention—because my specialty is anesthesiology—to what was going on in that clinic in Pennsylvania. Dr. Gosnell hired a surgical technician. This is someone he hired to clean instruments. He had that person administer anesthesia to those poor women going to that clinic thinking they were going to get good medical care. This is someone whose training was in how to clean a metal instru-

ment and now administering life-threatening drugs. And, Mr. Speaker, we know they're life threatening because the misuse of those drugs resulted in that woman's death. In fact, three drugs administered—Demerol, a powerful narcotic; Valium, a powerful sedative; and promethazine, another sedative—administered by someone whose training was to clean medical instruments. And that is what's considered acceptable practice in many States in the country because many States choose not to regulate clinics where these abortion procedures are done.

But let's make no mistake about it. It wasn't just the killing of the mother that's at issue here. It's the grotesque procedure that was done in that clinic by the doctor and the people he trained to end the lives of those babies who were born alive. We might think this is a terrible thing. In fact, that grand jury thought it was a terrible thing. They, in fact, indicted on seven counts of murder. They called it "murder."

But the gentleman from Pennsylvania and the gentleman from Louisiana bring up an article published just last year in the *Journal of Medical Ethics* by professors from Italy and Australia. These are fairly civilized countries. The title of the article is fascinating. If the gentleman doesn't mind, I'm going to go through some of this because America has to understand what this moral discussion going on worldwide is. I will tell you I'm shocked because 10 years ago—I'm shocked now that this article is published, and 10 years ago, it wouldn't even be thinkable. The title is, "After-Birth Abortion: Why Should the Baby Live?" And it's about committing what this author calls after-birth abortion, which is currently called euthanasia or murder, or infanticide in our current speech. But these authors propose a new term: after-birth abortion. We're going to make this sound better because we know abortion is legal so we're just going to call this after-birth abortion. What it is is justification for killing a child after birth when no abortion was intended.

Mr. Speaker, this is just the next step to what Dr. Gosnell did. Dr. Gosnell killed a child after an abortion was intended. We think that's bad. A grand jury thought it was bad. There's seven indictments for murder in Pennsylvania. These medical ethicists propose that even if it wasn't an intentional abortion, that mother went and had her baby and decided that her daughter just wasn't going to fit in with the family, literally, and that it was okay to kill that baby. And if you don't believe me, ladies and gentlemen, just go and Google it. Read the article yourself. It's chilling.

Some people say, Well, maybe the child is born disabled or born with some terrible illness or something

that's very painful and maybe we're just doing a good thing for the child. But the authors say these include cases where the newborn is not disabled. And I'm going to read from these word-for-word because I want to get this right and, Mr. Speaker, I want America to understand what's at stake here.

They make the argument that the fact that a fetus or a newborn has the potential to become a person who will have an acceptable life is no reason for prohibiting an abortion, or in this case, killing that child after birth. They argue that—and I'm going to quote:

When circumstances occur after birth such that they would have justified abortion, what we call after-birth abortion should be permissible.

Mr. Speaker, let me remind you that in the United States, sex-selection abortion is legal in many States, in China. And if we don't think this is a slippery slope, remember what's happened in China over the past decade. They've decided under their one-child policy that if you have a live birth of a second child, it's legal to kill that child for the sole purpose of it being a second child. And, Mr. Speaker, as we know, occasionally the girls were killed, if they were the first child, knowing that you can only have one child and the family wanted a boy. So in China it's gone past sex-selection abortion to sex-selection infanticide. But that's exactly what this article speaks about.

This article, again, was written by professors from Italy and Australia, published in a prestigious journal that ethically justifies killing a child after birth because, well, Mr. Speaker, for any reason. Because they argue that child has no right to grow up. And if you don't believe me, they go on to say that this is not an actual person. It's a potential person. It's not an actual person.

So they say if a potential person like a fetus or a newborn does not become an actual person because you don't allow it to grow up like you or I, then there is neither an actual nor a future person who can be harmed—I'm not sure I understand that—which means there is no harm at all. So killing the fetus or the child, there's no harm at all.

But they go on to say this, which is amazing and this is why people have to understand how foreign a thought this is to many of us, "So if you ask one of us if we would have been harmed had our parents decided to kill us when we were fetuses or newborns, our answer is no."

□ 1510

What, Mr. Speaker? They're suggesting that if someone came up to me and said, would I have been harmed if my parents had decided to kill me when I was a newborn, my answer should be no? How many people do they

really think you can go up to and ask, if your parents had killed you as a newborn, would you have been harmed? Do they really think people are ready to say, no, no harm, no foul; I wasn't a person, that's all right, that's totally ethical.

They create an ethical framework completely consistent with abortion policy throughout most of the United States, and that is, that a late-term, third-trimester fetus has no rights as a person, and only merely extend that logic to the period after birth. That's all they're doing.

So although this may sound grotesque and shocking that they suggest that there is no moral problem with killing a newborn, it's merely an ethical, logical extension of the way we have been treating fetuses since 1973.

It gets worse. Because the gentleman from Pennsylvania suggested, well, there are plenty of people who would adopt this child. They go on to say that it's actually better in many cases to kill the child than to put it up for adoption. This is stunning. The reason they say that is that we need to consider the interests of the mother, who might suffer psychological distress for giving her child up for adoption. They suggest there would be no psychological distress for that woman to have carried that child for 9 months, given birth to a normal baby, decided they don't want it, and agree to have someone kill it? It's stunning. It's striking.

Let me tell you, and I'll close on this, because we're shocked by this. But let me tell you something, we can't argue with nature. We can't argue with what nature tells us. It answers the question: Why in the world is the younger generation more pro-life than my generation? It comes up in poll after poll after poll. How in the world can that be? We have an enlightened younger generation? Isn't it enlightened to think about this ethical framework? How can this be?

Mr. Speaker, let me suggest how this can be. This is the first generation where two things hold true: They fully understand what makes a human a human because they learned genetics and chromosomes, and they know that every single person is unique from every other person ever, based on science.

There's one other thing they know, Mr. Speaker. This is the first generation where they know that they could have been aborted legally. The first generation where they actually answer those ethicist questions: Would harm have been done to me if I would have been killed as a fetus? Their answer, resoundingly—because that's why the polling shows this—is they know the answer is yes. We are harming a human in the decision to take its life. That is true whether it is at 3 months, 6 months, 8 months. Because they know that was them as an embryo and a

fetus at 3 months, and that was them at 6 months, and that was them at 9 months. And if they were in Philadelphia, in Dr. Gosnell's clinics, that would have been them 1 minute after birth or 5 minutes after birth. They know that under that construct of ethics by those professors in Italy and Australia, published in *Journal of Medical Ethics*, they're proposing that could have been them at 1 day, 1 week. Because those professors actually go on to say we can't really set what the deadline is for how long it's ethical. Mr. Speaker, that younger generation is smarter than my generation on this issue.

I want to thank again the gentleman from New Jersey for bringing this issue up. This is something that is so troubling, we have to come to grips with this. We have to understand the slope we are on when we neglect to treat every human being as one worthy of protection.

I thank the organizer of this Special Order.

Mr. SMITH of New Jersey. Dr. HARRIS, thank you for that very insightful—and I would say brilliant—defense of not just the unborn, but the newly born, and your very logical argument as to how this is already being extended in what is euphemistically called after-birth abortion to those, like Dr. Gosnell's victims, who have been born and then are killed.

I would point to my colleagues, before going to Mr. STUTZMAN, that one of the clinic individuals who was actually killing these children—this came out in testimony at the trial—said that when he heard the child crying, it was like an alien.

Children cry when they're being killed—and in this case, a very painful—as you pointed out, pain-capable children are at least 20 weeks gestational age. Many of these kids were 23, 24, 25, even higher. As we've learned from the grand jury, as well as from these proceedings, some of these children were as old as 30 weeks gestational age—very, very large children, very mature children, but no different than the child who just a few weeks and even months before, same child, just a little more mature and, as you said, worthy of protection always.

I'd like to yield to Mr. STUTZMAN.

Mr. STUTZMAN. I thank the gentleman from New Jersey for yielding, and I appreciate his efforts to bring this particular matter to the attention of the American people.

I also want to thank the gentleman from Maryland (Mr. HARRIS), who just spoke so eloquently and factually and knowledgeably about this particular issue as a doctor.

My heart is torn, as I stand here on the floor of the U.S. House of Representatives as we're discussing a matter that's happened right here in our own country. I tell the gentleman from

New Jersey that I was just meeting with a doctor in my office within the last couple of hours who worked in one of the neonatal clinics in northeastern Indiana. The work and the technology, the ability and the effort that doctors in a neonatal facility go through to save the life of a baby that is wanted is amazing and is heart-touching. And to then come to this particular matter and to hear the details of this tragic location in Philadelphia that was performing abortions like this is just heart-wrenching.

Mr. Speaker, I would just share with this body that certain places are permanent reminders that evil men will do evil things, whether it's in Auschwitz's ovens, Cambodia's killing fields, and now a run-down brick building on the corner of 38th and Lancaster in west Philadelphia.

In that building—crawling with animals, reeking with urine, and filled with blood-stained furniture—Kermit Gosnell was running a slaughterhouse. On a regular basis, he used a pair of scissors to sever the spinal cords of helpless babies who were born alive during illegal, late-term abortions.

The loss of these lives should scar the conscience of civilized people everywhere. This is not a discussion about abstract concepts like choice. We are talking about brutal deaths of newborn children.

Mr. Speaker, Kermit Gosnell is a predator who must be publicly exposed and openly denounced. That's why I come to the floor, to bring attention to this case, that the American people are informed of it, aware of it, and realizing the acts that are happening within our own country.

I have no doubt that in this life or the next he will be held accountable for his crimes. However, right here and right now we ought to take a serious look at our culture's careless disregard of this story in particular, and innocent life in general.

How is it that in our age of constant news not a single major news outlet has devoted serious attention to the atrocities that weren't committed halfway around the world but in west Philadelphia, Pennsylvania?

□ 1520

Has our national conscience been irreversibly seared by the deaths of more than 1.2 million unborn children every year in this country. I believe this is something that the media should be talking about. They talk about so many other issues that affect our country, and rightly so. But I believe this is one of those that should be discussed and reported on by the media.

I've only seen a brief report on this within the last week. Mr. Speaker, I am confident that one day the era of abortion on demand will close and we will restore a lasting respect for life. However, until that day comes, each of

us must take up the cause of those who cannot speak for themselves.

I thank Congressman SMITH for his unwavering commitment and his leadership and his efforts to protect life, and especially to bring this particular matter to the attention of the American people, so that we as a country will stand up and do the right thing for those who cannot speak for themselves.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Indiana for that very extraordinary and eloquent speech, bringing to the American people an inconvenient truth that needs to be exposed, and for, again, reminding us all that the major news media—NBC, CBS, ABC—have all had a blackout, there's been a coverup. If this was any other trial of a horrific bloodletting, a house of horrors, it would be front page, it would be the lead story, maybe second or third on some nights on the major networks.

The Philadelphia Inquirer, to its credit, a newspaper that is not pro-life editorially, and I know that because I've talked to them over the many years, they, nevertheless, have deployed reporters who have done a very, very good job in covering this trial. But that's pretty much where it ends. And, again, the major networks ought to be there.

I would point out that the reason why this clinic in this house of horrors was allowed to do much of what it has done is because of the chilling effect that the proabortion side has had on inspections of clinics where children are routinely slaughtered.

The grand jury itself said: "The politics in question were not antiabortion, but proabortion. With the change of administrations from Governor Casey," a Democrat pro-lifer, "to Governor Tom Ridge," a proabortion Republican, "officials concluded that inspections would be putting a barrier up to women seeking abortions. Better to leave the clinics to do as they please," went on the grand jury report, "even though, as Gosnell proved, that meant both women and babies would pay." That is found on page 9.

Mr. Speaker, I would like to yield to my good friend and colleague from Pennsylvania (Mr. ROTHFUS) for as much time as he may consume.

Mr. ROTHFUS. Thank you.

"Troubling" is the word for what we see happening in Philadelphia. I think if you look at what this trial is about, about 20 years ago we had a decision from our Supreme Court that basically said:

At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of the human life.

I suggest that at the heart of Dr. Gosnell's trial is this understanding on the part of Dr. Gosnell that he had the liberty to define his own concept of existence and of meaning and of the uni-

verse. But that's to be juxtaposed with what our Founders described as self-evident truths, that we are endowed by our Creator with certain unalienable rights, that among them are the right to life, liberty, and the pursuit of happiness.

That concept was enshrined in our Constitution, where our Fifth Amendment provides that no person is to be deprived of life without due process of law; and, again, our 14th Amendment adds that no State shall deprive a person of life without due process of law.

As we watch this trial unfold in Philadelphia and continue to hear the daily testimony of what's happening, I think it's appropriate that we reflect on those words of the Founders and how far we've come from those days.

Mr. Speaker, I thank the gentleman for yielding.

Mr. SMITH of New Jersey. I thank my friend for coming from his markup to be with us here today.

There was a report in the Philadelphia Inquirer—again, just tell the truth, just tell the story about what's happening in the trial—and they report that this week an ex-employee of Gosnell talked about how she perceived the brutal snipping of the spines of newborns still alive after abortion.

"Did you know it was murder?" Assistant District Attorney Joanne Pescatore asked ex-clinic worker Lynda Williams, referring to the clinic's practice of snipping the spines of babies born alive during abortion procedures.

"No, I didn't," said Williams, 44.

She goes on to say that one of her duties was to retrieve fetuses from women who would sometimes spontaneously abort in the waiting room after getting large doses of drugs. "One day," she testified, "a woman expelled a second trimester fetus and it was moving." Williams said she took a pair of scissors and snipped the spine as Gosnell showed her. "I did it once," she said, "and I didn't do it again because it gave me the creeps."

Mr. Speaker, let me conclude. Dr. ANDY HARRIS a few moments ago talked about the bioethicists who had made statements that after-birth abortion is justified because the newborn, or children who have been out of the womb for even weeks, have the same moral stature—and that is none—as an unborn child. Those two bioethicists say the devaluation of newborn babies is inextricably linked to the devaluation of the unborn. They said: "We propose that this practice of after-birth abortion be called that, rather than infanticide, in order to emphasize that the moral status of the individual killed"—that is to say the baby—"is comparable to that of a fetus."

Whether she will exist is exactly what our choice is all about. So the choice to kill extended to the point of snipping the spines of children who

were born and struggling and gasping for breath and for some kind of outreach of hands that would save that child, but it wasn't there. That is now being prosecuted, as it ought to be, as murder.

Our hope is that the blackout of this trial of Kermit Gosnell will end. It is ongoing. It's occurring today. It's occurring every day. I don't know how long it will take. But to NBC, CBS, and ABC and to the major news media, The Washington Post, The New York Times, and others, just tell the story. Keep your editorials on the editorial page—you are absolutely entitled to that—but don't let that creep onto and bleed onto the other pages. Just tell the story. And the indifference, again, and the lack of coverage suggests a coverup.

Mr. Speaker, I yield back the balance of my time.

CONGRESSIONAL PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I rise today on behalf of the Congressional Progressive Caucus. We are here today to talk about a specific item in the President's budget, and that item is the chained CPI in Social Security.

The chained CPI is an idea that originated with the Republicans and was included in the President's budget as a way to try to convince them to come to the table and have a budget for the Nation. But the chained CPI is more than that. We have a problem with the way the chained CPI works.

Chained CPI. No one in the real world talks about chained CPI. It's like sequester. I don't know a single person who tells their child, I'm going to sequester your toys.

Chained CPI is another Washington idea. What that idea is, in layman's terms, is essentially a cut in how people will receive the cost of living increase for Social Security. A real important way to talk about this is currently the consumer price index is how we determine any increases to people who receive Social Security.

□ 1530

When you do the chained CPI, it takes the rate that we provide for that cost of living increase and changes the cost of living increase in a different way that makes it a smaller increase for people who receive that.

The problem is specifically for seniors and disabled and children who are receiving Social Security. Seniors, especially, pay about 20 percent to 30 percent of their incomes on health care, and health care costs have risen more

than the consumer price index or the cost of living increases that people have had. So by doing the chained CPI, essentially it is a cut in Social Security to people who need it the most.

There is a famous Midwesterner, a former Senator from the State of Minnesota, Hubert Humphrey who once said:

The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped.

Our moral test today is Social Security. It's our moral promise to seniors for their economic security. That promise comes in the form of Social Security.

It's also our promise to veterans, to people with disabilities and to our children and orphans in this country. If we break that American promise by moving to a chained CPI, it'll have real consequences to real people.

Granted, this was a Republican proposal that the President included. This is a Republican idea that the President included in his budget in order to try to get them to the table. Nonetheless, it is a bad idea no matter where it comes from.

Let me give you a little example about the amount of cuts that would be provided on average to some seniors through this. Benefits for someone who's 75 years old would see \$658 less a year. If you're 85 years old, you would see \$1,147 less a year. If you're a 95-year-old, you would see \$1,622 less a year. And for our 3.2 million disabled veterans in this country who sacrificed for our country, it means they would see reduced disability in Social Security benefits as well.

These cuts grow deeper and deeper, as I explained, the older you get, but they also are especially hard on women in this country. Women have longer life expectancies. They rely more on their income from Social Security, and they already are more economically vulnerable than men.

Let me give you an example of what this means in real terms.

My mother is 84 years old. My father died in 1991, and she has been alone all those years living on Social Security. I called her and I asked her specifically what she gets from Social Security every month. She gets \$1,101 a month. That comes out to \$13,212 annually.

I asked her to break out her expenses for me. I went through every possible expense that we could, just to get an idea of what it's like to be 84 and to be on a modest income. I grew up in a lower middle class family. She's already gone through most of her savings, living to 84. Her mother lived to 101. Should her genes hold out, her savings will definitely not hold out that amount of time.

First of all, her utilities, her gas, electric and her water bill come to \$130

a month. She said she spends \$40 to \$50 for groceries and other essentials a week. That comes to an average of \$180 a month.

The average senior's health care is 20 percent to 30 percent of their income. That's why the chained CPI is especially hard on seniors, because it's such a large percent of their income, because so much of their income goes to health care, whether it's copayments, prescription drugs, or other needs. So with that income of \$13,212, let's just go right down the middle and take 25 percent. That's \$275 on average a month.

Her car insurance and home insurance averages out to \$77 a month. Her property taxes are \$3,285. She's fortunate she owns her home, but she has property taxes that come to about \$273 a month on average. Her phone and cable bill, combined, comes to \$140 a month. She has to have help doing her snow shoveling, mowing her grass, and other errands around the house. That comes to about \$50 a month. Finally, her gas she has estimated—she doesn't do as much traveling as she used to—is about \$40 a month.

That grand total is \$1,165. That means she is underwater. She is in the red by \$64 a month. That is before other expenses.

Now, she is fortunate that she doesn't have a mortgage anymore. But could you imagine if you had a mortgage and on top of that \$1,165 you added another \$600, \$800, \$1,000, \$1,200 a month.

She has her car paid for, but it's from the nineties. That car, if it was a payment, would be \$200 or \$300 a month. Add that on top. She was just telling me about repairs. She spent \$1,700 fixing her furnace at her home. That's not calculated in all of her other monthly expenses, car repairs, et cetera.

The bottom line is that \$1,101 a month, which is essentially what she lives on—and one in three seniors live on that Social Security payment a month. You cannot afford to lose, at her age range, over \$100 a month. At \$100 a month, that means she's either cutting back on her food, cutting back on her medicine, turning the thermostat down in winter or up in the summer. But it has real-life implications on people who can afford it the least, people like my 84-year-old mother and millions of seniors across this country.

There are some in this body who try to rewrite history. They are trying to say that our economic woes, our deficit, is somehow caused by Social Security. Nothing could be farther from the truth. Social Security, by law, cannot contribute one dime to our deficit.

Are there long-term issues with Social Security? Well, long-term we do have to make sure that we're making sure that those funds are available in the future, but there are other ways we can do that. But the chained CPI merely extends the Social Security program

for 2 years. Those real cuts to every single senior that receives those payments are real dollars that people will lose.

I respect the President's desire to achieve a comprehensive and bipartisan budget proposal. I'm one of the freshmen in this building. I came from a State legislature. When we did a State budget—and I used to be the co-chair of that committee—we spent 8 hours a day, 3 days a week for 3 or 4 months crafting a budget. And every single line of that budget meant something. It was a statement of your values. It's a moral statement of your values as a government.

This government hasn't had a budget to work off of for a number of years. We just can't seem to get people on both sides of the aisle in both houses to be able to sit down and have a document that guides the country.

So the President, in an effort to do that, said, I heard the discussions we've had on the fiscal cliff, on the debt ceiling, on the sequester. He's listened to the people on the other side of the aisle. And one of the things that's been asked for by the Speaker of this Chamber and the others is the chained CPI, a cut in Social Security benefits. So the President included it in his budget in order to try to bring them to the table.

Now, I sat through the Budget Committee today, which I serve on here in the House. I can tell you, it was not bringing people to the table. With no surprise, it just brought criticism from the Republicans on the President's budget in general.

So I think the President does not need to keep the chained CPI in his budget proposal. It is a break, I believe, to the promise we've made to seniors about what they will see from us. In fact, 107 people in this House, Democrats in this House, including myself, have signed a letter to the President explicitly stating that we don't want to see any cuts to Social Security, Medicare, or Medicaid.

If I can, let me just read a little bit of this letter to you that was signed by a majority of the House Democrats back in February.

□ 1540

We thank the President for standing strong and the American Taxpayer Relief Act to protect Social Security, Medicare and Medicaid from benefit cuts that would jeopardize the well-being of millions of Americans.

We write to affirm our vigorous opposition to cutting Social Security, Medicare or Medicaid benefits in any final bill to replace sequester. Earned Social Security and Medicare benefits provide the financial and health protections necessary to keep individuals and families out of poverty. Medicaid is not only a lifeline for low-income children, pregnant women, people with disabilities, and families, it is the primary source of income of long-term care services and supports for 3.6 million individuals.

We cannot overstate their importance for our constituents and our country. That is why we remain deeply opposed to proposals to reduce Social Security benefits through use of the Chained CPI to calculate cost-of-living adjustments. We remain committed to making the changes that will extend solvency for 75 years, but Social Security has not contributed to our current fiscal problems, and it should not be on the bargaining table.

Then it goes on to discuss Medicare and Medicaid.

We have been very explicit that there are other ways that we can extend the solvency of Social Security. Remember, it did not cause the financial situation this country is in right now. That was an economic uncertainty caused by the financial institutions and the housing crisis that put every State in this country into fiscal chaos, but that was not caused one dime by Social Security. So for us to balance the budget on the backs of seniors and the disabled, of veterans and the children who receive Social Security doesn't make sense.

Now, there is something that does make sense. Currently, we take a portion out of every person's check to pay for Social Security. It is your earned benefit. You pay in in every paycheck to Social Security so that, when you need it, it is available for you whether it be at retirement or through disability. At \$113,700, you are capped when you make that much income. Not \$1 more in income do you pay additional dollars into Social Security. If we lift that cap and, like so many other provisions, you continue to pay taxes on your salary—so, if you make \$500,000, you don't just stop at \$113,700 and paying into Social Security, but you would continue to pay into Social Security like you do on all your other taxes—that would extend the solvency of Social Security for at least 75 years.

Now, that is a commonsense way for us to make sure a program that is probably one of the most popular and crucial programs the Federal Government offers to its citizens that we've all paid into—our money, our social contract, our insurance so when we need it we have it—can be extended simply by lifting that cap, and that would go a long way to providing the economic certainty that we need.

So while we are supportive of so many of the measures that the President has in his budget, the President's budget focuses on what we need to, which is the immediate need to make sure that we are improving the economy and that we are creating jobs. That is our focus that we need to do in this country.

In fact, the Congressional Budget Office, which is our nonpartisan agency that we work with—that both Republicans and Democrats work with to get the financial numbers that we work with in our bills and to make all the decisions we make—has said that

three-quarters of this Nation's deficit in the next year that we're all talking about a budget for, 2014, is caused by economic weakness—in other words, unemployment and underemployment. If we address those two issues, that is the best way to stop the trajectory with the deficit and the debt. By getting people back to work, you can do that.

I'll tell you, in this budget, the President does much of that. The President includes extra funding for research and development. It's what we have been told by businesses is the best thing we can do to be competitive in a global market. It includes \$50 billion for infrastructure investment—to get people working now, to have us help stimulate the economy.

I can tell you, when we had the last recovery dollars that happened at the very start of the recovery that we had with this bad economy—when we were at our worst and our lowest point—we were bleeding hundreds of thousands of jobs a month. When those recovery dollars came to the States and my committee, the Joint Committee on Finance, we had to approve every single dollar that went to roads and schools and other programs. We had our road-building industry and our vertical construction industry in our State tell us that 54,000 jobs were saved or created because of those dollars.

In the Budget Committee, I asked the question of Dr. Elmendorf from the Congressional Budget Office nationally, what did that do for us, those recovery dollars. They estimated—not the Democrats, not the Republicans, not anyone else but our official agency—up to 3.3 million jobs were saved or created because of those recovery dollars.

The President has \$50 billion in infrastructure to make sure that people are working again, and he's getting them back out, while we need to, to keep the economy moving. He has focused on advanced manufacturing: some innovative ideas that we could create these hubs where people can create new jobs and have jobs come back to America from overseas. He also provides tax credits for small business owners who will hire new workers so that we can, again, continue to have the private sector, as well as what we can provide through infrastructure, to help get the economy to grow and to create the jobs we need to.

Those are all good provisions the President has. At the same time, he is working at \$1.8 trillion in deficit reduction, which, on top of the previous \$2.5 trillion, takes us exactly to the target people have been talking about of the \$4 trillion deficit we need to address in the immediate amount of time. It has the long-term picture in mind as well. It's not saying the Holy Grail is the deficit reduction, but the Holy Grail is the economy and job creation to solve

our deficit problems, and the budget does that.

There are many strong provisions in the President's budget, but many in this House—107 people who signed a letter in this House on the Democratic side and many of us in the Progressive Caucus—have been especially outspoken about the one provision that we think takes a completely wrong turn. That completely wrong turn is the Chained CPI—to change how we deal with increases for Social Security, how we estimate the payments for Social Security—which essentially turns out to be a cut, a real dollar cut, to people on Social Security. I can tell you they have given us some really better ways to illustratively explain what those cuts mean.

If you take the cuts under Chained CPI and if you are 65 years old, that cut will be about 2 weeks' worth of groceries. When you're at 70, it's about 6 weeks' worth of groceries, and it continues to grow. At 75, 9 weeks of groceries; at 80, 13 weeks of groceries. That's a quarter of the year that you have less for groceries that you need to get by. At 85, people like my mother, 16 weeks of groceries, and if you make it to 90 and 95, 20 and 23 weeks of groceries. That's the cut in real terms that comes from Chained CPI.

We stand to make sure that we are raising the issue that as we continue to talk about the budget—and we need to go to conference committee. We have a House budget; we have a Senate budget; and we have the President's budget. But do you know what that means? We have no budget. That means we will continue to have continuing resolutions, that we will continue to fight every 2 or 3 months and do stopgap measures with chewing gum and Band-Aids unless we have a budget.

So I appreciate what the President did. He's giving us a measure specifically to make us all come to the table to try to do this. His intention was to take a Republican idea, Chained CPI, and put it in his proposal to show he's willing to compromise. Unfortunately, all we've heard from the Republicans has been criticism of the budget.

In the House, their budget is a fantasy as far as balancing the budget in 10 years as they claim. It is a fantasy because it repeals the Affordable Care Act, benefits of which include making sure that people with preexisting conditions have health care, making sure that children up to 26 have health care, making sure that we have dollars for preventative care. It repeals the benefits, but it keeps the savings and the revenue. Well, you can't do that. We can't tax the people in the Affordable Care Act so that we can pay for the benefits but not give them and keep that money and try to balance the budget. So it's not a real budget.

What we need to do is have a real budget, and we need to get people to

the table. I urge this House to announce conferees so we can start the hard work of doing that. The three positions are on the table. We need to do that.

We want to say strongly—the Progressive Caucus and 107 Democrats in this body—that the one thing that is unacceptable is to balance that budget on the backs of people who didn't create the crisis, and they are our seniors, the disabled, our veterans, and our children and orphans who rely on Social Security; and the Chained CPI would provide just that sort of a cut to those people.

□ 1550

So, Mr. Speaker, those are some of the strongest problems that we have with the change in the Consumer Price Index. That is called chained CPI. There are a number of organizations, Mr. Speaker, that have joined us in this. They range from the AFL-CIO, on behalf of the working people of this country, to PCCC, to MoveOn, and a number of other national organizations that have stood with us at multiple press conferences this week to try to raise awareness that this is a bad idea.

This is taking the budget situation we have in the future and balancing it today on those who can least afford it. We need to have the backs of our seniors and our disabled, not put the budget on their backs. And the chained CPI is a provision that, unfortunately, does just that.

So while it is not the President's idea, it is absolutely not the Democrats' idea. It was an idea proposed by the Republican Speaker and other Republicans just in the last couple of years. It was put forward in the President's budget to try to bring people to the table. We want to make sure that it is heard loud and clear that many of us will not support a bill that includes a chained CPI. It will not get the support of many people in this room if it includes those cuts to our country's promise, which is to our seniors.

Mr. Speaker, it is a huge concern to those of us in the Progressive Caucus. There are a number of groups, including Strength in Social Security, who join us in our efforts against this, who've put out some various estimations of what this means. They have said that for someone who is 75 years old, the cut they would see would be about \$658, which is 3.7 percent of what they are currently receiving in Social Security.

If you're 85, they estimate that to be \$1,147 a year, 6.5 percent. Again, to my mother, who's getting that \$1,101, that is almost a \$100 a month cut. As I estimated from her utilities to her groceries to her other payments that she has, none of those are necessarily luxuries at 85. None of those are excessive payments. They are the basic payments just to get by that she comes up

with, for about \$1,165 a month. After burning through savings for 20 years, she just doesn't have it left.

So like a third of Americans who live on that Social Security check, they live on \$1,101. They live on that \$13,212 a year. And I don't think there is anyone who could honestly say that that's too much. After you've paid in your entire life, it's your earned benefit that you paid into, that insurance for when you need it, for when you are a senior and you retire, or when you become disabled, or God forbid your parents die and now you're an orphan, that payment is this country's promise to each and every one of those people. So to go after that \$13,000 payment to this 84-year-old person and get that 6.5 percent cut, that means real things.

I remember a few years back, before, in Wisconsin, we created about a decade ago a program called SeniorCare to help seniors afford prescription drugs. It has been a great success with bipartisan support. But prior to that, my mother was one of those people who cut pills in half because she couldn't afford her medications. She doesn't have to do that anymore because of SeniorCare, but we're the only State, Wisconsin, which has SeniorCare in the entire country. There are seniors in the other 49 States who, if they get that cut, that means cutting pills in half, that means deciding which pills you're taking, and it means deciding which meal you're not eating. It means those sort of basic, basic cuts.

It is estimated that at 95 years old, according to Strength in Social Security, it's a \$1,622 cut. That is a 9.2 percent cut. We're balancing the budget on the backs of those who can least afford it who didn't create the financial times we're in, and that seems entirely wrong.

What that means in a lifetime, what your cumulative benefit loss is, and that is where it really starts to add up, and maybe this will be more illustrative:

At 75, at that point on Social Security, you've lost \$4,631.

At 80, you've lost \$8,660.

At 85, people like my mother, she has lost \$13,910 of what she has paid into and expected to get during her twilight years. That's the enormity of these cuts.

I have been joined by an extremely articulate and solid progressive colleague of mine, a mentor of mine, someone who is not only a strong leader, not only in this entire House, but especially during this hour with the Progressive Caucus, and I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. First, let me thank the gentleman for yielding and for your kind words, and also for your tremendous leadership and for really coordinating the message hour of the week, not only on behalf of the Progressive Caucus, but for this entire

body and for the American people. It is so important that the truth be told and that we continue to beat the drum to protect the priorities of all of the American people, not just the few. So thank you very much.

We are here today to talk about the budget and its priorities, and also some of the issues that are very troubling, which I'll mention in just a minute.

I'm pleased, though, to see that the President's budget clearly understands the need to create jobs and to grow our economy. This budget makes critical investments in early childhood education and brings down the cost of higher education. The budget protects vital nutrition programs like SNAP and WIC. This budget permanently extends vital expansion of the child tax credit, the earned income tax credit, which has lifted about 1.6 million Americans out of poverty in 2010 alone.

In stark contrast, our Republican colleagues proposed yet another \$6 trillion tax cut for the wealthiest, while focusing a majority of their draconian budget cuts on shredding our Nation's safety net.

Every Member of Congress may claim to support the goal of cutting poverty in America, but gutting programs that families rely on to put food on their tables is simply not how we achieve that goal. Now, as I said, I was very pleased to see some of the innovative and groundbreaking proposals that the President included in his budget.

However, I have to join Mr. POCAN in our strong opposition to the inclusion of the so-called chained CPI in the budget. As many of us have said, chained CPI is a benefit cut, which it is, to Social Security, and I wholeheartedly oppose it.

So thank you again for beating that drum today on this because this is not the President's ideal deficit reduction plan. We should not be bargaining for Republican goodwill with policies that hurt our seniors. Social Security was established more than 77 years ago, providing economic security to generations of Americans who have made contributions over their lifetime. They worked for this.

Changing the cost of living adjustment now will disproportionately hurt seniors who rely on every single dollar of support as income. The chained CPI would cut one full month's income from a 92-year-old beneficiary's annual Social Security benefits. Seniors cannot afford that. The chained CPI will also cut living standards, and most deeply for the poorest households, which tend to rely on Social Security for all or most of their income.

The fact of the matter is Social Security should not even be a part of this discussion. It should not be a part of this budget. The program has accumulated assets of \$2.7 trillion and does not contribute to the Federal budget deficit. Voters across the political spec-

trum oppose cuts to Medicare, Medicaid, and Social Security benefits, and we must do whatever it takes to protect these vital benefits from cuts.

Democrats believe that the best way to reduce our deficit and make our economy grow is to create jobs. That's why I join my CPC colleagues in rejecting any and every cut to Medicare, Medicaid, or Social Security benefits, including raising the retirement age or cutting the cost of living adjustments that our constituents earned and that they need.

We also know there are commonsense reforms that would reduce health care costs and save taxpayers hundreds of billions of dollars without cutting benefits. If Republicans are serious about deficit reduction, we really can make additional savings, and they should come from those who can most afford it. We can save over \$110 billion just by eliminating wasteful subsidies to oil companies who have already made record profits. We can close corporate tax loopholes—that would save billions of dollars to invest in education—and we can end wasteful Pentagon weapons programs and focus our military on addressing 21st century threats.

So there are many ways that we can accomplish this. Instead of supporting policies that harm seniors, let's get back to the real problems facing our country, and that's creating 21st century jobs and growing our economy for all.

So thank you again for your leadership. This has been a tremendous hour that you have put together, and I hope that the American people are listening today. So much is at stake.

□ 1600

Mr. POCAN. Thank you so much, Ms. LEE. We really appreciate it. And again, your history in this House has been recognized by so many of us who are new and proud to be here. We appreciate all that you've done on behalf of the middle class and those who are striving to be in the middle class and those who are just getting by in this country.

Ms. LEE is also leading an initiative for the Democrats to address poverty. We are doing everything we can on the Democratic side, but it's under your leadership that's happening, and thank you so much for that.

We've been joined by another colleague who is from California who has been another one of our freshman Members of the House, and he is here to talk to us also about the issues before us on chained CPI and perhaps some other issues. I'd like to introduce, from the State of California, Mr. MARK TAKANO.

Mr. TAKANO. Thank you. I thank the gentleman from Wisconsin. I will be speaking today on equal pay. Today I signed the discharge petition to bring the Paycheck Fairness Act to the floor

to ensure that women across the country receive equal pay for equal work.

This week, on Tuesday, we recognized Equal Pay Day, which is the symbolic day that marks the time it takes for women's earnings to equal men's earnings from the previous year. Thanks to the 23 percent wage gap, it takes an extra 3 months for women in America to catch up. The wage gap persists at all levels of education and exists across occupations.

In my home State of California, the typical woman, working full-time, year-round, is paid, on average, only 84 cents to every dollar her male counterparts make. In my home district the pay discrepancy is even worse. Women living in the Inland Empire make 81 cents to every dollar, and many are the sole breadwinners in their households. This isn't just an insult to women who work hard at their jobs every day, it hurts families and children.

In my district, the wage gap amounts to an average loss of \$8,900 that could be used to pay for rent, groceries, and child care. This is unacceptable.

When President Kennedy signed the Equal Pay Act into law, he criticized the unconscionable practice of paying female employees less wages than male employees for the same job. Fifty years later, this unconscionable practice is alive and well, which is why we have a duty to our mothers, sisters, and daughters to pass the Paycheck Fairness Act in this Congress.

Mr. POCAN. Mr. TAKANO, would you yield to a question?

Mr. TAKANO. Yes, sir.

Mr. POCAN. MARK, I just want to ask you, you've been a leader in this body on chained CPI.

Mr. TAKANO. Yes.

Mr. POCAN. We did several press conferences this week. You're the author of a major letter from many people in this House about it.

Could you just address a little bit about why you're so passionate about the need to make sure we have Social Security for generations in the future and why you oppose the chained CPI.

Mr. TAKANO. Well, I believe chained CPI is bad for veterans and it's bad for our seniors, but let me focus on the seniors for a moment.

The chained CPI, explained in a very simple way, is a way that the government would ostensibly index Social Security COLAS, cost-of-living increases. Said very simply, under chained CPI, seniors would be paid less over time.

The assumption is that seniors would be able to substitute less costly items for the current items they might currently buy. But, you know, seniors really use health care a lot more than the rest of us, and that's the largest burden that they're facing, trying to pay for their health care costs, prescription drugs.

I think it's a false premise to say that seniors will be able to find less

costly substitutions. More and more of their income would be going to that.

I believe that many people call Social Security, Medicare, entitlements. I call them sacred promises that we made to our seniors. I don't believe that we should break those promises. We must keep those promises.

People have earned these benefits over a lifetime. They planned their lives around them, and we simply can't go back on what we've promised our parents and grandparents.

Mr. POCAN. Thank you, Representative TAKANO, again, for your leadership on this issue. As I said, you've authored one of the major letters that's out there talking about chained CPI and cuts to Social Security, Medicaid, and Medicare.

And also, as a member of the Veterans Committee, I know you've been especially articulate on the effects on veterans. I thank you for your time.

Mr. TAKANO. Thank you, sir.

Mr. POCAN. As Representative TAKANO said, these are sacred promises to people who've paid into the program, and now the expectation is, as with any insurance, you've paid in and now you're able to get the benefit when you need it. That's why you've paid in all your life.

And that benefit is for people who retire and for people who become disabled and, God forbid, children who become orphans. It allows them to be able to continue, in our society, to get by.

But as I've shown, an 84-year old woman like my mother—this is my mother's actual story—gets \$1,101 a month. That's \$13,212 a year. We went through her expenses, from utilities, \$130 a month, food and other miscellaneous items she has to buy, \$180 a month.

Health care, as Representative TAKANO said, it's about 20 to 30 percent of the average senior's monthly expense or their income. I'll take it right in the middle, 25 percent; that's \$275 a month.

Her car and house insurance, \$77 a month, her taxes, \$273 a month, her phone and cable, \$140 a month, miscellaneous, having people mow her grass and shovel, et cetera, \$50 a month, and her gas about \$40 a month.

That's \$64 a month more than she makes. And unfortunately, she has, at the age of 84, having been widowed since 1991, expended through almost all of her savings and, like a third of seniors, is living on that Social Security paycheck.

But what about the senior who's in the exact same situation, receiving and living off that check, but they still pay rent or have a mortgage? Six hundred to \$1,200 more dollars you're going to have to add on to that.

And what if they have a car or they have a bus pass? Two to \$300 a month you're going to add on to that.

Miscellaneous repairs. My mother, this year, had to replace her heater, at \$1,700. How do you do that with a cut in Social Security?

So additional expenses, still, on the low end, add that up, you're almost at \$2,000 a month. There's no way that \$100 hit that'll happen is something that the average senior or person with disabilities, veteran, or child can be able to get by. That is a real life cut, and where they have to cut and make tough decisions is on their groceries, on their medicine, on whether or not they're going to be able to drive the car that they have. It's serious consequences.

And I know that the Democrats have been especially strong in the Progressive Caucus. The Progressive Caucus penned a letter that 107 Democrats in this House have signed on to that said, do not do any cuts to Social Security, Medicare, or Medicaid.

Now, there are some who say that you can't ignore it, that in the future, far down the road, decades in the future, we have to make sure that these programs, these earned benefits are still alive. But we have argued there are ways to do that.

If you lift the cap at which you pay into Social Security, you could extend it, the program, Social Security for 75 years into the future. And remember, Social Security has not added one dime to the deficit. By law, it can't add one dime to the deficit.

But, instead, we are balancing the budget, with this provision, on the backs of the very people who can least afford it.

So the senior who makes \$1,101 is going to see a cut, but the company that sends jobs overseas under the Republican budget still gets a tax break for sending jobs overseas. And that CEO with the corporate jet still gets a tax break under the Republican budget.

And when you go down the list of breaks that are out there for the most wealthy, we need to find a different way to do this than balancing the budget on the backs of those who can least afford it, those who've paid in their entire lives, those who didn't create the financial situation we're in.

Our Progressive Caucus has been strong in talking about this. We have tried to take quite a bit of time today to really explain this as plainly as we can and as absolute simply as we can a person's monthly budget.

□ 1610

We all know you have other surprise expenses like your heater goes out at your home or your car needs repair. We don't even factor that in. Most people will probably still have some rent or perhaps a house payment to make. When you add all this in and if you have expended your savings like one-third of our seniors who live on that Social Security check, it is impossible

to continue to get by. And to take a cut to the very people who can least afford it seems wrong.

We are honored in our Progressive Caucus to have two people that lead us, Representative RAÚL GRIJALVA and Representative KEITH ELLISON. Representative KEITH ELLISON is a fellow Midwesterner and I think a man of incredible common sense, coming from the Midwest, like we like to at least think we do back in the Midwest, coming here. And he has done an extraordinary job of leading the progressives and the Democrats in this House to make sure that we stand up for our seniors and our disabled and our veterans and the children who receive Social Security. I would like to yield to the chairman of the Progressive Caucus, the gentleman from Minnesota, Mr. KEITH ELLISON.

Mr. ELLISON. Congressman POCAN, thank you. Thanks for holding down this very important Progressive Caucus progressive message. The fact is that the Progressive Caucus and the Democrats generally are about protecting seniors. That's who we are. That's our brand. That's our identity. Social Security came out of the Roosevelt administration, came out of core Democratic values. That's what we stand for, that's what we believe in, and that's why we are standing opposed to the chained CPI. We're not going to relent. We've been fighting this thing for months. We're not going to give up the fight. We're going to keep on pressing until this thing is settled.

The reality is that this chained CPI takes place within the general debate on budget, a general debate on fiscal items. And I happen to know that the chained CPI is an idea that emerged from Republican leaders only a few months ago. That's who came up with this. And so now the President has offered a budget in which he says, Okay, we're going to try to compromise from the beginning. We're going to try to take some compromise ideas and put them in here, along with some other good ideas like early childhood education, like investing in infrastructure and jobs. Those things are okay. But I think it was a mistake to ever include anything about Social Security in a budget because the Social Security does not contribute to the deficit. And so if you want to deal with lifting the sequester, deal with something that has to do with taxes or spending. If you want to deal with the budget, deal with something that adds to or takes away from the budget. If you want to deal with deficit reduction, deal with something that has to do with that. But don't drag in something that is actually irrelevant.

The fact is that Social Security is one of the oldest, best programs that this country has ever seen and it has taken care, literally, of millions of people. It's not an entitlement. It's an

earned benefit program. It is social insurance people pay into. They earn it and then they pay into it. And then they expect it at the end years of their lives. Congressman POCAN, I think it's important just to point out that a full third of widowed women on Social Security rely entirely on Social Security.

Some people like to say chained CPI is not that big of a cut. Well, it depends on how much money you have, doesn't it? It depends on what you start with. If you're getting by on \$13,000 a year, or under \$20,000 a year, \$250 may seem like a lot of money. My own experience as a Member of Congress is that people would ask me at community meetings all the time, Are we going to get our COLA check? Are we going to get that \$250? Why? Because that's a lot of money to folks who are really trying to get by.

And so what I'm saying is let's embrace our core Democratic values. Let's look after our seniors. Let's take care of this great program, Social Security, that has done so much for so many for so long. And let's reject this idea of chained CPI, and let's stand together and say chained CPI is not a good idea. It's not something we should offer as a bargaining chip for a grand bargain. Let's just take it off the table. I yield back to the gentleman.

Mr. POCAN. Thank you, Mr. ELLISON.

As a leader of the Progressive Caucus, I have been talking about how 107 Democrats in this House and the leadership of the Congressional Progressive Caucus have signed a letter and asked the President to not cut Social Security, Medicare, or Medicaid. So the majority of the Democrats have already signed a letter saying, Keep the hands off. As we deal with our Nation's budget, the one place we shouldn't go is to those who need it the most—our seniors, our disabled, our veterans, and their children and orphans who receive Social Security benefits.

As I talked about the realities of that \$1,001 a month, as Mr. ELLISON just said, when you receive that additional \$100 cut, that additional \$100 cut is almost 10 percent of your budget. Think about if you had a 10 percent cut in your budget and you're not able to make any more money. At 84, I'm sorry, my mom is not going back to Taco Bell. She worked there in her seventies to continue to make money because she just didn't have it and to have something to continue to get by on. But at 84 she's already had a couple of falls. There's nothing else she can do to make additional money. So she has to make that tough cut. And I would argue that this bad idea that the Republicans came up with and the President included just to get them to the table to talk about the budget, this bad Republican idea, chained CPI, will have a real effect on tens of millions of people across this country. There are way too many seniors for whom this means just about everything in their lives.

She can't really cut her utilities. She can change the thermostat. She can set it to 60 in the winter. She cannot use any kind of air conditioning in summer. In Wisconsin, I won't recommend that in the summer. We have some humid, humid days. So you can't cut this line. Her groceries and other things she has to buy for the home, she can cut back. But she already tells me stories. There's a place in her neighborhood she'll go to that has a \$1 burger special. She'll go there. This is going back over the holidays. We had to convince her to tip 35 cents. Because she said, My God, that's 35 percent. I don't tip 35 percent. But we're trying to explain to her in the economics of it, it's 35 cents to give. But she gets a burger for \$1. And she says, Sometimes I get two. So she's deciding about a \$2 meal. Are we going to take that away from someone, the very groceries they live on?

Health care: with rising health care costs, the facts are that 20 to 30 percent—I think specifically 26 percent is the current number—of your annual costs, seniors' health care costs. She can't change that line. Insurance: Does she not insure her vehicle? Does she not insure her home in case of a fire? That's \$77 a month. We all know you can't get away and not pay your taxes. That line is off the table.

I'm going to jump down a line to her miscellaneous. She has to have people shovel and do other things around the home. That's very hard to change. That's only a \$50 item. Finally, gas: she doesn't control the price of gas. So the only line she really has left is her telephone and her cable bill.

And with the way we have to deal with the budget, rather than making those who can most afford it in the country and all the tax loopholes and tax breaks for some of the wealthiest in this country, instead we're going to go to this 84-year-old woman and say you can no longer have a telephone to talk to your family and friends on, or lose the little bit of entertainment you have through a television seems wrong. It's not the values of this country. It's certainly not the values of the Democrats in this House. Yet that's what they'll face with a chained CPI cut. That's the bottom line. And when those other expenses come up, how does a senior pay for them?

So we really want to express to the President in the strongest possible terms that the Republicans may have had this bad idea of chained CPI to provide a cut to Social Security payments, but you included it in your budget to bring them to the table to make them negotiate, and all you've heard for the last 36 hours is criticism and that they won't sit at the table. You've got dollars in the budget to help grow the economy. The Progressive Caucus had a Back to Work Budget. We worked hard and steadfast in talking about

growing the economy as our best way to solve the deficit and our economic problems. But if the Republicans are going to criticize that and refuse to have one more dime in revenue, not one more CEO can't still get his tax break for that corporate jet, not one more company can't get that tax break for sending jobs overseas—those are the types of tax breaks we have in this country.

And if we can't get one more dime from programs like that so that a senior doesn't have to make those tough, real-life decisions, then we're failing as a government and we are breaking our promise to the seniors of this country.

□ 1620

So I would hope that we can continue to get people who are watching this to realize it may be called chained CPI, it may have an obscure term—we're the body that came up with a sequester, right? It's a term. It's in the dictionary. But I guarantee not one person that I know of has ever used it in real life. No one has said to their child: I'm going to sequester your toys today. It's just not something that real people do. Well, chained CPI is the same thing. It may be an obscure economic term, but the bottom line, the reality of what it means to the average person who's listening, is it means a cut to those who can least afford it, to those third of seniors who live on that check exclusively to get by. And all the other seniors who rely largely on that to get by, should they have the good fortune to grow old, they'll have the bad fortune of seeing that savings go down, as they have these expenditures.

In the end, we have made a promise—a sacred promise, as Representative TAKANO said—to the people of this country that as we take their money, their Social Security, through their earned benefit they have paid into—we have put up a social insurance program to ensure that when they retire or become disabled or, God forbid, lose their parents and become an orphan, they will continue to have an ability to live in this country. It's not those people that created our financial woes that this country has. There are real ways to deal with the deficit. There are real ways to deal with Social Security. But those real ways are not the ways that are proposed through the chained CPI.

In fact, another thing that was said, I believe it was by Ms. LEE from California, was she talked about, on this floor, we have other people trying to fix Social Security. We had 104 Members of the other side of the aisle vote for a version of the budget that raised the Social Security retirement age to 70. I'll tell you, I don't know many construction workers or nurses or teachers who could necessarily still be able to do that job as well as they would like to do between 67 and 70. The construction field, there is not the ability to do that

job. As a nurse, when you have to lift bodies and help move people, you just can't do that job for those additional years. So, to me, to raise the Social Security retirement age is, again, part of breaking that promise.

There is a way we can continue the promise, and that is to lift the cap on Social Security. Right now, no matter how much you make, we tax for Social Security up to \$113,700; but as soon as you make a dollar more, you don't get taxed for Social Security. Now, we tax in every other way in a progressive way, as you make more, you pay more in taxes, but we don't tax a dime more at \$113,700. If we were simply to lift that cap or raise that amount, you would extend Social Security for decades. In fact, if you lift the cap entirely, it is estimated at least 75 years of life would go into the Social Security program. Wouldn't that make a lot more sense than instead nickel-and-diming those who can least afford to, to preserve the program?

So that is the hope of this Progressive Caucus that we have. You've heard from a number of leaders, both freshmen and people who have been here for a long time. You've heard from people from different parts of the country. It is an important promise that we have to the public.

We are the party that has been there to protect seniors. The fact that the President has it included in his budget, we all know—and the President has been very clear—it is not his idea. This was an idea from the Republican Speaker and other Republicans, and he put it in his budget proposal to try to get them to come and finally have a budget for this country, to make them come to the table.

Right now, we have very different documents. We have the Democratic document in the Senate and the President's document that invests in the economy so we can create jobs and grow the economy right now. And we have a Republican version of the budget that focuses almost exclusively on getting rid of the deficit. The holy grail is the deficit; it will cost us millions of jobs. Just in the next year it is estimated 2 million jobs will be lost. But you can't have those diverse documents and still fund Congress. So what does Congress do? We continue to have continuing resolutions that get us by for months at a time.

I have heard on this floor so many times where people will talk about a wasteful program—and there are wasteful programs in the Federal Government we should address. There is a GAO report that specifically outlines about 45 areas of duplication, where we are doing the same thing across different agencies. We have a focus on the Oversight and Government Reform Committee to find waste, fraud, and abuse wherever we can. We are working on that. The problem is when you don't

have a budget that says we're going to cut these programs so we can fund these programs, we punt. And as a government, we have punted far too many times. We have not had a serious budget in place.

So the President's goal is indeed sincere, that he wants people to come to the table. I, perhaps, would have waited to compromise until we got to the table, but the President in this case put their request right in his budget and put it on the table. The problem is, that is a bad compromise. There are so many other things that we can do that will better serve the public than to cut the benefits from our seniors and our veterans and our disabled and the children and orphans who rely on Social Security.

So, Mr. Speaker, our Progressive Caucus has been here for close to the last hour to make sure that we are talking about an important program that the public, I'm sure, is concerned about. I know I'm getting the calls in my office. But we really plead with the President to make sure that as we move forward and try to bring the Republicans to the table to try to have a national budget—as we all need to—do not balance that budget on the backs of those who can least afford it.

Mr. Speaker, with that, I yield back the balance of my time.

ADMINISTRATION IN REVIEW

The SPEAKER pro tempore (Mr. STEWART). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I know the intention of my friends on the other side of the aisle. We all want the country to run at maximum peak performance so that people have jobs. But it's interesting the ways we have going about trying to see that that happens.

Interesting, in fact, we got the President's budget yesterday—of course it took 2 months or so beyond what the law says that the President must do. We also know that when it comes to people being in the country illegally, the President decided that he didn't like the laws that were passed by Congresses of the past, both Democrat and Republican, signed into law by Presidents, both Democrat and Republican, and so President Obama got up and did what you don't normally find in a country with representative government, he just announced: I don't like the law the way it is, so here's the new law, and basically pronounced new law into being with regard to who will be allowed to have amnesty in the country, and that program has already started.

In the past, the Founders' intent was well carried out because I've been advised by people who worked here in Democratic majorities as Democratic

leaders and Republican leaders of the past who said, yes, in the past, if you had a President stand up and say, I'm choosing to ignore the law that has been passed by prior Congresses, signed into being by their Presidents; I'm going to ignore those and just pronounce new law: So as I say it, so shall it be—if you had a President that acted like that, then both Democratic and Republican leaders would get together and they would head down Pennsylvania Avenue, that way. They would announce themselves and let the President know that either he would begin to comply with the law and stop doing what is solely the responsibility of Congress, or they would cut off all funding to everything he cared about. And that would take care of it.

□ 1630

Unfortunately, these days the President, those in power in the White House and executive branch, have noted that since the Democratic Party is the majority in the Senate, then even when there are enough people in the Republican Party in the House who have the nerve to stand up and say we will no longer allow violations of the law or creations of law out of whole cloth without following the Constitution, the Senate would stop those actions because they're not going to let anything like that pass the Senate. And, therefore, we have bureaucrats who begin to announce to elected Members of this government that they really don't care what we have to say, that we're not going to stop them from doing whatever they want, because the Senate will block anything we try to do here at the House.

Because this is a divided Capitol building with the Senate in the majority of Democratic hands and the House in Republican majority control, it is very important that we note what the other branch, the Presidency, is pronouncing. Under the President's proposed budget, there is an article here dated April 10 from CNS News that says:

The OMB's historical tables also reveal that the White House does not expect this administration to ever run an annual deficit as low as \$458.5 billion, which was the deficit the government ran in fiscal 2008, the last fiscal year completed before Obama took office.

It's also important to note that in 2006, the last year Republicans were in control of the House, we were properly ridiculed by Democrats on this side of the aisle because we ran \$160 billion-or-so budget spending over the amount that was coming in, that we had \$160 billion in deficit spending. And the Democrats were correct: we should not have had \$160 billion in deficit spending.

Having no idea that the promises from the friends on this side of the aisle who said, If you will just put us in the majority, we'll cut that \$160 billion

deficit spending the Republicans have done and we will get a balanced budget, we won't deficit spend, who would have believed that when they took over as a majority, that within 2 years they would have tripled—basically tripled—the amount of deficit spending. So much for the promise that we're going to cut deficit spending. So the \$160 billion or so went to \$458.5 billion, about tripled the deficit.

And then who could have possibly imagined that during President Obama's first year in office, when Democratic control was both the House and the Senate, that they would have the nerve to not run \$160 billion deficit, as they said they would never do, or the \$458 billion deficit, nearly three times as much as 2008, but that they would go 10 times that amount of \$160 billion and hit about \$1.6 trillion in deficit spending.

There are several markers being laid down in this country that make it very clear that this country is on a crash course. There are no seat belts, there are no harnesses, there are no air bags. We are barreling down this road to a definite end unless we get this thing under control.

And for the President to propose for the first time in American history that before he leaves office in 2017, under the President's proposed budget he will preside over the spending of \$4.0898 trillion in fiscal year 2016, it's unbelievable. We've got somewhere between \$2.3 trillion and \$2.5 trillion that is expected to be coming in to the Treasury this year, and the President is proposing \$3.8 trillion in spending. It is outrageous.

And at the same time, the President has closed down tours. There's no indication that there has actually been even \$18,000 or \$74,000 or \$78,000 in savings from not having White House tours. So you begin to wonder, now, wait a minute, you said it was to save all this money is the reason you cut out White House tours, that it wasn't just a temper tantrum to make people suffer. So, let's see, where is the savings? If there are no Secret Service being furloughed, there are no Secret Service being laid off, it would appear there's no savings.

So what then could have possibly been the purpose for saying no more White House tours? Some have said, well, Congress is just mad because it complicates their job. People saying those types of things really have no clue what's going on in Washington, because the fact is a Member of Congress' life, be it Democrat or Republican, is actually less complicated when you don't have to arrange for White House tours.

It's something that Members of Congress had taken on voluntarily in order to help the White House. So we would make the arrangements, people would call and come through our office, then

we would have to write requests, beg the White House, can you find enough tickets for these individuals to allow them to go through the White House, and then we would get word back. There for a while it was unpleasant when the President first started, because we had trouble getting tickets for anybody the first year or so, which meant that the President got to have people furious with Members of Congress because they blamed Members of Congress for not being able to go through the White House on a tour, when actually we would just get notice and only be able to pass that on.

So it actually makes Members of Congress' life far less complicated when we don't have to arrange for White House tours. But the Members of Congress I know, on both the Democratic side and the Republican side, really want to enhance visits for their constituents to Washington, D.C., and so we are willing to spend part of our budget to have somebody help arrange those tours for constituents coming to Washington. We help the White House by doing that.

Even though our offices, every congressional budget has been cut about 20 percent over the last 3 years, we haven't cut out those constituent services. We have one person less in my office we just didn't replace by attrition. We've had to make adjustments. And I'm grateful to have a staff that is willing to work hard and long hours. They don't get paid overtime, but they're willing to do that because they realize this is a servant's job. I am a servant. People who work in my office are servants. We serve the public and serve at their will.

Apparently, that is not something that all bureaucrats have been able to understand and take to heart. Then we also see big news today that a gun bill has cleared the Senate hurdle as the filibuster falls short. This is a FoxNews.com story that was released today.

□ 1640

There is another story here that indicates Senator LEE says, "Background Checks Could Allow Holder"—the attorney general—"to Create Gun Registry Using Regulations."

In fact, "On Wednesday," it says, "Senator MIKE LEE, Republican from Utah"—the fantastic Senator that he is; that's a parenthetical insertion—"took to the Senate floor and warned that universal background checks could lead to a national registry system for guns."

A quote from my friend, Senator LEE, is:

"Some of the proposals, like, for example, universal background checks, would allow the Federal Government to surveil law-abiding citizens who exercise their constitutional rights. One of the provisions we expect to see in the bill, based on what we saw in the Judiciary Committee on which I sit, would allow

the attorney general of the United States, Eric Holder, to promulgate regulations that could lead to a national registry system for guns, something my constituents in Utah are very concerned about, and understandably so."

LEE also said that the government had no place monitoring the legal exercise of any constitutional right a citizen chooses to exercise:

"You see, the Federal Government has no business monitoring when or how often you go to church, what books and newspapers you read, who you vote for, your health conditions—"

And actually, I have to differ with Senator LEE on health conditions. ObamaCare means the government gets to monitor all your health conditions and actually will have all of your health care records, as well.

Senator LEE goes on:

—"what you eat for breakfast and the details of your private life, including the lawful exercise of your rights protected by the Second Amendment and other provisions of the Bill of Rights."

Important quotes by Senator MIKE LEE.

With regard to the gun bill that's been rushed through the Senate, it is worth noting again that when bills are rushed through without being given proper scrutiny, we create bad laws, we make mistakes, and the country and the Constitution suffer. It's part of our oath that we will protect and defend the Constitution of the United States; and I would humbly submit we don't do that job when we rush through bills that people have not had a chance to read, to participate in.

As my friends know, I have, on this very floor, read quotes from Minority Leader JOHN BOEHNER who, in essence, told Major Garrett that:

If we get back the majority, a Speaker JOHN BOEHNER will bring bills through regular order. I'm not going to rush them to the floor like Speaker PELOSI has done.

And I've had to remind my own leadership of those promises because we keep rushing through bills as Republicans that people do not have enough time to read. And I'm hoping and praying and arguing and cajoling to try to make sure we stop that process and that we return to regular order.

There are some bad bills that come out of regular order to be sure; but when we have full debate at a subcommittee level over a proposed bill and any member of that subcommittee—this is called regular order—any member of that subcommittee can bring an amendment to any provision in that bill, you get some scrutiny of the bill in its entirety.

Then when we have a markup at the full committee level and any member—Republican or Democrat. It doesn't matter. It doesn't matter if they're on or not on any of the subcommittees. At the full committee, any member of the full committee can bring an amendment to that bill.

We took most of the day today marking up a pretty simple bill, I thought, on the issue of reining in overregulation and getting Congress to take a look at the tens of thousands of pages of regulations that come out so regularly from bureaucrats that never catch the eye of elected officials. It was a pretty simple bill. It took hours and hours to go through that because there were so many proposed amendments. And each amendment that gets made has a chance for the proponent to argue for at least 5 minutes in favor of his amendment; and then under the rules, any member of the committee can spend up to 5 minutes on each amendment. It's not a pretty process, it's not pleasant to sit through, but we get better bills when we go through that process.

Then it comes to the Rules Committee. And I prefer if the Rules Committee allows for a fully open debate. We have an open amendment process. It's not pretty either, but it gives people across America a chance to see who is advocating for what amendment, what language. And you have had all this time, from the subcommittee to the committee to the House floor; and every Member of the House, no matter who you are or no matter whether you're in disfavor with the leadership like some of us may be, you can bring amendments in an open process under regular order, and you have a chance to debate those and America has a chance to see who's standing for what positions. It gives them a chance at the next election to better select who they want better representing them by virtue of what positions they're taking.

But when it goes through the process it just did through the Senate, there's not proper scrutiny and things come to the floor and we're not sure what the impact is. It can get so ridiculous that you can even have a Speaker of the House say, "But we have to pass the bill so that you can find out what is in it." That's not the way we're supposed to govern. We have an obligation to do better than that.

Now, we've also gotten word that from the sequester that hit here just recently—this is an article by Elizabeth Harrington, dated April 9 of this week, "Safe from Sequester: \$704,198 for Gardening at NATO Ambassador's Home."

Well, that should be a nice garden. I like to work in the yard around our house. I don't have as much chance as I used to, nor does my wife, but I'm pretty sure that the gorgeous yard we have didn't cost \$704,198 on our property. So you would have thought that perhaps if people were going to help the President that are in the President's administration, they'd go, Hey, I can make do on \$200,000 for my yard work this year. So you can get another half million back right there.

Gee, just think of all the White House tours that would fund, even

though it doesn't look like the cutting of the tours actually saved anything.

Then we have some very salient points made by Investors.com, titled, "Six Ways Obama's Budget Is Worse Than Everyone Thinks." It's posted 4/10/2013:

Fiscal policy: Shorn of its accounting gimmicks, the President's budget isn't a balanced plan to get the debt crisis under control. It's a monument to fiscal irresponsibility.

With much fanfare and a lot of media hype, President Obama unveiled his latest budget plan—2 months late. An IBD review of Obama's budget finds that, among other things, it:

Boosts spending and deficits over the next 2 years. Obama's own budget numbers show that he wants to hike spending over the next 2 years by \$247 billion compared with the "baseline," which even after his proposed new tax hikes would mean \$157 billion in additional red ink.

And it's important to understand, and I insert this parenthetically here, when we talk about a baseline—yes, the bill I've been pushing for 8 years, a zero-baseline budget where no Federal department has automatic increases, did pass the House a year ago. And I'm very grateful to ROB WOODALL and PAUL RYAN and to the Speaker keeping his word and bringing it to the floor. We passed it in the House. But the Senate, under Senator REID, made clear, no, we want every department in the Federal bureaucracy having an automatic increase in their budget every year. We want their budgets going up every year.

□ 1650

Now, Social Security, they may not get an automatic increase. Medicare, they may be cut by \$700 billion as they were under ObamaCare; but when it comes to every Federal bureaucracy, Senator REID made clear they were not going to pass a zero-baseline budget, that they were not going to do away with the automatic increases. They were going to push forward and make sure the government bloat—the government obesity as a bureaucracy—would continue and that there would be automatic increases in every single Federal budget.

So, when this article points out that the President adds to the baseline, it means the President is already adding to what has been an automatic increase in their budgets for every department already. It may take another election to get people who are thinking correctly in the Senate, Democrat or Republican, who will finally stand up and say, You know what? There isn't an individual, there's not a family, there's not a charity, there's not a business anywhere in America that has an automatic increase every year in their budget, so we're stopping it for the government. If an agency or a department wants an increase, they're going to have to come in and justify it.

Now, some of us wouldn't mind starting every year with a zero sum, and

you'd have to justify anything that you'd get at all; but all the zero baseline does is say we are willing to start where we were last year, and if you need an increase, we'll increase. That way, when those of us conservatives who advocate for a decrease in the increase are actually still allowing for an increase, we aren't vilified for making draconian cuts, because the increases are still there. If we can get to a zero baseline, then you will actually be able to have honest and accurate criticism because, at that point, a cut would actually be a cut; it would not be a decrease in the automatic increase. But President Obama, not content with the overspending and the waste, fraud, and abuse that's going on, is adding even above the automatic increases with his budget.

This article from Investors.com says:

Vastly exaggerates spending cuts: The press has widely reported that Obama's budget would cut spending a total of \$1.2 trillion over the next decade, but Obama's own budget shows that he actually cuts spending a mere \$186 billion. (The relevant tables can be found at <http://www.whitehouse.gov/sites/default/files/omb/budget/fy2014/assets/tables.pdf>.)

Obama inflates his claimed savings by first cancelling the automatic sequester spending cuts he previously signed into law, then reclaiming them as new savings, and by adding in cuts in interest payments on the debt.

I didn't realize that that went on, actually.

The article says:

Relies almost entirely on tax hikes: Obama's budget shows his plan would increase revenues by \$1.14 trillion over the next decade. That means his budget proposes \$6 in new taxes for every \$1 in spending cuts.

Cuts the deficit less than claimed: "My budget will reduce our deficits by nearly another \$2 trillion," Obama said Wednesday. But his budget shows total deficit reduction over the next decade would be just \$1.4 trillion. Plus, deficits start rising again after 2018.

It should be noted that CBO does not have a good grasp on reality. I've met with Director Elmendorf. I've talked to him more than once. I appreciate the job they're trying to do, but when they estimate the cost of ObamaCare at \$800 billion, and then after it passes say, Whoops, maybe \$1.1 trillion, and then after it's almost coming into effect say, You know what? It could be \$1.6 trillion or \$1.8 trillion, and then others more accurately say, You know what? It may be \$2.8 trillion, that means, if they originally estimate \$800 billion and it ends up being \$2.8 trillion, then they've got a margin of error rate of plus or minus, not 1, 2, 3, or 4 percent, but more like 300 to 400 percent.

Why are we even considering CBO projections when they're projecting costs with a margin of error of 300 to 400 percent? I think you'd have better luck just bringing somebody right out of college in here and saying, You give us your guess. Surely, your margin of error would be closer than 300 or 400 percent.

Anyway, Investors.com points out that Obama's budget "creates a new entitlement without a reliable means to pay for it."

Obama claims he can finance a new \$76 billion "preschool for all" program by raising tobacco taxes again; but after an initial spike, tobacco tax revenues will start trending downward year after year as more people quit smoking while the costs of this new program will keep climbing. The last time Obama hiked tobacco taxes—to pay for an expansion of Medicaid—revenues came in \$2.2 billion less than expected.

So, apparently, if the President wants more revenue from smoking, he's going to need to start doing a campaign to encourage people to smoke more so that he can get more taxes in and bring down the massive deficit that he is wanting to create.

This report points out from Investors.com:

The President boosts taxes on the middle class: Obama proposes to change the government's consumer price index in a way that will lower the official inflation rate. He's selling it as a way to cut Social Security annual cost of living adjustments, which are based on the CPI; but because his chained CPI would also apply to annual tax bracket adjustments, it will end up hiking taxes on the middle class \$124 billion.

The American people deserve better, and I hope and pray the Senate will wake up, come to their senses and stop trying to ram legislation through that America does not deserve.

With that, I yield back the balance of my time.

AGAINST THE CHAINED CPI AND SOCIAL SECURITY REDUCTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 30 minutes.

Ms. KAPTUR. Mr. Speaker, I rise tonight to speak against any proposed reduction in earned Social Security benefits through the so-called chained CPI calculation. No issue better focuses the interests of the senior citizens of our country versus the top 1 percent greater than the debate over Social Security.

Earlier this year, over my objections, this Congress cut senior meals by \$823,000 in Ohio—or, roughly, 145,000 meals. Now some here in Washington are approaching the jugular for our seniors' Social Security benefit cuts.

The majority of seniors across our land depend on every single dollar they get from Social Security to put food on the table, to pay for utilities, to pay for housing. So many struggle with that every day. By slashing benefits in Social Security, while continuing to give tax havens to the richest people in this country, it proves that the priorities in Washington lie with the 1 percent, not with those Americans who struggle every day.

The White House has chosen to include the so-called chained CPI method for calculating Social Security cost of living adjustments in its fiscal proposed 2014 budget, the one that we will be considering.

□ 1700

But I agree with Senator TOM HARKIN of Iowa, who said what a chained CPI really is is like being in a boat with a chain and a ball around your ankle, and they throw you in the water and you start to sink. That's exactly what a chained CPI is in Social Security.

Numerous government programs, including Social Security benefits, and income thresholds for tax brackets are indexed for inflation. That's what CPI is all about. Every year, seniors wait to see what their inflation adjustment will be in Social Security and in Medicare to see whether they'll get as much money as they got last year or less. The formula change that is being proposed would add up to a big cut for America's senior citizens who have earned their benefits.

Imagine, for example, a person born in 1935 who retired to full benefits at age 65 in the year 2000, and they paid into Social Security their entire working life. According to the Social Security Administration, people in that position under the current formula have an average monthly benefit of \$1,435, or about \$17,220 per year. Under the cost-of-living adjustment for 2012, that benefit would rise a bit to \$1,986 a month this year, or about \$23,832 a year. But under the chained CPI proposal, that sum would be less. It would be about \$1,880 a month, or \$22,560 a year. That's a cut of over 5 percent, or a \$106 a month cut, and more as you go further and further into future years. In other words, it gets worse and worse.

The other problem is that the people who rely most on their Social Security benefits—people who are older, people who have illness—are the ones who sadly the chained CPI does the worst job of accommodating. In fact, the group that gets the biggest FICA tax hike is families making between 30 and \$40,000 a year—dead center in our middle class. Their increase would be almost six times worse. It would affect them six times more than those who are in the millionaire tax bracket. That's because millionaires are already in the top tax bracket so they're not being pushed by the formula into higher marginal rates because of changing bracket thresholds. Isn't that convenient.

So because senior citizens spend more of their income on health care and housing, two areas where the formula is flawed and their true cost is under represented, the chained CPI proposal hurts seniors more.

Beyond the benefit inflation formula, we should not be supporting a plan that uses Social Security to pay for deficits

it didn't create. The Social Security trust fund is sound. Without anything being done, it would function well into 2038; and even after that time with no changes, we could pay 80 percent of the benefits that people have earned. Now, one of the reasons that Social Security looks over a long time horizon is because of economic downturns. When people get thrown out of work, they're not contributing into the Social Security trust fund. The answer to Social Security is to put people back to work. We have 12.5 million people unemployed in this country, and that creates a temporary blip that would affect people who will retire 20–25 years from now. We can fix that problem because Social Security is an efficient and effective program, but we shouldn't be using the American people's annuity for retirement that they earned and mix it up with the regular budget. It's two different things.

About 98 percent of Social Security benefits go out in the form of benefit checks which the beneficiaries spend on whatever they value most. Most of them spend the vast majority on food. But less than 2 percent of Social Security today is put on administrative expenses. The program is very efficiently run, and no private pension plan, no 401(k) that took so much of the people's money away, no private annuity, can claim that kind of efficient operation. Cuts in promised Social Security benefits, whether they occur because of the chained CPI, or some people here are talking about a higher retirement age or means testing, will shift more costs onto already struggling American families and our senior citizens. Frankly, I don't support that.

I applaud that the chained CPI proposal that was in the White House budget had a provision to protect the very oldest and disabled persons who receive supplemental security income and low-income veterans, but let me put on the record: these groups represent less than half of the seniors who have earned Social Security benefits. The formula doesn't really take care of others who are impacted by this proposed CPI change.

Frankly, this is not the time to cut earned benefits of millions of senior Americans who are already struggling financially. And I can guarantee you, the lowest-income citizens in this country are women over the age of 85, and I would never vote to take a penny away from them. This formula should be there in a form that allows them to live in dignity.

We have been unwilling as a Congress to close tax loopholes for the billionaires and millionaires of our country. This has been a Congress unwilling to prosecute Wall Street bankers for the damage they did, but it appears that some are willing to take money from our seniors who have earned and worked for Social Security benefits

that are critical to their livelihoods and which they depend upon.

You know, I have a story to tell. Last weekend, I was doing grocery shopping for our family back home, and I saw an older gentleman. I was thinking about what I was going to say here in Congress. He was in the supermarket and he had his cart, and he was all bent over. He was trudging along aisle after aisle, and he had quite a bit of trouble even raising his neck to look at what the prices were. He seemed to be going around, and I noticed he wasn't putting a whole lot in his cart, but he was putting some things in, watching every penny. And when I finished with my shopping, I saw him out in the parking lot. I thought, Is he going to his car? Where's he going? I watched him push his shopping cart, and he had put all of his groceries in two backpacks. I saw him pushing his grocery cart across the parking lot way to the corner by the sidewalk, and I realized what he was doing: he wasn't going to a car—he didn't have a car. What he was doing was, he was putting his groceries in these backpacks to put on his back, and then in his condition walk to wherever his home or wherever he was residing. I looked at that, and I thought, you know, I have to go back to Congress and tell that story because that's exactly the kind of person that the chained CPI would impact the most.

These senior citizens shouldn't have to have this Congress debating about their benefits because they get scared all across our country. We should never do anything that upsets our seniors, who are dealing with so many issues in their own lives that each of us someday will have to deal with. And I find it sad, really, that this issue of Social Security has been included in the budget debates that we are about to get into. Social Security is separate. It has its own trust fund. It is sound. It has a formula that works. The best thing we can do for future generations is to get everybody back to work so that the FICA trust fund works 50 years down the road. But right now, we shouldn't be worrying our seniors.

We shouldn't be asking them to take cuts in senior meals. The people who go for senior meals are senior citizens who actually need better nutrition. I've gone to many senior sites. One image that remains in my mind at one site in my own district is a very thin senior woman who is probably 85 years old, and the senior center served a small sandwich for lunch. They served a little bit of warm corn. There was a little pudding, and an apple and a can of milk on the tray, and that woman ate everything but half her sandwich, and she took that half of the sandwich that she didn't eat and she wrapped it up and put it into her worn purse, and she left that senior center and walked home. Those are the seniors that we have to see here and care about.

I'm just glad and I'm very grateful to the citizens of my region that they've sent me here, and I urge my colleagues to oppose any Social Security cuts for current or future beneficiaries in any deficit reduction package, especially that contained in the chained CPI proposal. My vote will always be to give our seniors freedom from worry, freedom from the chains of the CPI proposal that would pull them down if they're thrown overboard.

□ 1710

The American people would not want to do what is being proposed in this chained CPI to the senior citizens of our country if they really understood what it means. \$100 to a senior in a monthly check is doled out penny by penny by penny.

We have a program in the Department of Agriculture where, in the summer months, our seniors can go to some fruit stands around our country and they get a little coupon and they can buy fruits and vegetables. And the owner of this one fruit stand in Ohio said to me, you know, Congresswoman, I never realized, among seniors, how much they had to sacrifice. They can't buy things that normal families buy.

I said, tell me more. And the farmer said, you know, I had a woman in here last week who stared and stared at a container of raspberries. And the price on the raspberries at that stand was \$4. That senior woman had not eaten raspberries in 25 years because she couldn't afford them.

And that farmer said, you know, when I saw her coupons, I told her, ma'am, I will cut the price in half. And her total bill came up to, like, I think he said it was like \$10.96, and he was going to give her the four pennies back. And he said, you know what? How about if I give you some green beans to put in your sack for the extra 4 cents? And that's exactly what happened at that one transaction.

Multiply that times millions of seniors across this country and get a sense of what they face. I can tell you in Ohio, and I'm sure it's the same everywhere, the largest increase in the number of people coming into our food banks across this country are senior citizens. You can say, why is that?

Well, you know, if they had a bank account, if they were able to save a little bit, it doesn't pay anything in interest now, after the crash of 2008, so they're not making anything off any savings that they might have.

A lot of them, if their kids are unemployed, they've let them move in with them; and so grandma and grandpa are the ones that are holding millions of families across this country together until their kids and grandkids can get back on their feet again.

And I think what the seniors are doing, because prices are rising, prices haven't gone down, they're going into

these food banks and they're getting a bag of groceries to help them stretch the meager dollars that they have.

So as we move into this deficit debate and into the budget debate, I want my colleagues to think about the citizens that they represent and how vital that Social Security check is, and to do nothing to those who have not asked for any reduction. They can't afford any reduction.

There are so many other places in this economy where we can go in order to try to balance the budget. We should not do it on the backs of our senior citizens.

So I would say, free our seniors from the CPI. Oppose any proposals to change the formula that would cut their benefits. We already tax those who have significant assets if they earn over a certain amount on Social Security with other income. We don't need to harm the millions of Americans who just get by month after month.

I thank my colleagues for listening.

I ask the Members of this Congress to oppose the chained CPI and to stand with our senior citizens to give them the dignity in their retirement years that they have earned.

I yield back the balance of my time.

COMPREHENSIVE IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you here on the floor of the House of Representatives and take up the topic that has come to the forefront of the American discussion, and do so again.

And that is that on the night of November 6, as people across America watched the election returns come in, there were many Republicans, people on my side of the aisle that watched with, I'll say, shock and disappointment, as the great predictions that Mitt Romney would be the next President of the United States fell by the wayside in swing State after swing State from the east coast. By the time it got west of the Mississippi, it was pretty clear the final result of the Presidential election.

And many of the predictors, who are self-assigned experts on polling and politics and the decision of the American voters, had predicted that Mitt Romney would be President, that Republicans would win the majority in the United States Senate, that there would be a three-way majority between the House, the Senate and Presidency, and we could put America back on the right track.

I hoped for that, Mr. Speaker. I prayed for that. I worked for it. But I watched as those election results came

to be untrue, as we lost some seats here in the House and lost some seats in the Senate, and, of course, the President was re-elected that night.

The plans of probably half, very close to half, of the American people had to be changed and altered, because we planned to put free enterprise back in place. We planned to repeal ObamaCare. We planned to do some other things.

But one of the things we didn't really plan so much to do was take up the immigration issue in the 113th Congress. And even though immigration was hardly a blip on the Presidential debate that took place—and being from Iowa, Mr. Speaker, I will tell you that if it was debated in the Presidential race, it likely was debated in Iowa, likely debated in Iowa first, and likely debated in Iowa the longest.

Yet as I tuned my ear to these issues, I didn't notice that it was a paramount topic or a significant plank in the platform of either Mitt Romney or Barack Obama, and I don't think the American people did either.

Nonetheless, the election polls closed on the night of the 6th of November, and those results are clear. And the morning then of the 7th of November, some self-appointed experts woke up and decided—oh, probably they didn't sleep very well because it was clear that they were wrong on their predictions. And so how would they then describe why they were so wrong in their bold predictions, even as high as 60 or more Republican seats in the Senate, and Mitt Romney sweeping swing State after swing State?

It didn't happen, of course, Mr. Speaker. How would they describe why they were so wrong?

It didn't take them very long, after the sun came up, or maybe even before they went to bed that night, to decide they were going to tell the American people that the election loss—and I wouldn't characterize it as a loss—it was a failure to achieve the goals we had set, but the President maintained his seat in the White House. But that election loss, as they characterized it, came about because Mitt Romney said two words—"self-deport"—and that explains it all, almost as logically as the video explains the violence in Benghazi.

No, it wasn't because Mitt Romney said those two words, and it wasn't because we had failed to achieve as large a percentage of the Hispanic-Latino vote, although that number dropped off from about 31 percent that JOHN MCCAIN achieved, down to 27 percent, according to the exit polls, that Mitt Romney achieved.

It wasn't even the low. The modern-day low percentage for Hispanic vote went to Bob Dole; and if my memory serves me correctly, that was at 22 percent.

I noticed that as they began to spin the narrative that it was all about im-

migration, along with that came the position that many of the advocates had had for a long time. These were the people that were the promoters of—and I put it in quotes—"comprehensive immigration reform," and that's the language that emerged during George W. Bush's administration when they first advocated the amnesty, the modern-day amnesty that is a policy that much of it was written off of the 1986 Amnesty Act that Ronald Reagan signed.

But their argument was Mitt Romney would be President if he had just had a better outreach to the Hispanic vote. And so those of us that heard that, first I realized that the open-borders people have always had the agenda to suspend the rule of law and grant amnesty and the path to citizenship for people that came here illegally, many times at the expense of those who came here as legal immigrants. But it always was their agenda.

So it was a pretty convenient excuse to analyze failed election results and put it all in the package of: if we had just passed comprehensive immigration reform. Now we must pass comprehensive immigration reform, or the party will become irrelevant electorally in the future, and we'll never win another national election.

In fact, Mr. Speaker, the President of the United States, President Obama, came before Republican House Members in a conference about a month ago and said just that. He said that we would never win another national election if we don't pass comprehensive immigration reform.

And here's the one that's the hardest to accept as being delivered with a serious look on his face, although I'm sure there had to be a little snicker in his mind. He said, to you Republicans, I'm trying to help you. The President said he's trying to help us by advocating for an amnesty plan, comprehensive immigration reform; and that's going to fix the problem of falling a little short in winning the Presidential election last November 6.

□ 1720

Well, there are a few facts that should be known, Mr. Speaker, and one of them is that, according to my team of staff as they sat on their Black-Berrys, Barack Obama received 8 million fewer votes than he did in 2008 and Mitt Romney received 1 million fewer votes than JOHN MCCAIN did in 2008. That means there are 9 million people, at least, that stayed home—the electorate should have gotten larger—9 million people that stayed home altogether. Why were they not energized? Why didn't Barack Obama energize them? Why didn't Mitt Romney energize them? We need to know the answers to those questions just to begin this discussion.

Another one would be, how important was the immigration issue to peo-

ple in this country? Not important enough that the Presidential candidates would make a debate issue out of it or campaign on it. So it wasn't on the radar screen of the Presidential candidates, who have the most extensive and expensive polling of anybody in the country.

So why was that an issue? I'd point out Republicans lost an even larger share of the Asian vote than they did the Hispanic vote, but what was the list of priorities that they had, and was immigration at the top? No, actually, it was fifth or sixth along the line.

Like everybody else, we are all human beings and we're all deserving of respect and we're all created in God's image. But people think the same way, regardless of what their race or ethnicity. They want to take care of their families. They worry about jobs and the economy. They want to have safe streets. They want good education. They want opportunity. They should want lower taxes and less government intrusion into our lives. But that same poll yielded a bit of a surprising result to many of the advocates that had spun the yarn the morning after the election that the constituency that they were losing was, naturally, Republicans. Because I'll say this: we know they are good family people, they're good faith people, they're good entrepreneurs and they can start a business with less and make it go very, very well with that network of family and work ethic. That's what we see in front of us. But if you ask the question in a setting that is the perspective of a good and effective and thorough, objective poll, you'll find out that Hispanics are about 2-to-1 in favor of larger, more government involvement, more government services, which results in higher taxes.

Well, that's the other party that advertises we need more government, more taxes, more government services. They do that because they are in the business of expanding the dependency class in America. They want, Mr. Speaker, more Americans to be dependent upon government, even if we have to borrow the money from the Chinese and the Saudis in order to provide these "services" because it empowers their electoral base and empowers them here in this Congress.

We're on the other side of this issue, Republicans. We want to expand personal responsibility. We want to expand all of the human potential that we possibly can. We want this American vigor to be unleashed and to grow this economy and to grow our gross domestic product. They are two competing ideologies. One is John Maynard Keynes, who believed you could borrow money and hand it to people and ask them to spend it, and somehow that spending would create this giant, endless chain letter that would stimulate the economy. The other side comes out of the Adam Smith side, or you might

say the Austrian economic side, that believes that you need production on the production side of our economy for it to grow and has less emphasis on the consumption side, and if you let people invest capital and get a return on that capital investment, they will do their best and contribute and the economy will grow. That's a competing philosophy that's different between Republicans and Democrats. Republicans want to empower the individual. And to empower the individual, you have to respect and appreciate and encourage this free enterprise economy that had built the United States.

Mr. Speaker, if you take a naturalization test there are a series of flash cards, a stack of them that you can get from Citizenship and Immigration Services so that a legal immigrant can study to be naturalized as an American citizen. These glossy flash cards are read, and they will have on them questions like, Who's the Father of our Country? Snap it over and it's George Washington. Who emancipated the slaves? Republican Abraham Lincoln. Actually, it just says Abraham Lincoln on the other side, Mr. Speaker. What's the economic system of the United States of America? Flip that flash card over and it says free enterprise capitalism.

This is not a secret. We want people to be empowered by freedom, by God-given liberty, not dependent upon some political party that's going to hand out the largesse of government at the expense of other people and actually at the expense of borrowing money from foreign countries to drive us into debt of now nearly \$16.8 trillion in national debt.

So the cynical effort to expand the political base erodes the rule of law, erodes free enterprise, puts America in debt. So now that the babies that were born today in the United States of America owe Uncle Sam more than \$53,000 each. That's what we have and that's what we're dealing with. And we have a country that we need to pull back from the brink of bankruptcy. We're moving in that direction under I think good, strategic leadership here in the House. We have a budget that we've approved that balances. And it's too long for me. I don't want to wait that long—10 years. But meanwhile, the President's budget balances exactly never and drives us deeper and deeper into debt and raises taxes, Mr. Speaker.

So how do we bring out the greatness of America? The greatness of America was described by Ronald Reagan when he talked about the shining city on the hill. But Ronald Reagan never spoke about the shining city on the hill as being our destiny. He spoke about it as the America that we were and presumably the America that we are. I will argue that our job is to refurbish the pillars of American exceptionalism, to

strengthen us in all of those pillars. We know what they are. They're very clear. Many of them are in the Bill of Rights. Freedom of speech is a pillar of American exceptionalism. I'm exercising it at this moment, Mr. Speaker. Freedom of speech, religion, the press and assembly; the right to keep and bear arms; the right to face your accuser in a court of law and be tried by a jury of your peers; single, not double jeopardy; the right to property; the right to see that the enumerated powers that are exclusively to the United States Congress, those other powers devolve to the States or the people respectively. Those are some of the pillars. I mentioned free enterprise capitalism as another pillar of American exceptionalism. But wrapped up within this, within this Constitution that I carry in my jacket pocket, is the supreme law of the land, our Constitution, and we would not be America if we didn't have all of these pillars that I have described and also have the rule of law.

Now why would thinking people that were elected to come to this United States Congress and make good value judgments and good policy judgments, why would they be so willing and some of them eager to sacrifice the rule of law in an effort to cynically reach out and ask for a vote? Why would someone vote for someone who's willing to sacrifice the rule of law? It defies my logic application, Mr. Speaker. And amnesty is a sacrifice of the rule of law. And once you give it, once you grant it, it's almost impossible to restore it.

I remember when Ronald Reagan signed the Amnesty Act of 1986. And I was not in politics at the time. I was operating my construction company that was 11 years old at the time, raising three young sons, struggling through the farm crisis decade of the eighties. But I'm watching the news, and I'm seeing this debate take place that we have 800,000 to a million that are in the United States illegally. Generally, most of them at that time came across the southern border and stayed. And there was such a big problem that we needed to address it—800,000 to a million that were here illegally then.

So Ronald Reagan, I think under great persuasive pressure from some of the Cabinet members around him, conceded that he would sign that 1986 Amnesty Act. And when he did that, my frustration level went over the top. I believed that in spite of all the pressure that was brought on Ronald Reagan as President, he would see clearly that you can't sacrifice the rule of law in order to solve a problem that came about because of not enforcing the law, and that the promise of enforcement in the future was not going to be upheld adequately to compensate for the amnesty that they were granting in that bill.

Now the promise was this: every employer was going to have to fill out for

each applicant an I-9 form. That I-9 form had—I gave it shorthand and called it name, rank, and serial number, but other data, too, of the job applicant. I remember my fear that the INS, the Immigration and Naturalization Service of the time, would come into my office and go through my files and audit me and make sure that I had every I-9 form exactly filed right, and I want to make sure I didn't miss it with anyone.

□ 1730

We religiously followed the new 1986 Amnesty Act requirements that there would be I-9 forms. We expected that there would be enforcement and penalties for employers that violated that because the premise was the Federal Government, enforced by the Justice Department at the time, would be there to audit employers and enforce the rule of law. That was the full-blown premise that came with Ronald Reagan's signature on the Amnesty Act of 1986.

I don't have any doubt that Ronald Reagan intended to follow through on the enforcement of the Amnesty Act. I can tell you that I followed my part. I've still got some of those records in my dusty files back there somewhere. Many other employers were concerned that they would not be able to follow the letter of the law. It didn't work out that way. They didn't show up in office after office, company after company. And after 20 years of the Amnesty Act that was 800,000 to 1 million. Because of document fraud and just a misestimation of the numbers, that 800,000 to 1 million became 3 million people that were granted amnesty in that act that was signed by Ronald Reagan in 1986.

Now, what did we learn from that, Mr. Speaker? And those who fail to learn from history are condemned to repeat it. Well, I have this document that's written by Attorney General Ed Meese, who was Ronald Reagan's Attorney General at that period of time and charged with enforcing the immigration law that was passed in Amnesty in '86. This is an op-ed that he wrote, published in Human Events on December 13, 2006. Among his dialogue here is this—and I'll read some of it into the RECORD, Mr. Speaker. I think it's worth our attention. It's Attorney General Ed Meese writing of Ronald Reagan's Amnesty Act.

From the article, he says:

Illegal immigrants who could establish that they had resided in America continuously for 5 years would be granted temporary resident status, which could be upgraded to permanent residency after 18 months and, after another 5 years, to citizenship. It wasn't automatic. They had to pay application fees. They had to learn to speak English. They had to understand American civics, pass a medical exam and register for military selective service. Those with convictions for a felony or three misdemeanors were ineligible.

Mr. Speaker, this language is almost verbatim the language that was plugged into the 2006 Amnesty Act and into what is likely to come out of the Senate.

I would be happy to yield for an announcement.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 716. An act to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

COMPREHENSIVE IMMIGRATION REFORM—CONTINUED

The SPEAKER pro tempore. The gentleman may proceed.

Mr. KING of Iowa. Thank you, Mr. Speaker.

I had to pause for a minute there. I was concerned that might be the Amnesty Act coming over from the United States Senate, but I'm relieved to know that it might be a few more days.

Picking up where I left off, I had made the point and read into this RECORD, Mr. Speaker, the language that was used in the 1986 Amnesty Act is almost identical to the language that was copied and pasted into the 2006 Amnesty Act that they called "comprehensive immigration reform" because they knew the word "amnesty" would sink the bill then. Now they know that "comprehensive immigration reform" is code words for amnesty. The American people figured that out in short order.

I will continue with the op-ed written by Attorney General Meese in 2006. He said, as I remarked:

If this sounds familiar, it's because these are pretty much the same provisions that were included in the Comprehensive Reform Act of 2006, which its supporters claim is not amnesty. In the end, slight differences in process do not change the overriding fact that the 1986 law and the recent Senate legislation both include an amnesty. The difference is that President Reagan called it what it was.

We had an honest man in the White House who called it what it was. I continue from Attorney General Meese:

The lesson from the 1986 experience is that such an amnesty did not solve the problem. There was extensive document fraud; the number of people applying for amnesty far exceeded the projections. And there was a failure of political will to enforce new laws against employers. After a brief slowdown, illegal immigration returned to high levels and continued unabated, forming the nucleus of today's large population of illegal aliens. So here we are, 20 years later, having much the same debate.

Mr. Speaker, we're here right now having the same debate that we had in

2006, which was, according to Attorney General Meese, the same debate we had in 1986.

What would President Reagan do? I often ask that. Actually, I'd like to wear a wristband, What Would Ronald Reagan Do?

Attorney General Meese continues:

What would President Reagan do? For one thing, he would not repeat the mistakes of the past, including those of his own administration. He knew that secure borders are vital and would now insist on meeting that priority first. He would seek to strengthen the enforcement of existing immigration laws. He would employ new tools—like biometric technology for identification, and camera sensors and satellites to monitor the border—that make enforcement and verification less onerous and more effective.

That sounds like some things that a number of us have been advocating for some time.

Then Attorney General Meese continues—and I skip down a little ways:

To give those here illegally the opportunity to correct their status by returning to their country of origin and getting in line with everyone else.

Now, Mr. Speaker, it's appalling to me to think that the advocates—I understand the other side of the aisle; I understand the political motivation of the people on the other side of the aisle—expand the dependency class, expand those who can vote for those who want to expand the dependency class. I understand those motives. They are not good motives. They undermine American exceptionalism, but I understand them.

On our side of the aisle, I don't understand—and I think it's because a lot of our own people don't have this figured out. They're looking for someone else to lead them, and they're looking for perhaps an easy way. But every proposal that has been brought forward here out of, let's say, the Gang of Eight or the "secret gang" in the House seems to have with it instantaneous legalization of 11, 12, 13—20 million people, all of them, with the exceptions of those who have been convicted of or perhaps charged with a felony, those who have been convicted of three serious misdemeanors. That goes right back to this language of the '86 Amnesty Act: "Those with convictions for a felony or three misdemeanors were ineligible," according to Attorney General Meese.

So nothing has changed here, except we have a lot more Republicans that think instantaneous legalization—and they'd argue that it's not a path to citizenship. I happen to have this little quote from one of the Gang of Eight where he made us this point, which is he says that a green card is not a path to citizenship. The reason they have to say that is because the path to the green card is a path to citizenship if the green card is a path to citizenship.

There has been an awful lot of misinformation that's put out here and erro-

neous conclusions drawn, unexamined by the American public that has forgotten, perhaps, about the 2006 Amnesty Act or the 1986 Amnesty Act.

I see the gentleman from California, who was engaged in the Reagan administration and knew Ronald Reagan as well as anybody in this United States Congress, is here on this floor. I would be happy to yield so much time as he may consume, even if he consumes it all. But I would suggest it looks like it's 4 to 5 minutes left.

I yield to the gentleman from California.

Mr. ROHRBACHER. Thank you very much.

First of all, I would like to make sure that those people who are reading the CONGRESSIONAL RECORD or those people who are watching this presentation on C-SPAN, or our colleagues who are in their offices, watching from their offices, should take note of the courage and the hard work that Congressman KING has put into this issue. And it is not because Congressman KING or those of us who have worked with him on this issue have any animosity towards anyone else. Congressman KING is a strong Christian and knows that hatred and animosity is not a positive virtue.

But to the same degree, what is, then, Congressman KING's motive? Why does he put up with this? Why does he work so hard? Because he loves the people of the United States of America. That's our job. We were elected by the people of the United States to watch out for them and to watch out for their families. That doesn't mean that we don't like people in other countries. That doesn't mean that we don't like or have some animosity towards someone who has come here from another country, and even those who come here illegally. But our first loyalty and our first consideration and our heart-felt support has to be for those people who are Americans, whether they were born here or whether they came here as legal immigrants and are now part of our American family.

□ 1740

There is nothing wrong with supporting your family. That doesn't mean you're being selfish by not selling your car or giving away your children's birthright to some other person down the block. No, you should be taking care of your family. And we Americans are a family that's made up of every race, every religion, and every ethnic group.

The people who are the real racists in this whole debate are the ones who want to, first of all, tie illegal immigration with legal immigration. The fact is that they say, well, look, the immigrants, this and that. The fact is, when you want to put those same groups together, that is not what this debate is all about.

Mr. KING and I know full well that what's happening here today is an effort to take, not people who have come

to our country legally, not to change their status legally, that's not my effort, that's not Mr. KING's effort, but the effort that's going on is to take 11 million to 20 million people who are in our country illegally, whose presence oftentimes is a threat to the well-being of people that have elected us to watch out for their interests, meaning the American people in our country, that the only issue is what are we going to do with those 11 to 20 million people.

If we continue to take away from those American citizens, those seniors or those kids in school, with our very limited dollars right now, and we have 22 million people who are out of work, and we continue to take away from them and give benefits and jobs to people who come here illegally, who are not part of our family, we can expect even more and more and more people to come here until it is a disaster, which it already has been a disaster for many middle-income and lower-income Americans. It will be a disaster to them.

What we are trying to do is help secure the well-being of our people. As I say, I think that's done out of love. It's done out of the idea that you don't basically give away everything to somebody who is down the street when your own family needs some food. That's not being selfish.

I recently have been through some hardship in my family, in terms of medical hardship. I've been able to visit and see what our hospitals are like. Our hospital system in the United States and our health care system is stretched to the breaking point. We're stretched to the breaking point. We cannot afford, if we try, to take care of all of the people in the world who can come here, whether they come here illegally or not. If someone has come here illegally, we cannot afford to take care of all of their health needs without actually hurting our own people. That's what this whole debate is about.

I was down in El Salvador. Ask Congressman KING. I was in El Salvador about 3 years ago. And I'll never forget, my wife and I were sitting there at the airport, and in about 20 minutes there's a direct flight between LAX, Los Angeles, and El Salvador and back. We were there in El Salvador waiting to go back to LAX. Twenty minutes before the flight took off, out come the wheelchairs, and about 20 infirm seniors are wheeled into that plane. None of them were Americans. They were, obviously, all El Salvadorans.

Now, no one can tell me today that those people, if they're still alive, are not consuming enormous amounts of health care dollars that should be going to take care of our own people. That doesn't mean that I have any animosity towards them. I wish the people of El Salvador well.

We need to make sure that we are watching out. The fundamental issue

today is whose side are you on, or who's watching out for the people of the United States? And I would ask all of us to join Congressman KING in making sure that the American people are not damaged by this irresponsibility that we have towards people from another country who have come here illegally.

Mr. KING of Iowa. I thank the gentleman from California for coming to the floor. I thank you, Mr. Speaker, and I yield back the balance of my time.

[From Human Events, Apr. 11, 2013]
REAGAN WOULD NOT REPEAT AMNESTY
MISTAKE

(By Edwin Meese)

What would Ronald Reagan do? I can't tell you how many times I have been asked that question, on virtually every issue imaginable.

As much as we all want clarity and certainty, I usually refrain from specific answers. That's because it is very difficult to directly translate particular political decisions to another context, in another time. The better way to answer the question—and the way President Reagan himself would approach such questions—is to understand Reagan's principles and how they should apply in today's politics, and review past decisions and consider what lessons they have for us.

Immigration is one area where Reagan's principles can guide us, and the lessons are instructive.

I was attorney general two decades ago during the debate over what became the Immigration Reform and Control Act of 1986. President Reagan, acting on the recommendation of a bipartisan task force, supported a comprehensive approach to the problem of illegal immigration, including adjusting the status of what was then a relatively small population. Since the Immigration and Naturalization Service was then in the Department of Justice, I had the responsibility for directing the implementation of that plan.

President Reagan set out to correct the loss of control at our borders. Border security and enforcement of immigration laws would be greatly strengthened—in particular, through sanctions against employers who hired illegal immigrants. If jobs were the attraction for illegal immigrants, then cutting off that option was crucial.

He also agreed with the legislation in adjusting the status of immigrants—even if they had entered illegally—who were law-abiding long-term residents, many of whom had children in the United States. Illegal immigrants who could establish that they had resided in America continuously for five years would be granted temporary resident status, which could be upgraded to permanent residency after 18 months and, after another five years, to citizenship. It wasn't automatic. They had to pay application fees, learn to speak English, understand American civics, pass a medical exam and register for military selective service. Those with convictions for a felony or three misdemeanors were ineligible.

If this sounds familiar, it's because these are pretty much the same provisions included in the Comprehensive Reform Act of 2006, which its supporters claim is not amnesty. In the end, slight differences in process do not change the overriding fact that the 1986 law and the recent Senate legislation both include an amnesty. The difference

is that President Reagan called it for what it was.

LESSON OF 1986

The lesson from the 1986 experience is that such an amnesty did not solve the problem. There was extensive document fraud, and the number of people applying for amnesty far exceeded projections. And there was a failure of political will to enforce new laws against employers. After a brief slowdown, illegal immigration returned to high levels and continued unabated, forming the nucleus of today's large population of illegal aliens.

So here we are, 20 years later, having much the same debate and being offered much the same deal.

What would President Reagan do? For one thing, he would not repeat the mistakes of the past, including those of his own administration. He knew that secure borders are vital, and would now insist on meeting that priority first. He would seek to strengthen the enforcement of existing immigration laws. He would employ new tools—like biometric technology for identification, and cameras, sensors and satellites to monitor the border—that make enforcement and verification less onerous and more effective.

One idea President Reagan had at the time that we might also try improving on is to create a pilot program that would allow genuinely temporary workers to come to the United States—a reasonable program consistent with security and open to the needs and dynamics of our market economy.

And what about those already here? Today it seems to me that the fair policy, one that will not encourage further illegal immigration, is to give those here illegally the opportunity to correct their status by returning to their country of origin and getting in line with everyone else. This, along with serious enforcement and control of the illegal inflow at the border—a combination of incentives and disincentives—will significantly reduce over time our population of illegal immigrants.

Lastly, we should remember Reagan's commitment to the idea that America must remain open and welcoming to those yearning for freedom. As a nation based on ideas, Ronald Reagan believed that there was something unique about America and that anyone, from anywhere, could become an American. That means that while we seek to meet the challenge of illegal immigration, we must keep open the door of opportunity by preserving and enhancing our heritage of legal immigration—assuring that those who choose to come here permanently become Americans. In the end, it was his principled policy—and it should be ours—to “humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.”

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 12, 2013, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the

United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 113th Congress, pursuant to the provisions of 2 U.S.C. 25:

ROBIN L. KELLY, Second District of Illinois.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1029. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clothianidin; Pesticide Tolerances [EPA-HQ-OPP-2011-0860; FRL-9378-6] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1030. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2013-0002] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1031. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Disapproval and Promulgation of Air Quality Implementation Plans; Colorado; Revision to Definitions; Common Provisions Regulation [EPA-R08-OAR-2011-0036; FRL-9284-4] received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1032. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Arkansas; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions [EPA-R06-OAR-2012-0639; FRL-9795-4] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1033. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Particulate Matter Standards [EPA-R05-OAR-2012-0088; FRL-9783-5] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1034. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Transportation Conformity Regulations [EPA-R03-OAR-2013-0082; FRL-9795-6] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1035. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri [EPA-R07-OAR-2012-0749; FRL-9795-2] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1036. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for the 1997 8-Hour Ozone National Ambient Air Quality Standard [EPA-R06-OAR-2012-0100; FRL-9795-3] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1037. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances; Technical Amendment [EPA-HQ-OPPT-2012-0842; FRL-9382-2] (RIN: 2070-AB27) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1038. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustment to 2013 Annual Catch Limits [Docket No.: 121022572-3075-02] (RIN: 0648-XC318) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1039. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC536) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1040. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No.: 001005281-0369-02] (RIN: 0648-XC553) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1041. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC550) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1042. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bearing Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC552) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1043. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category Fishery [Docket No.: 120306154-2241-02] (RIN: 0648-XC506) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1044. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Gulf of Mexico Reef Fish Fishery; 2013 Accountability Measure for Gulf of Mexico Commercial Gray Triggerfish [Docket No.: 120417412-2412-01] (RIN: 0648-XC510) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1045. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 1112077037-2141-02] (RIN: 0648-XC543) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1046. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — National Practitioner Data Bank (RIN: 0906-AA87) received April 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1047. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0795; Directorate Identifier 2008-SW-53-AD; Amendment 39-17395; AD 2013-05-23] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1048. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0641; Directorate Identifier 2011-NM-258-AD; Amendment 39-17378; AD 2013-05-06] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1049. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-1160; Directorate Identifier 2012-NM-096-AD; Amendment 39-17381; AD 2013-05-09] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1050. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbojet Engines [Docket

No.: FAA-2012-1006; Directorate Identifier FAA-2012-NE-28-AD; Amendment 39-17392; AD 2013-05-20] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1051. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turboprop Engines [Docket No.: FAA-2012-1100; Directorate Identifier 2012-NE-29-AD; Amendment 39-17385; AD 2013-05-13] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1052. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2013-0240; Directorate Identifier 2011-SW-060-AD] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1053. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Activation of Ice Protection [Docket No.: FAA-2009-0675; Amendment No. 121-363] (RIN: 2120-AJ43) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1054. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Type Certification Procedures for Changed Products [Docket No.: FAA-2001-8994; Amdt. No. 21-96] (RIN: 2120-AK19) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1055. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30889; Amdt. No. 3524] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1056. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30890; Amdt. No. 3525] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1057. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turboprop Engines [Docket No.: FAA-2012-1031; Directorate Identifier 2012-NE-31-AD; Amendment 39-17391; AD 2013-05-19] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1058. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turboprop Engines [Docket No.: FAA-2012-1167; Directorate Identifier 2012-NE-36-AD; Amendment 39-17396; AD 2013-06-01] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 756. A bill to advance cybersecurity research, development, and technical standards, and for other purposes; with an amendment (Rept. 113-33). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 967. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; with an amendment (Rept. 113-34). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. WATERS (for herself, Mr. CONYERS, Mr. AL GREEN of Texas, and Mr. CUMMINGS):

H.R. 1483. A bill to amend the Federal Deposit Insurance Act to provide requirements for appropriate Federal banking agencies when using independent consultants in carrying out a consent order, to grant SIGTARP authority to provide oversight of such consultants, and for other purposes; to the Committee on Financial Services.

By Mr. HUIZENGA of Michigan:

H.R. 1484. A bill to amend title XVIII of the Social Security Act to make publicly available on the official Medicare Internet site Medicare payment rates for frequently reimbursed hospital inpatient procedures, hospital outpatient procedures, and physicians' services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO:

H.R. 1485. A bill to amend the National Flood Insurance Act of 1968 to modify the phase-in increases in flood insurance premium rates for certain properties, and for other purposes; to the Committee on Financial Services.

By Mr. RAHALL:

H.R. 1486. A bill to prohibit the Secretary of the Treasury and the Administrator of the Environmental Protection Agency from devising or implementing a carbon tax; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT:

H.R. 1487. A bill to amend titles XVIII and XI of the Social Security Act to establish an exception from the physician self-referral prohibition and a safe harbor from Federal antikickback and other sanctions for incentive payments made by hospitals to physicians under certain incentive payment programs; to the Committee on Energy and Commerce, and in addition to the Committee

on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. LOEBSACK, Mr. JONES, Mr. BISHOP of Utah, and Mr. BARLETTA):

H.R. 1488. A bill to amend title II of the Social Security Act to provide that the waiting period for disability insurance benefits shall not be applicable in the case of a recovering service member; to the Committee on Ways and Means.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. GIBSON):

H.R. 1489. A bill to amend the National Dam Safety Program Act to identify and ensure the safety of dams in need of repair and rehabilitation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of Florida:

H.R. 1490. A bill to amend title 38, United States Code, to prohibit the recording of a patient in a facility of the Department of Veterans Affairs without the informed consent of the patient; to the Committee on Veterans' Affairs.

By Ms. BONAMICI (for herself, Mr.

YOUNG of Alaska, Mr. DEFAZIO, Mr. SCHRADER, Mr. SMITH of Washington, Mr. FARR, Mr. HONDA, Ms. SPEIER, Mr. THOMPSON of California, Ms. CHU, Mr. LARSEN of Washington, Mrs. CAPPS, Mr. BLUMENAUER, Ms. LEE of California, Mr. KILMER, Mr. HUFFMAN, Mr. HECK of Washington, and Ms. DELBENE):

H.R. 1491. A bill to authorize the Administrator of the National Oceanic and Atmospheric Administration to provide certain funds to eligible entities for activities undertaken to address the marine debris impacts of the March 2011 Tohoku earthquake and subsequent tsunami, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT (for himself, Mr.

BLUMENAUER, Mrs. CAPPS, Mr. FARR, Mr. NORTON, Mr. JONES, Mr. RUSH, Ms. WILSON of Florida, Mr. RYAN of Ohio, Ms. SINEMA, Mr. ENYART, Mr. CICILLINE, Ms. BORDALLO, Mr. LOWENTHAL, Mr. VARGAS, Mr. GRIJALVA, Ms. LEE of California, and Mr. MCNERNEY):

H.R. 1492. A bill to establish the Commission on America and its Veterans; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of Georgia (for him-

self, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. BISHOP of Utah, Mr. CRAMER, Mr. HOLDING, Mrs. ELLMERS, Mr. YOHO, Mr. STUTZMAN, Mr. SOUTHERLAND, Mr. PERRY, Mr. BACHUS, Mr. COBLE, Mr. GARDNER, Mr. GRAVES of Georgia, Mr. MEADOWS, Mr. GOWDY, Mr. GOMERT, Mr. BENTIVOLIO, Mr. WENSTRUP, Mr. PRICE of Georgia, Mr. GINGREY of Georgia, Mr. BROUN of Georgia, Mr. DAINES, and Mr. KINGSTON):

H.R. 1493. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. GIBSON (for himself, Mr. CONNOLLY, Ms. NORTON, Mr. GRIFFIN of Arkansas, Mr. CICILLINE, Ms. KUSTER, Mr. STIVERS, Mr. BRADY of Pennsylvania, Ms. SHEA-PORTER, Mr. GRIMM, Mr. OWENS, Mrs. MCCARTHY of New York, Ms. MENG, Ms. BORDALLO, Mr. CASTRO of Texas, Mr. YOUNG of Alaska, Mr. WALZ, Mr. POE of Texas, and Mr. COURTNEY):

H.R. 1494. A bill to direct the Secretary of Defense to review the operation of certain ships during the Vietnam Era, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. SALMON, Mr. FRANKS of Arizona, and Mr. SCHWEIKERT):

H.R. 1495. A bill to prohibit the further extension or establishment of national monuments in Arizona except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. GRAVES of Georgia (for himself, Mr. SCHRADER, Mr. DUNCAN of South Carolina, Mr. BISHOP of Georgia, Mr. POE of Texas, Mr. WESTMORELAND, Mr. LAMALFA, Mr. CRAWFORD, Mr. LATTI, Mr. AUSTIN SCOTT of Georgia, Mr. SOUTHERLAND, Mr. STUTZMAN, Mr. YOHIO, Mr. VALADAO, and Mr. BROUN of Georgia):

H.R. 1496. A bill to require the Administrator of the Environmental Protection Agency to withdraw the proposed order published in the January 19, 2011, Federal Register (76 Fed. Reg. 3422) pertaining to the pesticide sulfuryl fluoride; to the Committee on Energy and Commerce.

By Mr. HUNTER (for himself, Mr. MILLER of Florida, Mr. DUNCAN of South Carolina, Mr. MCCLINTOCK, Mr. JONES, Mr. LAMALFA, Mr. ROE of Tennessee, Mr. NUNNELEE, Mr. LATTI, Mr. CALVERT, Mr. CHABOT, Mr. COBLE, Mr. VARGAS, Mr. PETERS of California, Mr. ISSA, and Mr. KLINE):

H.R. 1497. A bill to amend title 36, United States Code, to ensure that memorials commemorating the service of the United States Armed Forces may contain religious symbols, and for other purposes; to the Committee on Natural Resources.

By Mr. JEFFRIES (for himself, Ms. MOORE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. POCAN, and Mr. McDERMOTT):

H.R. 1498. A bill to extend the interest rate for Federal Direct Stafford Loans; to the Committee on Education and the Workforce.

By Mr. JEFFRIES (for himself, Mr. GRIMM, and Mr. CROWLEY):

H.R. 1499. A bill to ensure that homeowners who have mortgages insured by the FHA, or owned or guaranteed by Fannie Mae or Freddie Mac, and whose homes are located in major disaster areas are notified of any forbearance relief in connection with such disaster that is offered or recommended by the FHA, the Federal Housing Finance Agency, the Federal National Mortgage Association,

or the Federal Home Loan Mortgage Corporation, and for other purposes; to the Committee on Financial Services.

By Mr. CARTWRIGHT (for himself, Ms. NORTON, Mr. RANGEL, Ms. JACKSON LEE, Ms. CLARKE, Mr. CONYERS, Mr. GRIJALVA, Mrs. NEGRETE MCLEOD, Ms. BROWN of Florida, Mr. ELLISON, Mr. O'ROURKE, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. DELANEY, Mr. WAXMAN, Mr. VARGAS, Mr. FATTAH, Mr. CAPUANO, Mr. BRADY of Pennsylvania, Mr. NOLAN, Mr. VELA, Mr. MCINTYRE, Mr. HINOJOSA, and Mr. YOHIO):

H.R. 1500. A bill to amend section 9A of the Richard B. Russell National School Lunch Act to require that local school wellness policies include a requirement that students receive 50 hours of school nutrition education per school year; to the Committee on Education and the Workforce.

By Mr. JEFFRIES (for himself, Mr. CROWLEY, and Mr. ISRAEL):

H.R. 1501. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Prison Ship Martyrs' Monument in Fort Greene Park, in the New York City borough of Brooklyn, as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. SAM JOHNSON of Texas (for himself, Mr. RENACCI, Mr. TIBERI, Mr. REICHERT, Mr. KELLY of Pennsylvania, Mr. REED, Mr. GRIFFIN of Arkansas, Mrs. BLACK, Mr. SMITH of Nebraska, Mr. BOUSTANY, and Mr. SCHOCK):

H.R. 1502. A bill to amend title II of the Social Security Act to prevent concurrent receipt of unemployment benefits and Social Security disability insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. KING of Iowa (for himself and Mr. HUELSKAMP):

H.R. 1503. A bill to repeal a certain rule relating to nutrition standards in the national school lunch and school breakfast programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LANGEVIN (for himself and Mr. CICILLINE):

H.R. 1504. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. ROSLEHTINEN, Ms. BASS, Mr. RUPPERSBERGER, Mr. CUMMINGS, Mr. RANGEL, Mr. SARBANES, Mr. HOLT, Mr. PASCRELL, Ms. SCHWARTZ, Mr. CONNOLLY, Mr. DEUTCH, Ms. BROWN of Florida, Mr. BRADY of Pennsylvania, Mr. NADLER, Mr. MORAN, Mr. CICILLINE, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. KING of New York, Ms. FRANKEL of Florida, and Mr. WEBER of Texas):

H.R. 1505. A bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Mrs. CHRISTENSEN, Ms. CHU, Mr. CLAY, Mr. CONYERS, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. KEATING, Ms. LEE of California, Mr. LEWIS, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Ms. SPEIER, Mr. TIERNEY, Mr. WAXMAN, and Ms. WILSON of Florida):

H.R. 1506. A bill to reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. MARKEY (for himself, Mr. SMITH of New Jersey, Mr. BURGESS, Mrs. CAPITO, Ms. SPEIER, Mr. JOHNSON of Georgia, Ms. TSONGAS, Ms. NORTON, Mr. FATTAH, Ms. MOORE, Mrs. CAROLYN B. MALONEY of New York, Mr. RUNYAN, Mr. SCHIFF, Mr. ROSKAM, Mr. GARAMENDI, Mr. TIERNEY, Mr. ISRAEL, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1507. A bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 1508. A bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN (for himself, Mr. CONNOLLY, Mr. WOLF, and Mr. MCKINLEY):

H.R. 1509. A bill to establish a 5-year demonstration program to provide skills to classroom teachers and staff who work with children with autism spectrum disorders; to the Committee on Education and the Workforce.

By Mr. NEUGEBAUER (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. GOODLATTE, and Mr. WILLIAMS):

H.R. 1510. A bill to improve and extend certain nutrition programs; to the Committee on Agriculture.

By Mrs. NOEM:

H.R. 1511. A bill to amend the Healthy Forests Restoration Act of 2003 to promote timely emergency rehabilitation and restoration of Federal forest land impacted by catastrophic events, to redirect for a 5-year period funding normally made available for land acquisition to mechanical forest treatment and salvage operations due to catastrophic events, and for other purposes; to

the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 1512. A bill to prohibit the further extension or establishment of national monuments in New Mexico except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. PERRY (for himself, Mr. MARINO, Mr. BARLETTA, and Mr. GERLACH):

H.R. 1513. A bill to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station and certain land along Plum Run in Cumberland Township, to limit the means by which property within such revised boundaries may be acquired, and for other purposes; to the Committee on Natural Resources.

By Mr. SARBANES:

H.R. 1514. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize competitive grants to prepare and train school principals on effective core competencies and instructional leadership skills; to the Committee on Education and the Workforce.

By Mr. SIREs (for himself and Mr. DIAZ-BALART):

H.R. 1515. A bill to amend the Foreign Assistance Act of 1961 to codify the cooperative agreement, known as the Health Technologies program, under which the United States Agency for International Development supports the development of technologies for global health, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of Mississippi (for himself, Mr. CUMMINGS, Mr. DUNCAN of Tennessee, Ms. BORDALLO, Ms. BROWN of Florida, Ms. CLARKE, Mr. PIERLUISI, Mr. MICHAUD, Ms. MCCOLLUM, Ms. HAHN, Mr. SABLON, Mr. KINGSTON, and Mr. ELLISON):

H.R. 1516. A bill to amend title 14, United States Code, to modify the process for congressional nomination of individuals for appointment as cadets at the Coast Guard Academy, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALBERG:

H.R. 1517. A bill to amend titles II and XVIII of the Social Security Act to establish a Social Security Surplus Protection Account in the Federal Old-Age and Survivors Insurance Trust Fund to hold the Social Security surplus and a Medicare Surplus Protection Account in the Federal Hospital Insurance Trust Fund to hold the Medicare surplus, to provide for suspension of investment of amounts held in such Accounts until enactment of legislation providing for investment of the Trust Funds in investment vehicles other than obligations of the United States, and to establish a Social Security and Medicare Part A Investment Commission to make recommendations for alternative forms of investment of the Social Security and Medicare surpluses; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself, Mr. LOBIONDO, Ms. SCHAKOWSKY, Mr. COHEN, Mr. PITTS, and Mr. MORAN):

H.R. 1518. A bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAPITO (for herself, Mr. RAHALL, and Mr. MCKINLEY):

H. Res. 151. A resolution recognizing the sesquicentennial of West Virginia statehood; to the Committee on Oversight and Government Reform.

By Mr. MICHAUD (for himself and Mr. HARPER):

H. Res. 152. A resolution celebrating the anniversary of the enactment of Public Law 87-788, commonly known as the McIntire-Stennis Cooperative Forestry Act; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. KING of New York introduced a bill (H.R. 1519) for the relief of Alemseghed Mussie Tesfamical; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. WATERS:

H.R. 1483.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States of America.

By Mr. HUIZENGA of Michigan:

H.R. 1484.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LOBIONDO:

H.R. 1485.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. RAHALL:

H.R. 1486.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18 of the Constitution.

By Mr. McDERMOTT:

H.R. 1487.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8 of the United States Constitution.

By Mr. THOMPSON of Pennsylvania:

H.R. 1488.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 1, which states "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives;"

And

Article I, Section 8, Clause 14 of the United States Constitution which gives Congress the power "to make Rules for the Government and Regulation of the land and naval Forces;"

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1489.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 18

By Mr. MILLER of Florida:

H.R. 1490.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. BONAMICI:

H.R. 1491.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. McDERMOTT:

H.R. 1492.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COLLINS of Georgia:

H.R. 1493.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution, Article I, Section 8 of the United States Constitution, including, but not limited to, Clauses 1, 3 and 18, and Article III of the United States Constitution, Section 2.

By Mr. GIBSON:

H.R. 1494.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the in the Government of the United States, or in any Department or Officer thereof.

By Mr. GOSAR:

H.R. 1495.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GRAVES of Georgia:

H.R. 1496.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1—"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Article I, Section 8, Clause 18—"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HUNTER:

H.R. 1497.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for the War Memorial Protection Act is found in Section 3, Clause 2 of Article IV, which states in part that "the Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory and other Property belonging to the United States." Constitutional authority is also found in Clause 18 of Article I, Section 8, which states that Congress has the authority to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this

Constitution in the Government of the United States, or in any Department or Office thereof."

By Mr. JEFFRIES:

H.R. 1498.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. JEFFRIES:

H.R. 1499.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 1500.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States)

By Mr. JEFFRIES:

H.R. 1501.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. SAM JOHNSON of Texas:

H.R. 1502.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. KING of Iowa:

H.R. 1503.

Congress has the power to enact this legislation pursuant to the following:

This legislation repeals a rule made by an Executive agency pursuant to an act of Congress. This bill is intended to correct the agency's errant interpretation of Congress' intent as expressed in the authorizing legislation, and, as such, follows the responsibility that Congress has, under Article 1, Section, 1, to exercise all legislative powers of the United States.

By Mr. LANGEVIN:

H.R. 1504.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1505.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which reads: "To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes."

By Mr. MARKEY:

H.R. 1506.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. MARKEY:

H.R. 1507.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. MARKEY:

H.R. 1508.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. MORAN:

H.R. 1509.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article 1, Section 8, Clause 1, which grants Congress authority regarding Defence [sic] and general Welfare of the United States.

By Mr. NEUGEBAUER:

H.R. 1510.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mrs. NOEM:

H.R. 1511.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. PEARCE:

H.R. 1512.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. PERRY:

H.R. 1513.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, and Article I, Section 8, clause 18

By Mr. SARBANES:

H.R. 1514.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. SIRE:

H.R. 1515.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution

By Mr. THOMPSON of Mississippi:

H.R. 1516.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. WALBERG:

H.R. 1517.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

Article 1, Section 8, Clause 3—To regulate Commerce with foreign Nations, and among

the several States, and with the Indian Tribes;

Article 1, Section 8, Clause 14—To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. WHITFIELD:

H.R. 1518.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KING of New York:

H.R. 1519.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. ROHRBACHER.

H.R. 36: Mr. LATTA, Mr. RIBBLE, Mr. SCALISE, and Mr. BUCSHON.

H.R. 38: Mr. CHABOT, Mr. POSEY, Mr. ENGEL, and Mr. RODNEY DAVIS of Illinois.

H.R. 93: Mr. GARAMENDI.

H.R. 137: Mr. JEFFRIES, Mr. PERLMUTTER, and Mr. GARAMENDI.

H.R. 138: Mrs. DAVIS of California, Mr. JEFFRIES, and Mr. GARAMENDI.

H.R. 141: Mrs. DAVIS of California and Mr. GARAMENDI.

H.R. 146: Mr. OWENS.

H.R. 164: Mr. ROGERS of Kentucky, Mr. McDERMOTT, Ms. DELAURO, Mr. HORSFORD, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 184: Mr. FOSTER.

H.R. 185: Mr. OLSON.

H.R. 217: Mr. SENSENBRENNER.

H.R. 227: Mr. GARAMENDI.

H.R. 236: Mr. GARAMENDI.

H.R. 258: Mr. MURPHY of Florida and Ms. BONAMICI.

H.R. 268: Mr. HASTINGS of Florida.

H.R. 301: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 310: Mrs. LUMMIS.

H.R. 324: Mr. GARCIA, Mr. SCOTT of Virginia, and Mr. SERRANO.

H.R. 332: Mr. GARAMENDI, Mr. TIERNEY, and Mrs. NAPOLITANO.

H.R. 357: Mr. HOLT, Mr. LATTA, Mr. BILIRAKIS, and Mr. AMODEI.

H.R. 358: Mr. ELLISON.

H.R. 359: Mr. MORAN.

H.R. 367: Mr. BRIDENSTINE and Mr. COBLE.

H.R. 404: Mr. GARAMENDI, Mr. COURTNEY, and Mrs. NAPOLITANO.

H.R. 410: Mr. BURGESS.

H.R. 421: Mr. HOLT.

H.R. 426: Mr. LYNCH.

H.R. 437: Mrs. DAVIS of California, Mr. JEFFRIES, Mr. ELLISON, Mrs. NAPOLITANO, and Ms. NORTON.

H.R. 455: Mr. BLUMENAUER, Ms. LEE of California, and Mr. RANGEL.

H.R. 460: Mr. GERLACH.

H.R. 474: Mr. BLUMENAUER.

H.R. 481: Mr. COOK, Mrs. NEGRETE MCLEOD, and Mr. O'ROURKE.

H.R. 486: Mr. GRIMM.

H.R. 519: Mr. PAYNE, Mr. DEFazio, Ms. CLARKE, and Mr. TIERNEY.
H.R. 543: Mrs. BEATTY, Mr. KIND, and Ms. SHEA-PORTER.
H.R. 556: Mr. BUCHANAN.
H.R. 575: Mr. BOUSTANY.
H.R. 627: Mr. GALLEGO, Mr. STOCKMAN, Ms. ESTY, Mr. KLINE, and Ms. LORETTA SANCHEZ of California.
H.R. 630: Mr. PASCARELL, Mr. BRADY of Pennsylvania, Mr. PETERS of Michigan, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DELAURO, Mrs. LOWEY, and Mr. TIERNEY.
H.R. 633: Mr. GRIJALVA.
H.R. 647: Mr. GOODLATTE and Mr. WILSON of South Carolina.
H.R. 649: Mr. CARTWRIGHT, Mr. HOLT, Mr. CONYERS, and Ms. LEE of California.
H.R. 654: Mr. COURTNEY.
H.R. 671: Mr. MURPHY of Florida.
H.R. 675: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 690: Mr. FINCHER.
H.R. 695: Mr. GARY G. MILLER of California and Mrs. LUMMIS.
H.R. 730: Mr. JONES, Mr. BENTIVOLIO, Mr. STIVERS, Ms. CHU, Mr. WESTMORELAND, Mr. SESSIONS, Mr. KINZINGER of Illinois, Mr. LONG, Mr. BENISHEK, and Mrs. HARTZLER.
H.R. 742: Mr. GIBSON.
H.R. 755: Ms. LINDA T. SANCHEZ of California.
H.R. 760: Mr. LOWENTHAL, Mr. MASSIE, and Mr. RADEL.
H.R. 763: Mr. TERRY, Mr. SCHWEIKERT, Mr. MILLER of Florida, Mr. HUIZENGA of Michigan, Mr. RIGELL, Mrs. ROBY, Mr. STUTZMAN, and Mr. RENACCI.
H.R. 783: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 792: Mr. TERRY, Mr. WITTMAN, and Mr. SCHRADER.
H.R. 795: Mrs. HARTZLER.
H.R. 798: Mr. MICHAUD.
H.R. 799: Mr. YOUNG of Alaska and Mr. RUNYAN.
H.R. 800: Mr. WITTMAN.
H.R. 808: Mr. HONDA.
H.R. 813: Mr. HOLT, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. JOHNSON of Ohio.
H.R. 818: Mr. THOMPSON of Pennsylvania.
H.R. 847: Mr. RUIZ and Mr. HUFFMAN.
H.R. 850: Ms. HERRERA BEUTLER, Mr. LARSON of Connecticut, Mr. HECK of Washington, Mr. PITTS, Mr. GARDNER, Mr. COLE, and Mr. GINGREY of Georgia.
H.R. 864: Mr. MEEKS, Mr. ENGEL, and Mr. GENE GREEN of Texas.
H.R. 888: Mr. GARDNER, Mr. KINZINGER of Illinois, Mr. LATHAM, and Mr. BROUN of Georgia.
H.R. 896: Mr. PERLMUTTER.
H.R. 924: Ms. PINGREE of Maine and Mr. KIND.
H.R. 940: Mr. PERRY.
H.R. 942: Mr. HASTINGS of Washington, Mr. HARPER, Mr. LARSON of Connecticut, and Ms. LINDA T. SANCHEZ of California.
H.R. 948: Mr. RYAN of Wisconsin.
H.R. 959: Mr. BENISHEK, Mr. JONES, Mr. CASSIDY, Mr. LATTI, Mr. LONG, and Mr. BENTIVOLIO.
H.R. 960: Mrs. LOWEY.
H.R. 961: Mr. RANGEL, Mr. SARBANES, Ms. SCHWARTZ, and Mr. ANDREWS.

H.R. 962: Ms. CLARKE.
H.R. 988: Mr. PASCARELL and Mr. HOLT.
H.R. 1001: Mr. BACHUS and Mr. GARCIA.
H.R. 1008: Mr. SENSENBRENNER and Mr. TIERNEY.
H.R. 1015: Mrs. ELLMERS, Mrs. BLACKBURN, Mr. JONES, and Ms. GRANGER.
H.R. 1020: Mrs. ELLMERS.
H.R. 1024: Mr. POE of Texas.
H.R. 1026: Mr. AUSTIN SCOTT of Georgia.
H.R. 1038: Mr. SHERMAN and Mr. GIBBS.
H.R. 1039: Mr. BROUN of Georgia.
H.R. 1063: Mr. ROSS.
H.R. 1070: Mr. SCHNEIDER, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Ms. SPIER, Mr. KENNEDY, Mrs. CAPPS, Ms. MCCOLLUM, Ms. NORTON, Ms. BONAMICI, and Mr. HASTINGS of Florida.
H.R. 1077: Mr. CRAWFORD and Mr. OWENS.
H.R. 1078: Mr. NUNNELEE.
H.R. 1091: Mr. KLINE, Mr. BENISHEK, and Mr. GIBBS.
H.R. 1093: Ms. MCCOLLUM, Ms. BROWN of Florida, Mr. VEASEY, Mr. JOYCE, Mr. QUIGLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TIBERI, Ms. SPEIER, Mr. RUSH, Mr. ROYCE, Mr. TIERNEY, and Mr. KILMER.
H.R. 1094: Mr. FRELINGHUYSEN, Mr. RUIZ, Ms. ESTY, Mr. RUNYAN, and Mr. HUFFMAN.
H.R. 1128: Mr. JOHNSON of Ohio.
H.R. 1130: Mr. MILLER of Florida.
H.R. 1141: Ms. ROS-LEHTINEN.
H.R. 1143: Mr. COBLE and Mr. GRIFFITH of Virginia.
H.R. 1144: Mr. CRAMER.
H.R. 1146: Mr. WITTMAN.
H.R. 1148: Mr. GIBBS.
H.R. 1149: Mr. JOHNSON of Ohio.
H.R. 1151: Mr. LOWENTHAL, Mr. FALOMAVAEGA, Mr. DESJARLAIS, and Mrs. ELLMERS.
H.R. 1154: Mr. COHEN.
H.R. 1164: Mr. RYAN of Wisconsin.
H.R. 1199: Mr. KEATING, Mrs. NEGRETE MCLEOD, Ms. WILSON of Florida, Mr. HONDA, Ms. EDWARDS, Mr. BEN RAY LUJAN of New Mexico, Ms. BONAMICI, Mr. PAYNE, Ms. MOORE, Mr. BRADY of Pennsylvania, Mr. GIBSON, Mr. GRIMM, Mr. BLUMENAUER, Mr. FARR, Mr. QUIGLEY, Mr. PERLMUTTER, and Mr. SCHNEIDER.
H.R. 1209: Mr. MARCHANT, Mr. MCCAUL, Mr. BURGESS, Mr. CULBERSON, Mr. POE of Texas, Mr. GOHMERT, Mr. BRADY of Texas, Ms. GRANGER, Mr. FARENTHOLD, Mr. SESSIONS, Mr. DOGGETT, Mr. VEASEY, Ms. JACKSON LEE, Mr. HINOJOSA, Mr. CUELLAR, Mr. AL GREEN of Texas, Mr. BARROW of Georgia, Mrs. NAPOLITANO, Mr. JOHNSON of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COLLINS of Georgia, Mr. LONG, Mr. CONYERS, Mr. COOK, and Mr. GRIJALVA.
H.R. 1218: Mr. RADEL.
H.R. 1240: Mr. LOWENTHAL, Mr. KIND, and Mr. HASTINGS of Florida.
H.R. 1247: Mr. OWENS and Mr. RANGEL.
H.R. 1249: Mr. JONES, Mr. LUETKEMEYER, Mr. COLLINS of New York, Mr. KINGSTON, and Mr. GIBBS.
H.R. 1250: Mrs. CAPITO, Mr. PERLMUTTER, Mr. STOCKMAN, Ms. SPEIER, and Mr. JONES.
H.R. 1288: Mr. JOHNSON of Ohio and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1304: Mr. BROUN of Georgia.
H.R. 1312: Mr. GOWDY.

H.R. 1313: Mr. LYNCH and Mr. SCHRADER.
H.R. 1317: Ms. MCCOLLUM and Mr. OLSON.
H.R. 1318: Mr. YARMUTH.
H.R. 1319: Ms. BROWNLEY of California.
H.R. 1322: Mr. CONYERS.
H.R. 1331: Mr. POE of Texas and Ms. JENKINS.
H.R. 1345: Mr. THOMPSON of Pennsylvania.
H.R. 1351: Ms. TSONGAS and Mr. BERA of California.
H.R. 1354: Mr. SCHOCK, Mr. MCGOVERN, Mr. DELANEY, and Ms. NORTON.
H.R. 1395: Mr. VARGAS, Mr. MCGOVERN, Mr. GRIJALVA, Mr. SERRANO, Mr. RANGEL, and Mr. ELLISON.
H.R. 1406: Mr. BURGESS, Mr. KINGSTON, Mr. COLE, Mr. PAULSEN, Mr. MCHENRY, Mr. ROONEY, Mr. JORDAN, Mr. TERRY, Mr. SMITH of Texas, Mr. ADERHOLT, Mr. ISSA, Mr. FRANKS of Arizona, Mr. MCCLINTOCK, Mr. MARCHANT, Mr. KELLY of Pennsylvania, Mr. LATTI, Mr. CONAWAY, Mr. HUDSON, Mr. GRIFFIN of Arkansas, Mr. TIBERI, Mr. POSEY, Mr. MILLER of Florida, Mr. ROGERS of Kentucky, Mr. BOUSTANY, Mr. ALEXANDER, Mr. GRAVES of Missouri, Mr. SESSIONS, Mrs. LUMMIS, Mrs. BACHMANN, Mr. MCCAUL, Mr. ROYCE, and Mr. BRIDENSTINE.
H.R. 1414: Mr. OWENS, Mr. NADLER, Mr. GARAMENDI, Mr. GRIJALVA, Mr. PRICE of North Carolina, and Ms. MCCOLLUM.
H.R. 1417: Mr. CUELLAR, Mr. POE of Texas, Mr. KING of New York, and Mr. DUNCAN of South Carolina.
H.R. 1418: Mr. PITTENGER and Ms. SINEMA.
H.R. 1424: Mr. HORSFORD, Mr. SWALWELL of California, Mr. NOLAN, Mr. MURPHY of Florida, and Mrs. KIRKPATRICK.
H.R. 1433: Mr. KIND, Mr. FOSTER, Mr. KILDEE, Mr. MATHESON, and Mr. SMITH of Washington.
H.R. 1441: Mr. COBLE.
H.R. 1448: Mr. PEARCE.
H.R. 1476: Mr. COBLE.
H.J. Res. 20: Mr. NEAL.
H.J. Res. 21: Mr. NEAL.
H. Con. Res. 4: Mr. PEARCE.
H. Con. Res. 23: Mr. HALL.
H. Con. Res. 24: Mr. KINGSTON, Mr. AUSTIN SCOTT of Georgia, Mrs. HARTZLER, and Mr. BENISHEK.
H. Con. Res. 27: Mr. ELLISON, Mr. YOUNG of Alaska, Mr. KIND, and Mr. MCINTYRE.
H. Con. Res. 28: Mr. SWALWELL of California, Mr. HUFFMAN, Mr. HONDA, Mr. O'ROURKE, and Mr. CARSON of Indiana.
H. Res. 36: Mr. WOMACK, Mr. GARDNER, Mr. SHUSTER, and Mrs. WALORSKI.
H. Res. 71: Mr. YOUNG of Alaska.
H. Res. 75: Mr. JOHNSON of Ohio.
H. Res. 90: Mr. QUIGLEY.
H. Res. 97: Mr. BENISHEK and Mr. FITZPATRICK.
H. Res. 106: Mr. LANKFORD, Mr. COLE, Mr. RODNEY DAVIS of Illinois, and Mr. KING of Iowa.
H. Res. 108: Ms. LEE of California.
H. Res. 119: Mr. LAMBORN, Mr. KINGSTON, Mr. BRIDENSTINE, and Mr. SALMON.
H. Res. 133: Mr. ROSS.
H. Res. 134: Mr. JOHNSON of Ohio.
H. Res. 148: Mr. HIMES and Ms. EDDIE BERNICE JOHNSON of Texas.

EXTENSIONS OF REMARKS

RECOGNIZING ED JOHNSTONE'S COMMITMENT AND SERVICE TO THE OLYMPIC PENINSULA REGION OF WASHINGTON STATE

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. KILMER. Mr. Speaker, I rise to honor Ed Johnstone, a community leader engaged on climate change issues in our region. Today, the President is recognizing his efforts by awarding Mr. Johnstone the Champions of Change award.

Mr. Johnstone is a member of the Quinault Indian Nation and serves as their spokesperson on ocean policy and treaty fishing rights. He has done remarkable work explaining how climate change is negatively impacting the ecosystems and fisheries that are central to the traditions, culture, and spiritual beliefs of his tribe, as well as our regional economy.

Mr. Johnstone has helped raise awareness of climate change by co-leading the First Stewards: Coastal Peoples Address Climate Change Symposium at the National Museum of the American Indian.

Climate change is an issue that involves not only preserving our environment. It's also about protecting our economic and national security interests. Climate change is already beginning to negatively impact our state's agriculture and shellfish industries, forests, and salmon habitat. Promoting growth and preserving these industries is essential in retaining and creating new jobs in our area.

Mr. Speaker, I enjoy living in our region because I value the richness of our environment. We know our generation must be responsible stewards of our lands, waters, and of our entire planet for future generations. It's leaders like Mr. Johnstone that are taking that vision and turning it into a reality day in and day out.

It takes great effort and service to earn this prestigious award. On behalf of our region, it is an honor to congratulate Mr. Johnstone on this accomplishment.

RECOGNIZING MANO A MANO FOR OUTSTANDING SERVICE TO THE COMMUNITY

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor the work of Mano a Mano Family Resource Center, an organization in my district that is dedicated to helping immigrants realize their dreams here in the United States. We are a nation of immigrants, but without the

work of organizations like Mano a Mano, we are merely a nation that accepts immigrants, rather than one encouraging them to be active, engaged members of the community.

Started out of a small storefront, Mano a Mano has grown over the last decade to help more than 4,300 people per year. With language courses, early education programs, GED tutoring, computer skills training and health education, Mano a Mano has helped countless families and individuals become complete participants in American life.

The beauty of these programs, and what makes Mano a Mano so effective, is how they are tailored to client and community needs. For example, recognizing challenges managing or understanding life with diabetes, Mano a Mano launched an initiative to educate the community on living with a chronic disease and how better to manage it.

The success stories go on and on and on and are too many to enumerate. Let me highlight, however, what I think is a most telling attribute of their success: year after year, Mano a Mano clients often return as volunteers, tutors or educators. Not only are these programs successfully enriching our communities and the lives of their clients, but they also inspire a tradition of giving back, of paying it forward, and of doing for others as Mano a Mano did for them. Such is the cycle—a community of reaching out—where one good turn leads to another and another.

On the eve of the annual gala, I thank Mano a Mano for all that they are and all that they do. I am proud that this organization makes its home in our Tenth District.

HONORING PAUL SPRING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Paul Spring. Paul is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Paul has been very active with his troop, participating in many scout activities. Over the many years Paul has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Paul has contributed to his community through his Eagle Scout project. Paul led a construction team in building a picnic area consisting of four cedar tables and an encompassing rubber mulch area at Pleasant Valley Baptist Church in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Paul Spring for his accomplish-

ments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE 110TH ANNIVERSARY OF BOILERMAKERS LOCAL 363

HON. WILLIAM L. ENYART

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. ENYART. Mr. Speaker, I rise today to ask my colleagues to join me in honoring the 110th anniversary of the Boilermakers Local 363 of East St. Louis, Illinois.

By the late 19th century many of the skilled craftsmen who powered the Industrial Revolution were seeking to improve pay and working conditions through the formation of unions. Workers in the boilermaker and iron ship building trades had formed a union in Chicago as had boilermakers in Atlanta. These two organizations would merge in 1893 to form the International Brotherhood of Boiler Makers and Iron Ship Builders and, on March 22, 1903, Local 363 in East St. Louis, Illinois received its charter.

Over the years the Boilermakers Union would continue to grow and diversify as other related trade unions merged with it. A Helpers Division was added in 1902 and Blacksmiths and Drop Forgers merged in 1954. In 1984, the United Cement, Lime, Gypsum and Allied Workers merged, to be followed, in 1994, by the Stove, Furnace and Allied Appliance Workers. The Metal Polishers, Buffers and Platers would merge in 1996. As a result of these many mergers, the name of the union is now the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers.

Membership in the union grew in the 20th century as the needs for the skilled labor grew. At the dawn of the century, membership was about 8,500 but had grown to over 350,000 by the end of World War II in the mid-1940s. There are currently 534 members in Local 363.

Local 363 has always realized that its responsibility to its members also extends to those members' community. The list of organizations that have been assisted by the local's support include: the United Way, Special Olympics, the Illinois Cancer Society and the Boy Scouts.

Mr. Speaker, I ask my colleagues to join me in congratulating the leadership and members of Boilermakers Local 363 as they celebrate their 110th anniversary and to wish them continued success in the future.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE ACCOMPLISHMENTS OF MR. JIM LEEDY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. CLEAVER. Mr. Speaker, I rise today to honor Mr. Jim Leedy, a renowned artist who envisioned and fostered the beginning of a thriving arts community and culture in downtown Kansas City. He did this by transforming an undesirable section of Kansas City, Missouri into what is now known as the Crossroads Art District. As an established artist whose work has been exhibited around the world, in over 1,000 one-man shows, he understands the importance of a culture where artists have an integrated community to live, work and showcase their work. Considering those basic necessities, he purchased a building in 1985 and remodeled it to accommodate live/work artist studios and multiple gallery spaces, known as the Leedy-Voulkos Art Center. Today, the Crossroads Art District is home to more than 400 local artists, 100 independent studios, and over 30 galleries. It is one of the most concentrated gallery districts in the nation. On the first Friday of each month, known as "First Friday's", you will find thousands of people visiting the galleries, listening to music and eating at their favorite establishment. It is a uniquely Kansas City environment.

So who is this man that made such a dramatic difference, not only in our community but throughout his artistic career? Born in 1930, Jim Leedy grew up in the clay soils of Virginia and Kentucky. Working with this medium came naturally to him. During the formative time of his career, while attending Columbia University for his art history post-graduate studies, he had the opportunity to meet and listen to the dialogue of established artists in New York City. In 1966 he joined the staff of the Kansas City Art Institute, sharing his artistic skills and working with the administration and faculty to take the Kansas City Art Institute in a new direction. He taught there for over 40 years and mentored thousands of students throughout his career.

As an artist he has been influenced by his life experiences, colleagues, students, friends and family. His daughter, Stephanie Leedy and his granddaughter, Erin Woodworth, now run the Leedy-Voulkos Art Center and continue to showcase both local and international artists. He is an artist in the truest sense, whether he is painting or working with clay. His original artistic renderings with clay can be classified as one of the first Abstract Expressionism ceramic pieces. It was about the material, it was about the clay and creating a non utilitarian piece that would evolve by using the Raku firing technique. A method he learned about in Japan while on leave from the Korean War. His art is about instilling the essence of nature, color, and the continuous experiment and evolution of creativity.

As a Korean Veteran, who served as a military photographer, he had to deal with his war memories and did so through his art. Every war veteran can tell you that war alters and changes your view of life and death. Jim

Leedy began experiencing flashbacks during the mid 80's and through most of the 90's. Many times through his art he relived the haunting memory of a day in Korea when he jumped into a stream only to see underneath him the rotting corpses and skeletons of the dead. During this time his art focused on the images of that day. It was not until 2000 with his work "The Earth Lies Screaming," that his art conveyed the recurring reality of war through his wall of skeletons and skulls. He reminds us that war brings death. This work was the last of its kind because it put to rest his personal conflict.

Since this period in his life, he continues to experiment with his art. A painting need not be flat, clay need not go through a long firing process. He encourages today's artists and remains a friend to anyone that has an open mind and loves creating.

Mr. Speaker, please join me in expressing our appreciation to Mr. Jim Leedy and his endless commitment to our artistic community. He is a true role model not only for our artists, but he serves as an example of how we can all live our lives. He comprehended the essential, and with the purchase of his first building, began a slow sprawl that has become the cultural center of Kansas City. Mr. Speaker, his action made a dynamic difference for all of us to enjoy.

RECOGNITION OF THE 65TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL

HON. ALBIO SIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. SIRE. Mr. Speaker, I would like to recognize the upcoming 65th anniversary of the founding of the State of Israel and the bond of friendship between the United States and Israel.

Like the United States, the State of Israel has stood as a beacon of democracy and hope for Jewish immigrants from all over the world. As an immigrant myself, I understand the importance of the democratic freedoms and values that our nation holds dear. The United States and Israel share and embrace those values as the cornerstones of a vibrant democratic society.

I have been fortunate enough to visit Israel and witness the importance of the friendship the U.S. and Israel share. We share the common goals of peace, freedom, security and prosperity for our citizens and for the region. I am pleased to help honor the State of Israel on its 65th birthday I hope all my colleagues and fellow Americans will join me in taking pride in the unique contributions that our Israeli community has made to our nation.

Again, congratulations to Israel and its people all across the world on their 65th independence day.

RETIREMENT PLANNING WEEK

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Ms. CLARKE. Mr. Speaker, I rise today to recognize this week, April 8–12, 2013, as Retirement Planning Week. This week is held during the national effort to observe Financial Literacy Month. This endeavor promotes the education and awareness of important financial issues and provides Americans with essential retirement planning information.

Comprehensive retirement planning is an important step that will lead Americans into a financially secure future. But, the process can be challenging for consumers which leads many Americans into retirement without an adequate financial plan. We must make this a national priority and convey to our constituents the value of retirement planning so that more Americans can appropriately prepare for and attain financial security during their retirement years.

Social Security and Medicare face long-term challenges. My constituents depend on Social Security and Medicare for their livelihood. It is important for everyone to think about long-term financial needs, plan for a secure retirement, and create a comprehensive retirement plan. It is vital to have a plan that will leave Americans better prepared and more confident in their financial future.

COMMENDING TAMPA TSA AGENT JIM FLAHERTY

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the heroic efforts of a constituent of mine, Mr. Jim Flaherty. An Army veteran, who served over twenty years with the New York Police Department, Mr. Flaherty was driving to his job with the TSA at Tampa International Airport in the early morning hours on March 13th, 2013. He was passed by a speeding car and, minutes later, Mr. Flaherty watched that same car crash into the woods by the side of the road and catch on fire.

Mr. Flaherty stopped his car and, without concern for his own well-being, ran to aid the victim who was unable to escape on her own due to her injuries and the driver's door unable to be opened due to the accident. Along with another passerby, Mr. Flaherty proceeded to pull her out of the passenger-side of the burning vehicle. When it was clear that the injured woman was unable to walk, the two men carried her to safety before the car was consumed by fire. They stayed with her until local first responders arrived on scene. Mr. Flaherty then selflessly continued onto work, demonstrating his commitment to helping others and his official duties.

Mr. Speaker, Mr. Flaherty's heroic actions are an example of the best in humanity that all of us should strive for. I applaud his actions and thank him for the bravery that he exhibited that day.

HONORING BENJAMIN KIRTLEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Benjamin Kirtley. Benjamin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 43, and earning the most prestigious award of Eagle Scout.

Benjamin has been very active with his troop, participating in many scout activities. Over the many years Benjamin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Benjamin has contributed to his community through his Eagle Scout project. Benjamin researched a family grave box and restored a Civil War soldier's gravestone at Mt. Mora Cemetery in St. Joseph, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Benjamin Kirtley for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

"THE VETERANS' PRIVACY ACT"

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. MILLER of Florida. Mr. Speaker, today, I am introducing a bill, the Veterans' Privacy Act, a bill that directs the Department of Veterans Affairs (VA) to prescribe regulations ensuring that, when veterans receive care from VA, their privacy will not be violated by unauthorized video surveillance.

By its very nature, medical care requires that an individual forfeit some privacy in order to obtain treatment. However, when a veteran walks into a VA medical facility, they should not have to worry about a covert camera being in their treatment room.

Last June, a covert camera disguised as a smoke detector was installed in the room of a brain damaged veteran who was being treated at the James A. Haley VA Medical Center in Tampa, Florida. Upon discovering the hidden camera, the veteran's family was understandably outraged.

When the veteran's family asked about the camera, VA officials first stated that the camera did not exist, then changed their story and admitted that the "smoke detector" was actually a video camera. When further asked if the camera was recording, VA told the family that the camera was only "monitoring" the patient and was not recording. Only after inquiries by local media and the House Veterans' Affairs Committee did VA admit that the camera was recording. VA then removed the camera from the patient's room.

In the wake of this incident, I sent a letter to VA asking for its legal authority to place a camera in a patient's room without consent.

VA stated that its legal opinion was that the hidden camera did not violate the law, but that it was developing a national policy to address the issue of video surveillance of patients. In response to a recent status request on this national policy from my staff, VA stated that it did not expect to have the policy finalized before September 2013, well over a year after this incident occurred.

I am deeply disturbed at VA's callous actions and response to the privacy interests of this veteran, and can't help but wonder whether similar incidents are occurring across the country, especially since VA still lacks a national policy in this area. The least we can do is ensure basic privacy rights of the men and women who have served our country when they seek the treatment they have earned.

Mr. Speaker, no veteran should have to worry about being secretly recorded when he or she goes to VA for medical treatment, and I urge my colleagues to join me in supporting the Veterans' Privacy Act.

COMMEMORATING YOM HASHOAH

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise to commemorate Holocaust Remembrance Day, or Yom Hashoah, and to pay tribute to the men, women, and children murdered by the Nazis during the Holocaust.

This week, we pause to join in solidarity to remember one of the darkest chapters in human history. During the Holocaust, six million Jews were killed, and countless others were brutalized, raped, dehumanized, and robbed. It is critical that, as nations and as individuals, we preserve the history of the Holocaust and the memories of survivors and other witnesses.

The Days of Remembrance hold a deep meaning for me, as a Jewish American, and for my community. My district, the 9th Congressional District of Illinois, is home to one of the largest concentrations of Holocaust survivors in the country. An estimated 3,500 Holocaust survivors live in the Chicago area, all of whom are elderly, and many of whom do not receive the care and services they need. Skokie, in my district, is home to a beautiful Holocaust museum opened in 2009, a 65,000-square-foot facility dedicated to sharing the history of the Holocaust and teaching the importance of combating hatred, indifference, and genocide to current and future generations across the Midwest.

We pledged "Never Again" but, over sixty years later, we continue to fight anti-Semitism and other forms of hatred and intolerance, even genocide. As we reflect on the tragedy of the lives lost and honor those who survived, we need to also pledge to do better moving forward. In a world where genocide, intolerance, and neglect are far too prevalent, we need to stand up against violations of human rights. We need to continue to fight injustice and protect people everywhere.

This week, we pause to remember all those who perished, honor those who survived, and

redouble our pledge to fight genocide, intolerance, and persecution wherever they occur.

100TH ANNIVERSARY OF THE OLD DOMINION DENTAL SOCIETY

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to congratulate a legacy of community service in the Commonwealth of Virginia and throughout the nation. This year, the Old Dominion Dental Society is celebrating its 100th anniversary, and I would like to take a moment to reflect on the history of this esteemed organization and its contributions to the Commonwealth of Virginia.

In 1913, black dentists sought to organize into a professional society and these efforts resulted in the Tri-State Dental Association of Maryland, Virginia, and the District of Columbia, formed under the leadership of Dr. D. A. Ferguson of Richmond, Virginia. Five years later the name was changed to the Interstate Dental Association to accommodate growing interest from dentists around the region. Ultimately, in 1932, the organization's name was changed to the National Dental Association, and so it remains today. Since that time, the National Dental Association has provided over 6000 African-American dentists in the United States and abroad the platform and the support to help them succeed.

From this history also arose the Old Dominion Dental Society. The Old Dominion Dental Society served as a forum for minority dentists in Virginia who were denied membership to the American Dental Association and the Virginia Dental Association. For 100 years, the Old Dominion Dental Society has grown and fostered professional development for the dental profession and brought needed services to the most vulnerable communities in Virginia.

The Old Dominion Dental Society has also invested in the next generation of dentists through annual scholarships for underrepresented minorities. Through these scholarships, the Society has insured that a diverse group of young students will have the opportunity to excel in the field of dentistry. Members of the organization have been generous donors of their time and expertise to various state and community service organizations, strengthening communities and making our neighborhoods healthier. Motivated by the philosophy that health care is a born right for all people, the Old Dominion Dental Society has been a relentless leader in the quest for equality and equity in health care and today I celebrate all of the members, past and present, that have set an example for all of us over the past 100 years.

There are many Old Dominion Dental Society members that have worked tirelessly to make the Society as successful and respected as it is today. I want to congratulate the members for all their achievements, and especially acknowledge a few: Dr. McKinley Price, Mayor of Newport News; the late Dr. James Holley, former Mayor of Portsmouth; the late Dr. Hugo Owens, former Vice Mayor of Chesapeake;

Dr. Elizabeth Daniels, Vice Chair of Portsmouth School Board; Dr. Walter Claytor, the first African-American dentist to serve on the Virginia Board of Dentistry; and Dr. James Watkins, presently serving his fourth term as a member of the Virginia Board of Dentistry and the first African-American dentist to be president of the Virginia State Dental Board. Under their leadership, the Old Dominion Dental Society has and will continue to flourish.

As the Old Dominion Dental Society gathers to celebrate this historic milestone, this organization can truly remember its past, celebrate its present, and focus on its future. As we continue to work to invest in our future, protect access to health care, and promote education, I praise the drive and vision of the members who make our community a better place to live. I would like to congratulate all of the members of the Old Dominion Dental Society on the occasion of its 100th Anniversary, and I wish them many more years of dedicated service to the community.

HONORING AUSTIN VAN BLACK

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Austin Van Black. Austin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Austin has been very active with his troop, participating in many Scout activities. Over the many years Austin has been involved with Scouting, he has not only earned 121 merit badges, but also the respect of his family, peers, and community. Most notably, Austin has led his troop as Senior Patrol Leader, attended the 2010 National Jamboree and 2011 World Jamboree in Sweden and earned the rank of Warrior in the Tribe Mic-O-Say and became a member of the Order of the Arrow. Austin has also contributed to his community through his Eagle Scout project. Austin completed 137 service hours for Hillcrest Transitional Housing, a homeless transition and education ministry, in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Austin Van Black for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MINGO COUNTY SHERIFF EUGENE CRUM A TRUE TITAN IN THE BATTLE FOR LAW AND ORDER

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. RAHALL. Mr. Speaker, each April just a few blocks from the Nation's Capitol Building, we witness in full bloom 10,000 daffodils, amidst well manicured lawns, signaling the ad-

vent of the season of renewal and hope. This peaceful setting surrounds two blue-gray curved marble walls that help form our Nation's lasting tribute and memorial to law enforcement officers who have paid the ultimate sacrifice in the line of duty.

Every 57 hours in this Country, a law enforcement officer lays down their life, so that the rest of us can enjoy lives enriched by the very safety and security our officers provide.

Last week, West Virginians lost a true titan in the battle for law and order. Mingo County Sheriff Eugene Crum had just left his friend and compatriot, Judge Michael Thornsby, with the parting words, "I'm going to fight the good fight," so he could spend his lunch hour in his vehicle, keeping an eye on a former illegal pill mill. Moments later, the Sheriff would be slain. While the cause of the heinous murder remains under intense investigation its effect is well known.

Dave Rockel, Sheriff Crum's friend and teammate as the Commander of Mingo County's Drug Task Force said the murder has "awakened a sleeping giant." Commander Rockel pointed out "Operation Zero Tolerance" has taken on a new significance to continue the Sheriffs legacy of waging a successful war against the scourge of prescription drug abuse. As Judge Thornsby calculated, the Sheriff had already achieved 57 felony convictions within 93 days of being sworn into office. Make no mistake, Eugene Crum may have been a new Sheriff, but he was a three-decade-old seasoned veteran of law enforcement, having served as a police lieutenant, chief of police, magistrate and chief magistrate.

Since the Sheriffs passing, many tributes have been offered by friends, officeholders and multiple newspaper editorials have been written to honor Sheriff Crum, his achievements, his compassion, his humility, his selflessness, and his fervent dedication and devotion to duty. And, what honor and comfort it must be to his widow, Rosie, his children, Julie and Bub, and his entire family to know that, as Judge Thornsby relayed, Eugene was often times able to personally enjoy one of the highest compliments anyone can be paid. For when many of those he had previously arrested would see Eugene on the street, they would stop to thank him for saving their lives. I ask my colleagues, here in the people's House, "What truer measure of a man is there?"

To such a man, this Nation remains deeply indebted and eternally grateful. On the National Memorial honoring the fallen, one of its four inscriptions reads, "In valor, there is hope." Eugene Crum's valor was as significant as that of the bravest soldier on the most tumultuous of battlefields. For Eugene, the field of battle was in the hills and hollows of home, on the front porches and through the backyards of neighbors, on the streets of Mingo County's downtowns and on their corners during the darkest hours of night. His battle endured without end until justice had ultimately prevailed. Indeed the legacy of Eugene Crum will live on each time justice is served and tempered with mercy to give new hope to those who have wronged their families and their communities. Eugene Crum's hope for a more civil world, born of his life of valor, is the

badge of honor Sheriff Rosie Crum now wears, as do his comrades in law enforcement throughout our Nation.

As it was strongly and passionately relayed at his memorial this past weekend by Mingo County Commission President John Mark Hubbard, shame on anyone who will not make sure that the change Sheriff Crum laid his life down for does not continue.

Mr. Speaker, the obligation of the Congress to aid our law enforcement officers is clear. As American citizens, let us pray for their safe keeping, and that their resolve—this Nation's resolve—will be strengthened by the indelible mark left by Eugene Crum to serve and protect the people he loved.

EQUAL PAY DAY

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Ms. CLARKE. Mr. Speaker, I rise to express my support of the Equal Pay Day, April 9, 2013, which recognized the critical disparity between the working wages between men and women.

Women have come so far in our society and make up 50 percent of the workforce by contributing their skills and experiences that drive our economy, making it the most dynamic in the world. But, women are not worth their work according to their wages and the services they provide. On average, we still earn 77 cents for every dollar earned by men. For a woman working full time, the current wage gap represents a loss of \$430,000 over the course of her career.

There are many women in my district who are the sole providers for their family. They act as the mother and the father rearing their family and struggling to put food on the table and a roof over their heads.

One of our top priorities should be closing the wage gap. By doing so, the middle class will be stronger and struggling Americans will have the support they need. I am a proud sponsor of the Equal Pay Day Resolution and urge my colleagues to become a cosponsor.

PASSING OF FAMILY PATRIARCH ENRIQUE ROS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Ms. ROS-LEHTINEN. Mr. Speaker, my dad was and will always be the wind beneath my wings. His passing leaves in us a loss that is eternal and deep. 'Abu Kiki' as we lovingly called him was the center, the foundation of us all, and the one person who kept us grounded and confident in the path our lives had taken. If there is one comfort we feel during this time of unequalled sorrow is that we are confident that my dad is once again reunited with his beloved and cherished soul mate, Amanda Ros.

Today I can look at my life and the lives of my brother Henry and my dad's adult grandchildren with joy and fulfillment. And I can do

that because Abu Kiki worked hard to instill in us ageless ideals of fairness and doing always what was right.

My dad was a prolific writer and well-known historian. He was working on his 20th book, a biography of Antonio Maceo, when he died of respiratory complications at South Miami Hospital late Wednesday night. He authored 19 other books on Cuban history and local politics that are an important source of information for other historians, academics and scholars. All who shared my father's life knew that he was happiest when he was busy doing research and writing his books. His beloved library was a meeting ground for our family and he kept a detailed log of all the articles and pictures that told the story of my family's life and of his cherished books.

For 65 years, Enrique and Amanda Ros, shared a wonderful life together and they did it by way of love and hard work. They raised two children who have families of their own, founded and expanded a successful family business for over 30 years (Ros-Forwarding), and labored both as one in noble endeavors to re-establish democracy to our beloved Cuba. They were in love and it showed through their actions.

In the name of all of us in the Ros and Lehtinen families we would like to ask his friends and everyone else to not be despondent but rather to come together and celebrate his long and fulfilled life. That is what my dad would have wanted. I know my brother and I shall terribly miss him, but we know that this is not a goodbye but rather a time apart before we are reunited once again next to our creator.

HONORING JORDAN PAUL NAZARIO

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jordan Paul Nazario. Jordan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Jordan has been very active with his troop, participating in many Scout activities. Over the many years Jordan has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jordan has led his troop in various positions including Patrol Leader and Quartermaster. Jordan has also contributed to his community through his Eagle Scout project. Jordan built a shed for his church's garden ministry, allowing the church to safely store hoses, wheelbarrows and other necessary garden equipment.

Mr. Speaker, I proudly ask you to join me in commending Jordan Paul Nazario for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RE-INTRODUCTION OF THE COAST GUARD ACADEMY OPPORTUNITY ACT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I am proud to re-introduce the "Coast Guard Academy Opportunity Act," legislation to create new opportunities for careers in the U.S. Coast Guard with a geographically and politically diverse group of colleagues. They are: Representative ELIJAH CUMMINGS of Maryland, Representative JOHN DUNCAN of Tennessee, Delegate MADELEINE BORDALLO of Guam, Representative CORRINE BROWN of Florida, Representative YVETTE CLARKE of New York, Delegate PEDRO PIERLUISI of Puerto Rico, Representative MICHAEL MICHAUD of Maine, Representative BETTY MCCOLLUM of Minnesota, Representative JANICE HAHN of California, Delegate GREGORIO SABLÁN of the Northern Mariana Islands, Representative JACK KINGSTON of Georgia, and Representative KEITH ELLISON of Minnesota.

Currently, Members of Congress are allowed to nominate a limited number of candidates to the U.S. Military Academy, the U.S. Naval Academy, the U.S. Air Force Academy, and the U.S. Merchant Marine Academy. However, the smallest of the five federal service academies—the U.S. Coast Guard Academy (USCGA)—does not accept congressional nominations.

Instead, the USCGA admits candidates through a process that resembles the admissions processes of civilian colleges and universities. Without a congressional nominations process, the applicant pool of candidates to the USCGA is predictably less geographically diverse than at the other military service academies. The inevitable result of a less geographically diverse applicant pool is a less geographically diverse class. The statistics bear this out; in fact, the incoming Class of 2016 does not have a single cadet from: Arkansas, the District of Columbia, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Nebraska, North Dakota, South Dakota, Utah, Wyoming, American Samoa, Northern Mariana Islands, or Guam.

Under the "Coast Guard Academy Opportunity Act," starting in academic year 2014, each Member of Congress could nominate up to three qualified candidates to the U.S. Coast Guard Academy. In turn, the Coast Guard would be required to fill a quarter of slots for the incoming class from this pool of congressional nominations comprised of qualified, geographically diverse applicants. Then, in each subsequent academic year, half of the slots in each incoming class would have to be filled through the congressional nominations process.

This legislation would not require the Coast Guard to lower its student selection criteria or increase the size of the student population. To the contrary, it anticipates that the Coast Guard will continue to use its criteria to select the best candidates from the pool of Member-nominated candidates for half of the slots in the incoming class, just as it will do to fill the

slots in the other half of the incoming class. The "Coast Guard Academy Opportunity Act" simply seeks to make Congress a partner in helping to put talented young people—from every corner of the country—on the path to a rewarding career in the U.S. Coast Guard.

I urge support of this commonsense, bipartisan legislation.

A FAILED POLICY ON SUDAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. WOLF. Mr. Speaker, as of Friday, March 15, the position of Sudan special envoy at the State Department has been vacant.

This vacancy is symptomatic of a president that has all but forsaken the people of Sudan.

Last December a group of prominent Sudan activists and advocates wrote a letter to the administration, which I submit for the RECORD, expressing their "grave concerns that the current U.S. policy is ineffective at stopping mass atrocities in Sudan." They urged President Obama, in his second term, to embrace "an urgent shift in the U.S. policy to finally end the humanitarian crises and bring about a just and lasting peace in Sudan."

The letter cited the president's own words from 2007 when he rightly called the genocide in Darfur a "stain on our souls" and said that "as a president of the United States I don't intend to abandon people or turn a blind eye to slaughter."

And yet, I can't help but wonder if the people of Darfur, who have been displaced from their homes and brutalized by violence for ten years now, do in fact feel abandoned by this president and this administration.

On March 7, CNN featured a piece by the chairman of the Darfur Union in the United Kingdom, himself a Darfuri. Tellingly, he wrote, "... Khartoum's attempt to establish a racially pure Islamic state involves waging war against its own unarmed civilians, systematically and with impunity. In Darfur this has lasted a decade. The U.N. estimates that 300,000 Darfuris have died since 2003, but it hasn't bothered to estimate casualty numbers since 2008. With fighting continuing to this day, the number is likely to be far higher. The world assumes 'Darfur is over.' It isn't."

Not only is Darfur's nightmare ongoing, but Khartoum's brutality has only spread, consistent with its decades' long effort to systematically and ruthlessly consolidate power resulting in the death and displacement of untold thousands. More recently the Nuban people have been driven from their homes, targeted for killing and terrorized because of the color of their skin. Khartoum has indiscriminately bombed civilian populations—disrupting an entire way of life for this largely farming population. Starvation, death and despair have followed. I have visited the refugee camps and talked with the people personally. I have heard their pleas for help and I have conveyed their message to this administration—a message which fell on largely deaf ears.

On March 19, USA Today featured a joint op-ed by actor and co-founder of the anti-

genocide organization Not On Our Watch, Don Cheadle, and John Prendergast the co-founder of the Enough Project, in the op-ed wrote, "By excluding all but a narrow clique of Sudanese from access to the power and wealth of the country, marginalized groups from the west (Darfur), south (Blue Nile and the Nuba Mountains) and east have all taken up arms against that regime. . . . Any peace effort should deal comprehensively with all the rebel movements, the unarmed opposition, and civil society, in search of a solution for the whole of Sudan. Until the abusive governing system in Sudan is radically reformed, there will be blood."

Indeed, much blood has been shed, and yet inexplicably this administration has embraced a policy of engagement marked by conciliatory outreach to Khartoum, including the prospect of debt relief for a genocidal government, and a perverse sense of moral equivalence in dealing with South Sudan and Sudan.

While there has been criticism of two successive special envoys, ultimately they were merely the implementers of a policy that is inherently flawed and ultimately ineffective. In fact, I am grateful for the dedication and efforts of both Ambassadors Scott Graton and Princeton Lyman both of whom have poured much time and energy into a daunting task. We owe them a debt of gratitude.

In a February 12 letter to Secretary of State Kerry I wrote, "Our approach to Sudan and South Sudan needs reinvigorating. It demands a renewed sense of moral clarity about who we are dealing with in Khartoum—namely genocidaires. It necessitates someone who can speak candidly with our friends in South Sudan about their own internal challenges, including corruption, and shortcomings as a new nation. While an envoy alone does not a policy make, a high-profile special envoy, from outside the department, with the knowledge and mandate to aggressively pursue peace, security and justice for the people of Sudan and South Sudan, is an important step in the right direction."

Specifically, I recommended someone like former Senator Russ Feingold.

Now there are whispers that the administration is considering former U.S. ambassador to Sudan, Tim Carney. Many in the Sudan advocacy community are deeply dismayed at this prospect and took the unusual step of asking Secretary Kerry not to move forward with this nomination.

In a March 19 letter, Act for Sudan wrote, "It has come to our attention that former U.S. Ambassador to Sudan, Timothy Carney, is being considered for the position of Special Envoy. . . . While Ambassador Carney has experience in Sudan, we are concerned that his publicly stated advice and guidance with regard to U.S. policy on Sudan will prolong the suffering of the Sudanese people and will undermine U.S. objectives to support a just peace and stable democracies in Sudan and South Sudan, which ultimately are in the best interest of the U.S. and the international community."

The letter references a February 2009 Senate Foreign Relations Committee hearing that Kerry chaired where Carney proposed offering a series of carrots to Khartoum, including deferring the International Criminal Court (ICC)

arrest warrant for Sudanese President Omar Bashir, sending an ambassador to Khartoum and removing Sudan from the State Department's list of state sponsors of terrorism.

If the past is any indication, this would be precisely the wrong direction for U.S. policy. Khartoum has met this administration's overtures with continued atrocities and intransigence. Khartoum has rightly concluded that they incur no more blame than the leadership in Juba for what has occurred since the independence vote of January 2011.

Meanwhile, this administration sought to block efforts in Congress, which I initiated, to isolate Bashir. Last year I offered an amendment to the State and Foreign Operations appropriations bill which would have cut non-humanitarian foreign assistance to any nation that allowed him into their country without arresting him. The amendment was adopted with bipartisan support by voice vote despite the department's opposition.

This approach of using our increasingly scarce aid dollars to effectuate change and further our foreign policy objectives is a tried and true method. When Malawi allowed Bashir to enter the country to attend a regional trade summit I pressed the Millennium Challenge Corporation (MCC) to end Malawi's compact. The MCC was initially opposed to this course of action but ultimately, in the face of a deteriorating human rights situation internally, reversed course and suspended Malawi's compact, citing Bashir's visit as one of the reasons.

Fortunately Malawi's new president, Joyce Banda, hoping to reinvigorate her country's relationship with donor countries, last year took a firm stand in refusing to allow Bashir to visit her country for the African Union (AU) summit. President Banda went so far as to decline to host the summit lest her country and her government be placed in the position of being forced to host a war criminal. Given her principled stand I made clear to the MCC Board that I supported Malawi's compact being reinstated which it ultimately was.

However, other countries, including large recipients of U.S. foreign assistance, have not followed suit and the administration has failed to embrace this approach to spur such action.

The amendment I proposed would isolate Bashir and make him an international pariah as is befitting a man with blood on his hands. It is noteworthy that the amendment garnered the support of 70 prominent Holocaust and genocide scholars. Dr. Rafael Medoff, director of the Wyman Institute, which initiated a letter of support to the administration from these scholars, said: "Halting aid to those who host Bashir would be the first concrete step the U.S. has taken to isolate the Butcher of Darfur and pave the way for his arrest. If the Obama administration is serious about punishing perpetrators of genocide, it should support the Wolf Amendment."

Sadly that support never materialized.

Candidate Obama purported to be deeply concerned by the crisis in Sudan and committed to bold actions.

Have we seen a fraction of that concern or anything close to bold action since he became president?

Candidate Obama was sharp in his criticism of President Bush's handling of Sudan.

Have we seen President Obama take even fleeting interest, beyond the occasional talking point, in the deteriorating situation in Sudan marked in part by a growing humanitarian crisis in the Nuba Mountains?

In a piece in the August 4, 2011 *Christian Science Monitor*, noted Sudan researcher and activist Eric Reeves, wrote, "If the world refuses to see what is occurring in South Kordofan, and refuses to respond to evidence that the destruction of the Nuba people, as such, is a primary goal of present military and security actions by Sudan, then this moment will represent definitive failure of the 'responsibility to protect.'"

Meanwhile in an April 23, 2012 speech at the U.S. Holocaust Museum President Obama lauded his commitment in the realm of genocide and mass-atrocities prevention, saying, without a hint of irony, "We're making sure that the United States government has the structures, the mechanisms to better prevent and respond to mass atrocities. So I created the first-ever White House position dedicated to this task. It's why I created a new Atrocities Prevention Board, to bring together senior officials from across our government to focus on this critical mission. This is not an afterthought."

He continued, ". . . we need to be doing everything we can to prevent and respond to these kinds of atrocities—because national sovereignty is never a license to slaughter your people."

I couldn't agree more. And yet, I think most in the Sudan watchers would hardly be able to claim that this administration has done everything it can to prevent and respond to Khartoum's assault on its own people.

With tensions between Sudan and South Sudan on the rise and nearing a tipping point, thousands starving in the Nuba Mountains, refugees fleeing aerial bombardment and pouring over the border into South Sudan, violence persisting in Darfur and an internationally indicted war criminal at the helm in Khartoum who travels the globe with virtual impunity, it is time for a fresh policy and a renewed commitment to peace and justice in Sudan.

To date, this president has offered nothing more than an abdication of leadership and a failure of vision, which has culminated in human suffering and misery.

DECEMBER 11, 2012.

HON. BARACK OBAMA,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT, We, the undersigned human rights organizations, have grave concerns that the current U.S. policy is ineffective at stopping mass atrocities in Sudan. We write in the hope that the transition to your second term in office will bring an urgent shift in the U.S. policy to finally end the humanitarian crises and bring about a just and lasting peace in Sudan.

As you know, genocide continues in Sudan. The National Congress Party (NCP) regime in Sudan, led by a president indicted by the International Criminal Court for genocide, crimes against humanity and war crimes, is causing the death, starvation, displacement, and destruction of livelihood of Sudanese civilians in Darfur, Nuba Mountains/South Kordofan and the Blue Nile state.

When speaking about Sudan in 2007 you called the genocide in Darfur a "stain on our souls" and said that "as a president of the

United States I don't intend to abandon people or turn a blind eye to slaughter." Vice President Biden, the same year, called for military force in Darfur. Yet five years later, the same genocidal regime, whose grave human rights abuses have been left unchecked by the international community, is emboldened to continue to perpetrate atrocities, not only in Darfur but now in Sudan's border regions.

In your first term, your administration pursued a policy of engagement, marked by conciliatory diplomacy. Under the oversight of two Special Envoys, this policy has failed to stop the government of Sudan from committing ongoing mass atrocities.

We now ask that you revamp your Sudan policy to address the root cause of Sudan's multiple conflicts, the repressive and genocidal Sudan regime.

Specifically, we ask that your administration:

(1) Deliver humanitarian aid to the starving Sudanese civilians in the Nuba Mountains/South Kordofan and Blue Nile State, with or without agreement from the government of Sudan or the U.N. Security Council, with multilateral partners or unilaterally, and with the urgency required to save starving people.

(2) Instruct the National Security Council to accelerate decisions and related actions regarding protection of Nuba, Blue Nile, and Darfuri populations from air attacks and to seriously consider the destruction of Sudan's offensive aerial assets and/or the imposition of a no-fly zone pursuant to the responsibility to protect doctrine.

(3) Support an end to the NCP regime's control of the government of Sudan and support the movement within Sudan for democratic transformation.

(4) Oppose debt relief and cash transfers to the government of Sudan, thereby increasing pressure on that government and strengthening the effects of U.S. sanctions.

(5) Demonstrate strong leadership to end the government-sponsored violence in Sudan, protect civilians in Sudan and South Sudan, ensure unhindered humanitarian access for those in need, and bring the perpetrators of genocide and mass atrocities to justice at the International Criminal Court.

The government of Sudan's blatant and longstanding abuse of its citizens and disregard for the international community clearly defines the nature of that government. Sudan's repeated failure to abide by the outcome of negotiations is a well-established pattern. After 23 years of mass atrocities committed by President Bashir and his government, it is long past time for the United States and the international community to confront Bashir and the NCP and bring an end to their mass atrocities.

Sincerely,

Act for Sudan, Martina Knee, Co-Founder USA; African Soul, American Heart, Debra Dawson, President, Fargo, ND, USA; Americans Against the Darfur Genocide, Nikki Serapio, Director, Washington, DC, USA; Amnesty Group 133, Robert Saulnier, Somerville, MA, USA; Dr. Kjell Anderson, Senior Researcher/Project Leader, The Hague Institute for Global Justice, Member, Advisory Board International Association of Genocide Scholars, The Hague, The Netherlands; Armenian Assembly of America, Bryan Ardouny, Executive Director, Washington, DC, USA; Beja Organization for Human Rights and Development, Ibrahim T. Ahmed, Co-founder and Executive Director, Fair-

fax, VA, USA; Blue Nile Association of North America, Abdalla Babikir, Washington, DC, USA; Brooklyn Coalition for Darfur & Marginalized Sudan, Laura Limuli, Coordinator, Brooklyn, NY, USA; "Change the world. It just takes cents" TM, Sara Caine Kornfeld, Founder/Educator, Denver, CO, USA; Christian Solidarity International—USA, Rev. Heidi McGinness, Director of Outreach, Denver, CO, USA.

Church Alliance for a New Sudan, The Institute on Religion and Democracy, Faith J. H. McDonnell, Director, Washington, DC, USA; Colorado Coalition for Genocide Awareness and Action, Roz Duman, Founder/Director Denver, CO, USA; Connecticut Coalition to Save Darfur, Timothy Oslovich, Chairperson, Vernon, CT, USA; Damanga Coalition for Freedom and Democracy, Mohamed Yahya, Executive Director, Falls Church, VA, USA; Darfur Action Group of SC, Richard Sribnick, Chairman, Columbia, SC, USA; Darfur and Beyond, Cory Williams, Co-Founder, Phoenix, AZ, USA; Darfur Association, Adam Omer, President, Lincoln, NE, USA; Darfur Association of the USA, Dr. Mahmoud Braima, President, Baton Rouge, LA, USA; Darfur Association, Ahmed Adam Ali, Denver, CO, USA; Darfur Community Organization, Bakheit A. Shata, Founder/Executive Director, Omaha, NE, USA; Darfur Human Rights Organization of the USA, Abdelgabar Adam, Founder and President, Philadelphia, PA, USA; Darfur Interfaith Network, Richard Young, Co-Chair, Washington, DC, USA.

Darfur Leaders Network (DLN), Motasim Adam, Director, Washington, DC, USA; Darfur People's Association of New York, Ahmat Nour, President, Brooklyn, NY, USA; Darfur Solidarity USA, Mohammed Ahmed Elsa, Executive Director, Cambridge, MA, USA; Darfur Women Action Group, Niemat Ahmadi, President, Washington, DC, USA; Darfuri Association of Greater Houston, Sallah Yahya, Executive Director, Houston, TX, USA; Dear Sudan, Love Marin, Gerri Miller, Founder and Coordinator, Tiburon, CA, USA; Tanya L. Domi, Adjunct Professor of International and Public Affairs, Columbia University, New York, NY, USA; Dr. Herbert Ekwe-Ekwe, Independent Scholar, Author of Biafra Revisited (Dakar and Reading: African Renaissance, 2006) and Readings from Reading: Essays on African Politics, Genocide, Literature (Dakar and Reading: African Renaissance, 2011), London, England; Essex County Coalition for Darfur, Gloria Crist, Co-Founder, Montclair, NJ, USA; Mia Farrow, Actor, CT, USA; Fur Cultural Revival, El-Fadel Arbab, Executive Director and Lecturer, Portland, ME, USA; Genocide No More, Mary Steinberg, Coordinator, Redding, CA, USA.

Genocide Watch, George Mason University, Dr. Gregory Stanton, President, Arlington, VA, USA; GeNoticed, Elizabeth Blackney, Co-Founder, Author and Anti-genocide advocate, Virginia Beach, VA, USA; Georgia Coalition to Prevent Genocide, Melanie Nelkin, Chair, Atlanta, GA, USA; Harry Potter Alliance, Andrew Slack, Executive Director, Somerville, MA, USA; Help Nuba, Rabbi David Kaufman, Founder,

Des Moines, IA, USA; Dr. Rick Halperin, Director, Embrey Human Rights Program, Southern Methodist University, Dallas, TX, USA; Herbert Hirsch, Professor of Political Science and Co-Editor, Genocide Studies and Prevention, Virginia Commonwealth University, Richmond, VA, USA; Human Rights & Advocacy Network for Democracy (HAND), Abdalmageed Haroun, Chairperson, Brooklyn, NY, USA; Humanity is Us, Kimberly Hollingsworth, Founder, New York, NY, USA; Idaho Darfur Coalition, A. J. Fay, Co-Founder, Boise, ID, USA; International Justice Project, Raymond Brown, President, Newark, NJ, USA; Investors Against Genocide, Eric Cohen, Chairperson, Boston, MA, USA. Iowa Center for Genocide Prevention, Kristen Anderson, Founder & 2011 Carl Wilkens Fellow, Des Moines, IA, USA; Jewish World Watch, Vaughan Meyer, Advocacy Committee Chair, Los Angeles, CA, USA; Jews Against Genocide, Eileen Weiss, Co-founder, New York, NY, USA; Joining Our Voices, Jack Slater Armstrong, Founder/Director, Baton Rouge, LA, USA; George Kent, Professor of Political Science, Emeritus, University of Hawaii, Honolulu, HI, USA; Keokuk for Global Awareness and Aid, Blake McGhghy, Co-Founder, Keokuk, IA, USA; Mr. David Kilgour, J.D., Former Canadian Secretary of State for Africa, Ottawa, Canada; Massachusetts Coalition to Save Darfur, William Rosenfeld, Director, Boston, MA, USA; Winter Miller, Writer, Greenfield, MA, USA; Paul Mojzes, Ph.D., D.D., Professor of Religious Studies and Genocide, Scholar, Rosemont College, Rosemont, PA, USA; Never Again Coalition, Diane Koosed, Co-Chair, Portland, OR, USA; New York Coalition for Darfur and All Sudan, Nelki Ullah, Communications Director, New York, NY, USA; New York Darfur Vigil Group, Helga Moor, Coordinator, New York, NY, USA.

Nuba Mountain Peace Coalition, Tito Elgassai, Founder, Dallas, TX, USA; Nuba Mountains Advocacy Group, USA, Abdelgadir Kurba, Secretary General, New York, NY, USA; Nuba Mountains International Association USA, Magid Kabashi, Secretary for Information, Ashburn, VA, USA; Nuba Vision Coalition, Inc. Yassir A. Kori, Founder & Executive Director, Oklahoma City, OK, USA; Nubia Project, Nuraddin Abdelmannan, President, Silver Spring, MD, USA; NYC Genocide Prevention Coalition, Staci M. Alziebler-Perkins, Convener, NY, NY, USA; Operation Broken Silence, Mark C. Hackett, CEO, Executive Director, Memphis, TN, USA; Eric Reeves, Sudan Researcher, Northampton, MA, USA; Hawa Abdallah Mohammed Salih, U.S. Department of State 2012 International Women of Courage Award Winner, Flemington, NJ, USA; San Francisco Bay Area Darfur Coalition, Mohamed Suleiman, President, San Francisco, CA, USA; Save Darfur Washington State, Ned Laskowski, President, Seattle, WA, USA; Shine a Ray of Hope, Carmen Paolercio, Coordinator, New Rochelle, NY, USA; Robert Skloot, Professor Emeritus, University of Wisconsin-Madison, Madison, WI, USA. Society for Threatened People, Sharon Silber, US Representative, New York,

NY, USA; Stop Genocide Now, Gabriel Stauring, Director and Founder, Redondo Beach, CA, USA; Sudan Advocacy Action Forum, Dr. Eleanor Wright, Moderator, Birmingham, AL, USA; Sudan Human Rights Network, Ismail Kardoly, Vice President, Washington, DC, USA; Sudan Liberation Movement, Shafi Aldin Mosa, Office Coordinator, Atlanta, GA, USA; Sudan Rowan Inc., Ngor Kur Mayol, Founder, Atlanta, GA, USA; Sudan Unlimited, Esther Sprague, Director, San Francisco, CA, USA; Sudanese Marginalized Forum-USA, Gogadi Amoga, Chair, Batavia, OH, USA; The Advocates for Human Rights, Robin Phillips, Executive Director, Minneapolis, MN, USA; The Institute on Religion and Democracy, Mark Tooley, President, Washington, DC, USA.

Dr. Samuel Totten, Professor Emeritus, University of Arkansas, Fayetteville, Author of Genocide by Attrition: Nuba Mountains, Sudan (Transaction, 2012), Fayetteville, AR, USA; Triangles of Truth, Simon Goldberg, Executive Director, Boca Raton, FL, USA; Unite For Darfur, Bahar Arabie, CEO, Author of Darfur, Road to Genocide, Rockville, MD, USA; United Sudanese and South Sudanese Community Association (USASSCA), Henry Lejukole, Chairman, Des Moines, IA, USA; Use Your Voice to Stop Genocide RI, Sandra Hammel, Director, Portsmouth, RI, USA; Village Help for South Sudan, Franco Majok, Executive Director, Lynn, MA, USA; Voices for Sudan, Jimmy Mulla, Founder and President, Washington, DC, USA; Roger P. Winter, Former U.S. Special Representative on Sudan, Woodbine, MD, USA.

RECOGNIZING WASHINGTON'S MOST WANTED PROGRAM

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. REICHERT. Mr. Speaker, today I rise to recognize the program Washington's Most Wanted. This television program began in Washington State in partnership with Crime Stoppers of Puget Sound and Tacoma-Pierce County Crime Stoppers in November of 2008 and expanded to Spokane, Yakima, and the Tri-Cities as well as Portland, OR in February of 2009. The weekly half hour telecast was created by Seattle's Q13 FOX General Manager Pam Pearson and hosted by anchor David Rose and has evolved into a state-wide effort to encompass much of the Pacific Northwest region.

This month, the program saw its 400th cap- ture. This means that 400 individuals were ar- rested for such crimes as murder, rape, theft, assault and other travesties. I applaud Wash- ington's Most Wanted for its successful efforts towards creating safer communities and giving a voice to the victims of violent crime.

INTRODUCTION OF THE HOLOCAUST RAIL JUSTICE BILL

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am introducing the bipar- tisan Holocaust Rail Justice Act along with my colleagues Representatives ILEANA ROS- LEHTINEN, C.A. DUTCH RUPPERSBERGER, ELI- JAH E. CUMMINGS, CHARLES B. RANGEL, JOHN SARBANES, RUSH HOLT, BILL PASCRELL, JR., ALLYSON SCHWARTZ, GERRY CONNOLLY, TED DEUTCH, CORRINE BROWN, ROBERT BRADY, JERROLD NADLER, JIM MORAN, DAVID CICILLINE, ALCEE HASTINGS, RAÚL M. GRIJALVA, PETER KING, LOIS FRANKEL and RANDY WEBER.

During World War II, trains operated by So- ciete Nationale des Chemins de fer Francais (SNCF) transported more than 75,000 Jews, United States pilots shot down over France, and other "undesirables," from France toward Nazi death camps. SNCF willingly collaborated with the Nazi government, operating the trains as a commercial venture and were paid per head, per kilometer to deliver thousands to their deaths.

SNCF has not been held accountable for its actions by never paying reparations to its vic- tims in the almost 70 years since the end of World War II. The Holocaust Rail Justice Act allows the hundreds of known survivors, vet- erans and their family members living in the United States today to hold SNCF account- able. Holocaust survivors would be granted their deserved day in court, including many who have sought legal action for the past 10 years.

SNCF has thus far succeeded in evading ju- risdiction in the United States courts by hiding behind foreign sovereign immunity. This legis- lation would simply preclude, in this one lim- ited instance, the defense of foreign sovereign immunity from being raised. As the facts make clear, this is not the type of situation foreign sovereign immunity was intended to cover.

I urge my colleagues to cosponsor this leg- islation that would finally hold SNCF account- able for its wartime actions and provide sur- vivors with what is likely their last opportunity for justice in their lifetimes.

HONORING BEN C. MAYS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ben C. Mays. Ben is a very special young man who has exem- plified the finest qualities of citizenship and lead- ership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Ben has been very active with his troop, participating in many Scout activities. Over the many years Ben has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his fam-

ily, peers, and community. Most notably, Ben has contributed to his community through his Eagle Scout project. Ben erected a 25-foot flagpole on the grounds of the First Pres- byterian Church of Liberty, Missouri, to honor the veterans of the United States military.

Mr. Speaker, I proudly ask you to join me in commending Ben C. Mays for his accomplish- ments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING HARRISON AKINS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. DUNCAN of Tennessee. Mr. Speaker, with the emerging debate on drones and their use, I recently had lunch here in Washington, DC with Harrison Akins, a former constituent of mine, to discuss the subject. He is a fine young man who grew up in Blount County in East Tennessee, and I have known him for many years.

He is now a research fellow at American University working as the chief researcher on a book project with Ambassador Akbar Ahmed, the Chair of Islamic Studies at Amer- ican University, the first Distinguished Chair of Middle East Studies at the U.S. Naval Acad- emy, and the former Political Agent in charge of Waziristan in the Tribal Areas of Pakistan. Ambassador Ahmed's new book is called The Thistle and the Drone.

This book examines the tribal societies tar- geted by America's drone campaigns in Paki- stan, Yemen, and Somalia, as well as other tribal societies involved in the war on terror.

As I wrote in my August 2012 newsletter, Georgie Anne Geyer is one of this Nation's most senior and most highly-respected foreign policy columnists. She wrote recently that we "are embarked upon missions mired in the fog of human nature, with robotic weapons that may relieve the threat to our human soldiers but that will cause many times more hatred to- ward America."

She wrote about inaccurate drones "killing totally innocent people" in several countries and quoted a Washington Post article that said "an escalating campaign of U.S. drone strikes is stirring increasing sympathy for al- Qaeda-linked militants and driving tribesmen to join a network linked to terrorist plots against the United States." Of course, a large amount of money is being made off the sale of those drones to the government.

Mr. Speaker, we should heed the words of Benjamin Franklin: "Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety."

Harrison Akins is an extremely intelligent, capable young man who I believe will be a great leader for this Nation in the years ahead.

His outstanding research on this book is a significant contribution in an area that de- serves very serious and thoughtful consider- ation.

The Thistle and the Drone gives us all pause to think about the future of drone war- fare and the war on terror and the direction of

our country, and I call it to the attention of my colleagues and other readers of the RECORD.

**AMERICA NEEDS REAL JOBS,
REAL SOLUTIONS, AND REAL RE-
SULTS**

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. MARCHANT. Mr. Speaker, last week, we were reminded of the devastating economic consequences that tax hikes and Obamacare are having on our economy.

Only 88,000 jobs were added last month, according to the Department of Labor, and nearly half a million people left the job market. The percentage of Americans in the labor force is now at its lowest level since the Carter era.

For every job gained last month, more than five people stopped looking for work altogether.

And now the President submits a budget proposal that completely ignores this economic reality. This proposal hikes taxes and does nothing to balance our budget.

This is unacceptable. America needs real jobs, real solutions, and real results.

**OUR UNCONSCIONABLE NATIONAL
DEBT**

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,798,984,234,792.33. We've added \$6,172,107,185,879.25 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

**IN RECOGNITION OF NATIONAL
YOUTH HIV AND AIDS AWARE-
NESS DAY**

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise in recognition of National Youth HIV and AIDS Awareness Day which occurred yesterday. This day is symbolic of communities, government leaders, schools and most importantly today's young people leading the effort to end the HIV and AIDS pandemic that is still rapidly spreading among our nation's teens and young adults more than 30 years after it was first discovered.

According to the Center for Disease Control and Prevention, HIV and AIDS education and prevention information has made great strides

in slowing infection and mortality rates, however young people between the ages of 13 and 24 account for 26 percent of new HIV infections each year, with nearly 60 percent unaware that they are infected.

The Advocates for Youth organization in conjunction with 11 other founding partners are supporting young people in the fight against HIV and AIDS. This national day marks an important step toward recognizing the key role that future generations play in becoming leaders in disease prevention and education.

Three years ago, the White House unveiled the National HIV/AIDS Strategy, our country's first-ever comprehensive plan with measurable goals to be achieved by 2015. This plan calls for a renewed commitment and increased public attention to meet three goals: reduce the number of people who become infected with HIV; increase access to care and improve health outcomes for people living with HIV; and reduce HIV-related health disparities. In outlining these goals, President Obama challenged everyone to partner in supporting the implementation of the innovative strategy "that provides a clear direction for moving forward together."

North Carolina ranks in the top ten states for rates of new HIV infection. This alarming statistic is one of the reasons why medical professionals such as Dr. Michelle Collins-Ogle, of Northern Outreach Clinic in Henderson, North Carolina are so passionate about offering illness education, prevention, testing, and medical intervention. Even with few resources, Dr. Ogle, the clinic's director, fights not just the disease but the perceived stigma of the disease as well.

As a former civil rights attorney I applaud the efforts of organizations who are advocating for the rights of people living with HIV and AIDS. Organizations such as the North Carolina AIDS Action Network, who mobilized support to persuade the AIDS Drug Assistance Program to reopen new enrollments for low-income people needing access to life-saving HIV medication. I want to also recognize Duke University's AIDS Legal Project, a pro bono program that trains law school students to serve the unmet need of providing legal counsel to highly stigmatized, low-income HIV-infected clients.

Combating HIV and AIDS, as with any other illness plaguing this country, requires a partnership for success. That partnership must include action on behalf of our governing bodies, healthcare providers, and individual citizens to keep these issues at the forefront of the minds of all Americans.

Mr. Speaker, I ask my colleagues to join me in recognizing April 10th as National Youth HIV & Awareness Day as we salute the efforts of young people nationwide who are tirelessly and effectively working toward achieving the goal of an AIDS-free generation.

HONORING NILS HAUGEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nils Haugen. Nils

is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Nils has been very active with his troop, participating in many scout activities. Over the many years Nils has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nils has contributed to his community through his Eagle Scout project. Nils built two picnic tables and two benches at the Northland Therapeutic Riding Center in Holt, Missouri, which provides equine-based therapy for people with special needs.

Mr. Speaker, I proudly ask you to join me in commending Nils Haugen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

**IMPROVED HEALTH CARE AT
LOWER COST ACT OF 2013**

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. McDERMOTT. Mr. Speaker, it is widely accepted, on both sides of the aisle in both the House and Senate, that health care costs are the single major driver of our deficit and that we need better quality health care at lower costs—for our citizens and for our economy. When it comes to implementing carefully crafted gainsharing programs, existing law is in the way. To meet the three goals of (1) decreasing costs, (2) improving quality, and (3) not compromising access to health care services, the "Improved Health Care at Lower Cost Act of 2013" (the "Act") will require the OIG and CMS to issue regulations that define standards for gainsharing and similar arrangements that will be protected under the anti-fraud laws. The requirements that federal regulators set should include a primary emphasis on quality. OIG has vast experience in approving shared savings programs where the shared savings payment to physicians by the hospital was conditioned upon meeting certain quality metrics. The idea that shared savings payments should take quality into account seems obvious to me; no one should be permitted to share in savings that the hospital accrues without demonstrating that quality either improved, or at a minimum, was not adversely impacted by such arrangements. I am assuming that regulators will draw upon their vast experience with these programs and put in place sufficient protections to guard against fraud, waste, and abuse. Such protections may include requirements around quality; comparisons against historical data; a ceiling on savings that will inure to any given physician; and a requirement that arrangements be reduced to writing to ensure that it is easier to identify arrangements that do not comply with the requirements that CMS and OIG set through rulemaking.

The Act will allow hospitals and physicians to better align incentives in order to decrease

health care costs through allowing certain "gainsharing" arrangements. The term "gainsharing" refers to arrangements where hospitals share with physicians any reduction in the hospital's costs for patient care that the hospital gets as a result of the efforts of the physician. Currently, gainsharing arrangements are prohibited under several anti-fraud laws. First, the federal Civil Monetary Penalty statute prevents hospitals and physicians from engaging in "gainsharing" arrangements. Second, the Office of the Inspector General for the Department of Health and Human Services ("OIG") has indicated that gainsharing arrangements may implicate the federal Anti-Kickback law. Finally, gainsharing arrangements may be prohibited by the Physician Self-Referral law. Because of the potential legal implications, hospitals and physicians have been reluctant to participate in gainsharing arrangements for fear of prosecution under all of these laws or even under the False Claims Act.

Notwithstanding existing law, the government has acknowledged that there is potential benefit associated with gainsharing arrangements. In its 1999 guidance, the OIG said:

[t]he OIG recognizes that hospitals have a legitimate interest in enlisting physicians in their efforts to eliminate unnecessary costs. Savings that do not affect the quality of patient care may be generated in many ways[.] Achieving these savings may require substantial effort on the part of the participating physicians. *Obviously, a reduction in health care costs that does not adversely affect the quality of the health care provided to patients is in the best interest of the nation's health care system* [emphasis supplied].

Then, in 2005, MedPAC issued a recommendation in its Report to Congress that hospitals and physicians be permitted to engage in gainsharing arrangements. In this report, MedPAC stated that:

[t]he Commission believes that gainsharing arrangements have the potential to improve patient care and reduce hospital costs as long as safeguards are in place to minimize the undesirable incentives. . . Due to the potential for gainsharing arrangements to encourage physician and hospital cooperation to lower costs and improve care, *the Congress should provide the Secretary with the authority to allow and regulate these arrangements. The Secretary should develop rules that allow gainsharing arrangements as long as safeguards exist to ensure that cost-saving measures do not reduce quality or inappropriately influence physician referrals* [emphasis supplied].

Finally, in 2008, the Centers for Medicare and Medicaid Services ("CMS") issued a proposed rule that would have created an exception under the Physician Self-Referral law to protect certain "shared savings and incentive payment programs." In the preamble to the proposed rule, CMS stated the following:

[s]hared savings programs have been recognized by stakeholders as an effective means of controlling costs, improving efficiency, and promoting quality in the delivery of health care services. Government stakeholders have recognized similar potential benefits when shared savings programs are properly structured to ensure compliance with Federal health care program requirements. Empirical evidence suggests that the goal of patient care quality maintenance or

improvement can be achieved through a properly-designed shared savings program.

The rule was never finalized. However, based upon the assertions of OIG, MedPAC, and CMS, the evidence seems clear and convincing: properly structured gainsharing programs show substantial potential in reducing costs by aligning incentives between hospitals and physicians to make cost-saving improvements to healthcare delivery.

In sum, the Act strikes the right balance between the need for innovation in promoting cost savings efforts and the need to guard against waste, fraud, and abuse. CMS and OIG can structure the requirements that hospital-physician arrangements must meet in a way that ensures federal health care programs will be protected from fraud, waste, and abuse. Federal regulators have been overseeing these arrangements for nearly a decade—either through demonstration authority or through the advisory opinion process—I am confident that this legislation holds genuine promise for being a "game changer" in getting us towards the goal of better care at a lower cost without compromising access to quality health care services.

HONORING WILLIAM TELFORD
BARNHOUSE II ON HIS 90TH
BIRTHDAY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to commemorate William Telford Barnhouse II, known as Bill to his friends, was born on April 18, 1923 and is celebrating his 90th birthday this year along with family and friends. Bill was raised in Austin, Texas when it was still a small town. He graduated in 1940 from Austin High School where he competed on the debate team. His fondest memories of those years are of his family, his dog and the car he was able to buy with the money he made selling fireworks.

After high school Bill went to the University of Texas in Austin where he joined the United States Navy as a Naval Reserve Officer Cadet. He received his commission as an Ensign in the United States Naval Reserve on February 26, 1944, married his college sweetheart Margaret Pierson on February 27, 1944, received his degree in Business Administration on February 29, 1944 and his orders to report to the USS *Kidd*, Destroyer 661 in the South Pacific that same day.

After surviving repeated kamikaze attacks during the battle of Okinawa, on April 11, 1945 the *Kidd* was struck by a kamikaze killing thirty-seven and wounding seventy-five of the *Kidd's* sailors and officers. Bill survived the attack and helped sail the *Kidd* back to the United States for repairs. After it was decommissioned, the *Kidd* eventually sailed to Baton Rouge, Louisiana where it now serves as Louisiana's Naval War Memorial in Baton Rouge.

After the war, Bill worked in a number of jobs before going to work for Southern Union Gas Company as its Office Manager in Austin, Texas. In 1961, Southern Union moved Bill to

Albuquerque to be its office manager here, where he worked in the building now housing the Flying Star at 8th Street and Central. After advancements that required moving to El Paso and Dallas, Bill was named President of the Gas Company of New Mexico and returned to Albuquerque in 1975. He retired from that position in 1983.

Margaret and Bill were married for fifty years and were blessed with five children: William T. Barnhouse III (known as Tig to friends and family) who lives in La Union, New Mexico and, along with his wife Lydia, owns two businesses operating out of El Paso, Texas; Gene Barnhouse who along with his wife Carmen owns Albuquerque Lighting; Kyle Barnhouse who owns Southwest Childcare and its three child care centers in Albuquerque; Dolph Barnhouse, a lawyer practicing in Albuquerque; and Marlane Barnhouse, who works as a special education teacher for the Albuquerque Public Schools. After Margaret passed away in 1994, Bill renewed an old friendship with Glyn Walker, who he knew from his days in Austin. Bill and Glyn enjoyed sixteen years of marriage before she passed away. Glyn's daughter Donna Agler and her husband Hal live in Santa Fe and remain close to Bill and his family. Bill was again blessed when a close cousin introduced him to Anne Weigers, who he married last year. Anne's daughter Margaret Vitullo and son David bring to eight the number of Bill's children and step children.

During his ninety years Bill has always worked to help others and build his community. In addition to his service during WW II, Bill helped establish the New Mexico Museum of Natural History (where he is honored by name on its wall of recognition), the El Paso Cancer Research Center, the Board of Advisors for the New Mexico Cancer Research Center, and the USS *Kidd* and Louisiana Veterans Memorial in Baton Rouge, Louisiana. Other highlights of his nine decades include his tenure as Chairman of the Lovelace Medical Center Board of Advisers, Chairman and President of the El Paso United Way and his service as a Boy Scout Troop Leader for nine years.

Family and friends will join Bill on April 18 to celebrate his ninetieth birthday, and honor all he has done over those ninety years.

HONORING THE ACCOMPLISHMENTS AND SERVICE OF ANNE
EVANS

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor Anne Evans, United States Department of Commerce International Trade Administration District Director for Connecticut. I congratulate her for her induction into the New England Tire and Service Association (NETSA) Hall of Fame for 2013 and wish to recognize her numerous achievements in business, government, and service to her country and community.

Throughout her career, Anne has demonstrated a commitment to excellence. From

her childhood experience learning valuable customer service skills from her father and grandfather, through her leadership of New England's tire industry, and now as a senior Department of Commerce Official, Anne continues to seek innovative approaches to develop New England and Connecticut's economy and solve business and environmental challenges.

Anne's career began early, helping with the family business. As a young professional, she served her state in Washington, D.C. as a Congressional and Committee staff member, as well as in the Connecticut Assembly. While Anne would go on to an illustrious career in government service, her family business came calling first. When her father fell ill in 1978, Anne returned to Connecticut to run the family tire business.

Over her 30 year career in the tire industry, Anne has found success in the retreading, retailing, distribution, and import-export sectors. Joining Import Tire in 1982 sparked Anne's passion for international trade. She dove headfirst into global challenges facing the tire industry, forming a company to focus on international trade in tires as well as the global waste-tire disposal. This company, in partnership with Oxford Energy, developed the Exeter Energy Plant in Sterling, Connecticut. She was recognized for her immense success and went on to manage waste-tire issues for the government of the United Kingdom and founded Elm Energy and Recycling Limited with the support of the global tire industry. Her commitment to global business issues culminated in 2008 when she was appointed as the District Director for Connecticut to the United States Department of Commerce, International Trade Administration.

For her efforts, Anne has been featured in the Wall Street Journal, The New Yorker, The Financial Times, and the New York Times. In 2000, she received the International Business Leader of the Year award from the Metro Hartford Chamber of Commerce. In 2003 Anne was awarded the Tire Industry Association "Industry Pioneer Award" for her leadership and achievements in the waste tire industry. In 2012 the Hartford Business Journal named Anne as the "Remarkable Business Woman of the Year." Most recently, in December of 2012, she was recognized by the U.S. Department of Commerce for her work in creating and sustaining her Veterans Workforce Development Program at the Middletown Export Center. Since I was elected to Congress, I have worked closely with Anne to help Connecticut companies expand exports. Anne and I have lead trade missions to the United Kingdom, Israel, and Belgium with Connecticut companies to help create new economic opportunities and jobs in the state.

Anne's honor gives us the opportunity to reflect on our shared commitment to growing our economy in the face of the challenges of increased global competition. I ask my colleagues to join me today in honoring Anne Evans's induction into the NETSA Hall of Fame for 2013.

IN RECOGNITION OF UKRAINIAN PRESIDENT YANUKOVYCH'S DECISION TO PARDON FORMER INTERIOR MINISTER LUTSENKO AND FORMER ENVIRONMENT MINISTER FILIPCHUK

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. KEATING. Mr. Speaker, I rise today in my capacity as the Ranking Member of the Europe, Eurasia and Emerging Threats subcommittee to recognize the decision of Ukrainian President Yanukovich to pardon former Interior Minister Lutsenko and former Environment Minister Filipchuk. This is a notable step toward bringing Ukraine closer to a path that espouses the democratic values that the Ukrainian people have fought so long and hard to receive and maintain. The path toward democracy is not an easy one, and my hope is that we will be hearing more bright news from Ukraine in the near future. Of particular concern is the continued imprisonment of former Prime Minister Yulia Tymoshenko. I hope that Ukraine will fulfill its commitment to a democratic future for its people and secure her release, as well.

CELEBRATING THE BICENTENNIAL OF DAUPHIN ISLAND JOINING THE UNITED STATES

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. BONNER. Mr. Speaker, I rise to mark the bicentennial of Dauphin Island, Alabama, joining the United States of America. On this date in 1813, Spain handed over the 14-mile-long, 1¾-mile-wide barrier island, located at the mouth of Mobile Bay, to the United States.

Dauphin Island has a long and rich history which spans nearly 500 years since it was first mapped by Alonso Pineda in 1519. In fact, according to some accounts, it may have caught the eye of western explorers even earlier.

In 1699, French explorers landed on the small island, providing an anchor for the establishment of the French colony of Mobile. The French gave the island its present day name. When nearby Fort Louis de la Mobile became capital of the French Louisiana Territory, Dauphin Island, with its deep water and strategic location, was home to trading ships, settlers and naval surveillance.

Dauphin Island was threatened by the Spanish in 1719 during the Pensacola War. Hurricanes and changing conditions on the island also had an impact on the history and development of the island. During the great storm of 1740, nearly half the island was washed away, including 300 head of cattle. After the French left Dauphin Island around 1763, the English took possession of the tiny barrier island until it was finally captured by the Spaniards in 1781. Two years later, Dauphin Island was taken by General James Wilkinson and claimed by the United States.

In 1822, Fort Gaines was constructed by the United States Army on the eastern side of the island and it remained in U.S. hands until 1861 when Confederate-allied troops took possession. The fort was surrendered and returned to Union forces in 1864.

Today, Dauphin Island has long since relinquished its long-held military role for another of equal importance. As Alabama's barrier island, it is also a natural protector of the coast from hurricanes and tropical storms for an ever growing south Mobile County. It is also a popular tourist destination and home to 1,200 permanent residents. Thousands of visitors come each year to Dauphin Island to experience the sun and surf as well as the wildlife.

The Island is also home to the Dauphin Island Sea Lab, an Audubon Bird Sanctuary, and Dauphin Island Campground. Fishing piers provide access to Gulf of Mexico and Mississippi Sound for shallow water fishing for the land lovers, while charter boats offer deep water fishing excursions.

As the people of Dauphin Island celebrate the bicentennial of their beautiful island becoming an official part of the United States, I extend greetings and best wishes on behalf of the House of Representatives. May Dauphin Island's significant role in our nation's long history never be forgotten.

HONORING DAYTON R. ZIRKLE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Dayton R. Zirkle. Dayton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 216, and earning the most prestigious award of Eagle Scout.

Dayton has been very active with his troop, participating in many Scout activities. Over the many years Dayton has been involved with Scouting, he has not only earned 68 merit badges, but also the respect of his family, peers, and community. Most notably, Dayton has led his troop as Senior Patrol Leader and earned the rank of Tom-Tom Beater in the Tribe of Mic-O-Say. Dayton has also contributed to his community through his Eagle Scout project. Dayton built a migration tower and nesting habitat for the Chimney Swift at Helen Davis School in St. Joseph, Missouri, providing much-needed habitat for a bird population in need of support.

Mr. Speaker, I proudly ask you to join me in commending Dayton R. Zirkle for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

REMEMBERING MARINE MASTER
SERGEANT PATRICK T. QUIRK

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. ALEXANDER. Mr. Speaker, I rise today to honor the life and legacy of Marine Master Sergeant Patrick T. Quirk, who passed away on March 23, 2013.

Master Sergeant Quirk was a 20 year veteran of the United States Marine Corps, having served his country in Vietnam. Among some of the awards highlighting his valiant service to his nation are the National Defense Service Medal, the Combat Action Ribbon, and the Republic of Vietnam Cross of Gallantry, awarded to soldiers who accomplished deeds of valor and displayed heroic conduct.

After leaving active duty, Master Sergeant Quirk continued to serve his country and this nation's youth as a JROTC instructor for over 20 additional years, highlighted by his 18 year tenure at Ouachita Parish High School.

Master Sergeant Quirk will be remembered by those he taught for his leadership, wisdom, and compassion, and his legacy will live on in the countless students who he helped usher into adulthood with the lessons he instilled in them.

So today, I ask that you please join me in remembering Master Sergeant Patrick Quirk. It is my hope that his service to our nation and his fellow man continue to inspire future generations to follow in his footsteps.

IN HONOR OF THE UNITED STATES
AIR FORCE RESERVE 65TH
BIRTHDAY

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. WALZ. Mr. Speaker, this year marks the 65th anniversary of the Air Force Reserve, created by President Harry S Truman on April 14, 1948.

Since the founding of the United States, citizens have answered the call to arms, accomplished their mission with professionalism and honor, and returned to their civilian lives to await the next call.

Truman envisioned a new Reserve Component to continue this tradition of service—"being ready when called upon"—that was founded by the Army Air Service reservists of the First World War who flew wood and canvas biplanes. The forerunner of our modern Air Force Reserve was authorized by Congress and the National Defense Act of 1916.

Today, Air Force reservists, known as Citizen Airmen, perform leading roles in military operations, humanitarian crisis and disaster relief around the globe. The Air Force Reserve consists of officers, enlisted and civil servants who are tasked by law to fill the needs of the armed forces whenever more units and people are required than are in the Regular Air Force.

More than 860,000 people make up the Ready, Standby, Retired and Active Duty Re-

tired Reserve. This includes 70,000 Selected Reservists who are ready-now and participate in every job specialty and on the front lines of daily military operations around the globe.

The creation of the Air Force Reserve followed the birth of the Air Force itself about seven months earlier on Sept. 18, 1947. The newly created Air Force had gained its independence from the Army, tracing its roots back to the Aeronautical Division of the U.S. Army's Office of the Chief Signal Officer which took charge of military balloons and air machines in 1907.

Ten years later, the first two air reserve units were mobilized, and one of them, the First Aero Reserve Squadron from Mineola, N.Y., deployed to France as the United States entered World War I in 1917. The new "Air Service" reserve program provided the war effort about 10,000 pilots who had graduated from civilian and military flying schools.

Later, reservists played a critical role in World War II when 1,500 reserve pilots along with 1,300 non-rated officers and 400 enlisted Airmen augmented the Army Air Corps in the war's early days. This included the legendary Jimmy Doolittle who was ordered to active duty to work in Detroit to convert automobile manufacturing plants into aircraft factories and later went on to lead "Doolittle's Raiders," the first American bombing attack on the Japanese mainland.

After World War II ended, the young Air Force Reserve was barely two years old when it mobilized nearly 147,000 reservists for the Korean War from 1950 to 1953.

In the 1960s, five Air Force Reserve C-124 aircraft units along with 5,613 reservists were mobilized for a year to support the Berlin Crisis. By 1962, an additional mobilization of 14,220 reservists and 422 aircraft were supporting operations during the Cuban Missile Crisis.

During the Vietnam War, the Air Force Reserve provided strategic airlift as well as counterinsurgency, close air support, tactical mobility, interdiction, rescue and recovery, intelligence, medical, maintenance, aerial port and air superiority until U.S. involvement ended in 1973.

For the most part, the nation was at peace for the next few years with the Air Force Reserve periodically engaged in emergency-response missions. This included the rescue and return of American students from Grenada in 1983, aerial refuelings of F-111 bombers during the El Dorado Canyon raid on Libyan-sponsored terrorists in 1986, and Operation Just Cause which ousted Panama's General Noriega in 1989-1990.

Also, Air Force Reservists supported humanitarian and disaster relief efforts, including resupply and evacuation missions in the aftermath of Hurricane Hugo.

More than twenty years of continual combat operations began with Operation Desert Shield and Desert Storm in response to Saddam Hussein's invasion of Kuwait in 1990.

In the aftermath of coalition victory, Air Force reservists continued to serve and were heavily involved in enforcing the no-fly zones over northern and southern Iraq as well as in humanitarian relief missions to assist the uprooted Iraqi Kurds.

In 1993, Air Force Reserve tanker, mobility and fighter units began operations in Bosnia

and in 1999 were also supporting Operation Allied Force over Serbia and Kosovo.

When terrorists attacked the United States on Sept. 11, 2001, Air Force reservists responded in full measure. Air Force Reserve F-16 fighter aircraft flew combat air patrols to protect American cities while KC-135 tankers and AWACS aircraft supported security efforts.

In October 2001, Operation Enduring Freedom began as U.S. military forces entered Afghanistan to combat the Taliban and terrorist sanctuaries. In March 2003, Operation Iraqi Freedom began in order to end Saddam Hussein's regime. Air Force Reserve units and reservists played key roles in all combat operations as Air Force Reserve MC-130 Combat Talon aircraft became the first fixed-wing aircraft to penetrate Afghan airspace while Air Force Reserve F-16 crews performed the first combat missions.

In recent years, Citizen Airmen have supported every Air Force core function and every Combatant Commander around the world. Air Force reservists were engaged in surge operations in Iraq and Afghanistan. They supported combat and humanitarian missions in Haiti, Libya, Japan, Mali and the Horn of Africa. Also, they've provided national disaster relief at home in the U.S. after Hurricanes Katrina and Sandy, the gulf oil spill and the wildfires in the western states.

Throughout their history, Citizen Airmen have volunteered continually, allaying concerns that reservists would not be available when really needed.

Since its inception in 1948, the Air Force Reserve has evolved from a unit-mobilization-only force into an operational reserve that participates daily in missions around the globe. Today, Air Force reservists safeguard nuclear weapons and guide Global Positioning Satellites. From bases in the United States, reservists fly remotely piloted aircraft in combat half a world away. They track hurricanes out at sea and bring medical supplies and food into disaster areas to save lives around the world.

Spanning six and a half decades—with the last two decades of continuous combat—the Air Force Reserve has fulfilled the legacy of early air pioneers and exceeded the potential seen by the visionaries who created it in 1948.

Congratulations to all Citizen Airmen, past and present, on the 65th Anniversary of the Air Force Reserve on April 14, 2013.

HONORING AND CELEBRATING THE
ACCOMPLISHMENTS OF MICHAEL
PRITCHARD

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Ms. LOFGREN. Mr. Speaker, I rise to acknowledge and honor Michael Pritchard upon his retirement from Pathway Society, Inc.

Michael has been the Executive Director at Pathway Society, Inc. since 1991. Pathway is the oldest and largest community-based nonprofit organization in Santa Clara County providing low-income residents with substance abuse treatment, intervention, education, and

prevention. In 1970, Michael graduated from Western Michigan University, where he majored in Psychology. In 1976, he received his Masters Degree in Psychology at California State University at Los Angeles.

Michael's leadership expanded Pathway's programs, budget, and staffing. During Michael's nineteen years as the Executive Director, Pathway helped 60,000 people lead healthy lives. 25,000 youth stopped using drugs and escaped gangs during his tenure. When Michael joined Pathway in 1991, the organization served around 550 people annually. Today, Pathway serves around 3,500 people annually.

While at Pathway, Michael helped implement one of the first substance-abuse day treatment programs in the country specifically focused on helping gang-involved Latinos get off drugs and out of gangs. He is a founding member of San Jose Mayor's Gang Prevention Task Force Policy Team, which supports these efforts.

Michael served as board member and officer of Treatment Communities of America, a national consortium of over 600 programs providing an array of integrated services in substance abuse treatment and behavioral health. He is a past officer of California Therapeutic Communities, a statewide organization of addiction treatment providers. He served as president of the Alcohol and Drug Contractors Association, a countywide network of community-based organizations providing substance use prevention, treatment, recovery, and supportive transitional housing to adolescents and adults in Santa Clara County.

Michael is retiring after 22 years of devoted leadership of Pathway Society. I commend his decades of contribution and service to the betterment of our society. The community is very fortunate to have benefited from his dedication, commitment, and advocacy. I wish Michael the best of luck in his future endeavors.

SOCIAL SECURITY DISABILITY INSURANCE AND UNEMPLOYMENT BENEFITS DOUBLE DIP ELIMINATION ACT OF 2013

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, for more than 50 years the Social Security Disability Insurance program has provided a vital safety net for workers who have worked long enough and recently enough and who meet the definition of disability.

Unemployment benefits, through the Federal-State Unemployment Insurance program and Trade Adjustment Assistance, are available for those workers who have lost a job and are looking for a new one. These workers know they can work and these important benefits are there to help them through a tough time.

Now here's the rub. Even though disability benefits are for those who can't work and unemployment benefits are for those who can work if they could find a job, under current law someone can receive both benefits at the same time. That just doesn't make sense.

A July 2012 Government Accountability Office (GAO) report, *Overlapping Disability and Unemployment Benefits Should be Evaluated for Potential Savings*, highlighted this double dip situation. In fiscal year 2010, at least 117,000 individuals received both disability insurance and unemployment insurance, representing less than 1 percent of total beneficiaries of both programs. The overlapping cash benefits paid to these individuals totaled over \$281 million from disability insurance and more than \$575 million from the unemployment insurance program in that year. By paying cash benefits through both programs, these workers are being paid twice.

That's why I am introducing the Social Security Disability Insurance and Unemployment Benefits Double Dip Elimination Act of 2013, which ends this double dipping and preserves Social Security benefits for only those who truly cannot work. Starting next year, those applying for disability benefits won't be eligible to receive these benefits in any month they are also receiving unemployment benefits. And for those workers who are already on the rolls, receiving unemployment benefits will count towards the maximum number of months they may try work without impacting their benefits.

President Obama agrees and in his budget, he included his own proposal to stop the double dipping. When we agree, we should act.

I urge my colleagues to sponsor this common sense legislation.

EDITORIAL BY FORMER CONGRESSMAN BARNEY FRANK IN THE PORTLAND PRESS HERALD ON MARCH 24, 2013

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. CICILLINE. Mr. Speaker, I submit the following editorial by Former Congressman Barney Frank.

RULING FOR SAME-SEX MARRIAGE WOULD BE RIGHT, NOT "ACTIVISM"

(By the Honorable Barney Frank)

People who are caught making assertions that blatantly contradict positions they have previously taken often respond that "Consistency is the hobgoblin of little minds," trying to trade an old quote for a little intellectual honesty.

But inconsistency is nothing to be proud of. It is an unmistakable sign that a person has lost confidence in an argument but believes it can be won by invoking some general principle, even if it's one the person has previously repudiated.

Then the hobgoblin involved is the person's effort to hide his or her real motive.

We will—I hope—soon see an example of rhetorical hobgoblin if the Supreme Court issues an opinion holding that the law that currently treats my marriage to my husband Jim as a threat to society is a clear denial to us of the equal protection of the law.

If a majority holds that the stupidly named Defense of Marriage Act is unconstitutional, right-wing advocates of the view that same-sex married couples should pay the same taxes as our straight fellow citizens but not receive any of the same benefits will

respond not so much by defending this blatant discrimination as by piously denouncing "judicial activism."

They will have no other option. Persisting in the claim that happily married men in an opposite-sex marriage will, on seeing Jim and me together, be sorely tempted to abandon their wives clearly no longer has the persuasive power it once had.

When DOMA was enacted in 1996, it was apparently plausible to most Americans that those of us in same-sex marriages would have the same effect on some men as a popular juice commercial claims for its product. Instead of slapping their foreheads and regretting that they hadn't had a V-8, the fear was that they would see Jim and me and proclaim, "I could have married a guy."

To their credit, the right-wingers understand that since there has been no such result in the nine years since same-sex marriage was first legalized in Massachusetts, nor in any of the other eight jurisdictions that have followed, claiming that they are defending their marriages by defunding mine is a losing proposition—intellectually, factually, and increasingly electorally.

So they will instead invoke the principle that unelected judges should not annul laws adopted by the elected President and Congress, piously insisting that it is the right of the people in our system to make the laws.

But they will only be pretending to believe in that principle. In fact, since 2010, conservatives—including virtually all of those who will denounce the judicial activism of the anti-DOMA decision—have been working hard to get these very same judges to annul most of the laws enacted by the elected president and Congress in 2009 and 2010.

Conservatives not only sought to have the health care bill canceled by judges, they have denounced Chief Justice Roberts for voting not to overturn the elected officials' decision. The financial reform bill has been the subject of multiple conservative-backed lawsuits seeking to cancel regulation of speculation in oil, to block consumer protection, and to return derivative trading to its unregulated status.

Most glaringly, the right-wing politicians are hoping the Supreme Court will throw out one of the greatest legislative achievements of the past fifty years—the Voting Rights Act (This law was passed in 1965 and has since been reenacted several times, under the signature of Ronald Reagan among others.)

Exposing the inconsistency—i.e., hypocrisy—of conservatives who will weep for democracy if discrimination based on sexual orientation is struck down while they are utilizing that very process to rescind financial regulation, un-defend consumers, reduce health care programs, and take away voting protections understandably makes them uncomfortable. And labeling those of us who do it as hobgoblins does not solve their rhetorical problem.

Lacking any basis for the proposition that same-sex marriages cause any harm to those who have opted not to enter into one, the pro-DOMA faction needs an inconsistent denunciation of judicial activism to avoid acknowledging that their real motive is some combination of dislike, disapproval or disgust at the notion that gay people should be allowed by society to live legally free from prejudice.

A TRIBUTE TO MIDLAND COUNTY
FAIR MANAGER TOM VALLIERE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2013

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Tom Valliere for his years of service as Midland County Fair Manager.

Tom Valliere concluded his 32-year career at the fair this spring. Through his vast wealth

of experience and dedication, he has brought an astounding 300,000–350,000 people to the Midland community each year for the fair and other events.

Tom was first hired by the Midland County Fair Board as manager in 1980. Since then the fair has seen major changes under his direction. Some of Tom's most valuable contributions to the fair have been his work on modernizing its infrastructure. The fairground now has one of the most revered horse arenas in the area, as well as all-weather facilities

for merchants. The fair has also hosted concerts featuring some of the biggest names in music.

Although Tom's tenure at the Midland County Fair has come to an end, his place in the community will forever be remembered. On behalf of the Fourth Congressional District of Michigan, I congratulate Tom Valliere for his 32-year career as the Midland County Fair Manager. I wish him well in his much-deserved retirement.

HOUSE OF REPRESENTATIVES—*Friday, April 12, 2013*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WESTMORELAND).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 12, 2013.

I hereby appoint the Honorable LYNN A. WESTMORELAND to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

Under Your divine providence, this Nation was established and has been guided through the years. Through turmoil, strife, disaster, and even war, You have brought Your people to renewed faith, greater strength, and a deeper longing for peace.

Be with us now. Guide and enable the Members of this people's House today as they consider the ongoing business of the Nation, be they issues of economy, immigration, domestic safety and security, or matters beyond our shores. Bless their efforts as they seek to protect and defend their fellow citizens.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HULTGREN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HULTGREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further pro-

ceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. MCNERNEY) come forward and lead the House in the Pledge of Allegiance.

Mr. MCNERNEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain up to five requests for 1-minute speeches on each side of the aisle.

THE FEAR OF APRIL 15TH

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, it's that time of year again—April 15. You know what they say: the only things certain in life are death and more taxes.

The day April 15th brings fear and trepidation into the hearts and souls of Americans across the fruited plain. The taxacrats have created a language that Americans really can't understand.

When the Tax Code was created, it was about 400 pages. Today, it's over 70,000 pages long. And get this: each year it takes Americans 6 billion hours to prepare their income tax, and American taxpayers spend \$168 billion just to file their taxes every year.

Just this week, President Obama unveiled his 2-month-late budget that includes, of course, \$1.2 trillion in new taxes. Mr. Speaker, almost half of Americans pay no Federal income tax at all. What we need are more taxpayers, not more taxes.

We should eliminate the burdensome, unfair income Tax Code and go to the fair tax—the national sales tax concept—or the flat tax, because everyone should pay their fair share to live in America.

And that's just the way it is.

REDUCING CARBON EMISSIONS AND RELIANCE ON FOSSIL FUELS

(Mr. MCNERNEY asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I rise today to shine the light on the importance of reducing our carbon emissions and the role of electric vehicles in accomplishing that mission.

Today, we import about half the oil we consume, and approximately 70 percent of that is used in transportation. Consumers should have access to affordable transportation, such as electric vehicles that use little or no gasoline.

Our Nation's businesses are becoming more energy efficient, improving energy sources, and investing in cleaner transportation. The EV industry is a great job creator. For example, in my district, there is an EV company that is producing great vehicles and bringing hundreds of jobs to the region. Moreover, there's a regional transit district that's utilizing electric and hybrid vehicles.

EVs are one part of the solution to reducing greenhouse gas emissions and fighting climate change. They also play an important role in advancing a diverse American energy policy.

I ask my colleagues to join me in supporting clean electric vehicles on our roads and to make a commitment to reducing our reliance on fossil fuels.

IN MEMORY OF WADE WALTERS

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, it's with a heavy heart that I rise today to honor the memory of a young man from my district killed in an industrial accident at Arkansas Nuclear One power generating facility.

Wade Walters was 24. He was a Russellville, Arkansas, resident and a graduate of Pottsville High School. He loved his job as an ironworker at Precision Surveillance Corporation and embraced all the outdoors had to offer, including bow fishing, hunting, shooting, canoeing, roping, and knife collecting.

Wade is survived by his father, James Keith Walters, of Dover, Arkansas; his mother, Susan Allen, and husband, Rusty; a sister, Chelsy; his grandparents, Tom and Bonnie Underhill; and the love of his life, Alyssa Alvey, all of Russellville.

Mr. Speaker, Wade gave a lot of himself. As a member of Russellville Christian Center, Wade went on numerous mission trips to Mexico to build housing for those in need. He had a big

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

heart for his family and friends and was a constant source of inspiration to all he met.

We pray for peace and understanding for his family during this difficult time.

HONORING FRANCIS "DUTCH" HOWLAN

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, I rise today to honor Francis "Dutch" Howlan, who had resided in Amsterdam, New York, and who was posthumously inducted into the New York State Basketball Hall of Fame last month.

From 1953 to 1987, Dutch amassed 468 wins coaching at St. Mary's Institute and Bishop Scully High School, both in Amsterdam, New York. But he meant so much more than that impressive win total to our community and to the hundreds of student athletes he taught and mentored. His friends and former players remember him as a dedicated coach, an inspiring mentor, and a determined winner. As a fierce competitor, he preached a never-give-up attitude.

Twenty-four years after his passing, I am so pleased that Dutch has finally received this distinction. It is truly a testament to his character that his friends and players never gave up on their former coach's legacy, making this long overdue honor possible.

MEETING OUR DEBT CRISIS FOR AMERICAN FAMILIES

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, the President submitted his budget this week. His plan not only fails to get control of our debt, it makes it even worse—to the tune of nearly \$61,000 of debt for every American family.

American families know the consequences of living with debt. Credit card debt, mortgages, and student loans are just a few of the burdens working families and young adults struggle with—and budget to get out of—every month. Washington must do the same.

Our national debt eats away at the buying power of working families, seniors on fixed incomes, and students working their way through school, leading to higher prices for things like bread and milk and eroding hard-earned family savings.

We owe our families better. Politicians have talked long enough in Washington about tackling our debt. It's time for the President to get serious about the national debt and join us in putting our priority back on jobs and

opportunity for American families. By acting boldly, we can translate talk into meaningful results.

□ 1010

NATIONAL LABOR RELATIONS BOARD

(Ms. FUDGE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FUDGE. Mr. Speaker, I rise today in opposition to H.R. 1120. I was raised in a union family. Labor, in fact, is the backbone of the middle class of America. This legislation is just another example of the Republican's assault on workers' rights.

H.R. 1120 effectively shuts down the National Labor Relations Board, strips away its enforcement powers, and leaves workers without any recourse to address employee intimidation, inadequate safety standards, and other unfair practices.

Throughout its history, 20 members have been recess-appointed to the NLRB, including 12 Republicans. In fact, every President since Ronald Reagan has appointed a member to the board through a recess appointments clause. Why should President Obama be treated any differently?

The bill is neither fair, nor is it just. I urge my colleagues to oppose this measure.

MILITARY JUDICIAL REFORM ACT

(Mr. MEEHAN asked and was given permission to address the House for 1 minute.)

Mr. MEEHAN. Mr. Speaker, just earlier this week, I was able to join with my colleague, Representative SPEIER from California, introducing legislation to protect victims of military sexual assault. That's the Military Judicial Reform Act.

In recognition of a victim who, having had a jury at a court-martial find a finding of guilt against an assailant, had it overturned by a general who convened that, now we are faced with a new opportunity in which new information is being put out outside the scope of that trial.

Mr. Speaker, it is time that we end this archaic practice and stop putting the victim on trial again and again.

This week Secretary Hagel called on Congress to remove the provisions of the Uniform Code of Military Justice that allow this proceeding to take place, and I urge my colleagues now to act together to end this archaic practice.

THE JOBS ACT

(Mr. ENYART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENYART. Mr. Speaker, I rise today because the number one concern I hear when I'm home in southern Illinois is from families who are worried about jobs. They're worried about how to find a job and get back on their feet.

In southern Illinois, we know all too well how bad trade deals in Washington have given our working families a bum rap. We see good manufacturing jobs leave us. We see the empty factories, high unemployment rates, and lose faith in the future.

I believe in helping to attract and create new jobs and in protecting and saving the good ones we have. That's why I am proud to introduce my new initiative, the Job Opportunities Between Our Shores, or JOBS, Act. The JOBS Act will address the challenge industry faces of growing jobs without workers who have the necessary skills to fill them locally.

Southern Illinois has the advanced manufacturers who are leading the way for the future of manufacturing and creating new, good jobs. We have talented workers, and we have the educational programs to get them a great, new job that can support their family.

My JOBS Act is a way of bringing communities, workers, and employers together to protect good jobs and invest in our future.

SENATE GUN CONTROL PROPOSALS HOLD SERIOUS THREATS TO SECOND AMENDMENT RIGHTS

(Mr. DAINES asked and was given permission to address the House for 1 minute.)

Mr. DAINES. Mr. Speaker, today, on the other side of the Capitol, our friends in the Senate are considering a number of proposals that hold serious threats to our Second Amendment rights.

I agree that we need to have a serious conversation about how to reduce violent crime. But the Senate's recent decision to focus debate on restricting the rights of law-abiding citizens is the wrong approach. These proposals will do nothing but expand Washington bureaucracy and further complicate the ability of law-abiding Montanans to purchase firearms while doing little to actually address the underlying problems behind violent crimes.

Thousands of Montanans have reached out to my office, expressing their concern over these threats to their Second Amendment rights. As a fifth-generation Montanan and lifelong sportsman, I too am deeply concerned about the Senate's proposal to expand background checks for private sales to Montana citizens, which would criminalize the private transfer of firearms between law-abiding Montanans.

Let me point out, the Second Amendment is not about hunting; it is about freedom. So let me be clear. I am

strongly opposed to and will fight back against any efforts that infringe upon Montanans' Second Amendment rights.

SOCIAL SECURITY

(Mrs. KIRKPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIRKPATRICK. Mr. Speaker, I stand here on behalf of my district's seniors, veterans, and working families to say that I strongly oppose cuts to Social Security in the President's budget. Every week, my case workers in Arizona report back to me about our constituents, and every week I hear about another senior who is struggling or another veteran who is struggling.

Our rural towns are filled with hard workers, but work is hard to find. These are folks who may never have the protections of a pension, so they must have the protection of Social Security.

The President's budget uses a formula called chained CPI. It recalculates how the cost of living is calculated, and it will not keep up with inflation.

So let's call this formula what it really is: a shrinking Social Security check for the people who need it most. Yes, we have to make cuts, and we need to do more with less, but seniors and veterans are already doing that. We can do better than sticking them with the tab.

PREVENTING GREATER UNCERTAINTY IN LABOR-MANAGEMENT RELATIONS ACT

Mr. KLINE. Mr. Speaker, pursuant to House Resolution 146, I call up the bill (H.R. 1120) to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 146, in lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-6 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing Greater Uncertainty in Labor-Management Relations Act".

SEC. 2. ACTIVITIES BY THE NATIONAL LABOR RELATIONS BOARD PROHIBITED.

Effective on the date of enactment of this Act, the National Labor Relations Board shall cease all activity that requires a quorum of the members of the Board, as set forth in the National Labor Relations Act (29 U.S.C. 151 et seq.). The Board shall not appoint any personnel nor implement, administer, or enforce any decision, rule, vote, or other action decided, undertaken, adopted, issued, or finalized on or after January 4, 2012, that requires a quorum of the members of the Board, as set forth in such Act.

SEC. 3. TERMINATION.

The provisions of this Act shall terminate on the date on which—

(1) all members of the National Labor Relations Board are confirmed with the advice and consent of the Senate, in accordance with clause 2 of section 2 of article II of the Constitution, in a number sufficient to constitute a quorum, as set forth in the National Labor Relations Act (29 U.S.C. 151 et seq.);

(2) the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012; or

(3) the adjournment sine die of the first session of the 113th Congress.

SEC. 4. EFFECT OF CERTAIN BOARD ACTIONS.

In the event that this Act terminates pursuant to paragraphs (1) or (3) of section 3, no appointment, decision, rule, vote, or other action decided, undertaken, adopted, issued, or finalized by the Board on or after January 4, 2012, that requires authorization by not less than a quorum of the members of the Board, as set forth in the National Labor Relations Act, may be implemented, administered, or enforced unless and until it is considered and acted upon by a Board constituting a quorum, as set forth in the National Labor Relations Act, or the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012.

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. KLINE) and the gentleman from New Jersey (Mr. ANDREWS) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1120.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Mr. Speaker, I rise today in strong support of the Preventing Greater Uncertainty in Labor-Management Relations Act, and yield myself such time as I may consume.

America's workplaces are facing significant challenges. Consumer demand remains weak. Threats of new regulations and higher taxes continue. And a looming debt crisis threatens the growth and prosperity our Nation is working so hard to attain. Washington should not be in the business of making these challenges worse. That is why we are here today.

Many Americans may not even know a Federal labor board exists, let alone the role it plays in their everyday lives. Despite its obscurity, the authority of the National Labor Relations Board governs virtually every private business across the country. Our Nation needs a labor board that will appropriately and responsibly administer the law, or else the rights of both workers and employers are diminished.

Unfortunately, partisan politics have left the board in a state of dysfunction. A year ago, President Obama made three recess appointments to the board while Congress was not in recess.

□ 1020

The President's action was unprecedented, and a Federal appeals court has ruled it was also unconstitutional.

As a result, the work of the Board is tainted. Every decision it issues is ripe for appeal on the basis that the Board itself is not legitimate. In fact, employers and unions are now citing the recent court ruling as a reason why Board decisions should be overturned.

A story in *The Wall Street Journal* helps illustrate the real-life consequence of the President's recess appointment scheme. Five years ago, a truck driver alleged that her union failed to follow the rules and assign her work. The NLRB agreed and ordered the union to pay the driver back wages and benefits. So far, the union has refused, and the current chaos offers a new opportunity to toss out the Board's decision. According to the union's attorney:

I'll explore every opportunity to make sure my client doesn't have to pay anything.

This is the reality we now face. Unions, employers, and workers are forced to spend more time and money defending themselves before the Board and in Federal court. Our Nation has relied upon the Board for more than 75 years. Never has it faced this level of confusion and uncertainty.

The current crisis began with the President's power grab, and it is up to him to fix it. Just this week, the President announced he was submitting three Board nominees to the Senate for its approval. This is certainly welcome news and long overdue. However, it does nothing to mitigate the chaos surrounding the NLRB. Roughly 600 Board decisions are constitutionally suspect, and that number continues to grow.

The legislation before us today simply tells the Board to stop exacerbating the problem that is already wreaking havoc across the country. H.R. 1120 prevents the Board from taking action that requires a quorum until one of three events occurs: the Supreme Court rules on the constitutionality of the appointments; a Board quorum is constitutionally confirmed; or the terms of the so-called "appointees" expire.

The bill does not—I repeat—does not stop the NLRB from overseeing union

elections or processing claims of wrongdoing. The narrow scope of the bill is directed at the Board and only the Board.

The Preventing Greater Uncertainty in Labor-Management Relations Act is an appropriate congressional response to an unprecedented situation. I expect we will hear a lot of false accusations today from our friends on the other side of the aisle, but I doubt we'll hear any denial of the serious challenges facing the Board.

The question then is this: Should we do nothing, or should we advance responsible legislation to help prevent further harm?

I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield 5 minutes to myself.

Mr. Speaker, this is a Friday across our country, and there are millions of Americans who are going to work under circumstances that exist because of the union movement and collective bargaining in the history of this country.

If they work the 41st hour, they'll get time-and-a-half for working overtime. Many find themselves protected by good health benefits and good pension benefits that will guarantee their family a good situation while they're working and a safe and secure retirement. The whole concept of the weekend—that for many American workers will begin this afternoon—exists because of the hard-fought gains of collective bargaining.

We wouldn't have a strong America without a strong middle class, and we would not have a strong middle class without collective bargaining. This bill strikes at the heart of collective bargaining by paralyzing the agency that enforces the ground rules of collective bargaining, the National Labor Relations Board.

This is really part 2 of a strategy by the Republican majority in the House and the Republican minority in the other body to paralyze the rights of Americans to organize and bargain collectively.

Act 1 has occurred since President Obama took office. He has made nominations to the National Labor Relations Board, and not one of those nominees has ever received a vote on the floor of the other body. Understand this: the minority in the other body has not voted against these nominees; they just refuse to put the nominees up for a vote.

Today, there are five nominations pending before the other body. If the Senate were to act on those nominations and reject them, the President would presumably make other nominees until he could find people who could clear the process. If the other body were to confirm those nominees, we would not be here having this dis-

cussion today because the Board would be functioning.

But a functioning Board is clearly not the objective of the other side here. So then act 2 comes along, and this is act 2. This bill says that the National Labor Relations Board can do effectively nothing. My friend, the chairman, referenced the story of a woman who is seeking back pay because of alleged violations of her rights by her union, and she's unable to proceed with the collection of that remedy because the minority in the other body has refused to confirm or refused to even consider any nominees of the National Labor Relations Board; and should this legislation go through here today, we are guaranteeing that nothing will happen because the Board cannot go to court to enforce one of its orders if the Board cannot act. Under this proposed statute, the Board could not act.

We are here today because a recalcitrant minority in the other body has steadfastly refused to even take a vote on the President's nominees to the National Labor Relations Board. This bill compounds that travesty. This bill creates chaos. It says that decisions of the Board cannot be taken to court to be enforced, which means as a practical matter those decisions will never be enforced. It says that 11 regional directors of the National Labor Relations Board now have their appointments in jeopardy since their appointments were made since January of 2012 when this bill—it says anything following that is invalid.

Employers and employees and unions go to the regional offices of the NLRB to resolve disputes, to prevent strikes, to achieve justice; but this bill paralyzes that effort.

There are some who believe that an America in which the bosses make all the decisions and the rest of us stand up, salute and say, yes, sir, is how the country should function. We do not believe that. We believe in a country where workers can freely organize, speak for themselves, sit at the bargaining table, and stand up for their rights.

The agency entrusted by law to enforce those rights is being paralyzed by this bill, collective bargaining is being paralyzed by this bill, and we should oppose it.

I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, before I yield to our next speaker, I would just note that the remarks made by my good friend and colleague, frankly, I believe, ignore the reality of the crisis that currently exists. No one, employer, worker, or union, can rely upon a Board decision today. A court of appeals has ruled that it's not constitutional, and it is that same court to which every appeal is made.

Now I'm very pleased to yield 3 minutes to the chairman of the Health Subcommittee, the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. Mr. Speaker, I rise today in strong support of H.R. 1120, the Preventing Greater Uncertainty in Labor-Management Relations Act.

First, some history. The National Labor Relations Act was passed in the mid-thirties, and the National Labor Relations Board of five members—three from the majority party and two of the minority party—are to act as a fair arbiter. Basically, the referee for disputes.

And there was a ruling of the Supreme Court not long ago with regard to New Process Steel that said that two members—one Democrat and one Republican—both who agreed on over 600 decisions, that a quorum was not present and all of those decisions had to be thrown out. Therein calls the question.

The President made a pro forma recess appointment. Presidents, as has been stated here many times, have made recess appointments to various boards and they had the constitutional right to do that; but no President has ever made a recess appointment during a pro forma session. Let me read here from the Senate CONGRESSIONAL RECORD of November 16, 2007. This is Leader REID:

□ 1030

Mr. President, the Senate will be coming in for pro forma sessions during the Thanksgiving holiday to prevent recess appointments.

The recent ruling of Noel Canning stated that the appointments were unconstitutional. The unique part of the National Labor Relations Board is that any other court circuit ruling in the country can be appealed to the D.C. circuit. So they have standing, and the standing says that the aggrieved party can do one of two things: they can ask for a vote of the entire court or they can appeal it to the Supreme Court.

This is a very simple bill. It does several things, and it asks the following:

One, that the Supreme Court rule;

Two, that the President go ahead and make the appointments;

Three, that the Board not issue any further rulings that may be overturned and create this uncertainty; and that once a board is approved, that it goes back and reviews all of the various rulings that have been made in order to get rid of this uncertainty.

We need the certainty for both labor and management to move forward. It's a very confusing time, and I would ask for the support of this bill.

Mr. ANDREWS. I yield myself 15 seconds.

Mr. Speaker, President George W. Bush used the same legal authority to make appointments to the National Labor Relations Board that President Obama used here. There was not a word of challenge from the other side ever in that process.

At this time, I am pleased to yield 5 minutes to the leading champion of workers' rights in the House of Representatives, the senior Democrat on the House Education and the Workforce Committee, the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

Mr. Speaker, more than 75 years ago, Congress empowered the American worker through the National Labor Relations Act to form or join a union and bargain for a better life. That law and the rights it guarantees have served this country well—it has built the middle class; it has brought us the 40-hour workweek; it has brought us safe workplaces. These rights have given to millions of families economic security and the prospect that their children could build even better lives, but for the last 2 years, these rights have been under persistent and unrelenting attack by this House and this Republican leadership.

There are more unemployed workers in this country today than private sector union members. Instead of working to create decent jobs for the unemployed, the majority insists on attacking the rights of the employed. At a time of stagnant wages and when businesses across the country are explaining that their number one problem is a lack of customer demand, we could be doing something useful today, like raising the minimum wage. Instead, we are debating a bill that undermines the ability of workers to bargain for better wages or for decent pensions or for safe workplaces.

H.R. 1120 would stop the National Labor Relations Board from enforcing labor law. While the bill is in effect, the agency would not be permitted to issue any new decisions, enforce existing decisions, or advance any rule-making. That means it's open season on working people. The bill tells employers: if you want to retaliate against a worker for trying to speak out or to organize, if you want to fire her, go ahead, because there won't be any effective government response. By eliminating the authority of the government to enforce the law, this bill effectively takes away every labor right that Congress gave workers to help them better their own lives.

It's that simple.

Take, for instance, a single mother who works at a hospital, changing bedpans, lifting patients day in and day out. She works hard. She likes her job, but she thinks that she and her fellow employees deserve a raise. After her shift, a supervisor overhears her chatting with a coworker about organizing a union. The next day, she is called into the manager's office, and she is fired for talking union—something that is a protected right under the law.

This firing is illegal, and she is entitled to her job back, but under H.R.

1120, she would be out of luck. Not only would she be out of luck, but over 23,000 workers a year would be out of luck because they simply exercised the rights that are legal under the law. The law says that employers don't get to retaliate, but for those thousands of workers now, they will have lost their jobs, lost their livelihoods, lost the ability to support their families. They will have no recourse because of this legislation if it becomes law.

How fair can that possibly be?

I would also add that, in 2010, about 17,000 unfair labor practices were filed against employers by employees, but over 6,000 were filed against the unions for unfair labor practices.

The fact of the matter is, for this legislation, it works against both employers and employees, and it brings chaos to the workplace. It gives the right to illegal strikes. It gives the right to illegal firings. It gives the right to illegally take away the wages of a worker. That simply cannot be tolerated in this country, but that's what this legislation does. It's an effort that started out a number of years ago on this committee with the Republicans attacking the National Labor Relations Act and the National Labor Relations Board, and we should not allow this to stand.

We understand that they're upset with the recess appointments, but they weren't upset with some 300 other recess appointments. In fact, Mr. ROE just said that those were constitutional, but that's not what the court said. The court said that all of these recess appointments were unconstitutional.

So where are we today?

We have sitting before the Senate, offered by the President, a panel of appointments that they can approve, and they can cure this problem if this problem, in fact, really exists. We don't know that yet because the Supreme Court hasn't ruled on it.

While we are waiting for the Supreme Court to rule, they want to pass this legislation; and if they pass this legislation, the fact of the matter is both employers and employees are going to be hurt. It's going to cost them a great deal of money, and it's going to cause a great deal of chaos in the workplace because of what the circuit court said.

I worry, while they complain about the recess appointments, that it's the very filibusters by the Republicans that demanded that the recess appointments take place.

Mr. KLINE. Mr. Speaker, I am now pleased to yield 2 minutes to a member of the committee, the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. I thank the chairman for yielding.

Mr. Speaker, I rise in support of H.R. 1120.

This bill is important for our employers, employees, and our Constitution. It has already been said, but I'd like to

make that point again: the President does not have the authority to decide when the Senate is in session. His recess appointment of three members to the National Labor Relations Board was against the law and the tradition of separated powers inherent in the Constitution.

Some on the other side will say that the impasse at the NLRB is the fault of Republicans, that our colleagues in the Senate are acting as obstructionists; but I will remind my colleagues that, during the Bush administration, Senator REID used pro forma sessions to block recess appointments just the same, and he did not make recess appointments when the Senate was in pro forma session, which is different than the situation here.

The real solution isn't to appoint board members that a Democratically-controlled Senate can't approve; it is to nominate reasonable individuals who will adjudicate our Nation's labor laws without bias and with an eye towards the goal we all share—a healthy economy with adequate worker protection. That's what this bill before us does.

This bill would prohibit the NLRB from enforcing any actions that required a quorum, or from issuing new decisions requiring a quorum, until a Board quorum is confirmed with the advice and consent of the Senate, the Supreme Court rules on the constitutionality of the January 2012 recess appointments, or the term of the 2012 recess appointments expires.

Unless Congress provides relief, employers and unions will be forced to either comply with costly orders that may be overturned or to litigate them on a case-by-case basis. Both of these paths are cost prohibitive. I urge the passage of this important bill.

Mr. ANDREWS. I yield myself 15 seconds.

Mr. Speaker, what President George W. Bush did 171 times—the legal authority he relied on 171 times—is the legal authority relied on by President Obama, which is the subject of this discussion this morning.

I am now pleased to yield 2 minutes to someone who understands the value of collective bargaining to America's middle class, the gentleman from Connecticut (Mr. COURTNEY).

□ 1040

Mr. COURTNEY. Mr. Speaker, there is a basic principle of Anglo-American common law that reaches back to antiquity that goes as follows:

Without a remedy, there is no right. Ubi jus, ibi remedium.

That is the common-law doctrine which was the cornerstone of the National Labor Relations Act, which recognized that workers' rights only exist when there is a place to go to enforce fair elections, unlawful terminations, and retaliation cases. In fact, it is that

legal doctrine which formed the basis of the Supreme Court's decision of *Marbury v. Madison*, which basically established the legal authority of the U.S. Supreme Court.

This law shamefully tramples on that decision and strips the National Labor Relations Act of its power, and you have to only look at line 10 of the bill which states very clearly:

The Board shall not implement, administer, or enforce any decision, rule, or vote on or after January 4, 2012.

This is a shameful day for this House. The rights of workers to collectively bargain were not only recognized by the National Labor Relations Act; they were recognized by the Vatican in the 1890s by Pope Leo XIII. They were recognized by the United Nations Human Rights Charter after World War II as a basic criterion of civilized society.

Today, when this law passes, America will go on record basically saying that workers who are seeking to have elections to form unions, to have workers who try to protest unlawful terminations, to workers who are trying to protest unlawful retaliation, you have no place to go. You are living in an undeveloped country right now in terms of your legal rights.

Shame on this House for bringing up a measure like this which strips the rights of people which common-law doctrine, reaching back beyond the birth of this Nation, has recognized for centuries.

Mr. KLINE. Mr. Speaker, I am pleased now to yield 2 minutes to the gentleman from Indiana (Mr. MESSER), another member of the committee.

Mr. MESSER. Mr. Speaker, I rise today in support of the Preventing Greater Uncertainty in Labor-Management Relations Act. Despite the rhetoric on the other side of the aisle, this important legislation will ensure the integrity of the National Labor Relations Board. The other side has talked about how this legislation would somehow throw this process into chaos. The truth is that it's the President's unconstitutional actions that have thrown this process into chaos.

The U.S. Court of Appeals for the District of Columbia unanimously ruled that the President's so-called recess appointments were unconstitutional, calling into question approximately 600 decisions by the Board. All 600 of these actions are now ripe for legal challenge. By operating without legal authority, the Board has created more uncertainty for employers, unions, and workers in an already fragile economic climate. The President's actions are an indefensible overreach of power; and, unfortunately, they are part of a broader trend.

Time and again, this President has demonstrated a with-or-without Congress mentality in pursuit of his political agenda. This mentality shakes the foundational principles of checks and

balances our Founding Fathers put forward in the Constitution. The Constitution is our ultimate law. No one is above it, not even the President.

Mr. Speaker, this legislation will ensure the integrity of the National Labor Relations Board and will help eliminate uncertainty in the workforce. When the President begins to operate within the law, the NLRB's work will begin again. I strongly urge my colleagues to support this bill.

Mr. ANDREWS. Mr. Speaker, I yield myself 15 seconds.

President Obama is relying on the same constitutional provision that President Reagan relied on when he appointed Alan Greenspan as head of the Federal Reserve, the same constitutional provision he relied upon when he appointed Ambassador Jeane Kirkpatrick.

At this time, Mr. Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Oregon (Ms. BONAMICI), someone who stood up against the assault on collective bargaining and the middle class.

Ms. BONAMICI. Mr. Speaker, being a middle class American today often means being caught in the middle, caught in the middle of the partisan posturing in Washington. And the situation we are in here today is yet another example.

The Senate's filibuster of appointees to the National Labor Relations Board left the President with two options: make recess appointments or stop enforcement of the laws. Because the latter was not acceptable, the President appointed NLRB members in a recess appointment, a process used by several Presidents before him. Unfortunately, the D.C. Circuit Court invalidated those appointments, and the question is presently pending before the Supreme Court. Now, it's too bad we're not here working together to request expedited consideration by the Supreme Court, but instead we're considering a bill that essentially seeks to shut down the NLRB.

Freight workers in my home State of Oregon will feel the consequences. In September of 2008, Oak Harbor Freight Lines, in violation of the law, announced that they would stop making payments to employee pension funds following a work stoppage during contract negotiations. In May 2012, a unanimous panel at the NLRB, a panel of Republicans and Democrats, found the company to be in violation of multiple sections of the National Labor Relations Act and ordered the company to reimburse the trust for missed payments. The law before us today, if passed, will invalidate this decision, as well as many others; stop the enforcement of the National Labor Relations Act; allow unlawful activity to continue; and exact a toll on workers across the country.

The NLRB is the referee between management and labor, and it helps

guarantee the fundamental rights of middle class workers to organize, to bargain for better wages, benefits, and workplace conditions. This bill eliminates the referee and does real harm to hardworking men and women in my district and across the country. I urge my colleagues to oppose this bill.

Mr. KLINE. Mr. Speaker, I am now pleased to yield 2 minutes to another gentleman from Indiana (Mr. BUCSHON), a member of the committee.

Mr. BUCSHON. Mr. Speaker, I rise today in support of the Preventing Greater Uncertainty in Labor-Management Relations Act. This legislation provides much-needed clarity for employers, employees, and other stakeholders affected by the unconstitutional actions of the National Labor Relations Board.

The issue here is the Constitution. You're hearing from the other side of the aisle that this is about policy disagreements with the NLRB decisions or about how previous Presidents have done recess appointments similar to these. They're wrong on both accounts. They're attempting to reframe the debate and confuse the American people about what this really is about.

Previously, the Senate was not in session when previous Presidents made appointments, and decisions by their appointees were accepted as constitutional. In this case, the Senate was in a pro forma session. They were in session, and this has precedent that has been stated already here today. In 2007, Senator REID announced that the Senate would be coming in for pro forma sessions during the Thanksgiving holiday to prevent recess appointments. I guess my friends on the other side of the aisle only want to follow the Constitution when there's a Republican in the White House. Appointments at that time in 2007 would have been unconstitutional, as these appointments are now.

The American people deserve a Board that will fairly and objectively administer the law without bias towards management or labor. I urge my colleagues to support H.R. 1120, the appropriate congressional response to help ensure certainty and fairness in America's workplaces.

Mr. ANDREWS. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, every Member of this House, I'm certain, wants to follow the Constitution. On our side, we think that the Constitution means the same thing whether George W. Bush is President or Barack Obama is President, and that Constitution vests the President with recess power appointments which were never challenged by the other side in the Bush administration.

At this time, I'm pleased to yield 2 minutes to the gentleman from New York (Mr. BISHOP), a long-time fighter on this committee for the rights of the middle class.

Mr. BISHOP of New York. Mr. Speaker, I rise in opposition to H.R. 1120. What we are doing here this morning is simply more of the same. For the past 28 months, House Republicans have used their majority to engage in a relentless campaign to tear at the fabric of organized labor by voting to defund, abolish, or greatly curtail the powers of the NLRB more than 40 times. Let me repeat that: more than 40 times. None of the attempts to crush the authority of the NLRB have become law; nor will they ever become law. And yet House Republicans keep trying.

At the same time, more than 22 million people remain unemployed or underemployed in this country, sequestration cuts continue to devastate middle class families, and the most severe cuts are yet to come. Total payroll compensation as a share of gross domestic product is at its lowest point since the 1950s. House Democrats seek solutions to these problems, and yet House Republicans continue to waste our time on a bill that will never see the light of day in the United States Senate. And if this bill were to ever pass into law, its impact would be to hurt workers, not help them.

How many more times do we need to waste taxpayer dollars on political messaging bills like this, rather than pursue legislation that will actually help the middle class?

□ 1050

Ten more times, 20 more times?

Is this all we can expect to accomplish over the next year and a half?

Americans want Democrats and Republicans to work together. Let's end the political posturing. Let's get America back to work.

Mr. KLINE. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. WOMACK), a real leader on this issue.

Mr. WOMACK. Mr. Speaker, I thank the chairman.

Mr. Speaker, our Framers were visionaries. They had the foresight to not only establish constitutional principles and processes that address the challenges of their day, but that still sustain and guide this country 230-plus years later.

Now, I don't think there's any question that this particular government, this Federal Government, has gotten away from proven and time-tested processes required by our Constitution and has stretched constitutional authority to its limits.

We're operating under continuing resolutions. That seems to be normal today. We've submitted budgets that are now over 2 months late. And we have taken other steps, right here in these Halls, that have served to usurp the rights that belong to our States.

Doing so has left us vulnerable, Mr. Speaker, to rulings like the D.C. Court of Appeals ruling on February 8 that

said that the President's recess appointments to the National Labor Relations Board were unconstitutional.

Now, like my friends on the other side of the aisle, and like you, Mr. Speaker, we have all raised our hand and said that we're going to support and defend the Constitution of the United States against all enemies, foreign and domestic, and you know the rest. We've all taken that oath.

The Noel Canning decision holds the President's recess appointments are in direct contradiction to what the Framers outlined in article II, section 2, clause 2 of the Constitution. And, as a result of the ruling, each decision made by that Board since that time has been called into question.

Mr. Speaker, I, personally, don't have anything against the individuals who have been appointed to the NLRB. And it's irrelevant whether I agree or disagree with the Board's rulings.

My concerns are, and the concern of each and every Member of this House should be the fact that we continually push the limits of our Constitution, the checks and balances outlined in this sacred document.

At its best, this Court of Appeals ruling provides uncertainty, and the last thing that this country, this economy needs is uncertainty.

I recognize the weight of the decisions made on the interpretation of the Constitution. They are tough. It is no easy task. And that's why I don't think it's unreasonable to press the pause button on the decisions emanating from this Board until we get a final ruling. It is irresponsible, in my strong opinion, not to.

That's why I appreciate my friend from Tennessee (Mr. ROE) for authoring this legislation. I support it wholeheartedly and recommend its passage.

Mr. ANDREWS. Mr. Speaker, I yield myself 15 seconds.

With all due respect to the last speaker, this bill doesn't push the pause button. It pushes the erase button. It erases the rights of American workers to bargain collectively and organize.

At this time I am pleased to yield 2 minutes to my friend and neighbor from New Jersey (Mr. HOLT), a member of the committee, and someone who understands that there's a direct connection between economic growth and collective bargaining.

Mr. HOLT. I thank my friend and colleague from New Jersey.

Let's understand, the issue here is not about recess appointments or the Board quorum at a Federal agency or the Constitution. My Republican friends never raised this issue in hundreds of previous occurrences.

Instead, what's happening now, the majority is using this misguided bill as a platform to continue a coordinated attack on the National Labor Relations Board and on American workers.

H.R. 1120 is simply an attempt to effectively shut down the Board and deny all private sector employees their rights.

The NLRB is an independent agency which serves as the only avenue for private sector employees to bargain collectively, to file unfair labor complaints, to conduct union elections if desired.

The National Labor Relations Act stabilizes workplaces and ensures industrial peace. We must not continue these warrantless attacks on the only established avenue which brings employees to the bargaining table with their employers.

What H.R. 1120 would do is roll back the clock three-quarters of a century, to the days of brutality and humiliation, the days before the institution of the Wagner Act, the days in which workers and their families suffered indignities, strife, even bloodshed.

Having laws for orderly labor and management processes helps businesses. It helps industry. It helps citizens of all economic levels. It helps our economy.

I regret that the majority is wasting time that could be used to address the real problems facing Americans. At every town hall citizens ask me: What about jobs? What about economic growth?

But instead of helping workers raise their wages, improve workplace safety, ensure fair retirement, House Republicans continue their attack on the National Labor Relations Board and ignore the economic crisis facing American workers, and making the American Dream that much harder for Americans to achieve.

This is not about abstract worker rights. This is about a productive economy where workers and their employers can work together.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), the chair of the Workforce Protection Subcommittee.

Mr. WALBERG. I thank the chairman.

Mr. Speaker, I am proud to be in the battle for the middle class of Michigan's great Seventh District, as well as the middle class of the United States.

Today, Michigan's unemployment rate is nearly 9 percent, and the actions of this dysfunctional Board have only hindered Michigan's attempts to grow and develop a healthy economy and have more people able to climb to the middle class.

For our State to recover and thrive, we need Michigan to be open for business. What our employers need now, more than ever, is certainty. Unfortunately, this Board has done little to help foster their success.

In fact, the NLRB has been a chilling factor to economic success for employers and employees. In January 2012, President Obama attempted to make

three unconstitutional recess appointments to the National Labor Relations Board. However, a year later, on January 25, 2013, they were found, indeed, to be unconstitutional by the U.S. Court of Appeals for the District of Columbia.

In that year, the Board made numerous decisions, oftentimes with significant consequences for job creators and for employees. They made it more difficult for employers to investigate employee complaints or misconduct and undermined employee rights to not engage in partisan political activities of their union bosses.

In spite of the decision of the U.S. Court of Appeals, the Board has continued to issue rulings and decisions. I would urge all of my colleagues to support this legislation and help bring much-needed certainty and stability to America's workforce and increase in our needed middle class.

Mr. ANDREWS. Mr. Speaker, I'm pleased to yield 1½ minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), a Member who fought for these kind of rights before she got here as a litigator and has fought for them since.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in opposition to H.R. 1120, the Republican plan to shut down the NLRB. This plan is just the latest in a seemingly unending series of Republican attacks on working people.

Make no mistake: the real goal of this legislation is to attack workers' rights. This bill will make it harder for workers and employers to settle disputes. It will essentially end the National Labor Relations Board's ability to hear cases until the Senate confirms the President's NLRB nominees. And we all know that that deliberative body is often better at obstruction than getting the people's business done.

Instead of trying to shut down the NLRB, shouldn't my colleagues on the other side of the aisle be calling on the Senate to have an up-or-down vote on the President's nominees for the NLRB?

Allow me to separate fact from fiction. This bill is not about certainty. This bill is about making it harder for working people to have their voices and their cases heard.

This bill is not about making the NLRB function efficiently.

□ 1100

This bill is a partisan move to gut the NLRB's implementation of the law. After all, if you fire all the judges, there's nobody there to hear your case.

Once again, the Republican leadership has decided to waste time making political points at the expense of working class Americans. We should be working on legislation to grow jobs. The American people are sick of politics. They want Congress to work on

creating jobs and economic certainty. What our Republican friends are giving the American people today is more of an assault on workers' rights.

This legislation doesn't do anything to help the 23 million Americans looking for good-paying jobs. Vote "no" on this turkey of a piece of legislation.

Mr. KLINE. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I thank the chairman.

Mr. Speaker, I rise in strong support of the Preventing Greater Uncertainty in Labor-Management Relations Act.

If you're sick of government, spend a couple of years here.

We talk about the American people. Please tell me that these debates have anything to do with getting people back to work. This is about a constitutional process that we're supposed to follow. This is about unconstitutional appointments to the National Labor Relations Board. That Board, by the way, protects employers, management, and labor—it's not just labor—so let's make sure we understand that.

As we come here and do this posturing, no wonder the American people are losing faith in the way this body works. If we're really concerned about getting people back to work, if we're really concerned about letting this Nation rise again, this is not a Republican issue or a Democrat issue. This is not a Board that's supposed to be made up of all Republicans or all Democrats, but it's supposed to be constitutionally appointed. My Lord, what are we talking about today? These are unconstitutional appointments.

You know what the certainty of this is? Here's the certainty. And this is a President that always talks about if you play by the rules, if you follow the rules and you work really hard in this country, you have a chance to make it. But the footnote is: unless you don't agree with me, I'll go ahead and do it the way I want to do it. Even though I'm a professor of constitutional law, put that aside. I know an end run on this.

Now, I would tell my colleagues, please, this is a process that we have to protect. This is not a political football to go back and forth with. My goodness. This is about fairness. Fairness is not a Republican issue or a Democrat issue. It's an American issue. It doesn't matter who struck John or what did past Presidents do. This has been found unconstitutional.

The only certainty of what's going on here are three things regarding the Board's current decisions: those decisions cannot be relied upon; every losing party will be justified in filing an appeal; and no prevailing party can be assured that they will ever benefit from any Board-ordered remedy.

How do you fix it?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KLINE. I yield the gentleman an additional 30 seconds.

Mr. KELLY of Pennsylvania. Take it to the Senate; run it through the process it's supposed to run through; get them appointed the right way; and then to go forward. Isn't that the American way? I'm not talking about a Republican way. I'm not talking about a Democrat way. It's what's best for the country.

This political posturing is ridiculous. We know what the law is here; we know what the process is; we know what the Constitution says; and we're here today making it something else. This is not about class warfare. This is about denying the process.

Mr. ANDREWS. Mr. Speaker, I yield myself 20 seconds.

My friend talks about playing by the rules. President Obama followed the rules that President Reagan followed, President Bush followed, President Clinton followed, President George W. Bush followed. The other body has the ability to resolve this dispute by taking votes on the five nominees that are presently before the United States Senate.

I am pleased to yield 1 minute to a consistent voice for America's working families across the country, the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank my good friend.

I'm so glad my good friend talked about the question of fairness because I believe in fairness as well; and I ask my colleagues to enthusiastically, with great presence, to vote this legislation down because it is unfair because I believe in the working man and working woman and working families who desperately need a fair body that is in regular order, the NLRB, that allows companies, corporate America, to come to the table of reconciliation on issues like pay equity, of which my good friend ROSA DELAURO is a champion of and I'm joining her, on good issues like the quality of life in the workplace, the idea of income and negotiations on plants being shut down.

What my good friends want to do is deny the process to this President that Ronald Reagan used some 240 times, the hundreds of recess appointments in the 1980s, to ensure that regular order occurred in this Nation on behalf of the working men and women of America. This is a direct stab at them. This is a direct affront to them. And I would ask my colleagues to vote against this and for the working men and women of America. This is a bad bill.

Mr. KLINE. I am now pleased to yield 3 minutes to a member of the committee, the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank the chairman for yielding.

I'm struck by the mention of fairness from the gentlelady who just spoke.

What is fair is the rule of law, and that's what this country was founded on. That is the ultimate fairness. And that's what this bill is fundamentally about—the core American value about respect for the rule of law.

Now, our President chose to violate the law by unconstitutionally appointing new members to the National Labor Relations Board in January of 2012. And while the President claimed he had this authority and while our friends are claiming he had this authority because the Senate was “in recess,” there was one problem: the Senate wasn't in recess. The Senate was actually in session.

Last year, in response to this, I led in a letter to our President, with 26 of our colleagues, Mr. Speaker, protesting these appointments and asking the White House to obey the law so that we wouldn't have the uncertainty that we do now, so that we wouldn't have to have the argument that we're having now, unfortunately; but by making these appointments, the White House and the executive branch has essentially claimed the authority to determine when the Senate is unavailable to perform its constitutional duties.

The executive branch should not be deciding whether the Senate is unavailable to provide its advice and consent. Our Founding Fathers, who created a government marked by a separation of powers, would be shocked and dismayed by the utter disregard the President has shown to the Constitution of the United States by making these appointments.

Now, Mr. Speaker, with all due respect to my colleagues on the other side who continually make this argument as though if they said it 20 times it actually makes it more true—it does not—the suggestion that President Obama's actions were similar to past Presidents is patently false. No President ever made recess appointments while the Senate was meeting regularly in pro forma session—until this current President.

If President Obama had followed the practice set by his predecessors, there wouldn't be a cloud of uncertainty hanging over the NLRB today. And this uncertainty, to the point made by my colleagues earlier, is hurting jobs; because when you have Commissioners who are appointed unconstitutionally, their rules are now unconstitutional. Businesses can't follow them. Unions can't follow them. Workers can't follow them. And when that's the case, what job creator is going to hire more people? And that's the real situation we find ourselves in here today, unfortunately.

Now the issue is pending before the United States Supreme Court. It's my hope that the Court will acknowledge that no one, including this President, Mr. Speaker, is above the law in this country, from the poorest of our citizens to himself.

The SPEAKER pro tempore (Mr. LATHAM). The time of the gentleman has expired.

Mr. KLINE. I yield the gentleman an additional 30 seconds.

Mr. ROKITA. We can never afford to forget that.

For these reasons, I simply urge all my colleagues to support H.R. 1120 and to not listen to the nonsense that we're hearing from the other side. We believe in the worker. We believe in workers' rights. We believe in the rights of businesses. We believe in the rights of unions. We believe the President, above everyone else in this country, should follow the law.

Mr. ANDREWS. Mr. Speaker, I yield myself 20 seconds.

Mr. Speaker, the prior speaker's own words indicate the contradiction of his position. He said it is unconstitutional that these recess appointments took place. He then just said that the appeal of this matter is pending before the United States Supreme Court. *Marbury v. Madison* does not give the D.C. circuit the final say on constitutionality or the Supreme Court that authority.

I am pleased to yield 2½ minutes to someone who has made a career here of fighting for the rights of working Americans and collective bargaining, the gentlelady from Connecticut (Ms. DELAURO).

□ 1110

Ms. DELAURO. I rise in strong opposition to this ill-conceived bill. It aims to effectively shut down the National Labor Relations Board—another direct attack by this House majority on workers' rights.

As we have been debating, a D.C. court recently ruled that two of the Board's current appointments made during a recess within a congressional session are invalid, and therefore NLRB currently lacks a quorum. This ruling is at odds with three other court rulings on the same matter and, in fact, the court did not order the NLRB to stop performing its duties. Nevertheless, the majority is trying to use this one decision as a pretext to stop the Board from issuing any decisions or taking any other actions on behalf of workers. This is a transparent attempt to effectively shut down the NLRB.

What we need to do here is have the Senate take up the five pending nominations and act quickly so that we can have a functioning NLRB.

This one court decision is squarely at odds with longstanding practice. Presidents of both parties have routinely made recess appointments during intrasession recesses and without regard to when the vacancy first arose.

The Congressional Research Service has identified a total of 329 intrasession recess appointments made since 1980. All of these would presumably be invalid under this court's decision, and that includes four such NLRB

recess appointments by President Reagan and four by the second President Bush. Tell me, were these eight appointments by President Reagan and President Bush also in violation of the Constitution? If so, then why is this one particular court decision considered the “right” one despite the fact that all other courts and past practices disagree with it?

The majority simply wants to prevent the NLRB from functioning so that workers who want to invoke their basic right to organize have no recourse. What recourse, for that matter, would employers have against actions by unions that violate labor laws, such as secondary boycotts or unlawful picketing? Under the terms of the National Labor Relations Act, its provisions can only be enforced through the NLRB. There is no provision in the act for private lawsuits.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ANDREWS. Mr. Speaker, I yield the gentlelady another 30 seconds.

Ms. DELAURO. Without the NLRB, we simply do not have a fair workplace that works for everyone.

This is another in an endless series of Republican attacks on the foundations of the American middle class. It aims to undermine worker protections and accelerate a race to the bottom.

Let the NLRB do its work. I urge my colleagues to stand up for workers and employers and oppose this bill.

Mr. KLINE. Mr. Speaker, can I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Minnesota has 6½ minutes; the gentleman from New Jersey has 5½ minutes.

Mr. KLINE. Mr. Speaker, we have another speaker reportedly en route from another committee, so I will reserve the balance of my time and give him a chance to get here.

Mr. ANDREWS. I thank my friend, Mr. Speaker.

Mr. Speaker, at this time, I'm pleased to yield 1½ minutes to someone who has walked in the shoes of those collectively bargaining and organizing, the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I oppose H.R. 1120. This is just a naked attempt to neuter the National Labor Relations Board. This is done in concert with the United States Senate, which refuses to confirm any nominees by the President to the NLRB, and in concert also with the right-wing ideologues on the D.C. Circuit Court of Appeals, who have gone against 150 years of practice by Democratic and Republican Presidents alike in appointing through the recess appointment constitutional process.

Now we have the U.S. Congress, the House of Representatives, with this H.R. 1120, Preventing Greater Uncertainty in Labor-Management Relations

Act. This would straitjacket workplace fairness and hurt middle class workers. It would also create uncertainty, interfere with judicial proceedings still on appeal, and undermine the NLRB's core functions.

This is a bill that's anti-worker, it's obstructionist, and it represents the machinations of a Republican Party more interested in impeding the NLRB and blindly attacking this administration at every opportunity than finding solutions to unemployment.

This bill represents a party that has lost touch with middle class values, and I urge my colleagues to vote against it.

Mr. KLINE. Mr. Speaker, I would advise my colleague that the speaker we're waiting for has not yet arrived. I'm not sure how many speakers are left on your side.

I continue to reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I would advise my friend and the Speaker that we have no more speakers at this time.

What I would propose, with the Speaker's discretion, is I'd like to speak for about 1 minute. Perhaps if your other speaker arrives, we could accommodate that person. If not, I would then close for our side and then the chairman defending the bill would close.

Mr. KLINE. I have no objection.

Mr. ANDREWS. Mr. Speaker, I yield myself 1 minute.

The House deserves an accurate record of where this matter stands legally.

After the Senate refused to cast a vote on any of the President's nominees to the National Labor Relations Board, the President acted through the recess appointments clause that his predecessors have relied on far more often than he has. The D.C. Circuit ruled that those appointments were invalid. The case is presently under consideration under writ of certiorari to the United States Supreme Court, which either will or will not hear the appeal.

The majority is advancing a rather novel legal theory that a decision by one circuit court of appeals establishes with finality the constitutionality or lack of constitutionality of a provision. This is truly a novel theory. *Marbury v. Madison* makes it clear: only the United States Supreme Court has finality in these sort of matters. The President acted in good faith under a constitutional provision that others have followed before.

I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, our speaker has not yet arrived, so I will be ready to close after the gentleman from New Jersey.

I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield myself such time as I may consume.

I thank the Speaker and colleagues of both parties for the spirited nature

of this debate. At its core, this debate and this bill is about the primacy and value of collective bargaining in our country.

There really are two different points of view on collective bargaining: one is that it's a nuisance; the other is that it's an engine of economic growth.

There are those who believe that the proper organization of our economy is that the bosses decide what happens, everyone else salutes, and that's what happens. This led us to situations where we had children working in sweatshops, people working 80 or 90 or 100 hours a week, and people being forced out and fired for all sorts of invalid and irrational reasons.

In our country's history, we're fortunate that there was a great movement of collective bargaining among the working people of this country. In the 1930s, those who preceded us here enshrined the rights of collective bargaining in various statutes. Since then, for nearly 90 years these statutes have worked to promote fairness, equity, and economic growth in our country.

Collective bargaining works—not just for those in a union, but for all those in the United States of America. This bill is a direct assault on collective bargaining. It is an assault that has seen its manifestation in other parts of the country—against public workers in Wisconsin, against all workers in Ohio.

Collective bargaining is one of the main engines of the development of America's middle class, and America's middle class is clearly the main reason for the development of the strongest economy on the face of the Earth. A vote against this bill is an affirmation of the value of collective bargaining. A vote for this bill is an erosion of that precious right that Americans have always enjoyed and should enjoy.

□ 1120

We have the opportunity to stand up for those who wash the dishes, patrol the streets, build our buildings, teach our children. We have the opportunity to stand up for the right of collective bargaining. I urge both my Republican and Democratic friends to stand up for America's middle class and vote "no" on this bill that paralyzes and assaults collective bargaining in our country.

Mr. Speaker, I yield back the balance of my time.

Mr. KLINE. Mr. Speaker, I yield myself such time as I may consume.

I think it is important to remember why we are here today. More than a year ago, the President took an unprecedented step despite all of the discussion from the other side of the aisle. No other President made a recess appointment when the Senate was in session, in pro forma session, or any session. So despite how many times President Reagan or President George H.W. Bush or President George W. Bush

made recess appointments, this was unprecedented.

Now, it's still an open question to be decided. The D.C. Court of Appeals made a ruling that the President's appointees to the National Labor Relations Board were unconstitutional. And it's going to be an ongoing debate, I'm sure, going forward for days and weeks, the sooner the better, to determine what it means under article I, section 5, clause 2 of the United States Constitution, where it says the Senate is vested with the power to "determine the rules of its proceedings." The Senate determined that the rules of its proceeding said that the Senate was in session.

We heard mention today by a number of my colleagues that Senator REID had announced, when President Bush was in office, that the Senate was going to stay in pro forma session in order to keep the President from making recess appointments. That's an important debate going forward.

The problem is, as we stand here today, with a lot of discussion from the other side of the aisle, unfortunately some of which was questioning our motives, my motives, called action shameful, that's a shame. Because what we've got today is a Board that has been ruled unconstitutional by the D.C. court, which by the way is the court that reviews every single challenge to an NLRB ruling. You can't get relieved by a court in San Diego. If you don't like the ruling of the Board, you're going to appeal to the court that has already ruled that that Board is unconstitutional.

This is dysfunctional. This doesn't have anything to do with whether or not I, or anybody else, believe in collective bargaining rights. We have a Board that under the National Labor Relations Act is supposed to be an arbiter, a fair arbiter. It's the place where you go to get a determination; and the problem there is you can't go there to get a determination, or you get one that is immediately suspect and open to appeal to a court that has already said that they're unconstitutional.

We already have over 600 rulings by this Board since these appointments were made January a year ago. Every time this Board makes another decision, another ruling, it pours more uncertainty into an economy that is, frankly, still desperately struggling to come out.

We've heard accusations about, well, it's the Senate's fault, and I'm sort of inclined to always think that it's the Senate's fault when something doesn't happen. I just remind my colleagues that this is a bipartisan Senate problem.

In 2011, a Republican Board nominee languished in the Democrat-led Senate for a year—no hearing, no debate, no vote. So this is not a new circumstance.

There is an answer to this: the President of the United States can bring forward nominees that can be confirmed—that can be confirmed—and then we would have a constitutionally constituted Board to go forward and resolve the disputes that were brought up so many times by my colleagues on the other side of the aisle. That's not what we have now. We have a dysfunctional Board that is worse than useless because they are making decisions which are entirely suspect.

Congress should not allow this situation to get worse. The Preventing Greater Uncertainty in Labor-Management Relations Act is an appropriate response to a horrible situation. This ought not to be Republicans versus Democrats. This is a chance for us to say we have an intolerable situation. This Board needs to stop issuing decisions that are immediately suspect and challengeable to the very court that has ruled them unconstitutional.

I urge my colleagues to vote "yes" on H.R. 1120, and I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I rise in strong opposition to H.R. 1120, the so-called Preventing Greater Uncertainty in Labor-Management Relations Act.

House Republicans today are continuing their assault against workers' rights. The bill before us would retroactively invalidate National Labor Relations Board, NLRB, decisions made after January 2012 and prevent the board from making or enforcing new decisions until the Senate confirms a quorum of members.

There is an ongoing debate in the courts about the extent of the President's recess appointment powers, and there is no reason for Congress to interject itself now. Moreover, this misguided bill would hurt both workers and businesses by creating chaos. The NLRB protects workers rights to bargain collectively, but it also works to protect businesses by setting orderly standards for labor disputes.

We cannot afford to have both workers and employers face further uncertainty in resolving cases, which will negatively impact our economy. While our economy continues to recover, we should instead be supporting growth by providing stability to both workers and businesses.

Instead of attacking workers and curtailing their rights, I would hope Members would be willing to work together find common sense solutions to help working families. I urge my colleagues to vote no on H.R. 1120.

Mr. BLUMENAUER. Mr. Speaker, it is disappointing that House Resolution 1120, the so-called "Preventing Greater Uncertainty in Labor-Relations Act" would actually create greater uncertainty for labor unions and businesses and wreak havoc on the middle class. I do not understand the interest in scapegoating America's unions for the economic problems that beset us. It was not America's grocery clerks, nurses, teachers, postal workers, or electricians that nearly caused the meltdown of the economy. America's working men and women didn't engineer poor loans, systematically cheat consumers,

and transform financial institutions into giant casinos. However, there are some in this Chamber who seem convinced that getting rid of labor unions will advance their agenda.

This bill essentially shuts down the Labor Relations Board, by refusing to allow them to issue decisions, enforce existing decisions, or move forward with rulemaking. It means that labor and business issues that are currently unclear will remain unclear. It increases the chance of a strike, because without the National Labor Relations Board to help mediate, workers will be more likely to strike to protest unfair working conditions.

Let's remember that it's not just union members who benefit from America's unions. Our entire society benefits from their efforts. It was organized labor that spearheaded efforts for a 40 hour work week, brought safety to the workplace, fought for environmental protection, and championed pay equality for women. It is not just rhetoric that unions brought you the weekend. Unions are among the few strong voices who continue to stand up for a strong livable wage for our workers.

It's important to be thoughtful about the best way to navigate labor-business relations. I'm all for fine tuning the system, but I am adamantly opposed to gutting rights and protection of workers. We must start by acknowledging the debt we owe to unions and to stop this wholesale assault. I will vote no on H.R. 1120, and I will be disappointed if I am not joined by more of my colleagues.

Mr. LANGEVIN. Mr. Speaker, I rise today in opposition to H.R. 1120, the ironically and unfortunately-named "Preventing Greater Uncertainty in Labor-Management Relations Act." The National Labor Relations Board is a crucial federal agency, mediating disputes between workers and employers, upholding labor laws, and ensuring the integrity of union elections. This bill would undermine the NLRB's authority and lead to an unstable labor-management relationship for the foreseeable future.

Under H.R. 1120, countless labor cases would go unheard, decisions would be unenforceable, violations of workers' rights would go unpunished, and union elections could not be certified. All current unfair labor practice proceedings in the country could be brought to a standstill. Instead of removing uncertainty, this bill would in fact do just the opposite.

Not only would this bill hamstring the NLRB in fulfilling its duties, but it increases the chances of labor strikes. Without a functioning board, wronged workers would have nowhere to turn for the enforcement of their rights under the law. There would be no one to enforce reinstatement orders for workers who were wrongfully terminated, and businesses would lose a forum to address disputes. Without the guarantee of the NLRB's protections, workers will be more likely to strike to seek redress of grievances.

We are told this bill is necessary to enforce the decision in *Noel Canning v. NLRB*, which invalidated recent recess appointments to the Board. This partisan decision, which runs contrary to mountains of legal precedent, has already been appealed to the Supreme Court. I recall that we opened this Congress with a reading of the Constitution. I hope my colleagues have taken to heart the Separation of

Powers enshrined therein, and will allow the judicial branch to work through this issue. Should the ultimate decision run contrary to the will of the House, I have no doubt we will be able to revisit the topic then.

If my colleagues across the aisle are truly interested in ensuring the integrity of the NLRB, they should urge their Senate colleagues to stop holding up these nominations and allow them an up or down vote.

I urge a "no" vote on this bill.

Mr. CROWLEY. Mr. Speaker, I rise today to urge my colleagues to vote "no" on yet another attack on workers' protections.

The National Labor Relations Board has provided stability between workers and employers for decades. And yes, it has helped ensure that workers have a voice. Yet, in just the past two years, my colleagues on the other side of the aisle have tried numerous times to paralyze the operations of the board. Each time, they came up with a new angle. I appreciate their creativity. But the goal is the same: to put labor rights out of reach. This time, the majority has tried to say their bill will promote "certainty". But without a functioning Board, none of the labor rights in the landmark Wagner Act can be enforced. So it seems the only "certainty" we're providing is that there will be even more economic turmoil than we already have.

Whether its women's rights or workers' rights, bill after bill advanced by the majority is aimed at taking our country backwards. I know that not all my friends on the other side of the aisle agree with this bill. I appreciate that. It is unfortunate that some of my colleagues are seeking a return to the past, before we had protections for workers. But I hope that most will focus on the present, and get on with building a better workforce and a brighter future.

So I again urge my colleagues to stand with millions of middle-class American workers and vote "no" on this bill.

Mr. VAN HOLLEN. Mr. Speaker, I rise today to oppose this attempt to strip worker protections in this country by shutting down the National Labor Relations Board.

The Majority argues that this bill somehow removes "uncertainty" in the economy. In reality, it does exactly the opposite. By removing all authority from the Board that enforces labor law, it creates unworkable deadlock. The NLRB orders union elections, certifies and decertifies unions after elections, and makes decisions on unfair labor practices when they are filed by employers or employees. Without a functional NLRB, there is no enforcement of workers' rights. And with no alternative means of resolving disputes, workers may resort to strikes.

The President has nominated two Republicans to fill the vacant seats on the NLRB and has renominated the Board members in dispute in the DC Circuit case. If the Majority is really interested in a functional Board, they should urge their colleagues in the Senate to vote on those nominations without delay. Today's bill will destabilize labor relations and I urge a "no" vote.

Mr. CONYERS. Mr. Speaker, I rise today in opposition to H.R. 1120, the Preventing Greater Uncertainty in Labor-Management Relations Act. This legislation is anti-worker, anti-management, and rather than creating certainty, it

would throw the world of labor relations into complete chaos by shutting down the final arbiter—the National Labor Relations Board. And it would do this all in the name of upholding a single decision that overturns decades of court precedent and executive practice upholding intra-session recess appointments as constitutional.

If H.R. 1120 becomes law, it would put us in a situation where employees and employers would be denied recourse in the courts—a fundamental guarantee in our society. Final review of decisions would be all but impossible to obtain, effectively nullifying the consequences for unfair labor practices. The National Labor Relations Act, overseen and enforced by the National Labor Relations Board, protects working Americans' rights to form unions, bargain collectively for fair wages, and ensure they work in a safe environment. The National Labor Relations Board also protects employers, who have recourse before the Board in the same way employees do. Eliminating the Board helps only those who wish to violate labor laws without consequence. That is not a constituency this Congress should be representing.

H.R. 1120 does two things. First, it prevents the NLRB from operating, which is in and of itself a reason to oppose it—America's workers depend on a functioning Board. Second, H.R. 1120 legitimizes the obstructionism of the minority in the Senate, which led President Obama to make these recess appointments in the first place. It is responding to hostage taking by giving the hostage-takers everything they want and more. This creates a no-win situation where neither side has any incentive to compromise for the good of our country.

The Framers of the United States Constitution included the recess appointment clause in Article II of the Constitution to ensure that our government could function even if the Senate is unavailable to confirm the President's appointments. It is time that we honor their wisdom. That means that here in the House of Representatives, we vote down this wrong-headed bill; in the Senate, that means getting to work and voting on whether the Presidents' appointees are qualified or not.

I urge my colleagues to vote "no" on this legislation and uphold over a half-a-century of precedent and practice, and ensure our working men and women are not denied justice by way of delay.

Ms. JACKSON LEE. Mr. Speaker, I rise to oppose H.R. 1120, the "Preventing Greater Uncertainty in Labor-Management Relations Act."

This bill effectively prevents American employees from seeking remedies when their rights under the National Labor Relations Act, or NLRA, are violated.

The NLRA guarantees American workers in the private sector the right to act collectively to improve the conditions of their workplace. This applies for formal meetings with supervisors, as well as to employees who gather in the break room to discuss a new company policy or compare their paychecks.

The NLRA also protects workers when they act together to protest working conditions, such as leaving the building because the employer refuses to turn on the heat. Recently, these laws have been applied to protect em-

ployees who discussed their salaries with each other on Facebook. You don't need to be part of a union to be protected by these laws.

Under the NLRA, employees can go to the National Labor Relations Board ("NLRB") with their workplace grievances.

The NLRB is also charged with conducting elections for labor union representation and with investigating and remedying unfair labor practices involving unions.

On January 25, 2013, in *Noel Canning v. NLRB*, 678 F.3d. _____, No. 12–1115 (D.C. Cir. 2013), a case challenging the constitutionality of certain appointments made to the NLRB by President Obama pursuant to his authority under Article II, Section 2, Clause 3, the United States Circuit Court of Appeals for the District of Columbia issued a ruling invalidating President Obama's appointments on the alleged ground that they violated the Recess Appointments Clause.

The D.C. Circuit's decision in *Noel Canning* rests upon its novel and controversial interpretation of the word "the" in Recess Appointments Clause, which states that "The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate."

The court held that the Recess Appointments Clause applies only to "intersessional" recesses, that is, only to the recess occurring between the first and second session of a Congress but not to "intrasessional" recesses, which are those occurring during either the first or second session.

The decision in *Noel Canning* is squarely at odds with that of every other circuit court that has considered this issue going back as far as 1880. Indeed, until the D.C. Circuit issued its bizarre ruling, this was thought to be a long settled issue, most recently affirmed by the Eleventh Circuit in 2004 in *Evans v. Stephens*, 387 F.3d 1220, 1226–27 (11th Cir. 2004), cert. denied, 125 S.Ct. 1640 (2005).

In *Evans*, the court upheld the intrasessional recess appointment of Judge William Pryor to the Eleventh Circuit made by President George W. Bush. The court rejected the same argument that was advanced by the petitioner in *Noel Canning*, stating:

"interpreting the phrase to prohibit the President from filling a vacancy that comes into being on the last day of a Session but to empower the President to fill a vacancy that arises immediately thereafter (on the first day of a recess) contradicts what we understand to be the purpose of the Recess Appointments Clause: to keep important offices filled and the government functioning."

387 F.3d at 1226–27.

The Supreme Court has granted certiorari and will review the *Noel Canning* decision, and I expect the Court to reverse the judgment of the D.C. Circuit.

Mr. Speaker, the nonpartisan Congressional Research Service has estimated that had the decision in *Noel Canning* been the controlling precedent over the last 30 years, it would have invalidated more than 325 appointments made by Presidents of both parties, including the following conservative icons: Jeanne Kirkpatrick, Alan Greenspan, and John Bolton.

In fact, of the 326 total intrasession recess appointments made over the past three decades, 76.7 percent, or 250, were made by Republican presidents: 72 from President

Reagan; 37 from President George H. W. Bush; and 141 from President George W. Bush. In contrast, less than 1 in 4 appointments (79) were made by Democratic presidents: 53 from President Clinton; a mere 26 from President Obama.

Mr. Speaker, H.R. 1120, the bill before us, is a solution in search of a problem. Until and unless the Supreme Court affirms the *Noel Canning* decision, the NLRB remains empowered to administer the National Labor Relations Act and protect the rights of workers and management as it has since its inception in 1935.

The proponents of H.R. 1120 simply dislike the NLRB and are using this bill as an excuse to try to neuter the agency. Rather than preventing greater uncertainty, this ill-considered and unwise legislation would inject uncertainty in labor-management relations.

Mr. Speaker, the American people are not fooled. They understand this bill is nothing more than a thinly disguised attempt to weaken the ability of organized labor to protect the interest of working families. And I am proud to stand with the President and the following organizations in unyielding opposition to this legislation:

1. AFL-CIO
2. AFSCME
3. SEIU 3
4. International Brotherhood of Teamsters
5. International Association of Machinists
6. Airline Pilots Association International
7. Transportation Trades Department
8. International Brotherhood of Electrical Workers
9. Building and Construction Trades Department
10. United Steelworkers

Mr. Speaker, I stand for fairness. I stand for justice. I stand with working families. I stand for certainty in labor-management relations. And that is why I stand in strong opposition to H.R. 1120, the misnamed "Preventing Greater Uncertainty in Labor-Management Relations Act."

I urge my colleagues to vote me in voting against this assault on working families.

Mr. DINGELL. Mr. Speaker, I rise in strong opposition to H.R. 1120, the Preventing Greater Uncertainty in Labor-Management Relations Act.

This bill's very title is fundamentally misleading. H.R. 1120 will, in fact, lead to more uncertainty in labor-management relations. The bill is part and parcel to the Republicans' ongoing war against working American men, women, and their families. Its purpose is nothing less than the wholesale abrogation of the right of workers to protect themselves from unfair labor practices.

H.R. 1120 will neuter the National Labor Relations Board (NLRB) and give employers greater rein to intimidate workers who have the temerity to try to organize or protest unjust workplace practices. The bill will prevent the NLRB from certifying union elections, enforcing orders to comply with existing labor laws, and taking to trial employers accused of unfair labor practices.

Mr. Speaker, my father nearly lost his life because of his union activities. All he sought to do was make a better life for himself and his family. He lost his job and was sent west

to die of tuberculosis, which very well could have happened if not for the Union Printers Home and the union of which he was a founding member. I will not stand idly by as my Republican colleagues seek to destroy his productive legacy. H.R. 1120 is another legislative expression of the contempt in which my Republican colleagues hold American working men and women and the unions they founded for their protection. I am grateful that this bill will never be taken up by the Senate, much less signed by the President. It saddens me, however, that Republicans continue their march at every opportunity to demolish the capacity of the federal government to protect the health and well-being of Americans not fortunate enough to have been born with silver spoons in their mouths.

I urge my colleagues to vote down this shameless excuse for a bill.

Mr. LEVIN. Mr. Speaker, as our economy continues to recover, Congress should avoid any action that would destabilize employer-employee relationships—something that we can all agree is essential for our Nation's economic success. In my home state of Michigan, we have seen the resurgence of the domestic auto industry in large part due to cooperation between labor and management and their shared desire to succeed.

With that example in mind, I cannot understand why House Republicans are supporting H.R. 1120, the so-called Preventing Greater Uncertainty in the Labor Management Relations Act, which would effectively shut down the National Labor Relations Board. Instead of assuring productive employer-worker relations, a vital part of which is giving workers a voice in the workplace, this bill would actually create more uncertainty by rendering inoperable the very agency that protects workers and businesses from unfair and illegal activity.

This country has labor laws for a reason—to protect workers from exploitation and ensure a working environment that benefits both labor and management. And we should not forget that these labor laws helped create the middle class, providing generations of Americans with good pay and quality benefits, safe workplaces, and job security.

If Congress wishes to take action regarding the National Labor Relations Board, I would recommend that action to be the swift Senate confirmation of President Obama's three candidates for the Board. As for H.R. 1120, I will oppose this partisan effort to shut down the National Labor Relations Board.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong opposition to the Preventing Greater Uncertainty in Labor-Management Relations Act (H.R. 1120).

H.R. 1120 requires the NLRB to cease all activity that requires a quorum of Board members. This prohibits the Board from implementing, administering, or enforcing any decision finalized on or after January 4, 2012, that requires a quorum. This would essentially shut down the NLRB.

I understand the concerns regarding the Constitutionality of the appointments, but on February 13, 2013, President Obama asked the Senate to confirm the two recess appointments to the NLRB. Both sides have agreed the President is doing what is required of him by the Constitution.

The NLRB is an essential component of worker protections available to working men and women. The NLRB prevents and remedies unfair labor practices by employers and labor organizations. Elimination of the NLRB would leave millions of Americans without adequate protections.

I urge my colleagues to join my opposition to H.R. 1120 to protect the hardworking men and women in the United States.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong opposition to H.R. 1120, the Preventing Greater Uncertainty in Labor Management Relations Act. The 112th Congress was laden with baseless attacks against labor unions and middle class workers. Sadly, it appears that my Republican colleagues in Congress are working once again to make the 113th Congress just as partisan and divisive as the last.

H.R. 1120 is simply another attack on the rights of workers and their ability to form unions and bargain collectively. H.R. 1120 seeks to prevent the NLRB from carrying out its core responsibilities and will undermine the critical ability to protect Americans from abuse and exploitation by employers.

If enacted, H.R. 1120 would have devastating consequences for the millions of workers belonging to unions. The NLRB issues legally-binding decisions that protect workers who have been illegally fired, denied the right to collectively bargain with their employer, or have experienced any other violation of their legal rights. With the NLRB effectively disarmed, these workers will have no recourse if any labor law violations are committed against them.

Mr. Speaker, Republicans in Congress have repeatedly resorted to deceitful tactics to carry out their agenda. H.R. 1120 is no different, and is just one small part of a larger effort to dismantle the NLRB and weaken protections for workers to the benefit of businesses. I strongly urge my colleagues to oppose H.R. 1120, and any other partisan pieces of legislation that also seek to undermine the rights of workers all across America.

Mr. CHABOT. Mr. Speaker, research released this week from the National Federation of Independent Business indicates that more small businesses are decreasing their number of employees than increasing. On top of that, the net percent of owners planning to hire new employees fell last month to zero percent.

Some of this unfortunate news can be attributed to the legal chaos created by the Administration's recess appointments to the National Labor Relations Board, NLRB—appointments that a U.S. Court of Appeals rendered unconstitutional. Despite this ruling, the NLRB continues to issue job-crushing edicts.

Unfortunately, this confusion is only creating more costly litigation—not jobs.

The Preventing Greater Uncertainty in Labor-Management Relations Act, H.R. 1120, will resolve this confusion by preventing the NLRB from implementing, administering, or enforcing any new decisions, until a duly appointed and confirmed board can be organized.

I am proud to support this legislation on behalf of businesses through Southwest Ohio, and I hope the Senate will act quickly on it in order to provide some certainty for employees and employers.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 146, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. BUSTOS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. BUSTOS. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Bustos moves to recommit the bill (H.R. 1120) to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, insert the following:

SEC. 5. PROTECTING THE EMPLOYMENT AND ELECTION RIGHTS OF VETERANS AND THE AMERICAN WORKFORCE AGAINST OUTSOURCING, ABUSE BY FOREIGN FIRMS, UNSAFE WORKING CONDITIONS, AND DISCRIMINATION.

This Act shall not apply to any case or matter before the National Labor Relations Board involving any of the following:

(1) Any former members of the Armed Forces fired from a job in violation of the National Labor Relations Act or the processing of an election for representation for collective bargaining sought by any former member of the Armed Forces.

(2) Any attempt by a U.S. employer to outsource jobs or work overseas in violation of such Act.

(3) Any violation by an employer that is a foreign-owned firm against the rights of American workers under such Act.

(4) Workers seeking good faith bargaining under such Act to address issues related to health and safety, including hazardous working conditions involving underground mines, exposure to toxic chemicals, or explosions.

(5) Workers seeking good faith bargaining under such Act to address discrimination based on age, sex, disability, race, religion, or other personal characteristics.

(6) Any employer found to have violated child labor laws during the five-year period before the case or matter involving such employer comes before the Board.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois is recognized for 5 minutes in support of her motion.

Mrs. BUSTOS. Mr. Speaker, this is the final amendment to the bill. It will not delay or kill the bill or send it back to committee. If adopted, the bill will proceed immediately to final passage as amended.

This past November, Illinoisans and people across our country sent a strong, but simple, message to Congress, that the middle class needs to be a priority, not an afterthought.

The people I talk with back home are worn out by Washington putting politics before people. I was honored to take my oath of office in January with

a mission to be part of the solution here in Congress.

Like so many other Members of the freshman class of this session of Congress, I ran for office to fight for the American worker and for a stronger middle class. I believed I could make a difference, and I still do.

The hardworking middle class people from my district in Illinois are counting on us to remember them as we deliberate in this Chamber. That begins with standing up against attempts to cut the legs out from beneath American workers, which is exactly what this bill does that's being presented today.

□ 1130

Mr. Speaker, without the support of organized labor, my family wouldn't be where we are today. My father-in-law, Joe, was born in a boxcar to immigrant parents from Mexico. With just an eighth grade education, he worked the line at John Deere Harvester Works in East Moline, Illinois. And because of organized labor, he earned an honest wage and benefits for his hard work. He was able to provide for his family and make sure his four children had a better life and more opportunities than he did.

Joe's youngest son is Gerry, my husband, who, with the help of organized labor, has helped lift our own family to success. I'm proud of my husband's nearly 30-year law enforcement career, and he is now the undersheriff of Rock Island County, where I live, and the commander of the Quad-City Bomb Squad.

I know my family story is not unique about how organized labor helped lift us and that so many American families share this same type of experience. Far too many people across this great Nation of ours are still struggling but are still hopeful that, if they work hard and play by the rules, they too can live the American Dream.

Unfortunately, the bill before us today tells American workers they're on their own. Instead of adding certainty and stability to our communities, this bill creates chaos and undermines decades of progress.

My amendment pleads for just a morsel of common sense. It provides a few simple but critical exceptions to the chaos that the bill otherwise promises. It protects workers who have risked their lives for our country on the battlefields abroad. These are heroes like Clarence Adams, who was among the first American marines to set foot in Iraq 10 years ago.

After Clarence returned home, he tried to exercise his right to organize at his workplace. The election was held, the union won, and then the union busting began. Clarence and 21 of his fellow workers were even fired at one point. He had one place to go, and that was to turn to the National Labor Relations Board.

Voting for this bill means stripping away those rights for Clarence and countless other brave veterans. My amendment would protect the rights of veterans to organize in the workplace.

As far too many hardworking families across our Nation feel each day, our economy is still healing.

I pledged to fight for the American worker, and that's a pledge I'm committed to keeping. The middle class is stronger because of organized labor.

If a company takes American jobs and outsources them overseas simply to avoid the formation of a union, that must not be allowed. My amendment would protect these jobs.

If a foreign company abuses our American workers' rights, we need a strong NLRB to stand up for them. My amendment does this.

If American workers face dangerous working conditions that could cost them their lives and they seek the right to organize for their own protection, we need the NLRB to function on their behalf.

If a person faces sexual harassment at the workplace or a worker faces racial discrimination, they should be allowed to join with their coworkers so they can address these issues. My amendment gives these workers a voice.

The NLRB was created to decide cases on a fair and an independent basis and has traditionally been made up of both Republican and Democrat Board members. It is there to fight for the rights of workers and the middle class against the worst abuses. They are depending on us.

I urge my colleagues on both sides of the aisle to vote "yes" to put aside partisanship and begin focusing on the middle class and to remember all those people getting up early, working hard, and playing by the rules who deserve the same chance that my family has had to realize the American Dream.

I yield back the balance of my time.

Mr. KLINE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Speaker, this is an interesting political stunt.

My friends on the other side had ample opportunity, both in committee markup and before the Rules Committee, to offer an amendment of this nature. They did not.

It does nothing to fix the problem that we're faced with today. Making an exception in statute that says a Board that has been ruled unconstitutional can act any way for some people and not for others, frankly, makes no sense.

I'll stand behind no one in my desire to protect our men and women in uniform, those who are serving and those who have served, but that's not what this motion to recommit is really about.

Our bill brings certainty and an impetus to our friends at the other side of the Capitol to move the President to fix a dysfunctional National Labor Relations Board that can address the very issues that my colleagues have brought up.

I urge defeat of the motion to recommit and support the underlying bill.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mrs. BUSTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and approval of the Journal.

The vote was taken by electronic device, and there were—yeas 197, nays 229, not voting 6, as follows:

[Roll No. 100]

YEAS—197

Andrews	Edwards	Lipinski
Barber	Ellison	Loebuck
Barrow (GA)	Engel	Lofgren
Bass	Enyart	Lowenthal
Beatty	Eshoo	Lowey
Becerra	Esty	Lujan Grisham
Bera (CA)	Farr	(NM)
Bishop (GA)	Fattah	Lujan, Ben Ray
Bishop (NY)	Foster	(NM)
Blumenauer	Frankel (FL)	Lynch
Bonamici	Fudge	Maffei
Brady (PA)	Gabbard	Maloney, Sean
Braley (IA)	Gallego	Markley
Brown (FL)	Garcia	Matheson
Brownley (CA)	Grayson	Matsui
Bustos	Green, Al	McCarthy (NY)
Butterfield	Green, Gene	McCollum
Capps	Grijalva	McDermott
Capuano	Gutierrez	McGovern
Cardenas	Hahn	McIntyre
Carney	Hanabusa	McNerney
Carson (IN)	Hastings (FL)	Meeks
Cartwright	Heck (WA)	Meng
Castro (TX)	Higgins	Michaud
Chu	Himes	Miller, George
Cicilline	Hinojosa	Moore
Clarke	Holt	Moran
Clay	Honda	Murphy (FL)
Cleaver	Horsford	Nadler
Clyburn	Hoyer	Napolitano
Cohen	Huffman	Neal
Connolly	Israel	Negrete McLeod
Conyers	Jackson Lee	Nolan
Cooper	Jeffries	O'Rourke
Costa	Johnson (GA)	Owens
Courtney	Johnson, E. B.	Pallone
Crowley	Kaptur	Pascarell
Cuellar	Keating	Payne
Cummings	Kelly (IL)	Pelosi
Davis (CA)	Kennedy	Perlmutter
Davis, Danny	Kildee	Peters (CA)
DeFazio	Kilmer	Peters (MI)
DeGette	Kind	Peterson
Delaney	Kirkpatrick	Pingree (ME)
DeLauro	Kuster	Pocan
DelBene	Langevin	Polis
Deutch	Larsen (WA)	Price (NC)
Dingell	Larson (CT)	Quigley
Doggett	Lee (CA)	Rahall
Doyle	Levin	Rangel
Duckworth	Lewis	Richmond

Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David

NAYS—229

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Bartletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Kline
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko

Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Holding
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—6

Barton
Castor (FL)
Garamendi
Maloney,
Carolyn
McCaul
Ros-Lehtinen

□ 1200

Messrs. GOSAR, BRADY of Texas, and CHAFFETZ changed their vote from “yea” to “nay.”

Messrs. FATTAH, DEFazio, Mrs. BEATTY, Ms. LEE of California, and Messrs. RAHALL and HUFFMAN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ANDREWS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 219, noes 209, not voting 4, as follows:

[Roll No. 101]

AYES—219

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Bartletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)

Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al

Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton

NOES—209

Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal

Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOT VOTING—4

Barton Maloney, Ros-Lehtinen
Castor (FL) Carolyn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1210

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 277, nays 131, answered “present” 1, not voting 23, as follows:

[Roll No. 102]

YEAS—277

Aderholt Crenshaw Heck (WA)
Alexander Cuellar Hensarling
Amodei Culberson Himes
Bachmann Cummings Hinojosa
Bachus Daines Horsford
Barber Davis (CA) Huffman
Barletta Davis, Danny Hunter
Barr DeGette Hurt
Barrow (GA) Delaney Issa
Beatty DeLauro Jeffries
Becerra DelBene Johnson (GA)
Bentivolio DeSantis Johnson, Sam
Bera (CA) DesJarlais Kaptur
Bilirakis Deutch Kennedy
Bishop (GA) Diaz-Balart Kildee
Bishop (UT) Dingell Kildee
Black Doggett King (IA)
Blackburn Doyle King (NY)
Blumenauer Duncan (SC) Kingston
Bonamici Ellison Kline
Bonner Ellmers Kuster
Boustany Engel Labrador
Brady (TX) Eshoo LaMalfa
Bridenstine Esty Lamborn
Brooks (AL) Farenthold Langevin
Brooks (IN) Farr Lankford
Brown (FL) Fattah Larson (CT)
Brownley (CA) Fleischmann Levin
Buchanan Fleming Lipinski
Bucshon Flores Lofgren
Bustos Forbes Long
Butterfield Fortenberry Lowenthal
Calvert Foster Lowey
Campbell Frankel (FL) Lucas
Cantor Franks (AZ) Luetkemeyer
Capito Frelinghuysen Lujan Grisham
Capps Fudge (NM)
Cárdenas Gabbard Lujan, Ben Ray
Carney Gallego (NM)
Carter Garamendi Maloney, Sean
Cartwright Gingrey (GA) Marchant
Cassidy Goodlatte Marino
Castro (TX) Gosar Massie
Chabot Gowdy Matsui
Chaffetz Granger McCarthy (CA)
Cicilline Grayson McCarthy (NY)
Clay Griffith (VA) McCaul
Cohen Grimm McClintock
Cole Guthrie McCollum
Collins (NY) Hahn McHenry
Conaway Hall McIntyre
Connolly Hanabusa McKeon
Cook Harper McKinley
Cooper Harris McMorris
Cramer Hastings (WA) Rodgers

McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Pascarell
Pelosi
Perlmutter
Perry
Petri
Pingree (ME)
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Rangel

Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Linda
T.
Scalise
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema

Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stewart
Stockman
Stutzman
Swalwell (CA)
Takano
Thornberry
Tierney
Titus
Tonko
Tsongas
Upton
Van Hollen
Vargas
Vela
Wagner
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Waxman
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wolf
Womack
Yarmuth
Yoho
Young (IN)

Hultgren
Maloney,
Carolyn

Quigley
Ros-Lehtinen
Smith (NE)

Watt
Young (AK)
Young (FL)

□ 1217

So the Journal was approved.

The result of the vote was announced as above recorded.

□ 1220

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to my friend from Virginia, the majority leader, for the purpose of inquiring about the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

On Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business. Last votes for the week are expected no later than 3 p.m.

On Friday, no votes are expected.

Mr. Speaker, the House will consider a few suspensions next week, a complete list of which will be announced by close of business today.

In addition, we expect a robust debate next week on the importance of our Nation's cybersecurity. The House will consider a number of bipartisan bills to reduce the obstacles to voluntary information-sharing between the private sector and government, secure our Nation's infrastructure, better protect government systems, and combat foreign threats.

A number of committees will bring bills to the floor next week, Mr. Speaker, including the Intelligence, Oversight and Government Reform, and Science Committees. In the coming months, I expect to continue to address cybersecurity legislation from additional committees, including Homeland Security and Judiciary.

Of the bills coming to the floor, we will consider H.R. 624, the Cyber Intelligence Sharing and Protection Act, under a rule. This important legislation is authored by Chairman MIKE ROGERS and cosponsored by Ranking Member DUTCH RUPPERSBERGER.

Mr. HOYER. I thank the gentleman for that information. I want to share his view that the cybersecurity legislation is critically important legislation. I know that there are still continuing differences with reference to the protection of individual citizens' privacy on this legislation, but I also know, as the gentleman has indicated, the critical nature of providing access and exchange of information so that we can

NAYS—131

Amash
Andrews
Bass
Benishek
Brady (PA)
Braley (IA)
Broun (GA)
Capuano
Carson (IN)
Chu
Clarke
Cleaver
Clyburn
Coffman
Collins (GA)
Conyers
Costa
Cotton
Courtney
Crowley
DeFazio
Denham
Dent
Duckworth
Duffy
Edwards
Enyart
Fitzpatrick
Fox
Gardner
Garrett
Gerlach
Gibson
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutierrez
Hartzler
Hastings (FL)
Heck (NV)
Herrera Beutler

ANSWERED “PRESENT”—1

Owens

NOT VOTING—23

Barton
Bishop (NY)
Burgess
Camp
Castor (FL)
Coble
Crawford
Davis, Rodney
Duncan (TN)
Fincher
Garcia
Gibbs
Gohmert
Hanna
Higgins

Payne
Pearce
Peters (CA)
Peters (MI)
Peterson
Pittenger
Poe (TX)
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rigell
Rohrabacher
Rush
Ryan (OH)
Salmon
Sanchez, Loretta
Sarbanes
Schakowsky
Schock
Sires
Slaughter
Southerland
Stivers
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Turner
Valadao
Veasey
Velázquez
Visclosky
Walberg
Weber (TX)
Wittman
Woodall
Yoder

protect Americans, protect our country, and protect our intellectual property and commercial property. So I would hope and expect that we would be working together in a bipartisan way to make sure that we can reach consensus so that we can see a bill signed.

I want to say that I know that both you and I are pleased that Chairman ROGERS and Ranking Member RUPERSBERGER have been working so closely together in a bipartisan fashion to accomplish this objective.

Mr. Leader, I hope you've noticed that earlier this week I gave a speech with reference to Make It In America. In that speech, I want you to know, if you missed it, I mentioned the jobs bill. I made a little fun of the jobs bill, as you recall, when you put it on the floor, but we all voted for it because it was a good bill. We put together five or six bills that had bipartisan support as they passed the House and Senate.

□ 1230

We put them together, the President signed that bill, they were a step forward, they were part of our Make It In America agenda on our side and your jobs expansion, growth expansion on your side.

What I said in my speech on Make it in America, which refers to manufacturing in America, growing things in America, selling them here and around the world, and doing what Americans are hopeful that we are focused on, and that is creating jobs, in that speech, Mr. Leader, I said that we needed to focus on four particular priorities.

Number one, adopting and pursuing a national manufacturing strategy. As I'm sure you know, Mr. Leader, last Congress we passed the Lipinski bill, which came out of committee in a bipartisan fashion and passed this House in a bipartisan fashion. Unfortunately, it did not pass the Senate.

You and I both know that if you're going to win, if you're going to succeed, you're going to have to have a plan to do so. This speaks to the coming together of business, labor, entrepreneurs, investors, as well as government, in terms of the partnership that we can play in ensuring that we are making things in America and that goods around the world have on them "Made in America."

Secondly, we want to promote U.S. exports. You and I, Mr. Leader, have worked on that. We worked on that in a bipartisan fashion. This was another part of what we call Make It In America, the Export-Import Act. Your staff and my staff worked very diligently together to get that done, and we passed it in a bipartisan fashion.

The third part of the Make It In America agenda focus would be encouraging manufacturers to bring jobs home. I think we have, Mr. Leader, an excellent opportunity, given the con-

text of where we find ourselves, where salaries are going up overseas, where it is more expensive now to ship goods back to the United States because of transportation costs, the largest market in the world.

And, fourthly, as the gentleman knows, while there have been some differences, the President has expressed, you've expressed, I've expressed, our need to expand our energy supply, and particularly as we see the natural gas technology advancing, that the United States of America is going to be one of the least expensive energy venues in the world and have one of the best supplies in the world, which perhaps no one would have predicted 20 years ago but is a fact, all of which ought to go to helping us reinvigorate, expand manufacturing, and create middle class jobs, paying good wages and providing good benefits.

Lastly, we want to ensure that we invest. And I notice the gentleman sent out a memo to your Members. I don't think we purloined a copy, but we did get a copy. You talked about investing and making sure that the quality of life and jobs were available for working Americans. We need to make sure that we invest, as you pointed out, as we believe strongly, in education and infrastructure and innovation, to make sure that we have the training necessary for people to be able to perform the jobs that are going to be required in the growing economy and the global marketplace.

I say all that, Mr. Leader, to suggest that I would like to sit down with you so that we can talk together about how we mutually can move forward on what, as I say, we call a Make It In America agenda, but a jobs agenda, a growing the American economy agenda. I know you've been focused on that, we're focused on that. I'm hopeful we can do that, I think it will be positive for our country, and I think Americans will feel good about it.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman, and really appreciate his remarks and willingness to sit down and see where we can find areas of agreement. Because as the gentleman and I have both expressed on this floor on many occasions, there is plenty of disagreement and no shortage of supply in this town of that.

On the bigger issues of the fiscal situation of the country, we still struggle. Mr. Speaker, as the gentleman knows, on trying to come together. But I listened to the gentleman, and I know he's very committed, and has been to his agenda, Make It In America. As the gentleman knows, I gave a talk earlier this year at the American Enterprise Institute, which I spoke of an agenda of trying to make life work for more working people in this country.

There is a lot in common that we have in these two programs, if you will.

Because we talk about the kinds of things that will help working families, that will help working people get a job again. The gentleman's intention in a national manufacturing strategy, I'm sure, is to increase job availability; make sure that we have more American jobs.

We also have a skills problem. We passed the SKILLS Act on the floor a couple of weeks ago. My hope is we can increase bipartisan support for things like that, because it was simply an attempt to respond to a GAO recommendation where there are 50 different job-training programs at the Federal level. Certainly we can do better than that. Certainly we can streamline and still protect the kinds of individuals that the statute asks us to, or requires protection of—the veterans, the folks who are on limited income that we can help put in place for employment. Because, after all, all of us believe that we are a society built on hard work, built on playing by the rules and getting ahead. So, I welcome the gentleman's commitment to those type of things.

He mentions the need for us to invest and to look to the future. In fact, I have not only a budget and a spending plan of the future, but a real mentality on this floor of how we can work together for all Americans. I have talked a lot about this in this making life work for people and for families. Really, the priority that we place in this country on medical research, on research and development, because it is the seed corn of the future.

While we are constrained by the current fiscal situation, it does bring to life setting priorities. We're not going to be able to fund everything, but certainly we can agree on trying to find medical cures, trying to understand how we can better discover therapies, treatments, so people can live longer and have a better quality of life. These are the kinds of things I look forward to working on with the gentleman as well, and I accept his invitation and look forward to being able to sit down.

Mr. HOYER. I thank the gentleman for that.

Following on his observation, clearly what he says is we need to focus on priorities. I think he's absolutely right on that. I think one of the sad things is we have passed a fiscal posture in this country presently that does not focus on priorities, unfortunately, and that's called sequester, which, in effect, looks across the board at cutting both the highest priorities and the lowest priorities in similar ways.

I would hope that we could obviate the sequester. I think it's bad for the country, I think it's bad for our future, I think it's bad for the growth in our economy. I would hope that we could also work on that.

And towards that end I would say, Mr. Leader, you have talked about,

and, in fact, we passed legislation that was designed to encourage and to require the passage of a budget by the Senate. The Senate has now passed a budget, we have passed a budget, the President has now presented a budget, so that we have three alternatives on the table now.

I would hope that as soon as the Senate passes its bill to us, which I expect to be shortly, that we would go to conference in pursuance of an agreement which will give us a fiscally sustainable path for this country, give us confidence in this country that Congress can work, that the Nation's board of directors can work, in coming to a balanced compromise with respect to how we move forward with the finances of America. Now that we have, as I say, a Senate-passed budget, a House-passed budget, a budget presented by the President of the United States, obviously, there are things that each person in the country can disagree with and agree with presumably on each one of those budgets.

□ 1240

I would hope that we would be going to conference as soon as possible so that we could address this critically important objective.

I ask the gentleman if he has any information with respect to the intention to go to conference as soon as we receive the Senate bill, which, as I say, I think will be shortly.

I yield to my friend.

Mr. CANTOR. I would say to the gentlemen, Mr. Speaker, I, too, am glad that we have finally seen the Senate act and pass a budget. That is an accomplishment in and of itself. And the President also has finally proposed his budget. So the gentleman is right that we've got some things on the table that maybe we can start to discuss.

I know that Chairman RYAN and Chairman MURRAY are already in discussions about a path forward, and I look forward to the results of those discussions. And in concert with the gentleman's point earlier about setting priorities, it just seems to me, Mr. Speaker, that the best way forward is to find areas where we agree and let's go make some progress on those things. Again, this town is full of division and disagreement, but there are things we have in common, in agreement in these three documents that I believe we can work on together.

Mr. HOYER. I would simply observe—and he knows this as well as I do—that there will be an agreement on things that he perhaps does not agree with and there will be things in the agreement that perhaps I will not agree with. The secret, in my view, of getting agreement is going to be to have a comprehensive agreement that accomplishes the objective of bringing our finances to a fiscally sustainable path that's credible and believed by not

only the economy, by investors, by the American people, but also by the international community.

We've talked a lot about confidence, as I've indicated, in the past. You've talked a lot about confidence in the past. I think we all agree that our economy needs confidence to grow as robustly as we want it to create the kinds of jobs we want.

Toward that end, can the gentleman tell me what plans we have at this point in time for the debt limit extension? I know there's some discussion of bringing a bill to the floor which will deal with that issue. Can the gentleman perhaps elaborate on what the plans are with respect to the debt limit that confronts us that will hit sometime around May 19?

And I yield to my friend.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, as the gentleman has indicated, Mr. Speaker, the majority has committed itself to a budget that balances in 10 years. It is our desire that we can come to some agreement on how to do that. This is where the difficulty, again, comes in, where the President's proposal and budget raises a lot of new revenues. Some estimates have indicated it will create a trillion dollars in new taxes and won't ever balance.

So we've certainly got a gulf between us, but it is our intention to work together to avoid the situation of default; and we are and do intend to consider a bill that will ensure we meet our legal obligations and do not default on our debt, which I'm sure the gentleman agrees with me, Mr. Speaker, is the responsible thing to do.

Mr. HOYER. I certainly agree that defaulting on the debt is an extraordinarily irresponsible thing to do, and, in fact, we shouldn't do it. In fact, we shouldn't use it as a leverage point, in my view, to pretend that somehow going over the debt limit without extension is an acceptable political leverage point for either side.

Both sides have sort of blamed the other for the deficits as we've confronted these debt limits. We've never come close, except in August of 2011, to defaulting, which was the first time, as the gentleman knows, when we were downgraded by 1 point by S&P. That's an irresponsible policy. I agree with the gentleman.

Let me say that the advantage of a conference on this issue will be that transparently the American public will see the debate. The gentleman indicates a 10-year objective of balancing the budget without revenues. I personally believe that's impossible.

I've said on this floor that if there were no Democrats in the Congress of the United States, either in the Senate or the House, that, frankly, your side of the aisle could not pass either the appropriation bills or the revenue bills or tax cuts that are suggested in Mr.

RYAN's budget, which would accomplish your objective. I think we'll never know that, which is, I think, a happy circumstance on your side that that will never be put to the test.

Having said that, I would hope that we could get to a place where we say the debt limit is not going to be subject to political maneuvering.

Furthermore, let me say that the bill that we've been hearing about—in *The Wall Street Journal* there was an article that appeared just yesterday, I think:

Fitch Ratings, a credit-rating firm, said Tuesday it wasn't clear whether the Treasury legally could prioritize bond payments over other government obligations.

And it went on to say:

If it did so, Fitch added, it was very likely the firm would downgrade its AAA rating of the U.S. debt.

In other words, even if we say we're going to pay the debts or, as some people have said, even if we say we're going to pay the Chinese first and not invest in those things such as basic biomedical research—to which the gentleman referred, and I share his view of that being a priority of our country—and cut those as we pay the Chinese or other creditor nations back for what we borrowed, that would not be in the best interest of the United States.

I would say that in both instances, either pretending that we're going to go over the debt limit and avoid it by simply paying the debt first and then cutting other things in some sort of order, neither of those policies is consistent, I think, with our responsibilities as Members of Congress.

I will tell you that we will do it on a bipartisan basis, Mr. Leader. I use a very simple example for my constituents. You go to Macy's. You take out your Macy's credit card and you buy \$200 worth of goods. You go home. Next week, you and your wife are sitting around the table or you and your husband are sitting around the table, and you say, You know, we're really in debt too much. We're going to limit it to \$100. So Macy's sends you the bill for 200 bucks. You send them back a check for \$100 and say, Sorry, we have a debt limit of \$100. Macy's writes you back and says, We're sorry, too. We're not going to give you any additional credit and we're going to sue you. That's our debt limit.

The debt limit, you and I both know, is not realistic. It's much more a political and demagoguing way of dealing with one another and dealing with the finances of this country.

I would hope that you and the Speaker—both of whom I know have said not extending the debt limit is not a viable or a responsible option. I would hope that we could make that clear, that we're not going to do that and, in a bipartisan way, extend it, and perhaps extend it early enough so that it

doesn't become even an item of consideration by any of the rating agencies or the international community.

I yield to my friend.

Mr. CANTOR. I would just respond to the gentlemen by saying this in terms of the family he talked about going to Macy's and making the charge of \$200. I think most families would also think it's prudent to figure out how they're going to pay that bill before they go about incurring it, and that is the spirit in which I think the majority approaches the debt ceiling to say, How are we going to tell the people that we're going to pay off the debt that we've now gone ahead and incurred?

I think a little bit of forethought here, planning into the future how we are going to pay the bills, is the emphasis. I've always agreed, as the gentleman said, the debt ceiling is something that is necessary for the operations of government. We'll bring a bill forward that will ensure that we don't go into default. But I do think that we should be mindful of how we're going to tell the public we're going to go into the future and pay off these debts. Because, as the gentleman, who has many children and grandchildren, he doesn't want his kids, nor do I want mine, to be shouldering the debts and paying our bills.

□ 1250

We should be really committing ourselves not to just borrowing more, not to just taking more from taxpayer dollars, because we've done a lot of that this year already. When the gentleman talks about the need to proceed with revenues, we already have close to \$650 billion of additional static revenues—taxes that are accounted for because of the fiscal cliff deal. So it's not that there are no revenues in the mix here.

Again, I look forward to working with the gentleman. I appreciate his commitment to longevity in this country, to sustaining economic growth or to at least restarting it again so we can sustain it, and look forward to joining him in that effort.

Mr. HOYER. I thank the gentleman.

The way to do that plan of how to amortize our debt and invest in the priorities of this country—education, innovation, infrastructure, other basic biomedical research to which the gentleman referred—is to have a budget. That's the plan that the gentleman refers to. The way to get to a budget is to go to conference and come to an agreement.

However, I will tell my friend what the problem we've had is: reaching compromise, and it's going to be necessary to compromise. As the gentleman observed and as I know, we have very substantial differences, but if the differences continue to create gridlock and no action, those children of which you spoke and I speak are going to suffer, so I would hope that we could move forward.

The President's budget, I will tell the gentleman and as he probably knows, has about an almost 3-1 ratio between cuts and additional revenues, which is essentially, approximately, what most on the bipartisan commission—some have been 2-1, some 2.5-1—have recommended. I know the gentleman disagrees with that ratio, but it is certainly the President's view, which I share, that he has made a very positive proposal whether you agree with it or not, and a number of your Members have observed that it's a useful document.

Given that context, hopefully, we can go to conference. Hopefully, we can come to agreement. Hopefully, we can see compromise reached, and hopefully put our country on the fiscally sustainable path that it needs to be.

I yield back the balance of my time.

MODIFYING THE REQUIREMENTS UNDER THE STOCK ACT

Mr. CANTOR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 716) to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. RICE of South Carolina). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The text of the bill is as follows:

S. 716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATIONS OF ONLINE ACCESS TO CERTAIN FINANCIAL DISCLOSURE STATEMENTS AND RELATED FORMS.

(a) PUBLIC, ONLINE DISCLOSURE OF FINANCIAL DISCLOSURE FORMS.—

(1) IN GENERAL.—Except with respect to financial disclosure forms filed by officers and employees referred to in paragraph (2), section 8(a) and section 11(a) of the STOCK Act (5 U.S.C. App. 105 note) shall not be effective.

(2) EXEMPTED OFFICERS AND EMPLOYEES.—The officer and employees referred to in paragraph (1) are the following:

- (A) The President.
- (B) The Vice President.
- (C) Any Member of Congress.
- (D) Any candidate for Congress.

(E) Any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position.

(3) CONFORMING AMENDMENT.—Section 1 of the Act entitled “An Act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes” is repealed.

(b) ELECTRONIC FILING AND ONLINE AVAILABILITY.—

(1) FOR MEMBERS OF CONGRESS AND CANDIDATES.—Section 8(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “, OFFICERS OF THE HOUSE AND SENATE, AND CONGRESSIONAL STAFF”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by Members of Congress and candidates for Congress,

“(ii) reports filed by Members of Congress and candidates for Congress of a transaction disclosure required by section 103(l) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official websites of the House of Representatives and the Senate.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this section” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

(2) FOR EXECUTIVE BRANCH OFFICIALS.—Section 11(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking “EMPLOYEES” and inserting “OFFICIALS”;

(B) in paragraph (1)—

(i) by striking “18 months after the date of enactment of this Act” and inserting “January 1, 2014”;

(ii) by amending subparagraph (B) to read as follows:

“(B) public access to—

“(i) financial disclosure reports filed by the President, the Vice President, and any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position,

“(ii) reports filed by any individual described in clause (i) of a transaction disclosure required by section 103(l) of the Ethics in Government Act of 1978, and

“(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official website of the Office of Government Ethics.”;

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking “under this section” and inserting “under paragraph (1)(B)”;

(D) in paragraph (3), by striking “under this subsection” and inserting “under paragraph (1)(B)”;

(E) in paragraph (4), by inserting “be able to” after “shall”; and

(F) in paragraph (5), by striking “under this subsection” and inserting “under paragraph (1)(B)”.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJOURNMENT TO MONDAY,
APRIL 15, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

RESTORING THE HEALTHY MANAGEMENT OF OUR NATIONAL FORESTS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, over a century ago, the Federal Government pledged to actively manage our forests when Congress created the National Forest System. This management includes activities such as prescribed fires and thinning—and, yes, timber harvesting is a core part of this duty. A portion of the revenues reaped from the forests would go to the counties containing National Forest lands in order to supplant the lost local tax revenues. Unfortunately, the Federal Government has failed to uphold this commitment.

One example is revealed when you compare the harvests of adjacent lands. In the Fifth District of Pennsylvania, the Collins Pine Company currently owns 120,000 acres in the Allegheny Plateau, an area adjacent to the Allegheny National Forest, which totals 493,000 acres of forest land. Collins Pine sustainably harvests the same amount of timber as the entire Allegheny National Forest on less than a quarter of the acreage. This lack of adequate forest management has deprived rural counties of revenue needed to fund critical local projects such as schools and infrastructure projects.

Mr. Speaker, we must restore the active and healthy management of our national forests in order to provide a stable revenue stream for rural schools and counties and to help build back these robust local economies.

PRESERVING THE LINCOLN TRAIN STATION IN GETTYSBURG

(Mr. PERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PERRY. To help commemorate the 150th anniversary of the Battle of

Gettysburg and the Gettysburg Address, I have introduced legislation, H.R. 1513, to preserve the historic Lincoln Train Station in Gettysburg.

President Abraham Lincoln arrived at the Lincoln Train Station on November 18, 1863, prior to delivering the Gettysburg Address the following day. Listed on the National Register of Historic Places, the Lincoln Train Station also served as a hospital during the Battle of Gettysburg, transporting wounded soldiers after the battle.

The National Park Service plans to utilize this station as a downtown Gettysburg information center. The intent of this legislation is to preserve this historic site without using any hard-earned tax dollars. The legislation also expands the boundaries of the Gettysburg National Military Park to include 45 acres of donated land along Plum Run in Cumberland Township. This legislation specifically forbids the use of eminent domain for the acquisition of either property and will not utilize any Federal funds.

I applaud the efforts of the Gettysburg Foundation and the Gettysburg National Military Park to increase public understanding of the heritage and lasting significance of Gettysburg and Gettysburg's place within the context of the American Civil War.

IN HONOR OF THE 236TH
BIRTHDAY OF HENRY CLAY

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, I rise today in honor of what would be the 236th birthday of Henry Clay, who once represented the same district which I am honored to serve today.

As one of Kentucky's most celebrated statesmen, Henry Clay proved that an unwavering dedication to principle and a practical commitment to compromise are not incompatible values. As the "Great Compromiser" himself demonstrated, they are instead the tools of statesmanship. Henry Clay was focused on saving the country, and he resolved to enact substantial solutions, not short-term fixes that merely pushed the problems onto the backs of future generations.

As we consider how to deal with the almost \$17 trillion national debt and as a proud graduate of Henry Clay High School, I call on my colleagues in Congress to remember Henry Clay's resolve because now is a time to come together in the spirit of statesmanship in order to cut spending and balance our budget for the sake of future generations.

SAVE AMERICA COMPREHENSIVE
IMMIGRATION ACT

(Ms. JACKSON LEE asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Throughout the week, we have been hearing from souls who have asked us to have mercy on them and to pass comprehensive immigration reform. Thousands came to petition the government. There were mothers and fathers and children, and I am listening to their cries, as America has listened and as the Statue of Liberty often said: to bring you those who were in need but wanted to serve this Nation.

Today, I introduced Save America Comprehensive Immigration Act, H.R. 1525, to have earned access to citizenship, family reunification, border security, supporting our Border Patrol agents, and a number of items that will bring us together. I hope that we can move this legislation forward.

Let me quickly say that 50 of us signed a letter this week to stop the filibuster on sensible gun legislation. Thank goodness the other body now will move forward to answer the cries of other Americans who have been the victims of gun violence. It is certainly in keeping with the Second Amendment that we have the opportunity to have universal background checks, to rid ourselves of assault weapons and multiple rounds that have killed many in the various mass killings, and to have the ability to help those who have mental health needs.

We can do this as Americans and as Members of Congress. I ask that we move forward and respond to the American people.

□ 1300

HONORING WILLIAM BOOTH
GARDNER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Washington (Mr. HECK) is recognized for 60 minutes as the designee of the minority leader.

Mr. HECK of Washington. Mr. Speaker, on Friday, March 15, last month, William Booth Gardner passed away in his home in Tacoma, Washington, after courageously battling the ravages of Parkinson's disease for about 20 years. Born in 1936, he was 76 years old.

Booth Gardner will be remembered for many things. He will be remembered as Washington State's 19th Governor, having served from 1985 to 1993. He voluntarily retired after two terms, with sky-high job approval ratings, and was subsequently appointed as ambassador to GATT, now known as the World Trade Organization, by his good friend, President Bill Clinton.

He will be remembered as a person of means—some would say considerable means—who began his lifelong pattern of "pay it forward" by volunteering to work with children in the inner city

while he was still in college. He even coached Jimi Hendrix in football.

He will be remembered for turning around a scandal-ridden Pierce County government as its first elected county executive and bringing it into the 20th century.

He will be remembered for his impish sense of humor. At the end of the long campaign for the aforementioned county executive position, so familiar was he with his opponent's speech that he delivered it, verbatim, at the last campaign appearance. It was the only time his opponent was left both figuratively and literally speechless.

Booth Gardner will be remembered for leading Washington State through a stunning era of progress. He was a national leader in civil rights. He appointed our State's first African American to the United States Supreme Court. He signed an executive order banning discrimination against gays and lesbians in the State workforce way back in 1995, way before it was the popular thing to do. And at the time he said, The only thing I care about is if they are competent to do the job.

He pushed forward a trainload of environmental protections. For example, he signed an order protecting wetlands, knowing their importance to ensuring clean water, while most of the rest of us were still thinking about wetlands as kind of like large mud puddles.

He was a national education leader. He chaired the Education Commission of the States and fought for standards before that was popular. He expanded choice for students and restored a then-deteriorating higher education funding system.

He leveraged his very considerable private sector experience to be a great manager of State government, implementing—again, before it was popular—commonsense ideas like a rainy-day fund and life-cycle capital budgeting.

But Governor Gardner really shined in health care. When he chaired the National Governors Association, he triggered the national debate on health care and for improving access for low-income families and containing costs for all of us.

Booth Gardner will also be remembered for the Academy Award-nominated documentary that bore his name, Booth Gardner's Last Campaign. It eloquently told the story of his successful advocacy in our State of the Death with Dignity initiative, which was overwhelmingly approved by the voters.

I'm often asked about how and when I first met Booth. It was 40 years ago this year. I was a 20-year-old very lowly clerk in the Washington State House of Representatives. I took paperwork over to the chair of the Senate Education Committee. And to my great surprise, then-State Senator Booth Gardner invited me into his office,

never having met me, and simply said, Sit down and tell me about yourself, DENNY. Little did I know that day that, many years later, I would have the unbelievable honor to serve as his chief of staff.

Booth Gardner will be remembered for many things; but mostly I think he will be remembered for governing when government actually worked, and it was due in no small part to his steadfast commitment to civility, respectfulness, and collaboration.

For my own part, I will remember him as boss, mentor, and the truest and dearest of friends.

I now yield to my very good friend, the gentleman from the Seventh Congressional District of Washington State, Dr. McDERMOTT.

Mr. McDERMOTT. Thank you very much, DENNY.

Although it makes me sad for the reason we are speaking here today, I am honored to say a few words about my friend, Governor Booth Gardner.

A lot of people will remember us as adversaries, and that's true for a brief time. We ran against each other for Governor in 1984, and I lost. Now, it might come as a surprise to you, but I didn't particularly like losing. And so after the election, I went off to a place I had up in the San Juan Islands to lick my wounds on Lopez Island. It's exactly there where Booth found me a few days later. He called and said, I'm going to be up in the area. I have a place over on Shaw Island, and I'll come over and see you. And so he drove his boat over and we met.

I had a 40-acre farm, and we walked around the property four times, talking about our visions, about the State, about the election, about the campaign, and where we wanted the State to go, because Booth and I both loved the State of Washington. By the time we landed on my front doorstep, we'd solved all of Washington's problems.

Booth had a unique characteristic which I think DENNY alluded to, and that is we had a Senator in the State by the name of Warren Magnuson who used to say you can get a lot of things done if you don't care who gets the credit for them. Booth really did believe that.

I'd been working on a basic health plan for the working poor in the State for a number of years before he got to be Governor, and I hadn't been able to get it through the Republican Governor and the Republicans in the legislature. It was my passion project: giving the poor who fell outside of Medicaid but were working an opportunity to buy into the health care system in some way. It was one of those gaps between what the Federal Government did and what the private insurers and the employers were doing, and there were lots of people who were working full time but couldn't get health care.

So we put together this program. He told me that day when we were talking

around that he would do everything he could to get it passed, and he kept his word—also unusual in politicians. He put everything he had into it. And when it was finished, he signed it in the middle of my district in a little clinic called Country Doctor in the middle of the city on Capitol Hill.

That bill has helped the working poor of Washington all over the State get medical care and is one of the first public options. It's so good for the State of Washington that Senator CANTWELL took it and put it into the Affordable Care Act. It's now in the blueprint for the safety net that we are developing in this session of Congress.

So Booth lived on beyond his days. His ideas, his willingness to make something happen, carried into the future, and he never walked around telling anybody about it, just did it. That walk with me, a couple of rivals, was really the beginning of it all.

It wasn't only health care. I was the Ways and Means chairman in the Senate, so I had a lot to do with how the budget got put together. But it doesn't matter if you're the Ways and Means chairman or not, if the Governor won't sign it, you can't get it passed. He and I had lots of talks.

He was willing to sign a bill that created the largest settlement for women workers in this country under equal pay for equal work. He signed it after a lawsuit that the State had lost, and I convinced him that we ought to settle the case and let women move ahead in the workplace, and Booth said, Good idea.

□ 1310

Finding a partner like Booth, one who's willing to get past politics and jump in the deep end with you on some issues that weren't exactly sort of centrist—sometimes he took some real risks—is not a very common thing in politics. But with Booth it was common. The best interests of the State always came first.

Although, occasionally I would go over to his office to find him and they would say, well, he's gone. Well, where is he? Well, he's gone up to coach his girls soccer team in Tacoma.

He had all kinds of interests and all kinds of concerns about kids, and he was willing to put everything he had into it, both in the office and out of the office.

Now, some of his most important work, in my view, and what shows his real character and why I feel bad today, is that when he left the Governor's mansion, he was in apparently good shape, as far as we knew; went off to Geneva to work for the GATT trade organization, and while he was over there, the diagnosis was made of Parkinsonism.

Parkinsonism is a very, very difficult disease to cope with. Your mind is active, everything is active; your body

just won't cooperate. And Booth had this disease and struggled with it for 20 years, as you've heard.

Now, death is a frightening thing for all of us to think about. None of us want to think about death. It's not something that's usual table conversation or much of a conversation out here on the floor. But Booth was willing to look at it straight on, and he was willing to talk about it in a way that few other people were.

He wanted to talk about what people's options were; and he saw the suffering, he was going through it himself, and felt that everyone should have the right to choose how they want to end their life. In a final directive, when you go into the hospital, you tell them whether you want them to resuscitate you or not. All of that, he looked at all of that.

And the one thing that was obvious to him was that there comes a time when there is no hope, and there is no question when it's going to happen; and people ought to have the right to make their own decision at that point. It's called death with dignity.

Now, he took that issue on. Here's a man who's struggling with a debilitating disease of his own, no political advantage whatsoever in doing it, none. But he came and spent his time. He was sick; it was hard for him to get up and talk. Sometimes he could only talk a few sentences and then someone else would have to take the podium because he was unable to continue.

There weren't any donors watching. There was no election to be prepared for. It wasn't even an issue that affected him directly, because the requirement of the law was that you had to have two doctors say that you had only 6 months to live, and with Parkinsonism, it's not possible for any physician to say that. So it wasn't something he was doing for himself. It was because he thought it was right for the people of the State of Washington.

You rarely find someone with that ability to get out of their own self-interest. He just believed in it. He believed that it was best for the people of Washington, and he wasn't going to let his sickness or anything else stop him from getting it done, and it passed by about a 54 percent majority.

Booth was a great man. They say people are—they pass twice, once when they die, and once when people stop telling stories about him. The stories will never stop about Booth. I could stand up here and tell them for a long time.

But he was a great man. He was a good Governor, he was a good father, he was a good husband, and he was my partner and my friend, and I'll miss him very much.

Rest in peace, Booth.

I yield now to DOC HASTINGS, from Pasco, Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding, and

I want to thank my other colleague from Washington (Mr. HECK) for having this Special Order.

I didn't know Governor Gardner that well. We come from different political parties. That's one reason why you don't probably build a close association. But also my last 2 years in the legislature was his first 2 years as Governor, so I don't have the special relationship that Mr. HECK and Mr. McDERMOTT had with him.

But the one characteristic that I did realize with him has been talked about a great deal by my colleagues, and that is that he was a very friendly guy. When Mr. HECK was on the floor just a moment ago saying, as a clerk, you know, he'd call him into his office and treated him like an equal. And I found that characteristic the same in my 2 years when I was in the legislature with Mr. HECK, or with Governor Gardner, even when we were the minority party at that time.

But probably the story that I remember best on a personal note dealt with my daughter. In the Washington Legislature, and I assume other legislatures are the same way, when sine die comes, it is done at precisely the same time. And the doors of the House Chamber are open, the doors of the Senate Chamber are open, and the joint rules require that the gavel drop at the same time. So, you know, it has to be organized and so forth.

And my oldest daughter happened to be a page on that sine die. It was going to be my last sine die, as a matter of fact. So I told her, why don't you go behind the House podium, and you can see how that works. And so she kind of snuck behind there and managed to get that view.

And then after sine die, typically, in the Washington Legislature there are a number of get-togethers. The Governor's Office happens to be on the floor right below the Senate Chamber, and parties are going on and so forth.

So my daughter changed because we were going to drive home, and she put on a sweatshirt. And the sweatshirt was a remembrance of her going to the State volleyball finals. And so she had a bunch of names, all of her classmates wrote their names on there.

So we walked down to the Governor's Office, and he looked at her and grabbed her and, you know, wanted to know what all the names were, what happened, did they win the championship, I mean, all this sort of stuff, just, I guess, so typical of the type of individual that Governor Gardner was.

So I can't talk about the policies that my previous colleagues spoke about, but I can tell about that one particular issue. And it just turns out that my daughter is here in town this weekend with her three daughters, and we were talking about that last night. And she says, yeah, you know, I do remember that, where he kind of put his

arm around me and made me feel very welcome.

So he was a Governor that was forward-looking. I know he's thought about very, very well. My part of the State is a whole lot different than the other part of the State politically; but there's no question that, at least in his second term, he did very, very well in my part of the State. I didn't necessarily like that, but that's part of politics.

So he will be missed; and the editorials around the State that spoke of him, I think, were very true. But just from a standpoint of personality, that's my association with him. And he certainly will be missed.

With that, I'd like to yield to one of the newest colleagues from the State of Washington, the gentleman from the Sixth District, Mr. KILMER.

Mr. KILMER. Thank you. And thank you to all of my colleagues from Washington State who spoke before me. I'm battling clean-up and have the unique position of having neither served with Booth Gardner nor having run against him.

But I actually met him when I was a kid. There's no doubt that Booth Gardner's legacy of accomplishments is impressive, and I could stand here and list them off, both from his role as Governor and for his involvement on trade issues at the Federal level.

But I think it says more about the kind of man Booth Gardner was when we don't just talk about what he accomplished, but we talk about what kind of man he was. As someone who met him as a kid, I was just very much struck by the fact that he was exceedingly civil and very, very kind and seemed to have interest in every person he represented.

Regardless of one's race or religion or orientation or gender or economic status, he seemed to care about every person he represented, including a little kid in Port Angeles, Washington, where I was born and raised.

I met Booth for the first time when I was a kid and he was a candidate and my mom was involved on his campaign.

□ 1320

I was struck by the fact that he seemed to be spending an inordinate amount of time talking to me, even though I wasn't old enough to vote. I met him again in his last year in office. As a high school senior, I received a scholarship to go off to college; and Booth, as Governor of our State at the time, was hosting a luncheon to honor all the scholarship recipients. And I remember he came over to talk to my mom and me and say hello. In that very brief interaction, I was just struck by the extent to which he seemed to care about my mom and about how much he cared about me. As an 18-year-old, I just thought it was really cool that a Governor expressed that level of interest.

Over the years, I'd run into him at political events or often at education-oriented events or events in Pierce County, where he was our first county executive. And our interactions always started in the exact same way. He'd start by saying, How's your mom? Many years later, just this last year when I decided to run for Congress, I was very touched that he came to my kickoff in Tacoma. Parkinson's, by that point, meant that he could not walk, and he struggled very deeply to express himself. I went over to thank him for coming. I knelt down and thanked him, and I could tell he was struggling to say something. It struck me I knew he was going to ask, How's your mom? I thanked him for that, and I told him she was doing just fine.

The other thing I'll say about Booth and his legacy is the legacy he lives behind of his family. His grandson, Jack, actually interned with our campaign. He's an extraordinary young man who spoke very eloquently at the memorial service that was held in honor of Governor Gardner.

So you can look at his legacy of accomplishments when it comes to education or protecting our environment or extending health care services to folks who need it or his work to improve our economy or improve civil rights, or you can look at his extraordinary business legacy as someone who is a leader in our business community. But for me, his legacy is as a guy who truly cared about others. That's how I will remember Booth Gardner.

Today, I will tell all who are listening that my mom is doing well, but she misses Booth Gardner; I miss Booth Gardner; and the people of Washington State miss Booth Gardner.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. A lot has been going on this week and certainly worthy of discussion here at the end of the week. One of the important topics that has been discussed at both the Senate end and the House end is the issue of immigration—legal immigration and illegal immigration.

Back when my friend STEVE KING and I were meeting with people from the British Government about their handling of immigration, they were offended by the term that STEVE and I were using of "illegal immigration." We were told that that's not appropriate in England. I asked what words they use, and I was told the appropriate terminology is "irregular migrant." I was concerned that sounded too much like some kind of body function. I hated to use that term. Anyway,

when people immigrate into a country illegally, it's illegal immigration. And it is a problem.

Anyone that goes down to the end of this Hall just outside these two doors here and heads onto the Senate floor, immediately what is seen above the President of the Senate's chair are the words "e pluribus unum," Latin meaning out of many, one. I have heard a colleague before say it means out of one, many. But we all get mixed up at times. But e pluribus unum means out of many, one.

For those of us that attended public schools when and where I did, we were taught that it was immigration and the process of out of many people becoming one people, becoming Americans, is what made us strong. And the terminology for much of this country's history was that we were a "melting pot." I believed it then, I believe it now, and I believe that that has been one of the great strengths that has made this country the greatest country in the history of mankind—greater than Solomon's Israel—with more liberties, more conveniences, more input into the government and into the way the government works.

My friends on this side of the aisle and everybody I know of agrees we want immigration to continue. Our country allows more immigrants into this country than any other country in the world. No other country comes close to allowing the number of people to immigrate into this country, to come with visas into this country. Nobody comes close. We are an extraordinarily generous country. And for those who have wondered about whether they should be proud of our country in the past, one of the greatest pieces of evidence would probably be the fact that people all over the world, those who hate us, those who admire us—at least a billion, maybe 1.5 billion in estimates have been made—want to come to America. There's no other country in the world that so many people would like to come to and enjoy the freedoms we have.

Unfortunately, there are many who want to come to this country to destroy the freedoms we have because they look at our country and they say, No, unless you have something like sharia law or a country in which you have a powerful, benevolent dictator, be it religious leader or be it a benevolent secular dictator, they think we would not be nearly so decadent. I prefer our government—a government, as Lincoln said, that, under God, was of the people, by the people, and for the people. There's never been one like us.

Now, I have heard a guy call into the show of my friend, Sean Hannity, and he knew just enough history to be dangerous. He talked about our history being founded on the proposition e pluribus unum—out of many, one. He said there was never anything about

God in our beginnings. This young man apparently showed his ignorance and the weakness of teachers in whatever school he grew up in. Because the fact is e pluribus unum was never our national motto, as this person thought.

From the beginning, from the 1700s, it was part of the Great Seal. The Great Seal had two sides—and still does. It's still the Great Seal of America. And on one side we have the eagle. I like the way the eagle has differed over the years. I like the way it is now better than the skinny little eagle that was there back in the 1700s. But the eagle has a ribbon through its beak and on that ribbon has always been the Latin phrase e pluribus unum—out of many, one. That's on one side of the Great Seal.

On the other side of the Great Seal is a pyramid. And that pyramid represents one of the greatest works of man. And there was a reason. Because if you read the Founders' writings, read their journals, read their letters, they believed they had within their grasp what philosophers like John Locke, Montesquieu, and so many philosophers had only dreamed about—that we might be able to govern ourselves.

□ 1330

They viewed it as a little experiment in democracy. They believed that if we did it right, that nations around the world would want to follow our example. So it was important. They recognized that this was a great achievement of man if it was done properly.

If you look on the back of a dollar bill, a one-dollar bill—if anybody still has one, Mr. Speaker—you note one side with the eagle and the e pluribus unum on the ribbon through the beak. In fact, the shield up here above the House floor doesn't have the ribbon through the beak—it's beneath the eagle—but it has those words there.

But on the other side, seeing the pyramid—you know, here's a great, well-done work of man. Above that pyramid is a triangle, and in that triangle is an eye. There is a glow around that eye to represent the all-seeing eye of God looking at the work of man. Above that is a Latin phrase that's above one of the exits down at the Senate, the Latin words "annuit coeptis." Taken together, it means He, God, has smiled on our undertaking.

Beneath the pyramid are the Latin words "novus ordo seclorum," meaning new order of things, new order of the ages—not new world order, as some tried to say. But the way the Founders looked at it, if we did this right, if we governed ourselves effectively and created the most free Nation in the history of the world, by the grace of God, God would smile on our undertaking and it would be a new order of things because of the other nations that may follow our example. And it is good.

I don't try to push my religious beliefs on anyone else, but it is a part of who I am. As a matter of fact, I believe it was 36, at least—most of the signers of the Declaration of Independence weren't just Christians, they were ordained Christian ministers. It's hard to imagine if over half of the Congress now, as the Continental Congress was in those days, was made of ordained Christian ministers—and I'm not advocating that at all, I'm just historically making the note. That's where we came from. That's who was inspired to start this little experiment in democracy, not just Christians, but ordained Christian ministers. They knew if they did it right, this place would be blessed, and it would be a source of blessing for the world.

They did like the idea "out of many, come one nation." That has continued today, as most of us strongly support the idea of allowing more immigration into this country than in any other country in the world. Mexico doesn't allow near the freedom for immigrants that the United States of America does. So at times it goes down a little tough to be criticized by the leaders in Mexico who demand more rights for immigrants into the United States than they would ever consider affording United States citizens who are going into Mexico. But it's true around the world.

Now, I'm told that some students are taught that we're not really a melting pot; we're more of a tossed salad, where people retain their individual natures and don't really become one people so much, we just retain individuality. Mr. Speaker, I can tell you, having studied history and continuing to study history, that is a recipe for the end of a nation. People need to come together as one people.

I find from data—and my Hispanic friends, some of them have pointed out—that actually in the Hispanic community a vast majority support the idea of having English as the official language. One of my dear friends in Tyler, whose parents immigrated from Mexico, started one of the most successful restaurant businesses there, and my friend has just branched off and started another restaurant, he said that his parents were adamant: you will speak only English in our home. Now, to be sure, his parents spoke Spanish between themselves, but his father told him: you can be anything in this country, but if you're going to be everything you can possibly be, you have to speak good English, and in doing so, you can be anything. He was right. Gus has been a city councilman, a county commissioner, he is a leader in the community—a good guy, a friend.

That's why it breaks my heart when I hear people—and it's normally of the liberal political persuasion—who say, no, no, no, we need to educate Hispanic

immigrants in Spanish. Because when you study what happens in those cases, you are compelling children who could end up being President, if they're native-born Americans, President of the United States. They could be President of the country. But when you teach them in Spanish rather than English, you are relegating them to be manual laborers when they could be president of the company, not working out in the field for the company.

So that's what conservatives believe in. We want everyone to have the sky as the limit for what can be achieved. We even want, at the White House right now, we would prefer that women be compensated on an even par with men, which is not happening right now. We want everyone to be treated with equal opportunity, not to be treated equally, but with equal opportunity. Because when you take away the incentive to work hard and do well and achieve, you again are compelling a country down a path that leads to the dust bin of history.

I've related this numerous times, but in the Soviet Union, when I was an exchange student there one summer and visiting a collective farm, communist farm, a collective, socialist farm—a progressive farm, if you would prefer that, as some of my friends prefer not to be called socialists, but prefer to be called progressives—it was a progressive farm, where everyone was treated equally and everyone was paid the same number of rubles.

I was shocked, having worked on farms and ranches around east Texas growing up, because I had learned, heck, if you're going to work out like that—and back then, if you were lucky enough to get to drive a tractor instead of walking through the field hauling hay or working with cattle or horses, we didn't have cabins over the tractors. We thought it was pretty terrific if you got to drive the tractor instead of walk along and working. But here I was at this progressive farm—socialist farm, communist farm, whatever you want to call it—and most of the farmers were sitting in the shade. I had a couple of years of Russian at Texas A&M, and I spoke my best Russian at the time and asked the question, here was mid-morning, When do you work out in the field? I looked out in the field; I couldn't tell what they were working and what they hadn't. It didn't seem to be a whole lot of difference.

I couldn't really tell what they were even growing out there. It looked kind of greenish brown; none of it looked too good. This was the middle of the summer. I knew from my work that you want to start early and try to finish by three or four at the latest before the sun gets its hottest, and here they were in the middle of this shady area, not working; didn't look like they'd worked all morning.

The people there laughed, and I thought, oops, maybe I didn't say it

properly in Russian. And one of the guys responded for the group: I make the same number of rubles if I'm here in the shade or if I'm out there in the hot sun. And he said: So I'm here.

□ 1340

And there, in a nutshell, is why a progressive farm will not ever really work. Because when you give people the same amount of money to work and sweat and produce as you pay them to sit in the shade and not do anything but laugh and joke and cut up and have fun and eat snacks, then I don't care how dedicated you are, at some point you'll quit working out in the hot sun and you'll sit in the shade and no one will have food to eat. That's why socialists or progressive societies always fail.

So how does a free enterprise system fail? Free enterprise systems always fail when they become so progressive, so socialist, that they begin to reward completely the same amount for working as they do for doing nothing.

This administration has been at the head of destroying the welfare reform that was done in 1995–1996. And, yes, I'm pleased President Clinton takes credit for it now. He certainly didn't at the time. He fought the Republican majority over it over and over. He vetoed it. And when finally there were enough votes to override the veto, President Clinton signed it, and now he takes credit for it. But it was welfare reform.

And what you learn from that, if you go back and do the studies—and I was surprised, knowing the liberal bent of Harvard, to be at Harvard for a seminar and have a dean have charts that said, since the Great Society legislation started in the sixties, here is a chart of single mothers' income when adjusted for inflation; and the graph showed a flat line when adjusted for inflation. Single mothers, since the sixties when the Great Society and all the giveaway programs began, the welfare system, the welfare state began here in America, single moms flatlined. When adjusted for inflation, they never improved their situation, on average. Some did, but, on average, it was flatlined.

And then he said, since welfare reform where people were required to work who could work, here is what has happened to single mothers' income. That was since people were required to work who couldn't work. And then adjusted for inflation, there was a huge rise for those 10 years in the income for single moms.

Well, now, I know the people that passed the Great Society welfare legislation in the sixties, they wanted to help. I know they did. I know friends on the other side of the aisle, they want to help single moms. They want to help anybody who needs help.

But there is a question of how much do you help when you incentivize people to never reach their God-given potential, and how much do you help when you incentivize working and producing and becoming productive and participating in society; who helps more? I know the intentions are equal on both sides, but who actually helps more?

And it's never been more graphic than when you look at the income for single moms after welfare reform and for the 30 years before welfare reform. And now this administration has taken the best thing that Newt Gingrich did as he led to a Republican majority and led in balancing the budget, but even better, he helped single moms more than anything that any Democrat had done for the 30 years preceding that majority by elevating their income and beginning to have them feel some self-worth because they could do jobs and they had value and they had worth that they did not feel when they were flatlined and just taking the doles that the government provided.

The Romans learned the hard way: you provide bread and circuses, and eventually you kill off incentive. Once Caesar decided, gee, this is not good for the people not to work when they can work; let's cut off the bread and circuses, and he did. And there was so much massive rioting, like we've seen in Greece, like we've seen in other places in Europe that are broke.

Once you have degraded as a society to the point that more people have been convinced to sit back and just accept what the government gave them instead of using their God-given potential, then you are not likely going to ever get back to your greatest days again; you're done. It's just a matter of how long until you hit the dustbin of history.

The reason I'm still in Congress, the reason I've continued to run, is because I've still got hope. I've still got hope we can preserve, perpetuate for more generations the greatest gift that any group of people have ever been given as a secular nation, and that is the gift of this country, a country that saw its Founders coming over, Pilgrims. Right down the hall in the rotunda, there is the great painting, that massive painting, of the Pilgrims having a prayer meeting, praying for the land that they would come to.

That famous prayer meeting that they had on board the *Speedwell*—they had two ships, the *Speedwell* and the *Mayflower*. A lot of people don't know that. But that prayer meeting was in Holland, before they left from Holland to go to England, and then from England come to America. Some think it may have been a bit like Gideon's army being whittled down to just the strongest among them.

But the *Speedwell*, when they got ready to leave from England to come to

America, began to take on water, so they had to cut their group. The *Mayflower* was smaller than the *Speedwell*. They had to cut their group down in size and get the hardiest and the most likely to be able to plant that settlement in America where Christians could have prayer meetings, where they could say what they believe, where they could say without fear of retribution that I believe marriage is between a man and a woman. They could say all of the things they had been taught in the Bible, all of those things they believed as Christians, and have a land where Christians would not be persecuted. Other groups came as Christians seeking that land that God would allow them to live in without persecution.

Now, Jesus said, "You will suffer for My sake." I didn't suffer for Jesus' sake growing up as a Christian, because people who were Christians didn't suffer. But now we're persecuted. And now if you point out that Jesus sanctioned marriage, he intended a marriage between a man and a woman, if you point out that in Genesis God ordained marriage, he saw a man alone and said, that's not good, so I will give you a helpmate, a wife, you start talking about those things, then as a Christian you're about the only person, the only group in America that it's politically correct to actually persecute and condemn and discriminate against and say, as my friend, Rick Santorum, was told, Gee, oh, you believe what's been the history of great societies for thousands of years that a marriage is between a man and a woman. Because biologically by nature, even if you don't believe in God, by nature, that's how a species continues is by marriage between a man and a woman. And now we're persecuted for that.

We're persecuted because we say, you know, I believe a baby is a life deserving protection. "Well, that's some Christian nonsense. You ought to be a criminal. You ought to be put behind bars, don't try to protect." And all the while where some of those folks are saying we need to protect the most innocent among us, is there any more innocent being in the world than a child ready to be born? They've done nothing wrong. They just want to live.

□ 1350

We want immigration. We need immigration in this country. I want Hispanics coming to America. I want people coming from any nation where they want to come together and become one people and be part of that *e pluribus unum*. But I also want them not to tear down my history and act as if it never was true. Or act as if when you look to the west and you see the Washington Monument, that when that was finished over 100 years ago, after the whole nation was contributing and they finally brought it to a conclusion

and finished it off, they capped it with a capstone and on that capstone there's writing on three of the four sides of that capstone that's made out of what was an extremely valuable and rare metal back at the time called aluminum. But on the side facing the Capitol, by design, they wanted two Latin words, "laus Deo," meaning praise be to God.

Don't tell me that that's not the case. Don't tell me that's there by mistake. Because over a hundred years ago and back to the days of John Adams and his son John Quincy Adams, and Abraham Lincoln, or going back to George Washington when he resigned from the military and his prayer was that we would be following the divine author of our blessed religion, without a humble imitation in these things we can never hope to be a happy nation.

I understand things have changed, but don't tell me that is not our history. It is. Don't tell me those words are not up there. They are. And even though the Park Service for a time took the capstone that tourists could see and turned it to where you couldn't see "laus Deo," it doesn't hide the fact that up there on the top of the Washington Monument, those words are there.

And why are they facing the Capitol? It's certainly not because we can look out from the Capitol and read "praise be to God" in Latin on the top of the Washington Monument. No, it's because they knew that would be the highest point man had constructed in our Capital City, and they wanted to ensure as the first rays of God's sun illuminated anything in this town, it would be the words, praise be to God. That's why it's there.

As a Christian, I'm supposed to turn the other cheek. I'm not always good at it, but that is what I'm supposed to try to do. But as a part of the government, we have an obligation to protect this country, to provide for the common defense, to make sure that whether enemies are foreign or domestic that we protect what has been entrusted to us as servants to protect, and that's not happening sufficiently right now, because there are people coming into this country that want to destroy what we have. They want to bring us down before a monarch that they want to set in place. There are some who simply want to come for benefits.

I'm so grateful that most of the people that come want to come to enjoy the freedoms and to get a job, and I'm so thankful we have so many immigrants, first generation immigrants, who come wanting to work. They are of an incredibly immense help to this country still being productive, especially after 50 million abortions. We're needing people to help. But I want them to have a chance to be president of their company and, if they're born here, to be President of the country.

We need to be one people, and we need to have people come legally. Since we're allowing more immigrants to come in legally than any other country in the world, why not make sure the people that are coming are going to be helpful to America and not hurt America and not end this great experiment in democracy? That's part of our job.

And then we have this article from Friday, April 12, 2013. This is from radio WOAI:

The debate in Washington on immigration reform has had no political impact, but the debate is having a major impact on south Texas.

Officials say the number of people entering the U.S. illegally is way up and, tragically, the number of undocumented immigrants who have been found dead in the unforgiving Texas brush country is way up and is on path this year to best last year's record for the number of people found dead in the ranch country.

So why are more people dying in the harsh brush country of Texas?

The article goes on:

Linda Vickers, who owns a branch in Brooks County which is ground zero for the immigration debate, pins the blame directly on talk of "amnesty" and a "path to citizenship" for people who entered the United States illegally.

She recalls one man being arrested on her ranch not long ago.

"The Border Patrol agent was loading one man up, and he told the officer in Spanish, 'Obama's gonna let me go.'"

Border Patrol agents report that immigrants are crossing the border and in some cases surrendering while asking, "Where do I go for my amnesty?"

"When you have amnesty waving in the wind, you're going to get an increase," Vickers says. "And when you get an increase, especially with this heat, you're going to get an increase in deaths."

She says the current increase in illegal immigrant entries began last summer, at almost exactly the same time as President Obama unilaterally announced plans to no longer deport young people who came to the U.S. as children with their illegal immigrant parents.

"Washington is directly responsible for these deaths," she said.

Brooks County routinely has the largest number of illegal immigrant deaths each year because smugglers come up U.S. 281 from the Rio Grande Valley but kick their human cargo out of the truck before reaching the Border Patrol checkpoint in Fairfuries.

"If that individual, illegal immigrant, can't keep up, they are left behind," she said. "And you are going to die out in this heat if you can't find water."

I know none of my friends on this side of the aisle want people to die like that. I know that. I deeply care about so many, just as the Democrats do. As a Christian, I'm supposed to love all people. I don't want them to die in the Texas brush country. And if the administration or people in Congress promising amnesty is luring people out as so many are indicating in that area who appear to have firsthand knowledge, then we should not be luring them to their deaths.

We need to talk about one thing right now: let's have a secured border, so when the report came out 2 or 3 weeks ago that there were over 500 people that entered illegally at one place and that not even 180 or so were actually picked up or seen by cameras by the Border Patrol, and fewer than that were picked up, and there were over 30 people bringing drugs into this Nation that would poison American children, American people, then we're not ready to talk about resolving the issue of the people who are here. Because until the border is secured—not closed, I don't want it closed, we need it open for people to come in legally—but until it's secured so we can control who comes in, we should not be talking about a pathway to anything but deportation.

□ 1400

Let's secure the border, and then people will be amazed at how fast we have an agreement on what to do about the people who have come into this country illegally.

I've got a lot of restaurants and hotels and people who have businesses who say, I need those immigrants to keep my business open.

Fine. Let's secure the border, and then we can work this out. We surely can—we absolutely can—but until that's done, we're luring people to their deaths. We're learning what one article says—and this is from townhall.com—that border crossings are up two to three times what they were because of all this talk.

Then there's the talk that the President has given about how we're not going to be able to secure our border because of the sequester. We're not going to cut golf trips, and we're not going to cut any of these other things, but by golly, we're not going to protect the border unless you give us amnesty for the people who are here. Well, let's secure the border. Oh, no. We're going to hold that hostage. We're not going to do our job that we took an oath to do until you grant amnesty to the people who are here.

People who are here in this Congress need to understand what it does to those who did everything lawfully to come into this country, who have followed every part of the law. It is absolutely demoralizing to most of those people to have the talk of amnesty of people who didn't follow the law as they did. Once we have a secured border—not held hostage, but just do the job that the oath was taken to do. Once that's done, let's talk about a pathway to a green card or a pathway to being here as a permanent legal resident. A pathway to citizenship needs to have people who believe in the rule of law because, if that is not the case, we will become like the nations those people left because they couldn't find jobs. They didn't have adequate freedom. There was graft and corruption because

they did not believe in the rule of law as a nation, so they had to leave that nation and come to our Nation.

So don't destroy a Nation that, for the most part, believes in the rule of law and in following the law—and that includes me and other Members of Congress. We need to show respect for those who follow the law and for those who say, It's Christian to help all immigrants. Well, it's Christian to help all people and to love all people just as Christ did, but as a government we need to make sure this country is going to be here, and we cannot do that unless we make sure that people here—immigrants who have come in, people who are Native Americans, those who are here in America—are protected against all enemies who may come in and want to destroy us. That's part of our job.

I want to make a point about gun control since cloture was voted on down the hall. I've not always been terribly complimentary of our friend Senator MCCONNELL down the hall, but he made some very, very important points that people need to understand about what is being proposed for gun control. Under what has been proposed in the Senate for gun control—and I'm quoting from Senator MCCONNELL—he has it right:

"An uncle giving his nephew a hunting rifle for Christmas." That's someone who, under the law being pushed in the Senate, will be a criminal. Someone else who would be a criminal under the law being pushed in the Senate is "a niece giving her aunt—" he says "aunt," but it could be her grandmother even—"a handgun for protection." Another criminal under the Senate proposal would be "a cousin loaning another cousin his hunting rifle if the loan occurs just 1 day before the beginning of hunting season." Another criminal under the proposal would be "one neighbor loaning another a firearm so his wife can protect herself while the husband is away."

Senator MCCONNELL said, "The people I am describing are not criminals—they are neighbors, friends and family—and the scenarios," he says, "I am describing are not fanciful. They happen countless times in this country." As he says, "The Schumer bill would outlaw these transfers, and it would make people like these, criminals."

Any time a bill is rushed to the floor before people have a chance to read it, examine it, amend it, discuss it, it's not going to be good for the American people in all things.

Thomas Jefferson was not part of the Constitutional Convention. He was part of the Continental Congress. In fact, he did most of the drafting of the Declaration of Independence, but he wasn't there for the drafting of the Constitution, itself. He wrote this letter after the Constitution was promulgated—an incredible document.

He said:

If I could add one thing to the Constitution, it would be a requirement that every law had to be on file for 1 year minimum so everyone could read it, everyone could make comments on it. You'd have plenty of chances to think of amendments that might make it better and a stronger, more effective law.

Have it on file for a year. That may not have been such a bad idea if it had been included. As incredibly and, I believe, divinely inspired as the Constitution was, so many of the Founders said they got their inspiration for provisions in the Constitution from the Old Testament, but as fantastic as it was, it was written down by men who make mistakes.

This Congress better not put into law a gun control bill or an immigration bill or any other important bill that has not had adequate scrutiny because, if that happens, Americans will suffer just as surely as they are beginning to as ObamaCare is being implemented around the country and as people are being turned away from treatment, though they were promised: if you like your doctor, you can keep him; if you like your health insurance, you can keep it. Now they've found that was completely untrue—and JOE WILSON was right. It's not true what was said about the Affordable Care Act. People have lost their doctors, and they've lost their insurance. That will continue to occur, and we're going to destroy the best health care in the history of man.

There are doctors, medical historians, who have indicated that they think it was just after the turn of 1900—maybe 1910 or so—when for the first time in human history a person had a better chance of getting well after seeing a doctor than he did of getting worse after seeing a doctor. You get your mind around that. For thousands of years of the existence of man, where we have recorded history of man, think about that: only in the last hundred years have you had a better chance of getting well after seeing a doctor than of getting worse. You think about how far we've come. Now we're radically going to change health care so people can't get the treatment they once did? We needed to reform health care—it needed reform—but it didn't need a government takeover, and it still doesn't. The reason for that is that life is important. Life has value.

I'm going to read a story—I won't read the whole thing—that was in the New York Daily News from Thursday, April 11.

□ 1420

Ashley Baldwin said she saw the puppies moving on five occasions after their spines were snipped.

The doctor is charged in the deaths of these puppies and in the death of the mother. The gruesome testimony at the "House of Horrors" trial of Dr. Kermit Gosnell contin-

ued on Thursday, with two former employees describing scenes that strained the imagination.

Ashley Baldwin, who began working at the cash-only clinic in west Philadelphia when she was just 15, said that she routinely assisted Gosnell with these procedures, on five different occasions, saw puppies moving following the procedure.

In one case Baldwin, who is now 22 and a dog owner, testified that she witnessed a puppy "screeching" after the procedure.

She said, "They looked like regular puppies."

When asked about a particular puppy described in court as "puppy A," who the prosecution contends was nearing its birth date, Baldwin recalled how large the unborn puppy was following the procedure.

"The chest was moving," she testified Thursday.

Gosnell trained his employees to cut the necks of the puppies to sever their spinal cords, both Baldwin and Lynda Williams, another former employee, testified on Wednesday.

Williams testified that she saw her former boss snip the necks of more than 30 puppies.

John McMahon, Gosnell's attorney, has argued that his client did not kill any puppies by snipping their spines and that they were already in the death throes because of the drugs he had given the mother dog.

Gosnell is charged with first-degree murder in the deaths of seven puppies, as well as murder in the death of the mother undergoing its procedure.

Now, the reason the mainstream media has not reported this story and continues to refuse to report this story about little innocent puppies having their necks cut and killed after they're born alive is because they are not puppies; they're human beings. They're boys and girls, and it doesn't fit the agenda of the mainstream media to report on little boys and little girls whose spinal cords are cut by a doctor. They would be sure to report if these were puppies, but they're not; they're little boys and girls.

And as a father who held our first very premature child in my hands and heard her gasping for air, heard her efforts to live, and knowing that we did all we could to help her live and that she's 29 years old, I can't imagine anyone thinking not only is it not a big deal but it is not worth reporting when a doctor snips the neck of someone's little child.

With that, Mr. Speaker, I yield back the balance of my time.

WOMEN'S PAY

The SPEAKER pro tempore (Mr. RADEL). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Mr. Speaker, I rushed to get to the floor before the gavel went down this afternoon because this is the week which marks when women had to work as long as men work in order to get the pay that is equivalent to the pay of men during the 12 months

of 2012. Notice what month we are in. This is April. So we're talking about four-plus months beyond the 12 months that a man had to work in order to have the same salary—it takes a woman 16 months plus.

But it was not that alone, Mr. Speaker. There are figures I discovered in doing some research. And, of course, there is the pressure, I think, all of us should feel if Congress has anything to add to this discussion that would move what appears to be a "no-forward" position for women's pay in the workforce in at least the last 10 years. There are pending before the Congress at least two bills. There is a petition, a discharge petition, that is already up to compel the House to vote on the Paycheck Fairness Act. That act has not moved forward in the House, although it has been filed for a number of years. But I believe the most recent data would compel everyone to believe if there is anything this House can do, this is the time to do it.

I looked at what progress women have made since I chaired the Equal Employment Opportunity Commission (EEOC) beginning in the late 1970s, with never a thought that I'd be a Member of the House of Representatives. I've looked at the decade of the 1980s. That's about the time I left the EEOC, and what I found then was steady, yes, incremental, but steady progress; moving, for example, from 60.2 percent in 1980 to 69.9 percent, so that means about 10 percentage points movement in 10 years.

But then I looked at the years beginning in 1990 until today, and it appears to be taking women twice as long to move the distance during this latter 20-year period than it took during the 10-year period beginning in 1980. That ought to make all of us stop and wonder what is at work.

If we look at 1990, when we looked like we were solidly into the 70s, that is women making 70 percent, the exact figure was 71.6 percent of what men earned, that figure gradually went up. You get to 2000, from 1990, and women have gone only from essentially about 70 percent, exactly 71.6 percent, to 73.7 percent. The rate is what has slowed, but even more seriously, 77 appears to be the unlucky number for women's pay in our country because women have been at 77 percent, sometimes 77 percent and a little more, but basically 77 percent of what a man earns since 2005.

□ 1420

What that means is no progress whatsoever.

Incremental progress was never enough, particularly when you consider that more women today work than men. But the slow pace of growth, compared to many past years, is unacceptable.

What is the reason for this?

The most recent data shows an actual widening of the gap between men and women in wages. For example, in 2012, women who worked full-time—now we're talking about full-time workers—earned 80.9 percent, almost 81 percent, of what men earned. That was in terms of weekly pay. But that was a drop of more than two percentage points from the year before, 82.2 percent.

Now, these are full-time women's earnings at a time when women considerably outrank men in the number who graduate from college, for example.

The annual earning look even worse, because that's where the 77 percent figure comes in, where women lagged even further behind if you look annually, and there you get 77 percent of what men earned annually. That becomes a figure that we almost know by heart. That's a figure that we ought to know for only one year.

If you want to see what that means in dollars and cents, a woman who works full-time averaged \$691 a week in 2012. That was less than she had earned in 2011.

Now, men's earnings in that same week were \$854. That's compared to \$691 for a woman. What is most important is not the difference in the men's and women's pay, but that men had a small gain over what they had earned in 2011, whereas women were going in the opposite direction.

As we looked at why this would occur, I looked further into where are the jobs. Why not look at the job growth; perhaps we're not seeing growth in women's occupations.

And one of the great problems, of course, with women's pay is that, although they are graduation from college, women are still employed largely in stereotypic women's jobs. And these jobs have been women's for so long that they are labeled as women's jobs, and they have acquired a wage of their own that reflects discrimination against women.

Job growth, if we look at it during the last year, has been in retail, in catering, and in minimum-wage jobs. That, in and of itself, of course, may tell us why women's wages have not been growing at the rate we would like.

Women are preparing themselves in other fields; but very often, when we talk about women's wages, we are not talking about the average woman. And since that average woman's wage is essential for family earnings today, we've got to look at who we're talking about.

The Paycheck Fairness Act is so modest that it doesn't even pretend to go at this entire problem, but it is the kind of bill that you would think we would have a bipartisan majority for. The Paycheck Fairness Act, which we're trying to get out of the House, simply updates the Equal Pay Act, which it was my honor to enforce as chair of the EEOC.

The so-called EPA, or Equal Pay Act, was the first of the Civil Rights Acts, and it guarantees equal pay for equal work, the kind of guarantee that, if you asked every 100 Americans if they were for equal pay for equal work, you would find 99.9 percent of them would say they were, and any falling off of that, whatever it would be would be because they didn't understand the question.

But we are talking about a bill that was passed more than, well, now, 50 years ago, and you can imagine that it does not fully meet today's economy. The modest changes involved, to allow class actions, for example, are to ensure that a woman could discuss her wages without being fired.

Today, if you discuss your wages openly, there's nothing to protect you against being let go. You can see secrecy in wages is part and parcel of the problem.

Women's wages, of course, have suffered, particularly in this recession, also because a disproportionate number of public jobs have not come back, as we see teachers being laid off, for example. We see social workers being laid off. And you're going to see more of that because of the sequester.

The sequester is going to be handed down in programs to states and cities, and it means that the programs that were available are not going to be readily available, and you will begin to see these women's jobs suffer even more.

I am very concerned that we have been looking at what progress women have been making, without noting that they have been making no progress, and that is the problem I see.

I don't pretend that any one statute will make that progress occur. I do understand that there is a set of related phenomena involved here, but I do not believe we can leave on the table our responsibility for moving to do what we can, as women become not only equal in the workforce, but often the majority.

It is men who are opting out of the workforce, and some of them can opt out because they have pensions. Some of them are opting out because they go on disability from having worked. Women seem not to be opting out, but opting in.

The Paycheck Fairness Act gives some muscle to the old Equal Pay Act. In some ways, it's fallen into a certain amount of disuse because it doesn't meet all that is needed today. It's still, of course, an important statute; but it remains a statute that, like any of our civil rights statutes, needs to be looked at often to see in what ways it can be improved.

In addition to the Paycheck Fairness Act, with Senator HARKIN I have sponsored the Fair Pay Act. That act differs from the very important Paycheck Fairness Act because it seeks to get at a rudimentary problem in the work-

force, and that is that women are captured in women's occupations that, by their very nature, have built-in discrimination.

For example, two-thirds of white women and three-quarters of African American women work in just three areas of the economy: clerical, service, and factory jobs.

□ 1430

It will take a more aggressive strategy to break through the old, even ancient habits of the workplace that have been there since women began to work. We have steered women into women's jobs. The Fair Pay Act looks at jobs which are comparable but are not paid comparably and would require that they be paid in that way. There may not be a huge number of such jobs, but the States have often found such jobs and sometimes have made them comparable in pay. Often at the urging of trade unions, studies that have made it clear that you can make comparable pay adjustments where you can prove that the reason that jobs which are different but comparable and are not paid the same is because of discrimination—and that's what'd a woman would have to show—women's wages can, in fact, make up for the disparity over a period of time, as a number of States have done, simply by spreading change in pay over a period of time until the goal of equal pay is reached.

It is one thing to mark this week as a week where women are still at 77 percent; it's quite another to make clear that that 77 percent is a figure we've been stuck on now, with absolutely no movement, for more than 10 years. The Paycheck Fairness Act, moving it with a discharge petition, as we're trying to do, to at least force a vote on it, would make people think about the figures I have just discussed; because if they think about them, I think most Members would want to do something about them.

We are not preparing women for the inevitable retirement that will come without pensions and with too little pay. The more their pay begins to reflect the pay of what is often their mate's, who graduated from high school or college at about the same time, with comparable skills, the greater will be women's security as they age and will reduce the call on taxpayers to take care of them.

It was with great pride that I chaired the Equal Employment Opportunity Commission in the late 1970s and saw some progress that began to be made in the seventies and eighties. There's no reason for the slowdown that women have been stuck on at 77 percent even before the recession. It is not the Great Recession that has set women back; it is the failure in legislation and it is the failure in the workplace, itself, to treat women's pay as the equivalent of the pay of men.

I hope women will not be discouraged as they now are finishing high school and college in greater numbers and at a greater rate than their male counterparts. We can only hope they will not be discouraged when they see that their pay does not, in fact, equal what their education forecasts.

During this week when we noted that it took women 16-plus months to earn what a man earned in 12 months, I ask that we look behind these numbers and put a face on them. Because the face is the woman who lives next door; the face is your wife; the face is your daughter who is going to come out of college now loaded, as most of them are today, with their education having been secured through loans. They want to maximize the time, effort, energy, and ambition that goes into pursuing education, regardless of gender, so that they can begin to move at least incrementally again.

Women have been more than aware that their own progress has come slowly. They are not content to make no progress. But, if we look at the last 12 years, essentially, what we see is no progress. I'm not sure what kind of a goal to put on progress that should be made. I can only look at the decade when some considerable progress was made and when 10 percentage points of progress was made over 10 years, to say if we could do that once, we surely should be able to do it again. A place to begin would be to sign the discharge petition so that the Paycheck Fairness Act could be brought to the floor. It needs 218 signatures. It currently has 192 cosponsors. There may be more by this point.

We have to focus on taking action. Individual women, perhaps, will be taking such action in their own workplaces. The whole notion of lean in—that is, to go in and ask for the pay that you're entitled to—is a step that I would, of course, advise. But I recognize that an endemic problem in women's progress across the board calls for more than individual action.

As we mark, as we usually do in April, the time in months it has taken for women to achieve what men have achieved in far less time—and this time 4 months more to earn what a man earned in 12 months—I hope that that figure, at a time when women's pay is stuck at 77 percent or so as it has been for 10 or 12 years now, that we will be inclined to use this week not to commemorate, not even to just recognize, but to be activated to move women whose incomes are vital not only to their own families, but to our country. If we do that, then by the time we reach this point perhaps next April, we will have a different story to tell.

I am pleased to yield back the remainder of my time.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 716. An act to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Monday, April 15, 2013, at noon for morning-hour debate.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Robert B. Aderholt, Rodney Alexander, Justin Amash, Mark E. Amodei, Robert E. Andrews, Michele Bachmann, Spencer Bachus, Ron Barber, Lou Barletta, Garland "Andy" Barr, John Barrow, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Dan Benishek, Kerry L. Bentivolio, Ami Bera, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Diane Black, Marsha Blackburn, Earl Blumenauer, John A. Boehner, Suzanne Bonamici, Jo Bonner, Madeleine Z. Bordallo, Charles W. Boustany, Jr., Kevin Brady, Robert A. Brady, Bruce L. Braley, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Paul C. Broun, Corrine Brown, Julia Brownley, Vern Buchanan, Larry Bucshon, Michael C. Burgess, Cheri Bustos, G. K. Butterfield, Ken Calvert, Dave Camp, John Campbell, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Tony Cardenas, John C. Carney, Jr., André Carson, John R. Carter, Matt Cartwright, Bill Cassidy, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Donna M. Christensen, Judy Chu, David N. Cicilline, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins, Doug Collins, K. Michael Conaway, Gerald E. Conolly, John Conyers, Jr., Paul Cook, Jim Cooper, Jim Costa, Tom Cotton, Joe Courtney, Kevin Cramer, Eric A. "Rick" Crawford, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Steve Daines, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney, Rosa L. DeLauro, Susan K. DeBene, Jeff Denham, Charles W. Dent, Ron DeSantis, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, John D. Dingell, Lloyd Doggett, Michael F. Doyle, Tammy Duckworth, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Jo Ann Emerson*, Eliot L. Engel, William L. Enyart, Anna G. Eshoo, Elizabeth H. Esty, Eni F. H. Faleomavaega, Blake Farenthold, Sam Farr, Chaka Fattah, Stephen Lee Fincher, Michael G. Fitzpatrick, Charles J. "Chuck" Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry, Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Freling-

huysen, Marcia L. Fudge, Tulsi Gabbard, Pete P. Gallego, John Garamendi, Joe Garcia, Cory Gardner, Scott Garrett, Jim Gerlach, Bob Gibbs, Christopher P. Gibson, Phil Gingrey, Louie Gohmert, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Kay Granger, Sam Graves, Tom Graves, Alan Grayson, Al Green, Gene Green, Tim Griffin, H. Morgan Griffith, Raúl M. Grijalva, Michael G. Grimm, Brett Guthrie, Luis V. Gutierrez, Janice Hahn, Ralph M. Hall, Colleen W. Hanabusa, Richard L. Hanna, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Doc Hastings, Denny Heck, Joseph J. Heck, Jeb Hensarling, Jaime Herrera Beutler, Brian Higgins, James A. Himes, Rubén Hinojosa, George Holding, Rush Holt, Michael M. Honda, Steven A. Horsford, Steny H. Hoyer, Richard Hudson, Tim Huelskamp, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Robert Hurt, Steve Israel, Darrell E. Issa, Sheila Jackson Lee, Hakeem S. Jeffries, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, William R. Keating, Mike Kelly, Robin L. Kelly, Joseph P. Kennedy III, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Jack Kingston, Adam Kinzinger, Ann Kirkpatrick, John Kline, Ann M. Kuster, Raúl R. Labrador, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, James Lankford, Rick Larsen, John B. Larson, Tom Latham, Robert E. Latta, Barbara Lee, Sander M. Levin, John Lewis, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Michelle Lujan Grisham, Cynthia M. Lummis, Stephen F. Lynch, Daniel B. Maffei, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Edward J. Markey, Thomas Massie, Jim Matheson, Doris O. Matsui, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, James P. McGovern, Patrick T. McHenry, Mike McIntyre, Howard P. "Buck" McKeon, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, John L. Mica, Michael H. Michaud, Candice S. Miller, Gary G. Miller, George Miller, Jeff Miller, Gwen Moore, James P. Moran, Markwayne Mullin, Mick Mulvaney, Patrick Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Gloria Negrete McLeod, Randy Neugebauer, Kristi L. Noem, Richard M. Nolan, Eleanor Holmes Norton, Richard B. Nugent, Devin Nunes, Alan Nunnelee, Pete Olson, Beto O'Rourke, William L. Owens, Steven M. Palazzo, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry, Gary C. Peters, Scott H. Peters, Collin C. Peterson, Thomas E. Petri, Pedro R. Pierluisi, Chellie Pingree, Robert Pittenger, Joseph R. Pitts, Mark Pocan, Ted Poe, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Trey Radel, Nick J. Rahall II, Charles B. Rangel, Tom Reed, David G. Reichert, James B. Renacci, Reid J. Ribble, Tom Rice, Cedric L. Richmond, E. Scott Rigell, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, Jon Runyan, C. A. Dutch

Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Matt Salmon, Linda T. Sánchez, Loretta Sanchez, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Bradley S. Schneider, Aaron Schock, Kurt Schrader, Allyson Y. Schwartz, David Schweikert, Austin Scott, David Scott, Robert C. “Bobby” Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Carol Shea-Porter, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Lamar Smith, Steve Southerland II, Jackie Speier, Chris Stewart, Steve Stivers, Steve Stockman, Marlin A. Stutzman, Eric Swalwell, Mark Takano, Lee Terry, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, John F. Tierney, Scott R. Tipton, Dina Titus, Paul Tonko, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Chris Van Hollen, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Jackie Walorski, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Melvin L. Watt, Henry A. Waxman, Randy K. Weber, Sr., Daniel Webster, Peter Welch, Brad R. Wenstrup, Lynn A. Westmoreland, Ed Whitfield, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Frank R. Wolf, Steve Womack, Rob Woodall, John A. Yarmuth, Kevin Yoder, Ted S. Yoho, C. W. Bill Young, Don Young, Todd C. Young

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1059. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — World Trade Center Health Program Eligibility Requirements for Shanksville, Pennsylvania and Pentagon Responders [Docket No.: CDC-2013-0002; NIOSH-261] (RIN: 0920-AA48) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1060. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Patient Protection and Affordable Care Act; Establishment of the Multi-State Plan Program for the Affordable Insurance Exchanges (RIN: 3206-AM47) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1061. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-017, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1062. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-036, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1063. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-005, pursuant to the reporting requirements of Section 36(c) of the Arms Ex-

port Control Act; to the Committee on Foreign Affairs.

1064. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-038, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1065. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-031, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1066. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-040, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1067. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-045, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1068. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-002, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1069. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-004, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1070. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-041, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1071. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-009, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1072. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-003, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1073. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-047, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1074. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-032, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1075. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-022, pursuant to the reporting requirements of Section 36(d) of the Arms Ex-

port Control Act; to the Committee on Foreign Affairs.

1076. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-011, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1077. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-037, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1078. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-050, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1079. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-016, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1080. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-027, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1081. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-051, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1082. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-055, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1083. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-019, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1084. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-046, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1085. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-043, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1086. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-023, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1087. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-012, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1088. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-044, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1089. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Excepted Service-Appointment of Persons With Intellectual Disabilities, Severe Physical Disabilities, and Psychiatric Disabilities (RIN: 3206-AM07) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1090. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Delay of Effective Date (RIN: 1205-AB61) received March 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1091. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Scammon Bay, AK [Docket No.: FAA-2012-0121; Airspace Docket No.: 12-AAL-2] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1092. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2013-0239; Directorate Identifier 2010-SW-087-AD] (RIN: 2120-AA64) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1093. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Multiple Restricted Areas; Eglin AFB, FL [Docket No.: FAA-2013-0178; Airspace Docket No. 13-ASO-1] (RIN: 2120-AA66) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1094. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Wilbur, WA [Docket No.: FAA-2012-0768; Airspace Docket No. 12-ANM-22] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1095. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment to Class B Airspace; Atlanta, GA [Docket No.: FAA-2011-1237; Airspace Docket No. 08-AWA-5] (RIN: 2120-AA66) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1096. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Morrisville, VT [Docket No.: FAA-2010-0835; Airspace Docket No. 12-ANE-15] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1097. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Unalakleet,

AK [Docket No.: FAA-2012-0322; Airspace Docket No. 12-AAL-3] received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1098. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Removal of 30-Day Residency Requirement for Per Diem Payments (RIN: 2900-AO36) received March 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 882. A bill to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes (Rept. 113-35). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1162. A bill to amend title 31, United States Code, to make improvements in the Government Accountability Office (Rept. 113-36). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1246. A bill to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office (Rept. 113-37). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 249. A bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment (Rept. 113-38 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on House Administration discharged from further consideration. H.R. 249 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LYNCH (for himself, Mr. THOMPSON of Pennsylvania, Mr. HIGGINS, Mr. DANNY K. DAVIS of Illinois, and Mr. QUIGLEY):

H.R. 1520. A bill to require the Secretary of Defense to allow civilian employees of the

Department of Defense to delay furloughs until returning from a deployment in support of accounting and recovery efforts by the Joint POW/MIA Accounting Command; to the Committee on Armed Services.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1521. A bill to provide for a five-year extension of the authority of the Secretary of Veterans Affairs to provide for the conduct of medical disability examinations by contract physicians; to the Committee on Veterans' Affairs.

By Mr. MCKINLEY (for himself, Mr. RUSH, Mr. RYAN of Ohio, Mr. DOYLE, Mr. JOHNSON of Ohio, Mr. BARLETTA, and Mr. GIBBS):

H.R. 1522. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the expansion of manufacturing in the United States; to the Committee on Ways and Means.

By Mr. ROHRABACHER (for himself, Mr. COHEN, Mr. YOUNG of Alaska, Mr. POLIS, Mr. AMASH, and Mr. BLUMENAUER):

H.R. 1523. A bill to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marihuana, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARAMENDI (for himself, Mr. CONYERS, Mr. DEFAZIO, Mr. DUNCAN of Tennessee, Mr. GRIJALVA, Mr. KILDEE, Ms. LEE of California, Mr. LIPINSKI, Ms. SCHAKOWSKY, Mr. RYAN of Ohio, Mr. YARMUTH, Mr. HOYER, Mr. NOLAN, Mr. ANDREWS, Mr. HIGGINS, Mr. CROWLEY, and Ms. KAPTUR):

H.R. 1524. A bill to require 85 percent domestic content in green technologies purchased by Federal agencies or by States with Federal funds and in property eligible for the renewable energy production or investment tax credits; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 1525. A bill to amend the Immigration and Nationality Act to comprehensively reform immigration law, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself, Mrs. McMORRIS RODGERS, Ms. HERRERA BEUTLER, Mr. RIBBLE, Mr. LAMALFA, Mr. MCCLINTOCK, Mr. SOUTHERLAND, Mr. DAINES, Mr. THOMPSON of Pennsylvania, Mr. YOUNG of Alaska, Mr. GRIFFITH of Virginia, Mr. GOSAR, Mr. GOHMERT, Mr. PEARCE, Mr. BISHOP of Utah, and Mrs. LUMMIS):

H.R. 1526. A bill to restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land, while also reducing Forest Service management costs, by ensuring that such counties have a

dependable source of revenue from National Forest System land, to provide a temporary extension of the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mrs. NAPOLITANO, Mr. McDERMOTT, Mr. POLIS, Mr. VARGAS, Mr. PASCRELL, Mr. GRIJALVA, Ms. CLARKE, Mr. KIND, Ms. BORDALLO, Mr. ELLISON, Mr. CONYERS, and Ms. WILSON of Florida):

H.R. 1527. A bill to amend the Internal Revenue Code of 1986 to increase the deduction allowed for student loan interest; to the Committee on Ways and Means.

By Mr. SCHRADER (for himself, Mr. YOHIO, Mrs. HARTZLER, Mrs. BLACKBURN, Mr. RODNEY DAVIS of Illinois, Mr. KING of Iowa, Mr. COLLINS of New York, and Mr. PIERLUISI):

H.R. 1528. A bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTRO of Texas (for himself and Mr. HINOJOSA):

H.R. 1529. A bill to amend the Higher Education Act of 1965 to exempt certain State-provided loan programs from being subject to preferred lender arrangement requirements; to the Committee on Education and the Workforce.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. McNERNEY, Mr. BERA of California, and Mrs. NEGRETE MCLEOD):

H.R. 1530. A bill to ensure that individuals who are in an authorized job training program or completing work for a degree or certificate remain eligible for regular unemployment compensation; to the Committee on Ways and Means.

By Ms. DELAURIO (for herself, Mr. BISHOP of Georgia, Ms. BORDALLO, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. CAPPS, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. CHU, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COOPER, Ms. DEGETTE, Mr. DINGELL, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Mr. FARR, Ms. FUDGE, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HIMES, Mr. HOLT, Mr. ISRAEL, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOBIONDO, Mr. LOESACK, Ms. LOFGREN, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. MCGOVERN, Mr. MCINTYRE, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. PASTOR of Arizona, Mr. PAYNE, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LINDA

T. SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SPEIER, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, and Mr. YOUNG of Alaska):

H.R. 1531. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSTER (for himself and Mr. QUIGLEY):

H.R. 1532. A bill to amend the Internal Revenue Code of 1986 to establish a program to populate downloadable tax forms with taxpayer return information; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 1533. A bill to establish an Office of Public Advocate within the Department of Justice to provide services and guidance to citizens in dealing with concerns involving the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HAHN:

H.R. 1534. A bill to amend section 70107 of title 46, United States Code, to authorize appropriations for the port security grant program through 2017; to the Committee on Homeland Security.

By Ms. HAHN (for herself and Mr. POE of Texas):

H.R. 1535. A bill to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them; to the Committee on Homeland Security.

By Ms. HAHN:

H.R. 1536. A bill to establish the Office of Agriculture Inspection within the Department of Homeland Security, which shall be headed by the Assistant Commissioner for Agriculture Inspection, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JEFFRIES (for himself, Mr. RICHMOND, Mr. RANGEL, Mr. JOHNSON of Georgia, Ms. CLARKE, and Mr. SCOTT of Virginia):

H.R. 1537. A bill to amend title 13, United States Code, to provide that individuals in prison shall, for the purposes of a decennial census, be attributed to the last place of residence before incarceration; to the Committee on Oversight and Government Reform.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. BROWN of Florida, Mr. CARSON of Indiana, Mr. HINOJOSA, and Mr. PETERS of Michigan):

H.R. 1538. A bill to provide incentives to encourage financial institutions and small

businesses to provide continuing financial education to customers, borrowers, and employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. PASCRELL, and Mr. GRIMM):

H.R. 1539. A bill to provide for certain tunnel life safety and rehabilitation projects for Amtrak; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI (for herself and Mr. BERA of California):

H.R. 1540. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the South Sacramento County Agriculture and Habitat Lands Water Recycling Project in Sacramento County, California; to the Committee on Natural Resources.

By Mr. MEADOWS (for himself, Mr. PITTENGER, Mr. SESSIONS, Mr. COLLINS of Georgia, and Mr. STUTZMAN):

H.R. 1541. A bill to establish limitations, for fiscal years 2013, 2014, and 2015 on the total amount in awards or other discretionary monetary payments which may be paid to any Federal employee; to the Committee on Oversight and Government Reform.

By Mr. MEEHAN (for himself, Ms. SPEIER, Mr. MCCAUL, Mr. KING of New York, and Mr. HIGGINS):

H.R. 1542. A bill to amend the Homeland Security Act of 2002 to establish weapons of mass destruction intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; to the Committee on Homeland Security.

By Mr. NADLER:

H.R. 1543. A bill to amend the Immigration and Nationality Act to exempt certain elderly persons from demonstrating an understanding of the English language and the history, principles, and form of government of the United States as a requirement for naturalization, and to permit certain other elderly persons to take the history and government examination in a language of their choice; to the Committee on the Judiciary.

By Mr. PETRI (for himself and Mr. LIPINSKI):

H.R. 1544. A bill to promote transportation-oriented development and encourage dedicated revenue sources for urban and regional rail corridor development; to the Committee on Transportation and Infrastructure.

By Mr. SABLAN:

H.R. 1545. A bill to amend the definition of State in certain Federal agricultural laws to include the Commonwealth of the Northern Mariana Islands; to the Committee on Agriculture.

By Mr. TIBERI (for himself and Mr. KIND):

H.R. 1546. A bill to amend the Internal Revenue Code of 1986 to encourage a law enforcement presence in our schools by allowing full-time, off-duty law enforcement officials an exclusion from income for wages received for performing services in an elementary or secondary school as a substitute teacher; to the Committee on Ways and Means.

By Mr. YOHO (for himself, Mr. COLLINS of Georgia, Mr. DESANTIS, Mr. GRAYSON, Mr. MEADOWS, Mr. DELANEY, Mr. SALMON, Mr. WESTMORELAND, Mr. GIBSON, Mr. MASSIE, and Mr. PERRY):

H.R. 1547. A bill to amend title 5, United States Code, to extend the basis for the denial of retirement credit, for service as a Member of Congress, to include conviction of any felony under Federal or State law, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 1548. A bill to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes; to the Committee on Natural Resources.

By Mrs. WALORSKI:

H.J. Res. 38. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. GOHMERT, Mr. SALMON, Mr. STOCKMAN, Mr. BONNER, Mr. COBLE, Mr. PITTS, Mr. MCCLINTOCK, Mr. SHIMKUS, Mr. CAMPBELL, Mr. FLEMING, Mr. WESTMORELAND, Mr. SMITH of New Jersey, Mr. WILLIAMS, Mrs. BACHMANN, Mr. GARRETT, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. SCHWEIKERT, and Mr. ISSA):

H. Res. 153. A resolution expressing the sense of the House of Representatives that the Patient Protection and Affordable Care Act of 2009 violates article I, section 7, clause 1 of the United States Constitution because it was a "Bill for raising Revenue" that did not originate in the House of Representatives; to the Committee on Ways and Means.

By Mr. BERA of California (for himself and Mr. RODNEY DAVIS of Illinois):

H. Res. 154. A resolution expressing support for designation of April 15, 2013, through April 21, 2013, as National Minority Cancer Awareness Week; to the Committee on Oversight and Government Reform.

By Mr. RUSH:

H. Res. 155. A resolution expressing the necessity for the Members of the House of Representatives to use the term "undocumented" instead of the term "illegal" when referring to foreign nationals which are working in the United States without proper documentation; to the Committee on the Judiciary.

By Ms. JACKSON LEE (for herself and Mr. GRIMM):

H. Res. 156. A resolution expressing the sense of the House of Representatives that the Transportation Security Administration should delay implementation of changes to the Prohibited Items List that do not enhance the protection of passengers, and for other purposes; to the Committee on Homeland Security.

By Mr. GARAMENDI (for himself, Mr. GRIJALVA, Mr. LEWIS, Ms. SPEIER, and Mr. CROWLEY):

H. Res. 157. A resolution honoring the Sikh community's celebration of Vaisakhi; to the Committee on Oversight and Government Reform.

By Ms. HAHN (for herself, Mrs. NAPOLITANO, Ms. BORDALLO, Mr. SIREN, Ms. WILSON of Florida, Mr. GARAMENDI,

Mr. RUPPERSBERGER, Mr. FARENT-HOLD, Ms. LINDA T. SANCHEZ of California, Mr. MCNERNEY, Mr. VARGAS, and Mr. POE of Texas):

H. Res. 158. A resolution recognizing the importance of ports to the economy and national security of the United States; to the Committee on Transportation and Infrastructure.

By Mr. HECK of Nevada:

H. Res. 159. A resolution expressing support for designation of the week of April 14, 2013, through April 20, 2013, as National Osteopathic Medicine Week; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LYNCH:

H.R. 1520.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1521.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. MCKINLEY:

H.R. 1522.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. ROHRBACHER:

H.R. 1523.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, which grants Congress the power to, among other things, regulate Commerce among the several States.

By Mr. GARAMENDI:

H.R. 1524.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. JACKSON LEE:

H.R. 1525.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 4 and 18 of the United States Constitution.

By Mr. HASTINGS of Washington:

H.R. 1526.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. RANGEL:

H.R. 1527.

Congress has the power to enact this legislation pursuant to the following:

Article XVI of the Constitution—Congress shall have power to lay and collect taxes on incomes . . .

By Mr. SCHRADER:

H.R. 1528.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CASTRO of Texas:

H.R. 1529.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 1530.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18

Congress has the authority, "To make all laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof."

By Ms. DeLAURO:

H.R. 1531.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. FOSTER:

H.R. 1532.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. GERLACH:

H.R. 1533.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Ms. HAHN:

H.R. 1534.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. HAHN:

H.R. 1535.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. HAHN:

H.R. 1536.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. JEFFRIES:

H.R. 1537.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1538.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. KING of New York:

H.R. 1539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MATSUI:

H.R. 1540.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. MEADOWS:

H.R. 1541.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; and Article I, Section 8, Clause 18 of the Constitution.

By Mr. MEEHAN:

H.R. 1542.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution of the United States.

By Mr. NADLER:

H.R. 1543.

Congress has the power to enact this legislation pursuant to the following:

Article 1, sec. 8, cl. 4 ("To establish a uniform Rule of Naturalization"), and cl. 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.")

By Mr. PETRI:

H.R. 1544.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, of Section 8, of Article I of the Constitution

By Mr. SABLAN:

H.R. 1545.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. TIBERI:

H.R. 1546.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to Article 1, Section 8 which provides that, "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;" and Article 1, Section 7 which provides that, "All bills for raising Revenue shall originate in the House of Representatives."

By Mr. YOHO:

H.R. 1547.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1, of the U.S. Constitution: "The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

By Mr. YOUNG of Alaska:

H.R. 1548.

Congress has the power to enact this legislation pursuant to the following:

article 1 section 8 clause 3.

By Mrs. WALORSKI:

H.R. 38.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. PALLONE and Mr. LYNCH.
H.R. 38: Mr. ROONEY, Mr. HARRIS, Mrs. ELLMERS, and Mr. PETERS of Michigan.
H.R. 60: Mr. VEASEY.
H.R. 62: Mr. RANGEL.
H.R. 176: Mr. CASSIDY and Mr. GOSAR.
H.R. 301: Mr. LARSON of Connecticut and Mr. MEADOWS.
H.R. 309: Mr. YODER, Mr. BARTON, Mr. GOHMERT, and Mr. PERRY.
H.R. 324: Mr. DINGELL, Mr. CRAWFORD, and Mr. CASTRO of Texas.
H.R. 335: Mr. COLLINS of New York.
H.R. 337: Mr. MATHESON.
H.R. 351: Mr. DAVID SCOTT of Georgia.
H.R. 366: Mr. LATHAM, Mr. HUFFMAN, and Mrs. LOWEY.
H.R. 377: Mr. VELA, Ms. JACKSON LEE, and Mr. CUELLAR.
H.R. 382: Mr. GRAVES of Georgia, Mr. PERRY, and Mr. SOUTHERLAND.
H.R. 436: Mr. HOLDING, Mr. ROONEY, Mr. SMITH of Nebraska, Mr. LUETKEMEYER, Mr. STOCKMAN, and Mr. PRICE of Georgia.
H.R. 452: Mrs. DAVIS of California, Mr. KEATING, Mr. LOWENTHAL, Mr. PAYNE, Mr. AL GREEN of Texas, and Mr. GARAMENDI.
H.R. 460: Mr. WELCH.
H.R. 474: Mr. VAN HOLLEN.
H.R. 499: Mr. HASTINGS of Florida and Mr. GRIJALVA.
H.R. 503: Mr. WITTMAN.
H.R. 515: Mr. FOSTER.
H.R. 521: Mr. LOWENTHAL.
H.R. 567: Mr. STUTZMAN.
H.R. 574: Mr. HIMES and Mr. DANNY K. DAVIS of Illinois.
H.R. 578: Mr. MESSER.
H.R. 582: Mr. LUCAS.
H.R. 627: Mr. COTTON and Mr. BILIRAKIS.
H.R. 628: Ms. HANABUSA, Mr. MCDERMOTT, Mr. MORAN, and Ms. WILSON of Florida.
H.R. 647: Mr. KLINE and Mrs. NOEM.
H.R. 659: Mr. JOHNSON of Ohio.
H.R. 666: Mr. LYNCH and Mr. KENNEDY.
H.R. 686: Mr. GIBBS and Mr. RODNEY DAVIS of Illinois.
H.R. 693: Mr. SCHNEIDER.
H.R. 698: Mr. BURGESS and Ms. WILSON of Florida.
H.R. 701: Mr. COLLINS of New York.
H.R. 702: Mr. DEFazio, Mr. CARSON of Indiana, Ms. MCCOLLUM, and Mr. BEN RAY LUJAN of New Mexico.
H.R. 718: Mr. WITTMAN.
H.R. 719: Mr. JEFFRIES.

H.R. 721: Mr. PEARCE.

H.R. 724: Mr. BURGESS, Mr. GRIFFITH of Virginia, Mrs. NAPOLITANO, Mr. KIND, Mr. ADERHOLT, Ms. DUCKWORTH, Mr. GRAVES of Georgia, and Mr. JOYCE.

H.R. 731: Mr. HOLDING and Mr. POE of Texas.

H.R. 761: Mr. ROSS, Mr. KLINE, and Mrs. MCMORRIS RODGERS.

H.R. 763: Mr. LUCAS.

H.R. 769: Ms. PELOSI, Mr. HIGGINS, Mr. LYNCH, Mr. DAVID SCOTT of Georgia, Mr. HOLT, Mr. MEEKS, and Mr. PALLONE.

H.R. 786: Ms. ESHOO.

H.R. 791: Ms. MCCOLLUM, Mr. LOEBSACK, and Mr. SCHRADER.

H.R. 792: Mr. OWENS and Ms. WILSON of Florida.

H.R. 807: Mr. ROE of Tennessee, Mr. RADEL, Mr. KLINE, and Mr. WENSTRUP.

H.R. 809: Mr. MICHAUD and Mr. NUGENT.

H.R. 822: Mr. PERLMUTTER, Mr. COHEN, Mr. NEAL, Mr. COSTA, Mr. PALLONE, and Ms. SLAUGHTER.

H.R. 831: Mr. PERLMUTTER, Mr. BRADY of Pennsylvania, Mr. TAKANO, Mr. FORTENBERRY, Ms. DEGETTE, Mr. CUMMINGS, and Mr. HORSFORD.

H.R. 850: Mr. BROUN of Georgia, Ms. ESHOO, Mr. PRICE of Georgia, Mr. ISSA, Mr. PALLONE, Mr. CARNEY, Mr. PALAZZO, Mr. GUTHRIE, and Mr. SESSIONS.

H.R. 864: Mr. RUPPERSBERGER and Mr. CONYERS.

H.R. 874: Mr. HIGGINS and Ms. MCCOLLUM.

H.R. 888: Mr. WEBER of Texas.

H.R. 904: Mr. MCCAUL, Mr. KING of New York, and Mr. POE of Texas.

H.R. 913: Ms. WASSERMAN SCHULTZ and Ms. FRANKEL of Florida.

H.R. 915: Mr. LOEBSACK, Mr. CAPUANO, and Mr. MCINTYRE.

H.R. 924: Mr. ISRAEL and Mr. PETERS of Michigan.

H.R. 925: Mr. CALVERT, Mr. BRIDENSTINE, Mr. BURGESS, Ms. ROS-LEHTINEN, Mr. CARTER, Mr. HECK of Nevada, Mr. THOMPSON of Pennsylvania, Mr. VELA, Mr. KINZINGER of Illinois, Mr. FRANKS of Arizona, Mr. PITTS, and Mr. SOUTHERLAND.

H.R. 926: Mr. RYAN of Wisconsin.

H.R. 938: Mrs. BUSTOS, Ms. MENG, Mr. ENGEL, Mrs. CAPITO, Mr. PITTS, Mr. ISSA, Mrs. MCCARTHY of New York, Mr. PALLONE, Mr. PALAZZO, Mr. GUTHRIE, and Mr. MEADOWS.

H.R. 951: Mr. HOLT and Mr. TAKANO.

H.R. 961: Ms. ZOE LOFGREN and Mr. HORSFORD.

H.R. 962: Mr. ELLISON.

H.R. 1000: Mr. CLEAVER, Ms. LEE of California, and Ms. NORTON.

H.R. 1014: Ms. CARTWRIGHT, Mrs. HARTZLER, and Mr. LATHAM.

H.R. 1026: Mr. JOHNSON of Ohio.

H.R. 1038: Mr. CARDENAS.

H.R. 1072: Mr. BRIDENSTINE.

H.R. 1078: Ms. GRANGER.

H.R. 1096: Mr. WELCH.

H.R. 1097: Mr. LAMBORN and Mr. RICE of South Carolina.

H.R. 1099: Mr. JOHNSON of Ohio.

H.R. 1122: Mrs. BACHMANN.

H.R. 1126: Mr. MCCLINTOCK and Mr. BENTIVOLIO.

H.R. 1151: Mr. COBLE, Mr. SESSIONS, Ms. TITUS, Mr. GRIFFITH of Virginia, Mr. RANGEL, and Mr. PITTINGER.

H.R. 1171: Mr. ENYART.

H.R. 1175: Mr. SMITH of Washington.

H.R. 1186: Ms. TSONGAS and Mr. PETERS of California.

H.R. 1213: Ms. SCHAKOWSKY and Ms. LEE of California.

H.R. 1214: Mr. GRIFFIN of Arkansas, Mr. COFFMAN, and Mr. LATHAM.

H.R. 1219: Mrs. ROBY, Mr. BROOKS of Alabama, and Mr. BACHUS.

H.R. 1252: Mr. MURPHY of Pennsylvania, Ms. LORETTA SANCHEZ of California, Ms. TSONGAS, Ms. NORTON, Mr. MORAN, Mr. MARKEY, Mr. TURNER, Mr. RANGEL, Mr. GARY G. MILLER of California, Mr. LOEBSSACK, Mr. BARROW of Georgia, Mr. RUPPERSBERGER, Mr. KEATING, Mr. HOLT, Mr. SCHOCK, Mr. JOHNSON of Ohio, and Mr. DEFAZIO.

H.R. 1286: Mr. PERLMUTTER.

H.R. 1290: Mr. COBLE and Mrs. ELLMERS.

H.R. 1303: Mr. LATTA, Mr. PEARCE, Mrs. ELLMERS, and Mr. PETERSON.

H.R. 1311: Mr. COBLE, Mr. MURPHY of Florida, and Mr. WOLF.

H.R. 1312: Ms. DELBENE.

H.R. 1313: Mr. TIERNEY and Mr. LATHAM.

H.R. 1327: Mrs. BROOKS of Indiana.

H.R. 1334: Ms. LEE of California and Mr. CLAY.

H.R. 1340: Mr. MORAN and Ms. MOORE.

H.R. 1341: Mr. DAVID SCOTT of Georgia, Mr. GRIMM, and Mr. HUIZENGA of Michigan.

H.R. 1343: Mr. HASTINGS of Florida, Mr. GENE GREEN of Texas, Ms. MOORE, and Mr. TAKANO.

H.R. 1354: Mr. SMITH of Washington, Ms. HANABUSA, and Ms. ROS-LEHTINEN.

H.R. 1358: Mr. PETERS of California, Ms. EDWARDS, Mr. VEASEY, and Ms. BONAMICI.

H.R. 1406: Mr. KING of Iowa, Mrs. MILLER of Michigan, Mr. SALMON, Mr. SHUSTER, Mr. HUIZENGA of Michigan, Mr. DESJARLAIS, Mr. UPTON, Mr. HARPER, Mr. FLEISCHMANN, Mr. WEBER of Texas, Mr. MULLIN, Mr. ROKITA, Mr. COTTON, Mr. DUNCAN of South Carolina, Mr. GARDNER, Mr. TIPTON, Mr. YODER, Mr. AUSTIN SCOTT of Georgia, Mr. GRAVES of Georgia, Mr. DAINES, Mr. ROGERS of Michigan, and Mr. CHAFFETZ.

H.R. 1417: Mr. OLSON and Mr. MEEHAN.

H.R. 1427: Mr. FORTENBERRY, Mr. TIBERI, and Mr. CONNOLLY.

H.R. 1428: Mr. POSEY, Mrs. ROBY, Mr. JOHNSON of Ohio, Mr. LATHAM, Mr. TIERNEY, and Ms. LOFGREN.

H.R. 1433: Mrs. DAVIS of California and Mr. RUSH.

H.R. 1448: Mr. GIBBS.

H.R. 1461: Mr. BRADY of Pennsylvania.

H.R. 1462: Mr. BENISHEK, Mr. CHAFFETZ, and Mr. PEARCE.

H.R. 1478: Mr. POLIS.

H.R. 1485: Mr. RUNYAN.

H.R. 1494: Mr. MAFFEI.

H.R. 1497: Mr. WITTMAN and Mr. GOHMERT.

H.R. 1510: Mr. HARRIS.

H.R. 1513: Mr. DENT.

H. Con. Res. 16: Mr. GIBSON and Mr. MEADOWS.

H. Con. Res. 21: Mr. RANGEL and Mr. BUTTERFIELD.

H. Con. Res. 23: Mr. LUCAS.

H. Con. Res. 28: Mrs. BEATTY.

H. Con. Res. 30: Mr. AMODEI, Mr. BARBER, Mr. BARTON, Mr. BISHOP of New York, Ms. BROWN of Florida, Mr. BUCHANAN, Mr. BURGESS, Mr. CALVERT, Mr. CHABOT, Mr. CICILLINE, Mr. COBLE, Mr. COFFMAN, Mr. COLLINS of New York, Mr. COLLINS of Georgia, Mr. CONNOLLY, Mr. COOK, Mr. COSTA, Mr. CROWLEY, Mr. CULBERSON, Mr. DENT, Mr. DESANTIS, Mr. DEUTCH, Mr. DIAZ-BALART, Mrs. ELLMERS, Mr. ENGEL, Ms. FOXX, Ms. FRANKEL of Florida, Mr. FRANKS of Arizona, Mr. GARRETT, Mr. GIBSON, Ms. GRANGER, Mr. GRIMM, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HOLDING, Mr. HOLT, Mr. HULTGREN, Mr. JEFFRIES, Mr. JOHNSON of Ohio, Mr. KILMER, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. LAMBORN, Mr. LANCE, Mr. LANKFORD, Mr. LOWENTHAL, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. MARKEY, Mr. MCCAUL, Mr. MCGOVERN, Mr. MEEKS, Mr. MESSER, Mr. MICA, Mr. MULLIN, Mr. NUGENT, Mr. OWENS, Mr. PAYNE, Mr. POE of Texas, Mr. POSEY, Mr. PRICE of Georgia, Mr. QUIGLEY, Mr. RIGELL, Mr. ROE of Tennessee, Mr. ROKITA, Ms. SCHWARTZ, Mr. AUSTIN SCOTT of Georgia, Mr. SCHOCK, Ms. SEWELL of Alabama, Mr. SHERMAN, Mr. SIRES, Mr. STIVERS, Mr. STUTZMAN, Mr. TAKANO, Mr. TERRY, Mr. TIPTON, Ms. TITUS, Mr. VARGAS, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WEBER of Texas, Mr. WESTMORELAND, Mr. HARRIS, Mr. HANNA, Mr. CONAWAY, Mr. JORDAN, Mr. STOCKMAN, Mr. ISRAEL, Mr. ROSKAM, Mr. CRAWFORD, Ms. PINGREE of Maine, and Mr. GARCIA.

H. Res. 30: Mr. MCKINLEY.

H. Res. 36: Mr. COTTON, Mr. HULTGREN, Mr. NUGENT, Mr. RIGELL, Mr. COLLINS of Georgia, Mr. TIBERI, Mr. PALAZZO, Mrs. CAPITO, Mr. FITZPATRICK, Mr. PETRI, and Mr. RICE of South Carolina.

H. Res. 90: Mr. NOLAN and Mrs. LOWEY.

H. Res. 104: Mr. JOHNSON of Ohio.

H. Res. 108: Mr. LANGEVIN.

H. Res. 129: Mr. BENTIVOLIO.

H. Res. 130: Mr. STOCKMAN and Ms. LOFGREN.

H. Res. 132: Ms. BROWNLEY of California, Ms. SCHAKOWSKY, Ms. LOFGREN, Mr. CARSON of Indiana, Mr. FARR, Ms. MOORE, Ms. SLAUGHTER, Ms. JACKSON LEE, Mr. TAKANO, Mr. HORSFORD, Mrs. NEGRETE MCLEOD, Mr. RUIZ, and Mrs. CAPPS.

H. Res. 134: Mr. BILIRAKIS, Mr. BENISHEK, Mr. PETERS of California, and Mr. TIBERI.

H. Res. 147: Mr. MARCHANT and Mr. SMITH of Washington.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 1, April 11, 2013, by Ms. ROSA DELAURIO on H.R. 377, was signed by the following Members: Rosa L. DeLauro, Daniel T. Kildee, Ann Kirkpatrick, Terri A. Sewell, Cheri Bustos, Paul Tonko, Juan Vargas, Jackie Speier, Sheila Jackson Lee, John A. Yarmuth, Gerald E. Connolly, James P. Moran, Albio Sires, Janice Halm, Lois Frankel, Donald M. Payne Jr., Robert E. Andrews, Gwen Moore, Marcia L. Fudge, Karen Bass, Timothy J. Walz, Doris O. Matsui, Eddie Bernice Johnson, Henry A. Waxman, Corrine Brown, Zoe Lofgren, Dina Titus, Mike Quigley, Jim Cooper, Lois Capps, Colleen W. Hanabusa, Barbara Lee, Joaquin Castro, Nydia M. Velázquez, Scott H. Peters, Suzan K. DelBene, Julia Brownley, Sean Patrick Maloney, Danny K. Davis, Mark Pocan, Jerrold Nadler, Eric Swalwell, Steven A. Horsford, Louise McIntosh Slaughter, John F. Tierney, Suzanne Bonamici, James P. McGovern, Eliot L. Engel, William R. Keating, Gregory W. Meeks, Allyson Y. Schwartz, Chris Van Hollen, Michelle Lujan Grisham, Joseph P. Kennedy III, Lucille Roybal-Allard, John B. Larson, John P. Sarbanes, Linda T. Sánchez, Judy Chu, Ruben Hinojosa, Carolyn McCarthy, Sanford D. Bishop Jr., Ben Ray Lujan, Niki Tsongas, Denny Heck, Carolyn B. Maloney, G. K. Butterfield, Charles B. Rangel, John C. Carney Jr., David Scott, Ann M. Kuster, Matt Cartwright, Elizabeth H. Esty, Joseph Crowley, Rick Larsen, Carol Shea-Porter, Earl Blumenauer, Derek Kilmer, Alan S. Lowenthal, Al Green, Joe Courtney, Mark Takano, Tulsi Gabbard, Theodore E. Deutch, John Garamendi, Robin L. Kelly, Ed Perlmutter, Hakeem S. Jeffries, Yvette D. Clarke, Brian Higgins, James R. Langevin, Anna G. Eshoo, James E. Clyburn, David N. Cicilline, David Loebsack, Wm. Lacy Clay, Nancy Pelosi, Jared Polis, Stephen F. Lynch, Tammy Duckworth, Grace F. Napolitano, John Lewis, Cedric L. Richmond, Steny H. Hoyer, Richard M. Nolan, Robert A. Brady, Michael F. Doyle, Timothy H. Bishop, Loretta Sanchez, Michael H. Michaud, Raúl M. Grijalva, Kyrsten Sinema, Jerry McNerney, Bill Pascrell Jr., Donna F. Edwards, Mike Thompson, Grace Meng, Jared Huffman, George Miller, William L. Enyart, Ron Barber, Joe Garcia, Debbie Wasserman Schultz, Joyce Beatty, Lloyd Doggett, Frank Pallone Jr., Tim Ryan, William L. Owens, Susan A. Davis, Henry Cuellar, Chaka Fattah, Daniel B. Maffei, Jim McDermott, Brad Sherman, Bobby L. Rush, John D. Dingell, Michael E. Capuano, and Bruce L. Braley.

EXTENSIONS OF REMARKS

RECOGNIZING AKRON CHILDREN'S
HOSPITAL

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to recognize Akron Children's Hospital of Akron, Ohio, and more specifically Akron Children's Mahoning Valley. Akron Children's Hospital healthcare system has two hospitals, as well as 20 primary care and 67 specialty care locations. Akron Children's hospital is not only the largest pediatric healthcare provider in Northeast Ohio; it is ranked among the best children's hospitals in the country.

Recently Akron Children's Hospital Mahoning Valley was among six hospitals to receive the American Nurses Association's (ANA) Award for Outstanding Nursing Quality at the association's Nursing Quality Conference in Atlanta. The award winners participate in ANA's National Database of Nursing Quality Indicators (NDNQI), the nation's most comprehensive database of nursing performance measures. The six honorees were identified by researchers from more than 1,900 hospitals—about one-third of U.S. hospitals—that report results to NDNQI and measure their performance against other NDNQI hospitals regionally, statewide and nationwide. Akron Children's along with the other 5 awardees demonstrated superior results and sustained improvements in patient outcomes that are tied to the quality of nursing services and nurse work environmental factors.

Akron Children's Hospital Mahoning Valley was recognized for decreasing blood stream infection rates for very low birth weight infants, a leading cause of disease and death for premature babies, by 30 percent. The nursing staff achieved this by implementing evidence-based best practices for central venous catheter insertion and maintenance processes across five neonatal sites.

Mr. Speaker, I ask that my colleagues join me in recognizing Akron Children's Hospital Mahoning Valley for its outstanding achievement and to extend thanks to the entire Akron Children's Hospital system for its commitment to children and the highest quality of pediatric care.

HONORING THE FAMILY SERVICE
OF MORRIS COUNTY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the organization Family Service of Morris County, located in Morristown, New

Jersey, which is celebrating its 200th Anniversary.

The organization was originally formed in Morristown in 1813 as the Female Charitable Society and was then comprised of only seventeen volunteer members from the parish of Presbyterian Church, who sought to serve women and children in need for the first one hundred years of its existence. These volunteers began by providing service to the "deserving poor" of Morristown, whose needs were left unfulfilled by New Jersey's inadequate Poor Laws. This included many women and children left behind by male victims to the War of 1812. However, over the next one hundred years the needs of the community changed.

For the centennial celebration in 1913, the Female Charitable Society changed their name to the Bureau of Social Services, and expanded their services to males, as well as the entirety of Morris County. The organization worked to centralize various charitable groups, and over the coming years adapted to not only developments in social work, but also to the ever-changing dynamics of families and their needs.

In 1943, the agency merged with the Society for the Prevention of Cruelty to Children, becoming Family and Children's Service of Morris County, and in 1947 adopted its current name, Family Service of Morris County.

Today, what was once a seventeen member female-oriented organization now employs one hundred professionals, four hundred volunteers, and aids about seven thousand people per year. The Family Service of Morris County still adheres to the same mission as they did two hundred years ago—"to strengthen the community by empowering individuals and families to meet and overcome life's challenges."

Mr. Speaker, I ask you and my colleagues to join me in congratulating Family Service of Morris County, their Board Members, professional staff and so many volunteers, as they celebrate their Bicentennial Anniversary.

RECOGNIZING KELLY ARAMAKI,
2013 WASHINGTON STATE ELE-
MENTARY PRINCIPAL OF THE
YEAR

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Mr. Kelly Aramaki, who has been recognized as the 2013 Washington State Elementary Principal of the Year.

Mr. Aramaki has been principal at Beacon Hill Elementary School in Seattle since 2011. He presides over a Title 1 language-immersion international school that has more than

86 percent students of color and where more than 32 percent speak English as their second language. More than two-thirds of the students are eligible for free or reduced lunch programs. Many families are new immigrants to the United States, coming from such countries as Vietnam, China, Laos, Mexico, Guatemala, and Somalia.

Kelly is highly praised for his dedication to instructional leadership. He clears his calendar for instructional work first. He prioritizes walk-throughs, observations, teacher conferences, and professional development meetings with staff.

Mr. Aramaki, a Bellevue native, earned a Bachelor of Science degree in zoology from the University of Washington and a Master of Teaching degree from the Teachers College at Columbia University in New York City. He received his principal credentials through the University of Washington's Danforth Educational Leadership program.

Mr. Aramaki began his career as a teacher between 1999 and 2002 at Newport Heights Elementary School in Bellevue. He then became principal at Maywood Hill Elementary School in Bothell, where he served between 2003 and 2007. In 2007, he took the principalship at John Stanford International School in Seattle, leaving in 2011 to join Beacon Hill Elementary School.

In 2010 he earned the prestigious Milken Family Foundation Award. The Milken Educator Awards were created by education reform leader Lowell Milken to celebrate, elevate, and activate excellence in the teaching profession.

Mr. Speaker, it is with great honor that I recognize the work Mr. Aramaki has done for education in the Pacific Northwest. Mr. Aramaki will be honored this fall in Washington DC as part of the National Distinguished Principal of the Year program.

HONORING THE LIFE OF CADET
STAFF SERGEANT HUNTER HENRY

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor the life and legacy of Cadet Staff Sergeant Hunter Henry, a young man who passed away after being struck by a car while riding his bicycle to school on April 2, 2013 in Port St. Lucie, Florida. He is survived by his three sisters and his parents Dan and Wendy Henry.

Cadet Staff Sgt. Hunter Henry was a 16 year old student at Port St. Lucie High School. Henry was known as a reserved and polite young man who enjoyed fixing things, especially bicycles, which he learned at a local store.

Henry also had a passion for service and helping others. He participated in the Jaguar

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Battalion—Junior Officer Reserve Training Corps in school and planned to enter military service. Additionally, following his mother's diagnosis with an autoimmune disorder that left her paralyzed, Hunter frequently donated blood and registered to be an organ donor. His selflessness has given many individuals across the country another chance at life.

Mr. Speaker, Staff Sgt. Hunter Henry was an outstanding young man who was taken far too soon. It is an honor to recognize his life here today and extend my thoughts and prayers to his family and friends during this most difficult time.

HONORING THE MOUNT FREEDOM JEWISH CENTER 90TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Mount Freedom Jewish Center, located in Township of Randolph, Morris County, New Jersey, which is celebrating its 90th anniversary.

Founded by a group of residents as an orthodox synagogue in 1923, Mount Freedom Jewish Center served the summer and bungalow communities of Morris County. Mount Freedom Jewish Center continued to grow with the population of Morris County, and eventually became a year-round synagogue. The building has been renovated several times to accommodate the ever-growing population, but the walls of the original structure remain a part of the center.

The only synagogue in Randolph, Mount Freedom Jewish Center serves the diverse community of Morris County not only as a house of worship, but also a place of learning, a source of caring, and an outlet for social enjoyment. The center has an active Hebrew School for grades one through eight, as well as active religious and social programs and groups. The Mount Freedom Jewish Center serves all residents of Morris County through interfaith collaborations with other houses of worship, providing programs for young adults with special needs, as well as opening its doors to those in need. Additionally, the center also has the only Jewish Cemetery in Randolph.

The Mount Freedom Jewish Center has planned a year of festivities in celebration of its 90th anniversary. Throughout the year, there have been, and will be, special services, programs and speakers, and special dinners. The year of festivities will culminate with a 90th Anniversary Gala in December 2013 to celebrate the contributions the center has made to the community. The center looks to start off their 10th decade of vision and dedication to enriching the lives of congregants and the larger community by providing an inviting environment for spiritual, educational and social interaction.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Mount Freedom Jewish Center as they celebrate their 90th anniversary.

HONORING THE LIFE OF NICHOLAS MARIOTTI JR.

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to recognize the life of Nicholas Mariotti Jr., 72, who passed away April 7, 2013, at his residence in Niles. Nick was born Feb. 18, 1941, in Youngstown, the son of Nicholas Sr. and Mary Levero Mariotti.

Nick was a 1959 graduate of Niles McKinley High School. He worked at US Steel for 22 years in the inspection department and later at Taylor Steel in Warren for 18 years as a splitter before retiring in 2003.

Nick was a member of Our Lady of Mount Carmel parish in Niles, Niles Frontliners and Rebounders and enjoyed sports, casino trips and most of all spending time with his family, especially his grandchildren.

On a personal level, he was Coach Mariotti to me. He was my first football coach and he taught me how to run the option play in 5th grade flag football. Under his leadership, our team went on to win the championship game—something I'll always cherish and remember.

Nick was a father in the best sense of the word. His son, Nicky (Gumsy), was one of my best friends growing up. I fondly remember Mr. Mariotti taking us to amusement parks, festivals or sporting events. He was always available to make sure we had a fun and active childhood. He never missed a game for any of his children. He was warm, caring and always quietly supportive of his kids, saving any comments or suggestions for private.

He will be deeply missed by his wife, Sandra Stull Mariotti, whom he married Aug. 4, 1962; a son, Nicholas G. (Nicholle) Mariotti of Leesburg, Va.; two daughters, Lisa (Michael) Sybert of Mount Juliet, Tenn., and Laurie (Scott) Paden of Niles; brother, Anthony (Kristine) Mariotti of Niles; sister, Marlene Mariotti of Niles; and seven grandchildren, Alyssa, Ariana, Alec and Andrew Sybert, Scott and Kyle Paden and Sophia Mariotti.

To some, Nick will be remembered as a friend, colleague or coach. To others, he will be remembered as father and grandfather who left behind a lasting legacy. To his family, Nick will always be remembered as a loving husband, devoted father to his children, and as a proud grandfather. I will always remember him as someone who always stepped up to help in whatever way was needed. His contributions to this community will not be forgotten.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life of Nicholas Mariotti Jr. I extend my most sincere condolences to Nick's wife, Sandy, his son Gumsy, daughters Lisa and Laurie, grandchildren, and the entire Mariotti family.

REMEMBERING MR. ELENO OVIEDO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. DIAZ-BALART. Mr. Speaker, today, we remember the life of a wonderful man whose strength, courage, kindness and passion for the Cuban people's struggle for freedom inspired countless activists.

Eleno Oviedo was born in Havana, Cuba, and later served with distinction in the U.S. Army. He was captured at sea by Castro's thugs, and became a political prisoner in a Cuban gulag for twenty-six years. While in prison, Eleno was a plantado, or prisoner who refused indoctrination or any acts that would affirm the legitimacy of his confinement. Eleno's defiance of the brutal Castro dictatorship resulted in especially harsh treatment in grossly inhumane prison conditions.

Despite his bleak circumstance, Eleno used his time in prison to become fluent in several languages. When he finally was released from prison in 1988, Eleno returned to the United States where he continued to speak out against the Castro regime's atrocities and oppression of the Cuban people. He met with lawmakers to draw attention to the grim realities of the Castro regime, and became director of the effective and highly commendable organization, Plantados Until Freedom and Democracy in Cuba.

Some complain that our younger generations have no heroes to inspire them to greatness. They need only look to the example of Eleno who, despite remarkably trying circumstances, held to his principles. He was not only resilient in overcoming the appalling injustice that cost him a quarter of his life, but he managed to maintain his compassion and zest for life.

Sadly, Eleno passed away on April 4, 2013. I am grateful to have known and worked with Eleno over many years. He is irreplaceable. His life's work remains a blessing to those who continue the cause of freedom for the Cuban people. My prayers are with him and his family. May God bless his soul.

COLLABORATIVE FOR CHILDREN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. POE of Texas. Mr. Speaker, four-year-old Jaylen in Houston, Texas wants to be a teacher when he grows up. It isn't every day that you meet a youngster with aspirations as big as Jaylen's. It takes a special role model, advocate, and teacher to spark the dreams in kids as young as him. The best news for these kids is that the world is their oyster; they have a world of opportunities awaiting them. Teaching our kids about the opportunities that are available is exactly what Collaborative for Children works to do each day. In Houston, Collaborative for Children is an admirable organization that promotes and builds strong educational foundations in the lives of kids for a brighter future.

For over 25 years, Collaborative for Children has partnered with families, teachers, care providers, and community-based groups to provide Houston area youth with the best possible educational foundation. Collaborative for Children's commitment to education for kids, ages zero through six, ranges from helping parents find good child care, providing parental guidance, and providing parents and teachers with necessary educational resources, all the way to strengthening early childhood education systems through policy changes. Every day, the non-profit organization does everything it can for the role models in the lives of the kids so that they can continue leading them toward their dreams.

The impressive Collaborative for Children services are possible because of its strong team. The organization is run by a board of directors made up of diverse citizens from all different fields in the community. Dedicated volunteers help guide the organization and shape our children's lives every day, with the support of generous local businesses that help fund it. It takes quite a band of leaders to run an organization that goes "above and beyond" for our kids on a daily basis.

Today, I would like to recognize Collaborative for Children for their dedication to improving the quality of education in the lives of our children, America's future. For some kids, you have given them a chance that they may not have had without your help. Thank you for your valuable contributions to our community, our state and our nation. Coming from a family with several teachers—and having taught school myself long ago—I understand what an impact a good education and role model can have on a child. It truly makes a world of a difference. Thank you for being that difference.

And that's just the way it is.

SAFEGUARDING AMERICAN COMMERCE AND AGRICULTURAL ACT OF 2013

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Ms. HAHN. Mr. Speaker, the U.S. agricultural sector is a critical component of the American economy, generating over \$1 trillion in annual economic activity. However, this sector remains vulnerable to the natural or deliberate introduction of pests and disease. The U.S. Department of Agriculture (USDA) reports foreign pests and diseases currently cost the American economy tens of billions of dollars annually in the form of lower crop values, eradication programs, and emergency payments to farmers. Therefore, effective import and entry inspections are essential to preventing further economic losses.

After 9/11, the Homeland Security Act of 2002 transferred federal frontline import and entry agriculture inspection responsibilities from USDA's Animal and Plant Health Inspection Service (APHIS) to U.S. Customs and Border Protection (CBP) within the Department of Homeland Security. Intended to enhance coordination at our nation's ports of entry by unifying federal customs, immigration,

and agriculture inspection officers within DHS, this reorganization has actually generated several problems relating to the recruitment and retaining of agricultural inspection activities, including staffing shortages of CBP inspection personnel, coordination challenges between APHIS and CBP, and a lack of resources for equipment and supplies.

Without measures to adequately address these specific shortfalls, CBP will be powerless to prevent the increasing economic damage foreign pests and diseases are causing to the American economy.

That is why I am introducing the Safeguarding American Commerce and Agriculture Act. This bill will address these issues by establishing an Office of Agriculture Inspection within CBP charged with 1) developing a comprehensive agriculture specialist career track that ensures agriculture specialists are provided the training, experience, and assignments necessary for career progression; 2) developing plans to ensure agriculture specialists receive the necessary equipment and resources to fully and effectively carry out their mission; and 3) establishing interagency rotations for CPB and APHIS personnel to strengthen critical relationships and promote interagency experience. By focusing on effective training and professional development, we can recruit and retain agricultural specialists, protect U.S. agriculture and commerce, and bolster this very necessary yet vulnerable sector of our economy.

ON THE OCCASION OF REVEREND DERRICK S. McDONALD'S FIFTH ANNIVERSARY AS PASTOR OF PROSPECT MISSIONARY BAPTIST CHURCH OF PONTIAC, MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to honor Reverend Derrick S. McDonald on the occasion of his Fifth Anniversary as the spiritual leader of the congregation of Prospect Missionary Baptist Church in Pontiac, Michigan.

As the son of the late Reverend Eddie McDonald, who was pastor to Friendship Missionary Baptist Church for many years, Reverend McDonald grew up immersed in the teachings of Christ. It is hardly surprising that, like his father, Reverend McDonald would heed the call to serve his community. Reverend McDonald would continue to be involved in the congregation of Friendship Missionary Baptist Church and after heeding the call to serve he joined the leadership at Friendship in 2002 as Gospel Minister under the late Reverend Dr. William Dulaney.

In 2008, Reverend McDonald was called to serve the congregation at Prospect Missionary Baptist Church. Under his leadership, the congregation at Prospect has not only grown in membership, but has also developed a greater spiritual connection to the words of the Gospel. Reverend McDonald strongly believes that faith plays a central role in the transformation of lives, both within his congregation and the

City of Pontiac. The lessons of love in his faith have also led Reverend McDonald to place considerable emphasis on ministries that are active in the Pontiac community, which focus on improving the quality-of-life for local residents. While serving as pastor, Reverend McDonald has supported church programs that have nurtured the youth of the congregation as they work to discover and achieve their full potential.

His leadership and dedication have led Reverend McDonald to become a pillar of strength in the community and an example to others who seek to make a positive impact through the teachings of the Bible. For his commitment to his faith and his support of the Pontiac community, Reverend McDonald has been recognized by the Wolverine State Congress, Walter Cade Regional Workshop of the National Baptist Convention and the Crystal Lake District Congress Association, where he currently serves as Assistant Dean of the Crystal Lake Baptist District Association. Reverend McDonald's efforts, both at the pulpit and beyond, have been strengthened by the love of his wife, Barbara, and their children, Antonio and Jennifer.

Mr. Speaker, I ask my colleagues to join me today in recognizing the profound impact that Reverend Derrick McDonald has made on the congregation of Prospect Missionary Baptist Church as its pastor of the last five years and the larger impact he has made on the Greater Pontiac community. I wish Pastor McDonald, his family, and the congregants of Prospect many more rewarding years of spiritual fellowship.

HONORING THE WANAQUE FIRST AID SQUAD'S 40TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Wanaque First Aid Squad, located in the Borough of Wanaque, Passaic County, New Jersey, which is celebrating its 40th anniversary.

Before the existence of the Wanaque First Aid Squad, emergency medical services were provided to the borough by the Pompton Lakes First Aid Squad, located in the adjacent municipality. With the aim of providing better coverage to Wanaque, a group of residents petitioned the Mayor and Borough Council to form their own squad in 1970. Then Mayor Frank Longo appointed Councilman Samuel Liotti to serve as a liaison to the group and monitor its progress, and in October 1971, prospective members began training with the Ringwood, New Jersey Ambulance Corps. The first officers appointed by the Wanaque First Aid Squad were President Dennis Gallagher, Vice President Thomas Jones, Secretary Rosemary Jenkins, and Captain Robert Brown.

The Wanaque First Aid Squad was incorporated on June 21, 1972, due to the efforts of founding members Martin Carrigan III, Joseph Cisco, Arnold Cohen, Raymond Ernst, and David Sisco. The seventeen new members then began probationary training with the

Ringwood and Pompton Lakes Squads, while they worked to build up their training and the capabilities of the new Wanaque First Aid Squad. The members wrote to other area squads seeking equipment donations, and were able to meet most of their needs. Later in the year, the squad obtained two aged Cadillac Ambulances, and in December, found a property on Melrose Avenue for their headquarters. While the new building was being completed, the squad operated out of a trailer set up behind the Borough Hall on Ringwood Avenue.

The Wanaque First Aid Squad officially began to operate at midnight, April 1, 1973. They held a dinner at a local restaurant to celebrate, and there they chose the names for the first premier, duty crew from a hat. Just before midnight, David Brolema, David Dougherty, Joseph Carrigan, and Robert Jordon left to start the first shift of the Wanaque First Aid Squad. The squad proved their importance quickly, as the first use of the rigs was the following day, April 2, and the first emergency call came on April 3.

The official headquarters was completed and dedicated on May 26, 1974, and within five years, a large hall was added, thanks to the donations of the Wanaque Lion's Club. Today, the hall is open for use for public fundraisers and private events, and every Thursday night, it is used to host the Wanaque First Aid Auxiliary Bingo Night, which provides the main source of fundraising for the squad. The Auxiliary handles most of the fundraising efforts for the Wanaque First Aid Squad, as the job is very demanding. There are 14 EMTs, who have met the 270 hour certification requirements, and six drivers who also must go through basic training. They cover the Wanaque area 24 hours a day, five days a week, and alternate weekend coverage with Pompton Lakes, to help provide each squad with weekend relief. In the year of 2012, the Wanaque First Aid Squad answered to 1,008 calls and dedicated 11,378 volunteer hours, for an average of 569 hours per member. The squad plans to celebrate their 40th year with the arrival of a new 2013 Ford E-450 ambulance, which will replace their old rig that will be auctioned off.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Wanaque First Aid Squad as they celebrate their 40th anniversary.

CONGRATULATING COACH LORI KERANS FOR HER 500TH CAREER VICTORY

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Coach Lori Kerans for her 500th career victory. Coach Kerans is the head coach for the Millikin University women's basketball team and on December 15th led my Alma mater to beat Illinois College 66-61 to secure her 500th career victory.

Coach Kerans who is a Newton High School graduate became the 15th active Division III

women's basketball coach to reach 500 wins and the first in the College Conference of Illinois and Wisconsin (CCIW). Overall, she is the 19th women's coach all-time in Division III to reach this tremendous coaching mark.

Over 27 years Coach Kerans has led the Big Blue to thirteen 20-win seasons and is Millikin's winningest coach with a 504-203 record. In 2004-05, she guided Millikin to its 14th NCAA appearance and its first ever NCAA Championship.

Kerans owns a 17-11 record in NCAA tournament games and her team has twice advanced to the Elite Eight before the national championship. During the eight years spanning the 1993-94 and 2000-01 seasons, she led the Big Blue to winning at least 20 games a year—something that no other women's team has accomplished in CCIW history.

Because of her dedication to success and her student-athletes, I am proud to honor the achievements of Coach Lori Kerans.

VETERAN ELBERT WOOD RE-MINDED OF THE MILITARY BOND

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. POE of Texas. Mr. Speaker, WWII veteran Elbert Wood, 93 years old, returned home from a doctor visit only to find that his home had been broken into and vandalized. A couple of teenagers had nothing better to do than to spray paint and burglarize the home that Elbert built himself more than 55 years ago. I didn't have the chance to see the damage in-person, but from what I saw in videos, everything in his home was covered in graffiti, including the walls, windows, the TV, even the furniture. Of course, when Elbert saw the damage, devastation set in, but not for too long. Soon, Elbert was reminded that in times of trouble, he could always count on his family. And by family, I mean the ones that share the forever military bond.

A band of Marines quickly made their way to Elbert's home when they heard what had happened. They wanted to let him know that they were there for him in times of need. On that day and the days to follow, the Marines lent their helping hands and cleaned up the vandalism and made necessary repairs. They were determined to recreate the same image that Elbert envisioned when he thought of "home" before the incident.

The support Elbert received during that time was not limited to that of the Marines. Members of the community stepped up to help him, too. One furniture store even donated a new living room set. This is what I call a tight community. As for the suspects, they were caught red-handed, literally, just down the street from Elbert's home. Two teenagers were caught with red paint residue all over their hands and with stolen items from Elbert's home. I hope they have a lot of time to think about their crime in the do-right hotel.

Battlegrounds aren't the only places Marines or members of the military look out for each other, Mr. Speaker. The brotherhood and sisterhood of the military extends beyond the bat-

tlegrounds and into everyday life. Today, I would like to recognize these fellow Marines that so generously helped their brother out in a time of trouble. America is a better and safer place because of people like them, including Elbert.

And that's just the way it is.

CELEBRATION OF NATIONAL FROZEN FOOD MONTH

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FINCHER. Mr. Speaker, today I rise to recognize National Frozen Food Month. Frozen food companies play a vital role in providing families with a diverse range of convenient and nutritious foods to support healthy eating and an active lifestyle.

Frozen foods companies also make an important contribution to the American economy by supporting more than 225,000 jobs nationwide with a combined annual payroll topping \$8.5 billion. From the farm to the city the economic impact of frozen food companies can be seen all across the country.

It is a great honor that I salute two frozen food companies employing folks in Tennessee. Since 1906 the Kellogg Company has helped families start their day off right. Kellogg has operated the largest Eggo frozen waffle facility in the country from Rossville, TN since 1988. Kellogg's expanded the facility in 1992 and again in 2006.

Kellogg and the frozen food industry are also giving back to America's communities. Their MorningStar Farms® brand sponsored the Frozen Food Foundation's 2013 5K last month bringing together 400 youth, teens and adults, including the Boys & Girls Clubs in a public display of their commitment to health and wellness.

Another frozen food leader in Tennessee is the Pictsweet food company. Family-owned and family-run for four generations, the company continues to be pure Tennessee. Founded in 1945 and headquartered in Bells, Tennessee the company has weathered good times and bad while still providing American families with delicious frozen garden-fresh vegetables across the United States.

With six manufacturing and distribution facilities in the United States, the Pictsweet Brand is now one of the fastest growing national retail brands of frozen vegetables.

Mr. Speaker, in celebration of National Frozen Food Month, I applaud Kellogg's, Pictsweet and the entire frozen food industry for their hard work in providing jobs and nutritious food to our country.

RECOGNIZING DOUG GOLD AS THIS YEAR'S BIG BROTHER OF THE YEAR FOR THE JEWISH BIG BROTHERS BIG SISTERS OF LOS ANGELES

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. DUFFY. Mr. Speaker, I rise today to recognize Doug Gold, this year's Big Brother of the Year for the Jewish Big Brothers Big Sisters of Los Angeles.

Doug's dedication to a life of community service and volunteerism has touched many organizations and nurtured many children over the years. His selfless efforts should act as role model for citizens all over the country.

By balancing work and family obligations while continuing to give back to his community, Doug has demonstrated the altruistic virtues this country was built upon. Over the years, Doug has not only coached local soccer teams and attended ballet recitals, but he also has been active with the March of Dimes organization and with Kiwanis International.

In January of this year, his most recent volunteer efforts were honored by the Jewish Big Brothers Big Sisters of Los Angeles. The one on one mentoring organization for Jewish children recognized him with the Big Brother of the Year Award.

I stand here to offer my congratulations to Doug as his unselfish efforts should be celebrated and commended. Great job Doug.

CHEN GUANGCHENG AND GAO ZHISHENG: HUMAN RIGHTS IN CHINA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of New Jersey. Mr. Speaker, I recently held a hearing in which we listened and learned from brave men and women from China who have been and are at the forefront of advocating for freedom and human rights and against the tyranny and oppression of the state.

We sought advice and counsel as to what can—and must—be done by Congress, the President, and the American people, and all people of goodwill worldwide, to mitigate the hate and gross mistreatment meted out by the government of China against its own citizens.

We appealed to Beijing—ease up, respect fundamental human rights and the sanctity of human life and honor your commitments and the rule of law.

Chen Guangcheng and his equally courageous wife Yuan Weijing have paid, and continue to pay an extraordinary high price for their benign defiance of a dictatorship that violates human rights with impunity and crushes human dignity.

Not only have the Chens endured numbing isolation and unspeakable torture over the course of several years, but now as we all know, in a pathetic display of PRC govern-

mental revenge Chen's nephew Chen Kegui languishes in a Chinese prison while other family members remain at risk. Shockingly, young Chen Kegui has been brutally tortured and threatened, as Guangcheng noted, with life imprisonment if he appeals his conviction.

Undeterred, Mr. Chen Guangcheng continues to gently raise his clear and consistent voice on behalf of all victims while pushing systemic reform of egregiously flawed political institutions and people who persecute and repress.

Blind since childhood, Mr. Chen bore all the burdens and disadvantages that a disabled person faces in rural China. Confronted with the denial of his rights, he developed an intense interest in law and challenged the local government, winning his case. Hearing of Mr. Chen's success, other individuals in Shandong Province were inspired to seek his legal assistance in securing redress and vindication.

Almost everywhere, corrupt officials made, and continue to make, life miserable for those struggling to survive. Mr. Chen informed many of their rights and helped them seek durable remedies. He helped many to see that the rule of just and compassionate law wasn't just for the privileged few, but for everyone.

Victimized yet unbroken by beatings and torture, 51 months of nightmarish incarceration, preceded by house arrest and followed by 18 months more cut short only by his escape, Chen Guangcheng tenaciously defended Chinese women and babies oppressed by China's draconian one child policy.

Mr. Chen's brilliant mind, indomitable spirit and unimaginable courage exposed pervasive forced abortion, deemed a crime against humanity at the Nuremberg Nazi War Crimes Tribunal, and was relentless in using his self-taught legal skills to protect the innocent.

Unfazed by both the difficulty of the task or the inherent risks, Mr. Chen employed legal strategies to combat this insidious government cruelty towards women and children and argued that his clients in Linyi—and all women in China for that matter—have rights that prohibit such violence. They deserve better.

Chen became, and remains their hero. It took a blind man to really see the injustice of a population control program that makes most brothers and sisters illegal and to hear the desperate cries of Chinese women.

It took a blind man, the great Chen Guangcheng, to open the eyes of a blind world to these human rights violations systematically inflicted on Chinese women.

Mr. Chen's daring escape to the U.S. Embassy, his miraculous evasion of China's ubiquitous secret police en route is the stuff of legend and superheroes. His dramatic testimony by telephone from a hospital to two emergency hearings I chaired was heard around the world.

Ms. Geng He appeared in order to remind us, and the world, of another brave extraordinary hero, her husband Gao Zhisheng. With great love and a broken heart, this remarkable woman has worked unceasingly to secure the freedom of her husband.

Gao Zhisheng is an attorney who played a leading role among Chinese human rights lawyers that defend those the Chinese government persecutes most harshly, conducting their defense by demanding that the prosecution conform to the law.

Mr. Gao is the quintessential example of a human rights defender.

In 2005, after he took on politically sensitive cases, Mr. Gao wrote open letters to both the National People's Congress and the leadership of the Chinese Communist Party, calling for an end to the torture of members of persecuted religious groups. Mr. Gao's license to practice law was subsequently revoked, his law firm shut down, and his family placed under police surveillance. In August, 2006, Mr. Gao was apprehended and then charged with "inciting subversion." He was convicted and given a suspended three-year sentence with five years' probation, effectively placing him under house arrest.

In September 2007, Mr. Gao wrote an open letter to the United States Congress in which he described widespread human rights abuses in China, called "China's birth control policy the largest genocide in the history of mankind" and related the government's harsh treatment of him and his family. He was consequently detained and tortured for 50 days. His captors called him a "traitor," and they warned him he would be killed if he told anyone about being abducted and tortured.

In February 2009, Gao was forcibly taken away from his home in Shaanxi province by public security personnel. He briefly resurfaced only in late March of 2010, more than a year later. During his brief reappearance, however, Mr. Gao gave several interviews to foreign media, disclosing the details of his torture. The next month, Mr. Gao disappeared again.

In testimony at a China Commission hearing that I chaired on February 14th of last year, Geng He said of her daughter Grace: "Zhisheng's absence has caused my daughter severe emotional anguish. She often dreams that her father is dead."

Geng He added: "My son has tears in his eyes on Father's day . . . we were forced to endure rumors that the guards had tortured Zhisheng to death."

In late 2011, Gao was secretly transferred to a distant Shaya County Prison in the Aksu district of Xinjiang. He has seen his family only twice in the last 16 months and for only 30 minutes each visit. Police have prohibited family members from asking him any information about himself.

In an account of Mr. Gao's torture, made public by the Associated Press in January 2011, Mr. Gao disclosed to a reporter the excruciating details of his detention: "The police stripped Gao Zhisheng bare and pummeled him with handguns in holsters. For two days and nights, they took turns beating him and did things he refused to describe." He recalled, "for 48 hours my life hung by a thread." Authorities reportedly threatened to kill Mr. Gao and to dump his body in a river. And, authorities taunted him by saying "you must forget you're human."

To President Xi, we will not forget Gao Zhisheng. Not now, not ever. We appeal to you to release him.

Below are several excerpts from the hearing I recently chaired.

Q: Rep. Weber (to Mr. Chen and Pastor Fu)—"Would you all agree that part of your reason for being here is to stop those atrocities and that we would include those as a basic human right as well?"

A: Mr. Chen "Forced abortion is certainly a basic human rights issue; no mother would willingly kill their own children. This is a doing of the Chinese Communist Party, acting above the law. They want to be as the Emperors and exercise absolute power."

Q: Mr. Smith Referencing Mr. Chen's interview with the press about the brutality of the one-child policy, specifically quoting Mr. Chen's statement about how forced abortion does not occur only for those who are having a second child, but also for those who are having their first child but without a birth permit; Mr. Smith asked Mr. Chen for any further comments on that.

A: Mr. Chen "China's population planning agency has become a powerful for-profit institution. On the papers, this institution comprises of 500,000 personnel, but in reality, as much as 2,000,000 personnel are involved in enforcing China's population planning policies."

"In China, there is a zero-tolerance policy where if a party secretary does not implement one particular policy well, he is ruled to be incompetent and would be removed from his post, even if he performs well in implementing other policies. As a result, party secretaries enforce the one-child policy ruthlessly and aggressively."

"So now, in addition to forcibly aborting 'extraneous' pregnancies (i.e. any pregnancy beyond the first child), couples also must acquire a birth permit from the population planning office even for first pregnancies. Once pregnancy occurs without this permit, local authorities will also force an abortion—unless you're able to pay a large amount of money to the local authorities for them to look the other way and provide you with an ex post facto permit. But in most cases where they are being stringent, they will force you to go through with the abortion no matter what."

Amnesty International's T. Kumar, International Advocacy Director said forced abortion is a major human rights violation in China.

"As a consequence of the government's one-child policy, women are still compelled to undergo forced abortion and sterilization, notwithstanding official assurances that such practices violate Beijing's wishes," Kumar said.

Fu said bloody cases in China's forcibly enforced "one-child" family planning policy and in forced demolition of residential homes and relocation of residents continue to take place; the Chinese people's basic right to life cannot be guaranteed at all.

Fu, of ChinaAid, decried the violence of forced "family planning."

"Last month, the Ministry of Public Health publicly announced the 'achievements' of the family planning policy in the past 40 years: 330 million abortions performed on Chinese women," Fu said. "What is really distressing is that these bloody numbers continue to climb and that the majority of these abortions were forced on the women by the government." Fu said that on March 13, a woman in Henan province (Daxuzhai town, Taikang county) who was forced to have an abortion against her will, was found hanged at the local family planning office with suspicious injuries all over her body. On March 22, he testified, a woman in her seventh month of pregnancy in Anhui

province (Chuzhou, Fengyang county) was kidnapped by family planning cadres and taken to a hospital where she was forced to receive a lethal injection that killed her seven-month-old unborn baby and caused her to deliver a dead fetus.

RECOGNIZING TJ DiCAPRIO, RECIPIENT OF THE 2013 EPA CENTER FOR CORPORATE CLIMATE LEADERSHIP AWARD

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Tamara "TJ" DiCaprio, Senior Director of Environment Stability at Microsoft. She has been awarded the 2013 U.S. Environmental Protection Agency's (EPA) Center for Corporate Climate Leadership Award.

The EPA awarded TJ DiCaprio the 2013 Climate Change Individual Leadership Award for her extraordinary leadership in Microsoft's response to climate change. DiCaprio led the effort to establish Microsoft's recent commitment to carbon neutrality for its data centers, software development labs, offices, and employee air travel. A key component of this aggressive greenhouse gas reduction policy is an internal carbon fee, which provides an innovative approach to voluntary operational accountability and which is already helping to change behavior.

Internalizing the cost of pollution through financial measures offers greater incentives to reduce emissions while raising funds for efficiency and renewable energy projects, helping to advance measures to mitigate climate change.

DiCaprio was also responsible for leading Microsoft to achieve its goal of reducing carbon emissions by 30 percent per unit of revenue from 2007 levels by 2012 through a series of efficiency initiatives and by purchasing renewable energy.

As a result of her vision and efforts, Microsoft purchased 1.1 billion kilowatt-hours (kWh) of green power in 2012, making Microsoft the third largest purchaser of green power in the United States.

DiCaprio and Microsoft are tackling the challenge of climate change with practical, commonsense, and cost-saving solutions to improve efficiency and cut waste.

Mr. Speaker, it is with great honor that I recognize the work DiCaprio has done in the Pacific Northwest and for corporate leadership across the United States.

TRIBUTE TO COACH MAL MOORE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. BONNER. Mr. Speaker, it is with heartfelt sadness that I rise to note the passing of Coach Mal Moore, longtime and beloved Athletic Director of The University of Alabama.

Coach Moore dedicated his career to ensuring that the Crimson Tide always competed among the nation's elite no matter the sport or the arena. His loss is deeply felt among the "Alabama family" and his winning legacy will likely go unmatched.

A native of Dozier, Alabama, Mal Moore was a 1963 graduate of The University of Alabama, where he earned an undergraduate degree in Sociology and Master's Degree in Secondary Education. Coach Moore played quarterback under legendary head football coach Paul "Bear" Bryant, beginning in 1958, and was a member of the 1961 national championship team.

His subsequent coaching career spanned over three decades, including spending time in the athletic programs of Montana State, Notre Dame and both the St. Louis and Phoenix Cardinals.

However, for more than 20 of those years he also worked on the Crimson Tide coaching staff. He started as Coach Bryant's graduate assistant in 1964, then as defensive backfield coach for five years beginning in 1965 before becoming quarterbacks coach from 1971 to 1982 and serving as the Tide's first offensive coordinator starting in 1975. He returned as offensive coordinator under Coach Gene Stallings from 1990 to 1993 before moving into athletic administration.

During his career as Athletic Director from 1999 to 2013, Coach Moore oversaw \$240 million in improvements to the athletic infrastructure of The University. Alabama erected new stadiums for soccer, softball and tennis; new facilities for women's basketball and volleyball; a new golf clubhouse; and improved facilities for every other sports team, in addition to the renovation of Bryant-Denny Stadium, Paul W. Bryant Hall and Coleman Coliseum.

Overseeing a \$100 million budget and 21 men's and women's varsity sports teams, his 14-year record of leadership as Athletic Director speaks for itself. During Coach Moore's tenure as Athletic Director, the Crimson Tide football team won three national championships (2009, 2011 and 2012), posted six 10-win seasons, appearances in five Bowl Championship Series (BCS) bowl games and SEC championships in 1999, 2009, 2011, and 2012.

His dedication to—and love of—The University of Alabama was recognized on March 28, 2007, when, as a permanent tribute to his lifelong contribution to The Capstone, the Board of Trustees of The University of Alabama officially dedicated the facility formerly known as the Football Building as the Mal M. Moore Athletic Facility.

In 2011, Mal Moore was elected to the State of Alabama Sports Hall of Fame. The following year, he was honored with the prestigious John L. Toner Award for the nation's best athletic director at the 55th NNF awards dinner at Waldorf-Astoria in New York City.

His untimely death leaves a giant void in the life of The University of Alabama family.

Mr. Speaker, on behalf of the people of Alabama, I would like to extend my condolences to Coach Moore's daughter, Heather, his granddaughter, Anna Lee and grandson, Charles, as well as his many other family and friends. You are all in our thoughts and prayers.

HONORING THE MORRISTOWN
NATIONAL HISTORICAL PARK

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Morristown National Historical Park, located in Morristown, New Jersey, which is celebrating its 80th anniversary.

As America's first national historical park, Morristown National Historical Park was founded on March 2, 1933 by legislation signed by President Herbert Hoover. Though he was responsible for the creation of the park, it was actually under President Franklin D. Roosevelt's Works Progress Administration that the Washington's Headquarters Museum was built. Along with the museum, Morristown National Historical Park is comprised of three different areas; Washington's Headquarters, Jockey Hollow, and Fort Nonsense. It was during the two critical winters of the Revolutionary War, 1777 and 1779–90, that these areas in Morristown sheltered the encampments of the Continental Army. Washington chose Morristown due to its strategic location, and made the Ford Mansion his headquarters.

Within Washington's Headquarters, there are two locations. The Historic Ford Mansion is an original 18th Century structure that was built between 1772–74, and is still furnished in period style. This location served as General Washington's military headquarters for six months during the winter of 1779–80. Nearby is the 1930's Washington's Headquarters Museum, which features exhibit galleries for visitors, as well as an expansive archive of important United States and world history items.

The Jockey Hollow area provides many different attractions for visitors. As of 1975, there is a Visitor Center as to direct and aid guests, and well as provide small displays. The Historic Wick House, built around 1750, is a farmhouse that served as the 1779–80 military headquarters for Major General Arthur St. Clair of the Continental Army. Today, demonstrations of period cooking and craft are offered by staff in costume. Henry Wick's 1,400 acre farm initially had attracted Washington's army due to the forest on the property, which provided fuel and building supplies. Jockey Hollow also offers the Pennsylvania Line, which consists of five reproduction-Continental Army soldier huts. There are also trails that were once used by the armies, known as the New York Brigade area and the New Jersey Brigade areas. These trails cross the property of the Cross Estate Gardens.

The Fort Nonsense area contains the remains of an earthwork fortification built by Washington's troops. The construction was ordered so that the fort served as a guardhouse of the main roads and storehouses, as well as an area to retreat to in the event of a British attack. By the 1790s the hill was called Fort Nonsense, as a legend had grown that Washington ordered the construction as a means to keep his troops busy.

The historic landscapes, structures, objects, and archeological and natural resources at Morristown are tangible links to our nation's history. The vast collection in the Morristown

National Historical Park library and archives reflect the convergence of two collections. With the founding of the park, they acquired the collection of the Washington Association of New Jersey. Later, in 1955, collector Lloyd W. Smith bequeathed his immense collection to the park, enabling them to boast a library collection of nearly 50,000 volumes, and an archive of nearly 250,000 manuscripts, journals, diaries, account books, letter books, military orderly books, and other Revolutionary War related documents.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Morristown National Historical Park as it celebrates its 80th anniversary.

INTRODUCING THE PREVENT ALL
SORING TACTICS ACT OF 2013

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. WHITFIELD. Mr. Speaker, in 1970, Congress passed and President Nixon signed into law the Horse Protection Act (HPA) for the purpose of ending "soring" that was occurring in Tennessee Walking Horse, Racking Horse, and Spotted Saddle Horse shows. The term soring refers to the application of blistering or burning agents, lacerations, sharp objects, or other substances or devices to a horse's limb to produce an exaggerated high-stepping show ring gait, by making it painful for the horse to step down.

Since the passage of this legislation more than forty years ago, the act of "soring" has continued at an alarming rate. The United States Department of Agriculture (USDA) has lacked the resources to send agency officials to every Tennessee Walking Horse, Spotted Saddle Horse and Racking Horse show. As a result, USDA gave Horse Industry Organizations (HIOs) the responsibility to train and license their own inspectors, commonly known as Designated Qualified Persons (DQP's), to conduct inspections at these events.

The USDA's Office of Inspector General (OIG) recently conducted an audit of the Horse Protection Act Program, finding that trainers in the industry often go to great lengths to evade detection rather than comply with federal law and train horses using humane methods. The OIG made several recommendations, including stiffer penalties and abolishing the self-policing practices currently allowed under regulations, where HIOs are able to assign their own inspectors to horse shows. More recently, an undercover investigation showed that trainers continue to sore horses and enter them into shows undetected, even while the trainers are on federal disqualification. HIOs' inspectors are turning a blind eye to the soring of horses, despite the fact that they are licensed to enforce the 1970 law that prohibits this practice. These and other investigations show massive abuse throughout the Tennessee Walking Horse, Racking Horse, and Spotted Saddle Horse industries, demeaning the once highly-regarded sport and threatening jobs in these industries, as well as the economic activity associated with their

shows that is so important to communities in my state and elsewhere.

Therefore, the bill that I am introducing today, the Prevent All Soring Tactics Act of 2013, amends the Horse Protection Act of 1970 to direct USDA to license, train, assign, and oversee persons who are to be hired by event managers to inspect horses at Tennessee Walking Horse, Racking Horse, and Spotted Saddle Horse events for evidence of soring. The proposed amendment is narrow in scope and affects only a small number of horses belonging to one of three breeds that are subjected to soring. There are three components to the amendment. First, it will end the failed system of industry self-policing by having the USDA assign licensed inspectors to oversee the shows if requested by horse show management. Secondly, for the three breeds specified in the bill that have been subjected to soring, it will ban the use of certain devices associated with soring, but the bill exempts pads and boots used for therapeutic purposes. Lastly, it will strengthen penalties for those violating the law. The bill carries the support of the American Horse Council, the American Association of Equine Practitioners, the American Veterinary Medical Association, the Humane Society of the United States, the American Society for the Prevention of Cruelty to Animals, several walking horse organizations, and others.

I urge all my colleagues to join me in co-sponsoring this common sense piece of legislation.

HIGHLIGHTING VIETNAMESE GOV-
ERNMENT HUMAN RIGHTS VIOLATIONS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of New Jersey. Mr. Speaker, I recently chaired a hearing to examine the human rights situation in Vietnam.

The Vietnamese government continues to be an egregious violator of a broad array of human rights. Our distinguished witnesses provided a detailed account; I would like to highlight just a few areas of grave concern.

Despite the State Department's decision in 2006 to remove Vietnam from the list of Countries of Particular Concern as designated pursuant to the International Religious Freedom Act, Vietnam, in fact, continues to be among the worst violators of religious freedom in the world. According to the United States Commission for International Religious Freedom's 2012 Annual Report, "[t]he government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority." I agree with USCIRF's conclusion that Vietnam should be designated a CPC country.

I met courageous religious leaders during my last trip to Vietnam who were struggling for fundamental human rights in their country. Unfortunately, many of them, including Father Ly and the Most Venerable Thich Quang Do, remain wrongly detained today. There are disturbing reports that Father Ly is suffering poor

health. Leaders of religious organizations are not the only ones victimized by the Vietnamese government; individuals and small communities are also targeted by the regime. One of our witnesses, Mr. Tien Tran, spoke of the brutality that he experienced as a member of the Con Dau parish that was violently repressed in 2010 when they tried to have a funeral procession.

The State Department's upgrade of Vietnam from Tier 2 Watch List to Tier 2 with respect to the minimum standards for the elimination of human trafficking also needs to be critically examined. The Department's 2012 Trafficking in Persons Report states not only that Vietnamese women and children are being sexually exploited, but that there are severe labor abuses occurring as well—with the government's complicity. The Report acknowledges that state-licensed labor export companies engage in fraud and charge illegal commissions for overseas employment, and that there are documented cases of recruitment companies ignoring pleas for help from workers in exploitative situations.

As the sponsor of the Trafficking Victims Protection Act, I am deeply disturbed that the Tier Rankings are not being better utilized by our State Department to pressure Vietnam to correct the trafficking abuses occurring within its government, not to mention those in the private sector.

We heard from Ms. Hui Danh who testified about the ordeal that her sister has endured as a victim of human trafficking. I am deeply disturbed by her story because her sister's situation actually got worse when she asked for help from the Vietnamese embassy. I greatly admire her courage and the Subcommittee is most appreciative of her willingness to speak out and bring attention to this issue.

Despite the dismal status for human rights in Vietnam, we can exert pressure on the Vietnamese government to cease these abuses. I will be reintroducing the Vietnam Human Rights Act soon; swift Congressional action on this bill will send a strong message that Congress will not tolerate continuing human rights abuses in Vietnam.

It is imperative that the United States Government send an unequivocal message to the Vietnamese regime that it must end its human rights abuses against its own citizens. This message however, should not be confined to the Human Rights Dialogue; it must be raised at each opportunity that we have talks with the Vietnamese government.

I thank all of our witnesses for appearing before the Subcommittee, and we look forward to hearing your testimony.

CELEBRATING THE 60TH ANNIVERSARY OF PLANTATION, FLORIDA

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate the 60th anniversary of Plantation, Florida, a beautiful city in my district. Since its incorporation April 1953, Plantation has grown into a vibrant city in Broward

County with a population of over 85,000 people.

Currently under the leadership of Mayor Diane Veltri Bendekovic, Plantation is a wonderful source of pride for Broward County. It attracts large national and international corporations, such as American Express and Motorola, to its three business districts while continuing to focus on neighborhood development and the safety and happiness of its residents.

Furthermore, Plantation is a beautiful, tree-lined community. Its emphasis on natural environment is consistently recognized, and Plantation has been named "Tree City USA" for 28 years in a row.

In honor of Plantation's 60th Anniversary, I am proud to recognize this dynamic community for their past successes and wish them a bright and prosperous future.

RECOGNIZING DAVID CURSON

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. LEVIN. Mr. Speaker, I rise today to recognize a former colleague in Congress and an exceptional friend of working people in my home state of Michigan, David Curson, on the occasion of his retirement from the United Auto Workers (UAW).

Mr. Curson won a special election in Michigan's former 11th Congressional District and served in this House from November through the end of the 112th session of Congress. We considered important issues late last year, including the resolution to the so-called "fiscal cliff" and Mr. Curson participated actively and effectively in those debates. The people of the 11th District were well represented with Mr. Curson serving as their voice in the House during that critical period of time.

On Friday, April 12, 2013, the men and women of the UAW and a great number of his friends will come together to thank Mr. Curson for his service, to celebrate his accomplishments, and to wish him well in his retirement from that vital organization. After serving our nation in Vietnam, David Curson went to work in a Ford plant in Ypsilanti Township, Michigan, where he was elected officer of his local union. His skill at representing his fellow UAW members was recognized by the leadership of the union, and Mr. Curson went to work for the International Union staff, where he served in a number of important positions. He has participated in hundreds of labor-management negotiations, and played a key role in the development of the bridge loan package that the federal government entered into with General Motors and Chrysler.

It is fitting that we recognize Mr. Curson's career of service and I hope you will join me in congratulating Dave and in wishing him and his wife Sharon, the very best in their next endeavors.

HONORING THE ROSELAND FIRE DEPARTMENT CENTENNIAL

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Roseland Fire Department, located in the Borough of Roseland, Essex County, New Jersey, which is celebrating its centennial anniversary.

On July 23, 1913, forty four men of Roseland gathered together in the "Band Hall" with the intent to form a group of citizens to protect the town from fires. They adopted the name "Roseland Volunteer Fire Company," and elected William Chubbuck as the first Chief. The new members adopted a pledge that read, "We the undersigned citizens of Roseland, pledge ourselves to form a volunteer fire company, without pay, for a period of one year, to protect life and property of the Borough against loss by fire."

Helped along by the Newark Fire Department, located slightly over ten miles away, the committee was able to assess their needs and request funds from the town for equipment. The town council of Roseland enthusiastically endorsed the fire company, a "Thomas Flyer" engine and twenty helmets were purchased. Excited to display their new engine, the Roseland Volunteer Fire Company marched along it in the Caldwell parade that year, where it ironically caught fire. Though it was later repaired, then Chief stated, "It took a long time to live that one down."

Despite that initial setback, the Roseland Fire Department flourished, purchasing a second and third engine in the early 1920s. Engine 3 was in use for 31 years, and is still in possession of the department today. In 1922, the department wrote and adopted a Constitution and by-laws, reflecting the high standards by which the Roseland firefighters live. After moving from a privately owned garage, the department moved to a two bay house in May of 1939. In the 1980s, the Roseland Fire Department moved to its present location at 300 Eagle Rock Avenue.

Throughout the ensuing years, the Roseland Fire Department acquired state of the art machinery to ensure the continued safety of the town, including the nine vehicles in operation today, as well as radios for each officer. Their force of 37 members and cadets serve the residents, businesses, and industrial sites around Roseland. Due to the major state highway, they also respond to a wide variety of incidents ranging from structure fires, car fires, motor vehicle accidents, rescues, fire alarms, medical service, electrical fires, and a great deal of mutual aid to other Essex and Morris County communities. After one hundred years, the Roseland Fire Department continues its proud tradition of service, while maintaining a high level of professionalism and readiness for any emergencies that may arise.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Roseland Fire Department as they celebrate their one hundredth anniversary.

RECOGNIZING THE 50TH ANNIVERSARY OF THE GREATER SEATTLE CHINESE CHAMBER OF COMMERCE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Greater Seattle Chinese Chamber of Commerce for its proven successes. The Chamber celebrated its 50th anniversary in February 2013.

The Chamber, founded in 1963, is a non-profit, non-partisan organization. The Chamber plays a major role in bringing together civic, professional, and business leaders from the Chinese community of Greater Seattle. It has been a leading voice in many important decisions affecting the Chinese business community in the Puget Sound region.

The Greater Seattle Chamber of Commerce has a long history of proven success with its business development, scholarships, and ambassador programs. It is an advisory board member of the Trade Development Alliance of Greater Seattle (TDA) and a member of the Washington State China Relations Council (WSCRC).

Mr. Speaker, it is with great pleasure that I honor the 50 years of the Greater Seattle Chinese Chamber of Commerce. The Greater Seattle Chinese Chamber of Commerce connects leaders, improves the economy, and benefits the Puget Sound community.

ANTI-SEMITISM: A GROWING THREAT TO ALL FAITHS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of New Jersey. Mr. Speaker, I recently chaired a hearing on anti-Semitism where we heard from representatives from Americans and Europeans about the evil of anti-Semitism can be more successfully addressed.

At a Congressional hearing I chaired in 2002, Dr. Shimon Samuels of the Wiesenthal Center in Paris testified and said, "The Holocaust for 30 years after the war acted as a protective Teflon against blatant anti-Semitic expression (especially in Europe). That Teflon has eroded, and what was considered distasteful and politically incorrect is becoming simply an opinion. But," he warned ominously, "cocktail chatter at fine English dinners can end as Molotov cocktails against synagogues."

In response to what appeared to be a sudden, frightening spike in anti-Semitism in several countries, including here in the United States, we first proposed the idea for a conference on combating anti-Semitism under the auspices of the organization for Security and Cooperation in Europe (OSCE).

Convinced we had an escalating crisis on our hands, we teamed with several OSCE partners to push for action and reform. Many

of the people and NGOs present in this room played leading roles.

Those efforts directly led to important OSCE conferences on combating anti-Semitism in Vienna, Berlin, Cordoba, and Bucharest. In each of those, participating states have made solemn, tangible commitments to put our words into action. In some countries, progress has indeed been made, yet the scope and outcome of anti-Semitic acts have not abated in others, and in some nations it has actually gotten worse.

That is why we are here today, to review, re-commit, and re-energize efforts to vanquish the highly disturbing resurgence of anti-Semitism everywhere, including in Europe.

Unparalleled since the dark ages of the Second World War, Jewish communities on a global scale are facing verbal harassment, and sometimes violent attacks against synagogues, Jewish cultural sites, cemeteries and individuals. It is an ugly reality that won't go away by ignoring or wishing it away. It must be defeated.

Thus, we gather to enlighten, motivate, and share ideas on how not just to mitigate this centuries-old obsession, but to crush this pernicious form of hate.

From our first panel of witnesses we heard how anti-Semitism directly threatens not only Jews but also Christians and Muslims, and democracy and civil society. When we fight anti-Semitism it is not only a matter of justice for Jewish fellow-citizens, but also of standing up for Christianity, and for Islam, and for the possibility of decent living itself. We all have a direct stake in the fight against anti-Semitism.

This is tragically clear in the Middle-Eastern countries where the government propagates anti-Semitism as an official or quasi-official ideology. These governments incite anti-Semitic hatred of Israel in order to distract the people from their own tyrannical rule, from their own abuse of human rights, denial of democracy, economic corruption. Sadly, it works. We see this in governments as varied as those of Iran and Egypt, Pakistan and Syria and Saudi Arabia, and the list doesn't end there.

Tens of millions of people who live in these countries are in this sense suffering from anti-Semitism. Few of them are Jewish—most are Muslim, millions are Christian. It's true that, to some degree or other, many of the people in these countries have bought into the evil of anti-Semitism, but many have not.

From our second panel, we heard reports from a number of European Jewish leaders who will be able to tell us about anti-Semitism in their countries, how the governments are responding, and whether these responses are effective. Sadly, in much of Europe, the harassment of Jews, including verbal and physical violence, continues to increase, and a recent Anti-Defamation League study shows that anti-Semitic attitudes are widespread in Europe and getting worse in many countries.

One thing the witnesses will address is whether elected officials are fulfilling their responsibility to speak out publicly against any expressions of anti-Semitic hate. When national leaders fail to denounce anti-Semitic violence and slurs, the void is not only demoralizing to the victims but silence actually enables the wrongdoing. Silence by elected offi-

cials in particular conveys approval—or at least acquiescence—and can contribute to a climate of fear and a sense of vulnerability.

In this respect, I want to recognize the leadership Hungarian Prime Minister Viktor Orbán has shown in the fight against anti-Semitism. Prime Minister Orbán has taken his government into the vanguard of those fighting anti-Semitism in Europe. He has declared a 'zero tolerance policy' against anti-Semitism and seen that anti-Semitic incidents are promptly followed by high-level official condemnations, sometimes by him, sometimes by other officials. There is still far too much anti-Semitism in Hungary, and it is cultivated by the viciously racist Jobbik political party. But I am glad that the Hungarian government has responded vigorously, protecting its Jewish citizens by strengthening legislation and law enforcement, education and Holocaust remembrance.

Another point we considered is whether the countries are collecting reliable hate crime information. We can't fight anti-Semitic crimes effectively unless we have reliable information on them. The most recent figures from the U.S., for example, which are collected by the FBI, showed that Jews, less than 2% of the U.S. population, are the victims of 63% of religiously-targeted hate crimes.

An additional concern is the importance of Holocaust education. If we are to protect our children from the dark evil of anti-Semitism, we must reeducate ourselves and systematically educate our children. While that starts in our homes, the classroom must be the incubator of tolerance. It seems to me that only the most hardened racist can remain unmoved by Holocaust education and remembrance. Only the most crass, evil, and prejudiced among us can study the horrors of the Holocaust and not cry out: Never again!

Yet another concern is the rise of a "new" anti-Semitism, which tries to pass itself off as legitimate criticism of Israel, but which demonizes, delegitimizes, and applies double standards against Israel—former Soviet "refusenik" Natan Sharansky's "3 Ds." In any case, this form of anti-Semitism appears to be spreading among European social-democratic and leftist parties, as well as among Muslim immigrants from the Middle East, and I'd like to hear your views about the most effective ways to expose it for what it is.

We need to work together with you to light a fire under our government, under European governments, and intergovernmental organizations like the Organization for Security and Cooperation in Europe (OSCE).

I am preparing to re-introduce the Combating Anti-Semitism Act; another possible initiative is for a day on which heads of state or government can each visit a major synagogue in their national capitals and make a statement on threat that anti-Semitism poses to all of us.

HONORING THE TOWN OF NEW WINDSOR, NEW YORK'S SESTER-CENTENNIAL CELEBRATION

HON. SEAN PATRICK MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I rise today to recognize

and honor the sescentennial celebration of the Town of New Windsor, New York, which was established on April 5, 1763. Throughout the past two and half centuries, the town has witnessed and participated in numerous events that have shaped our nation's history.

Since the 1600s, it has been New Windsor's natural beauty along the breathtaking views of the Hudson River that has attracted its earliest residents. From the beginning of the Revolutionary War, the majority of Town residents supported the war efforts and its leaders, like General George Washington, and welcomed thousands of men, women and children from many states. New Windsor also proudly served as the major encampment for the Continental Army. While the army was based there in 1782, General Washington ordered the establishment of the highest military honor, the Badge of Merit—now known as the Purple Heart. That important history lives on today through the National Purple Heart Hall of Honor, located in New Windsor.

Mr. Speaker, this sescentennial celebration is for all the people of New Windsor, both past and present, whose character define this historical community and have preserved its many remarkable qualities to be enjoyed by residents and visitors today. That is precisely why I am proud to recognize this special event and have the opportunity to represent New Windsor in the United States House of Representatives.

“GAUGING AMERICAN PORT
SECURITY” OR GAPS ACT

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Ms. HAHN. Mr. Speaker, the lessons of 9/11 have taught us that we must continuously be vigilant in proactively seeking out and preventing our country's most pressing threats. That is why after 9/11, Congress began to shine a spotlight on previously ignored issues such as border security, airport security and strengthening identification procedures. However, an area that continues to be ignored is port security.

In the U.S., tens of thousands of ships each year make over 50,000 calls on U.S. ports. These ships carry the bulk of the approximately two billion tons of freight, three billion tons of oil transports, and 134 million passengers by ferry each year.

The volume of traffic gives terrorists opportunities to smuggle themselves or their weapons into the United States with little risk of detection. According to a report by the Council on Foreign Relations, in May 2002 there were reports that twenty-five Islamist extremists entered the United States by hiding in shipping containers.

This highlights the need for an immediate legislative solution to counter this problem. However, it is difficult to come up with an effective solution without first knowing all of the potential dangers.

That is why I am reintroducing the Gauging American Port Security (GAPS) Act. The GAPS Act addresses these problems by re-

quiring that the Department of Homeland Security Office of Inspector General report to Congress on the current weaknesses and vulnerabilities of U.S. ports and ensures that DHS develops a comprehensive plan for addressing them. Only by focusing on the specific dangers that threaten our port security, can we develop effective solutions to ensure our nation is prepared for any and all types of attacks.

IN HONOR OF SACRED HEART
SCHOOL, WEYMOUTH, MA

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. LYNCH. Mr. Speaker, I rise today in honor of Sacred Heart School in recognition of its one hundred years of educating the children of Weymouth and Braintree, Massachusetts.

Sacred Heart School was founded in 1913 by the Sisters of Saint Joseph at the request of Father John B. Holland. The school had a humble beginning with thirty-three first graders who were taught in the dining room of the convent under the direction of Sister Margaret Mary.

Today, Sacred Heart School serves over 260 students. Though it is now staffed by an all-lay faculty, the qualities of the Sisters of Saint Joseph live on through the commitment and dedication of the teachers.

Mr. Speaker, the Sacred Heart School is committed to developing the whole child, in mind, body, and spirit, by integrating a strong academic program with a distinctly Catholic education; as a result, Sacred Heart students consistently score above the average on standardized tests. Community service is also an important component of a Sacred Heart education and the commitment to that service helps students develop a strong sense of civic engagement and lifelong sensitivities to improving the welfare of others.

A strong bond between the parish and school has long been a trademark of Sacred Heart. When a fire destroyed Sacred Heart Church in December of 2005, the school and parish communities came together to support one another during the difficult rebuilding process.

Another important trademark of Sacred Heart School is the level of parental involvement. Through the school's Home and School Volunteer Program, parents contribute nearly seven thousand hours of direct service to the school each year, which allows the school to offer a variety of academic and social programs for students.

Mr. Speaker, it is my distinct honor to take the floor of the House today to join with the Sacred Heart School community in celebrating one hundred years of Catholic education.

PERSONAL EXPLANATION

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. KILDEE. Mr. Speaker, on April 9, 2013, I unfortunately missed three votes, which included rollcall votes 90, 91 and 92.

If I had been present, I would have voted in favor of rollcall vote 90.

If I had been present, I would have voted in favor of rollcall vote 91.

Lastly, I would have voted in favor of rollcall vote 92.

HONORING THE FRANK O'HARA
ASSOCIATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the organization The Frank O'Hara Association, located in West Orange, New Jersey, which is celebrating its 80th Anniversary.

Frank O'Hara came from humble beginnings in the town of Boggaun in Ballinamore, County Leitrim, Ireland. He was born in 1900 as one of fifteen children. Typical of most young Irishmen of his day, Frank O'Hara fought as part of the Leitrim Brigade for a free Ireland after the 1916 Easter uprising. He was held prisoner in Athlone barracks until he escaped by scaling a wall.

Frank O'Hara immigrated to America in the 1920s with just a primary school education, but a drive to succeed. While working with the Hudson Tubes (now PATH) and Prudential Insurance Company, he opened a speak-easy on Bergen Street, Newark. After prohibition was repealed in 1933, Frank O'Hara opened a tavern on Central Avenue, Newark. Later, in 1932, he married Louise O'Kane, a fellow native of Ireland who shared his deep faith and devotion to family. They became parents to nine children, and thirty grandchildren. Today there are now fifty-five great-grandchildren as well as two great-great-grandchildren, and the family continues to grow.

In 1933, the Frank O'Hara Association was founded in Newark, organized by its first President, Raymond Mulhern, to act as an organization representing Irish culture and values. Frank O'Hara was one of the co-founders of the Newark Saint Patrick's Day Parade in 1936. He moved his family to West Orange in 1941, and opened a tavern and liquor store in the Pleasantdale section of town in 1948. Frank O'Hara pioneered the Irish movement in West Orange and co-founded the Irish American Society of West Orange, which became the present Irish American Society of the Oranges. He also co-founded the West Orange Saint Patrick's Day Parade. During the 1950's, Frank O'Hara aided numerous Irishmen, sponsoring their entry to the United States, which was a requirement at the time. He actively fundraised for many years on behalf of Salesian Missions, and as a result of his efforts

and contributions, a Mission Church was built in the Philippines, dedicated to Our Lady of Lourdes. He was a parishioner and benefactor of Our Lady of Lourdes Church in West Orange, as well as a benefactor for both Our Lady of the Lake Church in Verona and Queen of Angels Church in Newark.

Though Frank O'Hara passed away over 40 years ago, the products of his life, faith, principals, and labor continue to flourish. The Frank O'Hara Association remains one of the oldest active Irish organizations in New Jersey, cultivating the strong Irish heritage and family traditions that Frank O'Hara and his wife Louise stood for.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Frank O'Hara Association as they celebrate their 80th anniversary.

HONORING MR. WILLIAM KAPLAN

HON. SEAN PATRICK MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I rise today to honor Mr. William Kaplan, an inspirational individual who has selflessly served our community in the Hudson Valley.

Mr. Kaplan is the founder of the Elaine and William Kaplan Family Foundations, which concentrates on supporting innovative and sustainable projects primarily in the Newburgh area. He has made a tremendous impact on countless organizations in our community including Mount St. Mary College, St. Luke's Cornwall Hospital, Hospice of Orange, The Greater Hudson Valley Health Center, Occupations, Inc., McQuade Foundation, Habitat for Humanity of Greater Newburgh, and Orange County Community College. Mr. Kaplan has provided scholarships to help students have an opportunity to attend college.

Mr. Kaplan frequently donates his time and resources in his tireless pursuit to better our community. His philanthropic contributions to his neighbors in the Hudson Valley have led to the betterment of our education system, local infrastructure, and community programs.

Throughout the years, Mr. Kaplan has been recognized for these accomplishments among many others. This week, he is recognized by the Orange County Human Rights Commission as a Human Rights award recipient.

Mr. Speaker, I am honored to pay tribute to Mr. Kaplan and his continued commitment and service to our Hudson Valley community and I ask my colleagues to join me in recognizing this remarkable individual.

RECOGNIZING THE ACHIEVEMENTS OF MELANIE DRESSSEL

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Melanie Dressel of Tacoma for

receiving the 2013 Executive Excellence Award for CEO of the Year from Seattle Business Magazine. Dressel is the President and CEO of Columbia Bank and Columbia Banking System, Inc.

The Executive Excellence Award honors leaders in Washington State who demonstrate exceptional leadership and communication skills in the workplace, inspiring their employees to apply themselves and do their best.

Dressel began her career at Columbia Bank nearly 18 years ago. She, along with the Columbia Bank team, created a unique banking system. The new local bank offered programs that big banks provided, such as private banking and cash management, while adopting small-town values and quality customer service. These services enhanced the perception of banking, making Columbia Bank one of the most popular and successful banks in the Northwest.

Under Dressel, Columbia Bank not only expanded, but also endured the financial crisis with ease. Dressel said that by making smart investment decisions and remaining loyal to their business model, they were able to advance their institution. Dressel and her team did not rely heavily on real estate loans and only raised capital when the market improved.

Mr. Speaker, it is with great honor that I recognize Melanie Dressel and her admirable leadership as President and CEO of Columbia Bank and Columbia Banking System, Inc. She is a prime example of sound banking company management.

COMMEMORATING VICTOR M. FORTUNO'S DISTINGUISHED CAREER

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SERRANO. Mr. Speaker, I rise today to commemorate Victor M. Fortuno's distinguished career in public interest law and his thirty years of exceptional service to the Legal Services Corporation (LSC).

Vic Fortuno is a true American success story. Like me, Vic is a proud "nuyoricán," that is, someone of Puerto Rican heritage hailing from New York City. He was born and raised in Hell's Kitchen in Manhattan, where he lived with his brother and grandparents in a small shotgun-style apartment. Vic thrived both in and out of school and was offered a full scholarship to Columbia University. He earned both his Bachelor of Arts and Juris Doctorate degrees from Columbia, and spent his first year after law school providing legal services to the poor as a staff attorney with Community Legal Services in Philadelphia, Pennsylvania. Vic subsequently served for five years as an Assistant District Attorney for the City and County of Philadelphia. His work under then-District Attorney Ed Rendell included assignments to the Trial and Appellate Divisions, as well as the Organized Crime Unit.

Vic came to LSC in 1983 as an attorney in the Office of Compliance and Review. Subsequently, he served as Acting Director of Compliance and Review, Assistant General Coun-

sel, Senior Litigation Counsel, and Deputy General Counsel before being appointed General Counsel of the Corporation in 1991. He has served honorably in that capacity for twenty-two years. Vic also holds the offices of Corporate Secretary and Vice President for Legal Affairs. As a key member of the management team, Vic has provided exceptional legal advice and counsel to eight LSC presidents and four boards of directors. He brought the highest levels of professionalism, ethics, and leadership to LSC's legal department. He achieved a record of success while providing sound advice, compassionate mentoring, and unwavering friendship to countless individuals during his tenure at LSC. Vic served as a stabilizing force in times of crisis, as the keeper of institutional knowledge in times of transition, and as a trusted and knowledgeable advisor throughout.

Vic also served as LSC's first Latino president from 2010–2011. Always prepared and unflappable, with a ready smile, a hearty laugh, and a great sense of humor, Vic brought a wealth of experience and confidence to the Corporation's highest office. His patient, thoughtful, and collaborative leadership style empowered staff and enhanced LSC's commitment to providing access to justice for low-income Americans. I met Vic during this time period, and he struck me as just the type of person we should have in public service—caring, committed, and devoted to helping others.

Throughout his career at LSC, Vic has selflessly dedicated himself to promoting the public interest and making the dream of "equal justice for all" a reality for all Americans. He is a model public servant, and I commend him for his life-long commitment to providing high-quality civil legal services to the nation's poor.

I ask that my colleagues join me in congratulating and thanking Victor M. Fortuno for his truly remarkable service to the Legal Services Corporation and his immeasurable contributions to both the legal aid community and our nation. I wish Victor all the best as he enters this new phase in his life.

RECOGNIZING THE LIFE OF MARY E. WALTON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the life of Ms. Mary E. Walton, a World War II veteran and the first African American nurse from Dallas to enlist in the U.S. Army. Ms. Walton lived to be 93, and left behind a legacy working as a nurse for more than 70 years.

Ms. Walton had a long and rich history living in Dallas, and remained in Dallas for most of her life. Ms. Walton left Dallas to pursue her degree in nursing at the Brewster Methodist Hospital School of Nursing in Florida—one of the few schools available for black nurses at the time—and later enlisted in the Army in 1944.

Ms. Walton believed that being a nurse was her purpose in life. She recalled that working

to serve others was the driving force behind her dedication as a nurse, and her chief motivation was to pursue a career serving others, even in the face of overwhelming adversity and discrimination.

After serving in World War II, Ms. Walton returned to Dallas to become a public health nurse at Parkland Hospital, only the second African American nurse to be hired there. Ms. Walton would later come to work at the Dallas VA Medical Center in the service of other veterans—but not until after first being turned away during the late 1950s, when African Americans were not hired.

Mr. Speaker, as the first nurse to be elected to the U.S. Congress, I am honored to recognize such an influential and historic figure from Dallas. Ms. Walton was a selfless caregiver whose faith helped her to overcome the challenges of discrimination. We are grateful for Ms. Walton's service to our country and courage in the face of adversity, and our thoughts are with the friends and family she left behind.

IN RECOGNITION OF NEW JERSEY
MANUFACTURERS INSURANCE
COMPANY'S 100TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate New Jersey Manufacturers Insurance Company (NJM) of West Trenton, New Jersey on its 100th Anniversary. Since its founding, NJM has provided quality, affordable insurance to its customers. Its commitment to the service and benefit of its policyholders is truly deserving of this body's recognition.

Incorporated on June 7, 1913, New Jersey Manufacturers Casualty Insurance Company (currently NJM) was founded as a workman's compensation insurance agency to serve the well-being of the many workers employed in the manufacturing industry throughout New Jersey. It has expanded over the years to now also include personal and commercial automobile, homeowners, flood and umbrella insurance. In its 100-year history, NJM has insured over one million New Jersey households and businesses. Additionally, it has provided nearly \$5 billion in dividends to its policyholders since instituting them in 1918. NJM's expansions have had a positive impact on the economic growth of New Jersey and have provided for thousands of employment opportunities to New Jersey residents.

NJM has received various recognitions and accolades over the years. In 2006 and 2010 the carrier had zero valid complaints and was ranked as the #1 automobile insurance company for overall customer satisfaction in the U.S. by Consumer Reports. It has also been recognized as a J.D. Power Customer Service Champion, a Mercer Regional Chamber of Commerce Distinguished Corporation of the Year and an Ewing Township Economic Development Advisory Commission Large Business of the Year. NJM also continues to maintain its ranking as one of the best carriers by the New Jersey Department of Banking and Insurance.

Mr. Speaker, once again, please join me in celebrating the 100th Anniversary of New Jersey Manufacturers Insurance Company. The company continues to provide outstanding service to its customers.

HONORING THE GARDEN CLUB OF
MORRISTOWN

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Garden Club of Morristown, located in Morristown, New Jersey, which is celebrating its Centennial Anniversary.

In 1913, Mrs. Gustav Kissel, granddaughter of the Commodore Cornelius Vanderbilt, gathered together a few women and established the Garden Club of Morristown. This club reflected a new type of organization where women "sowed their own seeds" not only for providing floral beauty, but also for civic action. They composed a constitution stating that the club's purpose was to "promote garden culture by the exchange of ideas on all matters pertaining to the garden." In these early years, the meetings were mainly social gatherings accompanied by a lecture and an elaborate tea. By 1917, the club became a chapter of the Garden Club of America, and its focus shifted from teas to civic projects, conservation, preservation of wild flowers, and bird life.

Throughout its history, the Garden Club of Morristown has been politically active, working with Washington and Trenton to advocate various causes. They aided the needy through the Great Depression, as well as planted Victory Gardens and provided acreage for planting during the World Wars. During World War II, the club sent small decorations to local veterans hospitals, which began an annual wreath-making tradition. The Garden Club of Morristown also strongly advocated against the placement of billboards on New Jersey highways that were built with federal funds and supported the efforts to begin the Great Swamp National Wildlife Refuge in 1964.

The Garden Club of Morristown has also worked on several local projects throughout town, such as the beautification of Washington's Headquarters with plantings in 1926. They worked on the Neighborhood House in 1934, as well as Macculloch Hall's historic gardens in 1959, among many others. Within the club itself, overseen by the Horticulture Committee, members had two main projects; attending flower arrangement courses, and working at least three days in a greenhouse for practical lessons. This program saw members win awards for their irises and chrysanthemums, and by 1949, the club had grown to an impressive 77 members.

The achievements of the Garden Club of Morristown continued, and in 1985, by the leadership of Isabel Bartenstein, the club became a Founders Fund finalist for its work on the restoration of the Gardens at Morven in Princeton. In partnership with the Frelinghuysen Arboretum and Morris County Park System, the Garden Club of Morristown estab-

lished "Branching Out," an award-winning children's garden. Throughout the 1990's, the club held several fundraising events, including a Christmas house tour. From 1997–1999, the Garden Club of Morristown's own Chris Willemssen served as President of the Garden Club of America. They also hosted dinner parties and garden tours for the Garden Club of America's annual meeting in 1999, and held the Zone IV meeting.

In 2007, Congressman and honorary member RODNEY FRELINGHUYSEN was awarded the Garden Club of America's Frances K. Hutchison Medal for conservation, and since 2000, the Garden Club of Morristown has received the award for the most horticultural, flower show, and photography points at the Zone IV meeting five of seven times. The Garden Club of Morristown's annual plant sale continues to be their largest fundraiser, and they remain active in local projects and fundraising events today. The club is as vibrant and vigorous today as it was at its founding one hundred years ago.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Garden Club of Morristown, Morris County as they celebrate their 100th Anniversary.

RECOGNIZING THE BULLITT CENTER, THE GREENEST COMMERCIAL BUILDING IN THE WORLD

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Bullitt Center, which will be the greenest commercial building in the world. The Bullitt Center is complete, and is planning its grand opening on Earth Day, Monday, April 22.

This six-story, 50,000-square-foot building is located near downtown Seattle. The Bullitt Center will achieve the goals of the Living Building Challenge (version 2.0), as described by the International Living Building Institute.

To be certified as a Living Building, a structure is required to be self-sufficient for energy and water for at least 12 continuous months and must meet rigorous standards for green materials and the quality of its indoor environment.

The Bullitt Center features include: a solar array which will generate as much electricity as the building uses; rainwater collection for storage and use throughout the building; and ample natural lighting with opening windows. Also, Bullitt Center has been constructed without "red list" hazardous materials, which include PVC, cadmium, lead, mercury, and hormone-mimicking substances, which are sometimes found in building components.

Mr. Speaker, it is with great pleasure that I celebrate the opening of the Bullitt Center. It is a beautiful, self-sufficient building that exemplify technological leadership and innovation in the Puget Sound region. I am proud that the greenest commercial building demonstrating self-sufficiency for energy and water will soon open in Seattle.

PORT SECURITY GRANT ACT OF
2013**HON. JANICE HAHN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Ms. HAHN. Mr. Speaker, each day, U.S. ports move both imports and exports totaling some \$3.8 billion worth of goods through all 50 States. Additionally, ports move 99.4 percent of overseas cargo volume by weight and generate \$3.95 trillion in international trade. Given the importance of ports to our national economy, they must remain competitive and secure.

Thus, we must remain vigilant and make sure we are giving States the resources necessary, so they can address the constant security threats that continue to loom at our Nation's ports. Whether its scanning foreign cargo for nuclear material or patrolling essential waterways, port security has become increasingly important as we expand into a 21st century global economy. However, funding for these efforts continue to be a challenge as maritime security continue to expand and broaden with ever-evolving threats. Additionally, the economic downturn has forced cash-strapped States to cut funding for these vital security initiatives.

That is why I am reintroducing the Port Security Grant Act, which will extend the Port Security Grant Program through 2017. The Port Security Grant Act addresses these problems by allowing States to receive the Federal funding they need in order to secure their vital ports of entry. The program authorizes up to \$400 million for States to train personnel, expand port recovery and resiliency capabilities, and increase their capacity to detect, respond to, and recover from attacks involving explosive devices.

However, Congress has failed to extend this vital program beyond 2015. By not extending this program, we endanger the critical progress that has been made in port security and increase the overall risk to our national and economic security.

By passing this bill, we will ensure that States continue to receive the funding they need in order to protect our Nation's gateways to the rest of the world.

HONORING DR. ROBERT WITT,
CHANCELLOR OF THE UNIVERSITY OF ALABAMA SYSTEM**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. BONNER. Mr. Speaker, a decade ago this spring, Dr. Robert Witt became the 26th president of The University of Alabama.

Last March, after nine highly successful years as UA president, Bob was unanimously elected Chancellor of the University of Alabama System. In his new post, he is continuing to transform the UA System, which is comprised of the flagship campus in Tuscaloosa, as well as The University of Alabama at

Birmingham and The University of Alabama in Huntsville, into one of America's fastest growing public university systems.

Together, the UA system budget exceeds \$4.6 billion with student enrollment at the three campuses exceeding 57,000 and more than 26,000 employees.

Mr. Speaker, I rise today to salute Bob Witt for over a decade of dedication, service and leadership to The University as well as to the State of Alabama.

When Dr. Witt was selected UA president in 2003, he brought to the campus an ambitious "Plan for Growth" to boost student enrollment and school prestige. During a period of austerity in state funding and with challenges in the UA's storied football program, Dr. Witt laid out a strategy of increasing enrollment by forty percent, raising faculty and staff salaries, boosting financial aid to students, and upgrading and expanding university facilities.

His record of growth in Tuscaloosa was truly unprecedented.

During his tenure as president, The University of Alabama established the tremendously successful University Honors College and hired head football coach Nick Saban.

And under Dr. Witt's leadership, total enrollment at the Tuscaloosa campus increased from fewer than 20,000 students to more than 31,000 students. Today, total enrollment at the Tuscaloosa campus exceeds 33,000 students and The University of Alabama is ranked first in the nation among public, flagship universities in the enrollment of National Merit Scholars.

Along with the student population, Bryant-Denny Stadium was expanded during Dr. Witt's presidency, from 84,000 to 101,821 seats, and now sports three more national championship title flags.

Under his guidance, The University of Alabama campus has also seen \$1.5 billion in new construction and has expanded by 168 acres with the purchase of the historic Bryce Hospital property.

Dr. Witt began his distinguished 36-year higher education career in the state of Texas in 1968, joining the business school faculty at University of Texas at Austin. He was named the Zale Corporation Centennial Professor in Business in 1983 and bestowed the Mortimer Centennial Professorship in Business two years later. After rising through the ranks as chair and associate dean, Dr. Witt was named dean of the business school in 1985. He was elected president of University of Texas at Arlington in 1995 and served until 2003.

Dr. Robert Witt received his B.A. in economics from Bates College, his M.B.A. from Tuck School at Dartmouth College, and a Ph.D. from Pennsylvania State University. In 2011, he was inducted into the Alabama Academy of Honor.

As the Chancellor of the University of Alabama School System, Dr. Witt works closely with UA President Judith L. Bonner, UAB President Ray L. Watts and UAH President Ralph A. Altenkirch to constantly raise the bar of expectations by providing the taxpayers of Alabama with a first-class educational experience.

On behalf of the people of Alabama, I would like to extend my personal congratulations to Dr. Witt as he marks his decade of service at

The University of Alabama system, and wish him, and his lovely wife, Sandee, all the best.

HONORING THE 2013 CONGRESSIONAL ART CONTESTANTS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, once again, I come to the floor to recognize the great success of strong local schools working with dedicated parents and teachers. I rise today to congratulate and honor a number of outstanding high school artists from the 11th Congressional District of New Jersey. Each of these talented students participated in the 2013 Congressional Arts Competition, "An Artistic Discovery." Their works of art are exceptional.

Forty-nine young men and women participated. That is a wonderful response, and I would very much like to build on that participation for future competitions.

Mr. Speaker, I would like to congratulate the three winners of our art competition. First place was awarded to Samantha Kutnik from Boonton High School for her pen, ink, and colored pencil entitled, "Breathe." Second place was awarded to Antonia Chan from Chatham High School for her acrylic entitled, "The Companion." Third place was awarded to James Quinn from Pequannock Township High School for his markers entitled, "The Whale."

Honorable Mentions were awarded to: Kayla Stammer from Boonton High School for her copper and mixed media entitled, "Poseidon's Menagerie," John Lu from Hanover Park High School for his acrylic entitled, "Power to the People," Austin Dimare from Morris Catholic High School for his charcoal entitled, "The Coming Home" and Amanda Green from Pequannock Township High School for her oil pastel entitled, "Into the Woods."

Mr. Speaker, I would like to recognize each artist for their participation by indicating their high school, their name and the title of their contest entries for the official record.

Boonton High School: Samantha Kutnik "Breathe;" Franchesca Lebrun "Freedom;" Diana Lin "Humble Life;" Kayla Stammer "Poseidon's Menagerie."

Chatham High School: Olivia Quinn Antao "Hip;" Antonia Chan "The Companion;" Megan Gesell "Crochet Blankets;" Nina Krill "Reflection."

Delbarton School: Austin Crann "Rockefeller Plaza;" Nicole Okomuro "The Panda Family."

Hanover Park High School: John Lu "Power to the People;" Abby Prokop "Grandpa, My American Hero."

James Caldwell High School: Tina Janulis "Manhattan Moment."

Livingston High School: Michelle Bao "Forever Unchanged;" Rebecca Popper "A Diamond in a Rhinestone World;" Emma Siegel "Prague Guard Illusion;" Christina Torrens "Enigma."

Madison High School: Teri Minogue "What is Family?"

Montville High School: Caitlyn Corradino "Alex;" Halli Goldsmith "Boonton Railroad;"

Danielle Margiotta "Promiscuous;" Kyuri Park "Reflection."

Morris Catholic High School: Kristen Cregg "Papa's Flag;" Austin Dimare "The Coming Home;" Michael Giostra "M&M Restoration."

Morris Knolls High School: Victoria Chebisev "Searching for Alaska;" Camille Chow "Collarbones;" Lianna Rubinaccio "Chained."

Morristown High School: Marissa Miyashiro "Secrets;" Laura Wills "Rumors."

Nutley High School: Alexandre Beaufort "Journey through the Mind;" Yuko Okabe "Violinist;" Olivia Russell "Grunge Self Portrait" Tyler Schoeber "Robinson."

Parsippany Christian School: Jessica Carducci "Scarlet Fever;" Nicholas McMillen "Playtime;" Theodore Stiles "Table Set."

Parsippany Hills High School: Yuchien "Bettina" Chou "Light Market."

Passaic Valley High School: Michele Lameiras "Imagination Takes Flight;" Taylor Panas "Eye Can See It, Can You?;" Challice Zaleski "Confusions and Questions of a Teenage Girl."

Pequannock High School: Amanda Green "Into the Woods;" Meghan Hallisey "Soaring Bones;" James Quinn "The Whale;" Angelika Stefanides "Always and Forever."

Randolph High School: Kyna Horten "Reso;" Madeline Klingeman "Surrender Imagination;" Josh Lane "Urban Belief;" Kelly Mulligan "Conch."

Each year the winner of the competition has their art work displayed with other winners from across the country in a special corridor here at the U.S. Capitol. Thousands of our fellow Americans walk through the exhibition and are reminded of the vast talents of our young men and women. Indeed, all of these young artists are winners, and we should be proud of their achievements so early in life.

Mr. Speaker, I urge my colleagues to join me in congratulating these talented young people from New Jersey's 11th Congressional District.

PERSONAL EXPLANATION

HON. MIKE POMPEO

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. POMPEO. Mr. Speaker, on April 11, I missed rollcall votes numbered 97, 98, and 99 because I was at the White House on official business.

Rollcall No. 97 was a vote on Ordering the Previous Question for H. Res. 146, To Provide for Consideration of H.R. 1120, Preventing Greater Uncertainty in Labor-Management Relation. Had I been present I would have voted "yes."

Rollcall No. 98 was a vote on agreeing to H. Res. 146, To Provide for Consideration of H.R. 1120, Preventing Greater Uncertainty in Labor-Management Relation. Had I been present I would have voted "yes."

Rollcall No. 99 was a vote on Approving the Journal. Had I been present I would have voted "yes."

CONGRATULATING SECRETARY MARY SELECKY ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate Mary Selecky, the Washington State Secretary of Health, on her retirement.

Secretary Selecky has served three governors since first being appointed Acting Secretary by Gov. Gary Locke in October 1998. Her nearly fifteen years as Washington's Secretary of Health make her one of the longest-serving state health leaders in the country.

Before being named Secretary, Selecky was the administrator for the Northeast Tri County Health District in Washington for nearly 20 years and 2013 marks her 38th year in public service.

During her time as Secretary, she has served the public through trying times, including the Nisqually earthquake, the days following 9/11, bioterrorism threats, and outbreaks of mad cow disease and whooping cough. With her staff, she has helped make the Puget Sound cleaner and shellfish safer. She has also worked to make the Washington State Department of Health a trusted, credible source of health information, and has helped to develop one of the strongest local-state public health relationships in the nation.

Secretary Selecky has made it her mission to implement a preventative health care program in our state that is effective and which can serve as a model for the nation. Under Selecky's leadership, Washington's adult smoking rate has dropped 30 percent and youth smoking rates are down by half. Childhood vaccination rates are also the highest in years. It is clear that Selecky's work will ripple through the generations and we will be healthier for her efforts.

Mr. Speaker, it is with great pleasure that I recognize and congratulate Mary Selecky on her retirement and for her longtime service to Washington State.

NATIONAL HIGH PERFORMANCE PASSENGER RAIL TRANSPORTATION-ORIENTED DEVELOPMENT ACT OF 2013

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. PETRI. Mr. Speaker, today, along with Representative LIPINSKI, I am introducing legislation to stimulate the financing of passenger rail development from revenues generated from transportation oriented development.

The National High Performance Passenger Rail Transportation Oriented Development Act aims to capture some of the increasing value of commercial development around station areas, which in turn would help finance rail corridor infrastructure and operational expenses. Besides providing a funding stream

for intercity and passenger operations, the initiative places emphasis on intermodal connectors to create vibrant communities along the corridor. The legislation aims to begin a major public private partnership initiative that will revitalize America's rail infrastructure to create a true third passenger transportation option to highways and aviation while at the same time creating intermodal access for communities.

Under the proposal, the U.S. Department of Transportation will retain a Planning Developer who will establish guidelines for transportation oriented development programs, including special assessment districts or similar mechanisms to capture revenues from increasing commercial value. Rail corridor development funds will be established at the regional level to capture increasing real estate values. A stream of those revenues will be directed to support rail passenger operations.

The proposal permits qualified projects to apply for federal incentives to finance construction and produce jobs. These incentives will include direct access to existing Federal Railroad Administration and Federal Transit Administration programs. The initiative will be staffed by existing employees and remain revenue neutral in that all program activities, including the work of the Planning Developer, will be repaid once the high performance rail service and commercial development is implemented and generating revenues.

I hope that this bill will open a discussion on the possibilities and potential promise of passenger rail development in the U.S.

HONORING THE 50TH ANNIVERSARY OF SAINT THOMAS MORE PARISH

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Saint Thomas More Parish in Fairfield, Essex County, New Jersey, which is celebrating its 50th anniversary in 2013.

The St. Thomas More Parish has been a staple of religious excellence in the Township of Fairfield over the past half a century. Founded in 1962, the parish has grown steadily, and today is made up of different groups of people within its organization to assist its parishioners. This includes the Pastoral Council that was put in place to assess the needs of the church and decide its future paths. The council is made up of members of the community in addition to the pastor and two other members of the parish's staff. They pride themselves on always being available to hear concerns, ideas, and opinions of the parish members.

Furthermore, St. Thomas More provides consistent adult education to those looking to learn more about their religion. Often times, these educators are taken directly from the community or surrounding parishes. The adult program is coupled with the Baptismal Team which provides new, young parents with education on how to properly prepare one another for their children to be baptized and how to cope with bringing an infant into their lives.

The team not only helps guide them, but participates in the baptism and follows up with the family in the forthcoming months in order to maintain a continued relationship.

St. Thomas More takes great responsibility in ensuring the proper religious education for children who partake in the CCD program. Available from the ages of kindergarten to ninth grade, there are individuals trained to demonstrate and teach the concepts of Catholicism to the children. The Parish has said that, "The goal is to have the children realize that being a Catholic Christian is a way of life. It is a spiritual journey that one walks to grow in faith, to make a Christian difference in the world." These instructors work together to guarantee they are on the same page at all times.

The Parish also offers intense spiritual programs, such as Cornerstone, that enable men and women to take part in a 26 hour retreat, intended to bring to light a buried sense of faith and show these adults that they are not alone in their struggles. Sponsored by the lead Pastor, the church offers many social groups such as Bible study, prayer groups, adult, children, and bell choirs, high school music ensembles, senior clubs, and various committees. Specifically these committees include an Evangelization committee, a Stewardship committee, a Eucharist committee, and a music committee that oversees all music in the Church.

Lastly, St. Thomas More continually strives to give back to those who need assistance in the community. They do this through programs such as the Giving Tree during Christmas, a food pantry year round, soup kitchens, and a Homebound Ministry that provides elderly members of the community with volunteers to assist with their needs. Moreover, their Annual Carnival has become an important part of the season, allowing community members to celebrate the word of God with fellow parishioners.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the St. Thomas More Parish as it celebrates its 50th anniversary.

RECOGNIZING THE ARIZONA STATE MUSEUM ON THE 120TH ANNIVERSARY OF ITS FOUNDING

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. GRIJALVA. Mr. Speaker, it is my pleasure to recognize the Arizona State Museum on the 120th anniversary of its founding.

Established by the territorial legislature in 1893, Arizona State Museum is the oldest and largest anthropology museum in the region, focusing on the indigenous cultures of Arizona, the American Southwest, and northern Mexico.

The museum's seminal field research in the early 20th century is the foundation on which the very discipline of Southwest anthropology sits.

The museum's laboratory research sets worldwide standards in object preservation.

The museum's collections research continues to inform the world about the ancient,

historic, and present-day southwestern cultures of this great nation.

The museum's award-winning and nationally recognized exhibits and public programs celebrate the vibrant and enduring cultures of the region with international audiences.

The museum's archaeological repository is the largest and busiest state-run facility in the country.

The museum is a national model in working with Arizona's tribal leadership under NAGPRA, to repatriate items of cultural heritage, having respectfully returned or reinterred thousands of sets of human remains and funerary objects. The museum began this important work years before NAGPRA became law and continues to be a leader in this effort. Last year, an Arizona State Museum/Bureau of Indian Affairs joint project transferred 1,148 sets of human remains and 2,827 funerary objects to the Hopi, Zuni, and White Mountain Apache tribes.

As it cares for millions of artifacts in perpetuity, the museum is home to the world's largest collections of Southwest Indian pottery and American Indian basketry—both collections having been designated American Treasures.

Best wishes to Arizona State Museum, itself a National Treasure, after a century and a score of national leadership in research, preservation, collections care, and public outreach.

NATIONAL RETIREMENT PLANNING WEEK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of National Retirement Planning Week. National Retirement Planning Week is an important effort to get more Americans thinking about their long-term financial goals, and building toward a strong foundation for a financially secure future.

The recent economic downturn illustrated how retirement planning for many in America is inadequate. Today, more than 70 million American workers do not have access or do not participate in any employer-based retirement benefits. Approximately 57 percent of American workers have less than \$25,000 saved for retirement, a figure that has increased from 49 percent since 2008. As wages fail to keep up with inflation, millions of Americans are finding it increasingly difficult to put away toward their retirement—especially when it impacts their ability to meet the challenges of everyday living expenses.

As we celebrate Financial Literacy Month this April, retirement planning and financial literacy have never been more relevant. That is why today I am introducing the National Financial Literacy Act of 2013, a bill that looks to promote increased understanding and awareness of the consequences of financial decisionmaking. Retirement planning is a chief component of our financial decisionmaking, and is critical to sustaining and growing the middle class.

Mr. Speaker, as Members of Congress, we must continue to promote policies that will help educate future generations on the importance of retirement planning, while supporting critical federal programs such as Social Security. We must support American workers and educate individuals on the importance of working toward a stable and secure financial future.

HONORING THE LIFE OF TRISTAN WADE

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. CARSON of Indiana. Mr. Speaker, I rise today to honor a hero laid to rest in my district this weekend.

Sergeant Tristan Wade joined the Army while still attending Southport High School and served bravely as a combat engineer in Iraq and Afghanistan.

Without question, his work saved lives. Tragically, he lost his own on March 22 in Afghanistan at the hands of an improvised explosive device.

His commanding officer paid him the ultimate soldier's tribute, saying "he gave his life to free the oppressed."

A highly decorated non-commissioned officer, Tristan was known to friends and family for his putting the well-being of others over his own.

Mr. Speaker, I ask my colleagues to join me in honoring Sergeant Tristan Wade—a proud American, a Hoosier, and soldier—and letting his wife, children, parents, family, and friends know that while he will be missed, his sacrifice will never be forgotten.

HONORING THE 50TH ANNIVERSARY OF THE CHILDREN'S INSTITUTE (TCI)

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor The Children's Institute, located in Verona, Essex County, New Jersey, which is celebrating its 50th anniversary.

The Children's Institute began as an orphanage in Newark, New Jersey in 1883. Eventually in the 1960s, after recognizing that there were other needs in the community, the board decided to convert the orphanage into a school for children with emotional and behavioral disabilities that were not currently being cared for by local schools. In 1963, The Children's Institute, located in Livingston, New Jersey, was formed as one of the first statewide, non-profit special education facilities. For the next forty-six years, TCI continued to help children until expansion was needed as a result of the growing needs of the community. In 1999, the Children's institute was able to move into a much larger, 47,000 square ft. facility, in Verona, New Jersey, donated by the

Swiss global health-care pharmaceutical company, Hoffmann-LaRoche.

In late October of 2012, TCI opened up a brand new 42,000 sq foot second facility in Livingston. This facility will focus on autism in adolescents, aged 14 to 18, and a program for young adults, 21 and over, focusing on independence.

For nearly half a century, The Children's Institute has been helping young adults and adolescents battling autism and related diseases overcome these obstacles to achieve success. Specifically, TCI has been helping children with their development of communication, social, behavioral, life, academic, and career skills. The Institute has done extensive research and gathered evidence to determine which strategies work best in helping their children. These strategies include Applied Behavioral Analysis, Differentiated Instruction, and Universal Design. With the high rate of autism in New Jersey, The Children's Institute hopes that, through these strategies, they can have a major impact on the children's lives and provide them with the same life opportunities they would have if they were not afflicted with an unfortunate disability.

The Institute takes pride in the fact that their children have the same learning experiences and activities that are given to students at local schools, emphasizing the installation of 21st century technology and accommodations needed to succeed. TCI's curriculum is designed to teach so that the student can find and enhance their own, individual talents and capabilities. Moreover, TCI gives its students the chance for integration into community activities with a focus on interaction with non-disabled children so as to eliminate barriers obstructing social growth. With tuition being paid by local school districts, this comprehensive education is provided at no cost to the families. This generosity is essential to help these children with their struggles. Promoting determination in every student to instill independence and productivity has been the main goal of The Children's Institute since its inception in 1963.

Mr. Speaker, I ask you and my colleagues to join me in congratulating The Children's Institute, its trustees and wonderful, professional staff, as they celebrates their 50th anniversary.

CONGRATULATING THE MERSHON CHAPTER OF TROUT UNLIMITED ON THEIR 50TH ANNIVERSARY

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. KILDEE. Mr. Speaker, I rise today to congratulate the Mershon Chapter of Trout Unlimited on the 50th anniversary of their founding. The chapter, located in my district in Saginaw, has played a key role in the birth and growth of Trout Unlimited nationally. This great achievement is a testament to their dedication and passion to fight for clean water, healthy trout and the continued enjoyment of trout fishing. Their contributions to our community and the Great Lakes region over the past

50 years are achievements to be celebrated and commended.

The chapter has worked hard over the years to improve trout habitat and maintain Michigan's waterways, and I thank them for their efforts in community education and stream restoration projects. As a leader in environmental conservation, the Mershon Chapter has made great advancements in the scientific understanding and responsible treatment of trout. I commend the chapter's tireless work to restore the Au Sable River and Rifle River banks by dredging loose sediment, planting cedar trees, and moving rocks to combat runoff. Their work shoring riverbanks, by cabling structures that support the banks, has ensured that the rivers can continue to be used each spring for the transportation of timber to ports and mills. This work significantly benefits our economy, our environment and our community.

Along with the entire Trout Unlimited organization, the chapter has dedicated thousands of hours to provide happiness and to improve the well-being of the people of Michigan, and the contributions the chapter has kindly donated to environmental restoration efforts has helped to ensure that future generations will continue to enjoy and benefit from Michigan's freshwater ecosystems. Furthermore, the waterways that they help protect assist in the state's commerce and provide fresh drinking water to millions of people who live in the Great Lakes area, which is essential to all residents in our state.

Their leadership and influence will serve as an example to others in our area and has earned them the highest respect and honor. I want to thank the Mershon Chapter of Trout Unlimited, and congratulate them on their 50 years of service. I wish them another 50 years of success in the future.

IN RECOGNITION OF THE BICENTENNIAL OF ORWIGSBURG, PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. CARTWRIGHT. Mr. Speaker, tomorrow the community of Orwigsburg, located in Schuylkill County, Pennsylvania, within my district, will celebrate its bicentennial year of existence, and I rise to honor and congratulate the modern Borough of Orwigsburg and its citizens on this momentous occasion.

The motto of Orwigsburg is "From where it all began is happening again," and it all began for what became Orwigsburg with the original designation of Philadelphia County, the later formation of Berks County, the eventual formation of Schuylkill County and, most importantly, the Orwig family, including Gottfried Orwig and his son, Peter, credited as founder and the namesake of this beautiful small town, rich in history and tradition.

The site of a number of 18th century Indian-settler skirmishes, Orwigsburg, as the settlement became known, was the county seat until Pottsville was so designated in the mid-19th century. Before Pottsville's ascension as

the seat, Orwigsburg was the site of the first county courthouse, which stood at the corner of Warren and Market Streets from 1815 to 1941. The cupola from the original courthouse was recently salvaged for re-use in the Community Memorial Hall, creating a link between old and new.

And there is a lot of "old" to be proud of in Orwigsburg. From the building of the first boat for the Schuylkill canal to the first county fair to early shoe manufacturers to 20th century knitting mills, Orwigsburg has been a locus of important events throughout its two hundred years. The Orwigsburg Historical Society keeps a number of artifacts from the community's colorful past and, along with the Borough Council, has done its best to reconnect current residents to the past during the bicentennial lead-up year.

As Orwigsburg looks to the future, it aims to maintain its friendly atmosphere and the quality of life that is unique to a small town in a scenic county. Economic development is also always on the agenda, and, with two centuries of change already under its belt, I believe that the future is unlimited. I'm proud to represent Orwigsburg, and I wish everyone in the Borough the best for the community's bicentennial celebration.

TRIBUTE TO THE AMERICAN ASSOCIATION OF IMMUNOLOGISTS, INC. ON ITS 100TH ANNIVERSARY

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. VAN HOLLEN. Mr. Speaker, I am pleased to congratulate the members and staff of the American Association of Immunologists, AAI, on the occasion of the organization's 100th anniversary.

Located in Bethesda, Maryland, AAI has contributed to the health of all Americans by working to advance the field of immunology and by seeking better ways to prevent, treat and cure disease. With more than 7,600 members in 65 countries, AAI fosters the exchange of scientific ideas and information by organizing scientific meetings and courses, publishing a highly-respected scholarly journal, and promoting a better understanding of immunology and the work of research scientists.

Primarily through funding from the National Institutes of Health, AAI members are working on some of the most critically important and promising areas of basic and clinical research with profound implications for a wide range of diseases and conditions, including: developing effective vaccines for influenza, HIV/AIDS, and agents of bioterrorism; discovering new defenses against re-emerging tuberculosis and drug-resistant bacterial infections; regulating debilitating autoimmune diseases such as diabetes and rheumatoid arthritis; developing treatments to prevent the rejection of transplanted organs and bone marrow; and understanding the immunological basis of cancer and developing immune-based therapies.

AAI is the largest, most prestigious professional association for immunologists in the world. I am proud that it is located in Maryland's Eighth Congressional District, which I am privileged to represent.

I ask my colleagues to join me in congratulating AAI on this historic centennial occasion and extend to it all good wishes for continued success in its important work.

HONORING THE CENTENNIAL OF
THE TOWNSHIP OF DENVILLE

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Township of Denville in Morris County, New Jersey, which is celebrating its Centennial on April 14, 2013.

The area that has come to be known as Denville originated as travelling route and camping grounds for local Lenape Native Americans. As early as 1664, however, Dutch and English settlers began arriving on the shores of the Eastern Coast of the United States. Daniel Denton, a wealthy landowner, is believed to have led an expedition into the interior of Northern New Jersey, specifically the region of Morris County. His discoveries and descriptions of the area, along with its bountiful land and resources led people to populate the area as early as 1690. It is believed that The Great Daniel Denton's influence on the area gave Denville its name.

Denville's earliest settlers contained a diverse group of individuals stemming from many different surrounding areas and cultures. These groups of people included the original Dutch and English settlers from Long Island, and Quakers from Philadelphia, and Germans who had recently arrived from Europe. Many businesses began to emerge over the next half a century as the population of the area began to grow. Between 1730 and 1760, many forges, mills, and ice-harvesting businesses had formed along the Rockaway River, making the town an economic focal point. Soon, neighboring communities such as Ninkey and Franklin, which had already established schools and businesses, were incorporated into the growing settlement of Denville.

Through the establishment of the Morris Canal and the railroad systems in the 19th Century, Denville was able to create the well-known commercial core intersection of Main Street, Broadway, and Diamond Spring Road that has come to be the hub of the town. Yet, the area has not lost its historical charm through the years and continues to represent the vibrant history of Denville.

With its popularity through the centuries, Denville has attracted the presence of four Presidents. This includes George Washington, Grover Cleveland, who stayed as a guest at the current Wayside Inn, Warren G. Harding, and George Bush Sr. in 1994, who visited St. Clare's Hospital.

Additionally, in the early 20th Century, Denville became a tourism destination for those looking to relax and unwind. Most tourists came to the extremely popular lakes such as Indian Lake, Lake Arrowhead, and Cedar Lake or places like the St. Francis Health Resort and the Diamond Spring Inn. Based on its ever-growing popularity, Denville was formed

as an official township by an Act of the New Jersey Legislature on April 14, 1913.

Today, Denville boasts a population of over 16,500 people, a successful business district, and a top-tier school system producing over an 84 percent graduation rate. Moreover, the town is home to many attractions such as the Stickley Museum at Craftsman Farms, the Wick House Herb Garden and the Rockaway River Country Club. Denville has continued to embody excellence and admiration, from residents and visitors alike as it continues to grow each year.

Mr. Speaker, I ask you and your colleagues to join me in congratulating the Township of Denville as it celebrates its Centennial.

RECOGNIZING THE IMPORTANCE
OF SEAPORTS TO THE ECONOMY
AND NATIONAL SECURITY OF
THE UNITED STATES

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Ms. HAHN. Mr. Speaker, even before coming to Congress, ports have been a top priority for me. I served on the Los Angeles city council for 10 years and represented the Port of Los Angeles—that, with the Port of Long Beach, are America's ports.

When I arrived in Congress, I wanted to raise awareness of ports and their impact on our Nation's economy. So, I, along with my Republican colleague Rep. TED POE, started the bi-partisan PORTS Caucus to educate our colleagues and include ports in our national dialogue. We took the next step in that mission by reintroducing a resolution honoring our ports.

The United States is served by more than 350 commercial sea and river ports that support 3,200 cargo and passenger handling facilities. Each day United States ports move both imports and exports totaling some \$3.8 billion worth of goods through all 50 States. Additionally, ports move 99.4 percent of overseas cargo volume by weight and generate \$3.95 trillion in international trade. These numbers speak for themselves: ports are a crucial component of our national economy, and they deserve Congress' attention.

This resolution honors both the tremendous contribution ports make to our national economy and the extraordinary service of Americans employed at our Nation's ports. I urge my colleagues to support this resolution in order to advance our national dialogue on ports.

IN RECOGNITION OF DANIEL J.
NAVARRE'S EXCEPTIONAL CONTRIBUTIONS TO THE RESIDENTS
OF WEST BLOOMFIELD TOWNSHIP,
MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize my friend, Daniel J.

Navarre of West Bloomfield, Michigan, as he is honored by the West Bloomfield Optimist Club as its 2013 honoree. Each year, the West Bloomfield Optimist Club recognizes one of its members for their exceptional contributions to the community in fulfillment of the Optimist Creed.

The Optimist Creed states that one will think of only the best, work for only the best and expect only the best. Known as Dan to his friends, Daniel Navarre has made this creed a central tenet of his work, both in the West Bloomfield community and beyond. His commitment to giving the best of himself to his work is a principle that he executed every day in his twenty years of work at Wayne County Parks and Recreation.

After retiring from Wayne County as Deputy Director of Parks and Recreation in 1997, Dan brought the same level of passion and commitment to his friends and neighbors when he joined West Bloomfield Parks and Recreation in 1999. During his tenure, Dan has used his leadership position to advocate for and develop many projects that have improved the quality-of-life for Township residents. These projects include the development of Drake Sports Park, which has supported many local sports teams for youth and adults alike; and the redevelopment of Marshbank Park on Cass Lake, which has become a premier facility for the active lifestyle of Lakes Area residents. As part of his work on the Marshbank Park project, Dan was instrumental in acquiring the resources that allowed the Township to fully realize its vision of a space that could promote healthy living for local residents. These funds were also utilized by the Township to support the development of over six-and-a-half miles of multipurpose trails created from old rail lines.

In addition to his work for the people of West Bloomfield Township, Dan has been an active member of the West Bloomfield Optimist Club for many years and served as its President from 2005 to 2006. While serving as President, Dan worked with other Lakes Area residents to found the Lakes Area Optimist Club, which serves the youth and residents of several surrounding communities. Under his leadership and participation the Club has continued its robust support of local youth through its Youth Appreciation Breakfast, Essay Contest, Oratorical Contest, College Scholarship Program and many other programs it plans year-round.

Mr. Speaker, the strength and vibrancy of the communities we serve depend on the zeal and devotion of its residents to their friends, neighbors and our youth. Dan's service to the people of Southeast Michigan and his volunteer endeavors are a perfect example of this truth and it is fitting that he is being recognized by the West Bloomfield Optimist Club for his contributions that have encouraged the development of our youth and made the West Bloomfield community a better place to live. I wish Dan and the West Bloomfield Optimists many years of future success and look forward to continuing to work together in pursuit of our common goal to build a vibrant community that fosters a successful future for our youth.

RECOGNIZING THE SERVICE OF
AUGUST D. SINGLER, FORMER
SHERIFF OF JACKSON COUNTY,
OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. WALDEN. Mr. Speaker, I rise to express gratitude to August D. Singler, former Sheriff of Jackson County, Oregon. Sheriff August David Singler was killed in the line of duty on April 23, 1913, the first law enforcement officer and only Sheriff in Jackson County to die in this tragic way. He lived with his family in Jacksonville, Oregon, in the "Wilson House" located directly behind the old Jackson County Courthouse/Jail when Jacksonville was the county seat. He was a very special individual who during his short tenure in law enforcement gave his life in service for the citizens of Jackson County and the State of Oregon. His place in history is recognized because of his selfless service to his community and respect for the rule of law.

August was born on May 28, 1876, in Millersburg, Indiana, and was one of 13 children of John and Susan Singler. At a later date the Singler family moved to South Bend, Indiana, where August met his future wife Rose Probst. They eventually married November 15, 1898 and made their home in South Bend, Indiana, where their first child was born. August watched the midwife during the birth of their first child and delivered the remainder of his eight children by himself. As the family and quest to support them grew, August decided to head west. As the adventurous soul that he was, he hitchhiked to Southern Oregon twice before he wired for his wife and three children who then came to Oregon by train. Shortly after arriving, August and Rose's fourth child was born.

August performed various small jobs including selling Singer sewing machines and patented medicines for the "Electric Medical Company." August was considered a "jack-of-all-trades," who would go to great lengths to feed and clothe his family. In late 1906, August purchased a small piece of land in Medford on Lozier Lane. Although he knew very little about building houses, he proceeded to erect a two story home for his family.

August was involved in many civic organizations including the Moose Lodge, Redmens, Woodsman of the World, Knights of Columbus, and a charter member of the Elks Lodge. Because of his extensive involvement he was known as a spirited man who gave much of himself and his time to the community.

In 1909 August was appointed Constable of the Medford District and served four years in this position. Upon his appointment, Singler's reputation as keeper of the peace surfaced quickly. His exploits were known from Sacramento to Portland. Singler tracked criminals by horseback, railroad handcar, car, and buckboard—always seeming to capture the offenders. He was called a "Super Sleuth," nervy, imaginative, tough and yet a gentle soul. The citizenry jokingly called him Sherlock Holmes.

Throughout the years, people have heard about Lawmen of the West, yet none sur-

passed Singler in courage, innovation, and determination. Ironically most of his achievements were accomplished during his tenure as Constable of the Medford District in Jackson County. August was responsible for introducing the art of fingerprinting to Jackson County and was the first lawman to use bloodhounds in this area.

In 1912, August Singler decided to run for Sheriff of Jackson County Oregon to support the needs of his growing family. His campaign slogan read "Party I am Working For" and featured August, his wife Rose, and their eight children. An interesting sideline to the campaign came when August's friends sent a campaign card east to former President Theodore Roosevelt.

According to the Medford Mail Tribune's January 15, 1912, edition, President Roosevelt acknowledged receipt of the card with best wishes for August's success. He was successful in the primary election against a tough opponent, Mr. Emmitt Beesen, a descendent of a local pioneer family. In the general election, August defeated popular incumbent Sheriff Wilber Jones. August's term as sheriff began in January 1913. His term was relatively routine until April 22, 1913, when he was advised of the return of a 19-year-old desperado Lester Jones. His promising career as Sheriff was cut short that day as the result of the shootout with the fugitive Jones while the Sheriff was attempting to serve him with an arrest warrant.

In a classic scene out of the old West, August walked slowly toward the two room cabin in the hills southeast of Jacksonville. The young desperado suddenly opened fire. One bullet ploughed through both of the Sheriffs lungs and another through his right hand. As August fell to the ground he opened fired, emptying his weapon. Each of the six bullets hit the fugitive, and he died instantly. Sheriff August Singler passed the next morning April 23, 1913, leaving behind his beloved wife Rose and their 8 children all under the age of 13 years old. He was the first law enforcement officer to die in the line of duty in Jackson County and the only elected Sheriff.

On April 25, 1913, with businesses in the City of Medford closed and flags lowered to half-mast, the last tribute was paid to Sheriff August Singler. The funeral procession was 12 blocks long and so great were the crowds at the church that only half could be seated with hundreds standing along the funeral procession route. It was said to be the largest outpouring of public grief in Jackson County history.

It should be recognized that Sheriff Singler deserves a place in history. His pride for his community, concern for his neighbors, and leadership are still reflected in those who understand what it takes to preserve the peace. He was said to be a gentleman in every way, and carried himself in a way that demanded respect. May his name not be forgotten, but let him be placed among other recognized lawmen of the past. April 23, 2013, represents 100 years since his tragic and untimely death.

HONORING THE NUTLEY VOLUNTEER EMERGENCY AND RESCUE SQUAD

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Nutley Volunteer Emergency and Rescue Squad, located in the Township of Nutley, Essex County, New Jersey, which is celebrating its 60th anniversary.

The Nutley Volunteer Emergency and Rescue Squad has served the Township of Nutley since 1953, providing a high quality of emergency medical and rescue services. Before its inception, emergency care in Nutley was only available through the Police Department. It was in 1953 that Jess Booth, Wally Eckhardt, and Dave Marshall, all members of the Police Reserves, set out to form a First Aid Squad. After attending District meetings of the New Jersey State First Aid Council, plans for the potential Nutley squad were formulated and presented to Mayor Harry W. Chenoweth. The Mayor then took the idea before the Town Commission, where it won approval. On March 3, 1953, the Nutley First Aid and Rescue Squad was officially created to provide Nutley with immediate care by well-trained women and men in any emergency.

The Squad began with a 1947 Buick ambulance, which they refurbished and equipped for use. At its conception, the Nutley Volunteer Emergency and Rescue Squad only had eleven members, providing service from 6 p.m. to 6 a.m., and were supplemented by the Nutley Police Department. The courtroom above the Chestnut Street Fire House served as a meeting area for business and training, while the ambulance was parked at the Warren Street entrance of the Fire House. Duty crews stood by in the Police Headquarters, and the records were housed at the homes of the first officers.

Within the following two years, the Nutley Volunteer Emergency and Rescue Squad was permitted to utilize the Red Cross building for meetings and conducted their first fund drive with the help of the Ladies Auxiliary. The proceeds enabled the replacement of the old Buick with a new 1955 Meads-Miller Cadillac ambulance. The success of the drive prompted the formation of an Ambulance Association, and the fundraiser became an annual event. By 1958, the Nutley Volunteer Emergency and Rescue Squad had outgrown the spaces allotted to them, and refurbished the old town garage under Police Headquarters to suit their needs. This provided a bay for two rigs, meeting rooms, and an area for the crew to stand by. The following year, the Police ambulance was replaced with a new Eurika Cadillac ambulance. The ever-increasing amount of calls for aid led to the beginning of 24-hour coverage for the Township of Nutley in 1961.

Since 1973, the Squad has been a live-in Squad, with members required to remain at headquarters for the entire length of their shifts. That same year, bunkrooms were constructed to accommodate the late-night crews between calls. The dedicated members, having all qualified as New Jersey State Emergency Medical Technicians, changed the

name from Nutley First Aid and Rescue Squad to the Nutley Volunteer Emergency and Rescue Squad, Inc. in 1976 to reflect their training, and the advanced care they provide. The equipment and volunteer members are kept current. The member training includes Standard and Advanced First Aid Courses, ambulance procedures, rig driving lessons, emergency childbirth, and cardio-pulmonary resuscitation training. More recently, the Squad also has a Scuba Team, Water Recovery and Rescue, and a Bike Team. A shortage in volunteers led to the hiring of two paid EMTs in 1988, and again in 1999. The Nutley Volunteer Emergency and Rescue Squad maintains these employees solely through fundraising and donations.

Though 60 years have passed, the Nutley Volunteer Emergency and Rescue Squad has maintained the two original goals: dedication of members to service to the Township of Nutley with the highest quality of care, and services rendered free of charge to those in need.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Nutley Volunteer Emergency and Rescue Squad as they celebrate their 60th anniversary.

HONORING DREW LINN

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. ADERHOLT. Mr. Speaker, it is my privilege to honor Mr. Drew Linn, President and owner of the Birmingham, Alabama, based Southland International Trucks for his selection as 2013 Truck Dealer of the Year. Mr. Linn was nominated by his peers and selected from a field of nominees by an independent panel of judges from Indiana University's Kelly School of Business. The national award, which is co-sponsored by the American Truck Dealers and Heavy Duty Trucking Magazine, focuses on excellence in dealership performance, as well as industry and community leadership.

Mr. Linn began his career with International Harvester, now known as Navistar, in 1965. Throughout his extensive career, he cites his success as due to his focus on providing excellent service to his customers. His dedication is evident from his successful business, Southland International Trucks, that operates six locations throughout Alabama.

Mr. Linn has had a distinguished career and has been recognized with more than a dozen corporate and industry awards, including the International Circle of Excellence, International Dealer of the Year (2008) and H. Chester Webb Distinguished Service Award (2009) from the Alabama Trucking Association.

I am thankful for Mr. Drew Linn and Americans like him that work to provide great products and service to consumers and support our nation's workforce with good, dependable jobs.

A TRIBUTE TO DEPUTY SHERIFF
ERIC LARSON

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. SWALWELL of California. Mr. Speaker, I rise today to recognize my friend and fellow law enforcement officer Patrol Deputy Sheriff Eric Larson of the Alameda County Sheriff's Department. Deputy Sheriff Larson was wounded on March 30, 2013, while bravely serving in the line of duty.

Deputy Sheriff Larson has been honorably serving in the Alameda County Sheriff's Department for over 19 years. He worked his way up through the ranks, previously serving in the Coroner's Office before becoming a Patrol Deputy Sheriff.

As a former prosecutor, I know the importance of courageous and experienced police officers, like Deputy Sheriff Larson, who work day in and day out to keep our streets and communities safe.

Deputy Sheriff Larson's efforts on the day he was wounded helped to protect his fellow officers. He is a shining example of the best and bravest officers in our country; he is willing to put himself in danger for the benefit of others.

Deputy Sheriff Larson is a fourth generation resident of Alameda County, where he continues to reside with his wife and three children. Before joining the Alameda County Police Department, Deputy Sheriff Larson attended San Lorenzo High School. He continues to be active in his community by coaching a variety of youth sports such as baseball, soccer, basketball, and t-ball.

I am thankful for the dedication and sacrifices of Deputy Sheriff Eric Larson and all of the Alameda County police officers who continue to put themselves in harm's way every day to protect the neighborhoods of the East Bay. I wish Deputy Sheriff Larson all the best as he continues to recover at home with his family.

HONORING THE ROTARY CLUB OF
MADISON'S 90TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Rotary Club of Madison, located in Madison, New Jersey, which is celebrating its 90th anniversary.

The Rotary Club of Madison is a branch of the worldwide network of Rotaries, which inspire individuals to transform their passions into relevant social causes to improve lives in communities. The first Rotary Club in the world was organized in Chicago, Illinois in 1905 by Paul P. Harris, a young lawyer. He gathered together a group of men, each from a different sphere of public service, to form the first club. The club would rotate their meeting place between the places of business of the members, which suggested the name "Ro-

tary." These men met with the goal of developing fellowship and understanding among businesses and professionals in the community, promoting improvement of the community through high ethical standards in occupational practice, and the advancement of international understanding, goodwill, and peace. These ideals of thoughtfulness and helpfulness to others are the same that are held fast by the nearly 33 thousand Rotary Clubs, with over 1.2 million members, that exist today.

The Madison Rotary is among these clubs that carry on the proud tradition. In the early 1920s, citizens of Madison began to take note of the vibrant qualities of Rotary as demonstrated elsewhere. The ideals of "Service above Self," "He profits most who serves best," and the fellowship and joy that comes from going beyond the daily routine of life to help others, greatly appealed to them. The testimonies of members of other Rotary Clubs, as well as Madison residents who witnessed other Rotaries in action, encouraged W. Kelton "Kelly" Evens to write to Same Clarke of the Morristown Club asking for sponsorship. Morristown agreed, and commissioned Wilber Day of Day's Restaurant, a Morristown landmark, to arrange the sponsorship. Day worked with Preston Borroughs, who, in January 1923, gathered interested business and professional men at the Ridgedale Inn for discussion. After further followup meetings, Borroughs confirmed to Day in March that the group was prepared. With Day as the liaison for the charter arrangements with the Governor of the 36th District, the Rotary Club of Madison held its Charter Night on May 24, 1923 in the Refectory of Drew University. Wilbur F. Day presided and read the names of the new charter members, while the District Governor Lion L. Woodward presented the charter to Joseph F. Ruzicka, the first President of the Rotary Club of Madison.

Throughout its 90 years, the club has assisted people in need in the community and internationally. Currently, the club donates approximately \$50,000 annually to non-profit organizations and local initiatives. The Madison Rotary is active in the community, working on local projects, including maintaining gardens for seniors and the library grounds, participating in Bottle Hill Day, distributing dictionaries to grade school children, and sponsoring the annual Taste of Madison and the Rotary Family Festival. They have also supported Rotary projects worldwide. The Madison Club boasts 86 talented and accomplished men and women dedicated to the core values of Rotary: Service, Fellowship, Diversity, Integrity, and Leadership.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Rotary Club of Madison as they celebrate their 90th anniversary.

HONORING EVELYN KOWALCHUK

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. HURT. Mr. Speaker, I rise today to recognize and honor the life of Ms. Evelyn

Kowalchuk of Huddleston, VA, who passed away at the age of 93 on April 7, 2013.

A brave World War II flight nurse and a remarkable woman, Ms. Kowalchuk was one of only 500 nurses to serve in World War II, putting her life on the line to provide compassion and care for our wounded soldiers.

Ms. Kowalchuk served with the 818th Air Evacuation Squadron and helped evacuate the wounded troops from Omaha Beach just days after the D-Day invasion in Normandy. A life member of the Flight Nurses Association and Veterans of Foreign Wars, Ms. Kowalchuk received several awards and recognitions for her military service.

Having had the honor of meeting Ms. Kowalchuk, I know that this brave veteran embodied the selfless heroism that represents the best America has to offer. Her life will continue to be a reminder of our country's highest ideals.

Virginia's 5th District has lost a truly special lady and our thoughts and prayers are with Ms. Kowalchuk and her family. I ask that my colleagues join me in remembering Ms. Kowalchuk and honoring her bravery, spirit, and selflessness.

TRIBUTE TO JOHN GARRARD

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Mr. John Garrard, Jr., a beloved and respected South Alabama public servant and businessman who recently passed away at the age of 86.

A native of Flora, Mississippi, John was valedictorian of his high school class before he enlisted in the United States Navy during World War II. While in the Navy, John served on an ammunition carrier supplying America's forces battling the Japanese in the Pacific.

After the war, John returned home to continue with his education. He earned a degree in Economics and Business Administration from Millsaps College and then moved to Atmore, Alabama, where he would spend the remainder of his long and fulfilling life giving to the community he loved.

Shortly after arriving in Atmore in 1948, he took on the role of educator and banker in the South Alabama community. He taught in Escambia County High School before joining the staff at the First National Bank and Trust of Atmore. His hard work and dedication were evident. In 1974, he was appointed the bank's fifth president and served in this capacity until his retirement in 1986. Even after he retired from the bank, John was retained as vice-chairman with special duties in customer service and public relations.

John turned his gaze to public service in 1996 when he first ran for a seat on the Atmore City Council. He served until 2012, contributing significantly to the economic growth and development of Atmore.

In 1981, John was named Citizen of the Year by the Atmore Area Chamber of Commerce. In February 2011, the Chamber presented him with the Lifetime Achievement Award.

Additionally, he was an active member of the Atmore Rotary Club, Atmore Public Library Board of Directors, First United Methodist Church, Atmore Historical Society, and Atmore Area Hall of Fame Committee. John was also involved in a local prison ministry at Fountain Correctional Institute for almost 15 years.

As a World II veteran, he travelled to Washington, D.C. in September 2010 as part of the Honor Flight South Alabama program. I was honored to greet him at the National World War II Memorial where I had the honor of thanking him for his service to our country.

Mr. Speaker, on behalf of the people of South Alabama, I would like to personally extend my condolences to his two sons, John and David, and his grandchildren, great grandchildren, step grandchildren and many friends. You are all in our thoughts and prayers.

HONORING THE GREAT SWAMP OUTDOOR EDUCATION CENTER

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Great Swamp Outdoor Education Center, located in the Township of Chatham, Morris County, New Jersey, which is celebrating its 50th Anniversary.

The Great Swamp was created approximately 15,000 years ago, when the melting waters of the retreating Wisconsin Glacier poured into the natural basin known as the Passaic Valley. The area of the Great Swamp is not entirely swampland, but a unique mixture of marshes, meadows, dry woods, and brush colored swamps. The intermingling of these four habitats is what gives the Great Swamp its distinctive character, and allows it to support a wide variety of plant and animal life. In 1959, plans were being formed to pave over large amounts of the area to create an international airport. Area residents objected to these ideas, and formed the Great Swamp Committee to save the ecosystem. As a part of this effort, the Morris County Park Commission purchased approximately 44 acres on the eastern end of the swamp in 1963, and allowed the staff from the New Jersey Audubon Society to give tours, and raise awareness to better protect the area. The Great Swamp Outdoor Education Center is located adjacent to the Great Swamp National Wildlife Refuge, on 44 of the 7,600 acres it spans.

The Great Swamp Outdoor Education Center offers a variety of activities for people of all ages. There are two classrooms for formal learning, a large auditorium, a natural history library, natural history displays, and nearly two miles of natural trails for hiking. The center offers programs for families, classes of all grades, scouts, or any other groups interested in learning about the environment of the swamp. Visitors can partake in such programs as Lenape Day, the Maple Sugar Festival, Baby & Me Hikes, summer camp programs, bird watching, and much more. They have four different short trails for hiking, as well as an observation blind and a pond observation deck for visitors to enjoy the diverse wildlife. The

Great Swamp Outdoor Education Center is dedicated to the preservation of the Great Swamp, as well as fun, informative, and accessible education on the habitat and its wildlife.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Great Swamp Outdoor Education Center, the professional staff of the Great Swamp National Wildlife Refuge, and their many dedicated organizations and volunteers as they celebrate their 50th Anniversary.

RECOGNIZING THE ALABAMA TRUCKING ASSOCIATION

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. ADERHOLT. Mr. Speaker, it is my privilege to recognize the many contributions of the Alabama Trucking Association to the well-being of the State of Alabama as the Association celebrates its 75th anniversary in 2013.

The Alabama Trucking Association was founded in 1938 in Birmingham and later incorporated and moved its offices to Montgomery. The Association has grown from 16 trucking companies in 1938 to over 675 trucking related firms in 2013, and has been a valuable source of information and statistics pertaining to trucking. With one of every fourteen citizens in Alabama being employed by the trucking industry, trucking provides over 106,570 jobs contributing to the economic growth and development of the State. The Alabama trucking industry pays \$545 million in federal and state roadway taxes and fees representing 38% of all taxes and fees owed by Alabama motorists, despite the fact that trucks represent only 13 percent of vehicle miles traveled in the State. In addition, trucks serve all areas of Alabama and are the only transportation for goods for over eighty percent of Alabama communities and play a major role in transportation import and export movement.

The Alabama Trucking Association members put safety first through improved driver training, investment in advanced safety technologies and active participation in industry safety initiatives at the local, state and national levels. The leadership of the Alabama Trucking Association has developed many friendships among Alabama's trucking companies, related industries and organizations, and members of the State Legislature and state and federal government agencies.

The Alabama Trucking Association is well respected and has been very successful with its legislative and regulatory agenda, its efforts to improve highway safety, and the efficiency of trucking in Alabama.

I am thankful for the Alabama Trucking Association and the service and support they provide to a vital part of Alabama and our nation's economy and work force. Congratulations to them again for 75 excellent years.

HONORING THE LIFE AND ACCOMPLISHMENTS OF TOM STAED

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 12, 2013

Mr. MICA. Mr. Speaker, I rise today to honor the life and accomplishments of an outstanding businessman, a community leader and a friend, Tom Staed. With his passing on February 26, 2013, both his family and our state have lost a loved one and strong voice for the benefit of our region.

Tom was born on April 27, 1931, in Memphis, Tennessee and attended Sacred Heart Grammar School and Christian Brothers High School in Memphis before attending Memphis State. His college career was interrupted by the Korean War as he was called to serve in the United States Marine Corps and distinguished himself as an artillery coordinator. After being honorably discharged as a Corporal, he returned to Memphis State where he became Editor of the School Newspaper, President of Sigma Alpha Epsilon, graduated

with a B.A. in Journalism, and then went on to Tulane University School of Law.

While at Tulane, Tom met Barbara Dodd, and the couple soon married and moved to Daytona Beach, Florida. It was in Daytona Beach where Tom began his long, successful, and distinguished career in the hospitality industry; almost singlehandedly transforming the landscape of hotels on the coast of Volusia County through his 11 hotels and interests in the Ocean Eleven Resorts. He financed and purchased several old hotels in the Daytona area and was able to make them successful in a short time through hard work, determination, and a can-do style.

Tom was a recognized leader and committed member of both the Florida and national lodging and tourism industries, and firmly believed in civic involvement. Some of the notable local, state, and national boards he was appointed to include President of Best Western International Inc., President the Florida Hotel and Motel Association, Chairman of Florida's Governor's Tourism Advisory Council, Visit Florida, Inc., Chairman of the American Hotel and Motel Association. He was the Florida Hotelier of the Year in 1982. He was

also a past Chairman and Founding member of the Halifax Area Advertising Authority.

Tom had a life long interest in politics and I recall the last time I saw Tom at one of his hotels, he spoke of past campaigns and issues he worked on over 30 years in Florida and specifically his times as a trusted friend and ally of leaders in both the Democrat and Republican Parties. He was truly a gift to all Floridians.

As someone who served on numerous local associations, commissions and boards for civic and charitable organizations, Tom was a committed philanthropist that always focused on giving back to those less fortunate than himself.

A devoted husband, father and grandfather, he truly made an indelible mark on his family, community and industry. In our community, the name Tom Staed stood for integrity, compassion and public service, and through that principled dedication he leaves a proud and distinguished legacy. Mr. Speaker, I ask all Members of the U.S. House of Representatives join me in recognizing Tom Staed's years of service and dedication to our community, our state and our Nation.

SENATE—Monday, April 15, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, inspire us to treat others as we want them to treat us. Let us rejoice in their strengths, and let us be patient with their weaknesses.

As our Senators do the work of freedom today, may they be sustained by Your love. Remind them that Your Divine affection has given them everything they need for life and liberty. Answer them when they cry out to You and tell them great and unsearchable things they do not know. Give them the humility to understand that none of us has a monopoly on Your truth and that we all need each other to discover Your guidance together.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 5 o'clock this afternoon. During that period of time, each Senator will be allowed to speak for up to 10 minutes each, if they wish.

At 5 p.m. the Senate will proceed to executive session to consider the nomination of Beverly Reid O'Connell to be a district judge for the Central District of California.

At 5:30 p.m. there will be a rollcall vote on confirmation of the O'Connell nomination.

PREVENTING GUN VIOLENCE

Mr. REID. Mr. President, the debate over the best way to prevent gun violence in America raises strong emotions. Second amendment advocates—me among them—want to preserve and protect the right of every law-abiding

citizen to bear arms. Victims of gun violence and family members of those killed by guns—me among them—want to ensure that guns are kept from the hands of criminals and those with mental illnesses severe in nature. These are both worthy goals, and they should not be mutually exclusive goals.

It is possible to uphold the second amendment while protecting innocent Americans from gun violence. Of course it is. The compromise background check proposal before the Senate—a measure crafted by Senators TOOMEY, MANCHIN, KIRK, and SCHUMER—achieves both goals. This bipartisan measure would keep guns out of the hands of dangerous criminals by requiring background checks for private gun sales at gun shows and over the Internet.

It strengthens the existing instant check system by encouraging States to put all their criminal and mental health records into the National Instant Criminal Background Check System, a step supported by gun rights groups. And it would establish a National Commission on Mass Violence to study all causes of mass violence in our country. School safety, mental health, video games—whatever is appropriate should be looked into.

This legislation has the backing of the Citizens Committee for the Right to Keep and Bear Arms. It has 650,000 members. It is the second largest gun rights group in the Nation.

On this proposal—background checks—the National Rifle Association is not being very talkative. Why? Because they have supported this measure in the past. And while they are not publicly supporting it now, they have done it in the past.

This measure has the support of antigun violence advocates such as Mayors Against Illegal Guns, consisting of hundreds of mayors around the country. It has the support of law enforcement groups, such as the International Association of Chiefs of Police.

Although this compromise does not go as far to expand background checks as some had hoped, the nature of compromise is what it is. That is what legislation is all about. It is not perfect, but it certainly is a long, big, heavy step forward.

Expanding background checks to cover gun shows and Internet sales is common sense. It will help protect the innocent from gun violence. And it will also protect firearms sellers. No responsible firearms dealer wants to unwittingly put a gun in the hands of a murderer.

One need only ask a man by the name of Bruce Daly. Mr. Daly sold the shotgun that was used in a shooting rampage at the Lloyd D. George Federal Courthouse in Las Vegas a few years ago.

Seventy-two-year-old security guard and retired police officer Stanley Cooper was murdered by a felon who bought a gun at a gun show in Kingman, AZ—90 miles from Las Vegas. I repeat, the shooter was a convicted felon, who had no right to own a gun and could never have passed a background check. But because Mr. Daly sold the shotgun at a gun show in Arizona, he never had to perform a background check.

After the shooting at the Las Vegas courthouse, Mr. Daly was found to have an expired Federal permit for selling weapons, and because of that he was convicted. But Mr. Daly, admirably, has stepped forward. He admits to having sold dozens of guns that were linked to violent crimes. I repeat, today Mr. Daly, admirably, wishes he had done more to keep the guns he sold out of the hands of criminals, and he has stated many times that expanded background checks are the best way to do that.

Most gun owners—and most gun dealers—are responsible, law-abiding people. They love and respect firearms. They are sportsmen who hunt. They may take their weapons when they go fishing. These are people who enjoy target shooting, who no longer hunt, but they like to go out and plunk or they like to go to a range and shoot. They are citizens who simply want to protect themselves, their homes, and their families.

A better background check law will not infringe on second amendment rights in any way. But it will prevent the small minority of people who want to obtain guns for the wrong reasons from buying these weapons. And it will stop troubled people who, because of an illness beyond their control, would be a danger to themselves or to others if they possessed a firearm.

This compromise legislation should not be controversial. Nine out of 10 Americans—including a majority, a vast majority, of gun owners and 75 percent of NRA members—support stronger background check laws. This is not the background check law that was reported out of the committee that is in the underlying bill. But MANCHIN, TOOMEY, KIRK, and SCHUMER think they can improve that, and that is what this amendment is all about.

A number of my colleagues oppose this measure. I am sure that is the

case. It is their right to vote against it. We continue to work—I continue to work—toward an agreement to vote on this compromise and to consider other amendments. We need to do that. Democrats are not going to offer all the amendments. Republicans want to offer amendments. They feel the law in the country today is too weak. In their minds, they want to make it weaker but they think that is a strength. Most people, a majority of us, would disagree, but they have a right to do that.

I hope there are not going to be a few unreasonable extremists who are going to try to prevent an up-or-down vote on legislation in this bill. We should not have a filibuster on this legislation. I, of course, can always file cloture. I hope we do not have to do that. That would be a shameful tribute to the memory of 27 people who died in Newtown: little boys and girls—in the minds of many, babies—and school teachers, administrators who were killed; 27 of them.

Newtown deserves a vote, and so do the mothers and fathers, loved ones and friends, of the 3,300 victims of gun violence in America since that terrible day at Sandy Hook. Mr. President, 3,300 people have died because of gunshots since Sandy Hook.

Don't we have an obligation to the American people to do some correcting of what is not right in this country? I believe so.

Mr. President, I know the chairman of the committee, who has worked hard to get this matter before us, is here. He also has an amendment. I hope we can get to his amendment, which I wish to do next; and that is an amendment that I am told is even supported by the National Rifle Association to improve what is in this bill that was reported out of the committee dealing with Federal trafficking.

The PRESIDING OFFICER (Mr. KAINE). The Senator from Vermont.

GUN TRAFFICKING

Mr. LEAHY. Mr. President, I tell the Senator from Nevada, we have been working very hard on that. It has bipartisan support. It had a bipartisan vote out of the Senate Judiciary Committee.

We had been working on it with the National Rifle Association and a lot of others because this trafficking allows somebody who can legitimately buy weapons to go in and buy them and then sell them to people who are from a drug cartel in this country or others or to a gang member—people who could not have bought them legitimately. It is a huge loophole.

We saw the same loophole in the murder of the head of the Colorado prison system. The man who we understand shot him would have been prohibited from buying a weapon, but somebody who could buy one bought it and passed it on to him.

I want to thank Senators MANCHIN and TOOMEY for coming forward with their bipartisan amendment to close the gun show loophole and prevent criminals from obtaining firearms, while at the same time respecting and protecting the second amendment rights of responsible gun owners. These Senators have worked long and hard. They have studied the issue. They have compromised, and they have reached an agreement that I intend to support and I hope the Senate will adopt.

The Senator from Nevada certainly hopes Senators will vote and not filibuster. The American people I think would consider it a disgrace if Senators were unwilling to stand and vote either yes or no. A filibuster means you vote maybe. I would hope, with only 100 of us to represent 314 million Americans, we would at least have the courage to vote yes or vote no. It may not be a popular vote either way you vote, but voting maybe—which is what a filibuster is—shows no respect for the Senate and shows no courage.

We have had background checks for decades. They are an accepted part of the process of buying a gun. I am among millions of responsible gun owners who have undergone a background check as part of this process. And as I tell our gun dealers in Vermont when I buy a gun there, I am like millions of responsible gun owners. I understand this check is necessary and I have no problem going through it. But I expect everybody else to go through it because it keeps guns out of the hands of criminals and those who are a danger to themselves and others due to mental illness.

Background checks work. Since 1998, over 2 million sales to prohibited people have been prevented thanks to background checks. That is 2 million times a potentially dangerous person trying to get a gun was denied a gun.

Now some argue that background checks do not work because not enough people who fail the background check are later prosecuted. Failing a background check is not in itself a crime. Indeed, the main purpose of the background check is to prevent a prohibited person from getting the desired gun. Although not foolproof, the background check system we have had in place has succeeded in preventing dangerous people from getting guns over 2 million times. What we are now trying to do is improve the background check system. That is what the Manchin-Toomey amendment is trying to do. We all know there is a huge, huge loophole in that background check system. Criminals and other prohibited people who could not go in to a legitimate gun store in the Presiding Officer's State or my State can get around this by going to nonlicensed dealers at gun shows.

I know gun store owners in Vermont. They follow the law and conduct background checks. They wonder why oth-

ers who sell guns do not have to follow these same rules. I agree with these responsible business owners. Just as I go through a background check when I buy a gun, I want everybody to have to go through it and not be able to use the loophole.

I have been voting to close this loophole for years. In 1999, when the Senate adopted an amendment to close the gun show loophole, we passed that provision after the tragedy at Columbine. Regrettably, the House would not pass the bill. Republican leadership at the time let the matter drop. I hope this time the House will join us to close the loophole once and for all.

The Manchin-Toomey bipartisan amendment closes the loophole in a way that does not infringe upon second amendment rights. Sales at gun shows, sales using online or print advertising will be governed by the same kind of requirements that a gun store owner in Vermont or Virginia or anywhere else has to follow. It is going to make us safer. It will not confiscate anyone's guns. It will not create a government registry. It does not undermine the second amendment. No court has held that background checks, which have been with us for decades, violate the second amendment. Indeed, when the U.S. Supreme Court expressly held that the second amendment provides an individual right in the Heller case, it also said that "longstanding provisions on the possession of firearms by felons and the mentally ill" do not violate the second amendment.

The compromise these Senators have presented to us is focused on gun shows and commercial sales. It does not require background checks for sales between spouses or siblings or parents, grandparents, uncles, aunts, nieces, nephews, and cousins. It does not require background checks for a transfer between friends and neighbors who talk to each other and decide to sell or give each other a firearm.

The bill does not require background checks for temporary transfers of guns for hunting or target shooting. But it does require background checks for the kind of sales that can be easily exploited by people who intend to do harm: sales at gun shows and through online and print advertisement.

I would hope Senators would agree with 90 percent of the people in this country: We need a strong background check system in order to keep guns out of the hands of dangerous criminals. Why not try to plug the loopholes in the law that allow dangerous criminals to buy guns without background checks? It is a matter of common sense. If we agree that the background check system makes sense, why not make it more effective? What responsible gun owner objects to improving the background check system?

I come from a State with a lot of gun owners, myself included. I have not

heard a single gun owner say, we should not have a background check apply to everybody just as it applies to them.

At the first of our Judiciary Committee hearings of the year, the first of three hearings on gun violence proposals, I pointed out that Wayne LaPierre of the NRA testified in 1999 in favor of mandatory criminal background checks for every sale at every gun show. He emphasized at that time the NRA supported closing loopholes in the background system by saying, "No loopholes anywhere for anyone."

It is common sense. That is what we voted to do in 1999 and we should again, and this time we should get it enacted. I have said over and over again, do not filibuster or sloganeer. Vote. Vote yes; vote no. Do not vote maybe. No one is going to take away our second amendment rights. They are not at risk. But lives are at risk where responsible people fail to stand up for laws that will keep guns out of the hands of those who use them to commit crimes of violence.

This is something we can come together and do to make America safer and more secure. Some have expressed frustration about the level of prosecutions under existing gun laws. And some have suggested that instead of making sensible changes to our public safety laws to prevent gun violence, Federal law enforcement officials should focus exclusively on existing laws. I share some of that frustration, but I do not agree it is a valid excuse for us to do nothing. Improvements in the enforcement of existing laws and efforts to give law enforcement officials better tools to do their jobs are not mutually exclusive; those efforts complement each other. A recent article in the Washington Times, certainly not considered a liberal paper, documented the gun prosecutions were in decline beginning in the Bush administration. They suggested having a Senate-confirmed Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives would significantly help law enforcement. We need to get such a director. But let's not be distracted from what we can do to keep Americans safe by partisan attacks on this administration or the last administration.

I also want to thank Senator SCHUMER for all his efforts to bring us to this point. I worked with him to make sure the legislation considered and voted on in the Judiciary Committee included a provision to improve the background checks system. He introduced a number of background check proposals. He reached across the aisle to try very hard to come to an agreement with Senator COBURN. His efforts helped pave the way for the agreement that Senator MANCHIN and Senator TOOMEY were able to reach.

I have also been encouraging the junior Senator from West Virginia in his

efforts. He has shown great leadership, sensitivity and perseverance. I commend Senator TOOMEY for his willingness to join in this legislative effort. Together they have done the Senate and the country a great service. At the outset of the Judiciary Committee's consideration of this issue, I encouraged Senators to bring forward their ideas, to debate that which they thought could make a difference, not just obstruct that which they opposed. I hope those who oppose the measure put forward by Senators MANCHIN and TOOMEY will seek to be part of this debate rather than simply try to silence it.

Improving the background check system is a matter of common sense. Senators MANCHIN and TOOMEY have shown that it can be accomplished in a way that better protects our communities and fully respects our Second Amendment rights. I am pleased to support this bipartisan solution.

Now, will everybody agree on this legislation? Perhaps not. But at least have the courage to vote yes or no. Vote yes or no. If you are going to vote maybe, that is voting for a filibuster. The American people want a little bit of courage on the part of 100 Senators.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted in speak for up to 10 minutes each.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM

Mr. WYDEN. Mr. President, in Shakespeare's "Julius Caesar," a soothsayer warned Caesar to "beware the Ides of March." For most Americans, however, the Ides of March passes without incident. It is the Ides of April—April 15, tax day—that so many Americans dread. The last few days must have been a big bonanza for the headache medicine industry. Taxes are due tonight at midnight.

Millions of Americans spent their weekend struggling to use tax software that crashed, flailing about to locate receipts, and wading through hundreds of pages of tax instructions. Instead of enjoying the outdoors or spending time with family and friends, too many

Americans spent this past weekend hunched over their kitchen tables or in front of their computers surrounded by a maze of receipts, canceled checks, forms, and other paperwork as they undertook the annual water torture ritual of preparing tax returns.

This is the tax instruction booklet for our personal taxes, our 1040 form. It goes on and on, well over 200 pages. The first 104 pages of instructions are the basic form 1040. The further 110 pages of instructions are for the most common schedules to the 1040. There has got to be a better way.

Some day I hope Democrats and Republicans can come to the floor of this body, ask unanimous consent that this goes into the trash, and instead we substitute a much simpler way for our people to do their taxes. The reality is the Tax Code is too complex, too costly, and simply takes too much time to comply with. It is a code that is hopelessly out of date, mind-numbingly complex, increasingly unfair, and extraordinarily inefficient.

As a result, one of our most consequential economic policies, our tax law, does far more to stifle economic growth than to encourage it. Our country needs a comprehensive overhaul of our system of raising revenue and a modern Tax Code that is simpler, fairer, and simply more efficient. In sum, what is needed is a progrowth economic tax policy. If history is any guide, particularly when former President Reagan and a big group of Democrats got together, it can bolster American families and increase revenue without raising rates.

I have been something of a broken record on this issue for some time. But on a day such as this, particularly given what our people went through over the past weekend, I think it is time we spend a few minutes to talk about how important it is to bring some common sense to American tax law. What is particularly striking is that I think the Congress understands what needs to be done. This is a question of political will now. There have been all kinds of blue-ribbon reports from the Bush administration, the Obama administration. I think what needs to be done is widely understood.

The pipes in the Tax Code are clogged with provisions that encourage rent-seeking behavior, lead to the misallocation of capital, and warp the American economy. What needs to be done is go in there and drain the swamp and clean out the Tax Code. It contains almost 4 million words. In the last decade alone, more than 130 laws have been enacted that yielded almost 4,500 changes to the Tax Code. That amounts to more than one change to the Tax Code each and every day, year in and year out.

It has become so complicated that almost 90 percent of taxpayers either hire a tax preparer or use tax preparation software to complete returns. The

IRS reports that the average estimated time burden for all taxpayers filing a Form 1040, a 1040A, a 1040EZ, is 13 hours, with an average cost of \$210. With respect to these forms, nonbusiness taxpayers face an average burden of about 8 hours, a full day's work, while business taxpayers face an average burden of about 23 hours, nearly 3 days of work.

In 2011, the Small Business Administration found that among businesses with 20 or fewer employees, tax compliance cost \$1,584 per employee. In addition to the escalating cost of compliance with this code, cost, both time and money, the complexity of the code, in my view, has obscured the typical person's ability to understand it and has undercut voluntary compliance, which is, of course, the bedrock principle of our tax law.

With the ongoing debate about how to reduce the budget deficit, the Tax Code's complexity serves also to perpetuate what is known as the tax gap; that is, the difference between what taxpayers pay and what is owed under the law. The most recent Internal Revenue Service estimate for the tax gap is \$385 billion. Based on statistical trends, the likely gap for this year is going to exceed \$420 billion. This is an underpayment of approximately 14 percent.

My gut tells me—I serve on both the Finance Committee and the Joint Committee on Taxation—that some of this gap certainly is due to conscious tax evasion, but I also believe a significant portion of it is attributable to inadvertent mistakes in filing, many of which stem from the complexity of the code. Well-coordinated, thoughtful, comprehensive reform is going to reduce the need for many complex provisions that limit the ability of taxpayers to benefit from certain deductions, credits, exemptions, and exclusions. Comprehensive tax reform must eliminate the multiple provisions that require taxpayers to calculate their liability multiple times, such as the alternative minimum tax. Talk about bureaucratic water torture. All this weekend across the country we had middle-class folks essentially doing their taxes twice as a result of the minimum tax. The personal exemption phaseout, PEP, and the phaseout of itemized deductions, Pease, isn't much easier.

I would show this poster which demonstrates 11 tax forms. These are forms, colleagues, the typical filer must fill out every year or, if they can afford it, pay someone to fill them out. Is it really necessary to run this full-time, hand-cramping program for our citizens to have to wade through all of this?

We also have another alternative, a one-page 1040 form which I have worked on with colleagues for years. It is only about 29 lines long. Some indus-

trious reporters took this particular tax form and found a typical citizen—this was worked on by Democrats and Republicans—may fill out their taxes with this form in under an hour.

To illustrate how complicated the code has become, let me refer briefly to capital gains. The income tax currently imposes at least nine different effective tax rates on capital gains, depending on the taxpayer's regular rate, how long an asset was owned, the type of asset, and whether the taxpayer owes the alternative minimum tax. For this the IRS provides three different worksheets, one with 37 lines, to help taxpayers calculate their tax on capital gains.

Comprehensive reform should make things easier for taxpayers by allowing a percentage exclusion for long-term gains and reapplying regular tax rates to the rest. This simple change, to have an exclusion for a measure of capital gains which have been earned and then a progressive rate structure from this point on, would sharply reduce the complexity of returns while maintaining fairness and opportunities for all our people to invest.

Further complicating matters, a number of commonly used terms in the Tax Code: qualifying child, modified adjusted gross income, and more, have multiple definitions depending on the provision. Certainly, Democrats and Republicans should agree uniform definitions for the most commonly used terms are something which shouldn't be a bipartisan issue. More than 40 definitions of small business exist in the Tax Code alone.

There are certainly policy reasons to provide tax benefits to families with children. The definition of a child differs widely across the Tax Code.

Children under 19 count in defining the earned-income tax credit benefits. Those under 17 qualify for the child credit, and only those under 13 are eligible for the child and dependent care credit. Maybe these differences result from deliberate congressional actions about who ought to receive tax benefits, but I think they needlessly complicate tax filing and certainly lead to inadvertent errors which the Internal Revenue Service then attempts to figure out how to correct.

Other factors used to define qualifying children further complicate the situation, including the child's physical residence, custody arrangements, and who pays the child's living expenses. Establishing a single definition to determine whether taxpayers may claim tax benefits for children would simplify both tax filing and IRS processing of returns.

The list only goes on and on, such as the earned-income tax credit, something vital to low-income families, and a whole host of different workshops. The educational credits are, again, another example where families with stu-

dents in college qualifying for multiple tax benefits to defray educational expenses often may claim only one of them. For example, a family may be able to claim either the Hope credit or the Lifetime Learning Credit, but not both for the same student.

If the family has more than one student it may claim one credit for one student and the other for a second student. Determining which alternative is best requires multiple calculations and may conflict with the use of other tax benefits for education such as Coverdale savings accounts and 529 savings plans. Comprehensive tax reform would, at the very minimum, coordinate these educational benefits to make it easier for families to determine eligibility.

How complicated have things become? A few years ago Treasury's Inspector General for Tax Administration sent staff to pose as taxpayers at 12 commercial preparer chains and 16 small independent preparers. Of the 28 tax returns the professionals prepared, 17 had mistakes. All of the business returns were wrong. Let me repeat that. All of the business returns were wrong when professionals had prepared them.

In 2006 the same sort of drill was undertaken. Again, the Government Accountability Office found professional preparers made mistakes. They mishandled those bread-and-butter kinds of issues, such as the earned-income tax credit and the childcare credit. They even got it wrong whether the taxpayer should even itemize his or her deductions.

The question is, If the pros can't figure out how to file taxes, isn't it clear, isn't it obvious to all of us the Tax Code needs to be purged and the special interest breaks cleaned out so rates can be held down for all? And we can agree on a simple tax philosophy. I can sum up mine in a sentence.

I believe we need a tax system which gives everybody in America the opportunity to get ahead. If you are successful, we want you to be successful. You will pay your fair share, but nothing in the Tax Code will make it impossible for you to be successful in the days ahead. If you don't have much, we will have a Tax Code which is simple and understandable. When you work hard and play by the rules, you will have an opportunity to get ahead as well.

Comprehensive tax reform will make it easier to file. It is going to lay out an opportunity for the Senate Democrats, Republicans, and Independents to come together.

I close simply by saying once again, we saw in the past few days how broken and dysfunctional our tax system in America has become. Can you imagine what people thought when their software was crashing in the last couple of days? They are trying to find their receipts, flailing through filing cabinets trying to find those documents which

attest to their taxable events for the past year. They can't know with certainty, based upon some of those analyses by the Government Accountability Office, whether they have done it right or even professionals have done it correctly.

Until this Senate comes together on a bipartisan basis to work for a simpler, more coherent tax system—one which promotes growth and eases the burden on American families and American businesses—there will be no relief from the Ides of April. This, in my view, is a tragedy worthy of Shakespeare.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I ask for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX DAY

Mrs. FISCHER. I rise today on Tax Day, the deadline for Americans to file Federal tax returns on their hard-earned income for the 2012 tax year. Benjamin Franklin famously said the only sure things in life are death and taxes. Today we Americans live up to that second hard truth, the day when the taxman comes.

For those of us in Congress, Tax Day serves as an important reminder of just who is funding all of the government's spending: it is the American taxpayer. Even as families across America have made tough decisions and tightened their household budgets, the Federal Government has gone on a spending spree. The government has posted four straight trillion-dollar deficits and is growing the national debt, which is approaching \$17 trillion.

In recent years the average annual deficit has skyrocketed to 8.7 percent of our gross domestic product. These deficits should be all the evidence we need in order we get our fiscal house in order.

I believe, and Nebraskans believe, to generate economic growth we must first address our Nation's addiction to spending. We need to fix our broken tax system, and what better time than Tax Day to highlight this need?

Tax Day is a day to renew our efforts to simplify the tax system and ease the burden on hard-working Americans. The act of actually filing taxes is never pleasant, but it also allows Americans the chance to assess just how much of their income is going toward subsidizing an ever-growing bureaucracy.

Rather than make it easy for citizens to comply with the income tax requirements, the Federal Government has held onto an arcane, convoluted tax system. Many citizens, particularly small business owners, are forced to hire costly accountants or buy tax software just to sift through the

3,951,104 words of the Tax Code which, along with other rules and regulations, fills 73,608 pages of text, all in order to figure out just how much one owes.

Nebraskans shouldn't need to waste their time or pay for expensive financial advisers just to fork over more money to Uncle Sam. Americans collectively spend more than 6 billion hours preparing their tax returns. Imagine what more could be done if Americans could focus less time and resources on tax compliance.

According to the National Federation of Independent Businesses, 90 percent of small businesses have given up attempting to comply with the Tax Code. Instead, they pay a professional tax preparation service.

Through tax reform to make the Tax Code simpler and fairer, these small businesses could redirect scant resources currently used for tax compliance to focus more on growth and creating jobs.

I am encouraged, however, by the recent efforts toward much needed comprehensive tax reform to simplify our Tax Code. Just last week the chairman of the Finance Committee, Senator MAX BAUCUS, wrote an opinion piece in the Wall Street Journal with House Ways and Means Committee chairman DAVE CAMP highlighting their progress to date in pressing toward bipartisan tax reform.

President Obama has called for revenue-neutral corporate tax reform in his fiscal year 2014 budget. Unfortunately, the President's proposal is contingent on a \$1.1 trillion tax increase above and beyond the \$1.7 trillion in tax increases the President has already sought and won.

Such a tax hike sends the unmistakable message to every American taxpayer that the government knows how to spend their money better than they do. I believe American families know how best to spend their money, particularly during ongoing times of economic hardship when everyone is called upon to make tough decisions and to make those tough decisions about their budgets and about spending.

Revenue-neutral, progrowth tax reform should not only be geared toward the corporate side of our Tax Code, we should pursue revenue-neutral tax reforms on the individual side as well which would benefit American families as well as small businesses that pay those taxes at the individual level.

Small businesses generate two out of every three new jobs. Ninety-five percent of businesses, which employ nearly 70 million Americans, are organized in such a way that earnings are passed through the enterprise and therefore subject to taxation at the individual level. Tax day provides us with a needed reminder of how broken our Tax Code is. We can and should use it as the impetus to pursue progrowth tax reform. My goal for tax reform is sim-

ple—a fairer tax code that ensures that Nebraskans and our neighbors from across the country can keep more of the money they work hard to earn while providing for the core duties and responsibilities of our government.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

GUN SAFETY

Ms. STABENOW. Mr. President, we are about to enter into an incredibly important debate about a series of issues relating to violence—specifically, gun violence—in our communities all across America.

Today I rise to speak about a very important bipartisan amendment I will be offering with Senator ROY BLUNT and others called the Excellence in Mental Health Act. This addresses a very important piece of the discussion. It is an opportunity for us to come together amidst a lot of controversial debate and agree on something that is a very important piece of the puzzle—having access to comprehensive, quality mental health services.

This weekend we heard from Francine Wheeler, whose 6-year-old son Ben was murdered on December 14 in Newtown, CT. We know that Ben was one of 26 people—20 children—who lost their lives. I can only begin to imagine what all of us as parents would feel in that situation. For those 26 victims and the 3,300 other Americans killed since then in acts of gun violence, it is time to take action. I am hopeful, given the strong bipartisan vote we had to move forward on this debate, that we can actually have the debate, that people will have their say and then vote on this very important issue.

The bill before us is a commonsense effort toward comprehensive background checks that will help save lives. I am very supportive of not only that provision but others that will be offered as well.

One important piece that hasn't been in the headlines as much but is very important in getting it right is the need for better access to comprehensive mental health services. That is why we need the bipartisan Excellence in Mental Health Act passed as an amendment that will increase access to care and improve the quality of life for those who need it.

We know that a person who does not receive treatment after his or her first psychotic episode is 15 times more likely to commit a violent act. But let me be clear. We also know that the vast majority of those who are living with mental illnesses are more likely to be a victim of crime than to be a perpetrator of crime. But tragedies do happen when treatment and help are not available.

In too many instances today we are seeing that there is not effective help

available to people in communities. The current lack of access to mental health services means too often it is the local police who are responding to psychiatric emergencies, and they may not have services to which to take someone. These police officers are being diverted from what they should be doing—responding to other crimes—and so they take people to jail rather than have them get the services they need. They are spending resources incarcerating people who would otherwise need to be and should be in a treatment situation.

That is why we have law enforcement supporting this amendment. We have over 50 organizations—from law enforcement and community mental health and health groups, as well as those who represent our brave veterans home from the war—supporting us because they know that if we don't have quality service in the community, we will continue to see people in jail who shouldn't be in jail, we will continue to see families and individuals not getting the help they need, and in some circumstances we will see more tragedies occur as well.

Over the course of this week, we are going to hear a lot of debate about different aspects of gun safety. Colleagues are going to disagree about the manner of background checks or limits on assault weapons. But I hope there will be no disagreement that people with serious mental illnesses should be given effective treatment and that we can do a better job in our country to make sure treatment is readily available in a community setting. That should be the hopeful part of this whole debate.

Science has shown us significant advances in the study of the brain and the most effective mental health treatments. There are solutions if people get the help they need. They can live healthy, productive lives rather than struggling with their illness. And I applaud President Obama's historic brain mapping initiative to expand that knowledge even more.

It is amazing to me that we have so many studies relating to heart disease, kidney disease, or diabetes, and yet all of the issues relating to the brain—whether it is bipolar disorder or Alzheimer's or Parkinson's disease or schizophrenia—we have not tackled with the same vigor. There are solutions. We are finding those every day. There is hope. Today, thanks to cutting-edge research, we have answers for people living with severe mental illnesses. We have proven therapies, treatment options, and medicines that truly transform lives.

I speak as someone who lived, as a daughter, through a time when we did not have appropriate treatments. When I was growing up, in middle school and high school, my father had bipolar disease. At that time we didn't know what it was. He was misdiagnosed for 10

years. At that time everybody was schizophrenic. There was no understanding that we actually have chemical imbalances in the brain, just as someone who isn't monitoring their sugar because they are diabetic might have. They need to monitor that in order to take medicine to keep them on an equilibrium so they do not get sick and have problems. We have the same thing with something called mood disorders in our country, and we have learned much about it. If someone is taking the right medicine, it stops the imbalance where they are either manic or severely depressed.

There are solutions. When my dad was finally diagnosed correctly and received the help he needed and the medicine—at the time it was lithium—he went on to lead a very productive life for the rest of his days. So I have seen both what happens when people don't get treatment and when people do, and we literally have the opportunity to take this next step in order to make sure people all across our country get the help they need.

Unfortunately, today one-third of all bipolar disorders do not get any treatment even when we know there are absolute answers for individuals and families. Shame on us for not making sure those are readily available. The amendment I will be offering would make sure those are available and close what I believe is the final step in what we have called mental health parity.

We, as a group, on a bipartisan basis passed legislation authored by our dear departed Paul Wellstone and Senator Pete Domenici, with strong advocacy from Senator Ted Kennedy, to provide parity under health insurance between physical and mental health services. We passed that. We have now gone on to strengthen that with the new health reforms that are in place. The only place where we don't have mental health parity right now is in the community outside of the insurance system. We do not have the same parity between what we do through a community health clinic receiving reimbursement for preventive care for health services and what we do for behavioral health—mental health, substance abuse—which is what we are going to fix with this amendment. We want to make sure we are focusing comprehensively in the community.

As part of this, I also wish to talk about another tragedy facing our country; that is, the loss of so many of our heroes from Iraq and Afghanistan. This is a very important part of this story and part of what our amendment will address in a very positive way. Men and women who survive the horrors of war are ending up taking their own lives when they come home. Twenty-two veterans a day commit suicide, 22 a day today, yesterday, and tomorrow. They and their families, all those in that situation, need to know there is

help available for them. That is why we have very strong support from veterans, the Iraq and Afghanistan veterans organizations, which were very pleased to have stood with us last week when we did a press conference with veterans to focus on this important part of the puzzle.

We know that one in four veterans coming home needs some kind of mental health support, so we want to make sure that if they are in a rural community in northern Michigan and it is 3 or 4 hours to drive to the VA, they instead could receive some help in their own community—working with the VA but receiving help in their own community—and that is what this does. We want to make sure that our veterans are fully receiving the services promised them and that comprehensive health care will be available to them when they come home.

I would like to share just one story from our press conference.

Jennifer Crane joined us. She is a veteran of the war in Afghanistan. This October will mark 10 years since she returned home, but she says, "The experiences live inside of me like it was yesterday." She suffers from post-traumatic stress disorder. She couldn't sleep. She self-medicated and ended up homeless and in trouble with law enforcement. But when she got the help she needed at a community mental health center, it transformed her life. She met the man who would become her husband. She is now going to have a baby and now works with Give an Hour, which is a wonderful organization that helps veterans get the mental health services they need, and they are strongly supporting what we are doing as well.

Jennifer could have ended up a statistic, but she got the help she needed. We need to give every one of our heroes coming home from war the same opportunity. That is why the Excellence in Mental Health Act is so important as a part of all of this effort.

We have come a long way, in a bipartisan way, to recognize the need for mental health treatment. As I mentioned before, the wonderful partnership of Senators Domenici, Wellstone, and Kennedy paved the way for us to more fully understand that when we talk about comprehensive health services, we shouldn't stop at the neck—from the neck down, one set of rules; from the neck up, another set of rules—that, in fact, we are talking about comprehensive care. We need to make sure we lose that stigma and focus instead on what we can do to help people receive the services they need. This amendment takes those efforts across the finish line by expanding access to community mental health services.

I knew there would be a lot of controversial debate, but I hope in the end we will be able to come together, as we

have on this amendment. I am very appreciative of the bipartisan support. I want to thank Senator ROY BLUNT again on our Excellence in Mental Health Act, as well as Senator MARCO RUBIO, Senator SUSAN COLLINS, Senator LISA MURKOWSKI, and others who have expressed their support as well. This is an opportunity for us to come together, as we have in the past, and do the right thing for millions of families dealing with mental illnesses that are treatable. The good news is there is hope now. There are actually answers now to so many mental illnesses. By passing our bipartisan Excellence in Mental Health Act we can prevent tragedies from happening in families all over our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, first, I commend and thank my colleague from Michigan, Senator STABENOW, for her leadership on an issue that is among the paramount questions for our time: whether we will meet our obligation to regard mental illness on a par with physical illness, a cause that has occupied me for a long time. So I want to thank the Senator from Michigan for spearheading this initiative, which is a vital part of the effort to stop gun violence in our country and, in fact, make our country healthy in so many ways. I am proud to join her as a cosponsor and a supporter of these efforts.

I come to the floor today to continue the debate on the gun violence initiatives which are central to making America safer and making our country stronger. This bill is a comprehensive set of provisions that will hopefully be further strengthened by an amendment to be offered this week. We are on the cusp of voting on that amendment, the work done by Senators TOOMEY and MANCHIN, our colleagues, to reach a reasonable compromise. It is indeed a sensible, commonsense compromise that I am proud to support that will guarantee a criminal background check system to keep firearms and weapons of war out of the hands of people who are dangerous, people who should not have guns, criminals, mentally ill, seriously mentally problem-stricken, and of course others, such as domestic abusers.

For too long, criminal individuals and organizations have prospered from illegally distributing weapons and firearms. So the bill in its second title takes a great step toward barring illegal trafficking and to also ban straw purchases.

Too often given short shrift or little attention is the third title which speaks to school safety, and that is the measure that brings me here today.

School safety is not an afterthought. It is central to stopping gun violence. The tragic lessons we have learned

from Sandy Hook include not only the courage of the educators, those brave teachers and administrators and school psychologists, who literally threw themselves at bullets and cradled the loved ones of families who lost their lives, cradled children in their care as they were met by a hail of gunfire—that teaching moment should not only inspire us but obligate us to do more about school safety.

That is why I have gone to the schools of Connecticut, most recently on a tour that I conducted to ten schools around the State, to learn from our educators what they think those lessons are from Sandy Hook and where they think the priorities should be in terms of school safety. That experience provided me with some pillars of a program that I believe is important and is embodied in the act that is before us: the School and Campus Safety Enhancement Act. I want to thank Senator BOXER for her leadership on it which reauthorizes in effect the Secure Our Schools Program, which has been very productive and unfortunately was not reauthorized when it expired.

These measures and the pillars of this program can be summarized very simply:

First, decisions should be made locally about what best fits the community. Those decisions ought to be made by school districts and their boards, parents, teachers, administrators—all who are involved and have the knowledge and expertise and commitment locally, and Washington should not impose its judgment on those communities with a one-size-fits-all set of policies.

Second, school safety ideally should involve a partnership between educators and law enforcement. In many of the schools I visited, I saw the value of school resource officers. More importantly, educators pointed out to me the value of their partnership with local law enforcement through school resource officers who acted not only as security personnel but also as mentors, counselors, and role models, preventing crime, not just stopping it in progress or apprehending criminals afterwards.

Third, schools must be open, supportive, nurturing environments. They cannot be prisons. They cannot be transformed into permanent lockdown. We must commit ourselves to the freedoms and liberties that are embodied in our schools and the educative atmosphere that is so priceless and essential to real education. We cannot solve this problem by simply having more guns in schools, or arming teachers or administrators. Trained school resource officers or others provided with law enforcement support have to be part of a nurturing and open environment.

The act that is before us today embodied in title III is important to move forward school safety, and to em-

bolden, encourage, enable, and empower local decisionmaking.

Today, I want to provide a very short report to my colleagues on what I have learned in my tour; and I encourage my colleagues to do the same around their States because it is genuinely a learning experience. The teaching moment of this tour changed my perspective on school safety, and certainly reinvigorated my appreciation for what happens in the classrooms and schools of our country with the leadership of our teachers and administrators. We owe them a great debt of gratitude.

The issue of safe and secure schools certainly raised its head last week in the town of Greenwich, CT, when reports of a gunman put Greenwich High School in a lockdown. Thankfully, the suspect was apprehended, unarmed, with no casualties. The fact that a lockdown was even necessary underscores that we have made great strides; but our young people will not be safe in schools unless we know all of the best practices and implement them. This threat proved empty, but it offered a learning experience in terms of the training, the locking and unlocking procedures for school doors, the types of issues that can be addressed through better and more regular coordination with local police and others who can provide that kind of guidance.

Over the past 3 weeks, the schools I visited were large and small, in widely varying parts of our State: Manchester High School, Kelly Middle School in Norwich, Middletown's Snow Elementary School, New Britain High School, West Bristol K-8 School, the Gilbert School in Winsted's High School, Northwestern Region 7 High School, Waterbury's West Side Middle School, Ross Woodward Magnet School, and Shelton Intermediate School. In every one of them, I saw different ways of dealing with school safety, and also aspiration for even better procedures and equipment—locks, lighting, alarms, cameras—but also training for teachers, and more school resource officers. I believe one of the most important pillars of this program has to be Federal resources that meet those local needs without imposing a one-size-fits-all policy. These schools are in widely different areas in terms of geography and demographics, the size of the communities they serve, the size of the schools, the qualifications of their staff and their training. That is why this program has to be individualized in terms of how it meets these needs and, again, empower and enable local decisionmaking.

The Secure Our Schools grant program has impacted Connecticut very positively. The program has a direct and tangible impact on schools in Stamford, for example, where the problem of gang violence was addressed, and in other schools around the State such as Hartford, where the grant was

used for the purchase of an outdoor intercom station, as well as locks and card readers to control access to school.

The Secure Our Schools Program was a success story, and this act now will not only reauthorize but strengthen the Secure Our Schools Program.

To give some examples: In Manchester, the swipe card entry program not only provides for better security but better attendance tracking. The Illing Middle School in Manchester is considering that system, but the installation costs run about \$50,000—a small price to pay for greater security that the card system provides. In general, I found security was not only cost effective, it was minimal in its cost compared to many other programs we are potentially taking to improve school safety.

When I went to see Kelly Middle School in Norwich, I had to buzz in on an intercom and announce myself. That was true of many other schools as well. A Senate pin may allow us access to the floor of the Senate without passing through security, but it doesn't get you into Kelly Middle School, nor should it. They have a simple, practical system. If you are visiting during school hours, you buzz in and announce yourself, and then they decide whether that individual can enter through another set of locked doors. The double locks are a system that some schools are considering implementing. It is a sensible policy that is enabled by an intercom system and a camera—again, minimal in cost compared to many other infrastructure programs we may be considering this year.

In Middletown, I visited Snow Elementary School. Principal James Gaudreau demonstrated how their doors are locked. When a person is buzzed in, video cameras record and archive who is entering. Some schools have archiving systems, others do not. Law enforcement knows that archiving is important. As Chief William McKenna and Mayor Dan Drew told me, these systems are planning that was undertaken even before Sandy Hook. School systems, boards, administrators, and teachers were aware of security before Sandy Hook, but their awareness has been enhanced and they are planning to devote additional resources to this issue. Both Mayor Drew and Chief McKenna extolled the virtues of the three school resource officers, and they are looking for additional resources to create afterschool programs and other measures to enhance that partnership and cooperation between police and students, and teachers, educators, and law enforcement can collaborate.

Visiting New Britain was very important on this tour.

When I went to New Britain High School with Mayor Tim O'Brien and school superintendent Kelt Cooper, I saw there the requirement that any

visitor is automatically run through a database check—the sex offender database check. Using the driver's license they were able to run that kind of check virtually instantaneously. They also have, in that single high school, 150 cameras to know what is going on in that school minute to minute and with direct links to the police headquarters so that any kind of emergency is immediately apparent to law enforcement. The school is going to install discrete panic buttons, allowing for rapid alerts to be sent to law enforcement, a belt-and-suspenders approach that many schools are implementing.

At Sandy Hook we know that Adam Lanza ended his massacre and took his own life when law enforcement arrived. So the presence of law enforcement can often have a powerful deterrent effect. The knowledge that apprehension will be swift, that killing will be stopped, is a huge deterrent.

At West Bristol K-8 School, Tim Callahan, who is the school project manager there, pointed out to me how a parent dropoff was configured with visual straight lines. Again, design and architecture is important to security so that out in the parking areas there are virtually no blind spots. They have integrated security features into this building while it was constructed. West Bristol also requires visitors to buzz in through the main office when they go through the main building. With grant funds made available under this legislation, this school could install locks on a second set of doors, slowing down potential intruders. We know in these dangerous emergency situations that time is critical. Slowing down a killer, stopping an invader at a second locked door, can gain time for law enforcement to respond and save lives.

Adam Lanza killed 26 people, 20 beautiful children and 6 great educators, in 5 minutes with 154 bullets. If he had been stopped earlier, if a second set of doors had alerted police, if a buzzer had been available of the most immediate kind available elsewhere, the consequences might have been different. There were alerts to the police. They responded virtually immediately. Their response was heroic and profoundly significant to saving even more lives. But we know that time is of the essence in these situations and that is why double locks, buzzer systems, identification, additional checks—all can be important.

The chief operating officer in New Haven Public Schools, Will Clark, told me about that kind of buzzer system there and in Winsted. School officials, including the regional school district school superintendent, Judith Palmer, and the high school principal, Candy Perez, are working hard to improve its security system. But infrastructure there, as they told me, is a continuing challenge. Winsted Board of Education

member, Mimi Valyo, told me, "We do not even have wifi."

In 2013 we are in a wireless age, and the next generation of security systems may rely on Wi-Fi or smartphones. We need to make sure schools like Winsted have the resources they need to address the security needs of the 21st century with the technology of the 21st century. School security is too important to be allowed to lag.

I thank all of the educators who educated me, who shared with me their stories of progress, their goals for the future, their hopes that we can improve our schools and make them safer. If we make our schools safe, we make our children safer, and we make America safer. I am hopeful—more optimistic than ever in light of the vote we took last week—that we are making progress and that we will have positive votes in the days ahead, votes that fully fulfill our obligation to stop the plague of gun violence.

Again, I thank my colleagues for their courageous votes last week and urge them to move forward this week in the same way.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, last week Senator TOOMEY, my dear friend from Pennsylvania, and I introduced this important piece of bipartisan legislation with our colleagues Senator KIRK and Senator SCHUMER. It is called the Public Safety and Second Amendment Rights Protection Act because that is what it does.

This bill protects the safety of the public and our constitutional right to bear arms. Since we introduced the bill, there has been a lot of misinformation about this legislation. I wish to set the record straight with hard facts about our proposal and what it will do and what it will not do.

I think people need to understand how guns first get into their life, which is through a commercial sale of some sort. We are not talking about creating any new laws; we are making the laws we have uniform.

First of all, today we have on the books FFL—Federal firearms licensed—dealers, and there are approximately 55,000 throughout the United States of America. We all have one close to us in our neighborhood. These are friends of mine and people I know. If a person goes to a licensed dealer today and purchases a gun, they are required to do a criminal background

check. The background check is basically to see if that person is able to have a gun. That licensed dealer puts that record of the background check they did, and only he or she, as a licensed dealer, can keep it.

It is against the law to form some type of registry. The paranoia of those who say someone will know where my guns are and people can take them away cannot happen. In our bill, we double down to make sure it doesn't happen by making it a felony with a 15-year imprisonment, so that myth is gone.

The second way to buy a gun is at a gun show. If a person goes to a gun show and that same FFL dealer—if that person went to their store, he or she would go through a background check. If a person goes to a gun show and buys from a dealer there, he or she would still have to go through a background check under current law. If that person goes to the next table, he or she can buy whatever they want and nobody is checking, and that is what we are going to stop.

Let's say I want to buy a gun through the Internet from Senator TOOMEY in Pennsylvania and I am in West Virginia. I see he has a gun for sale, and I want to buy that gun. As the law is stated today, as far as buying interstate—from West Virginia to Pennsylvania—Mr. TOOMEY would have to send that firearm to a licensed dealer in West Virginia, and I would have to have a background check done before I can take possession of that gun.

We are not creating new law. All we are saying is if a person goes to a gun show, there will be a background check for all guns that are sold at the gun show. If a person buys through the Internet, there will be a background check whether it is instate or out of State. This is not a universal background check. This is basically a criminal and mental background check and that criminal and mental background check has to show that person has been found guilty by a court that he or she is a criminal or criminally insane and not allowed to buy a gun and that is all.

So what everybody is hearing with all this talk is just falsehood. If a person is a law-abiding, proud gun owner, such as myself, and likes shooting and going out in the woods with friends and family, we do not infringe in any way, shape or form on individual transfer.

For those transactions which are not commercial transactions—for example, in West Virginia usually your grandfather or uncle or somebody gets you your first gun. There are some people who never bought a gun but have a collection of guns that was handed down to them by their family. Those people will still be able to have that type of transaction. That is not interfered with. A person can sell a gun to their neighbor without any interference. A

person can put a note on the bulletin board in their church and say: I have a gun I would like to sell and sell it to a church member.

So if anyone says we are infringing on somebody's right, we are not. As we worked on the bill, we basically looked at the gun culture in America, who we are, how we become who we are, and that is what we took into consideration.

I, for one, as a gun owner and a person who enjoys hunting and shooting and all the things and camaraderie which that brings, I feel sometimes I am looked upon in an objectionable way because I enjoy that. I am a law-abiding citizen and my second amendment right gives me that right. I want to make sure that right is protected. I also have a responsibility to do the right thing, and that is why we are here.

If we are looking for ways to keep our citizens safe from mass violence, then shouldn't we look at the culture of mass violence? I have gone around to the schools in West Virginia and talked to some of the students.

We can talk to our young pages, the brightest and best of what we have. They have probably become desensitized compared to what the Presiding Officer and I would have seen in our generation. If we saw what they do in a movie—and we didn't have the Internet back then, so we didn't have anything to compare to it.

If we are going to talk about banning somebody's weapon, such as a hand-me-down gun, if you will, don't you think we ought to have people with expertise who can tell what the gun does to make sure it isn't just something that might look fancy but doesn't perform any better than a deer rifle? The Commission on Mass Violence is part of this bill. Basically, we are going to have people who have gun expertise, people who have mental illness expertise.

I have gone to the schools and talked to teachers in kindergarten, first grade, and second grade. They are saying: Wait a minute. We have no help. We have identified kids who are challenged mentally or come from a home that is unstable and not getting proper support, and we have nothing to do to help them. As a society, I believe we have a responsibility, so we are going to have that Commission with guns and mental illness expertise.

How about school safety expertise? We had the horrific situation in Newtown. That gentleman got in that school, not because he had a key or because the door was unlocked, he got in that school because he was able to shoot the glass out of the front door and stick his arm in, hit the safety bar and let himself in.

I have been a Governor for 6 years in the State of West Virginia. We built a lot of schools, and we remodeled a lot

of schools. Not once did an architect come to me and say: Governor, if we are going to build these schools, we need all these safety devices so a person cannot get into the school.

They told me about the lockdown for each room so a person would need to have a safety code to get into a room. Not one time was I told we should have bulletproof glass on every first floor window. Not one time was that ever brought up to me. We need people who have school safety expertise.

There is video violence. Talk to the children and youth of today. If you have not gotten on the Internet lately and flipped to video violence, you should do it. It will amaze you. What you see will absolutely scare you. They are exposed to horrific things, which I can never imagine from my childhood. Don't you think we should have the people who are the first defenders of the first amendment come and talk to us about how we can change the culture of violence in our society? That is what we are talking about.

I have heard a lot of my colleagues on different talk shows saying they didn't like this or we should be doing that. My good friend Senator PAT TOOMEY and I are going to go through this bill and explain what it does and what it doesn't do and how we can move the ball forward by keeping society safe, treating law-abiding gun owners with the respect they should have and make sure criminals or the mentally insane who have been found to be so by court cannot buy a gun.

So if someone is a law-abiding gun owner, they are going to like this bill. If someone is a believer in the second amendment right of Americans to bear arms, they are going to like this bill. If someone is a defender of the rights of our military veterans, they are definitely going to like this bill. If someone is looking for ways to keep our citizens safe from mass violence, especially our precious children, they are going to like this bill. For those criminals or persons who have been declared mentally insane by the courts, they are not going to like this bill, and that is exactly what we have tried to do.

I want to go through much of this, but I want to give my friend Senator PAT TOOMEY an opportunity. I appreciate his input so much. We are sister States, West Virginia and Pennsylvania—especially western Pennsylvania. My family and I grew up in Farmington and Fairmont and northern West Virginia, which is an hour and a half below Pennsylvania. We have the same slangs and sayings. We say "you'ns" instead of you all or you. Pat and I understand each other.

I would like Senator TOOMEY to explain the part that is so near and dear to him as well as to me.

The PRESIDING OFFICER. The Senator from Pennsylvania.

TRAGEDY AT THE BOSTON MARATHON

Mr. TOOMEY. Mr. President, I wish to begin by actually taking a moment to inform the Members of this body and people who may be listening, if you were not aware, it appears that a tragedy has struck at the Boston Marathon and bombs have gone off and there are injuries that we know of, casualties, the severity of which we do not yet know. We hope and pray there are no fatalities. Apparently, according to the news reports I have seen, it is too soon to know that with certainty.

I know my good friend from West Virginia joins me in having our thoughts and prayers go out to the victims and their families of the very disturbing news we have just learned this afternoon.

GUN SAFETY

Mr. TOOMEY. I cannot tell you how much I appreciate the Senator from West Virginia. The work we have done together has been challenging and constructive. I think we have come to a very sensible legislative product—something I can be proud of. I want to thank Senator KIRK for the work he did on this from way back, and Senator SCHUMER's contribution to this process as well.

I wish to start, if I could, with some thoughts about the second amendment and what it means to me and why I think a proper understanding is so important in this discussion.

Sometimes it is useful to go to the source, and so, as a reminder—not that we are not familiar with it—I am going to read from my pocket version of the Constitution the second amendment to the Constitution, which simply says:

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Today, we often think that the second amendment is about sportsmen, it is about hunting. That is an important part of it. But the second amendment is actually much more profound than a protection for hunters. It is more fundamental to our country and who we are as a people.

In my view, the Framers, in writing the second amendment, were recognizing our natural rights, our natural law rights of self-defense and self-preservation. In fact, those rights precede the Constitution. They were acknowledging and recognizing those rights in the Constitution. They did not create them.

I would also suggest that the second amendment is about sovereignty. Who is sovereign in this country? Is it the government? Is it the head of state or is it the people? I think, as we know, this whole great experiment of ours that is America is an exercise in recognizing the sovereignty of the individual

people. And a sovereign people, it flows logically, ought to have the right to bear arms, to protect themselves.

Ultimately, our Founders intended the second amendment to be the means by which we would maintain our liberty and prevent tyranny. We often take things for granted in a democratic society in which we get to select our own government and our constitutionally protected rights are respected. But we all know that around the world and in the recent past there have been appalling cases where tyranny has destroyed the rights of relatively free peoples who in many ways have come from societies not terribly dissimilar to ours.

So these are some of the thoughts that occur to me when I think about the second amendment, why it is so important to me. I see it as a very important part of our very identity as a Nation and as a people. It is why it is very important to me personally.

In addition to being a gun owner and someone who has always respected these rights, it has a very important philosophical underpinning for me.

For years, of course, we had many contentious debates. One of the contentious debates we had about the second amendment for many years probably arose from the first phrase about the "well regulated Militia." The debate centered around whether this right, this second amendment right—that, obviously, is enshrined in the Constitution—was a collective right that depended on one's membership in a militia or if it were an individual right belonging to individual people.

It was always clear to me this is an individual right. It is clear to me for a variety of reasons, not the least of which is the Founders never recognized the idea of collective rights. For them, it was all about individual rights. But, fortunately, our judicial system put an end to that question when a conservative majority of U.S. Supreme Court Justices reached the Heller decision. In *District of Columbia v. Heller* they made it very clear this is not a collective right, this is not contingent upon membership in a militia. The second amendment is an individual right that applies to individual Americans. And I wholeheartedly agree.

Not too long after that, in the *McDonald et al. v. City of Chicago* decision, the Court went even further in a way in upholding the Heller decision and referencing that. It affirmed that decision, but it went farther and said this second amendment right is so important and so fundamental and so basic that it is binding on States and local governments as well. So not only can the Federal Government not infringe upon second amendment rights, but neither can a State or a local government. So that is a pretty impressive conclusion that our Court has come to in resolving a big part of this contentious debate.

I would pose a question the Court has also addressed, and that is, is this a right that is enjoyed by all of the people of America? In my opinion—and I think this is not controversial—the answer to that question is no. Young children are not expected to be afforded the same second amendment rights as adults. Criminals who have been convicted of crimes have foregone many of their rights, including second amendment rights, by virtue of their conviction of serious crimes. And dangerously mentally ill people are people whom we as a society have every right to protect ourselves from, and so they do not have the same second amendment rights everyone else has.

Now, I would argue, to our Founders this was a given. After all, this was a time when capital punishment was quite common and they fully accepted capital punishment. How perverse and absurd would the idea be that someone who was subject to capital punishment would somehow be able to enjoy second amendment rights? Of course not. It is obvious criminals forego that right.

The Heller decision, the recent Supreme Court decision I referred to, addresses this as well. Justice Scalia observed:

Nothing in our opinion—

That is the Heller opinion affirming the individual right of the second amendment—He says:

Nothing in our opinion should be taken to cast doubt on long-standing prohibitions on the possession of firearms by felons and the mentally ill . . . or laws imposing conditions and qualifications on the commercial sale of arms.

It seems to me that is a very explicit explanation that it is not an infringement on second amendment rights to attempt to keep firearms out of the hands of criminals and mentally ill people.

So if the Founders were in agreement on this, and the Supreme Court is in agreement, and we have laws in all 50 States that make it illegal for certain criminals and mentally ill people to have firearms, the question is: Are we willing to take modest measures to try to achieve this goal that I think we all share and that is clearly consistent with our Constitution?

That is what Senator MANCHIN and Senator KIRK and I are trying to do here today. What we are trying to do is make it a little bit more difficult for the people who are not supposed to have firearms in the first place to obtain them. I think Senator MANCHIN will agree with me there is no panacea here, there is no law anyone could write—certainly not this one—that is ever going to guarantee that a determined criminal will not be able to obtain a weapon one way or another or that maybe even a mentally ill person may not be able to obtain a weapon eventually if they are sufficiently determined. But can't we take a very

modest step to make it more difficult, if we can do it in a way that does not infringe on the second amendment rights of law-abiding citizens whose rights we want to defend?

So I think of our bill as doing three broad things. And Senator MANCHIN and I will walk through some of the specifics of how we achieve this. But I would suggest one way to think about it is three categories.

One is, we simply encourage greater compliance with the background check system we have in place now. We are not inventing a new one. We are not inventing new criteria for it. But the fact is, the participation in the background check system by the various States—you see, we rely on the States to provide information about the people who have been adjudicated as mentally dangerous, the people who have been adjudicated as criminals. They have been convicted. The Federal government does not have that information. We rely on the States to provide it. What we do in this bill is create greater incentives for the States to, in fact, participate because the participation varies dramatically.

A second thing we do is expand background checks to gun sales at gun shows and over the Internet. Again, this is not a new system. We are just applying this background check to a category that has not been subject to it, but it is the existing system.

Then the third thing is—and we will talk about this at a little length, I hope—we have a number of measures in this bill that, frankly, I think are overdue and they enhance the opportunity for law-abiding citizens to simply exercise the second amendment rights they ought to be able to exercise.

I think Senator MANCHIN put this very well. If you are a law-abiding citizen who enjoys exercising second amendment rights, you are going to like this bill. It is going to enhance your ability to exercise those rights that you have. If you are a criminal, and you want to get a weapon illegally, you probably are not going to like this bill because it is going to make it a little harder for you to do that. It will also make it harder for someone who is mentally ill.

I am going to yield back for my friend, the Senator from West Virginia. But before I do that, I want to make one simple point about how tangible and how real and how important this can be. I am referring to enhancing compliance with the NICS background check system.

We all remember the Virginia Tech shootings. One of the aspects of this tragedy is that the shooter's ability to obtain a weapon might have been prevented. I say that because the young man, Seung-Hui Cho, had already been adjudicated to be mentally ill, dangerously so, by a Virginia judge. They had discovered this. They had figured

this out. They knew this was a very unstable and very dangerous man. But the State of Virginia never passed that information on. So there was no information about this man in the national background check system when who knows whatever demons possessed him to go out and obtain guns so he could wreak the havoc he did. He went and submitted himself to a background check, and he passed with flying colors because the system did not have the data.

One of the things Senator MANCHIN and I are proposing in this legislation is, let's provide greater incentives; and there is a carrot and there is a stick and a cost to States so they will be more in compliance.

Now, I will be clear: If Virginia had provided this information to the system, then this shooter from Virginia Tech would have been denied that day and we do not know what would have happened after that. It is possible he would have found some other way to obtain weapons. But think of all the other things that might have happened. If he had been denied at that moment and he had walked out of that store, who knows what else might have intervened—whether he would have gotten help, whether he would have been stopped some other way. We will never know that. But it seems to me it is a good idea to try to put that block in place, and that is one of the things we would achieve. Our legislation, I think, would go a long way over time to encouraging and, in fact, realizing a greater compliance on the part of the various States.

Senator MANCHIN may want to elaborate a little bit on how we achieve that, and then I would continue in this discussion with him.

The PRESIDING OFFICER (Mr. KING). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I come from a State where, like most of the rural States in America, there are an awful lot of people who live a solid life. There is a thing back home that we call a person having either common sense or nonsense, and now we think people ought to have a little gun sense. It just makes sense when we think about what we are doing—not infringing on anybody's rights but protecting those rights—by prohibiting those who shouldn't be able to have a firearm through a commercial transaction from getting one.

My good friend Senator TOOMEY was just talking about second amendment rights, which all of us hold near and dear if a person comes from a gun culture State such as ours. With that being said—I just talked about common sense and gun sense—one of the largest progun organizations in the country, the Citizens Committee for the Right to Keep and Bear Arms, which is strictly for the right to protect the second amendment, has come

out in total support of this legislation—total support. Do my colleagues know why? Because they read the bill. That is all we are asking. They read the bill.

A lot of our colleagues have been told certain things. We have a lot of friends in different gun organizations who have been told different things. All Senator TOOMEY and I ask is to take the time and read the bill.

We started out working this bill from so many different angles. Everybody had a part in this. What we tried to do was find something that would make a difference.

I want my colleagues to think about this: Most of our colleagues have been visited by those unbelievable families from Newtown. I can't even imagine—I really can't, I still cannot—I know the Presiding Officer probably saw the clips when I lost control of my emotions, but I am a grandfather, I am a father, and I can only imagine what these families are going through.

Let me put my colleagues in that state of mind, of losing a child in such a tragic way. A child goes to school. A parent would never expect that child not to come home from school—one of the most sacred places we have—but it happens. How would my colleagues feel? What state of mind would they be in? Let me tell my colleagues their state of mind. To a person, each one of these family members came in and said: We don't want to take anybody's guns away. We don't want to ban any weapons. We don't want to infringe on people's second amendment right.

On top of that, they said: We really know and realize the bill the Senate is working on right now would not have saved our beautiful little children. But what we are asking the Senate to do is maybe save another family, just maybe prevent another family from going through what we went through.

We need to think about that. I wish I could be that strong. I said that if 100 of us in this body had 1 ounce of the courage those family members have, oh, my goodness, what a body we would have. If we weren't worried about all of the outside pressure and maybe getting elected, maybe getting the campaign funds it would take for us to go out and get elected, if we worried about basically keeping a gun out of the hands of a criminal in a commercial transaction—a criminal who has gone through a court system and has been found guilty—or out of the hands of a mentally insane person who has gone through a court and found to be unfit, just maybe we could save one life.

Someone says: Well, why would the Senate take this on? I don't know why else we were sent here other than to try to make a difference. The easiest vote I can make while I am a Senator is no. I can vote no on about everything and be fine. I can go home and people won't say: Why did you do that?

I am glad you voted that way because I don't like that either.

Do my colleagues follow me? "No" is the safest vote as a Congressperson or a Senator. I understand that.

It is wonderful, I guess, to have the title of "Senator." It is a great honor to be in this unbelievable body with these truly magnificent people. I want to make a difference. I want to do something, and I think most of my colleagues do as well.

The only thing I am asking of my colleagues who have been told something or have heard something or have gotten pressured phone calls and letters is to read the bill. Just read it. It is only 49 pages. When have we had something that could change the course of our country and it is only 49 pages long? I have seen bills that were 1,000 pages, 500 pages, amendments that were 300 pages. We have an entire bill that is 49 pages. That is all we have asked for. That is all.

My dear friend Senator TOOMEY and I are going to be on the floor for quite some time. Tomorrow we will probably be joined by our other good friends, Senator KIRK and Senator SCHUMER. Everybody has come together. Senator SCHUMER started with a piece for the bill, and I said: My dear friend CHUCK, I can't support that.

He said: Can I work with you?

I said: I would love for you to work with me.

My dear friend MARK KIRK from Illinois has been steadfast and rock solid. He has been right there.

This is bipartisan. Bipartisan—is it Democratic and Republican? This is America. I don't want to say it is bipartisan. This is America. This is about whether we can make a difference. Can we change something? Can we have the influence of people who are basically the most unselfish, strongest, bravest people I have ever met, including the families of the Newtown children, to be able to come and say: Listen, I want to protect the rights of law-abiding citizens. I want people to have their rights. I want people to enjoy their guns. I want people to enjoy their hunting trips with their families. I want people to enjoy all the things the second amendment gives us. But I want to protect another family, protect another child, protect another person in America.

That is all we are trying to do.

As we look through the bill, there are so many different things we have talked about. I have heard people say: Oh, my goodness, they are going to start registering, and they are going to give all of those records to some big fancy computer that is going to know exactly where to come and get the gun of the Presiding Officer.

Not only does the law prohibit that today, this bill—when we pass this bill, this law will basically say: If any government agency intends to do that and

abuse that record the law-abiding firearm dealer is supposed to keep—and only them—it will not only be a felony, it will entail 15 years of imprisonment. That is why we have these organizations basically joining in after looking at and reading the bill and saying: My goodness, this is really protecting second amendment rights.

So it is an emotional bill. It is an emotional time in our country, but truly it is a time for us to come together. It truly is. There is healing that must go on, and this bill will help that healing.

We want to talk about this, and we are going to go into it detail by detail, step by step.

I thank my good friend Senator PAT TOOMEY from Pennsylvania, and I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I think it might be useful to discuss some of the specific ways in which this legislation would enhance the compliance and the participation on the part of our 50 States with this existing background check system.

As Senator MANCHIN said—as we both said—we are not creating a new system. We are not creating a new set of rules by which the system operates. What we are simply asking is that since States already have information about people who are criminals and people who are dangerously mentally ill, we want them to put that in the database so we can discover when someone attempts to buy a firearm.

By the way—

Mr. MANCHIN. Mr. President, if my friend will yield, if I may, I would like to mention that we also discussed including an incentive so someone can't say that is an unfunded mandate. That provision is not an unfunded mandate, I say to my colleague.

Mr. TOOMEY. I also wish to mention one of the very typical categories of mental illness we want to capture, and that is people who have been publicly adjudicated. So that would be people who have pleaded not guilty to a crime by reason of insanity. That strikes me as a pretty good definition of somebody who is mentally ill. And someone who is deemed not competent to stand trial by virtue of their mental deficiency would be another category.

But the idea is that we have a series of specific measures that would encourage greater compliance. There is a carrot-and-stick approach. We would authorize some funding. It would have to live within the spending caps we have already agreed to, the overall spending grants that States can use to carry out, first of all, an assessment of the extent to which they are or are not currently in compliance. As I said, some States are probably doing virtually all they can and other States

are doing almost nothing in terms of providing the information they have to this database system, and they can start with an assessment of that.

We would then ask them to submit a 4-year plan by which they would develop full compliance or as full as they can achieve in 4 years. They work this out with the Attorney General. There will be benchmarks along the way. They would have a series of steps they would take by which they would start to turn over this information they already have about people who are criminals and people who are mentally ill.

If a State refuses to develop such a plan or to achieve the benchmarks they set out in their own plan, then we propose they have a penalty and they would lose some funding. That is the mechanism by which we have an inducement, an incentive for these States. They could lose up to 15 percent of what is known as the Byrne/JAG funding, which is funding Congress annually makes available to States for fighting crime.

So I believe this is a sensible combination of measures to simply encourage States to participate as they should.

If the Senator from West Virginia has anything more to say about the NICS improvement piece of this, I will certainly yield. If not, I want to mention a reason why I feel strongly about expanding the background checks. But at this point I yield for the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. I thank the good Senator from Pennsylvania. I appreciate that. I think what he said is spot-on. He is basically saying it preserves important exemptions of background checks that are in current law, such as the temporary transfers. That way, for example, a person can lend their hunting rifle. We are hearing all of those misnomers, such as that people can't even lend their hunting rifle to a friend or a family member. People can do that. We are not preventing that. There are no restrictions in those circumstances. Also under current law are transfers between families, friends, and neighbors, which we have already talked about. That can be done. That is not what we are talking about. Again, it is just common sense.

As I said, the Senator from Pennsylvania, as well as our other colleagues, Senator KIRK and Senator SCHUMER, and I have been talking back and forth about this. This is not a bill written by just Senators. We have had input from the outside. We have included people from all different walks of life. We would then proceed to do a little research to find out if what they suggested made sense and if it had been done and if it hadn't, whether an infringement occurred to a person who has not been able to enjoy their rights

as a law-abiding citizen. We did all of that.

I appreciate so much the Senator from Pennsylvania pointing out those issues, and we will talk more about it later.

I yield for the Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, the last point I wish to make is something about the NICS system that I should have mentioned; that is, currently there are States in which someone can be adjudicated as mentally ill, for instance, but that person is left with very few options to challenge that status. That is the current situation. We remedy that. One of the things we require in this bill, in the 4-year plan States have to develop, is that it has to include a program, a mechanism by which a person who feels they have been wrongly designated as someone who can't own a firearm by virtue of their criminal background or their mental health would have an opportunity to challenge that, as they should. There ought to be a process they can go through to challenge that finding so that nobody who doesn't belong on this list ends up on this list.

Let me move on to the background checks at gun shows. I am going to introduce this by reading a letter I received from a constituent yesterday. This happens to be a woman whom I know very well. I have known her for years. She is a conservative Republican, as it happens. She is a second amendment gun owner. Let me read what she wrote:

Hello, Pat. I just had to write after watching your leadership with this very difficult issue. I very much understand what you are doing with the gun show checks and appreciate your dealing with this. This issue is very personal to me and if you will indulge me, I will tell you.

She goes on to say:

I'm a very strong supporter of the second amendment. I'm the gun owner in my house. I do shoot. My father very proudly passed down his Remington 1100 to me several years before he passed away. He presented it to me with great pride. I accepted it as a very special moment between us. Meanwhile, Pat, I have an adopted daughter who has had emotional troubles her entire life. Much of our journey with her has been difficult and it continues to this day. My daughter has been involuntarily committed twice, and I unfortunately believe that it won't be the last time, as she refuses to get proper treatment. I was the one who had to sign her paperwork the first time. And it was made clear to me that I would be taking away her right to own a gun. I knew that we had no choice but to try and get her some help. But my hands shook and I had to pause quite a long time over that document, because I so strongly believe in our second amendment rights. Nevertheless, I signed it and I would do it again today.

At various times, people have been concerned for our safety with the volatile nature of my daughter's problems. The idea that she would be able to purchase a weapon openly in a public venue is not acceptable. I

do not believe that she actually would, but I don't find any comfort in the fact that she could have an avenue if she so chose. Once again, I cannot emphasize the importance of the second amendment to me enough. Pat, I thank you for your efforts in D.C. and bless you for all that you're doing. Be well and be strong.

I think that says a lot about what we are trying to accomplish. Here we have a passionate supporter of the second amendment, a gun owner, someone who has always been a believer in the second amendment. For reasons that she has explained very personally, very important reasons, she does not want her daughter to be able to go into a gun show and buy a firearm without so much as a background check.

Since the mom has the recognition of her daughter's problems, if the information is provided and if that State complies—in this case it is my State of Pennsylvania—with this background check system, then someone in the circumstances of her daughter attempting to buy a weapon at a gun show would be denied.

I think that is the outcome we all want. It is certainly the outcome her own mother wants, who loves her dearly and loves the second amendment.

I would yield back to the Senator from West Virginia.

Mr. MANCHIN. Mr. President, I think we all have letters such as Senator TOOMEY read right now and people looking for what we call gun sense, which goes right along with common sense. There is so much out there about the bill. Let me just reiterate a couple of things the bill does not do.

What the bill will not do: The bill will not in any way, shape, or form infringe upon anyone's second amendment right to keep and bear arms. In fact, it strengthens that, as Senator TOOMEY has so eloquently described.

The bill will not take away anyone's guns. Nobody will have their guns taken away. The bill will not ban any type of a firearm. It is not even in the bill. We are not banning anything. The bill will not ban or restrict the use of any kind of bullet or any size of clip. It is not in this legislation.

The bill will not create a national registry, which we just spoke about. In fact, it explicitly prohibits that, which would give the penalties of a felony and a 15-year sentence. As we talk about this bill, we are asking our colleagues to come down and bring their questions, concerns, or what they believe and what they have seen in talking to their constituents.

Right now I am very pleased to have with me a colleague of mine from the Big Sky State of Montana. He comes from gun culture like myself and Senator TOOMEY. I yield to the Senator from Montana.

Mr. TESTER. Mr. President, I would like to thank the Senators from West Virginia and Pennsylvania. I rise to talk about the Toomey-Manchin

amendment, knowing this is not an end-all when it comes to violence in America.

We have to do some things that revolve around mental health, mental illness, how we treat that, how we move forward in ways that make sense for folks who believe strongly in the second amendment, but also believe in how we make our communities safer. So whether it is the Toomey-Manchin amendment or whether it is some other amendment that may come up during this debate, or whether it is an amendment that deals with mental health and how we treat it and how we get professionals out there on the ground, this is a very important issue for folks in this country.

The second amendment is very important. I now want to give a little bit of background, which most of the Senators know. I come from a farming background. My grandparents came to our farm a little over 100 years ago. When my folks took the place over, my dad set up a custom butcher shop. For 20 years my wife Sharla and I ran that custom butcher shop. That means every morning, literally every morning, I would get up and we would go knock down a beef or a pork with a gun.

I literally made a good portion of my living on the farm with a gun. It was a tool. It was a way that kept us on the farm. It was a way that kept our farm economically viable. But you do not have to be a butcher to know the value of a gun. In Montana, we have sports men and women who literally start hunting at a very early age and know how to handle a gun. They know responsible gun ownership when they see it. They know irresponsible gun ownership when they see that too.

Right now, anybody can go out and buy a gun. In some States where the national instant crime background check is not very good, literally anybody, whether they have a criminal record or history of violent mental illness, can go out and buy a gun. I think what we are trying to do, what Senators MANCHIN and TOOMEY are trying to do with this amendment is to make the second amendment stronger for the people who are law-abiding gun owners but yet trying to keep guns out of the hands of folks who cannot handle them in a responsible way, and have a record of that—a court-adjudicated record.

As we move forward and talk about the things this bill does positively and negatively, I want to tell you, I have read it forwards and backwards. I have talked to folks. I can tell you this makes my second amendment rights stronger. For that I thank you.

Here is how it does it: My second amendment rights are only put at risk by people who use guns in an improper way. This bipartisan agreement makes sure we protect that second amendment for responsible gun owners, not

just in a willy-nilly way, by the way. This clearly defines what irresponsible gun ownership is. It fixes the underlying bill that, quite frankly, I moved to move forward on. But without this amendment I could not support it.

It does some positive things like lets gun dealers sell firearms across State lines at gun shows. That is new. It improves the process by which someone can get their rights restored. This is a big one for me. We have veterans returning from Iran and Afghanistan, by the way, who need treatment, can go get treatment. This bill does not impact them whatsoever.

On the other hand, if somebody has a serious problem, gets put on a list, they have the ability through this law to be able to get off that list once they prove they can handle that gun ownership responsibly. There has been a lot of talk about gun registries. This bill prohibits it from the Department of Justice. The way the world is right now I think it is fair to say nothing changes: No gun registry now. No gun registry after this amendment is passed. In fact, this strictly prohibits it when it comes to the Department of Justice.

There are protections in here for veterans to make sure they are treated fairly by the system. I serve on the Veterans' Affairs Committee. Montana has the second most per capita number of veterans in the country. It is important—it was true in Vietnam, but especially with Iraq and Afghanistan—that these folks are able to get the treatment they need without impacting their second amendment rights. I think we are clear on that. It does not impact them in a negative way.

If you want to give a gun to your son or daughter or you want to sell it to your neighbors or friends, there is no background check required. Active military can buy a gun in their home State or the station where they are, not just their duty station. It allows for a concealed carry permit to be used in lieu of a background check. But the bottom line is it does not impact my second amendment rights whatsoever.

I was on the tractor this weekend seeding a few peas and a little bit of barley. On the radio came a show called "Tradio," where if you have something you want to sell, you put it on the radio. One of the things that was being sold was a .308 rifle. Under this bill, if I put a .308 rifle on the radio, and PATRICK TOOMEY calls me and says he wants to buy that gun, I can. PATRICK TOOMEY is a friend of mine. We can sell it; no background check.

But if someone I do not know calls, then we whip down to the local store, do a quick background check, which takes—well, I will ask Senator MANCHIN from West Virginia. How long does a background check typically take on an individual buying a gun?

Mr. MANCHIN. I would say that more than 90 percent of the background checks in America that are done are less than 3 minutes, and probably even no more than a minute and a half. So in that range. That tells you about how quick it can be done.

Mr. TESTER. Exactly. So you zip down to the local gun store, wherever it might be in your town, do the background check. Then you do not have to worry about if, in fact, that person has a criminal past or is severely, violently mentally ill. It will be there. There is also language in this bill that if a State is not putting information in the National Instant Criminal Background Check System, money is pulled back.

In the State of Montana, I believe it is about 10 percent. In the State of Montana, that is serious dollars. It is well over \$100,000 to be pulled back.

Would the Senator from West Virginia like to talk about the thinking that went into that and how this could impact the background checks?

Mr. MANCHIN. All of the Members who worked on the bill, Senators TOOMEY, KIRK, and SCHUMER, all of us got together on that. There had to be—basically, one of our largest gun organizations brought us to task saying: We supported background checks 10 or more years ago. It just did not work.

You know what. They were right. So we said: Fine. Do you throw the baby out with the bathwater or do you change the water and make it a little bit better?

So we went back and looked at it. We said: Fine. We did not want any unfunded mandates. We put \$100 million a year for 4 years for the States to have grants to get them up and running to where they should be. So there is an incentive. We also said: If you do not do your job and you do not turn your records over of your adjudicated criminals or mental illness records, then 10 percent the first year, 11 percent—then I think it goes to 13 and up to 15. That is off of the Byrne/JAG money. Every State depends on that Byrne/JAG money. That is serious. No one else has ever put that in there.

You know what. That concern came from the gun organizations right now, one of them who is not supporting it and should be.

Mr. TESTER. Well, the bottom line is, I think this puts into effect real incentives to keep this National Instant Criminal Background Check System database up to snuff.

There is also a Commission on Mass Violence in this bill, which I think is good policy as we move forward, as we find almost on a daily basis some incident which has happened and is unacceptable.

The bottom line—and I know the Senator has talked about this a lot during the presentation of his bill. He has spoken about something called common sense. This would ensure when

we do a background check it actually is a background check. This bill will not solve all the violence problems in this country, not even close. Is it a step in the right direction while protecting my second amendment rights? Yes, it is.

Does it take away my guns? Does it stop my ability to go out and buy any guns I could buy today? No, it does not.

Does it have any impact on things like assault rifles or big, large magazine clips? No, it does not.

What it does is once the National Instant Criminal Background Check System is up to snuff, it will contain people who have a history of violence who used guns improperly. It will prevent people who are violently mentally ill from going out there and purchasing a gun.

If we are able to work together in a bipartisan way, as the Senator from West Virginia and the Senator from Pennsylvania have done, hopefully, we may move forward with some issues and policies which deal with mental health in this country, an issue we have not dealt with well as a society, or the stigma associated with it. If we can do this there are other amendments we may potentially put on this bill as we move forward.

If the amendments have common-sense backing and protect the second amendment, we should take a hard look at them and have a debate on those also. The bottom line is I want my second amendment rights protected. I want law-abiding citizens in this country to be able to continue to purchase firearms. I want my kids to be able to do that, my grandkids to be able to do that. I think this bill ensures that. I thank the sponsors for their hard work.

I yield for the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. I wish to thank my good friend, the Senator from Montana. I know how many calls he has received and the pressure. I know this because of all of the misconceptions and untruths. He did something we are asking all of our colleagues to do. He read the bill and found out for himself this bill does exactly what we have been trying to do for a long time: most importantly, protect the innocent and our people by keeping guns away from people and children who shouldn't have them. He read the bill. This is all we have asked for.

I yield for my friend from Pennsylvania, Senator TOOMEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. The Senator makes a point which may seem basic. This bill has been available online since Thursday night. It is available now and in every detail. It is available in summary form and available in any way people choose to look at it.

The Citizens Committee for the Right to Keep and Bear Arms, one of the pro second amendment rights groups which endorses this bill, states:

If you read the Manchin-Toomey substitute amendment, you can see all the advances for our cause, that it contains.

This “cause” refers to defense of the second amendment, which it contains.

The bottom line is, as the Senator from Montana pointed out, our amendment isn’t gun control. This is very clear, and I think it is an important contrast. There are other Members of this body who are not happy with this bill because they want active, aggressive gun control. For instance, they want to ban various categories of weapons. They wish to ban various categories of ammunition. They would like to ban various kinds of waiting periods and put other restrictions on law-abiding citizens. This is gun control. Restricting the freedom of law-abiding citizens who have never done anything to harm anyone and restricting their second amendment rights is gun control. I disagree with it. I oppose it. I will oppose every such amendment which comes before this body.

Trying to keep guns out of the hands of people who aren’t legally entitled to have them—dangerous people, be they criminals or dangerously mentally ill people—that is not gun control; this is common sense.

As I started off my comments, there is no dispute this is not an infringement on the second amendment. Our Founders didn’t think so. Our Supreme Court Justices didn’t think so. The laws in 50 States don’t maintain this. It is common sense.

I wish to point out another difference in the approach Senator MANCHIN and I have taken versus some others in this body have taken. Others have said let’s make a universal background check, and then we will think about who to make an exception for. Then they carve out very narrow categories.

One of the problems with that, in my view, is we will not imagine every sort of set of circumstances we ought to carve out. We took a different approach. We said private transactions generally don’t need to be subject to this. I am not going to try to imagine every conceivable private transaction. We said let’s have background checks on commercial transactions. This is where the big volume of commercial transactions occur and where strangers are buying and selling guns from each other. This is why we require the background check at gun shows, and we require the background check on Internet sales.

The private transaction, whether it is with a family member, friends, neighbors or colleagues, if it doesn’t happen at a gun show and doesn’t happen over the Internet, it is not subject to the background check. We thought that would be an unnecessary burden on people who know each other.

Let me just run through quickly some of the ways in which this legislation strengthens the ability of law-abiding citizens to exercise their second amendment rights. I will do this briefly. The Senator from Montana touched on some of these. I ought to start off underscoring something the Senator from West Virginia mentioned earlier.

Not only will this not in any way contribute to any kind of national registry, it is explicitly forbidden. Anybody in the Federal Government who did try to create a Federal registry would become a felon and subject to 15 years in prison. This is point No. 1.

One of the problems we have heard from our constituents who are gun enthusiasts, which we were able to address in this legislation, is clarifying and fixing interstate travel laws such as for sportsmen who are traveling long distances. Unfortunately, it happens too frequently when a sportsman is traveling from one State to another State, perhaps on a hunting trip or going home for Christmas and wishes to give a relative a gun for a present. He is perfectly, lawfully entitled to own this gun. He is following the rules and regulations in his State. He packs the gun appropriately in his vehicle. As he is traveling through another State, he discovers he is not in compliance with the other State.

People have gotten themselves into trouble. They have not done anything to harm anybody, they are just traveling into a State which has a whole different regime and doesn’t respect the regime of the other State.

We fixed that by clarifying in the legislation if a person is transiting through a State and in compliance with the laws of their home State, they are OK. We permit interstate handgun sales from dealers. We provide—and this is very important; the Senator from Montana mentioned this—a legal process for restoring veterans second amendment rights.

We have a problem in this country right now for veterans. They come back after serving this country, risking their lives, often sustaining injuries, sustaining trauma. They can go to the VA and have a social worker decide they are not able to handle their personal financial matters. This alone puts them on the registry, disqualifies them from being able to own a firearm legally and be able to purchase one.

I think this is outrageous, frankly. This is currently happening every day to veterans. We deal with that. We change the system. Under our legislation, this couldn’t happen. Before anybody at the VA could designate a veteran as somebody who can’t own a firearm, first they would need to inform the veteran 30 days in advance to give the veteran an opportunity to challenge the status. This is only fair. We owe that to those men and women who

have given so much to us. This is in our bill.

We also have a policy today where the law of the land forbids an Active-Duty military person from buying a gun in his home State. I don’t know whose idea this was. It doesn’t make any sense to me. This is the law. We repeal the policy in this bill to enable a man or woman serving in uniform in this country to buy a firearm in their home State. We also allow a person who has a concealed carry permit to use the permit as the mechanism by which they are approved for a gun sale. This stands to reason. The concealed carry permit process is itself a very cumbersome and onerous process. In many cases it is very thorough and very expensive. If someone passes that they should be fine. We have it in this bill as well.

I wish to underscore that these are the reasons two of the leading pro second amendment groups have endorsed this bill. It enhances the opportunity of law-abiding citizens to exercise their second amendment rights. If someone is a criminal or mentally unqualified to have a firearm, they are not going to like this bill.

As I said at the beginning, I feel very strongly about this. It is not gun control to try to keep guns out of the hands of people who are not qualified to have them.

I, again, wish to thank the Senator from West Virginia, my friend. I appreciate the hard work he has put into this. I appreciate the chance to share these thoughts and work with him. We will welcome any questions, comments, ideas or suggestions from our colleagues as we wrestle with this bill in the coming days and, hopefully, have a vote soon which will be successful on this amendment.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. I wish to thank Senator TOOMEY for his hard work, to be involved, informed, and to bring his expertise to the discussion we have had with our colleagues.

As he has been speaking we have been joined by our good friend Senator TESTER from Montana. Those of us who come from a gun culture State can put some of these myths to the side, if you will, and allow the facts to come out.

I think the most important thing about speaking today for a while is that we are not creating new law, we are improving old law. This is what we were sent here to do.

My father used to say the only thing that is new in this world is a pair of eyes. Everything else has been pretty much an improvement of what someone else has done. This is what we are trying to do. We are improving on a system which needed to be improved.

We spoke about the veterans, as Senator TOOMEY has. I didn’t know how veterans were treated when they came

home. We are in a war which has lasted longer than 12 years and counting. There are hundreds of thousands of men and women who have put their lives on the line for us and come back with challenges. If they have been affected by this war, they are almost afraid to be evaluated because if they are not evaluated in a positive way, they could be discriminated against.

I think that is wrong unless in a process and procedure they are found to not be competent. We have 150,000 who perhaps were not notified of their rights. We need to make sure they have the appeal process available to them. When this legislation passes, every veteran coming back going through a court proceeding can say: Wait a minute. I went through a field process, and I think your evaluation is wrong.

We can't put them in a system they need to work the rest of their lives to undo. I think we owe that to our great veterans in this country. Again, it comes down to simply reading the bill, not making up things, and listening to organizations that may be using this fear tactic as a campaign to raise funds, finances, and money. I don't like to say that. I am a proud member of organizations. They do a lot of good and informing and teaching safety to young children. We do a lot of things.

I had the benefit of growing up in a town with a sportsmen's club called the Farmington Sportsmen's Club. My father was not a big sportsman, but he wanted me to be involved. He worked a lot and didn't have time. These people took me under their wing at a very young time and taught me to respect and to use firearms safely. They taught me to be totally responsible, such as when I should put a shell in the gun, when I should not put in a shell, when I should have it in my case. Also, they taught me when I should carry it in the woods and when I cross the fence the gun should be unloaded.

All of us have heard of horrific accidents. These are just little things. They ingrained this into me. A lot of these organizations do good deeds. When they put misinformation out, they do a disservice to law-abiding gun owners and the people who respect the right the second amendment provides. Senator TOOMEY has eloquently spoken about this, as well as Senator TESTER.

This is going to continue for some time, I am understanding, and we are going to be talking, Senator TOOMEY and I. We will be joined by other colleagues—Senators KIRK, SCHUMER, and TESTER—and we are inviting all of our colleagues to come down. If you have heard something from a constituent or from an organization, come down and talk to us about it. We will show you in the bill that it doesn't do what they have said.

The biggest thing we have heard is about the registration. It doesn't do that. Not only does it not do it, it even

protects you more than you are protected today by law. We improve upon it. It doesn't take anybody's guns away. I think Senator TOOMEY talked about basically there are things he wouldn't vote for, nor would I. But guess what. That is not in this bill. There will be other bills, other amendments, that all colleagues will have a chance to either support, if they are for more gun support, or oppose.

What we are saying is, this is one piece of legislation we know will make a difference by keeping guns out of the hands of those who have been adjudicated through a mental court system or a criminal court system. And we know about commercial transactions—people have used all different types of figures as to how many guns basically are transferred at a gun show or online. With the expansion of the Internet there are going to be more and more. All we are saying is that is the least personal of all transactions—on the Internet. I might not know you, Mr. President, but up in your beautiful State of Maine I may see something you have that I would like, and with the technology of this modern world today to make contact, hopefully, I would be able to purchase that. That is something I could never have done 20, 30, or 40 years ago. But I want to make sure also that gun is sent to a licensed dealer who depends on his livelihood by abiding by the law and making sure a background check is done on me before I can purchase or pick up that gun I bought from you. That only makes common sense.

I have heard a lot of things such as: Well, they can be charging a lot. Fees can be charged. We allow the person who is going to be doing that service for you to charge a fee. Let me tell you, as a businessperson, every one of us in business, especially retailers, knows exactly the value of every customer who walks through a door. You might say: Well, they are just shopping. My grandfather says: There is no such thing as a shopper. They are all buyers. They just don't know it yet. They are going to buy something. They walk through the store and they have a value. And if they have a value, you know what is going to happen? You are going to see people advertising: Please come and let us do your background check free for you. That is a service we want to give you. We want you to be right and make sure the right person gets it. And guess what. They might be buying something else. They might buy new boots or some camouflage gear for their son or buy their daughter a new outfit.

That is marketing. That is business. That is what it is all about. So don't let the naysayers say: Oh no, too much of a burden. Trust me, the markets have a unique ability to correct themselves and take advantage of a situation. As a retailer, when a customer—

a buyer, not a shopper—comes through the door, we will sell them something. I know that.

So we are going to be happy to talk about this bill for a few days here. We want to invite all our colleagues down. We will be announcing the times we will be coming to the floor. In the meantime, to all of my colleagues, to all who have been hearing all of these things and getting excited about we are going to do something to take your guns away or take your rights away or register you, that is false. That is a baldfaced falsehood. All we are saying is go online and read the bill. It is only 49 pages. We have even broken it down for you. If colleagues will do that, and bring those conversations to the floor, that is all we can ask. The facts will set you free. The facts will set you free.

We have worked hard. Our staffs have worked exceedingly hard. And I appreciate everybody—my good friend Senator TOOMEY, my good friend Senator TESTER, and the other Senators; Senator KIRK from Illinois and Senator SCHUMER from New York—who has worked so hard to find a balance. It takes us all, from the right and the left, from both sides of the aisle—Republicans, Democrats, and Independents—to work together to make this an American bill. It is not just bipartisan, it is for our country. It is to save children, it is to keep our society safe, and also to protect the rights of law-abiding citizens and law-abiding gun owners such as myself and the Presiding Officer.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF BEVERLY REID O'CONNELL TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Beverly Reid O'Connell, of California, to be United

States District Judge for the Central District of California.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, since the American people first elected President Obama, Senate Republicans have been engaged in a concerted effort to filibuster, obstruct and delay his moderate judicial nominees. They have already, during the last 4 years, filibustered more of President Obama's moderate judicial nominees than were filibustered during President Bush's entire 8 years—67 percent more, in fact—and there is no dispute that President Bush was engaged in an effort to pack the courts with ideological extremists.

In connection with the wrongheaded filibuster of the nomination of Caitlin Halligan, an outstanding nominee to the D.C. Circuit, I urged them to abandon their misguided efforts that sacrifice outstanding judges for purposes of partisan payback. Regrettably, their response seems to be to expand their efforts through a “wholesale filibuster” of nominations to the D.C. Circuit and a legislative proposal to strip three judgeships from the D.C. Circuit.

I am tempted to suggest that they amend their bill to make it effective whenever the next Republican President is elected. I say that to point out that they had no concerns with supporting President Bush's four Senate-confirmed nominees to the D.C. Circuit. Those nominees filled the very vacancies for the 9th, 10th and even the 11th judgeship on the court that Senate Republicans are demanding be eliminated now that President Obama has been reelected by the American people. The target of this legislation seems apparent when its sponsors emphasize that it is designed to take effect immediately and acknowledge that “[h]istorically, legislation introduced in the Senate altering the number of judgeships has most often postponed enactment until the beginning of the next President's term” but that their legislation “does not do this.” It is just another foray in their concerted efforts to block this President from appointing judges to the D.C. Circuit.

In its April 5, 2013 letter, the Judicial Conference of the United States, chaired by Chief Justice John Roberts, sent us recommendations “based on our current caseload needs.” They do not recommend stripping judgeships from the D.C. Circuit but state that they should continue at 11. Four are currently vacant. According to the Administrative Office of U.S. Courts, the caseload per active judge for the D.C. Circuit has actually increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the 11th seat on the D.C. Circuit. When the Senate confirmed Thomas

Griffith, President Bush's nominee to the 11th seat in 2005, the confirmation resulted in there being approximately 119 pending cases per active D.C. Circuit judge. There are currently 188 pending cases for each active judge on the D.C. Circuit, more than 50 percent higher.

Senate Republicans also seek to misuse caseload numbers. The D.C. Circuit Court of Appeals is often considered “the second most important court in the land” because of its special jurisdiction and because of the important and complex cases that it decides. The court reviews complicated decisions and rulemaking of many Federal agencies, and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. These cases make incredible demands on the time of the judges serving on this court. It is misleading to cite statistics and to accuse hard-working judges of having a light or easy workload. All cases are not the same and many of the hardest, most complex and most time-consuming cases in the Nation end up at the D.C. Circuit.

As the former Chief Judge of the D.C. Circuit Court of Appeals explained again recently, “The nature of the D.C. Circuit's caseload is what sets it apart from other courts.” She correctly noted in her recent column:

The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, health-care reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

I ask unanimous consent that a copy of that article again be printed in the RECORD at the conclusion of my remarks.

Today, the Senate will vote on only one of the 15 judicial nominees ready for final action. While I am glad that we are being allowed to fill one of the 86 judicial vacancies around the country, I wish we were allowed to make more progress more quickly. After all, there are 14 judicial nominees voted out of the Judiciary Committee without objection who are currently pending before the Senate. All members of the committee, Republicans and Democrats agreed that they were qualified and should be confirmed. Some were held over from last year. Indeed, there are still five judicial nominees pending on the Executive Calendar who could and should have been confirmed last year.

There are currently three times as many judicial nominees on the Executive Calendar as there were at this

point in President Bush's second term. Of course by then the Senate had proceeded to confirm almost two dozen more judges than we have been allowed to proceed to consider. Before Senate Republicans pat themselves on the back too hard, they should help us clear the nominees backlogged from last year and acknowledge that there was just one judicial nominee confirmed this year whose hearing was held this year. The others were all nominees they needlessly held over for months and who should have been confirmed last year.

It is really incomprehensible that so many judgeships were forced to remain vacant for so long when there was no actual opposition to these consensus nominees. That is not what Democratic Senators did during the Bush administration. This is a new and destructive tactic. Despite the progress we have been allowed to make this year, we remain more than 20 circuit and district nominees behind the pace set during President Bush's administration. Just 183 of President Obama's circuit and district nominees have been confirmed, compared to 206 of President Bush's at the same point, and vacancies today are nearly double what they were in April 2005. We can make up much of that ground if Senate Republicans would just agree to a vote on all 15 nominees currently pending on the Executive Calendar. All of them received bipartisan support in committee, and all but one were unanimous. There is no good reason for further delay.

At this point in President Bush's presidency, when his district nominees were reported by the Judiciary Committee, it took, on average, just 35 days for them to receive a vote. The comparable average for President Obama's district court nominees is nearly three times as long, 102 days. This number is has a firm foundation—arithmetic. It is derived simply by adding up the number of days each nominee waited and dividing by the number of nominees. That is how an average is calculated.

During President Bush's first term alone, 57 district nominees were confirmed within just 1 week of being reported. By contrast, during his first 4 years only two of President Obama's district nominees have been confirmed within a week of being reported by the Committee. Just before the Thanksgiving recess in 2009, when Senator SESSIONS of Alabama was the ranking Republican on the Judiciary Committee, we were able to get Republican agreement to confirm Judge Abdul Kallon, a nominee from Alabama, and Judge Christina Reiss, our Chief Judge for the Federal District Court for the District of Vermont. They had their hearing on November 4, were voted on by the Judiciary Committee 2 weeks later on November 19, and were confirmed by the Senate on November 21.

They were not stalled on the Senate Executive Calendar without a vote for weeks and months. They were confirmed 2 days after the vote by the Judiciary Committee. That should be the standard we follow, not be the exception. It should not take being from the ranking Republican's home State to be promptly confirmed as a noncontroversial judicial nominee.

Digging deeper into the numbers, the Congressional Research Service has found that during President Bush's first term, 85 percent of his district nominees waited 60 days or fewer for a vote. In President Obama's first term, 78 percent of his district nominees waited 60 days or longer. What these data show is that President Obama's district nominees have been facing unprecedented delays. There is an undeniable pattern of Republican obstruction and delay that has faced district nominees during the last four years, a pattern that is without precedent.

While these delays and backlogs are without precedent, Republicans point to April 2004 as the one time that there were a number of President Bush's nominees pending on the floor. Of course back in April 2004, President Bush had bypassed the Senate and recess appointed two individuals to be circuit judges, while Republican Committee staff hacked into a shared server to pilfer Democratic files. Still, we were able to clear the backlog that resulted by confirming more than 20 consensus nominees in just 1 month. There is nothing like that to explain the years of backlogged judicial nominees during this administration. In truth, 17 of the judicial nominations for which Senate Republicans take credit over the past 2 years should have been confirmed more than 2 years ago in the preceding Congress. They allowed only 60 judicial confirmations to take place during President Obama's first 2 years in office, the lowest total for a President in over 30 years. This is not a new phenomenon. During President Obama's first year in office, Senate Republicans stalled all but 12 of his circuit and district nominees. That was the lowest 1-year confirmation total since the Eisenhower administration, when the Federal bench was barely one-third the size it is today.

The fact is that we have these 15 nominees waiting for a vote. All Senate Democrats are prepared to vote on all of them today.

Before Republicans take refuge in the number of vacancies without a nominee, they should be honest about their slow-walking the President on recommendations for nominees from their home States. For example, there are 24 emergency vacancies in States represented by Republican Senators. Over 40 percent of all judicial emergency vacancies are in just 3 States, each of which is represented by 2 Republican Senators. Those Senators should be

working with the White House to fill those vacancies. I encourage Republican Senators to work with this President, just as I encouraged Democratic Senators to work with President Bush, to find good nominees for those important vacancies and to allow qualified nominees to move forward. I take very seriously our responsibilities of both advice and consent on nominations.

Today, the Senate is being allowed to confirm Judge Beverly O'Connell to a judicial emergency vacancy on the Federal trial court for the Central District of California, one of the busiest courts in the Nation. She currently serves on the Superior Court for the County of Los Angeles in California, where she has served for the last 8 years. She is also currently an Adjunct Professor of Law at Loyola Law School and at Pepperdine University School of Law. Prior to becoming a judge, she served in the U.S. Attorney's Office for the Central District of California for 10 years and worked in private practice as an associate at Morrison & Foerster LLP. She received the ABA Standing Committee on the Federal Judiciary's highest possible rating, unanimously "well qualified," and has the support of her home State Senators, Senator FEINSTEIN and Senator BOXER. She originally had her hearing last December, was unanimously approved by the Judiciary Committee, will be overwhelmingly approved by the Senate, and should and could have been confirmed last year.

Finally, last month, I spoke about the damaging effect of sequestration on our Federal courts and our system of justice and how these indiscriminate cuts have caused both Federal prosecutors and Federal public defenders to be furloughed. The effects have become all too real as even terrorism prosecutions are being delayed. Chief Judge Loretta Preska of the Southern District of New York called these cuts "devastating." The head of the Federal Defenders Office stated: "On a good day, we're stretched thin. . . . Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment." He is right. Sequestration is causing grave harm to our judicial system. I ask unanimous consent that a copy of an article dated April 8 be printed in the RECORD at the conclusion of my statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 28, 2013]

SENATE MUST ACT ON APPEALS COURT VACANCIES

(By Patricia M. Wald)

Patricia M. Wald, who is retired, served as a judge on the U.S. Court of Appeals for the D.C. Circuit from 1979 to 1999, including five years as chief judge.

Pending before the Senate are nominations to fill two of the four vacant judgeships on the U.S. Court of Appeals for the District of

Columbia Circuit. This court has exclusive jurisdiction over many vital national security challenges and hears the bulk of appeals from the major regulatory agencies of the federal government. Aside from the U.S. Supreme Court, it resolves more constitutional questions involving separation of powers and executive prerogatives than any court in the country.

The D.C. Circuit has 11 judgeships but only seven active judges. There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.

The court's vacancies date to 2005, and it has not received a new appointment since 2006. The number of pending cases per judge has grown from 119 in 2005 to 188 today. A great many of these are not easy cases. The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, healthcare reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

I served on the D.C. Circuit for more than 20 years and as its chief judge for almost five. My colleagues and I worked as steadily and intensively as judges on other circuits even if they may have heard more cases. The nature of the D.C. Circuit's caseload is what sets it apart from other courts. The U.S. Judicial Conference reviews this caseload periodically and makes recommendations to Congress about the court's structure. In 2009, the conference recommended, based on its review, that the circuit's 12th judgeship be eliminated. This apolitical process is the proper way to determine the circuit's needs, rather than in the more highly charged context of individual confirmations.

During my two-decade tenure, 11 active judges were sitting a majority of the time; today, the court has only 64 percent of its authorized active judges. This precipitous decline manifests in the way the court operates. And while the D.C. Circuit has five senior judges, they may opt out of the most complex regulatory cases and do not sit en banc. They also choose the periods during which they will sit, which can affect the randomization of assignment of judges to cases.

There is, moreover, a subtle constitutional dynamic at work here: The president nominates and the Senate confirms federal judges for life. While some presidents may not encounter any vacancies during their administration, over time the constitutional schemata ensures that the makeup of courts reflects the choices of changing presidents and the "advise and consent" of changing Senates. Since the circuit courts' structure was established in 1948, President Obama is the first president not to have a single judge confirmed to the D.C. Circuit during his first full term. The constitutional system of nomination and confirmation can work only if there is good faith on the part of both the president and the Senate to move qualified nominees along, rather than withholding consent for political reasons. I recall my own difficult confirmation 35 years ago as the first female judge on the circuit; eminent senators such as Barry Goldwater, Thad Cochran and Alan Simpson voted to confirm me regardless of differences in party or general political philosophy.

The two D.C. Circuit nominees before the Senate are exceedingly well qualified. Caitlin Halligan served as my law clerk during the 1995–96 term, working on cases involving the Department of Health and Human Services, the Immigration and Naturalization Service, the Federal Communications Commission and diverse other topics. She later clerked for Supreme Court Justice Stephen Breyer. She also served as New York solicitor general and general counsel for the Manhattan district attorney's office, as well as being a partner in a major law firm. The other nominee, Sri Srinivasan, has similarly impressive credentials and a reputation that surely merits prompt and serious consideration of his nomination.

There is a tradition in the D.C. Circuit of spirited differences among judges on the most important legal issues of our time. My experience, however, was that deliberations generally focused on the legal and real-world consequences of decisions and reflected a premium on rational thinking and intellectual prowess, not personal philosophy or policy preferences. It is in that vein that I urge the Senate to confirm the two pending nominations to the D.C. Circuit, so that this eminent court can live up to its full potential in our country's judicial work.

[From the New York Times, Apr. 8, 2013]

CITING CUTS, LAWYERS SEEK RELIEF IN
TERRORISM CASE

(By Benjamin Weiser)

Federal public defenders who are representing a son-in-law of Osama bin Laden on terrorism charges urged a judge on Monday not to hold an early trial because automatic government budget cuts were requiring furloughs of lawyers in their office.

The request, which seemed to take the judge, Lewis A. Kaplan, by surprise, follows requests that five or six federal judges in Manhattan have received from public defenders to be relieved from cases in the wake of the automatic cuts, known as sequestration, said Loretta A. Preska, the chief judge of the Federal District Court in Manhattan.

"It's devastating," Judge Preska said late Monday. She praised the work of the federal defenders and said their replacement in cases with publicly paid court-appointed lawyers would probably lead to delays and higher costs.

Judge Kaplan said in court on Monday that he was considering holding the trial of bin Laden's son-in-law, Sulaiman Abu Ghaith—a onetime Al Qaeda spokesman charged with conspiring to kill Americans—in September. After the defense requested a later date, he said: "It's extremely troublesome to contemplate the possibility of a case of this nature being delayed because of sequestration. Let me say only that—stunning."

The judge did not set a trial date, saying he would consider the request, but the exchange shows how the forced budget cuts are beginning to have an effect on the administration of justice in federal courts in New York.

About 30 trial lawyers with the federal defenders office handle around 2,000 criminal cases a year in federal courts in Manhattan, Brooklyn and other locations, according to David E. Patton, who heads the office.

The forced cuts, he said, will mean each lawyer in the office will be furloughed for five and a half weeks through the end of September, when the fiscal year ends.

"On a good day, we're stretched thin," Mr. Patton said. "Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment."

"Investigations have to be conducted," Mr. Patton added. "Evidence must be reviewed. Law must be researched. Those things don't just happen by themselves."

In seeking the delay, lawyers for Mr. Abu Ghaith, who was arraigned in March, cited the need for overseas investigation, the translation of voluminous materials and other issues. "We would urge the court to find a later date," one lawyer, Martin Cohen, said.

Judge Preska said that lawyers had been allowed to leave one of the cases in which the furlough problem had been cited; the issue is pending in the others.

Newly appointed lawyers would have to "get up to speed" on their cases, and because they are paid by the hour (federal defenders are salaried), the public would probably end up paying more, Judge Preska said. "There's no resolution," she said. "Time is of the essence, and we're very, very concerned."

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, in the midst of another tragic occurrence in our country, where we are all holding our breath to learn the facts, and praying, I wanted to say the business of the Senate is moving forward in terms of judges and how important it is to have judges in place so criminals can be prosecuted and justice is served.

Tonight in front of the Senate is Judge Beverly Reid O'Connell to be district court judge for the Central District Court of California. Judge Reid O'Connell was approved in the Judiciary Committee by a voice vote. She has had a very diverse legal career. She served as an exemplary superior court judge in Los Angeles. She will be an excellent addition to the Federal bench. She is a lifelong Southern Californian. She grew up in Northridge, where she was valedictorian of her high school. She went on to attend UCLA and Pepperdine Law School, where she was managing editor of the Law Review and graduated magna cum laude.

She began her career in private practice, spending 5 years as an associate at Morrison and Foerster. In 1995, she joined the Department of Justice as an assistant U.S. attorney, where she spent 10 years gaining critical criminal law and trial experience.

Judge O'Connell excelled as an assistant U.S. attorney. She was the deputy chief of the general crimes section, responsible for supervising all the attorneys in the criminal division. She was the lead attorney on a case that led to the indictment of the highest ranking member of a major drug trafficking organization on U.S. soil.

For her work on this case she was awarded the DEA Administrator's Award for Exceptional Service.

She has also received numerous other awards from the DEA, FBI, and local governments.

She was appointed Superior Court Judge in Los Angeles in 2005 by Governor Arnold Schwarzenegger, and Judge O'Connell is the Assistant Supervising Judge of the North Valley

Judicial District where she is responsible for supervising 3 court houses and 22 bench officers.

An expert in criminal law, she presides over all aspects of felony criminal cases before the Superior Court.

In addition to being well-respected for her demeanor on the bench and her stellar legal intellect, she is known by her colleagues as a great manager and supervisor, attributes which will serve her well at the busy central district.

Judge Reid O'Connell is also very active in the Southern California legal community.

She created a program that brings inner-city students to the Superior Court to educate them about the legal process and to spend time with judges and lawyers.

She also teaches continuing education courses to California judges on criminal law, and is an adjunct professor at the law schools of Pepperdine and Loyola.

Judge Reid O'Connell received the ABA's highest possible rating—unanimously "well qualified and they said she will make an excellent Federal judge.

While we are in the midst of some very contentious debates—and I hope and pray we will move forward with the background check amendment that was crafted by our colleagues Senator MANCHIN and Senator TOOMEY—and while we are worried about everything that has happened in the country, particularly what has happened today at the Boston Marathon, I know we can move forward tonight because we need to make sure we have qualified judges on the benches to deal with crimes, to deal with justice every single day.

I believe Judge Reid O'Connell is a wonderful choice for these very difficult times and I urge my colleagues to support her nomination.

Mrs. FEINSTEIN. Mr. President, I rise to express my strong support for Superior Court Judge Beverly Reid O'Connell's nomination to be a district judge for the Central District of California.

Born in Ventura, CA, Judge O'Connell graduated from the University of California, Los Angeles in 1986 and earned her law degree from Pepperdine University School of Law magna cum laude in 1990. She was managing editor of the Pepperdine Law Review.

Following law school, she worked on complex civil litigation in private practice at the law firm Morrison & Foerster for 5 years. She then joined the U.S. Attorney's Office in the Central District of California, where she served for 10 years, from 1995 through 2005. She handled a number of high profile cases, such as the prosecution of a high ranking member of the Arellano Felix drug cartel.

She was appointed to the Superior Court by former Governor Arnold

Schwarzenegger in 2005. She has been an outstanding judge, presiding over literally thousands of cases and approximately 150 jury trials. She also has been a proven administrator, serving with great skill as an assistant supervising judge for the North Valley District of the Superior Court.

Simply put, Judge O'Connell has outstanding credentials and an impeccable reputation, and she has received a rating of "well qualified" from the American Bar Association—the ABA's highest rating.

I will conclude by saying that I have met with Judge O'Connell, and I have no doubt she will be an excellent addition to the Central District.

I commend Senator BOXER for recommending such a fine candidate to President Obama, and I am pleased her nomination is on the floor today. I hope my colleagues will support her nomination.

Mrs. BOXER. Mr. President, before I yield the floor I want to say, for the note of anyone who has been following that on Monday nights I usually speak about climate change, I am not going to do this tonight. I am going to put that off until next week.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BOSTON MARATHON TRAGEDY

Mr. REID. Mr. President, I, like every Member of the Senate, am shocked and saddened by the news from Boston today. There were explosions near the finish line at the Boston Marathon. My thoughts go out to all those who were injured, and my condolences go to the families and friends of those affected by this tragedy.

I commend the first responders and the observers who rushed toward danger to help those who were hurt. We will continue to monitor the news from Boston.

President Obama has spoken to a number of people, including the mayor of Boston and Governor Deval Patrick. They have pledged every resource available to help those who were affected and to find and bring to justice the perpetrators. The President will be speaking to the Nation in about 20 minutes.

I will do whatever I can to support the people of Boston and the Commonwealth of Massachusetts, as we all will, during this difficult time.

I ask unanimous consent that all time be yielded back on the nomination, and following a moment of silence in observance of the tragic events which took place in Boston earlier today, the Senate then proceed to vote on the confirmation of the nomination.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Under the previous order, the Senate will observe a moment of silence.

(Moment of Silence.)

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Beverly Reid O'Connell to be United States District Judge for the Central District of California?

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN), are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. GRAHAM), the Senator from North Dakota (Mr. HOEVEN), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 96 Ex.]

YEAS—92

Alexander	Flake	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gillibrand	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Paul
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heller	Reid
Boxer	Hirono	Risch
Brown	Inhofe	Roberts
Burr	Isakson	Rockefeller
Cantwell	Johanns	Rubio
Cardin	Johnson (SD)	Sanders
Carper	Johnson (WI)	Schatz
Casey	Kaine	Schumer
Chambliss	King	Scott
Coats	Kirk	Sessions
Cochran	Klobuchar	Shaheen
Collins	Landrieu	Shelby
Coons	Leahy	Stabenow
Corker	Lee	Tester
Cornyn	Levin	Thune
Cowan	Manchin	Toomey
Crapo	McCain	Udall (CO)
Cruz	McCaskill	Udall (NM)
Donnelly	McConnell	Warner
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Feinstein	Mikulski	Wyden
Fischer	Moran	

NOT VOTING—8

Ayotte	Heitkamp	Vitter
Coburn	Hoeven	Warren
Graham	Lautenberg	

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. BEGICH. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE TO ANNA JO GARCIA HAYNES

• Mr. BENNET. Mr. President, today I wish to celebrate Anna Jo Garcia Haynes, a remarkable Coloradan, who has made helping kids her life's work. Anna Jo rises every morning and before she greets the day, asks, "What can I do to improve the lives of kids today?" She began her work with the founding of the Mile High Montessori Early Learning Center, which operates eight centers in Denver's inner city for children from families with limited resources.

Anna Jo has received many accolades over her career, and she has been recognized by foundations, elected officials, including both houses of the Colorado legislature, and many others. She is often praised with flowery language and many whereas clauses to acknowledge her service to Colorado's kids.

I know that Anna Jo would want me to say in my remarks today that she is very proud of her humble, pioneer roots in Colorado and that she raised five children, who were secure in their mother's love and grew up to become leaders in their own right. She would further want me to say that she lives for kids—and has worked to create hope and success for kids who were not born into educational or economic opportunity but who have achieved it due to the programs she has worked to create and support.

This month, Anna Jo is receiving due recognition from the Girls Athletic Leadership School in Denver, CO, for being a champion for Colorado education. I join the Girls Athletic Leadership School and the State of Colorado in thanking Anna Jo for working to create educational opportunity and for enriching our community and our State. I look forward to whatever Anna Jo tackles in the future and the positive influence she will continue to have in our community. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE
RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on April 12, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 716. An act to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on April 12, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 716. An act to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bill was subsequently signed on April 12, 2013, during the adjournment of the Senate, by the President pro tempore (Mr. LEAHY).

MESSAGE FROM THE HOUSE

At 2:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 678. An act to authorize all Bureau of Reclamation conduit facilities for hydro-power development under Federal Reclamation law, and for other purposes.

H.R. 1120. An act to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress.

The message also announced that the House has agreed to the following resolution:

H. Res. 142. Resolution relative to the election of Members to Joint Committee on Con-

gress on the Library and Joint Committee on Printing.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 678. An act to authorize all Bureau of Reclamation conduit facilities for hydro-power development under Federal Reclamation law, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1120. An act to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress; to the Committee on Health, Education, Labor, and Pensions.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 729. A bill to protect law abiding citizens by preventing criminals from obtaining firearms.

S. 730. A bill to prevent criminals from obtaining firearms through straw purchasing and trafficking.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 12, 2013, she had presented to the President of the United States the following enrolled bill:

S. 716. An act to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services:

Special Report entitled "Inquiry Into U.S. Costs and Allied Contributions to Support the U.S. Military Presence Overseas" (Rept. No. 113-12).

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Mr. MCCONNELL, Mr. GRASSLEY, Mr. PORTMAN, Mr. CRAPO, Mr. BOOZMAN, Mr. ENZI, and Mr. BARRASSO):

S. 720. A bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt; to the Committee on Finance.

By Mr. ROBERTS (for himself and Mr. MORAN):

S. 721. A bill to amend the Communications Act of 1934 to require a provider of a commercial mobile service or an IP-enabled voice service to provide call location information concerning the user of such a service to law enforcement agencies in order to respond to a call for emergency services or in an emergency situation that involves risk of death or serious physical harm; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN:

S. 722. A bill to require the Secretary of the Treasury to study the feasibility of providing certain taxpayers with an optional pre-prepared tax return, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. TESTER, and Mr. BLUMENTHAL):

S. 723. A bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease; to the Committee on Finance.

By Mr. BLUNT (for himself, Mr. RISCH, Mr. HOEVEN, Mr. WICKER, Mr. JOHANNIS, Mr. ENZI, Mrs. FISCHER, Ms. COLLINS, Mr. INHOFE, and Mr. BOOZMAN):

S. 724. A bill to provide flexibility to agencies on determining what employees are essential personnel in implementing the sequester; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN:

S. 725. A bill to provide a taxpayer bill of rights for small businesses; to the Committee on Finance.

By Mr. SCHATZ (for himself and Ms. HIRONO):

S. 726. A bill to amend the Public Health Service Act to provide health care practitioners in rural areas with training in preventive health care, including both physical and mental care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mr. MANCHIN):

S. 727. A bill to improve the examination of depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Ms. COLLINS, and Mr. CARDIN):

S. 728. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees; to the Committee on Finance.

By Mr. CRUZ (for himself, Mr. PAUL, Mr. LEE, Mr. BOOZMAN, Mr. SCOTT, Mr. INHOFE, Mr. RISCH, Mr. CRAPO, Mr. JOHANNIS, Mr. GRAHAM, and Mr. RUBIO):

S. 729. A bill to protect law abiding citizens by preventing criminals from obtaining firearms; read the first time.

By Mr. CRUZ:

S. 730. A bill to prevent criminals from obtaining firearms through straw purchasing and trafficking; read the first time.

SUBMISSION OF CONCURRENT AND
SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COBURN (for himself, Mr. SCHUMER, and Mr. MCCONNELL):

S. Res. 97. A resolution expressing the sense of the Senate that the Food and Drug Administration should encourage the use of abuse-deterrent formulations of drugs; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 135

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 135, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 232

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 296

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 309

At the request of Mr. HARKIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 313

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 313, a bill to amend the Internal

Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 448

At the request of Mr. RUBIO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 448, a bill to allow seniors to file their Federal income tax on a new Form 1040SR.

S. 450

At the request of Mr. SHELBY, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 450, a bill to require enhanced economic analysis and justification of regulations proposed by certain Federal banking, housing, securities, and commodity regulators, and for other purposes.

S. 453

At the request of Mrs. HAGAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 453, a bill to require that certain Federal job training and career education programs give priority to programs that lead to an industry-recognized and nationally portable credential.

S. 458

At the request of Mr. ROBERTS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 458, a bill to improve and extend certain nutrition programs.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Missouri (Mrs. McCASKILL) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 464

At the request of Mr. INHOFE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 464, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 470

At the request of Mr. TESTER, the names of the Senator from Oklahoma

(Mr. COBURN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 471

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 471, a bill to amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes.

S. 480

At the request of Mr. GRAHAM, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 480, a bill to improve the effectiveness of the National Instant Criminal Background Check System by clarifying reporting requirements related to adjudications of mental incompetency, and for other purposes.

S. 505

At the request of Mr. CRUZ, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 505, a bill to prohibit the use of drones to kill citizens of the United States within the United States.

S. 509

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 509, a bill to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah.

S. 510

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 510, a bill to authorize the Secretary of the Interior to convey certain interests in Federal land acquired for the Scofield Project in Carbon County, Utah.

S. 516

At the request of Mr. TESTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 516, a bill to reduce disparities and improve access to effective and cost efficient diagnosis and treatment of prostate cancer through advances in testing, research, and education, including through telehealth, comparative effectiveness research, and identification of best practices in patient education and outreach particularly with respect to underserved racial, ethnic and rural populations and men with a family history of prostate cancer, to establish a directive on what constitutes clinically appropriate prostate cancer imaging, and to create a prostate cancer scientific advisory board for the Office of the Chief Scientist at the Food and Drug Administration to accelerate real-time sharing of the latest research and accelerate movement of new medicines to patients.

S. 517

At the request of Mr. LEAHY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 517, a bill to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

S. 545

At the request of Ms. MURKOWSKI, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 545, a bill to improve hydropower, and for other purposes.

S. 579

At the request of Mr. MENENDEZ, the names of the Senator from Montana (Mr. TESTER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 617

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 628

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 628, a bill to amend title 10, United States Code, to extend the duration of the Physical Disability Board of Review and to expand the authority of such Board to review of the separation of members of the Armed Forces on the basis of mental condition not amounting to disability, including separation on the basis of a personality or adjustment disorder.

S. 629

At the request of Mr. PRYOR, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 635

At the request of Mr. BROWN, the names of the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 635, a bill to amend the

Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 679

At the request of Mr. BROWN, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 687

At the request of Mr. MORAN, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 689

At the request of Mr. HARKIN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 700

At the request of Mr. Kaine, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 710

At the request of Mr. WARNER, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 710, a bill to provide exemptions from municipal advisor registration requirements.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 725. A bill to provide a taxpayer bill of rights for small businesses; to the Committee on Finance.

Mr. CORNYN. Mr. President, I rise to reintroduce the Small Business Taxpayer Bill of Rights Act of 2013, SBTBOR.

As millions of taxpayers across the country race to meet today's deadline

to file their Federal tax return, it is important to note that their tax burden is more than just the amount of tax paid to the Federal Government. Taxpayers also bear the compliance cost of complying with a byzantine tax code. Analysts predict that taxpayers will spend over \$350 billion this year alone to comply with the tax code. An analysis of IRS data by the Office of the Taxpayer Advocate shows it takes taxpayers more than 6.1 billion hours to complete filings required by a tax code that contains almost four million words and that, on average, has more than one new provision added to it daily.

A dispute over a complex tax code with the IRS can become an expensive endeavor for small businesses, who have limited resources to fight off frivolous IRS claims. With the passage of the 2010 health care act, this burden is expected to increase in the future. At a time when job creation remains weak, small businesses should be spending their time and resources creating jobs, not cutting through miles of burdensome IRS red tape. The Small Business Taxpayer Bill of Rights seeks to mitigate this problem. It would ensure that small businesses spend less time dealing with the IRS and more time creating jobs.

The Small Business Taxpayer Bill of Rights, among other things, provides more protections and safeguards for small businesses during administrative procedures with the IRS. It would lower the compliance burden on small business taxpayers; strengthen safeguards against IRS overreach; increase taxpayer compensation for IRS abuses and; improve taxpayer access to the court system. Amid the weakest economic recovery since World War II, American job creators urgently need such relief.

The Small Business Taxpayer Bill of Rights Act will reduce the compliance and administrative burdens faced by small business taxpayers when it comes to dealing with the IRS. The bill provides an alternative dispute resolution procedure through which a small business taxpayer may be able to request arbitration with an independent, neutral third party not employed by the IRS. In addition, the bill will make more small businesses eligible to recoup attorney's fees when a court finds that the IRS's action taken against a taxpayer is not substantially justified.

The legislation also reinforces the independent nature of the IRS Appeals Office by prohibiting it from discussing the merits of a taxpayer's case with any other department at the IRS, unless the taxpayer is afforded an opportunity to participate. Second, the bill will prevent an Appeals Officer from raising a new issue that was not initially raised by the IRS in the examination process. The SBTBOR would help to ensure the Appeals Office remains a neutral entity that effectively

facilitates the taxpayer's appeals process.

The Small Business Taxpayer Bill of Rights Act will make the IRS more accountable to taxpayers by increasing the amount of damages taxpayers may receive for any collection action the IRS takes against them that is reckless, or by reason of negligence disregards the law or its regulations. Second, it increases the amount of damages taxpayers may be awarded when the IRS improperly discloses their tax returns and tax information. Third, the bill raises the monetary penalty on IRS employees who commit certain unlawful acts or disclose taxpayer information.

Finally, the legislation will improve taxpayer access to the Tax Court by expanding the role of the current "small tax case" procedure—an informal and efficient method for resolving disputes before the Tax Court—to include a wider variety of cases. The bill will permit taxpayers to obtain judicial review from the Tax Court when the IRS fails to act on their claim for interest abatement due to an error or delay by the IRS. And taxpayers whose property has been wrongly seized to satisfy a tax debt will have more time to claim relief and bring a civil suit against the IRS. It also makes procedural improvements for taxpayers who request innocent spouse relief. By requesting innocent spouse relief, taxpayers can be relieved of the responsibility for paying tax, interest, and penalties if their spouse improperly reported items or omitted items on their tax return.

This legislation is also supported by the Texas Association of Business, National Federation of Independent Business, U.S. Hispanic Chamber of Commerce, Americans for Tax Reform, and the National Taxpayers Union, among others.

Small business owners face an especially crushing burden of paperwork, but they lack the key financial and legal resources that multinational corporations do when dealing with the tax code and the IRS. This legislation will provide relief for small businesses and will allow small businesses to spend more time expanding their business and creating jobs and less time dealing with the IRS.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 725

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Small Business Taxpayer Bill of Rights Act of 2013".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Modification of standards for awarding of costs and certain fees.

Sec. 3. Civil damages allowed for reckless or intentional disregard of internal revenue laws.

Sec. 4. Modifications relating to certain offenses by officers and employees in connection with revenue laws.

Sec. 5. Modifications relating to civil damages for unauthorized inspection or disclosure of returns and return information.

Sec. 6. Interest abatement reviews.

Sec. 7. Ban on ex parte discussions.

Sec. 8. Alternative dispute resolution procedures.

Sec. 9. Extension of time for contesting IRS levy.

Sec. 10. Waiver of installment agreement fee.

Sec. 11. Suspension of running of period for filing petition of spousal relief and collection cases.

Sec. 12. Venue for appeal of spousal relief and collection cases.

Sec. 13. Increase in monetary penalties for certain unauthorized disclosures of information.

Sec. 14. De novo tax court review of claims for equitable innocent spouse relief.

Sec. 15. Ban on raising new issues on appeal.

SEC. 2. MODIFICATION OF STANDARDS FOR AWARDING OF COSTS AND CERTAIN FEES.

(a) SMALL BUSINESSES ELIGIBLE WITHOUT REGARD TO NET WORTH.—Subparagraph (D) of section 7430(c)(4) of the Internal Revenue Code of 1986 is amended by striking "and" at the end of clause (i), by striking the period at the end of clause (ii) and inserting "and", and by adding at the end the following new clause:

"(iii) in the case of an eligible small business, the net worth limitation in clause (ii) of such section shall not apply."

(b) ELIGIBLE SMALL BUSINESS.—Paragraph (4) of section 7430(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(F) ELIGIBLE SMALL BUSINESS.—For purposes of subparagraph (D)(iii), the term 'eligible small business' means, with respect to any proceeding commenced in a taxable year—

"(i) a corporation the stock of which is not publicly traded,

"(ii) a partnership, or

"(iii) a sole proprietorship,

if the average annual gross receipts of such corporation, partnership, or sole proprietorship for the 3-taxable-year period preceding such taxable year does not exceed \$50,000,000. For purposes of applying the test under the preceding sentence, rules similar to the rules of paragraphs (2) and (3) of section 448(c) shall apply."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceedings commenced after the date of the enactment of this Act.

SEC. 3. CIVIL DAMAGES ALLOWED FOR RECKLESS OR INTENTIONAL DISREGARD OF INTERNAL REVENUE LAWS.

(a) INCREASE IN AMOUNT OF DAMAGES.—Section 7433(b) of the Internal Revenue Code of 1986 is amended by striking "\$1,000,000 (\$100,000, in the case of negligence)" and inserting "\$3,000,000 (\$300,000, in the case of negligence)".

(b) EXTENSION OF TIME TO BRING ACTION.—Section 7433(d)(3) of the Internal Revenue Code of 1986 is amended by striking "2 years" and inserting "5 years".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to actions of employees of the Internal Revenue Service after the date of the enactment of this Act.

SEC. 4. MODIFICATIONS RELATING TO CERTAIN OFFENSES BY OFFICERS AND EMPLOYEES IN CONNECTION WITH REVENUE LAWS.

(a) INCREASE IN PENALTY.—Section 7214 of the Internal Revenue Code of 1986 is amended—

(1) by striking "\$10,000" in subsection (a) and inserting "\$25,000", and

(2) by striking "\$5,000" in subsection (b) and inserting "\$10,000".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 5. MODIFICATIONS RELATING TO CIVIL DAMAGES FOR UNAUTHORIZED INSPECTION OR DISCLOSURE OF RETURNS AND RETURN INFORMATION.

(a) INCREASE IN AMOUNT OF DAMAGES.—Subparagraph (A) of section 7431(c)(1) of the Internal Revenue Code of 1986 is amended by striking "\$1,000" and inserting "\$10,000".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to inspections and disclosure occurring on and after the date of the enactment of this Act.

SEC. 6. INTEREST ABATEMENT REVIEWS.

(a) FILING PERIOD FOR INTEREST ABATEMENT CASES.—

(1) IN GENERAL.—Subsection (h) of section 6404 of the Internal Revenue Code of 1986 is amended—

(A) by striking "REVIEW OF DENIAL" in the heading and inserting "JUDICIAL REVIEW", and

(B) by striking "if such action is brought" and all that follows in paragraph (1) and inserting "if such action is brought—

"(A) at any time after the earlier of—

"(i) the date of the mailing of the Secretary's final determination not to abate such interest, or

"(ii) the date which is 180 days after the date of the filing with the Secretary (in such form as the Secretary may prescribe) of a claim for abatement under this section, and

"(B) not later than the date which is 180 days after the date described in subparagraph (A)(i)."

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to claims for abatement of interest filed with the Secretary after the date of the enactment of this Act.

(b) SMALL TAX CASE ELECTION FOR INTEREST ABATEMENT CASES.—

(1) IN GENERAL.—Subsection (f) of section 7463 of the Internal Revenue Code of 1986 is amended—

(A) by striking "and" at the end of paragraph (1),

(B) by striking the period at the end of paragraph (2) and inserting ", and", and

(C) by adding at the end the following new paragraph:

"(3) a petition to the Tax court under section 6404(h) in which the amount of interest abatement sought does not exceed \$50,000."

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to—

(A) cases pending as of the day after the date of the enactment of this Act, and

(B) cases commenced after such date of enactment.

SEC. 7. BAN ON EX PARTE DISCUSSIONS.

(a) IN GENERAL.—Notwithstanding section 1001(a)(4) of the Internal Revenue Service Restructuring and Reform Act of 1998, the Internal Revenue Service shall prohibit any ex parte communications between officers in the Internal Revenue Service Office of Appeals and other Internal Revenue Service employees with respect to any matter pending before such officers.

(b) TERMINATION OF EMPLOYMENT FOR MISCONDUCT.—Subject to subsection (c), the Commissioner of Internal Revenue shall terminate the employment of any employee of the Internal Revenue Service if there is a final administrative or judicial determination that such employee committed any act or omission prohibited under subsection (a) in the performance of the employee's official duties. Such termination shall be a removal for cause on charges of misconduct.

(c) DETERMINATION OF COMMISSIONER.—

(1) IN GENERAL.—The Commissioner of Internal Revenue may take a personnel action other than termination for an act prohibited under subsection (a).

(2) DISCRETION.—The exercise of authority under paragraph (1) shall be at the sole discretion of the Commissioner of Internal Revenue and may not be delegated to any other officer. The Commissioner of Internal Revenue, in his sole discretion, may establish a procedure which will be used to determine whether an individual should be referred to the Commissioner of Internal Revenue for a determination by the Commissioner under paragraph (1).

(3) NO APPEAL.—Any determination of the Commissioner of Internal Revenue under this subsection may not be appealed in any administrative or judicial proceeding.

(d) TIGTA REPORTING OF TERMINATION OR MITIGATION.—Section 7803(d)(1)(E) of the Internal Revenue Code of 1986 is amended by inserting “or section 7 of the Small Business Taxpayer Bill of Rights Act of 2013” after “1998”.

SEC. 8. ALTERNATIVE DISPUTE RESOLUTION PROCEDURES.

(a) IN GENERAL.—Section 7123 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection: “(c) AVAILABILITY OF DISPUTE RESOLUTIONS.—

“(1) IN GENERAL.—The procedures prescribed under subsection (b)(1) and the pilot program established under subsection (b)(2) shall provide that a taxpayer may request mediation or arbitration in any case unless the Secretary has specifically excluded the type of issue involved in such case or the class of cases to which such case belongs as not appropriate for resolution under such subsection. The Secretary shall make any determination that excludes a type of issue or a class of cases public within 5 working days and provide an explanation for each determination.

“(2) INDEPENDENT MEDIATORS.—

“(A) IN GENERAL.—The procedures prescribed under subsection (b)(1) shall provide the taxpayer an opportunity to elect to have the mediation conducted by an independent, neutral individual not employed by the Office of Appeals.

“(B) COST AND SELECTION.—

“(i) IN GENERAL.—Any taxpayer making an election under subparagraph (A) shall be required—

“(I) to share the costs of such independent mediator equally with the Office of Appeals, and

“(II) to limit the selection of the mediator to a roster of recognized national or local neutral mediators.

“(ii) EXCEPTION.—Clause (i)(I) shall not apply to any taxpayer who is an individual or who was a small business in the preceding calendar year if such taxpayer had an adjusted gross income that did not exceed 250 percent of the poverty level, as determined in accordance with criteria established by the Director of the Office of Management and Budget, in the taxable year preceding the request.

“(iii) SMALL BUSINESS.—For purposes of clause (ii), the term ‘small business’ has the meaning given such term under section 41(b)(3)(D)(iii).

“(3) AVAILABILITY OF PROCESS.—The procedures prescribed under subsection (b)(1) and the pilot program established under subsection (b)(2) shall provide the opportunity to elect mediation or arbitration at the time when the case is first filed with the Office of Appeals and at any time before deliberations in the appeal commence.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 9. EXTENSION OF TIME FOR CONTESTING IRS LEVY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 of the Internal Revenue Code of 1986 is amended by striking “9 months” and inserting “3 years”.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1) by striking “9 months” and inserting “3 years”, and

(2) in paragraph (2) by striking “9-month” and inserting “3-year”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 10. WAIVER OF INSTALLMENT AGREEMENT FEE.

(a) IN GENERAL.—Section 6159 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) WAIVER OF INSTALLMENT AGREEMENT FEE.—The Secretary shall waive the fees imposed on installment agreements under this section for any taxpayer with an adjusted gross income that does not exceed 250 percent of the poverty level, as determined in accordance with criteria established by the Director of the Office of Management and Budget, and who has agreed to make payments under the installment agreement by electronic payment through a debit instrument.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 11. SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION OF SPOUSAL RELIEF AND COLLECTION CASES.

(a) PETITIONS FOR SPOUSAL RELIEF.—

(1) IN GENERAL.—Subsection (e) of section 6015 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION IN TITLE 11 CASES.—In the case of a person who is prohibited by reason of a case under title 11, United States Code, from filing a petition under paragraph (1)(A) with respect to a final determination of re-

lief under this section, the running of the period prescribed by such paragraph for filing such a petition with respect to such final determination shall be suspended for the period during which the person is so prohibited from filing such a petition, and for 60 days thereafter.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to petitions filed under section 6015(e) of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

(b) COLLECTION PROCEEDINGS.—

(1) IN GENERAL.—Subsection (d) of section 6330 of the Internal Revenue Code of 1986 is amended—

(A) by striking “appeal such determination to the Tax Court” in paragraph (1) and inserting “petition the Tax Court for review of such determination”;

(B) by striking “JUDICIAL REVIEW OF DETERMINATION” in the heading of paragraph (1) and inserting “PETITION FOR REVIEW BY TAX COURT”;

(C) by redesignating paragraph (2) as paragraph (3), and

(D) by inserting after paragraph (1) the following new paragraph:

“(2) SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION IN TITLE 11 CASES.—In the case of a person who is prohibited by reason of a case under title 11, United States Code, from filing a petition under paragraph (1) with respect to a determination under this section, the running of the period prescribed by such subsection for filing such a petition with respect to such determination shall be suspended for the period during which the person is so prohibited from filing such a petition, and for 30 days thereafter.”.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 6320 of such Code is amended by striking “(2)(B)” and inserting “(3)(B)”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to petitions filed under section 6330 of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

SEC. 12. VENUE FOR APPEAL OF SPOUSAL RELIEF AND COLLECTION CASES.

(a) IN GENERAL.—Paragraph (1) of section 7482(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking “or” at the end of subparagraph (E),

(2) by striking the period at the end of subparagraph (F) and inserting a comma, and

(3) by inserting after subparagraph (F) the following new subparagraphs:

“(G) in the case of a petition under section 6015(e), the legal residence of the petitioner, or

“(H) in the case of a petition under section 6320 or 6330—

“(i) the legal residence of the petitioner if the petitioner is an individual, and

“(ii) the principal place of business or principal office or agency if the petitioner is an entity other than an individual.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to petitions filed after the date of enactment of this Act.

SEC. 13. INCREASE IN MONETARY PENALTIES FOR CERTAIN UNAUTHORIZED DISCLOSURES OF INFORMATION.

(a) IN GENERAL.—Paragraphs (1), (2), (3), and (4) of section 7213(a) of the Internal Revenue Code of 1986 are each amended by striking “\$5,000” and inserting “\$10,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after the date of the enactment of this Act.

SEC. 14. DE NOVO TAX COURT REVIEW OF CLAIMS FOR EQUITABLE INNOCENT SPOUSE RELIEF.

(a) IN GENERAL.—Subparagraph (A) of section 6015(e)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new flush sentence:

“Any review of a determination by the Secretary with respect to a claim for equitable relief under subsection (f) shall be reviewed de novo by the Tax Court.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to petitions filed or pending before the Tax Court on and after the date of the enactment of this Act.

SEC. 15. BAN ON RAISING NEW ISSUES ON APPEAL.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 7529. PROHIBITION ON INTERNAL REVENUE SERVICE RAISING NEW ISSUES IN AN INTERNAL APPEAL.

“(a) IN GENERAL.—In reviewing an appeal of any determination initially made by the Internal Revenue Service, the Internal Revenue Service Office of Appeals may not consider or decide any issue that is not within the scope of the initial determination.

“(b) CERTAIN ISSUES DEEMED OUTSIDE OF SCOPE OF DETERMINATION.—For purposes of subsection (a), the following matters shall be considered to be not within the scope of a determination:

“(1) Any issue that was not raised in a notice of deficiency or an examiner’s report which is the subject of the appeal.

“(2) Any deficiency in tax which was not included in the initial determination.

“(3) Any theory or justification for a tax deficiency which was not considered in the initial determination.

“(c) NO INFERENCE WITH RESPECT TO ISSUES RAISED BY TAXPAYERS.—Nothing in this section shall be construed to provide any limitation in addition to any limitations in effect on the date of the enactment of this section on the right of a taxpayer to raise an issue, theory, or justification on an appeal from a determination initially made by the Internal Revenue Service that was not within the scope of the initial determination.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of such Code is amended by adding at the end the following new item:

“Sec. 7529. Prohibition on Internal Revenue Service raising new issues in an internal appeal.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to matters filed or pending with the Internal Revenue Service Office of Appeals on or after the date of the enactment of this Act.

UNITED STATES HISPANIC
CHAMBER OF COMMERCE,
Washington, DC, April 11, 2013.

Hon. JOHN CORNYN,
Senate Minority Whip, U.S. Senate,
Washington, DC.

DEAR SENATOR CORNYN: The United States Hispanic Chamber of Commerce (USHCC) would like to express its support and thank you for introducing the Small Business Taxpayer Bill of Rights Act of 2013 (SBTBOR). As our organization advocates for legislation that helps Hispanic owned businesses grow the economy and create jobs, it is encouraging to see the SBTBOR introduced on the Senate floor during the 113th Congress.

As you are aware, Hispanic-owned firms are the fastest growing segment of American enterprise. We applaud you for recognizing

this fact and, as a result, taking the initiative to provide sensible solutions for the USHCC constituency of Hispanic entrepreneurs. The four pillars of the SBTBOR—lowering compliance burden for taxpayers, strengthening taxpayer protections, compensating taxpayers for IRS abuses, and improving taxpayer access to the judicial system—are crucial for the financial health of small businesses across the country, and we hope that your Senate colleagues join in your efforts to pass common sense, pro-growth legislation.

In the USHCC’s 2012–2014 Legislative Agenda, regulatory reform is noted as a critical part of the Hispanic small business community’s potential for job creation and economic development. The SBTBOR, by addressing problematic regulation and interaction with the IRS, is in line with the USHCC’s view for a full economic recovery. In order for the Hispanic community to continue leveraging its entrepreneurial spirit, we cannot allow for these job creators to be subject to slow and costly resolution of audits, low civil damages when the IRS disregards the law, fees on installment agreements for low-income taxpayers, and many other harsh burdens that exist for small businesses.

The SBTBOR could have an immediate, positive impact on the Hispanic business community and American economy as a whole. Please let us know how we may assist in your effort to promote an environment where entrepreneurs focus more on growing their businesses rather than dealing with unreasonable regulations. We are here to help.

Respectfully Submitted,
MARC RODRIGUEZ,
Chairman of the
Board, USHCC.
JAVIER PALOMAREZ,
President & CEO,
USHCC.

By Mr. SCHATZ (for himself and
Ms. HIRONO):

S. 726. A bill to amend the Public Health Service Act to provide health care practitioners in rural areas with training in preventive health care, including both physical and mental care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 726

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Rural Preventive Health Care Training Act of 2013”.

SEC. 2. PREVENTIVE HEALTH CARE TRAINING.

Part D of title VII of the Public Health Service Act (42 U.S.C. 294 et seq.) is amended by inserting after section 754 the following:

“SEC. 754A. PREVENTIVE HEALTH CARE TRAINING.

“(a) IN GENERAL.—The Secretary may make grants to, and enter into contracts with, eligible applicants to enable such applicants to provide preventive health care training, in accordance with subsection (c), to health care practitioners practicing in

rural areas. Such training shall, to the extent practicable, include training in health care to prevent both physical and mental disorders before the initial occurrence of such disorders. In carrying out this subsection, the Secretary shall encourage, but may not require, the use of interdisciplinary training project applications.

“(b) LIMITATION.—To be eligible to receive training using assistance provided under subsection (a), a health care practitioner shall be determined by the eligible applicant involved to be practicing, or desiring to practice, in a rural area.

“(c) USE OF ASSISTANCE.—Amounts received under a grant made or contract entered into under this section shall be used—

“(1) to provide student stipends to individuals attending rural community colleges or other institutions that service predominantly rural communities, for the purpose of enabling the individuals to receive preventive health care training;

“(2) to increase staff support at rural community colleges or other institutions that service predominantly rural communities to facilitate the provision of preventive health care training;

“(3) to provide training in appropriate research and program evaluation skills in rural communities;

“(4) to create and implement innovative programs and curricula with a specific prevention component; and

“(5) for other purposes as the Secretary determines to be appropriate.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, \$5,000,000 for each of fiscal years 2014 through 2017.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 97—EXPRESSING THE SENSE OF THE SENATE THAT THE FOOD AND DRUG ADMINISTRATION SHOULD ENCOURAGE THE USE OF ABUSE-DETERRENT FORMULATIONS OF DRUGS

Mr. COBURN (for himself, Mr. SCHUMER, and Mr. MCCONNELL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 97

Whereas when abuse-deterrent formulations of a drug have been developed, approved, and recognized as effective by the Food and Drug Administration, the approval and marketing of generic versions that do not have abuse-deterrent features are likely to prevent achievement of the public health purposes of the efforts to develop such abuse-deterrent formulations;

Whereas the Office of National Drug Control Policy and the Food and Drug Administration have for many years strongly encouraged manufacturers of opioid drug products to develop abuse-deterrent formulations designed to prevent or discourage the abuse or misuse of those products;

Whereas in response, several opioid drug manufacturers have developed abuse-deterrent formulations;

Whereas efforts to reduce the level of abuse of opioid drug products are dependent on the widespread adoption of new technologies and approaches to the safer formulation of these drugs; and

Whereas the Commissioner of Food and Drugs has acknowledged that the Food and Drug Administration has the authority under current law to require generic versions of products that have been formulated or reformulated with abuse-deterrent features to have comparable features: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Food and Drug Administration should exercise its acknowledged authority to—

(1) refuse to approve generic versions of non-abuse-deterrent opioid products that have been replaced in the market with abuse-deterrent formulations recognized by the Food and Drug Administration as effective; and

(2) require generic versions of abuse-deterrent opioid products to be formulated with comparable abuse-deterrent features.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, April 18, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled "Hearing for Secretary of Labor-Designate Thomas E. Perez."

For further information regarding this meeting, please contact Anna Porto of the committee staff on (202) 224-5363.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, April 16, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled "The Challenge of College Affordability: The Student Lens."

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 228-6685.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 16, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the President's Proposed Budget for Fiscal Year 2014 for the Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Wash-

ington, DC 20510-6150, or by email to John_Assini@energy.senate.gov.

For further information, please contact Meghan Conklin (202) 224-8046 or John Assini (202) 224-9313.

SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to advise you that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, April 16, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing will be to hear testimony on the following measures:

S. 211, the Provo River Project Transfer Act;

S. 284, the Fort Sumner Project Title Conveyance Act;

S. 510, the Scofield Land Transfer Act;

S. 659, to reauthorize the Reclamation States Emergency Drought Relief Act of 1991;

S. 684, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes;

S. 693, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes.

S.J. Res. 12, A joint resolution to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission, Act, 1920; and

H.R. 316 and S. Amdt. 579, the Collinsville Renewable Energy Promotion Act.

For further information, please contact Sara Tucker at (202) 224-6224 or John Assini at (202) 224-9313.

SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to advise you of an addition to a previously announced hearing before Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 16, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Committee will also consider:

S. 684, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes;

S. 693, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes; and

S. 715, to authorize the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes.

For further information, please contact Sara Tucker at (202) 224-6224, or John Assini at (202) 224-9313.

PRIVILEGES OF THE FLOOR

Ms. STABENOW. Mr. President, I ask unanimous consent that Lara Flint, a detailee on the Senate Judiciary Committee, be granted the privilege of the floor for the duration of calendar year 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES READ THE FIRST TIME—S. 729, S. 730

Mr. BEGICH. Mr. President, I understand there are two bills at the desk. I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills for the first time en bloc.

The assistant legislative clerk read as follows:

A bill (S. 729) to protect law-abiding citizens by preventing criminals from obtaining firearms.

A bill (S. 730) to prevent criminals from obtaining firearms through straw purchasing and trafficking.

Mr. BEGICH. I now ask for a second reading and object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will receive their second reading on the next legislative day.

ORDERS FOR TUESDAY, APRIL 16, 2013

Mr. BEGICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 16, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; further, that following morning business, the Senate resume consideration of S. 649, the gun safety legislation, and the time until the recess for the caucus meeting be for debate only; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BEGICH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:23 p.m., adjourned until Tuesday, April 16, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

VERNON S. BRODERICK, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE DEBORAH A. BATTS, RETIRED.

UNITED STATES SENTENCING COMMISSION

RACHEL ELISE BARKOW, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2017, VICE BERYL A. HOWELL, TERM EXPIRED.

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2015, VICE RUBEN CASTILLO, TERM EXPIRED.

WILLIAM H. PRYOR, JR., OF ALABAMA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2017, VICE WILLIAM B. CARR, JR., TERM EXPIRED.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL LOUIS H. GUERNSEY, JR.
BRIGADIER GENERAL MATTHEW T. QUINN
BRIGADIER GENERAL KENNETH L. REINER

To be brigadier general

COLONEL STEPHEN G. KENT
COLONEL JUAN A. RIVERA

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARIA V. NAVARRO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

SHANE G. HARRIS

IN THE COAST GUARD

PURSUANT TO THE AUTHORITY OF SECTION 271(D), TITLE 14, U.S. CODE, THE FOLLOWING OFFICERS FOR AP-

POINTMENT TO THE GRADE INDICATED IN THE U.S. COAST GUARD:

To be rear admiral

BRUCE D. BAFFER
MARK E. BUTT
DAVID R. CALLAHAN
STEPHEN P. METRUCK
JOSEPH A. SERVIDIO

PURSUANT TO THE AUTHORITY OF SECTION 12203(A), TITLE 10, U.S. CODE, THE FOLLOWING OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. COAST GUARD RESERVE:

To be rear admiral

KURT B. HINRICHS

CONFIRMATION

Executive nomination confirmed by the Senate April 15, 2013:

THE JUDICIARY

BEVERLY REID O'CONNELL, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

HOUSE OF REPRESENTATIVES—Monday, April 15, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. HOLDING).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 15, 2013.

I hereby appoint the Honorable GEORGE E. B. HOLDING to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

SENIOR HUNGER IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, for the past 2 months, I have been speaking each week about hunger in America. Today, I want to focus on hunger among our senior citizens, which is a silent scourge in our Nation.

Over 49 million Americans are hungry; and of those, 8.3 million are seniors. That's one in seven seniors and nearly 15 percent of everyone over 60 years old. In fact, from 2001 to 2009, hunger among Americans over the age of 50 increased by nearly 80 percent—80 percent. That is unconscionable.

One reason for this significant rise in senior hunger is the economy. The recession has made hunger in America worse for everyone, and it's been particularly bad among people between the ages of 50 and 59, a population too young for Social Security and Medicare, but too old for programs that target families with children. And it's not just the very poor. In fact, between 2007 and 2009, the most dramatic increase in hunger was among those whose annual incomes were twice the poverty line.

Food—good, healthy food—is important at all ages, but it is critical for young children and for senior citizens. For kids, nutritious food is critical for physical and mental development. For seniors, good, healthy food is critical for entirely different, but no less important, reasons.

Hunger can exacerbate existing medical conditions, and many medications need to be taken with food. Taking some medicine on an empty stomach can result in illness or hospitalization, problems that not only result in increased medical costs, but can also be deadly to people with reduced immune systems.

A common problem is that many seniors are homebound, unable to travel to grocery stores or food banks to get food. A homebound senior can be a forgotten senior. It's easy to see why senior hunger is a hidden problem. In many cases, the hungry senior is literally hidden away behind a closed door.

That's why it is so important to have senior advocacy groups like AARP, the National Council on Aging, and AmpleHarvest.org—to name a few—who focus on senior hunger. AARP has its Drive to End Hunger campaign with NASCAR and Jeff Gordon. The National Council on Aging is working with Feeding America and other food banks to prioritize and target hunger among seniors. AmpleHarvest.org is working with seniors to grow their own food. And of course, there is Meals on Wheels, which delivers food directly to homebound seniors.

A recent Brown University report found that for every additional \$25 a State spends on Meals on Wheels each year for a person over 65, the low-care nursing home population decreases by 1 percent. That helps save Medicaid dollars and lowers health care costs overall.

In fact, the cost of feeding a senior for 1 year through Meals on Wheels is roughly equal to the cost of just 1 day in the hospital. And the average patient stays in the hospital for almost 5 days. Funding for Meals on Wheels is an important investment to decreasing health care spending.

I also want to highlight the Senior Farmers' Market Nutrition Program, which helps more than 860,000 seniors who make less than \$15,000 per year to have access to local fresh fruits and vegetables at farmers markets. A qualified senior is awarded between \$20 and \$50 to spend at their local farmers markets. Over 19,000 farmers partici-

pate and benefit from the money seniors spend through this program.

Wholesome Wave is an organization that doubles the purchasing power of the Senior Farmers' Market Nutrition Program. Its Double Value Coupon program operates at more than 300 farmers markets in 26 States and the District of Columbia. Boston Mayor Tom Menino has a similar program called the Boston Bounty Bucks. These programs allow low-income seniors on fixed incomes to buy more fresh fruits and vegetables with their limited funds.

Mr. Speaker, these are terrific programs, but they simply can't do it all. In the case of senior hunger, we need to make sure that groups like Meals on Wheels and programs like Senior Farmers' Market Nutrition Program are well funded. But we also need to work with doctors and nurses, with Medicare and Medicaid, and with other health care professionals to treat hunger as a health issue. We need to prevent costly hospital readmissions that are preventable with proper nutrition. We need to ensure that seniors aren't falling through the cracks and that they aren't going hungry.

Mr. Speaker, we need Presidential leadership to End Hunger Now, and we need a White House conference on food and nutrition to talk about senior hunger; to brainstorm, plan, and execute a national antihunger plan that will truly end hunger now.

We are the most prosperous Nation in the world. There is absolutely no reason why anyone should go hungry in the United States of America. It is especially shameful that so many older people, people who have made this country great, find themselves in a position where they are hungry. We can do something about it. I hope we come together, and I hope we end hunger now.

CHAINED CPI

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, there's a lot of talk in Washington, DC, about something called chained CPI. A lot of people don't know what that means. We have assurances from the White House and the Republicans who originated this idea. It's an innocuous sort of little change to Social Security, veterans benefits, and other programs, because we overstate inflation in the CPI.

Actually, particularly for seniors, the reverse is true. The consumer price

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

index, as measured, significantly understates inflation that impacts seniors because seniors have a different buying pattern than 20-year-olds. They're not out buying the latest iPhone. They're buying a lot of medical care, going up much faster than measured inflation, pharmaceuticals going up at phenomenal, obscene rates. Housing, energy, and all those things make up a bigger percentage of their budget in retirement.

For years, I have proposed legislation to accurately measure the cost of living for seniors, which actually would increase their annual cost-of-living adjustments. But now come the White House and the Republicans to say we're overstating inflation. Let's just use chained CPI, it doesn't matter, it's all about substitution. If they can't afford beef, they'll do chicken; if they can't do chicken, they'll do pasta; if they can't do pasta, they'll buy dog food; if they can't afford that, they'll starve. That's kind of the bottom line of these pointy-headed economists out there on how these sort of weird theories work.

Here's a graphic that demonstrates this a little better. This shows for a retired single woman, widowed or otherwise, how much food would be lost on an annual basis with chained CPI as it eats away at the annual adjustments and the things that she purchases go up faster and faster.

□ 1210

Each shopping cart represents a weekly food budget of \$53. That's not exactly living high on the hog here. At 65, she loses 2 weeks of food. And a woman retiring at age 65 this year has a life expectancy of 20 years. That means at age 85, with this new device, the chained CPI, she would lose 16 weeks worth of her food budget. That's 16 weeks.

Everybody, as they get older, works through their savings and other means of support. And if you live too long, you're going to have a really hard time making ends meet. If we chain the CPI, it will get even harder for the next generation of seniors.

There's kind of a mixed message here. Republicans want to cut entitlements. They never supported Social Security and Medicare, but they just want to cut them to make sure they're there in the future. Well, if you chain the CPI, Social Security, which is supposed to have adequate benefits to pay full guaranteed benefits until 2033, would pick up 2 years. So we cut benefits for 100 percent of seniors retiring now and in the future, and Social Security would last 2 years longer. That doesn't exactly save Social Security, does it?

On the converse, with my plan, where we lift the cap so that people who earn a \$1 million or \$2 million or one of those hedge fund guys earning a billion dollars a year would pay Social Security

tax on all of his or her income, we add 50 years to the life of Social Security. That's about as far as you can measure it into the future.

If they wanted to save Social Security, if that's what the White House is up to, if that's what the Republicans are up to, it's a much better way to do it without penalizing seniors. But that's not really what it's about. It's to take a program, Social Security, which is self-funding, doesn't draw on the general fund, doesn't create any deficit, it's to take money from Social Security and use it elsewhere to plug holes in our budget.

That's not right. It's the highest tax paid by many American workers to the Federal Government. Almost half of workers pay more in Social Security taxes, particularly the self-employed, than they do income taxes to the Federal Government. And if you earn over \$112,000 a year, your tax rate goes down. If you get \$1,200,000, your tax rate is one-tenth that of someone who earns \$50,000 a year; \$12 million, one one-hundredth; and those billionaires are paying less than 1 second's wages in Social Security taxes.

If you want to fix the program, lift the cap and make everybody pay the same percentage of their income into Social Security, but don't pretend by taking food out of the mouths of seniors in the future that you're fixing the problem for full funding of Social Security beyond 2033. You're not. That's a lie. Admit what you're doing. You want to cut benefits to seniors, to veterans and other working Americans with this chained CPI artifice.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WENSTRUP) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Almighty God of the universe, we give You thanks for giving us another day. We thank You that You give us a share in Your creative work, having endowed each with unique and important talents.

On this day, we ask Your blessing on the men and women of the people's House who have been entrusted with the care of this great Nation's people.

Because of the great blessings You have bestowed on our Nation, may we embrace the opportunity to build a better world beyond our borders as well.

May all that we do this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WE NEED A FAIRER, SIMPLER TAX CODE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, today is tax day. This year, millions of Americans spent more time than ever before preparing their taxes as a result of ObamaCare's 21 new tax increases, which added up to more than \$1 trillion, destroying jobs.

The Tax Code is extremely complex, with over 4 million words, and is comprised of over 74,000 pages. House Republicans understand that we need to reform the Tax Code to make it more fair and simple.

Our budget proposal, the Path to Prosperity, not only repeals ObamaCare and the job-destroying taxes associated with it, it also reforms our Tax Code to encourage new jobs by small businesses. By simplifying our Tax Code, closing loopholes, and lowering rates, small businesses will be able to begin hiring again and increase wages for American workers.

The Presidential and Senate budget plans keep ObamaCare taxes in place and advocate for billions in new taxes. Raising taxes takes money from small businesses and destroys jobs.

I encourage the Senate and the President to begin working with House Republicans to clean up the Tax Code, rather than increasing regulations and taxes that will destroy jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HONORING THE VICTIMS OF THE VIRGINIA TECH SHOOTING

(Mr. TIERNEY asked and was given permission to address the House for 1 minute.)

Mr. TIERNEY. Mr. Speaker, today I rise to remember the tragic shooting at Virginia Tech. Seven years ago tomorrow our country lost more than 30 lives, many of them college students with their entire future stretching out before them.

One of those students was Ross Alameddine, who lived in Saugus, which is in my district. He was loved by his family and friends, and is remembered by countless more. I've had the honor to talk with his mother, Lynnette Alameddine, and have seen, firsthand, how she has turned her sorrow into action, working to prevent other tragedies like the one that took her child, and to protect all of our children, our sons and daughters.

And she's not alone. In recent months we've seen the strength of moms and dads across the country. Americans were mobilized in joining together to demand action, to ensure that Congress passes responsible legislation to reduce gun violence.

In my district alone, some 500 people in the last few days have joined me online to demand action on commonsense legislation. Through my Web site, Facebook, and Twitter, hundreds of parents and grandparents and students have added their names to the hundreds of thousands of voices across the country calling on Speaker BOEHNER to bring legislation to the House floor to reduce gun violence.

We cannot let some in Congress block action. We all deserve a vote.

OUR TAX SYSTEM IS BROKEN

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICE of South Carolina. Mr. Speaker, this week, as hardworking Americans across the country submit their tax returns, we are all reminded of the heavy burden placed upon all taxpayers by our country's broken tax system.

Like a snowball rolling down a hill, the United States Tax Code has grown and bloated itself over time, resulting in an avalanche of overregulation coming down on the heads of American taxpayers.

There have been over 4,400 changes to the Tax Code in the last decade alone. That averages to more than one per day. Is it any surprise, then, that the United States boasts more tax preparers than we do police officers and firefighters combined?

We're facing a four-alarm tax emergency in this country, and the House Republicans have a plan to address it. We stand committed to fundamental,

comprehensive tax reform that makes our Tax Code fairer and simpler for all Americans, a Tax Code that makes our corporations more competitive, that will stop the hemorrhaging of American jobs overseas and bring jobs back to our shores.

Tax reform would increase hardworking Americans' take-home pay so that they have more money to live on, instead of the government having more of their money to spend.

Mr. Speaker, that's what American taxpayers deserve.

CONGRATULATING HOPWOOD JUNIOR HIGH SCHOOL ON ITS 50TH ANNIVERSARY

(Mr. SABLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SABLAN. Mr. Speaker, 50 years ago, the first school to offer secondary education in the Northern Mariana Islands was officially named Hopwood Junior-Senior High School, in honor of Admiral Herbert Gladstone Hopwood, commander-in-chief of the Pacific Fleet.

In 1969, when a senior high school opened, the name was shortened to Hopwood Junior High School. But the school itself expanded. It now has the second-largest student body of any Northern Marianas school, serving nearly 1,200 young scholars.

Facilities expanded to vocational education buildings; an alternative school, Lina'la Malawasch Academy; and a performing arts building.

Hopwood's motto is: "We Make Every Day the Best." This upbeat attitude is reflected in a record of performance, including awards in regional forensic and theater competitions, spelling bees, and Academic Challenge Bowls.

From humble beginnings in 1949, to this day, Hopwood has served a vital role in the lives of our students and our communities. I have great confidence the school will continue to distinguish itself in the years to come.

Congratulations to the Hopwood Hilitais.

FLAWED IMMIGRATION PROPOSAL

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the Senate's immigration proposal contains a fatal flaw. It legalizes almost everyone in the country illegally, amnesty, before it secures the border.

As a result, the Senate proposal issues an open invitation to enter the country illegally. Millions more will do so before the border is secure. The Senate proposal would dramatically increase illegal immigration.

The non-partisan Government Accountability Office found that only 6

percent of the U.S.-Mexico border is under full control of the Border Patrol. And 40 percent of all illegal immigrants are visa overstayers. Yet, the Senate proposal legalizes almost everyone in the country before a system is set up to identify the visa overstayers.

The Senate proposal amounts to amnesty first, border security later, if ever. It is fatally flawed.

□ 1410

TAX REFORM II

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute.)

Mr. WENSTRUP. It's that time of year again. Folks back in my district and all across America have had to part ways with our hard-earned money as we send our taxes off to Washington. How long did it take you just to figure out the complicated tax forms and get everything together just to file your returns? It takes the average American 13 hours. Not the best use of your time, is it? But, then, it's not hard to imagine when you consider that our Tax Code contains over 70,000 pages of regulations.

That's not the tax system that our fellow Americans deserve. We need a Tax Code that is fairer and simpler for everyone—families, students, business owners, and all hardworking taxpayers. That's the kind of comprehensive tax reform that the House Republicans want to enact.

TAXES AND THE BUDGET

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. National taxpayer advocate Nina E. Olson lists "complexity in the Tax Code" as "the number one most serious problem facing taxpayers." At about 4 million words in length, it's not hard to see why. Our Tax Code is four times wordier than the Bible, minus the grace and mercy. It's so complex and intimidating that 60 percent of Americans pay good money just to have someone else tell them how much the government is going to take from them. Families spend more on taxes today than on food, clothing, and housing combined.

We should be working to lighten that burden. A simpler, fairer Tax Code will help families save more and empower employers to pay their workers more and create new jobs. A Tax Code that doesn't require taxpayers to own a secret decoder ring or hire a legal team is the kind of reform we're working on in the House of Representatives. A commonsense Tax Code will make the difference in the lives of taxpayers, and that's what this Congress should strive toward.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1701

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 5 o'clock and 1 minute p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

GOVERNMENT ACCOUNTABILITY OFFICE IMPROVEMENT ACT

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1162) to amend title 31, United States Code, to make improvements in the Government Accountability Office, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1162

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Accountability Office Improvement Act".

SEC. 2. GOVERNMENT ACCOUNTABILITY OFFICE IMPROVEMENT.

(a) AUTHORITY TO OBTAIN INFORMATION.—

(1) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(A) by striking "(a)" and inserting "(2)"; and

(B) by inserting after the section heading the following:

"(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge his duties (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law."

(2) COPIES.—Section 716(a) of title 31, United States Code, as amended by subsection (a), is further amended in the second sentence of paragraph (2) by striking "inspect an agency record" and inserting "inspect, and make and retain copies of, an agency record".

(b) ADMINISTERING OATHS.—Section 711 of title 31, United States Code, is amended by striking paragraph (4) and inserting the following:

"(4) administer oaths to witnesses when auditing and settling accounts and, with the prior express approval of the Comptroller General, when investigating fraud or attempts to defraud the United States, or irregularity or misconduct of an employee or agent of the United States."

(c) ACCESS TO CERTAIN INFORMATION.—

(1) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

"§ 721. Access to certain information

"(a) No provision of the Social Security Act, including section 453(l) of that Act (42 U.S.C. 653(l)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

"(b) No provision of the Federal Food, Drug, and Cosmetic Act, including section 301(j) of that Act (21 U.S.C. 331(j)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

"(c)(1) The Comptroller General shall prescribe such policies and procedures as are necessary to protect from public disclosure proprietary or trade secret information obtained consistent with this section.

"(2) Nothing in this section shall be construed to—

"(A) alter or amend the prohibitions against the disclosure of trade secret or other sensitive information prohibited by section 1905 of title 18 and other applicable laws; or

"(B) affect the applicability of section 716(e) of this title, including the protections against unauthorized disclosure contained in that section, to information obtained consistent with this section.

"(d) Specific references to statutes in this section shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

"721. Access to certain information."

(d) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting "or planned" after "action taken"; and

(2) by striking paragraph (1) and inserting the following:

"(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and"

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

As you know, the Government Accountability Office is a legislative branch agency that investigates how the Federal Government spends taxpayer dollars. Often called the "congressional watchdog," the GAO investigates instances of waste, fraud, and abuse in the Federal Government. My committee has direct jurisdiction over the GAO.

Congress must have current information on how Federal programs are performing in order to both legislate and effectively conduct meaningful oversight.

H.R. 1162, the GAO Improvement Act, will enhance the GAO's ability to serve Congress primarily by ensuring the agency has access to key data warehoused in the executive branch.

This bill ensures that the GAO has access to the National Directory of New Hires, which is used to verify eligibility for Federal programs, to detect or prevent fraud, and to identify improper payments.

H.R. 1162 will ensure the GAO has the ability to obtain agency records and to administer oaths to witnesses when auditing accounts and investigating fraud.

It will allow the Comptroller General to seek judicial remedy to enforce GAO's right to information under the law.

GAO has an exemplary record of protecting sensitive government information, including national security documents. The committee is confident that GAO, a nonpartisan portion of the legislative branch, will continue to vigorously maintain confidentiality regarding information it obtains.

I want to note that the language in this bill was included in previous versions of the DATA Act that was approved unanimously by the House in the last Congress.

I want to additionally thank the ranking member, Mr. CUMMINGS, for his partnership in this issue. No matter which of us holds the gavel, we together know that the information we base our decisions on, the information critical to the American people, has a balance of time that we must realize must be sooner and not later.

The ranking member and I absolutely support this bill in its current form because we know that fresh information is critically important if we're to make our decisions well timely.

With that, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I first just want to dedicate a moment or two to our fellow citizens up in Boston who are going through some very traumatic times right now. The fact that bombs have gone off in Boston, that sadly there have been fatalities and sadly many people have been injured, our prayers go out to our fellow citizens, to the first responders, and we pray that this matter will be resolved in a way that brings anybody who brings harm to anyone to justice.

With that, Mr. Speaker, on the subject of the bill, I rise in strong support of this bill.

I want to associate myself with the words of our chairman, Mr. ISSA. This is truly indeed a bipartisan bill. As to the contents of the bill, GAO assists Congress in identifying waste, fraud, and abuse in Federal programs and recommending ways to make government work better.

Because of its vital role, GAO needs unfettered access to Federal agencies. Efforts by executive branch officials to withhold information from GAO unfortunately impede Congress' ability to legislate effectively. And I will say it over and over again, as long as I live, we need to be effective and efficient in everything we do on this Earth. This is an effort to make sure that we can be just that, more effective and efficient.

The Government Accountability Office Improvement Act will increase the effectiveness of GAO by clarifying and strengthening its authority in several critical areas, including access to records.

The GAO Improvement Act addresses a Federal court decision in *Walker v. Cheney* that limited GAO's ability to question agency access determinations in court.

The bill provides the Comptroller General, with express authority from Congress, to pursue litigation if the Comptroller General determines that the performance of her official duties is harmed when an agency improperly withholds information.

The bill also clarifies GAO's access to information in other key areas by confirming GAO's right to make and retain copies of records, authorizing the GAO to administer oaths in certain circumstances and specifically granting GAO access to certain information.

Finally, Mr. Speaker, the bill creates a reporting mechanism so that Congress will be more fully informed when agencies do not cooperate with GAO.

I introduced similar legislation to this bill in the last Congress which passed the House as a provision of H.R. 2146, the DATA Act, to which it was added at my request.

Again, I want to thank the chairman of the committee for his cooperation in

getting the bill to the floor, and I urge Members to pass H.R. 1162.

With that, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I now will place in the RECORD a letter from the chairman of the Ways and Means Committee supporting the bill, but recognizing that the primary jurisdiction over this database belongs to the Ways and Means Committee, and we are responding in the affirmative for that.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 15, 2013.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ISSA, On March 20, 2013, the Committee on Oversight and Government Reform reported H.R. 1162, the Government Accountability Office Improvement Act, favorably to the House. Section 2, dealing with authority to access the National Directory of New Hires in Section 453 of the Social Security Act, touches the jurisdiction of the Committee on Ways and Means. As a result of your having consulted with the Committee concerning the provision of the bill that falls within our Rule X jurisdiction, I agree not to seek a sequential referral so that the bill may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that, by forgoing consideration of H.R. 1162 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

DAVE CAMP,
Chairman.

Before I recognize the next speaker, I would ask that the House take a moment to recognize the loss of life in Boston as this tragedy continues to unfold.

□ 1710

Mr. Speaker, we have no further requests for time, and I am prepared to close unless there are further speakers on the other side.

Mr. CUMMINGS. We have no further requests for time, and I yield back the balance of my time.

Mr. ISSA. Then I think we both ask for favorable consideration, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules

and pass the bill, H.R. 1162, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DISTRICT OF COLUMBIA CHIEF FINANCIAL OFFICER VACANCY ACT

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1246) to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1246

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Chief Financial Officer Vacancy Act".

SEC. 2. AUTHORIZING DISTRICT OF COLUMBIA TREASURER OR DEPUTY CHIEF FINANCIAL OFFICER OF OFFICE OF CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA TO SERVE AS ACTING CHIEF FINANCIAL OFFICER IN EVENT OF VACANCY IN OFFICE.

(a) AUTHORIZING SERVICE IN ACTING CAPACITY IN EVENT OF VACANCY IN OFFICE.—Section 424(b) of the District of Columbia Home Rule Act (sec. 1-204.24(b), D.C. Official Code) is amended by adding at the end the following new paragraph:

“(3) AUTHORIZING TREASURER OR DEPUTY CFO TO PERFORM DUTIES IN ACTING CAPACITY IN EVENT OF VACANCY IN OFFICE.—

“(A) SERVICE AS CFO.—

“(i) IN GENERAL.—Except as provided in clause (ii), if there is a vacancy in the Office of Chief Financial Officer because the Chief Financial Officer has died, resigned, or is otherwise unable to perform the functions and duties of the Office—

“(I) the District of Columbia Treasurer shall serve as the Chief Financial Officer in an acting capacity, subject to the time limitation of subparagraph (B); or

“(II) the Mayor may direct one of the Deputy Chief Financial Officers of the Office referred to in subparagraphs (A) through (D) of subsection (a)(3) to serve as the Chief Financial Officer in an acting capacity, subject to the time limitation of subparagraph (B).

“(ii) EXCLUSION OF CERTAIN INDIVIDUALS.—Notwithstanding clause (i), an individual may not serve as the Chief Financial Officer under such clause if the individual did not serve as the District of Columbia Treasurer or as one of such Deputy Chief Financial Officers of the Office of the Chief Financial Officer (as the case may be) for at least 90 days

during the 1-year period which ends on the date the vacancy occurs.

“(B) TIME LIMITATION.—A vacancy in the Office of the Chief Financial Officer may not be filled by the service of any individual in an acting capacity under subparagraph (A) after the expiration of the 210-day period which begins on the date the vacancy occurs.”.

(b) CONFORMING AMENDMENT.—Section 424(b)(2)(D) of such Act (sec. 1-204.24(b)(2)(D), D.C. Official Code) is amended by striking “Any vacancy” and inserting “Subject to paragraph (3), any vacancy”.

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to vacancies occurring on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

As chairman of the committee with oversight and responsibility over the District of Columbia, from time to time it comes to our attention that the Home Rule Act and other legislation that has governed the Federal City needs to be updated. In this case, because of the work of Delegate HOLMES NORTON, we became aware of a potentially dangerous flaw within existing law.

On February 1, Dr. Gandhi, the long-standing District of Columbia chief financial officer, announced that he will retire on June 1. Subsequently, Ms. NORTON and the Mayor both began to realize that, if they did not have a full-time and confirmed replacement by June 1, they would be without the authority to write checks; they would be without a requirement that makes the city physically work. This has been a flaw for a very long time. No city, no State, no government should have a single individual critical to the disbursement and consideration of their just debts; but that is, in fact, the way the law was written.

This bill very narrowly but essentially—and, if I may say, it's long overdue—recognizes that there has to be a succession plan, a capability to fill vacancies. H.R. 1246 parallels the Federal Vacancies Reform Act and simply reaffirms a logical sequence of who may be considered to fill this vacancy for whatever period of time would be reasonable. Under our legislation, we rec-

ognize that we also mirror the Federal statute for what is, in fact, a temporary filling.

I want to just close by thanking Delegate HOLMES NORTON. She brought this to us, realizing how critical it could be, and was the first to realize that, if Dr. Gandhi had simply had a car accident and had become infirmed, the same exact situation could have happened and could have been a crisis during an August recess or some other period of time in which Congress would have found itself unable to resolve it in a timely fashion. So I want to thank her for recognizing the potential before all others, and perhaps that's the best justification for having a Delegate represent the District of Columbia as she has so well.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I begin by thanking the chairman, Chairman ISSA and, of course, Ranking Member CUMMINGS for so quickly understanding the importance of bringing this bill to the floor and for marking it up expeditiously. We brought it to the chairman and the ranking member after they had completed the list for the markup, and they immediately recognized how important this bill was.

May I also take this moment to thank Chairman ISSA for his continued partnership on legislation to improve the efficiency and effectiveness of the District of Columbia, including budget autonomy, which got a boost this week when President Obama included a legislative provision—that's the first time any President has ever included legislative language—to grant D.C. budget autonomy in his budget.

This legislation is a whole lot more straightforward but is highly technical and could have been overlooked. The District of Columbia Chief Financial Officer Vacancy Act is, however, an important example of Chairman ISSA's commitment to assist the District of Columbia in improving and safeguarding its vital operations.

The bill, based on the Federal Vacancies Reform Act of 1998, is intended to clarify the authority of the Mayor of the District of Columbia to fill a vacancy in the Office of the Chief Financial Officer on an interim basis. Under the bill, if there is a vacancy in the Office of the CFO because the CFO has died or resigned or has otherwise become unable to perform the functions and duties of the office, under this bill, patterned after Federal legislation, the D.C. treasurer becomes the acting CFO unless the Mayor appoints a deputy CFO to serve as the acting CFO. In either case, there may not be an acting CFO for more than 210 days.

The CFO, an independent official created by Congress, oversees all of the financial operations of the District of Columbia. The city may not obligate or expend funds without the CFO's ap-

proval. Congress, apparently unintentionally, created uncertainty regarding the Mayor's authority to appoint an interim CFO in the fiscal 2001 District of Columbia Appropriations Act, which added a 30-day congressional review and comment period before the appointment of a CFO takes effect.

Now, when we passed the original bill, there was not that comment period, and here is where we got the technical flaw and Congress retained this congressional review and comment period in its rewrite of the CFO statute in the 2005 District of Columbia Omnibus Authorization Act. In the event of a vacancy, this review and comment period could leave the District without a CFO for at least 30 days.

While it could be argued that the Mayor has the general authority to execute the laws and to administer the affairs of the District of Columbia, which may give the Mayor implicit authority to fill a vacancy in the Office of the CFO on an interim basis, this office, after all, was created by the Congress. It would not be prudent to leave doubt about the Mayor's authority as to the only officer who can authorize spending for the District of Columbia. The bill removes any possible doubt.

Mr. Speaker, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. ISSA. I yield myself such time as I may consume.

I would like to join with my colleague, Ms. NORTON, in her comments just a moment ago.

□ 1720

The President recognizes that now is the time to work on a bipartisan basis on budget autonomy for the District, recognizing that every year contracts have to be let for teachers who will go to work in late August and early September, but in fact they often do not know what their budget is going to be on October 1. So this is another area where I think Ms. NORTON and I find ourselves prepared to bring legislation in a timely fashion that deals with the need to make sure that the taxes raised within the District of Columbia by the people of the District of Columbia can in fact be put toward those essential, important services that are paid for by the taxes of the people of the District.

So although that isn't directly related to today's legislation, I think it's critical that we as the ultimate stewards of the Federal city recognize that we cannot run the Federal city, we cannot budget the Federal city, we cannot in fact do what mayors and city councils do as well as they do. So although I share with my colleagues that it is a responsibility the Constitution gives us, I join with my colleague, Ms. NORTON, in saying that we will live up to the President's request in the budget; we will offer legislation from our committee in the next month or so, so

that long before the passage of appropriations we once again have a piece of legislation before this committee that deals with a long overdue reform to the Home Rule Act, and I reserve the balance of my time.

Ms. NORTON. May I thank the chairman for his remarks concerning budget autonomy. Many in the District see budget autonomy as simply a right because it is a local budget; and, of course, the Congress had nothing to do with raising the funds in that budget.

The chairman had a hearing where he listened to the ramifications and effects of bringing a local budget to a body that, even in the best of times, is surrounded by great uncertainty; and he heard the experience of the penalties that the District incurs in its bond rating which otherwise would be perhaps the best in the country because the District has such a large reserve, unusual in these times. And he heard about our budget year, which is timed to begin with the congressional budget year; whereas, every other jurisdiction in the United States begins its fiscal year in July timed to their own children and the opening of school. And he heard about the difficulties of running a large city government and of the shutdown preparations we've had to make because our budget is tied to the federal budget.

The District of Columbia did not lobby the chairman. He is an astute observer, not only of the District of Columbia, but of how money is managed, and he himself came forward with the notion that the local budget ought to be with local residents. It seems to me to be a particularly thoughtful proposal when you consider that Congress, in bills and various provisions that have been offered, still would have the final authority over the budget. Here we have a situation where Congress would lose nothing, but the District would gain what we would in the District would call almost everything.

With that, I'm pleased to yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS), the ranking member who has been so helpful to me on this and other matters.

Mr. CUMMINGS. Mr. Speaker, I want to first of all say to Ms. NORTON, I want to thank you for your vigilance and thank you for staying on the case. No matter how history will be written about the District of Columbia, it must be said that you have, over and over again, stood up for the District, trying to make sure that it has the autonomy that it deserves, which is simply right, and we thank you very much for those efforts.

As ranking member of the House Oversight and Government Reform Committee, I rise in strong support of this important legislation. The District of Columbia Chief Financial Officer Vacancy Act would give the D.C. Mayor

the express authority to appoint an acting chief financial officer in the event of a vacancy in the Office of the Chief Financial Officer, an independent office created by Congress and responsible for the financial operations of the District.

While the Mayor, as the official responsible for executing the laws of the District, may have implied authority under current law to appoint an acting chief financial officer, this bill erases any doubt about the Mayor's authority to appoint an acting CFO.

That is so very important. The District's strong credit rating is attributable in no small part to the Office of the Chief Financial Officer, and it is important that there be no confusion about the office's ability to expend funds.

Finally let me say this. I agree with the gentlelady, with her comments, with regard to her comments with regard to the chairman of the committee. He has shown strong support for this autonomy that she is talking about, the autonomy that the residents of the District of Columbia richly deserve; and hopefully we will be able to move this ball forward so that when we look at the end of our tenure, if not before, we will be able to say that we were able to accomplish it and get it done.

So I applaud the chairman for his foresight. I definitely support him in his efforts with regard to that issue. And to this issue, by the way, because this issue here that we are dealing with today, clearly, we had a situation where there was a hole that needed to be closed so that there would be clarity. And through your foresight, Ms. NORTON, and certainly the foresight of the D.C. Government, we now are able to close that so there is no ambiguity whatsoever.

Mr. Speaker, I urge my colleagues to join me in supporting this bill, and thank the gentlelady for yielding to me.

Ms. NORTON. Mr. Speaker, I have no further speakers, but I do want to thank the ranking member for his very vigorous and important remarks on this bill, and for his great assistance to me on this bill and on budget autonomy and many other issues.

I yield back the balance of my time.
Mr. ISSA. Mr. Speaker, I urge all Members to join with me in support of H.R. 1246. This bill under consideration is critical and timely.

I yield back the balance of my time.
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 1246.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONTRACTING AND TAX ACCOUNTABILITY ACT OF 2013

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 882) to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 882

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Contracting and Tax Accountability Act of 2013".

SEC. 2. GOVERNMENTAL POLICY.

It is the policy of the United States Government that no Government contracts or grants should be awarded to individuals or companies with seriously delinquent Federal tax debts.

SEC. 3. DISCLOSURE AND EVALUATION OF CONTRACT OFFERS FROM DELINQUENT FEDERAL DEBTORS.

(a) IN GENERAL.—The head of any executive agency that issues an invitation for bids or a request for proposals for a contract in an amount greater than the simplified acquisition threshold shall require each person that submits a bid or proposal to submit with the bid or proposal a form—

(1) certifying that the person does not have a seriously delinquent tax debt; and

(2) authorizing the Secretary of the Treasury to disclose to the head of the agency information limited to describing whether the person has a seriously delinquent tax debt.

(b) IMPACT ON RESPONSIBILITY DETERMINATION.—The head of any executive agency, in evaluating any offer received in response to a solicitation issued by the agency for bids or proposals for a contract, shall consider a certification that the offeror has a seriously delinquent tax debt to be definitive proof that the offeror is not a responsible source as defined in section 113 of title 41, United States Code.

(c) DEBARMENT.—

(1) REQUIREMENT.—Except as provided in paragraph (2), the head of an executive agency shall initiate a suspension or debarment proceeding against a person after receiving an offer for a contract from such person if—

(A) such offer contains a certification (as required under subsection (a)(1)) that such person has a seriously delinquent tax debt; or

(B) the head of the agency receives information from the Secretary of the Treasury (as authorized under subsection (a)(2)) demonstrating that such a certification submitted by such person is false.

(2) WAIVER.—The head of an executive agency may waive paragraph (1) with respect to a person based upon a written finding of urgent and compelling circumstances significantly affecting the interests of the United States. If the head of an executive agency waives paragraph (1) for a person, the head of the agency shall submit to Congress, within 30 days after the waiver is made, a report containing the rationale for the waiver and relevant information supporting the waiver decision.

(d) **RELEASE OF INFORMATION.**—The Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, shall make available to all executive agencies a standard form for the authorization described in subsection (a).

(e) **REVISION OF REGULATIONS.**—Not later than 270 days after the date of enactment of this subsection, the Federal Acquisition Regulation shall be revised to incorporate the requirements of this section.

SEC. 4. DISCLOSURE AND EVALUATION OF GRANT APPLICATIONS FROM DELINQUENT FEDERAL DEBTORS.

(a) **IN GENERAL.**—The head of any executive agency that offers a grant in excess of an amount equal to the simplified acquisition threshold shall require each person applying for a grant to submit with the grant application a form—

(1) certifying that the person does not have a seriously delinquent tax debt; and

(2) authorizing the Secretary of the Treasury to disclose to the head of the executive agency information limited to describing whether the person has a seriously delinquent tax debt.

(b) **IMPACT ON DETERMINATION OF FINANCIAL STABILITY.**—The head of any executive agency, in evaluating any application for a grant offered by the agency, shall consider a certification that the grant applicant has a seriously delinquent tax debt to be definitive proof that the applicant is high-risk and, if the applicant is awarded the grant, shall take appropriate measures under guidelines issued by the Office of Management and Budget for enhanced oversight of high-risk grantees.

(c) **DEBARMENT.**—

(1) **REQUIREMENT.**—Except as provided in paragraph (2), the head of an executive agency shall initiate a suspension or debarment proceeding against a person after receiving a grant application from such person if—

(A) such application contains a certification (as required under subsection (a)(1)) that such person has a seriously delinquent tax debt; or

(B) the head of the agency receives information from the Secretary of the Treasury (as authorized under subsection (a)(2)) demonstrating that such a certification submitted by such person is false.

(2) **WAIVER.**—The head of an executive agency may waive paragraph (1) with respect to a person based upon a written finding of urgent and compelling circumstances significantly affecting the interests of the United States. If the head of an executive agency waives paragraph (1) for a person, the head of the agency shall submit to Congress, within 30 days after the waiver is made, a report containing the rationale for the waiver and relevant information supporting the waiver decision.

(d) **RELEASE OF INFORMATION.**—The Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, shall make available to all executive agencies a standard form for the authorization described in subsection (a).

(e) **REVISION OF REGULATIONS.**—Not later than 270 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall revise such regulations as necessary to incorporate the requirements of this section.

SEC. 5. DEFINITIONS AND SPECIAL RULES.

For purposes of this Act:

(1) **PERSON.**—

(A) **IN GENERAL.**—The term “person” includes—

(i) an individual;

(ii) a partnership; and

(iii) a corporation.

(B) **EXCLUSION.**—The term “person” does not include an individual seeking assistance through a grant entitlement program.

(C) **TREATMENT OF CERTAIN PARTNERSHIPS.**—A partnership shall be treated as a person with a seriously delinquent tax debt if such partnership has a partner who—

(i) holds an ownership interest of 50 percent or more in that partnership; and

(ii) has a seriously delinquent tax debt.

(D) **TREATMENT OF CERTAIN CORPORATIONS.**—A corporation shall be treated as a person with a seriously delinquent tax debt if such corporation has an officer or a shareholder who—

(i) holds 50 percent or more, or a controlling interest that is less than 50 percent, of the outstanding shares of corporate stock in that corporation; and

(ii) has a seriously delinquent tax debt.

(2) **EXECUTIVE AGENCY.**—The term “executive agency” has the meaning given such term in section 133 of title 41, United States Code.

(3) **SERIOUSLY DELINQUENT TAX DEBT.**—

(A) **IN GENERAL.**—The term “seriously delinquent tax debt” means an outstanding Federal debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code.

(B) **EXCEPTIONS.**—Such term does not include—

(i) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

(ii) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending.

SEC. 6. EFFECTIVE DATE.

This Act shall apply with respect to contracts and grants awarded on or after the date occurring 270 days after the date of the enactment of this Act.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1730

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 882, the Contracting and Tax Accountability Act of 2013, is, in fact, a broadly bipartisan bill introduced by Mr. CHAFFETZ of Utah and Ms. SPEIER of California. They recognize that, in fact, contractors and, in a companion bill, individual Federal employees have a high standard, a high responsibility, and one of the least of those responsibilities is to pay their taxes in a timely fashion.

Sadly, we discover that, on occasions, we find ourselves with contractors who have not met that responsibility. Most often, those contractors, by not meeting that responsibility, may have, in fact, not deposited the withholding of the very workers who are working on our behalf.

This kind of irresponsible behavior, although not always found, is found often enough that GSA contractors are estimated to owe over \$3 billion in taxes that are in arrears, and nearly \$1.4 billion seriously in arrears.

The bill makes tax compliance both a prerequisite for receiving a contract or being an agent and, in fact, recognizes that those who do not make good on their taxes may, in fact, be seen as eligible for potential suspension or debarment.

Federal contractors, for the most part, do comply and they do comply very well. But I believe that what Ms. SPEIER and Chairman CHAFFETZ have done is recognize that we must have zero tolerance for people who, even after being recognized, and who are seriously behind and delinquent, continue to resist paying their just taxes.

Again, often these taxes have nothing to do with a debate about income tax but, rather, withholding that simply wasn't done. These kinds of contractors are, by definition, the ones also likely to not live up to the high standard that the taxpayers expect by our contractors.

With that, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to, first of all, thank Congressman CHAFFETZ and Congresswoman SPEIER for introducing this very, very important piece of legislation. And I rise in strong support of H.R. 882, the Contracting and Tax Accountability Act.

This bill is very similar to legislation passed by the House in the 110th Congress, and I supported it then, and I surely support it now. The bill enjoys bipartisan support. It is noncontroversial. Last month it was considered by the Oversight Committee and passed unanimously.

GAO has reported that government contractors owed more than \$5 billion in unpaid Federal taxes in 2004 and 2005. Unpaid tax, taxes owed by contractors, included payroll taxes as well as corporate income taxes.

GAO has also found that some contractors with unpaid tax debts are repeat offenders that have failed to pay their taxes over many years, including, in one case, for almost 20 years.

H.R. 882 would allow the Federal Government to ensure that contractors seeking to do business with the Federal Government have paid their taxes before they can receive a Federal contract.

The Federal Acquisition Regulation was revised in 2008 to require contractors to certify that they do not owe a

delinquent tax debt to the Federal Government. The bill builds on that requirement by providing Federal agencies the means to verify contractors' claims.

The legislation will also ensure that responsible contractors no longer have to compete with tax delinquents.

Mr. Speaker, I urge my colleagues to support this important piece of legislation in order to preserve the fairness in the contracting process.

I also take a moment to salute our chairman, Mr. ISSA, for making sure that this bill reached the floor. And so with that, we will now be able to address some of these deadbeat contractors.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, it's now my honor to yield such time as he may consume to the gentleman from Utah (Mr. CHAFFETZ), the author of this bill, a champion for accountability of the Federal workforce and Federal contractors.

Mr. CHAFFETZ. Mr. Speaker, I thank Chairman ISSA for his unyielding support in pursuit of good government. And I thank him for his support of this piece of legislation moved forward.

I also thank Ranking Member CUMMINGS, in working with him and his staff, and certainly with Representative SPEIER, who also shares his passion of making sure that contractors are held responsible for their actions.

Mr. Speaker, today, tens of millions of individuals and corporations all across America will file their Federal tax returns and pay back any money they owe the Federal Government.

However, unfortunately, Mr. Speaker, there will be some who fail to meet this obligation and simply refuse to pay the taxes they owe.

This legislation, H.R. 882, the Contracting and Tax Accountability Act, has a very simple purpose: to prohibit companies with serious delinquent Federal tax debts from doing business with the Federal Government and receiving new Federal contracts. Since Federal contractors draw compensation and funding from taxpayer dollars, we must ensure that they are complying with existing laws and paying their own taxes.

Mr. Speaker, just last month this legislation passed through the Oversight and Government Reform Committee by voice vote, and it is identical to legislation that also unanimously passed the committee last Congress.

Going back a little further, Mr. Speaker, in both the 110th and the 111th Congress, former Congressman Brad Ellsworth of Indiana introduced very similar versions of this bill. And in the 110th Congress, the legislation passed the House again by voice vote.

It begs the question what's happening over there in the United States Senate, but we will continue to pursue

this to make sure this legislation passes.

Also back in the 110th Congress, then-Senator Barack Obama sponsored the Senate companion, Contractor and Tax Accountability Act, to Congressman Ellsworth's legislation but, unfortunately, the legislation did not progress in either Chamber then.

As President, Mr. Obama has continued to fight for the contractors to be held accountable. I concur with the President on this issue. This is bipartisan.

We're going to lead and spearhead this effort here in the House of Representatives and make sure that it becomes law, but the United States Senate is going to actually have to step up and do something at some point in life, Mr. Speaker.

This is a good piece of legislation. H.R. 882 establishes the process through which persons with serious delinquent Federal tax debts may be prohibited from receiving Federal contracts and grants. The legislation is designed to mandate that tax compliance be a prerequisite for receiving a Federal contract or a grant.

As the chairman knows, the Federal Acquisition Regulation, known as the FAR, was revised in 2008 to require contractors to certify they do not have delinquent tax debt to the Federal Government. Under the FAR revision, if a contractor is delinquent, then the standard Government-wide suspension and debarment process occurs in order to hold the contractor accountable.

H.R. 882 would, in essence, codify that regulation and provide a means to verify the contractor's certification. The legislation also provides broad exceptions for debts being paid in a timely manner, and debts to which a due process hearing has been requested or is pending.

Like the Federal Employee Tax Accountability Act, to be considered next, this legislation is meant to affect those thumbing their nose at Uncle Sam and the United States of America.

The Government Accountability Office, the GAO, has reported that government contractors owe over \$5 billion in unpaid Federal taxes. Many of the contractors have repeatedly failed to fulfill their tax obligations and have delinquencies that have extended over multiple tax periods.

GAO even identified instances in which companies that are delinquent in their taxes have won contracts by submitting lower offers than companies that comply with their tax obligations, giving them an undue advantage.

Those who consciously ignore the channels in place to fulfill their tax obligations must be held accountable, and they must play on the same even playing field. This legislation will do just that.

I urge my colleagues to join me in supporting this commonsense, bipar-

tisan piece of legislation. I again thank Chairman ISSA for his support, as well as Ranking Member CUMMINGS.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER), the cosponsor of this legislation.

Ms. SPEIER. Mr. Speaker, I want to thank the ranking member for allotting me some time to speak on this bill, and to our chairman, Mr. ISSA, for moving this bill forward, and to my colleague, Mr. CHAFFETZ from Utah, who is the author of this measure.

Imagine what our constituents are thinking right now. Imagine if they really knew that while they're scurrying around trying to get their tax returns filed on time and making sure they have adequate funds in their accounts to write out that check, that there are corporations in this country that continue to get contracts from the United States of America, even though they don't pay their taxes.

So this bill will ensure that taxpayer dollars due today only go to responsible contractors who do not have significant debts to the Federal Government. This bill will make it clear to all contracting officials: no more tax money for deadbeat contractors.

□ 1740

As it stands, delinquent contractors are not only eligible for future contracts, but they actually get them. With one of the largest budgets in the Federal Government, the Defense Department already has a reputation for letting contractors fleece taxpayers. And to underscore this point, when the Defense Department needed a new PR contractor, they settled on a company that still owed \$4 million in taxes. How can we allow that to happen?

Another company that owed the Federal Government a million dollars in taxes was paid an additional million dollars as a contractor from the Department of Defense. Instead of using the money to pay back the government, what did he do with the money? He bought a boat, some cars, and a home overseas.

Even the IRS, the agency responsible for collecting our taxes, has fallen down on the job of making sure that our taxpayer dollars only go to contractors who have paid them. The Inspector General found the IRS gave 11 companies \$356 million in contracts despite owing millions of dollars themselves.

So the question is, Why would we reward scofflaws?

Let's get this done this year. And I would suggest to my colleagues on the other side of the aisle if in fact the Senate is the logjam, if that's what is going to prevent this from taking effect, let's co-write a letter to the President of the United States and ask him under his powers of executive order to take the steps necessary to put this in

place so that we don't continue to have contractors who do not pay their taxes getting rewarded with contracts by the Federal Government.

Mr. ISSA. Mr. Speaker, at this time I have no further requests for time, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 14½ minutes remaining.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the gentlelady from Washington, D.C. (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I just wanted to thank Mr. CHAFFETZ and Mr. ISSA for this bill.

Initially, there was a bill involving only Federal employees. And we had a concern that often when bills come forward for Federal employees, they are not bills that recognize the substantial funds that contractors receive. And Chairman ISSA and Chairman CHAFFETZ looked closely at it and now have come forward with a contractor's bill as well.

I do want to say in light of the fact that I'm going to oppose the next bill—and I do believe there's a difference between employees and contractors, and I don't want to get into that right at this moment—I do want to say that for Federal employees undergoing a pay freeze and furloughs, there's one thing Uncle Sam can do that apparently hasn't been done with many contractors. He can garnish wages. And you can bet your bottom dollar if there's a Federal employee that owes taxes and you can prove that money is owed to the Federal Government, his pay will be garnished.

But as we heard the gentlelady from California say, these contractors continue to receive the largesse—I guess that's how they regard it—of the Federal Government. It certainly can be distinguished in that way. But I do believe that the chairman of the full committee and the subcommittee deserve credit for, in fact, moving at least where they saw that there should be some equity, that contractors would be treated similarly to Federal employees.

Mr. ISSA. I continue to reserve the balance of my time.

Mr. CUMMINGS. Having no further requests for time, Mr. Speaker, I urge Members to vote in favor of this legislation, and I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

I made a decision to bring these two bills separately, rather than combine them, for a reason. This is not controversial, but failed to get through the Senate. The other bill has some controversy. But I'd like to say that in fact I believe that both bills would tell the American people—both the one related to contractors and the next one we'll be considering related to Federal

employees—that we hold ourselves to the standard that the American people, the American taxpayer, expects us to.

So although I know that Ms. NORTON does not support the next bill, but with the kind of vigor and optimism and positive discussion that we've heard on the previous two bills and on this, I would say that the important thing for all of us to understand is the money here is significant; but the principle of holding our contractors, and in the next bill ourselves, responsible to a high level of integrity and not having those continue without us taking note of it, I think offers the same statement to the American people at a time of sequestration, at a time in which we're questioning how much we can afford from our government.

For that reason, I want these bills to be considered separately. I intend to vote for both of them. I believe both of them have merit for the same reason; but I do thank my colleagues on the other side because this bill, I believe, is truly without controversy and would be without controversy. I ask all of those here to note that we, on a unanimous basis, support H.R. 882. I ask its support, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 882, as amended. The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FEDERAL EMPLOYEE TAX ACCOUNTABILITY ACT OF 2013

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 249) to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Employee Tax Accountability Act of 2013".

SEC. 2. INELIGIBILITY OF PERSONS HAVING SERIOUSLY DELINQUENT TAX DEBTS FOR FEDERAL EMPLOYMENT.

(a) IN GENERAL.—Chapter 73 of title 5, United States Code, is amended by adding at the end the following:

"SUBCHAPTER VIII—INELIGIBILITY OF PERSONS HAVING SERIOUSLY DELINQUENT TAX DEBTS FOR FEDERAL EMPLOYMENT"

"§ 7381. Definitions

"For purposes of this subchapter—

"(1) the term 'seriously delinquent tax debt' means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

"(A) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code;

"(B) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending;

"(C) a debt with respect to which a levy has been issued under section 6331 of such Code (or, in the case of an applicant for employment, a debt with respect to which the applicant agrees to be subject to a levy issued under such section); and

"(D) a debt with respect to which relief under section 6343(a)(1)(D) of such Code is granted;

"(2) the term 'employee' means an employee in or under an agency, including an individual described in sections 2104(b) and 2105(e); and

"(3) the term 'agency' means—

"(A) an Executive agency;

"(B) the United States Postal Service;

"(C) the Postal Regulatory Commission; and

"(D) an employing authority in the legislative branch.

"§ 7382. Ineligibility for employment

"(a) IN GENERAL.—Subject to subsection (c), any person who has a seriously delinquent tax debt shall be ineligible to be appointed or to continue serving as an employee.

"(b) DISCLOSURE REQUIREMENT.—The head of each agency shall take appropriate measures to ensure that each person applying for employment with such agency shall be required to submit (as part of the application for employment) certification that such person does not have any seriously delinquent tax debt.

"(c) REGULATIONS.—The Office of Personnel Management, in consultation with the Internal Revenue Service, shall, for purposes of carrying out this section with respect to the executive branch, promulgate any regulations which the Office considers necessary, except that such regulations shall provide for the following:

"(1) All due process rights, afforded by chapter 75 and any other provision of law, shall apply with respect to a determination under this section that an applicant is ineligible to be appointed or that an employee is ineligible to continue serving.

"(2) Before any such determination is given effect with respect to an individual, the individual shall be afforded 180 days to demonstrate that such individual's debt is one described in subparagraph (A), (B), (C), or (D) of section 7381(a)(1).

"(3) An employee may continue to serve, in a situation involving financial hardship, if the continued service of such employee is in the best interests of the United States, as determined on a case-by-case basis.

"(d) REPORTS TO CONGRESS.—The Director of the Office of Personnel Management shall report annually to Congress on the number of exemptions made pursuant to subsection (c)(3).

“§ 7383. Review of public records

“(a) IN GENERAL.—Each agency shall provide for such reviews of public records as the head of such agency considers appropriate to determine if a notice of lien (as described in section 7381(1)) has been filed with respect to an employee of or an applicant for employment with such agency.

“(b) ADDITIONAL REQUESTS.—If a notice of lien is discovered under subsection (a) with respect to an employee or applicant for employment, the agency may—

“(1) request that the employee or applicant execute and submit a form authorizing the Secretary of the Treasury to disclose to the head of the agency information limited to describing whether the employee or applicant has a seriously delinquent tax debt; and

“(2) contact the Secretary of the Treasury to request tax information limited to describing whether the employee or applicant has a seriously delinquent tax debt.

“(c) AUTHORIZATION FORM.—The Secretary of the Treasury shall make available to all agencies a standard form for the authorization described in subsection (b)(1).

“(d) NEGATIVE CONSIDERATION.—The head of an agency, in considering an individual's application for employment or in making an employee appraisal or evaluation, shall give negative consideration to a refusal or failure to comply with a request under subsection (b)(1).

“§ 7384. Confidentiality

“Neither the head nor any other employee of an agency may—

“(1) use any information furnished under the provisions of this subchapter for any purpose other than the administration of this subchapter;

“(2) make any publication whereby the information furnished by or with respect to any particular individual under this subchapter can be identified; or

“(3) permit anyone who is not an employee of such agency to examine or otherwise have access to any such information.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 73 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER VIII—INELIGIBILITY OF PERSONS HAVING SERIOUSLY DELINQUENT TAX DEBTS FOR FEDERAL EMPLOYMENT

“7381. Definitions.

“7382. Ineligibility for employment.

“7383. Review of public records.

“7384. Confidentiality.”

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 9 months after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I would like to commend Mr. CHAFFETZ. Like the last piece of legislation, Mr. CHAFFETZ reintroduces a bill that passed overwhelmingly in the last Congress but was not taken up by the Senate. As Mr. CHAFFETZ said, it is in fact time for the Senate to at least give us an up-or-down vote on this legislation. By bringing it early in the Congress and, I believe, all these bills on a bipartisan basis, we make it clear that we want to hold ourselves to the standard that the taxpayers believe we should.

All Federal employees are currently held for paying their taxes by the code of ethics of the executive branch. So how can someone who, by the code of ethics, in fact not have satisfied in good faith their obligations as citizens, including all financial obligations, especially those to the Federal, State, and local taxes that are imposed by law, how can somebody who in fact hasn't done it and has reached a point of garnishment, reached a point at which they are unwilling to pay their just taxes, have no appeals or any pending, how can they in fact continue to expect to be Federal employees? The truth is these employees have given up any question about their ethics by avoiding it.

Before going further, I would like to have the Speaker take note that in fact for us, as Federal employees, our withholding is already taken out of our taxes. So to become seriously in arrears in our taxes, for the most part, has to do with activities outside our role. We're well insured for health care. Our taxes have already been withheld. So although there are occasions in which a taxpayer may find themselves seriously in arrears for some reason otherwise, this bill intends and has carefully crafted every possible exception so they could continue to work if, in fact, reasonable measures have been taken by the employee. In fact, if an employee simply agrees to be garnished for past taxes, pursuant to the law, they in fact can continue to work.

So I'd like to preface by saying this bill has passed before and has been well thought out. We in fact sent a letter to IRS asking them for a timely response. And to my dismay, they were not interested enough to respond to us by the deadline. Of course, the deadline for responding really was in the last Congress.

I reserve the balance of my time.

□ 1750

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

As one who represents many Federal employees, with the Social Security Administration smack dab in the middle of my district, with many of my constituents getting up at 4 o'clock in

the morning, catching the train over here from Howard County and Baltimore County to work for the Federal Government, a group of people, many of whom are being subjected now to furloughs, have been subjected to pay freezes, in some instances have been placed in a position where they have to pay more toward their pensions and get less, a group of people who in many instances I run into them at the gas station, at the Pancake House, or wherever I may see them, who are very much concerned about a word that has become a significant word in this House, “uncertainty.” I strongly oppose H.R. 249, a measure that would require the Federal Government to fire—to fire—Federal employees who have an outstanding tax debt. The legislation is unwarranted, unnecessary and, in fact, counterproductive.

I believe that Federal employees, like all Americans, should pay their taxes, and I don't think that there's one single Member of this Congress that feels otherwise. We all believe that Federal employees and all folks who owe taxes ought to pay them. Federal workers hold the public trust and should be held to a high standard of conduct. The fact is that Federal employees have met and exceeded that standard.

The legislation is unwarranted because the tax delinquency rate for Federal employees is less than half that of the general public. In 2011, the tax delinquency rate for the general public was 8.2 percent. In the same year, the tax delinquency rate for Federal workers was only 3.62 percent. Now, let me make it clear: I would suggest that it would be best—and wonderful—if that percentage was zero, but it's not. But again, the general delinquency rate, 8.2 percent; Federal workers, 3.62 percent.

The legislation is unnecessary because the IRS and other executive agencies already have procedures in place to recover back taxes from Federal employees. Through the Federal Payment and Levy Program, the IRS can impose a continuous levy on Federal salaries and annuities up to 15 percent until the debt is paid. Agencies also have the authority to take disciplinary action against employees for delinquent tax debts, which may include removal, if necessary.

The legislation is counterproductive because it would make it more difficult to collect unpaid taxes from Federal employees by requiring their termination and eliminating the ability to impose levies on their salaries.

On another note, I just left, about 3 hours ago, a job fair that I sponsored in my district where 9,000 unemployed people showed up. In talking to some of the various agencies, they said, Congressman CUMMINGS, we're glad that the State of Maryland is now dealing with child support issues a little bit differently because we used to take

everybody's license. We would make it almost impossible for them to make money so that they could pay the child support. They said now we're beginning to turn some of those laws around because, again, we want to be effective and efficient in collecting the money. Here, if a person has no job, how are they going to pay their taxes?

I am also concerned that this legislation is being rushed to the floor today to apparently make a political point. During committee debate over the legislation, questions were raised. To his credit, the chairman agreed that we would try to get some responses from the IRS about the rules and procedures regarding debt collection, options for resolving delinquencies, payment options, tax delinquencies of IRS employees, and other issues. The chairman promised to obtain the answers to these questions from the IRS and to work with Democrats before the bill was brought to the floor.

Now, I have absolutely no doubt that the IRS failed to do what they were supposed to do; they did not give us the information. But there was a reason that we wanted that information. We wanted the information so that we could base our decisions on sound facts. If we are placing people in a position where they will lose their way of feeding their family and having a roof over their head and taking care of their kids, it would be nice to have information.

I tell my staff all the time: Give me the information so that I can make a decent decision. We don't have that information, and that is unfortunate. Hopefully, at some point, we will get it from the IRS. Again, Mr. Speaker, I don't blame the chairman. He did his part. He submitted his letter. I know he did, but we still have not heard from the IRS. So on April 4, 2013, I joined with Chairman ISSA in sending that letter to the IRS, requesting specific information that the committee members agreed was necessary to fairly and fully evaluate the need for this legislation.

Again, without this information, it is unclear whether various scenarios under which taxpayer disputes of tax debt would be exempted under the bill. For example, it is unclear whether an appeal from a collection due process hearing, litigation proceedings in U.S. Tax Court, or hearings under the IRS' Collection Appeals Program would trigger an exemption.

Contrary to the chairman's assurances, the Republican leadership has insisted on bringing this bill to the floor without the benefit of this information and without resolving the many concerns raised during the committee debate. For these reasons, I urge my colleagues to join me in voting against this bill.

Again, we need information, but more importantly, there is something

that the chairman said that I think we need to be clear on. I want to see, again, a situation where everybody pays every dime that they are supposed to pay, but I don't think that people get fired if they're not Federal employees when they have a tax delinquency. So when we're talking about fairness, again, we're talking about the Federal employee, and then we're talking about everybody else.

So with that, Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, the gentleman is right. And I would take note that this afternoon the IRS did offer to speak to us over the phone but had no answers in writing, which continues to befuddle me a little bit that we can't get answers. I will continue to work with the ranking member to get those answers.

At this time, I yield 5 minutes to the author of the bill, the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. I thank Chairman ISSA, Speaker BOEHNER, and Leader CANTOR for their support in allowing us to bring this piece of legislation, a piece of legislation that has come before this body before. This is not a new topic. This is not something that just sprung up with us in the last 10 days here.

Mr. Speaker, on tax day, 2013, I want to impress upon my colleagues that Federal employees who consciously ignore the channels and processes in place to fulfill their tax obligations must be held accountable. The Federal Employee Tax Accountability Act addresses noncompliance with our tax laws by prohibiting individuals with serious delinquent tax debt from Federal civilian employment.

Most taxpayers file accurate tax returns and pay them on time. Most Federal workers do that—the overwhelming majority of them do it. In fact, statistically, more than 96 percent of our Federal employees do the right thing and they do it on time. But, unfortunately, there are a few bad apples out there. There are a few people out there that, despite all the processes, all the appeals, all the things out there, Mr. Speaker, they still choose to thumb their nose at the rest of us. Unfortunately, there are 107,000 Federal workers who don't pay their taxes. It accounts for about \$1 billion in uncollected taxes.

In 2011—the most recent year for which the IRS data is available—they tell us that 107,658 civilian Federal employees owed more than \$1 billion. Now, the statistics say they have a greater compliance than the rest of the public. But let's remember, when you're unemployed, you're probably going to have a hard time complying. Employment for those that are Federal workers is 100 percent. They have a job. They have a responsibility to pay their taxes.

As the chairman indicated, the intent of the bill is simple: if you're a Federal employee or applicant, you should be making a good faith effort to pay your taxes or to dispute them, as the taxpayers have a right to do.

Under H.R. 249, individuals having seriously delinquent tax debts are ineligible for Federal civilian employment in the executive and legislative branch, including congressional staff. "Seriously tax delinquent" is defined as an outstanding Federal tax debt for which a notice of lien has been publicly filed.

□ 1800

And there are exemptions. If you're being paid in accordance with an installment agreement, perhaps you're having your wages garnished, you have an offer of compromise, or wage garnishment, you're exempted; it's not going to affect you.

The IRS has already told us on the record when they testified in a hearing that the overwhelming majority of the 107,000 people fall within that category. They testified to the body in the last Congress that roughly 12 percent of the 100,000 people would fall into this category that we're here talking about today. We've had a hearing about this. We did ask the IRS about this.

I also want to note, Mr. Speaker, on page 4 of the legislation at (c)(3):

An employee may continue to serve, in a situation involving financial hardship, if the continued service of such employee is in the best interests of the United States, as determined on a case-by-case basis.

There's an opportunity to have the person who's in charge to make a determination: Do you know what? I have looked at this, and I grant this person an exemption.

But, as I did when I spoke to a group of HR professionals who work within the Federal Government, I told them about this and said, You need some tools to take care of the bad apples. I could see every one of their heads shaking, yes, please, give us this tool.

The bill requires individuals applying for Federal jobs to certify they are not seriously tax delinquent. Agencies will also conduct periodic reviews of public records for tax liens. Individuals with serious delinquent tax debt may avail themselves to existing due process rights, including going before the Merit Systems Protection Board.

In fact, in the last Congress, Mr. Speaker, Mr. LYNCH, who's as passionate on this issue as you can possibly find, offered some amendments. And let me read from the RECORD when we accepted the amendment offered by Mr. LYNCH of Massachusetts:

Mr. LYNCH. With that refinement here, a friendly amendment, I certainly would vote for the bill if the amendment were included.

The amendment was included. We did this in a bipartisan way. That's why it sailed through the House of Representatives last time and why it should sail through again.

In addition, individuals have 6 months to demonstrate that their tax debt is not seriously delinquent—something that Mr. LYNCH asked for, something we agreed with, something that we move forward with.

For many of my colleagues on both sides of the aisle, this legislation should sound familiar because we did pass it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. Mr. Speaker, I yield the gentleman an additional minute.

Mr. CHAFFETZ. Actually, at this time, what I would like to do is yield back and respond based on the other comments.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the distinguished lady from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I just want to say to my good friends, the chairman of the full committee and of the subcommittee, that we were doing so well in the last few bills showing how bipartisan our committees could be. And I mean that sincerely, because the committee has been working in a very bipartisan way, particularly this year.

As I indicated in my prior remarks, there is not perfect symmetry between employees and contractors. Here is one of the examples where we do not have that symmetry.

Mr. Speaker, I am a firm believer in “lead by example.” I think that applies to Members of Congress, and I believe the Federal employees believe that applies to them. Why else would they have a delinquency rate less than half the tax delinquency rate of other Americans? They know they are a unique workforce.

Here is a workforce that has already stepped up front beyond the American people. They are the ones who were the first to sacrifice for the deficit, and they keep sacrificing, now in the 3rd year of a freeze and a sequester on top of it.

Why would we pick them out for any other purpose except a symbolic purpose, which is what I see here? It's not lost on any of us, Mr. Speaker, that today is April 15. I suppose this is a bill to make sure everybody understands that we understand it's April 15. I understand entirely the importance of symbolic moves. I put out a release myself today on taxation without representation.

But here we have the best workforce in the United States, the most specialized, and the workforce that has given more than any of us.

I have a serious legal problem with this bill. This bill defines a “seriously delinquent” Federal worker as one against whom there is “notice of a lien which has been publicly filed.” Mr. Speaker, a notice of lien is a claim by the claimant, in this case, the United

States. The answer may come, of course, as to any claim in our legal system from the defendant.

Here, on the basis of the claim alone, we are going so far as to allow even the employee to be fired, this at a time when Americans, including Federal employees, have had the worst hardships since the Great Depression, including homes under water and all the rest of it. It's just not necessary. If they have the best tax record in the United States, why then would they be picked out?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CUMMINGS. Mr. Speaker, I yield the gentlelady an additional 30 seconds.

Ms. NORTON. Mr. Speaker, I wanted to emphasize that the IRS already has special procedures to recover taxes from its own employees, and I commend the IRS for that, including, by the way, being able to garnish their wages up to 15 percent and even to take disciplinary actions. Why would we need anything further, particularly at this moment in time, against our Federal employees who have endured so much?

I thank the gentleman for yielding.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

I join with the gentlelady from the District of Columbia in applauding what the IRS has done. The IRS effectively gave itself the rules that Mr. CHAFFETZ would like to have all Federal civilian workers living under.

The IRS has a delinquency rate now of 1 percent. So if you take a fraction of that 1 percent that could possibly be out of compliance for a short period of time, and that's what happens. You've lowered the overall rate from, for example, the Government Printing Office, 7.6 percent; the 316,000 people at the Department of Veterans Affairs, 13,000 of them, or 4.3 percent, are seriously in arrears.

Mr. Speaker, the gentlelady is absolutely right: the IRS did the right thing, and it worked. You've got a compliance rate down to 1 percent failure, or 99 percent positive compliance rate.

For all the Federal workers who are listening carefully because this could affect them, they're looking to their left and their right endlessly wondering who these deadbeats are because, in all cases, it's below 10 percent, and at the IRS at 1 percent.

Mr. Speaker, the case for this legislation is made by the IRS's success, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, I adopt the remarks that were made by Ms. NORTON. The delinquency rate of Federal employees is

far below what it is for other employees on a general level throughout this country. I adopt the gentlelady's remarks that, yes, this is April 15, and my own staff has said, oh, I had to pay this, that, or the other.

The implication here is that we brought a bill dealing with Federal employees this day. Why? Because Federal employees are very easy to target. For people who don't like government: Well, the Federal employees, look at what they're doing. You're having to pay your taxes today before those deadbeat Federal employees. That's the message here.

Now, if this were a problem that you really wanted to deal with, it wouldn't have to be April 15. It could have been February 15 or it could be June 15. But, no, that's not the message here.

□ 1810

The message is that somehow Federal employees need to be targeted. I understand they work for us, and so they're easy to get at. And we are getting at them almost every week. We're furloughing them. We're suggesting they pay more, that they're not paying enough for retirement. We are suggesting that somehow they're less than stellar employees.

But before I conclude, let me take a second look at this.

We had a tragic event happen in Boston today, and the President was quick to call Governor Deval Patrick and say we're going to send some Federal employees from the FBI, the ATF, and other agencies to make sure that we look at this and protect America.

We extend our sympathies, of course, to all the victims and their families.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I yield the gentleman an additional 1½ minutes.

Mr. HOYER. We express our sympathies to all of them, and we recognize that they have some employees in Boston and around this country at the municipal and State level, and, yes, at the Federal level, who are going to try to respond and make sure America is safe.

Let's send a message to those Federal employees, because they're our employees, that we respect them, their contribution. Let us not bring a bill to the floor—by the way, the gentleman is correct that it passed here not with my vote last year, because I thought it was a message that was incorrect. I thought that there were processes in place today which allow us to act against those, yes, who are tax delinquents. But very frankly, this is not a discussion today about huge tax delinquents, huge tax frauds, people who are not paying taxes to this country in which they're being so successful.

So, Mr. Speaker, first of all, we send our regrets to those who have been the

subject of a terrorist act, whether it was a domestic terrorist, a foreign terrorist, but a terrorist act this day.

Secondly, we say to those Federal employees who time after time, week after week, month after month are being disparaged by their board of directors, that we understand the quality of their service and contribution. And, yes, we understand there are some who don't do what they ought to do, and we demand that they do so, but this is not the way to do it.

Mr. ISSA. Mr. Speaker, I'm not going to do too much responding to something that asks why something was brought on April 15, except to say that the minority was very happy to have us bring on April 15 something to hold contractors responsible on tax day for taxes, and we thought appropriate that both should be about this tax day in which 99 percent of Americans have paid all their taxes, whether they like to or not, and a small percentage have not.

With that, I yield 1 minute to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. I thank the chairman.

Mr. Speaker, only in Washington, DC, can we say that this is not a serious issue. We're talking about 107,000 people and a billion dollars in uncollected taxes when the very Americans that are paying their paychecks are writing out their checks.

I would also look at the companion piece of legislation, which is \$5 billion, that deals with the contractors. What we're saying to the employees of the Federal Government—the men and women who are patriotic, who are doing their job; they're doing the right thing; they work hard; they love this country; they're the first ones to run and respond—we're going to take care of you; we've got your back. Because every once in a while there is a bad apple, there is somebody that works in that department, there is somebody that works in that agency who doesn't play by the rules like everybody else does. They give this country and they give their counterparts and their employees a bad name. We're going to stand up for them by giving that head of that department in the agency the opportunity to fire somebody if they don't comply.

Pay your Federal taxes, you're in good shape; don't pay your Federal taxes, don't put yourself in place, then we're going to give you an opportunity to be let go.

Mr. CUMMINGS. Mr. Speaker, may I ask how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 6 minutes remaining.

Mr. CUMMINGS. I yield 1½ minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, I rise in opposition to H.R. 249, the Fed-

eral Employee Tax Accountability Act of 2013.

On close examination, it is obvious that this bill is deceptive, unnecessary, and even counterproductive. It's a bill that puts additional requirements on Federal workers that the rest of the public does not face: that of losing their job because of a tax lien. On top of this, common sense will tell you it's a very difficult thing to collect taxes or any debt from somebody who doesn't have a job.

The IRS already has procedures in place to collect back taxes from Federal employees. The Federal Payment Levy Program allows the IRS to impose a continuous levy on Federal, and only Federal, employees up to 15 percent. This means Federal employees already are held to a higher standard and the IRS already has additional weapons in its arsenal, making the bill before us an over-the-top and punitive measure.

It's a solution without a real problem and a solution that will only make it harder to actually collect taxes. And I question whether this is a sincere effort to improve our Nation or just another in a long series of unfair attacks on Federal employees and the unions that represent them. These are people who haven't had a raise in 3 years. These are people for whom many are receiving furlough notices even as we speak. These are people that now we're attacking in a new and better way.

Mr. Speaker, I suggest at some point you wonder how we're supposed to attract talented and capable individuals to come to work for us when we treat them like this.

I urge my colleagues to join me in voting against the bill.

Mr. ISSA. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from California has 8½ minutes remaining.

Mr. ISSA. At this time, I yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Mr. Speaker, I'd like to harken back to the comments of President Obama on January 20, 2010.

Make no mistake; the President was talking about delinquent contractors, not specifically about Federal workers. But I want you, as you listen to the President, in his own words, to wonder why should—these, too, are families. Contractors are families; they're Americans; they're people. Some of them are bad apples. Most of them do a good job.

But listen to the President as he's talking about contractors, and say: Should the same be true for Federal workers?

Quote, from President Obama:

All across this country, there are people who meet their obligation each and every day. You do your jobs; you support your families; you pay taxes you owe because it's a

fundamental responsibility of citizenship. And yet, somehow, it's become standard practice in Washington to give contracts to companies that don't pay their taxes.

Later on, the President said:

The status quo, then, is inefficiency, and it's wasteful by the larger and more fundamental point that it is wrong. It is simply wrong for companies to take taxpayer dollars and not be taxpayers themselves. So we need to insist on the same sense of responsibility in Washington that so many of you strive to uphold in your own lives, in your own families and your own businesses.

The same should be true for Federal workers. And when those Federal workers are giving out those Federal contracts by the hundreds of billions of dollars, let them be able to look people in the face and say, We hold ourselves to that same high standard. We're not having a separate standard for contractors and for you. Those of us that do work for the Federal Government are honest in our dealings. We pay our taxes. You know what? If we don't around here, they eventually fire us.

That seems to me to be common sense and the right approach.

□ 1820

Mr. CUMMINGS. I yield 1 minute to the gentleman from California (Mr. CARDENAS).

Mr. CARDENAS. Mr. Speaker, I rise in opposition to H.R. 249.

This bill would bar individuals who work for the Federal Government and who have a tax lien from being employed by the Federal Government. I agree with Congressman CHAFFETZ and the supporters of this bill that all citizens, including our Federal employees, should pay their taxes. However, this bill is far more focused on attacking Federal employees than on actually resolving problems. This bill, H.R. 249, is a political document, not a policy solution.

The IRS says that the tax delinquency rate for our Federal employees is half that of the average American taxpayer. This legislation is the wrong approach and is destined to be grossly ineffective because it makes collecting outstanding taxes difficult—by firing the very people we'd like to pay their taxes. As a former business owner myself, in putting people into homes, I used to find out time after time that the IRS would violate their agreement. It's the IRS that violates the agreement sometimes when somebody says, I'll pay it on a regular basis, and the IRS changes that agreement without notice. That will and does happen to employees all the time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. I yield myself 1 minute.

The gentleman from California is new, and I'm sure he did not mean to disparage our intention.

Our intention was, in fact, to bring accountability and, in fact, a sense of pride to the Federal workforce, one in

which 96-point-some percent do pay their taxes, and of the remaining ones who do not, the vast majority has made arrangements to deal with taxes in arrears.

But, Mr. Speaker, less than a year ago, I had my house robbed. I live in a low-crime neighborhood. Less than 2 percent of the homes get robbed in a given year, but the police still responded and still said, I'll do something about your home being burglarized.

All we're saying here is: let's stop talking about the 97 percent who do the right thing, and let's deal with those who do not in a way that encourages them, like the IRS has, to start doing the right thing and lower that failure rate to 1 percent or less.

I reserve the balance of my time.

Mr. CUMMINGS. I yield 1 minute to the gentlelady from California (Ms. SPEIER).

Ms. SPEIER. I thank the ranking member.

Let me just be very specific. Mr. CHAFFETZ, at one point, said we have a few bad apples, and the chairman suggested, Well, who are these deadbeats? Let's talk about who these deadbeats really are. \$3.5 billion—54 percent of that \$3.5 billion is attributed to military, active military, military Reserves, and retired military.

Now, I don't know about you, but I think maybe we should rethink this because the truth of the matter is 54 percent have either been in the military or active military. Furthermore, 46 percent of those "deadbeats" are civilian Federal employees retired and military Federal employees retired.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Speaker, the gentlelady is entitled to her opinion, but I don't believe her facts.

Our information shows that, in fact, first of all, this bill only pertains to civilian personnel. It does not affect uniformed military personnel. Uniformed military personnel can be court-martialed for not living up to their financial obligations. That is certainly more than we are considering here.

The fact is the numbers we presented, the numbers quoted here, represent civilian workers. Some of those civilian workers do also serve in the Reserves, and some of them are also retired individuals, but let's understand this is not about the men and women deployed in uniform. This is, in fact, about civilian workers who may have supplemental incomes from retirement, who may, in fact, also be Reserves. This is all about people who receive often more than \$100,000 a year and have not made arrangements to catch up on taxes that are seriously in arrears by up to \$10,000 or more.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman from Maryland has 2½ minutes remaining.

Mr. CUMMINGS. I yield that 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I thank my very good friend from Baltimore.

The basic problem with this bill is that it claims to fix a problem that doesn't exist. The fact is that Federal employees have a delinquency rate that is less than half of what it is for the average American taxpayer. The fact is that there already exist programs to garnish wages and annuity income for delinquent filers. The fact is that agencies can already take disciplinary action against employees who have tax debt, including that of termination.

So why are we doing this—to punish people because they chose public service?

This bill would have virtually no effect on revenue because there are so few civil servants who are delinquent and, invariably, there is some understandable reason, just as there has been for a number of our colleagues over the years.

So it's not about bringing down the debt. This is about threatening Federal workers, singling them out by suggesting that there is some kind of endemic problem when there isn't. You've already docked the Federal workforce with up to 14 unpaid furlough days. You've cut more than \$100 billion from their pensions and pay. You've just sequestered \$600 million from the IRS.

Federal employees work for our constituents, and they work for us. Their jobs are to carry out the laws that we make. The majority of this House apparently ran for office on the claim that the Federal Government isn't working, and now that they've been elected they're trying to prove it—by threatening and accusing and, thus, demoralizing the dedicated public servants who have fought our wars, built our roads and bridges, enforced our laws, invented the technology that powers our economy, and researched the treatments that heal and save our loved ones. And all this Congress can do is to threaten them with bills like this.

This is not a fair bill, and thus I urge a "no" vote on it.

Mr. ISSA. I now yield 1 minute to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. This bill doesn't threaten the Federal employees. It only threatens the Federal employees who don't pay their Federal taxes. You pay your taxes because you get your income from the taxpayers. It doesn't affect you.

What I hear continually, Mr. Speaker, is, Oh, no problem here. Don't worry about it.

It's \$1 billion in uncollected taxes. For far too long, this Congress has ignored this. They keep giving contractors contracts up to the tune of \$5 billion a year. I introduced that bill as well.

So to suggest, Mr. Speaker, that this bill is unfair, it's unwarranted, it's going to harm Federal employees—it's going to protect Federal employees, because the ones who are doing the right job, that are patriotic, are protected under this bill. Only those who thumb their noses and won't pay their taxes are the ones who should be scared of this bill.

The SPEAKER pro tempore. The gentleman from Maryland is recognized for 15 seconds.

Mr. CUMMINGS. I yield the remaining time to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. The problem with this bill is that it singles out Federal employees by threatening and accusing them, suggesting that there is an endemic problem within the Federal Government, and there isn't.

Mr. CHAFFETZ. Will the gentleman yield?

Mr. MORAN. I am more than happy to yield to the gentleman from Utah if I have the time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. I yield 10 seconds to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. There are 107,000 people who haven't paid about \$1 billion in taxes. To suggest there isn't a problem is, I think, factually without merit.

Mr. ISSA. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from California has ¾ minutes remaining.

Mr. ISSA. I yield myself the remaining time.

Mr. Speaker, I would like to close on a little bit quieter note than the debate. The debate was, rightfully so, heated, and it was heated because, in fact, we are making an important symbolic statement in this legislation.

\$1 billion is a lot of money to the taxpayers listening, but the principle here is extremely important. It's a principle that shows that, when the IRS changed their rules, they didn't fire very many people. I'm sure, in fact, what they got was compliance, far greater compliance, but let's go through a few things because the gentlelady, my colleague and friend from California (Ms. SPEIER), used a larger number, and the larger numbers, in fact, are worth using in closing.

□ 1830

We've been talking, up until now, about \$3 billion, \$2.976 billion, that in fact is about the civilian employees of the Federal Government. They have a delinquency rate of approximately 3.62

percent. She mentioned other individuals, and I want to mention in closing their delinquency rate:

Civilian retired: understand, these are not individuals you can fire. They're retired, but their delinquency is 2.5 percent.

Military active duty: these are the men and women who have a different set of rules. They can be court-martialed if they don't live up to their obligations, 2 percent. Remember, that 2 percent includes all those who may eventually comply.

Military Reserve and Guard: these are the men and women who give up their day jobs, often taking a huge pay cut in doing so, often unanticipated, 2.4 percent.

Military retired, 4.3 percent. Mr. Speaker, I can't account for why, when military people retire, they find themselves seriously in arrears in taxes. But what I can say is when we look at 1 percent at the IRS, and 2 percent for those men and women getting a private's pay or a corporal's pay, they manage to keep their taxes straight.

The Federal workforce has a high compliance rate, as has been said repeatedly by my colleagues. Their compliance rate is nearly twice the rate of the public as a whole. Of course, the public as a whole includes over 7 percent unemployed, and it includes all kinds of other characteristics that lead to people being in default.

What we're saying here today is the IRS made a decision to have a compliance standard that has dramatically reduced failure to comply, and has put us in a situation where people of the IRS can say proudly: We pay our taxes. We pay our taxes at a 99 percent rate, and we deal with those who do not live up to promising to pay the rest.

We just want the same for the Federal workforce, and I believe Federal workers listening here today would agree that in fact since most of them do exactly what's right, all of them should be held to do what is exactly right. I urge passage of the bill.

I yield back the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I strongly believe that all Americans, particularly Federal workers, should pay their taxes in full and on time, period. Fortunately, according to the most recent tax compliance statistics from the Internal Revenue Service (IRS), the vast majority of Federal workers, more than 96 percent, pay their taxes in full and on time.

This admirable compliance rate is especially impressive when considering that the Nation's overall compliance rate is approximately 83 percent. Further, with an average delinquency rate for Federal employees of 3.3 percent, compared to an average delinquency rate of 7.4 percent for all American taxpayers, it is clear that our dedicated civil servants take their tax obligations seriously. In addition, for the small minority of Federal employees who fall behind on their taxes, the causes of financial hardship are not unique to Federal workers, but similar to the challenges and cir-

cumstances facing many middle class American families who find themselves temporarily unable to meet their tax obligations as a result of life-changing hardships, such as a divorce, serious illness, or a spouse losing a job.

Simply put, H.R. 249 is a solution in search of a problem.

The Congressional Budget Office cost estimate found that implementing H.R. 249 will cost taxpayers \$1 million in 2014 and about \$500,000 in subsequent years, since it will not enhance revenues. Although it may seem counterintuitive that the so-called "Federal Employee Tax Accountability Act" would increase the deficit, it is logical when one considers current law. Presently, the law provides for a hierarchy of penalties based on the seriousness and willfulness of the offense related to improperly filing a tax return, and it provides IRS the authority to garnish wages to recoup owed taxes from employees.

H.R. 249 would replace this system with an inflexible mandate to fire any Federal employee with an outstanding tax debt to the Federal Government for which a public lien has been filed. If my Republican colleagues are so concerned about tax delinquency, then why not use the \$1 million cost of this legislation to hire additional IRS enforcement agents to chip away at our Nation's net tax gap of approximately \$385 billion?

We recently held a hearing where the head of the U.S. Government Accountability Office stated that the tax gap is the single largest item we can address to achieve savings. Could it be that actually recognizing such valuable work does not fit neatly with their negative narrative of the Federal workforce? Spending more than \$1 million to implement H.R. 249, which only targets our country's civil servants and does nothing to address our Nation's \$385 billion tax gap, is neither a prudent nor wise policy response. I urge all Members to oppose this legislation.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 249, the misleadingly named Federal Employee Tax Accountability Act. This bill unfairly singles out federal employees for punishment instead of applying a uniform set of rules to individuals who may be delinquent on their taxes.

All Americans should pay their taxes, and those who fail to do so should be penalized. But this bill denies public workers the full complement of due process rights that would be available to any other American under the same circumstances. In effect, this bill would require the firing of any public employee even if they are legitimately contesting their delinquency through the established process. There are laws and regulations on the books that address how tax delinquency should be handled and how public employees who are delinquent on their payments should be disciplined. By by-passing those procedures, this measure unfairly targets public employees simply because they work for the government.

Public servants work hard every day providing a wide array of public services for Americans, from helping to nurse our wounded veterans, to discovering cures and treatments for diseases that plague millions of American families, to protecting our food supply.

The passage of this bill is the latest in a series of unfair congressional attacks on public

workers that has ranged from cutting their pay to reducing their benefits. And this bill arrives just as many of them face further pay cuts resulting from agency imposed furloughs.

Federal workers do not deserve to be treated like this.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition H.R. 249, the Federal Employee Tax Accountability Act.

Failure to pay taxes is a serious offense and should be treated as such. Unfortunately, this bill is not a serious attempt to address that very complicated issue. Instead of being a good faith effort, this bill is being used as a political stunt and appears to be an attack on public employees.

During Oversight and Government Reform Committee markup on this bill, a series of questions were raised about the Internal Revenue Service procedures related to tax delinquency. These questions include what steps may be taken to resolve a delinquency, when enforced collection action may be used, how repayment schedules are established, among others. Addressing these types of questions and concerns is what the Committee process is for. Chairman ISSA and Ranking Member CUMMINGS wrote a letter to Steven Miller, Acting Commissioner at the IRS, to better understand these processes. The majority pledged to consider these responses and to amend this measure accordingly. Instead of waiting even two weeks for a reply, H.R. 9 was brought to the floor without amendment. The Chairman refused to wait for the answer to his own letter.

I am also concerned that this bill does not make sufficient allowances for the dispute process to do its work. Americans have the right to appeal IRS collection actions. While exemptions are provided when a hearing has been scheduled under Collection Due Process, appeals to that ruling or under the Collection Appeals Program are not. Punishing anyone while they are still in the process of pursuing the normal IRS dispute process is wrong.

Americans around the country are paying their taxes today. None of them should be fired while pursuing their legal rights to appeal or dispute IRS action. I urge my colleagues to join me in opposing H.R. 249.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 249.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1162, by the yeas and nays;

H.R. 882, by the yeas and nays;

H.R. 249, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

GOVERNMENT ACCOUNTABILITY OFFICE IMPROVEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1162) to amend title 31, United States Code, to make improvements in the Government Accountability Office, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 24, as follows:

[Roll No. 103]

YEAS—408

Aderholt	Cassidy	Enyart
Alexander	Castor (FL)	Eshoo
Amash	Castro (TX)	Esty
Amodei	Chabot	Farenthold
Andrews	Chaffetz	Farr
Bachmann	Chu	Fattah
Bachus	Cicilline	Fitzpatrick
Barber	Clyburn	Fleischmann
Barletta	Coble	Fleming
Barr	Coffman	Flores
Barrow (GA)	Cohen	Forbes
Barton	Cole	Fortenberry
Bass	Collins (GA)	Foster
Beatty	Collins (NY)	Fox
Becerra	Conaway	Frankel (FL)
Benish	Connolly	Franks (AZ)
Bentivolio	Conyers	Frelinghuysen
Bera (CA)	Cook	Fudge
Bilirakis	Cooper	Gabbard
Bishop (GA)	Costa	Gallego
Bishop (NY)	Cotton	Garamendi
Bishop (UT)	Cramer	Garcia
Black	Crawford	Gardner
Blackburn	Crenshaw	Garrett
Blumenauer	Crowley	Gerlach
Bonamici	Cuellar	Gibbs
Bonner	Culberson	Gibson
Boustany	Cummings	Gingrey (GA)
Brady (PA)	Daines	Gohmert
Brady (TX)	Davis (CA)	Goodlatte
Briley (IA)	Davis, Danny	Gosar
Bridenstine	DeFazio	Gowdy
Brooks (AL)	DeGette	Granger
Brooks (IN)	Delaney	Graves (GA)
Brown (GA)	DeLauro	Graves (MO)
Brownley (CA)	DelBene	Grayson
Buchanan	Denham	Green, Al
Buoshon	Dent	Green, Gene
Burgess	DeSantis	Griffin (AR)
Bustos	DesJarlais	Griffith (VA)
Butterfield	Deutch	Grijalva
Calvert	Diaz-Balart	Grimm
Camp	Dingell	Guthrie
Campbell	Doggett	Gutierrez
Cantor	Doyle	Hahn
Capito	Duckworth	Hall
Capps	Duffy	Hanabusa
Capuano	Duncan (SC)	Hanna
Cárdenas	Duncan (TN)	Harper
Carney	Edwards	Harris
Carson (IN)	Ellison	Hartzler
Carter	Ellmers	Hastings (WA)
Cartwright	Engel	Heck (NV)

Heck (WA)	McKinley	Sarbanes
Hensarling	McMorris	Scalise
Herrera Beutler	Rodgers	Schakowsky
Higgins	McNerney	Schiff
Himes	Meadows	Schneider
Hinojosa	Meehan	Schock
Holding	Meeks	Schrader
Holt	Messer	Schwartz
Horsford	Mica	Schweikert
Hoyer	Michaud	Scott (VA)
Hudson	Miller (FL)	Scott, Austin
Huelskamp	Miller (MI)	Scott, David
Huffman	Miller, George	Sensenbrenner
Huizenga (MI)	Moran	Serrano
Hultgren	Mullin	Sessions
Hunter	Mulvaney	Sewell (AL)
Hurt	Murphy (FL)	Shea-Porter
Israel	Murphy (PA)	Sherman
Issa	Nadler	Shimkus
Jackson Lee	Napolitano	Shuster
Jeffries	Neal	Simpson
Jenkins	Negrete McLeod	Sinema
Johnson (GA)	Neugebauer	Sires
Johnson (OH)	Noem	Slaughter
Johnson, E. B.	Nolan	Smith (NE)
Johnson, Sam	Nugent	Smith (NJ)
Jones	Nunes	Smith (TX)
Jordan	Nunnelee	Smith (WA)
Joyce	O'Rourke	Southerland
Kaptur	Olson	Speier
Kelly (IL)	Owens	Stewart
Kelly (PA)	Palazzo	Stivers
Kennedy	Pascarella	Stockman
Kildee	Pastor (AZ)	Stutzman
Kilmer	Paulsen	Swalwell (CA)
Kind	Payne	Takano
King (IA)	Pearce	Terry
King (NY)	Pelosi	Thompson (CA)
Kingston	Perlmutter	Thompson (MS)
Kinzinger (IL)	Perry	Thompson (PA)
Kirkpatrick	Peters (CA)	Tiberi
Kline	Peters (MI)	Tierney
Kuster	Peterson	Tipton
Labrador	Petri	Titus
LaMalfa	Pingree (ME)	Tonko
Lamborn	Pitts	Tsongas
Lance	Pocan	Turner
Langevin	Poe (TX)	Upton
Lankford	Polis	Valadao
Larsen (WA)	Pompeo	Van Hollen
Larson (CT)	Posey	Vargas
Latham	Price (CA)	Veasey
Latta	Price (NC)	Vela
Lee (CA)	Quigley	Velázquez
Levin	Radel	Visclosky
Lewis	Rahall	Wagner
Lipinski	Rangel	Walberg
LoBiondo	Reed	Walden
Loeb	Reichert	Walorski
Lofgren	Renacci	Walz
Long	Ribble	Wasserman
Lowenthal	Rice (SC)	Schultz
Lowe	Rigell	Waters
Lucas	Roby	Watt
Luetkemeyer	Roe (TN)	Waxman
Lujan Grisham	Rogers (AL)	Weber (TX)
(NM)	Rogers (KY)	Webster (FL)
Lujan, Ben Ray	Rogers (MI)	Welch
(NM)	Rokita	Wenstrup
Maffei	Rooney	Whitfield
Maloney,	Ros-Lehtinen	Williams
Carolyn	Roskam	Wilson (FL)
Maloney, Sean	Ross	Wilson (SC)
Marino	Rothfus	Wittman
Massie	Roybal-Allard	Wolf
Matheson	Royce	Womack
Matsui	Ruiz	Woodall
McCarthy (CA)	Runyan	Yarmuth
McCarthy (NY)	Ruppersberger	Yoder
McCauley	Rush	Yoho
McClintock	Ryan (OH)	Young (AK)
McCollum	Ryan (WI)	Young (FL)
McGovern	Salmon	Young (IN)
McHenry	Sánchez, Linda	
McIntyre	T.	
McKeon	Sanchez, Loretta	

NOT VOTING—24

Brown (FL)	Hastings (FL)	McDermott
Clarke	Honda	Meng
Clay	Keating	Miller, Gary
Cleaver	Lummis	Moore
Courtney	Lynch	
Davis, Rodney	Marchant	
Fincher	Markey	

□ 1857

Messrs. COHEN and GRIJALVA changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE FOR VICTIMS OF BOSTON MARATHON EXPLOSIONS

(Mr. CAPUANO asked and was given permission to address the House for 1 minute.)

Mr. CAPUANO. Mr. Speaker, I rise today to commemorate the people in Boston who lost their lives and the many others who were seriously injured today. I hesitate to call what the event was; but whatever it was, it was a terrible tragedy. No matter how you measure it, whether official or unofficial terrorism, anyone who acts in such a manner is clearly an evil person and deserves to be called as such.

I know that today the rest of America stands with us, as we have stood with others before us, hopefully to never have to do it again. This event was not just a Boston event. The Boston Marathon is an international event that draws people from around the world. I would not be shocked if many of the people injured today were not just from Massachusetts. They're probably from other States and possibly—probably—other countries.

Today is a holiday in Massachusetts. It's a State holiday called Patriots Day. It's the day that we celebrate the actions of our patriots back in 1776 that started the Revolution that brought to birth this country. We remind ourselves regularly what it is to be an American, what it is to be a patriot, what it is to be a member of a society that cares for each other.

I know that the Members of this House will join me in wishing well all those people who were injured and sending our deepest condolences and sympathies to those people who were killed, as well as wishing well our men and women of law enforcement. I have absolutely full faith and confidence that they will find the people that have done this and bring them to justice so that we can all rest a little easier at some point.

The SPEAKER. The House will now observe a moment of silence in memory of the victims of today's attack in Boston.

CONTRACTING AND TAX ACCOUNTABILITY ACT OF 2013

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 882) to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 25, as follows:

[Roll No. 104]

YEAS—407

Aderholt	Coble	Frelinghuysen
Alexander	Coffman	Fudge
Amash	Cohen	Gabbard
Amodei	Cole	Gallego
Andrews	Collins (GA)	Garamendi
Bachmann	Collins (NY)	Garcia
Bachus	Conaway	Gardner
Barber	Connolly	Garrett
Barletta	Conyers	Gerlach
Barr	Cook	Gibbs
Barrow (GA)	Cooper	Gibson
Barton	Costa	Gingrey (GA)
Bass	Cotton	Goodlatte
Beatty	Cramer	Gosar
Becerra	Crawford	Gowdy
Benishkek	Crenshaw	Granger
Bentivolio	Crowley	Graves (GA)
Bera (CA)	Cuellar	Graves (MO)
Bilirakis	Culberson	Grayson
Bishop (GA)	Cummings	Green, Al
Bishop (NY)	Daines	Green, Gene
Bishop (UT)	Davis (CA)	Griffin (AR)
Black	Davis, Danny	Griffith (VA)
Blackburn	DeFazio	Grijalva
Blumenauer	DeGette	Grimm
Bonamici	Delaney	Guthrie
Bonner	DeLauro	Gutierrez
Boustany	DelBene	Hahn
Brady (PA)	Denham	Hall
Brady (TX)	Dent	Hanabusa
Braley (IA)	DeSantis	Hanna
Bridenstine	DesJarlais	Harper
Brooks (AL)	Deutch	Harris
Brooks (IN)	Diaz-Balart	Hartzler
Broun (GA)	Dingell	Hastings (WA)
Brownley (CA)	Doggett	Heck (NV)
Buchanan	Doyle	Heck (WA)
Bucshon	Duckworth	Hensarling
Burgess	Duffy	Herrera Beutler
Bustos	Duncan (SC)	Higgins
Butterfield	Duncan (TN)	Himes
Calvert	Edwards	Hinojosa
Camp	Ellison	Holding
Campbell	Ellmers	Holt
Cantor	Engel	Horsford
Capito	Enyart	Hoyer
Capps	Eshoo	Hudson
Capuano	Esty	Huelskamp
Cárdenas	Farenthold	Huffman
Carney	Farr	Hultgren
Carson (IN)	Fattah	Hunter
Carter	Fitzpatrick	Hurt
Cartwright	Fleischmann	Israel
Cassidy	Fleming	Issa
Castor (FL)	Flores	Jackson Lee
Castro (TX)	Forbes	Jeffries
Chabot	Fortenberry	Jenkins
Chaffetz	Foster	Johnson (GA)
Chu	Fox	Johnson (OH)
Cicilline	Frankel (FL)	Johnson, E. B.
Clyburn	Franks (AZ)	Johnson, Sam

Jones	Murphy (PA)	Schwartz
Jordan	Nadler	Schweikert
Joyce	Napolitano	Scott (VA)
Kaptur	Neal	Scott, Austin
Kelly (IL)	Negrete McLeod	Scott, David
Kelly (PA)	Neugebauer	Sensenbrenner
Kennedy	Noem	Serrano
Kildee	Nolan	Sessions
Kilmer	Nugent	Sewell (AL)
Kind	Nunes	Shea-Porter
King (IA)	Nunnelee	Sherman
King (NY)	O'Rourke	Shimkus
Kingston	Olson	Shuster
Kinzinger (IL)	Owens	Simpson
Kirkpatrick	Palazzo	Sinema
Kline	Pallone	Sires
Kuster	Pascrell	Slaughter
Labrador	Pastor (AZ)	Smith (NE)
LaMalfa	Paulsen	Smith (NJ)
Lamborn	Payne	Smith (TX)
Lance	Pearce	Smith (WA)
Langevin	Pelosi	Southerland
Lankford	Perlmutter	Speier
Larsen (WA)	Perry	Stewart
Larson (CT)	Peters (CA)	Stivers
Latham	Peters (MI)	Stockman
Latta	Peterson	Stutzman
Lee (CA)	Petri	Swalwell (CA)
Levin	Pingree (ME)	Takano
Lewis	Pitts	Terry
Lipinski	Pocan	Thompson (CA)
LoBiondo	Poe (TX)	Thompson (MS)
Loeb sack	Polis	Thompson (PA)
Lofgren	Pompeo	Tiberi
Long	Posey	Tierney
Lowenthal	Price (GA)	Tipton
Lowe y	Price (NC)	Titus
Lucas	Quigley	Tonko
Luetkemeyer	Radel	Tsongas
Lujan Grisham	Rahall	Turner
(NM)	Rangel	Upton
Lujan, Ben Ray	Reed	Valadao
(NM)	Reichert	Van Hollen
Maffei	Renacci	Vargas
Maloney,	Ribble	Veasey
Carolyn	Rice (SC)	Vela
Maloney, Sean	Rigell	Velázquez
Marino	Roby	Visclosky
Massie	Roe (TN)	Wagner
Matheson	Rogers (AL)	Walberg
Matsui	Rogers (KY)	Walder
McCarthy (CA)	Rogers (MI)	Walden
McCarthy (NY)	Rokita	Walorski
McCaul	Rooney	Walz
McClintock	Ros-Lehtinen	Wasserman
McCollum	Roskam	Schultz
McGovern	Ross	Waters
McHenry	Rothfus	Watt
McIntyre	Roybal-Allard	Waxman
McKeon	Royce	Weber (TX)
McKinley	Ruiz	Weber (FL)
McMorris	Runyan	Welch
Rodgers	Ruppersberger	Wenstrup
McNerney	Rush	Whitfield
Meadows	Ryan (OH)	Williams
Meehan	Ryan (WI)	Wilson (FL)
Meeks	Salmon	Wilson (SC)
Messer	Sánchez, Linda	Wittman
Mica	T.	Wolf
Michaud	Sanchez, Loretta	Womack
Miller (FL)	Sarbanes	Woodall
Miller (MI)	Scalise	Yarmuth
Miller, George	Schakowsky	Yoder
Moran	Schiff	Yoho
Mullin	Schneider	Young (AK)
Mulvaney	Schock	Young (FL)
Murphy (FL)	Schrader	Young (IN)

NOT VOTING—25

Brown (FL)	Honda	Miller, Gary
Clarke	Huizenga (MI)	Moore
Clay	Keating	Pittenger
Cleaver	Lumms	Richmond
Courtney	Lynch	Rohrabacher
Davis, Rodney	Marchant	Thornberry
Fincher	Markley	Westmoreland
Gohmert	McDermott	
Hastings (FL)	Meng	

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL EMPLOYEE TAX ACCOUNTABILITY ACT OF 2013

The SPEAKER pro tempore (Mr. HOLDING). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 249) to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 250, nays 159, not voting 23, as follows:

[Roll No. 105]

YEAS—250

Aderholt	Denham	Jenkins
Alexander	Dent	Johnson (OH)
Amash	DeSantis	Johnson, Sam
Bachmann	DesJarlais	Jones
Bachus	Diaz-Balart	Jordan
Barletta	Dingell	Joyce
Barr	Duffy	Kelly (PA)
Barrow (GA)	Duncan (SC)	Kilmer
Barton	Duncan (TN)	Kind
Benishkek	Ellmers	King (IA)
Bentivolio	Esty	Kingston
Bera (CA)	Farenthold	Kinzinger (IL)
Bilirakis	Fitzpatrick	Kline
Bishop (UT)	Fleischmann	Kuster
Black	Fleming	Labrador
Blackburn	Flores	LaMalfa
Blumenauer	Forbes	Lamborn
Bonamici	Fortenberry	Lance
Bonner	Fox	Lankford
Boustany	Franks (AZ)	Latham
Brady (PA)	Frelinghuysen	Latta
Brady (TX)	Gallego	Lipinski
Braley (IA)	Garcia	LoBiondo
Bridenstine	Gardner	Long
Brooks (AL)	Garrett	Lucas
Brooks (IN)	Gerlach	Luetkemeyer
Broun (GA)	Gibbs	Maffei
Brownley (CA)	Gingrey (GA)	Maloney, Sean
Buchanan	Gohmert	Marino
Bucshon	Goodlatte	Massie
Burgess	Gosar	Matheson
Bustos	Gowdy	McCarthy (CA)
Butterfield	Granger	McCaul
Calvert	Graves (GA)	McClintock
Camp	Graves (MO)	McHenry
Campbell	Griffin (AR)	McIntyre
Cantor	Griffith (VA)	McKeon
Capito	Guthrie	McKinley
Capps	Hall	McMorris
Capuano	Hanna	Rodgers
Cárdenas	Harper	McNerney
Carney	Harris	Meadows
Carson (IN)	Hartzler	Meehan
Carter	Hastings (WA)	Messer
Cartwright	Heck (NV)	Mica
Cassidy	Heck (WA)	Miller (FL)
Castor (FL)	Hensarling	Miller (MI)
Castro (TX)	Herrera Beutler	Mullin
Chabot	Himes	Mulvaney
Chaffetz	Holding	Murphy (FL)
Chu	Hudson	Murphy (PA)
Cicilline	Huelskamp	Neugebauer
Clyburn	Huizenga (MI)	Noem
	Hultgren	Nugent
	Daines	Nunes
	DeFazio	Nunnelee
	DelBene	Olson

Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quigley
Radel
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen

Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schwartz
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman

Stutzman
Terry
Thompson (PA)
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

□ 1916

Ms. LORETTA SANCHEZ of California changed her vote from “yea” to “nay.”

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ROONEY. Mr. Speaker, on rollcall No. 105 on final passage of H.R. 249, I inadvertently voted “nay.” I would have voted “aye,” which is consistent with my past position on this legislation. In the 112th Congress, I voted “aye” on rollcall No. 538 on final passage of H.R. 828, which is virtually identical to H.R. 249.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1101

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1101.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. Con. Res. 8. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

TERROR HITS BOSTON MARATHON

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, today is Patriot's Day in Boston. To commemorate Boston's fierce spirit of independence, Bostonians host a world-wide marathon.

Today, as runners approached the finish line of the marathon, terror erupted: two explosions, 14 seconds apart. Two other bombs were also found by law enforcement. The scene was described as a war zone.

Amidst the chaos and blood-filled streets, there was a group of people who ran towards the danger, as they always do. They were America's first responders. They were there within moments. They disregarded their own safety to assist the wounded and secure the area.

Fellow marathon runners from all different States and countries also res-

cued strangers and the wounded. They helped treat their wounds and carried others to safety. Offers of help are coming from all over the United States. There are two confirmed dead and over 100 injured.

The person of interest in custody is reportedly a 20-year-old Saudi national. Those responsible for this attack of death and terror must be brought to justice because, Mr. Speaker, justice is what we do in this country.

And that's just the way it is.

□ 1920

THE BOSTON TRAGEDY

(Ms. EDWARDS asked and was given permission to address the House for 1 minute.)

Ms. EDWARDS. Mr. Speaker, I had planned to come to the floor this evening, as we do every Monday, to talk about the importance of climate change and the importance of this country addressing an issue that is so critical in front of us. But it seems tonight that it's actually quite more appropriate to offer my sincere condolences to the people of Boston, Massachusetts, but most especially to those who've been injured and lost their lives and to their families, and to offer up from the Fourth Congressional District and from all of us as Americans, that we stand united behind this city in its efforts to bring those who committed this great harm to justice, but also to stand with the families of first responders and all of those who are called to action.

THE BOSTON TRAGEDY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, earlier today, two explosions tore through the finish line of the Boston Marathon, according to the Boston Police Department. These blasts have so far reportedly resulted in several deaths and perhaps more than 100 injuries.

Mr. Speaker, when faced with such adversity, now is the time for the American people to come together with their thoughts and prayers for those who have been injured and those lives that have been so tragically lost.

My thoughts and prayers are also with the Boston fire rescue and emergency medical personnel that, as I speak, are still on the job.

My thoughts and prayers are also with the Boston police and investigators, that they will quickly determine who is responsible for what appears to be a cruel, senseless, and cowardly act.

Today marks the 238th annual Patriots' Day in Boston. Mr. Speaker, let it

NAYS—159

Amodei
Andrews
Barber
Bass
Beatty
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bustos
Butterfield
Capuano
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Clyburn
Cohen
Connolly
Conyers
Crowley
Cummins
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez

Hahn
Hanabusa
Higgins
Hinojosa
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
King (NY)
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsock
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney,
Carolyn
Matsui
McCarthy (NY)
McCollum
McGovern
Meeks
Michaud
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi

Perlmutter
Peterson
Pingree (ME)
Pocan
Price (NC)
Rahall
Rangel
Reed
Rooney
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOT VOTING—23

Brown (FL)
Clarke
Clay
Cleaver
Courtney
Davis, Rodney
Fincher
Hastings (FL)
Honda
Keating
Lummis
Lynch
Marchant
Markey
McDermott
Meng
Miller, Gary
Moore
Pittenger
Richmond
Rohrabacher
Thornberry
Westmoreland

be known that the evil that transpired today will not deter the courage of American patriots from the past, the present, or the future.

THE BOSTON TRAGEDY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, it was my intent as well, as my colleague indicated, to come to the floor and discuss and urge the fast consideration of gun safety legislation and to speak as well to the jurisdictional issue of the Homeland Security Department working on cybersecurity.

But I, too, believe it is most important to offer my deepest sympathy to those who lost their lives in Boston on Patriots' Day in this Boston Marathon that all the world comes to; to thank the first responders, including nurses and doctors, volunteers, marathon runners, and those who came from around the world to be in this unifying event. We give to them our deepest concern.

I express my deepest sympathy to my colleagues who represent the Boston area, to Governor Deval Patrick, and to those families who lost loved ones and those who are now lingering in hospital beds. I wish them well and stand with my colleagues as we did on 9/11 and many other times, that those who perpetrated this heinous act will be brought to justice.

As a member of the Homeland Security Committee, Mr. Speaker, I also hope to look at venues and big events in the pending weeks and months so that we can reassess the safety and security for the American people. That is our charge and our responsibility, and I know that together we will be able to accomplish it.

Again, my deepest sympathy for this loss. We cannot express the depths of the feelings of sympathy that we have.

May God bless you, and may those who have lost their lives, may they rest in peace.

RECOGNIZING NATIONAL ROBOTICS WEEK

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I want to just rise and congratulate and celebrate those that have been participating as a part of National Robotics Week this week.

Mr. Speaker, robotics have become an increasingly important part of our lives both in the workplace and at home, and the opportunities for this exciting industry grow daily.

Minnesota has now developed into a leading robotics ecosystem with dynamic organizations like Robotics Alley. Minnesota is now in the fore-

front of finding opportunities for robotics innovation and growth outside their traditional military role.

Last month I had a chance to visit the robotics lab at Weaver Lake Elementary School in Maple Grove, where I saw sixth grade students that were participating in a Google Hangout with NASA engineers, learning important engineering skills. We should inspire these students and others to explore careers in robotics and other science, technology, engineering, and math fields.

I'm proud to say that Minnesota has now led the Nation in robotics innovation and education, and I'd like to wish all the students taking part in this May's Minnesota State High School League's robotics competition good luck.

THE BOSTON TRAGEDY

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, this was to be a happy and glorious day in Boston. Because of the explosions that were set off by evil people, at least two have been killed, we're told, and scores of others wounded.

Our thoughts and our prayers go out for those who were wounded and injured and for the families of those who were killed. That will continue as the hurting continues, and may God help us to respond in a proper manner.

THE COMING EFFECTS OF THE AFFORDABLE CARE ACT

The SPEAKER pro tempore (Mr. SALMON). Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes as the designee of the majority leader.

Mr. BURGESS. Mr. Speaker, I thank the House leadership for allowing me to utilize this hour to talk about some of the coming effects of the Affordable Care Act.

THE BOSTON TRAGEDY

Mr. BURGESS. First, I do want to take a moment and join with so many of my colleagues who have just spoken on the floor in acknowledging the sacrifices that were made by first responders, people who ran toward the sound of the destruction this afternoon in Boston; and I certainly would recognize that even now, at this late hour, doctors and nurses are working in the emergency rooms in Boston to try to provide comfort to the afflicted and save life and limb for those who were damaged this afternoon, an act so astonishing in its cruelty, it is difficult to comprehend.

Mr. Speaker, in 5½ short months from right now, October 1, 2013, the full effects of the Patient Protection and

Affordable Care Act are going to start to be felt around the country. It's important that we take a few moments this evening and think about the road ahead, think about the things that are supposed to come online on October 1, and think about the contingencies if those things are not able to be accomplished.

It was just a few weeks ago in this town when speaking to the American Health Insurance group, one of the information technologists from Health and Human Services talked about this informational hub that is supposed to be developed by the Department of Health and Human Services, this informational hub that will allow people to go online to sign up for their benefits under the Affordable Care Act. The comments of this individual were quite revealing. Speaking to an AHIP group earlier this year, he said:

The time for debating about the size of the text on the screen or the color or whether it's a world-class user experience, that's what we used to talk about 2 years ago. Now let's just make sure it's not a Third World experience.

That's a pretty sobering admission from someone who is charged with providing the information hub, the information technology, the computer architecture that is supposed to be the underpinnings of the Affordable Care Act.

Bear in mind, it was 3 years ago, March of 2010, that the Affordable Care Act was signed into law. So 3 years later, billions of dollars spent in the implementation phase, and they're not sure if they can get this computer system up and running by October 1, which, by law, is when it is supposed to kick in.

□ 1930

That is a pretty significant admission from the information architect at the Department of Health and Human Services.

Now, when Barry Cohen, who is the head of the Center for Consumer Information and Insurance Oversight in the Department of Health and Human Services, was addressing the same group in response to a question, he was a little bit unclear as to whether or not they would be, in fact, ready on that October 1 deadline.

He said:

We'll have to wait. Then we'll be in a position to know which contingency plans we actually have to implement.

In other words, we can't plan for the contingency until we get there and see that a contingency plan is necessary. But, after all, what are contingency plans but those plans that are put in place because something unexpected may happen?

Last week, on the other side of the Capitol, in the other body, the Senator from West Virginia said:

ObamaCare is so complicated, and if it isn't done right the first time, it will just simply get worse.

That's a pretty startling pronouncement from someone who was, in fact, a pretty big cheerleader for the Affordable Care Act when it went through the Senate.

He went on to say:

I believe that the Affordable Care Act is probably the most complex piece of legislation ever passed by the United States Congress. Tax reform has obviously been huge, too, but up to this point, this—the Affordable Care Act—is just beyond comprehension.

Now, what does the Secretary of the Department of Health and Human Services have to say about all of this? She maintains that the Affordable Care Act will lower the cost of premiums for everyone; but in fact, in the past couple of weeks, she has admitted:

These folks will be moving into a really fully insured product for the first time, and so there may be a higher cost associated with getting into that market.

Translation: you're going to be paying more.

She goes on to say:

Some men and some younger customers could see their rates increase. Women and older customers could see their rates drop.

So, Mr. Speaker, I would submit that the coming rate shock is something for which people are actually unprepared. They have been told for 3 years that, after all, this is the Affordable Care Act, and it's going to make health care more affordable for all Americans; but the reality is somewhat different from the truth that is espoused by the Department of Health and Human Services.

Let's think about some of these things for just a minute, because they are important. Remember when the Affordable Care Act was debated? Remember the President's discussing the Affordable Care Act? Everyone wanted to talk about patients with preexisting conditions: patients with preexisting conditions are frozen out of the system; patients with preexisting conditions can't get care. Well, they meant couldn't get insurance, because people can get care. Nevertheless, this was proposed as an enormous problem. The Affordable Care Act was going to fix it.

How did the Affordable Care Act fix it?

Next year, when the exchanges are up and running or when Medicaid is expanded, people, indeed, may be incorporated into that system. Until that day arrives, they were to be taken care of through what is known as the Preexisting Condition Insurance Program, or PCIP, which is the Federal preexisting risk pool that was set up for the first time under the Affordable Care Act. Five billion dollars was put forward to help people with preexisting conditions with their premiums. Now, there was a little bit of a barrier to entry. You had to be uninsured for 6 months' time before you would be eligible for coverage under the preexisting condition program.

I've got to tell you, Mr. Speaker, I thought the Supreme Court was going to knock this thing out of the water. I thought there was no way in the world the highest court of the land could look at this thing and agree that it is constitutional under the Commerce Clause; that is, you can compel commerce in order to regulate it. I just knew that that day when the Supreme Court ruled that they would agree with me. In fact, they did; but then they went on to say that, in fact, since it's all a tax, Congress has the power to tax, and for that reason, it's not unconstitutional, and the law was allowed to stand.

Leading up to that day that the Supreme Court made that pronouncement, I was so convinced that we as Members of Congress had an obligation to our constituents—to people who were, in fact, thinking that they were covered under the Affordable Care Act—to provide a contingency plan, particularly for those people who were covered under this new Federal preexisting condition insurance plan. Well, it turns out I wasn't right, and the law was constitutional.

But what would have happened last June 30 if the Supreme Court had said that it was unconstitutional, and the whole thing was struck down? As a consequence, people who were in the preexisting condition program would have found themselves without insurance, and that would have been a pretty significant event to have occurred. I felt that we needed to have a contingency plan to cover those individuals.

Now here we are some 6, 8 months later; and what happened in January of this year? The PCIP program ran out of money. It ran out of money at the end of January, and they said, We're not taking any more people into this program.

We had a hearing a couple of weeks ago in the Committee on Energy and Commerce and heard from a patient who had thought she was in the queue, in that waiting period, to get into the Federal preexisting condition program except that they suspended enrollment at the end of January. You've got to believe that there were a lot of people who were in that 6-month waiting period who were waiting for their time to come up so that they could, in fact, enroll in this preexisting condition program; but as of the end of January, they were shut out. So the committee wrote a letter to the President that said, We'd like to help you here. There are probably other moneys in the Affordable Care Act that can be moved around and can continue to cover these individuals until January 1 of 2014 when the exchanges and the Medicaid expansion and all of the goodies prescribed in the Affordable Care Act can come on line.

One of the things that we were told in leading up to the passage of the Af-

fordable Care Act is that there were millions of people who fell into this preexisting condition trap. In fact, on the floor of the House, you heard people quote figures of 8 to 12 million people. The Speaker of the House at that time, Speaker PELOSI, said 125 million people had preexisting conditions. In fact, that was a little bit of a misnomer because, when you look at the people who are covered by insurance in this country, the vast majority is covered under what's called a "large group plan," or what we know as "employer-sponsored insurance." A preexisting condition exclusion can occur in that environment, but it's much, much rarer, and there are typically open enrollment periods in which a person can get taken on to his employer's insurance. Now, for 65 percent of the population, that's not the issue. Certainly, for people in the small group market and in the individual market, in the small group market and in the individual market, there was a problem.

On the numbers that people quoted prior to the passage of the Affordable Care Act—8 million, 10 million, 12 million people—how many people were in the Federal preexisting condition program at the end of June when I worried that the Supreme Court was going to strike the whole thing down?

There were 65,000 people and certainly every one of those individuals with a compelling story—and not a small population but a manageable population. If we are just talking about trying to correct a problem for 65,000 people in a country of 310 million, I would submit that we can do that without destroying the existing program, the employer-sponsored insurance, that people said they liked and wanted to keep.

Remember, if you like what you have, you can keep it?

Instead of taking care of a problem for a relatively finite but compelling population, the administration and, at the time, the congressional Democrats pushed through a bill of "we just want to control everything about your health care." They got their wish, but now we had probably 100,000 people in January who were in the Federal preexisting condition program, and now no new people can sign up for it because it is going to run out of money.

Mr. Speaker, I would submit that there is other money available in things like, we call them, "slush funds" that were built into the Affordable Care Act; things like the Medicare Modernization Act; things like the fund that is to allow for other activities in the Centers for Medicare & Medicaid Services. So, by just shifting some money around, these people who have preexisting conditions, in fact, could be taken care of, and we have the ability to do that. Really, it would be a relatively easy lift at this point, and perhaps next week we'll see legislation on the floor.

Can you imagine if this had been a Republican President who had taken people off the Federal preexisting condition program? You would have heard about it from every newspaper in the country, and every television outlet in the country would have talked about it. How much did you hear? Well, you're probably hearing about it tonight for the first time. You'll hear about it a little bit more next week. People don't want to talk about the failures embedded in the Affordable Care Act, but it is important that we do so.

□ 1940

Now, when this bill was passed into law, March of 2010, the then-Speaker of the House, Speaker PELOSI, claimed that the Affordable Care Act would create 4 million jobs, 400,000 jobs almost immediately. Well, that hasn't turned out to be exactly true, either.

The Federal Reserve reported that employers are citing the uncertainty embedded in the Affordable Care Act as reasons for layoffs in companies and the reluctance to hire new employees.

The application that was proposed by the Department of Health and Human Services for people to fill out to get coverage in the exchanges next year actually asks an applicant if their job is no longer offering health coverage in the next year. Clearly embedded in the Affordable Care Act was a risk to job creation in this country, and we're now seeing that actually come into being.

The law does not treat everyone the same. It creates essentially a new underclass. It promises universal coverage, but it leaves some workers' families without coverage. Now, one of the most significant embedded problems in the Affordable Care Act is if an individual is working and their employer is providing them employer-sponsored insurance, that employer is required to do that; or if that employee looks for coverage in the exchange, that employer may be fined. But if the employer provides that employer-sponsored insurance, great. But he doesn't have to apply it, he doesn't have to provide that insurance to their family. This is a significant problem because that family, which right now may be covered, next year may not.

But here's the other part of that. That family would not be eligible for a subsidy in the insurance exchange because the employer is providing the benefit to the employee, but there was nothing in the law that said they had to continue family coverage. So who is going to be affected, primarily women and children. A headline in the Fort Worth Star Telegram a few weeks ago, and the Fort Worth Star Telegram is generally supportive of the administration and generally supportive of the Affordable Care Act, but under their headline was, "500,000 Children to Lose Health Benefits Under the Affordable Care Act."

This was actually not through something that was revealed in the Department of Health and Human Services, but rather a rule that was proposed by the Department of the Treasury and the Internal Revenue Service. It turns out that children who lose insurance because the primary employee will be covered but the family will not, those children who lose insurance will not be fined by the IRS for not complying with the insurance mandate; but that is scant consolation for the fact that now they have no insurance and they have no reasonable way of achieving that because, after all, the cost for insurance is going to significantly increase under the Affordable Care Act.

There is a 21-page application for Americans who feel that they should be covered under the Medicaid expansion. A 21-page application is pretty significant. It does ask some questions that you have to ask yourself, are they germane to someone who is applying for health insurance. But nevertheless, the application is out there. It's in the public domain, albeit it's a draft at this point. My hope is that the Department of Health and Human Services will refine that, but most of the 27- to 35-year-olds that I know are not going to spend a lot of time filling out a 21-page application.

We were told in the run-up to the passage of this law that it would, in fact, pay down the deficit. It was \$142 billion over 10 years, but it was supposed to reduce the deficit. Does anybody really believe that anymore? Of course not. And now the further evaluation of the costs and the expansive costs that are going to occur under the Affordable Care Act, probably an additional \$1.5 trillion, at a conservative estimate, as to what this will add to the deficit over the next 10 years, and this is just for the subsidies and the exchanges and for the Medicaid expansion alone.

Now, why does that matter? Mr. Speaker, it matters because in just a few short weeks, the statutory borrowing authority of the United States will be met or exceeded. And this Congress, this House, will once again be involved in another discussion about raising the debt limit. In July of 2011, we had this discussion. It was pretty acrimonious and attracted a lot of attention and a lot of publicity, none of it good. We're going to have that same fight occur again.

A lot of people are concerned about the sequester. They say, we wish the sequester had never happened. But remember, the sequester was what the President proposed in order to get the expansion of the debt limit to a point where he would not have to deal with it again until after election day 2012. So the President got his wish. He said the sequester was good; it will allow us to get past this point and to move on. But now people are dealing with the aftermath.

I would just ask you, what is the sequester going to look like in the summer of 2013, because the debt limit will not be just expanded to cover the obligations. There is going to have to be some spending discipline that goes along with that. I don't know what that will be. I'm not privy to those discussions, but will all the money that is promised to be there for the Medicaid expansion, for the subsidies in the exchange, will it in fact be there, or will that be exposed to some type of sequester-type device? I don't know the answer to that question, but those are questions in which this House will have to deal in literally a few short weeks' time.

There has been significant tax policy that has gone into effect since the Affordable Care Act was passed. Just this year, five new taxes—significant taxes—have occurred, as a result of the Affordable Care Act. There's a payroll tax that has increased almost 1 percent, 0.9 percent.

A payroll tax for people who earn over \$200,000 a year, joint filers of \$250,000 a year, some people look at that and say we knew that Medicare was getting into trouble. Maybe that is a good thing that that payroll tax for Medicare has gone up. Well, it might be except the money doesn't stay in the Medicare trust fund. It's collected, and then it immediately goes into the general revenue in order to pay for or offset the cost of the subsidies that are going to exist in the insurance exchange.

One of the more onerous taxes that was begun on January 1 was a 2.4 percent gross receipts tax on medical devices. Class II and class III medical devices as defined by the Food and Drug Administration are now subject to a 2.4 percent gross receipts tax. That's not a tax on profits; that's a tax on gross sales. It is significant. Sure, there are some big companies that will make due; but really it's the small entrepreneur who is developing medical devices, and this is happening all the time. Those individuals are the ones who are going to be particularly hard hit. And, as you can imagine, it may reduce some of that entrepreneurial activity or send it overseas.

We already have a Food and Drug Administration that's sometimes difficult to deal with as far as getting things approved. Europe and Central Asia are not so difficult to deal with. And, hey, by the way, there's not that gross receipts tax. Perhaps we ought to move our manufacturing somewhere else. And, of course, the jobs go with the manufacturing.

There's been a change in what are called flexible spending accounts. Flexible spending accounts are that money which you are able to designate at the beginning of every calendar year, and you can have pretax dollars that can be spent for recurrent medical expenses.

This now has been capped at \$2,500 a year. The amount was much higher previously; but under the Affordable Care Act, in order to offset some of the additional costs of the Affordable Care Act, they said we're going to cap those flexible spending account contributions to \$2,500. That started this year.

So if you've got a recurring medical expense that occurs every year, and think about someone with a family member who has a chronic medical condition or a family with a special needs child where they wanted to be able to set some dollars aside at the beginning of the year, not have them taxed so that they could pay for whatever it was that was going to be required, they are now capped at \$2,500. People are going to very quickly find that amount is exceeded, and that they have been caught in this so-called FSA trap, or flexible spending account trap.

For people who deduct medical expenses from their income tax, and as you know, currently for the last tax year for which we all just prepared our taxes and filed them this evening, there was a 7.5 percent exclusion from your adjusted gross income, that is, until your medical expenses equaled 7.5 percent of your adjusted gross income, you didn't get to deduct medical expenses from your tax. That amount has actually increased to 10 percent for next year. So people who were accustomed, people with a lot of medical expenses who were accustomed to keeping up with those receipts and then being able to deduct those medical expenses as they exceeded 7.5 percent of their adjusted gross income, they're now not going to be able to deduct those expenses until after 10 percent of their adjusted gross income.

□ 1950

So who have we punished here?

We have punished the families with special needs children. We have punished people with chronic medical conditions. We've basically gone after the sickest Americans to say you're going to pay a little bit more for what everyone else is going to receive in the Affordable Care Act.

There is going to be a tax on insurance companies—I'm sorry—a tax on insurance policies that people will have to pay. This will go into a couple of different accounts, a couple of different funds, but the bottom line is it costs more every year to buy your insurance.

And then, beginning in 2018, the so-called tax on Cadillac insurance plans kicks in. And who's this going to affect?

Well, yes, it will affect higher-income earners who get a generous insurance policy. But it also affects union members whose insurance policies were part of their collective bargaining agreements over time, and those policies which now are going to be judged to be Cadillac plans will actually be taxed at a much higher rate starting in 2018.

There was supposed to be an exchange set up for small business. It was called the SHOP Exchange, small business health policies. Twenty-nine times there were deadlines that were missed in setting up the SHOP exchanges. And now, just in the past couple of weeks, the Department of Health and Human Services said, it's pretty tough, pretty complicated. We don't know if we can do it or not, but we're giving ourselves another year. This won't happen until 2015.

I think this is one of the things that really caused some of the consternation over in the Senate because in the other body this was one of the deals that they made in order to get the Affordable Care Act passed, in order to get it to the floor of the Senate in the fall of 2009.

It is instructive for people to remember how this thing came to be in the first place. Now, in the summer of 2009, the committees of jurisdiction here in the House—Ways and Means, Energy and Commerce, Education and Labor—all debated a version of the House health care reform bill.

Now, make no mistake about it. I think it was a crummy bill. H.R. 3200 was the number. It did go through the committee process. It was amended several times in the various House committees. From there it went to the Speaker's desk, where it was all kind of consolidated; all three committee products were kind of melded into one, and then it came to the floor of the House, doubled in size, during that 2- or 3-month hiatus, and was passed by the House of Representatives in the fall, in November of 2009.

Not a single—well, one Republican vote, and the rest carried by Democrats. Thirty-five Democrats voted against it because of some of the problems contained within that legislation.

But the important thing is, as bad as I think it is, it did go through the regular House process. We may have been curtailed in the number of amendments we could offer in committee. Our time for debate in committee may have been limited but, nevertheless, it did come through the committee process.

Not so in the Senate. H.R. 3200 has never been seen or heard from again. It passed the House, went over to the Senate to await activity, and there it went, up into the ether somewhere. No one really knows what happened to it.

But, wait a minute. There's a health care law that was signed by the President in March of 2010. How did the health care law come into being?

Well, the House had passed another bill in July of 2009. It was H.R. 3590, dealt with housing. I think it passed the House with very few negative votes. But it was a housing bill.

It went over to the Senate to await further activity, and that's the bill that was picked up by Senate leadership that was brought to the floor of

the Senate and amended. The amendment read "strike all after the enacting clause and insert," striking, of course, the language for the housing bill, which was the base bill, and inserting health care language, and that was the bill that the Senate passed late on Christmas Eve in 2009, right ahead of a big snowstorm that was coming to town.

All the Senators wanted to get out so they passed this bill. Sixty votes. Not a single Republican vote. Passed with entirely Democratic votes.

Now, under normal circumstances, H.R. 3590, which was now the Senate health care bill, and H.R. 3200, which was the House bill, would have gone to a conference committee. They would have worked rough edges out. They would have worked the differences out between the two bills, and a conference report would have come back to both Houses of Congress, the House and the Senate, and that would have been voted on, up or down.

The problem was that, remember, it took 60 votes to pass it on the Senate side. Shortly after H.R. 3590 passed on the Senate side, a Democratic seat was lost. Scott Brown was elected from Massachusetts and, as a consequence, that 60th vote was no longer available to the Democratic leadership in the Senate.

So what are they going to do?

Well, they said that the House will just simply have to pass H.R. 3590. After all, it was a House bill that was passed already by the House in July of 2009, amended by the Senate, to become a health care bill. All that is required for it to become law is for the House to take a vote; will the House now concur with the Senate amendment to H.R. 3590. So many as in favor, say aye.

If that is a simple majority, 218 votes here in the House of Representatives, if that is a simple majority, then that's the end of the discussion. The bill goes down the street to the White House for a signing ceremony, and that's exactly what happened.

Now, it took 3 months to accomplish that, because no one here in the House thought H.R. 3590 was a very good legislative product.

In fact, let's be honest, Mr. Speaker. It was a rough draft that had been produced by the Senate Finance Committee, the staff of the Senate Finance Committee, as a vehicle to get the Senate to conference with the House. They never expected for this thing to be signed into law. It was a vehicle to get to a conference to then sit down with the House, and let's work out these differences between the two of us, and then we'll get a conference committee product to come to the floor. But it didn't work out.

As a consequence, the bill that was signed into law was one that was never intended to become law. It was a product produced by the staff of the Senate

Finance Committee as a vehicle to get them out of town before Christmas Eve so that they could then get to the conference committee where the real work, the real work of writing this health care law would occur.

The American people were cheated by this process, Mr. Speaker. And now, we're left to deal with the consequences.

And what are the consequences?

500,000 children, according to the Fort Worth Star-Telegram, being taken off their parents' employer-sponsored insurance. People in the pre-existing program who had been waiting patiently for their turn are now told, we're sorry, it's full up. No more space. You can't come in.

It didn't have to be this way. There were good ideas on both sides that could have been taken into account.

One of the fundamental questions I think we have to ask ourselves over and over again is where were the country's Governors when this bill was actually written. Well, of course it was written by the Senate Finance Committee staff, so the Governors were nowhere in the room. A lot of deals that were struck between some of the special interest groups and the White House were all done down at the White House in July of 2009. The Nation's governors weren't involved in that.

Why were the Nation's governors so reluctant to accept the exchanges, the Medicaid expansion?

Well, the answer, Mr. Speaker, is because they were dealt out of the process. And then, the rulemaking that started happening after the law was signed began to scare them, but a lot of the rules were held until after Election Day.

The rule governing essential health benefits—what Governor in their right mind is going to sign on to an exchange program where they don't even know what they're going to be required to cover? They don't know how much money it is going to cost them?

Well, it's no surprise that 26 States said no dice to the exchange. An additional six States said maybe we'll do a partnership, but you go ahead and set the program up through the Federal level first.

And as consequence, the Office of Personnel Management is now required to set up exchanges for 26 States, plus six that might want partnership, and that's a tall order, which is why Gary Cohen said, I'm not sure we're going to need a contingency plan, but we can't know what contingency we have until we actually get there.

I will submit there is going to be a need for a contingency plan. The sooner that the agencies admit that to the appropriate committees in the House and Senate, the sooner they can begin to work on a solution for a problem.

Because, Mr. Speaker, let's face it. January 1 of 2014, there's going to be an

emergency room, there's going to be an operating room, there's going to be a delivery room where a patient and doctor are going to come in contact with each other, and they don't need the uncertainty of what this legislation has dealt them.

I thank the Speaker for the time this evening, and I yield back the balance of my time.

□ 2000

IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. ROTHFUS). Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. KING of Iowa. Thank you, Mr. Speaker. It's my privilege to be recognized by you to address you here on the floor of the United States House of Representatives.

On this tragic day, as we watch the events unfold in Boston, each of our hearts go out and our prayers go out to the victims, the victims' families, and all of those who are doing so much to put back together the great city of Boston while our hearts bleed for the whole country. I am, I think, optimistic since the President—at least his Office—has declared this to be an act of terror. It clearly is—the timing, the planning, the strategy. I believe we will bring those perpetrators to justice. Many of us fear that this is another episode in a long series of episodes of terrorist attacks against Americans in the United States. And it troubles us more when it happens here rather than when Americans are attacked anywhere else in the world.

But, Mr. Speaker, I add to this point that we are a resilient people. We are proud, self-confident, tenacious people. And if anyone attacks Americans, thinking somehow that it weakens our resolve, it has the exact opposite effect. It strengthens our resolve, it brings us to action, it galvanizes us to action. Even though as years go by and we look back on some of these attacks on Americans and that our vigor might diminish because we may think we have resolved some of the issues with regard to the terrorists that are attacking us, Mr. Speaker, I announce here to you tonight that the American people are going to stand together. We stand with the people in Boston, we stand with the Massachusetts delegation, we stand with the Northeast, we stand with the 50 States. We stand together in defiance of the kind of terrorism that attacks Americans.

We stand for some things here, Mr. Speaker, and there are a series of components of what it takes to be an American or become an American. It starts with the list of the pillars of American exceptionalism, which along

the line of that list, Mr. Speaker, are freedom of speech, religion, the press, freedom of assembly, keep and bear arms. They're the property rights. In our judicial branch there's no double jeopardy. You are tried by a jury of your peers. You can face your accuser. The powers that are not delineated in the Constitution, enumerated in the Constitution, are devolved to the States or the people, respectively. All of these are components of American exceptionalism.

Along with that, there's another component: free enterprise capitalism. And there's a piece to this also, which is the rule of law. It says in the Constitution "the supreme law of the land." And we must abide by the Constitution and the language in it. The language in the Constitution isn't something that can be redefined away from us, but instead, Mr. Speaker, it is a written contract. It's a contract from the generations that ratified the Constitution and the subsequent amendments to the succeeding generations.

Our charge is to preserve, protect, and defend this Constitution of the United States. And if we find that the wisdom of our predecessors didn't foresee circumstances in the current area where we are, we have an obligation not to redefine the Constitution, defend always the language of the Constitution and the understanding of the meaning of that language at the time of ratification, but instead have enough courage to use the tools to amend the Constitution if we need to. The supreme law of the land.

The rule of law is an essential pillar of American exceptionalism. Without it, we wouldn't have a reason to uphold the Constitution. It could be defined away from us. And I often speak to groups of people and inform them that the Constitution guarantees us these rights but it can't be guaranteed and upheld generation after generation unless each generation defends the language that's in the Constitution, the original understanding of the language in the Constitution, and exercises those constitutional rights.

Can you imagine, Mr. Speaker, if our society decided at some point we're not going to any longer exercise our freedom of assembly? And so for some reason if the stigma of society would discourage assembly, for us to come together and talk about the issues that we want to have our dialogue and exchange on, if we didn't exercise that, the next generation could hardly get out the Constitution and look at it and say, Well, in here it says we have freedom of assembly, and reinstall it. Or, for example, if we gave up our Second Amendment right to keep and bear arms, can you imagine, Mr. Speaker, our children, our grandchildren, and our great grandchildren after a generation or two or three going without any right to keep or bear arms, opening up

this Constitution, dusting off this document and pointing to it and saying, There is a right here to keep and bear arms?

You cannot reestablish these rights that are there in this Constitution if we once stop exercising them. That's why we exercise freedom of speech, we must exercise freedom of religion, and we must exercise freedom of the press. All of these rights are rights that we have to utilize. They are rights that define for us in this Constitution, within it, the supreme law of the land, the rule of law.

There's another component of American exceptionalism as well, aside from these rights that are in the Constitution and the free enterprise piece, which is something that gives our economy its utmost vigor. I would advise people that are preparing to take the naturalization test to become an American citizen by choice rather than birth, that's a choice by the educational foundation that they understand our history, our language. One of the questions that will be there is: what's the economic system of the United States?

Mr. Speaker, the answer to that is free enterprise capitalism. That's what gives our economy its vigor. And when we move away from free enterprise capitalism, when we move towards government management of our economy, government bailouts, government deciding who's too big to be allowed to fail, eventually so much of our private sector economy gets co-opted by government that we lose the vigor of free enterprise capitalism and we lose some of the promise of the ascendancy of the great American civilization.

There's another piece of this also that I speak to relatively often, Mr. Speaker, and that's American vigor. That's the last component of the American exceptionalism that I'll list here tonight.

American vigor. Now where does that come from? Well, we have natural-born American citizens that are part of this civilization and culture. These natural-born American citizens are the descendants of those who came here willingly with a dream. When they came here with a dream, they saw the promise of the Statue of Liberty. And in the image of the Statue of Liberty are the list of American exceptionalism components, the pillars of exceptionalism that I talked about, most of them within the Bill of Rights. But our forefathers were inspired to come here in order to realize their dream. They saw that they couldn't make it in their home country where they hoped to be able to do that and they couldn't realize their potential in their home country. They knew there were challenges here. They came here to rise to the level of their potential. Because of that, there's been a natural filter that has been built. And it's the willing

legal immigrants that came to America who were inspired by these pillars of American exceptionalism which are embodied within the image of the Statue of Liberty, and they decided they would find a way to get on a trip or travel, whatever way they could to come to the United States, get in line to become a legal immigrant to the United States. And so many of them have dynamically and dramatically contributed to our economy, our society, our culture, and our civilization. We are that kind of an America.

But there's a unique American character, a unique American spirit, a unique American vigor that comes from those who came here in a legal way that have contributed to our society and our culture and the things that they have taught their children and the things that their children have taught their children and each succeeding generation on down. We're a unique character and quality here. We're not just the descendants of Western Europe or Latin America or wherever it might be. We are the cream of the crop of every donor civilization on the planet that has sent people here to become Americans. That's a special charge. It's a special responsibility. It's distinct from any other Nation in the world. We're the only Nation in the world where people can come here and become American. It doesn't work to go to Norway to become Norwegian or Holland to become Dutch. But it does work to come to the United States of America, embrace the civilization, embrace this culture, embrace this Constitution, take the test to qualify for naturalization, become an American citizen.

□ 2010

I remember going to a naturalization ceremony in the old Executive Office Building. I remember the speaker that day—as there were maybe 125 new American citizens naturalized that day—and he said: Look out that window. When you look out the window of the Indian room at the Old Executive Office Building, you see into the South Lawn and the White House from the side. He said: From this day, the person who lives in this house next door—pointing to the White House—is no more American than you are.

Now, that's a profound statement. It's true in the United States, and I don't believe it's true anywhere else.

So we have a special mission, Mr. Speaker. We have a special responsibility, a responsibility to promote God-given liberty and freedom throughout the world, a responsibility to hold free enterprise capitalism together, a responsibility to exercise our freedom of speech, religion, the press and assembly, and our right to keep and bear arms—all of these things are in the Bill of Rights.

But I fear that too many in this Congress and too many across this country

have lost touch, lost contact with what that means. And so, because of political purposes, it seems to me there are a number of them that are trying to devise a way to make accommodations out of political expediency that in the end undermine one of the most essential pillars of American exceptionalism, the rule of law.

Now I take you back to 1986. In 1986, there was a long debate—it was months long; in fact it may have been nearly 2 years long—a debate about what to do about 800,000 people who were in the United States unlawfully. Through that debate, they worked out an accommodation. The 800,000 was more or less generally understood to be 1 million people; and Ronald Reagan, in his honest way, was reluctantly persuaded to sign the 1986 Amnesty Act. When he did that, the promise was that we would get enforcement, that immigration law would be enforced with the utmost vigor of the executive branch of the United States Government. That was the promise that was made by this Congress. It was a promise that was made by the President of the United States, Ronald Reagan, who was as trustworthy as any President in my lifetime, as principled, and one whom I've long admired and, as I said, only let me down twice in 8 years of the Presidency of the United States. But he made a commitment to enforce the 1986 Amnesty Act.

He was honest with us; he called it amnesty. The definition of amnesty then is the definition that we have of amnesty today. To grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crime.

Now, what happened back in 1986? The people that were unlawfully present in the United States were pardoned, with some exceptions—those that had felony records, for example, those that were violent criminals, and some others—but generally they were pardoned. They were given an instantaneous legalization. The exchange was that those that were in the United States at the time of—there would be a cut off—and those who came after would be faced with the full enforcement of the law.

This, in 1986, was going to be the last amnesty ever. The rule of law was to be restored, and there would never be the promise of an amnesty again. Well, unfortunately, Mr. Speaker, that didn't hold up. History knows that. History notes that. There have actually been six or seven less significant amnesties along the way since that period of time, each one of them drip, drip, drip, making another promise and another promise to people that if they could just get into the United States, if they could just live in the shadows, eventually there would be another amnesty that would come along. By the way, the 1986 amnesty, that 800,000 to 1 million people became 3 million people.

Three million people were granted amnesty back then because of document fraud and underestimations of the numbers of people.

So we're watching as the Gang of Eight will presumably introduce a bill tomorrow in the United States Senate. We don't know with confidence what is in that bill, but we do know all of the initiatives that have come from the open-borders side of this argument. We know what Democrats think—they're politically empowered. They're for any kind of amnesty. They'd do instantaneous citizenship. They would mail it in if they could because they see a significant political gain. But on the Republican side of the aisle, it seems to me that they've suspended a full understanding of what goes on in history or what would take place contemporarily.

So what are we trying to accomplish, is the question, Mr. Speaker. I'm convinced that the President, who came before the Republican Conference, he made a statement to us and he said: Republicans, you will never win another national election unless you first pass comprehensive immigration reform. I don't know that we should be looking to the President of the United States for political advice for Republicans in the first place.

The second part he said was: I'm trying to help you Republicans. Some of the people in that room believed that, Mr. Speaker. I did not, and neither do thinking Americans believe that the President of the United States, who has been charged with attempting to, let me say, significantly weaken the Republican Party, would be seriously trying to improve the Republican Party.

What are we trying to accomplish, Mr. Speaker? Well, I'd like to restore the rule of law. I hear Members of this House and Senate talk to me about, for example, they'll say: Well, the President of the United States has refused to enforce immigration law. That's true. He has unconstitutionally, lawlessly refused to enforce immigration law. He has defined classes of people that will be waived as subjects of enforcement. Now, I have people on my side of the aisle come over and they say we have *de facto* amnesty. No, we have literal amnesty. We have factual amnesty, not *de facto* amnesty.

The President has declared, in a lawless fashion, amnesty for those who do not threaten him politically. That's large classes of people, in an unconstitutional fashion, he has announced that they are issuing work permits, creating a work permit/visa for people that are in the country illegally when the law requires that they come out and enforce the law rather than grant them a work permit.

So, *de facto* amnesty? No. It's real and it's literal amnesty. And now it seems as though many people on my side of the aisle have leaped to this

conclusion that this amnesty exists—call it real, literal, or *de facto* amnesty, it exists—and so the only way we can deal with that is to go ahead and officially act and legalize so that we can somehow resolve this issue. This is an issue that's been created by many, many years of failure to enforce immigration law. But the idea that Congress should ratify an unconstitutional lawless act on the part of the President is beyond my comprehension as to how that solves the problem.

I hear one of the voices in this immigration issue say, we will never get border security unless we first legalize the people that are here illegally. Well, how does that follow? How is that rational, that we'll never get border security? We have a President who's not going to enforce the law. We know that workplace enforcements are down 70 percent under this President. Janet Napolitano declares that we have fewer interdictions on the border; therefore, that proves that there are fewer border crossings. Well, Mr. Speaker, it doesn't prove that. If you want to have fewer interdictions, you just slow down the enforcement on the border.

Now, I actually do believe that there are fewer attempted border crossings. That's a component of the economics. But we should look and see what's the level of illegal drug interdictions. That will tell us something about how many illegal border crossings there are and how porous our border is. We should look and see how many people end up fatalities in the desert trying to come into the United States across Arizona, for example, or the other States. That will give you some real data on what kind of border crossings we have.

We have the question of granting people a path to citizenship, and the argument, Mr. Speaker, that somehow this is not a path to citizenship when it's a path to a green card; the argument that a green card is not a path to citizenship. If a green card is not a path to citizenship, then there is no path to citizenship here in the United States, but of course we know that it is. A green card is a path to citizenship, and a path to a green card is just a little bit longer path to a path to citizenship. The American people understand that; it's not a mystery.

So some of the proposals are also, well, in this exchange, instantaneously—this is a proposal that will come out of the Senate tomorrow—they will instantaneously legalize everybody that's here in the United States illegally, and then set about, if someone is discovered who happens to have a felony on their record, has committed a violent crime, perhaps, maybe three serious misdemeanors, they might package them up and send them back to where they can wake up legally in their home country. They might do that. But meanwhile, you can see that there's no will to enforce the law for

law breakers. There's no will to do that.

□ 2020

So if they pass their legislation—instantaneously 11 million or maybe 20 million or more people are legalized—can we imagine that if all of these conditions that they write into this bill as far as border security are concerned and operational control of the border and an Entry/Exit System and an E-Verify system, if all of that goes into place, they say then there's going to be a path to citizenship? Can we imagine that once people are legalized that they would ever be delegatized because of the failure of the executive branch to follow through on all these promises that are going to be made of the executive branch by the legislative branch of government by presumably a President who hasn't followed through on his oath of office to take care that the laws be faithfully executed?

So here's one presumption. They'll want to put E-Verify into this and then make E-Verify mandatory. Therefore, that would mean that we would have full enforcement and the jobs in the workplace. Well, no, we won't have enforcement unless the executive branch enforces.

They've already told ICE to stand down. I can give you a whole list of circumstances by which ICE is prohibited from enforcing existing law by this executive branch of government. And who could imagine that E-Verify, if it passes and becomes mandatory law, is going to be enforced to the extent that it's effective?

I say, instead, just simply clarify that wages and benefits paid to people illegally living in the United States are not business expenses. When that happens, then you'll see employers make that decision because they will not want the tax, the penalty, and the interest liability that goes along with a tax violation.

That's a clear piece. It's not a piece of policy that's being discussed by these people because they are not serious about solving this problem in the way rule of law people would be.

E-Verify won't be enforced adequately to be effective. It could be passed. I think it could be passed as a condition.

The next one is, finish the border fence. We have that language in place now. We passed 700-mile border fence language called the Secure Fence Act. Actually, 854 miles, and that's because the border is crooked in some places, and we've got about 40 miles of effective fence.

And so follow through on the existing law that we have is my recommendation. We don't have to have a new law to build a fence. Build the fence, secure the border and then come back and tell us that you've actually accomplished that. Let's watch this thing with

drones and see if that's taking place, and other security. We know from the last drone report that the Border Patrol, even drone assisted, were not interdicting half of those that attempted to cross the border, and that number in that sector of the border was over 3,000.

Then the argument about operational control of the border. You would hand that over to who? A border commission to be named later. Or hand it over to the judgment of Janet Napolitano, who has already declared that they have significant operational control of the border. I don't know anybody that's buying that particular line.

And then they would also implement an Entry/Exit program. Well, we have that. It's called US-VISIT. It's been in law since about 1996, when it first began to be implemented as entry, and then we added the exit piece of it, but it's never been implemented. I've stood at the border and watched as people come in, swipe their card, they go register on a computer that they come into the United States, and an hour later the car goes back south again and doesn't have to stop because there's no exit system in place. Why not? This administration and the previous administration were not determined to complete it.

So piece after piece of this, Mr. Speaker, says that it's another empty promise, and they tell us we are going to fix the immigration situation so that we don't have to deal with it again in our lifetime. Well, we know better. The 1986 Amnesty Act wasn't the last one; it was the promise of the next one. We've had six or seven since then.

This is a huge promise of amnesty, and it wouldn't be the last one; it would be the biggest promise for the next one. And anyone who could get into the United States before this is enacted could stay here as long as they choose, in the shadows or out. And if those in the shadows get to be great enough numbers, then we will have established that there will be another amnesty down the line.

We cannot be a Nation unless we have borders. We cannot declare we have borders unless we decide and control who comes in and who goes out. That's an important obligation. If there's going to be an America, we must preserve the rule of law. And while we're doing it, Mr. Speaker, we must also preserve and protect and respect the dignity of every human person.

With that, Mr. Speaker, I would yield back the balance of my time.

CBC HOUR: BOSTON MARATHON EXPLOSIONS

The SPEAKER pro tempore (Mr. ROTHFUS). Under the Speaker's announced policy of January 3, 2013, the

gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

Mr. JEFFRIES. Mr. Speaker, thank you very much for your recognition. Under ordinary circumstances, I would stand before you today as a member of the Congressional Black Caucus, where for the next 60 minutes the CBC would speak directly to the American people about an issue of significance that the country is confronting.

However, today, as a result of the extraordinary events that occurred a few hours ago in Boston, Massachusetts, there is no issue that is more significant than standing with the people who participated in the marathon, those runners and those observers and those first responders, who were victimized earlier today.

As President Barack Obama mentioned, this is a moment where we're not Democrats or Independents or Republicans; we're Americans. We're not Blacks, Whites, Latinos, or Asians; we're one today. And as representatives from 43 different Congressional districts across the country, the CBC would like simply to extend our thoughts and our prayers to the family members of those who died earlier today. We want to extend our great sympathies and our best wishes to those who were victimized, and we are praying for full and complete recovery.

We also, of course, want to extend our thanks and our heartfelt gratitude to those first responders who, once again, demonstrated courage under fire and bravery in the face of dangers that were seen and unforeseen.

Now, America is a great country, and whatever is revealed about the attacks that took place earlier today, we're confident that we have the resolve to continue to move forward as strong as we always have been. In the aftermath of Pearl Harbor and throughout World War II, Americans demonstrated great resolve. During the Cuban Missile Crisis, in the face of the possibility of nuclear catastrophe, Americans demonstrated great resolve. In the face of the uncertainty that followed the horrific Oklahoma City bombings, Americans demonstrated great resolve. And of course in my home city, the great city of New York, and all across this country in the aftermath of the terrorist attacks on September 11, America demonstrated great resolve this time.

No matter what the circumstances reveal about who was behind what took place earlier today, we're confident that America will continue to show tremendous resolve. Our spirit will not be broken. We're confident that law enforcement will identify those responsible for what took place earlier today and bring them to justice.

With that, I yield back the balance of my time.

□ 2030

IN HONOR OF ISRAEL'S 65TH INDEPENDENCE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from Florida (Ms. FRANKEL) for 30 minutes.

GENERAL LEAVE

Ms. FRANKEL of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. FRANKEL of Florida. Mr. Speaker, tonight's Special Order is meant to honor Israel's 65th Independence Day. But first, today's horrible tragedy of Boston demands our attention.

Security officials continue to investigate the details of the incident. I know that all Americans join with us today, our thoughts and prayers for those affected, the victims, their families and the courageous first responders.

When acts like this occur, I find it even more important that we carry on and refuse to allow our lives to be dictated by those wishing ill. So, in many ways, it's fitting to discuss Israel tonight, a nation that knows all too well the pain of these tragedies. In fact, today Israelis commemorated Memorial Day to honor the memory of 24,000 Israeli men, women, and children who've been killed in terror attacks and wars over the past 65 years.

Immediately following Memorial Day, though, Israel transitions to Independence Day, when Israelis and Jews across the globe celebrate the modern-day revival of the State of Israel.

The abrupt transition from the sadness of Memorial Day to the joy and celebration of Independence Day embodies the Israeli narrative and serves as a poignant lesson in resilience.

Sixty-five years ago, Israel began as a modest nation of 800,000 people, fighting for its very survival. Today, Israel's population stands at over 8 million. It's a thriving liberal democracy, the homeland for Jewish people, a global economic and high-tech powerhouse and maintains the region's most powerful military force.

Sixty-five years ago, this success was not guaranteed and at times seemed almost unobtainable. Memorial Day, which just ended tonight, and Holocaust Remembrance Day, which was commemorated last week, are potent reminders of the struggles the Jewish people have faced and continue to face.

The story of the Jewish people is riddled with triumph and tragedy, and Israel's national anthem, called

“Hatikva,” meaning “The Hope,” sings of the 2,000-year-old dream to be free, people in a land of our own after centuries of pogroms and inquisitions and genocide. That dream has been realized in the establishment of the State of Israel.

Now, Mr. Speaker, I'd like to introduce and bring up a very distinguished member of our Illinois delegation, Congresswoman JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Thank you so much for organizing this Special Order. I want to thank my colleague, Representative FRANKEL from Florida, for bringing us together. I notice we're wearing the colors of the Israeli flag today in celebration of the 65th birthday, the anniversary of the State of Israel.

I, too, when I walked over to the Capitol, our gleaming Capitol today, I saw our flag at half-mast, recognizing the tragedy that happened in Boston today; and I, too, want to acknowledge and give my condolences to those families of the two that we know that have been lost, have been killed, and I wish well the dozens more that have been injured. I do believe in what the President said, that whoever did this will be brought to justice.

So, along with Israelis and their friends around the world, we are also at a moment of celebration, celebrating the renewal of the Jewish state in the land of Israel. For 65 years, our two nations have enjoyed a close friendship as well as a strategic alliance.

Since the United States became the first country to recognize Israel a mere 11 minutes after her founding, President Truman recognized Israel as a state, and that relationship and that bond has continued to grow and strengthen. Rooted in shared ideals and dreams, as well as common global threats, the United States-Israel relationship remains as critical today as it was in 1948.

As a Jew and a Member of Congress, I have a strong personal connection to the State of Israel, and I'm committed to continuously working to grow and strengthen that U.S.-Israel relationship. And even in the face of terrorism and war, Israel has become a leader in technology and energy and scientific innovation.

Those people who haven't gone ought to go and see the spirit of Israel, despite the relentless years of war and attack and terrorist bombings. This is a resilient people looking to find joy in everyday life and looking forward to the future.

I traveled to Israel this past February, and like I had been on previous trips, I was struck for the need for a peaceful future for the Israeli people. It's my wish today, on the celebration of the anniversary, that the years to come will show a time of peace. We need peace.

Israelis paused on Remembrance Day, which ended at sunset in Israel, to

commemorate the over 20,000 Israelis who have given their lives in defense of the Jewish state, as well as the thousands more that were killed in terrorist attacks. Even as we celebrate Israel's history, we remember those who gave their lives for their country.

As we continue to stand with the Israeli Government in the face of threats and terrorism, I strongly believe that the United States must also continue to work together with our Israeli partners to ensure a secure and peaceful future for Israel and for the entire Middle East. Israel is our closest friend and ally in the turbulent Middle East region, and the U.S. Congress remains committed to a safe and secure future for the Israeli people.

There aren't a whole lot of things I can say with confidence that represent both sides of the aisle, but I can say that the support for the State of Israel truly is a bipartisan, a nonpartisan issue for Members of Congress. For over six decades, the U.S.-Israel relationship has been fortified by this bipartisan understanding about the critical importance of the relationship to both countries. So today, Congresswoman FRANKEL, as we celebrate the 65th anniversary of the establishment of the State of Israel, we remain committed to a safe and secure future for Israel.

Thank you so much for allowing me to participate in this wonderful hour of celebration.

Ms. FRANKEL of Florida. Thank you very much, Congresswoman SCHAKOWSKY.

We're also joined here today by a newcomer to Congress, but very much a rising star, my neighbor and friend in the Palm Beach County delegation and the distinguished colleague who is on the House Financial Services Committee and Small Business Committee and I know recently took a trip to Israel, Congressman PATRICK MURPHY.

□ 2040

Mr. MURPHY of Florida. Thank you, Congresswoman FRANKEL.

First, I want to take this opportunity to express my heartfelt condolences to all of those affected by the tragedy that occurred earlier today in Boston. My heart goes out to all the friends and families of those involved during this most difficult time.

I also want to take this opportunity to celebrate the 65th anniversary of the declaration of the State of Israel. Since David Ben-Gurion declared the establishment of the State of Israel on April 26, 1948, the United States and Israel have maintained an unbreakable bond. This bond is rooted in our shared values and common goals of democracy, freedom and a desire for peace. In this time of difficult security challenges and economic concerns, this partnership is more important than ever to the prosperity of both nations.

Bilateral trade between the United States and our ally Israel creates jobs here at home and contributes to the American economy. The United States' trade with Israel has reached over \$40 billion, and Israel accounts for 25 percent of U.S. exports to the Middle East. The United States and Israel share a culture of innovation and entrepreneurship that has attracted leading technology companies like Intel, Microsoft, and Google to Israel. At the same time, tens of thousands of jobs in the United States are created by Israeli companies, and Israel has the third most companies on the NASDAQ stock exchange.

In just 65 years, Israel has accomplished extraordinary achievements. Whether in technology, business, agriculture, or defense, Israel's innovations and advancements contribute to the daily lives of all Americans. For example, some of the most important technology we use every day, including instant messenger, voice mail, and computer processor, were developed in Israel. Additionally, Israeli medical advances are saving lives here in the U.S. and around the world, and Israeli-developed military technologies are protecting American troops stationed in the Middle East.

Mr. Speaker, our partnership with Israel is not just an investment in American jobs and American prosperity; it is an investment in freedom and democracy. Simply put, investing in Israel is investing in America, and we must continue to maintain our strong relationship with the State of Israel. I ask my colleagues to join me in congratulating Israel on her 65th Independence Day and in reaffirming the lasting partnership between our two countries.

Ms. FRANKEL of Florida. Thank you, Mr. MURPHY.

Now I have the privilege of introducing the distinguished ranking member of the House Foreign Affairs Committee, ELIOT ENGEL, from the great State of New York.

Mr. ENGEL. I thank the gentlewoman from Florida.

Let me say, as the ranking member on the House Foreign Affairs Committee, I really want everyone to know what a valued member of our committee the gentlewoman from Florida is. She is a new Member of Congress, but we value her opinions and thoughts and hard work on our committee. I know she has got a very bright future on our committee and in Congress, and I thank her for inviting me to participate in this very important Special Order.

As we've heard, Mr. Speaker, from so many of our colleagues who have spoken, the United States and Israel have much in common. Israel is the only democracy in the Middle East. The United States, of course, is the oldest democracy in the world. We have similar values. The standard of living of

citizens in both our countries is higher than in most of the world, and Israel and the United States share common concerns.

Israel is celebrating its 65th birthday, a celebration of the holiday of Yom Ha'Atzmaut, and I think all Americans want to congratulate the people of Israel for persevering in a very, very dangerous neighborhood and in a very, very dangerous environment.

Earlier today, we had a terrible tragedy in the United States, in Boston, in which lives were lost, in what seems to be a bombing, or a potential terrorist attack. I don't want to jump to conclusions, but that's the way it appears. As a New Yorker who lived through September 11, 2001, terrorism is something that, whenever it raises, or rears, its ugly head, all people of goodwill must condemn it. The people of Israel have lived through that—have lived through bombings of busses and bombings of pizza shops and bombings of weddings and just random bombings of people who care not about life but who care about death. So we pause, of course, for the loss of life in Boston today, and we understand that, when Israel has gone through terrorist attacks, there has been a similar crying out of wanton acts of terror.

I just came back a few weeks ago from Israel. I had the honor of traveling there with President Obama, and the President, of course, is working feverishly to try to move towards a two-state solution, which all of us believe is the best thing that could happen—a Palestinian state and an Israel Jewish state. Certainly, the United States will always stand by its ally Israel. I'll be going back to the region in a couple of weeks, visiting Israel again with senior members of the House Foreign Affairs Committee and of the other relevant committees because we realize how important it is to continue to keep the relationship between the U.S. and Israel.

It has been a very strong partnership, and it has been a good partnership. Israel is one of the greatest supporters of the United States in the United Nations and elsewhere, and of course the United States is one of the greatest supporters of Israel. Iron Dome, which is saving countless Israeli civilian lives, has been funded for and provided for by the United States, and the United States has stood by the people of Israel in its constant fight against terrorism.

I am just so happy that we are celebrating Israel's 65th birthday. I guess that makes Israel a senior citizen these days. Israel is obviously a very new country but of people in a very, very old land. Israel is the ancient Jewish homeland, and the rebirth of the Jewish state in 1948 is a miracle for all to behold.

So I am very, very proud of the relationship that we in the United States have with the State of Israel and the

people of Israel. I am very proud that we have strong supporters of Israel on both sides of the aisle. Israel, as Ms. SCHAKOWSKY said before, is a bipartisan or a nonpartisan issue in that people, Democrats and Republicans, understand that Israel's fight for democracy, against terrorism and for its people is really the same fight that we have here in the United States.

Again, I want to thank the gentlewoman from Florida for including me in this, and I look forward to continuing to work with her on the Foreign Affairs Committee and in Congress on this issue and on so many other issues of importance to the people of the United States.

Ms. FRANKEL of Florida. Thank you very much, Congressman ENGEL, and thank you for your great leadership to us in Congress.

Now I am very pleased to yield to another new Member of Congress, a colleague of mine in the class of 2013 and a colleague of mine on the Foreign Affairs Committee and on the Subcommittee on the Middle East and North Africa, from the great State of Illinois, BRAD SCHNEIDER.

Mr. SCHNEIDER. Thank you. It is an honor to speak in celebration of Yom Ha'Atzmaut, the 65th anniversary of the birth of Israel, and of the partnership between our country and the country of Israel for all of those 65 years. I am proud that the United States was one of the first countries to recognize the new state 65 years ago and that our bond has continued to grow.

I had the privilege of being in Israel 15 years ago for the Jubilee celebration—to see the vibrancy of the country and the hopes for prosperity and peace in the region that were shared by so many of the people—and as we come forward 15 years, to see that the partnership between the United States and Israel has continued to grow, as was mentioned earlier, in so many different aspects: on security and defense as well as economically and culturally. We are sharing technologies. We are sharing experiences. We have a special bond built on common values and a common dream of a better world for our children, and we are contributing to the world in so many different ways.

□ 2050

I was in Israel 3 years ago, and I had a chance to see some of the new technologies that were emerging, both with electric cars and some of the medical technologies; and you see the partnership with the United States and Israel in technology is contributing to the entire world. In medical aspects you see where research is being collaboratively done between our country and researchers in Israel, working to find cures for disease to ease the pain and burdens of families and individuals who are afflicted with different diseases, cancers, and other types. This is some-

thing that's a beacon to the rest of the world.

My district in Illinois, the 10th Congressional District of Illinois, is home to many people who have family in Israel, who travel to Israel. Our connection to Israel is not strictly political; it is personal. And the relationship we have and will continue to have is a special bond that I'm pleased and honored to be able to represent.

With you, being a member of the Middle East and North Africa Committee, being a life-long advocate for a strong U.S.-Israel relationship, it is a great distinction and honor for me to stand here to celebrate Yom Ha'Atzmaut, the 65th anniversary for Israel. I am honored to be going to Israel again in 2 weeks with members of the Chicago community. We will be going throughout the country. We will have a chance to visit Iron Dome, I will have a chance to visit Sderot, and places where Israel is at the front lines of a battle that is ours together.

So I am proud and honored to represent Illinois here in the United States House of Representatives knowing that the bond, the connection, between the United States and Israel is sound, secure, and permanent.

Ms. FRANKEL of Florida. Thank you very much, Mr. SCHNEIDER.

Tonight, we have had a very good, I think, discussion here because in Israel, as we speak, Israelis dressed in blue and white flood the streets for ceremonies and parties to celebrate all that Israel has accomplished. And what a lesson we have learned because even in our sadness in our hearts tonight for the people in Boston, we can learn from Israel the resilience of how to come back from tragedy.

I thank both of you, Mr. SCHNEIDER and Mr. MURPHY, for reminding us that Israel is not just to be known for a place of trouble and conflict. They have developed some of the leading universities in the world, boast the highest ratio of university degrees to population. And as Mr. MURPHY mentioned, it is oft been labeled "the start-up nation" for its remarkably advanced entrepreneurial economy and is among the world's leaders in high-tech industry and is at the forefront of research and development in the field of renewable energy sources.

And most incredibly, even as Israel struggles to protect and care for its own population, Israel regularly sends humanitarian aid, search and rescue teams, mobile hospitals, and other emergency supplies to help victims of disasters around the world.

We know that Israel has its share of difficulties, as every country does; but despite the current impasse for the peace process, the majority of Israelis continue to show support for a two-state solution.

So as we conclude tonight, I want to say that I know on a personal note, as

a mother of a combat veteran, I know too well the pain and fear and lying awake at night wondering if your child will come home safe. That's the feeling that parents in Israel often have. That is the reason I know that I will work with Mr. SCHNEIDER, Mr. ENGEL, Ms. SCHAKOWSKY, and the rest of my colleagues here in what I am so happy to say is a bipartisan way to strengthen the United States-Israel relationship.

With that, Mr. Speaker, I just want to say happy birthday to the State of Israel.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise today to pay tribute to the Jewish state of Israel on Israel's Independence Day, Yom Ha'atzmaut. I am proud to join many other colleagues in the United States Congress in honoring the strength of the US-Israel friendship and the shining example that Israel gives as America's most reliable partner in the region.

Last month, when President Obama visited Israel, Prime Minister Netanyahu gave him a special gift, a nano-chip, designed and created by Technion scientists. Set against the backdrop of a Jerusalem stone, this nano-chip recalls the advancements of Israel in the context of its ancient roots. Inscribed side by side on the nano-chip were replicas of the Declarations of Independence of the United States of America and the State of Israel.

This gift reminds us of shared values between the United States and Israel—spelled out on some of our Nations' earliest documents. In Israel, their Declaration of Independence refers to its commitment to “uphold the full social and political equality of all its citizens, without distinction of race, creed or sex” and a guarantee of “full freedom of conscience, worship, education and culture.” In the United States, centuries before, our forefathers pledged “that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” These shared values demonstrate that the US-Israel relationship can withstand the toughest challenges because the foundation of the relationship is built on enduring values.

In these uncertain times in the Middle East and North Africa, Israel seems surrounded by chaos. On one border, Israel must rely on Egypt to disrupt weapons and human smuggling into Gaza. To the North, Lebanon is politically fractured, with an avowed terrorist group, Hezbollah, in the government. In Syria, a post-Assad era seems near, yet opposition groups are becoming more closely aligned with those who seek Israel's destruction. In Jordan, the state is under tremendous burden to cope with refugees from other more unstable parts of the Middle East, leading to a shaky foundation for one of Israel's most important relationships. With an intransigent Palestinian leadership refusing to negotiate, a political solution to the Palestinian-Israeli conflict seems out of reach. Iran's illicit nuclear program remains an existential threat to Israel, haunting every decision that Israel's government makes.

Israel does not have to be reminded of these threats. Every year, on the day before

Independence Day, Israelis mourn the loss of those who were killed in service to their country. The Israeli Memorial Day, Yom Hazikaron, is marked by the sound of a piercing siren that stops the entire country. Because everyone in Israel has been touched by the violence of the Arab-Israeli conflict—no matter how young or old.

And yet, despite these challenges across the region and the world, the Israeli people remain resilient and strong. Their economy is growing rapidly, they continue to have just and fair elections and their democracy thrives. On this Yom Ha'atzmaut, Israel has much to be proud of.

And the United States' commitment to Israel is unshakeable. As Israel faces difficult decisions ahead about peace and security, the United States will stand by its ally and friend.

I wish the people and government of Israel a Chag Sameach, a happy holiday on this 65th Independence Day.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to recognize Israel, our partner in peace and prosperity, for its 65 years of independence.

On April 14, 1948, just hours before the British Mandate was due to end, Israel's Founding Fathers and Founding Mothers, led by future David Ben-Gurion declared the birth of the State of Israel in Tel Aviv.

Many of the Jews who lived in Israel in 1948 were survivors of the Second World War and the Holocaust, which pushed international opinion for the need for a homeland for the Jewish people where they could be free from persecution and free to build a better life.

Since that fateful day in Tel Aviv, Israel and its people have worked tirelessly to build a thriving democracy that is economically prosperous and at peace with neighboring nations.

The first nation to recognize Israel's independence, I am proud to say, was the United States, which welcomed Israel into the community of nations just hours after its declaration.

The bonds between our two great nations, bound together by common interests and shared values, have only grown with time.

It is also fitting to take this occasion to speak on the future of a lasting peace. As I and my colleagues in this chamber have said repeatedly, the only path to peace is through direct negotiations between Israel and the Palestinians.

Mr. Speaker, I hope on this joyous day that we reflect on the need to redouble our efforts to bring peace to the region and continue to tangibly support our friend and ally in its request for peace.

Mrs. DAVIS of California. Mr. Speaker, I rise in strong support of the contribution of the State of Israel as it celebrates its 65th anniversary as a vibrant and open democratic society.

I had the great privilege to live and work in Israel in the mid-1960's and celebrated Israel's 22nd anniversary by taking part in a three-day walk from the shores of Tel Aviv to the hills of Jerusalem.

Now about 50 years later, I marvel at the extraordinary changes that have taken place in Israel.

In its 65 years, Israel has managed some incredible achievements.

These have been true gifts to Americans and the world—healing the sick, improving security, and promoting commerce.

Israeli doctors and researchers have produced countless medical advances.

Israelis have developed techniques to better assist cancer and Parkinson's patients.

Israelis invented the PillCam to better detect disorders of the GI Tract.

Israelis are pioneering robotic surgery.

Israelis were key to developing the cell phone—which has transformed American business and, of course, allowed many Jewish mothers, like myself, to instantly get in touch with their children.

Israelis also invented voice mail technology.

Israel developed the Iron Dome Missile Defense System which has already saved countless lives from missile attacks. And, Israel is sharing this vital technology with the United States.

Israel is also a leader in conservation and renewable energy. In fact, Israel is the only country in the world that entered the 21st century with a net gain in its number of trees, made more remarkable because this was achieved in an area considered mainly desert.

And, Israel continues to be a shining example of democratic governance in the Middle East.

Israel is the only country in the Middle East with protections for free speech, free press, free practice of religion, women's rights and gay rights.

All citizens of Israel have full voting rights without regard to race, sex, or ethnicity.

And, Israel's parliament, the Knesset, includes Jews and Arabs alike as members.

Israel is a small country in a hostile environment that has found a way to accomplish big things.

We as Americans are better off today because of Israel's existence.

And, as I wish Israel and her citizens a happy 65th birthday, I stress that I will continue working with my colleagues to support our closest friend and ally, as it continues to inspire the world with its achievement.

Mr. HUFFMAN. Mr. Speaker, tonight many of my colleagues will be participating in a special order in observance of Yom Ha'atzmaut, Israel's Independence Day.

I want to join them in celebration and wish the Israeli people a very happy and blessed 65 years of independence.

The road traveled by the people of Israel required extraordinary and unimaginable sacrifice.

And still this struggle continues every day for Jewish people in countries across the world.

I am proud to stand with Israel and continue our nation's support of democracy and peace in the Middle East.

A personal hero of mine, President Truman, bonded our countries together when he made the United States the first nation to recognize the State of Israel.

Since that time we've worked together to promote peace in the region and stand up to threats and acts of aggression.

Today Israel faces new challenges and uncertainty. But by acting together the United States and Israel can—and will—overcome.

Again, I would like to offer my sincere congratulations to Israel on its 65th year of independence, and my hope that we will continue to strive towards a stable and peaceful Middle East and North Africa.

Ms. ESTY. Mr. Speaker, I rise today to congratulate America's great friend and ally, Israel, and the people of Israel, on the 65th anniversary of their independence.

Mr. Speaker, as a student, in the 1980's, I was incredibly fortunate to have the opportunity to travel to Israel. I learned a lot from that journey. There are few places I have been to in my life as vibrant and dynamic as that nation. I was impressed, as I think most visitors are, by the great optimism and resilience of the Israeli people—optimism and resilience that they showed even during a time of extreme uncertainty.

And I was also struck by how small, and how vulnerable, Israel is geographically. On a clear day, you can stand on top of the Golan Heights and see from one end of the country to another. Right before your eyes, you can see the fragility of the country's security—whose defense is a great credit to the Israeli people.

Right before your eyes, you see a strong, but geographically small country, a country not protected by oceans, a country with many hostile neighbors, a country that has been bravely defending itself from terrorist and military attacks repeatedly since its independence.

My visit to Israel dramatically increased my appreciation for Israel and helped define my own views about the importance of their security and our nation's special relationship with Israel. Our shared national interests and our shared values of democracy, peace, and liberty have defined that relationship for 65 years now and will continue to define that relationship into the future.

I'm proud to join my colleagues of both parties in expressing a renewed commitment to that special relationship and to Israel's security, in honoring Israel's history, in expressing our best wishes for Israel's continued accomplishments, and in offering our congratulations to the Israeli people on this significant anniversary.

Congratulations to our dear friends in Israel on the 65th anniversary of your nation's independence.

Ms. SLAUGHTER. Mr. Speaker, it is my esteemed honor and privilege to recognize and commemorate the 65th anniversary of the State of Israel's independence. Sixty-five years ago, America became the first nation to recognize Israel, an event that symbolizes the closeness of the relationship between our two countries and our two peoples.

Since its founding in 1948, the Jewish state has faced many challenges, and America has been proud to be at Israel's side to meet these challenges. Our nation's ongoing commitment to Israel is unparalleled and I have been proud to spend my career in Congress working to promote the many economic, political, and cultural and security ties that bind our nations together.

On this day, Israel has much to celebrate and be proud of. Their nation and people have been leaders in the development of groundbreaking and transformative technology affecting millions of people around the globe. Israelis have led the world in scientific research and advancements in medicine and have produced ten Nobel laureates in their short history. They have also built a world-

class economy based in large part on their remarkable ability to educate their citizens and encourage freethinking and an entrepreneurial spirit.

While the Middle East continues to face challenges, our nation is comforted that Israel stands as a stable model for democracy in the region. The United States also stands ready and willing to help our strongest ally continue to meet the many challenges it faces in the region while working to promote peace and freedom in Israel and the Middle East. I look forward to the day when Israel and her neighbors can enjoy a prosperous and secure peace and will continue to do all that I can to make that a reality.

Mr. Speaker, I ask my colleagues to join me in wishing all Israelis a happy independence day and affirming America's resolute commitment to the future success and stability of the State of Israel.

Mr. ISRAEL. Mr. Speaker, this week Israel celebrated its 65th Independence Day. Since its founding on May 14, 1948, Israel and the United States have been steadfast allies and today we take a moment to celebrate Israel and recommit ourselves to the partnership between our two great nations.

Despite years of terrorist threats and attacks, intermittent war, and overwhelming odds, Israel has not only survived but flourished, developing into a beacon of democracy in the Middle East. Much like the United States, Israel values and protects freedom of speech, freedom of religion, freedom of press, and most importantly the idea that government comes from the consent of the governed. These freedoms may seem commonplace to Americans, but they are rare in the Middle East and ensure that Israel remains a vigorous democracy.

Israel has also become a global economic leader, especially in the technology and science sectors where Israel's innovation and dedication allow it to achieve success despite its relatively small population. Israel leads the world in developing solar power technologies and its medical inventions have saved countless lives, including many Americans.

Israel's tremendous achievements since its founding are truly inspiring and I am honored to recognize our greatest ally's 65th Independence Day.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HONDA (at the request of Ms. PELOSI) for today on account of official business.

Ms. MOORE (at the request of Ms. PELOSI) for today on account of medical reasons.

Mr. GARY G. MILLER of California (at the request of Mr. CANTOR) for today and the balance of the week on account of family business.

ADJOURNMENT

Ms. FRANKEL of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 16, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1099. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Live Birds and Poultry, Poultry Meat, and Poultry Products From a Region in the European Union [Docket No: APHIS-2009-0094] (RIN: 0579-AD45) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1100. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Styrene-Ethylene-Propylene Block Copolymer; Tolerance Exemption [EPA-HQ-OPP-2013-0043; FRL-9380-5] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1101. A letter from the Acting Principal Deputy, Department of Defense, transmitting the Department's annual report for 2012 on the STARBASE Program, pursuant to 10 U.S.C. 2193b(g); to the Committee on Armed Services.

1102. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's Annual Report for 2012; to the Committee on Financial Services.

1103. A letter from the Administrator, Securities and Exchange Commission, transmitting the Commission's final rule — Amendment to Rule Filing Requirements for Dually-Registered Clearing Agencies [Release No.: 34-69284; File No.: S7-29-11] (RIN: 3235-AL18) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1104. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Service of Process on Manufacturers; Manufacturers Importing Electronic Products Into the United States; Agent Designation; Change of Address [Docket No.: FDA-2007-N-0091] (formerly 2007N-0104) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1105. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Technical Amendment [Docket No.: FDA-2013-N-0011] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1106. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; Increased Federal Medical Assistance Percentage Changes under the Affordable Care Act of 2010 [CMS-2327-FC] (RIN: 0938-AR38) received April 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1107. A letter from the Deputy Bureau, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; High Cost Universal Service Support

[WC Docket No.: 10-90] [WC Docket No.: 05-337] received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1108. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Notification of the intention to exercise the authority under Section 552(c)(2) of the Foreign Assistance Act of 1961, to authorize the drawdown to the Syrian Opposition Coalition and the Supreme Military Council; to the Committee on Foreign Affairs.

1109. A letter from the Director, Equal Employment Opportunity and Inclusion, Farm Credit System Insurance Corporation, transmitting the Corporation's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1110. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's annual report for Fiscal Year 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1111. A letter from the Chair, Recovery Accountability and Transparency Board, transmitting the Board's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1112. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Representation of Others Before The United States Patent and Trademark Office [Docket No.: PTO-C-2012-0034] (RIN: 0651-AC81) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1113. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the 2012 Biennial Report on the Effectiveness of Grant Programs under the Violence Against Women Act; to the Committee on the Judiciary.

1114. A letter from the Secretary, Department of Transportation, transmitting the Annual Report to Congress and the National Transportation Safety Board Responding to Issues on the National Transportation Safety Board's 2013 Most Wanted List; to the Committee on Transportation and Infrastructure.

1115. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's 51st annual report of activities for fiscal year 2012; to the Committee on Transportation and Infrastructure.

1116. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Grants for Transportation of Veterans in Highly Rural Areas (RIN: 2900-AO01) received April 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1117. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Appeals Settlement Guidelines — New York State Qualified Empire Zone Enterprise Credit Real Property Taxes received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1118. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Twenty-Third Annual Report to Congress on health and safety activities; jointly to the Committees on Armed Services and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. H.R. 624. A bill to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; with an amendment (Rept. 113-39). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PITTS (for himself, Mr. BURGESS, and Mrs. WAGNER):

H.R. 1549. A bill to amend Public Law 111-148 to transfer fiscal year 2013 through fiscal year 2016 funds from the Prevention and Public Health Fund to carry out the temporary high risk health insurance pool program for individuals with preexisting conditions, and to extend access to such program to such individuals who have had creditable coverage during the 6 months prior to application for coverage through such program; to the Committee on Energy and Commerce.

By Mr. KILDEE (for himself and Mr. TURNER):

H.R. 1550. A bill to allow use of assistance under the Hardest Hit Fund program under the Troubled Assets Relief Program of the Department of the Treasury for demolition of foreclosed-upon properties and related expenses; to the Committee on Financial Services.

By Mr. MEEKS (for himself, Mr. LUETKEMEYER, Mr. DAVID SCOTT of Georgia, Mr. SESSIONS, and Mr. CLAY):

H.R. 1551. A bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes; to the Committee on Financial Services.

By Mr. HUIZENGA of Michigan:

H.R. 1552. A bill to amend the Internal Revenue Code of 1986 to allow the transfer of required minimum distributions from a retirement plan to a health savings account; to the Committee on Ways and Means.

By Mrs. CAPITO (for herself, Mrs. CAROLYN B. MALONEY of New York, Mr. CARNEY, Mr. HUIZENGA of Michigan, Mr. LUCAS, Mr. PITTENGER, Mr. BARR, Ms. MOORE, Mr. ROSS, Mrs. MCCARTHY of New York, Mr. GARY G. MILLER of California, Mr. WESTMORELAND, Mr. LUETKEMEYER, Mr. HURT, Mrs. WAGNER, Mr. GRIMM, Mr. STIVERS, Mrs. BACHMANN, Mr. FITZPATRICK, Mr. KING of New York,

Mr. GARRETT, Mr. FINCHER, Mr. HINOJOSA, Mr. ROYCE, Mr. POSEY, Mr. PEARCE, Mr. DUFFY, and Mr. NEUGEBAUER):

H.R. 1553. A bill to improve the examination of depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. DOGGETT (for himself, Ms. BASS, Mr. BECERRA, Mr. BLUMENAUER, Mr. CAPUANO, Ms. CHU, Mr. CICILLINE, Mr. CONYERS, Mr. CUMMINGS, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAULO, Mr. DEUTCH, Mr. DINGELL, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HIGGINS, Mr. HUFFMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LOEBSACK, Mr. LYNCH, Mr. MARKEY, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. PASCRELL, Mr. PETERS of Michigan, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SHERMAN, Ms. SLAUGHTER, Mr. TIERNEY, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. WELCH, Mr. YARMUTH, Mr. LANGEVIN, Mr. HOLT, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. LEWIS, Mr. GARAMENDI, Mr. PAYNE, and Mr. COHEN):

H.R. 1554. A bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Ms. BASS, Mr. BECERRA, Ms. CHU, Mr. CICILLINE, Mr. CONYERS, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAULO, Mr. DINGELL, Mr. ELLISON, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MORAN, Mr. RUSH, Mr. SHERMAN, Mr. TONKO, Ms. TSONGAS, Mr. GARAMENDI, Ms. SCHAKOWSKY, Mr. PAYNE, and Mr. COHEN):

H.R. 1555. A bill to amend the Internal Revenue Code of 1986 to reduce international tax avoidance and restore a level playing field for American businesses; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr. DEFAZIO, Ms. DELAULO, Mr. DINGELL, Mr. MORAN, Ms. LEE of California, Mr. RUSH, Mr. GARAMENDI, Ms. SCHAKOWSKY, Mr. MCDERMOTT, Mr. CICILLINE, and Mr. COHEN):

H.R. 1556. A bill to amend the Internal Revenue Code of 1986 to prevent corporations from exploiting tax treaties to evade taxation of United States income; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 1557. A bill to ensure clarity of regulations to improve the effectiveness of Federal regulatory programs while decreasing burdens on the regulated public; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of New York:

H.R. 1558. A bill to lower health premiums and increase choice for small businesses; to

the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD (for herself and Ms. HANABUSA):

H.R. 1559. A bill to amend the Public Health Service Act to provide health care practitioners in rural areas with training in preventive health care, including both physical and mental care, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARCIA (for himself, Mr. RADEL, and Ms. ROS-LEHTINEN):

H.R. 1560. A bill to amend the Internal Revenue Code of 1986 to authorize the Internal Revenue Service to permit truncated social security numbers on wage reporting provided to employees; to the Committee on Ways and Means.

By Mr. GARDNER:

H.R. 1561. A bill to authorize the Secretary of the Interior to make improvements to support facilities for National Historic Sites operated by the National Park Service, and for other purposes; to the Committee on Natural Resources.

By Mr. GIBSON (for himself, Mr. REED, Mr. OWENS, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 1562. A bill to amend the Immigration and Nationality Act to simplify the petitioning procedure for H-2A workers, to expand the scope of the H-2A program, and for other purposes; to the Committee on the Judiciary.

By Mr. GUTHRIE (for himself and Ms. CASTOR of Florida):

H.R. 1563. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products; to the Committee on Energy and Commerce.

By Mr. HURT (for himself and Mr. MEEKS):

H.R. 1564. A bill to amend the Sarbanes-Oxley Act of 2002 to prohibit the Public Company Accounting Oversight Board from requiring public companies to use specific auditors or require the use of different auditors on a rotating basis; to the Committee on Financial Services.

By Mr. KING of New York (for himself, Mr. THOMPSON of California, Mr. FITZPATRICK, Mr. MEEHAN, Mrs. MCCARTHY of New York, and Mr. DEFAZIO):

H.R. 1565. A bill to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process; to the Committee on the Judiciary, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER (for himself and Mr. MEEKS):

H.R. 1566. A bill to create a Federal charter for Internet consumer credit corporations, and for other purposes; to the Committee on Financial Services.

By Mr. MULVANEY (for himself, Mr. DUNCAN of South Carolina, Mr. JORDAN, Mr. MCCLINTOCK, Mr. POMPEO,

Mr. PRICE of Georgia, Mr. RIBBLE, Mr. AMASH, Mr. MEADOWS, and Mr. SALMON):

H.R. 1567. A bill to eliminate corporate welfare programs of the Department of Agriculture, the Department of the Interior, the Department of Transportation, and other Federal agencies; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Agriculture, Natural Resources, Financial Services, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mrs. LOWEY, and Mr. ISRAEL):

H.R. 1568. A bill to amend the Internal Revenue Code of 1986 to provide for adjustments in the individual income tax rates to reflect regional differences in the cost-of-living; to the Committee on Ways and Means.

By Mr. POMPEO (for himself, Mr. AMASH, Mr. MCCLINTOCK, Mr. MULVANEY, Mr. RIBBLE, Mr. DUNCAN of South Carolina, Mr. LAMBORN, Mr. JORDAN, Mr. MEADOWS, and Mr. PRICE of Georgia):

H.R. 1569. A bill to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate; to the Committee on Ways and Means.

By Mr. RICHMOND:

H.R. 1570. A bill to amend title 31, United States Code, to provide for the regulation of tax return preparers; to the Committee on Ways and Means.

By Mr. SCALISE (for himself, Mr. YODER, Mr. CHABOT, Mr. MULVANEY, Mr. FLORES, Mr. PITTS, Mr. MEADOWS, Mr. PERRY, Mr. GRAVES of Georgia, Mr. STUTZMAN, Mr. COLLINS of Georgia, Mr. YOHIO, Mr. ROE of Tennessee, Mr. MESSER, Mr. FLEMING, Mr. KING of Iowa, Mr. ROKITA, Mrs. BLACKBURN, Mr. DESJARLAIS, and Mrs. HARTZLER):

H.R. 1571. A bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 1572. A bill to prohibit the use of Federal money for print, radio, television or any other media advertisement, campaign, or form of publicity against the use of a food or beverage that is lawfully marketed under the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. SIREN (for himself, Mr. GARAMENDI, Mr. HONDA, Mr. PETRI, and Mr. KENNEDY):

H.R. 1573. A bill to amend the Peace Corps Act to allow former volunteers to use the seal, emblem, or name of Peace Corps on death announcements and grave stones; to the Committee on Foreign Affairs.

By Mr. TURNER:

H.R. 1574. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the park; to the Committee on Natural Resources.

By Mr. YODER (for himself, Mr. POMPEO, Ms. JENKINS, and Mr. CLEAVER):

H.R. 1575. A bill to amend the Communications Act of 1934 to require a provider of a commercial mobile service or an IP-enabled voice service to provide call location information concerning the user of such a service

to law enforcement agencies in order to respond to a call for emergency services or in an emergency situation that involves risk of death or serious physical harm; to the Committee on Energy and Commerce.

By Mr. NEUGEBAUER:

H.J. Res. 39. A joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. RUNYAN (for himself and Mr. SCHNEIDER):

H. Con. Res. 31. Concurrent resolution supporting Rare Pituitary Disease Awareness; to the Committee on Energy and Commerce.

By Mr. GARDNER (for himself, Mr. PETERS of Michigan, Mr. FLORES, Mr. RENACCI, Mr. HANNA, Mr. CARNEY, Mr. COFFMAN, Mr. BARBER, Mr. DELANEY, Mr. HIMES, Mr. POLIS, Mrs. HARTZLER, Mr. TERRY, Mr. LANKFORD, Mr. GERLACH, Mr. BENISHEK, Mr. YODER, and Mr. LANCE):

H. Res. 160. A resolution amending the Rules of the House of Representatives to require authorizing committees to hold annual hearings on GAO investigative reports on the identification, consolidation, and elimination of duplicative Government programs; to the Committee on Rules.

By Mr. ROGERS of Kentucky (for himself, Mr. KEATING, Mr. WOLF, Mr. RAHALL, Mr. GRIMM, Mr. LYNCH, Mr. TIERNEY, and Mr. ADERHOLT):

H. Res. 161. A resolution expressing the sense of the House of Representatives that the Food and Drug Administration should encourage the use of abuse-deterrent formulations of drugs; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. PITTS:

H.R. 1549.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. KILDEE:

H.R. 1550.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MEEKS:

H.R. 1551.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of United States Constitution.

By Mr. HUIZENGA of Michigan:

H.R. 1552.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. CAPITO:

H.R. 1553.
Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I, Section 8, Clause 3 of the Constitution states that Congress shall have power to regulate the regulate Commerce with foreign Nations, and

among the several States, and with the Indian Tribes.

By Mr. DOGGETT:

H.R. 1554.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. DOGGETT:

H.R. 1555.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. DOGGETT:

H.R. 1556.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BRALEY of Iowa:

H.R. 1557.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. COLLINS of New York:

H.R. 1558.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the People, consistent with Amendment X of the United States Constitution.

By Ms. GABBARD:

H.R. 1559.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GARCIA:

H.R. 1560.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution, which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

Clause 18, Section 8, Article 1 of the United States Constitution, which reads: "The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. GARDNER:

H.R. 1561.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

Article IV, Section 3, Clause 2

By Mr. GIBSON:

H.R. 1562.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 and 4, of Section 8, of Article I.

By Mr. GUTHRIE:

H.R. 1563.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. HURT:

H.R. 1564.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. KING of New York:

H.R. 1565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LUETKEMEYER:

H.R. 1566.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. MULVANEY:

H.R. 1567.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 18. "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. NADLER:

H.R. 1568.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, sec. 8, cl. 1 "Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises. . . ."

Art. 1, sec. 8, cl. 18 Necessary and proper clause.

By Mr. POMPEO:

H.R. 1569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. RICHMOND:

H.R. 1570.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this bill stems from Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. SCALISE:

H.R. 1571.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. SCHOCK:

H.R. 1572.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 9, Clause 7 and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SIRES:

H.R. 1573.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. TURNER:

H.R. 1574.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18; and Article IV, Section 3, Clause 2 of the Constitution of the United States.

By Mr. YODER:

H.R. 1575.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 3,

The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. NEUGEBAUER:

H.J. Res. 39.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. PITTENGER, Mr. SCHOCK, Mr. ROE of Tennessee, Mrs. MILLER of Michigan, Mr. WILSON of South Carolina, Mr. LATHAM, Mr. GRAVES of Georgia, and Mr. THORNBERRY.

H.R. 32: Ms. ESTY and Mr. LUCAS.

H.R. 38: Mr. HECK of Nevada, Mr. MULVANEY, Mr. GUTHRIE, and Mr. CALVERT.

H.R. 124: Mr. KLINE and Mr. COBLE.

H.R. 125: Mr. DUNCAN of Tennessee.

H.R. 129: Ms. SPEIER, Mrs. NAPOLITANO, and Mr. DANNY K. DAVIS of Illinois.

H.R. 135: Mr. BERA of California.

H.R. 136: Mr. BERA of California.

H.R. 139: Ms. DELBENE.

H.R. 200: Mrs. NAPOLITANO.

H.R. 207: Mr. FRANKS of Arizona, Mr. CASSIDY, and Mr. GIBBS.

H.R. 208: Ms. LEE of California.

H.R. 236: Mrs. NAPOLITANO.

H.R. 279: Mr. MULLIN.

H.R. 318: Mr. GRIFFITH of Virginia.

H.R. 324: Mr. KENNEDY.

H.R. 333: Mr. YOUNG of Alaska, Mr. KILMER, and Mr. TURNER.

H.R. 351: Mr. WHITFIELD and Mr. RICE of South Carolina.

H.R. 377: Mr. NEAL and Mr. SABLAN.

H.R. 503: Mr. STEWART.

H.R. 556: Mr. LABRADOR and Mr. NEUGEBAUER.

H.R. 569: Mrs. WALORSKI.

H.R. 570: Mr. COURTNEY.

H.R. 624: Mr. MCCAUL, Mr. THORNBERRY, Mr. UPTON, Mr. WALDEN, Mr. WESTMORELAND, Mr. NUNES, Mr. POMPEO, Mr. PETERS of California, Ms. SINEMA, Mr. LANCE, Mr. LOBIONDO, Mr. KING of New York, Mr. HECK of Nevada, Mr. STIVERS, Mr. CONAWAY, Mr.

McHENRY, Mrs. MILLER of Michigan, Mr. GUTHRIE, Mr. KLINE, Mr. SCHOCK, Mr. MULVANEY, Mr. HASTINGS of Washington, Mr. CAMP, Mr. COLE, Mr. KINZINGER of Illinois, Mr. AMODEI, Mr. GRIFFIN of Arkansas, Ms. SEWELL of Alabama, Mr. CUELLAR, Mr. COSTA, Mr. HASTINGS of Florida, Mr. KILMER, Mr. LIPINSKI, Mr. ENYART, Mr. GUTIERREZ, and Mr. VARGAS.

H.R. 627: Mr. HONDA, Mr. LOWENTHAL, Mr. GEORGE MILLER of California, Mr. LUCAS, and Mr. KING of Iowa.

H.R. 629: Mr. HORSFORD.

H.R. 630: Mr. BISHOP of Georgia and Mr. CASTRO of Texas.

H.R. 655: Mr. RENACCI.

H.R. 666: Mr. RUIZ.

H.R. 671: Mr. BISHOP of New York and Mr. KILMER.

H.R. 719: Mr. YOUNG of Alaska and Mr. SCHIFF.

H.R. 721: Mrs. NOEM.

H.R. 724: Mr. KILMER, Mr. CARSON of Indiana, Mr. CASSIDY, and Mr. KINZINGER of Illinois.

H.R. 730: Mr. SENSENBRENNER and Mr. BARR.

H.R. 755: Ms. SCHAKOWSKY and Mr. COOK.

H.R. 786: Mr. POCAN.

H.R. 792: Mr. McHENRY.

H.R. 798: Ms. TITUS and Mrs. BEATTY.

H.R. 800: Mr. NUGENT and Mrs. ELLMERS.

H.R. 826: Mr. COOPER.

H.R. 850: Mr. GARCIA, Ms. WILSON of Florida, Ms. BROWN of Florida, Mr. LUCAS, Mr. COHEN, Ms. LINDA T. SÁNCHEZ of California, Mr. HARPER, and Mr. GARAMENDI.

H.R. 851: Mr. MCGOVERN.

H.R. 920: Mr. TIBERI and Mr. LUCAS.

H.R. 924: Mr. VAN HOLLEN.

H.R. 940: Mr. DUFFY.

H.R. 956: Mr. ROHRBACHER, Mr. MCINTYRE, Mr. RUPPERSBERGER, Mr. RICHMOND, and Mr. PERLMUTTER.

H.R. 961: Mr. THOMPSON of California and Mr. WELCH.

H.R. 962: Ms. LOFGREN and Mr. WELCH.

H.R. 984: Mrs. BLACKBURN.

H.R. 1012: Mr. NADLER, Mr. HASTINGS of Florida, and Ms. WILSON of Florida.

H.R. 1020: Mr. DUNCAN of Tennessee, Mr. MULVANEY, Mr. AMODEI, and Mr. COLE.

H.R. 1024: Mr. DEFazio.

H.R. 1026: Mr. STOCKMAN, Mr. SMITH of Nebraska, and Mr. CONAWAY.

H.R. 1038: Mr. MCCLINTOCK, Mr. DEFazio, and Ms. MATSUI.

H.R. 1076: Mr. COTTON.

H.R. 1100: Mr. RUIZ.

H.R. 1148: Mr. WITTMAN and Mr. KING of Iowa.

H.R. 1151: Mr. GRAVES of Missouri.

H.R. 1181: Mr. COBLE.

H.R. 1201: Mr. LATHAM and Mr. ELLISON.

H.R. 1211: Mr. QUIGLEY.

H.R. 1229: Ms. LEE of California, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. GRIJALVA, and Ms. CLARKE.

H.R. 1242: Mr. LABRADOR and Mr. BENTIVOLIO.

H.R. 1250: Ms. LEE of California.

H.R. 1252: Mr. MICHAUD.

H.R. 1263: Mr. RUNYAN and Mr. BARBER.

H.R. 1265: Mr. VARGAS and Mrs. NEGRETE MCLEOD.

H.R. 1281: Mr. ROGERS of Kentucky.

H.R. 1289: Ms. WILSON of Florida, Mr. TAKANO, Ms. JACKSON LEE, and Ms. SLAUGHTER.

H.R. 1322: Ms. SHEA-PORTER.

H.R. 1330: Mr. VARGAS.

H.R. 1344: Mr. THOMPSON of Mississippi, Ms. BORDALLO, Ms. HAHN, Mr. CÁRDENAS, Mr. CARTWRIGHT, and Mr. GRIMM.

H.R. 1371: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1386: Mr. GIBBS, Mrs. LUMMIS, Mr. MULVANEY, and Mr. PEARCE.

H.R. 1414: Ms. BORDALLO, Mr. PAYNE, Mr. HASTINGS of Florida, Mr. TIERNEY, Ms. BROWNLEY of California, and Mr. POLIS.

H.R. 1416: Mr. HECK of Nevada, Mr. BROWN of Georgia, Mr. HUNTER, Mr. YODER, Mr. RADEL, Mrs. MILLER of Michigan, Mr. JONES, Mr. COBLE, Mr. CARTER, Mrs. BLACKBURN, Mr. SMITH of New Jersey, Mr. GIBBS, Mrs. LUMMIS, Mr. DAVID SCOTT of Georgia, Mr. RUPPERSBERGER, Mrs. BACHMANN, Mr. McHENRY, Mr. ROONEY, Ms. JACKSON LEE, and Mr. ROE of Tennessee.

H.R. 1417: Mr. HUDSON and Mr. STEWART.

H.R. 1460: Mrs. WAGNER.

H.R. 1466: Mr. DOGGETT, Mr. GRIJALVA, Ms. SCHWARTZ, Mr. CONNOLLY, Mr. NADLER, Ms. BROWN of Florida, and Mr. RANGEL.

H.R. 1478: Ms. TSONGAS.

H.R. 1502: Mr. BACHUS, Mr. BRADY of Texas, and Mr. ROSKAM.

H.R. 1507: Mr. RAHALL, Mr. LATHAM, Mr. SIREs, Ms. BONAMICI, Mr. KING of New York, and Mr. CONNOLLY.

H.R. 1509: Mr. DOYLE.

H.R. 1532: Mr. HUFFMAN.

H.R. 1547: Mr. SCHRADER, Ms. SINEMA, Mr. MULVANEY, and Mr. CARTWRIGHT.

H.J. Res. 31: Mr. CARTWRIGHT.

H. Con. Res. 23: Mr. KINGSTON.

H. Con. Res. 24: Mr. COBLE and Mr. COLE.

H. Con. Res. 26: Mr. FORBES.

H. Con. Res. 30: Mr. WILSON of South Carolina, Mr. PETERS of Michigan, Mr. YOHIO, Mr. HALL, Mr. ENYART, Mr. POLIS, Mrs. McMORRIS RODGERS, Mrs. CAROLYN B. MALONEY of New York, Mr. YODER, Ms. WILSON of Florida, Mr. HORSFORD, Mr. RUNYAN, Mr. BACHUS, Ms. SCHAKOWSKY, Mrs. DAVIS of California, Mr. CHAFFETZ, Mr. WALBERG, Mr. TIBERI, Mr. SOUTHERLAND, Mr. MICHAUD, Mr. SESSIONS, Ms. FUDGE, Ms. ROS-LEHTINEN, Mr. KELLY of Pennsylvania, Mr. SMITH of New Jersey, Ms. SPEIER, Mrs. BLACKBURN, Mr. SCHWEIKERT, Mr. VAN HOLLEN, Mr. SHIMKUS, Mr. MILLER of Florida, Mr. MURPHY of Florida, Mr. DESJARLAIS, Mr. SCALISE, Mr. SALMON, Mr. PEARCE, Mr. ROGERS of Kentucky, Mrs. HARTZLER, Mr. MEADOWS, Mr. NUNNELEE, Mr. OLSON, Mr. YOUNG of Florida, Mr. MARINO, Mr. RANGEL, Mr. GENE GREEN of Texas, Mr. POMPEO, Mr. RODNEY DAVIS of Illinois, Mrs. LUMMIS, Mr. LATTA, and Mr. SWALWELL of California.

H. Res. 30: Mr. THOMPSON of Mississippi.

H. Res. 36: Mr. CRAWFORD and Mr. WENSTRUP.

H. Res. 75: Mr. BENTIVOLIO.

H. Res. 78: Ms. LOFGREN.

H. Res. 90: Mr. ANDREWS, Ms. WATERS, Mr. DELANEY, and Mr. DOYLE.

H. Res. 101: Mr. MARINO.

H. Res. 102: Mr. MCINTYRE and Mr. HASTINGS of Florida.

H. Res. 108: Mr. JOHNSON of Georgia.

H. Res. 112: Mr. DEFazio, Mr. WALZ, and Mr. ROE of Tennessee.

H. Res. 118: Mr. FOSTER, Mr. AL GREEN of Texas, and Mr. TIERNEY.

H. Res. 124: Mr. GRIJALVA, Ms. JACKSON LEE, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. ELLISON, Ms. CLARKE, and Mr. BRALEY of Iowa.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1101: Mr. THOMPSON of Mississippi.

EXTENSIONS OF REMARKS

HONORING THE NEW LIFE
CHRISTIAN SCHOOL

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. DELANEY. Mr. Speaker, I rise today to honor the New Life Christian School, an educational institution in my district celebrating its 25th Anniversary on April 22, 2013.

Since its founding in 1988, the New Life Christian School has served as an organization where our community's young adults can grow personally and academically. The school's students have acted as role models for their peers, and they should be proud of their academic accomplishments.

I ask that you and my other distinguished colleagues help me in honoring the significant occasion of the New Life Christian School's 25th Anniversary. The school is a model organization and will remain an inspiration in our community for many generations to come.

A TRIBUTE IN HONOR OF THE
LIFE OF THE HONORABLE WIL-
LIAM H. ROYER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor a former member of the House of Representatives, Congressman William H. Royer, who served in the House from 1979 to 1981 after winning a special election to succeed the late Leo J. Ryan who was slain in Jonestown, Guyana.

Bill Royer was born in Jerome, Idaho, on April 11, 1920, and died on April 8, 2013, at the age of 92. At the time of his death he was the 15th oldest former member of the House. He was brought to Redwood City, California by his family as a young boy, and lived there his entire life. He was a graduate of Sequoia High School and Santa Clara University which he attended on a baseball scholarship, and he did graduate work at Oklahoma State University. He served his country in the U.S. Army Air Corps from 1943 to 1945 and enjoyed a successful career in real estate.

Bill Royer served on the Redwood City City Council from 1950 to 1966, and twice served as mayor. He was a member of the San Mateo County Board of Supervisors from 1973 to 1979.

Bill Royer was predeceased by his beloved wife of 69 years, Shirley Royer, and leaves his sons Dennis and Peter, their wives and children, and many grandchildren.

Mr. Speaker, I ask the entire House to join me in honoring our former colleague who

served his community and his country with great devotion and distinction, and in expressing our most sincere sympathy to his sons and their families.

CONGRATULATIONS TO EDEN
PRAIRIE BOYS SWIM TEAM
STATE CHAMPIONS

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate the Eden Prairie Boys Swim Team on their outstanding performance at this year's Minnesota State High School League Meet. The Eden Prairie Boys put on a dominating performance, winning their second state championship in as many years.

This Eden Prairie team has now gone two consecutive seasons undefeated, ending the year with a 7-0 record.

This dream season, as described by the team's coach, Kelly Boston, was capped off by winning performances by many of the team's members. Two relay teams and three individual swimmers captured state titles at the meet, and the Eden Prairie squad amassed 9 total top-three finishes while breaking state records in the 400 freestyle relay and the 200 medley relay.

All of these student athletes, their parents and their coaches deserve praise for their dedication and determination.

It's an honor to be able to represent, and recognize, such all-star athletes. Congratulations!

HONORING WASHINGTON STATE
GOVERNOR BOOTH GARDNER

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. REICHERT. Mr. Speaker, today I rise to honor and remember the life of Washington State Governor Booth Gardner. He brought thought and care to everything he did. While running for King County Sheriff, Governor Gardner and four other Washington State governors came together to an event to show their support for me. It touched me deeply that he would take the time to make that public gesture, and his words of encouragement still resonate with me today. Governor Gardner fought for what he believed in with passion and conviction, and was a champion of many of the causes close to my own heart, such as improving U.S. trade relations and the education of our children. With his death last month, Washington lost one of its fiercest advocates, but his legacy lives on.

HONORING ELZORA MAE BROWN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Ms. LEE of California. Mr. Speaker, I rise today with my colleague, Congresswoman ELIZABETH HOLMES NORTON, to honor the extraordinary life of Elzora Mae Brown, a fourth-generation, three-time cancer survivor and life-long champion for breast cancer awareness and research among women of color. With her passing on March 3, 2013, we look to the outstanding quality of her life's work and the countless lives she touched and saved over the course of her career in advocacy.

Born March 20, 1949 in Holdenville, Oklahoma, Elzora Mae Brown received a bachelor's degree in business administration from Oklahoma State University before moving to the Washington, D.C. area, where she would live for the next 30 years. Ms. Brown received a wealth of experience in public communication through her role assisting the lobbying office of the Ford Motor Company. In 1976, she secured an administrative assistant's post at the White House, which led to a quick ascent in communications positions, including becoming assistant director for public affairs at the Federal Communications Commission and public affairs director with the Broadcast Capital Fund.

At the age of 32, Ms. Brown was diagnosed with breast cancer. As the youngest of eight children, she was prepared to face the same disease that had struck her great-grandmother, grandmother, mother, and three sisters. In most cases, swift action via mastectomy had saved her family members' lives. Only her late sister Belva Brissett lost a 12-year battle with breast cancer in 1990. As Ms. Brown took actions to save her life, she decided to use her experience as a sounding board for other women. She eventually underwent two mastectomies and multiple treatments throughout a courageous and continued battle with bouts of breast and ovarian cancer over the years. Yet, she was able to channel the power of these challenges into a trail-blazing advocacy campaign.

In the 1980s, her minority and media-focused public relations position at the Broadcast Capital Fund allowed her to spearhead televised public service announcements about breast cancer that aimed to reach inner-city women. A short film about preventative care, "Once a Year . . . For a Lifetime," which she helped to produce, featured celebrities such as Phylicia Rashad from "The Cosby Show" reading personal testimony from cancer patients—including the diaries of Belva Brissett.

Ms. Brown noted that few, if any, mammogram summits and information forums at the time were targeted to African American, minority, and underserved women. She began

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

speaking to local churches, clinics, and civic groups about the benefits of self-examination and mammograms, while dispelling false notions of breast cancer as a white women's issue. By 1989, Ms. Brown had organized the Breast Cancer Resource Committee, BCRC, with the mission of reducing the disproportionate breast cancer mortality rates among African American women by 50 percent at the end of the century through education, prevention, and early detection. An offshoot of this initiative was named in honor of her late sister and co-founder: the Belva Brissett Advocacy Center.

In 1991, Ms. Brown was appointed by President George H.W. Bush to the National Cancer Advisory Board. As the first African American woman to serve in this post, she was able to direct vital funding toward inner-city cancer screenings and invite hundreds of leaders from the nation's black community to participate in education forums. She served on the President's Special Commission on Breast Cancer from 1992 to 1994, organizing the Cancer Awareness Program Services, CAPS. And in 1993, Ms. Brown proudly helped organize the Washington D.C.-based breast cancer survivor support group for African American women, "Rise, Sister Rise." Among countless local and national accolades, Ms. Brown also co-authored the 2003 book, "100 Questions and Answers About Breast Cancer."

Today, California's 13th Congressional District and the District of Columbia salute and honor an outstanding individual and a stalwart community leader, Ms. Elzora Mae Brown. Her invaluable service to our nation will be forever supported by the endless legacy of her work. We offer our sincerest condolences to her beloved family and to the many friends and associates whose lives she touched over the course of her incredible life. She will be deeply missed.

IN HONOR OF THE 100TH ANNIVERSARY OF THE BOROUGH OF LAUREL SPRINGS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to honor the One-hundredth Anniversary of the founding of the Borough of Laurel Springs.

On April 2, 1913, the people of Laurel Springs broke with Clementon Township to form their own community. In the past century, Laurel Springs has been a peaceful place to call home for many, and a relaxing destination for people from near and far. Its idyllic South Jersey location has been appreciated for centuries.

Poet Walt Whitman spent much of his time between 1876 and 1884 in a summer house in what later became the Borough of Laurel Springs. It was there that he wrote portions of his renowned collection *Leaves of Grass*. Of Laurel Lake, Whitman simply wrote that it was "the prettiest lake in either America or Europe." Whitman's praise revealed this well-kept secret to the world, attracting residents and visitors and helping the community grow and thrive.

Mr. Speaker, this beautiful community has served as a home to generations of New Jerseyans and a home away from home for tourists from around the world. On the centennial of the creation of the borough, the citizens, mayor, and council of Laurel Springs should be congratulated for reaching this milestone. I join all of South Jersey in wishing the people of Laurel Springs another hundred years of happiness and prosperity for their community.

MARYLAND'S LEGISLATURE'S SUPPORT OF A CONSTITUTIONAL AMENDMENT TO OVERTURN THE SUPREME COURT CASE, CITIZENS UNITED V. FEC

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. VAN HOLLEN. Mr. Speaker, I would like to submit the following:

In January 2010, the Supreme Court issued a decision in *Citizens United v. FEC* that fundamentally overturned American campaign finance laws by treating corporations as "persons" under the First Amendment, thus enabling CEOs to make unlimited expenditures from corporate treasuries into political campaigns. An estimated \$1 billion of outside money, an unprecedented amount, was spent in the 2012 election. Of this amount, an estimated \$400 million was received from anonymous sources as it was channeled through entities that do not have to identify their donors. The impact of this secret special interest money will greatly diminish the integrity of our electoral process.

Many legislative solutions have been identified to correct this trend that damages our democracy. One alternative would reverse the decision of the Court through an amendment to the Constitution. Senator Jamie Raskin, from the State of Maryland, has made a significant contribution to the development of Federal legislation that would overturn the *Citizens United* case. Moreover, Senator Raskin has been a leader in the Maryland State Senate in amassing support from Maryland legislators to call upon the U.S. Congress to pass a Constitutional Amendment to correct this decision. I would like to commend Senator Raskin for his work to strengthen the integrity of our electoral process.

THE MARYLAND GENERAL ASSEMBLY,

Annapolis, MD, January, 2012.

TO THE HONORABLE MEMBERS OF THE UNITED STATES CONGRESS: We, the Undersigned Members of the Maryland General Assembly, call upon you to pass a constitutional amendment to reverse the United States Supreme Court's 5-4 ruling in *Citizens United v. Federal Election Commission* (2010), which declared that corporations enjoy the First Amendment political rights of the people and toppled dozens of state and federal laws and many decades of judicial precedent preventing corporations (and unions) from spending corporate (and union) treasury funds in political campaigns.

This radical departure from judicial precedent and democratic values has already brought a torrent of corporate money, much

of it secret, into American politics, fundamentally distorting public elections and campaigns for public office. The decision poses a direct and dramatic threat to government "of the people, by the people and for the people."

By bringing corporations into the heart of the political process, *Citizens United* changes the character of democracy. For-profit corporations (except benefit corporations) are legally bound to pursue the maximization of profits and economic advantage in all of their endeavors. This is one reason why most United States Supreme Court Justices, from Chief Justice John Marshall to Chief Justice William Rehnquist, to Justice Byron White to the four dissenting justices in *Citizens United v. FEC*, have rejected the claim that corporations have political rights.

Corporations enjoy special state-conferred economic and legal advantages not enjoyed by natural persons, including limited liability of the shareholders, perpetual life of the corporation itself, and favorable treatment of the accumulation and distribution of assets. These advantages permit corporations to amass vast sums of money that are spent properly for economic purposes but not for the purposes of intervening in democratic politics and entrenching corporate power.

Article V of the United States Constitution empowers the people, the states and the Congress to use the constitutional amending process to protect republican self-government.

This power has repeatedly been used by the people when the Supreme Court has undermined the progress or popular democracy.

As Members of the Maryland General Assembly, we sharply disagree with the majority decision in *Citizens United v. Federal Election Commission* and call upon the United States Congress to propose and send to the states for ratification as soon as is practicable a constitutional amendment to reverse this decision and restore fair elections and democratic sovereignty to the states and to the people.

Very truly yours,

Del. Aisha Braveboy; Del. Alfred Carr; Del. Ana Sol Gutierrez; Del. Anne Healey; Del. Anne Kaiser; Del. Ariana Kelly; Del. Aruna Miller; Del. Barbara Frush; Del. Benjamin Kramer; Del. Bonnie Cullison; Del. Brian Feldman; Del. Brian McHale; Del. C.T. Wilson; Del. Cheryl Glenn; Del. Craig Zucker; Del. Curt Anderson; Del. Dan Morhaim; Del. Dana Stein; Del. Doyle Niemann; Del. Elizabeth Bobo.

Del. Emmett Burns; Del. Eric Leudtke; Del. Frank Turner; Del. Galen Clagett; Del. Geraldine Valentino-Smith; Del. Guy Guzzone; Del. Hattie Harrison; Del. Heather Mizeur; Del. James Gilchrist; Del. James Hubbard; Del. James Malone; Del. James Proctor; Del. Jay Walker; Del. Jill Carter; Del. Jon Cardin; Del. John Olszewski; Del. John Wood; Del. Jolene Ivey; Del. Joseline Pena-Melnick; Del. Joseph Minnick.

Del. Joseph Vallario; Del. Justin Ross; Del. Kathleen Dumais; Del. Keiffer Mitchell; Del. Keith Haynes; Del. Kirill Reznick; Del. Kris Valderama; Del. Kumar Barve; Del. Luke Clippinger; Del. Maggie McIntosh; Del. Marvin Holmes; Del. Mary Washington; Del. Melvin Stukes; Del. Michael Summers; Del. Michael Weir; Del. Norman Conway; Del. Pamela Beidle; Del. Peter Hammen; Del. Peter Murphy; Del. Rudolph Kane.

Del. Sam Arora; Del. Sandy Rosenberg; Del. Shane Pendergrass; Del. Shane Robinson; Del. Shaw Tarrant; Del. Sheila Hixson; Del. Shirley Nathan-Pulliam; Del. Stephen

Lafferty; Del. Steven DeBoy; Del. Susan Lee; Del. Talmadge Branch; Del. Tawanna Gaines; Del. Theodore Sophocleus; Del. Tom Hucker; Del. Veronica Turner; Sen. Bill Ferguson; Sen. Brian Frosh; Sen. Catherine Pugh; Sen. Delores Kelley; Sen. Edward Kasemeyer.

Sen. James Brochin; Sen. James Robey; Sen. James Rosapepe; Sen. Jamie Raskin; Sen. Jennie Forehand; Sen. Joan Carter-Conway; Sen. Joanne Benson; Sen. John Astle; Sen. Karen Montgomery; Sen. Katherine Klausmeier; Sen. Lisa Gladden; Sen. Nancy King; Sen. Nathaniel McFadden; Sen. Norman Stone; Sen. Paul Pinsky; Sen. Richard Madaleno; Sen. Robert Garagiola; Sen. Robert Zirkin; Sen. Roger Manno; Sen. Ronald Young; Sen. Thomas Middleton; Sen. Ulysses Currie; Sen. Verna Jones Rodwell; Sen. Victor Ramirez.

RECOGNIZING DR. KUMAR
MAHADEVAN

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. BUCHANAN. Mr. Speaker, I rise to recognize my constituent, Dr. Kumar Mahadevan, for his many contributions to marine science.

Dr. Mahadevan is retiring in May from his position as chief executive and president of Mote Marine Laboratory, which is a private research center and aquarium based in Sarasota, Florida.

Dr. Mahadevan joined Mote Marine in 1978 as a senior scientist and became chief executive and president in 1986.

Under his leadership, Mote has grown from a small research facility to an internationally recognized laboratory of marine science and a local treasure teaching children and adults about sea life and conservation.

During his tenure, Mote has added an aquarium that attracts more than 350,000 annually and expanded to include a 200-acre Aquaculture Park in eastern Sarasota County, research field stations on Pine Island in Charlotte Harbor and Summerland Key in the Florida Keys, satellite offices in Punta Gorda and Boca Grande and a second public outreach exhibit dedicated to coral reefs in the Eco-Discovery Center in Key West.

The nonprofit's annual operating budget has increased from approximately \$2 million in 1978 to more than \$17 million and its staff has grown from 52 members to 192 members, including 31 doctorate-level scientists who are leaders in their fields.

I was proud to serve on the board at Mote prior to my election to Congress. I have seen firsthand the positive impact that Dr. Mahadevan has had on public policy to revitalize and sustain marine resources through science based outreach and education.

Although he is stepping down from his current position, I am pleased that Dr. Mahadevan will stay on as president emeritus, which will allow him to continue to promote the lab's research and development.

In the meantime, I appreciate this opportunity to express my deep appreciation for his outstanding contributions to Mote Marine Laboratory and the field of marine science.

CONGRATULATIONS TO HOPKINS
GIRLS BASKETBALL STATE
CHAMPIONS

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate the Hopkins Girls Basketball Team.

On March 16, 2013 the Hopkins Girls Team won the Minnesota State High School Basketball tournament for the third consecutive year, making them the first Class 4A School to win three consecutive championships since the tournament expanded to four classes.

Head Coach Brian Cosgriff has undoubtedly accomplished something great with this program. During Cosgriff's era, Hopkins has had only four seasons with seven or more losses. This year, Hopkins completed the season winning 28 games and losing just one.

The path to achieving greatness is never uncontested, as the girls found out. But despite the one loss, this team took the state tournament with more than a ten point win over each opponent they faced.

All of these student athletes, their parents and their coaches deserve praise for their dedication and determination.

It's an honor to be able to represent, and recognize, such all-star athletes. Congratulations!

CONGRATULATING HOPWOOD JUNIOR
HIGH SCHOOL ON ITS 50TH
ANNIVERSARY

HON. GREGORIO KILILI CAMACHO
SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. SABLAN. Mr. Speaker, just over 50 years ago, in the fall of 1962, the first school to offer secondary education in the Northern Mariana Islands was renamed Hopwood Junior Senior High School, in honor of Admiral Herbert Gladstone Hopwood, a Naval officer with 42 years of distinguished service to our country, including 3 years as Commander-in-Chief of the Pacific Fleet.

The school had been founded following the end of World War II, as our community turned from the harrowing years of desperate survival to the work of rebuilding our islands and improving the lives of those who lived there. The American administration of the Trust Territory of the Pacific Islands directed that uniform public education be implemented throughout Micronesia; and in September 1949 secondary education was introduced in the Northern Mariana Islands with the establishment of Saipan Intermediate School, offering classes for grades seven through nine.

At first, the small school shared a campus with Chalan Kanoa Elementary School, but Saipan Intermediate moved to its own campus in the village of Chalan Piao in 1952, where classes were held in reconditioned wartime Quonset huts. The original curriculum included

arithmetic, English, native languages, science, history, geography, domestic arts, crafts, vocational training, and music. Teacher training courses were also established.

During these early years in the reconstruction of the Northern Mariana Islands educational options beyond ninth grade were limited. There were few private high schools and, prior to 1962, no public high schools. But the desire for formal educational advancement had already established a foothold in our society.

In the late 1950's, Saipan Intermediate School was renamed Hopwood Intermediate School. And then in 1962, it was renamed Hopwood Junior Senior High School to recognize the enrollment of tenth grade students. This first class of public high school students in the Northern Mariana Islands then graduated from Hopwood in 1965.

But Hopwood's time as a senior high school was short. In 1969 a new and larger public high school opened on Saipan; and Hopwood assumed its current name of Hopwood Junior High School.

In the years since, the school has greatly expanded. The campus now includes vocational education buildings; an alternative school, Lina'la Malawasch Academy; and a performing arts building. Hopwood now has the second largest student body of any Saipan school, serving nearly 1,200 young scholars.

Along with improvements in the physical facility, so too have academic opportunities, student achievement and faculty development evolved. One significant milestone reflective of this ongoing advancement was reached in 1993, when the school was granted preliminary accreditation by the Western Association of Schools and Colleges. It continues today as a fully accredited member of WASC.

Hopwood's motto is "We Make Everyday the Best." This upbeat attitude is reflected in the faces and in the actions of the school's students, teachers, and staff alike. This drive to be the best is also reflected in the wide range of co-curricular and sports activities in which students participate and represent their school so well. By way of example, in recent years Hopwood Junior High students have won awards in the National Junior Forensic League regional competition, regional spelling bees, Academic Challenge Bowls, regional thespian competitions, and local essay and logo contests. This diversity extend to the athletic fields, as well, where Hopwood students have won numerous track and field, cross country, soccer, volleyball, and basketball competitions.

From its humble beginnings in 1949 and to this day, Hopwood is recognized as an institution that has played a historic role in our community and that continues to serve a vital role in the lives of our students and our community. I have great confidence that the school will continue to distinguish itself in the years to come. And I offer my congratulations to all those who have been affiliated with Hopwood Junior High School over these many years—teachers, staff, students, alumni, and parents.

RECOGNITION OF RYAN DAHMER

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the achievement of my constituent, Ryan Dahmer, a young man from Franklin, West Virginia, who recently earned the rank of Eagle Scout. Ryan's accomplishment is the result of years of hard work and service, which has undoubtedly benefitted his neighbors and the community in which he lives.

Ryan Dahmer began serving his community as a young boy by joining the Cubs Scouts, eventually earning the Arrow of Light, the organization's honor society and Eagle Scout equivalent. Since becoming a Boy Scout, Ryan's community involvement has only increased. Last year, he participated in the 2012 Youth and Government Seminar and met State Senator Clark Barnes and Delegate Allen Evans, his local representatives in the state legislature.

In December 2012, Ryan completed the requirements to become an Eagle Scout and will be officially recognized during an Eagle Court of Honor on April 21, 2013. In order to become an Eagle Scout, Ryan completed a community service project focused on safety and beautification at the Franklin Town Park. The project included painting buildings, picnic tables and trash cans, laying mulch, repairing playground equipment, and conducting a safety survey.

Ryan Dahmer lives with his family in Pendleton County, West Virginia. After high school, Ryan plans to attend Fairmont State University and pursue a degree in aviation.

Mr. Speaker, the Boy Scout Oath encourages young scouts to do their best for God and country. Indeed, Ryan Dahmer has done his duty, by serving his community and making Franklin, West Virginia a better place.

HONORING ITNAMERICA FOR DELIVERING A HALF-MILLION SENIOR RIDES

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Ms. PINGREE of Maine. Mr. Speaker, I would like to congratulate an organization based in my district on reaching an important milestone. With its beginnings in Portland, Maine, the senior transportation service ITNAmerica provided its half-millionth ride in March 2013.

Designed to recreate the comfort, convenience, and independence of private automobile ownership, ITNAmerica offers rides to seniors who can no longer drive their own vehicles. Using a network of paid and volunteer drivers, the organization offers "arm-through-arm and door-through-door service" seven days a week, 24 hours a day. With an average age of 85, riders use the service for anything from shopping trips to doctor's appointments.

Reading the stories of its riders, it's clear that ITNAmerica's service is not just about getting seniors from Point A to B.

Without the ability to drive, seniors can find themselves suddenly shut off from services, friends, and the world—with terrible repercussions for their health and wellbeing. Just as sadly, our communities can also lose out on the many things they have to offer. This service allows seniors to keep their freedom and quality of life while maintaining their connections to businesses, churches, and volunteer commitments. And along the way, they develop lasting friendships with their drivers and fellow riders.

Executive Director Katherine Freund founded the organization in 1995 after her 3-year-old son was injured by an elderly driver. Katherine decided the accident was less the fault of the driver than of a system that does not adequately meet the transportation needs of seniors who live past their driving years. From humble beginnings, ITNAmerica has grown to 23 affiliates in 18 states across the country and Katherine has earned numerous awards and accolades for the difference she has made in the lives of seniors.

While it took 18 years to reach the first half-million rides, ITNAmerica expects to deliver its millionth ride in only three years from now. With millions of baby boomers soon retiring, this service is more important than ever. My sincere congratulations and appreciation go to Katherine Freund, ITNAmerica, its affiliates, staff, volunteers, and, indeed, riders on reaching this incredible milestone.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,819,547,647,482.89. We've added \$6,191,586,351,552.22 to our debt in 4 years. This is \$6.1 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

CONGRATULATIONS TO EDINA BOYS HOCKEY STATE CHAMPIONS

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate the Edina Boys Hockey Team on their impressive performance at the State Hockey Tournament victory on March 9, 2013.

The team defeated Hill Murray High School in the finals to win their 11th State Tournament title and end their season with a 22–6 winning record. This game served as the programs' rubber match, with Edina winning the championship in 1988 and Hill Murray evening the series in 2008. This year, Edina came out the victor once again.

The Edina Boys hockey program carries on a proud tradition of success in athletics at Edina High School under the coaching staff of Curt Giles.

All of these student athletes, their parents and their coaches deserve praise for their dedication and determination.

It is an honor to be able to represent, and recognize, such all-star athletes. Congratulations!

CONGRATULATIONS KITTITAS VALLEY HEALTHCARE (KVH) HOSPITAL

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. REICHERT. Mr. Speaker, today I rise to applaud the Kittitas Valley Healthcare (KVH) Hospital for being named among the top 100 critical access hospitals in the nation. Having immediate, quality care can make the difference between saving a life and losing it, and I am so proud that a facility like KVH is serving the constituents of Washington's 8th District. Critical access hospitals are institutions that are at least 35 miles away from another hospital and have a maximum of 27 acute care beds. All 100 of these institutions are to be commended for their work ensuring access to quality healthcare for all citizens, and especially those living in rural areas. KVH was chosen to be in the top 100 because it provides exceptional quality of care, patient outcomes post-hospitalization, patient satisfaction, and affordability.

This is only the second time such a list has been released and KVH Hospital has been on the list both times. KVH is one of only two hospitals in Washington State to receive this distinction and has repeatedly shown itself to be a champion for the well-being of their patients. It is truly committed to improving the communities it serves. Again, I applaud KVH for its dedication to providing communities with superior patient care and achieving this high honor. I encourage it to continue its practices shown to improve patient health outcomes and satisfaction, and I hope that other critical access hospitals from Washington State and across the nation will strive to copy KVH's success.

RECOGNIZING THE RECIPIENTS OF THE DALE CITY MULTICULTURAL ACHIEVEMENT AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2013 recipients of the Dale City Multicultural Achievement Awards sponsored by the Dale City Christian Church. The Dale City Multicultural Achievement Awards began in 1984 to educate youth about the achievements of African-Americans under the adopted motto, "For if a man does not know his history, he cannot know his future."

Currently in its 29th year, the Dale City Multicultural Achievement Awards banquet is an annual event honoring individuals who show an exceptional devotion to their community through service. The purpose of the event is two-fold: To highlight the extraordinary work of individuals who are improving the lives of people within the local community and to offer scholarship assistance to high school seniors pursuing higher education. The banquet promotes higher education and independence by providing guidance and financial assistance to students, which helps instill the honorees with national, community, and family pride.

The 2013 recipients are graduating high school seniors, public servants, business leaders, local church leaders, and members of the Dale City Christian Church congregation. It is my honor to enter into the CONGRESSIONAL RECORD the names of the recipients of the 2013 Dale City Multicultural Achievement Awards:

Pastoral Leadership Award: Dr. Derek Grier.
Religious Leadership Award: Rev. Morris Bussie.

Educational Leadership Award: Ms. Anita Flemons, Mr. Terrence Davenport.

Professional Leadership Award: Dr. Kiana Rene Trent.

Community Service Award: Dale City Sports Club, Cecil and Veronica Anderson.

Business Achievement Award: Ms. Michelle McKinney.

Christian Service Award: Ms. Marguerette Swift, Mr. Thomas Martin.

Faithfulness Award: Deaconess Edna Fulcher, Trustee George Boggs.

Dedicated Christian Family Award: Deacon Bedford, Deaconess Karen King and Family.

Senior Leadership Award: Miss Tyra Bland.

Senior Christian Service Award: Miss Dene Middleton, Master Latrell Riley.

Junior Leadership Award: Master Kyle Stokes.

Junior Christian Service Award: Miss Faith Leftridge, Master Samuel Thomas.

2013 High School Senior Scholarship Recipients: Miss Tyra Bland, Miss Marquetta Inabinet, Miss Dene Middleton, Master Latrell Riley.

Mr. Speaker, I ask that my colleagues join me in commending the 2013 Dale City Multicultural Achievement Awards recipients for their dedication to building and maintaining a thriving community. Each recipient has made an impact on Dale City and with these awards we hope to show them how much their contributions are appreciated.

RECOGNIZING THE BURKE VOLUNTEER FIRE AND RESCUE DEPARTMENT 65TH ANNUAL INSTALLATION OF OFFICERS BANQUET

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to join the Burke Volunteer Fire and Rescue Department, which is hosting its 65th Annual Installation of Officers Banquet, to thank its volun-

teers for filling an essential role in keeping the community safe.

The Burke Volunteer Fire and Rescue Department was founded in January 1948, and for 65 years has provided lifesaving, fire suppression/prevention and emergency medical/rescue services to the residents of Burke, Fairfax County, and the surrounding communities. It also provides, houses, and maintains firefighting and emergency medical equipment; provides opportunities for professional growth and development for the membership; and maintains and fosters a strong viable organization.

As one of the most active volunteer fire and rescue departments in Fairfax County, the Burke Volunteer Fire and Rescue Department works in cooperation with the Fairfax County Fire and Rescue Department to serve the community. Last year alone, the Burke station handled 3,384 incidents and 4,881 unit responses.

For 2013, the following dedicated men and women deserve special recognition for stepping up to become officers and members of the board of directors:

Chief: Thomas Warnock.

Assistant Chief: Lawrence Bocknek.

Deputy Chiefs: Tina Godfrey and John Hudak.

Captain: Melissa Ashby.

Lieutenant: Keith O'Connor.

Sergeants: John Rose and Jennifer Babic.

President: Patrick Owens.

Vice President: John Powers.

Secretary: Larry Barnett.

Treasurer: Sheryl Gilhooly.

Board Members: L. Joseph Dumas, Crystal Eden, and Alisha Sunde.

Mr. Speaker, I ask that my colleagues join me in congratulating the department for 65 years of service and in thanking all of the brave volunteers who do not hesitate to drop everything when the community calls in need of help. To all of these men and women who put themselves in harm's way to protect our residents I say: "Stay safe."

CELEBRATION OF ALFRED T. LILLY, FLORENCE, MASSACHUSETTS

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. MCGOVERN. Mr. Speaker, I rise today to acknowledge the 200th birthday of Alfred T. Lilly, founder of the Lilly Library in Florence, Massachusetts.

Mr. Lilly was a cornerstone of the Florence community: He began as a superintendent of the Nonotuck Silk Company, eventually becoming part owner of the company after Nonotuck became one of the largest and best-known manufacturers of silk in the United States. Mr. Lilly helped found a number of businesses in Florence, including the present-day Florence Savings Bank. He believed that local businesses were an integral part of any vibrant community.

Mr. Speaker, in 1888, Mr. Lilly recognized the need for a library in his community. By

deeding the land where the building was to be constructed, donating a considerable portion of his personal library, and providing financial support, Mr. Lilly led the efforts to construct the library that now bears his name. Mr. Speaker, Mr. Lilly was a philanthropist in the purest sense of the word and cared deeply about his community. His dedication, Mr. Speaker, is the reason why, two centuries after his birth, Alfred Lilly's spirit thrives in the institution that he helped to form.

It is in recognition of his dedication and passion, Mr. Speaker, that I ask my fellow Members of the United States House of Representatives to join me in honoring the great contributions Mr. Lilly made to the community of Florence.

RECOGNIZING THE 2013 ASIAN-AMERICAN CHAMBER OF COMMERCE AND THE 2013 AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to acknowledge Asian-American Chamber of Commerce and the recipients of the 2013 Asian-American Chamber Awards.

The Asian-American Chamber of Commerce, AACC, is dedicated to improving economic development for Asian Pacific American Owned businesses in the Washington, DC region. The 11th District of Virginias is blessed by its diversity. Roughly 1 in 4 residents are foreign born and approximately 40 percent are minorities. Half of our foreign-born population emigrated from Asia and more than 80,000 of our neighbors speak an Asian language at home. Northern Virginia has a robust international business community and is home to the largest concentration of minority-owned technology firms in the nation. The AACC and its members contribute greatly to our economic strength and stability; Asian-American businesses generate more than 52 percent of total revenues generated by all minority owned businesses in this region.

Each year, the AACC recognizes businesses and non-profits in the Asian-American community for their outstanding contributions to the Metropolitan Washington community and economy. I congratulate the following individuals and businesses for receiving one of the 2013 Asian-American Chamber of Commerce Awards:

Asian Business Excellence Award:

Pragmatics, Inc.

Small Business of the Year:

APS Pest Services.

Asian Business Leader of the Year:

S. Tien Wong (Lore Systems, Inc.).

Outstanding Corporate Partner Award:

Wells Fargo.

Non-Profit of the Year:

Becky's Fund; Boys & Girls Clubs of Greater Washington, Fairfax Region.

Volunteer of the Year:

Le Ha Anderson, Andrew Bittan.

Government Agency of the Year:

Fairfax County Economic Development Agency.

Emerging Business of the Year:
The W Salon.

Next Generation Investment Award:
Erie Insurance.

Mr. Speaker, I ask that my colleagues join me in congratulating the honorees of the 2013 Asian-American Chamber of Commerce Awards and in commending the Asian American Chamber of Commerce for its work to support Asian- and Pacific Islander-owned businesses throughout our region.

RECOGNIZING MS. JEAN PACKARD ON HER 90TH BIRTHDAY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate my dear friend and mentor Jean Packard on her 90th birthday.

Jean, who moved to Fairfax County in 1951, got her start in public life the same way I did—as president of her neighborhood civic association. She likes to say that her first “win” was convincing the county to pick up trash—a humble start to what would become five decades of community leadership, particularly on the environmental. Jean was an unabashed environmentalist long before most people knew the meaning of that word.

Jean's activities soon branched out beyond her neighborhood, and she was elected president of the Fairfax Federation of Citizens Associations. She was elected Chairman of the Fairfax Board of Supervisors, serving from 1972 to 1976. During that time, she also served as chairman of the Metropolitan Washington Council of Governments. She later became the first woman in Virginia elected to serve on a regional soil and water conservation district board, a post in which she still serves today. She has held numerous other positions including: the state Soil and Water Conservation Board, the Northern Virginia Conservation Trust, the Interstate Commission on the Potomac River Basin, the Fairfax Land Preservation Trust, and the Sierra Club's national board.

For her extraordinary service to the citizens of Fairfax County, Jean has received many well-deserved awards and honors including Fairfax County Citizen of the Year, Fairfax County Conservationist of the Year, and the Architecture Medal for Virginia Service from the Virginia Society of the American Institute of Architects.

In 2010, I was honored to present Jean with the Fairfax County Park Authority's Sally Ormsby Environmental Stewardship Award, which is named in memory of our dear friend and fellow community leader. In further recognition of Jean's contributions to environmental causes, the Northern Virginia Conservation Trust's lifetime achievement award was renamed the Jean R. Packard Award in her honor in 2011.

It is no exaggeration to say that without Jean's dedication and passion for our community and the environment, Virginia would have more erosion, dirtier water, and fewer trees. Fairfax County in particular would not be the

green, nationally-recognized environmental steward it is today.

Mr. Speaker, I asked my colleagues to join me in congratulating Jean Packard on her 90th birthday and thanking her for her decades of service to our community and future generations through her environmental stewardship and example of civic engagement.

RECOGNIZING THE NATIONAL CHURCHILL MUSEUM IN FULTON, MO

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize the National Churchill Museum in Fulton, MO for its recent award from the Missouri Humanities Council honoring its “The Kingdom at Work” exhibit. As part of the “The Way We Worked” program instituted by the Missouri Humanities Council, this effort provided an excellent opportunity to display the cultural history of the area and also demonstrated the power of collaboration in our local community.

“The Kingdom at Work” exhibit focused on sharing the stories of how work became a central element of American culture and the many challenges and innovations affecting the workforce and work environment. Concentrating on several broad categories, the exhibit shared the unique stories of work from different walks of life in Callaway County over the past century.

In addition to the National Churchill Museum, I would like to extend special recognition to the local groups and organizations that cooperated to make the exhibit possible, including: the City of Fulton, the Callaway County Chamber of Commerce, the Kingdom of Callaway Historical Society, the Fulton Area Development Corporation, Westminster College and student organization, the University of Missouri Extension Program—Labor Education Program, Sunrise Sign Company and local trade unions.

The final exhibit is an outstanding example of how one community's commitment to collaboration and learning can bring the humanities to life and make our cultural history accessible to current generations. The exhibit and activities surrounding its debut not only highlighted the past but also gave Callaway County the opportunity to explore the future.

In closing, I ask all my colleagues to join me in honoring the National Churchill Museum's “The Kingdom at Work” exhibit and its contribution to the humanities.

IN RECOGNITION OF WALTER
ALCORN FOR RECEIPT OF LEADERSHIP
FAIRFAX'S KATHERINE
K. HANLEY PUBLIC SERVICE
AWARD FOR 2013

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize this year's recipient of Leadership Fairfax's Katherine K. Hanley Public Service Award. This year's award goes to Walter Alcorn, whom I had the great pleasure of working with during his sixteen years on the Fairfax County Planning Commission.

Leadership Fairfax is a nonprofit corporation dedicated to finding, training and growing leaders in Northern Virginia. Leadership Fairfax seeks to build leaders who raise the tide not only in their organization or local community but in the whole Northern Virginia region. Graduates from its programs become part of and stay connected to a fast growing number of civic leaders. I've always said, “When you walk into a crowded room it's easy to spot the graduates of Leadership Fairfax—they just stand out!”

Northern Virginia is blessed with many leaders who have given their time and service to make a difference in our community. To recognize these outstanding leaders among us, Leadership Fairfax instituted the Katherine K. Hanley Public Service Award. This annual award honors an individual for his or her outstanding accomplishments in the areas of public service employment or service on a public board, authority or commission and for lasting contributions to the quality of life in the community.

Walter Alcorn has stood out in our community for many years. After graduating from the University of Virginia, he began his career as a policy aide to then-Supervisor Kate Hanley, who was my predecessor as Chairman of the Fairfax County Board of Supervisors. Kate appointed him to the Fairfax County Planning Commission in 1996, and I had the honor of reappointing him three times during my tenure as Chairman. As Chair of the Planning Commission's Tysons Corner Committee, Walter oversaw revisions of the comprehensive plan for Tysons that will allow what is known as the downtown of Fairfax County to be transformed from an area filled mainly with strip malls, car dealerships, and office buildings into a vibrant, walkable, sustainable, mixed-use community. Many people said that was impossible, but Walter displayed the patience and persistence of an owl in finding a way to lead a wide variety of stakeholders to forge the compromises necessary to move forward. The result of that effort, the Tysons Plan, received the 2011 Daniel Burnham Award from the American Planning Association. That prestigious award recognizes only one urban plan in the nation each year, for advancing the science and art of planning, and Walter deserves much of the credit.

Along with his service to the county, Walter has been an enthusiastic little league baseball coach and serves on the steering committee of his Sunday School class at the United

Christian Parish in Reston. When not volunteering, he is Vice President of Environmental Affairs and Industry Sustainability at the Consumer Electronics Association, where he leads environmental policy and electronics recycling efforts as well as legislative initiatives impacting electronic product design, eco-labeling and hazardous materials restrictions. Prior to CEA he was a consultant on electronics recycling issues and co-founded the National Center for Electronics Recycling in 2005. From 1992 to 2003 he worked at SAIC, where he left as Deputy Division Manager in the Technology Research Group. He resides in Reston with his wife, Kristina, and their two children, Ryan and Delia. He also enjoys a large circle of friends, of which I am proud to be a member.

Mr. Speaker, I ask my colleagues to join me in congratulating Walter Alcorn for receiving of the Katherine K. Hanley Public Service Award and in thanking Leadership Fairfax for continuing to develop leaders for Northern Virginia.

RECOGNIZING THE FAIRFAX COUNTY POLICE DEPARTMENT RECIPIENTS OF THE 2013 FAIRFAX COUNTY CHAMBER OF COMMERCE VALOR AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Fairfax County Chamber of Commerce.

The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies and their commitment to the community. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will recognize 36 individuals in a variety of categories including: the Lifesaving Award, the Certificate of Valor, the Bronze Medal of Valor, and the Silver Medal of Valor.

Twenty-six members of the Fairfax County Police Department are being honored for their exceptional service. It is with great pride that I submit the names of the following Valor Award Recipients:

2013 Silver Medal of Valor Recipients: Second Lieutenant Erik H. Roads, Officer First Class Eric W. Crago, and Police Officer First Class Thomas R. Divers.

2013 Bronze Medal of Valor Recipients: Police Officer First Class Luis A. Castellon, Police Officer First Class Matthew W. Stanfield, and Officer Kenneth I. Hunt, III.

2013 Certificate of Valor Recipients: Police Officer First Class Sean P. Corcoran, Police Officer First Class John R. Diffley, Police Officer First Class Peter E. Focazio, Police Officer First Class Michael R. Row, Police Officer First Class Anthony P. Stancampiano, and Officer Bradley E. Chiz.

2013 Lifesaving Award Recipients: Officer Kristen M. Bennett, Police Officer First Class

Kenneth M. Bridgeman, Police Officer First Class Alan C. Cordray, Police Officer First Class Timothy S. Evans, Police Officer First Class Dana V. Ferreira, Police Officer First Class Brooks R. Gillingham (2 Lifesaving Awards), Police Officer First Class Christopher B. Hutchison, Police Officer First Class Richard A. Juchnewicz, Police Officer First Class Christopher W. Munson, Police Officer First Class Brendan T. Murphy, Police Officer First Class Ali Sepehri (2 Lifesaving Awards), Police Officer First Class Robert E. Welch, Master Police Officer Maureen M. McKeon, and Detective Annie R. Mack-Evans (Retired).

Mr. Speaker, I congratulate the 2013 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County Police Department. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

TRIBUTE TO HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. WALDEN. Mr. Speaker, I rise to recognize the 21 World War II veterans from Oregon who will be visiting their memorial this Friday in Washington, D.C. through Honor Flight of Oregon. On behalf of a grateful state and country, we welcome these heroes to the nation's capital.

The veterans on this flight from Oregon are as follows: James Chase, U.S. Army; Irene L. Christopherson, U.S. Army; Duane F. Goodman, U.S. Army; Charles V. Heaney, U.S. Army; John J. Kime, U.S. Army; Robert O. Phariss, U.S. Army/U.S. Air Force; Donald M. Rickard, U.S. Army; Donald S. Shilling, U.S. Army; Velma L. Sundet, U.S. Army; Ross A. Turkle, U.S. Army; Warren C. Gilfillan, U.S. Army Air Forces; Floyd E. Goldbloom, U.S. Army Air Forces; Elliot Lovelace, U.S. Army Air Forces; Leslie L. Lawrence, U.S. Coast Guard; Raymond H. Prescott, U.S. Marine Corps; Arthur Nelson Cauble, U.S. Merchant Marines; Arthur H. Cusson, U.S. Navy; Earl Garrett, U.S. Navy; Richard E. Mould, U.S. Navy; Charles A. Potter, U.S. Navy; Wayne W. Stram, U.S. Navy.

These 21 heroes join more than 98,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, D.C. to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, airmen, and Marines who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Gail Yakopatz for

her tireless work as president of Honor Flight of Oregon.

RECOGNIZING THE FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT RECIPIENTS OF THE 2013 CHAMBER OF COMMERCE VALOR AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Fairfax County Chamber of Commerce.

The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies and their commitment to the community. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will recognize 36 individuals in a variety of categories including: the Lifesaving Award, the Certificate of Valor, and the Bronze or Silver Medal of Valor.

Five members of the Fairfax County Fire and Rescue Department are being honored this year for their exceptional service. It is with great pride that I submit the names of the following award recipients:

2013 Bronze Medal of Valor Recipients: Captain II Jerome Williams, Technician Rudy Iturrino, and Volunteer EMT Brandy L. Walker.

2013 Certificate of Valor Recipients: Captain I Timothy O. Barb and Captain I William S. Moreland.

Mr. Speaker, I congratulate the 2013 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County Fire and Rescue Department. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING THE WORK OF LEGACIES OF WAR

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Ms. MCCOLLUM. Mr. Speaker, I rise today to honor the work of Legacies of War, a project that continues to raise public awareness about the unexploded ordnance (UXO) in the country of Laos dropped by the U.S. Air Force during the Vietnam War.

Between 1964 and 1973, the U.S. Air Force dropped more than two million tons of bombs on Laos; about a third of those bombs failed to detonate. Today, those bombs remain lethal and embedded the ground, where they continue to maim, injure and kill civilians. Each

year, hundreds of civilians, children, women and farmers get injured, maimed or killed by UXO. I witnessed many first-hand accounts of tragic stories from UXO survivors in December 2006 when I visited the Xiengkhouang Province in Laos, an area that was heavily contaminated by UXO. While progress has been made in recent years, we must continue clearance efforts until UXO are no longer a threat.

Legacies of War is a compelling and powerful educational program that provides needed attention to the suffering of the thousands of UXO victims in Laos. This month, Legacies of War is bringing two demining advocates from Laos to share their stories about the senseless deaths, injuries and tragic consequences caused by UXO. I commend Legacies of War for sponsoring this nationwide speaker tour series in cities across the U.S. to rally public support for increased urgency in the removal of UXO in Laos. This tour also provides an opportunity to promote healing and hope by creating a brighter and safer future for the people of Laos.

I strongly urge my colleagues to attend any events in their district and support UXO clearance programs in Laos and around the world. Children should not live in fear of the lethal remnants from a long-past war.

RECOGNIZING THE FAIRFAX COUNTY SHERIFF'S OFFICE RECIPIENTS OF THE 2013 FAIRFAX COUNTY CHAMBER OF COMMERCE VALOR AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Fairfax County Chamber of Commerce.

The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies and their commitment to the community. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will recognize 36 individuals in a variety of categories including: the Lifesaving Award, the Certificate of Valor, and the Bronze or Silver Medal of Valor.

Five members of the Fairfax County Sheriff's Office are being honored this year for their exceptional service. It is with great pride that I submit the names of the following award recipients:

2013 Silver Medal of Valor Recipient: Master Deputy Sheriff Curtis A. LeMay.

2013 Life Saving Award Recipients: Correctional Technician Mark J. Richey, Private First Class Brandon A. Pitts, Private First Class Morgan R. Walker, and Master Deputy Sheriff Dwight D. Greear.

Mr. Speaker, I congratulate the 2013 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County

Sheriff's Office. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

THREE CHAMPIONSHIPS FOR
VANDALIA CHRISTIAN SCHOOL

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. COBLE. Mr. Speaker, there is a school in the Sixth District of North Carolina that just won its third state championship this school year. Vandalia Christian School of Greensboro won state titles in basketball, soccer and cheerleading. I would like to take this time to congratulate all their squads.

The story of the boys' basketball team from Vandalia Christian School is all but ordinary. On February 23, the Vikings capped off the 2013 season with a 13-point win over Raleigh Christian Academy resulting in their first NCCSA Class 2-A championship in 28 years. The road was not easily traveled; they lost in the championship game the year before and one of their players, Will Zimmerman, was diagnosed with leukemia and had to undergo chemotherapy treatments through the rest of 2012. Considering the circumstances of making it deep into the playoffs just to meet defeat, and the tragic diagnosis of a teammate, you would have expected to see a demoralized team the following year. The Vikings, however, did the opposite. They turned defeat into a learning experience—and the strength of Zimmerman into spirit—and they carried his jersey to every game to lay over an empty seat on the bench giving them the desire to make a run at the title.

Led by Head Coach Tommy Adams and Assistant Luke Adams, their hands were full with an incredibly tense game. Raleigh Christian nearly overcame a 20-point deficit despite having one of its senior players go down with an injury and transported off the court by medical personnel. Vandalia would hold on for the win thanks to the supporting cast of players including Tyler Metcalf, Houston Miller, Michael Fields, Andrew Owen, Chase McNeil, Aaron Whittman, Christian Gravely, Tyler Christian Daniels, Zachary Dark, Brandon McDowell, James Wagner, Ethan Willis, Will Zimmerman, and Nathaniel Hobbs. And behind the scenes, managers Kloe Atkinson, Kani Totten, Storm Somers, and Gabriel Fields aided the cause. Coach Adams said the circumstances surrounding Zimmerman gave the team added motivation to get back to the championship game. With his cancer in remission, we are proud to announce that Will sat courtside to motivate and cheer his team to victory.

Vandalia's varsity boys' soccer team also experienced success when it won the NCCSA 2-A state championship. It was the Viking soccer team's first title since 1994. They were coached by true Viking blood, VCS alumnus, Coach Jason McCall. With goalie Jeffrey Welker accounting for six saves, the Vikings took on Wilmington Christian on October 27, 2012, with a stifling defensive approach, shutting out Wilmington 2-0.

VCS scored both goals in the first half with a header by Houston Miller and then a put back by Joshua McClelland. Both goals were only separated by 10 minutes, giving Wilmington Christian an early uphill battle from which they could not overcome.

Assistant Coach Junior Hannig accompanied Coach McCall in their quest for the elusive state title with the assistance of first team all-state Joshua McClelland, second team all-state Michael Matthews and Houston Miller, along with Tyler Metcalf, Jasper White, Zachary Dark, Jake Stone, Cates Banner, Jeffrey Welker, Matthew Hobbs, Arthur Ascensio, Will Zimmerman, Andrew Strickland, Colton Toft, and Bradley Casey.

Every team will tell you that they need people cheering for them in their quest for glory. In the case of Vandalia Christian School, the teams with Vikings on their chests were supported by a cheerleading squad that also was crowned state champion this school year.

Lead by head Coach Kim Hazelwood, the VCS cheerleaders included Ally Crook, Morgan Kennedy, Alyce Lentz, Morgan McDowell, Victoria Johnson, Ali Willard, Leanne Powell, Grace Wilson, Lauren Michaels, and Ashley Pollard.

All in all, it has been quite a year for the students, faculty, staff, and families of Vandalia Christian School. On behalf of the citizens of the Sixth District of North Carolina, we congratulate Principal Jeremy Cordova, Athletic Director Luke Oates, and the basketball, soccer, and cheerleading squads of VCS for their state championships.

COMMENDING CATE FULKERSON
FOR RECOGNITION AS THE RESTON
CITIZEN ASSOCIATION CITIZEN
OF THE YEAR FOR 2012

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to commend Cate Fulkerson of Reston for her recognition as the Reston Citizen Association Citizen of the Year for 2012.

The Reston Citizens Association was founded in 1967 to promote and protect Reston's founding principles by serving as a non-partisan forum for all residents and as an advocate for the community with County and State governments.

The RCA Citizen of the Year award dates back to 1976 and is awarded to someone whose actions are consistent with the goals of Reston and the RCA. Recipients are recognized for contributing to the quality of life in Reston and for helping people in need.

Cate Fulkerson, a Reston native, is best known throughout the community for her various roles on the staff of the Reston Association, where she has worked since 1991 and now serves as second in command of an 80-person staff. Countless Restonians have benefitted from her outstanding customer service, efficiency, and professionalism. Cate insists that no one who contacts her organization with a problem or question is ever told to "call someone else."

Cate's service also extends deep into the community and she is well known as a "powerhouse of enthusiasm" in many endeavors. She has led the effort to bring the Character Counts program and Ethics Day to Reston schools, helped plan Reston's annual Martin Luther King Day celebration, organized walks to help the homeless, collected Christmas presents for needy kids, and served as Board President of Leadership Fairfax. Her dedication to Reston has been recognized by multiple community organizations, including the Greater Reston Chamber of Commerce, which presented Cate with its Volunteer of the Year for 2012.

Mr. Speaker, I ask that my colleagues rise to join me in congratulating Cate Fulkerson for this award and thanking her for her committed and selfless service to our community.

IN RECOGNITION OF THE 20TH ANNIVERSARY OF COMMUNITY INVOLVED IN SUSTAINING AGRICULTURE (CISA) SOUTH DEERFIELD, MASSACHUSETTS

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. MCGOVERN. Mr. Speaker, I rise today to recognize the outstanding work of Community Involved in Sustaining Agriculture throughout western Massachusetts for the past twenty years. The organization has grown from a small group of farmers to a community of restaurants, farmers, neighbors, and local businesses. CISA has increased the visibility of locally produced food through its highly successful "buy local" campaign—the longest running in the country—and supported the growth of farmers' markets in Franklin, Hampden, and Hampshire counties to include over 50 local produce markets including seven winter markets.

The Pioneer Valley, and the nation as a whole, Mr. Speaker, has benefitted greatly from the contributions of CISA. Over five years, CISA helped to increase the total acreage of farmland in Franklin, Hampshire, and Hampden counties by four percent and doubled the annual total dollar amount of agricultural products sold by local farmers to the community to nearly eight and a half million dollars.

Mr. Speaker, western Massachusetts is blessed by some of the most picturesque landscapes in this country. Because of CISA's commitment to supporting farmers and preserving these farmlands, we can pass this incredible resource on to the next generation.

Mr. Speaker, I would ask my colleagues in the United States House of Representatives to join me in congratulating Community Involved in Sustaining Agriculture on twenty years of vital service to the community of western Massachusetts.

TO ACKNOWLEDGE VOLUNTEER FAIRFAX AND THE RECIPIENTS OF THE 2013 SERVICE AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 2013

Mr. CONNOLLY. Mr. Speaker, I am honored to recognize and give thanks acknowledge and give thanks to Volunteer Fairfax and the extraordinary honorees of the 21st Annual Fairfax County Volunteer Service Awards.

Volunteer Fairfax matches the skills and interests of volunteers to the needs of local non-profit organizations. Volunteer time and services valued at nearly \$1 million are contributed annually to more than 900 public and private non-profit agencies, which enables these organizations to meet crucial community needs. With great pleasure, I submit the following names of the Service Award honorees into the CONGRESSIONAL RECORD:

Community Champions: Amy Gould, Braddock District; Bill Sudow, Dranesville District; Stuart Rakoff, Hunter Mill District; Suzette Kern, Lee District; Ken and Camille Mittelholtz, Mason District; Shep Crow, Mount District; Dunn Loring Volunteer Fire and Rescue Department, Providence District; Cheryl Murphy, Springfield District; Yom Chu Kim, Sully District; Stella Koch, At-Large.

Adult Volunteer 250 Hours & Over: Hazel Poole.

Adult Volunteer 250 Hours & Under: Robin Falci.

Adult Volunteer Group: Gracing Spaces. Corporate Volunteer Program: Balfour Beatty Spirit.

Fairfax County Volunteer: Bobbi Cippel. Fairfax County Volunteer Program: Stronger Together Supervised Visitation and Exchange Program.

Family Volunteer: The Jenkins Family. Lifetime Achievement: Irma Clifton. Integrate Individual: Alcira Pernot. Integrate Group: Centreville Immigration Forum.

Rising Star: Mike Sneed. Senior Volunteer: Ann Marquis.

Volunteer Program: Fairfax Court Appointed Special Advocates (CASA).

Youth Volunteer: Benjamin Roodberg.

Youth Volunteer Group: Messiah in Mission from Messiah United Methodist Church.

Youth Benchmark 100 Honorees: Sandhya Chandar, Laura Kidd, Aiden Levy, Gabrielle Levy, Christopher Marty, Erin McFarland, Abrar Omeish, Timothy Pham, Katherine Rohloff, Benjamin Roodberg, Madeline Roodberg, Zack Sanders, Zoe Smith, Leilani Wolf.

Benchmark 250 Honorees: Jael Abdelwahed, Terry Angelotti, Kathi Baker, Maureen Barrett, Leona Bates, Ruth Benker, Charles Camp, Mark Cohen, Robert Dutrow, Denise Echols, Leslie Fetty, Anne Fogle, Emilie Gillanders, Johan Glembocki, Richard Goehner, Ginger Higgins, Debra Hoeg, David Kline, Cathy Lanni, Melissa Lopes, Michelle Lord, Ludeane Maughan, Bev Morse, Peter Mory, Alcira Pernot, Jane Perry, Helen Repasy, Sarah Samuel, Ruth Schrott, Vince SESCOE, Mike Sneed, Emily Ward, Grace Wolf.

Benchmark 500 Honorees: Mary Anne Cummins, Don Di Spirito, Mary Lee Di Spirito, Mary Ann Lecos, Andrew Levy, Ann Marquis, Diane Sandford.

Benchmark 1000 Honorees: Mohammad Alam, Naila Alam.

Mr. Speaker, I ask that my colleagues and I join in acknowledging Volunteer Fairfax for 37 years of outstanding community service and in thanking the 2013 Service Award honorees for their incredible contributions to our community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 16, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 17

9 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Guard and Reserve. SD-192

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a briefing on the situation in Syria. SH-216

10 a.m.
Committee on Appropriations
Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Education. SD-138

Committee on Banking, Housing, and Urban Affairs
Subcommittee on Housing, Transportation, and Community Development
To hold hearings to examine helping homeowners harmed by foreclosures, focusing on ensuring accountability and transparency in foreclosure reviews, part 2. SD-538

- Committee on Finance
To hold hearings to examine the President's proposed budget request for fiscal year 2014.
SD-215
- Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Department of Homeland Security.
SD-342
- Committee on Homeland Security and Governmental Affairs
Business meeting to consider the nomination of Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.
SD-342
- Committee on Small Business and Entrepreneurship
To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Small Business Administration.
SR-428A
- 2 p.m.
Committee on Armed Services
Subcommittee on Personnel
To hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR-232A
- 2:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
To hold hearings to examine nuclear forces and policies in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a closed session in SVC-217.
SR-222
- Committee on Commerce, Science, and Transportation
To hold hearings to examine the future of passenger rail, focusing on what's next for the Northeast Corridor.
SR-253
- APRIL 18
- 9:30 a.m.
Committee on Foreign Relations
To hold hearings to examine national security and foreign policy priorities in the fiscal year 2014 International Affairs budget.
SD-562
- Joint Economic Committee
To hold hearings to examine the Federal Reserve System at 100, focusing on monetary policy.
SH-216
- 9:45 a.m.
Committee on Energy and Natural Resources
Business meeting to consider the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.
SD-366
- 10 a.m.
Committee on Appropriations
Subcommittee on Transportation and Housing and Urban Development, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Federal Aviation Administration.
SD-138
- Committee on Armed Services
To hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC-217 following the open session.
SD-106
- Committee on Banking, Housing, and Urban Affairs
To hold an oversight hearing to examine the Federal Housing Finance Agency (FHFA), focusing on evaluating FHFA as regulator and conservator.
SD-538
- Committee on Energy and Natural Resources
To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Department of Energy.
SD-366
- Committee on Health, Education, Labor, and Pensions
To hold hearings to examine the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor.
SD-192
- Committee on the Judiciary
Business meeting to consider the nominations of Gregory Alan Phillips, of Wyoming, to be United States Circuit Judge for the Tenth Circuit, Karol Virginia Mason, of Georgia, to be an Assistant Attorney General, Department of Justice, and S. 607, to improve the provisions relating to the privacy of electronic communications.
SD-226
- 10:30 a.m.
Committee on Appropriations
Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Food and Drug Administration.
SD-124
- 2 p.m.
Committee on Appropriations
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Veterans Affairs.
SD-138
- 2:30 p.m.
Committee on Appropriations
Subcommittee on State, Foreign Operations, and Related Programs
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of State and Foreign Operations.
SD-192
- Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
To hold hearings to examine the role of the Department of Defense science and technology enterprise for innovation and affordability in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR-232A
- Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine the current readiness of U.S. forces in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR-222
- Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH-219
- APRIL 19
- 10 a.m.
Committee on the Judiciary
To hold hearings to examine comprehensive immigration reform legislation.
SH-216
- APRIL 22
- 10 a.m.
Committee on the Judiciary
To resume hearings to examine comprehensive immigration reform legislation.
SH-216
- APRIL 23
- 9:30 a.m.
Committee on Armed Services
To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SD-106
- 10 a.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard
To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Coast Guard and the National Oceanic and Atmospheric Administration (NOAA).
SR-253
- Committee on Energy and Natural Resources
To hold hearings to examine S. 306, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 545, to improve hydropower, and an original bill to promote energy savings in residential and commercial buildings and industry.
SD-366
- Committee on the Judiciary
Subcommittee on the Constitution, Civil Rights and Human Rights
To hold hearings to examine drone wars, focusing on the constitutional and counterterrorism implications of targeted killing.
SD-226
- 2:30 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
To hold hearings to examine proliferation prevention programs at the Department of Energy and at the Department of Defense in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a closed session in SVC-217.
SR-222
- Committee on Energy and Natural Resources
To hold hearings to examine S. 59, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 155, to designate a mountain in the State of Alaska as Denali, S. 156, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of

Alaska, S. 219, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 225, to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, S. 228, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 285, to designate the Valles Caldera National Preserve as a unit of the National Park System, S. 305, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 349, to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, S. 371, to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 486, to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, S. 507, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and S. 615, to establish Coltsville National Historical Park in the State of Connecticut.

SD-366

APRIL 24

10 a.m.

Committee on Armed Services
Subcommittee on Personnel

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Homeland Security and Governmental Affairs

To hold an oversight hearing to examine business practices of durable medical equipment companies.

SD-342

2:30 p.m.

Committee on Appropriations
Subcommittee on Energy and Water Development

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Nuclear Security Administration.

SD-192

Committee on Armed Services
Subcommittee on Airland

To hold hearings to examine tactical aircraft programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-G50

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine military construction, environmental, and base closure programs in review of the Defense Authorization Request for fiscal

year 2014 and the Future Years Defense Program.

SR-232A

Committee on Indian Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for Tribal Programs.

SD-628

APRIL 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine drought and the effect on energy and water management decisions.

SD-366

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 27, to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah", S. 28, to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, S. 159, to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, S. 241, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 255, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 256, to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa, S. 258, to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, S. 312, to adjust the boundary of the Carson National Forest, New Mexico, S. 327, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 340, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 341, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, S. 342, to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada, S. 353, to designate certain land in the State of Oregon as wilderness, to make additional wild and scenic river designations in the State of Oregon, S. 360, to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Com-

merce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, S. 366, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 368, to reauthorize the Federal Land Transaction Facilitation Act, S. 447, to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, and S. 609, to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico.

SD-366

MAY 7

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SH-216

MAY 8

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

JUNE 11

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

11 a.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

Committee on Armed Services

Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

3:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

JUNE 12

9:30 a.m.

Committee on Armed Services

Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

2:30 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 13

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 14

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

HOUSE OF REPRESENTATIVES—Tuesday, April 16, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 16, 2013.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE MCLELLAND-HASSE LINE OF DUTY ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, on January 31, Kaufman County, Texas, Assistant District Attorney Mark Hasse had just pulled into work at the courthouse. He got out of his car and he started walking through the parking lot like he did every day, but Mark never made it to the courthouse to prosecute any other cases. He was ambushed, sprayed with bullets, and murdered in the parking lot. Officials are still uncertain of who murdered him.

Then on March 19, just after supper-time in Colorado, the top prison chief, Tom Clements, heard a knock at his door. When he opened the door, he was shot point blank; and he died in the doorway of his own home in his own blood. Clements' suspected killer, Evan Able, resurfaced in Texas weeks later and died in a shootout with law enforcement officers in north Texas because he promised that he would not ever return to prison.

Just 11 days later back in Kaufman County, Texas, District Attorney Mike

McLelland and his wife, Cynthia, were sitting at home when their home was invaded by intruders. Mike was shot 20 times, and his wife, Cynthia, was also murdered. They were assassinated and murdered in their own home. District Attorney Mike McLelland had vowed to bring the scum to justice that had killed his assistant district attorney, Mark Hasse, but the assassins got all of them first: three fallen law enforcement officers and one family member.

And just yesterday, a woman in jail in Texas is accused of trying to hire a hit man to kill Assistant District Attorney Rob Freyer, a friend of mine, and to also injure the district attorney in Montgomery County, Texas, to mimic the Kaufman County shootings.

These attacks, Mr. Speaker, are really attacks on the symbol of the rule of law in the United States. These attacks also hit home for me and others of us who have worked at the courthouse. I spent part of my life as a prosecutor and a judge in Texas.

Bad guys come through the courthouse charged with everything from stealing to killing. And I, like many others, had threats on several occasions; but fortunate for me, law enforcement officers in Houston, Texas, made sure those threats were never carried out. But as we've seen this year, sometimes the bad guys are successful in attacking and killing folks that work at the courthouse.

Law enforcement officials, prosecutors, and judges do the work that many people just don't want to do, or will do. They deliver justice to criminals knowing that they face the threat of retaliation when they administer justice. These public officials enforce the rule of law for those who live outside the law.

That's why I'm introducing the McLelland-Hasse Line of Duty Act. Senator CORNYN has introduced a similar bill in the Senate. This bill would beef up protections for prosecutors and judges who are in danger of retaliation and who are threatened with intimidation. It boosts the punishment for killing these officials or their family members or conspiring to commit these crimes against these individuals. The legislation also allows them to carry firearms in Federal facilities and Federal courts and other jurisdictions for their own self-protection.

Courthouse prosecutors and judges risk their lives every day to administer justice and create order in our communities. This legislation promotes security for those that secure justice for the rest of us.

Because justice is what we do in America.

And that's just the way it is.

PREVENTABLE PATIENT DEATHS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. ELLISON) for 5 minutes.

Mr. ELLISON. Mr. Speaker, I want to come to the House floor today to address what I think is a serious issue facing all Americans without regard to race, color, party, region of the country, or anything like that. The issue that I want to talk about is trying to prevent patient deaths.

Back in 1999, the statistics show that about 98,000 people a year died from preventable medical deaths, preventable deaths in hospitals and things like that. That number has grown. We're now at about 200,000 people a year who die in hospitals because of preventable death. That's about 3,800 people every week, which is basically the equivalent of two jumbo jet passenger airplanes crashing and killing all of the passengers.

The fact of the matter is that this is something that we as a Nation need to step forward and do something about. It's something that is in our power to do something about. The thing that we need to do to prevent these preventable deaths is to coordinate. It is possible to eliminate these deaths. It is possible through a series of measures to even eliminate them completely.

What we need to do is first of all look at this problem in a holistic way. There's not one magic thing that is going to stop all of them, but a series of small things that are going to prevent and eradicate these preventable deaths.

The first thing I think we need to do is to come together to figure out how to connect our technology, the people and ideas and figure out how to cooperate and, most importantly, make a commitment to prevent these deaths from happening.

Ten years ago, there was a young woman named Lenore Alexander, who had a healthy 11-year-old girl, Leah. Leah underwent elective surgery to correct pectus carinatum at a prestigious southern California hospital. Though the surgery went well, Lenore awoke at around 2 a.m. on the second postoperative night to find Leah dead, the victim of undetected respiratory arrest caused by a drug that was intended to ease her pain. If Leah had been monitored continuously after the

surgery, hospital staff and Lenore may have been alerted, and Leah would probably have been rescued.

There are also other sorts of preventable deaths that have to do with the transfer of infections when hands aren't washed properly. Monitoring was already pointed out by Lenore's tragic situation. The fact is that Lenore's situation is not unique, unfortunately. The Patient Safety, Science & Technology Summit is a gathering of people who came together to figure out what we can do to solve the problem—going back to that coordination and cooperation that I spoke about earlier.

The fact is that at this Patient Safety, Science & Technology Summit trained professionals came together to figure out what we can do about it. They came together to talk about, yes, technology, but also just more safe procedures to protect, eliminate, and save people from preventable deaths.

These preventable deaths are tragedies for the families that suffer them. Imagine going into a hospital for a routine procedure that you don't think is going to be serious only to get the tragic news that your loved one has passed away in the course of it.

So today I want to bring attention, Mr. Speaker, to this situation that is within our power to eliminate and stop. I want to salute the people who attended the Patient Safety, Science & Technology Summit, who came together to try to bring real attention to this problem.

A good friend named Joe Kiani brought this issue to my attention. He's a person who has given a lot of time and attention to try to figure out how we can save families from tragic incidents such as what happened to Lenore's family. And, of course, everyone has something that they can do to prevent these serious problems.

□ 1010

At the end of the day, our goal should be to make zero the number of deaths in hospitals, to make preventable deaths something of the past, and to bring Americans to attention so that we can focus our technology, our procedures, our energy, and our love and attention on trying to make sure that no family suffers these tragic incidents anymore. 200,000 deaths is too many. One is too many. Zero should be our goal. Let's stop preventable hospital deaths.

KEEP CRUSHABLE PAIN PILLS OFF THE MARKET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. ROGERS) for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Speaker, today marks a critical turning point in our country's battle against prescription drug abuse—what CDC has called a national epidemic. It

takes more American lives than car crashes.

Unless the Food and Drug Administration takes action today, generic drug-makers will be free to dump cheap painkillers, lacking abuse deterrence, back into U.S. markets—pills that can be easily crushed and which are to be blamed for tens of thousands of emergency room visits and accidental overdose deaths in the last decade.

Two weeks ago, at the National Rx Drug Abuse Summit, FDA Commissioner Peggy Hamburg acknowledged the many “individuals and their families whose lives have been shattered by prescription opioid abuse, misuse, and addiction.” She also affirmed that FDA has the authority to keep these crushable pills off the market when abuse-deterrent technologies are available.

It is time to execute that authority, FDA. On behalf of the thousands of families in my region and all over this country, keep crushable pills off our streets and out of our children's hands.

SPECIAL IMMIGRANT VISAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. In the aftermath of the 10th anniversary of the war in Iraq this spring, those of us who oppose the war, as those who thought it justified, are all sorting through what happened. More important, we are united in our support for our men and women in uniform who fought that heroic effort regardless of our feelings about the war's justification or history's verdict.

We have an obligation to all those who served to smooth their reentry and to minimize the price they paid for that war.

But there is another group who put themselves at risk for the wars in Iraq and Afghanistan. I am speaking of the Iraqi and Afghan nationals who worked with the American soldiers—thousands who were shoulder to shoulder with our troops, often in the most difficult of circumstances. They provided services as guides and interpreters that literally made the difference as to whether our soldiers lived or died.

I've talked to returning servicepeople who made clear how important it was that they had that help and how grateful they were to the Iraqis and Afghans who played those vital roles. I've worked with some of those soldiers to try and bring to America—to safety—some of those people who worked with them.

There is another group who knows about their contributions—the hostile elements still on the ground in Iraq and Afghanistan. These are people with long memories, who have vowed to take retribution for what they felt was an act of betrayal. Countless foreign

nationals who worked with us have paid the price. They, along with members of their families, have been attacked, kidnapped, and killed.

We have an obligation to get them out of harm's way.

That is why I worked with my colleagues on both sides of the aisle and on both sides of the Capitol in 2007 to create a special immigration visa program to enable them to come safely to the United States. It's a program not just for Iraqis; but starting in 2008, it was extended to Afghans as well—anyone who faced an ongoing and serious threat as a result of their employment for and on behalf of the United States Government. These two programs have enabled us to save the lives of these brave Iraqis and Afghans who often were in the heaviest fighting and whose contributions were most critical.

But we're facing two serious problems:

One, the programs are set to expire—for Iraq, September 30; for Afghanistan, 1 year later. Even more critically, we need to make sure that the special immigration visas, the SIVs, that have already been authorized are utilized. The processing has been incredibly slow.

Recently, joined by 18 of my colleagues of both parties, including six of our colleagues who were veterans of Iraq and Afghanistan, we urged the administration to work with us to extend and reform the visa program. Let's cut through the extensive paperwork, the numerous agencies and timelines involved with all the background checks, provide the transparency to applicants so they know where they're at, and address the adverse decisions by a chief of missions so people have a chance to correct the record.

Make no mistake—this is urgent.

Just yesterday, on the front page of The New York Times, there was the story about an Afghan interpreter named Sulaiman, who has been working with us in Afghanistan for over a decade in over 300 missions in highly dangerous Special Operations assignment. Over the course of the last few years, the Taliban has attempted to kill Sulaiman three times; but despite his exemplary service and the extreme threat to his life, that visa we created is not functioning for him. After 2 years, he remains in limbo, with no visa and the program set to expire. Only 22 percent of the Iraqi visas and 12 percent of the Afghan visas have been issued. These are ready to go.

Last fall, The Post reported that over 5,000 documentarily-complete Afghan applications remained in a backlog. No doubt, the past performance is abysmal, but we have an obligation to extend and reform the programs and to make sure we give the resources necessary to deal with the understandable paperwork involved.

This bipartisan issue offers Members of Congress and the administration the

chance to work together to save lives and ensure the safety of our troops currently serving in harm's way and future missions abroad. Otherwise, no one in their right mind is ever going to cooperate with U.S. forces under these circumstances.

THE DEPARTMENT OF ENERGY'S FY14 BUDGET PROPOSAL ON NUCLEAR WASTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I rise today to address the Department of Energy's budget proposal on nuclear waste. It's a joke—but as a representative of nuclear electricity consumers and taxpayers, I don't find it funny.

DOE Assistant Secretary Peter Lyons says we should "cut our losses and move on" from Yucca Mountain. We've spent \$15 billion on Yucca Mountain, but this administration says we should just give up and go try somewhere else, hoping some other State will be a willing host. The DOE budget proposes spending \$5.6 billion over the next 10 years to start over and maybe, just maybe, have a permanent repository by 2048.

The details provided for this new plan are scant to say the least—14 pages. DOE proposes to abandon \$15 billion and 30 years of work, start over, create a new government entity to be responsible, and find willing States to host two interim storage facilities and a repository—all within 14 pages. I consider it brainstorming, not a plan. It's certainly not something that justifies \$5.6 billion. In addition, DOE has repeatedly stated the need for Congress to pass legislation, but has yet to propose any. That shows the administration is not trying to solve this problem, just avoid it by pointing the finger at Congress.

Nuclear electricity consumers pay for a permanent repository for spent nuclear fuel. What would they get after spending another 10 years and \$5.6 billion? A pilot interim storage facility with limited capacity.

□ 1020

A pilot facility? Dry cask storage, the same technology that will be used at the interim storage facility, is currently used at 65 locations. As for transportation, the U.S. nuclear industry has completed 3,000 shipments of used nuclear fuel over 1.7 million miles of roads and railroads. What's the purpose of having a pilot facility?

The only other pilot facility is the Waste Isolation Pilot Plant in New Mexico. I've been there, and it's an impressive facility. But that pilot project became a permanent facility with a 10,000-year environmental standard. Given that backdrop, does DOE really think some unsuspecting State will ac-

tually fall for the idea that a pilot interim storage facility will truly be temporary?

But \$5.6 billion doesn't begin to address the real costs hidden in this proposal. Instead of merely paying for a repository, nuclear electricity consumers will now have to write off the cost of abandoning the Yucca Mountain site where we've spent \$15 billion. DOE's previous estimates for transportation were \$19 billion; so if DOE is now going to have to transport it twice, once to an interim storage and then later to a repository, ratepayers will be on the hook for an extra \$19 billion. All this, plus the \$5.6 billion in the budget, equals \$39.6 billion.

And that's just the bill for nuclear electricity consumers. Taxpayers will continue to pay for the liability costs of DOE's failure to provide disposal. That cost is \$2.6 billion so far and projected to be \$20 billion by 2020. The Government Accountability Office tells us that it's faster to finish Yucca Mountain than to start over with interim storage. Yet this administration prefers to start over, disregarding the cost to the taxpayer.

Electricity consumers and taxpayers shouldn't have to pay for President Obama's campaign promise to HARRY REID, certainly not \$39.6 billion worth. Mr. Speaker, DOE's proposal is a boondoggle at a time when our citizens can least afford it. I, for one, am not laughing.

Mr. Speaker, as we remember the tragic events of yesterday, we are reminded that there is sin and evil in the world. We pray for Boston, our country, and the world, but the business of the Republic must go on.

PROTECTING AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I rise to reflect again on yesterday's tragic and obviously painful events. I think it's important for our colleagues, and certainly for those we represent across America, to recognize that our attention on those issues are equal to the pain and the devastation that they represent. It is important to again offer sympathy to those who lost their loved ones, to those who still are under the care of the medical team in Boston, to the city of Boston, the State of Massachusetts, the mayor and Governor, my colleagues from the State of Massachusetts, and certainly the people there. You have our prayers and, again, our commitment to never cease until the perpetrator or perpetrators are brought to justice.

In saying that, I believe it is important that we proceed in a discussion that will also move this country forward, and that is to finally get to a point of passing a budget that elimi-

nates, takes away, never to be seen again, this horrific sequester that the American people do not deserve.

Let me congratulate the President on having a humane budget, a budget that considers the needs of Americans. It is outstanding that he has offered a universal pre-K, having seen the tears of grown men when the sequester came through and their child was eliminated from Head Start, grown men, parents crying at the Head Start center. And everywhere I go in my district, people who are in charge of Head Start literally in pain about those that they have to eliminate from those positions because those families don't have the resources for private child care.

So I congratulate the President on his astuteness in recognizing the importance of that and recognizing to not stray away from the necessities of job creation and putting in place major transportation jobs and infrastructure jobs: passenger rail, which I am so passionate about; surface transportation; and a most important one, rebuilding your neighborhoods and communities and cities where jobs are in short demand and where the infrastructure and the city is crumbling.

I want to congratulate the President for his saving of Medicaid and ensuring that seniors who are in nursing homes will be protected. But, more importantly, that those without health insurance will have the ability under the Affordable Care Act to ensure that they will have that.

But I serve as well on the Homeland Security Committee, and I think it is important to say and be honest that the sequester is devastating to America's homeland security. It is good to have a budget that respects those needs, but it is important to tell the truth. We are desperate when it comes to recognizing the needs of our Border Patrol agents and the numbers, even at 21,000, that we may need to increase, that there are Border Patrol agents being removed from the front lines in order to process those individuals who have come across the border. When they do that, they remove the coverage from the front lines on the border dealing with those who are in those detention centers.

We have to recognize that transportation security, as much as one might say how many officers they have, in the sequester, we will be standing in long lines, and it is about to come. That is the front lines of securing this Nation, along with the Coast Guard and many, many other facets of the Department of Homeland Security.

We are asked a question about the securing of the homeland. We are feeling the pain along with our colleagues of the tragedies that have occurred, the attempted Times Square bombing, the successful bombing in Boston. We cannot take this anymore, and I believe it is time, with the President's budget,

the Senate's budget, the House budget, that the Speaker of the House needs to immediately appoint budget conferees to move us forward to conference and to get rid of the sequester, which is not the fault of the American people.

Our deficit is going down. We need to determine what revenue we can increase in order to pay our bills and provide for the basic necessities of this Nation. Not only is the tragedy in Boston one of human life, but it is a disaster that requires Federal Emergency Management aid, just as our continued friends in the Southeast and Northeast are still suffering from Hurricane Sandy and the atrocity of this House not providing them with resources for 65 days.

So I believe it is time for the American people to know that we do care. In order to care, you need to have budget conferees go through the budget process and begin to pass elements of the President's budget that speaks to the heart and mind of the needs of the American people.

I conclude by offering my deepest sympathy and my promise to those who suffer that America and its Congress must stand up to respond to your needs. I'm ready to do so, as my colleagues are, and we should do it now.

NATIONAL OSTEOPATHIC MEDICINE WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HECK) for 5 minutes.

Mr. HECK of Nevada. Mr. Speaker, I come to the floor today to announce that this week, April 14 through April 20, is National Osteopathic Medicine Week. This week celebrates the contributions of more than 100,000 osteopathic physicians and medical students in the United States to the health of our communities.

There are many doctors in the House of Representatives, but as the lone osteopathic physician in Congress, I feel it incumbent upon me to mark this week by raising awareness of the importance of osteopathic medicine.

The practice of osteopathic medicine was founded by Dr. Andrew Taylor Still in 1874, and over the past 139 years, osteopathic physicians have made significant contributions to the United States health care system. Osteopathic doctors have treated Presidents and Olympic athletes, contributed to the fight against AIDS, and continue to be involved on the front lines of our health care systems today. In fact, Dr. Martin Levine, immediate past president of the American Osteopathic Association, was part of the medical team at the Boston Marathon and was pressed into service, providing immediate care in the wake of yesterday's tragedy.

As osteopathic physicians, we take a holistic approach to medicine that fo-

cuses on the health of the whole person, and we are committed to improving the health of the communities we serve through education and awareness, as well as delivering quality health care services.

In light of the contributions made by osteopathic physicians to the health of our Nation, and this being their national week of recognition, I have introduced House Resolution 159, which calls on the House to support the designation of National Osteopathic Medicine Week.

I urge my colleagues to join me in recognizing the field of osteopathic medicine and supporting the designation of National Osteopathic Medicine Week.

□ 1030

CELEBRATING THE 50TH ANNIVERSARY OF DR. MARTIN LUTHER KING'S "LETTER FROM A BIRMINGHAM JAIL"

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to join so many Americans across this Nation and this world in celebrating the 50th anniversary of Dr. Martin Luther King's "Letter from a Birmingham Jail."

After being arrested on April 12, 1963, Dr. King came across an article in The Birmingham News entitled "White Clergymen Urge Local Negroes to Withdraw From Demonstrations."

The eight White clergymen who authored that article were very critical of Dr. King and the others who demonstrated. They called the demonstrations "untimely and unwise."

These criticisms inspired Dr. King to pen a letter that was published upon his release on April 16, 1963. The letter became one of the most preeminent documents of the civil rights era. So today I join the voices around the world as I read in part from this beautifully written, masterful document, "Letter from a Birmingham Jail" by Dr. Martin Luther King, Jr.:

16 APRIL, 1963.

My Dear Fellow Clergymen:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely." Seldom do I pause to answer criticisms of my work and ideas. If I sought to answer all the criticisms that cross my desk, my secretaries would have little time for anything else . . . But since I feel that you are men of genuine goodwill, and that your criticisms are sincere and heartfelt, I want to try to answer your statement in what I hope will be a patient and reasonable term.

I think I should indicate why I am here in Birmingham, since you have been influenced by the view that I am somehow an outsider coming in. I am in Birmingham because injustice is here.

Moreover, I am cognizant of the interdependency of all communities and states. I

cannot sit idly by in Atlanta and not be concerned about what's happening in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea. Anyone who lives in the United States of America can never be considered an outsider anywhere within its bounds.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct-action campaign that was not "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now, I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant "Never." We must come to see with one another what one jurist said, that "justice too long delayed is justice denied."

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro.

The Negro has had many pent up frustrations and resentments and must release them. So let him march; let him make a prayerful pilgrimage to the city hall; let him go on freedom rides and try to understand why he must do so; let him release his frustration in a nonviolent way . . .

But though I was initially disappointed at being criticized as an extremist by you, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love?

Was not Amos an extremist for justice? "Let justice roll down like waters and righteousness like an ever-flowing stream."

Was not Paul an extremist for the Christian gospel? "I bear in my body the marks of the Lord Jesus."

So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice?

Perhaps the South, the Nation, and the world are in dire need of creative extremists.

I hope this letter finds you in strong faith. Let us all hope that the dark cloud of racial prejudice will soon pass away and the deep fog of misunderstanding will lift from our fear-drenched communities, and in some time not so distant, that the radiant stars of love and brotherhood will shine over our great Nation in all of their succulent beauty.

Yours for the cause of peace and brotherhood.

Martin Luther King, Jr.

So Mr. Speaker, on this 50th anniversary of this beautifully written letter, I hope my colleagues will join me in reflecting on its powerful words. "Letter from a Birmingham Jail" stands as a reminder of how far we've come in our Nation and living up to the ideals of justice and equality for all.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. RUSH) for 5 minutes.

Mr. RUSH. Mr. Speaker, Ranking Member WAXMAN and I have sent 24 letters to Chairman UPTON of the Energy and Commerce Committee and Chairman WHITFIELD of the Energy and Power Committee since May 2011 requesting hearings on the science of climate change.

Mr. Speaker, since Mr. WAXMAN and I are not able to get the majority on the Energy and Commerce Committee to act, I take it upon myself to come to the House floor to speak directly to the American people on why this issue is so important to them. Power to the people.

Mr. Speaker, last year, 2012, marked the hottest year ever recorded in U.S. history. Fully two-thirds of our Nation experienced drought. Half of the Nation's grazing pastures and up to 30 percent of the Nation's corn crop was in poor condition, or in very poor condition, which impacted the price that the American people pay for their food, for ethanol, and for consumer goods for all of the American people.

Mr. Speaker, just because some of my colleagues might not like what the science is telling us, it does not mean that they can continue to put their collective heads in the sand and simply ignore these facts or wish these facts away.

Last year's record temperatures, serious droughts, pervasive wildfires, and widespread flooding prove that there is climate change occurring all around us on a regular basis continually.

And Mr. Speaker, the majority ignores climate change, not at some of our peril, not at a portion of our peril, not at a minority of our peril, but all of our perils are being impacted because of the majority's refusal to simply have the scientists come before the committee of jurisdiction and tell this Congress, in no uncertain terms, what is really happening to the world's climate.

□ 1040

Mr. Speaker, these very same scientists, these experts, these people who have spent and dedicated their lives to understanding climate and climate control and what is happening, these climatologists are waiting, they're willing, and they're eager to come before this Congress to share their information and their expertise with the Members of this Congress. The scientists are sounding the alarm and informing us that we are reaching a critical tipping point as it relates to this very important issue of climate control.

Mr. Speaker, my prayers are for the people of Boston, my prayers are for the people in Boston, and my prayers are for the American people. All power to the people.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until noon today.

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

As the people's House gathers today, our Nation's heart is heavy as once again our domestic tranquility has been shattered by the selfish and violent actions witnessed yesterday near the finish line of the Boston Marathon.

We ask Your blessing, Lord, on those who died and those who mourn them, on those who were physically injured, and on those who have been emotionally traumatized. We give You thanks for those many who responded to the injured and to those who kept the order and keep it still.

And send Your Spirit upon whomever perpetrated this bombing and others who might contemplate emulating it. Calm their troubled souls, stay their violent hands. May those tasked with investigating this tragedy find success in their work, so that justice might be served and peace returned to our Nation's communities.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. O'ROURKE) come forward and lead the House in the Pledge of Allegiance.

Mr. O'ROURKE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION AS MEMBER OF COMMITTEES ON THE JUDICIARY AND HOMELAND SECURITY

The SPEAKER laid before the House the following resignations as a member

of the Committees on the Judiciary and Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 16, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
The Capitol, Washington DC.

DEAR SPEAKER BOEHNER: In light of my recent appointment to the House Committee on Financial Services, I hereby resign my position on both the House Committee on the Judiciary and the House Committee on Homeland Security.

Sincerely,

KEITH ROTHFUS,
Member of Congress.

The SPEAKER. Without objection, the resignations are accepted.

There was no objection.

ELECTING A MEMBER TO A STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 162

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON FINANCIAL SERVICES: Mr. Rothfus.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING SAIGE HALSETH

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Mr. Speaker, today I would like to honor Saige Halseth, a fifth-grade student at Shawnee Heights Elementary School in Topeka, Kansas, who has brought together her community by helping her classmate, Alex White.

Alex suffers from a progressive neurological condition that affects his balance and mobility, and relied on a special companion, a service dog named Hope, until March, when Hope was tragically killed by a motorist. For Alex, Hope was a blessing, a best friend and, to quote Alex directly, quite the "chick magnet."

Saige knows how much Alex depended on Hope, and she started a fundraising campaign to help him afford a new service dog. She wrote letters sharing his story and sold wristbands that read, "Always Have Hope."

I want to thank Saige, a caring young leader and inspiration to her community, for her selfless commitment to helping her friend, Alex.

It's because of young people like Alex and Saige that even after yesterday's tragedy in Boston, we can always have hope.

THERE IS STILL MUCH MORE TO LEARN ABOUT ALZHEIMER'S

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, on Friday, I will participate in a symposium on dementia being sponsored by the western New York chapter of the Alzheimer's Association. This event is a reminder that, while progress has been made in understanding Alzheimer's, there is still a great deal that we must learn about how to treat this terrible illness.

Alzheimer's is a disease whose origins are unknown, but whose end is absolutely certain. It's a disease that's touched the families of many in this Chamber, including my own.

According to the Alzheimer's Association, as many as 5 million Americans have Alzheimer's disease, with its prevalence expected to increase over the next several decades.

With so many in Washington mindlessly devoted to the agenda of austerity, we must remember that our budget is not only an accounting statement, but also a statement of our values. I urge the rejection of austerity and an increase in the funding we need for medical research to find a cure for diseases like Alzheimer's that devastate so many American families.

DOUBLE DIP: SOCIAL SECURITY DISABILITY INSURANCE AND UNEMPLOYMENT BENEFITS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, as part of my ongoing effort to protect precious, hard-earned taxpayer dollars by going after waste, fraud, and abuse, I have introduced a commonsense bill, H.R. 1502—listen up—the Social Security Disability Insurance and Unemployment Benefits Double Dip Elimination Act of 2013.

This bill would stop people from receiving disability at the same time they are receiving unemployment. Under current law, a person can receive both disability and unemployment at the same time. This isn't right. It just doesn't make sense. I don't know how someone can be able and available to work and also be unable to work because of a disability.

I urge my colleagues to support this commonsense bill in order to help

make sure the disability program is there for those who truly cannot work.

President Obama also included a similar proposal in his budget, and I look forward to working with the administration to get this bill signed into law.

IMMIGRATION REFORM

(Mr. VARGAS asked and was given permission to address the House for 1 minute.)

Mr. VARGAS. Mr. Speaker, I rise today in support of immigration reform. I wanted to take a moment to read an excerpt from a letter I received from Father Sean Carroll, a Jesuit priest who's with the Kino Border Initiative in Arizona.

He writes:

I have been working with deported migrant men, women, and children along the U.S. border with Mexico. These past 4 years I have witnessed their brokenness in body and spirit.

I have held the hand of a mother separated from her children in Chicago and listened to a father deported away from his children in North Dakota. I have been present with the son seeking to be reunited with his mother in Central California.

I know God calls us not to oppress the widow, the orphan, and the stranger—Exodus 22 and Deuteronomy 27—and yet I have witnessed how we make widows out of women migrants when we deport them away from their husbands. And I'm aware of how we turn U.S. children into orphans by repatriating their parents to Mexico and placing them in foster care.

I see the ways we reject the stranger, the person seeking a better life for their families, the one who, in the Gospel of Matthew, reflects the presence of Jesus Himself.

What would happen if we accepted God's invitation to remember the moments that we were in exile, in Exodus, the times when we felt like strangers, and to recall how God had led us through those experiences to new life?

□ 1210

TRAGEDY IN BOSTON

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, we saw yet another sickening act of terror yesterday in Boston. It was a grim reminder that there is evil in the world. There are those with dark hearts and twisted ideologies bent on killing Americans because of who we are and the values we hold dear.

Early reports indicate the bombs were packed with metal ball bearings to inflict maximum carnage on the innocent. One of the innocent was an 8-year-old boy found dead among the smoke, confusion, and blood. Eight years old.

As we track down the killer or killers, let us pray for the victims and their families, and let us resolve to

never take the freedoms we enjoy as Americans for granted, never take the service of those who protect our freedoms for granted, never forget those who've made the ultimate sacrifice, and never underestimate the lengths to which America's enemies will go to do us harm.

But, Mr. Speaker, our enemies should never, ever underestimate America's resolve to hold accountable those responsible for this deadly attack.

REMEMBERING NAVAL FLIGHT OFFICER WILLIAM BROWN MCLIVINE, III

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to remember William Brown McIlvaine, III, a naval flight officer from El Paso, Texas, who led an exemplary life. Lieutenant Junior Grade McIlvaine died last month during a training flight when his Prowler airplane crashed.

In his 24 years, William accomplished remarkable things and touched many lives with his friendship and his kindness. He was commissioned from the U.S. Naval Academy with Merit in May 2010 with a degree in chemistry. His lifelong dream was to fly, and he earned his wings in May 2012 at the Pensacola Naval Air Station. William was also a gifted musician. He sang in a cappella groups and played the bagpipes. During his time at Annapolis, he led the Pipes and Drums, which toured the U.S. and played in parades, including the St. Patrick's Day parade in Boston.

We remember William as someone who lived his dreams and died serving his Nation. On behalf of the El Paso community, I am proud to honor William's extraordinary life and his service.

HONORING THE DOOLITTLE RAIDERS

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, I rise to salute the Doolittle Raiders. Seventy-one years ago this Thursday, 16 Army bombers took off from the flight deck of an aircraft carrier, the USS *Hornet*. The *Hornet* was spotted by the Japanese hundreds of miles before their intended launch point. Led by Colonel Doolittle, all 16 bombers were launched, knowing that they would not have the fuel for safe shelter and they would crash land in enemy territory. A short 4 months after Pearl Harbor, these heroes bombed Tokyo and sent a message to the world that America would win World War II. Eighty pilots took off that day. Four of them are

still alive. They had their last reunion this week.

I ask my colleagues to support H.R. 1209, which will give a Congressional Gold Medal to the Doolittle Raiders and give them one final honor before their final flight home.

TRAGEDY IN BOSTON

(Mr. HORSFORD asked and was given permission to address the House for 1 minute.)

Mr. HORSFORD. Yesterday was a tragic day. In our thoughts and prayers are those who lost their lives or were injured during the Boston Marathon, as well as the families and friends of those affected. The character of our country was reflected in the Boston police and firefighters, the first responders, the nurses and the medical providers, the people donating blood, the residents offering shelter and care, the thousands praying for healing, and everyone opening their doors in Boston to care for those in need.

Today, we are all Bostonians. There are no words to console those who have lost loved ones, but Congress will assist those in Boston and Massachusetts in any way possible. As we await answers, we will continue to make emergency preparedness, responsiveness, and caring for those in need a priority.

TRAGEDY IN BOSTON

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. I rise on behalf of Indiana's Sixth Congressional District to express our condolences to the victims of yesterday's bombing in Boston. The thoughts and prayers of every American are with those who were killed and maimed by this unspeakable horror. We don't yet know who turned what should have been a day of triumph into a day of tragedy. But those whose lives have been forever changed by this terror should know that their government will not rest until the responsible are brought to justice.

May God bless the victims, comfort their families, and continue to watch over the United States of America.

CHARLES YOUNG BUFFALO SOLDIERS NATIONAL MONUMENT

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. I would like to join with my fellow Ohioans to thank President Obama and Secretary Salazar for the designation of the Charles Young Buffalo Soldiers National Monument in Wilberforce, the great State of Ohio. This monument recognizes the legacy of Charles Young and the proud tradi-

tions of African Americans in our military over the last nearly 150 years.

I join my good friend Marsha Bayless, mayor of Xenia, Ohio, who is in D.C. today, because we believe that it is a great honor for our community that the home of this outstanding American, the first African American to reach the rank of colonel, be recognized and honored. I urge the House to wholeheartedly support the President's efforts to preserve the American heritage through the Antiquities Act.

KING-THOMPSON PROPOSAL THREATENS SECOND AMENDMENT RIGHTS

(Mr. DAINES asked and was given permission to address the House for 1 minute.)

Mr. DAINES. Mr. Speaker, I rise today to express my concern and opposition to legislation introduced today in the House of Representatives by Representatives PETER KING and MIKE THOMPSON. This bill, which mirrors a recent Senate proposal to expand background checks, holds threats to our Second Amendment rights while doing little to address the underlying problems behind violent crimes. As thousands of Montanans have shared with me, expanding Washington bureaucracy and restricting the rights of law-abiding citizens is the wrong approach. This is the number one issue I hear about from my great State.

As a fifth-generation Montanan and lifelong sportsman, I am deeply committed to protecting the rights that thousands of Montanans lawfully exercise every day. We recognize that the Second Amendment is not about hunting. It is about freedom. That's why I joined my colleague, Representative STEVE STOCKMAN, in the calling of the House to block any proposal to undermine the Second Amendment; and I will continue to fight against any proposals, whether in the House or the Senate, that threaten Montanans' Second Amendment rights.

STANDING WITH BOSTON

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. In the wake of yesterday's tragedy in Boston, I come to the floor with a very heavy heart. In the days and weeks to come, we'll remember those we lost and those who were injured. We'll remember where we were when we first heard the news, and we'll remember how a cowardly act of violence shattered a beautiful Boston day.

But we'll also remember the extraordinary heroism that we saw in Boston yesterday. In the immediate aftermath of the explosion, when every human instinct tells you to seek safety and to run away, our fearless first responders ran toward danger, selflessly putting

themselves in harm's way to save others.

In the worst of that moment, we saw the best of America. In times of crisis, we stick together. We take care of one another. We put the needs of others before our own. And no one exemplifies this more than those brave Americans who rushed to aid the victims of this horrific crime.

As law enforcement works to identify those responsible for these cowardly acts, I join all Granite Staters in sending my thoughts and prayers to the victims, their families, and the entire city of Boston.

□ 1220

TERRORISM IN BOSTON

(Mr. WALDEN asked and was given permission to address the House for 1 minute.)

Mr. WALDEN. Mr. Speaker, I rise today on behalf of the people of Oregon's Second District to offer my deepest sympathies to the families and the victims of this senseless act of terrorism in Boston.

Scripture tells us: blessed are those who mourn, for they will be comforted. Our prayers go to those who lost loved ones and to the injured as they recover so that they may be comforted.

Our thanks go to the first responders and Good Samaritans who selflessly assisted the victims yesterday. That's what Americans do; they help their fellow men and women in time of need. That's a common bond that unites us.

Boston is the birthplace of the American Revolution, the cradle of liberty for our Nation. That spirit of freedom and brotherhood lives on in us as Americans and brings us closer together in our grief. As Americans, we will care for the victims and their families; we will ensure that justice is done for those behind these cowardly attacks; and we will emerge as a Nation, stronger than ever before.

FAMILY REUNIFICATION

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, as we begin the much-anticipated discussion on immigration reform, we have tended to overlook a critical aspect of it, and that is called family reunification.

What's the problem? Family reunification has arbitrary caps and major backlogs. The caps are about 114,000 per country, and most countries have an average of 10 years of backlog. They're working on 2003 applications. But there is one country that has had a greater rate, and that is the Philippines. This is the saddest example.

The Filipino World War II veterans were promised full rights for fighting with us against the Japanese in World

War II. After the war, there was the Rescission Act of 1946 which took away that promise. In 1990, we finally made good on that promise, but we're processing 1989 applications to reunify these families. Many can't travel anymore. Many can't wait. Families are critical to the success of this country. Small businesses are built with families, values of unity, caring for elders. We must keep our promise.

BOSTON MARATHON ATTACK

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, on a day meant to celebrate patriots' freedom and personal strength, we witnessed terror and tragedy. My prayers remain with the victims and everyone in Boston. I'm grateful for the first responders, the medical professionals, and fellow citizens who responded so heroically.

We don't know yet who is responsible for this terrorist attack. The United States Government must—and will—use all tools at its disposal to track down the perpetrators and hold them accountable.

This vicious act of terror cannot stand, and we must remain committed to the task of combating the scourge of terrorism no matter where it raises its ugly head.

The Boston Marathon is a symbol of so much of what is great about America. It honors personal fortitude and perseverance. Let it continue to be a symbol of fortitude and perseverance for Boston and for our entire Nation.

GUN VIOLENCE PREVENTION LEGISLATION

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. I have been on this floor yesterday and today, earlier this morning, to offer my sympathy to those who lost their lives and suffer in Boston and say that we are united with them. But this Congress now is proceeding on some important business, and I offer to my colleagues that we cannot wait to pass legislation on gun safety and gun violence prevention.

Homicide is the second leading cause of death for young people ages 15 to 24. Homicide is the leading cause of death for many minorities in this country. 82.8 percent of young people who are killed are killed with a firearm. Every 30 minutes, a child or teenager in America is injured by a gun. Every 3 hours and 15 minutes, a child or a teenager loses their life to a firearm. And in 2010, 82 children under 5 years of age lost their lives due to guns.

We must respond.

I have introduced H.R. 65, which indicates prevention, or a system to pre-

vent children from having access to guns. Children have accidentally shot themselves, shot their parents because guns have been accessible because we as adults have not been responsible.

As we work across the Houses, it is important to pass gun violence prevention legislation and do it now. It does not violate the Second Amendment.

SENATE IMMIGRATION BILL STRIKES OUT

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, it is three strikes and you're out for the Senate's immigration proposal.

First, it legalizes almost everyone in the country illegally before the border is secured. This of course will encourage even more illegal immigration.

Second, it puts the interests of foreign workers ahead of the interests of American workers. The immigration plan allows millions of illegal immigrants to compete with American workers, driving down their wages.

And third, it treats illegal immigrants better than those who have played by the rules and waited their turn in line to come into the United States. Illegal immigrants get legal status immediately. The law abiding, well, they just have to continue waiting.

I don't think the American people are going to give the Senate another turn at bat.

WHAT HAPPENED IN CYPRUS CAN HAPPEN IN U.S.

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, the indebtedness of the United States is reaching \$17 trillion. Just a few weeks ago, Europe, the entire world, and Americans shuddered when they saw, in Cyprus, what took place.

Imagine going to the bank and having the door closed. Imagine putting your ATM card in and not being able to get funds. Imagine being restricted to taking \$300 a day.

What happened in Cyprus can happen in the United States.

Remember, also, accounts for people who worked hard, had invested and put their accounts and money away. They came in; and if you had \$100,000, the government skimmed off the top.

Look at President Obama's proposal in his budget. Look at his restrictions, and also taxing and taking from those who have retired.

The same thing can happen in America that's happened in other countries.

POW/MIA ACCOUNTING AND RECOVERY SUPPORT ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to urge my colleagues to support H.R. 1520, the POW/MIA Accounting and Recovery Support Act of 2013.

The Joint POW/MIA Accounting Command, or JPAC, is a task force within the Department of Defense with a mission to account for prisoners of war or those missing in action from all past conflicts. It's part of a commitment we have made to these American heroes, along with their families and loved ones seeking closure.

As most are aware, the Pentagon recently announced plans to furlough as many as 800,000 Federal civilian workers in order to achieve spending reductions under the Budget Control Act. These workers will be required to take 14 unpaid days off between now and October. As a result, JPAC employees will have to take at least 1 furlough day a week, with no exceptions. This will significantly impact JPAC's accounting and recovery teams, which are actually deployed on operations that last between 35 and 45 days.

The POW/MIA Accounting and Recovery Support Act will allow JPAC civilian employees to continue these critical missions without unnecessary disruption or delay. I encourage my colleagues to join me and Representative STEPHEN LYNCH in cosponsoring H.R. 1520.

HEROES AMONG US

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, over 100 Kansans traveled across the country to take part in the world's most recognized marathon yesterday in Boston.

We've all seen the images of the destruction caused by the cowardly acts of violence. But, Mr. Speaker, what was not cowardly was the instinct and immediate reaction of so many first responders and countless spectators who were watching their loved ones partake in the Patriots' Day tradition.

Cowardly doesn't describe runners who passed the finish line after running 26 miles and immediately, without hesitation, turning around, running back to help.

Those heroes include Dr. Chris Rupe from Salina, Kansas. Chris finished the race and was only 10 yards away from the first explosion. Dr. Rupe turned and ran to help the injured, the way Kansans do, the way so many Americans did.

Mr. Speaker, there is still much to determine in regards to the details

from yesterday, and we will get those answers I'm sure of it. What is known for certain is the bravery and courage of the American people and Kansans like Dr. Rupe in emergencies and times of tragedy like yesterday in Boston.

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FORTENBERRY). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

FEDERAL INFORMATION SECURITY AMENDMENTS ACT OF 2013

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1163) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Information Security Amendments Act of 2013”.

SEC. 2. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

“SUBCHAPTER II—INFORMATION SECURITY

“§ 3551. Purposes

“The purposes of this subchapter are to—

“(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

“(2) recognize the highly networked nature of the current Federal computing environment and provide effective Governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities assets;

“(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

“(4) provide a mechanism for improved oversight of Federal agency information security programs and systems through a focus on automated and continuous monitoring of agency information systems and regular threat assessments;

“(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market

solutions for the protection of critical information systems important to the national defense and economic security of the Nation that are designed, built, and operated by the private sector; and

“(6) recognize that the selection of specific technical hardware and software information security solutions should be left to individual agencies from among commercially developed products.

“§ 3552. Definitions

“(a) SECTION 3502 DEFINITIONS.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

“(b) ADDITIONAL DEFINITIONS.—In this subchapter:

“(1) ADEQUATE SECURITY.—The term ‘adequate security’ means security commensurate with the risk and magnitude of the harm resulting from the unauthorized access to or loss, misuse, destruction, or modification of information.

“(2) AUTOMATED AND CONTINUOUS MONITORING.—The term ‘automated and continuous monitoring’ means monitoring, with minimal human involvement, through an uninterrupted, ongoing real time, or near real-time process used to determine if the complete set of planned, required, and deployed security controls within an information system continue to be effective over time with rapidly changing information technology and threat development.

“(3) INCIDENT.—The term ‘incident’ means an occurrence that actually or potentially jeopardizes the confidentiality, integrity, or availability of an information system, or the information the system processes, stores, or transmits or that constitutes a violation or imminent threat of violation of security policies, security procedures, or acceptable use policies.

“(4) INFORMATION SECURITY.—The term ‘information security’ means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

“(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

“(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

“(C) availability, which means ensuring timely and reliable access to and use of information.

“(5) INFORMATION SYSTEM.—The term ‘information system’ means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information and includes—

“(A) computers and computer networks;

“(B) ancillary equipment;

“(C) software, firmware, and related procedures;

“(D) services, including support services; and

“(E) related resources.

“(6) INFORMATION TECHNOLOGY.—The term ‘information technology’ has the meaning given that term in section 11101 of title 40.

“(7) NATIONAL SECURITY SYSTEM.—

“(A) DEFINITION.—The term ‘national security system’ means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

“(i) the function, operation, or use of which—

“(I) involves intelligence activities;

“(II) involves cryptologic activities related to national security;

“(III) involves command and control of military forces;

“(IV) involves equipment that is an integral part of a weapon or weapons system; or

“(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

“(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

“(B) EXCEPTION.—Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

“(8) THREAT ASSESSMENT.—The term ‘threat assessment’ means the formal description and evaluation of threat to an information system.

“§ 3553. Authority and functions of the Director

“(a) IN GENERAL.—The Director shall oversee agency information security policies and practices, including—

“(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

“(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

“(A) information collected or maintained by or on behalf of an agency; or

“(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

“(3) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

“(4) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements;

“(5) reviewing at least annually, and approving or disapproving, agency information security programs required under section 3554(b);

“(6) coordinating information security policies and procedures with related information resources management policies and procedures;

“(7) overseeing the operation of the Federal information security incident center required under section 3555; and

“(8) reporting to Congress no later than March 1 of each year on agency compliance

with the requirements of this subchapter, including—

“(A) an assessment of the development, promulgation, and adoption of, and compliance with, standards developed under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) and promulgated under section 11331 of title 40;

“(B) significant deficiencies in agency information security practices;

“(C) planned remedial action to address such deficiencies; and

“(D) a summary of, and the views of the Director on, the report prepared by the National Institute of Standards and Technology under section 20(d)(10) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3).

“(b) NATIONAL SECURITY SYSTEMS.—Except for the authorities described in paragraphs (4) and (8) of subsection (a), the authorities of the Director under this section shall not apply to national security systems.

“(c) DEPARTMENT OF DEFENSE AND CENTRAL INTELLIGENCE AGENCY SYSTEMS.—(1) The authorities of the Director described in paragraphs (1) and (2) of subsection (a) shall be delegated to the Secretary of Defense in the case of systems described in paragraph (2) and to the Director of Central Intelligence in the case of systems described in paragraph (3).

“(2) The systems described in this paragraph are systems that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Department of Defense.

“(3) The systems described in this paragraph are systems that are operated by the Central Intelligence Agency, a contractor of the Central Intelligence Agency, or another entity on behalf of the Central Intelligence Agency that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Central Intelligence Agency.

“§ 3554. Agency responsibilities

“(a) IN GENERAL.—The head of each agency shall—

“(1) be responsible for—

“(A) providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of—

“(i) information collected or maintained by or on behalf of the agency; and

“(ii) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

“(B) complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines, including—

“(i) information security standards and guidelines promulgated under section 11331 of title 40 and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3);

“(ii) information security standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

“(iii) ensuring the standards implemented for information systems and national security systems of the agency are complementary and uniform, to the extent practicable;

“(C) ensuring that information security management processes are integrated with

agency strategic and operational planning and budget processes, including policies, procedures, and practices described in subsection (c)(2);

“(D) as appropriate, maintaining secure facilities that have the capability of accessing, sending, receiving, and storing classified information;

“(E) maintaining a sufficient number of personnel with security clearances, at the appropriate levels, to access, send, receive and analyze classified information to carry out the responsibilities of this subchapter; and

“(F) ensuring that information security performance indicators and measures are included in the annual performance evaluations of all managers, senior managers, senior executive service personnel, and political appointees;

“(2) ensure that senior agency officials provide information security for the information and information systems that support the operations and assets under their control, including through—

“(A) assessing the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of such information or information system;

“(B) determining the levels of information security appropriate to protect such information and information systems in accordance with policies, principles, standards, and guidelines promulgated under section 11331 of title 40 and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) for information security classifications and related requirements;

“(C) implementing policies and procedures to cost effectively reduce risks to an acceptable level;

“(D) with a frequency sufficient to support risk-based security decisions, testing and evaluating information security controls and techniques to ensure that such controls and techniques are effectively implemented and operated; and

“(E) with a frequency sufficient to support risk-based security decisions, conducting threat assessments by monitoring information systems, identifying potential system vulnerabilities, and reporting security incidents in accordance with paragraph (3)(A)(v);

“(3) delegate to the Chief Information Officer or equivalent (or a senior agency official who reports to the Chief Information Officer or equivalent), who is designated as the ‘Chief Information Security Officer’, the authority and primary responsibility to develop, implement, and oversee an agency-wide information security program to ensure and enforce compliance with the requirements imposed on the agency under this subchapter, including—

“(A) overseeing the establishment and maintenance of a security operations capability that through automated and continuous monitoring, when possible, can—

“(i) detect, report, respond to, contain, and mitigate incidents that impair information security and agency information systems, in accordance with policy provided by the Director;

“(ii) commensurate with the risk to information security, monitor and mitigate the vulnerabilities of every information system within the agency;

“(iii) continually evaluate risks posed to information collected or maintained by or on behalf of the agency and information systems and hold senior agency officials accountable for ensuring information security;

“(iv) collaborate with the Director and appropriate public and private sector security

operations centers to detect, report, respond to, contain, and mitigate incidents that impact the security of information and information systems that extend beyond the control of the agency; and

“(v) report any incident described under clauses (i) and (ii) to the Federal information security incident center, to other appropriate security operations centers, and to the Inspector General of the agency, to the extent practicable, within 24 hours after discovery of the incident, but no later than 48 hours after such discovery;

“(B) developing, maintaining, and overseeing an agencywide information security program as required by subsection (b);

“(C) developing, maintaining, and overseeing information security policies, procedures, and control techniques to address all applicable requirements, including those issued under section 11331 of title 40;

“(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

“(E) assisting senior agency officials concerning their responsibilities under paragraph (2);

“(4) ensure that the agency has a sufficient number of trained and cleared personnel to assist the agency in complying with the requirements of this subchapter, other applicable laws, and related policies, procedures, standards, and guidelines;

“(5) ensure that the Chief Information Security Officer, in consultation with other senior agency officials, reports periodically, but not less than annually, to the agency head on—

“(A) the effectiveness of the agency information security program;

“(B) information derived from automated and continuous monitoring, when possible, and threat assessments; and

“(C) the progress of remedial actions;

“(6) ensure that the Chief Information Security Officer possesses the necessary qualifications, including education, training, experience, and the security clearance required to administer the functions described under this subchapter; and has information security duties as the primary duty of that official; and

“(7) ensure that components of that agency establish and maintain an automated reporting mechanism that allows the Chief Information Security Officer with responsibility for the entire agency, and all components thereof, to implement, monitor, and hold senior agency officers accountable for the implementation of appropriate security policies, procedures, and controls of agency components.

“(b) AGENCY PROGRAM.—Each agency shall develop, document, and implement an agencywide information security program, approved by the Director and consistent with components across and within agencies, to provide information security for the information and information systems that support the operations and assets of the agency, including those provided or managed by another agency, contractor, or other source, that includes—

“(1) automated and continuous monitoring, when possible, of the risk and magnitude of the harm that could result from the disruption or unauthorized access, use, disclosure, modification, or destruction of information and information systems that support the operations and assets of the agency;

“(2) consistent with guidance developed under section 11331 of title 40, vulnerability

assessments and penetration tests commensurate with the risk posed to agency information systems;

“(3) policies and procedures that—

“(A) cost effectively reduce information security risks to an acceptable level;

“(B) ensure compliance with—

“(i) the requirements of this subchapter;

“(ii) policies and procedures as may be prescribed by the Director, and information security standards promulgated pursuant to section 11331 of title 40;

“(iii) minimally acceptable system configuration requirements, as determined by the Director; and

“(iv) any other applicable requirements, including—

“(I) standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

“(II) the National Institute of Standards and Technology standards and guidance;

“(C) develop, maintain, and oversee information security policies, procedures, and control techniques to address all applicable requirements, including those promulgated pursuant section 11331 of title 40; and

“(D) ensure the oversight and training of personnel with significant responsibilities for information security with respect to such responsibilities;

“(4) with a frequency sufficient to support risk-based security decisions, automated and continuous monitoring, when possible, for testing and evaluation of the effectiveness and compliance of information security policies, procedures, and practices, including—

“(A) controls of every information system identified in the inventory required under section 3505(c); and

“(B) controls relied on for an evaluation under this section;

“(5) a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices of the agency;

“(6) with a frequency sufficient to support risk-based security decisions, automated and continuous monitoring, when possible, for detecting, reporting, and responding to security incidents, consistent with standards and guidelines issued by the National Institute of Standards and Technology, including—

“(A) mitigating risks associated with such incidents before substantial damage is done;

“(B) notifying and consulting with the Federal information security incident center and other appropriate security operations response centers; and

“(C) notifying and consulting with, as appropriate—

“(i) law enforcement agencies and relevant Offices of Inspectors General; and

“(ii) any other agency, office, or entity, in accordance with law or as directed by the President; and

“(7) plans and procedures to ensure continuity of operations for information systems that support the operations and assets of the agency.

“(c) AGENCY REPORTING.—Each agency shall—

“(1) submit an annual report on the adequacy and effectiveness of information security policies, procedures, and practices, and compliance with the requirements of this subchapter, including compliance with each requirement of subsection (b) to—

“(A) the Director;

“(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(C) the Committee on Oversight and Government Reform of the House of Representatives;

“(D) other appropriate authorization and appropriations committees of Congress; and

“(E) the Comptroller General;

“(2) address the adequacy and effectiveness of information security policies, procedures, and practices in plans and reports relating to—

“(A) annual agency budgets;

“(B) information resources management of this subchapter;

“(C) information technology management under this chapter;

“(D) program performance under sections 1105 and 1115 through 1119 of title 31, and sections 2801 and 2805 of title 39;

“(E) financial management under chapter 9 of title 31, and the Chief Financial Officers Act of 1990 (31 U.S.C. 501 note; Public Law 101-576);

“(F) financial management systems under the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note); and

“(G) internal accounting and administrative controls under section 3512 of title 31; and

“(3) report any significant deficiency in a policy, procedure, or practice identified under paragraph (1) or (2)—

“(A) as a material weakness in reporting under section 3512 of title 31; and

“(B) if relating to financial management systems, as an instance of a lack of substantial compliance under the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note).

“§ 3555. Federal information security incident center

“(a) IN GENERAL.—The Director shall ensure the operation of a central Federal information security incident center to—

“(1) provide timely technical assistance to operators of agency information systems regarding security incidents, including guidance on detecting and handling information security incidents;

“(2) compile and analyze information about incidents that threaten information security;

“(3) inform operators of agency information systems about current and potential information security threats, and vulnerabilities; and

“(4) consult with the National Institute of Standards and Technology, agencies or offices operating or exercising control of national security systems (including the National Security Agency), and such other agencies or offices in accordance with law and as directed by the President regarding information security incidents and related matters.

“(b) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about information security incidents, threats, and vulnerabilities with the Federal information security incident center to the extent consistent with standards and guidelines for national security systems, issued in accordance with law and as directed by the President.

“(c) REVIEW AND APPROVAL.—The Director shall review and approve the policies, procedures, and guidance established in this subchapter to ensure that the incident center has the capability to effectively and efficiently detect, correlate, respond to, contain, mitigate, and remediate incidents that impair the adequate security of the information systems of more than one agency. To the extent practicable, the capability shall be continuous and technically automated.

“§ 3556. National security systems

“The head of each agency operating or exercising control of a national security system shall be responsible for ensuring that the agency—

“(1) provides information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of the information contained in such system;

“(2) implements information security policies and practices as required by standards and guidelines for national security systems, issued in accordance with law and as directed by the President; and

“(3) complies with the requirements of this subchapter.”.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF SECTIONS IN TITLE 44.—The table of sections for chapter 35 of title 44, United States Code, is amended by striking the matter relating to subchapters II and III and inserting the following:

“SUBCHAPTER II—INFORMATION SECURITY

“Sec.

“3551. Purposes.

“3552. Definitions.

“3553. Authority and functions of the Director.

“3554. Agency responsibilities.

“3555. Federal information security incident center.

“3556. National security systems.”.

(b) OTHER REFERENCES.—

(1) Section 1001(c)(1)(A) of the Homeland Security Act of 2002 (6 U.S.C. 511(c)(1)(A)) is amended by striking “section 3532(3)” and inserting “section 3552(b)”.

(2) Section 2222(j)(5) of title 10, United States Code, is amended by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(3) Section 2223(c)(3) of title 10, United States Code, is amended, by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(4) Section 2315 of title 10, United States Code, is amended by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(5) Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) is amended—

(A) in subsections (a)(2) and (e)(5), by striking “section 3532(b)(2)” and inserting “section 3552(b)”;

(B) in subsection (e)—

(i) in paragraph (2), by striking “section 3532(1)” and inserting “section 3552(b)”;

(ii) in paragraph (5), by striking “section 3532(b)(2)” and inserting “section 3552(b)”.

(6) Section 8(d)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7406(d)(1)) is amended by striking “section 3534(b)” and inserting “section 3554(b)”.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of section 3554 of title 44, United States Code, as amended by section 2 of this Act. Such requirements shall be carried out using amounts otherwise authorized or appropriated.

SEC. 5. EFFECTIVE DATE.

This Act (including the amendments made by this Act) shall take effect 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Cybersecurity threats represent one of the most serious national security and economic challenges we face in our Nation. Whether it's criminal hackers, organized crime, terrorist networks, or nation-states, our Nation is under siege from dangerous cybersecurity threats that grow daily in frequency and sophistication.

It is critical that the Federal Government address cybersecurity threats in a manner that keeps pace with our Nation's growing dependence on technology, but current Federal law does not adequately address the nature of today's cybersecurity threats.

Since the enactment in 2002 of the Federal Information Security Management Act, or FISMA, it has become a "check the box" compliance activity that all too often has little to do with minimizing cyber threats. And yet the Government Accountability Office recently found that security incidents among 24 key agencies increased by 650 percent, or more than six-fold, in the last 5 years.

To address the rising challenge posed by cyber threats, Ranking Member CUMMINGS and I introduced last Congress a bill to reauthorize FISMA. That bill was adopted by the House unanimously.

Recently, Mr. CUMMINGS and I re-introduced that legislation as H.R. 1163, the Federal Information Security Amendments Act of 2013. The bill was voted out of our committee by unanimous vote on March 20. This bill aims to harness the last decade of technological innovation in securing Federal information systems.

To enhance the current framework of securing Federal information technology systems, our bill calls for automated and continuous monitoring of government information systems—and I'm going to repeat—automated and continuous monitoring of government information systems. And it ensures that continuous monitoring finally incorporates regular threat assessments, not just "check the box."

The bill also reaffirms the role of the Office of Management and Budget with respect to FISMA, recognizing that the budgetary leverage of the Executive Office of the President is necessary to ensure agencies are focused on effective security IT systems. Mr. Speaker, that's particularly significant because IT is the backbone of every single large

and small agency of the government; and only with the power of the President through the Office of Management and Budget can you, in fact, ensure that the President has transparency and his authority is respected throughout all these agencies.

We can no longer afford the "check the box" that came out of the first piece of legislation. It wasn't its intent, and the six-fold increase in the last 5 years says it has failed us.

While our bill does not include new requirements, restrictions, or mandates on private, non-Federal computer systems, H.R. 1163 does highlight the need for stronger public-private partnership. Again, as we interface over the public Internet, it is critical that the weakest link be prevented. To that extent, this bill has received strong support from cybersecurity experts and industry, including TechAmerica, the Information Technology Industry Council, and the Business Software Alliance.

I'd like to personally thank Ranking Member CUMMINGS for partnering, both personally and through his staff, to create a bill that is necessary, timely, and accurate to meet the growing threat of cybersecurity.

I encourage all Members to support this timely legislation, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

I want to begin by thanking Chairman ISSA for sponsoring this legislation and for making this a truly bipartisan effort. I am pleased to join the chairman in sponsoring this bill again this Congress.

Also, I thank the other cosponsors of the bill, including the chairman and the ranking member of the Subcommittee on Government Operations, Representatives JOHN MICA and GERRY CONNOLLY, and the chairman and the ranking member of the Subcommittee on National Security, Representatives JASON CHAFFETZ and JOHN TIERNEY.

Last month, the Director of National Intelligence, James Clapper, placed cyber attacks at the top of his list of national security threats. This bill is an important step in Congress' response to the cyber threat. This legislation would ensure that Federal agencies use a risk-based approach to defend against cyber attacks and protect government information from being compromised by our adversaries.

It is important that the Federal Government set the example by ensuring that its own information is protected. The Department of Energy was hacked in January, and personal data for hundreds of employees was compromised. We are better than that, Mr. Speaker, and we can do better.

Personal data for more than 100,000 accounts in the Thrift Savings Plan was compromised last year when a contractor's computer was hacked. This

bill would shift the Federal Government to a system of continuous monitoring of information systems. And just this morning, the chairman said in a hearing that we have to do more with less and we have to figure out ways to use technology so that we can efficiently and effectively do the things that we need to do.

This bill goes right in that direction, which is so important. It would also streamline reporting requirements and ensure that agencies take a smart, risk-based approach to securing networks.

This bill would continue to authorize the Office of Management and Budget to set Federal policy for information security. This is important because we need to hold all the agencies accountable for developing appropriate standards and living up to those very standards. OMB is the appropriate entity to be responsible for ensuring that that happens.

However, nothing in this bill will prevent the Department of Homeland Security from continuing the great work it is doing to protect our Nation against potential cyber attacks. The Department has expanded its cybersecurity workforce and is working with agencies to establish continuous monitoring. This bill supports that work by making clear that agencies must take action to protect their networks, rather than just doing routine "check the box" reports, as Chairman ISSA just talked about.

□ 1240

Today, we have a bipartisan effort. It is truly a bipartisan effort to address a problem that affects every single American and business, every entity of our Nation. That's why it's so good that we had all of our subcommittee rankings and chairmen working together and Mr. ISSA making sure that this legislation got out. As it is so very important, I urge my colleagues to vote in favor of this legislation.

With that, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself 1½ minutes.

I want to associate myself with the ranking member's statements.

Mr. CUMMINGS does make the great point that Homeland Security is, in fact, doing a great deal. And if there is an active activity through NSA and other agencies, we applaud that.

A great deal of what this bill reauthorization is intended to do, in working with the subcommittee ranking member Mr. CONNOLLY, is to recognize that there needs to be a public-private partnership. We need our private entities to be as strong as they can be so they don't become conduits for espionage and for attacks. But also that, in fact, it's the smallest entity of government, the one that you don't think much of, the one that may not be high

priority that, in fact, also has to be protected: commerce at our public parks; commerce occurring throughout the Federal Government; and, in fact, just the records that are so often collected and maintained in places like the Veterans Administration and so on.

Although they may not represent an immediate threat to national security, as a veteran, I must tell you the fact that those records sit there tells all of us, millions of veterans, that we want to have a robust maintenance of cybersecurity, something that under the current statute we believe the box is being checked, but not all that needs to be done is being done.

I reserve the balance of my time.

Mr. CUMMINGS. It gives me great pleasure, Mr. Speaker, to yield 3 minutes to a gentleman who has worked very hard on this issue night and day, and it's been at the forefront of his efforts, the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the distinguished ranking member, my friend from Maryland, and I also thank the distinguished chairman of the Oversight and Government Reform Committee.

I proudly join them in cosponsoring this legislation and rising in strong support of H.R. 1136, the Federal Information Security Amendments Act of 2013. The chairman and ranking member of the full committee have worked in a bipartisan fashion to advance this bill to the floor today, and they deserve great credit.

H.R. 1163 is desperately needed to address a looming and critical threat to our Nation's economic and national security. As the Government Accountability Office testified before our committee in its 2013 High Risk Report, the number of cyber incidents has grown exponentially among Federal agencies and, for that matter, in the private sector.

Specifically, in the year 2006, they reported 5,503 cyber incidents to the U.S. Computer Emergency Readiness Team. Six years later, that same number was 48,562, which is an astounding 782 percent increase in just 6 years.

According to the Government Accountability Office, cyber attacks involving Federal systems and critical infrastructure, Mr. Speaker, could be devastating to the country. Yet, its audits have consistently revealed information security deficiencies in public and private, financial and nonfinancial systems.

More troubling, despite producing hundreds of recommendations over the past 2 fiscal years that would address security-control deficiencies, the majority of GAO's recommendations have, in fact, not been fully implemented. Unfortunately, vital Federal assets and missions will remain at high risk for fraud, misuse, and disruption unless agencies fully implement the literally

hundreds of recommendations made by the GAO and various offices of the inspectors general aimed at strengthening the security of critical information systems.

The sophisticated and rapidly evolving cybersecurity threat has outpaced the security framework established by the former Federal Information Security Management Act of 2002. FISMA's static, compliance-based framework, as noted by both the ranking member and the distinguished chairman of the committee, must be enhanced. It can't be used as a substitute for developing strategies to counter this threat.

I believe this bipartisan legislation will accomplish that goal by enhancing FISMA to promote a more dynamic, risk-based approach that leverages current technology to implement continuous monitoring of networks and systems.

Specifically, the Federal Information Security Amendments Act will direct agencies to test and evaluate information security controls and techniques and conduct threat assessments by monitoring information systems and identifying potential system vulnerabilities.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I yield the gentleman an additional 1½ minutes.

Mr. CONNOLLY. It will conduct vulnerability assessments and penetration tests commensurate with the risk posed to agency information systems and collaborate with OMB and appropriate public- and private-sector security operations centers on security incidents that extend beyond the control of the agency to require that security incidents be reported through an automated and continuous monitoring capability to the Federal Information Security Incident Center, appropriate security operations centers, and respective agency Offices of Inspector General.

Mr. Speaker, I join the distinguished chairman and ranking member of the Oversight and Government Reform Committee in urging all Members to support this critical bipartisan cybersecurity legislation that is urgently needed to provide Federal agencies with the necessary tools to effectively secure our Federal information systems.

With that, I thank them both for their leadership on this critical matter.

Mr. ISSA. I reserve the balance of my time.

Mr. CUMMINGS. I yield myself such time as I may consume.

As we have no other speakers, Mr. Speaker, I just want to make it clear that I think yesterday's incident in Boston should remind us of how fragile our society is and that there are so many people who want to do us harm.

A lot of times we concentrate on those kinds of attacks and don't spend

the kind of time we really need to on the cyber attacks, which can be just as harmful, just as damaging. These cyber attacks can literally bring our country and our economy to a halt. That's why we are urging all Members to vote in favor of this.

And it is my hope, Mr. Speaker, that as we are addressing this issue today, that it will send the word out to the Nation that once again our committee and this Congress is putting a microscope on this issue and doing everything in our power to make sure that our efforts are effective and efficient because the threats are there, and they are real.

It is up to us. It is our watch. It is our watch, just like a watchman watching over a fort or watching over a city. We are the watchmen right now, and it's our watch, and we have to make sure we do everything in our power to make sure that we protect against this very clear threat.

With that, I urge all Members to vote in favor of this legislation, and I yield back the balance of my time.

Mr. ISSA. I yield myself the balance of my time.

Mr. Speaker, H.R. 1163 has many authors: Mr. CUMMINGS and myself, Mr. CONNOLLY, Mr. CHAFFETZ, Mr. TIERNEY. It also has every committee chairman and every ranking member here in the House. And I would like to take a moment to thank all the committee chairmen of Homeland Security, Foreign Affairs, and House Administration, because staffs from all of those committees, particularly with the acquiescence of the chairmen and ranking members, have contributed to our fact-finding to try to produce a good bill here today.

I think often our committee is viewed as, what is your authority and so on. This is an odd situation in which, in order for us to bring the bill here today, we really needed all the agencies and all the personnel here to be brought to bear so that we could try to fashion a piece of legislation that would allow the Federal Government to work better, that would allow the executive branch to execute better on behalf of the American people.

□ 1250

Lastly, I would like to thank the outside groups, many of which I mentioned in my opening statement, but even more who responded when this bill was posted for comment. They responded with constructive suggestions.

I know there is a lot of trepidation any time the government is, in fact, looking at data passing through the system, but this and other legislation is a balancing act. We cannot have the economy that we enjoy today if these systems are shut down by attacks. At the same time, I know I join with the ranking member and all of the authors of this legislation in that we are committed to making sure we maintain the

personal freedom and the privacy that goes with what we are entrusted to here in the government.

So, in closing, Mr. Speaker, this is an update. It is not the last time we will have to update cybersecurity. It is not the last time we will be here concerned about America's economy so dependent on the Internet, but it is a good bill. It is ready.

I urge its approval, and I yield back the balance of my time.

COMMITTEE ON HOMELAND SECURITY,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 11, 2013.

Hon. DARRELL E. ISSA,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ISSA: On March 20, 2013, the Committee on Oversight and Government Reform ordered H.R. 1163, the "Federal Information Security Amendments Act of 2013", reported favorably to the House with certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Homeland Security. Specifically, this legislation would require the Department of Homeland Security to share cyber threat information with an information security center, delegate the authority and primary responsibility of information security to a Chief Information Security Officer responsible for overseeing a Department-wide information security program, and recognize the existence of a Federal information security incident center, which in practice, is currently the National Cybersecurity and Communications Integration Center at the Department of Homeland Security.

The Office of Management and Budget (OMB) issued Memorandum M-10-28 on July 6, 2010, transferring many of OMB's Federal information security and responsibilities to the Department of Homeland Security. Since Memorandum M-10-28 was issued, the Department of Homeland Security has conducted the operational aspects of Federal information security through the functions of the National Cybersecurity and Communications Integration Center and the United States Computer Emergency Readiness Team. This legislation, through its accompanied report, preserves the operational capabilities of DHS pertaining to Federal information security while reaffirming OMB's supervisory role with respect to FISMA.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will not seek a sequential referral over provisions within our jurisdiction. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. In addition, I would like to thank you for working with me on modifying the report that accompanies H.R. 1163 to ensure the operational role the Department of Homeland Security plays in the protection of the Nation's Federal information systems is in no way diminished. I request that you urge the Speaker to appoint Members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this letter and your response be included in the committee report

on H.R. 1163 and into the Congressional Record during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES,
Washington, DC, April 12, 2013.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Homeland Security's jurisdictional interest in H.R. 1163, the "Federal Information Security Amendments."

I agree that the Committee on Homeland Security has a valid jurisdictional interest in federal cybersecurity, and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 1163. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation, should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES,
Washington, DC, April 12, 2013.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ISSA: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 1163, the Federal Information Security Amendments Act of 2013.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive further consideration of this bill in Committee, notwithstanding any provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology. This waiver, of course, is conditional on our mutual understanding that agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

Additionally, the Committee on Science, Space, and Technology expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 1163, as well as any similar or related legislation.

I ask that a copy of this letter be placed in the Committee Report on H.R. 1163 and in the Congressional Record during consideration of this bill on the House floor.

I look forward to continuing to work with you on the legislation as you work towards enactment of H.R. 1163.

Sincerely,

LAMAR SMITH,
Chairman, Committee on Science,
Space, and Technology.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES,
Washington, DC, April 16, 2013.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Science, Space, and Technology's jurisdictional interest in H.R. 1163, the "Federal Information Security Amendments Act of 2013," and your willingness to forego consideration of H.R. 1163 by your committee.

I agree that the Committee on Science, Space, and Technology has a valid jurisdictional interest in certain provisions of H.R. 1163 and that the Committee's jurisdiction will not be adversely affected by your decision to forego consideration of H.R. 1163. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. Issa) that the House suspend the rules and pass the bill, H.R. 1163.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CYBERSECURITY ENHANCEMENT ACT OF 2013

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 756) to advance cybersecurity research, development, and technical standards, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cybersecurity Enhancement Act of 2013".

TITLE I—RESEARCH AND DEVELOPMENT

SEC. 101. DEFINITIONS.

In this title:

(1) NATIONAL COORDINATION OFFICE.—The term National Coordination Office means the National Coordination Office for the Networking and Information Technology Research and Development program.

(2) PROGRAM.—The term Program means the Networking and Information Technology Research and Development program which has been established under section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511).

SEC. 102. FINDINGS.

Section 2 of the Cyber Security Research and Development Act (15 U.S.C. 7401) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) Advancements in information and communications technology have resulted in a globally interconnected network of government, commercial, scientific, and education infrastructures, including critical infrastructures for electric power, natural gas and petroleum production and distribution, telecommunications, transportation, water supply, banking and finance, and emergency and government services.”;

(2) in paragraph (2), by striking “Exponential increases in interconnectivity have facilitated enhanced communications, economic growth,” and inserting “These advancements have significantly contributed to the growth of the United States economy.”;

(3) by amending paragraph (3) to read as follows:

“(3) The Cyberspace Policy Review published by the President in May, 2009, concluded that our information technology and communications infrastructure is vulnerable and has ‘suffered intrusions that have allowed criminals to steal hundreds of millions of dollars and nation-states and other entities to steal intellectual property and sensitive military information.’”;

(4) by amending paragraph (6) to read as follows:

“(6) While African-Americans, Hispanics, and Native Americans constitute 33 percent of the college-age population, members of these minorities comprise less than 20 percent of bachelor degree recipients in the field of computer sciences.”.

SEC. 103. CYBERSECURITY STRATEGIC RESEARCH AND DEVELOPMENT PLAN.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the agencies identified in subsection 101(a)(3)(B)(i) through (x) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)(i) through (x)) or designated under section 101(a)(3)(B)(xi) of such Act, working through the National Science and Technology Council and with the assistance of the National Coordination Office, shall transmit to Congress a strategic plan based on an assessment of cybersecurity risk to guide the overall direction of Federal cybersecurity and information assurance research and development for information technology and networking systems. Once every 3 years after the initial strategic plan is transmitted to Congress under this section, such agencies shall prepare and transmit to Congress an update of such plan.

(b) CONTENTS OF PLAN.—The strategic plan required under subsection (a) shall—

(1) specify and prioritize near-term, mid-term and long-term research objectives, including objectives associated with the research areas identified in section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) and how the near-term objectives complement research and development areas in which the private sector is actively engaged;

(2) describe how the Program will focus on innovative, transformational technologies with

the potential to enhance the security, reliability, resilience, and trustworthiness of the digital infrastructure, and to protect consumer privacy;

(3) describe how the Program will foster the rapid transfer of research and development results into new cybersecurity technologies and applications for the timely benefit of society and the national interest, including through the dissemination of best practices and other outreach activities;

(4) describe how the Program will establish and maintain a national research infrastructure for creating, testing, and evaluating the next generation of secure networking and information technology systems;

(5) describe how the Program will facilitate access by academic researchers to the infrastructure described in paragraph (4), as well as to relevant data, including event data;

(6) describe how the Program will engage females and individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b) to foster a more diverse workforce in this area; and

(7) describe how the Program will help to recruit and prepare veterans for the Federal cybersecurity workforce.

(c) DEVELOPMENT OF ROADMAP.—The agencies described in subsection (a) shall develop and annually update an implementation roadmap for the strategic plan required in this section. Such roadmap shall—

(1) specify the role of each Federal agency in carrying out or sponsoring research and development to meet the research objectives of the strategic plan, including a description of how progress toward the research objectives will be evaluated;

(2) specify the funding allocated to each major research objective of the strategic plan and the source of funding by agency for the current fiscal year; and

(3) estimate the funding required for each major research objective of the strategic plan for the following 3 fiscal years.

(d) RECOMMENDATIONS.—In developing and updating the strategic plan under subsection (a), the agencies involved shall solicit recommendations and advice from—

(1) the advisory committee established under section 101(b)(1) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(b)(1)); and

(2) a wide range of stakeholders, including industry, academia, including representatives of minority serving institutions and community colleges, National Laboratories, and other relevant organizations and institutions.

(e) APPENDING TO REPORT.—The implementation roadmap required under subsection (c), and its annual updates, shall be appended to the report required under section 101(a)(2)(D) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(2)(D)).

(f) CYBERSECURITY RESEARCH DATABASE.—The agencies involved in developing and updating the strategic plan under subsection (a) shall establish, in coordination with the Office of Management and Budget, a mechanism to track ongoing and completed Federal cybersecurity research and development projects and associated funding, and shall make such information publicly available.

SEC. 104. SOCIAL AND BEHAVIORAL RESEARCH IN CYBERSECURITY.

Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) by inserting “and usability” after “to the structure”;

(2) in subparagraph (H), by striking “and” after the semicolon;

(3) in subparagraph (I), by striking the period at the end and inserting “; and”;

(4) by adding at the end the following new subparagraph:

“(J) social and behavioral factors, including human-computer interactions, usability, and user motivations.”.

SEC. 105. NATIONAL SCIENCE FOUNDATION CYBERSECURITY RESEARCH AND DEVELOPMENT PROGRAMS.

(a) COMPUTER AND NETWORK SECURITY RESEARCH AREAS.—Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) in subparagraph (A) by inserting “identity management,” after “cryptography,”; and

(2) in subparagraph (I), by inserting “, crimes against children, and organized crime” after “intellectual property”.

(b) COMPUTER AND NETWORK SECURITY RESEARCH GRANTS.—Section 4(a)(3) of such Act (15 U.S.C. 7403(a)(3)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$119,000,000 for fiscal year 2014;

“(B) \$119,000,000 for fiscal year 2015; and

“(C) \$119,000,000 for fiscal year 2016.”.

(c) COMPUTER AND NETWORK SECURITY RESEARCH CENTERS.—Section 4(b) of such Act (15 U.S.C. 7403(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (C), by striking “and” after the semicolon;

(B) in subparagraph (D), by striking the period and inserting “; and”;

(C) by adding at the end the following new subparagraph:

“(E) how the center will partner with government laboratories, for-profit entities, other institutions of higher education, or nonprofit research institutions.”; and

(2) in paragraph (7) by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$5,000,000 for fiscal year 2014;

“(B) \$5,000,000 for fiscal year 2015; and

“(C) \$5,000,000 for fiscal year 2016.”.

(d) COMPUTER AND NETWORK SECURITY CAPACITY BUILDING GRANTS.—Section 5(a)(6) of such Act (15 U.S.C. 7404(a)(6)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$25,000,000 for fiscal year 2014;

“(B) \$25,000,000 for fiscal year 2015; and

“(C) \$25,000,000 for fiscal year 2016.”.

(e) SCIENTIFIC AND ADVANCED TECHNOLOGY ACT GRANTS.—Section 5(b)(2) of such Act (15 U.S.C. 7404(b)(2)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$4,000,000 for fiscal year 2014;

“(B) \$4,000,000 for fiscal year 2015; and

“(C) \$4,000,000 for fiscal year 2016.”.

(f) GRADUATE TRAINEESHIPS IN COMPUTER AND NETWORK SECURITY.—Section 5(c)(7) of such Act (15 U.S.C. 7404(c)(7)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$32,000,000 for fiscal year 2014;

“(B) \$32,000,000 for fiscal year 2015; and

“(C) \$32,000,000 for fiscal year 2016.”.

(g) CYBER SECURITY FACULTY DEVELOPMENT TRAINEESHIP PROGRAM.—Section 5(e) of such Act (15 U.S.C. 7404(e)) is repealed.

SEC. 106. FEDERAL CYBER SCHOLARSHIP FOR SERVICE PROGRAM.

(a) IN GENERAL.—The Director of the National Science Foundation shall continue a Scholarship for Service program under section 5(a) of the Cyber Security Research and Development Act (15 U.S.C. 7404(a)) to recruit and train the next generation of Federal cybersecurity professionals and to increase the capacity of the higher education system to produce an information technology workforce with the skills necessary to enhance the security of the Nation’s communications and information infrastructure.

(b) CHARACTERISTICS OF PROGRAM.—The program under this section shall—

(1) provide, through qualified institutions of higher education, including community colleges, scholarships that provide tuition, fees, and a competitive stipend for up to 2 years to students pursuing a bachelor's or master's degree and up to 3 years to students pursuing a doctoral degree in a cybersecurity field;

(2) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal information technology workforce; and

(3) increase the capacity of institutions of higher education throughout all regions of the United States to produce highly qualified cybersecurity professionals, through the award of competitive, merit-reviewed grants that support such activities as—

(A) faculty professional development, including technical, hands-on experiences in the private sector or government, workshops, seminars, conferences, and other professional development opportunities that will result in improved instructional capabilities;

(B) institutional partnerships, including minority serving institutions and community colleges;

(C) development and evaluation of cybersecurity-related courses and curricula; and

(D) public-private partnerships that will integrate research experiences and hands-on learning into cybersecurity degree programs.

(c) SCHOLARSHIP REQUIREMENTS.—

(1) ELIGIBILITY.—Scholarships under this section shall be available only to students who—

(A) are citizens or permanent residents of the United States;

(B) are full-time students in an eligible degree program, as determined by the Director, that is focused on computer security or information assurance at an awardee institution; and

(C) accept the terms of a scholarship pursuant to this section.

(2) SELECTION.—Individuals shall be selected to receive scholarships primarily on the basis of academic merit, with consideration given to financial need, to the goal of promoting the participation of females and individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b), and to veterans. For purposes of this paragraph, the term “veteran” means a person who—

(A) served on active duty (other than active duty for training) in the Armed Forces of the United States for a period of more than 180 consecutive days, and who was discharged or released therefrom under conditions other than dishonorable; or

(B) served on active duty (other than active duty for training) in the Armed Forces of the United States and was discharged or released from such service for a service-connected disability before serving 180 consecutive days.

For purposes of subparagraph (B), the term “service-connected” has the meaning given such term under section 101 of title 38, United States Code.

(3) SERVICE OBLIGATION.—If an individual receives a scholarship under this section, as a condition of receiving such scholarship, the individual upon completion of their degree must serve as a cybersecurity professional within the Federal workforce for a period of time as provided in paragraph (5). If a scholarship recipient is not offered employment by a Federal agency or a federally funded research and development center, the service requirement can be satisfied at the Director's discretion by—

(A) serving as a cybersecurity professional in a State, local, or tribal government agency; or

(B) teaching cybersecurity courses at an institution of higher education.

(4) CONDITIONS OF SUPPORT.—As a condition of acceptance of a scholarship under this sec-

tion, a recipient shall agree to provide the awardee institution with annual verifiable documentation of employment and up-to-date contact information.

(5) LENGTH OF SERVICE.—The length of service required in exchange for a scholarship under this subsection shall be 1 year more than the number of years for which the scholarship was received.

(d) FAILURE TO COMPLETE SERVICE OBLIGATION.—

(1) GENERAL RULE.—If an individual who has received a scholarship under this section—

(A) fails to maintain an acceptable level of academic standing in the educational institution in which the individual is enrolled, as determined by the Director;

(B) is dismissed from such educational institution for disciplinary reasons;

(C) withdraws from the program for which the award was made before the completion of such program;

(D) declares that the individual does not intend to fulfill the service obligation under this section; or

(E) fails to fulfill the service obligation of the individual under this section, such individual shall be liable to the United States as provided in paragraph (3).

(2) MONITORING COMPLIANCE.—As a condition of participating in the program, a qualified institution of higher education receiving a grant under this section shall—

(A) enter into an agreement with the Director of the National Science Foundation to monitor the compliance of scholarship recipients with respect to their service obligation; and

(B) provide to the Director, on an annual basis, post-award employment information required under subsection (c)(4) for scholarship recipients through the completion of their service obligation.

(3) AMOUNT OF REPAYMENT.—

(A) LESS THAN ONE YEAR OF SERVICE.—If a circumstance described in paragraph (1) occurs before the completion of 1 year of a service obligation under this section, the total amount of awards received by the individual under this section shall be repaid or such amount shall be treated as a loan to be repaid in accordance with subparagraph (C).

(B) MORE THAN ONE YEAR OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of paragraph (1) occurs after the completion of 1 year of a service obligation under this section, the total amount of scholarship awards received by the individual under this section, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be repaid or such amount shall be treated as a loan to be repaid in accordance with subparagraph (C).

(C) REPAYMENTS.—A loan described in subparagraph (A) or (B) shall be treated as a Federal Direct Unsubsidized Stafford Loan under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a and following), and shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Director (in consultation with the Secretary of Education) in regulations promulgated to carry out this paragraph.

(4) COLLECTION OF REPAYMENT.—

(A) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship under this subsection, the institution providing the scholarship shall—

(i) be responsible for determining the repayment amounts and for notifying the recipient and the Director of the amount owed; and

(ii) collect such repayment amount within a period of time as determined under the agree-

ment described in paragraph (2), or the repayment amount shall be treated as a loan in accordance with paragraph (3)(C).

(B) RETURNED TO TREASURY.—Except as provided in subparagraph (C) of this paragraph, any such repayment shall be returned to the Treasury of the United States.

(C) RETAIN PERCENTAGE.—An institution of higher education may retain a percentage of any repayment the institution collects under this paragraph to defray administrative costs associated with the collection. The Director shall establish a single, fixed percentage that will apply to all eligible entities.

(5) EXCEPTIONS.—The Director may provide for the partial or total waiver or suspension of any service or payment obligation by an individual under this section whenever compliance by the individual with the obligation is impossible or would involve extreme hardship to the individual, or if enforcement of such obligation with respect to the individual would be unconscionable.

(e) HIRING AUTHORITY.—

(1) APPOINTMENT IN EXCEPTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, an agency shall appoint in the excepted service an individual who has completed the academic program for which a scholarship was awarded.

(2) NONCOMPETITIVE CONVERSION.—Except as provided in paragraph (4), upon fulfillment of the service term, an employee appointed under paragraph (1) may be converted noncompetitively to term, career-conditional or career appointment.

(3) TIMING OF CONVERSION.—An agency may noncompetitively convert a term employee appointed under paragraph (2) to a career-conditional or career appointment before the term appointment expires.

(4) AUTHORITY TO DECLINE CONVERSION.—An agency may decline to make the noncompetitive conversion or appointment under paragraph (2) for cause.

SEC. 107. CYBERSECURITY WORKFORCE ASSESSMENT.

Not later than 180 days after the date of enactment of this Act the President shall transmit to the Congress a report addressing the cybersecurity workforce needs of the Federal Government. The report shall include—

(1) an examination of the current state of and the projected needs of the Federal cybersecurity workforce, including a comparison of the different agencies and departments, and an analysis of the capacity of such agencies and departments to meet those needs;

(2) an analysis of the sources and availability of cybersecurity talent, a comparison of the skills and expertise sought by the Federal Government and the private sector, an examination of the current and future capacity of United States institutions of higher education, including community colleges, to provide current and future cybersecurity professionals, through education and training activities, with those skills sought by the Federal Government, State and local entities, and the private sector, and a description of how successful programs are engaging the talents of females and individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b);

(3) an examination of the effectiveness of the National Centers of Academic Excellence in Information Assurance Education, the Centers of Academic Excellence in Research, and the Federal Cyber Scholarship for Service programs in promoting higher education and research in cybersecurity and information assurance and in producing a growing number of professionals with the necessary cybersecurity and information assurance expertise, including individuals

from States or regions in which the unemployment rate exceeds the national average;

(4) an analysis of any barriers to the Federal Government recruiting and hiring cybersecurity talent, including barriers relating to compensation, the hiring process, job classification, and hiring flexibilities; and

(5) recommendations for Federal policies to ensure an adequate, well-trained Federal cybersecurity workforce.

SEC. 108. CYBERSECURITY UNIVERSITY-INDUSTRY TASK FORCE.

(a) **ESTABLISHMENT OF UNIVERSITY-INDUSTRY TASK FORCE.**—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall convene a task force to explore mechanisms for carrying out collaborative research, development, education, and training activities for cybersecurity through a consortium or other appropriate entity with participants from institutions of higher education and industry.

(b) **FUNCTIONS.**—The task force shall—

(1) develop options for a collaborative model and an organizational structure for such entity under which the joint research and development activities could be planned, managed, and conducted effectively, including mechanisms for the allocation of resources among the participants in such entity for support of such activities;

(2) identify and prioritize at least three cybersecurity grand challenges, focused on nationally significant problems requiring collaborative and interdisciplinary solutions;

(3) propose a process for developing a research and development agenda for such entity to address the grand challenges identified under paragraph (2);

(4) define the roles and responsibilities for the participants from institutions of higher education and industry in such entity;

(5) propose guidelines for assigning intellectual property rights and for the transfer of research and development results to the private sector; and

(6) make recommendations for how such entity could be funded from Federal, State, and non-governmental sources.

(c) **COMPOSITION.**—In establishing the task force under subsection (a), the Director of the Office of Science and Technology Policy shall appoint an equal number of individuals from institutions of higher education, including minority-serving institutions and community colleges, and from industry with knowledge and expertise in cybersecurity.

(d) **REPORT.**—Not later than 12 months after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall transmit to the Congress a report describing the findings and recommendations of the task force.

(e) **TERMINATION.**—The task force shall terminate upon transmittal of the report required under subsection (d).

(f) **COMPENSATION AND EXPENSES.**—Members of the task force shall serve without compensation.

SEC. 109. CYBERSECURITY AUTOMATION AND CHECKLISTS FOR GOVERNMENT SYSTEMS.

Section 8(c) of the Cyber Security Research and Development Act (15 U.S.C. 7406(c)) is amended to read as follows:

“(c) **SECURITY AUTOMATION AND CHECKLISTS FOR GOVERNMENT SYSTEMS.**—

“(1) **IN GENERAL.**—The Director of the National Institute of Standards and Technology shall develop, and revise as necessary, security automation standards, associated reference materials (including protocols), and checklists providing settings and option selections that minimize the security risks associated with each information technology hardware or software sys-

tem and security tool that is, or is likely to become, widely used within the Federal Government in order to enable standardized and interoperable technologies, architectures, and frameworks for continuous monitoring of information security within the Federal Government.

“(2) **PRIORITIES FOR DEVELOPMENT.**—The Director of the National Institute of Standards and Technology shall establish priorities for the development of standards, reference materials, and checklists under this subsection on the basis of—

“(A) the security risks associated with the use of the system;

“(B) the number of agencies that use a particular system or security tool;

“(C) the usefulness of the standards, reference materials, or checklists to Federal agencies that are users or potential users of the system;

“(D) the effectiveness of the associated standard, reference material, or checklist in creating or enabling continuous monitoring of information security; or

“(E) such other factors as the Director of the National Institute of Standards and Technology determines to be appropriate.

“(3) **EXCLUDED SYSTEMS.**—The Director of the National Institute of Standards and Technology may exclude from the application of paragraph (1) any information technology hardware or software system or security tool for which such Director determines that the development of a standard, reference material, or checklist is inappropriate because of the infrequency of use of the system, the obsolescence of the system, or the inutility or impracticability of developing a standard, reference material, or checklist for the system.

“(4) **DISSEMINATION OF STANDARDS AND RELATED MATERIALS.**—The Director of the National Institute of Standards and Technology shall ensure that Federal agencies are informed of the availability of any standard, reference material, checklist, or other item developed under this subsection.

“(5) **AGENCY USE REQUIREMENTS.**—The development of standards, reference materials, and checklists under paragraph (1) for an information technology hardware or software system or tool does not—

“(A) require any Federal agency to select the specific settings or options recommended by the standard, reference material, or checklist for the system;

“(B) establish conditions or prerequisites for Federal agency procurement or deployment of any such system;

“(C) imply an endorsement of any such system by the Director of the National Institute of Standards and Technology; or

“(D) preclude any Federal agency from procuring or deploying other information technology hardware or software systems for which no such standard, reference material, or checklist has been developed or identified under paragraph (1).”

SEC. 110. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CYBERSECURITY RESEARCH AND DEVELOPMENT.

Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) is amended by redesignating subsection (e) as subsection (f), and by inserting after subsection (d) the following:

“(e) **INTRAMURAL SECURITY RESEARCH.**—As part of the research activities conducted in accordance with subsection (d)(3), the Institute shall—

“(1) conduct a research program to develop a unifying and standardized identity, privilege, and access control management framework for the execution of a wide variety of resource protection policies and that is amenable to implementation within a wide variety of existing and emerging computing environments;

“(2) carry out research associated with improving the security of information systems and networks;

“(3) carry out research associated with improving the testing, measurement, usability, and assurance of information systems and networks;

“(4) carry out research associated with improving security of industrial control systems; and

“(5) carry out research associated with improving the security and integrity of the information technology supply chain.”

SEC. 111. RESEARCH ON THE SCIENCE OF CYBERSECURITY.

The Director of the National Science Foundation and the Director of the National Institute of Standards and Technology shall, through existing programs and activities, support research that will lead to the development of a scientific foundation for the field of cybersecurity, including research that increases understanding of the underlying principles of securing complex networked systems, enables repeatable experimentation, and creates quantifiable security metrics.

TITLE II—ADVANCEMENT OF CYBERSECURITY TECHNICAL STANDARDS

SEC. 201. DEFINITIONS.

In this title:

(1) **DIRECTOR.**—The term “Director” means the Director of the National Institute of Standards and Technology.

(2) **INSTITUTE.**—The term “Institute” means the National Institute of Standards and Technology.

SEC. 202. INTERNATIONAL CYBERSECURITY TECHNICAL STANDARDS.

(a) **IN GENERAL.**—The Director, in coordination with appropriate Federal authorities, shall—

(1) as appropriate, ensure coordination of Federal agencies engaged in the development of international technical standards related to information system security; and

(2) not later than 1 year after the date of enactment of this Act, develop and transmit to the Congress a plan for ensuring such Federal agency coordination.

(b) **CONSULTATION WITH THE PRIVATE SECTOR.**—In carrying out the activities specified in subsection (a)(1), the Director shall ensure consultation with appropriate private sector stakeholders.

SEC. 203. CLOUD COMPUTING STRATEGY.

(a) **IN GENERAL.**—The Director, in collaboration with the Federal CIO Council, and in consultation with other relevant Federal agencies and stakeholders from the private sector, shall continue to develop and encourage the implementation of a comprehensive strategy for the use and adoption of cloud computing services by the Federal Government.

(b) **ACTIVITIES.**—In carrying out the strategy developed under subsection (a), the Director shall give consideration to activities that—

(1) accelerate the development, in collaboration with the private sector, of standards that address interoperability and portability of cloud computing services;

(2) advance the development of conformance testing performed by the private sector in support of cloud computing standardization; and

(3) support, in consultation with the private sector, the development of appropriate security frameworks and reference materials, and the identification of best practices, for use by Federal agencies to address security and privacy requirements to enable the use and adoption of cloud computing services, including activities—

(A) to ensure the physical security of cloud computing data centers and the data stored in such centers;

(B) to ensure secure access to the data stored in cloud computing data centers;

(C) to develop security standards as required under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3); and

(D) to support the development of the automation of continuous monitoring systems.

SEC. 204. PROMOTING CYBERSECURITY AWARENESS AND EDUCATION.

(a) **PROGRAM.**—The Director, in collaboration with relevant Federal agencies, industry, educational institutions, National Laboratories, the National Coordination Office of the Networking and Information Technology Research and Development program, and other organizations, shall continue to coordinate a cybersecurity awareness and education program to increase knowledge, skills, and awareness of cybersecurity risks, consequences, and best practices through—

(1) the widespread dissemination of cybersecurity technical standards and best practices identified by the Institute;

(2) efforts to make cybersecurity best practices usable by individuals, small to medium-sized businesses, State, local, and tribal governments, and educational institutions;

(3) improving the state of cybersecurity education at all educational levels;

(4) efforts to attract, recruit, and retain qualified professionals to the Federal cybersecurity workforce; and

(5) improving the skills, training, and professional development of the Federal cybersecurity workforce.

(b) **STRATEGIC PLAN.**—The Director shall, in cooperation with relevant Federal agencies and other stakeholders, develop and implement a strategic plan to guide Federal programs and activities in support of a comprehensive cybersecurity awareness and education program as described under subsection (a).

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act and every 5 years thereafter, the Director shall transmit the strategic plan required under subsection (b) to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 205. IDENTITY MANAGEMENT RESEARCH AND DEVELOPMENT.

The Director shall continue a program to support the development of technical standards, metrology, testbeds, and conformance criteria, taking into account appropriate user concerns, to—

(1) improve interoperability among identity management technologies;

(2) strengthen authentication methods of identity management systems;

(3) improve privacy protection in identity management systems, including health information technology systems, through authentication and security protocols; and

(4) improve the usability of identity management systems.

SEC. 206. AUTHORIZATIONS.

No additional funds are authorized to carry out this Act, and the amendments made by this Act. This Act, and the amendments made by this Act, shall be carried out using amounts otherwise authorized or appropriated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Mem-

bers may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 756, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

I thank Representative MCCAUL and Representative LIPINSKI for introducing this commonsense, bipartisan legislation. I am pleased to be an original cosponsor of H.R. 756, the Cybersecurity Enhancement Act of 2013.

As our reliance on information technology expands, so do our vulnerabilities. Cyber attacks against U.S. Government and private sector networks are on the rise. Protecting America's cyber systems is critical to our economic and national security. Keeping our cyber infrastructure secure is a responsibility shared by different Federal agencies, including the National Science Foundation and the National Institute of Standards and Technology.

The Cybersecurity Enhancement Act coordinates research and development activities to better address evolving cyber threats. The legislation promotes much-needed research and development to help create new technologies and standards that better protect America's information technology systems. To improve America's cybersecurity abilities, this bill strengthens activities in four areas:

One, strategic planning for cybersecurity research and development needs across the Federal Government;

Two, basic research at the National Science Foundation, which we know is important to increasing security over the long term;

Three, National Science Foundation scholarships to improve the quality of the cybersecurity workforce;

Four, improved research, development, and public outreach organized by NIST related to cybersecurity.

These are modest but important changes that will help us better protect our cyber networks.

Cyber attacks threaten our national and economic security. To solve this problem, America needs a solution that involves the cooperation of many public and private sector entities. We must develop a rigorous scientific foundation for cybersecurity. This legislation helps foster such an effort, which will make our computer systems more secure.

The bill was recently approved by the Science, Space, and Technology Committee with strong bipartisan support. I again thank my Science Committee colleagues, Representatives MCCAUL and LIPINSKI, for their initiative on this issue, and look forward to this bill becoming law.

Mr. Speaker, the following groups have written letters of support for H.R.

756, the Cybersecurity Enhancement Act: TechAmerica, the U.S. Chamber of Commerce, USTelecom, the Information Technology Industry Council, the National Association of Manufacturers, the Financial Services Roundtable, the Computing Research Association, the Institute of Electrical and Electronics Engineers, the Society for Industrial and Applied Mathematics, and the U.S. Public Policy Council of the Association for Computing Machinery.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 756, the Cybersecurity Enhancement Act of 2013.

This is a good, bipartisan bill, and it is nearly identical to the legislation that passed the House by an overwhelming majority last Congress. I would like to thank my colleagues, Mr. LIPINSKI and Mr. MCCAUL, for their leadership and dedication to improving our Nation's cybersecurity.

Almost every one of us uses a computer, a cell phone, and the Internet every single day. These technologies have greatly increased our productivity and connectivity, and they have become a key component of our economy. Unfortunately, if you pick up the newspaper, you're likely to see another story about a hacker bringing down a Web site, stealing credit card numbers, or gaining access to a company's intellectual property. We need to do what we can to help ensure that these sorts of cyber intrusions are minimized, and I am pleased that H.R. 756 addresses a number of critical issues:

It strengthens public-private partnerships, guarantees a proactive and comprehensive research and development portfolio, ensures the development of robust cybersecurity standards, and trains the next generation of cybersecurity professionals.

Both of the agencies covered in H.R. 756, the National Science Foundation and the National Institute of Standards and Technology, play important and unique roles in the Federal Government's effort to secure cyberspace. I strongly believe that these agencies and the activities they support are vital to our Nation's future prosperity. We not only need to protect the security of our current information systems, but we need to build the next generation of systems—systems that are more secure from the first time they're turned on.

President Obama previously stated that cyber threats are “one of the most serious economic and national security challenges we face as a Nation” and that cutting-edge research and development and a commitment to science and math education are central to securing America's information and communication networks. I couldn't agree more.

Cybersecurity is a critical issue, and it becomes more important day by day. Addressing this issue will not be easy, but it is absolutely necessary. H.R. 756 will help build up our cybersecurity capabilities through research and education. This is a good, bipartisan bill that should be included in any comprehensive effort to keep our Nation, our businesses, and our citizens safe from malicious cybersecurity attacks.

Before I conclude, I would like to thank my staff and the majority's staff for their hard work on this bill. In particular, I would like to thank Marcy Gallo for her efforts on this bill in this Congress and in past Congresses as well. I look forward to working with my colleagues to make sure this bill makes it to the President's desk.

I urge my colleagues to support H.R. 756, and I reserve the balance of my time.

□ 1300

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. MCCAUL), a member of the Science, Space, and Technology Committee, the chairman of the Homeland Security Committee, and the sponsor of this legislation.

Mr. MCCAUL. Mr. Speaker, I'd like to thank my fellow Texan and friend, Chairman SMITH, for his support, Ranking Member JOHNSON, and DAN LIPINSKI, my cohort on this bill. We passed this in two prior Congresses, and this is our third attempt. Let's hope the third time will be a charm.

For most of us around the country, it is hard to think of anything else other than the terrorist attack in Boston yesterday. It is a solemn reminder of the threats that we face. While the attention of the American people is focused on the physical attack that occurred during the Boston Marathon, I think it is important that we as leader in this Chamber be frank with the American people about the virtual threat of a cyber attack against our national and economic security interests. We must be vigilant against both.

The United States faces several daunting challenges at this moment in history, including emerging threats that we must as a Nation be prepared to face head on. Congress is often blamed for not rising to the occasion by being too reactive to events or failing to act at all. I'm determined, as my colleagues are, that this Congress tackle head on the problem of our vulnerable cyber defenses and bolster our security in cyberspace.

Last month our country's top intelligence officials told Congress that the U.S. is vulnerable to cyber espionage, cyber crime, and outright destruction of computer networks, both from sophisticated government-sponsored assaults from countries like China and Iran, as well as criminal hacker groups and cyber terrorists. We know that for-

eign nations are conducting reconnaissance on our critical infrastructures and utilities, including our gas lines and water systems and energy grids. If the ability to send a silent attack through our digital networks falls into our enemies' hands, this country could be the victim of a devastating attack. Last December, Iran attacked the state-owned Saudi Aramco with the goal of stopping Saudi Arabia's oil production. Additionally, this year Iran conducted multiple denial of service attacks on major U.S. banks. And just last year, an al Qaeda operative issued a call for electronic jihad against the United States, comparing our technological vulnerabilities to that of our security before 9/11.

Yet while these threats are imminent, no major cybersecurity legislation that would help protect us has been enacted since 2002. Quite simply, we are not prepared to meet the threats of the 21st century.

This act improves coordination in government, providing for a strategic plan to assess the cybersecurity risk and guide the overall direction of Federal cyber R&D. It updates the National Institutes of Standards and Technology's responsibilities to develop security standards for Federal computer systems to ensure computer hygiene and processes for agencies to follow.

Our bill also establishes a Federal-university-private-sector task force to coordinate research and development, improves training of cyber professionals, and continues the much-needed cybersecurity research and development programs at the National Science Foundation and NIST.

This bill has been endorsed, as the chairman stated, by leading industry groups, including the U.S. Chamber of Commerce and Tech America. Most importantly, this bill is fiscally responsible. It is not being paid for with any new money since it is intended to work within the boundaries of funds authorized and appropriated to NSF and NIST. I'm confident that this legislation will advance the work these agencies are doing to bolster our domestic cybersecurity, as much as I'm confident that this Congress will finally address in a meaningful way the urgent need to pass this bipartisan cybersecurity legislation at that time. So I urge my colleagues to support this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I want to start by thanking the gentlelady for yielding and for her support on this bill, and thank Chairman SMITH for his support and for moving the bill early in this Congress. I also want to thank Mr. MCCAUL for working with me on this bill for the third straight Congress and

for his broader leadership in Congress on cybersecurity issues.

Two Congresses ago when Democrats were in the majority, I was the lead sponsor of this bill. Last Congress, Mr. MCCAUL became the lead sponsor. Both times the bill passed with overwhelming bipartisan support, which is a testament to the importance of this bill and to the quality of the work that has gone into it. Hopefully in this Congress, as Mr. MCCAUL said, the House and the Senate will finally pass this vital piece of the puzzle in protecting America's cybersecurity.

When I began working on this bill in 2010, it was clear that our use of the Internet and other communication networks would continue to grow and evolve, and that threats from individual hackers, criminal syndicates, and even other governments would grow and evolve, too. This has turned out to be all too true.

Just last month, the Director of National Intelligence testified before the Senate Intelligence Committee that the danger of cyber attacks and cyber espionage on crucial infrastructure tops the list of global threats to our Nation. I believe that we face the possibility of a cyber "Pearl Harbor" that could destroy America's military or economic security. We have already seen the loss of countless jobs through cyber espionage, and we face—and thankfully, so far, we have repelled—much worse attacks every day. It is now more important than ever that we get this legislation onto the President's desk.

H.R. 756 will increase the security of our networks and information systems by building strong public-private partnerships, improving the transfer of cybersecurity technologies to the marketplace, training a cybersecurity workforce for both the public and private sectors, and coordinating and prioritizing Federal cybersecurity R&D efforts.

In addition to requiring a strategic plan for Federal cybersecurity R&D among all of the relevant Federal agencies, this bill explicitly authorizes programs and activities at the National Science Foundation and the National Institute of Standards and Technology. Both of these agencies play an important and unique role in the Federal Government's efforts to secure cyberspace.

This bill also builds on recommendations of the administration's cyberspace policy review. The first step is education, including educating individuals, companies, and especially the next generation of IT professionals. This legislation works towards these goals by building on existing partnerships, such as the NSF-sponsored Center for System Security and Information Assurance at Moraine Valley Community College in Palos Hills, Illinois. This college has trained hundreds of

teachers and college faculty in cybersecurity-related areas since 2003, individuals who are now teaching at colleges and technical training programs nationwide.

H.R. 756 utilizes these existing programs across the country by providing scholarships to students pursuing cybersecurity degrees in exchange for their service in the Federal IT workforce. This approach not only provides for the immediate workforce needs of the Federal Government but also builds a pipeline for private industry.

Of course, research, standards, and education are only part of the cybersecurity solution, but they are critical pieces of the puzzle that Congress must complete to secure our Nation.

Mr. Speaker, I want to thank again Mr. McCAUL for his work on this legislation. I urge Members to support it.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER) who is the vice chairman of the Science, Space, and Technology Committee.

Mr. ROHRABACHER. Mr. Speaker, first of all I would like to thank LAMAR SMITH and Congressmen McCAUL and LIPINSKI for the leadership that they've provided on this very significant issue.

First of all, I would like to say that I am completely supportive of this bill. This legislation will continue America's path toward greater capabilities on cybersecurity. This is critical to our national security and our future.

And while we are increasing the authorization levels in this legislation for these critical activities, we are aware that every new dollar that we spend is a dollar that we borrowed, probably from China.

□ 1310

The Communist Chinese regime, of course, is the greatest human rights abuser in the world and potential adversary of the United States.

Furthermore, there has been unequivocal evidence that the Chinese Government is a source of significant cyber attacks on targets within the United States, which leads me to the main point, being, we must take note that there are many students from China and students from other known cyber attack countries attending our universities, participating in our programs, and learning exactly how we are setting up our system and defenses.

We need to apply a little common sense here, which is so often missing from our government, of course; and we need to make certain that we are not funding, enabling, and training our potential enemies.

Section 106 of this legislation clearly limits the Scholarships for Service program to citizens or permanent residents of the United States. But that limitation is not extended to the Graduate Traineeships Program, which is also authorized; nor does it extend that

limitation to the National Science Foundation Graduate Research Fellowship program, which has previously been expanded to include computer and network security specializations.

Other cybersecurity programs give funding to and rely upon universities that are now training both sides in a future cyber war.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. ROHRABACHER. So here we might end up, if we're not careful on how we approach this battle that we're having for the security of our country, we could end up financing both sides of a potential cyber conflict. We don't need to do that.

The Chinese graduate students that head home, after being trained by the American taxpayers, and they're supposed to head home, by the way, after they go through education here, if they go home, they could end up becoming soldiers in China's cyber war against us.

We need to consider the fundamental questions of how we got ourselves into this predicament, and that was through our policies of technology transfer, trade, and investment that benefited and actually were structured in a way to transfer wealth to China.

We need solutions to get ourselves out of this problem and not be in jeopardy from this Communist Chinese dictatorship that still exists in Beijing. Well, turning off the funding spigot to those who threaten us and potentially could do us harm is the first step.

So I would hope that as this legislation works its way through the Senate and elsewhere, that we make sure that there are limitations placed on it so that no students from countries that are possible enemies of the United States, but are currently engaged in cyber attacks, should be able to be funded by this program.

But with that said, the purpose of the program is terrific. We need to do it, and we need to do it right. And I congratulate my friends and my colleagues for the good job they've done.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding.

Before I begin, let me just say that my heart goes out to all those who lost their lives and were injured in the terrorist attack at the Boston Marathon yesterday. My thoughts and prayers are with them and their families, and we pray for a quick recovery for all of those who were hurt. And our thoughts and prayers are with everyone in Boston at this difficult time.

I also would like to take a minute just to comment on and to lend my

support to the previous bill that was just debated, H.R. 1163, the FISMA reform bill that was before the House, vitally important for updating our reporting of cybersecurity incidents and other issues relating to enhancing our cybersecurity. And I commend Chairman ISSA for his leadership on that, as well as others on the committee who are supporting that bill.

But, Mr. Speaker, I am pleased today to rise as a supporter and cosponsor of the Cybersecurity Enhancement Act, offered by my good friend and colleague, the chairman of the Homeland Security Committee, as well as the co-chair, along with me, on the Cybersecurity Caucus, Chairman McCAUL.

Mr. Speaker, it seems that every week we read about a new cyber attack taking place. Last month, the Mandiant Report detailed a campaign of espionage against hundreds of corporations around the world. The New York Times and other media companies have also been victims of recent attacks; and we saw in South Korea last month the financial and communications sectors can clearly be vulnerable to these pernicious attacks as well.

Mr. Speaker, the cyber threat is real. Protecting our networks is a complex task that we, in Congress, need to focus more on and address. Chairman McCAUL and I served together on the CSIS Commission on Cybersecurity for the 44th Presidency, and I am happy to report that the Cybersecurity Enhancement Act builds on the important work that we did there.

As we are constantly reminded, today's threat may not be tomorrow's, due to the prodigious rate of technological innovation. This bill before us today encourages coordination between Federal agencies tasked with cyber research and development and requires them to develop a strategic plan for R&D activities.

Success in this area demands a skilled cyber workforce, something that we currently lack. This bill takes an important first step in correcting our course by reauthorizing NSF graduate fellowships in cybersecurity and requiring the President to issue a report addressing our critical cyber workforce shortage.

So, Mr. Speaker, with that, let me again thank the gentleman from Texas for his outstanding leadership on this issue. He's been a visionary on working to protect our Nation's cybersecurity, and I greatly appreciate his efforts and that of many others. I look forward to continuing to work with him, and I'm pleased to support this bipartisan piece of legislation.

I also recognize Mr. LIPINSKI and his leadership on this issue as well.

Mr. SMITH of Texas. Mr. Speaker, we have no more requests for time on this side, so we'll be prepared to yield back at the right time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the chairman and the ranking member for their leadership on the Science Committee, and thank the proponents of this legislation, my chairman on the Homeland Security Committee, Mr. McCAUL, and Mr. LIPINSKI, for their bipartisanism on something that is enormously crucial; and it is certainly crucial for those of us who serve on both Judiciary and Homeland Security and probably a number of others.

What I want to applaud most of all is the R&D and expanded training. We will need to have a cadre, an army of civilians, who understand the protection of America's cyber landscape, if you will. And it is a domestic issue, as well as a security issue, because America's energy and utilities and medical care all are tied into the cybersphere.

Whether or not it is a youngster who wants to hack, or whether or not it is an aggressive foreign country, it is valuable and important for us to be trained. I'd like to offer the importance of Historically Black Colleges and Hispanic-serving Colleges as well, being part of this very important effort and, as well, to educate the private sector, which has 85 to 80 to 90 percent, in essence, of the private sector dealing with cybersecurity.

Let me complete, Mr. Speaker, by saying as we move forward, I think it is important for Homeland Security to be a lead on some of these issues, particularly the bill coming forward. But I applaud this legislation. I congratulate the proponents and sponsors and ask my colleagues to support this legislation.

The SPEAKER pro tempore. Members are reminded to please heed the gavel.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time. I'd like to just urge that we support the bill, and I thank the chairman.

I yield back the balance of my time.

□ 1320

Mr. SMITH of Texas. I yield back the balance of my time.

Ms. ESTY. Mr. Speaker, I rise today in support of H.R. 756, the Cybersecurity Enhancement Act of 2013—legislation that I'm proud to cosponsor, which will both enhance our national security and help boost our economy.

Cybersecurity is increasingly essential to our national defense and to our economic security in the 21st century.

As the Internet and other communication networks have grown and become more sophisticated, so have the threats from individual hackers, criminal syndicates, and even other governments.

It's critical that we take steps today to encourage and better coordinate the research and development of cybersecurity technology on a national scale.

The Cybersecurity Enhancement Act will help ensure that our country is prepared to face the security threats of the 21st century, that our businesses have the IT protections they need to compete on a global scale. I am proud that we're making critical investments in science and IT education for our young people and our educational institutions.

By authorizing grants and prioritizing research areas with the National Science Foundation and the National Institute of Standards and Technology, this legislation will help boost workforce development. In Connecticut, home to high-tech manufacturing and top-quality universities and technical schools, these workforce investments are essential to our economic future.

Mr. Speaker, for the sake of our nation's security, for the sake of our businesses, for the sake of our economy, I urge a yes vote on this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 756, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ADVANCING AMERICA'S NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT ACT OF 2013

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 967) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Advancing America's Networking and Information Technology Research and Development Act of 2013".

SEC. 2. PROGRAM PLANNING AND COORDINATION.

(a) PERIODIC REVIEWS.—Section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511) is amended by adding at the end the following new subsection:

"(d) PERIODIC REVIEWS.—The agencies identified in subsection (a)(3)(B) shall—

"(1) periodically assess the contents and funding levels of the Program Component Areas and restructure the Program when warranted, taking into consideration any relevant recommendations of the advisory committee established under subsection (b); and

"(2) ensure that the Program includes large-scale, long-term, interdisciplinary research and

development activities, including activities described in section 104."

(b) DEVELOPMENT OF STRATEGIC PLAN.—Section 101 of such Act (15 U.S.C. 5511) is amended further by adding after subsection (d), as added by subsection (a) of this Act, the following new subsection:

"(e) STRATEGIC PLAN.—

"(1) IN GENERAL.—The agencies identified in subsection (a)(3)(B), working through the National Science and Technology Council and with the assistance of the National Coordination Office described under section 102, shall develop, within 12 months after the date of enactment of the Advancing America's Networking and Information Technology Research and Development Act of 2013, and update every 3 years thereafter, a 5-year strategic plan to guide the activities described under subsection (a)(1).

"(2) CONTENTS.—The strategic plan shall specify near-term and long-term objectives for the Program, the anticipated time frame for achieving the near-term objectives, the metrics to be used for assessing progress toward the objectives, and how the Program will—

"(A) foster the transfer of research and development results into new technologies and applications for the benefit of society, including through cooperation and collaborations with networking and information technology research, development, and technology transition initiatives supported by the States;

"(B) encourage and support mechanisms for interdisciplinary research and development in networking and information technology, including through collaborations across agencies, across Program Component Areas, with industry, with Federal laboratories (as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)), and with international organizations;

"(C) address long-term challenges of national importance for which solutions require large-scale, long-term, interdisciplinary research and development;

"(D) place emphasis on innovative and high-risk projects having the potential for substantial societal returns on the research investment;

"(E) strengthen all levels of networking and information technology education and training programs to ensure an adequate, well-trained workforce; and

"(F) attract more women and underrepresented minorities to pursue postsecondary degrees in networking and information technology."

"(3) NATIONAL RESEARCH INFRASTRUCTURE.—The strategic plan developed in accordance with paragraph (1) shall be accompanied by milestones and roadmaps for establishing and maintaining the national research infrastructure required to support the Program, including the roadmap required by subsection (a)(2)(E).

"(4) RECOMMENDATIONS.—The entities involved in developing the strategic plan under paragraph (1) shall take into consideration the recommendations—

"(A) of the advisory committee established under subsection (b); and

"(B) of the stakeholders whose input was solicited by the National Coordination Office, as required under section 102(b)(3).

"(5) REPORT TO CONGRESS.—The Director of the National Coordination Office shall transmit the strategic plan required under paragraph (1) to the advisory committee, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives."

(c) ADDITIONAL RESPONSIBILITIES OF DIRECTOR.—Section 101(a)(2) of such Act (15 U.S.C. 5511(a)(2)) is amended—

(1) in subparagraph (A) by inserting "education," before "and other activities";

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(3) by inserting after subparagraph (D) the following new subparagraph:

“(E) encourage and monitor the efforts of the agencies participating in the Program to allocate the level of resources and management attention necessary to ensure that the strategic plan under subsection (e) is developed and executed effectively and that the objectives of the Program are met.”.

(d) **ADVISORY COMMITTEE.**—Section 101(b)(1) of such Act (15 U.S.C. 5511(b)(1)) is amended—

(1) after the first sentence, by inserting the following: “The co-chairs of the advisory committee shall meet the qualifications of committee membership and may be members of the President’s Council of Advisors on Science and Technology.”; and

(2) in subparagraph (D), by striking “high-performance” and inserting “high-end”.

(e) **REPORT.**—Section 101(a)(3) of such Act (15 U.S.C. 5511(a)(3)) is amended—

(1) in subparagraph (B)—
(A) by redesignating clauses (vii) through (xi) as clauses (viii) through (xii), respectively; and
(B) by inserting after clause (vi) the following: “(vii) the Department of Homeland Security.”;

(2) in subparagraph (C)—
(A) by striking “is submitted,” and inserting “is submitted, the levels for the previous fiscal year.”; and

(B) by striking “each Program Component Area,” and inserting “each Program Component Area and research area supported in accordance with section 104.”;

(3) in subparagraph (D)—
(A) by striking “each Program Component Area,” and inserting “each Program Component Area and research area supported in accordance with section 104.”;

(B) by striking “is submitted,” and inserting “is submitted, the levels for the previous fiscal year.”; and

(C) by striking “and” after the semicolon;
(d) by redesignating subparagraph (E) as subparagraph (G); and

(5) by inserting after subparagraph (D) the following new subparagraphs:

“(E) include a description of how the objectives for each Program Component Area, and the objectives for activities that involve multiple Program Component Areas, relate to the objectives of the Program identified in the strategic plan required under subsection (e);

“(F) include—
“(i) a description of the funding required by the National Coordination Office to perform the functions specified under section 102(b) for the next fiscal year by category of activity;

“(ii) a description of the funding required by such Office to perform the functions specified under section 102(b) for the current fiscal year by category of activity; and

“(iii) the amount of funding provided for such Office for the current fiscal year by each agency participating in the Program; and”.

(f) **DEFINITION.**—Section 4 of such Act (15 U.S.C. 5503) is amended—

(1) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) ‘cyber-physical systems’ means physical or engineered systems whose networking and information technology functions and physical elements are deeply integrated and are actively connected to the physical world through sensors, actuators, or other means to perform monitoring and control functions.”;

(3) in paragraph (3), as so redesignated, by striking “high-performance computing” and in-

serting “networking and information technology”;

(4) in paragraph (4), as so redesignated—

(A) by striking “high-performance computing” and inserting “networking and information technology.”; and

(B) by striking “supercomputer” and inserting “high-end computing”;

(5) in paragraph (6), as so redesignated, by striking “network referred to as” and all that follows through the semicolon and inserting “network, including advanced computer networks of Federal agencies and departments.”; and

(6) in paragraph (7), as so redesignated, by striking “National High-Performance Computing Program” and inserting “networking and information technology research and development program”.

SEC. 3. LARGE-SCALE RESEARCH IN AREAS OF NATIONAL IMPORTANCE.

Title I of such Act (15 U.S.C. 5511) is amended by adding at the end the following new section:

“SEC. 104. LARGE-SCALE RESEARCH IN AREAS OF NATIONAL IMPORTANCE.

“(a) **IN GENERAL.**—The Program shall encourage agencies identified in section 101(a)(3)(B) to support large-scale, long-term, interdisciplinary research and development activities in networking and information technology directed toward application areas that have the potential for significant contributions to national economic competitiveness and for other significant societal benefits. Such activities, ranging from basic research to the demonstration of technical solutions, shall be designed to advance the development of research discoveries. The advisory committee established under section 101(b) shall make recommendations to the Program for candidate research and development areas for support under this section.

“(b) **CHARACTERISTICS.**—
“(1) **IN GENERAL.**—Research and development activities under this section shall—

“(A) include projects selected on the basis of applications for support through a competitive, merit-based process;

“(B) involve collaborations among researchers in institutions of higher education and industry, and may involve nonprofit research institutions and Federal laboratories, as appropriate;

“(C) when possible, leverage Federal investments through collaboration with related State initiatives; and

“(D) include a plan for fostering the transfer of research discoveries and the results of technology demonstration activities, including from institutions of higher education and Federal laboratories, to industry for commercial development.

“(2) **COST-SHARING.**—In selecting applications for support, the agencies shall give special consideration to projects that include cost sharing from non-Federal sources.

“(3) **AGENCY COLLABORATION.**—If 2 or more agencies identified in section 101(a)(3)(B), or other appropriate agencies, are working on large-scale research and development activities in the same area of national importance, then such agencies shall strive to collaborate through joint solicitation and selection of applications for support and subsequent funding of projects.

“(4) **INTERDISCIPLINARY RESEARCH CENTERS.**—Research and development activities under this section may be supported through interdisciplinary research centers that are organized to investigate basic research questions and carry out technology demonstration activities in areas described in subsection (a). Research may be carried out through existing interdisciplinary centers, including those authorized under section 7024(b)(2) of the America COMPETES Act (Public Law 110-69; 42 U.S.C. 18620-10).”.

SEC. 4. CYBER-PHYSICAL SYSTEMS.

(a) **ADDITIONAL PROGRAM CHARACTERISTICS.**—Section 101(a)(1) of such Act (15 U.S.C. 5511(a)(1)) is amended—

(1) in subparagraph (H), by striking “and” after the semicolon;

(2) in subparagraph (I)—

(A) by striking “improving the security” and inserting “improving the security, reliability, and resilience.”; and

(B) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(J) provide for increased understanding of the scientific principles of cyber-physical systems and improve the methods available for the design, development, and operation of cyber-physical systems that are characterized by high reliability, safety, and security; and

“(K) provide for research and development on human-computer interactions, visualization, and big data.”.

(b) **WORKSHOP.**—Title I of such Act (15 U.S.C. 5511) is amended further by adding after section 104, as added by section 3 of this Act, the following new section:

“SEC. 105. UNIVERSITY/INDUSTRY WORKSHOP.

“(a) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2013, the Director of the National Coordination Office shall convene a workshop, with participants from institutions of higher education, Federal laboratories, and industry, to explore mechanisms for carrying out collaborative research and development activities for cyber-physical systems, including the related technologies required to enable these systems, and to develop grand challenges in cyber-physical systems research and development.

“(b) **FUNCTIONS.**—The workshop participants shall—

“(1) develop options for models for research and development partnerships among institutions of higher education, Federal laboratories, and industry, including mechanisms for the support of research and development carried out under these partnerships;

“(2) develop options for grand challenges in cyber-physical systems research and development that would be addressed through such partnerships;

“(3) propose guidelines for assigning intellectual property rights and for the transfer of research results to the private sector; and

“(4) make recommendations for how Federal agencies participating in the Program can help support research and development partnerships in cyber-physical systems, including through existing or new grant programs.

“(c) **PARTICIPANTS.**—The Director of the National Coordination Office shall ensure that participants in the workshop are individuals with knowledge and expertise in cyber-physical systems and that participants represent a broad mix of relevant stakeholders, including academic and industry researchers, cyber-physical systems and technologies manufacturers, cyber-physical systems and technologies users, and, as appropriate, Federal government regulators.

“(d) **REPORT.**—Not later than 18 months after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2013, the Director of the National Coordination Office shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report describing the findings and recommendations resulting from the workshop required under this section.”.

SEC. 5. CLOUD COMPUTING SERVICES FOR RESEARCH.

Title I of such Act (15 U.S.C. 5511) is amended further by adding after section 105, as added by section 4(b) of this Act, the following new section:

“SEC. 106. CLOUD COMPUTING SERVICES FOR RESEARCH.

“(a) INTERAGENCY WORKING GROUP.—Not later than 180 days after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2013, the Director of the National Coordination Office, working through the National Science and Technology Council, shall convene an interagency working group to examine—

“(1) the research and development needed—
“(A) to enhance the effectiveness and efficiency of cloud computing environments;

“(B) to increase the trustworthiness of cloud applications and infrastructure; and

“(C) to enhance the foundations of cloud architectures, programming models, and interoperability; and

“(2) how Federal science agencies can facilitate the use of cloud computing for federally funded science and engineering research, including—

“(A) making recommendations on changes in funding mechanisms, budget models, and policies needed to remove barriers to the adoption of cloud computing services for research and for data preservation and sharing; and

“(B) providing guidance to organizations and researchers on opportunities and guidelines for using cloud computing services for federally supported research and related activities.

“(b) CONSULTATION.—In carrying out the tasks in paragraphs (1) and (2) of subsection (a), the working group shall consult with academia, industry, Federal laboratories, and other relevant organizations and institutions, as appropriate.

“(c) REPORT.—Not later than 1 year after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2013, the Director of the National Coordination Office shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the findings and any recommendations of the working group.

“(d) TERMINATION.—The interagency working group shall terminate upon transmittal of the report required under subsection (c).”

SEC. 6. NATIONAL COORDINATION OFFICE.

Section 102 of such Act (15 U.S.C. 5512) is amended to read as follows:

“SEC. 102. NATIONAL COORDINATION OFFICE.

“(a) OFFICE.—The Director shall continue a National Coordination Office with a Director and full-time staff.

“(b) FUNCTIONS.—The National Coordination Office shall—

“(1) provide technical and administrative support to—

“(A) the agencies participating in planning and implementing the Program, including such support as needed in the development of the strategic plan under section 101(e); and

“(B) the advisory committee established under section 101(b);

“(2) serve as the primary point of contact on Federal networking and information technology activities for government organizations, academia, industry, professional societies, State computing and networking technology programs, interested citizen groups, and others to exchange technical and programmatic information;

“(3) solicit input and recommendations from a wide range of stakeholders during the develop-

ment of each strategic plan required under section 101(e) through the convening of at least 1 workshop with invitees from academia, industry, Federal laboratories, and other relevant organizations and institutions;

“(4) conduct public outreach, including the dissemination of findings and recommendations of the advisory committee, as appropriate; and

“(5) promote access to and early application of the technologies, innovations, and expertise derived from Program activities to agency missions and systems across the Federal Government and to United States industry.

“(c) SOURCE OF FUNDING.—

“(1) IN GENERAL.—The operation of the National Coordination Office shall be supported by funds from each agency participating in the Program.

“(2) SPECIFICATIONS.—The portion of the total budget of such Office that is provided by each agency for each fiscal year shall be in the same proportion as each such agency’s share of the total budget for the Program for the previous fiscal year, as specified in the report required under section 101(a)(3).”

SEC. 7. IMPROVING NETWORKING AND INFORMATION TECHNOLOGY EDUCATION.

Section 201(a) of such Act (15 U.S.C. 5521(a)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) the National Science Foundation shall use its existing programs, in collaboration with other agencies, as appropriate, to improve the teaching and learning of networking and information technology at all levels of education and to increase participation in networking and information technology fields, including by women and underrepresented minorities.”

SEC. 8. CONFORMING AND TECHNICAL AMENDMENTS.

(a) SECTION 3.—Section 3 of such Act (15 U.S.C. 5502) is amended—

(1) in the matter preceding paragraph (1), by striking “HIGH-PERFORMANCE COMPUTING” and inserting “NETWORKING AND INFORMATION TECHNOLOGY”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “high-performance computing” and inserting “networking and information technology”;

(B) in subparagraphs (A), (F), and (G), by striking “high-performance computing” each place it appears and inserting “networking and information technology”;

(C) in subparagraph (H), by striking “high-performance” and inserting “high-end”; and

(3) in paragraph (2)—

(A) by striking “high-performance computing and” and inserting “networking and information technology and”; and

(B) by striking “high-performance computing network” and inserting “networking and information technology”.

(b) TITLE I.—The heading of title I of such Act (15 U.S.C. 5511) is amended by striking “HIGH-PERFORMANCE COMPUTING” and inserting “NETWORKING AND INFORMATION TECHNOLOGY”.

(c) SECTION 101.—Section 101 of such Act (15 U.S.C. 5511) is amended—

(1) in the section heading, by striking “HIGH-PERFORMANCE COMPUTING” and inserting “NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT”;

(2) in subsection (a)—

(A) in the subsection heading, by striking “NATIONAL HIGH-PERFORMANCE COMPUTING” and inserting “NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT”;

(B) in paragraph (1) of such subsection—

(i) in the matter preceding subparagraph (A), by striking “National High-Performance Computing Program” and inserting “networking and information technology research and development program”;

(ii) in subparagraph (A), by striking “high-performance computing, including networking” and inserting “networking and information technology”;

(iii) in subparagraphs (B) and (G), by striking “high-performance” each place it appears and inserting “high-end”; and

(iv) in subparagraph (C), by striking “high-performance computing and networking” and inserting “high-end computing, distributed, and networking”; and

(C) in paragraph (2) of such subsection—

(i) in subparagraphs (A) and (C)—

(I) by striking “high-performance computing” each place it appears and inserting “networking and information technology”; and

(II) by striking “development, networking,” each place it appears and inserting “development,”; and

(ii) in subparagraphs (F) and (G), as redesignated by section 2(c)(1) of this Act, by striking “high-performance” each place it appears and inserting “high-end”;

(3) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “high-performance computing” both places it appears and inserting “networking and information technology”; and

(B) in paragraph (2), in the second sentence, by striking “2” and inserting “3”; and

(4) in subsection (c)(1)(A), by striking “high-performance computing” and inserting “networking and information technology”.

(d) SECTION 201.—Section 201(a)(1) of such Act (15 U.S.C. 5521(a)(1)) is amended by striking “high-performance computing” and all that follows through “networking;” and inserting “networking and information research and development;”

(e) SECTION 202.—Section 202(a) of such Act (15 U.S.C. 5522(a)) is amended by striking “high-performance computing” and inserting “networking and information technology”.

(f) SECTION 203.—Section 203(a) of such Act (15 U.S.C. 5523(a)(1)) is amended—

(1) in paragraph (1), by striking “high-performance computing and networking” and inserting “networking and information technology”; and

(2) in paragraph (2)(A), by striking “high-performance” and inserting “high-end”.

(g) SECTION 204.—Section 204 of such Act (15 U.S.C. 5524) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “high-performance computing systems and networks” and inserting “networking and information technology systems and capabilities”; and

(B) in subparagraph (B), by striking “interoperability of high-performance computing systems in networks and for common user interfaces to systems” and inserting “interoperability and usability of networking and information technology systems”; and

(C) in subparagraph (C), by striking “high-performance computing” and inserting “networking and information technology”; and

(2) in subsection (b)—

(A) in the heading, by striking “HIGH-PERFORMANCE COMPUTING AND NETWORK” and inserting “NETWORKING AND INFORMATION TECHNOLOGY”; and

(B) by striking “sensitive”.

(h) SECTION 205.—Section 205(a) of such Act (15 U.S.C. 5525(a)) is amended by striking “computational” and inserting “networking and information technology”.

(i) SECTION 206.—Section 206(a) of such Act (15 U.S.C. 5526(a)) is amended by striking “computational research” and inserting “networking and information technology research”.

(j) SECTION 207.—Section 207(b) of such Act (15 U.S.C. 5527(b)) is amended by striking “high-performance computing” and inserting “networking and information technology”.

(k) SECTION 208.—Section 208 of such Act (15 U.S.C. 5528) is amended—

(1) in the section heading, by striking “**HIGH-PERFORMANCE COMPUTING**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY**”; and

(2) in subsection (a)—

(A) in paragraph (1), by striking “High-performance computing and associated” and inserting “Networking and information”;

(B) in paragraph (2), by striking “high-performance computing” and inserting “networking and information technologies”;

(C) in paragraph (3), by striking “high-performance” and inserting “high-end”;

(D) in paragraph (4), by striking “high-performance computers and associated” and inserting “networking and information”; and

(E) in paragraph (5), by striking “high-performance computing and associated” and inserting “networking and information”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 967, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, I thank the gentlewoman from Wyoming (Mrs. LUMMIS) for her work on this bill. And I'm pleased to join the Science Committee's ranking member, Ms. JOHNSON, as a cosponsor of H.R. 967, the Advancing America's Networking and Information Technology Research and Development Act of 2013. This bill had broad bipartisan support in the last Congress, and I hope it will receive that same level of support today.

In the digital age, protecting our Nation's computer networking systems is more important than ever. This bill provides the coordinated research and development efforts necessary to improve cyber and data security nationwide. And better network security promotes U.S. competitiveness, enhances national security, and creates high-tech jobs.

The NITRD program is an extension of the High-Performance Computing Act of 1991. It represents the Federal Government's main R&D investment portfolio for unclassified networking, computing, software, cybersecurity,

and related information technologies. Currently, 15 Federal agencies are contributing members of NITRD, with an additional 20 or so participating in the program.

This bill serves as the mechanism for interagency coordination of R&D to ensure no duplication of research efforts among Federal agencies or the private sector. It rebalances R&D portfolios to focus less on short-term goals and more on large-scale, long-term interdisciplinary research.

While this bill does not authorize specific funding amounts, NITRD spending totals over \$3.7 billion annually. Over \$1.1 billion of this is from the National Science Foundation and over \$550 million is from the Department of Energy. The bill updates the underlying High-Performance Computing statute and codifies work undertaken by the National Coordination Office, housed within NSF, to oversee the 15 different agencies.

The NITRD program has eight strategic priorities for its research: cybersecurity; autonomous, robotic systems; high-end computing and applications; exascale computing; human-computer interaction; large-scale networking, workforce development; and software design and productivity.

Technologies that come from these research priorities are applied by the commercial sector and the government to protect and enhance emergency communications, the power grid, air traffic control networks, and national defense systems. Networking and information technology support and boost American competitiveness, enhance national security, and help strengthen the economy.

American job creators also recognize the importance of networking and information technology research and development. Many industry partners and stakeholders have written letters in support of this bill. They include the National Association of Manufacturers, TechAmerica, Computing Research Association, Institute of Electrical and Electronic Engineers-USA, Society for Industrial and Applied Mathematics, and the U.S. Public Policy Council of the Association for Computing Machinery.

Cybersecurity provisions in the bill include research necessary to detect, prevent, and recover from actions that can compromise or threaten computer-based systems.

I again thank my Science Committee colleague, Representative LUMMIS, the chairwoman of the Energy Subcommittee, for her initiative on this issue. I urge my colleagues to support the bill, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 967, the Advancing America's Networking and In-

formation Technology Research and Development Act of 2013. H.R. 967 is a good, bipartisan bill which I was pleased to join Mrs. LUMMIS from Wyoming and Mr. HALL from Texas in introducing.

H.R. 967 is largely based on a 2009 House-passed bill that was introduced by then-Chairman Gordon and Ranking Member HALL. But the current bill also includes some updates from the 2009 bill that reflect changes to the network and information technology landscape as well as policy and management recommendations made by an outside panel of experts charged with evaluating the NITRD program.

The NITRD program, as it is known, involves a collaboration of 15 Federal research and development agencies, each contributing its own unique expertise and effort to ensure that we make most effective use of our Federal R&D resources and remain a leader in these fields. H.R. 967 requires that all 15 agencies come together to develop and periodically update a strategic plan for Federal investments in NIT R&D.

H.R. 967 calls for increased support for large-scale, long-term interdisciplinary research in NIT that will help us tackle national challenges such as improving the effectiveness and efficiency of our health care and energy delivery service systems. The bill also promotes partnerships between the Federal Government, academia, and industry to foster technology transfer.

In particular, I'd like to highlight H.R. 967's role in ensuring that the education of the future NIT workforce remains an important component of the NITRD program. I am hearing every day from small and large companies alike that the demand for skilled IT professionals is much higher than the supply. We hear this same message from university faculty, who tell us their computer science graduates are snatched up the moment they graduate, regardless of the health of the overall job market. This gap between supply and demand exists despite the fact that these jobs are among the highest-paying and the most stable jobs in our economy today.

It is imperative that we encourage more young Americans to pursue studies in the NIT fields. In particular, because of the stark gender and racial gaps we see in computer science programs, it is imperative that we encourage more young women and students of color to enter these fields. We simply won't be able to remain a global leader in these important fields without more than 50 percent of our Nation's brainpower sitting on the sidelines.

H.R. 967 doesn't go quite as far as I'd like it to go in addressing these education challenges, but it still sends an important message about the need to educate more of our students in our NIT fields and provides the necessary

authority for the agencies to play an important and appropriate role here.

Finally, I would be remiss not to mention that the NITRD program serves as a coordinating and planning umbrella for all unclassified Federal cybersecurity R&D. Our committee addressed specific needs in cybersecurity R&D separately in H.R. 756; but in doing so, we made sure that both the intellectual and financial resources for cybersecurity R&D are appropriately integrated with the rest of the Federal NIT portfolio. Information security R&D should not take place in its own silo. IT bears on all networking and information technologies.

□ 1330

In closing, NIT technologies cut across every sector of our economy and our national defense infrastructure. Our relatively modest 20-year investment in the NITRD program has contributed immeasurably to our economic and national security by enabling innovation and job creation in NIT and providing American students with the skills to fill these jobs. Let's reauthorize this program today and ensure that it remains strong.

I want to thank my friend Mrs. LUMMIS for reintroducing our bipartisan bill once again in this Congress. I'd also like to thank my staff—and in particular Dahlia Sokolov—for their hard work on this bill.

I urge my colleagues to support H.R. 967, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS), who is the sponsor of this legislation and who also chairs the Energy Subcommittee, the Science, Space, and Technology Committee.

Mrs. LUMMIS. Mr. Speaker, I want to start out by thanking Chairman SMITH and Ranking Member JOHNSON for their support in bringing this bipartisan legislation to the floor.

I have found, since being on the Science Committee, that it is an acronym-rich environment. Mr. Speaker, I'm an acronym-challenged individual, so I'll be talking about the Network and Information Technology Research and Development program. In the future, I'm just going to call it "the program." It's the Federal Government's main research and development effort in unclassified network, computing, software, cybersecurity, and related information technologies.

Research conducted under this program has led to scientific growth and innovation in several areas, including visualization technologies in science, engineering, and medicine; computer-based education and training; and near-real-time weather forecasts, which is really important in my State of Wyoming.

Currently, 15 Federal agencies are contributing members to the program, and even more participate.

H.R. 967, the bill in front of us, does two things: it updates the High-Performance Computing Act of 1991, and it reauthorizes the program to advance our Nation's networking and information technology research and development.

It's the digital age, Mr. Speaker. Advances in networking and information technology continue to transform our quality of life, our economy, U.S. competitiveness, and our national security. This bill provides the coordination necessary for the United States to respond to rapid changes in these areas, it encourages innovation, and it protects our economy.

My home State of Wyoming is best known for its stunning mountains and open spaces. But not long ago, Wyoming also became home to a supercomputing center. It houses one of the world's most powerful supercomputers. Mr. Speaker, it makes a mind-boggling number of computations every second. It's sponsored by the University Coalition on Atmospheric Research, which sponsors the National Center on Atmospheric Research, and so it's partially funded by the National Science Foundation, which is the taxpayers. So they help fund it. These computations enable world-leading research projects in areas including atmospheric and geosciences. So this bill facilitates work in these fields, ranging from research being conducted at the supercomputing center to big data—and I mean big data—and cybersecurity as well.

H.R. 967 implements several recommendations from the 2007 and 2010 President's Council of Advisors on Science and Technology assessments to improve government coordination and planning with input from policy and technical experts. It adjusts research and development portfolios so we're focusing less on short-term goals and more on really long-term goals.

Now, specific to cybersecurity, the program includes research and development to detect, prevent, and recover from actions that compromise or threaten computer and network-based systems. Now, you heard from Congressman MCCAUL just moments ago some of the specific examples of the real threats that are directed at computer networks. So reauthorizing this program is an important step.

I thank the chairman, and I urge my colleagues to support the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I thank the gentlelady for yielding and for her work on this legislation. I'd also like to thank Chairman SMITH and Chairwoman LUMMIS for all their work on this bill.

It's been nearly 4 years since we last reauthorized and updated the NITRD program, and it's time we get this job

done. The House, again, on this bill has passed legislation since that time, but we need to get this done today here and get this through the Senate and to the President's desk.

The NITRD program evolved from the High Performance Computing Act of 1991, which funded the development of Mosaic—the first commercial Web browser which made the Internet user friendly and led to its explosion in the 1990s. This innovation was created by a team of programmers at the National Center for Supercomputing Applications at the University of Illinois.

As a brief aside, I was just at the NCSA in Urbana-Champaign at the University of Illinois for the launch of the Blue Waters supercomputer, one of the most powerful supercomputers in the world, which is also there at the University of Illinois. But Marc Andreessen, one of the lead programmers on the original project that created Mosaic and the founder of Netscape, summed up the importance of Federal investment in this research by saying:

If it had been left to private industry, it wouldn't have happened, at least, not until years later.

Innovative breakthroughs like the Mosaic Web browser changed our everyday lives and established the United States as the world leader in networking and information technologies, and the Federal Government played an important role in that. But today we find ourselves in a world in which we can no longer take U.S. supremacy for granted. As we heard during committee consideration of the bill, China, Japan, Germany, and several other countries are increasing their investments in NIT R&D as well as their capacity to convert R&D into new commercial technologies. We must prioritize cutting-edge, large-scale R&D and effective technology transfer policies, focused on the most advanced areas of network and information technology, in order to preserve our lead in these sectors.

H.R. 967, the Advancing America's Network and Information Technology Research and Development Act, achieves these ends through the development of a coordinated Federal R&D investment strategy. This bill requires Federal agencies involved in the R&D program to develop 5-year plans specifying near- and long-term objectives and to assess and evaluate progress periodically to ensure we maintain U.S. leadership in these fields.

Mr. Speaker, this legislation will focus our scientific community towards the innovative, large-scale, and collaborative R&D we need to remain a leader in networking and information technologies. This is a good, bipartisan bill, and I urge my colleagues to support it.

Mr. SMITH of Texas. Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I am very supportive of the bill, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 967, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1163, by the yeas and nays;

H.R. 756, by the yeas and nays;

H.R. 967, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

FEDERAL INFORMATION SECURITY AMENDMENTS ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1163) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 16, as follows:

[Roll No. 106]

YEAS—416

Aderholt	Beatty	Bonner
Alexander	Becerra	Boustany
Amash	Benish	Brady (PA)
Amodei	Bentivolio	Brady (TX)
Andrews	Bera (CA)	Braley (IA)
Bachus	Bilirakis	Bridenstine
Barber	Bishop (GA)	Brooks (AL)
Barletta	Bishop (NY)	Brooks (IN)
Barr	Bishop (UT)	Brown (GA)
Barrow (GA)	Black	Brown (FL)
Barton	Blumenauer	Brownley (CA)
Bass	Bonamici	Buchanan

Bucshon	Gibbs	Luján, Ben Ray
Burgess	Gibson	(NM)
Bustos	Gingrey (GA)	Lummis
Butterfield	Gohmert	Maffei
Calvert	Goodlatte	Maloney,
Camp	Gosar	Carolyn
Campbell	Gowdy	Maloney, Sean
Cantor	Granger	Marchant
Capito	Graves (GA)	Marino
Capps	Graves (MO)	Massie
Capuano	Grayson	Matheson
Cárdenas	Green, Al	Matsui
Carney	Green, Gene	McCarthy (CA)
Carson (IN)	Griffin (AR)	McCarthy (NY)
Carter	Griffith (VA)	McCaul
Cartwright	Grijalva	McClintock
Cassidy	Grimm	McCollum
Castor (FL)	Guthrie	McDermott
Castro (TX)	Gutierrez	McGovern
Chabot	Hahn	McHenry
Chaffetz	Hall	McIntyre
Chu	Hanabusa	McKinley
Cicilline	Hanna	McMorris
Clarke	Harper	Rodgers
Cleaver	Harris	McNerney
Clyburn	Hartzler	Meadows
Coble	Hastings (FL)	Meehan
Coffman	Hastings (WA)	Meeks
Cohen	Heck (NV)	Messer
Cole	Heck (WA)	Mica
Collins (GA)	Hensarling	Michaud
Collins (NY)	Herrera Beutler	Miller (FL)
Conaway	Higgins	Miller (MI)
Connolly	Himes	Miller, George
Cook	Hinojosa	Moore
Cooper	Holt	Moran
Costa	Honda	Mullin
Cotton	Horsford	Mulvaney
Courtney	Hoyer	Murphy (FL)
Cramer	Hudson	Murphy (PA)
Crawford	Huelskamp	Nadler
Crenshaw	Huffman	Napolitano
Crowley	Huizenga (MI)	Neal
Cuellar	Hultgren	Negrete McLeod
Cummings	Hunter	Neugebauer
Daines	Hurt	Noem
Davis (CA)	Israel	Nolan
Davis, Danny	Issa	Nugent
Davis, Rodney	Jackson Lee	Nunes
DeFazio	Jeffries	Nunnelee
DeGette	Jenkins	O'Rourke
Delaney	Johnson (GA)	Olson
DeLauro	Johnson (OH)	Owens
DelBene	Johnson, E. B.	Palazzo
Denham	Johnson, Sam	Pallone
Dent	Jones	Pascarella
DeSantis	Jordan	Pastor (AZ)
DesJarlais	Joyce	Paulsen
Deutch	Kaptur	Pearce
Diaz-Balart	Keating	Pelosi
Dingell	Kelly (IL)	Perlmutter
Doggett	Kelly (PA)	Perry
Doyle	Kildee	Peters (CA)
Duckworth	Kilmer	Peters (MI)
Duffy	Kind	Peterson
Duncan (SC)	King (IA)	Petri
Duncan (TN)	King (NY)	Pingree (ME)
Edwards	Kingston	Pittenger
Ellison	Kinzinger (IL)	Pitts
Ellmers	Kirkpatrick	Pocan
Engel	Kline	Poe (TX)
Enyart	Kuster	Polis
Eshoo	Labrador	Pompeo
Esty	LaMalfa	Posey
Farenthold	Lamborn	Price (GA)
Farr	Lance	Price (NC)
Fattah	Langevin	Quigley
Fitzpatrick	Lankford	Radel
Fleischmann	Larsen (WA)	Rahall
Fleming	Larson (CT)	Rangel
Flores	Latham	Reed
Forbes	Latta	Reichert
Fortenberry	Lee (CA)	Renacci
Foster	Levin	Ribble
Fox	Lewis	Rice (SC)
Fox	Lipinski	Richmond
Frankel (FL)	LoBiondo	Rigell
Franks (AZ)	Loeb	Roby
Frelinghuysen	Loeb	Roe (TN)
Fudge	Lofgren	Rogers (AL)
Gabbard	Long	Rogers (KY)
Gallego	Lowenthal	Rogers (MI)
Garamendi	Lucas	Rohrabacher
Garcia	Luetkemeyer	Rokita
Garner	Lujan Grisham	Rooney
Garrett	(NM)	Ros-Lehtinen
Gerlach		

Ross	Shuster	Veasey
Rothfus	Simpson	Vela
Roybal-Allard	Sinema	Velázquez
Royce	Sires	Visclosky
Ruiz	Slaughter	Wagner
Runyan	Smith (NE)	Walberg
Ruppersberger	Smith (NJ)	Walden
Rush	Smith (TX)	Walorski
Ryan (OH)	Smith (WA)	Walz
Ryan (WI)	Southerland	Wasserman
Salmon	Speier	Schultz
Sánchez, Linda	Stewart	Waters
T.	Stivers	Watt
Sanchez, Loretta	Stockman	Waxman
Sarbanes	Stutzman	Weber (TX)
Scalise	Swalwell (CA)	Webster (FL)
Schakowsky	Takano	Welch
Schiff	Terry	Wenstrup
Schneider	Thompson (CA)	Whitfield
Schock	Thompson (MS)	Williams
Schrader	Thompson (PA)	Wilson (FL)
Schwartz	Thornberry	Wilson (SC)
Schweikert	Tiberi	Wittman
Scott (VA)	Tierney	Wolf
Scott, Austin	Tipton	Womack
Scott, David	Titus	Woodall
Sensenbrenner	Tonko	Yarmuth
Serrano	Tsongas	Yoder
Sessions	Turner	Yoho
Sewell (AL)	Upton	Young (AK)
Shea-Porter	Valadao	Young (FL)
Sherman	Van Hollen	Young (IN)
Shimkus	Vargas	

NOT VOTING—16

Bachmann	Holding	Miller, Gary
Blackburn	Kennedy	Payne
Clay	Lynch	Roskam
Conyers	Markey	Westmoreland
Culberson	McKeon	
Fincher	Meng	

□ 1405

Messrs. SENSENBRENNER and TURNER changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CYBERSECURITY ENHANCEMENT ACT OF 2013

The SPEAKER pro tempore (Mr. MILLER of Florida). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 756) to advance cybersecurity research, development, and technical standards, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 16, not voting 14, as follows:

[Roll No. 107]

YEAS—402

Aderholt	Barr	Bera (CA)
Alexander	Barrow (GA)	Bilirakis
Amodei	Barton	Bishop (GA)
Andrews	Bass	Bishop (NY)
Bachus	Beatty	Bishop (UT)
Barber	Becerra	Black
Barletta	Benish	Blumenauer

Bonamici	Franks (AZ)	Lucas	Rohrabacher	Shea-Porter	Van Hollen	[Roll No. 108]	
Bonner	Frelinghuysen	Luetkemeyer	Rokita	Sherman	Vargas	YEAS—406	
Boustany	Fudge	Lujan Grisham	Rooney	Shinkus	Veasey		
Brady (PA)	Gabbard	(NM)	Ros-Lehtinen	Shuster	Vela	Aderholt	Kildee
Brady (TX)	Gallego	Lujan, Ben Ray	Ross	Simpson	Velázquez	Doyle	Kilmer
Braley (IA)	Garamendi	(NM)	Rothfus	Sinema	Visclosky	Amodei	Duckworth
Brooks (AL)	Garcia	Lummis	Roybal-Allard	Sires	Wagner	Andrews	Duffy
Brooks (IN)	Gardner	Maffei	Royce	Slaughter	Walberg	Bachus	Duncan (TN)
Brown (FL)	Garrett	Maloney,	Ruiz	Smith (NE)	Walden	Barber	Edwards
Brownley (CA)	Gerlach	Carolyn	Runyan	Smith (NJ)	Walorski	Barletta	Ellison
Buchanan	Gibbs	Maloney, Sean	Ruppersberger	Smith (TX)	Walz	Barr	Ellmers
Bucshon	Gibson	Marchant	Rush	Smith (WA)	Wasserman	Barrow (GA)	Engel
Burgess	Gingrey (GA)	Marino	Ryan (OH)	Southerland	Schultz	Barton	Enyart
Bustos	Gohmert	Matheson	Ryan (WI)	Speier	Waters	Bass	Eshoo
Butterfield	Goodlatte	Matsui	Salmon	Stewart	Watt	Beatty	Esty
Calvert	Gowdy	McCarthy (CA)	Sánchez, Linda	Stivers	Waxman	Becerra	Farenthold
Camp	Granger	McCarthy (NY)	T.	Stutzman	Weber (TX)	Benishek	Farr
Campbell	Graves (MO)	McCaul	Sanchez, Loretta	Swalwell (CA)	Webster (FL)	Bentivolio	Fattah
Cantor	Grayson	McClintock	Sarbanes	Takano	Welch	Bera (CA)	Fitzpatrick
Capito	Green, Al	McCollum	Scalise	Terry	Wenstrup	Bilirakis	Fleischmann
Capps	Green, Gene	McDermott	Schakowsky	Thompson (CA)	Whitfield	Bishop (GA)	Fleming
Capuano	Griffin (AR)	McGovern	Schiff	Thompson (MS)	Williams	Bishop (NY)	Latta
Cárdenas	Grijalva	McHenry	Schneider	Thompson (PA)	Wilson (FL)	Bishop (UT)	Forbes
Carney	Grimm	McIntyre	Schock	Thornberry	Wilson (SC)	Black	Fortenberry
Carson (IN)	Guthrie	McKeon	Schrader	Tiberi	Wittman	Blumenauer	Foster
Carter	Gutierrez	McKinley	Schwartz	Thierney	Wolf	Bonamici	Fox
Cartwright	Hahn	McMorris	Schweikert	Tipton	Womack	Bonner	Frankel (FL)
Cassidy	Hall	Rodgers	Scott (VA)	Titus	Woodall	Boustany	Franks (AZ)
Castor (FL)	Hanabusa	McNeerney	Scott, Austin	Tonko	Yarmuth	Brady (PA)	Frelinghuysen
Castro (TX)	Hanna	Meadows	Scott, David	Tsongas	Yoder	Brady (TX)	Fudge
Chabot	Harper	Meehan	Serrano	Turner	Young (AK)	Braley (IA)	Gabbard
Chaffetz	Harris	Meeks	Sessions	Upton	Young (FL)	Brooks (AL)	Gallego
Chu	Hartzler	Messer	Sewell (AL)	Valadao	Young (IN)	Brooks (IN)	Garamendi
Cicilline	Hastings (FL)	Mica				Brown (FL)	Garcia
Clarke	Hastings (WA)	Michaud				Brownley (CA)	Gardner
Cleaver	Heck (NV)	Miller (FL)	Amash	Gosar	Massie	Buchanan	Garrett
Clyburn	Heck (WA)	Miller (MI)	Bentivolio	Graves (GA)	Sensenbrenner	Bucshon	Gerlach
Coble	Hensarling	Miller, George	Bridenstine	Griffith (VA)	Stockman	Burgess	Gibbs
Coffman	Herrera Beutler	Moore	Broun (GA)	Huelskamp	Yoho	Bustos	Gibson
Cohen	Higgins	Moran	Duncan (SC)	Jones		Butterfield	Gingrey (GA)
Cole	Himes	Mullin	Duncan (TN)	Labrador		Calvert	Goodlatte
Collins (GA)	Hinojosa	Mulvaney				Camp	Gosar
Collins (NY)	Holt	Murphy (FL)				Campbell	Gowdy
Conaway	Honda	Murphy (PA)				Cantor	Granger
Connolly	Horsford	Nadler				Capito	Graves (MO)
Conyers	Hoyer	Napolitano				Capps	Grayson
Cook	Hudson	Neal				Capuano	Green, Al
Cooper	Huffman	Negrete McLeod				Cárdenas	Green, Gene
Costa	Huizenga (MI)	Neugebauer				Carney	Griffin (AR)
Cotton	Hultgren	Noem				Carson (IN)	Griffith (VA)
Courtney	Hunter	Nolan				Carter	Grijalva
Cramer	Hurt	Nugent				Cartwright	Grimm
Crawford	Israel	Nunes				Cassidy	Guthrie
Crenshaw	Issa	Nunnelee				Castor (FL)	Gutierrez
Crowley	Jackson Lee	O'Rourke				Castro (TX)	Hahn
Cuellar	Jeffries	Olson				Chabot	Hall
Cummings	Jenkins	Owens				Chaffetz	Hanabusa
Daines	Johnson (GA)	Palazzo				Chu	Hanna
Davis (CA)	Johnson (OH)	Pallone				Cicilline	Harper
Davis, Danny	Johnson, E. B.	Pascarell				Clarke	Harris
Davis, Rodney	Johnson, Sam	Pastor (AZ)				Cleaver	Hartzler
DeFazio	Jordan	Paulsen				Clyburn	Hastings (FL)
DeGette	Joyce	Pearce				Coble	Hastings (WA)
Delaney	Kaptur	Pelosi				Coffman	Heck (NV)
DeLauro	Keating	Perlmutter				Cohen	Heck (WA)
DelBene	Kelly (IL)	Perry				Cole	Hensarling
Denham	Kelly (PA)	Peters (CA)				Collins (NY)	Herrera Beutler
Dent	Kildee	Peters (MI)				Conaway	Higgins
DeSantis	Kilmer	Peterson				Connolly	Himes
DesJarlais	Kind	Petri				Conyers	Hinojosa
Deutch	King (IA)	Pingree (ME)				Cook	Holt
Diaz-Balart	King (NY)	Pittenger				Cooper	Honda
Dingell	Kingston	Pitts				Costa	Horsford
Doggett	Kinzing (IL)	Pocan				Cotton	Hoyer
Doyle	Kirkpatrick	Poe (TX)				Courtney	Hudson
Duckworth	Kline	Polis				Cramer	Huffman
Duffy	Kuster	Pompeo				Crawford	Huizenga (MI)
Edwards	LaMalfa	Posey				Crenshaw	Hultgren
Ellison	Lamborn	Price (GA)				Crowley	Hunter
Ellmers	Lance	Price (NC)				Cuellar	Hurt
Engel	Langevin	Quigley				Cummings	Israel
Enyart	Lankford	Radel				Daines	Issa
Eshoo	Larsen (WA)	Rahall				Davis (CA)	Jackson Lee
Esty	Larson (CT)	Rangel				Davis, Danny	Jeffries
Farenthold	Latham	Reed				Davis, Rodney	Jenkins
Farr	Latta	Reichert				DeFazio	Johnson (GA)
Fattah	Lee (CA)	Renacci				DeGette	Johnson (OH)
Fitzpatrick	Levin	Ribble				Delaney	Johnson, E. B.
Fleischmann	Lewis	Rice (SC)				DeLauro	Johnson, Sam
Fleming	Lipinski	Richmond				DelBene	Jones
Flores	LoBiondo	Rigell				Denham	Jordan
Forbes	Loeb sack	Roby				Dent	Joyce
Fortenberry	Lofgren	Roe (TN)				DeSantis	Kaptur
Foster	Long	Rogers (AL)				DesJarlais	Keating
Fox	Lowenthal	Rogers (KY)				Deutch	Kelly (IL)
Frankel (FL)	Lowey	Rogers (MI)				Dingell	Kelly (PA)

NAYS—16

NOT VOTING—14

□ 1413

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ADVANCING AMERICA'S NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 967) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 11, not voting 15, as follows:

Perlmutter	Ryan (WI)	Tiberi
Perry	Salmon	Tierney
Peters (CA)	Sánchez, Linda	Tipton
Peters (MI)	T.	Titus
Peterson	Sanchez, Loretta	Tonko
Petri	Sarbanes	Tsongas
Pingree (ME)	Scalise	Turner
Pittenger	Schakowsky	Upton
Pitts	Schiff	Valadao
Pocan	Schneider	Van Hollen
Poe (TX)	Schock	Vargas
Polis	Schrader	Veasey
Pompeo	Schwartz	Vela
Posey	Schweikert	Velázquez
Price (GA)	Scott (VA)	Visclosky
Price (NC)	Scott, Austin	Wagner
Quigley	Scott, David	Walberg
Radel	Sensenbrenner	Walden
Rahall	Serrano	Walorski
Rangel	Sessions	Walz
Reed	Sewell (AL)	Wasserman
Reichert	Shea-Porter	Schultz
Renacci	Sherman	Waters
Ribble	Shimkus	Watt
Rice (SC)	Shuster	Waxman
Richmond	Simpson	Weber (TX)
Rigell	Sinema	Webster (FL)
Roby	Sires	Welch
Roe (TN)	Slaughter	Wenstrup
Rogers (AL)	Smith (NE)	Whitfield
Rogers (KY)	Smith (NJ)	Williams
Rogers (MI)	Smith (TX)	Wilson (FL)
Rohrabacher	Smith (WA)	Wilson (SC)
Rokita	Southerland	Wittman
Rooney	Speier	Wolf
Ros-Lehtinen	Stewart	Womack
Ross	Stivers	Woodall
Rothfus	Stockman	Yarmuth
Roybal-Allard	Swalwell (CA)	Yoder
Royce	Takano	Yoho
Ruiz	Terry	Young (AK)
Runyan	Thompson (CA)	Young (FL)
Ruppersberger	Thompson (MS)	Young (IN)
Rush	Thompson (PA)	
Ryan (OH)	Thornberry	

NAYS—11

Amash	Duncan (SC)	Massie
Bridenstine	Gohmert	McClintock
Broun (GA)	Huelskamp	Stutzman
Collins (GA)	Labrador	

NOT VOTING—15

Bachmann	Fincher	Markey
Blackburn	Graves (GA)	Meng
Clay	Holding	Miller, Gary
Culberson	Kennedy	Roskam
Diaz-Balart	Lynch	Westmoreland

□ 1420

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. BACHMANN. Mr. Speaker, today I was unable to cast my vote for H.R. 1163, H.R. 756 and H.R. 967 due to my duties as part of a delegation of Members of the U.S. House of Representatives attending the funeral services of Baroness Margaret Thatcher in London. Had I been present to cast my vote, I would have voted "yes" on all three bills.

ELECTING A MEMBER TO CERTAIN
STANDING COMMITTEES OF THE
HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 163

Resolved, That the following named Member be and is hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Ms. Kelly of Illinois (to rank immediately after Ms. Duckworth).

(2) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Kelly of Illinois.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1287

Mr. HOLT. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1287.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

HONORING THE LIFE AND SERVICE
OF FORMER CONGRESSMAN
CHARLIE WILSON

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, today I rise in remembrance and to honor our dear friend and former colleague, Congressman Charlie Wilson of Ohio.

On Sunday, we learned that Congressman Charlie Wilson passed away from complications from an operation following a serious stroke he endured in February, living each moment thereafter with great courage. Today, the Ohio delegation honors his life and his achievements for the State of Ohio, his Sixth District that he represented with such dignity, and his impact on our Nation.

Surely, his work on jobs, health care, veterans benefits were truly a benefit to not just his district, but to the Nation. He was such a relentless advocate.

Charlie Wilson embodied the ethic of public service. His political demeanor, his civility, his gracious manner characterized his exemplary service. Throughout his 16 years in public service, 12 in the Ohio House and 4 here in the United States House of Representatives, he served as a true advocate for his constituents in the hard-scrabble economy of eastern and southeastern Ohio.

He embodied the aspirations of our middle class. He dedicated his life to public service with unwavering energy, selfless dedication, and a kindness that should be emulated by all Members. I never heard him raise his voice in anger.

How proud he was of his family, his son, Jason, who succeeded him in the Ohio Legislature, all of his children, his family. And may Angela and his family be comforted during these difficult times.

Congressman Wilson had an uncanny ability to make people laugh and make everyone around him feel at ease. He genuinely cared about improving the lives, not only of his constituents, but of all people around him.

His last political race in 2012 showed the measure of the man, as millions and millions of dollars poured in from out of State against him, and he kept going, no matter what.

Our delegation's thoughts and prayers are with Charlie, with his entire family, his four children, his nine grandchildren and, of course, his beloved Angela.

We are all saddened by his death but encouraged by his legacy, his achievements, and the memories that he leaves with all of us.

I know that each Member of the Ohio delegation shares in my desire to honor Congressman Charlie Wilson's memory.

NABEEL RAJAB—DEFENDING
FREEDOMS PROJECT

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, this weekend, the international sports spotlight will focus on the Bahrain Grand Prix. But will that spotlight shine into Bahrain's prisons as well?

Nabeel Rajab, a Bahraini human rights activist sentenced to 2 years in jail simply for engaging in nonviolent political protest, is one prisoner who deserves public attention. Nabeel is a focus of the Defending Freedoms Project, a collaborative initiative spearheaded by the Tom Lantos Human Rights Commission that invites Members of Congress to stand up for individual prisoners of conscience around the world. Today, I invite my colleagues to take part in this important, nonpartisan opportunity.

Nabeel is not alone. The Bahraini Government has also imprisoned 13 prominent activists, and Amnesty International reports that it may soon jail anyone found guilty of insulting the King.

It is time for the leadership of Formula One Racing to end their silence on Bahrain's crackdown. It is time for them to take a stand in favor of human rights, and it is time for each of us to speak out for the nonviolent human rights defenders like Nabeel Rajab.

10 YEARS SINCE THE DECLARATION
OF GENOCIDE IN DARFUR

(Ms. LEE of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE of California. Mr. Speaker, let me first send also my well wishes, prayers, and my sympathy to the city of Boston, the families and friends, and

all of those touched by yesterday's horrific tragedy.

Ten years ago this month, the international community joined together to bring the world's attention to the brutal attacks by the Government of Sudan against the people of Darfur.

The Congressional Black Caucus, Leader PELOSI, and others stood united and, led by our beloved, the great gentleman from New Jersey, Congressman Don Payne, introduced H. Con. Res. 467, declaring that genocide was occurring in Darfur. Many of us also traveled to the region several times and later passed the Darfur Peace and Accountability Act.

Yet even after then—Secretary of State Powell finally declared genocide in 2004—the international community failed to act decisively to stop it. If we had acted then, we could have saved many innocent lives. If we do the right thing now, we could end the suffering, violence, and insecurity that tragically continues to plague the region to this day.

Now is the time for the United States to provide high-level leadership and press for full humanitarian assistance in memory and in honor of our beloved Don Payne, our great warrior. He did so much for the people of Darfur. Let us do the right thing in his memory so that the next time we say, "Not on our watch," we will mean it.

PAUSING FOR A MOMENT OF REFLECTION

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, last night I received a phone call from our former colleague and my good friend, Jean Schmidt of Ohio. As you know, Jean is an avid runner, and she has participated in many, many marathons.

She was at the Boston Marathon yesterday; and 13 minutes after she crossed the finish line, she heard the bombs go off and saw debris and people running and things were falling all over the place, and called me to tell me that she was okay. She was waiting for her sister to finish when this happened.

You know, when tragedy like this happens, you think, there, but for the grace of God, go I; and that was clearly the case with Jean and so many others.

I just wanted to take this opportunity to pause for a moment and reflect on what happened in Boston yesterday, and pour my heart out to the injured and to those that were killed and their families, including an 8-year-old boy we heard about today.

Whoever would do such a horrible thing to take innocent lives and cause terror amongst the population has to just be horrible people and people who care nothing about their fellow human beings.

I want to take this opportunity to let the people who are injured and families of those who are injured and the families of those who perished know that we, in the Congress, are thinking about them, that we care about them, that we will reflect on what they went through. And we won't stop until those who committed the crimes will be brought to justice.

□ 1430

REMEMBERING CONGRESSMAN CHARLIE WILSON

(Mr. RYAN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN of Ohio. I also join with my colleagues from Ohio to honor the memory of Congressman Charlie Wilson. He was just a fun guy for so many of us who spent a lot of time in Washington, D.C. We shared a district in southeastern Ohio, and Charlie was one of the most popular politicians in the history of southeastern Ohio. He loved bonding with Members. He could very easily work across the aisle with Democrats and Republicans. He always had a funny story or something to tell.

I always appreciate when someone talks about their parents. He would always talk about growing up in southeastern Ohio and his dad and the furniture store and the funeral home and picking Democrats up in funeral cars to take them to the polls to make sure that they can vote. He loved telling those stories. But he loved his kids and grandkids. He would beam when he would talk about being with them for the holidays.

And so we honor him and send our heartfelt wishes to Angela, who was just a lot of fun to be with, too. I know her and Charlie had a lot of good times and a lot of good years together. And I want to say, Charlie, thanks for being a great friend to us and a great Member of the United States Congress. Southeast Ohio is a better place because of your service and your life.

REMEMBERING CONGRESSMAN CHARLIE WILSON

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. I come to join my colleagues with a heavy heart to honor the memory of Charlie Wilson. I had the opportunity of having my House of Representatives office across from him in the early years of my career. Charlie is a great mentor and someone who always took the time to help others.

I also had the opportunity to hear those stories about the funeral home. It was Charlie's family's funeral home that would actually take African American families when other funeral

homes wouldn't. So I always respected that he looked at all people the same.

Like many others, I had the opportunity to spend time with him on Lake Erie in the summers because we were both boaters, and had the opportunity for him to join my husband and Angela as we took trips together.

So to his four sons and to Angela, know that you are in our hearts and our prayers. And I say to you, celebrate his life, because he had a life that was full of honor and celebration.

FAIR TAX ACT OF 2013

The SPEAKER pro tempore (Mr. STOCKMAN). Under the Speaker's announced policy of January 3, 2013, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Yesterday was tax day, and I've got taxes on my mind, Mr. Speaker. You know, as most folks in this Chamber do, that H.R. 25, the Fair Tax Act of 2013, is the most widely cosponsored, most widely supported fundamental tax reform legislation in the House and in the Senate. In fact, both the House and the Senate. Sixty-four of our colleagues in the House, Mr. Speaker, have put their name on H.R. 25, the Fair Tax Act. Eight of our Senate colleagues have put their name on H.R. 25, the Fair Tax Act.

The FairTax is a revolutionary proposal, Mr. Speaker, in that it takes all of the power of the Tax Code out of Washington, D.C., and returns it to men and women back home. You know that we can manipulate the behavior of absolutely anyone in America through the Tax Code. If I want folks to wear more pink ties and fewer blue ties, I'll subsidize pink ties to the tune of 50 percent and I'll tax blue ties to the tune of 50 percent and we'll change behavior overnight.

Do you remember, Mr. Speaker, when we had the Electric Vehicle Tax Credit back in 2010? It was a \$7,500 tax credit. And we said we're going to give \$7,500 to every American who goes out and buys an electric car. Now the plan was folks were going to go out and buy these \$100,000 electric cars and we were going to defray a little of that price. But it turns out the lawyers got involved and figured out that golf carts were electric cars. And if only we put seatbelts and rearview mirrors and brake lights on these golf carts, every American could get a free golf cart.

Mr. Speaker, I'm not going to ask if you got one of those free golf carts, and I'm not going to ask my colleagues who are back in their offices watching on TV to send me a note if they got a free golf cart. It was the law of the land. And if you got a free golf cart, I guess you deserved it.

But so abused was that tax provision, Mr. Speaker, that at the end of 2010 the IRS released tax guidance that said,

We wanted you to have to take delivery of these golf carts before the end of 2010 to get the tax credit, but the demand has been so great, the manufacturers cannot fill it fast enough. Actually, you just need a VIN number and you can take delivery into 2011. Well, that's not the way the American Tax Code ought to be used, Mr. Speaker, and it's not the way American tax dollars ought to be used.

There are so many challenges we have in the American economy and so many reasons that American-made products cost more than the products that our competitors produce overseas—and so many of those reasons we do not want to change. The fact that American wages are higher than Chinese wages, I want to celebrate that. I don't want to bemoan that. The fact that environmental regulations in America are stricter and protect us in ways environmental regulations in India do not, I don't want to bemoan that. I want to celebrate that. But the fact that the American Tax Code places the highest burden on businesses and employers in America than any other place in the world, that's a problem.

We live in a very fluid economy, Mr. Speaker. Folks can locate their business anywhere on the planet they want to. They don't have to come to America. Why is it that America's not the magnet for capital around the globe? Why do we have the absolute worst Tax Code in terms of rates instead of the absolute best? And that's what I want to talk about. Because it's one of those areas of agreement, Mr. Speaker.

This is a quote from President Barack Obama in his 2011 State of the Union address. He said:

To put us on solid ground, we should also find a bipartisan solution to strengthen Social Security for future generations.

I mention Social Security, Mr. Speaker, because the Fair Tax Act, that bill, H.R. 25, the most widely cosponsored bill in the U.S. House of Representatives for fundamental tax reform, replaces income taxes and the payroll taxes—payroll tax is that 15.3 percent that comes out of every Americans' paycheck in order to fund Social Security and Medicare. It replaces both of those with this 23 percent sales tax. It replaces all your income taxes, all your payroll taxes with a sales tax.

And so for the first time, Mr. Speaker, we would begin to link the size of the Social Security trust fund not with wages in this country but with the size of the economy in this country. So when we double the size of the economy, we double the contributions to the Social Security trust fund, we protect Social Security for future generations.

Mr. Speaker, in a poll, I think it's been 3 years ago now, they asked young people, college-aged students, Do you believe in UFOs? Folks said yes, folks said no. They said, Do you believe

you're ever going to see a Social Security check? Folks said yes and folks said no. Do you know that more of those young people believed in UFOs than thought they'd ever see a Social Security check, Mr. Speaker? That's outrageous. Because Social Security, by the very nature of its name, is to provide security. And if you don't believe it's going to be there, it provides no security whatsoever.

We can guarantee Social Security not just for the current generation but for future generations by reforming the way that we pay for it, by reforming our Tax Code, by moving to a pro-growth system like the FairTax.

□ 1440

The President knows we need to, and yet in his budget this year we did nothing to extend the life of the Social Security trust fund. In fact, the Social Security disability trust fund, Mr. Speaker, that trust fund that so many Americans depend on, that runs out of money before this President even leaves office. It runs out of money within 4 years, Mr. Speaker, and yet the budget proposal this year provided absolutely no certainty that changes would be made in order to protect that for future generations. That's wrong, and it's an opportunity for us to come together and do things that we all agree on.

Here's another quote, this time from President Obama's 2013 State of the Union Address:

Broad-based economic growth requires a balanced approach to deficit reduction, with spending cuts and revenue, and with everyone doing their fair share.

Who disagrees with that, Mr. Speaker? We talk so much about fair share here; I can't find anyone who disagrees with fair share.

I think about Dr. Carson at the annual Prayer Breakfast. Did you see that, Mr. Speaker? Dr. Carson was speaking at the Prayer Breakfast right down the street this year, and he was telling a tale of billionaires and someone who might have made \$10 billion but they were taxed to the tune of \$1 billion. They chipped in \$1 billion to help fund America and folks were complaining that they hadn't done enough. I have not chipped in \$1 billion, Mr. Speaker, far from it.

What does it mean to do your fair share? For me, it means having skin in the game. One of my great regrets, Mr. Speaker, is that during the Bush administration, for the first time in American history, we cut taxes and went to war at the same time. I think that's wrong, Mr. Speaker. I think about all the young people who had skin in that game.

In my part of the world down in Georgia, Mr. Speaker, a lot of folks are in the military, a lot of sons and daughters in uniform. Those families have skin in the game of foreign policy.

But if you don't have a son or daughter in uniform, if you don't have a husband or wife in uniform, where is your skin in that game when you're not paying for those decisions? And when we make decisions that we don't have to pay for, we make bad decisions.

I agree with the President: folks need to pay their fair share. I think we all need to have some skin in the game. Folks who make more ought to pay more; folks who make less ought to pay less. But we are all members of the board of directors of the United States of America, Mr. Speaker. All 320 million of us sit on the board of directors of the United States of America, and, yes, you ought to have skin in the game when you're making decisions about how this organization runs. How do we create revenue? How do we reduce deficits? How do we make sure that folks are paying their fair share?

Well, the good news is, Mr. Speaker, the President is aware of the FairTax. I'm not willing to call him a FairTax President yet—again, the Fair Tax Act, that's H.R. 25, Mr. Speaker. I don't think the President is quite on board. We're not going to wait on the President to get on board though. We're going to go ahead and drive forward here in the House.

The chairman of the Ways and Means Committee here in the House, Mr. Speaker, that committee that has jurisdiction over all tax legislation, they are serious about fundamental tax reform in this Congress like I have never seen in my lifetime. I dare say that folks with a lot more gray hair than I have, Mr. Speaker, who've been here since 1986—the last time we did fundamental tax reform—looked at the kind of work that Chairman DAVE CAMP and his entire committee, majority and minority alike, have put into fundamental tax reform. And I have more hope that we are going to see fundamental tax reform—not just in this Congress, Mr. Speaker, but in this calendar year—than I have ever had before. The FairTax is going to be a part of that discussion.

The White House, to its great credit, Mr. Speaker, the White House is just leaps and bounds ahead of other White Houses in terms of how it deals with the public. They have this online petition process, Mr. Speaker, where anybody can go out there, and if you have enough folks sign your petition, you can ask the White House to do whatever you want to do. Well, here in FairTax world—which is where I come from down in Georgia, Mr. Speaker, where folks believe in the FairTax, believe in its power to reenergize the economy, believe in its power to return freedom to families and individuals and take it away from the Federal Government—we started a petition to say, Mr. President, please meet with Neal Boortz. He's one of the leaders of the

FairTax movement. He has a radio program and has spent a lot of time investing in the kinds of freedom and opportunity the FairTax would bring us. It said, I want you to meet with Neal Boortz to talk about the FairTax. I want you to give Neal Boortz 1 hour.

Well, we got all the signatures that were required on that petition, and the White House's response was this:

The FairTax would apply to virtually all expenditures on goods and services, including tuition, medical care, and new homes, all typical family purchases.

Well, he's partly right. I highlighted tuition here, Mr. Speaker, because the FairTax doesn't tax tuition; it taxes all consumption. Tuition is more of an investment in your future, so it's not taxed. But the question isn't: Why does the FairTax tax everything? The question is: Why are some things exempted in the current Tax Code, Mr. Speaker? Why do Americans get free golf carts? Why is that? Is that a real national priority that we make that happen? Why is it we subsidize some loans and we don't subsidize other loans? Why is it folks are able to deduct some interest but not other interest? Why is it that we're willing to help people get some businesses started but not other businesses started? That doesn't speak to fair share to me, Mr. Speaker.

Running for Congress, you get this voting card and you slide it in the little slot here on the House floor, Mr. Speaker, and you get to make some decisions. For me, it's on behalf of about 640,000 people back home in Georgia. But even more power than that voting card, Mr. Speaker, is the way people use their wallet. Those 640,000 people back in Georgia, Mr. Speaker, use their wallet every day to make millions of decisions: Am I going to buy this or that product? Am I going to support this service or that service? Am I going to be involved in this activity or that activity? We run this country, Mr. Speaker, not just through our votes in November, but through the power of our wallet every single day.

In order to find the broadest tax base of all—because economists tell us, Mr. Speaker, if you have a lower tax rate and a broader tax base, you get more economic growth in your economy. The Joint Tax Committee did a symposium on that, Mr. Speaker, in the late 1990s—because we didn't have a computer model at that time that would model a consumption tax system—and they asked eight macroeconomic modeling groups: What would happen if we switched from the income tax America has today and moved to a consumption tax? Well, these economic modeling groups from the left and from the right, Mr. Speaker, some in the center—you know, economists, for Pete's sake, they don't agree on much. In fact, the results of these modeling groups were all across the charts, across all of the metrics that they were working on, except for one.

When the question was would the economy grow faster under a consumption tax than under the current income tax system, every single group said yes. Now, some of those said it would grow a little bit faster, some of those said it would grow a lot faster, but every single macroeconomic modeling group said the economy would grow faster, that Americans would generate more wealth, that employment would be more available if we moved to a consumption tax system.

The question isn't, Mr. Speaker, why we tax some things. The question is, today, in the current system, why don't we tax everything, tax everything once, but only once, because when we don't, we pick winners and losers.

Again, through the power of my voting card here in the House of Representatives, Mr. Speaker, I can manipulate the lives of every single American back home by taxing this good and subsidizing that good. That's wrong. That's wrong. Because as all members of the board of directors of the United States of America, Mr. Speaker, the entire United States of America, all of our citizens, we have the power to make those decisions with our wallet; we don't need the law to tell us.

Now, what price, Mr. Speaker, today do we pay for that law? Thirteen hours is the time the average taxpayer spends paying their taxes.

Mr. Speaker, #taxreform will bring folks to all the information that has been coming out of the House this week during tax week—hour after hour, 13 hours of productivity for the average tax filer. Now, of course, some people's taxes are simple and some people's taxes are complicated, Mr. Speaker, and we're sucking that time out of their day.

What does it turn into in dollars, Mr. Speaker? \$168 billion American taxpayers spend each year to comply with tax rules. \$168 billion produces nothing. It doesn't help us with our trade deficit with China. It doesn't help us export more grain to Russia. \$168 billion we ask American taxpayers to dig into their pocket and pay for the pleasure of paying their income taxes.

More and more Americans every year, Mr. Speaker, find they cannot do their own taxes, that they have to go to a professional tax preparer. Doggone it, Mr. Speaker, I don't mind paying my taxes. In fact, I think America is a great country and I think I'm getting my money's worth, but to have to pay somebody to help me pay the taxes makes me angry. And it's wrong. It's wrong.

I look at what's happened in those former Soviet Bloc countries, Mr. Speaker. Do you know those former Soviet Bloc countries have all moved to flat taxes? What they found is, when they had really high tax rates and they

were very difficult to comply with, folks just didn't pay their taxes at all; but when they lowered that rate, made it flat and applied it across a very broad base, folks began to voluntarily remit their taxes. That's not rocket science.

□ 1450

Well, that's not rocket science. That's exactly what we've seen in example after example after example around the world; \$168 billion, Mr. Speaker, Americans waste simply trying to pay their taxes each year.

Now, why is tax reform so complicated? I have another quote from the President here, Mr. Speaker. This is from his weekly address back in December. He was talking about the fiscal cliff, to be fair, to put this into context. He said:

We've got to do what it takes to protect the middle class.

Now, there's great disagreement about who the middle class is, Mr. Speaker. When I go back home to townhall meetings, absolutely everyone I meet believes they're in the middle class. Whether they're at the low end of the income spectrum or at the high end of the income spectrum, that's who we are in America. We believe in that middle class dream, that upward mobility to move from that space on the bottom rung of the economic ladder up to that middle class rung.

Folks worry about the middle class, as well we should. FairTax takes that into account. The big knock, Mr. Speaker, on consumption taxes, is that rich people have to spend less of their income buying things than lower income people do. Now, that's absolutely true. At my first job out of school, Mr. Speaker, I was making under \$20,000 a year. I was trying to pay rent and pay back student loans and pay insurance on my automobile. It was tough to sort all those things out in a high-rent district, high cost of living. I had to spend every penny of that \$20,000 just to make ends meet.

Now, if I had been making \$100,000 at that time, Mr. Speaker, I would have had a lot left over. So, yes, if you make more, as a percentage of that income, you consume less.

Well, we take that into account with the FairTax, Mr. Speaker. This is what we say. The poverty level—the poverty level in America—is calculated on what it takes for the average individual, the average family to pay for their basic necessities. We all have rent, we all have clothes, Mr. Speaker, we all have to eat, we all have health care expenses. What is it that is kind of that basic level of subsistence? We call that the poverty level.

Now, what the FairTax does is through a tax rebate check—it's actually a prebate check because it goes out the beginning of the month instead

of the end of the month—it indemnifies every American, every American family from the tax consequences of spending up to the poverty level. So that, in effect, if you're a miser, Mr. Speaker, you save every penny you have, and you're only spending up to the poverty level, you would pay no taxes. I don't care if you're Warren Buffett, I don't care if you're Bill Gates, I don't care if you're that young person just graduating from high school and getting your first job. No one taxed up to poverty level spending; everyone taxed on every penny of spending beyond that.

Here's the thing. When you open up *The Wall Street Journal*, Mr. Speaker, and it bemoans consumption declining in America, it hurts me. Because when consumption is declining, that means savings are rising. We need more savings in this country, Mr. Speaker. Oversaving is not a problem in America. I wish that problem upon us all. And we have a unique—a unique—window in the world economy right now, Mr. Speaker.

For years, it's been America that has been consuming everything that the world has been producing. We used to be the manufacturer for the world; now we're the consumer for the world. But as literally millions and millions and millions of new middle class consumers are coming online in China and in India, millions and millions and millions that are going to continue to grow, we have a window of opportunity right now to quit being the consumer for the world, as we have been for the past few decades, and return to our status as manufacturer for the world.

We're having this natural gas boom right now, Mr. Speaker, that's driven the cost of manufacturing down in America, the likes of which we haven't seen in decades; that's made us competitive, even with our higher wages, even with our more aggressive environmental protection regulations, made us more price competitive with goods from all across the world. We can be the producer for the world, Mr. Speaker. We don't need to be the consumer.

That's why the FairTax taxes consumption. We shouldn't tax people based on what they earn. If you're earning a lot and you're saving a lot, we should applaud you for that, not punish you for that. Mr. Speaker, when you're in the low-income class today and you're trying to move into the middle class, you begin to lose benefits—you lose your health care, you lose your education subsidy, you lose some food subsidies.

The marginal tax rate, Mr. Speaker, when you're trying to get from the lower rung of the ladder to the next rung of the ladder, can be upwards of 60 percent—60 percent on folks who are trying to make it. The FairTax says, no, no, we shouldn't tax anyone up to poverty level spending, and we should applaud anyone who finds a penny to

save, because savings is what drives an economy, not consumption.

So here we have a chart, Mr. Speaker, of what happens to the FairTax rate for a two-adult, two-child household. And what you see is if you're down at a lower income bracket, Mr. Speaker, earning under \$20,000 a year, you're not going to pay a penny in taxes, not a penny in taxes. In fact, you're actually going to get some money back through the FairTax rebate. If you get up to \$30,000 a year, you're still not going to pay a penny in taxes; you're going to break even paying zero. If you're doing better, if you're making \$45,000 or \$60,000 or \$121,000, you're going to see your rate continue to climb. Not the marginal rate, Mr. Speaker, but the effective rate. That's what's so lost in this body.

So often when we have our tax debates, I can have a single flat rate for everyone, a single rate; but based on what the standard deduction is at the bottom of that rate, I make that rate progressive such that folks at the bottom end of the income spectrum are getting a check back so that folks in the middle aren't paying a penny at all and so the folks at the top are paying more and more and more, depending on how much they spend. Progressive tax with the FairTax, Mr. Speaker.

You can't see this chart, Mr. Speaker, but it's the most dangerous chart that anyone is going to have on the House floor today. It shows two diverging lines. It's a chart that goes back to 1979, Mr. Speaker. The last time we had a President from the great State of Georgia was Jimmy Carter. We go back to 1979, and we chart who's paying the taxes in America, going back to the President's vision of having a FairTax system.

This blue line, Mr. Speaker, is the bottom 80 percent of all Americans, bottom 80 percent. Most of us—80 percent. It's tough to call yourself the bottom when you're the majority. But 80 percent of income earners, just distinguishing that part of America from the top 20 percent—80 percent of income earners.

What percentage of the American tax burden, income tax burden, is that 80 percent of America paying? And conversely, because we talk so much about the 1 percent, Mr. Speaker, what percentage of the American tax burden is the 1 percent paying?

And I have something that's just staggering, Mr. Speaker. Folks wouldn't believe it if you didn't see the data. Back in 1979, when Jimmy Carter was leaving office, 80 percent of Americans paid 35 percent of all the tax bills in this country, all the income tax bills; 80 percent of Americans paid a total of 35 percent of the burden. Now, we can argue whether that's too much, too little; but 80 percent were paying 35 percent of the burden.

Today, Mr. Speaker, go all the way out to 2009—it's the last year for which

the IRS produced this record, that's why it's the last year that we have information for—come out to 2009, 80 percent of Americans are now paying 6 percent of the bills in this country. Eighty percent of Americans, 80 percent of the voters, are paying 6 percent of the bills. That's staggering. Most of us are in the 80 percent, Mr. Speaker, and we think that we are paying our fair share. In fact, so many of us think we probably ought to cut taxes a little bit more, and yet we're only paying 6 percent of the bills.

I want to tell you that that's dangerous. It's dangerous because that free golf cart I talked about earlier, there is no way I'm paying \$7,500 for a golf cart. I would rather walk. I don't need a golf cart, don't have any place to put a golf cart, don't know how much it costs to charge a golf cart, don't really have any place I can go on a golf cart. I'm not paying \$7,500 for a golf cart. But if you give me the golf cart for free, I'm going to tell you where to deliver it. I'm going to phone it in today—free golf cart—and tell you right where to send it.

□ 1500

When we don't have skin in the game, we make different decisions. In fact, we make bad economic decisions. They may be good decisions for us, right? It's a good deal if you can get a free golf cart. I recommend it to everyone. But it's a bad deal for the American taxpayer who's giving away those free golf carts.

When we, the 80 percent, Mr. Speaker, are only paying 6 percent of the burden, we begin to make bad voting decisions about what the cost of government is. And here's the other thing: it goes again to that innate sense of fairness that everyone in America believes in. We all believe in fairness. We may not believe in equal outcomes, but we believe in equal opportunity, that everyone should have a fair shot at success.

That top 1 percent that we talk about so much about, Mr. Speaker, I'm not in it, but I aspire to be in it one day. I hope I'm successful. I don't see the pathway from here to there yet, but I'm going to keep working at it. In 1979, when Jimmy Carter was President, that 1 percent paid 18 percent of all the bills in the country. Today, Mr. Speaker, 1 percent of the people pay 38 percent of the bills. The 1 percent are paying more than 80 percent combined. In fact, the 1 percent is paying more than 90 percent combined.

When you live in a land of self-governance, the biggest experiment in self-governance the world has ever known, an experiment about which Alexis de Tocqueville said, when he wrote about it in the mid 1800s, As soon as the American people can decide they can vote themselves benefits, that will signal the end of the Republic.

They wonder how does America work, how can self-governance work. And de Tocqueville said, It's working today because everybody is pulling the wagon together, but as soon as they figure out that 51 percent of the Americans can tax the other 49 percent of the Americans, that's going to signal the end of self-governance.

We all believe in the fair share, Mr. Speaker. Folks ought to do their fair share of the work; folks ought to get the fair share of the benefit. We all believe in fairness. It's something that every preschool in America is teaching children, every family in America is teaching their children. But in the past four decades in my lifetime, every single year we've shifted the burden so that most of us don't have to shoulder the burden as heavily as we did the year before, such that 80 percent of us in 1979 were carrying 35 percent of the weight, and now we're only carrying 6 percent.

I don't know whose definition of fairness that falls into, Mr. Speaker. It threatens self-governance. I want a seat at the decisionmaking table. I want to be a part of the solutions for everything that happens in this country. I want to pay my fair share, and I want to do my fair share. And I think that is the feeling, the sense, the commitment of every single American today, Mr. Speaker, but we hide those results in a Tax Code that folks can't see: 80 percent of the people paying 6 percent of the bills.

Now, I know what you're saying Mr. Speaker. You've looked at some of those income distribution tables too, and you're thinking, Well, golly, ROB, maybe that 1 percent is just earning that much of the income. No, that's not true. Again, this is the latest year, 2009, for which the IRS has produced records. The top 1 percent, as the share of the pretax income, all the income earned in America, the top 1 percent earned 13 percent of the income and paid 38.7 percent of the taxes.

Now, here's the question, Mr. Speaker: If the top 1 percent—again, I'm not there. I don't know if I'll ever get there. If I stay in public service, I will absolutely never get there. If the top 1 percent are paying 38 percent of the bills while earning 13 percent of the income, in what world are they doing less than their fair share?

Here's the thing: I need to borrow money from time to time, Mr. Speaker. I borrowed money for my house. I borrowed money for my car. I need to borrow money. If folks aren't saving money, I can't borrow the money they put in the bank. I want folks earning money and saving money so that I can borrow money. Every single one of us who borrows money, we're not borrowing the bank's money; we're borrowing another citizen's money who put that money in the bank so the bank could lend it to us. We need those

savings in this country, Mr. Speaker. I'm glad folks are successful. I'm glad they're creating businesses. I'm glad they're employing me and my neighbor's and my neighbor's children. I'm glad they're building my community back home.

I don't demonize success. I celebrate success. You know, Bono from U2, Mr. Speaker—I don't know if you're a fan of U2 like I am. Those were some coming-of-age albums they were producing back in my youth. Bono said what he loved about America is that in America you put your arm around your son, you take him and you look up at the big house on the hill, and you say, Son, one day if you work hard, that could be you. Bono then said over in Ireland, they put their arm around their son, they look up at the big house on the hill, and they say, Son, one day we're going to get that guy.

That's not who we are in America. We celebrate success, and we believe—in fact, we're certain of it—that if we work hard, we apply ourselves by the power of our ideas, the sweat of our brow, we can move our fate from yesterday to tomorrow. We can elevate ourselves pursuing whatever it is that we want to pursue from yesterday to tomorrow because we live in America. But something has gone on in this body, Mr. Speaker, not just in the House of Representatives, but across the street in the Senate and down the street at the White House, where folks have begun to demonize success.

Home Depot came out of the great State of Georgia, Mr. Speaker. I love Home Depot. I encourage everybody to get themselves an orange apron, put that on and get some work projects done. They do great activities for the kids on Saturday morning. They get folks started with building activities at an early age, Mr. Speaker. That company was started in the great State of Georgia, and the four men who started Home Depot—and you all know Home Depot as well as I do—they said if they got together today to try to start Home Depot, they would fail.

In America today, we are so demonizing success, we are so punishing success, we are making it so difficult for entrepreneurs to get started, that if the same four people with the same good idea got together today, they would fail. The only way this country works is if entrepreneurs succeed.

The Department of Labor, Mr. Speaker, they keep statistics on these things. They say today in America, these years during the President's administration, we've had the lowest level of entrepreneurial activity since the Department of Labor began keeping records. It's not the lowest level of people succeeding, but the lowest level of people trying. The word is out, Mr. Speaker, that you cannot succeed in America any longer, and it's just not true. If it is true, we have the power to change it.

We get to decide the rules of this country, Mr. Speaker. We sit on the board of directors of America, and we get to make these rules.

Success, Mr. Speaker. Opportunity. America. Those are synonyms. They have been synonyms since 1776. They will be synonyms until the day that I die unless you and I trade those things away.

The FairTax says we're not going to be in the business of punishing people any longer; we're going to be in the business of celebrating success. The more you save, the less you'll be taxed; the more you spend, the more you'll be taxed.

Now, you all know, Mr. Speaker, about jealousy just as well as I do. I don't know if you had this same issue, Mr. Speaker. When I got ready to apply for college, I applied for all the Federal grants. I filled out that big FAFSA form trying to get some help from the Federal Government. I got nothing. They said, Sorry, your family has saved too much money.

Now, we come from a single-income family, Mr. Speaker, but my buddy down the street, he came from a two-income family. His mom was an architect and his dad was a lawyer. They had money stacked up in the windows, Mr. Speaker. They had vacation homes. They went skiing in Vail. They had boats. They all drove—I say all. There were four of them in the family, and three of them drove Mercedes and one of them drove a BMW. They all were new. When he applied to get money from the Federal Government, the government said, You know what, we've looked at your savings account for the family and you don't have a penny in it. You need help. Here's some money for you.

Something's wrong in our Tax Code, Mr. Speaker. It celebrates the consumption of goods, and it penalizes savings. We need to be in the opposite camp. The reason we have to go to China and to Germany to borrow money to fund America is because Americans can't fund it any more. Back in the 1970s, Mr. Speaker, we were still borrowing money, we still had a national debt, but Americans lent the Federal Government the money to fund the processes of the Federal Government.

□ 1510

Today, almost 50 percent of the money we spend and 50 percent of the money we borrow comes from foreign nations. We as a people can't even save enough money to fund the United States Government any longer, and our Tax Code encourages that conspicuous consumption at every level.

Mr. Speaker, let me just show you some of the things that are in the Tax Code. Again, these are all complicated questions. You've got to make these decisions for yourself. If they were easy

questions, Mr. Speaker, they wouldn't need you and me and these two new freshman classes to sort them out. The easy questions were sorted out long, long ago.

Again, Mr. Speaker, you wouldn't believe this unless you dig deep into the numbers. We spend more in tax credits and tax loopholes and tax giveaways than we do on all other discretionary spending accounts combined.

What do I mean by that?

We have what we call "mandatory spending" here. That's Medicare, Medicaid, Social Security, and interest on the national debt. We call that "mandatory spending." Everything else—roads, bridges, courts, parks, the environment—is what we call "discretionary spending." Everybody knows what the tax rate is. Everybody knows they're paying into the tax system. We give away things in the tax system—promote this idea; promote that idea; give away this pot of money. We give away more through the Tax Code—we spend more through the Tax Code—than we spend on all other aspects of government combined, but the spending is hidden.

I've put up a few of what we'll call "income tax expenditures" here. Let's see what that is.

For example: exclusion of interest on public purpose State and local bonds. Right? That seems pretty innocuous, State and local bonds. We want to encourage State and local governments to take responsibility, so we're going to allow those bonds to pay interest tax-free. Well, okay, but it's not free. Somebody else is paying for it. Those folks who have those bonds aren't paying for it, but the rest of America has to pick up the tab.

Here is one: individual retirement accounts. Right? If you put money in your IRA, we want you to save for your retirement. We don't tax you on that money, but it's not free. Somebody else is paying that tax. It's just not those folks who are saving their money in their IRAs.

I'm not saying these things aren't good ideas. I'm saying we have to talk about where this money is coming from. I'm closer to death than I am to birth, Mr. Speaker. This \$16.7 trillion that we've borrowed from America's kids, I'm going to be dead before we pay that back, but it is going to be an albatross around their economic neck for another generation or two or three, and we're making those choices today. We're spending money through the Tax Code instead of through the appropriations process.

The FairTax says: no more. The FairTax says: a tax isn't about manipulating behavior. A tax is about collecting revenue to fund the necessities of a government.

We can argue about what those necessities are. Should it include the President's health care bill? Should it

not? Should it include wars in Iraq and Afghanistan? Should it not? Should it include environmental protections? Should it not? We can argue about all of those things, but that's what revenue is for. You collect the revenue to fund those priorities that we, the American people, believe in.

But what we use our Tax Code for today is for the Congress of the United States, for the President of the United States and other folks with political power and influence to pick winners and losers through the Tax Code, so much so that we spend more money through the Tax Code than all other aspects of government combined—everything on the discretionary side.

It wasn't this way when we got started. Back in 1913, the passage of the 16th Amendment allowed Americans to have an income tax for the very first time. Do you know what they said, Mr. Speaker? You've probably heard this before. They said, This is only going to be a very small tax on the very wealthiest of Americans.

My calculations, using CPI, Mr. Speaker, tell me that it was a 1 percent tax on folks who made over \$9 million a year. On \$9 million a year, a 1 percent tax—I'm pretty sure we could get 51 percent of the folks to vote for that—but over time, that income tax grew so that it touches every single American family. Thirteen hours, on average, an American family spends to comply with the Tax Code. And for what? It destroys opportunity. It hides spending. It protects from scrutiny those items that this U.S. House of Representatives has decided are worthy of taxpayer expense.

We have a choice: don't lower wages in America. In fact, study after study says, if we pass the FairTax, we're going to see wages go up. It's going to increase economic activity and make us a magnet for capital from around the world. Why in the world are we borrowing money from China when we could just change our Tax Code, and money that American companies have already earned would flow back into this country in order to create jobs?

The FairTax says: no more. Let's have one tax rate on everything that Americans buy and consume.

I'll close with this, Mr. Speaker. Here is the catch. We are the only OECD country in the world—the Organisation for Economic Co-operation and Development—that does not have a consumption tax.

Now, what does that mean?

It means, when we build a Ford right here in the United States of America, that Ford has buried in the cost of that Ford that 15.3 percent payroll tax that every employee and employer has to pay, the income tax that every employee and employer has to pay—all of the tax burdens of the United States of America. Again, the highest corporate tax rate in the world is buried in the

price of that Ford. When it gets to Germany, they add their Value Added Tax on top of that, and they ask, Who wants to buy a Ford? But the BMW that's leaving Germany, where they have a consumption tax, doesn't have those taxes buried in it, Mr. Speaker. In fact, it's tax free because the tax goes on top of it at the sale. So, when they ship that BMW overseas, it comes over here completely tax free, and then we add on top of it our income taxes, our payroll taxes, our corporate taxes.

That's an unlevel playing field, and the person it disadvantages is not the owner of Ford. The person it disadvantages is the employee at Ford, who needs that job. We used to have a Ford line and a GM line in the city of Atlanta, Mr. Speaker. They're both closed. They are both closed today because they couldn't make it work.

We can bring those jobs back to America. More importantly, we can prevent jobs from leaving America, not because we're making them stay, not because we're going to tax them if they leave, but because we make America the magnet for job creation and economic activity across the planet. Today, we're the worst. Tomorrow, we can bring ourselves back to the middle.

My question to the body today is: Why don't we commit ourselves to making America the very best place to do business on the planet?

We can continue to borrow money from the Chinese if we want to. We can continue to add burden to all the young people in America if we want to—or we can take America back to our roots. There is no more productive worker on the planet than the American worker. If we free the American worker, if we free the American entrepreneur through a Tax Code that the American people can understand, we will bring a new era of prosperity to America, the likes we have not seen in my lifetime.

With that, Mr. Speaker, I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. KING of Iowa. Thank you, Mr. Speaker. It's my privilege to address you here on the floor of the House of Representatives.

It's a bit of a frustration not to be picking up after Mr. WOODALL in support of the FairTax; although, I want to let you know that I had long been a supporter of the FairTax before it had a name, before it had a bill, before it had a concept that was nationally discussed. I just began to discuss it from my own business perspective because of

my experience in starting a business in 1975, employing people and seeing what happens when you have a tax system that doesn't tax consumption but punishes productivity in America.

□ 1520

But I came here, Mr. Speaker, to bring up the immigration issue, which has been operating in the media to some degree, but mostly behind the scenes, delivered by the Gang of Eight over in the Senate and a group behind the scenes here in the House of Representatives. They will put out a little trial balloon of what they want the press to talk about, and maybe have a little press conference to launch their endeavor. We saw that with the Gang of Eight. And yet, the deliberations, the discussions, the input, the ideas that are injected, versus the ideas that are rejected, haven't had the light of day.

Now we understand that perhaps tomorrow there will be a release of a bill, and I have in my hand a preview of what that bill is most likely to be. Of course, there are changes that could be made, and I want to qualify my delivery here, but I want to discuss what I think about the pieces of it that I've read so far, Mr. Speaker.

So the Gang of Eight's proposal, which we think will emerge tomorrow or perhaps the next day, it works out to be this: the case, the goal for border security, Mr. Speaker, is for the achievement of a 90 percent effectiveness rate of border security. Ninety percent. How do you measure that? Well, there are some metrics there, but it is an equation that essentially says that those that we stop, interdict, perhaps deport, divided by the number who attempt to cross. Now, that's a nice little formula, and it would make sense until you think a little more deeply into it. These are human beings that are being counted. They act in ways that are perhaps wiser than the numbers. But in any case, a 90 percent effectiveness rate can't be measured in an objective way.

We know that there was a sector of the border that was surveilled by drone; 150 square miles was reported to be surveilled, and I know that's not linear, it's square. And out of that, there were nearly 4,000 illegal border crossings in that period of time in that section of the border that they surveilled, for roughly not 24-7 but roughly 8 hours a day kind of on average for a period of time from October 1 until January 17 of this year. The border crossings that they interdicted with the help of the drone came to a number in excess, some number approaching 1,700 or so. And those who got by, even though they were observed by the drone, was a number greater. Even with drone assistance, they weren't able to interdict 50 percent of those that they observed cross the border.

We don't have full-time surveillance over the border. And by the way, that is not something that works as effectively in all weather conditions and all light conditions. There are still circumstances where we can't see from the air, certain conditions when we can't fly. But even under the best of conditions when they had surveillance from the air, they still, with all of the forces they could bring to bear or did bring to bear on it, they still couldn't interdict half of the people coming across the border through a 150-square mile section of the border.

So the promise is that we would have 90 percent enforcement effectiveness of the high-risk sectors of the southern border; high-risk sectors of the border to be designated by the Secretary of Homeland Security, who is no doubt presiding over the current situation that we have. They would also appropriate \$3 billion to implement the strategy, and another \$1.5 billion for infrastructure along the border. That would be southern border fencing strategy established by the Secretary. Now we're up to \$4.5 billion additional dollars applied to the southern border. We have applied billions of dollars to the southern border. We've ramped up the number of Border Patrol agents and CBP agents that we have on the southern border. We passed the Secure Fence Act here in this Congress. It passed the House, passed the Senate, and was signed by the President. And still, that was about 854 miles of border altogether, but the linear section, there are a lot of crooks in that border along the way so it is roughly 700 effective miles of the border. We can't build that because of political opposition that took place on the Senate side. A former Senator who was a Republican put an amendment in to block some of the construction of the fence on the border. We can't get access to the border over some of the areas because it's national park or national monument land, and so we let that be under the control of illegal immigrants to a point where a Member of Congress is locked out, blocked out of national park, national monument land, because it's too dangerous from a security standpoint for a Member of Congress to go down into that area.

Now I admit that this bill does address some of that, but I want to point out, Mr. Speaker, that the last time I calculated the cost of our investment to secure our southern border, and it has been several years ago, we had gone from \$4 million a mile to \$6 million a mile in our investment. And we've gone up substantially since then. But think of what that means: \$6 million a mile, and we still have a porous southern border. That says lack of will. It doesn't say lack of resources.

Now for those of us that are thinking about how that applies, people, especially rural people, and where I come

from, we have a gravel road every mile and a grid system. So where I live on the corner of a gravel road, there is a gravel road that runs a mile in each of four different directions. And if Janet Napolitano came to me and said, STEVE KING, I'm going to offer you \$6 million a mile to guard your west road, and I want you to make sure that only 10 percent of the people who want to go across there get across, and I recognize that 60, 70, 80 or more percent of them are crossing now. In fact, we have Border Patrol testimony that shows that they're only interdicting perhaps 25 percent of those that cross the border, and those are the ones that we do see.

When I go down to the border and ask the people who are front line, boots on the ground people, the most consistent number I get from them is 10 percent. But even if it is 25, and even if at the peak of the illegal crossings that we had several years ago, as reflected in that fashion, that 25 percent, that means that we were having 11,000 a night go across our southern border, 4 million illegal crossings a year. Maybe that's down to only 2 million now, but I suspect it's more than that. But in any case, the \$6 million a mile, plus what we've added since the last time I calculated it, plus the numbers they have here, this \$4.5 billion that they would add, takes us up to at least \$8.25 million a mile.

Now if Janet Napolitano says, STEVE KING, I have \$8.25 million for you for this year, and I want you to achieve more efficiency and security along your west mile than we've had before, would I then hire myself a whole group of Border Patrol agents to stand there and buy them Humvees and put on uniforms and buy their arms and set up the health care plan and the retirement plan and take that perpetual liability for the balance of their lives for the purpose of guarding that mile? Some of it I would, Mr. Speaker. Some of it I would.

But some of it, I would put an infrastructure in place. I would build a fence, a wall, and a fence across the areas where people are crossing. And I have not advocated that we build 2,000 miles of fence on our southern border, but I have consistently advocated that we build it, keep extending our fence at the most illegally crossed places until such time they stop going around the end. And if it happens that they don't stop going around the end, ultimately we'd end up with 2,000 miles—a fence, wall, and a fence on the southern border.

If you think it's too expensive or too difficult, no, Mr. Speaker, it's not—\$8.25 million a mile. And we do our budgeting here for a 10-year budget window, so that's over \$80 million that Janet Napolitano would offer me to guard one mile of it, if this were the scenario that I painted. For \$80 million and a 10-year contract, do you think we

couldn't find a little more efficiency on my west mile than we have today? Of course we could. You could guarantee a very high degree of efficiency, substantially higher than 90 percent.

I would submit that the Israelis, who built a fence on their border to protect them from people that were coming in, have not spent as much money on the border to construct a fence as we're spending every year to watch the desert, and they get a 99-point-something percent efficiency. In fact, I'd suggest it's 99.9 percent. And why? Why do they have that efficiency, because their very lives depend upon it, Mr. Speaker. Because they have people coming into Israel who are willing to walk onto a bus with a bomb strapped on them and blow themselves up for the purpose of killing Israelis.

Now most of the time in this country that's not the circumstance we are faced with today, thankfully, but occasionally it is. And this needs to be part of our dialogue, too, Mr. Speaker. But the cost on the southern border of adding another \$4.5 billion, getting us up to over \$8 million in order to try to get the promise of security, and what's the tradeoff that comes? The tradeoff is they want to promise border security. They want to promise workplace enforcement by adding to this legislation mandatory E-Verify. Now without looking at the language, I don't think that language is going to include that mandatory E-Verify will even allow the employer to check his current employees.

What they're going to say is, if you came into the United States and you're unlawfully present in America, they under their bill will instantaneously legalize everyone who's here illegally, with some exceptions.

□ 1530

Some of the exceptions would be if you've been guilty of a felony, or if you're convicted of three misdemeanors, not serious, but three misdemeanors, and then, if you have been in the United States since December 31 of 2011.

Here's the inadmissible. You can't be admitted for criminal, national security, public health or other morality grounds. No definition of "other morality grounds."

But if you were previously here before December 31, 2011. Why is that?

Well, I think that probably is the date when they began talking openly about their plan, so they don't want to have the responsibility of being the magnet that has attracted people to come into the United States illegally in order to access the amnesty plan that they're devising in the Senate and they're devising behind closed doors here in the House.

Now, amnesty. Some of them have even tried to define amnesty. I've consistently defined it, Mr. Speaker. To

grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crime. It's a pardon and a reward. That's exactly what is in this document that represents a summary of perhaps 1,500 pages that's about to emerge in a day or so.

And if we are to pardon and reward and instantly legalize everyone that's here in the United States, with exceptions of those who have committed a felony or those who have three misdemeanors, then what are we to expect?

Oh, even with this bill, they would reach out and say to people, if you have been deported, we invite you to come back to America and you can sign up under our plan that is called the RPI plan. It's a little bit bizarre so I didn't get the—it's the Registered Provisional Immigrant status plan.

So this country would offer such a thing to people who have already been adjudicated and already been sent back to their home country, bring them back. This doesn't just grant amnesty. It reaches backwards and gets people that have been sent home, where they can wake up in the country legally.

And by the way, that's the minimum penalty that we can have. If we're going to have any kind of immigration law at all in this country, if we're not willing to put people back in the condition that they were in before they broke the law, we have no enforcement whatsoever. There will be no deterrent whatsoever.

And they would ask us to believe that, after they instantaneously legalized everybody that's here in America, that they would slowly pick out those who were felons and those who have been convicted of three serious misdemeanors and slowly send them back to their home countries.

They would also ask us to believe that there's a longer waiting period and a more difficult process to citizenship, so it's not a path to citizenship.

Well, the first thing is, a green card is a path to citizenship. And a path to a green card is a path to citizenship, just as surely as a green card is a path to citizenship.

And they would have us believe that, in the period of 5 or 10 years, depending, if they haven't reached operational control of the border, that somehow this whole thing falls apart and there wouldn't be this promise of amnesty any longer.

So can anyone imagine, after the decades of not enforcing immigration law, if this Congress instantaneously legalized everyone who is here, with exceptions, that after a period of 5 to 10 years of the failure of enforcement—remember that promise of enforcement that Ronald Reagan couldn't keep?

After 5 to 10 years of the failure of enforcement somehow there will be a change of heart and there will actually be enforcement of immigration law? No.

In fact there'd be a promise, if a bill like that is passed, that there would never be enforcement of immigration law, that this would be the most recent amnesty, and that anyone who could come in the United States and live in the shadows would eventually be the beneficiary of the next amnesty, at the price of the rule of law, Mr. Speaker.

And when I make the point for them, take a deep breath, step back, look at this thing, get it in focus, turn it into focus, they say, well, we recognize that maybe this doesn't do the things electorally on the path of political expediency that we would like, but we have to start the conversation.

Can anyone point to a successful model in history where any culture, any civilization, let alone the unchallenged greatest Nation of the world, sacrifices the rule of law, a pillar of exceptionalism, in order to start a conversation?

That's what's happening coming out of the Senate tomorrow, Mr. Speaker. That's what some would like to see happen here in the House of Representatives very soon. That's what I will resist very vigorously.

With that, Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 35 minutes p.m.), the House stood in recess.

□ 1801

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. FOXX) at 6 o'clock and 1 minute p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 624, CYBER INTELLIGENCE SHARING AND PROTECTION ACT

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 113-41) on the resolution (H. Res. 164) providing for consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

April 16, 2013

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ADJOURNMENT

Mr. WOODALL. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 17, 2013, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2013 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL TO BELGIUM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 23 AND FEB. 25, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Mike Turner	2/23	2/25	Belgium .....	.....	728.00	.....	(³)	.....	.....	.....	728.00
Hon. David Loebsack	2/23	2/25	Belgium .....	.....	728.00	.....	(³)	.....	.....	.....	728.00
Hon. Rob Bishop	2/23	2/25	Belgium .....	.....	728.00	.....	(³)	.....	.....	.....	728.00
Hon. Brett Guthrie	2/23	2/25	Belgium .....	.....	728.00	.....	(³)	.....	.....	.....	728.00
Hon. Thomas Marino	2/23	2/25	Belgium .....	.....	728.00	.....	(³)	.....	.....	.....	728.00
Janice Robinson	2/23	2/25	Belgium .....	.....	728.00	.....	(³)	.....	.....	.....	728.00
Tim Morrison	2/23	2/25	Belgium .....	.....	728.00	.....	(³)	.....	.....	.....	728.00
Committee total .....	.....	.....	.....	.....	\$5,096.00	.....	.....	.....	.....	.....	\$5,096.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. MICHAEL R. TURNER, Mar. 22, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DOC HASTINGS, Chairman, Apr. 10, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, Apr. 1, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BILL SHUSTER, Chairman, Apr. 3, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, Apr. 10, 2013.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1119. A letter from the Assistant Secretary of the Army, Manpower and Reserve Affairs, Department of Defense, transmitting a letter regarding the Army's additional recruitment incentives; to the Committee on Armed Services.

1120. A letter from the Acting Chief Policy Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1121. A letter from the Secretary, Department of Health and Human Services, transmitting annual financial report as required by the Animal Generic Drug User Fee Act of 2008 for FY 2012; to the Committee on Energy and Commerce.

1122. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices and Communication Protocols for Public Utilities [Docket No.: RM05-5-020; Order No. 676-G] received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1123. A letter from the Director, Equal Employment Opportunity and Inclusion, Farm Credit Administration, transmitting the Administration's annual report for FY 2012 prepared in accordance with Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1124. A letter from the Staff Director, Federal Election Commission, transmitting the Commission's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1125. A letter from the Acting Administrator, General Services Administration, transmitting the Administration's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1126. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1127. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1128. A letter from the Chief Human Resources Officer and Executive Vice President, Postal Service, transmitting the Serv-

ice's annual report for fiscal year 2012, in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1129. A letter from the Associate Commissioner for Civil Rights and Equal Opportunity, Social Security Administration, transmitting the Administration's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1130. A letter from the Chief, Branch of Foreign Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Technical Correction for African Wild Ass [Docket No.: FWS-R9-ES-2011-0095; MO92210-0-0010 B6] (RIN: 1018-AY31) received April 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1131. A letter from the Acting Chief, Branch of Recovery, State Grants, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reinstatement of Removal of the Virginia Northern Flying Squirrel From the List of Endangered and Threatened Wildlife [Docket No.: FWS-R5-ES-2013-0035; FXES11130900000C6-134-FF09E30000] (RIN: 1018-AZ31) received April 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1132. A letter from the Acting Assistant Regional Director; Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska — 2013-14 and 2014-15 Subsistence Taking of Fish Regulations [Docket No.: FWS-R7-SM-2011-0015] (RIN: 1018-AX64) received April 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1133. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for *Allium munzii* (Munz's Onion) and *Atriplex coronata* var. *notator* (San Jacinto Valley Crownscale) [Docket No.: FWS-R8-ES-2012-0008] (RIN: 1018-AX42) received April 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1134. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; 2013 and 2014 Harvest Specifications for Groundfish [Docket No.: 121018563-3148-02] (RIN: 0648-XC311) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1135. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catch Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC522) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1136. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oce-

anic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; Groundfish Retention Standard [Docket No.: 110321210-3057-02] (RIN: 0648-BA93) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1137. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 121009528-2729-02] (RIN: 0648-XC499) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1138. A letter from the Associate Administrator, Office of Government Contracting and Business Development, Small Business Administration, transmitting the Administration's annual report for fiscal year 2011 on Minority Small Business and Capital Ownership Development; to the Committee on Small Business.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1163. A bill to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; with an amendment (Rept. 113-40). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 164. Resolution providing for consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes (Rept. 113-41). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POE of Texas:

H.R. 1576. A bill to stimulate the economy, provide for a sound United States dollar by defining a value for the dollar, to remove the authority of Federal Reserve banks to pay earnings on certain balances maintained at such banks, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas:

H.R. 1577. A bill to protect prosecutors, judges, law enforcement officers, and their families; to the Committee on the Judiciary.

By Mr. PALLONE (for himself, Mr. WAXMAN, Mr. TONKO, Ms. SCHAKOWSKY, Mr. GENE GREEN of Texas, Mr. RUSH, Ms. MATSUI, Mrs. CAPPS, and Mrs. CHRISTENSEN):

H.R. 1578. A bill to amend section 1101 of the Patient Protection and Affordable Care Act to provide additional funds to permit additional individuals to enroll under the pre-existing condition insurance program and expand eligibility, to be funded through a temporary increase in the cigarette tax, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself, Mr. BLUMENAUER, Ms. CHU, Mr. CONYERS, Ms. EDWARDS, Mr. GRIJALVA, Ms. LEE of California, Mr. MCGOVERN, and Ms. NORTON):

H.R. 1579. A bill to impose a tax on certain trading transactions to strengthen our financial security, reduce market volatility, expand opportunity, and stop shrinking the middle class; to the Committee on Ways and Means.

By Mr. WALDEN (for himself, Ms. ESHOO, Mr. HALL, Mr. LANCE, Mr. GARDNER, Mr. OLSON, Mr. JOHNSON of Ohio, Mr. LONG, Mr. KINZINGER of Illinois, Mr. BILIRAKIS, Mrs. ELLMERS, Mrs. CHRISTENSEN, Mr. MCKINLEY, Mr. DINGELL, Mr. GENE GREEN of Texas, Mr. CASSIDY, Mr. POMPEO, Mr. SHIMKUS, Mr. LATTA, Mr. GUTHRIE, Mr. ROYCE, Ms. MATSUI, Mr. SCALISE, Mrs. BLACKBURN, Mr. ROGERS of Michigan, Mr. BURGESS, Mr. MURPHY of Pennsylvania, Mr. TERRY, Mr. POE of Texas, Mr. GINGREY of Georgia, Mr. WELCH, Mr. BARTON, and Mr. PITTS):

H.R. 1580. A bill to affirm the policy of the United States regarding Internet governance; to the Committee on Energy and Commerce.

By Ms. BROWNLEY of California:

H.R. 1581. A bill to provide for the conveyance of unused Federal property administered by the Department of the Navy at the site of the former Oxnard Air Force Base, Ventura County, California; to the Committee on Armed Services.

By Mr. CASSIDY:

H.R. 1582. A bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than \$1 billion and will cause significant adverse effects to the economy; to the Committee on Energy and Commerce.

By Ms. CLARKE (for herself and Mr. BLUMENAUER):

H.R. 1583. A bill to amend the Homeland Security Act of 2002 to establish an appeal and redress process for individuals who are screened against the terrorist watchlist and wrongly delayed or prohibited from boarding a flight, or denied a right, benefit, or privilege, and for other purposes; to the Committee on Homeland Security.

By Ms. CLARKE:

H.R. 1584. A bill to amend the Homeland Security Act of 2002 to prevent terrorism, including terrorism associated with homegrown violent extremism and domestic violent extremism, and for other purposes; to the Committee on Homeland Security.

By Mr. ENGEL:

H.R. 1585. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security benefits under title II of the Social Security Act and to pro-

vide, in the case of elderly beneficiaries under such title, for an annual cost-of-living increase which is not less than 3 percent; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOHMERT (for himself, Mr. CHABOT, Mr. BARTON, and Mr. SCALISE):

H.R. 1586. A bill to direct the Architect of the Capitol to acquire and place a historical plaque to be permanently displayed in National Statuary Hall recognizing the seven decades of Christian church services being held in the Capitol from 1800 to 1868, which included attendees James Madison and Thomas Jefferson; to the Committee on House Administration.

By Mr. MARINO (for himself, Mr. YOUNG of Alaska, Mr. REED, and Mr. TURNER):

H.R. 1587. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for rights-of-way, temporary easements, or other necessary authorizations to facilitate natural gas, oil, and petroleum product pipelines and related facilities on eligible Federal lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. LEVIN, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, and Mr. ANDREWS):

H.R. 1588. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself and Mr. GIBSON):

H.R. 1589. A bill to expand the noninsured crop assistance program established by the Federal Agriculture Improvement and Reform Act of 1996 to provide coverages for eligible crops under the program equivalent to additional coverage available under the Federal Crop Insurance Act; to the Committee on Agriculture.

By Mrs. McMORRIS RODGERS:

H. Res. 162. A resolution electing a Member to a standing committee of the House of Representatives; considered and agreed to.

By Mr. BECERRA:

H. Res. 163. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. SLAUGHTER:

H. Res. 165. A resolution supporting the goals of Golf Day in America and congratulating the communities of Pittsford and Rochester, New York, which are hosting the Ladies Professional Golf Association and the Professional Golf Association Championships in 2013; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POE of Texas:

H.R. 1576.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 5 & 6

By Mr. POE of Texas:

H.R. 1577.
Congress has the power to enact this legislation pursuant to the following:
Article 1 of the United States Constitution, section 8, clause 18

By Mr. PALLONE:

H.R. 1578.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8

By Mr. ELLISON:

H.R. 1579.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 7, Clause 1 and Section 8, Clause 1.

By Mr. WALDEN:

H.R. 1580.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. BROWNLEY of California:

H.R. 1581.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Mr. CASSIDY:

H.R. 1582.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. CLARKE:

H.R. 1583.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

By Ms. CLARKE:

H.R. 1584.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

By Mr. ENGEL:

H.R. 1585.
Congress has the power to enact this legislation pursuant to the following:
The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:
Article I, Section 1.

By Mr. GOHMERT:

H.R. 1586.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18, providing Congress with exclusive jurisdiction over the District of Columbia.

Article I, Section 8, Clause 18, providing Congress with the authority to enact legislation necessary to execute one of its enumerated powers, such as Article I, Section 8, Clause 17.

By Mr. MARINO:

H.R. 1587.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3: "... The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. WAXMAN:

H.R. 1588.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 3 and 18 of the United States Constitution.

By Mr. WELCH:

H.R. 1589.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof . . .

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mrs. BROOKS of Indiana, Mr. TIPTON, and Mr. WALBERG.

H.R. 75: Mr. YOHO.

H.R. 147: Mr. SHUSTER.

H.R. 182: Mr. HONDA.

H.R. 183: Mr. WOODALL.

H.R. 250: Mr. MCCLINTOCK and Mr. STEWART.

H.R. 258: Mr. LUCAS and Mr. HIMES.

H.R. 292: Ms. CLARKE.

H.R. 324: Mr. AMODEI and Ms. SLAUGHTER.

H.R. 346: Mr. KELLY of Pennsylvania, Mr. FRANKS of Arizona, Mr. CONAWAY, Mr. CASSIDY, Mr. SOUTHERLAND, Mr. BRADY of Texas, Mr. FLEMING, Mr. CRAWFORD, Mr. SENSENBRENNER, Mr. RODNEY DAVIS of Illinois, and Mr. POMPEO.

H.R. 351: Ms. JENKINS.

H.R. 362: Ms. CLARKE.

H.R. 363: Ms. CLARKE.

H.R. 367: Mr. RICE of South Carolina.

H.R. 430: Mr. QUIGLEY and Mr. JOHNSON of Georgia.

H.R. 481: Mr. STOCKMAN.

H.R. 495: Mr. WESTMORELAND, Ms. SHEA-PORTER, Ms. CHU, Mr. DUNCAN of South Carolina, Mr. DIAZ-BALART, Mr. JOHNSON of Georgia, Mr. ROKITA, and Mrs. BLACKBURN.

H.R. 503: Mr. YOUNG of Indiana.

H.R. 508: Mr. SIREs and Mr. FITZPATRICK.

H.R. 519: Mrs. NAPOLITANO and Mrs. LOWEY.

H.R. 569: Mrs. ROBY, Mr. RUIZ, Mr. BILIRAKIS, and Mr. GALLEG0.

H.R. 570: Mrs. ROBY, Mr. BILIRAKIS, Mr. RUIZ, and Mr. GALLEG0.

H.R. 574: Ms. TITUS.

H.R. 580: Mr. FLORES.

H.R. 630: Mr. THOMPSON of Mississippi, Mr. FITZPATRICK, Mrs. BEATTY, and Ms. EDWARDS.

H.R. 661: Mr. TIERNEY.

H.R. 683: Mr. RANGEL.

H.R. 684: Mr. RUSH, Mr. VAN HOLLEN, Mr. KILMER, and Mr. CUMMINGS.

H.R. 686: Mr. NOLAN.

H.R. 693: Mr. GARAMENDI.

H.R. 698: Ms. MOORE.

H.R. 713: Ms. TSONGAS, Ms. TITUS, Mrs. CAPPS, Ms. DUCKWORTH, Mr. PRICE of North Carolina, Mr. JOHNSON of Ohio, Mr. HECK of Nevada, Mr. GARY G. MILLER of California, Mr. SESSIONS, Ms. SCHAKOWSKY, Mr. GRIMM, Mr. RUPPERSBERGER, Mr. CARSON of Indiana, Mr. GRAVES of Missouri, Mr. BISHOP of Utah, Mr. ELLISON, Mr. MURPHY of Pennsylvania, and Mr. BARROW of Georgia.

H.R. 714: Ms. CHU.

H.R. 717: Mr. HUFFMAN.

H.R. 724: Mr. ROKITA, Mr. WALBERG, Mr. FOSTER, Mr. ROSS, Mr. BARR, and Mr. MATHESON.

H.R. 752: Mr. RUIZ.

H.R. 755: Mr. LATHAM and Mr. VALADAO.

H.R. 806: Mr. RUIZ.

H.R. 833: Mr. CHABOT.

H.R. 845: Mr. BENTIVOLIO.

H.R. 850: Mr. PETRI, Mr. ALEXANDER, Mr. ROTHFUS, Mr. PERLMUTTER, Ms. DELAURO, Mr. HOYER, and Mr. GRAVES of Georgia.

H.R. 920: Mr. GIBBS.

H.R. 940: Mr. POSEY.

H.R. 961: Mr. THOMPSON of Mississippi and Mr. FITZPATRICK.

H.R. 992: Mr. BACHUS.

H.R. 1000: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. McDERMOTT, Ms. EDWARDS, Mr. CLAY, Mr. CUMMINGS, Mr. AL GREEN of Texas, Mr. RUSH, and Mr. McGOVERN.

H.R. 1020: Mr. BARLETTA, Mr. BOUSTANY, Mr. GERLACH, and Mrs. MILLER of Michigan.

H.R. 1024: Mr. SCHOCK and Mr. CRAMER.

H.R. 1026: Mrs. NOEM.

H.R. 1029: Mr. POCAN and Ms. EDWARDS.

H.R. 1079: Mr. FARR and Mr. CLAY.

H.R. 1081: Mr. FORBES and Mr. JOHNSON of Ohio.

H.R. 1094: Mr. SARBANES, Ms. CHU, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. ROSKAM.

H.R. 1099: Mr. LABRADOR.

H.R. 1125: Mr. FARR.

H.R. 1141: Ms. TITUS.

H.R. 1145: Mr. AL GREEN of Texas.

H.R. 1151: Mr. POMPEO, Mr. BENTIVOLIO, Mr. STOCKMAN, Mr. DIAZ-BALART, and Mr. BROWN of Georgia.

H.R. 1153: Mr. BRALEY of Iowa.

H.R. 1226: Mr. MULLIN.

H.R. 1250: Mr. RIBBLE.

H.R. 1276: Mr. JOHNSON of Georgia, Mr. JOYCE, Mr. LEWIS, Mr. NADLER, Mr. NUGENT, Mr. PETERS of Michigan, and Mr. QUIGLEY.

H.R. 1285: Mr. CAMP, Mrs. MCCARTHY of New York, Mr. GARCIA, Mr. RANGEL, Mr. YOUNG of Indiana, and Mr. WOLF.

H.R. 1288: Mr. BENTIVOLIO and Mr. RIGELL.

H.R. 1312: Mr. RODNEY DAVIS of Illinois.

H.R. 1313: Mr. STUTZMAN.

H.R. 1326: Mr. CASSIDY.

H.R. 1331: Mrs. McMORRIS RODGERS, Mr. KING of New York, and Mr. FORTENBERRY.

H.R. 1339: Ms. SHEA-PORTER.

H.R. 1354: Mr. ROONEY, Mr. VAN HOLLEN, Mr. HUFFMAN, and Mr. POLIS.

H.R. 1406: Mr. HENSARLING, Mr. FARENTHOLD, Mr. WESTMORELAND, Mr. STIV-

ERS, Mr. WOODALL, Mr. ROSS, Mr. DUFFY, Mr. SIMPSON, Mr. HURT, Mr. FINCHER, Mr. LONG, Mr. FLORES, Mr. WOMACK, Mr. SMITH of Nebraska, Mr. LANKFORD, Mr. GUTHRIE, Mr. GRIFFITH of Virginia, Mr. NUNNELEE, Mr. AMODEI, Mr. YOUNG of Indiana, Mr. OLSON, Mr. NEUGEBAUER, Mr. HASTINGS of Washington, Mr. STEWART, and Mr. CRAMER.

H.R. 1416: Mr. GOWDY, Mr. HALL, Ms. BROWN of Florida, and Mr. POSEY.

H.R. 1432: Mr. ROYCE, Ms. FRANKEL of Florida, Mr. MURPHY of Florida, Mr. SIMPSON, Mrs. BACHMANN, Mrs. HARTZLER, Mr. HANNA, Mr. VELA, Mr. SAM JOHNSON of Texas, Mr. GOHMETT, Mr. SENSENBRENNER, Ms. WILSON of Florida, Mr. DEUTCH, Mr. BENISHEK, Mr. RICE of South Carolina, Mr. KIND, Mr. PALAZZO, Mr. JOHNSON of Ohio, Mr. RODNEY DAVIS of Illinois, Mr. MCKINLEY, Mr. ROSS, Mr. OLSON, Mr. DUFFY, Mr. COSTA, Mr. HECK of Washington, Mr. BISHOP of Georgia, Mr. LANKFORD, Mr. COLE, Mr. DESANTIS, Mr. STEWART, Mr. JONES, Mr. LUCAS, and Mr. YODER.

H.R. 1433: Mr. CARTWRIGHT, Mr. BEN RAY LUJAN of New Mexico, Mr. VARGAS, Ms. BORDALLO, Ms. ESHOO, Ms. CASTOR of Florida, and Ms. TITUS.

H.R. 1438: Mr. CICILLINE, Mr. FATTAH, and Mr. PETERS of California.

H.R. 1479: Mr. PETRI, Mr. BURGESS, Mr. HARPER, Mr. CRAMER, Mr. POE of Texas, Mr. YOUNG of Alaska, Mr. SALMON, Mr. GRIMM, Mr. BARTON, Mr. FRELINGHUYSEN, Mr. YOUNG of Florida, Mr. LANKFORD, and Mr. GOODLATTE.

H.R. 1493: Mr. FARENTHOLD.

H.R. 1496: Mr. DENHAM.

H.R. 1502: Mr. SMITH of Texas.

H.R. 1523: Mr. POCAN, Mr. FARR, Ms. LEE of California, Mr. SMITH of Washington, Mr. MORAN, and Ms. HAHN.

H.R. 1526: Mr. BENISHEK.

H.R. 1528: Mr. FARR, Mr. RIBBLE, and Mr. LUCAS.

H.R. 1549: Mr. HARPER, Mr. MCKINLEY, Mrs. BLACKBURN, Mr. LANCE, and Mr. WHITFIELD.

H.R. 1567: Mr. SCHWEIKERT.

H.J. Res. 28: Mr. PERRY and Mr. WEBER of Texas.

H. Con. Res. 23: Mr. SMITH of Texas and Mr. WOODALL.

H. Con. Res. 30: Mr. MURPHY of Pennsylvania, Mr. GRAYSON, Mr. ROSS, Mr. BOUSTANY, Mrs. ROBY, Mr. DUNCAN of South Carolina, Mr. MULVANEY, and Mr. FLEMING.

H. Res. 30: Ms. EDWARDS.

H. Res. 36: Mr. BARTON, Mrs. ROBY, Mr. BARR, Mr. AMASH, and Mr. BOUSTANY.

H. Res. 90: Mr. GARAMENDI, Ms. DUCKWORTH, and Ms. EDWARDS.

H. Res. 147: Mr. GRAVES of Georgia and Mr. FORBES.

H. Res. 160: Mr. CALVERT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1287: Mr. HOLT.

SENATE—Tuesday, April 16, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, the explosions at the Boston Marathon remind us that we live in a dangerous world and that human life, regardless of the level of physical excellence, is fragile. The knowledge that You, O God, can bring order from chaos inspires us to number our days so that we may have hearts of wisdom. Use our lawmakers as instruments of Your Providence. May they labor with such faithfulness and integrity that You will surround them and our Nation with the shield of Your favor. Remind them that it is better to fail in a cause that will ultimately succeed than to succeed in a cause that will ultimately fail.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks the Senate will be in a period of morning business for an hour. The majority will control the first half, the Republicans the final half.

Following morning business the Senate will resume consideration of the Safe Communities, Safe Schools Act, with the time until the recess for the caucus meetings for debate only.

The Senate will recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

Today we will continue to work on a path forward to consider amendments to the gun safety bill. Currently, the Manchin-Toomey amendment on background checks is pending to the bill. Senators will be notified when any votes are scheduled.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KING). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S. 729 AND S. 730

Mr. REID. Mr. President, there are two bills at the desk due for a second reading. I would ask, if it is appropriate, for the clerk to report whatever the Chair advises.

The PRESIDING OFFICER. The clerk will read the titles of the bills for a second time.

The legislative clerk read as follows:

A bill (S. 729) to protect law abiding citizens by preventing criminals from obtaining firearms.

A bill (S. 730) to prevent criminals from obtaining firearms through straw purchasing and trafficking.

Mr. REID. Mr. President, I would object to any further proceedings on these two bills at this time.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

BOSTON MARATHON VIOLENCE

Mr. REID. Mr. President, in the prayer given to the American people and to the Senate through our wonderful Chaplain, he basically said it all. We are still reeling from the senseless violence at the Boston Marathon yesterday. The one thing, though, we are united in is sympathy for the victims of this senseless attack and the families of the victims who are suffering today.

Adding to the horror of this tragedy are the questions of who did this and why. The Federal Bureau of Investigation and the Department of Homeland Security are investigating this attack as aggressively as possible.

As the President said last night, rest assured that the perpetrators will feel the full weight of justice for this terrible crime.

ANTI-GUN VIOLENCE

Mr. REID. Mr. President, on the anti-gun violence legislation before the Senate, we are making good progress in the effort to schedule a series of votes on amendments.

I have had constructive conversations with my Republican counterpart, Senator MCCONNELL.

The American people deserve to know where we stand on these impor-

tant antiviolenence proposals. There are disagreements as to what we should do with gun legislation, if anything, and I understand that. We have already spent a week and a half on this legislation, so it is time to begin processing these amendments.

I hope we will be able to reach an agreement earlier rather than later—hopefully, sometime by early afternoon—to hold votes on a number of amendments, including both Democratic and Republican amendments.

That series of votes would include a number of issues, not the least of which is the compromise background check proposal crafted by Senators MANCHIN, TOOMEY, KIRK, and SCHUMER. This bipartisan measure has the support of antiviolenence advocates and law enforcement groups as well as second amendment advocates, including the second largest gun rights group that exists, consisting of more than 650,000 members.

The measure would keep guns out of the hands of dangerous criminals by requiring background checks for private gun sales at gun shows and over the Internet.

Mr. President, whether you are from a pro-gun State such as Vermont or Nevada—even in those States, huge amounts, huge numbers of people support this legislation. Nationwide, about 90 percent of the people support this legislation, including 75 percent of NRA members.

So I am optimistic and hopeful that cooperation from both sides will continue and that victims of gun violence will get the debate and votes they deserve, including pro-gun advocates who want votes of their own liking.

So I hope we can move forward. It would be a shame if we got into a procedural hassle on all this stuff. We want to debate the issues. And as I have indicated to the Republican leader, we are not trying to cut off amendments. The ones we agree to start debating, that is not a limit as to what we are going to do. I want to have a full, complete debate on guns, and we will carry this on just as long as possible.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

BOSTON MARATHON ATTACKS

Mr. MCCONNELL. Mr. President, today the thoughts of every American

are with the people of Boston but especially with the many victims of yesterday's horrendous attacks and their families.

Many who were looking forward to celebrating the achievement of a loved one yesterday woke up to the grim reality of facing the rest of their lives with a disfiguring injury. For them, yesterday's attacks were the beginning of a long and difficult journey. Three others who lined up to encourage others, including an 8-year-old boy who was there to cheer on his dad at the finish line, lost their lives in the blast.

We pray in a special way for these families.

As the President said yesterday, the two parties stand united today in our deepest sympathy for all those who were affected firsthand by these heinous attacks and in our unshakable—unshakable—resolve to bring those responsible, and any others who are contemplating acts like this, to justice.

These horrific attacks are a grim reminder of the hatred and contempt that many continue to harbor in their hearts not only for our Nation and its freedoms but for innocent human life. On 9/11 we were forever disabused of the notion that attacks like the one that rocked Boston yesterday only happen on the field of battle or in distant countries. With the passage of time, however, and the vigilant efforts of our military, intelligence, and law enforcement professionals, I think it is safe to say for many the complacency that prevailed prior to September 11 has actually returned. So we are newly reminded that serious threats to our way of life remain.

Today, again, we recommit ourselves to the fight against terrorism at home and abroad.

Another point: As always, we marvel at the courage and the selflessness of those who rushed to the scene after yesterday's blasts. In moments like this, we see the worst of humanity and the best of our fellow citizens: whether it was the exhausted marathoners who became helpers and healers the moment they realized what had happened; the doctors and nurses who had expected the usual marathon day uptick in cases of dehydration or exhaustion but who spent the rest of their day handling far worse; or the first responders and law enforcement officials who rushed to the scene with total disregard for their own safety, including those who tore down a fence to get to the wounded before they were even sure the area was safe.

We honor all of them today.

Those responsible for this act of terror will be brought to justice for their deeds. But today our thoughts are mainly with the victims, their families, and friends—and all those whose lives have suddenly been turned upside down by the wicked designs of those responsible. For most of us, it is hard to

imagine how anyone could even contemplate doing something like this. But, as always, as a nation, we will face this sad reality head on and show the world that America does not cower in the face of it.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Maryland.

LIBRARY PROJECT

Mr. CARDIN. Mr. President, Baltimore, like many other major cities, has struggled to educate its children. Recent statistics indicate that the number of third graders reading below grade level in Baltimore is double the State average. This is especially troubling in light of the numerous national studies showing that for every six students who are not reading proficiently by third grade, one will not graduate.

Across the United States, research has shown that students in schools with good school libraries learn more, get better grades, and score higher on standardized tests than their peers in schools without libraries.

We have a program, the qualified zone academy bonds, that is available to help school districts in areas such as improving their libraries. Since 2001 Baltimore City has used those funds. Recently we extended the program through 2013. Academy bonds are important, but much more needs to be done to help our students.

Let me share with my colleagues a wonderful initiative, the Baltimore Elementary and Middle School Library Project, which is leveraging academy bonds and bringing in additional partners to maximize the resources available for hard-pressed schools and students. The Harry and Jeanette Weinberg Foundation is spearheading this initiative. The Weinberg Foundation is one of the largest private charitable foundations in the United States. The Weinberg Foundation provides approximately \$100 million each year to nonprofits that provide direct services to low-income and vulnerable individuals and families, primarily in the United States and Israel. Since 1990 the foundation has made grants totaling \$1.6 billion—that is billion with a “b.”

The foundation was created by Harry Weinberg. His family emigrated from Eastern Europe to the United States in 1911. Harry Weinberg began his life in poverty, but he eventually built a transportation empire which extended into real estate. The fortune Harry Weinberg amassed now has grown to more than \$2 billion. These are the assets behind the Weinberg Foundation's grant-making.

Senator MIKULSKI and I are very proud that the Weinberg Foundation is based in our Baltimore City. I knew Harry Weinberg. I know the Weinberg family. I am very fortunate to have that relationship. The foundation has helped so many people, particularly in affordable housing, immigrant services, poverty issues, and humanitarian needs.

I would like to acknowledge the role my former State director, Bailey Fine, has played with the Weinberg Foundation.

I could list dozens of major charitable projects and initiatives that bear the name of the Weinberg Foundation, including a \$10-million grant to fund emergency services for Holocaust survivors in North America; a \$9.6 million commitment to make Maryland a model for care of lower income, older adults; a \$3 million investment in affordable housing for persons with disabilities, which includes a joint venture with the State of Maryland—the first of its kind in the Nation. The Weinberg Foundation also has stepped up in times of global crisis, providing millions of dollars of relief grants in the wake of Hurricanes Katrina and Sandy and emergency funding for humanitarian efforts following the Haiti earthquake in 2010 and the Indian Ocean tsunami in 2004.

In 2011 the Weinberg Foundation joined forces with a group of innovative and committed individuals to initiate a simple vision: transform Baltimore City school libraries to create larger, lasting change by increasing literacy rates and inspiring students. Words such as “partnership” and “collaboration” are often overused, but these concepts are central to the library project, a real-world demonstration of the power of combining resources directed toward a common goal.

To date, with the help of more than 30 government, nongovernment, and community partners and individuals, many who have traveled to Washington today, the library project has gone far beyond a simple makeover by creating completely transformed, well-designed, well-equipped spaces that send a simple but powerful message to young students in Baltimore City: They deserve the best. The Weinberg Foundation and its partners believe this manuscript for meaningful change can be applied to any city where people from nonprofits

and public and private entities are willing to focus on a plan and then roll up their sleeves to make it happen.

The first of these refurbished libraries was dedicated in the fall of 2012. I was privileged to be able to visit and see firsthand how impressive this refurbished library is. Three more are scheduled to open this fall, with a total of 12 planned through 2015. The Weinberg Foundation has supported 30 percent of the capital project cost, is providing 4 years of additional staff support and professional development funds for the library. The Weinberg Foundation's support also goes to fund new books, up to 4,000 per space. Overall, the foundation has made a \$5 million, 4-year commitment to this initiative, and the children of Baltimore will benefit.

Each transformed library features thousands of new books and the latest in learning technology, including new computers and e-readers. As you can see from the photo I have brought to the floor, these are very impressive spaces and really go a long way to making them friendly places for students.

In addition to the direct educational benefits of these new spaces, one of the goals of the library project is to help each transformed library become a hub for greater school community. Because the Weinberg Foundation wants this project to be a successful model for years to come, it has partnered with the Baltimore Education Research Consortium to evaluate the impact of this space within the school community. Evaluations are underway at the first three libraries and involve students, teachers, and community members.

In addition to supplying books as part of each renovation, the Weinberg Foundation and its partners wanted to do even more to equip these new spaces with the gift and adventure of reading. As part of the first year of the library project, the foundation launched a huge book drive with more than 40 partners and 100 pickup locations. It was clear that my fellow Marylanders were eager to contribute directly to this project, donating some 13,000 books valued at over \$75,000.

I share the story with my colleagues and the rest of the country because, just like a favorite book, it should be shared. The library project goes beyond funding, blueprints, bright new designs, and even state-of-the-art learning technologies. These libraries will improve reading and learning opportunities for countless children, helping to break the grinding cycle of poverty by providing young people with the hope and the tools for success in life.

As I said, this is a story that needs to be shared. The devoted officers and staff of the Harry and Jeanette Weinberg Foundation and all the other participants in the library project would welcome the opportunity to tell

this marvelous tale over and over and see it duplicated across the country.

Time constraints prevent me from talking about all of the partners in the library project. I mentioned the Federal partners, and I have highlighted the Weinberg Foundation's lead role, but everyone involved deserves recognition and our heartfelt thanks.

I ask unanimous consent that the list of the other partners and the descriptions of their contributions be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL/STATE FUNDING

In 2001, Baltimore City Public Schools began applying for Qualified Zone Academy Bond (QZAB) funds that are used for the renovation of public school libraries. The QZAB funds renovate the physical space at each location and ensure proper configuration, environmental abatement, quality air control, lighting, and flooring for a few approved libraries each year. To qualify for QZAB funds, the school must be located in either an Empowerment Zone or Enterprise Community with 35% or more of its students eligible for the free or reduced price meal program.

As of 2011, 53 City School libraries have been renovated with \$14.2 million in QZAB funds and with more than \$2.5 million of donated in-kind volunteer hours. City Schools have also contributed an additional \$8.5 million for architectural/mechanical work, construction costs and furniture. The Baltimore Elementary and Middle School Library Project has leveraged these funds and brought in additional partners to maximize additional resources for schools and students.

BALTIMORE CITY PUBLIC SCHOOLS

As a partner in the Library Project, the district is providing guidance and academic and facilities support in the creation of new and newly renovated school libraries that will contribute to 21st-century learning and position students for success.

ANNIE E. CASEY FOUNDATION

Advisory Committee Member.

ART WITH A HEART

For the Library Project, Art with a Heart will work with volunteers to create a mosaic for each of the three schools. All of the mosaics will incorporate the Library Project logo, however, each mosaic will be personalized to reflect the individual school community.

ASSOCIATION OF BALTIMORE AREA GRANTMAKERS

ABAG will publicize the library effort to ABAG members, particularly the Education Funders Affinity Group, through ABAG's monthly Members' Memo, website, and social media. ABAG will write a Daily Record article, and will be helpful in other ways identified over the life of the initiative.

BALTIMORE COMMUNITY FOUNDATION

The Baltimore Community Foundation encourages its donors to participate in the Library Project, which fits into BCF's overall vision for successful schools and successful students. The Library Project is a prime example of how a foundation can attract private sector partners to address a public need, inviting businesses and individuals to find ways to join together in promising Baltimore's youth a brighter future.

BALTIMORE EDUCATION RESEARCH CONSORTIUM (BERC)

In relation to the Baltimore Library Project, BERC will examine the change experienced at the first three library openings at Moravia Park Elementary, Southwest Baltimore Charter, and Thomas Johnson Elementary/Middle School.

BALTIMORE READS

Baltimore Reads assures that teachers have classroom libraries and that students receive books that they may take home. The Library Project complements the work of the Baltimore Reads' Book Bank, which collects and redistributes children's books all over the Baltimore region at no cost to recipients.

BALTIMORE SUN

The Baltimore Sun commitment at this time will be to deliver 25 papers each day (M-F) to each of the first six schools. The value of the papers for a year at full retail price is \$11,700, a total of \$70,200 for all six schools!

BARNES AND NOBLE

Barnes and Noble will provide 400 Nook digital devices and Certified Pre-Owned Nook digital devices, at special discounted prices for this project. Barnes and Noble will donate up to 20 hours of student and teacher training per month to ensure that every user is comfortable with the technology.

BOGDAN COMPUTER SERVICES

Bogdan Computer Services was responsible for the design and implementation of the Baltimore Library Project website. Its staff has also been a tremendous asset in technology purchases and book drive donations.

COMCAST

Previously Comcast has offered in-studio and on location filming and interviews which will be aired on CNN Headline News. This sponsorship package was valued at nearly \$100,000. Comcast will continue to review additional ways to sponsor the Library Project.

CPS GUMPERT

Partners in the Weinberg Library Project through the graphic design and printing of event signage, promotional products, and printed materials. We look forward to participating in the program as it continues to grow.

DLA PIPER

Financial donation.

DYSLEXIA TUTORING PROGRAM

The mission of The Dyslexia Tutoring Program is to provide free screening and remedial tutoring for low-income adults and children throughout Maryland with dyslexia and other language based learning differences. Volunteers take a free 20-hr training course in preparation for tutoring. The program works to achieve the following: (1) Train teachers in Orton-Gillingham, a proven method of teaching reading, writing and spelling; (2) Tutor students that are accepted into our program by providing free tutoring; (3) Provide In-Service Workshops to school staff to help identify potential students.

ENOCH PRATT FREE LIBRARY

The Enoch Pratt Free Library will be a major partner in the library project. Each elementary school library will include an "Enoch Pratt Parent Corner" with a computer connecting parents to the Enoch Pratt system. In addition, each library will have a permanent loan collection on parenting books and other appropriate adult literature. Enoch Pratt will also provide four Family Reading Circle programs during the school year. This six-week program brings a library

professional to the school, with high-quality books and dinner for the group. Enoch Pratt will also provide limited funding for students to take public transportation from their homes or from school to the closest Pratt Library. Finally, Enoch Pratt Free Library will host students from each school for field trips to the central library each year. The estimated value of this partnership is \$20,000 per library, or \$80,000 for the first four libraries.

FUND FOR EDUCATIONAL EXCELLENCE

The Fund for Educational Excellence has worked side by side with Baltimore City Public Schools for over 25 years securing the financial, human, and knowledge resources necessary to support policy and practice resulting in increased student achievement for Baltimore City Public School students. On this project the Fund serves as the fiscal agent working as an intermediary between City Schools and the Harry and Jeanette Weinberg Foundation to ensure all grant dollars are allocated to the project appropriately.

HEART OF AMERICA FOUNDATION

HOA will coordinate the purchasing, sorting, cataloging and delivery of brand new library books for each school. In addition, to address the fact that as many as 61 percent of children from low income families do not have any books in the home, HOA will provide three books per student for his or her home library. This year, HOA will deliver more than 9,800 library books in total and over 4,800 take home books for the students for this project.

INCITE CREATIVE

The firm's focus group facilitation with students and their parents helped guide their design and development of the Library Project's logo and overall identity.

JRS ARCHITECTS, INC

JRS Architects, Inc., as a consultant to Baltimore City Public Schools, will work closely with Kirk Designs to incorporate the elements of the concept plan into the architectural plans, including coordination of proposed lighting and technology with electrical and data plans, incorporation of floor, wall and window treatments into the construction documents. JRS Architects will also help coordinate the efforts of other partners donating technology and equipment to ensure smooth coordination into the finished library. JRS Architects, Inc. will be donating the time required to coordinate the efforts of the partners in the three QZAB-funded projects.

KIRK DESIGNS

Kirk Designs Inc. will design and detail all aspects of the library pertaining to selections for, but not limited to, lighting, flooring, wall and window treatments as well as all furnishings while creating a usable and exciting space for grades Pre-K through Eight. Kirk Designs will interface with vendors as well as provide and enforce a schedule for completion. Kirk Designs will be donating a substantial design cost for each project, approximately \$15,000 per library.

KNOTT MECHANICAL

Knott Mechanical will provide for modifications to the libraries' existing air distribution systems including installation of new diffusers and low-pressure ductwork to conform with the new designs. Knott Mechanical is one of the Baltimore metropolitan area's premier commercial HVAC and plumbing service providers, serving more than 150 clients including Johns Hopkins and Comcast.

MARYLAND FOOD BANK

Maryland Food Bank is happy to investigate the implementation of their school pantry program in each of these school locations and can also help with summer feeding programs when school is out of session.

PARKS AND PEOPLE FOUNDATION

Parks & People will consider each renovated library as a potential site for after school and summer programming. Site assessments for the first six libraries could amount to as much as \$2,000 per site, or a total of \$12,000. For libraries that are determined to be a fit for an after school or summer program, services provided would range from \$5,000-\$80,000 per site. The organization is also involved in green initiatives at each school including asphalt removal and the creation of reading gardens.

RAISING A READER

Raising A Reader is partnering with the Weinberg Foundation to provide library project schools with an opportunity to implement the program in kindergarten classrooms. The partnership covers the cost of training, materials and the financial support needed to implement Raising A Reader for many of our youngest learners and their families.

STATE OF MARYLAND/MARYLAND STATE DEPARTMENT OF EDUCATION

The State of Maryland, through The Maryland State Department of Education will provide focused technical assistance by working with the Manager for Library Media Services for the Baltimore City Public Schools to support the library/media specialists in the Weinberg Library Project schools with the incorporation of digital resources, the utilization of the MDK12 Digital Library, assistance with professional development needs, and with collection development. MSDE staff will also facilitate linkages with public libraries to promote professional development opportunities and broaden access to materials. During the transition to the new Maryland State Common Core Curriculum, MSDE staff will commit time and energy to supporting the work of the library/media center specialists in providing assistance to teachers who are engaged in integrating primary resources into their lessons.

UNITED WAY OF CENTRAL MARYLAND

As part of United Way Worldwide's effort to cut the high school dropout rate in half, United Way of Central Maryland has joined their call to help recruit one million readers, tutors and mentors and will launch a new volunteer program: Read, Learn, Succeed this fall. We look forward to recruiting members of the community to read to young children to fill in some of the volunteer gaps that exist in many local programs.

VPC, INC.

Handles all of the production and multimedia content creation for Library Project events.

WELLS FARGO

Wells Fargo is proud to further its commitment to Baltimore City students by serving as the Baltimore Elementary and Middle School Library Project's Financial Literacy Partner. Their commitment will include a \$20,000 donation to fund library technology thereby providing access to a world of information including www.handsonbanking.com, the online portal to its free financial literacy program. The company also commits its most valued resource, the time and talent of local Wells Fargo team members. Local team members will provide financial literacy

to members of the Weinberg Library communities, including teachers, students and their families. Additionally, through Wells Fargo's Reading First program, team members will read aloud to Pre-K through 1st grade classes to support early childhood literacy and will then donate those books to the library.

Mr. CARDIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

COMMEMORATING VIRGINIA TECH SHOOTING

Mr. KAINE. Mr. President, I rise to perform a solemn duty today, which is to commemorate the shooting at Virginia Tech of 32 students and faculty members who were killed 6 years ago today and many others who were injured:

Ross Alameddine, Jamie Bishop, Brian Bluhm, Ryan Clark, Austin Michelle Cloyd, Jocelyne Couture-Nowak, Daniel Alejandro Perez Cueva, Kevin Granata, Matthew Gwaltney, Caitlin Hammaren, Jeremy Herbstritt, Rachael Elizabeth Hill, Emily Hilscher, Jarrett Lane, Matthew La Porte, Henry Lee, Liviu Librescu, G.V. Loganathan, Partahi Mamora Halomoan Lumbantoruan, Lauren McCain, Daniel O'Neil, Juan Ramon Ortiz-Ortiz, Minal Panchal, Erin Peterson, Michael Pohle, Julia Pryde, Mary Karen Read, Reema Samaha, Waleed Mohammed Shaalan, Leslie Sherman, Maxine Turner, and Nichole White.

I read those names to honor those who were killed and had their lives snuffed out on April 16, 2007. I acknowledge also that many students and faculty members were injured. We have with us today both family members of those who are deceased and even some students who were injured. I also honor all in the Hokie, the Virginia Tech community that is very close, that still suffers the wounds from this horrible shooting.

In the aftermath of the shooting at Virginia Tech 6 years ago today, we learned a lot. We learned that we have to make fixes to the mental health system: that school security and safety is incredibly important, that alert systems that can notify people when bad things happen are incredibly important. We also learned a tragic but important lesson; that is, background record checks make us safer. The young, troubled individual with no criminal record who committed those horrible crimes had a long history of mental illness. He had been adjudicated mentally ill and dangerous. Because of that adjudication, he was not supposed to be able to own or purchase weapons, but a flaw in the background record check system kept that record from being entered into the national database. So when he decided and went to purchase the weapons he used in committing this horrible homicide, he was allowed to purchase them.

In the immediate aftermath of the shooting, with the strong support of the Virginia Tech families, we fixed that problem in the background record check. As Governor, I worked with my Republican attorney general, the current Governor of Virginia, Bob McDonnell. We fixed the background record check system that facilitated this gruesome crime. Background records checks make us safer. The better the system, the safer we are.

I later went to my legislature and tried to get them to fix the background record check in another way—by closing the gun show loophole, to require records checks at gun shows. I failed in that task. I not only could not convince my legislature to do it, I could not even convince a single committee to report a bill out to the floor.

That is why I am so glad we are debating on the floor meaningful fixes to gun violence, including a fix to our background record check system when it comes to gun shows or online purchases. I look forward to the debate, and I look forward to supporting the proposals that have been advanced by Senators MANCHIN and TOOMEY.

I read the names, the 32 names of those who were killed. As I conclude, I wish to take a couple of minutes to tell the story of one of the individuals.

I read the name of Liviu Librescu, who was a professor at Virginia Tech, a professor of engineering. He was teaching a course in Norris Hall on the day of this horrible tragedy, and as shots rang out, he heard the shots. He went to the door, and he barricaded the door with his own body, and on the second floor of Norris Hall, he told his students to get out of the window and get to the ground and get to safety. He stood there against the door as Seung-Hui Cho, the shooter, fired repeated rounds through the door, striking his body many times and eventually killing him. But not until the last shot when he was killed did he stop saying to the students: Hurry. You have time. You can get out of the window. And all but one of Liviu Librescu's students were able to get out of the window. One student, Minal Panchal, ended up being killed because he bravely waited for the other students to go out the window first.

What heroism and bravery. Yet the Liviu Librescu story is even more powerful than that because Liviu Librescu, the professor, was 76 years old—long past retirement age. He had continued to teach because he loved teaching.

He was born in 1930 in Romania. When the Romanian Government became allied with Nazi Germany in 1940, because he was Jewish and his family was Jewish, he was subjected to the persecution Jews in Romania were subjected to, his family was sent into forced labor camps, and Liviu Librescu lived in a crowded ghetto in a Romanian city, being persecuted, but he

came through the Holocaust as a survivor. Many Jews, after the war, left Romania because of the persecution of Jews, but it was Liviu Librescu's home, and he stayed. He went to a university, and he became a world-renowned aerospace engineer, and he continued to teach.

But now Romania fell under the influence, as a puppet state, of the Soviet Union. He would not pledge allegiance to the Communist Party. He would not relinquish his tie to his Judaic faith. Because of that, he began to be subjected to persecution for a second time, to be persecuted because of his religion, to be denied the ability to publish articles or travel to academic conferences. Eventually, he lost his job at the university because of his Judaism and because he was unwilling to take the oath of allegiance to the Communist Party.

He was persona non grata in his home country of Romania. However, people in the outside world who knew of his scholarship never let go, and they continued to speak on Liviu Librescu's behalf. He was eventually allowed, in 1977, to emigrate to Israel.

He lived in Israel for 8 years and received a 1-year teaching fellowship at Virginia Tech in Blacksburg, VA. He came for 1 year and never left. He taught as a popular teacher and researcher in Blacksburg, VA, from 1985 until the day he was killed in 2007.

This horrible day, April 16, 2007, started as a normal Monday for virtually everyone who ended up sharing the tragic fate. It was not a normal day. It did not start as a normal day for Liviu Librescu. Liviu Librescu, as a proud Jew, observed that day, from sundown on the 15th of April, the evening before, until sundown on the 16th of April, as Yom HaShoah, Holocaust and Heroism Memorial Day.

Yom HaShoah, in the Jewish religion since 1953, has been a day worldwide where Jews and their allies remember the Holocaust, perpetrators, victims, and the bystanders—the bystanders who wouldn't do anything to stop the atrocity.

They also remember the heroism of those who fought against the Holocaust.

As Professor Librescu went to his class on this day, while it was a normal Monday for most, I know he walked into his class thinking about Yom HaShoah, perpetrators, victims, bystanders, and heroes. He made a decision, in the split second he heard shots being fired, to be a hero and to save others' lives.

He survived the Holocaust, perpetrated by Nazi Germany, and anti-Semitism in Romania. He survived the persecution perpetrated in his country by the Soviet Union. However, Liviu Librescu could not survive the epidemic of gun violence in this country, the country which he adopted and loved.

In conclusion, I would encourage all of us to take a minute, Senators, staff, pages, people in the gallery, members of the press, take a moment and ask yourselves would you do what Liviu Librescu did. Would you put your body against a door, allow yourself to be shot, and encourage others to be safe? Would you do that? Would we do this?

As I thought about this question, being honest, I would say I hope I would do that. I pray if it comes to that I would act to protect others ahead of myself.

If I am honest with myself, what I have to say is I don't know whether I would do that. I don't know whether I would be a hero like Liviu Librescu. I don't know if I would have the courage to do what Liviu Librescu did.

The good news for those of us who have the honor and blessing to serve in this Chamber is we do not need to put our body in front of bullets to keep people safe. We do not need to put our bodies in front of bullets to protect kids and protect students. All we need to do is have an infinitesimal portion of the courage Liviu Librescu had and cast votes. We need to cast votes on the floor of this body to keep our community safer and to keep our children safer.

I have heard it said this will be a hard vote. For 20 years there has not been a meaningful discussion of these issues on the floor of the Senate because interests are too powerful, the NRA is too powerful. It will be a vote which will be scored, and we need to worry about it. It will take courage. It does not take courage, to any degree, when we think about Liviu Librescu, who saved his students.

Last week I met the daughter of Mary Sherlach, who was the guidance counselor in Sandy Hook who ran to save her students and was killed. When we think about the courage and heroism shown by these individuals, what we are being asked to do on the floor of this body is the least we can do.

It is about heroism. We honor heroes such as Liviu Librescu. The people who put us in office expect us to have at least a small measure of courage, a small measure of heroism. We owe it to those students and others who were shot, killed, and wounded at Virginia Tech. We owe it to the people who were killed or wounded in Newtown. I would ask all my colleagues to reflect upon the example of Professor Librescu and the heroism he showed as we debate what might be a controversial proposal this week.

Again, the blessing we have as Senators is that we do not have to interpose our bodies in the way of violence to make a difference and make people safer. It is my wish we do that as we debate and vote in the coming days.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, let me first say I also am on the floor because

today is April 16, the sixth anniversary of the horrible shootings at the campus of Virginia Tech. I think every Virginian and every American—I can say Virginians at least—remember when we first received those news reports of the violence perpetrated by Seung-Hui Cho.

I say to my colleague and friend, the Senator from Virginia, in the 33 years we have known each other I have valued his friendship and appreciate his intellect, grace, and knowledge. There was never a moment I was prouder of then-Governor TIM Kaine than those moments after the tragedy.

I don't know if in his comments he noted he had been on a trade mission in Asia when these incidents happened. He barely had landed when he turned around—he and his wife Anne—boarded a plane and came back with virtually no rest. As a Governor you bear these responsibilities in remarkable ways when Virginians are hurt, and in those days he spoke for all of us.

The words he said at the Virginia Tech campus in the ceremony afterward brought together the community and brought together our Commonwealth. In many ways he spoke for our whole Nation, as he has so eloquently spoken this morning. I thank him for what he did as a Virginian in those days afterward and thank him for the eloquent comments he made this morning.

In the aftermath of the tragedy at Virginia Tech, under the leadership of Governor Kaine, Virginia acted. We were within the legislature able to close the legal loophole which allowed Cho, who had been adjudicated mentally unsound, we closed the loophole so he could no longer—or someone who had been adjudicated in such a way—be able to purchase firearms. In the aftermath of the tragedy, then-Governor Kaine appointed a nationally respected commission of experts to recognize what happened and recognize ways we might make all our colleges and universities safer.

This leads me to some of my comments this morning. We are about to take on a debate around how we keep America and Americans safer in a way that also respects our constitutional amendment of the right to keep and bear arms.

An underlying amendment of the bill we are about to debate has at least one part of the legislation which is relatively noncontroversial, a piece of legislation I have been working on for some time. I know Senator Kaine has supported this as well. The issue is to look at campus safety. It has been one of the top priorities of those victims of the Virginia Tech massacre.

Those families who have spoken with me repeatedly, and with Senator Kaine as well, said let's at least make sure, if a tragic event takes place on a college campus somewhere in America, there

are ways we can learn from these tragedies.

So the CAMPUS Safety Act, which is embedded in this legislation, will bring together research and resources on campus safety to strengthen training and improve collaboration. Today, campus public safety officers are the only first responders who don't have access to Federal support to assist in sharing the best practices, relevant research, and training opportunities.

The CAMPUS Safety Act, which received bipartisan support in the committee markup, seeks to address this by consolidating scattered Federal efforts into a national center for campus public safety housed within the Department of Justice. This Center would not only provide a one-stop repository of relevant research but also examples of best practices. It would have an ability to issue grants to colleges, universities, and nonprofit organizations to strengthen efforts to help make our campus community safer.

This kind of planning and training will help prevent future violence on our campuses and will help improve responses in the event of another horrific outbreak of violence on our campus or other university. I am pleased our bipartisan CAMPUS Safety Act is included in the discussions we are having in this body in the coming days and weeks.

I wish to take a moment to speak about a specific aspect of this debate which will, I imagine, be coming up for a vote in the next few days. I stand before my colleagues to say a few words in support of the Manchin-Toomey amendment we will most likely vote on this week. Both Senators Manchin and Toomey have shown courage in working together on what Senator Kaine said is a difficult issue. I support the bipartisan compromise on background checks they proposed.

Their amendment will strengthen our background check system, close the gun show loophole, and prohibit the commercial sale of guns to those who are seriously mentally ill or have a criminal record. Let me also say their amendment also contains appropriate exemptions so responsible gun owners will still be allowed to make direct transactions between family and friends to ensure a father or grandfather could pass that shotgun along to their son or daughter.

Our shared goal is to ensure we keep guns out of the hands of the wrong people while respecting the basic constitutional right to bear arms. I have been disappointed by some who said somehow this amendment will infringe upon this right. I couldn't disagree more. This has been a common refrain on both sides of the aisle since we started this conversation in December after the tragic events in Newtown.

If we are serious about achieving this goal, the Manchin-Toomey amendment

achieves a thoughtful, effective, and balanced approach to achieving our background check system. It strengthens the instant check system of all States to put their information into the NICS, the National Instant Background Check System. One of the outgrowths we saw after the horrible tragedy at Virginia Tech was so many States, while they may have collected this information, didn't even put it into the national database.

One other amendment Senator Toomey put forward would establish a national commission on mass violence to study all the causes of mass violence in our country, including school safety, mental health, issues about firearms, and also issues around some of the images all of us and our children are exposed to in television and film.

This amendment, combined with provisions to prevent gun trafficking and our proposal to improve campus safety, represents a reasonable path forward. In our efforts to reduce violence—as Senator Kaine has so eloquently stated—we are trying to ensure we don't have to create the kinds of heroes which took place 6 years ago on the campus of Virginia Tech.

Let me also add, as I am sure all my colleagues will express, our hearts go out to the families of the victims of the most recent tragedy which took place in Boston. I think I can relate, as a former resident of Boston—and I know Senator Kaine, former Governor Kaine, then-law student TIM Kaine—he and I first met at a law school in Boston—remembering Patriots' Day in Boston, when even if you were not going to run in the marathon, the kind of joy that swept through Boston on Patriots' Day. We all know Boston will be back. We all saw those images yesterday of the horrific tragedy.

I talked to a friend whose wife had literally finished the race 4 minutes before the bombing took place. If she had finished 4 minutes later, he or his daughter or his wife might have been one of the victims of that tragedy. I know, as a father, I called my daughters last night to try to enforce how much I love them, how valuable life is, and how at any moment, whether in a classroom in Virginia Tech or running the Boston Marathon, life can be snuffed out.

I agree with Senator Kaine that in the coming days and weeks, as we have this debate, we are not going to be asked to make acts of courage; we are simply going to be asked to do our job. I believe the Manchin-Toomey amendment and the CAMPUS Safety Act are part of our role and responsibility in doing our job, and I hope we will be able to act on that matter.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Texas.

BOSTON MARATHON BOMBINGS

Mr. CORNYN. Madam President, yesterday afternoon we were reminded that America faces determined enemies willing to engage in barbaric acts against innocent civilians—men, women, and children. On Patriots' Day—a day that has always been a celebration of American heritage and American freedom—terrorist bombings took the lives of at least three people standing near the finish line of the Boston Marathon, including an 8-year-old boy. His name was Martin Richard. He was watching runners complete the race alongside his family. His mother and his sister also sustained injuries, along with more than 150 other people.

We still don't know who is responsible for this terrible atrocity, but we do know the people of Boston responded to this attack with courage and compassion. As the smoke rose, the American people saw their fellow citizens running toward—not away but toward—the scene of the blast. From the police officers and the first responders who secured the bomb site and loaded the injured into ambulances to the marathon participants who literally ran to hospitals to donate blood, to the doctors and other medical professionals who performed emergency lifesaving treatments on the victims, to the Boston area residents who opened their homes to those who had been left stranded, this attack brought out the very best in our country.

In fact, in the immediate aftermath of the bombing, so many people rushed to donate blood, the Red Cross literally had to turn them away. Dr. Richard Wolfe, the head of the emergency medicine department at Beth Israel Deaconess Medical Center, called it “the smoothest sort of handling of mass casualty I've ever seen in my career”—something I hope none of us have to see again.

This Chamber has spent the last 4 months, and even years before that, debating issues such as taxes, spending, and health care. But the No. 1 responsibility of the Federal Government is to keep the American people safe and secure. Our response to this attack must be firm and unequivocal. We must send a clear message that we will never compromise our values or our freedom in the face of terrorist violence. We must stay on the offensive against the enemies of civilization and remain vigilant in our day-to-day lives. The victims of Boston deserve nothing less.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 649, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

Pending:

Manchin amendment No. 715, to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be for debate only.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am glad we are proceeding on this very important legislation. The American people might be wondering why the Senate has not been voting on any amendments to the pending gun legislation.

The Senate voted on Thursday to proceed to the bill. This followed calls that the Senate should debate the bill, and that is why I said I am glad we are getting to it. There has been very little debate. The President has said various proposals deserve a vote. We, on this side of the aisle, don't intend to stand in the way of proceeding on those votes, particularly on the amendments. So I hope we are able to vote very soon.

Last week Senator MANCHIN and Senator TOOMEY unveiled an amendment on background checks. The media hailed the agreement as a way to pass gun control. The majority announced that the Manchin-Toomey amendment would be the first one we vote on. Since we are just starting the debate now, obviously we have not voted on the amendment.

We have not voted because despite claims from the other side, background checks are not and never have been the sweet spot of the gun control debate. We have not voted on it because supporters don't have the votes to pass it—at least at this point that is the way it appears to me—and I think they know it.

They don't have the votes even though published reports indicate that

Vice President BIDEN, the President of the Senate, has been calling Senators and asking them to support the Manchin-Toomey bill. They must not be telling him what he wants to hear. They don't have the votes for background checks even though the Vice President has reportedly stated that the opposition to the proposal comes only from the “black helicopter” crowd.

Well, it doesn't come from that point.

The Manchin-Toomey amendment would impose new obligations on law-abiding gun owners. It would do so even though expanding gun background checks would have done nothing to stop Newtown or other mass killings. It would do so even though expanding background checks would do nothing to prevent these killings in the future.

I often quote the Deputy Director of the National Institute of Justice, who recently wrote that background checks could work only if they were universal and were accompanied by gun registration. Of course, most Members of the Senate oppose gun registration. They know what has happened historically with gun registration. In other countries it has led to gun confiscation, and Members of the Senate—but more importantly, lots of people appearing at our town meetings—fear that could happen and don't want to go down that road.

Supporters of the background check amendment claim that it strengthens the rights of gun owners; but, in fact, it does not. The fact is the opposite is true. Opposition to the amendment does not come from the fringe elements of society. In fact, one of the reasons the Senate has not voted on the amendment is the widespread opposition to the amendment from many quarters. If only fringe elements had problems with it, we would be voting on this amendment. So keep watching. If we do not vote on the Manchin-Toomey amendment, it means the proponents of that idea know they don't have the votes to pass it. If we turn to assault weapons or magazines, then it is clear to all that the majority knows it is far from the number of votes they need. I think people are going to be waiting while they try to pick up the votes that will probably never be there.

Meanwhile, on this side of the aisle, our caucus hopes to have their amendments considered soon and to vote on those amendments. Our amendments, unlike the Manchin-Toomey amendment, will actually strengthen the Second Amendment rights of law-abiding gun owners and help thwart gun violence by criminals. In fact, there are reports that the other side of the aisle wants to block one of our amendments which would do exactly that.

So that is the situation. Maybe there are leaders around here who would dispute me, but that is the way I see it.

The majority doesn't have the votes to pass their amendment, so we are not voting. The majority wants to block Republican amendments that they fear would pass, so we are not voting on the Republican amendments either.

The Senate voted to proceed to the bill. The Senate voted to have a debate. The Senate was promised an open amendment process which would mean we would conduct votes on the various amendments that will be offered, but so far that has not happened. I hope it will happen soon, so I ask that the audience stay tuned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, we are debating one of the most important bills we have had before the Senate in a long time. The reason we are debating this subject is because of what happened in Newtown, CT, on December 14, and the gun violence that takes its toll every day in cities all across America, including in my home State of Illinois. We know because we read and hear about it in the news and from the victims.

At this moment our Nation is saddened by what happened yesterday in Boston. We still don't know what the cause of that was or who was responsible for it. I just have to say we are stunned by it.

Members of the Senate and I—who have worked on the immigration bill—have planned to announce that bill today in a press conference. We have postponed that announcement out of respect to the people who have fallen, those who were injured, and their families. It is a moment of grave concern across America which was expressed well by the President last night.

We are waiting for the information and details to build a case on those who are responsible. I, for one—and I am sure my colleagues feel the same way—don't want to rush to judgment until we have the facts as to the parties responsible. The sadness we feel for the victims and the sadness we feel for America—an open and free America where people stand on the sidelines cheering marathon runners—is one that is profound in the Senate today.

The issue before us now is gun safety. It comes before us because 20 beautiful little first graders were massacred at their grade school—at Sandy Hook Elementary School in Newtown, CT. Six of their teachers and administrators literally gave their lives in defense of those children. There is not a parent or grandparent alive who doesn't identify with that horrible loss.

Last week I met with a group of parents, still grieving, from Sandy Hook Elementary School who came to Congress to beg us to do something to spare future families and future children from this type of massacre. I met with them in the morning. As you can

imagine, there was not a dry eye in the room as they showed me the photographs of their beautiful children who are now gone. I commend them for their courage and stepping forward.

Now the question is whether the Senate has the courage to step forward. This is not an easy vote politically. I think we know what is at stake. I come from a pretty diverse State. I come from downstate Illinois, which is more rural. They have small towns and more gun owners than the great city of Chicago.

For 14 years, as a Congressman in downstate Illinois, I ran in an area where gun issues were very volatile and very important to many people. I took some positions which the gun lobby did not care for, and several times they decided they would wage a campaign against me when I ran for reelection. I survived their attacks and eventually was elected to the Senate.

This is the first meaningful gun safety legislation we have taken up since I was elected to this body over 16 years ago. We are here because of what happened in Newtown, CT. There is no question about it.

I often remind people that it was a little over 2 years ago that one of our own, Gabrielle Giffords, a Congresswoman from Arizona, was at a town meeting when she was gunned down and shot pointblank in the face. We did nothing about it. There were no hearings or changes in the law. It was just another gun statistic to many people.

But Newtown touched our hearts: to think that those beautiful little children could be massacred in their grade school classroom. One child was shot 11 times with a semiautomatic weapon that was firing off rounds as fast as this deranged individual could load it.

We are here today in the beginning of a debate on this important legislation. What is at stake? Well, this is about background checks. Here are the basic questions we need to ask: Do we believe the current Federal law, which prohibits a convicted felon, a person who is under an order from the court to avoid domestic abuse, a person who has been judged mentally incompetent—should they be able to buy a gun in America?

Now, 90 percent of Americans say that is an easy question, and the answer is, no; they should not be able to buy a gun. In fact, 75 percent of gun owners say that.

I come from a family of gun owners. They are responsible, law-abiding citizens who would never dream of looking the other way if a convicted felon or mentally deranged person wanted to buy a gun. They store their guns safely. They use them in a safe manner, and they represent the majority of gun owners across America.

So if this is such an obvious question where 90 percent of Americans agree we should not sell guns to those who have

been convicted of a felony, for example, why is this being debated? What is the big deal? It comes down to the second part of the question: What would you think—and this Capitol is filled with tourists, many of whom flew on airplanes to get here today—if before the plane took off, the flight attendant said: Welcome aboard; fasten your seatbelts. We hope everyone has a safe flight. Incidentally, the TSA would like to inform everyone that they have closely checked the passengers onboard the plane to see if they are carrying guns or bombs. We are happy to report we have checked 60 percent of them, and they are not carrying guns or bombs. Have a nice flight.

Sixty percent—does that give anybody refuge, consolation, or peace of mind? That is what is going on today with the sale of guns. Up to forty percent of firearms sold in America today are not subject to background checks.

What difference does that make? I want to tell the story which goes back to a moment in history in my State of Illinois which illustrates why this is so important. Ricky Byrdsong was the head coach of the Northwestern University men's basketball team back in the 1990s. He was a great fellow. He was a loving father of three children and a man of deep Christian faith.

On July 2, 1999, Coach Byrdsong was walking with two of his children through his neighborhood in Skokie, IL, a great town. A White supremacist drove up and shot Ricky Byrdsong to death in front of his kids. He was 43 years old.

This gunman ended up going on a shooting spree for days across Illinois and Indiana, randomly targeting African Americans, Jews, and Asian Americans. In the end, he killed two and wounded nine.

Here is the reality. The man who did the shooting never, ever should have owned a gun. He was prohibited by law from buying guns because of a domestic violence restraining order against him. Before his murderous rampage, he tried to buy a gun from a federally licensed dealer in Peoria Heights, IL. He was rejected when it was revealed he was prohibited from purchasing a gun. But this white supremacist took advantage of a gap in our background check laws that still exists today. He found an advertisement for guns in the classified ad section of a newspaper.

A gun trafficker named Donald Fiessinger had been buying guns from a dealer—over 72 guns in a 2-year period—then turning around and reselling them through classified ads to buyers who wouldn't have to go through a background check. Ricky Byrdsong's killer bought two handguns from Fiessinger without a background check. He then used those guns on a shooting spree and killed Ricky Byrdsong on the streets of Skokie in front of his children.

The amendment before us today would make that more difficult, if not impossible. Under the Manchin-Toomey amendment, a background check would be required to sell guns advertised in a newspaper. This would have shut down the opportunity for Ricky Byrdsong's killer to get this murderous weapon. That is one of the issues before us, and it is critically important.

JOE MANCHIN is from West Virginia. JOE MANCHIN is a conservative Democrat, no question about it; no debate on that issue. PAT TOOMEY is one of the most conservative Republicans from the Commonwealth of Pennsylvania. The two of them came together and said, Let's write something that is respectful of the Second Amendment, respectful of the rights of gun owners, but closes the gaps in the law when it comes to background checks. I think they have done a good job. But let me add quickly they put some things in this amendment I don't like at all. Let me be specific.

The amendment repeals the law that prevents gun dealers from selling handguns to out-of-State buyers, and it expands civil immunity to unlicensed gun dealers. I don't want to vote for those two things, but this is the nature of a compromise and this is the nature of the Senate. If we are going to pass this, I have to be prepared to take on and accept some issues I personally don't agree with because of the larger good. To me, the notion of plugging this 40-percent gap in the sale of firearms is so compelling I am prepared to accept parts of this amendment I don't like. I am never going to get exactly what I want on the floor of the Senate, nor will any Senator, nor should they expect to. We have differences of opinion, differences of party, differences of philosophy.

I commend Senators MANCHIN and TOOMEY for stepping up. This wasn't easy. They could have stepped back and said, Let somebody else do this. They haven't. I know they have taken some grief over it. The major gun lobby organizations oppose this Manchin-Toomey amendment, but we need to do this. Would it have saved the lives of those children at Newtown, CT? No. This measure would not have, because the guns he used were purchased by his mother who could legally purchase the guns. But it could have saved the life of Ricky Byrdsong and it could also save the lives of so many others who are being gunned down on the streets because people are owning and using guns who have no legal right to them. The Manchin-Toomey amendment moves us in the direction of closing that gap in the law.

I know the gun lobby opposes this amendment. I don't know what their position is on the underlying bill, but I know that Americans and gun owners overwhelmingly support it. So here is

the question: Can the Senate rise above the political pressure and vote for this measure? We need 60 votes, and it means it has to be bipartisan, not just the majority on this side of the aisle, but a good number on the other side.

I am encouraged by last week's vote because last week we had a preliminary vote, a procedural vote, about whether we were even going to debate this issue, and there was a question about it. Before the vote came up, 13 Republican Senators, supported by the Republican minority leader, sent a public letter saying they were going to oppose any effort to even debate the gun issue on the floor of the Senate. It looked pretty bad when the Republican leader took that position. But 16 Republican Senators stepped up and showed, I thought, courage and a commitment to this institution by voting with us to move forward on this debate. I am not assuming their votes on any issues, but I want to commend them in the spirit of this institution which has failed in recent years to accept its mandate and deliberate and vote on the most important issues of our time. I commend them for remembering that and for committing themselves to at least engaging in this debate on the floor of the Senate.

What about background checks and the Second Amendment? Well, the gun lobby argues that background checks are unconstitutional, even though Justice Scalia made it clear in the Heller decision, which was the decision on the Second Amendment that said, basically, the Second Amendment is a personal right to bear arms, not the right of a militia, which had been argued for years. Scalia said in that decision: "laws imposing conditions and qualifications on the commercial sale of arms" are "presumptively lawful." So there is no doubt, at least in Justice Scalia's mind or mine, that a background check is consistent with the Second Amendment.

The gun lobby also argues that background checks are ineffective. We have heard this argument: Well, go ahead and pass all the laws you want and all the law-abiding citizens will live by them but the criminals won't. Here is what they failed to note. Nearly 2 million prohibited purchasers have been blocked from buying a gun since background checks went into effect. They were so stupid, so careless, they tried to buy a gun anyway. They were stopped. The argument, of course, then goes: Well, why are there so many gun crimes committed? Well, because they get guns through other means which are also addressed by the bill. Straw purchases, for example; or through the ads in the newspaper I mentioned earlier. And the argument that unless a law is air tight and will stop all gun violence we shouldn't pass it—are we going to use that standard for speeding on highways or for texting on high-

ways? I don't think so. We do our best to set a reasonable standard for the good of this society, understanding there will be those who violate the law. The same thing holds true for this argument.

The gun lobby argues we should not improve background checks until we prosecute more cases where buyers fail their background checks. Well, what of the agency that gathers information for that prosecution—ATF the Bureau of Alcohol, Tobacco, Firearms and Explosives? If we look to that agency, we will note that for years now the gun lobby and the NRA have worked to keep this as a leaderless agency and to make sure it didn't have the power to enforce the laws on the books. They can't have it both ways. They can't stop the ATF from its job and then argue they don't prosecute these gun violations seriously.

Here is the bottom line: We are going to have votes soon to see where Members of the Senate stand. Are they going to stand with our police officers, religious leaders, teachers, prosecutors, doctors, mayors, and the victims of gun violence and their families? Are they going to stand with the strong majority of 90 percent of Americans who support these reform proposals to save lives in this country? Or, will they stand with the gun lobby that refuses to compromise even when lives could be saved?

I know where I am going to stand. I am going to stand with Ricky Byrdsong's family and his widow Sherialyn. She wrote me earlier this year when I held a hearing on gun violence and this is what she said:

How a criminal is able to buy a gun with no questions asked is absurd. Something must be done about this.

An important question from an important person whose life was changed forever because we do not have a strong law. I stand with so many other families who have suffered tragedy, including those families from Newtown who were here last week, as well as the families and the victims in my hometown of East St. Louis, IL, and the city of Chicago I am honored to represent. They are sick and tired of the gun lobby that puts industry profits before common sense and they are tired of the gun lobby having its way in Congress year after deadly year.

I urge my colleagues to join with the majority of Americans who support commonsense reforms for gun safety. I urge my colleagues to support the compromise Manchin-Toomey amendment and the bipartisan legislation on the Senate floor.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the period for debate only on the firearms bill, S. 649, be extended until 3:30 p.m. and that I be recognized at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. We will continue to work on getting an agreement setting forth some initial amendments and votes in relation to the gun safety legislation. The Republican leaders said they needed to have their caucus first. We are hopeful that we will receive a positive response to our efforts soon after the two caucus lunches and begin moving forward on some initial amendments and votes in relation to gun safety legislation.

RECESS

Mr. REID. Madam President, I ask unanimous consent that we recess until 2:15 p.m. for our caucuses.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:20 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—Continued

Mr. BLUMENTHAL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Madam President, my colleagues, the week is finally here when we come to the floor to have votes on a piece of legislation we have been waiting on for decades. This Chamber is finally talking about what we can do to stop the plague of gun violence which has rippled through every single corner of this country.

As I watched these mass shootings play out over the course of the last 10 years—whether it be in Colorado or Arizona or Virginia—we think to ourselves that this is just something we are watching. This is just something that has happened somewhere else to someone else. We never think it could happen to us.

I will never forget that day I was in Bridgeport, CT, and it was right before

Christmas. We were getting ready to take a train so I could bring my two little boys, along with my wife, to look at the pageantry of New York City. That was the day I got the call that there had been a shooting at Sandy Hook Elementary School.

I thought it must have been a mistake. I thought, well, to the extent there is something going on at Sandy Hook Elementary School—this quiet hamlet in western Connecticut—it must be some disgruntled employee who walked in and had a grudge.

What I learned over the next few minutes during the half-hour drive to Newtown made my blood freeze. I learned this was a mass shooting involving dozens of adults and kids. I realized it was now happening in my neighborhood, in my State, in my town.

Unfortunately—as I stood at the firehouse where the community gathered that day and all the parents stood waiting for their children to come back or not come back from that school—I realized I had way too many colleagues I could call upon for advice on how, as an elected official, to deal with a tragedy of this magnitude. I could call my friends in Arizona, I could call my friends in Colorado, or I could call my new colleague, Governor Kaine, from Virginia. There were too many places to turn, and it happened to us in Connecticut in a place we never, ever thought would be subjected to gun violence. We are finally at the tipping point on a debate of what we can do. Through all of the back and forth this week and last week about whether we would have a vote on this floor or would we have to overcome a filibuster, could we come to a compromise on background checks, would we add provisions to ban high-capacity magazines, underneath it all are these victims. There have been thousands of victims. There were the little girls and boys in Newtown, but also 16-, 17-, 31-, and 68-year-olds from across the country who have been gunned down over the course of the last several decades without this body raising a finger to try to make things different. Well, it is time for those victims' stories to be told.

As I did last week, I will be on the floor this week so I can share the stories of victims of gun violence. I will tell stories of lives which were cut way too short because of guns, and, in part, because this body has not been serious enough to stand up and do something about it.

I want to start this afternoon's remarks by returning to the place where it all started for me, and that is Sandy Hook Elementary School. There are 26 stories to tell of the people who lost their lives at that school that day, and I think I have gotten to about 20 or 21 of them. I will talk about the last few stories. It is unbelievable.

I have not had a chance to tell the story of Anne Marie Murphy, even though I told the story of what she did that day on the floor at least once. I just shared her story with my Democratic colleagues.

Before that fatal day, Anne Marie Murphy was an amazing person. Anne Marie was a special education teacher, and she loved her work. She sought out working in the area of special education because she knew she had a talent, as so many of her students and the parents who worked with her found out. They knew she had a talent for reaching out and touching little boys' and little girls' lives.

In fact, it is not a coincidence that a number of the kids who were killed in Sandy Hook Elementary School that day were kids with autism because Sandy Hook was known as a school that had a talent for reaching out to kids on the autistic spectrum. And Anne Marie was part of that story. She was a special education teacher. She was a mother of four wonderful children: Kelly, Colleen, Paige, and Thomas. She grew up in Katonah, NY. She graduated from St. Mary's School there before attending JFK High School in Somers, NY. Then she got her degree in Connecticut at a school that actually was in the process of educating one of the other teachers who was killed that day, Victoria Soto. Southern Connecticut State University is where she got her degree.

She was remembered by her friends and family as sweet, happy, outgoing, and caring, and all of those characteristics came into play that day. I shared this story with my colleagues last week and then behind closed doors today, but I will share it quickly again.

That day, Anne Marie Murphy had in her charge a little boy named Dylan Hockley. When the bullets started flying, Anne Marie took Dylan into her arms and did her best to comfort him and perhaps shield him. When the police came into that classroom, that is how they found Dylan and Anne Marie—in each other's arms. To the Hockleys, the fact that there was some small measure of love being expressed to Dylan in the last horrible moments gives them some small measure of peace. She died a hero doing what she did best.

Anne Marie had been doing this for awhile, but she had a lot of years to give. She was only 52 years old. She could have continued to change the lives of children in need, children with autism, for another 10-plus years. Just think of all the lives she could have affected. How many more Dylan Hockleys could she have found and nurtured and helped work through their autism? We will never get to know. She was killed that day.

Grace McDonnell's parents are amazing. They have been down here to Washington a number of times already.

They have led a lot of the debate in our communities in Connecticut about what we do to change the issue of guns and gun violence. They do so because they lost their daughter Grace McDonnell that day.

Grace was 7 years old when she died. Grace had asked for a purple cake with a turquoise peace sign and polka dots when she turned 7. That is what she wanted, I guess, for her birthday, was that purple cake. She loved the color purple and she loved the color pink, as so many of these girls did, and her funeral, which I had the honor of attending, was just buried in pink.

Grace loved the beach. One could always find Grace McDonnell on the beach. She loved country music. Taylor Swift and Kenny Chesney were amongst her favorites. She played soccer. She participated in gymnastics. She had a dog, Puddin', that she absolutely adored.

She was a very kind, wonderful little girl, so her parents have tried to think of the ways, big and small, in which they can try to pass along the kindness their 7-year-old little girl Grace showed for the world. They have done that by trying to explain to this country who she is. They have done that by taking all the art she produced—Grace was a fantastic artist, and many of us have pieces of original art that Grace McDonnell did hanging on our walls in our offices or at our homes. But the McDonnells do small things. Following her memorial service, they stopped at a local restaurant and they ordered a cupcake for every patron who came into the establishment that day—white cake, chocolate frosting, pink and white sprinkles—just to do a small little thing to spread Grace's love throughout this devastated community.

Coincidentally, it was after Grace's funeral that I received word that the NRA was going to oppose virtually everything we did. Up until that moment, I had hoped the NRA was going to be a partner with us. I remember walking out of Grace McDonnell's funeral—amongst the dozens of wakes and funerals I went to over those 2 weeks—and getting a copy of the NRA statement handed to me. It was that day that I understood we were in for a fight, one a lot of us who were in the midst of that grief didn't expect we were going to have. We thought Newtown was going to bring us all together. Unfortunately, for some, it has not.

Allison Wyatt died that day. Allison was 6 years old. Allison was an overwhelmingly kind girl.

All of these little boys and girls were kind because, frankly, that is what most little boys and girls are when they are 6 and 7 years old. They are wonderfully kind. This tragedy kills us inside because we know that 6- and 7-year-olds remind all of us about what we want to be.

Allison once gave her snack to a hungry stranger on a plane. She gave it away as a simple act of kindness. She had a passion for drawing. She wanted to be an artist when she grew up. She would cover the walls of her house with her drawings, turning every room in the Wyatts' house into her own little art studio. In fact, just before her death, she had drawn a picture for her teacher Victoria Soto, and she had written on that picture, "I love you, Love, Allie." Both Victoria Soto and her student Allison Wyatt died that day. Her daycare teacher said of Allison that "she would come and put her head down on your shoulder if she was upset. It would make her feel better. She was just such a sweet and caring girl."

Twenty-six teachers and students died that day in Sandy Hook, and we will remember every single one of them. Twenty-eight people died that day, and we have to remember that. As much anger and often hatred as we have for the shooter and as much confusion as we have about his mother and the questions we ask about why she would give him access to those kinds of weapons, knowing how troubled he was—28 people did die that day, 26 at the Sandy Hook Elementary School. But here is the thing. Every day more than that die in this country from gun violence. Every day, on average, 30 people die from gun violence across this country.

I have had this chart up for the last week, and it is hard to read if the viewer is in the gallery or in this Chamber or watching from somewhere else because each one of these little figures represents someone who has been killed by guns since December 14, 2012. In the now almost 4 months since that day—I think it is over 4 months now—over 3,400 people have died from guns all across this country.

We, as a legislative body, over the past several decades, seem to have become immune to the everyday gun violence that happens. We are just sort of used to picking up our local paper and reading about another shooting, reading about another victim, such as those who have died in my State, in New Haven and Hartford and Bridgeport, on a pretty regular basis.

This debate has to be not just about what we can do to try to lessen the likelihood that anyone has to call me and ask for advice on how they should handle the latest mass shooting in their State or their district, but it also has to be an answer to the thousands of people who are losing their lives on the streets of America due to routine, everyday gun violence. That is what the compromise that is on the floor for debate right now will do.

Since we put into place our background checks law, there have been hundreds of thousands of people who have been legally prohibited from buy-

ing guns because they were felons or they had been convicted of domestic abuse or they were judged so mentally ill that they shouldn't own guns. Hundreds of thousands of people have walked into gun stores and have been prevented from buying guns because of our background check law. The problem is that only about 60 percent of gun sales go through those background checks, and 90 percent of Americans agree we should apply background checks to as many people as we can to make sure criminals don't have guns. If criminals didn't have guns, I can virtually guarantee my colleagues that this visual would be a little less stunning than it is today. It wouldn't erase these figurines. Background checks, if they were universal, wouldn't erase the scourge of violence across this country, but it would certainly lessen the impact of this chart.

So let's talk about some of the victims of urban gun violence—of gun violence in our communities that is a 1-day story in the paper, not the multiday episode a mass shooting may be.

We can talk about someone like Kwante Feliciano. Kwante was killed just about a month ago in Hartford, CT. The shooting occurred on March 25. Kwante was shot in the chest, and a companion, 30-year-old Kelly Cooper, was shot in the head. Both of them were pronounced dead at St. Francis Hospital.

Kwante was a product of the Hartford public school system, and he was trying to do better for himself. There are a lot of kids who drop out of the Hartford public school system, but Kwante had figured out a way to graduate and was also trying to get himself employed in a tough economy. He was attending Lincoln Technical Institute, and he was studying to be an automotive technician at the time of his death. His obituary said that he was loved by everybody who came in contact with him and that what defined him to most of his friends and his family was his 100-watt smile.

Hartford is a tough place to grow up. There are a lot of kids who don't see a way out of their situation. But this young man did. He had gotten his high school diploma. He was trying to do something to make himself better by becoming an automotive technician, and he was shot dead in the chest just a few short weeks ago. Kelly, by the way, who was shot with him, leaves behind four children, four brothers, and one sister.

Kanasha Isaac was 16 years old. She was described by her friends as a social butterfly. She was full of energy and life. Her family was her center. Her uncle's home was always the place where her friends and her family congregated when they were there. Kanasha was the center of all of her family's life.

After exiting a local restaurant, Kanasha and her boyfriend got into

their car. Another car pulled up beside them, blocked them as they were going into a parking space, and a man shot at their car. He shot Kanasha in the face. She died shortly thereafter at 16 years old. This was in Florida on February 24 of this year.

Kanasha was going to the local high school. She wasn't the first victim of gun violence in recent months. In December two high school classmates of hers, Coby Deleon and Natalia Trejo, were killed in a murder-suicide. Three students in this one local high school in Florida were killed in about a 2-month, 3-month period of time.

Christopher Walker was 19 years old, and he was shot on March 12 of this year in Milton, GA. It was an attempted robbery. He was a marketing student at Georgia Perimeter College, and he had just been accepted into Kennesaw State University for the upcoming fall semester. That is a big deal. He had been trying to do right for himself and his family. He had been studying marketing, and he had just gotten accepted into Kennesaw State University. He was excited about getting into that school. He was already working to pay for his degree. He was a successful salesman at a local Sears store, and he was doing all of this with a goal toward the long term. He was a great salesman. He was studying marketing.

He was going to get his degree, but he really loved music. His dream was to become a musician. Even as this 19-year-old college student was looking for a job, he was recording as much music as he could, and his goal was to take his music and not keep the money he collected from it for himself; he was going to donate it to charity. So he was going to pursue his college degree, go out and continue to be a salesman, and do music on the side simply to make enough money to give to charity.

What an amazing kid, 19 years old. In an attempted robbery on March 12 of this year, Christopher Walker was shot dead in Milton, GA.

Dominique Boyer was 18 when he was shot in Atlanta, GA, on March 28.

All of these victims, by the way, are part of this chart. Unfortunately, I do not have to go back 6 months or a year or a year and a half to find an endless list of victims. We are just talking about March of this year.

Dominique was 18 years old and just months away from his high school graduation when he became an unintentional, innocent victim of a shooting in DeKalb County, GA. Dominique was a senior at Columbia High School and he had been planning to go to college to become an accountant.

His classmates remember him as happy, as outgoing, as a very respectful kid with a lot of friends. He was the oldest of four siblings. He was just months away; he was going to graduate this fall. He was going to go to college,

and he was an unintentional, innocent victim of a shooting.

We hear this over and over and over. I have read now probably 50- or 60-plus stories of kids—18, 19 years old—who have been killed. The highest incidence of gun violence occurs to 19-year-olds, I think, followed by 18-year-olds, followed by 17-year-olds. It is really teenagers who are getting killed out there. Unfortunately, in Connecticut, it was 6- and 7-year-olds, but kids who are not much older than the kids who died in Sandy Hook are dying every day in this country from gun violence, and most of them are unintentional, innocent victims. At some level a lot of people want to believe that the people who are killed in connection with a crime or are wrapped up in gangs. Some of that is true, but the stories we are hearing are of good kids who were doing the right thing; who, as the President has said, were not in the wrong place at the wrong time but were in the right place at the right time.

Dominique Boyer was a respectful kid who treated everybody well but just happened to be in the way of a bullet that maybe was not designated for him but should not have been flying through the air in the first place.

Hakeem Jackson was 17 years old when he was killed a couple weeks before Dominique on March 11, 2013, in Knoxville, TN. He was just on a weekend visit to Knoxville visiting his family and his grandmother. Hakeem's mom described him as a quiet and bashful boy but sometimes a little bit of a prankster.

On a Friday night he asked his grandmother for some money. He was 17 years old. He just wanted to go down to the store. While he was walking down a street in a city that was not even his own, a gray sedan pulled up and shot Hakeem several times. Those shots eventually killed him. He was 17 years old, just visiting his grandmother in Knoxville, TN.

Let me share a couple more stories with you.

Kay Cornell Janus was on the other end of life's spectrum. She was 72 when she was shot just 1 day before Hakeem in Marietta, GA. She was known for her grace and her poise, and, again, as you have heard about a number of these victims, her radiant smile—something her family and friends remembered about her.

She was full of class. She loved fine food and wine and traveling and entertaining. Many of these hobbies became, over the course of her life, her passion. She was the mother of four, and she was the grandmother of two.

She was shot in her garage by her longtime boyfriend. Neighbors suspect that the murder may have been the result of a simple dispute they were having over finances. It ended in Kay, 72 years old, being gunned down.

Zachary Rose was killed in January of this year. He was celebrating his 22nd birthday. Two days later, after his 22nd birthday, he was killed. His loves were skateboarding and cars and dogs—dogs at the top of his list. He absolutely loved dogs, and he had a Great Dane, Mathias, that all of his friends said after he was killed was really "his baby."

He actually loved dogs so much that he ran his own dog training company. Zachary's friend dedicated a page of their company's Web site to help raise money for Zachary's funeral because his family was going through very tough times, and when he was killed, leaving behind three siblings—a brother and two sisters—they did not have enough money to pay for his funeral.

His friends said Zachary was the kind of guy who "literally had no enemies"—killed by guns on January 28, 2013.

His family did not have the money to pay for his funeral. It is the story of a lot of these families. Families are already going through tough times. Luckily, a lot of these communities rally to the victims' defense to raise the money for these funerals. But think about that. Think about going through the pain and the grief of losing your child or your son or your daughter or your grandson or your sister or your brother, and then looking into your family's accounts and not even having enough money to bury them. That is the reality of what is happening across this Nation today because it happens too often.

There has been another trend in the last several months that has in some ways been even more disturbing than the overall incidence of 3,000-plus people having died across our country. We have seen a very disturbing trend, in the last several months even, of accidental deaths from guns. As we have said, there is no one solution to this plague of gun violence. It is getting tougher on our gun laws: making sure criminals do not have them who should not, trying to take some of these dangerous weapons—the assault weapons and the dangerous high-capacity ammunition—off the streets, having a better mental health system. But it is also about gun safety. It is also about making sure if someone is going to be a gun owner they be a responsible gun owner, that they put a lock on their gun and keep it away from children.

Over the past several months there have been four absolutely tragic shootings involving toddlers.

A Tennessee woman was shot in the stomach by her 2-year-old child who discovered a Glock 9 stored underneath a pillow. The child picked it out from under the pillow, discharged the weapon, and shot Rekia Kid while she was sleeping.

Josephine Fanning was shot and killed in Tennessee when a 4-year-old

boy discharged a handgun owned by Fanning's husband, who had just kept the gun loaded, in his words, "for just a moment." A 4-year-old boy.

A 6-year-old boy was accidentally shot and killed by his 4-year-old playmate in a quiet residential New Jersey neighborhood. "This never should have happened," the victim's uncle said. "It's horrible."

A 3-year-old died recently of an accidental self-inflicted gun wound in South Carolina after finding a gun in an apartment and discharging the weapon.

A 2-year-old shooting his mother, a 4-year-old shooting an adult, a 6-year-old getting shot by a 4-year-old, and a 3-year-old shooting themselves—these accidental shootings are likely not going to be solved by a background check law or by a ban on high-capacity ammunition, but it just speaks to how big this problem is. It speaks to how many guns are out there.

It also speaks to the fact that as part of our debate on background checks and on specific weaponry that should be kept in the hands of the military, we should be having a conversation about gun safety as well.

Lastly, I want to talk about the importance of today.

Senator KAINE, I believe, was down on the floor earlier talking about the 6-year anniversary of the worst mass shooting in this country's history at Virginia Tech. I want to close by just telling a few final stories about those victims. I have told some of them when I have been down here before, but that shooting was in some ways just as tragic.

In Sandy Hook, we had a little glimpse into who these little boys and girls would be. When we heard these stories about their intellectual curiosity and their kindness and their grace, we had a window into what amazing people folks such as Dylan Hockley and Grace McDonnell and Madeleine Hsu would eventually grow up to be.

In Virginia Tech, though, we had a much better window into these kids because though they had not reached maturity, they had already succeeded by getting into Virginia Tech, and we could really see the kind of contributions they were going to leave.

Austin Michelle Cloyd lived life boldly. She had traveled the world with her family. She was interested in everything from politics to environmental issues to international relations. She was a very tall girl and everybody remembered what Austin looked like because she had flaming red hair and a big, bright smile. She played basketball throughout her middle and high school years, and she worked four summers with the Appalachia Service Project to help make homes better for people—to make them warmer and safer and dryer.

She loved reading and scuba diving and music and concerts, and she was just a girl who was absolutely full of life. She lived her life for a purpose. She knew she wanted to help people.

She had a brilliant mind and a compassionate heart and she had an iron will. We will never know what Austin was going to truly grow up to be. She was killed that day at Virginia Tech.

Jocelyne Couture-Nowak was a French Canadian who had a passion for teaching French. She was a faculty member who was killed that day. Before she moved to Virginia, she was very well known for being instrumental in helping to develop a school to ensure access for francophone families who wanted a safe school environment and a French language education.

She went between Nova Scotia and southwest Virginia. She loved the bucolic countryside, and she loved to go on hikes, whether it was in Virginia or back in Nova Scotia.

She was passionate for French education. She was passionate that other people would learn the language, and she still had a lot of passion to give. But she was killed that day as well.

Matthew Gwaltney was a second-year master's student in the Civil and Environmental Engineering Department. His professional goal was to go out and increase awareness and education about environmental issues. He wanted to encourage people to be proactive in their individual lives to try to better our environment, whether it was just leaving a smaller and more confined footprint on this world or going out and creating systems in their community to lower the impact of pollution.

His passion was environmental awareness, but he was also a big fan of sports. He was a detailed expert in sports statistics, and you could not beat Matthew in a game of trivia. He loved his Hokies and was a devoted fan, and he went to every ACC sporting event he could. Professionally, he loved the Atlanta Braves and the Chicago White Sox and the Chicago Bulls.

Matthew was going to lead a great life—one that was lived outwardly. But we never got to see the maturity of his passion for environmental awareness, nor his passion for the hobbies he loved because Matthew was killed that day at Virginia Tech.

The list just goes on and on and on—3,400 people killed since December 14. I have in the Chamber just a few of the pictures of the young men and women who have been killed in Hartford and Bridgeport and New York and Washington and Newtown, CT. It is their memories we will honor this week as we go forward on one of the most important public safety debates this Chamber and this city has ever had.

I will be back down to the Senate floor later this week to continue to engage my colleagues in talking about the real reason we are here; that is, the

victims of gun violence all across this country.

Mr. President, I ask unanimous consent that the period for debate only on S. 649 be extended until 5:30 p.m., and that the majority leader be recognized at that time.

The PRESIDING OFFICER (Mr. MANCHIN). Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I wish to begin by saying my thoughts and prayers, similar to those of so many Americans, are with Boston today, with the families and loved ones of those who have lost lives or been injured. I offer my deepest condolences to the families of those victims and my sincere gratitude to the courageous first responders, including many of the runners who courageously went to the aid of people who were grievously injured and some maimed by this horrific act of terror. Whether we call it a terrorist act or an act of terror or simply a criminal murder, it is certainly to be condemned and investigated as thoroughly and promptly as possible. I know the full resources of the Federal Government have been devoted to this purpose.

We are an open society. We appear soft-hearted to people who want to do harm to a democracy. We are vulnerable because we are a democracy and we are open. We have resolved that we will not become totalitarian or anti-democratic; that we will remain a free and open society. That is the wonder and strength and uniqueness of America, the greatest Nation in the history of the world.

Horror has brought us to this debate, the horror of gun violence, the horror of what has happened in our schools, our streets, our neighborhoods, in places where the public is admitted, indeed welcomed, whether it is movie theaters or places of worship or schools, places where the public has access and where, therefore, all our citizens, most especially our children, are vulnerable.

Last week when we opened this debate we spent a lot of time talking about victims. Senator MURPHY and I spent a lot of time on the Senate floor discussing Newtown and the victims of that unspeakable and unimaginable tragedy. Today we remember another similar tragedy, facilitated by the same extraordinarily dangerous weapons in the hands of people who should not be permitted to have firearms or

guns. Six years ago today, Seung-Hui Cho used two semiautomatic handguns and nine 10- and 15-round magazines to kill 32 innocent victims and injure 23 at Virginia Tech University. Many of those weapons he used were purchased online. Others were purchased at local stores without a background check.

As somebody who has seen my own State grapple with this tragedy, I extend my condolences to the families of Virginia Tech victims—some of their families were here earlier today—and all who have felt the impact of this absolutely senseless slaughter, as senseless and unspeakable as what happened in Newtown just 4 months ago.

I wish to recognize the leadership of our two Senators from Virginia and their efforts to prevent another Virginia Tech. As he discussed earlier, Senator WARNER has been actively engaged in efforts to bring research and resources together to make our schools and campuses safer. His leadership has been extremely important. Colleges and universities play an extraordinarily important role in my own State of Connecticut. I know they are constantly working to keep their campuses safe. The School and Campus Safety Enhancements Act included in the gun violence legislation currently before this body would be an important step toward giving these very institutions of higher learning what they need to protect our students and support the kind of research that is necessary to develop new means and possibly new technology, new tools that our institutions of higher learning but also institutions of learning across-the-board, beginning with our elementary schools, need to do better.

I am proud to be cosponsor of this legislation. I look forward to working with my colleagues to ensure its passage. Senator Kaine spoke so powerfully and eloquently on the floor earlier today, showed such grace under pressure—which is one of the definitions of courage—in responding to the Virginia Tech tragedy. He has worked to deal with the wounds. He has resolved to learn from Virginia Tech and indeed he worked as a Governor to seek safer campuses across Virginia and across the country. He fought to put in place commonsense laws that would prevent shooters such as Seung-Hui Cho from having access to the arsenal he used 6 years ago. I thank Senator Kaine for helping to lead the effort for a ban on high-capacity ammunition magazines such as the ones used at Virginia Tech and used at Newtown and used in so many other shootings across the country over the years. With his support, I plan to offer a high-capacity magazine ban, on behalf of Senator LAUTENBERG, in an amendment to the gun violence legislation currently before the Senate.

I am proud to be working with others, such as Senator FEINSTEIN, Sen-

ator SCHUMER, and my colleague Senator MURPHY, in that effort. I encourage my colleagues to work with me and Senator Kaine to pass commonsense legislation as we mark the tragedy at Virginia Tech and we remember the victims of Newtown.

I thank the families of the victims of these shootings from all across the country who have come to Washington over these past days, and indeed weeks, working so hard and so diligently, working through their grief and pain, doing something that is so difficult for them so others can be spared this pain and grief.

Many will face difficult votes, perhaps as early as tomorrow. We have approached the cusp of these vital and historic votes. Many of these votes will be difficult for my colleagues. But as difficult as they are for them—and for many whose difficulty I respect—let's remember how difficult it has been for those families of the victims to come here to look you in the eye as they have done and say: Let's now do something about gun violence. That is what I heard in the wake of Newtown, as early as the evening that horrific tragedy occurred. Let's do something about the guns.

We have the opportunity to do something about the guns. As Gabby Giffords said to the Judiciary Committee just weeks ago: Be bold. Be courageous. America is counting on you.

That is her urging to us. That is our obligation and our historic opportunity.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING BRITISH PRIME MINISTER BARONESS MARGARET THATCHER

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution that is at the desk honoring the life, legacy, and example of British Prime Minister Baroness Margaret Thatcher.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The resolution (S. Res. 98) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. McCONNELL. Mr. President, we have just agreed to a resolution honoring the late Margaret Thatcher before her funeral tomorrow. It is our intention for that resolution to be a statement equal to her legacy. Her work with Ronald Reagan reinvigorated the North Atlantic Treaty Organization.

Margaret Thatcher was one of the most influential and revolutionary figures of the 20th century, and failing to name her achievements would do her memory and legacy a great disservice. It would be unheard of to commemorate Churchill, for example, and ignore his heroic role in steering his countrymen through the Battle of Britain, nor would we think of honoring Lincoln without mentioning the Civil War. Doing the right thing when it is not easy or popular is what defines leadership, and it defined Margaret Thatcher. It is fitting that the Senate honored her legacy just a few moments ago.

Margaret Thatcher didn't just change a country or give people hope, she helped alter the course of history. It is true that she did not just go along to get along. Had she done so, I am sure we would have long since forgotten her.

Let's honor her for all she did. Let's acknowledge the enormity of what she accomplished. Let's mention her achievements by name, and the resolution does that. As I said, we owe Margaret Thatcher a tribute equal to her legacy.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—Continued

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mrs. BOXER. Madam President, I rise today as a mother, a grandmother, and a Senator—a Senator whose State has been touched far too many times by gun violence, including mass shootings. I also wish to reiterate my support for the people of Boston who are dealing with the aftermath of senseless, tragic, and cowardly violence.

I think I need to put into context why I have for so long been an advocate of gun safety measures. In January 1989, a gunman stepped onto the grounds of Cleveland Elementary School in Stockton, CA. He fired at least 106 bullets from an AK-47 rifle across the schoolyard. He killed 5 children, ages 6 to 9, and 1 teacher, and he

injured 29 other students before fatally shooting himself. This horrific crime led California to enact an assault weapons ban and, of course, we know that assault weapons ban in California is still in place. I so appreciate Senator FEINSTEIN's leadership in trying to, once again, authorize at the Federal level an assault weapons ban.

Californians still remember this tragedy in Stockton, just as the Nation will always remember the victims of the horrific events of Friday, December 14, 2012, at Sandy Hook Elementary School.

I flash forward to from 1989 and the Stockton tragedy to a law office in San Francisco in 1993, where a crazed gunman—I remember his name, but I will not say it—with an assault weapon killed eight people and wounded six. One of those people was a brave lawyer who threw his body over the body of his wife, sacrificing his own life to save hers. That young man was one of my son's best friends, and I know personally how these horrific and senseless tragedies live on with the survivors—the parents, the spouses, the children, the families, and the friends. It changes their lives and it pierces their hearts forever.

I have told you a couple of stories about California. But let me say this: Let's look at what has happened across this Nation since Sandy Hook. In the 120 days since Sandy Hook, more than 2,200 Americans have been killed by gun violence. Hardly any place was spared.

We know there are many, many firearms in America. There are 300 million firearms in the United States. If you were to divide that up, that would be one gun per person, of course. There are many people who have many, many guns.

This is a 50-percent increase—the number of guns in circulation—since 1995, when there were, as I say, about half that number.

When I go home and I speak about this—and I write about it—I say: There are 31,000 reasons why we need to pass sensible gun laws because—31,000—that is the number of people who die every year in America from gun violence. That is 87 people every single day, on average.

You look at this: 31,000 people dying every year from gun violence. So how do you get a sense of what that is? I think back. One of the reasons I got into politics in the first place was the war in Vietnam and trying to end it, first as an activist and then, actually, as an elected leader in my country. I think about how many people died in the 10-year war of Vietnam and it was a little bit more than 50,000 in that 10-year period and it turned our country upside down—upside down. I can tell you, I lived through it: generation against generation. It was a very tough time in this Nation. People lost faith in the country. It was tough.

Yet we have 31,000 people killed every year in America from gun violence, and it is something where we all kind of just say: OK, that is terrible, but we do not do anything about it. But we are about to do something about it that is very important. It may not be everything I would want to do, given my history on this issue, but I will say, if we can move forward with sensible background checks—and I thank Senators MANCHIN and TOOMEY so much, so much, for their work—and if we can do something about straw purchasers, and if we can do something about making our schools safer—which I am pleased to say I wrote the legislation that is in the underlying bill before us—if we can do a few of these things, it would be a big step forward.

Do I want to see more done? Yes. Do I want to see the ban on assault weapons reinstated? I do. But I do feel we are at a point in time where we may be able to get something done that matters.

I think we ought to look at mass shootings in the last 30 years. First of all, 40 percent of mass shootings have occurred since 2006. So if you go back 30 years, you see 40 percent took place since 2006.

According to the Washington Post, in 2012 alone, 175 people were killed or wounded from mass shootings. People who should not get these weapons are getting these weapons. People with severe mental illness are getting these weapons. We know that.

Today, we got to see in the Democratic Caucus lunch a heroine, someone who is unbelievable, Gabby Giffords, struggle with each step, with every word. Why? What did she do? She held a townhall meeting so she could bring government to her people in the most personal of ways. And someone who was very sick got access to weapons, and the rest we know.

In the name of those who were lost, Gabby Giffords and her husband Mark Kelly have been truth-tellers. These people—Mark and Gabby—are gun owners, proud gun owners. They are not coming from a different place. Yet they are standing for sensible gun laws. I am so grateful to them for dedicating their lives to this, and I am so grateful to the parents of the children and all the victims at Sandy Hook for putting a human face on these numbers.

Madam President, 175—what does that mean? If you saw the faces you would know what it means. And sometimes the wounds, as we see with Gabby, are so hard to deal with.

We can make it harder for people who are criminals, who have no right to have a gun, we can make it harder for them by making sure they have to undergo a background check.

Today, I learned from Mark Kelly that we, through the background checks that we already have—that is when people go to a regular retail

store—we have stopped well over a million gun sales, well over. Yet we do not have that same system in place for gun shows or private sales.

So JOE MANCHIN and Senator TOOMEY have been working together, and they have crafted a way to move toward a sensible background check—yes, protecting family members who want to give a gun to the next, but they have preserved, the most important part of their bill, which is to simply make a uniform standard for a gun sale wherever you purchase your gun.

Some of the strongest proponents of this are people who run retail stores who go through the laborious situation—although it is pretty quick now—of doing a background check. Yet somebody can go across the street to a gun show and make a deal and never be asked, and they could be a criminal, they could be mentally unbalanced, they could be a terrorist, OK, and still get a gun.

I want to look at the issue of school shootings in America. The tragedy that took place at Sandy Hook is a tragedy that far too many of our Nation's communities have faced in recent years.

I have in the Chamber a chart that shows that since the year of Columbine, 262 students, teachers, and others have been killed or wounded in K-12 school shootings. People go to school. It is supposed to be a protected zone. Who thinks about this? Look how many people since Columbine. And we swore we would never allow that to happen again. It is happening. So we have to do more.

I tell you, this is just K-12. But if you look at America's colleges and universities, in my own State, at California's Oikos University, in 2012—it is in Oakland—a former student returned to the campus and killed seven people and injured three. We have these horrible violent incidents at colleges and universities.

School shootings are on the rise in America. I am telling you. I have the numbers to show it on this chart. Divided up by decades, we go back. From 1979 to 1988—this is the number of incidents at schools; not the people killed, but the number of school shootings—there were 27. This is just for K-12. This does not include the universities. So for K-12, from 1979 to 1988, 27 incidents; from 1989 to 1998, 55 incidents; from 1999 to 2008, 66 incidents.

This is a number we do not want to keep going up. In so many of these cases it could have been prevented. I am not saying every case, but certainly in some cases. If we were able to do something about the magazine capacity here, that would have a big impact on the numbers as well. So we are moving up, and that is not a good number.

The parents of the fallen children at Sandy Hook and Oikos in my home State have joined countless other parents who have lost their children in

violent assaults on our Nation's schools and colleges. They have joined with parents of Colorado's Columbine High School, California's Santana High School, Minnesota's Red Lake Senior High School, West Nickel Mines School in Pennsylvania, Virginia Tech, and so many others.

The shooting at Sandy Hook is another reminder that we have failed our children. I do not know how to put it another way. I am so sad about it. This topic is so heavy in my heart because I know we can do some things to change it. I believe we are on the brink of doing some things—not enough in my view but some things to change it.

I could tell you, Madam President—because the Presiding Officer was there today—we had quite a caucus today. Our colleagues who stood up, who have seen these tragedies in their States, were beyond eloquent. Our colleagues—who are trying to do something that, yes, may be politically difficult—are showing courage.

It is one of those moments when you say: I am blessed to be here, and I can do something about this. I think more and more of our colleagues are beginning to realize this, as they meet with the parents and they meet with colleagues and they sit down one-on-one.

We have to keep our children safe.

One of the pieces of legislation that is less controversial that is included in the base bill before us is the School and Campus Safety Enhancements Act that I have authored with Senator COLLINS, Senator WARNER, and Senator KIRK to help secure our Nation's schools.

For years, we had the very successful Secure Our Schools program. Basically, we build from that program and we make some changes to it that I think will make it better.

I want to explain the way it would work. What we say is, if a local entity—and this could be a police department; it could be school districts—if they feel they want to secure their schools, they will have to put some funds on the line, about 50 percent of the funding. But we would supplement that funding by 50 percent. We would help to pay for security-related capital improvements at the school plant.

A lot of our schools are old. When they were built, no one thought 5 seconds about some of these issues. Classroom locks, lighting, fencing, reinforced doors, security assessments, training for students and teachers and administrators, coordination with local law enforcement—there are so many things we can do. But we know our school districts and our local police departments are stretched right now.

We want to help them pay for some of these things—perimeter fencing, for example, and cameras. You could see someone coming onto the campus and take action to either alert your school officers who may be there or your local police department to prepare.

We have had a similar program in place since 2002, but the authorization expired in 2009. In the past, 5,500 schools have received these funds, but the funds were not even sufficient. Fifty-four percent of the entities that applied for these grants were turned away. So we know this is a program the schools like because they took advantage of it. But we ran out of funds. We want to make sure we reauthorize this. In the past, programs such as the one in the bill passed with a 307-to-1 vote in the House and the Senate 95 to 0.

What we do is reauthorize the Safety in Schools Program for 10 years. We increase the authorization to \$40 million a year. We allow more flexibility. We do not say what they have to use it for. By the way, they do not use it for more cops in schools. That is another issue. It is not in this particular piece. It is something I care about and want to work on. It is not in this bill.

What is in this bill is making capital improvements to the facilities. It is not a one-size-fits-all. Some people do not need a fence or a camera or a door. We leave it up to the schools. Flexibility. We also do something Senator WARNER truly wanted. We create a Department of Justice and Department of Education task force to develop advisory school safety guidelines. We include language from Senator GRASSLEY to ensure adequate grant accountability. Senator WARNER and Senator KIRK also wanted to create a National Center for Campus Public Safety, which will serve as a clearinghouse for education, training, and best practices. Here is the thing. Some of our campuses know how to do this and others do not. So we want to make sure there is a central place one can find out the best practices.

I was going to go through, in closing, some of the ways these funds were actually used on the ground before this program expired. In Sulphur Springs, TX, which is a school district made up of nine schools, they wanted to do a safety assessment. They were able to make that safety assessment so they knew what they had to do to make their schools safer.

When they did their study, they found they needed to replace older security equipment and technology, expand restricted access keyway systems, and placed classroom security levers on all doors, which allowed teachers to lock doors from the inside. Simple point. You may say: Oh, that is not expensive. Why do you need to spend money? It sure adds up when you truly want to secure a door and want to do it right. So if you have many doors, we can help them do these things. If they wanted to make sure they hardened their facility, that is what the money is for.

There is a township in New Jersey that used funds to secure perimeter

and playground areas by installing security gates at elementary and intermediate schools to create a safer learning environment. The new exterior fences defined school boundaries, making the school grounds safer for students. Interior gates were placed at schools, providing the ability to lock off specific areas of the schools during emergencies.

Again, it is common sense. But when these schools were built, no one thought about this. Everything was open. It is similar to the Capitol when I came here. I am dating myself. A long time ago, you could go anywhere—no metal detectors, no fences, walk up the steps to the Capitol. We have lost a lot of that freedom. Our world is now to balance our freedom in the greatest country in the world with security. That is what we are trying to do with this.

In Minnesota, we saw grants used to conduct security assessments and institute safety training classes. In Palmer High School in Colorado, they implemented a new surveillance, lockdown, and evacuation procedure. They doubled the number of doors that are operated by security cards, so it reduced the number of outside individuals able to gain building entry. It makes it harder for people to get in. It might be annoying for some parents, but I think right now people realize this is what is needed. It is this balance.

In Florida, in Leon County, which is responsible for 50 schools, they had no central point of contact to coordinate communication across all school facilities. So they set up, with the funds from this program, a 24-hour emergency operations center which has significantly reduced emergency response time. There is one point of contact.

So what we have done in this bill is not a one-size-fits-all. We do not say in here: You have to do 10 things. We say: You come up with the plan. You send it to the Department of Justice. They look at the plan. They work with you to make it good. If they think it is worthwhile, we will fund it 50 percent.

My final point. I want to show who supports school safety provisions in the bill: Fraternal Order of Police, Security Industry Association, National Sheriff's Association, National Association of School Resource Officers, International Association of Campus Law Enforcement Administrators.

I ask unanimous consent to have the list printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LAW ENFORCEMENT AND SECURITY INDUSTRY GROUPS

Fraternal Order of Police, National Sheriffs Association, National Association of School Resource Officers, International Association of Campus Law Enforcement Administrators, International Union of Police

Associations, Security Industry Association, Texas State University's Advanced Law Enforcement Rapid Response Training Center (ALERRT).

PARENTS, TEACHERS, AND ADMINISTRATORS

National Parent Teacher Association, National School Board Association, National Education Association, American Association of School Administrators, National Association of Elementary School Principals, National Association of Secondary School Principals, National Rural Education Advocacy Coalition, Association of Educational Service Agencies, National Rural Education Association, Virginia Tech Victims Family Outreach Foundation, American Association of University Women.

Mrs. BOXER. I have left out PTAs, National School Board Association, the NEA, and so on. We have a long list.

Look, we will never be able to stand here and say we have solved every problem. We cannot. But we have to be able to say, we have to be able to know we did everything we could to reduce these tragedies. As I stand here I think, what will people say who do not vote for this and the next tragedy comes? What will they say? How can they look at their kids and their grandkids and say: I did not think it was right.

We need to do commonsense things around here, not put ideology ahead of practicality. The slaughter of innocents must stop. I am going to support the Toomey-Manchin amendment. It closes the gun show and Internet loophole. It is not the perfect background check I would write. We know that. But it is good. It is solid. It moves forward. I am going to support Senator LEAHY—his amendment which will outlaw the abusive practice of straw purchasing and gun trafficking. I will support Senator FEINSTEIN's important amendment on assault weapons, to ban those weapons. She has worked so hard to make it fair and just and right. It would also take high-capacity clips off our streets.

Senator FEINSTEIN will have much more to say on assault weapons. I will withhold my remarks on that until that debate. Clearly, we have work to do. Clearly, we all carry from our State and in our hearts stories of this violence. Now we have a moment in time where we can actually act. I truly appreciate this opportunity.

ORDER FOR RECESS

Mrs. BOXER. Madam President, I ask unanimous consent that the time until 6 p.m. be for debate only; that at 6 p.m. the Senate recess subject to the call of the chair; that when the Senate reconvenes the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRUZ. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO MARGARET THATCHER

Mr. CRUZ. Madam President, I rise to honor the memory of Margaret Thatcher. When she passed, the United States lost a great ally and the world lost one of the greatest champions of liberty who has ever lived. I commend our colleague Senator MITCH MCCONNELL for today offering a resolution that was approved by unanimous consent praising Thatcher's leadership. I commend all 100 Senators for consenting to and adopting that resolution.

I would like to spend a brief amount of time talking about the incredible import of Margaret Thatcher's legacy. Margaret Thatcher became familiar to so many of us in the United States after she started winning elections. We think of her as the scourge of the Socialist policies that threatened to ruin Britain, as the resolute victor of the Falklands War, and, of course, as the ideological soulmate of President Ronald Reagan, who battled the Soviets.

I have always been fond of her admonition that conservatives need to first "win the argument," then we will win the vote; in other words, that we need to effectively communicate our ideas in order to prevail in elections, and elections will naturally follow as the consequence of doing so.

I would like to talk about her days winning the argument, in particular, her seminal speech on January 19, 1976, entitled "Britain Awake." At the time, it seemed to many that the conservative movement had failed. As James Callaghan succeeded Harold Wilson as the Labor Prime Minister, the Tories were in apparent disarray.

Thatcher had wrested control of the party from former Prime Minister Edward Heath. Few gave her a chance at broader electoral success. Indeed, she said at the time she did not anticipate a female Prime Minister in her lifetime. I would be remiss if I did not note Margaret Thatcher was Britain's first and, to date, only female Prime Minister.

Thatcher was a trailblazer, and her ascension wasn't simply a matter of breaking the glass ceiling as much as it was refusing to acknowledge its existence.

Thatcher made the argument in that 1976 speech. She began by observing:

The first duty of any Government is to safeguard its people against external aggression. To guarantee the survival of our way of life.

She then addressed the Soviet menace, noting: "They put guns before but-

ter, while we put just about everything before guns." She bluntly and truthfully said the Soviets were "a failure in human and economic terms."

She went on to tell the nation: "The advance of Communist power threatens our whole way of life."

However, she stated:

That advance is not irreversible, providing that we take the necessary measures now. But the longer that we go on running down our means of survival, the harder it will be to catch up.

These comments strikingly were echoed not long after by President Ronald Reagan, when he spoke so clearly and addressed the Soviet Union as an evil empire. He went on to observe that Marxism would end up discarded on the ash heap of history.

At the time Margaret Thatcher's comments and Ronald Reagan's comments were derided by much of the intelligentsia, the media, the academy, and by many observers who knew far better than these seemingly naive souls. They were derided when President Reagan was asked: What is your philosophy of the Cold War? He responded: It is very simple. "We win, they lose." This was seen as a simple Manichean view of the world and not realistic. Yet I would suggest their vision ushered in a far safer day for humanity.

Margaret Thatcher laid out the stark decision before the nation.

There are moments in our history when we have to make a fundamental choice. This is one such moment—a moment where our choice will determine the life or death of our kind of society—and the future of our children. Let's ensure that our children will have cause to rejoice that we did not forsake their freedom.

Margaret Thatcher won the argument. She took office during Britain's "winter of discontent" when Britain had double-digit inflation, a top income tax rate of 83 percent, and rising unemployment. She revolutionized the economy with free market ideas in her 10 years of service which ushered in a new decade of prosperity.

When she took office, the top income tax rate was 83 percent. It was cut to 60 percent and then to 40 percent. The middle tax rate was cut to 30 percent, and the lowest tax rate was eliminated altogether.

When she took office, the top corporate tax rate was 53 percent. She cut it to 35 percent. The top capital gains tax rate was a stifling 75 percent. Thatcher cut it to 30 percent. As a result of progrowth policies, unemployment fell from a high of 12 percent early in her tenure to 7.5 percent near the end. Public spending as a percentage of GDP fell from 45.1 percent of GDP to 39.4 percent of GDP. Inflation fell from almost 22 percent in 1979 to a low rate of 2.4 percent in 1986.

Perhaps the most telling tribute to Margaret Thatcher's leadership is 3 days after she gave her "Britain

Awake" speech, the heroic fearless speech, she was dubbed "The Iron Lady" in the Communist news outlet, the Red Star.

When your military enemies are describing you as formidable as "The Iron Lady," it indicates you are winning the argument, that your message is being heard.

Margaret Thatcher wasn't great just because she gave a good speech. She became great because she explained what was at stake. She articulated the meaning of economic freedom, freedom which allowed someone such as she, a shopkeeper's daughter, to rise to prosperity and leadership.

She articulated the value of national pride and convinced the public of the virtue of standing for freedom and against tyranny and oppression.

As Baroness Margaret Thatcher lays down the tortured freedom she spoke of in 1976, we can pay no higher tribute to her than to heed her arguments which are as valid today as they were then.

It is unfortunate news accounts have indicated the U.S. Government will not be sending a member of the current administration to her funeral tomorrow. I hope those news accounts are mistaken.

I hope President Obama, Vice President BIDEN or senior Members of the Cabinet make the decision to travel to Britain and to honor the incredible legacy of Baroness Margaret Thatcher. It was truly a providential blessing Margaret Thatcher served alongside President Ronald Reagan and Pope John Paul II. Together, the three of them did something which previously had been unimaginable.

So many had opined the Cold War was unwinnable. We had to accept détente. We had to accept a condition in which the United States would constantly be in military conflict with the Soviet Union and our children would constantly be in fear of potential catastrophic nuclear war.

Yet when Reagan, Thatcher, and Pope John Paul all ascended to leadership together, they had the vision to do something very few imagined was possible, to win the Cold War without firing a shot.

Had that been suggested in the 1970s, this would have been diminished as crazy talk. Yet this is precisely what they did. Indeed, I would suggest in modern times there are few, if any, more deserving of the Nobel Peace Prize than those three leaders whose vision, courage, and collective leadership transformed the global debate and ended the Cold War which jeopardized the very fate of humanity. There have been no other leaders in modern time more deserving of recognition of a prize such as the Nobel Peace Prize than the three leaders who avoided war without firing a shot.

Today, many of us are the children of the generation which fought and won

the Cold War. We can gratefully rejoice that Margaret Thatcher and Ronald Reagan and Pope John Paul II did not forsake our freedom.

As the children of those great leaders, it is now incumbent upon us, the next generation, to ensure freedom remains every bit as vital and real, not just for this generation but for our children and their children's children.

Baroness Margaret Thatcher was an extraordinary leader and courageous leader, a woman of vision, a woman of principle, and a hero—a hero to the United States and to the world. All of us, in my judgment, are in her debt.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Madam President, let me begin by offering my deepest condolences on behalf of all the people of Maryland for the 20 students and 6 adults who lost their lives at the hands of a single shooter at Sandy Hook Elementary School in Newtown, CT, on December 14, 2012. Some of the victims put themselves in harm's way in order to save the lives of children, true heroes.

We have an obligation to the Sandy Hook families to seize this moment, set our political fears aside, and act responsibly. America has more than 3,300 victims of gun violence nationwide since the shooting at Sandy Hook Elementary in Newtown, CT. Each heart-breaking event is shocking in its own right but also tears us apart, wondering what could we have done to prevent this from happening.

I am proud the Senate has come together to engage in a real debate on what steps should be taken to minimize the risk of future shootings.

The safety of our children and communities should never be put at risk by partisan gridlock. I agree with President Obama. We cannot wait for another tragedy to enact commonsense, reasonable gun safety measures, especially on weapons of war which have no legitimate civilian use.

I am sympathetic to the interests of legitimate hunters and collectors, but we should reinstate the Federal ban on assault weapons. We should also prohibit high-capacity ammunition clips which hold more than 10 rounds at a time. We must take steps together to strengthen our mental health system, make our schools safer, crack down on gun traffickers, straw purchasers, and reduce the glorification of violence in our culture.

The elimination of assault weapons in our community would have minimal

or no impact on legitimate hunters or legitimate gun owners, but it could save lives. Listen to what law enforcement says. They don't think it is a fair fight when they have to go up against a criminal who has an assault weapon. The criminal has the advantage. We should support law enforcement and get assault weapons off the street.

Listen to the accounts of the massacres we have seen when the perpetrators had these clips with so many rounds of ammunition. At Sandy Hook, they went into a classroom and used the number of bullets which were in that round to massacre children. This was tragic. The consequences could have been different if these large ammunition clips were not available. It could save lives.

Dealing with mental health issues, dealing with school safety issues, dealing with straw purchase purchases, all that could keep these weapons out of the hands of those who should not have these weapons, the types of weapons which caused these massive killings.

I support universal background checks for all firearms buyers as proposed by Senator SCHUMER. I congratulate my colleagues, Senators MANCHIN and TOOMEY, for coming to a bipartisan consensus on strengthening the current background check system.

The background check proposals for the first time would require background checks for all gun sales in commercial settings, including at gun shows, Internet, and in classified ads. I believe this legislation will keep guns out of the hands of convicted felons, domestic abusers, and seriously mentally ill who have no business buying a gun. Studies have shown nearly half of all current gun sales are made by private sellers who are exempt from conducting background checks.

It makes no sense that felons, fugitives, and others who are legally prohibited from having a gun can so easily use a loophole to buy a gun. Once again, the use of a universal background check will have no impact on the legitimate needs of people who are entitled to have weapons, but it could and would help us keep our communities safe by keeping weapons out of the hands of our criminals who have serious mental illness, domestic abusers. We need to stop their ability to easily obtain weapons as they do today.

This legislation strengthens the National Instant Criminal Background Check System by incentivizing States to improve their reporting system and removing certain barriers to the submission of critical mental health records.

This legislation also makes it easier for Active-Duty military personnel to buy guns in States where they live and are stationed for duty. It clarifies people traveling across State lines may carry guns which are locked and unloaded.

It is heartbreaking to listen to stories of innocent lives cut cruelly short. The pain and grief of families and friends of these students and teachers is unimaginable. We know that teachers and the aides put their lives on the line to try to save children, and that first responders coming to the scene had the unbelievable task of not knowing what they would find. We send our prayers to all, but we have to do more than just say words. We are going to be judged by our deeds, and we have a chance to take action that will be helpful.

This is a tragedy beyond words. I think President Obama said it best when he said that our hearts are broken. Congress needs to come together and take action to protect the safety of our children. We must do better. There have been too many episodes in which children's lives and others have been lost. We must figure out a way to prevent these types of tragedies.

I am pleased the State of Maryland has recently taken action in the general assembly session that concluded last week. Governor O'Malley recommended legislation adopted by the Maryland General Assembly that bans assault weapons, limits the capacity of magazine clips from 20 to 10, and increases restrictions on the possession of firearms and ammunition by convicted criminals and those with mental health disqualifications.

The President was correct to take executive action to strengthen and enhance our gun safety laws, but now it is time for Congress to act. The victims of gun violence deserve to have Congress take an up-or-down vote on these issues.

To my colleagues who have reservations about this legislation, let me cite the Heller decision. In June 2008 the Supreme Court decided the District of Columbia v. Heller. The Court held that the Second Amendment protects individuals rather than a collective right to possess a firearm. The Court also held the Second Amendment right is not unlimited, and it is not a right to keep and carry any weapon whatsoever in any manner and for any purpose. Justice Scalia wrote for the Court in that case, and I am going to quote Justice Scalia:

... nothing in our opinion should be taken to cast doubt on the longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms.

Justice Scalia recognized Congress's right, and I would say obligation, to make sure those who are not qualified to own a firearm do not get that firearm. We have an obligation to make sure that background checks are effective so as to keep out of the hands of criminals and those who have serious mental health issues the opportunity

to easily obtain a firearm, as they can in many States today.

The legislation pending before the Senate is in full consistency with the Heller decision and the language of Justice Scalia's opinion for the Court. I know we can protect children while still protecting the constitutional rights of legitimate hunters and existing gun owners. We should take that action on behalf of the safety of our communities. It is our obligation to act.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, we are gathered in the Senate in the somber shadow of the events in Boston at the marathon, and I guess I will start by conveying my sympathies to the individuals and their families who were killed or hurt in that terrible act. I share the determination of so many people that our law enforcement folks will indeed get to the bottom of this; that they will get the resources they need, and we will have answers and justice for the families who are affected.

CLIMATE CHANGE

I rise today, though, on the subject I come to the floor every week we are in session to discuss, which is the need for this body to wake up to the reality of the clear scientific consensus that human activity is driving serious changes in our climate and oceans.

For more than two decades the fossil fuel companies and certain rightwing extremists have cooked up a well-organized campaign to call into question the scientific evidence of climate change. The paid-for deniers then manufacture an interesting product—they manufacture uncertainty—so the polluters who are doing the paying can also keep polluting because a sufficient atmosphere of uncertainty has been created to inhibit progress.

This is not a new strategy. We have seen this played before. Industries eager to drown out scientific evidence to maximize profit is not a new story. They questioned the merits of requiring seatbelts in automobiles, they questioned the toxic effects of lead exposure, and they questioned whether tobacco was really bad for people. Well, they were wrong then and they are wrong now about climate.

Interestingly, they do not actually care. It is not their purpose to be accurate; they just want to create doubt, to sow enough of a question to stop progress. So these sophisticated campaigns are launched to give the public the false impression there actually is a real scientific debate over climate change. In the Senate, regrettably, some of my colleagues even promote this view.

But let's be practical. Which is the more likely case: Are a handful of non-

profit environmental groups using their limited funding to pay off literally hundreds and hundreds of climate scientists in an internationally coordinated hoax to falsify complicated climate research? Really? Or is it more likely that fossil fuel corporations are using a slice of their immense profits to float front groups to protect their immense profits? Well, I think the answer to that question is obvious just from the logic, but we don't have to apply logic. We can follow the money and look at evidence.

According to an analysis by the Checks and Balances Project, a self-described pro-clean-energy government and industry watchdog group, from 2006 to 2010, four sources of fossil fuel money—just four of them—contributed more than \$16 million to a group of conservative think tanks that go about the business of being publicly critical of climate science and of clean energy. Those four sources are the Charles G. Koch Foundation, the Claude R. Lambe Charitable Foundation, the Earhart Foundation, and oil giant ExxonMobil.

On the receiving end is a lengthy roster of well-known and often-cited right-ward leaning outfits. We will just talk about the top 10 in this set of remarks. They are the American Enterprise Institute, the Cato Institute, the Competitive Enterprise Institute, the Heartland Institute, the Heritage Foundation, the Hudson Institute, the Institute for Energy Research, the George C. Marshall Institute, the Manhattan Institute, and the Mercatus Center.

Who is giving? Well, Charles Koch is the chairman and CEO of Koch Industries and the sixth richest person on the planet. Koch Industries is the second largest privately held company in the United States of America. Koch companies include the Koch Pipeline Company and Flint Hills Resources, which operates refineries with a combined crude oil processing capacity of more than 292 million barrels per year. That much oil accounts for 126 million metric tons of carbon pollution each year—as much as 35 coal-fired powerplants produce or 26 million cars.

So to put it mildly, this fellow has some skin in the game. Between 2006 and 2010, the Charles G. Koch Foundation gave almost \$8 million to think tanks and institutes, including \$7.6 million to the Mercatus Center, and \$100,000 to the American Enterprise Institute.

Charles Koch, along with his brother David, also established the Claude R. Lambe Charitable Foundation—those two have the same source—and they direct that foundation's giving as well. This foundation provided almost \$5 million to climate-denying think tanks and institutes, including over \$1 million to the Cato Institute and more than \$2 million to the Heritage Foundation.

The Earhart Foundation was started by Henry Boyd Earhart, using funds from his oil business, White Star Refining Company—now a part of, you guessed it, ExxonMobil. The Earhart Foundation has donated almost \$1.5 million to climate denier groups, \$370,000 to the American Enterprise Institute, \$330,000 to the Cato Institute, and another \$195,000 to the George C. Marshall Institute.

That leaves us, of course, ExxonMobil itself, which is the second largest corporation in the world and often the most profitable. Ranked No. 1 among Fortune 500 companies, its total revenues reached nearly $\frac{1}{2}$ trillion in 2012, and their profits were nearly \$45 billion. ExxonMobil produces over 6 million barrels of oil per day at its 36 refineries in 20 countries. So it is the world's largest oil producer. From 2006 to 2010, the petroleum giant gave institutes more than \$2.3 million: \$1.2 million to the American Enterprise Institute, \$220,000 to the Heritage Foundation, \$160,000 for the Institute for Energy Research, and \$115,000 for the Heartland Institute.

So what did the Charles G. Koch Foundation and the Claude R. Lambe Charitable Foundation and the Earhart Foundation and ExxonMobil get for all of that so-called charitable giving? Well, the Checks and Balances Project found from 2007 to 2011 the 10 organizations I cited—the top 10—were quoted or cited or had articles published over 1,000 times—over 1,000 times—in 60 mainstream newspapers and print publications, and invariably they were promoting fossil fuels, undermining renewable energy, or attacking environmental policies.

That is good investing—spend millions of dollars on a handful of think tanks to protect billions of dollars in profits. Really, it is a 1,000-to-1 return. But here is the problem. The public is unaware of the connection usually. Only a handful of these attacks were accompanied by any explanation by the media the fossil fuel industry was involved in them.

Here is one prime example: Last summer, when the Navy displayed its great green fleet, a carrier strike group that runs on a 50-50 blend of biodiesel and petroleum, Institute for Energy Research president Thomas Kyl wrote a column for U.S. News and World Report calling that initiative “ridiculous” and “a costly and pointless exercise.” Never mind for a moment our defense and intelligence communities have repeatedly warned of the threats posed by climate change to national security and international stability and of their own need to secure a reliable and secure fuel supply.

What is misleading is that the U.S. News and World Report in publishing that article attributed the column simply thus, “Thomas Pyle is the president of the Institute for Energy Re-

search,” with no mention the Institute for Energy Research is a front for big donors such as the Claude R. Lambe Charitable Foundation and ExxonMobil.

Madam President, I ask unanimous consent to speak for 5 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WHITEHOUSE. The problem is that this is one example of a misleading practice that is the norm in the media. More than half of the time, media outlets do nothing more than state the name of the publishing organization, such as “Thomas Pyle and the Institute for Energy Research,” or they may add a functional description such as “think tank” or “nonpartisan group.”

The instances where the publication described the basic ideology of the group—for example, as a “free market” or “conservative” think tank—amount to less than one-third. In all of the media outlets reviewed between 2007 and 2011, the financial ties between the authors and the fossil fuel industry were mentioned a mere 6 percent of the time. Ninety-four percent of the time, the fossil fuel industry funders got away with it.

This chart shows some of the examples. The Washington Post ignored the financial connection 88 percent of the time, Politico ignored the financial connection 95 percent of the time, the Christian Science Monitor ignored it every time, USA TODAY ignored it 98 percent of the time, and the New York Times ignored it 90 percent of the time. So the scam of laundering money through independent-sounding organizations works. The media lets it work. The vast majority of scientists agree that global warming is occurring, but a recent Gallup Poll revealed that only 62 percent of Americans believe that the vast majority of scientists agree that global warming is occurring.

Well over 90 percent of scientists agree that climate change is happening and that humans are the main cause. The only uncertainty is about how bad it is going to be, and the leading research predicts warmer air and seas, rising sea levels, stronger storms, and more acidic oceans.

Most major players in the private sector actually get it. While the big fossil fuel polluters try to confuse the public in order to boost their bottom line and prolong their pollution, hundreds of leading corporations understand that climate change ultimately undermines our entire economy. Let me mention some of the examples: the Ford Motor Company; Coca-Cola; GE; Walmart; the insurance giant Munich Re; Alcoa, the great aluminum maker; Maersk; Procter & Gamble; FedEx; and the so-called BICEP group, which includes eBay, Intel, Starbucks, Adidas, and Nike.

This notion that this is a hoax, that there is doubt, is belied by some of the most respected names in the private sector. Those companies join the National Academies, they join NASA, they join the U.S. Department of Defense, the Government Accountability Office, the American Public Health Association, and, yes, the United States Conference of Catholic Bishops, as well as a majority of Americans in understanding that it is time to wake up, to end this faux controversy that has been cooked up by the fossil fuel industry, and to do the work in Congress that needs to be done to protect Americans from the harms of carbon pollution.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 6:04 p.m., recessed subject to the call of the Chair and reassembled at 7 p.m. when called to order by the Presiding Officer (Mr. DONNELLY).

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I want to start off by saying I am deeply saddened by the tragedy in Boston. Franni's and my thoughts and prayers are with everyone who has been affected.

Franni and I went to school in Boston. In fact, we met more than 43 years ago at a freshman mixer in Copley Square, so we know Boston. We have witnessed firsthand the kind of compassion and resilience we have seen from Bostonians, and I have faith we will find whoever did this and bring that person or those persons to justice.

Mr. President, I came to the floor today to speak in support of the gun violence legislation we are considering. Since the tragedy in Newtown, we have been asking ourselves what we should do to address this problem of gun violence in our country.

My primary focus in the wake of Newtown has been on mental health. Improving the access to mental health care has been one of my top priorities since I came to the Senate, and I am glad people are beginning to focus more on the issue. If we are going to make mental health a part of this, let's make it more than just a talking point. Let's make it a true national priority. Let's really do something to improve access to treatment for folks who need it.

Since the first day I got here, I have been pushing the administration to issue the final regulations for the Wellstone-Domenici Mental Health

Parity and Addiction Equity Act, which requires insurance plans to cover mental health and addiction services and to do so to the same extent they cover medical and surgical services. Five years after that bill was signed into law, at long last the administration has promised to implement it, and to do so by the end of the year. I expect the administration to follow through on that commitment.

I have also introduced the Justice and Mental Health Collaboration Act to help law enforcement officers respond to mental health crises in their communities and improve access to mental health treatment for people who end up in the criminal justice system. This is a bipartisan, bicameral bill that I have been working on since last year, well before the tragedy in Newtown.

In January I introduced the Mental Health in Schools Act which will improve children's access to mental health services. Catching these issues at an early age is very important. I met with some mothers from the Mounds View School District in Minnesota about this matter. Their children's lives, their own lives, and their families' lives were changed for the better because the kids got access to the mental health care they needed at an early age.

My bill has 17 cosponsors and key provisions have been included in a package which was recently reported out of the HELP Committee. I look forward to considering that legislation on the Senate floor soon. I urge my colleagues to support this legislation.

These are important measures, but let me be absolutely clear: The last thing we need to do is stigmatize mental illness. I said this many times before, and I will say it again because it bears repeating, and it is very important to me: The vast majority of people with mental illness are no more violent than the general population. In fact, they are more frequently the victims of violence than others are.

There is a very small subset of those with serious mental illnesses who may become more violent if they are not diagnosed and treated, and that is the one place where this issue of mental health intersects with the issue of violence. Improving access to mental health care is all about improving people's lives. It is about helping people with mental illness and their families by making them happier and more productive people. However, today we are talking about gun violence prevention legislation.

People have strongly held views on both sides—or all sides—of this issue. Not only is that true in Minnesota, it is true throughout the country. Minnesota has a proud tradition, like Indiana, of responsible gun ownership.

We are home to many sportsmen and sportswomen. Generations of Minneso-

tans have learned to hunt pheasants, deer, and ducks from their parents, their grandparents, their aunts and uncles, friends and neighbors. We cherish our traditions and our Second Amendment right to bear arms for collection, protection, and sport.

Minnesota has both urban and rural areas. It is home to moms, dads, teachers, law enforcement officers, and health care providers too. We have members of the National Rifle Association and members of the Brady Campaign Against Gun Violence.

After the shooting at Sandy Hook, I reached out to my constituents. I got on the phone, I traveled across the State, I convened roundtables, I talked to hunters, school officials, law enforcement officers, and mental health experts. I wanted to hear Minnesotans' ideas, their hopes, their concerns, and their thoughts because it was and is important to me to approach this in a deliberative way.

Here is what I took away from these conversations: Minnesotans want us to take action to reduce gun violence and make our communities safer, but they want us to do it in a way that honors the Second Amendment and respects Minnesota's culture of responsible gun ownership. There is a balance to be struck there.

The overwhelming majority of gun owners are law-abiding citizens who responsibly use their guns for recreation and self-protection. Their concern should not be dismissed or trivialized. Their rights should not be undermined because of the horrible acts of just a few. So I suggest that our goal should be to take whatever steps we can to reduce gun violence and improve public safety without unduly burdening law-abiding, responsible gun owners. I believe that is what the Safe Communities, Safe Schools Act, the Manchin-Toomey amendment, and the assault weapons ban do.

First, we need to improve the Nation's background check system, and we need to strengthen our laws to combat straw purchases and gun trafficking. This was one of the key recommendations I have taken away from my meeting with law enforcement leaders in Minnesota. I think background checks are the single most important thing we can do to save lives.

Today background checks are required only when a gun is sold by a federally licensed dealer. Background checks are used to determine whether a prospective buyer has a felony conviction, is a fugitive from the law, has a restraining order against him, or has a serious mental illness. The problem is that people who cannot pass a background check simply go to a gun show or go on the Internet or to the classified ads to get a gun instead, and that is exactly what they do.

By some estimates about 40 percent of all gun transactions are processed

without a background check. This is like having two lines at the airport: one where people go through the security screening and one where they don't, and those passengers are the ones who choose which line they stand in. Would anyone feel comfortable on a plane if they knew that 40 percent of the passengers didn't go through the security check and they were the ones who chose not to go through the security check?

The Manchin-Toomey amendment will expand background checks to gun shows and other congressional transactions. These checks are not an undue burden. They can typically be conducted in a matter of minutes through NICS, the National Instant Criminal Background Check System. The amendment excludes certain exchanges, such as when a Minnesotan hands his gun down to his son or to her daughter.

The Manchin-Toomey amendment fixes another problem. We all know background checks are only as good as the database they use. The problem is that a lot of States are not submitting court documents and other records to NICS. The amendment will provide new incentives and penalties to make sure the States do a better job.

This law will work. Since we started administering instant background checks more than 1.7 million felons, fugitives, domestic abusers, and people with serious mental illnesses have been denied access to firearms—and that is under the system that exists today with all of its loopholes and flaws.

We have seen that women are less likely to be killed by an intimate partner in States that have expanded their own background check systems. And, look, about 90 percent of Americans want us to pass this measure—90 percent. This is not a Republican idea, it is not a Democratic idea, it is just a good idea.

I think it would be a remarkable failure of our democracy if we cannot get this done. If we cannot get this done, I am afraid it is because we have relied on fears and falsehoods instead of on facts.

For instance, some have argued that an expanded background check system will result in a Federal gun registry, but Federal gun registries are banned under existing law and the legislation we are considering would not repeal or weaken that. In fact, the Manchin-Toomey amendment would strengthen the current prohibition on Federal gun registries.

The other argument we have heard is that we should not bother improving the background check system until we do a better job prosecuting those who cheat the background check system under current law. There is really no reason we cannot do both, enforce and improve the law. In fact, that is exactly what the legislation does.

This legislation expands the background check system and strengthens the penalties for straw purchasers and gun traffickers. So I strongly support these proposed improvements to the background check system and to our gun trafficking laws.

The Judiciary Committee also reported Senator FEINSTEIN's assault weapons ban to the Senate floor. The bill would ban the future manufacture of large-capacity magazines and certain weapons with military-style characteristics. This bill will not require anyone to forfeit a gun he or she already has.

We saw the damage assault weapons or large-capacity magazines can do at Newtown, Tucson, Aurora, and elsewhere. Here is what Milwaukee Police Chief Edward Flynn said about assault weapons at a recent Judiciary Committee hearing:

Assault weapons are built to inflict violence against humans. Their military characteristics are not merely cosmetic in nature. These weapons are designed for combat. They are designed to quickly, easily, and efficiently cause lethal wounds to humans.

We are not talking about just mass shootings. For instance, studies suggest that large-capacity magazines may be used in up to a quarter of all gun crimes and 41 percent of police murders.

I believe the assault weapons ban will make our communities safer without unduly interfering with the rights of responsible gun owners. I think the bill strikes an appropriate balance. Others disagree, and I respect their views, but there are a few arguments that have been advanced against the assault weapons ban that I wish to address.

The first argument we have heard against Senator FEINSTEIN's bill is that Justice Department studies have proved the assault weapons ban was ineffective. During our first hearing, a witness said: "Independent studies, including a study from the Clinton Justice Department, proved that ban had no impact on lowering crime." And others, including my colleagues, repeated this claim.

Well, I went back and looked at the studies. What they actually say—and they say it over and over—is that it was premature to draw definitive conclusions about the ban's effectiveness. Here is what they said:

It is premature to make definitive assessments on the ban's impact on gun violence.

The effects of the [assault weapon and large-capacity magazine] ban have yet to be fully realized; therefore, we recommend continued study.

The ban's reauthorization or expiration could affect gunshot victimizations, but predictions are tenuous.

I could go on and on. The reports repeat this point time and time again. If anything, the Justice Department report suggests a ban would be effective. For example, they said: "It could conceivably prevent hundreds of gunshot

victimizations annually and produce notable cost savings in medical care."

It is simply not possible to read those studies and honestly say they prove an assault weapons ban is ineffective.

Another argument we have heard against Senator FEINSTEIN's bill is it will undermine one's ability to defend oneself. But here is the thing: The record contains no evidence of a real case in which someone actually needed a large-capacity magazine or assault weapon for self-defense.

During our first hearing, a witness submitted many examples where guns were used in self-defense, but I have not seen any evidence that any one of those cases actually involved a weapon that would be banned under Senator FEINSTEIN's bill. At our last markup, one of my colleagues submitted some additional cases for the record, but, again, after reviewing that list, I am not persuaded an assault weapon or large-capacity magazine was needed for self-defense in any of those instances.

Rather than presenting real cases in which someone actually needed an assault weapon or a large-capacity magazine to defend oneself, opponents of Senator FEINSTEIN's bill instead asked us repeatedly to imagine hypothetical situations where these weapons were needed for self-defense.

Sure, I can imagine hypothetical cases, but I am not sure what value that holds, because I can also imagine someone using a large-capacity magazine or an assault weapon to massacre people at an elementary school or a movie theater or a supermarket parking lot. I can imagine these things because they really happened. That is the reality. And it is reality we should be talking about.

I asked Philadelphia Mayor Michael Nutter, the president of the U.S. Conference of Mayors, about this and he said: "This idea that these weapons are for self-defense is, based on our experience, completely absurd."

The final argument I wish to address is one of the most important. Some have argued a ban on assault weapons and large-capacity magazines is unconstitutional. The problem with the argument is it typically rests on the premise that the Second Amendment is absolute or unlimited.

For example, during our committee markup, one of my colleagues asked Senator FEINSTEIN whether she would "consider it constitutional for Congress to specify that the First Amendment shall apply only to the following books and shall not apply to the books that Congress has deemed outside the protection of the Bill of Rights?"

The point my colleague was trying to make, I think, is that banning certain guns is like banning certain speech, and that this ban would violate the Constitution. This line of argument assumes the Second Amendment is absolute and unlimited—that any new gun law necessarily is unconstitutional.

But one doesn't have to be a constitutional scholar to know that rights are not unlimited. In fact, my colleague's question actually makes that very point. There are books that are not protected by the First Amendment. The Bill of Rights does not protect libel. The Bill of Rights does not protect child pornography. One cannot yell "fire" in a crowded movie theater where there is no fire.

And, likewise, the Second Amendment does not protect the rights of everyone to carry whatever weapon he likes in anyplace he wishes for whatever purpose he desires. The Second Amendment does not entitle felons or fugitives or domestic abusers or people with serious mental illnesses to carry guns. It does not entitle Americans to own a fully automatic machine gun or a bazooka or to bear nuclear arms.

Here is what Justice Antonin Scalia said in the Heller decision:

Like most rights, the right secured by the Second Amendment is not unlimited. . . . The right is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.

Senator DURBIN chaired a hearing on this issue in February. I was persuaded by Professor Lawrence Tribe's testimony. He examined the legislation and said: "I'm convinced that nothing under discussion in the Senate Judiciary Committee represents a threat to the Constitution or even comes close to violating the second amendment." Remember, Professor Tribe has supported gun rights. He argued for an individual's right to bear arms many years before the Heller decision.

I was also persuaded by the DC Circuit Court of Appeals' analysis in *Heller II*. There, the Court examined the District of Columbia's assault weapons ban by asking a series of questions. First, to what extent does this law burden an individual's right to bear arms for lawful purposes? Second, how does that burden compare with the public's interest in implementing the ban? Finally, is the ban sufficiently well tailored to that public interest?

This is the sort of inquiry that is typical in constitutional cases, and I think it is appropriate in the Second Amendment context too. It is nuanced and principled, not absolutist. The constitutional question is not whether a law touches upon Second Amendment interests at all. The question is whether the law unduly burdens those interests—whether it strikes an appropriate balance between the Second Amendment interests at stake and the public's interest in its safety. We don't have to choose between the Second Amendment and saving lives. That is a false choice.

The *Heller II* Court correctly concluded that the District of Columbia's law—their assault ban—struck an acceptable balance and upheld DC's ban on assault weapons and large-capacity

magazines. In fact, every court that considered laws banning assault weapons and large-capacity magazines has upheld those laws as constitutional. I am confident Senator FEINSTEIN's bill will be upheld in the courts as well.

When my colleague began drawing comparisons to the First Amendment, I was reminded of what Justice Potter Stewart famously said of obscenity: "I know it when I see it." The debate on this issue changed the day that gunman massacred 20 little children and 6 educators with an assault weapon and large-capacity magazines at an elementary school in Newtown. That was an obscenity. Americans knew it when they saw it.

I hope we will continue to debate these issues in the days ahead. Debate is important, especially when people feel so strongly on both sides of this issue. I respect those who hold different views, and I hope they respect mine.

As we debate this issue, I hope we keep in mind what Gabby Giffords, Miya and Sam Rahamin, and Neil Heslin told us during our committee hearings. Gabby Giffords was shot in the head during the massacre in Tucson in 2011. Six people died that day. The youngest among them was Christina-Taylor Green, the 9-year-old girl who loved to dance and who very well may have followed in Gabby's footsteps.

Christina-Taylor had just been elected to the student council at her elementary school and she had taken an interest in public service at a young age. That is why she was visiting her Congresswoman. Christina-Taylor was killed with the 13th bullet fired that day. Christina-Taylor Green is not with us anymore, but by some miracle Gabby is, and Gabby has used this second lease on life to be a voice for people such as Christina. Gabby mustered every bit of energy she could to appear before the Judiciary Committee in January. Let's not forget what she said, which was this:

Speaking is difficult, but I must say something important. Violence is a big problem. Too many children are dying. Too. Many. Children. We must do something. It will be hard. But the time is now. You. Must. Act. Be bold. Be courageous. Americans are counting on you.

Miya and Sam Rahamin asked us to take action too. They lost their father Reuven when a gunman opened fire at a sign factory in Minneapolis in September. Reuven is an immigrant from Israel and lived the American dream. He started a company that employed dozens of people over the years and exported products to the rest of the world, even to China—something Reuven was always eager to tell people. And Reuven was especially proud of his patented method for making Braille signs which, obviously, helped the blind. That was Reuven's thing—help-

ing people. He was active in my synagogue and in his community, and he will always be remembered for his generous spirit.

Miya and Sam gave me a letter in January just a few weeks after Sandy Hook and a few months after the mass shooting that took their father's life, and others. This is what the letter said:

While Congress cannot prevent every death from gun violence, it has a moral obligation to attempt to save as many lives as possible. By passing this legislation, Congress can prevent some Americans from receiving the call that is dreaded most—that their father or mother, brother or sister, spouse or child will not be coming home. . . . I want my story told so that other families will not have to go through the devastation that mine has been through.

And then there is Neil Heslin. He came to Washington to testify at a Judiciary Committee hearing a few weeks ago. Neil told us about the morning of the shooting at Sandy Hook when his son Jesse was killed. On the way to school that morning, Neil and Jesse stopped at the deli to get breakfast. Neil got coffee. Jesse got what he called coffee, which was really hot chocolate. That is the part of the story that has really stayed with me. It is a small detail but it is a pure detail. It says something about how an innocent child looks up to his dad.

Neil was in a good mood. Christmas was around the corner and he had plans to make gingerbread houses with Jesse and Jesse's classmates that afternoon. Talking to Neil, you kind of got the sense that he was just as excited about this as the kids were—maybe more so. He really cherished this time together.

After they had their "coffees," Neil dropped Jesse off at school. It was 9:04 a.m. Neil told us this:

Jesse gave me a hug and a kiss. And he said, "Goodbye, I love you." Then he stopped, and he said, "I love mom, too." That was the last I saw of Jesse.

Neil is not a political guy. In fact, he told us:

Half the time, I think it doesn't matter which group of you guys runs things out there, no offense.

But he continued:

Let me tell you, when you're sitting at a firehouse and it's one in the morning and you're hoping against hope that your son is still hiding somewhere in that school, you want any change that makes it one bit more likely that you'll see your boy again.

For me, that is what this is about, to make any change that will make it one bit more likely that the next Jesse will live to make gingerbread houses at Christmas. To see so many innocent lives lost on that December morning, so many hopes and dreams dashed, so many families grieving, the country was heartbroken, my wife and I were heartbroken, and we are still. I wish we could offer more than our thoughts and our prayers and the thoughts and prayers of our fellow Minnesotans.

We cannot turn back time. We cannot bring back the lives we have lost.

But if there is something we can do today in this Chamber—this week in this Chamber—to save lives in our communities tomorrow, to make it more likely that boy will be coming out of the school, then I think we should do it.

Thank you.

I ask unanimous consent that the time for debate only be extended until 8:30 p.m. and that at 8:30 p.m. the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that it be in order for the Manchin-Toomey amendment No. 715 to be set aside and the following amendments be in order to be called up: Grassley substitute amendment consistent with the summary, which is at the desk; Leahy-Collins amendment No. 713, trafficking; Cornyn amendment No. 719, conceal carry; Feinstein amendment No. 711, assault weapons-clip bans; Burr amendment No. 720, veterans-guns; Lautenberg-Blumenthal amendment No. 714, high-capacity clip ban; Barrasso amendment No. 717, privacy; and Harkin-Alexander amendment relative to mental health, the text of which is at the desk; that following leader remarks on Wednesday, April 17, the time until 4 p.m. be equally divided between the two leaders or their designees to debate the amendments concurrently; that at 4 p.m., the Senate proceed to vote in relation to the Manchin amendment No. 715; that upon disposition of the Manchin amendment, the Senate proceed to votes in relation to the remaining pending amendments in the order listed; that all amendments be subject to a 60-affirmative vote threshold; that no other amendments or motions to commit be in order to any of these amendments or the bill prior to the votes; that there be 2 minutes equally divided prior to each vote, and all after the first vote be 10-minute votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, and Senators be allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING DARN TOUGH VERMONT

Mr. LEAHY. Mr. President, Vermont is known for many of its great businesses and products. Among those successful companies is Darn Tough Vermont, whose brand represents the commitment to quality and excellence that defines Vermont. For nearly a decade, Darn Tough Vermont has been making the type of quality products our Nation has grown to expect from Vermonters.

Darn Tough was launched in 2004 by Ric Cabot, whose family founded Darn Tough's parent company in Vermont 35 years ago. For three generations, the Cabot family has stayed true to their roots and committed to the Northfield community. While other clothing manufacturers have outsourced their labor, the Cabots carry on where they began—manufacturing in New England, keeping faith with their customers and their 120 employees.

Darn Tough has a local feel to those who visit its factory and know its operators, but the company's name brand is known across the country and around the world wherever people appreciate a high-quality wool hiking and athletic sock, and its products are even worn overseas by our troops in combat. And as with other Vermont companies that equip and outfit our military, taxpayers can rest assured our troops are in good hands when their feet are in quality goods made by Darn Tough.

The Burlington Free Press recently paid tribute to Ric Cabot and all of the employees at Darn Tough for their hard work that continues to benefit our troops and the Vermont economy. I ask unanimous consent that a copy of the recent Free Press article entitled "Rebuilding American textiles, one sock at a time: Darn Tough measures success," be printed into the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From Burlington Free Press, Apr. 4, 2012]
REBUILDING AMERICAN TEXTILES, ONE SOCK
AT A TIME: DARN TOUGH MEASURES SUCCESS
(By Dan D'Ambrosio)

In Northfield, about 50 miles north of White River Junction where Ibex makes its home, Cabot Hosiery Mills, Inc. has been making private label socks not only in America, but in Vermont, since 1978. Third generation owner Ric Cabot, who launched the company's own label—Darn Tough Vermont—in 2004, says one of the secrets to Darn Tough's success is the deceptive difficulty of making a good sock.

"People think socks are easy to do, it's just a pair of socks, how hard could it be?" Cabot said. "I guess that allows people to come into the market, but the staying power of companies that don't produce their own product is very short. There are so many people that are doing it well, it's hard to maintain a presence."

Perhaps the best symbol of Cabot's fastidiousness when it comes to socks is the 18-inch ruler projecting incongruously out of his back pocket when he greets visitors at the front door of the plain metal building that houses Darn Tough.

Cabot sat on the ruler and broke it about 20 years ago. He had one of Cabot's maintenance workers glue it back together, giving it the look of a broken bone that has healed well. There are certain things, Cabot says, you don't want to replace.

Cabot is never without his ruler as he roams the knitting floor and quality control departments of Darn Tough, handling socks, and measuring them.

"I sweat quarter-inches," Cabot says. "The first thing I do when I pick up a sock, is it the right length? If a sock is the right length, that means a lot of people are doing their jobs."

Later, at a quality audit station, Cabot picks up a sock, a men's large.

"Socks that made it this far, there's not going to be a huge hole, or wrong color, but the sizing should be right," he says. "This should be at or on 10¾ inches."

It's dead on. Socks, Cabot explains, are a math problem, "like most things in life." Among the numbers you have to work out are the size and gauge of the needles used to knit the socks. The gauge of the needle is basically how many needles you can fit in a circumference, because socks are knit in a circle.

"Those needles are in a cylinder," Cabot says. "You have to take into account needle size, cylinder size, what's the right weight of wool, nylon and Lycra? How are you going to reinforce it? How many stitches per inch? Where are you going to put the terry, the cushioning?"

Once you answer all of these many mathematical questions, Cabot says, you have the "DNA" of a Darn Tough sock. Then that DNA has to be expanded to hiking socks, running socks, cycling socks. Every sock has more in common, mathematically, than they don't have in common with other Darn Tough socks.

"That's the math of it, the durability story, the comfort story, the fit story," Cabot said.

But all those stories, he said, are trumped by another story when it comes to marketing Darn Tough socks: The Vermont story. Darn Tough employs about 120 people in Northfield, maintaining the New England tradition of textiles that once included hundreds of towns.

"You got to remind people, they know it, but you tell them nobody ever outsourced anything for quality," Cabot said. "That's the key."

LOYOLA UNIVERSITY CHICAGO RAMBLERS

Mr. DURBIN. Mr. President, last Monday, college basketball fans crowned their newest champion, the Louisville Cardinals. I wish to take a moment to congratulate another historic college hoops team.

The NCAA recently announced that the 1963 NCAA Men's Basketball Cham-

pions, the Loyola University Chicago Ramblers, would become the first team ever enshrined into the National Collegiate Basketball Hall of Fame.

In an era when racism gripped the game, Loyola Coach George Ireland assembled the first predominately black team to win an NCAA Championship. Loyola's starting lineup featured four African Americans. This was unheard of in those days.

Despite hateful comments from the public and threatening letters from the Ku Klux Klan, Loyola lost only two games all season and marched through the Final Four. In the championship game they faced Cincinnati, a team which had been ranked No. 1 all season and had won the tournament the 2 previous years. If this wasn't pressure enough, the 1963 NCAA championship was also the first nationally televised NCAA title game.

Les Hunter, starting center for Loyola, remembered it as an opportunity to show "that the brand of black basketball was exciting and it provided for more exposure and recruiting for future players."

The championship game was an uphill battle for Loyola. After missing 13 of its first 14 shots, they trailed by 15 points with less than 15 minutes to play. Then, with only 9 seconds left and the score tied, Walter Vic Rouse tipped in a missed shot to put the Loyola Ramblers ahead by 2 points. When the final buzzer sounded, the Loyola University Chicago Ramblers were national champions.

To this day, Loyola remains the only school from Illinois to have won the NCAA Division I Men's Basketball Championship.

To most players, winning the NCAA championship would be unquestionably the highlight of the season.

As Ramblers point guard and All-American Jerry Harkness says, now that he has gotten older he is even more proud of a game Loyola played earlier in that championship season.

On March 15, 1963, Loyola and Mississippi State played a game the NCAA calls The Game of Change. It was a game which changed college basketball forever—and helped change race relations in America.

Mississippi State had won their conference for the past 3 years, but it appeared they would be unable to compete in the 1963 NCAA tournament because of an unwritten State law barring the team from competing against teams with black players. Rather than forfeit their place, Mississippi State's president and coach decided to defy Governor Ross Barnett's vow of "segregation now and forever." They snuck their team out of town under the cover of darkness to avoid being served an injunction barring them from leaving the State.

Loyola won The Game of Change, but both teams, together, made history.

The Game of Change altered college basketball and became a watershed event in the civil rights era. Three years later, for the first time in NCAA history, Texas Western, with an all-black starting lineup, won the championship. The 1963 Loyola University Chicago Ramblers helped make this possible.

Loyola's basketball team was led by Coach Ireland and Assistant Coach Jerry Lyne, and featured starters John Egan, Jerry Harkness, Les Hunter, Ron Miller, and Vic Rouse, as well as reserves Dan Connaughton, Jim Reardon, Rich Rochelle, and Chuck Wood. All of those individuals are members of the Loyola Athletics Hall of Fame, and each of the five starters has also had his jersey number retired.

I congratulate the 1963 Loyola University Chicago Ramblers on their accomplishments and look forward to their induction ceremony in the National Collegiate Basketball Hall of Fame on November 24, 2013.

HONORING MILDRED MANNING

Ms. MIKULSKI. Mr. President, today I honor the legacy of Mildred Manning, the last surviving American female WWII POW, who died March 8 at age 98. Mrs. Manning's heroics in Bataan and Corregidor are an enduring example of the bravery of American servicemembers and of nurses' dedication to caring for patients. I wish to share her amazing story.

Mrs. Manning, born in 1914 on a poor Georgia farm, aspired to escape the poverty which surrounded her. She attended nursing school during the Depression, and in 1939 she joined the Army Nurse Corps. Wishing to see the world, she requested assignment in the Philippines.

Weeks after Mrs. Manning arrived in Manila, Japanese forces attacked Pearl Harbor in Hawaii and a U.S. air base near Manila. During the months-long Battle of the Philippines which forced an American retreat to the peninsula of Bataan and the island of Corregidor, Mrs. Manning was one of a handful of Army and Navy nurses who braved the relentless attacks to treat wounded and dying soldiers. When Americans surrendered in May, 1942, Mrs. Manning was one of 77 Army and Navy nurses who were captured and spent the rest of the war in harrowing imprisonment.

The prison, built on the grounds of Manila's Santo Tomas University, held nearly 4,000 people in squalid conditions. There were no showers, beds, or kitchens. Hundreds of people were forced to share a single toilet. Food was so scarce prisoners suffered severely from malnutrition.

Despite these trials, Lieutenant Manning and her fellow nurses remained fiercely dedicated to providing medical care to those around them. For 2½ years, they maintained strict order,

wore uniforms, and cared for their fellow prisoners. For their efforts, she and her fellow nurses earned the moniker, "Angels of the Pacific." Upon their return to the U.S. in 1945, Mrs. Manning and her fellow nurses were honored by President Roosevelt with the Bronze Star Medal and a Presidential Unit Citation.

We are all so grateful for Mildred Manning's service. Her legacy will live on in our Nation's history, reminding us of the horrors of war and of the bravery of the special people who persevere by helping others. Mrs. Manning's unwavering dedication to serving our Nation in the midst of hardship continues to inspire me, and I am honored to commemorate her today.

ISRAEL'S 65TH ANNIVERSARY

Mr. CARDIN. Mr. President, today I wish to express my congratulations to Israel on the 65th anniversary of its independence.

Today, America's closest ally in the Middle East, Israel, commemorates its Independence Day, Yom Ha'atzmaut—one day after its Memorial Day, Yom Hazikaron, and one week after Holocaust Remembrance Day, Yom HaShoah.

While Independence Day is a celebration for the people of Israel, this Memorial Day was marked by somber ceremonies and national grief over the loss of their soldiers. Nationwide sirens and moments of silence emphasize the sacrifices Israelis have made to protect their thriving, free and democratic state. These intensely personal losses in such a small country underscore the continuing threats faced by Israelis, the scale of their efforts and the importance of a Jewish homeland. And Yom HaShoah reminds Israelis of the terrible devastation of the Holocaust that happened to the Jewish people in a time before they could celebrate the existence of the modern State of Israel.

As we celebrate Israel's Independence Day, we must continue to reduce the key threats to Israel's security. We must focus on opportunities for peace in the Middle East. Israel has always been prepared to pursue those opportunities and make peace with its neighbors. Over the past six decades, despite diplomatic gestures, multiple Arab countries have repeatedly attacked Israel. We should not forget that it was Palestinian, not Israeli, leaders who walked away from the negotiation table at Camp David in 2000, on the eve of what would have been a historic breakthrough for peace.

Today, it is Israel who continues to acknowledge the necessary framework for any peace agreement—a two state solution. While Israel has shown willingness for direct negotiations, the Palestinians continue to be an unreliable partner in moving toward peace. It

is vitally important to stress the importance of the Palestinian Authority's close security cooperation with Israel. If peace is to be possible, the Palestinian Authority also needs to confront the recent surge in violence in the West Bank, cease all anti-Israel incitement and renounce Hamas until it unequivocally meets the three Quartet requirements.

I am proud to have joined with 78 of my colleagues in reminding President Obama in a letter on the eve of his visit to Israel that the U.S. and Israel share common values and interests, and that Israel stands ready for peace. Top among these interests is restarting the peace process and preventing Iran from becoming a nuclear state.

This is precisely why the role of the United States in this process must be one of an honest broker. President Obama must make clear that the pathway for peace is through unconditional direct negotiations between both the Israelis and Palestinians and that the United States vigorously opposes any Palestinian efforts to circumvent direct negotiations. I commend President Obama for pursuing peace during his recent trip to the Middle East, and for working on policy solutions to address the urgent and important threats facing Israel and the United States today.

Since Israel's founding 65 years ago, every American administration has worked to strengthen the bonds between our two nations. This support has been vital for Israel, as the nation is under the constant threat of military and terrorist attacks, economic boycotts and diplomatic hostility—often merely due to the fact of its very existence. At this critical moment, when Iran is moving forward with its nuclear program and simultaneously strengthening Hezbollah's capacity to attack Israel, it is imperative that the Obama administration say in clear and unambiguous language that we stand with the people of Israel and will do all in our power to protect our shared values and national bonds.

As Israel celebrates its 65th anniversary, let us all proclaim that the U.S. continues to value its unbreakable alliance with our closest ally in the Middle East.

NATIONAL HEALTHCARE DECISIONS DAY

Mr. WARNER. Mr. President, I wish to recognize that today, April 16, 2013, is National Healthcare Decisions Day.

National Healthcare Decisions Day exists to inspire, educate and empower the public and providers about the importance of advance care planning. It began as a local, grassroots effort 7 years ago in the Commonwealth of Virginia, started by a Virginia attorney, and it became an annual event in 2008.

It now is recognized across all 50 States as an annual initiative to provide clear, concise and consistent information on health care decision making to the public and providers. This year over 100 national organizations, including groups like the AARP, Volunteers of America, government groups like the Veterans Health Administration, providers like the hospital company HCA, American College of Nursing, and American Academy of Nursing, along with faith-based groups like B'nai B'rith International have all pledged to participate today to spread the word on the value of conversations about our goals and values and preferences about medical treatment.

I know how important this is, not just from my time serving both as a Governor and as a Senator, but also through the eyes of a loved one who struggled with these issues. My mother suffered from Alzheimer's disease for 10 years, and for 9 of those years, she could not speak. My father, sister and I found grappling with the challenges of caring for her difficult. The difficulty was greater because, when she was first diagnosed, my family did not take the opportunity to talk in a frank and fully informed way with her and her health care providers about the full array of health care options available or about what her priorities would be during the final years of her life.

It is so frustrating that some have labeled advance care planning as efforts to take away choice from patients. This is ignorant and is disrespectful to those struggling with illness and caregiving. In fact, what we are trying to do is the opposite, give patients and their families the ability to make decisions when they can and provide enough support and information so that they can make informed choices based upon their own values and goals.

It is not easy, this is a subject that most people do their best to avoid: who will decide how we will live when we are unable to make our own decisions. But it is critical.

Most of us, more than 80 percent, will be unable to make decisions about what medical treatments we will receive for some period in our lives. The lucky will regain decision-making ability, but most of us will lose it for good.

Family or friends are then asked to step in. Sometimes they are asked to make routine decisions, like using antibiotics to treat an infection. Sometimes it is more significant. Would a hip replacement improve quality of life when you are physically pretty healthy, but substantially impaired by Alzheimer's or another dementia? Or would it cause more harm than good?

Often proxies are forced to choose between terrible options. Should they consent to an amputation of a gangrenous leg of a loved one who can no longer get out of bed, communicate, or recognize family for the remote chance

that doing so will slow, but not cure, the progression of vascular disease?

State laws and Supreme Court decisions direct proxies to make the decision that a now-incapacitated loved one would have made.

But research says this often does not work. It might not work, for example, because a widow never told her adult children what she would want.

Maybe she assumed that her children knew.

Maybe she feared that they would disagree with her preferences.

Whatever the reason, those who make decisions for her do so blindfolded with their hands tied behind their backs.

Too often, proxies are left with guilt, anxiety, and depression.

But some are at peace because they know what the person wants. They know because they talk about how decisions should be made and who should make them. They talk about when a decision best honors the person by pulling back on treatments designed to treat the disease and instead forge ahead with aggressive symptom control. They talk about when a hospital bed at home is the right choice over tubes and needles and monitors in the ICU, or vice versa.

After talking, they write it down in an advance directive.

Each of us has an obligation to our families and friends to think about what we want, to talk to them about what we want, and to document our choices.

In the last two sessions of Congress, I have introduced a bill to help patients, providers, and caregivers get the support and education they need. Among other things, it will make advance directives more accessible, and it will make it easier for providers to follow them. I am planning on introducing a bill, the Senior Navigation and Planning Act, in the coming weeks.

However, today, I urge you all, on this National Decisions Day, to discuss your preferences and goals with your family and friends. Fill out an advance directive. Think of it as a gift.

NATIONAL HEALTHCARE DECISIONS DAY

Ms. KLOBUCHAR. Mr. President, today I wish to discuss a very important issue—living well at the end of life.

Today is National Healthcare Decisions Day. It is a day dedicated to reminding people to plan for the future, to encourage discussions—no matter how difficult—to let families, friends, and caregivers know your wishes, whatever they may be.

This is an incredibly important and pressing issue, but it is one that no one likes to talk about. No one likes to face their own mortality. But we must

because we know that more often than not, patients' preferences are not known or adhered to near the end of life.

In the absence of clearly defined expectations and wishes, death can be an incredibly scary and confusing time for a patient and their family. Misunderstanding among physicians and family members about a loved one's final wishes can cause significant psychological and emotional hardship. Families may disagree about treatment options and argue about whether their loved one should get more or less treatment, aggressive intervention or palliative care.

These disagreements can often result in the patient receiving a different course of treatment than they might have preferred—an undesirable yet easily avoidable outcome. We need to empower patients to express their wishes, to exert their choice, and to clearly define their preferences and expectations, whatever they may be, to those who will be along their side at that difficult time.

People often think, "I'm too young to worry about that." Or, "I have plenty of time to deal with that later." But these conversations aren't just important for people who have been diagnosed with terminal illness or individuals approaching old age. In fact, if you wait too long, you may not get the chance.

Most diseases don't discriminate and accidents can happen to anyone. The time for us to think about what our wishes might be is before we are in a crisis—when we can think clearly about the consequences of the course we select, consult with our spiritual and moral leaders, and discuss these difficult issues with family and friends. There are many physical, emotional, and spiritual components to these issues, and it takes careful reflection to determine which are most important to you.

I am very proud to say that my State has been a leader on this issue. We have a great organization called Honoring Choices Minnesota that provides resources and tools to help people start these difficult conversations with their families.

There will be several events in my State today and all across the country highlighting the importance of not only making your preferences known, but ensuring that people who want to can document their wishes through an advanced care directive, physicians order for life sustaining treatment, or other legal mechanism.

I encourage my colleagues and all Americans to take time today to think about their families, their wishes, and to begin planning for the future.

ADDITIONAL STATEMENTS

TRIBUTE TO MICHAEL DELANEY

● Ms. AYOTTE. Mr. President, today I wish to recognize and congratulate an excellent lawyer and a dedicated public servant—New Hampshire Attorney General Michael Delaney. As Mike completes more than 14 years of service to the people of New Hampshire I would like to acknowledge his significant record of accomplishments.

Long before Mike rose to the position of attorney general, he served as a prosecutor in the homicide unit. I was privileged to work with him on several murder trials, including the case involving two murdered Dartmouth professors. And I was proud to continue serving with him when I was the attorney general and he was the deputy attorney general, working together to provide leadership for the office.

Having had the privilege of working side by side with Mike, I can attest to his passion for seeking justice in all prosecutions, his outstanding advocacy on behalf of victims, and his commitment to providing the State with legal representation and counsel of the highest quality.

After serving as legal counsel to the governor, Mike was appointed to serve as New Hampshire's attorney general in 2009. Throughout his service as attorney general, Mike served the people of New Hampshire with diligence, independence and integrity, leading by example as he and his staff performed the constitutional, statutory and common law duties of the attorney general as the State's chief legal officer and chief law enforcement officer.

As Mike leaves public service to return to private practice, I commend him on a job well done. He has successfully carried forward the highest traditions of excellence and independence of the office of attorney general and leaves a legacy of improvements to all aspects of the work of the New Hampshire Department of Justice. I ask my colleagues to join me in thanking him for his service and wishing him, his wife Caroline, and their children Will, Maggie and Katie, well in all their future endeavors.●

MESSAGE FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 882. An act to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other Purposes.

H.R. 1162. An act to amend title 31, United States Code, to make improvements in the Government Accountability Office.

H.R. 1246. An act to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 882. An act to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1162. An act to amend title 31, United States Code, to make improvements in the Government Accountability Office; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 729. A bill to protect law abiding citizens by preventing criminals from obtaining firearms.

S. 730. A bill to prevent criminals from obtaining firearms through straw purchasing and trafficking.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 743. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1131. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Noninsured Crop Disaster Assistance Program" (RIN0560-AI06) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1132. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Accounting and Reporting Requirements; Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; GAAP References and Other Conforming Amendments" (RIN3052-AC75) received in the Office of the President of the

Senate on April 15, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1133. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a date for the completion of an annual report relative to recruitment incentives; to the Committee on Armed Services.

EC-1134. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Report to Congress on Corrosion Policy and Oversight Budget Materials for Fiscal Year 2014"; to the Committee on Armed Services.

EC-1135. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report entitled "Report to Congress on Repair of Naval Vessels in Foreign Shipyards"; to the Committee on Armed Services.

EC-1136. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program for fiscal year 2012; to the Committee on Armed Services.

EC-1137. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-1138. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mongolia; to the Committee on Banking, Housing, and Urban Affairs.

EC-1139. A communication from the Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Hong Kong; to the Committee on Banking, Housing, and Urban Affairs.

EC-1140. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1141. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on April 16, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1142. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Identity Theft Red Flags" (RIN3038-AD99) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1143. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, two reports on sequestration entitled: "OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2014" and "OMB Report to

the Congress on the Joint Committee Reductions for Fiscal Year 2014"; to the Committees on the Budget; and Homeland Security and Governmental Affairs.

EC-1144. A communication from the Acting Assistant Regional Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska—2013-14 and 2014-15 Subsistence Taking of Fish Regulations" (RIN1018-AX64) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Energy and Natural Resources.

EC-1145. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, (8) eight reports relative to vacancies in the Environmental Protection Agency, received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1146. A communication from the Acting Chief of the Branch of Recovery, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reinstatement of Removal of the Virginia Northern Flying Squirrel From the List of Endangered and Threatened Wildlife" (RIN1018-AZ31) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Environment and Public Works.

EC-1147. A communication from the Chief of the Branch of Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Technical Correction for African Wild Ass" (RIN1018-AY31) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Environment and Public Works.

EC-1148. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for *Allium munzii* (Munz's Onion) and *Atriplex coronata* var. *notator* (San Jacinto Valley Crownscale)" (RIN1018-AX42) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Environment and Public Works.

EC-1149. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Southwestern Willow Flycatcher" (RIN1018-AX43) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Environment and Public Works.

EC-1150. A communication from the Human Resources Specialist, Office of the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-1151. A communication from the President, Inter-American Foundation, transmitting, pursuant to law, the Foundation's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1152. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1153. A communication from the Staff Director, Federal Election Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*Jacob J. Lew, of New York, to be United States Governor of the International Monetary Fund for a term of five years; United States Governor of the International Bank for Reconstruction and Development for a term of five years; United States Governor of the Inter-American Development Bank for a term of five years; United States Governor of the European Bank for Reconstruction and Development.

Mr. MENENDEZ. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Foreign Service nominations beginning with Margaret A. Hanson-Muse and ending with Sarah E. Kemp, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2013.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MANCHIN (for himself and Mr. HELLER):

S. 731. A bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL:

S. 732. A bill to modify the criteria used by the Corps of Engineers to dredge small ports; to the Committee on Environment and Public Works.

By Mr. ALEXANDER (for himself, Mr. DURBIN, Mr. WYDEN, Mr. HEINRICH, Ms. MURKOWSKI, Mr. COONS, Mr. UDALL of New Mexico, and Mr. KIRK):

S. 733. A bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself and Ms. COLLINS):

S. 734. A bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation; to the Committee on Armed Services.

By Mr. SANDERS:

S. 735. A bill to amend title 38, United States Code, to improve benefits and assistance provided to surviving spouses of veterans under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI:

S. 736. A bill to establish a maximum amount for special use permit fees applicable to certain cabins on National Forest System land in the State of Alaska; to the Committee on Energy and Natural Resources.

By Mr. SHELBY:

S. 737. A bill to require the Federal banking agencies to conduct a quantitative impact study on the cumulative effect of the Basel III framework devised by the Basel Committee on Banking Supervision before issuing final rules amending the agencies' general risk-based capital requirements for determining risk-weighted assets, as proposed in the Advanced Approaches Risk-Based Capital Rules Notice of Proposed Rulemaking, the Standardized Approach for Risk-Weighted Assets Notice of Proposed Rulemaking, and the Implementation of Basel III, Minimum Regulatory Capital Ratios Notice of Proposed Rulemaking issued in June 2012, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WICKER (for himself, Mr. PRYOR, Mr. COCHRAN, and Mr. BAUCUS):

S. 738. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 739. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER (for himself, Mr. NELSON, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MERKLEY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE):

S. 740. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the

Medicare prescription drug benefit program; to the Committee on Finance.

By Mr. VITTER (for himself, Mrs. BOXER, Mr. INHOFE, Mr. BAUCUS, Mr. COCHRAN, Mr. COONS, Mr. BLUNT, Mr. CARDIN, Mr. CRAPO, Mr. BOOZMAN, Mr. WICKER, and Mr. WHITEHOUSE):

S. 741. A bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself, Mr. ROBERTS, Ms. LANDRIEU, Mr. THUNE, Ms. STABENOW, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 742. A bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Finance.

By Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP):

S. 743. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; read the first time.

By Mr. SCHUMER (for himself, Mr. MCCAIN, Mr. DURBIN, Mr. GRAHAM, Mr. MENENDEZ, Mr. RUBIO, Mr. BENNETT, and Mr. FLAKE):

S. 744. A bill to provide for comprehensive immigration reform and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. VITTER):

S. Res. 98. A resolution honoring the life, legacy, and example of British Prime Minister Baroness Margaret Thatcher; considered and agreed to.

By Mr. TESTER (for himself, Mr. LEVIN, Mr. CARDIN, Mr. CARPER, Mr. BEGICH, Mr. COONS, and Mr. SCHATZ):

S. Res. 99. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition Week; considered and agreed to.

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. Res. 100. A resolution commending and congratulating the University of Louisville men's basketball team for winning its third Division I National Collegiate Athletic Association championship, and the University of Louisville women's basketball team for being runner up in the 2013 Women's Division I National Collegiate Athletic Association Basketball Tournament; considered and agreed to.

ADDITIONAL COSPONSORS

S. 22

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 22, a bill to establish background check procedures for gun shows.

S. 33

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 33,

a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 34

At the request of Ms. WARREN, her name was added as a cosponsor of S. 34, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 150

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 150, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 264

At the request of Ms. STABENOW, the names of the Senator from New York (Mr. SCHUMER), the Senator from Washington (Ms. CANTWELL) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 306

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 306, a bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

S. 375

At the request of Mr. TESTER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 382

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 395

At the request of Mr. DURBIN, the names of the Senator from Michigan (Mr. LEVIN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 395, a bill to amend the Animal Wel-

fare Act to provide further protection for puppies.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 463

At the request of Mr. PRYOR, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 475

At the request of Mr. HARKIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 475, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 572

At the request of Mr. BURR, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 572, a bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

S. 612

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 612, a bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft.

S. 629

At the request of Mr. PRYOR, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 629, a bill to amend title 38, United States Code, to recognize the

service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 646

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 646, a bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 675

At the request of Ms. AYOTTE, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Kansas (Mr. MORAN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 675, a bill to prohibit contracting with the enemy.

S. 679

At the request of Mr. BROWN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 680

At the request of Ms. AYOTTE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 680, a bill to rescind amounts appropriated for fiscal year 2013 for the Department of Defense for the Medium Extended Air Defense System, and for other purposes.

S. 687

At the request of Mr. MORAN, the names of the Senator from Kentucky (Mr. McCONNELL), the Senator from Nebraska (Mr. JOHANNES) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 691

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 691, a bill to regulate large capacity ammunition feeding devices.

At the request of Mr. CARPER, his name was added as a cosponsor of S. 691, *supra*.

At the request of Ms. WARREN, her name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 691, *supra*.

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 691, *supra*.

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. FRANKEN, his name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. CARDIN, his name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 691, *supra*.

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 691, *supra*.

At the request of Mr. REED, his name was added as a cosponsor of S. 691, *supra*.

S. 700

At the request of Mr. KAINE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 703

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 703, a bill to amend the Immigration and Nationality Act to provide for the eligibility of the Hong Kong Special Administration Region for designation for participation in the visa waiver program for certain visitors to the United States.

S. 707

At the request of Mr. REED, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 707, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 719

At the request of Mr. BLUMENTHAL, the names of the Senator from Maine (Mr. KING) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 719, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 720

At the request of Mr. THUNE, the names of the Senator from Utah (Mr. HATCH), the Senator from Texas (Mr. CORNYN), the Senator from Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 720, a bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

S. 730

At the request of Mr. CRUZ, the name of the Senator from Nevada (Mr. HELL-

ER) was added as a cosponsor of S. 730, a bill to prevent criminals from obtaining firearms through straw purchasing and trafficking.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

S. RES. 97

At the request of Mr. COBURN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. Res. 97, a resolution expressing the sense of the Senate that the Food and Drug Administration should encourage the use of abuse-deterrent formulations of drugs.

AMENDMENT NO. 711

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 711 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 714

At the request of Mrs. MURRAY, her name was added as a cosponsor of amendment No. 714 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

At the request of Mr. REED, his name was added as a cosponsor of amendment No. 714 intended to be proposed to S. 649, *supra*.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANDERS:

S. 735. A bill to amend title 38, United States Code, to improve benefits and assistance provided to surviving spouses of veterans under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SANDERS. Mr. President, as the Chairman of the Veterans' Affairs Committee, one of my top priorities is to honor the promise that we made, as

a nation, to care for veterans and their survivors. The Senate recently passed a resolution, which I was proud to co-sponsor, designating April 5 as “Gold Star Wives Day,” in honor of the Gold Star Wives of America, a nonprofit organization that provides services, support, and representation for widows and widowers whose spouses died on active duty in the military or as a result of a service-connected disability. We recently celebrated “Gold Star Wives Day,” by recognizing the sacrifices of the families of fallen servicemembers and veterans.

In addition to honoring surviving spouses and families, we must take steps forward to provide the comprehensive care and benefits they need. Without a doubt, a decade of war has had a major impact on our military families. Over 6,600 U.S. servicemembers have died in Operations Iraqi Freedom and Enduring Freedom. They leave behind spouses, who must now face a variety of issues such as financial difficulties, preserving the family home, maintaining the family business, and caring for their children.

Earlier this year, the Veterans’ Affairs Committee heard from the Gold Star Wives of America about the significant challenges that survivors continue to face. Among the issues the organization advocated for were improved Dependency and Indemnity Compensation benefits and qualification requirements. These are some of the challenges that this legislation would address.

This legislation would improve existing survivor benefits and establish a new pilot program to help address the grief counseling needs of surviving spouses. It would also expand health care and other supportive services to children who suffer from spina bifida as a result of their parent’s exposure to certain herbicide agents during service in Thailand during the Vietnam War. This legislation would make a real and positive impact in the lives of the approximately 350,000 surviving spouses and children, currently receiving benefits, who have lost a loved one as a result of service to this country.

The Survivor Benefits Improvement Act of 2013 would extend the timeframe for increased DIC benefits for surviving spouses with children from 2 years to 5 years. A 2001 evaluation of benefits for survivors of veterans with service-connected disabilities revealed that survivors with dependents perceived an approximate \$6,000 annual gap between DIC received and DIC needed. The study also found that the average total household income decreased over \$20,000 on average during the transition period after the veteran’s death. As a result of this study, it was recommended that the \$250 monthly increase in DIC payment be extended from two years to five years for surviving spouses with dependent chil-

dren. It has now been over a decade since the 2001 report and we still have not provided this increase.

Furthermore, a recent survey from the Department of Veterans Affairs indicated that approximately 44 percent of surviving spouse respondents had incomes below \$20,000. It is clear that this legislation is necessary to provide much needed additional support to survivors during the period following a veteran’s death, especially for low-income families. We must act to remedy this shortfall immediately.

This legislation would also expand eligibility for DIC to surviving spouses who remarry at or after age 55. The lower remarriage age would ensure that surviving spouses receive benefits at a requirement level comparable to other federal survivor programs. For example, under the Military Survivor Benefit Plan and for federal employees generally, the remarriage age is 55 for retaining benefits.

At present, VA presumes that spina bifida in biological children of certain Vietnam-era and certain Korea service veterans was caused by the veterans’ exposure to Agent Orange during military service. As a result, VA provides health care, vocational rehabilitation and employment services, and a monthly monetary allowance to qualifying children. Although Agent Orange was primarily used in Vietnam, it was also used at military installations and other facilities, such as those in Korea and Thailand. Veterans who served in certain occupations at certain bases in Thailand are eligible to receive service-connected disability compensation. Therefore, it is only logical that VA should also be required to provide benefits to the children of veterans with qualifying service in Thailand, who are suffering from spina bifida.

The loss of a loved one is a devastating and life changing event. This legislation would strengthen our dedication to the overall well-being of surviving spouses by providing a pilot program on grief counseling in retreat settings. The program would enable surviving spouses, and dependents in certain instances, to receive the counseling, support, and sense of community necessary to heal from losing a loved one.

We have made a steadfast and unwavering commitment not only to our veterans, but to their surviving spouses and children. This legislation would strengthen, develop, and expand essential programs and benefits for survivors. Veterans and their families, who have both sacrificed so much for this country, deserve these benefits. We must deliver.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 735

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Survivor Benefits Improvement Act of 2013”.

SEC. 2. EXTENSION OF INITIAL PERIOD FOR INCREASED DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES WITH CHILDREN.

Section 1311(f)(2) of title 38, United States Code, is amended by striking “two-year” and inserting “five-year”.

SEC. 3. ELIGIBILITY FOR DEPENDENCY AND INDEMNITY COMPENSATION, HEALTH CARE, AND HOUSING LOANS FOR SURVIVING SPOUSES WHO REMARRY AFTER AGE 55.

Subparagraph (B) of section 103(d)(2) of title 38, United States Code, is amended to read as follows:

“(B) The remarriage after age 55 of the surviving spouse of a veteran shall not bar the furnishing of benefits specified in paragraph (5) to such person as the surviving spouse of the veteran.”

SEC. 4. BENEFITS FOR CHILDREN OF CERTAIN THAILAND SERVICE VETERANS BORN WITH SPINA BIFIDA.

(a) IN GENERAL.—Subchapter III of chapter 18 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 1822. Benefits for children of certain Thailand service veterans born with spina bifida

“(a) BENEFITS AUTHORIZED.—The Secretary may provide to any child of a veteran of covered service in Thailand who is suffering from spina bifida the health care, vocational training and rehabilitation, and monetary allowance required to be paid to a child of a Vietnam veteran who is suffering from spina bifida under subchapter I of this chapter as if such child of a veteran of covered service in Thailand were a child of a Vietnam veteran who is suffering from spina bifida under such subchapter.

“(b) SPINA BIFIDA CONDITIONS COVERED.—This section applies with respect to all forms and manifestations of spina bifida, except spina bifida occulta.

“(c) VETERAN OF COVERED SERVICE IN THAILAND.—For purposes of this section, a veteran of covered service in Thailand is any individual, without regard to the characterization of that individual’s service, who—

“(1) served in the active military, naval, or air service in Thailand, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on January 9, 1962, and ending on May 7, 1975; and

“(2) is determined by the Secretary, in consultation with the Secretary of Defense, to have been exposed to a herbicide agent during such service in Thailand.

“(d) HERBICIDE AGENT.—For purposes of this section, the term ‘herbicide agent’ means a chemical in a herbicide used in support of United States and allied military operations in Thailand, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on January 9, 1962, and ending on May 7, 1975.”

(b) CLERICAL AMENDMENTS.—

(1) SUBCHAPTER HEADING.—The heading for subchapter III of chapter 18 of such title is amended by inserting “AND THAILAND” after “KOREA”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 18 of such title is amended—

(A) by striking the item relating to subchapter III and inserting the following new item:

“SUBCHAPTER III—CHILDREN OF CERTAIN KOREA AND THAILAND SERVICE VETERANS BORN WITH SPINA BIFIDA”; AND

(B) by inserting after the item relating to section 1821 the following new item:

“1822. Benefits for children of certain Thailand service veterans born with spina bifida.”.

SEC. 5. PILOT PROGRAM ON GRIEF COUNSELING IN RETREAT SETTINGS FOR SURVIVING SPOUSES OF VETERANS WHO DIE WHILE SERVING ON ACTIVE DUTY IN THE ARMED FORCES.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out, through the Readjustment Counseling Service of the Veterans Health Administration, a pilot program to assess the feasibility and advisability of providing grief counseling services described in subsection (b) in group retreat settings to surviving spouses of veterans who die while serving on active duty in the Armed Forces.

(2) PARTICIPATION AT ELECTION OF SURVIVING SPOUSE.—The participation of a surviving spouse in the pilot program under this section shall be at the election of the surviving spouse.

(b) COVERED SERVICES.—The services provided to a surviving spouse under the pilot program shall include the following:

(1) Information and counseling on coping with grief.

(2) Information about benefits and services available to surviving spouses under laws administered by the Secretary.

(3) Such other information and counseling as the Secretary considers appropriate to assist a surviving spouse under the pilot program with adjusting to the death of a spouse.

(c) LOCATIONS.—The Secretary shall carry out the pilot program at not fewer than six locations as follows:

(1) Three locations at which surviving spouses with dependent children are encouraged to bring their children.

(2) Three locations at which surviving spouses with dependent children are not encouraged to bring their children.

(d) DURATION.—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the completion of the first year of the pilot program and not later than 180 days after the completion of the pilot program, the Secretary shall submit to Congress a report on the pilot program.

(2) CONTENTS.—Each report submitted under paragraph (1) shall contain the findings and conclusions of the Secretary as a result of the pilot program, and shall include such recommendations for the continuation or expansion of the pilot program as the Secretary considers appropriate.

(f) DEFINITIONS.—In this section, the terms “active duty”, “surviving spouse”, and “veteran” have the meanings given such terms in section 101 of title 38, United States Code.

By Mr. ROCKEFELLER (for himself, Mr. NELSON, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr.

MERKLEY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE):

S. 740. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Medicare Drug Savings Act of 2013. I am proud to be joined by my long-time partner in this effort, Senator BILL NELSON, as well as my colleagues Senator TAMMY BALDWIN of Wisconsin, Senator RICHARD BLUMENTHAL of Connecticut, Senator BARBARA BOXER of California, Senator SHERROD BROWN of Ohio, Senator RICHARD DURBIN of Illinois, Senator AL FRANKEN of Minnesota, Senator ANGUS KING of Maine, Senator AMY KLOBUCHAR of Minnesota, Senator PATRICK LEAHY of Vermont, Senator JEFF MERKLEY of Oregon, Senator JACK REED of Rhode Island, Senator BERNIE SANDERS of Vermont, Senator BRIAN SCHATZ of Hawaii, Senator JEANNE SHAHEEN of New Hampshire, Senator DEBBIE STABENOW of Michigan, Senator TOM UDALL of New Mexico and Senator SHELDON WHITEHOUSE of Rhode Island, in introducing this important piece of legislation.

We need to responsibly reduce our deficit, but taking away health care for seniors and other vulnerable people should be off the table. Rather than dismantling Medicare and Medicaid, we can save billions of dollars by holding drug companies accountable and using the purchasing power of the federal government to negotiate lower drug prices, just the way any private insurance plan would use its purchasing power to lower prices.

That is why we are introducing the Medicare Drug Savings Act. The bill will eliminate a special deal from the 2003 Medicare prescription drug law that allows drug companies to charge Medicare higher prices for some seniors' prescription drugs. It would require prescription drug manufacturers to pay rebates to Medicare for dually eligible beneficiaries in Medicare and Medicaid as well as other low-income Medicare beneficiaries. This proposal would reduce the deficit, saving taxpayers an estimated \$141.2 billion over the next 10 years, according to the Congressional Budget Office. Similar proposals were also included in the recommendations from the President's Commission on Fiscal Responsibility and Reform, the President's framework for deficit reduction and the President's budget for fiscal year 2014.

Prior to the creation of the Medicare prescription drug program, brand-name drug manufacturers paid a drug rebate for dually eligible beneficiaries in

Medicare and Medicaid. However, when the new Medicare drug program was established, drug companies no longer had to provide these rebates, resulting in windfall profits for prescription drug manufacturers, at taxpayers' expense.

The Medicare Drug Savings Act would require prescription drug manufacturers to pay the difference between the lowest current rebates they are paying to private Part D drug plans, and the percentage of Average Manufacturer Price, AMP, they currently pay under Medicaid, plus an additional rebate if their prices grow faster than inflation. They would be required to participate in the rebate program in order for their drugs to be covered by Medicare Part D.

I urge my colleagues to support this bill. In doing so, we will protect Medicare for seniors, and end a giveaway to drug companies that is costing taxpayers billions of dollars.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 98—HONORING THE LIFE, LEGACY, AND EXAMPLE OF BRITISH PRIME MINISTER BARONESS MARGARET THATCHER

Mr. MCCONNELL (for himself and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

S. RES. 98

Whereas Baroness Margaret Thatcher was born on October 13, 1925, in Grantham, United Kingdom;

Whereas Baroness Margaret Thatcher first visited the United States in 1967;

Whereas Baroness Margaret Thatcher became the first and, to date, only female Prime Minister of the United Kingdom of Great Britain and Northern Ireland, in 1979;

Whereas Baroness Margaret Thatcher served as Prime Minister for 11 years, making her the longest-serving Prime Minister in the 20th century;

Whereas Baroness Margaret Thatcher in 1982 led United Kingdom efforts to liberate the Falkland Islands after they had been invaded and occupied by the Government of Argentina;

Whereas Baroness Margaret Thatcher in 1983 supported the deployment of United States nuclear cruise missiles at United Kingdom bases and the deployment by the United States of short-range nuclear missiles in Europe when there was stiff opposition to her doing so;

Whereas Baroness Margaret Thatcher in 1984 survived an assassination attempt by the Irish Republican Army in Brighton, United Kingdom, and declared that “all attempts to destroy democracy by terrorism will fail”;

Whereas Baroness Margaret Thatcher in 1986 allowed U.S. F-111s to fly from British territory to attack sites in Libya in response to the Berlin discotheque bombing which killed 2 members of the United States Armed Forces;

Whereas Baroness Margaret Thatcher's personal relationship with President Ronald Reagan demonstrated once again that the

special relationship between the United States and the United Kingdom is a powerful force for good in the world;

Whereas Baroness Margaret Thatcher stood shoulder to shoulder with United States leaders against the Soviet Union and the threats posed by communism;

Whereas Baroness Margaret Thatcher defended United Kingdom sovereignty within the European Economic Community; and

Whereas Baroness Margaret Thatcher dedicated her life to the cause of democracy, freedom, and economic liberty for the United Kingdom and the world: Now, therefore, be it

Resolved, That the Senate—

(1) honors the legacy of Baroness Margaret Thatcher for her life-long commitment to advancing freedom, liberty, and democracy throughout the world;

(2) extends its deepest condolences and sympathy to the family of Baroness Margaret Thatcher and the people of the United Kingdom of Great Britain and Northern Ireland;

(3) recognizes that Baroness Margaret Thatcher, working with President Ronald Reagan, helped bring a peaceful end to the Cold War;

(4) reiterates its continued support for the close tie and the special relationship between the United States and the United Kingdom; and

(5) expresses admiration for Baroness Margaret Thatcher and her legacy as an inspirational and transformative leader in the United Kingdom and the world.

SENATE RESOLUTION 99—EXPRESSING THE SENSE OF THE SENATE THAT PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE UNITED STATES DURING PUBLIC SERVICE RECOGNITION WEEK

Mr. TESTER (for himself, Mr. LEVIN, Mr. CARDIN, Mr. CARPER, Mr. BEGICH, Mr. COONS, and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:—

S. RES. 99

Whereas the week of May 5 through 11, 2013 has been designated as “Public Service Recognition Week” to honor the employees of the Federal Government and State and local governments of the United States;

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the United States through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across the United States and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas the Federal Government and State and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States is a great and prosperous country, and public service employees contribute significantly to that greatness and prosperity;

Whereas the United States benefits daily from the knowledge and skills of the highly-trained individuals who work in public service;

Whereas public servants—

(1) defend the freedom of the people of the United States and advance the interests of the United States around the world;

(2) provide vital strategic support functions to the Armed Forces of the United States and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the parks of the United States;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the people of the United States recover from natural disasters and terrorist attacks;

(11) teach and work in schools and libraries;

(12) develop new technologies and explore the Earth, the Moon, and space to help improve understanding of how the world changes;

(13) improve and secure transportation systems;

(14) promote economic growth; and

(15) assist the veterans of the United States;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight to defeat terrorism and maintain homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent the interests and promote the ideals of the United States;

Whereas public servants alert Congress and the public to government waste, fraud, and abuse, and of dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as the skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the United States and the world;

Whereas public servants have bravely fought in armed conflict in defense of the United States and its ideals, and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants; and

Whereas the week of May 5 through 11, 2013 marks the 29th anniversary of Public Service Recognition Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of May 5 through 11, 2013 as “Public Service Recognition Week”;

(2) commends public servants for their outstanding contributions to this great country during Public Service Recognition Week and throughout the year;

(3) salutes government employees for their unyielding dedication to and spirit for public service;

(4) honors those government employees who have given their lives in service to their country;

(5) calls upon a new generation to consider a career in public service as an honorable profession; and

(6) encourages efforts to promote public service careers at all levels of government.

SENATE RESOLUTION 100—COMMENDING AND CONGRATULATING THE UNIVERSITY OF LOUISVILLE MEN'S BASKETBALL TEAM FOR WINNING ITS THIRD DIVISION I NATIONAL COLLEGIATE ATHLETIC ASSOCIATION CHAMPIONSHIP, AND THE UNIVERSITY OF LOUISVILLE WOMEN'S BASKETBALL TEAM FOR BEING RUNNER UP IN THE 2013 WOMEN'S DIVISION I NATIONAL COLLEGIATE ATHLETIC ASSOCIATION BASKETBALL TOURNAMENT

Mr. MCCONNELL (for himself and Mr. PAUL) submitted the following resolution; which was considered and agreed to:

S. RES. 100

Whereas, on April 8, 2013, the University of Louisville Cardinals defeated the University of Michigan Wolverines, 82 to 76, in the final game of the National Collegiate Athletic Association (referred to in this preamble as “NCAA”) Division I Men's Basketball Tournament in Atlanta, Georgia;

Whereas the Louisville Cardinals have won 3 national titles and appeared in 10 NCAA Final Fours, their first title and third Final Four appearance under Coach Rick Pitino;

Whereas Hall of Fame Coach Rick Pitino is the only coach to win NCAA national men's basketball championships at 2 universities;

Whereas senior guard Peyton Siva has led the Cardinals to 2 Big East Conference Tournament Championships, 2 NCAA Final Fours, and 1 NCAA national title while playing for the University of Louisville men's basketball team;

Whereas junior center Gorgui Dieng was named Big East Conference Defensive Player of the Year and First Team All-Big East, along with junior guard Russ Smith;

Whereas junior forward Luke Hancock was named Most Outstanding Player of the 2013 NCAA Final Four, the first nonstarter to win the award;

Whereas each player, coach, athletic trainer, and staff member of the University of Louisville men's basketball team dedicated their season and tireless efforts to a successful team effort;

Whereas the University of Louisville women's basketball team inspired the people of the Commonwealth with its memorable and exciting run in the tournament and for being the lowest-seeded team to make it to the NCAA title game since the inaugural women's championship game in 1982;

Whereas residents of the City of Louisville and the Commonwealth of Kentucky and Cardinal fans worldwide are to be commended for their long-standing support, perseverance, and pride in this team; and

Whereas Coach Rick Pitino, Coach Jeff Walz, and the University Louisville Cardinals have brought pride and honor to the City of Louisville and the entire Commonwealth of Kentucky this season, which is rightly known as the college basketball capital of the world;

Now, therefore, be it

Resolved, That the Senate—

(1) commends and congratulates the University of Louisville Cardinals on its outstanding accomplishment; and

(2) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the president of the University of Louisville.

AMENDMENTS SUBMITTED AND PROPOSED

SA 716. Mr. ROCKEFELLER (for himself, Mr. COBURN, Mr. JOHANNIS, Mr. BLUMENTHAL, Mr. HELLER, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table.

SA 717. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 718. Mr. COBURN (for himself, Mr. RUBIO, Mr. JOHNSON of Wisconsin, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 719. Mr. CORNYN (for himself, Mr. VITTER, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 720. Mr. BURR (for himself, Mr. WICKER, Mr. INHOFE, Mr. CRAPO, Mr. RISC, Mr. COCHRAN, Mr. MORAN, Mr. THUNE, Mr. ROBERTS, Mr. ENZI, and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 721. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 722. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 723. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 724. Mr. REID (for Mr. LAUTENBERG (for himself, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. COWAN, Mrs. BOXER, Mr. REED, Ms. WARREN, and Mr. BLUMENTHAL)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 649, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 716. Mr. ROCKEFELLER (for himself, Mr. COBURN, Mr. JOHANNIS, Mr. BLUMENTHAL, Mr. HELLER, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STUDY; NATIONAL ACADEMY OF SCIENCES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the

Federal Trade Commission, the Federal Communications Commission, and the Department of Health and Human Services, jointly, shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study and investigation of—

(1) whether there is a connection between exposure to violent video games and harmful effects on children; and

(2) whether there is a connection between exposure to violent video programming and harmful effects on children.

(b) CONTENTS OF STUDY AND INVESTIGATION.

(1) VIOLENT VIDEO GAMES.—The study and investigation under subsection (a) shall include—

(A) whether the exposure listed under subsection (a)(1)—

(i) causes children to act aggressively or causes other measurable harm to children;

(ii) has a disproportionately harmful effect on children already prone to aggressive behavior or on other identifiable groups of children; and

(iii) has a harmful effect that is distinguishable from any negative effects produced by other types of media;

(B) whether any harm identified under subparagraph (A)(i) has a direct and long-lasting impact on a child's well-being; and

(C) whether current or emerging characteristics of video games have a unique impact on children, considering in particular video games' interactive nature and the extraordinarily personal and vivid way violence might be portrayed in such video games.

(2) VIOLENT VIDEO PROGRAMMING.—The study and investigation under subsection (a) shall include—

(A) whether the exposure listed under subsection (a)(2)—

(i) causes children to act aggressively or causes other measurable harm to children;

(ii) has a disproportionately harmful effect on children already prone to aggressive behavior or on other identifiable groups of children; and

(iii) has a harmful effect that is distinguishable from any negative effects produced by other types of media; and

(B) whether any harm identified under subparagraph (A)(i) has a direct and long-lasting impact on a child's well-being.

(3) FUTURE RESEARCH.—The study and investigation under subsection (a) shall identify gaps in the current state of research which, if closed, could provide additional information regarding any causal connection—

(A) between exposure to violent video games and behavior; and

(B) between exposure to violent video programming and behavior.

(c) REPORT.—In entering into any arrangements with the National Academy of Sciences for conducting the study and investigation under this section, the Federal Trade Commission, the Federal Communications Commission, and the Department of Health and Human Services shall request the National Academy of Sciences to submit, not later than 15 months after the date on which such arrangements are completed, a report on the results of the study and investigation to—

(1) Congress;

(2) the Federal Trade Commission;

(3) the Federal Communications Commission; and

(4) the Department of Health and Human Services.

SA 717. Mr. BARRASSO submitted an amendment intended to be proposed by

him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTING THE PRIVACY AND SAFETY OF LAW-ABIDING GUN OWNERS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by adding at the end the following:

“(1) PROTECTING THE PRIVACY OF LAW-ABIDING GUN OWNERS.—

“(1) DEFINITION.—In this subsection, the term ‘private gun ownership data’ means information held by a State or unit of local government that concerns—

“(A) a license or permit of an individual to purchase, possess, or carry a firearm;

“(B) a license or permit of an individual relating to ammunition; or

“(C) the location of an individual gun owner.

“(2) WITHHOLDING FUNDS FOR NONCOMPLIANCE.—

“(A) IN GENERAL.—Subject to subparagraph (B), and notwithstanding any other provision of this part, if a State or unit of local government receiving a grant under this part publicly releases private gun ownership data during any fiscal year, the Attorney General shall withhold 5 percent of the amount that would otherwise be provided to the State or unit of local government under this part for that fiscal year.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to any release of private gun ownership data that is necessary in the course of—

“(i) a bonafide criminal investigation; or

“(ii) a trial, hearing, or other proceeding of any court, board, commission, or agency.

“(3) REDISTRIBUTION OF WITHHELD FUNDS.—On the first day of the first fiscal year after a fiscal year in which amounts were withheld from a State or unit of local government under paragraph (2), such amounts shall be made available to States and units of local government that do not publicly release private gun ownership data.”

SA 718. Mr. COBURN (for himself, Mr. RUBIO, Mr. JOHNSON of Wisconsin, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ANNUAL REPORT ON AMMUNITION.

(a) DEFINITION.—In this section, the term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(b) ANNUAL REPORT.—Except as provided in subsection (c), not later than December 31, 2013, and before each December 31 thereafter, each agency shall submit to Congress a report on—

(1) the number of firearms and types of firearms purchased or otherwise acquired by the agency during the previous fiscal year;

(2) the number of rounds of ammunition and the type of ammunition purchased by the agency during the previous fiscal year;

(3) the number of firearms owned by the agency that were stolen, lost, or unaccounted for during the previous fiscal year; and

(4) the number of firearms possessed by the agency at the end of the previous fiscal year.

(c) NATIONAL SECURITY EXCEPTION.—Subsection (b) shall not apply to the Department of Defense or the Central Intelligence Agency, if the Secretary of Defense or the Director of the Central Intelligence Agency—

(1) submits to Congress a detailed explanation of why reporting of the information described in subsection (b) would harm national security; and

(2) upon request, makes the information described in subsection (b) available to the relevant congressional oversight committees in a classified format.

SA 719. Mr. CORNYN (for himself, Mr. VITTER, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the “Constitutional Concealed Carry Reciprocity Act of 2013”.

(b) RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

“§ 926D. Reciprocity for the carrying of certain concealed firearms

“(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

“(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

“(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or de-

structive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

“(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

“(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.”

(2) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

“926D. Reciprocity for the carrying of certain concealed firearms.”

(3) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(4) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SA 720. Mr. BURR (for himself, Mr. WICKER, Mr. INHOFE, Mr. CRAPO, Mr. RISCH, Mr. COCHRAN, Mr. MORAN, Mr. THUNE, Mr. ROBERTS, Mr. ENZI, and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, insert the following:

SEC. 114. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”

SA 721. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTION OF PROSECUTORS, JUDGES, LAW ENFORCEMENT OFFICERS, AND THEIR FAMILIES.

(a) SHORT TITLE.—This section may be cited as the “Line of Duty Act of 2013”.

(b) PROTECTION FOR PROSECUTORS AND JUDGES.—

(1) MODIFICATIONS TO THE COMMUNITY ORIENTED POLICING SERVICES PROGRAM.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(A) in paragraph (16), by striking “and” at the end;

(B) by redesignating paragraph (17) as paragraph (18);

(C) by inserting after paragraph (16) the following:

“(18) to train and provide security details for prosecutors and judges, including their immediate families, involved in cases that raise substantial concerns of retaliation or intimidation through violent acts; and”; and

(D) in paragraph (18), as so redesignated, by striking “(16)” and inserting “(17)”.

(2) MODIFICATIONS TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

“(H) Prosecutorial and judicial security details and programs.”

(c) JUSTICE FOR PROSECUTORS, JUDGES, LAW ENFORCEMENT OFFICERS, AND THEIR FAMILIES.—

(1) KILLING OF PROSECUTORS, JUDGES, AND LAW ENFORCEMENT OFFICERS.—

(A) OFFENSE.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

“§ 1123. Killing of federally funded prosecutors, judges, and law enforcement officers

“(a) DEFINITIONS.—In this section—

“(1) the terms ‘Federal law enforcement officer’ and ‘United States judge’ have the meanings given those terms in section 115;

“(2) the term ‘federally funded public safety officer’ means a public safety officer or judicial officer for a public agency that—

“(A) receives Federal financial assistance; and

“(B) is an agency of an entity that is a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any territory or possession of the United States, an Indian tribe, or a unit of local government of that entity;

“(3) the term ‘firefighter’ includes an individual serving as an official recognized or designated member of a legally organized volunteer fire department and an officially recognized or designated public employee member of a rescue squad or ambulance crew;

“(4) the term ‘judicial officer’ means a judge or other officer or employee of a court, including prosecutors, court security, pretrial services officers, court reporters, and corrections, probation, and parole officers;

“(5) the term ‘law enforcement officer’ means an individual, with arrest powers, involved in crime or juvenile delinquency control or reduction or enforcement of the laws;

“(6) the term ‘public agency’ includes a court system, the National Guard of a State to the extent the personnel of that National Guard are not in Federal service, and the defense forces of a State authorized by section 109 of title 32; and

“(7) the term ‘public safety officer’ means an individual serving a public agency in an official capacity, as a law enforcement officer, as a firefighter, as a chaplain, or as a member of a rescue squad or ambulance crew.

“(b) OFFENSE.—It shall be unlawful for any person to—

“(1) kill, or attempt or conspire to kill—

“(A) a United States judge;

“(B) a Federal law enforcement officer; or

“(C) a federally funded public safety officer while that officer is engaged in official duties, or on account of the performance of official duties; or

“(2) kill a former United States judge, Federal law enforcement officer, or federally funded public safety officer on account of the past performance of official duties.

“(c) PENALTY.—Any person that violates subsection (b) shall be fined under this title and imprisoned for any term of years not less than 30, or for life, or, if death results and the offender is prosecuted as a principal, may be sentenced to death.”

(B) CLERICAL AMENDMENT.—The table of sections for chapter 51 of title 18, United States Code, is amended by adding at the end the following:

“1123. Killing of federally funded prosecutors, judges, and law enforcement officers.”

(2) FUGITIVES FROM JUSTICE.—

(A) OFFENSE.—Chapter 49 of title 18, United States Code, is amended by adding at the end the following:

“§ 1075. Flight to avoid prosecution for killing prosecutors, judges, and law enforcement officials

“(a) OFFENSE.—It shall be unlawful for any person to move or travel in interstate or foreign commerce with intent to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the person flees or under section 1114 or 1123, for a crime consisting of the killing, an attempted killing, or a conspiracy to kill a Federal judge or Federal law enforcement of-

ficer (as those terms are defined in section 115), or a federally funded public safety officer (as that term is defined in section 1123).

“(b) PENALTY.—Any person that violates subsection (a) shall be fined under this title and imprisoned for any term of years not less than 10, in addition to any other term of imprisonment for any other offense relating to the conduct described in subsection (a).”

(B) CLERICAL AMENDMENT.—The table of sections for chapter 49 of title 18, United States Code, is amended by adding at the end the following:

“1075. Flight to avoid prosecution for killing prosecutors, judges, and law enforcement officials.”

(3) AGGRAVATING FACTORS FOR HOMICIDE.—Section 3592(c) of title 18, United States Code, is amended by inserting after paragraph (16) the following:

“(17) KILLING OF A PROSECUTOR, JUDGE, LAW ENFORCEMENT OFFICER, OR FIRST RESPONDER.—The defendant killed or attempted to kill a person who is authorized by law—

“(A) to engage in or supervise the prevention, detention, or investigation of any criminal violation of law;

“(B) to arrest, prosecute, or adjudicate an individual for any criminal violation of law; or

“(C) to be a firefighter or other first responder.”

(4) FEDERAL REVIEW OF STATE CONVICTION FOR MURDER OF A LAW ENFORCEMENT OFFICER OR JUDGE.—

(A) IN GENERAL.—Section 2254 of title 28, United States Code, is amended by adding at the end the following:

“(j)(1) For an application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a State court for a crime that involved the killing of a public safety officer (as that term is defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b)) or judge, while the public safety officer or judge was engaged in the performance of official duties, or on account of the performance of official duties by or status as a public safety officer or judge of the public safety officer or judge—

“(A) the application shall be subject to the time limitations and other requirements under sections 2263, 2264, and 2266; and

“(B) the court shall not consider claims relating to sentencing that were adjudicated in a State court.

“(2) Sections 2251, 2262, and 2101 are the exclusive sources of authority for Federal courts to stay a sentence of death entered by a State court in a case described in paragraph (1).”

(B) RULES.—Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts is amended by adding at the end the following: “Rule 60(b)(6) of the Federal Rules of Civil Procedure shall not apply to a proceeding under these rules in a case that is described in section 2254(j) of title 28, United States Code.”

(C) FINALITY OF DETERMINATION.—Section 2244(b)(3)(E) of title 28, United States Code, is amended by striking “the subject of a petition” and all that follows and inserting: “reheard in the court of appeals or reviewed by writ of certiorari.”

(D) EFFECTIVE DATE AND APPLICABILITY.—

(i) IN GENERAL.—This paragraph and the amendments made by this paragraph shall apply to any case pending on or after the date of enactment of this Act.

(ii) TIME LIMITS.—In a case pending on the date of enactment of this Act, if the amendments made by this paragraph impose a time

limit for taking certain action, the period of which began before the date of enactment of this Act, the period of such time limit shall begin on the date of enactment of this Act.

(iii) EXCEPTION.—The amendments made by this paragraph shall not bar consideration under section 2266(b)(3)(B) of title 28, United States Code, of an amendment to an application for a writ of habeas corpus that is pending on the date of enactment of this Act, if the amendment to the petition was adjudicated by the court prior to the date of enactment of this Act.

(5) SPECIAL PENALTIES FOR ASSAULTING A FEDERAL PROSECUTOR, JUDGE, OR LAW ENFORCEMENT OFFICER.—

(A) IN GENERAL.—Section 111 of title 18, United States Code, is amended to read as follows:

“§ 111. Assaulting or interfering with certain officers or employees

“(a) OFFICERS AND EMPLOYEES.—

“(1) IN GENERAL.—It shall be unlawful for any person to—

“(A) assault or interfere with an officer or employee described in section 1114, while such officer or employee is engaged in, or on account of the performance of, official duties;

“(B) assault or interfere with an individual who formerly served as an officer or employee described in section 1114 on account of the performance of official duties; or

“(C) assault or interfere with an individual on account of the current or former status of the individual as an officer or employee described in section 1114.

“(2) PENALTY.—Any person who violates paragraph (1), shall be—

“(A) fined under this title;

“(B)(i) in the case of an interference or a simple assault, imprisoned for not more than 1 year;

“(ii) in the case of an assault involving actual physical contact or the intent to commit any other felony, imprisoned for not more than 10 years;

“(iii) in the case of an assault resulting in bodily injury, imprisoned for not more than 20 years; or

“(iv) in the case of an assault resulting in substantial bodily injury (as that term is defined in section 113), or if a dangerous weapon was used or possessed during and in relation to the offense (including a weapon intended to cause death or danger but that fails to do so by reason of a defective component), imprisoned for not more than 30 years; or

“(C) fined under subparagraph (A) and imprisoned under subparagraph (B).

“(b) LAW ENFORCEMENT OFFICERS AND JUDGES.—

“(1) IN GENERAL.—

“(A) SUBSTANTIAL BODILY INJURY.—If the victim of an assault punishable under this section is a Federal law enforcement officer or a United States judge (as those terms are defined in section 115) and the assault resulted in substantial bodily injury (as that term is defined in section 113), the offender shall be punished by a fine under this title and imprisonment for not less 5 years nor more than 30 years; and

“(B) SERIOUS BODILY INJURY.—If the victim of an assault punishable under this section is a Federal law enforcement officer or a United States judge (as those terms are defined in section 115) and the assault resulted

in serious bodily injury (as that term is defined in section 2119(2)), or a dangerous weapon was used or possessed during and in relation to the offense, the offender shall be punished by a fine under this title and imprisonment for any term of years not less than 10 or for life.

“(2) IMPOSITION OF PUNISHMENT.—Each punishment for criminal conduct described in this subsection shall be in addition to any other punishment for other criminal conduct during the same criminal episode.”.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 18, United States Code, is amended by striking the item relating to section 111 and inserting the following:

“111. Assaulting or interfering with certain officers or employees.”.

(6) SPECIAL PENALTIES FOR RETALIATING AGAINST A FEDERAL PROSECUTOR, JUDGE, OR LAW ENFORCEMENT OFFICER BY MURDERING OR ASSAULTING A FAMILY MEMBER.—

(A) IN GENERAL.—Section 115 of title 18, United States Code, is amended—

(i) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(ii) by inserting after subsection (b) the following:

“(c)(1) If an offense punishable under this section is committed with the intent to impede, intimidate, or interfere with a Federal law enforcement officer or a United States judge while that officer or judge is engaged in the performance of official duties, with the intent to retaliate against that officer or judge or a person who formerly served as such an officer or judge on account of the performance of official duties, or with the intent to retaliate against an individual on account of the current or former status of the individual as such an officer or judge, the offender shall be punished—

“(A) in the case of murder, attempted murder, conspiracy to murder, or manslaughter, as provided in section 1114(1);

“(B) in the case of kidnapping, attempted kidnapping, or conspiracy to kidnap, as provided in section 1201(a);

“(C) in the case of an assault resulting in bodily injury or involving the use or possession of a dangerous weapon during and in relation to the offense, as provided for a comparable offense against a Federal law enforcement officer or United States judge under section 111; and

“(D) in the case of any other assault or threat, by a fine under this title and imprisonment for not more than 10 years.

“(2) Each punishment for criminal conduct described in this subsection shall be in addition to any other punishment for other criminal conduct during the same criminal episode.”.

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(i) Section 119(b)(4) of title 18, United States Code, is amended by striking “section 115(c)(2)” and inserting “section 115”.

(ii) Section 2237(e)(1) of title 18, United States Code, is amended by striking “in section 115(c)” and inserting “in section 115”.

(iii) Section 5(a) of the Act entitled “An Act to promote the development of Indian arts and crafts and to create a board to assist therein, and for other purposes” (25 U.S.C. 305d) is amended by striking “in section 115(c)” and inserting “in section 115”.

(d) SELF-DEFENSE RIGHTS FOR PROSECUTORS, JUDGES, AND LAW ENFORCEMENT OFFICERS.—

(1) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by inserting after section 3053 the following:

“§ 3054. Authority of judges, prosecutors, and law enforcement officers to carry firearms

“Subject to such regulations as the Attorney General shall prescribe regarding training and proficiency in the use of firearms, any officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, prosecution, or adjudication of any violation of law may carry firearms. Such authority to carry firearms shall extend, but not be limited to presence within any building or structure classified as a Federal facility or Federal court facility, as those terms are defined under section 930, and any grounds appurtenant to such a facility, where such possession is otherwise authorized by law and incident to the lawful performance of the official duties of that person.”.

(2) CARRYING OF CONCEALED FIREARMS BY QUALIFIED LAW ENFORCEMENT OFFICERS.—Section 926B(e)(2) of title 18, United States Code, is amended by inserting “any magazine and” after “includes”.

(3) CARRYING OF CONCEALED FIREARMS BY QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS.—Section 926C(e)(1)(B) of title 18, United States Code, is amended by inserting “any magazine and” after “includes”.

(4) SCHOOL ZONES.—Section 922(q)(2)(B)(vi) title 18, United States Code, is amended by inserting “, a qualified law enforcement officer (as defined in section 926B(c)), or a qualified retired law enforcement officer (as defined in section 926C(c))” before the semicolon.

(5) REGULATIONS REQUIRED.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall promulgate regulations allowing persons described in section 3054 of title 18, United States Code, to possess firearms in a manner described by that section. With respect to Federal justices, judges, bankruptcy judges, and magistrate judges, such regulations shall be prescribed after consultation with the Judicial Conference of the United States.

(6) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 203 of title 18, United States Code, is amended by inserting after the item relating to section 3053 the following:

“3054. Authority of judges, prosecutors, and law enforcement officers to carry firearms.”.

(e) LIMITATION ON DAMAGES INCURRED DURING COMMISSION OF A FELONY OR CRIME OF VIOLENCE.—

(1) IN GENERAL.—Section 1979 of the Revised Statutes (42 U.S.C. 1983) is amended by—

(A) striking “except that in any action” and all that follows through “relief was unavailable.” and inserting the following: “except that—

“(1) in any action brought against a judicial officer for an act or omission taken in the judicial capacity of that officer, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable; and

“(2) in any action seeking redress for any deprivation that was incurred in the course of, or as a result of, or is related to, conduct by the injured party that, more likely than not, constituted a felony or a crime of violence (as that term is defined in section 16 of title 18, United States Code) (including any deprivation in the course of arrest or apprehension for, or the investigation, prosecution, or adjudication of, such an offense), a court may not award damages other than for

necessary out-of-pocket expenditures and other monetary loss.”; and

(B) indenting the last sentence as an undesignated paragraph.

(2) ATTORNEY'S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by striking “except that in any action” and all that follows and inserting the following: “except that—

“(1) in any action brought against a judicial officer for an act or omission taken in the judicial capacity of that officer, such officer shall not be held liable for any costs, including attorneys fees, unless such action was clearly in excess of the jurisdiction of that officer; and

“(2) in any action seeking redress for any deprivation that was incurred in the course of, or as a result of, or is related to, conduct by the injured party that, more likely than not, constituted a felony or a crime of violence (as that term is defined in section 16 of title 18, United States Code) (including any deprivation in the course of arrest or apprehension for, or the investigation, prosecution, or adjudication of, such an offense), the court may not allow such party to recover attorney's fees.”.

(f) SELF-DEFENSE RIGHTS FOR FEDERAL CORRECTIONAL WORKERS.—

(1) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

“§ 4049. Secure firearms storage for Federal correctional workers

“The Director of the Bureau of Prisons shall ensure that each Federal penal or correctional institution provides a secure firearms storage area for use by all persons employed by the Bureau of Prisons at the institution who are authorized to carry a firearm, or allow such persons to store firearms in a vehicle lockbox approved by the Director.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, is amended by adding at the end the following:

“4049. Secure firearms storage for Federal correctional workers.”.

SA 722. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . HEALTH CARE SAFETY NET ENHANCEMENT.

(a) CONSTITUTIONAL AUTHORITY.—The constitutional authority upon which this section rests is the power of the Congress to provide for the general welfare, to regulate commerce, and to make all laws which shall be necessary and proper for carrying into execution Federal powers, as enumerated in section 8 of article I of the Constitution of the United States.

(b) PROTECTION FOR EMERGENCY AND RELATED SERVICES FURNISHED PURSUANT TO EMTALA.—Section 224(g) of the Public Health Service Act (42 U.S.C. 233(g)) is amended—

(1) in paragraph (4), by striking “An entity” and inserting “Subject to paragraph (6), an entity”; and

(2) by adding at the end the following:

“(6)(A) For purposes of this section—

“(i) an entity described in subparagraph (B) shall be considered to be an entity described in paragraph (4); and

“(ii) the provisions of this section shall apply to an entity described in subparagraph (B) in the same manner as such provisions apply to an entity described in paragraph (4), except that—

“(I) notwithstanding paragraph (1)(B), the deeming of any entity described in subparagraph (B), or of an officer, governing board member, employee, contractor, or on-call provider of such an entity, to be an employee of the Public Health Service for purposes of this section shall apply only with respect to items and services that are furnished to an individual pursuant to section 1867 of the Social Security Act and to post stabilization services (as defined in subparagraph (D)) furnished to such an individual;

“(II) nothing in paragraph (1)(D) shall be construed as preventing a physician or physician group described in subparagraph (B)(ii) from making the application referred to in such paragraph or as conditioning the deeming of a physician or physician group that makes such an application upon receipt by the Secretary of an application from the hospital or emergency department that employs or contracts with the physician or group, or enlists the physician or physician group as an on-call provider;

“(III) notwithstanding paragraph (3), this paragraph shall apply only with respect to causes of action arising from acts or omissions that occur on or after January 1, 2014;

“(IV) paragraph (5) shall not apply to a physician or physician group described in subparagraph (B)(ii);

“(V) the Attorney General, in consultation with the Secretary, shall make separate estimates under subsection (k)(1) with respect to entities described in subparagraph (B) and entities described in paragraph (4) (other than those described in subparagraph (B)), and the Secretary shall establish separate funds under subsection (k)(2) with respect to such groups of entities, and any appropriations under this subsection for entities described in subparagraph (B) shall be separate from the amounts authorized by subsection (k)(2);

“(VI) notwithstanding subsection (k)(2), the amount of the fund established by the Secretary under such subsection with respect to entities described in subparagraph (B) may exceed a total of \$10,000,000 for a fiscal year; and

“(VII) subsection (m) shall not apply to entities described in subparagraph (B).

“(B) An entity described in this subparagraph is—

“(i) a hospital or an emergency department to which section 1867 of the Social Security Act applies; and

“(ii) a physician or physician group that is employed by, is under contract with, or is an on-call provider of such hospital or emergency department, to furnish items and services to individuals under such section.

“(C) For purposes of this paragraph, the term ‘on-call provider’ means a physician or physician group that—

“(i) has full, temporary, or locum tenens staff privileges at a hospital or emergency department to which section 1867 of the Social Security Act applies; and

“(ii) is not employed by or under contract with such hospital or emergency department, but agrees to be ready and available to provide services pursuant to section 1867 of the Social Security Act or post-stabilization services to individuals being treated in the

hospital or emergency department with or without compensation from the hospital or emergency department.

“(D) For purposes of this paragraph, the term ‘post stabilization services’ means, with respect to an individual who has been treated by an entity described in subparagraph (B) for purposes of complying with section 1867 of the Social Security Act, services that are—

“(i) related to the condition that was so treated; and

“(ii) provided after the individual is stabilized in order to maintain the stabilized condition or to improve or resolve the condition of the individual.

“(E)(i) Nothing in this paragraph (or in any other provision of this section as such provision applies to entities described in subparagraph (B) by operation of subparagraph (A)) shall be construed as authorizing or requiring the Secretary to make payments to such entities, the budget authority for which is not provided in advance by appropriation Acts.

“(ii) The Secretary shall limit the total amount of payments under this paragraph for a fiscal year to the total amount appropriated in advance by appropriation Acts for such purpose for such fiscal year. If the total amount of payments that would otherwise be made under this paragraph for a fiscal year exceeds such total amount appropriated, the Secretary shall take such steps as may be necessary to ensure that the total amount of payments under this paragraph for such fiscal year does not exceed such total amount appropriated.”

SA 723. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . BACKGROUND CHECKS FOR INDIVIDUALS WITH CONCEALED CARRY PERMITS.

(a) **FINDING.**—Congress finds that background checks under the national instant criminal background check system have proven to produce false positive results for individuals with similar names.

(b) **CONCEAL CARRY PERMITS.**—Section 922(s) of title 18, United States Code, as redesignated and amended by this Act, is amended—

(1) in paragraph (1)(A), by inserting “is provided a covered conceal carry permit or license of such other person or” after “the license”; and

(2) by adding at the end the following:

“(8) In this subsection, the term ‘covered conceal carry permit or license’ means a permit or license issued by a State—

“(A) that authorizes an individual to carry a concealed firearm;

“(B) after conducting a criminal background check; and

“(C) not more than 5 years before the date of the applicable transfer.”

SA 724. Mr. REID (for Mr. LAUTENBERG (for himself, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. COWAN, Mrs. BOXER, Mr. REED, Ms. WARREN, and Mr. BLUMENTHAL)) submitted an amend-

ment intended to be proposed by Mr. REID to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS

SECTION 401. SHORT TITLE.

This title may be cited as the “Denying Firearms and Explosives to Dangerous Terrorists Act of 2013”.

SEC. 402. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) **STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.**—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

“§ 922A. Attorney General’s discretion to deny transfer of a firearm.

“The Attorney General may deny the transfer of a firearm under section 922(s)(1)(B)(ii) of this title if the Attorney General—

“(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

“§ 922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(s)(3).

“The Attorney General may determine that—

“(1) an applicant for a firearm permit which would qualify for an exemption under section 922(s) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”

(2) in section 921(a), by adding at the end the following:

“(36) The term ‘terrorism’ includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

“(37) The term ‘material support or resources’ has the meaning given the term in section 2339A of this title.

“(38) The term ‘responsible person’ means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.”; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

“922A. Attorney General’s discretion to deny transfer of a firearm.

“922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(s)(3).”.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(s) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(i), by inserting “or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking “and” at the end; and

(II) by adding at the end the following:

“(III) was issued after a check of the system established pursuant to paragraph (1);”;

(ii) in clause (ii), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;”;

(4) in paragraph (4), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”; and

(5) in paragraph (5), by inserting “, or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, as amended by this Act, is amended—

(1) in paragraph (10), by striking “or” at the end;

(2) in paragraph (11), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(12) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.”.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (9) the following:

“(10) who has received actual notice of the Attorney General’s determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title,”.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “Any” and inserting “Except as provided in paragraph (3), any”; and

(2) by adding at the end the following:

“(3) The Attorney General may deny a license application if the Attorney General de-

termines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(e)”;

(2) by striking “revoke any license” and inserting the following: “revoke—

“(A) any license”;

(3) by striking “. The Attorney General may, after notice and opportunity for hearing, revoke the license” and inserting the following: “;

“(B) the license”; and

(4) by striking “. The Secretary’s action” and inserting the following: “; or

“(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

“(2) The Attorney General’s action”.

(g) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: “However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.”.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: “With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(h) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: “If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(i) PENALTIES.—Section 924(k)(1) of title 18, United States Code, as amended by this Act, is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) in subparagraph (C), by striking the comma at the end and inserting “; or”; and

(3) by inserting after subparagraph (C) the following:

“(D) constitutes an act of terrorism, or providing material support or resources for terrorism.”.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking “**Remedy for erroneous denial of firearm**” and inserting “**Remedies**”;

(B) by striking “Any person denied a firearm pursuant to subsection (s) or (t) of section 922” and inserting the following:

“(a) Except as provided in subsection (b), any person denied a firearm pursuant to section 922(s) or a firearm permit pursuant to a determination made under section 922B”; and

(C) by adding at the end the following:

“(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General’s determination under section 922A or 922B of this title. The court shall sustain the Attorney General’s determination upon a showing by the United States by a preponderance of evidence that the Attorney General’s determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court’s own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General’s determination satisfies the requirements of section 922A or 922B.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

“925A. Remedies.”.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting “or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,” after “is ineligible to receive a firearm”; and

(B) by inserting “except any information for which the Attorney General has determined that disclosure would likely compromise national security,” after “reasons to the individual,”; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting “or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,” after “or State law,”; and

(ii) by inserting “, except any information for which the Attorney General has determined that disclosure would likely compromise national security” before the period at the end; and

(B) by adding at the end the following: “Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.”.

(1) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting “; or”; and

(2) by adding at the end the following: “(10) has received actual notice of the Attorney General’s determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.”.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting “; or” at the end; and

(2) by inserting after paragraph (7) the following:

“(8) who has received actual notice of the Attorney General’s determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.”.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking “Upon” and inserting “Except as provided in subsection (j), upon”; and

(2) by adding at the end the following: “(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.”.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(d)”;

(2) by striking “if in the opinion” and inserting the following: “if—

“(A) in the opinion”; and

(3) by striking “The Secretary’s action” and inserting the following: “; or

“(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

“(2) The Attorney General’s action”.

(p) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: “However, if the

denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.”; and

(2) in paragraph (2), by adding at the end the following: “In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting “or in subsection (j) of this section (on grounds of terrorism)” after “section 842(i)”;

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting “or in subsection (j) of this section,” after “section 842(i),”; and

(B) in clause (ii), by inserting “, except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security” after “determination”.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking “or (5)” and inserting “(5), or (10)”.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this title.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this title, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlines in Homeland Security Presidential Directive 11 (dated August 27, 2004).

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before the Senate Committee on Energy and Natural Resources. The business meeting will be held on Thursday, April 18, 2013, at 9:45 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider the nomination of Dr. Er-

nest Moniz to be the Secretary of Energy.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 18, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the U.S. Department of Energy’s budget for fiscal year 2014.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Abigail Campbell at (202) 224-4905 or Lauren Goldschmidt at (202) 224-5488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on April 16, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 16, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, “Aviation Safety: FAA’s Progress on Key Safety Initiatives.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask for unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 16, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing April 16, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 16, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax Fraud and Tax ID Theft: Moving Forward with Solutions."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 16, 2013, at 9:45 a.m., to hold an Africa Affairs subcommittee hearing entitled, "Examining Ongoing Conflict in Eastern Congo."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 16, 2013, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "The Challenge of College Affordability: The Student Lens" on April 16, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 16, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, COMPETITION
POLICY, AND CONSUMER RIGHTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, on April 16, 2013, at 2:30

p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Enforcement of the Antitrust Laws."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. DURBIN. Mr. President, I would ask for unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 16, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLIC SERVICE RECOGNITION
WEEK

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 99, which was submitted earlier today.

The PRESIDING OFFICER.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 99) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 99) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

COMMENDING AND CONGRATULATING
UNIVERSITY OF LOUISVILLE
MEN AND WOMEN'S BASKETBALL TEAMS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 100, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 100) commending and congratulating the University of Louisville men's basketball for winning its third Division I National Collegiate Athletic Association championship, and the University of Louisville women's basketball team for being runner up in the 2013 Women's Division I National Collegiate Athletic Association Basketball Tournament.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the pre-

amble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 100) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST
TIME—S. 743

Mr. REID. Mr. President, I understand that S. 743, introduced earlier today by Senator ENZI, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The bill clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Mr. REID. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

RECESS

Mr. REID. I ask unanimous consent that the Senate recess subject to the call of the Chair.

Thereupon, the Senate, at 8:04 p.m., recessed subject to the call of the Chair and reassembled at 2:04 a.m. when called to order by the Presiding Officer (Mr. DURBIN).

COMPREHENSIVE IMMIGRATION
REFORM

Mr. SCHUMER. Mr. President, first before I get into the substance here tonight, on behalf of myself, Mr. MCCAIN, the Presiding Officer, Mr. DURBIN, Mr. GRAHAM, Mr. MENENDEZ, Mr. RUBIO, Mr. BENNET and Mr. FLAKE, we are introducing comprehensive immigration reform. Bottom line, a lot of work went into this bill, and I want to thank all of the staffs who have been up until now allowing us to introduce this bill as we promised in this legislative day. We are undergirded by the fact that Americans will be fair, balanced, and filled with common sense for legal immigrants and the 11 million here living in the shadows, as long as they believe we will not have future waves of illegal immigration. I believe our bill meets that test.

So I would like to thank everybody, including the great floor staff who waited very late tonight. I would like to thank my friend, colleague, and roommate, Senator DURBIN, for staying up this late, and Leon Fresco, Stephanie Martz and all of our staffs who

worked so hard on this great legislation whose voyage begins now.

ORDERS FOR WEDNESDAY, APRIL 17, 2013

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, April 17, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of pro-

ceedings be approved to date, the time for the two leaders be reserved for their use later in the day; and that following any leader remarks the Senate resume consideration of S. 649, the gun safety legislation, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SCHUMER. There will be a series of up to 9 rolcall votes tomorrow

around 4 p.m. in relation to amendments to the gun safety bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SCHUMER. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 2:06 a.m., adjourned until Wednesday, April 17, 2013, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN RECOGNITION OF DR. GEORGE
ERWIN HOLLADAY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. BURGESS. Mr. Speaker, I rise today to honor the life of Dr. George "Doc" Holladay. He was a dear friend of mine who will greatly be missed. He passed away earlier this month at the age of 78. Doc practiced medicine as an ophthalmologist for 26 years in Denton before retiring in 1993.

After attending the Columbia Military Academy in Tennessee, Doc continued his education at the University of Tennessee and University of Texas Southwestern Medical School in Dallas. He then served in the U.S. Air Force during the Vietnam conflict as flight surgeon before opening his own practice.

In 1964, Doc married his wife Shirley Lynn Brink. The two generously founded scholarships at four different universities, including The University of North Texas music program and the Southwestern Medical School Department of Ophthalmology. As a Sigma Chi, Doc also helped start the fraternity at UNT.

Along with Doc's charitable contributions, he served on the Board of Directors for the Cumberland Children's Home, was a member of the Texas Medical Association, and became the president of the Denton School Board. He was a great contributor to the Republican Party of Denton County, and I am forever grateful for his unwavering support.

Doc's continual commitment to Denton County and the state of Texas have successfully strengthened many communities, and I know he surely will be missed. I would like to extend my sincerest condolences to Doc's family and friends.

JOSE PARRA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jose Parra for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jose Parra is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jose Parra is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jose Parra for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

A TRIBUTE TO SYLVIA SUTTON

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our Nation's women. It is an honor to pay homage to outstanding women who are making a difference in my congressional district.

I would like to recognize an exceptional woman, Sylvia Sutton of Burbank, California, who for many years, has been educating our community about the Holocaust and other human rights violations.

Sylvia received her B.A. in Psychology from UCLA and her MBA in Marketing and Program Management from West Coast University. Sylvia's early community efforts included volunteering on the David Starr Jordan Middle School Parent Teacher Association (PTA), and the William McKinley Elementary School PTA, where she received an Honorary Life Membership Award, and as a Girl Scout Leader.

Ms. Sutton's volunteer activities have included the American Association of University Women (AAUW), Burbank Branch, where she served as President, the UCLA Alumni Scholarship Committee, and the League of Women Voters, Glendale/Burbank. Currently, she is the liaison between the U.S. Holocaust Memorial Council and the City of Burbank, the Coordinator and Presenter of the annual Burbank Days of Remembrance Commemoration of the Holocaust, and has been the presenter of Holocaust speakers in the eighth and tenth grade classrooms of every Burbank middle and high school since 1991. Sylvia is also a volunteer at the Skirball Cultural Center, as well as the Parliamentarian on the Burbank Coordinating Council. In addition, she works as the secretary for Temple Beth Emet of Burbank.

Sylvia has received a number of accolades for her extensive community service, including the Burbank City 1999 Outstanding Senior Volunteer Award, the 1998 Zonta Woman of the Year for Cultural Awareness Award, and the 1991 Burbank Human Relations Council Distinguished Service Award.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Sylvia Sutton.

THE PASSING OF CARMEN
WEINSTEIN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. WOLF. Mr. Speaker, this past Saturday, Carmen Weinstein, the leader of Cairo's small remaining Jewish community died at her home. I had the privilege of meeting Ms. Weinstein during a visit to Egypt earlier this year.

She had a passion for preserving Jewish history and antiquities in Egypt and protecting the remaining synagogues. She told me of her dismay that the Jewish cemetery at Bassatine, where she herself will be buried, had been overrun by squatters and vandals.

Hers was a remarkable life, set against the backdrop of a great Jewish emigration out of Egypt more than 60 years ago.

Since her mother's passing, Ms. Weinstein had led a small community of mostly elderly Jewish women in Cairo. In fact, she was one of fewer than 100 Jews still living in Egypt.

In the words of her Washington Post obituary, "Ms. Weinstein worked to remind people that Jews in Egypt were once part of the country's vibrant economy, cultural and political life." I feel fortunate to have met her.

[From the Washington Post, Apr. 13, 2013]

CARMEN WEINSTEIN, JEWISH LEADER IN CAIRO,
DIES AT 82

(By Aya Batrawy)

Carmen Weinstein, the leader of Egypt's dwindling Jewish community, known for her tireless work preserving synagogues and a once-sprawling Jewish cemetery, died April 13 at the age of 82.

A statement from the Jewish Community in Cairo confirmed her death in Cairo. She had been suffering from knee problems and poor blood circulation.

Ms. Weinstein helped urge Egyptian authorities to renovate at least four Cairo synagogues among the 15 that still exist in the city. Just a day before her death, she traveled to the Maadi suburb to inspect the renovation of a synagogue there.

Since 1978, she also worked to preserve the Bassatine cemetery, the only Jewish cemetery left in Cairo.

The transformation of Bassatine mirrors the dramatic changes Egypt has undergone as its population skyrocketed and poverty grew. Named in Arabic after its gardens, the cemetery is now a slum of tightly packed redbrick apartment buildings that house thousands of poor Egyptians. Parts of the Bassatine were turned into a garbage dump.

Ms. Weinstein was able to preserve a small area as a Jewish cemetery.

Egypt's once thriving Jewish community largely left more than 60 years ago at a time of hostilities between the country and Israel. Since the creation of the state of Israel in 1948, an estimated 65,000 Jews left Egypt for Europe, the West and Israel.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

According to a friend of Ms. Weinstein's, Magda Haroun, only around 40 Egyptian Jews remain in the country, split between Cairo and the Mediterranean city of Alexandria, which once was a thriving multicultural and cosmopolitan hub.

Haroun said Ms. Weinstein's father had owned a large print shop in downtown Cairo, where Ms. Weinstein had worked for some 50 years after her father's death. The family's name remains on the shop, which now sells stationery.

Haroun said one of Ms. Weinstein's other achievements was in persuading Egypt's remaining Jews to come together and use Cairo's main downtown synagogue for prayer, after it had been closed for years.

"We were scattered all over Cairo, and she managed to regroup us and keep us together," Haroun said.

In her last community newsletter, Ms. Weinstein wrote that this year's Passover ceremony in late March was celebrated by about 50 people in Cairo's main synagogue, many of them diplomats.

Ms. Weinstein worked to remind people that Jews in Egypt were once part of the country's vibrant economy, cultural and political life.

She was a graduate of both Cairo University and the American University in Cairo, where she studied literature, according to a biography posted on the Jewish Community in Cairo's Web site. She spoke fluent French, English and Arabic.

Haroun said Ms. Weinstein often reminisced of the Egypt she knew growing up, when neighbors did not ask about one another's religion.

MOURNING THE PASSING OF QUINN BOYER

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Ms. LOFGREN. Mr. Speaker, I rise with my colleague, Congresswoman BARBARA LEE, to mourn the passing of Quinn Boyer. He still had much to do, but he led a full and extraordinary life that was devoted to others. Quinn's promising young life was cut short on April 4, 2013 at the age of 34.

Quinn grew up in Oakland and graduated from Sonoma State University, the Santa Rosa Fire Academy, and Foothill College's paramedic program.

In 2008, Quinn began his career as a paramedic in Santa Clara County. During his short time on the job, he saved countless lives. Quinn's colleagues described him as someone loved by everyone, an amazing paramedic and caregiver. He was a Big Brother and volunteer at the Order of Malta Clinic in Oakland. He was recently married and accepted into Stanford's physician's assistant program.

It is with sadness that we pay tribute to Quinn Boyer's life. His family, and indeed our country, will forever remember and cherish his kindness, service, and hope in a better future. We join with our communities in mourning his passing. While we know Quinn's family, friends, and colleagues feel his loss, we can draw comfort from his contributions.

IN RECOGNITION OF THE LIFE AND LEGACY OF JENNIFER ADAMS-BROOKS

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise today with great sadness to mourn the passing of one of San Diego's great public servants, and my first Chief-of-Staff, Jennifer Adams-Brooks.

Like many other friends and colleagues, I was not aware of Jennifer's diagnosis. But that was no accident. It shows you exactly the type of person she was: someone who always thought about other people first.

Jennifer never stopped working to improve the San Diego community. I know she thrived in her executive leadership position on the San Diego Housing Commission, and was passionate about all her numerous volunteer efforts.

Among her many accomplishments, including starting her own consulting firm, Jennifer held the distinction of being the first African-American to serve as chair of the San Diego Foundation's Board of Governors in its 36-year history.

Throughout her entire life, Jennifer always remained highly active in local civic and community affairs. And that's how we happened to cross paths.

Jennifer got my office running when I first served in the California Assembly. And I can tell you she was just as impressive in person as on paper.

During that time, we shared many laughs and memories—even when we were up to our ears in work.

Looking back, I'm sure Jennifer would want us to always think of her with that indefatigable spirit—and to remember her as the consummate leader and community activist she most certainly was.

I will always treasure her loyalty and work ethic. And my thoughts go out to Leon, her husband, and the rest of her family and friends. I can only hope that many others will follow her lead and dedicate their lives to the service of others.

A TRIBUTE TO RAHLA HALL LINDSEY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize Rahla Hall Lindsey of La Cañada Flintridge, an extraordinary leader, educator and volunteer in her community.

Rahla earned her B.A. in Speech Communication, M.A. in Cross-Cultural Communica-

tion, Secondary Teaching Credential in Speech and English from California State University, Los Angeles and her Ph.D. in Organizational Communication from the University of Southern California (USC). Her diverse professional career has included being Vice-President, U.S. Region, for the AFS International Intercultural Programs, the administrator of Broadview nursing facility, a volunteer instructor at the Center for Nonprofit Management, the Executive Director of the YWCA of Glendale, a teacher at Elderhostel, and a professor at USC's School of Public Administration and School of Policy, Planning and Development. Currently she is the president and a consultant for RHall and Associates.

In her volunteer career, Ms. Lindsey broke barriers as the first female President of the Verdugo Hills Council of the Boy Scouts of America, and first female member of Rotary International's Glendale Chapter. She has served on numerous committees and boards, including California Literacy, Inc., the City of La Cañada Flintridge Foothill Boulevard Design Options Committee, Assistance League of Flintridge, Los Angeles 1984 Olympic Organizing Committee, La Cañada Flintridge Parent Teacher Associations (PTAs) and the U.S. Air Force Academy Parent Support Group. Currently, she is active in the Rotary Club of Crescenta-Cañada, Verdugo Hills Council of the Boy Scouts of America, Los Angeles County Bar Association as a volunteer lay arbitrator, First Church of Christ, Scientist, and a reader to second grade students at Richardson D. White Elementary School, where she is known to the children as "Gramma Rahla."

Rahla has received many well-deserved honors, including the 2001 James E. West Fellow and 2006 Silver Beaver Service Award from the Boy Scouts of America and the 2009 Continuing Service Award from Richardson D. White Elementary School.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Rahla Hall Lindsey.

JUSTICE MITCHELL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Justice Mitchell for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Justice Mitchell is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Justice Mitchell is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Justice Mitchell for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN MEMORY OF JESUS CARDENAS,
SR.

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. RUIZ. Mr. Speaker, I would like to recognize Jesus Cardenas, Sr., a great man whose life embodied the American Dream. After a battle with cancer, he passed away on March 5 at the age of 73.

Born on March 20, 1939, in the state of Jalisco, Mexico, Jesus came to this country at the age of eighteen to work as a manual laborer under the Bracero Program. He spent long hours picking fruits and vegetables in fields from southern California to Washington for little pay and under harsh working conditions. Ever the entrepreneur, one day Jesus traded some tools for a pregnant pig, which he brought home to his wife Luz. From that beginning investment, Luz grew a small pig farm while Jesus continued to work in the fields. The couple began a small business by selling pork and poultry, as well as Luz's signature home-cooked food. Their steady efforts led them to open the first Cardenas Markets grocery store in Ontario, California in 1981.

Today, there are 29 Cardenas stores in cities throughout southern California, and in Las Vegas. In my district alone, there are 4 stores, which employ more than 500 people. Jesus extended the warmth and hospitality that made his grocery stores so popular to the communities they served. His business has established close to \$250,000 in scholarships, including a program in my district that helps students who live close to Cardenas stores to attend the local community college, College of the Desert. Jesus himself did not have the luxury of much education, but that did not stop him from providing it to others.

Jesus Cardenas is a model American, who started from humble beginnings and created his own success with hard work and a strong sense of both personal and social responsibility. His life's work will live on through the many people his stores and philanthropy have touched, and as an inspiration to people everywhere who seek to achieve the American Dream.

A TRIBUTE TO PAULA DEVINE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

Today, I stand to laud the tireless efforts of Paula Devine of Glendale, California. Upon her retirement from a 33-year teaching career, Paula remains a vibrant member of the Glendale community, where she volunteers as a women's advocate.

Paula's accomplishments in the community are many. She has served on the City of Glendale Commission on the Status of Women for seven years, where she has been both Vice Chair and Chairperson. Through her unparalleled leadership, the Commission has not only gained great status in the community, but has also raised significant funds through fundraisers and grants to support their programs. With the support of her colleagues, Paula developed a program called "Commission Status Rescue," which provides annual funds to the Glendale Police Department for offering temporary emergency shelter to individuals who have been victims of domestic violence. Paula is a member of the Board of Directors of Glendale Healthy Kids and the Glendale Police Foundation, and a member of the Advisory Board of both the Glendale Adventist Medical Center and the Desi Geestman Foundation, which raises funds to help families deal with financial burdens while their children are receiving cancer treatment at the City of Hope in Duarte.

In addition to her leadership roles, Paula is a dedicated member and volunteer for organizations such as the Glendale Historical Society, Soroptimist of Glendale, Women's Civic League, and the Glendale Latino Association. Paula has been an influential member of the Bully Me Not Coalition and the Safe Family Task Force, and has worked on creating a Teen Dating Violence Curriculum in the Glendale secondary schools.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Paula Devine, for her exceptional service to the community.

COMMENDING JEANETTE GOBIN
ON CELEBRATING HER 100TH
BIRTHDAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to extend my sincerest congratulations and Happy Birthday wishes to Mrs. Jeanette Gobin, who will be celebrating her 100th birthday on Tuesday, April 30, 2013. On this day, she will be honored with a birthday celebration at Savannah Court in West Palm Beach, Florida.

Born in Ontario, Canada on April 30, 1913 to Arthur and Clara DesRoches, Ms. Gobin is the eldest of two children. After completing her education, Ms. Gobin got married and relocated to Detroit, Michigan with her husband. Ms. Gobin developed a love for traveling. She went out on the road with her husband who was a sales representative for a major tool and die company. After Ms. Gobin and her husband retired, they relocated to Rivera Beach, Florida in the late 1970's. When not traveling, Ms. Gobin volunteered her time at local hospitals helping others.

She is a devoted Catholic and said: "My life is an open book. I have lived for 100 years, and have seen almost everything." When asked for her secret to living a long life, she said that it is to live life to the fullest, enjoying

each day, learn how to laugh and most importantly help others.

Mr. Speaker, I ask my colleagues to join me in paying tribute to an outstanding citizen and woman of faith, Ms. Jeanette Gobin, as she and her loved ones celebrate her 100th birthday.

HONORING LOU P. VINCENT

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. GUTHRIE. Mr. Speaker, I rise today in honor and recognition of Lou P. Vincent.

Lou dedicated her career to caring for patients and aiding them as best she could. A dedicated nurse, Lou worked for Dr. John Grise for 9 years and for Dr. Mark Yurchisin for 22 years.

Specifically, Lou helped deliver my three children: Caroline, Robby and Elizabeth. Lou's smile comforted me as my wife was prepped for each delivery and her comforting persona helped both of us through the process.

My family and I will forever be grateful for her service and thank her once again for helping us welcome our three amazing children into the world. It has been a pleasure knowing Lou and seeing her in the Bowling Green community. She will certainly be missed.

Lou was present on three of the best days of my life, and my wife and I will always consider her a part of our family.

KAREN BORQUEZ-DIAZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Karen Borquez-Diaz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Karen Borquez-Diaz is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Karen Borquez-Diaz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Karen Borquez-Diaz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE WASHINGTON
BALALAIIKA SOCIETY

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. MORAN. Mr. Speaker, I rise today to acknowledge the Washington Balalaika Society. The Washington Balalaika Society is a Russian folk orchestra founded in 1988. They are a group of musicians dedicated to studying and performing the rich musical heritage of Russia, Ukraine and Eastern Europe on traditional instruments and in national costume. Today, it is one of the largest and most active of the Russian folk orchestras outside of Russia and performs often in the Northern Virginia-Greater Washington area.

The orchestra is celebrating both its 25th year, and also the 10th anniversary of its conductor, Svetlana Nikonova and her family, emigrating from St. Petersburg, Russia to the United States. In 2006, Ms. Nikonova was granted permanent residency in the United States as an "artist of extraordinary ability." Her family performs with the orchestra, her husband on the bayan (Russian accordion), her daughter on the flute and percussion and her son, studying music composition at James Madison University, composes music for the orchestra.

The Society's initial membership of eight has grown to more than 55 musicians and it is now the largest of its kind in America, with musicians from in their teens to those in their 90s. It includes several orchestra musician ensembles that present educational and cultural outreach programs in schools, parks, retirement communities and for charitable events in the United States and Russia.

The Russian folk orchestra was founded in St. Petersburg, Russia in the late 1800's by Vasily Andreyev when he realized that the balalaika's unique and inimitable sound needed to receive greater recognition, moving this initial peasant class instrument to the concert stage. The orchestra is organized in instrumental sections similar to a symphony orchestra and under the direction of a conductor. Its principal instruments are the triangular-shaped balalaikas and oval-shaped domras and the "shimmering" sound is produced by the rapid plucking of the strings of the balalaikas, the domras, a gusli (table-harp) and supplemented with accordions, woodwinds and percussion.

Its mystical and enchanting musical sound is patterned after the traditional Russian folk orchestras. Moscow Channel 1 Television, the largest television station in Russia, filmed the orchestra's rehearsal at Rock Spring Church and concert at Kenmore Auditorium, both in my district, and a video-clip was shown on Russian television. It showed Moscow viewers a large and well-developed Russian folk orchestra in America.

"Alive at Twenty-Five, a Silver Anniversary Celebration," concerts will be presented on May 18 and 19, featuring Alexander Tsygankov, Russia's premier domra soloist, and Andrei Saveliev, America's balalaika virtuoso. We're proud the Virginia concert will be held in my district at Yorktown High School, in Arlington.

The Washington Balalaika Society's goal is to expand awareness and appreciation of this musical art form by performing in a broad range of audiences in a variety of venues. It has performed at the Kennedy Center Concert Hall with the Paul Hill Chorale and The Chorale Arts Society, Carnegie Hall in New York, the Embassy of the Russian Federation, and the Smithsonian Institution. It has been the guest of the Andreyev Musical Foundation at concerts in New Jersey. Russian Soprano Olga Orlovskaya, great grand-daughter of the famous Russian basso, Feodor Chaliapan, is often a featured soloist.

Mr. Speaker, I'm pleased to recognize the Balalaika Society, both for their cultural mission spreading news of this art form and the wonderful music they perform in Virginia and around the world.

RECOGNIZING THE FAIRFAX COUNTY
FEDERATION OF CITIZENS
ASSOCIATIONS HONOREES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to acknowledge the Fairfax County Federation of Citizens' Associations and the honorees of its 63rd Annual Awards Banquet.

The Fairfax County Federation of Citizens Associations is a coalition of civic and homeowners associations from across Fairfax County. Each year, the Federation honors a select few individuals for their extraordinary contributions to our community.

Five individuals are being recognized for their dedication and years of service to the residents of Fairfax County. As a former two-term President of the Federation, as well as the former president of my own civic association in Mantua, I understand that those who volunteer their time, energies, and talents to civic activities play a role in why Fairfax County is ranked as one of the best communities in the nation to live, work and raise a family. I am honored to recognize the following individuals for their service to the community:

2012 Lifetime Achievement Award: Katherine Hanley for nearly 40 years of tireless efforts at every level of public service ranging from her local homeowners association board, to Chairman of the Fairfax County Board of Supervisors, to Secretary of the Commonwealth of Virginia. Ms. Hanley's leadership has been pivotal in transforming Northern Virginia into a community that is envied and used as a model throughout the country. She has devoted herself to causes such as human services, homeless prevention, education, health care services, arts, education, and reduction of gang activity. She has also been a leader in the areas of transportation and the transformation of Tysons. Under her leadership as Chairman, Fairfax County was named "Best Managed County". Ms. Hanley was also named a "Washingtonian of the Year" in 2000 by Washingtonian Magazine; and in 2002, she received the "Distinguished Service Award" from the Jewish Community Relations Council of Greater Washington.

2012 Fairfax County Citizen of the Year: Peter Murphy for his 30 years of service on the Fairfax County Planning Commission, 25 of which he has served as Chairman. During this time Mr. Murphy has been responsible for overseeing enormous growth and development and implementation of management policies and procedures. In recognition of his contributions, Mr. Murphy has received numerous awards including the Department of the Army Commander's Award (Medal) for Public Service (2009); the 2007 Lawrence V. Fowler Award, the 2006 Katherine K. Hanley Public Service Award from Leadership Fairfax, Inc.; and the Times Courier Citizen of the Year Award.

2012 Citation of Merit: Rose Chu for her decades of service in the areas of health care, senior citizen assistance, and issues of importance to the Asian community. Since 1987, Ms. Chu has served on the Fairfax County Health Care Advisory Board. Ms. Chu is also Vice Chairman and Chairman of the Community Advisory Committee for the Community Health Care Network which provides primary health care serves for 20,000 Northern Virginia residents. In addition, Ms. Chu is one of the founders of the Coalition of Asian Pacific Americans of Virginia, CAPAVA, and currently serves as its Secretary.

2012 Citation of Merit: Phyllis Payne for her fervent work as an advocate for our children. Ms. Payne is a co-founder of Start Later for Excellence in Education Proposal, SLEEP, which she represents on the Northern Virginia Healthy Kids Coalition and the Partnership for a Healthier Fairfax. She is a founding member in the Fairfax Education Coalition and has served with PTA and PTSA/PTSO organizations. Ms. Payne was an at-large representative for the Fairfax County Public Schools, FCPS, School Health Advisory Committee, and a member of the FCPS Transportation Task Force. All children who have attended public school in Fairfax County have benefited from her efforts on their behalf.

2012 Special Gratitude Award: Kyle Talente for his dedication and contributions to Fairfax County's community revitalization efforts. Mr. Talente served on the Southeast Fairfax Development Corporation, SFDC, Board of Directors for eight years, the final three as President. After stepping down in 2012, he continued to serve the SFDC on the Advisory Committee. Mr. Talente has also served on the Fairfax County Community Revitalization and Reinvestment Advisory Group and on the Hopkins House Academy Budget and Personnel Policy Committee.

Mr. Speaker, I ask my colleagues to join me in thanking these incredible individuals and in congratulating them on being honored by the Fairfax County Federation of Citizens Associations. Civic engagement is the root of a community, and due to these individuals, Fairfax County residents can enjoy an excellent quality of life. The contributions and leadership of these honorees have been a great benefit to our community and truly merit our highest praise.

A TRIBUTE TO MEL CULPEPPER

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Mel Culpepper of Los Angeles, who for many years has worked with non-profit organizations and has made a profound impact on the families in our community.

Ms. Culpepper has served as the Executive Director of the Boys and Girls Club of Hollywood, BGCH, since 2007, where she manages the Club's annual budget, spearheads fundraising efforts, and serves as the liaison to government and community agencies. During her time as Executive Director, Mel has introduced development strategies and cost-saving concepts that have greatly contributed to the success of the organization.

Prior to Ms. Culpepper's work for the BGCH, she worked as Director of Residential Treatment Services for Stanford Home for Children in Sacramento, where she managed the budget and developed new programs for children with mental illnesses. Prior to that, she served as the Executive Director of the Central YMCA of San Francisco.

Mel has contributed to our community by creating partnerships and relationships with other Hollywood businesses, non-profit organizations and individuals, which benefit the Club and its members and the community. For example, she created a partnership with the Hollywood Community Housing Corporation, HCHC, and collaborated on a successful plan to shuttle HCHC children from their housing units to the BGCH for after-school programming. Today, the BGCH provides free annual BGCH membership, free year-round shuttling to and from HCHC facilities, and free hot lunches and snacks. In addition, these at-risk children receive tutoring, computer training, and homework assistance. Another partnership Mel created involved Ross Dress for Less, which provided clothes, shoes, and supplies to members of the Club for the 2010-2011 school year. Additionally, Mel partnered with Toyota of Hollywood for an annual holiday Toy Drive, and as a result of this partnership, Toyota donated a portion of their December sales to the BGCH.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Mel Culpepper, for her exceptional service to the community.

KENDRA DIMUCCI

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kendra

DiMucci for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kendra DiMucci is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kendra DiMucci is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kendra DiMucci for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PITTENGER. Mr. Speaker, on rollcall No. 103-105, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On rollcall No. 103. Had I been present, I would have voted "yea."

On rollcall No. 104. Had I been present, I would have voted "yea."

On rollcall No. 105. Had I been present, I would have voted "yea."

ELLIOTT STEELE, VINCENT HOUSE, HONORED WITH AWARD OF EXCELLENCE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. YOUNG of Florida. Mr. Speaker, Elliott Steele, the Executive Director of Vincent House, a remarkable organization in Pinellas Park, Florida, was recently honored by The National Council for Community Behavioral Healthcare with an Award of Excellence at its National Council Conference.

Specifically, Mr. Steele received the Reintegration Award for Achievement for his tireless work, and that of his wife Dianne, to found Vincent House, a clean and safe haven for people recovering from mental illness.

Vincent House helps adults living with severe and persistent mental illness achieve recovery through work partnerships within the community. The more than 600 individuals who have sought help there have been treated with the utmost dignity and respect by the staff and volunteers. As a result, they have built up in themselves a sense of new-found confidence, self-esteem, and real life social and work skills that have improved their quality of life, led to their independence, and helped them regain their pride in being able to find real-life work experiences in our community.

Vincent House was the outgrowth of the love, compassion and dedication the Steele's had for their daughter, who was diagnosed in 1993 with severe mental illness issues during her freshman year of college. The Steele's decided to devote themselves to finding a way to help those like their daughter who had lost hope and for which traditional treatments were not producing results. They each quit highly successful careers in 1999 to devote their full-time focus to the cause.

By 2003, they opened the doors on Vincent House in a small storefront in a Pinellas Park strip mall. The concept was based on programs established in several other communities where a community center or club house would create a place where those with mental illness could be surrounded in a loving and supportive environment by people who listened to their dreams and helped them reintegrate into the community through volunteer and work opportunities. Those who pass through the doors of Vincent House are not considered patients, they are considered members. And once they become a member, they are a member for life.

The Steeles were joined in their quest to help those with mental illness by Bob Dillinger, the Public Defender for Pinellas and Pasco Counties, who shares a passion for helping this underserved population. Together they found funding within the community to open Vincent House and to move into a larger, stand-alone facility two years later. It is a facility that has already almost doubled in size to meet the increasing demand for these services.

Mr. Speaker, having had the privilege to tour Vincent House and attend their annual Breakfast of Hope, I have seen and heard first-hand the success stories of those who have passed through its doors and are now proudly working in our community. Every one of those club members who walks through the door and one day walks out that door with a positive experience and a job is better than any award Elliott and Dianne Steele can receive. It is a sense of achievement that is shared by all of Vincent House's staff, volunteers and members of the board.

Vincent House is an excellent program that I believe can be replicated in communities throughout our nation. It is my hope that my colleagues in the House will take a look at Vincent House and share information about its success with their constituents back home. It is also my hope that my colleagues will say thank you to Elliott and Dianne Steele for a job well done.

HONORING THE VALLEY CRIME STOPPERS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Valley Crime Stoppers for the tremendous efforts they have made to help crime victims in our Central Valley. During Crime Victims' Rights Week, we are reminded of the bravery of crime victims and we honor those who advocate on their behalf.

Valley Crime Stoppers has built strong relationships with the city of Fresno, local media, and law enforcement. After a robbery, drive-by shooting, or other crime is reported by the news, citizens are encouraged to call the police or Valley Crime Stoppers if they have any information concerning the incident. Victims and bystanders have a safe place to turn in Valley Crime Stoppers because it is an anonymous tip line. It is an unfortunate truth that victims are often fearful to share information with law enforcement because they have been threatened by their offender. Valley Crime Stoppers provides victims with an alternative, so they can tell their story without fear of retribution.

Educating and bringing awareness to residents are important missions of Valley Crime Stoppers. They have put together several campaigns that aim to lower crime in the Central Valley, including a television promotion that brings awareness to the very negative consequences of children being exposed to domestic violence. Another example of a Valley Crime Stoppers campaign is a poster that aims to keep neighborhoods safe by getting guns out of the hands of criminals. These campaigns, combined with other efforts made by Valley Crime Stoppers, have led to 9,598 arrests made and 461 guns recovered from the streets. Residents have been given the tools to act as change agents to keep the city of Fresno and the entire San Joaquin Valley safe. In addition to keeping citizens engaged, Valley Crime Stoppers pays individuals for tips that lead to a criminal arrest.

As Co-Chairman of the Victims' Rights Caucus, it is my honor to recognize the good work of Valley Crime Stoppers and to thank the board members at Valley Crime Stoppers for their support and activism. These individuals sincerely care about victims' rights and keeping our neighborhoods safe.

Mr. Speaker, I ask my colleagues to join me in recognizing Valley Crime Stoppers for their contribution to our Valley. Their advocacy for crime victims has not gone unnoticed. Valley Crime Stoppers has truly made a difference in our Valley, and it will continue to do so for many decades to come.

RECOGNIZING W.T. WOODSON HIGH SCHOOL'S 50TH ANNIVERSARY YEAR

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate W.T. Woodson High School on the occasion of its 50th Anniversary. Since the school opened its doors in September of 1962, W.T. Woodson High School has been known for being one of the top public high schools, not only in Virginia but also in the nation. The school was named for Mr. Wilbert Tucker Woodson, who served as superintendent of Fairfax County Public Schools from 1929 to 1961.

Woodson excels in every area including academics, athletics, music, and student clubs and activities. Year after year, Woodson is

featured in the top 100 list of U. S. public schools in Newsweek and U. S. News & World Report, and it continually ranks near the top in Fairfax County in the numbers of National Merit Scholars. Academic awards have included grand prizes at the county Science Fair, and numerous scholarships. In 2011, teacher Sam Gee led his team to the first ever win on "It's Academic." A recent study by the Organization for Economic Co-operation and Development found that Woodson's students outperform students in every country and region in the world except Shanghai-China in reading.

In the 1980s, Woodson received The Washington Post Athletic All-Around (all sports) Award. Athletics continues to be a part of the "Woodson Way"—the school has won 177 District Titles, 65 Regional Titles, and 30 State Titles in all areas of athletic competition.

Music has also had a strong tradition at Woodson. The choral music department presents a mammoth production each February known as "Dessert on Broadway." The Cavalier Band has won top honors in national competitions. The orchestra is renowned for its talented musicians. The choral group traveled to Vienna, Austria, and Paris, where students performed at Notre Dame. In 2011, The Chamber Ensemble had the honor of being chosen to perform at the White House. The Cavalier (yearbook), The Cavalcade (newspaper) and the P.A.G.E. Literary Magazine annually take top awards in state and national publications competitions.

Finally, Woodson's vision includes academic excellence for all members of the community. Woodson is now home to a center for students who are deaf or hard-of-hearing and a center for students with emotional and learning disabilities. The building is one of the most used in Fairfax County, as it houses both Adult Education and Night School.

On a personal note, as the father of a Woodson graduate, I can speak firsthand to the high-quality educational experience and supportive atmosphere cultivated by the Woodson staff and community. Mr. Speaker, I ask that my colleagues rise to join me in congratulating W. T. Woodson High School on its 50th Anniversary and in thanking the dedicated educators, administrators, and families for their shared commitment to our youth.

KATRINA CORDOVA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Katrina Cordova for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Katrina Cordova is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Katrina Cordova is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their edu-

cation and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Katrina Cordova for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

A TRIBUTE TO MARY GANT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Mary Gant, of La Crescenta, California, a true leader in the La Crescenta-Montrose and La Cañada Flintridge communities.

Mary was active in the Mountain Avenue Elementary School Parent Teacher Association, PTA, in La Crescenta, receiving their Honorary Service Award, and the Rosemont Middle School PTA in La Crescenta, serving as President, where she was honored with the PTA Continuing Service Award.

Well-known throughout the area for her energetic, friendly and positive attitude, Mary has organized many key events for various charitable organizations. She coordinated the silent auction for the La Cañada Flintridge Chamber of Commerce's annual meetings, was a Chamber Ambassador and serves on the city's Fiesta Days parade committee every year. A driving force in many Kiwanis Club of La Cañada projects, Mary co-founded the "Wine and Gourmet Food Tasting" event in coordination with the La Cañada Flintridge Educational Endowment Fund, and helped with the Kiwanis Club's Soap Box Derby event registration process for many years. Ms. Gant was also President of the La Cañada Flintridge Tournament of Roses Association, served on the fund-raising committee for the Crescenta-Cañada Family YMCA and assists with the YMCA's Annual Prayer Breakfast.

Mary is devoted to her church, the La Crescenta Presbyterian Church. She served as a Sunday School Superintendent and teacher, was active in the Youth Program, is on the Personnel Committee and is an ordained Deacon and Elder.

Some of the awards Ms. Gant has received include the Kiwanis Club of La Cañada's Distinguished Service Award, the Gil Smith Award, and the La Cañadan of the Year Award. In addition she received the Chamber's Volunteer of the Year Award and the Les Tupper Community Service Award from the La Cañada Flintridge Coordinating Council.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Mary Gant.

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. MARCHANT. Mr. Speaker, I was due to board a flight about the time of the Boston Marathon Bombing. The flight I was on was canceled and I took another flight later returning to Washington, DC. I unexpectedly missed rollcall votes 103, 104, and 105.

On rollcall vote 103, passage of H.R. 1162, GAO Improvement Act, I would have voted "yes."

On rollcall vote 104, passage of H.R. 882, The Contracting and Tax Accountability Act of 2013, I would have voted "yes."

On rollcall vote 105, passage of H.R. 249, Federal Employee Tax Accountability Act, I would have voted "yes."

JOSEPH URENDA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Joseph Urenda for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Joseph Urenda is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Joseph Urenda is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Joseph Urenda for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE 22ND ANNUAL
BEST OF RESTON AWARDS FOR
COMMUNITY SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the recipients of the 22nd Annual Best of Reston Awards for Community Service and the Robert E. Simon Lifetime Achievement Award. The Best of Reston Awards are the result of collaboration between Reston Interfaith and the Greater Reston Chamber of Commerce and are presented to individuals, organizations and businesses that have put forth extraordinary effort in service to our community and improving the lives of others.

Founded in 1970, Reston Interfaith is a volunteer organization dedicated to providing so-

cial services to vulnerable individuals in Reston, Herndon, and the surrounding area. Its mission is to "promote self-sufficiency through direct support and advocacy for our neighbors in need of food, immediate shelter, affordable housing, quality child care, and other human services." Reston Interfaith has reached out to 250,000 neighbors-in-need, helping them overcome tough economic times in an already high cost-of-living region.

I am pleased to submit the names of the following recipients of the 2013 Best of Reston: Individual Community Leader: Doug Bushée, founder of the CORE Foundation, which assists individuals and groups in raising money for nonprofits such as Reston Interfaith and the Childhood Brain Tumor Foundation. Doug has also served on the boards of the Reston Association and Leadership Fairfax, Inc. and has coached youth sports in the area. Individual Community Leader: Ed Robichaud, for his years of volunteering with many diverse organizations including the Reston Museum, the Reston Bicycle Club, RA Bike Rodeo for children, Reston Community Orchestra, Travelers' Aid at Dulles Airport, and Wolf Trap.

Civic/Community Organization Leader: Friends of the Reston Regional Library, for 40 years of support of the public library in its efforts to improve its collections, service, and programs offered to patrons and for sponsoring book sales which generate nearly \$100,000 annually for the library.

Civic/Community Organization Leader: YMCA Fairfax County—Reston, for its efforts in fostering the spiritual, mental, and physical development of youngsters, adults, families, and communities, including afterschool programs and summer camps for at-risk youth.

Small Business Leader: Mayflowers, a flower shop in Reston Town Center whose owner has donated floral designs to many charity events in support of worthy causes such as the National Institute of Health Children's Gala, IPAR, Camp Sunshine, Best of Reston, and Feed the Hungry.

Corporate Business Leader: John Marshall Bank, a community bank being honored for its encouragement of volunteerism and philanthropy. In 2012, the bank raised \$30,000 for charity through its annual golf tournament, and bank employees donated hundreds of hours volunteering in the community. Recently the bank expanded its philanthropic efforts to include support for wounded warriors and holiday gifts to children of the incarcerated.

Vade Bolton-Ann Rodriguez Young Leaders—Entrusting our Community's Future Award: Amanda Anderé, who is the executive director of the nonprofit FACETS, which helps low-income Fairfax County residents in need. Amanda also serves as a deacon at Reston's Martin Luther King Jr. Christian Church, a board member of Reston Association, an adjunct professor at George Mason University, and as Chair of the Steering Committee of Nonprofit NoVa.

Robert E. Simon Lifetime Achievement Award: William G. Bouie, for 25 years of serving the community in ways too numerous to list. Notable examples include serving as Chair of the Fairfax County Park Authority Board, Chair of the Reston Community Center Board, President of the Friends of Reston,

Vice Chair of the Board of the Initiative for Public Art—Reston, Reston YMCA Board, Vice Chair and Secretary of the Wolf Trap Center for the Performing Arts Associates Board, President of Reston Youth Baseball, assistant district administrator for Little League Baseball of Northern Virginia, and the United States Olympic Committee.

Mr. Speaker, I ask that my colleagues join me in congratulating Reston Interfaith and its 2013 honorees for their continued commitment to our community. I express my sincere gratitude to these individuals for contributing their time and energy to the betterment of our community.

HONORING THE ACCOMPLISHMENTS OF TOM MACADAMS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to celebrate the accomplishments of Mr. Tom MacAdams. Throughout his life, Mr. MacAdams has been active in his community, founding a number of organizations in Brooklawn, New Jersey. Mr. MacAdams and his wife Marie have been married for 34 years and they have three children together, Shane, Colin, and Erin. Sadly, Mr. MacAdams has Frontotemporal Dementia, a neurodegenerative speech disorder, and was recently diagnosed with Amyotrophic Lateral Sclerosis.

Mr. MacAdams is a paragon of community service and a true leader in his community. To combat drug use, he created the Brooklawn Drug Alliance Committee. Mr. MacAdams also served on the Brooklawn council for 18 years, 16 of them as Municipal Chair. Along with his wife, Mr. MacAdams organized the Brooklawn Christmas Spirit, a group dedicated to providing food toys, and gift cards for families in need.

An avid sports fan, Mr. MacAdams created a number of leagues in his hometown. He founded the Lady Bugs Basketball League, a girl's league which played in his family's backyard for 7 years. Mr. MacAdams also established and coached the Brooklawn Bees basketball team, and founded and organized the Brooklawn Wiffleball Tournament.

Tom MacAdams is a role model for Brooklawn and all of South Jersey. I rise to honor Mr. MacAdams for his outstanding commitment to his community, and all the work he has done to improve Brooklawn, New Jersey. I wish him and his family the best.

A TRIBUTE TO GRACE YOO

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is

an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Grace Yoo of Los Angeles, California, whose tireless efforts have benefited her community and beyond. Grace received a B.A. in political science from the University of California, Riverside, and is a graduate of Seton Hall University School of Law.

Ms. Yoo is the Executive Director of the Korean American Coalition in Los Angeles, KAC, a 501(c)(3) non-profit organization, which represents the interests of the Korean American community in the Los Angeles area. She is very involved in working with a diverse set of communities throughout Los Angeles, where she helps mediate differences and fosters awareness of the needs of the Korean American community. Grace is a certified mediator, who works with leaders of every cultural background to resolve tension and conflict and bring about a more harmonious Los Angeles. Grace is also involved in international efforts to help refugees and through "Topple Hunger in North Korea", T.H.I.N.K., a KAC run program, she became deeply involved in the North Korea Child Welfare Act. This Act was signed into law on January 13, 2013, by President Obama. Prior to her career with KAC, Grace served as the Executive Director of the National Asian Pacific American Bar Association.

Along with being a successful career woman, Grace has been a selfless volunteer for several organizations since her high school days. Her volunteer work includes being active in several professional organizations to increase racial and ethnic diversity in the law and being a driver for SAFE RIDES. In 2008, Ms. Yoo was nominated by Los Angeles Mayor Antonio Villaraigosa to serve as a Los Angeles City Commissioner for the Department of Transportation. Currently, she serves as the President of the BOB Fund for Children.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Grace Yoo, for her exceptional service to the community.

KAMELIA VICK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kamelia Vick for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kamelia Vick is a 9th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kamelia Vick is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kamelia Vick for winning the Arvada Wheat

Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF THE 2013 DULLES REGIONAL CHAMBER OF COMMERCE "STARS OVER DULLES" AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Dulles Regional Chamber of Commerce, the DRCC, for its ongoing dedication to local businesses and our community and to congratulate the 2013 "Stars Over Dulles" Award recipients.

This year, at the 18th Annual Stars Over Dulles Award Gala, the DRCC will honor those extraordinary businesses, non-profit organizations, and citizens in our region who enhance our economy and quality of life through their excellent vision and initiatives. The gala will also raise money for the USO Metropolitan Washington as well as two organizations which serve the homeless: Final Salute, Inc. whose mission is to provide homeless female veterans with safe and suitable housing, and the Fairfax County Public Schools Homeless Liaison Office which assists homeless students in the county. Finally, many wounded warriors will attend as special guests.

As the former Chairman of the Fairfax County Board of Supervisors, and now as a Member of Congress representing much of this community, I have been proud to partner with the DRCC on promoting the region's pro-business climate and celebrating the service so many individuals and businesses provide to our community.

I am pleased to join the DRCC in congratulating the following recipients of the 2013 Stars Over Dulles Awards:

Large Business of the Year: Cardinal Bank, Reston.

Mid-Sized Business of the Year: Exhibit Edge Inc., Chantilly.

Small Business of the Year: Xango, Oak Hill.

Small Non-Profit of the Year: Final Salute Inc., Haymarket.

Large Non-Profit of the Year: FACETS, Fairfax.

Business Citizens of the Year: Justin Exner, Vice President, Fairway Independent Mortgage Corp., Gainesville and Robert Kessler, President, Systems Furniture Gallery, Chantilly.

Mr. Speaker, I ask my colleagues to join me in congratulating the 2013 Stars Over Dulles Award recipients and in thanking these businesses, non-profits and individuals for their many contributions to our regions' economic success and quality of life. I also commend the Dulles Regional Chamber of Commerce, its member businesses, and the sponsors of this event for their support of at-risk veterans and children in our community.

TRIBUTE TO ARMY SPECIALIST
GEORGE ALAN INGALLS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to our country are exceptional. Today, the City of Norco will recognize and honor Army Specialist George Alan Ingalls for his ultimate sacrifice and proclaim today George Alan Ingalls Day.

George was a Norco resident who died in Vietnam on April 16, 1967. On that day, he threw himself onto a grenade to save the lives of the members of his squad. For his gallantry and self-devotion to his unit, George posthumously received the Congressional Medal of Honor.

In his youth, George was active in local sports, and attended Norco Junior High and later Corona High School. He also served as President of the youth group at the Community Church of Norco.

As we look at the incredibly rich military history of our country we realize that this history is comprised of men, just like George, who bravely fought for the ideals of freedom and democracy. Each story is unique and humbling for those of us who, far from the dangers they have faced, live our lives in relative comfort and ease. The goodness George brought to this world and the sacrifice he has made will always be remembered.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,801,307,487,216.56. We've added \$6,174,430,438,303.48 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING ANNE ALTMAN FOR
A LIFETIME ACHIEVEMENT
AWARD FOR SALES EXCELLENCE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize Fairfax County resident Anne Altman, who is being honored with the 2013 Lifetime Achievement Award from the Institute for Excellence in Sales & Business Development, IES&BD. The IES&BD was created to demonstrate excellence in business sales and development and to help organizations maximize

their efforts. The IES&BD Excellence in Sales & Business Development Awards recognize Greater Washington teams and organizations who demonstrate exemplary performance through leadership, risk taking, innovation, vision, and customer development.

Anne Altman is General Manager, IBM Global Public Sector based in Herndon, Virginia. Her portfolio spans global government, including U.S. federal government, state and local agencies, as well as education, health care, life sciences and pharmaceutical clients. Ms. Altman's career at IBM has spanned three decades, and she previously served as General Manager for IBM's Public Sector with responsibilities for global government, state and local agencies, as well as education and health care.

Ms. Altman is a recipient of the prestigious Eagle Award, one of the highest honors issued to technology partners serving the Federal market. In addition, her many other accolades in the IT sector include: Federal Computer Week's Top Federal 100, Washingtonian Magazine Top Tech Titans, Washington's 100 Most Powerful Women, the AFFIRM Leadership Award for Industry, the CIO Council's Azimuth Award for the Industry Executive of the Year, and a Lifetime Achievement Heroines award from the March of Dimes and the Armed Forces Communications and Electronics Association.

She is a recognized authority on federal IT matters and has testified on behalf of IBM before congressional committees on a range of topics including national security, technology in the military and intelligence communities, "smarter" government, intelligent transportation, cloud computing, business analytics software, and the role of innovation to drive economic growth and government R&D. Her work has been featured in leading industry and national news publications, including The Washington Post, Associated Press, Federal Computer Week, Business Week, The New York Times, Washington Technology, Government Computer News, InformationWeek, among others. Ms. Altman also has contributed to key government-related review boards for organizations such as the National Academy of Public Administration, the National Science Academy and the Private Sector Council.

Ms. Altman also has established a strong record of community engagement, serving on the executive committees of the Northern Virginia Technology Council, National Symphony Orchestra, and National Kidney Foundation. She also serves on the executive council for the Dean of George Mason University's School of Management.

Mr. Speaker, I ask my colleagues to join me in recognizing Anne Altman as the IES&BD's 2013 Lifetime Achievement Award recipient and for her many contributions to the federal IT procurement field and our community.

KATIA MERAZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Katia Meraz

for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Katia Meraz is a 9th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Katia Meraz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Katia Meraz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

SECOND ANNIVERSARY OF DEADLY TORNADOS IN NORTH CAROLINA

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise today to remember the lives of those we lost in the largest tornado outbreak in the history of North Carolina. April 16th marks two years since those devastating natural disasters took 24 precious lives in my state and injured 133 others. Today is also for applauding the rebuilding efforts of the communities that were affected and the courageous storm survivors.

According to the North Carolina Department of Public Safety, 28 tornadoes swept across central and eastern North Carolina due to tornadoes that were part of the same thunderstorm system. Then-Governor Beverly Perdue declared a state of emergency due to the more than \$20 million in damages sustained across 30 counties. This destructive force of nature ravaged thousands of homes and businesses and truly tested the strength of North Carolinians.

The worse-hit county in the state, Bertie, located in the First Congressional District and home to 21,000 people accounted for 10 deaths and 50 people who were seriously injured.

I applaud the heroism of those who risked their lives to help others find safety during the height of the storm. During tough times Americans have always banded together to assist one another. It is this patriotic spirit that we must always remember during times of peace as well. Whether natural disasters or acts of terrorism we must remember that what makes us strong as a nation is that above all else we are Americans, no matter our race, ethnicity, religion or political affiliation.

Mr. Speaker, I ask my colleagues to join me in remembering the lives of the victims and the communities impacted in my district by this powerful storm. Let us never forget the communities that experienced the loss of loved ones and may we continue to support the rebuilding efforts.

IN RECOGNITION OF THE WESTERN WASHINGTON UNIVERSITY ICE HOCKEY TEAM

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. LARSEN of Washington. Mr. Speaker, I rise today to recognize the extraordinary accomplishment of the Western Washington University Vikings Ice Hockey team, which defended their national title at the National Association of Intercollegiate Hockey Championship on March 17.

Under the leadership of Head Coach John Dougan, the Vikings had a regular season record of 23 wins, four ties, four losses and a four-and-one record in the tournament. Western showed great heart and perseverance. After losing the first game of the tournament, they fought their way to the national championship.

Led by the strong play of Western goalie and the tournament's most valuable player Tyler Zetting, the Vikings concluded the tournament and defense of their national title with a two-to-one overtime win against top-ranked Le Moyne College.

We are proud of this team in Bellingham and across Northwest Washington and we look forward to their future successes on and off the rink.

KLARISSA VICK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Klarissa Vick for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Klarissa Vick is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Klarissa Vick is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Klarissa Vick for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE VOLUNTEERS
OF THE SHEPHERD'S CENTER OF
OAKTON-VIENNA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the volunteers of the Shepherd's Center of Oakton-Vienna and to thank them for their many contributions to the Northern Virginia community. Organized in 1997, the Shepherd's Center of Oakton-Vienna is a non-profit that provides services to help older adults continue living independently, and it offers programs that supply opportunities for enrichment, learning, and socialization.

The center works to support older residents who want to age in place in their homes and to engage them in social activities. Every year, approximately 200 volunteers for the Shepherd's Center serve as medical drivers, companion drivers, friendly callers and visitors, health and wellness counselors, fundraisers, and grant writers. These volunteers run programs such as Lunch n' Life, Adventures in Learning, trips and outings, special events, and caregivers' support groups. Services are available free of charge to anyone age 50 or older who resides in the local community.

The Shepherd's Center has also been recognized as "One of the Best" 2012-13 by the Catalogue for Philanthropy: Greater Washington and the 2012 Nonprofit of the Year award from the Vienna-Tysons Regional Chamber of Commerce. The services and programs offered by this extraordinary organization help to ensure that our seniors stay connected to the community through promotion of active lifestyles, ongoing social integration, and availability of resources for older residents to use their experience, training, and skills in significant roles in society.

Mr. Speaker, I ask that my colleagues join me in recognizing the Shepherd Center of Oakton-Vienna for the services which enable older adults in our community to age in place and enjoy their golden years with dignity and independence. I thank the many volunteers who generously dedicate their time and efforts to the welfare of our neighbors. The value of

their contributions cannot be overstated and are deserving of our highest praise.

A TRIBUTE TO DR. ARMINE G.
HACOPIAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

Today, I rise to commend Dr. Armine G. Hacopian of Glendale, California, whose tireless efforts have benefited her community and beyond. Dr. Hacopian moved to the United States at the age of sixteen. It was evident that she was committed to receiving a higher education, and keeping the promise she made to her ailing father, an Armenian Genocide survivor, who did not have the opportunity to receive a formal education. Her father continuously reminded his children, including Armine, about the importance of learning, and Armine attended Alhambra High School, went on to receive a B.A. in Art Education, two M.A.s in Art Education and Supervision and Administrative Services from Cal State University, Los Angeles, and an Ed.D. in Educational Leadership.

Armine's unparalleled commitment to education has benefited many. In 2001, Armine was elected to the Glendale Community College Board of Trustees, where she is currently serving as the Board President. Through her hard work, dedication, and support of her co-trustees, the Glendale Community College-Garfield Campus construction plan received an additional two million dollars in funding. In addition, she was instrumental in helping pass a \$98 million dollar bond measure for capital improvements at Glendale Community College.

For the past two decades, Armine has assisted many girls and women who have been victims of rape and domestic abuse with find-

ing safe homes. Many of these women eventually landed on the path of a successful career, and to this very day, keep in touch with Armine to inform her of their new accomplishments.

Armine has also served as department chair, counselor, teacher and as coordinator of the Even Start Family Literacy program, through which she was able to work closely with Head Start and provide parenting classes. She was also an ESL, English as a Second Language, specialist, where she helped teachers improve their skills as they worked with students whose primary language was not English. Armine is also a consultant in the areas of sexual harassment prevention, career transitions and communication and conflict management.

I ask all Members to join me in honoring a remarkable woman of California's 28th Congressional District, Dr. Armine G. Hacopian, for her exceptional service to the community.

JOHNNY WIGHTMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Johnny Wightman for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Johnny Wightman is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Johnny Wightman is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Johnny Wightman for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

SENATE—Wednesday, April 17, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord God of Hosts, we found Your words, and they caused our hearts to rejoice. Thank You for Your abiding presence and for the illumination of Your wisdom. Inspire our lawmakers. Make their spirits great enough for these challenging days. Upon the frenetic pace of their day, drop the dew of Your kindness. Bless the members of the legislative staff who labor with diligence into the night.

Again, Lord, we ask You to sustain the victims of the Boston bombings. Bring healing to those who were injured and solace to those who mourn.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 17, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks this morning the Sen-

ate will resume consideration of the gun safety legislation. Under an agreement reached yesterday, the debate time until 4 p.m. will be equally divided between the two leaders or their designees. At 4 p.m. there will be a series of up to nine votes in relation to amendments to the bill.

MEASURE PLACED ON THE CALENDAR—S. 743

Mr. REID. Mr. President, I am told that S. 743 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings in regard to this bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

PREVENTING GUN VIOLENCE

Mr. REID. Mr. President, today this august body will honor the memory of 20 first grade children. Little babies were gunned down, most of them shot multiple times. But we will also honor the teachers and administrators who were killed that day in Newtown, CT. We are also going to honor with this legislation tens of thousands of others who are killed by guns each year in America. We are going to do that by voting on a number of measures to strengthen the laws to prevent gun violence in this Nation.

The families of the innocents killed in Newtown and Aurora, in Carson City and Blacksburg, in Oak Creek and Columbine, deserve these votes.

Where do I stand on these Democratic proposals?

This afternoon the Senate will vote on a compromise background check proposal crafted by Senators MANCHIN, TOOMEY, KIRK, and SCHUMER—all experienced legislators. I very much appreciate their principled stands on legislation supported by 90 percent of the American people.

The American people overwhelmingly support this commonsense proposal which would close gaping loopholes in the law and keep guns out of the hands of bad people—criminals—and people with severe mental illness.

What it would not do—what it would not do is create a national registry of guns or gun owners. In fact, that is spe-

cifically outlawed in the legislation. I refer everyone to page 27 of the Manchin-Toomey compromise legislation. It not only bans a registry, but it creates a 15-year felony sentence for any government official found storing these gun records. So please start talking about that, all the opponents of this bill. Because it is absolutely false, it is untrue, and it is unfair. Claims that this legislation would create a gun registry are nothing more than shameful scare tactics.

If any of my colleagues wish to vote against stronger background checks, go ahead and do it and oppose the will of the American people.

That is their right. But the American people have a very long memory. To vote against something that 90 percent of the American people want, the American people are not going to forget about that. The opponents of the will of the American people should not spread misinformation or sow seeds of fear about this critical antiviolenence legislation. But that is what they are doing, that is what they have done, and it is absolutely false and misleading.

Assault weapons, we are going to vote on Senator FEINSTEIN's proposal to ban assault weapons. She has been stalwart in her advocacy for this legislation.

I am a strong supporter of the second amendment, Americans' right to keep and bear arms. That is how I earned a B grade with the National Rifle Association.

When I was a 12-year-old little boy, in Searchlight, NV, my parents sent away for a Sears catalog and bought me a 12-gauge shotgun—a great big gun. That gun held five in the tube and you put one in the chamber—six 12-gauge shotgun shells.

I carried a handgun when I was a police officer and, frankly, on other occasions. From where I come from, people own guns as a matter of course—for self-defense and for hunting and for sportsman activities, target shooting.

I still go target shooting basically out in my backyard in Searchlight with my grandchildren, but I have always had trouble understanding why people need assault weapons to hunt or to protect their homes or to target shoot.

When the assault weapons ban came before the Senate for a vote 10 years ago, I called my friends—one in particular who was a real advocate on guns. He said to me: You know, you can't define an assault weapon. Why are you doing this? You just can't define an assault weapon.

He convinced me he was right, so I voted against that. That seemed reasonable to me, and I voted against the ban.

Just about a month ago, I called this same friend. I asked if his opinion had changed: Generally, no, but specifically, yes, it had changed. He still opposes a ban on assault weapons.

I said: Tell me why. I found his new reasoning absurd, and even though I care a great deal about my friend, he is headed in the wrong direction. So it caused me to reassess my position.

He said: Do police have assault weapons?

I said: Yes, some of them.

He said: If they have them, I want them.

Then he said: Does the military have assault weapons?

I said: Yes.

He said: If they have them, I want them.

I thought for some time about what that statement means. It was not a rash decision I made. But what it means is there should be no limits on the kinds of weapons private citizens are allowed to own.

I asked myself whether I believe that to be true. The police have riot gear and tear gas and battering rams and others things. Should civilians have them? Obviously, no.

The military has rocket-propelled grenades, other kinds of rockets, machine guns, tanks, fighter jets. Should civilians have those also? Please. It does not make sense.

So I decided the answer is no. In a civil society, where we have to balance individual rights with public safety, there should be limits—significant limits—on the kind of destructive weapons people are allowed to own.

I believe—I repeat for the second time today—in the right to own a gun to protect your home and your family, to hunt, to go target practicing. I will continue to defend that right as long as I am serving the people of Nevada.

But you do not need an assault weapon to defend yourself or your property. Assault weapons have one purpose and one purpose only: to kill a large number of people very quickly. This goes well beyond the purpose of self-defense.

The desire to arm ourselves against the young men and women who willingly risk their lives to defend our freedoms—soldiers, sailors, marines; the Navy, the Air Force—is not a reason to oppose an assault weapons ban.

The wish to arm ourselves against the police who keep our streets safe is not a reason to oppose an assault weapons ban.

I believe as Americans we have a right to arm ourselves against criminals, but we do not need the ability to arm ourselves against the Army or the police. The U.S. military is not out to get us. Federal law enforcement, local police departments, are not out to get us.

These conspiracy theories are dangerous and they should be put to rest. In the real world—not this conspiratorial world that some live in—in the real world, in addition to mowing down first graders, assault weapons are used to shoot down the very people who have sworn to protect us.

Here is one real-world example in Nevada: After serving 9 months in Afghanistan with his National Guard unit, SSG Ian Michael Deutch was eager to return to his day job as a police officer in Nye County, NV. He could not wait to get back to work. He survived Afghanistan—bombs, bullets, acts of terrorism. He survived.

His second day back on the job—second day back on the job—he was shot and killed by a man with an assault weapon with a 30-round clip.

Sergeant Deutch was responding to a domestic dispute in Pahrump, NV, when he was shot three times in the chest. One of the bullets even pierced his body armor. An assault weapon pierced the body armor the police officer was wearing.

He was airlifted to Las Vegas, rushed into emergency surgery, and he died within a few hours. He was 27 years old, had survived Afghanistan but not America. All 730 soldiers in Michael's squadron returned alive from their tour of duty in Afghanistan. They were so thankful and proud. It was a criminal on the streets of the United States of America, our country, armed with a weapon designed to kill who took Michael's life—his young life.

Here is what his mom said:

He was finally safe. In our country. And somebody here kills him.

That is what she said. That is a tragedy, and it is one we could have prevented by keeping weapons of war off the streets. We can keep them off the streets. We should keep them off the streets.

In the 1920s, organized crime was committing murders with machine guns. We have seen them in the movies—the Valentine's Day Massacre. So Congress dramatically limited the sale and transfer of machine guns a long time ago. As a result, machine guns basically disappeared from the streets. They are in the movies, but private citizens do not have them.

We can and should take the same commonsense approach to safeguard Americans from modern weapons of war, assault weapons. That is why I will vote for DIANNE FEINSTEIN's assault weapons ban; we must strike a better balance between the right to defend ourselves and the right of every child in America to grow up safe from gun violence. I will vote for the ban because maintaining law and order is more important than satisfying conspiracy theorists who believe in black helicopters and false flags. I will vote for the ban because saving the lives of police officers, young and old, and in-

nocent civilians, young and old, is more important than preventing imagined tyranny.

High-capacity magazines—clips is what I call them my reason for supporting a ban on large ammunition magazines is similar. These large clips are designed to kill—not to kill a deer or a duck or any other game, large or small, they are designed to kill humans, living, breathing human beings, people from Hawaii, people from Kentucky, people from Nevada—our citizens. They are designed to kill.

In fact, it is not even legal to load more than 3 shotgun shells—let alone 30—to hunt birds. I talked to the Presiding Officer earlier about my shotgun. I told him that it could hold six shells, but we had to plug that gun because that was the law. By law, we had to limit the amount of ammo in that shotgun, so we had to plug it so it could only shoot three—two in the magazine, one in the chamber. That way, when you went bird hunting, you gave birds a sporting chance. You could only fire three times. As Senator JOE MANCHIN of West Virginia—the courageous Senator from West Virginia—said, “I do not know anybody that needs 30 rounds in a weapon to go hunting.” Take 30 and reload. So why should we not limit the number of bullets in a clip? Don't people deserve as much protection as birds?

Limiting magazine size will force shooters bent on taking a life to reload more often. When this madman with the strange-colored hair walked into that Aurora, CO, movie theater with a semiautomatic weapon and a 100-round drum magazine, the only thing that spared many survivors was the fact that the shooter's gun jammed. Think of the carnage, in addition to what already was so bad, that would have taken place.

In Tucson, AZ—we met here in Washington yesterday with Gabby Giffords, a woman who was shot right in the head by a man who should have not had a gun. But he emptied a 33-round clip in less than 30 seconds, killing 6 and injuring many more, including Gabby Giffords.

In Carson City, NV, a mentally ill man went to an IHOP during breakfast time and killed four people. Three of them were National Guard personnel going to work. He shot 80 rounds in 80 seconds using 30-round clips.

Limiting the size of clips will not hurt hunters and sportsmen, but it will save lives. So I am going to vote in support of the Blumenthal-Lautenberg amendment.

In the case of Carson City, the example I just gave, let's talk a little bit about mental health. That incident at the IHOP restaurant reveals a tragedy, of course, but also the deficiencies in this Nation's mental health treatment system. That is another important part of our discussion about how to prevent

gun violence. We simply have not done a good job of providing funding for and access to mental health services. This should be a bipartisan issue. Going back many years, it was bipartisan—Wellstone-Domenici.

While we have done a better job of doing certain things in mental health, we have done a poor job of removing the stigma that keeps Americans from seeking the treatment they need. We must do better. So the bill reported out of the HELP Committee, led my Chairman HARKIN, begins the work of improving access to critical services.

I hope to be able to have shortly—after we finish this list of amendments—the ability to move to Senator STABENOW's measure. She has worked with others on another bipartisan piece of legislation to go even further in doing something about the mental health problems so that we can alleviate, at least on occasion, these terrible tragedies.

As I have said many times, the efforts will not stop every criminal bent on violence, but last year's terrible tragedy in Newtown was a wake-up call that we are not doing enough to keep our citizens safe. It is hard to even comprehend the scope of the tragedy, let alone recover from it, but part of the healing process is this remarkable conversation about how to prevent violence in America. That conversation is taking place in America today because of Boston and because of the thousands of people killed with guns every year. Part of the healing process is examining what can be done to prevent more tragedies such as the ones in Newton, CT; Aurora, CO; Oak Creek, WI; Carson City, NV; and multiple other places. I believe that if we can save the life of a single American, we owe to it ourselves to try. That is going to take courage by some people.

President Monson, the president of the Mormon Church, said this about courage:

Life's journey is not traveled on a freeway devoid of obstacles, pitfalls and snares. Rather, it is a pathway marked by forks and turnings. Decisions are constantly before us. To make them wisely, courage is needed: the courage to say, "no," the courage to say, "yes."

The courage today to say yes. Decisions do determine destiny. Today our decision will determine the destiny of our country. Today I choose to vote my conscience not only as HARRY REID a Senator but also as a husband, a father, a grandfather, and I hope a friend to lots and lots of people. I choose to vote my conscience because if a tragedy strikes again—sorry to say it will—if innocents are gunned down in a classroom, theater, or restaurant, I would have trouble living with myself as a Senator, a husband, a father, a grandfather, and a friend knowing I did not do everything in my power to prevent that.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TRIBUTE TO POSTAL AND LAW ENFORCEMENT WORKERS

Mr. MCCONNELL. Mr. President, the last few days have been trying ones for our Nation. Monday's attack in Boston reminded us that terrorism can still strike anywhere at any time. As yesterday's news of an attempt to send ricin to the Capitol reminds us, it is as important as ever to take the steps necessary to protect Americans from those who would do us harm.

This morning I would like to recognize the postal and law enforcement officials for their excellent work in detecting and preventing this threat before it even reached the Capitol. They proved that the proactive measures we put in place do, in fact, work.

We have faith that the men and women charged to protect the American people will find those responsible for the attack in Boston and for the letter here at the Capitol. The truth will eventually come out, and justice will be delivered.

GUN AMENDMENTS

Mr. MCCONNELL. Later today the Senate will begin to consider amendments to legislation that deals with one of our most fundamental constitutional rights as citizens. There are many different perspectives on this issue, and passions are high on all sides. That is why I would urge the majority to allow the full and open amendment process we were told the Senate would have. Today's votes are a very good start. The American people deserve the opportunity to be heard on this matter. We should respect that. So let's approach this debate in the spirit of transparency that the American people expect.

In my view, we should focus on keeping firearms out of the hands of the criminals and those with mental issues that could cause them to be a threat to our society. The government should not punish or harass law-abiding citizens in the exercise of their second amendment rights. It is that focus on protecting communities and preserving our constituents' constitutional rights that will be my guide as we begin to vote on amendments on this bill.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 649, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

Pending:

Manchin amendment No. 715, to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 4 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from California.

AMENDMENT NO. 711

(Purpose: To regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes)

Mrs. FEINSTEIN. Mr. President, I would like to call up and make pending amendment No. 711 to the bill before us.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEVIN, Mr. HARKIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. CARPER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. WARREN, Mr. COWAN, and Mrs. MURRAY, proposes an amendment numbered 711.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. FEINSTEIN. Mr. President, I happened to be on the floor and hear the remarks from the majority leader. I would like to thank him for his support of this legislation. It is extraordinarily important to me, to the people of my State, and, I believe, to a majority of Americans. I hope to make that clear during my remarks.

I would like to also thank the 23 cosponsors of this legislation. They are in alphabetical order:

RICHARD BLUMENTHAL, Senators BOXER, CARDIN, CARPER, COWAN, DURBIN, FRANKEN, GILLIBRAND, HARKIN, HIRONO, KLOBUCHAR, LAUTENBERG, LEVIN, MENENDEZ, MIKULSKI, MURPHY, MURRAY, REED, ROCKEFELLER, SCHATZ, SCHUMER, WARREN, and WHITEHOUSE. I am very grateful for the willingness of the Presiding Officer and the others to step up, show courage, and do what is right for America.

There are all kinds of things we confront as Members of this great Senate. There are issues of national security, the economy, health care, immigration—all tough issues.

People often ask me why I care so much about assault weapons and why I stayed with this issue for more than 20 years.

The answer is this: In my view, the proliferation of this specific type of weapon goes to the heart of what kind of society in which we want to live. It goes to what kind of culture we are going to raise our children in, which brings us to the horrific massacre at Newtown, CT, 4 months ago.

Sandy Hook—and much has been said about it, but I can't forget—Sandy Hook was a safe school in a safe town. Candidly, it was inconceivable that such a tragedy could happen there, but it did. I can't exaggerate how this senseless murder of 20 beautiful young children and 6 incredibly brave adults affected me and millions around this country. I think it is fair to say that this event really shocked the conscience of America.

The pictures of these little victims still bring tears to the eyes of millions. I am very impressed with this one page of the New York Daily News. I carry it when I speak to people, trying to get their votes. Some say no, and I look at this picture of these smiling faces, and in the middle, "Shame on U.S." This was the cover of the New York Daily News. I think it carries the message of what we are trying to do here, and I hope to demonstrate that during the time that I speak.

I think the despair that we all felt, for some of us, has changed to determination. I believe that this amendment over time will finally begin to address not only the wanton, brutal violence, but the weapon that is often used to carry out this wanton, brutal violence.

To have a chance at understanding these mass shootings, we need to understand how they are perpetrated and by whom.

It is impossible to know with any certainty what motivated Adam Lanza, the Newtown shooter. We know he exhibited clear signs of mental disturbance. We know he had an extreme aversion to normal social life, and he didn't like physical contact. He was in and

out of school and spent time in special education classrooms and was homeschooled by his mother. He lived in a room with blacked-out curtains and played violent video games for hours on end.

We know his mother purchased assault weapons for him and kept an arsenal at home. We know that they went target shooting together at ranges and that both were certified in gun safety. Their home was a veritable weapons depot, with many firearms, more than 1,600 rounds of ammunition, samurai swords, and even a gun safe in this young man's room.

It has been reported that Adam compiled a spreadsheet documenting hundreds of victims of mass murders—something he may have used as a measuring stick for his own sadistic plot.

We know one more thing: None of this information would have been caught on a background check. I say this although I support background checks. But this shows what is out there, which needs to be stopped.

On that December morning, Adam Lanza started his rampage by killing his mother. He then drove to Sandy Hook and shot his way into the school. He was heavily armed. This is what he carried: a Bushmaster XM15 assault rifle, a Glock handgun, a SIG Sauer handgun, ten 30-round magazines, and a Saiga 12-gauge assault shotgun. In less than 5 minutes, he fired at least 154 rounds from the Bushmaster in 2 classrooms. He stopped only when first responders arrived. He then took his own life. He died with 139 more rounds available to fire.

I am sure background checks would stop many would-be murderers, but they would not have prevented Newtown. The weapons were legally purchased by his mother. While he was disturbed, he had no criminal record or record of mental illness and would not have been subject to a background check because his mother gave him these weapons.

Let me be clear: Universal background checks are very important. I strongly support them, but they would not have prevented the tragedy in Newtown.

I have watched these mass shootings escalate over the past 40 years—four decades of my public life. Twenty-nine have taken place in just the past decade, seven in the past year. Military-style assault weapons are often the weapon used in many of these shootings.

Just 3 days before Newtown, an AR-15 assault rifle was used to kill two people and seriously wound a third at a mall in Clackamas, OR.

Five months before Newtown, a gunman opened fire in a theater at a late-night performance of a brand new movie. He killed 12 and injured 58. The only reason he didn't continue was that this drum that he had in his weap-

on—a 100-round drum—jammed at approximately 50.

Although the Aurora shooter was being treated by mental health professionals, he owned a small arsenal of weapons, including a Smith & Wesson M&P15 assault rifle, a Remington 12-gauge shotgun, two Glock .40 caliber handguns, and a 100-round ammunition drum.

A number of weapons were used in the 1999 massacre at Columbine High School in Littleton, CO, where 13 were killed. The weapons were a TEC-DC9 assault pistol, a Hi-Point 9-mm Carbine, a Savage pump-action shotgun, and a Savage 311-D 12-gauge shotgun.

High-capacity ammunition magazines also play a role in these mass shootings. In 2011, a gunman in Tucson used a semiautomatic Glock handgun equipped with a 33-round magazine to kill 6 and wound 12, including Congresswoman Gabby Giffords. In 2007, a Virginia Tech gunman used 2 handguns and at least 19 magazines to kill 32 and wound 17. Some of these magazines were 15-round versions. All told, he had nearly 400 rounds to fire.

Has this ended with Newtown? Was Newtown such a stirring event on the conscience of America that no one would try it again? What is the answer? The answer is no.

On March 18, just 3 months after Sandy Hook, a former student at the University of Central Florida planned to set off a fire alarm in his apartment and kill students as they fled. A roommate saw him with these weapons and called the police. The police came quickly and were able to prevent another massacre. Here is what he had: a .22 caliber assault rifle, known as German Sport Guns GSG-5; a .45 caliber handgun; two 110-round magazines; 4 homemade explosive devices; and a stockpile of approximately 1,000 rounds.

On March 31, an AR-15 assault rifle was used to assassinate a district attorney and his wife in Texas. The district attorney's wife innocently opened the door of their home. A gunman shot and killed her with a single bullet. As her husband turned to try to get to his weapon, he was killed in a burst of at least 20 rounds. This is the offensive nature of these weapons.

A shooting many years ago—because I came to know some of the victims who survived—encouraged me to submit the first bill in 1994. This was an attack by a man named Gian Luigi Ferri in a very high office building in San Francisco, CA, called 101 California Street. He came in and killed eight. He had two TEC-9s and magazines holding 50 rounds of ammunition.

He killed a young mother, Jody Sposato, 30, who had recently given birth to her first child. Her neighbor said, "She just had that little, lovely baby 10 months ago." I came to know Jody's husband, Steve, who was a wonderful, tall man who used to come to

see me with his baby in his arms. I am delighted to see that he remarried and made a new life for himself.

Ferri also killed Donald “Mike” Merrill, who had recently adopted two children, a son and a daughter, ages 4 and 2, with his wife Marilyn.

One of the wounded, a beautiful young woman, Michelle Scully, was saved because her husband John died while jumping on her body, shielding her from the gunfire.

This is how these events unfold. The tragedies they leave behind are actually never completely recoverable.

Over the years, as I have watched, I have come to see that these weapons are attractive to two groups of people. There are collectors, there is target practice, some hunt, and some think they offer a strong defense. This is one group. But death tolls show there is another group who covet these firearms more for their deadly firepower—most notably, grievance killers, gang members, and juveniles.

Let me mention the grievance killers. Their goal is to kill indiscriminately. These are weapons that are easy to fire quickly. They can fire many times without overheating, and they can carry ammunition-feeding devices that exceed 100 rounds. These are the weapons of choice of this group of people. The question is, Can this group of people, who will kill with these weapons, buy these weapons easily? The answer today is yes.

These weapons are attractive to gang members because pistol grips and folding stocks make them easy to conceal and maneuver. These weapons pack enough firepower to confront other gangs as well as the police.

I would like to tell you one other story from my home town that touched me deeply. In 2004, undercover police officers Isaac Espinoza and Barry Parker confronted a man at the corner of Newcomb Avenue and Newhall Street in San Francisco. As the officers approached, the shooter pulled out an AK-47 from beneath his coat and fired 14 rounds, killing Officer Espinoza and injuring Officer Parker, both of whom were armed.

Officer Espinoza was a real star in the San Francisco Police Department. Everyone liked him, and he had real credibility on the streets and in the community. He was very special. He had been a police officer for 8 years. During that time, he received four major service awards. Police Chief Greg Suhr, the current chief, said he wouldn't have been surprised if Officer Espinoza rose to be the chief himself one day. But he is gone. He left behind his wife of 7 years, Renata, and their daughter Isabella, who was 3 at the time of his murder.

Finally, assault weapons are attractive to juveniles because they are lightweight, have little recoil, and are easy to fire.

The takeaway is that nowhere seems safe from these acts of mass violence, made all the more deadly because of the military features of these particular weapons.

These mass killings aren't confined to dangerous areas. They happened in a mall in Clackamas. They happened in a movie theater in Aurora. They happened in a temple in Oak Creek. They happened in an office in San Francisco. Worst of all, they happen now in schools. Schools used to be safe places, but now we confront the legacy of Columbine, Virginia Tech, and Newtown.

President Obama relayed the story of a murdered child's mother. She said she hates when people say her son was “in the wrong place at the wrong time.” When are schools ever the wrong place? Schools should always be the right place for children and they should always be the right time. And that is why we must take action.

I am relieved we are finally debating the issue of gun violence, in particular the amendment I offer today to introduce the Assault Weapons Ban in the underlying bill. It has been 9 years since the first Federal Assault Weapons Ban expired in 2004, and far too many deaths. The Assault Weapons Ban I offer today as an amendment has one purpose: to begin to dry up the future supply of assault weapons and high-capacity ammunition magazines over time, which will save lives. It does not affect any legally owned weapon possessed now.

I fully support the bill to expand background checks, increase penalties on straw purchasers, and strengthen school security. But these provisions are only part of a solution. The weapons I talk about can fire hundreds of rounds a minute with velocities and energy far exceeding the standard handguns. They do not belong on the streets where they can be bought without questions asked.

This amendment bans the future manufacture, possession, sales, and importation of 157 semiautomatic assault weapons by make and model. Let me list some of the most infamous models. We have here a display. They include the AK-47, the AR-15, the Bushmaster XM15, the Smith & Wesson M&P15, the Hi-Point Carbine, the UZI Mini Carbine, and the Intratec TEC-9. They include the MAC-10, the Saiga-12, the Street Sweeper, and all 157 of them are explicitly, by make and model, delineated in the bill.

The bill also prospectively bans the manufacture, sale, and importation of all other assault weapons that can accept a detachable magazine and have at least one military characteristic, such as a pistol grip or barrel shroud.

Finally, the amendment bans the manufacture and importation—as well as the future sale or transfer—of large-capacity ammunition feeding devices capable of accepting more than 10

rounds. Here are some of these large magazines—and this is the drum that was used at Aurora. In many cases, such as the tragic shooting of Congresswoman Giffords, it is only when a shooter stops to switch magazines that police or others have the chance to take the shooter down, and he or she may well fumble in so doing.

Now what does the amendment not do? To clear up some misinformation, it is also important to know what the bill does not do. It does not take away any legally owned weapon. All weapons legally possessed on the date of enactment are exempted. The amendment does not require registration. If an assault weapon is legally owned before enactment and later transferred or sold, the recipient or purchaser must pass a background check as required in the underlying bill.

Finally, the amendment does not affect hunting or sporting firearms. Let me point that out. It protects legitimate hunters by excluding 2,258 specifically named firearms used for hunting and sporting purposes. It took 96 pages of legal bill language to list these hunting and sporting firearms by make and model so everyone can see clearly their hunting or sporting gun is excluded from the bill. It took my staff a long time and a lot of vetting to compile this list, but they have done it.

Some have argued that the legislation would violate the second amendment. Candidly, that is wrong. The original Federal Assault Weapons Ban I sponsored in 1994 was repeatedly challenged in Federal Court on a variety of grounds, including the second amendment, the Commerce Clause, the Due Process Clause, and the Equal Protection Clause. The Fourth, the Sixth, the Ninth, and the District of Columbia Circuit Courts all upheld the 1994 law, with three of them rejecting challenges based on the second amendment.

Since these rulings, the Supreme Court, in 2008, recognized an individual right under the second amendment in a 5-to-4 decision in the District of Columbia v. Heller. But Heller itself clearly rejects the claim that second amendment rights are absolute. In Heller, conservative Justice Antonin Scalia stated: “The right secured by the second amendment is not unlimited.”

And the Court said the second amendment does not protect “a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purposes.” Case made.

Also, just like other constitutional rights, the second amendment's right to keep and bear arms is subject to reasonable restrictions. An assault weapons ban is such a reasonable restriction, and no assault weapon ban has ever been overturned by a court of law.

Don't take my word for it. Look at the Supreme Court decisions. Justice Scalia's opinion in Heller specifically

stated, "Weapons most useful in military service—M-16 rifles and the like" are weapons that "may be banned." And there are weapons that are the like of the M-16 weapon on the street today that are covered by this bill.

Third, an assault weapons ban leaves available ample means for individuals to defend themselves and their families using firearms. This amendment imposes restrictions on one class of weapons—military-style weapons—that are highly dangerous and can kill large numbers of people quickly, with increasing velocity. It leaves open ample opportunities to possess and use numerous types of firearms for defense. I have no question this bill is constitutional.

A second false attack is that assault weapons covered by this ban contain only "cosmetic features" and are no more dangerous than any other firearm. Nonsense. Law enforcement officers and gun experts are the best ones to go to, and we have. And they have pointed out these features were designed to be added to military weapons to make them more deadly and they have the same effect on civilian versions.

Some examples: The pistol grip was first added to a rifle by the German army in World War II, when it was incorporated in the STG 44, which is called a "Storm Gun." This feature allows a shooter to "spray-fire" a large number of rounds over a broad killing zone without having to aim at each individual target.

Folding stocks were added to the M1 Carbine by the U.S. Army in World War II so the weapon could be more easily transported by soldiers traveling in cramped aircraft and military vehicles. Similarly, UZI manufacturers started adding folding stocks to their weapons in the early 1950s at the request of Dutch and German military who found the traditional wooden stock to be too long for use while traveling in armored vehicles.

Every law enforcement officer who testified on the Assault Weapons Ban in our Judiciary hearing was emphatic that military characteristics add to a weapon's lethality. From Baltimore County Police Chief Jim Johnson: Assault weapons are "meant for the battlefield." Milwaukee Chief of Police Edward Flynn: "Military characteristics are not simply cosmetic in nature. These weapons are designed for combat." And John Walsh, the U.S. Attorney for Colorado, couldn't be more clear: These weapons, he said, are "crafted to be as effective as possible at killing human beings."

Now where are we today? Seven States and the District of Columbia banned assault weapons prior to the Newtown massacre. These are my own State, California, Connecticut, D.C., Hawaii, Maryland, Massachusetts, New York, and New Jersey.

Since Newtown, legislators in 20 States have introduced bills to either ban assault weapons or strengthen existing bans. Twenty States are now contemplating action.

Connecticut and New York passed laws to tighten their existing bans to prohibit assault weapons with one military characteristic, which is what we do in this bill.

Maryland expanded an existing ban on assault pistols to cover rifles and assault shotguns.

In Massachusetts and New Jersey, bills have been introduced to strengthen those States' assault weapons bans.

Efforts are also underway to prohibit these deadly weapons in States with no current assault weapon ban. In Florida, Illinois, Indiana, Minnesota, Missouri, Mississippi, North Dakota, New Mexico, Oregon, Pennsylvania, Vermont, and Virginia, bills have been introduced to impose an assault weapons ban for the first time.

All of these States have strong hunting or sporting traditions, but the sponsors of these bills recognize that no one needs an assault weapon to hunt or target shoot.

In other States, bills have been introduced to regulate assault weapons. An Arizona bill would require the sale of any assault weapon be done through a licensed gun dealer.

Bills in Kentucky and Texas would require one to obtain a license to purchase an assault weapon. The Kentucky bill would also require the registration of assault weapons and handguns. That is Kentucky.

Some bills have been introduced that would go even further than the amendment I have introduced today. California is seeking to strengthen its ban, going from a one-characteristic test to a zero-characteristic test. This bill would prohibit any semiautomatic rifle capable of accepting a detachable magazine.

A bill in South Carolina would require the government to seize any assault weapons used in certain crimes.

Even though more States are banning assault weapons, the need for a Federal ban has never been greater. If only California or New York bans assault weapons, nothing stops an individual from buying an assault weapon in a neighboring State, then crossing the border to commit violence. At a Judiciary Committee hearing, Senator DURBIN mentioned that guns are coming into the city of Chicago which are being traced to the State of Mississippi.

I believe if this legislation does not pass, we will see bills passed in a number of States. That will result in a confusing patchwork of laws with different standards in different States. If this bill goes down, States will, I believe, pass additional legislation. It is only a question of time.

Some suggest there may not be enough support in the Senate to pass

the Assault Weapons Ban. But the support is there among the American people. In poll after poll, that support is there. In no poll—even with all the discussion, even with the mobilization of gun owners and the NRA, a majority in every single national poll done shows that the majority want controls over assault weapons. I know of no poll done this year that shows less than a majority to reinstate a Federal ban on assault weapons. We have more than 170 organizations covering a wide range of groups that have endorsed the bill. Here are a few:

Major Cities Chiefs; International Association of Chiefs of Police; American Medical Association; American Academy of Nursing; American Academy of Pediatrics; National Education Association; American Federation of Teachers; the Children's Defense Fund; the Sierra Club; the United States Conference of Catholic Bishops; the United States Conference of Mayors; the National League of Cities; more than 800 mayors from across the country; Tom Ridge, former Governor and Homeland Security Secretary; John Warner, former Republican Senator from Virginia.

Few bills ever have such broad support, and I ask unanimous consent to have printed in the RECORD a list of endorsements.

I have also received letters and calls from Americans across the country, from all walks of life, including gun owners, who demand that we stop these weapons of war from claiming more innocent victims. I even had a member of the NRA call me and say, "I am a hunter and I have an AR-15 but I don't need it, and I am turning it in."

I ask unanimous consent to have printed in the RECORD excerpts from these letters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENDORSEMENTS FOR THE ASSAULT WEAPONS BAN OF 2013

Law Enforcement: International Association of Campus Law Enforcement Administrators, International Association of Chiefs of Police, Major Cities Chiefs Association, National Association of Women Law Enforcement Executives, National Law Enforcement Partnership to Prevent Gun Violence, National Organization of Black Law Enforcement Executives, Police Executive Research Forum, Police Foundation, Women in Federal Law Enforcement, Chaska, Minn. Chief of Police Scott Knight (former chairman of the Firearms Committee, International Association of Chiefs of Police), Los Angeles County Sheriff Lee Baca, Los Angeles Police Chief Charlie Beck, San Diego Police Chief Bill Lansdowne

Localities: U.S. Conference of Mayors, National League of Cities, Boston City Council, Los Angeles County Board of Supervisors, Oakland Unified School District Superintendent Anthony Smith, San Francisco Board of Supervisors, San Luis Obispo County Supervisor Bruce Gibson, Santa Cruz Board of Supervisors, Ventura County Board of Supervisors

California Mayors: Alameda Mayor Amanda Gilmore, Chula Vista Mayor Cheryl Cox, Long Beach Mayor Bob Foster, Los Angeles Mayor Antonio R. Villaraigosa, Malibu Mayor Lou La Monte, Martinez Mayor Rob Schroder, former Morro Bay Mayor Janice Peters, Oakland Mayor Jean Quan, Orange Cove Mayor Gabriel Jimenez, Petaluma Mayor David Glass, Pleasant Hill Mayor Michael Harris, Sacramento Mayor Kevin Johnson, San Diego Mayor Bob Filner, San Francisco Mayor Edwin M. Lee, San Jose Mayor Chuck Reed, San Luis Obispo Mayor Jan Marx, Santa Ana Mayor Miguel Pulido, Santa Barbara Mayor Helene Schneider, Santa Cruz Mayor Hilary Bryant, Saratoga Mayor Jill Hunter, Tiburon Mayor Emmett O'Donnell

California Cities: Beverly Hills, Calabasas, Chula Vista, Del Mar, Encinitas, Lemon Grove, Los Angeles, National City, Petaluma, San Francisco, Santa Rosa, Stockton, Ventura, West Hollywood

Gun Safety: Arizonans for Gun Safety, Arizona People Acting for a Safer Society, Brady Campaign to Prevent Gun Violence, Ceasefire Oregon, Coalition to Stop Gun Violence, Hoosiers Concerned About Gun Violence, Illinois Council Against Handgun Violence, Law Center to Prevent Gun Violence, Mayors Against Illegal Guns, Moms Demand Action for Gun Sense in America, Ohio Coalition Against Gun Violence, Protect Minnesota, StopOurShootings.org, Violence Policy Center, Washington Ceasefire, Wisconsin Anti-Violence Effort, Women Against Gun Violence

Education/Child Welfare: 20 Children, American Federation of Teachers, California PTA, California Teachers Association, Child Welfare League of America, Children's Defense Fund, Every Child Matters, Los Angeles Community College District, MomsRising, National Association of Social Workers, National PTA, National Education Association, NewSchools Venture Fund, San Diego Unified School District, Save the Children, United States Student Association

Religious: African Methodist Episcopal Church, Alliance of Baptists, American Baptist Churches of the South, American Baptist Home Mission Societies, American Friends Service Committee, Baptist Peace Fellowship of North America, Camp Brotherhood, Catholic Charities USA, Catholic Health Association, Catholic Health Initiatives, Catholics in Alliance for the Common Good, Catholics United, Church of the Brethren, Church Women United, Inc., Conference of Major Superiors of Men, Disciples Home Missions, Christian Church (Disciples of Christ), Dominican Sisters of Peace, Faiths United To Prevent Gun Violence, Franciscan Action Network, Friends Committee on National Legislation, Health Ministries Association, Heeding God's Call, Hindu American Foundation, Interfaith Alliance of Idaho, Islamic Society of North America, Jewish Council for Public Affairs, Jewish Reconstructionist Movement, Leadership Conference of Women Religious, Mennonite Central Committee, (Washington Office), National Advocacy Center of the Sisters of the Good Shepherd, National Council of Churches, National Episcopal Health Ministries, NETWORK (A National Catholic Social Justice Lobby), Pathways Faith Community, Pax Christi USA, PICO Network Lifelines to Healing, Presbyterian Church (U.S.A.) Office of Public Witness, Progressive National Baptist Convention, Rabbinical Assembly, Religious Action Center of Reform Judaism, San Francisco Interfaith Council, Sikh Council on Religion and Education, USA, Sisters of

Mercy of the Americas, Sojourners, Unitarian Universalist Association of Congregations, United Church of Christ, United Methodist Church, United Methodist Women, United States Conference of Catholic Bishops Committee on Domestic Justice and Human Development, United Synagogue of Conservative Judaism, Washington National Cathedral, Women of Reform Judaism

Health care: American Academy of Nursing, American Academy of Pediatrics, American College of Surgeons, American Congress of Obstetricians and Gynecologists, American Medical Association, American Public Health Association, Association for Ambulatory Behavioral Healthcare, California Medical Association, Doctors for America, National Association of School Nurses, National Physicians Alliance, Physicians for Social Responsibility, San Francisco Mental Health Association, Society for the Advancement of Violence and Injury Research, Society of General Internal Medicine

Other: Alliance for Business Leadership, American Bar Association, Black American Political Association of California, Center For American Progress Action Fund, Grandmothers for Peace International, L.A. Gay & Lesbian Center, League of Women Voters of the United States, National Parks Conservation Association, NAACP, Precision Remotes, Sierra Club, TASH, VoteVets.org, Washington Office on Latin America

Former Elected Officials: Former California Governor Deukmejian, Former Secretary of the Department of Homeland Security Tom Ridge, Former U.S. Senator Richard Lugar, Former U.S. Senator John Warner

CONSTITUENT LETTERS IN SUPPORT OF THE ASSAULT WEAPONS BAN OF 2013

PAUL D.—NEWTOWN, CT

... There is no practical distinction between the rate of fire produced by this weapon and that produced by a fully automatic machine gun. While one weapon is clearly illegal, the other is legal because the outdated words used to describe it suggest a distinction that no longer exists. This dangerous inconsistency has essentially undermined existing law, putting the practical equivalent of banned weapons back on our streets.

The result has been devastating for our community and too many like it across the country. Legally, logically, and morally, your obligation is clear: we need you to take action now. Please support S. 150. . . .

GINA M.—NEWTOWN, CT

... Six children at Sandy Hook School were able to squeeze past the gunman in a doorway because he had to stop to reload. How many more would have been spared had his magazines been smaller? Think of those children, who had to watch their teacher and classmates brutally murdered in front of their eyes, now think of your own children. Think of your grandchildren. Think about the parents and spouses who have to live with the horror of knowing their children spent their last few minutes in terror and in pain as the bullets shredded their flesh. Think about the survivors of that massacre, also victims, who will have to deal with their own mental health issues for decades to come. . . .

RICHARD A.—NEWTOWN, CT

... Our pediatric practice lost several patients. I held two of these babies in my arms in the delivery room when they were born. And I was at the firehouse that night with the older brother of one of our children.

This event has altered so many lives. One mother told me, having lost her daughter, that her sons saved her life.

These guns, these bullets blew open these children's heads, their bodies, their limbs. In what kind of society do we live, whereby these weapons are needed to defend and protect?

Do we need to splatter bodies and blood in order to defend? Do we need to shatter bones and decapitate our tyrannical governments? How can anyone justify these self proclaimed weapons of mass destruction . . . ?

MICHELLE D.—NEWTOWN, CT

... No one should have to live in fear. No one should have to live looking over their shoulder while shopping in a mall, grocery store, taking in a movie, attending school or simply going about their lives. No one should have to put their kids on their school bus and fear that they may not come home. NO ONE. . . .

CHRISTINA D.—NEWTOWN, CT

... We have no more time to waste. We must change for those lost at Sandy Hook, for the town of Newtown, for our country, for our children. We must protect our nation's people. . . .

PO M.—NEWTOWN, CONNECTICUT

I am a mother of four children (who graduated from Sandy Hook Elementary School) and the shooter lived in my neighborhood. We lost our neighbors, educators, and principal on that dreadful morning on December 14, 2012. Our neighborhood is one of the safest places in this country. Sandy Hook Elementary School was one of the most nurturing environment for my four children therefore we were in a state of shock when we heard the horrific news on December 14th.

I believe stronger gun regulations would have saved lives on that tragic day. I also believe if millions of people in this nation demanded change after Columbine, Virginia Tech, Tucson and Aurora then maybe just maybe this type of massacre in our neighborhood elementary school could have been avoided. It is unacceptable for us to not take action. Too many Americans are dying every year. You acted swiftly and boldly to institute measures to improve public safety after September 11th and you must do the same after December 14th. We have the right to feel safe in our schools, malls, movie theaters, places of worship, work place, salons and on our city streets.

I made a promise on December 14th that I will no longer stay silent and do more to save lives by writing, e-mailing and calling the lawmakers. I traveled down to Washington DC with 40 Newtown teachers, clergy, parents, students, other members of Newtown Action Alliance and families of victims on February 26th and 27th to meet with congressional leaders and to attend Senator Feinstein's Assault Weapons Ban hearing. We shared our stories of tragic loss, our pain and we asked many of you to honor the 26 lives by helping us to turn our tragedy into meaningful action and change. Please have the political courage to save American lives by banning military-style assault weapons, prohibiting gun trafficking, requiring universal background check on all gun purchases and limiting high capacity magazines. You have the ability to save lives and I am asking for your leadership.

AIMEE P.—NEWTOWN, CT

... Over the past two months, I have brought meals to neighbors who have lost children, and wept with friends who have had to tell their six-year-olds that five of their young friends had died. I have seen surviving Sandy Hook students cling desperately to their parents, to their dolls, to their dogs. I

have watched parents of surviving Sandy Hook students withdraw from their support systems. I have seen my own son, who just turned three, develop a sudden fear of monsters. The effects of this shooting, even in a community as supportive and loving as Newtown, will be with all of us forever.

In the time it took Adam Lanza to reload, children were able to escape. While it is unrealistic to think that we can stop every incidence of gun violence in this country, we have a moral obligation to do what we can to reduce the unacceptably high rate of gun-related deaths every year. A weapon that can put eleven bullets in a six-year-old in a matter of seconds has no place on our streets or in our communities. . . .

MERLYN L.

. . . I have been a member of the NRA since 1979 and I am willing to state they have gone way too far. They are promoting anarchy and overthrowing the government. Why are we allowing people to shoot each other at the movies and in schools? This is sick, we don't need these weapons. We got rid of the Wild Wild West a long time ago. . . .

DOUGLAS M.

. . . End this madness with people believing they have some right to own any kind of gun they wish and that it can shoot as many bullets as possible without reloading. Guns today have turned into a kind of game in which many people who have never served in the military pretend to be at war. . . .

MARY L.

. . . I am a life-long Republican, but fully support the ban on assault weapons. I also support the universal background checks as proposed by President Obama. . . .

JIM S.

. . . As PAST NRA members, I fully support President Obama's gun control plan. The NRA has no business in our government. . . .

. . . I spent 22 years in the U.S. Army defending our country—two of those years in Viet Nam.

ROBERT A.

Please stand strong with President Obama regarding meaningful gun control legislation—specifically regarding assault rifles. I carried them in the army and in Viet Nam. They are made for two purposes and two purposes only—to kill as many people as you can in the shortest time possible and kill a person with as much damage to the person as possible!!! There is no need for civilians to have these weapons of mass destruction.

PAUL N.

I am a multiple gun owning hunter and target shooting enthusiast. I also support MUCH tougher gun control laws, far beyond just assault weapon bans. We need to have strict registration and control of all weaponry as well and closing the ease of purchase loopholes. . . .

GORDON S.—COTTONWOOD, CA

As a gun owner, I have given up membership in the NRA, whose solutions to gun violence seem outrageously stupid. . . . I'm not a big Obama fan, but his stance, in light of mass gun violence on our "babies" seems reasonable. The NRA's statement of position, it seems to me, leads us into a spiral of hate and destruction that may be violently braced from the "other" side; our lives do not have to become ones of revenge and fear. . . .

BARBARA C.—ARROYO GRANDE, CA

My mother was killed by a gun blast when I was 13 years old. I am now 76 and the pain

and memory remains. . . . I accept individuals that hunt and feel a need to protect themselves in isolated areas, however our gun culture has caused many like me to suffer beyond words and the loss of young and too many lives. . . .

UMA L.—VIRGINIA TECH

. . . Had there been a ban on high capacity magazines, I am confident the death toll, the injured toll would not be as high as it was. Had my father's murderer used an assault weapon that day, I know for certain that many who are alive now—many who have become my friends—would not be with me today. . . .

. . . The day my father went to teach—went to die, really—he was sick. He was running a fever, and even though it was April, he felt cold. My mother didn't want him to go in, but he went anyway. That was the type of man he was—he believed in his duty, and he always did it. He was right where he was supposed to be—the right place at the right time. And yet, he never came home. He never came home because he was dead, and that was how I saw him next. Though I tried to warm his hands, they were like ice. And when I said goodbye, his lips were cold and there was no laughter. For the first time ever, my father is somewhere I cannot follow. . . .

. . . Somehow, the impact of gun violence and what it means to lose someone is something that we don't talk about in this country. It's as if the subject is taboo, a dirty secret to be shoved under the carpet. . . .

. . . Here's what we *do* talk about: our right to the second amendment. We talk about the right to bear arms and the right to protect ourselves. We talk about the right to carry our weapons in the street, our right to have them on our person at all times. We talk about the right to arm our children, our parents, our country. We talk about our right to bear the arms we like and our right to shoot the bullets we like.

Since my father's passing, I've heard many things. Some of these comments include: "I know you're grieving, but it [the loss of a parent] is part of the natural order."

Or:

"If your father'd had an assault weapon that day, he'd still be alive."

Or:

"It was a tragedy. A battlefield was created that day. If only someone'd had a gun."

. . . I find each of these statements to be appalling. . . .

. . . Death by gun is something that should never become normal. The idea of a battlefield becoming part of the common course of everyday life horrifies me. . . .

. . . Your everyday life should not be a battlefield. It should be a place where you are safe, where you can go about your business without fear. No one should have to worry about facing down the barrel of a gun. Not when they are at home, far away from a theatre of war.

Assault weapons and high capacity magazines are both things that belong to theatres of war. . . . In Seung-Hui Cho's case, he fired more than 158 bullets in less than ten minutes at Virginia Tech. His gun never jammed, and there was no window of opportunity for someone to tackle him. Had he had lower capacity magazines, a window of opportunity might have opened, and the casualties would have been less. . . .

. . . While some claimed that high capacity magazines would be necessary in the hypothetical situation of five or six attackers, the fact remains that it is a hypothetical. The issues we are discussing now are not hy-

pothetical—they are painfully real. The murder of my father is not a hypothetical. It is real, and it happened because a sick boy got his hands on a gun and high capacity magazines and used it to murder. If he had not had access to guns, much less high capacity magazines, I would not be writing this letter today. . . .

PATRICIA M.—TUCSON, AZ

. . . The shooter was stopped, not by another man with a gun, but by two ordinary citizens there that day to talk with our Representative, Gabrielle Giffords. If the shooter was forced to reload because the magazine only held ten or 15 bullets Roger and Bill might have been able to tackle him sooner—and fewer human beings might have been murdered or wounded, fewer families wrenching with the pain and sorrow of a loved one being murdered on a sidewalk.

That high capacity magazine coupled with a semi-automatic weapon gave horrific killing capability to the shooter. . . .

MELISSA L.

. . . In my 30 years as an RN working in Trauma centers, I have witnessed the destruction of guns—the useless senseless destruction of life. I am appalled that the NRA and other gun advocates do not believe in gun control and background checks. I support your efforts and the efforts of President Obama. . . .

CLIFF P.—HEMET, CA

. . . I understand that there are many fine people that are NRA members, but, at some point, they are going to see that their beliefs are being ignored by the money that is poured into the NRA by the gun makers.

As to my personal stance on this issue, I actually did a little hunting when young. I have friends that like to keep a gun in their home. I'm just a guy that cannot find any reason for assault weapons being in the hands of anyone outside of law enforcement.

GARY W.—LAKE FOREST, CA

. . . As a former marine and gun enthusiast, I support your bill completely. USMC boot camp was 12 weeks long, of which the combat school and rifle range portion was 5 weeks long. . . .

. . . I bet no more than 5% of the purchasers of assault weapons of all kinds know anything about the PROPER care and maintenance and use of the new toys they bought.

DORIS J.—SANTA ANA, CA

. . . I am a second generation native Californian and licensed gun owner who wholeheartedly supports your efforts to ban private ownership of assault weapons and multi-round clips. . . .

JEFF M.—WATSONVILLE, CA

I am writing to you as a gun owner. I FULLY SUPPORT your initiative to ban assault weapons and high capacity magazines. Thank you for standing up to those who say it will never happen. I say it can.

SARAH W.—SAN PEDRO, CA

. . . My six-year-old niece, Allison Wyatt, was a victim of the Sandy Hook Elementary School shooting. The pain felt by my family and the entire community is indescribable.

I am writing to offer my assistance and the assistance of my family members in securing support for gun control legislation. We are willing to help in any way we can. . . .

SHWETA N.—LOS ANGELES, CA

. . . renew the assault rifle ban in the United States. As a pediatrician, I have seen too many suicides, accidental deaths or injuries, and homicides resulting from laxities in gun safety and control.

I must advocate for my patients, who cannot speak with their own vote. Please stand for gun control. . . .

GARY V.—CLOVERDALE, CA

I am a gun owner, former Fresno California police officer, San Mateo County probation officer, correctional counselor and court administrator. I spent 17 years of my Career dedicated to law enforcement and corrections mostly in California.

I support a complete ban on the possession of any . . . assault rifle or military weapon designed to fire more than 7 rounds of ammunition without reloading. . . .

. . . When your everyday citizen has access to such firearms it presents an enormous threat to police, fire and everyone else in the community. None of my fellow police officers, probation officers, etc. ever supported the possession of assault rifles or military weapons in the hands of the general public. We all knew it was a bad idea we had to deal with the danger it created daily.

It is time for the madness to stop and for meaningful legislation to be passed . . . The 2nd Amendment has been grossly interpreted by a group that plays on fear and generates enormous wealth for weapons manufacturers. . . .

STEPHEN R.—SACRAMENTO, CA

. . . I am 18 years old with plans for my life and I do not want to have to live in fear of dying young. I am absolutely sick of innocent people dying because of guns, and I am absolutely appalled that people are vehemently against banning firearms and other assault weapons. I fully support your move to ban assault weapons. I am young and I want to live my life in peace. I demand the right to live in a country free of the fear of gun violence.

THOMAS P.—SACRAMENTO, CA

. . . I grew up in Shasta County and was raised on a family cattle ranch. Guns were part of our everyday life and I have used them to hunt . . . I understand the concerns of rural gun owners and I do believe that their rights should be protected. But protecting those rights must not come at the cost of all of our safety. For too long, people have been able to buy dangerous (nearly-automatic) weapons in secret and amass dangerous arsenals of weapons that have no legitimate purpose. . . .

. . . The same people who claim that they will go bankrupt if taxes are raised one nickel, don't bat an eye at spending thousands of dollars on a new gun. . . .

. . . People in some parts of the state are now talking openly about how their second amendment rights are there to enable them to defend against government tyranny. This seditious talk is very frightening. I can't imagine what these people think would result from armed conflict with their own government . . . These people seem to think they are going to be heroes in some post-apocalyptic fantasy; they have lost their foothold on reality and they are very dangerous.

. . . Please let these delusional whackos know that they are not living in the state of Jefferson, they are living in America, and we are a country of laws. . . .

SUSAN E.—SAN DIEGO, CA

. . . I am a retired educator, who has experienced school violence first hand. I was the only administrator on campus when Andrew Williams killed two students and wounded 13 others at Santana High School . . . This senseless violence has to come to an end. The rights to life and safety have been forgotten in the rhetoric over 2nd amendment rights.

MINDY F.—SAN FRANCISCO, CA

. . . I was doing my job, I was protecting my kids and I was being a positive citizen in my community. I was exercising my right to the freedom of my religion and Buford O'Neal Furrow (a convicted felon out on parole who was deemed mentally unstable by authorities) tried to take all that away from me. And because of the easy accessibility of assault weapons and large capacity ammunition clips guns in this country he was able to do that without a second thought.

To me the idea of living in a free country is the ability to live my life to the fullest. To be allowed to celebrate my faith alongside others of many faiths and not be persecuted for it . . . To be allowed to walk through life without the fear of being gunned down on the job. . . .

. . . I hope that this letter reminds those voting on these bills that there are real people and faces that are dealing with these tragedies. We are not just stories and not just victims. We are survivors what want to make sure what we lived through can never happen to anyone else. . . .

To conclude, not every issue we vote on in the Senate is a life-or-death matter. I deeply believe this is. Since the original Federal Assault Weapons Ban expired in 2004, there have been more than 460 incidents involving assault weapons, and here they are listed, 460 of them.

The most important duty a government has is to protect its citizens' safety. When 20 beautiful first graders are slaughtered, our government has failed that duty. When 12 are killed and 58 are wounded in a movie theater—a safe place—our government has failed its duty. When people are gunned down in malls, parking lots, and their offices, our government has failed that duty.

I do not believe our values are stronger because we allowed individuals to own weapons designed for the sole purpose of killing as many people as possible. And we must not resign ourselves to these tragedies. They cannot become just another fact of American life. We have a duty, I deeply believe, to take steps to stop these mass murders that have one common element—the use of assault weapons and high-capacity magazines.

Through hearings and markups, we have heard no compelling reason not to pass this legislation. Not a single court decision has been cited that suggests a ban is unconstitutional. No one can credibly dispute law enforcement testimony that assault weapons are more lethal than other weapons. A majority of Americans support taking action.

I urge my colleagues to vote on this amendment based on its merits, not with an eye toward politics or ratings from gun lobbying groups. It is a time to stand tall. As Gabby Giffords said: You must act. Be bold. Be courageous.

So I ask you to stand with the thousands of police chiefs and law enforcement officers who support this bill. Stand with the doctors and other health professionals who support this bill. Stand with the religious leaders who support this bill. And stand with

the victims of gun violence and their families who support this bill. The time has come to take these weapons of war off our streets, away from criminals, grievance killers, and the mentally deranged. I urge my colleagues to stand tall and support this amendment.

Mr. LEVIN. Madam President, I wish to add my voice to those who have called on this floor for actions that address the epidemic of gun violence in America. I strongly favor passage of legislation to address the loopholes that have allowed too many violent individuals to circumvent the background checks designed to keep them from committing horrific acts. I support the amendment offered by Senator FEINSTEIN to add to that legislation a ban on new military-style assault weapons and high-capacity ammunition magazines.

In May of 1999, I spoke to the Economic Club of Detroit in the aftermath of the Columbine shootings. I was surrounded by educators, clergy, law enforcement officials, and businesspeople who had dedicated their lives to protecting young people from an epidemic of gun violence in our city. I asked, "Are we willing to say enough is enough?"

That was 14 years ago next month. Since then, I have placed hundreds of speeches on this issue in the CONGRESSIONAL RECORD. After all that time and all those speeches, the question remains: "Are we willing to say enough is enough?" After Columbine, after Aurora, after Newtown, after the deaths and injuries of thousands of innocent people, many of them children, can we now say enough is enough?

This is what the National Law Enforcement Partnership to Prevent Gun Violence says on this topic:

Assault weapons were designed for the battlefield and have no place in our communities. These weapons were developed to enable a shooter to rapidly spray-fire multiple rounds at an enemy in combat, not to gun down small children, moviegoers, firefighters—or the law enforcement officers protecting them.

This coalition includes the International Association of Chiefs of Police, the Major Cities Chiefs Association, the International Association of Campus Law Enforcement Administrators, the National Association of Women Law Enforcement Executives, the National Organization of Black Law Enforcement Executives, the Police Executive Research Forum, and the Police Foundation. These groups—each of them dedicated to the safety of our people—tell us that the threat these weapons present to public safety, indeed, to the safety of those who keep us safe—is too great for us to allow it to continue.

Even in the aftermath of the Newtown shootings and other horrific tragedies, some have argued that the problem with our society is not too much weaponry but too little. What these

folks want, essentially, is to send Americans into combat. This is particularly true of these assault weapons and high-capacity magazines, which are specifically designed for military combat.

Now, our local and State police forces spend billions of dollars every year providing countless hours of training to law enforcement officers on how to react in a situation where they might have to fire their weapon. The U.S. Marine Corps sends its recruits through a 59-day course before they are considered ready for combat, and those marines train relentlessly to keep their combat skills sharp. Yet, as any experienced police officer or marine or soldier will tell you, for all their training and skill, combat is chaotic. Telling friend from foe is never easy. And now some voices call for bringing that same level of combat to our streets and schools.

We can no longer be frozen into passivity. We must instead respond to the majority of Americans who support a Federal assault weapons ban and a ban on high-capacity magazines. Their voices and the voices of anguished families and of deeply concerned law enforcement officials should carry the day. We should heed those voices, support the Feinstein amendment and the underlying bill, and finally take action against this plague of violence.

Madam President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I ask that all time be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 719

Mr. CORNYN. Madam President, the second amendment of the U.S. Constitution is not merely about hunting, recreational shooting, or marksmanship, nor is it discretionary. This is one of the provisions of the Bill of Rights that the Founding Framers of our Constitution were so passionate about that they made sure it was included in our Constitution as part of the first 10 amendments to the Constitution. It is

not a take-it-or-leave-it proposition. But its real significance is much greater. Indeed, the second amendment has long been viewed as a bulwark of individual liberty. It guarantees the most basic civil right in a free society, the right that allows responsible, patriotic, law-abiding citizens to defend themselves, to defend their families, and to defend their homes—all of this without having to rely on the government.

It is no mystery to any of us that the Federal Government—or State or local governments, including law enforcement—is not omnipresent. There are many parts of our country where law enforcement is a long way away or simply unavailable. So the second amendment preserves the right of responsible, law-abiding citizens to be able to protect themselves, their families, and their homes without having to rely upon an omnipresent law enforcement presence.

The Founding Fathers understood that the right of self-defense can become meaningless without the right to keep and bear arms. Some are pushing to curtail second amendment rights in the hope of preventing another mass shooting. I share the sorrow of the families who are grieving over their loved ones who were lost. I have had the privilege and honor of meeting some of the families. I wish it were as easy as some would suggest to solve the problem with the wave of a magic wand or to pass some bill. Here is the inconvenient fact that advocates of strict gun control ignore—one of the facts. Every mass shooting committed in the United States over the last 63 years, including the Newtown shooting, occurred in a gun-free zone. In other words, in each of these horrific instances the attacks took place in an area where law-abiding citizens had effectively been disarmed.

I listened to the remarks of the distinguished Senator from California who I know passionately believes there has to be some solution legislatively we could pass that would prevent the repetition of some of these terrible tragedies. But she conceded herself that no background bill would have prevented Adam Lanza from acquiring these weapons which he effectively stole from his mother and then murdered her with those same weapons before committing further atrocities at Sandy Hook Elementary School.

We do know that if the current law was enforced that the Virginia Tech shooter would have been prevented from acquiring guns legally because we know he had already been adjudicated mentally ill by the State of Virginia. But those records were never transmitted to the FBI to be included in a background check. We know the shooter in Tucson failed a drug test, a disqualifying fact for somebody to be able to legally purchase firearms, given a background check. But that informa-

tion was never transmitted to the FBI, so the Tucson shooter was not prevented from buying weapons, even though he should have been disqualified if the background check system had been working the way it should.

I believe the most appropriate response to the recent mass shootings is to make sure that our current laws involving mental illness, drug use, mental health adjudications are enforced more aggressively and more efficiently. But at the same time, while we are trying to find a solution to these problems and not just engage in meaningless symbolism, we should not be making it harder for law-abiding citizens to exercise their constitutional rights under the second amendment.

We can and we should embrace realistic, effective solutions to the mental health problem because no one I know believes that a mentally ill person should be able to purchase a firearm. But we also should not erode the constitutional rights of law-abiding citizens in the process. I think we will have an opportunity to vote on such a bill during the course of these debates.

In order to bolster the freedom of law-abiding citizens to keep and bear arms, I am offering an amendment that would allow Americans with concealed handgun licenses issued by their own States to exercise those rights in other States whose State law authorizes the issuance of a concealed handgun license. This is not a national standard. This is respecting the rights of individual States to determine whether they will in fact issue a concealed handgun license and to allow those persons who have a concealed handgun license issued by their home State to have that firearm legally in another State.

This is an interesting chart. You will notice that only two places in the country—the red, the District of Columbia and the State of Illinois—are the only two places in the country that do not have a regime of concealed handgun license issuance—only two, the District of Columbia and Illinois.

This amendment would not allow for concealed carry in Illinois or the District of Columbia, both of which have banned that entirely. Nor would this amendment affect the right of every State to set its own laws with regard to concealed carry. It would not establish a national standard for concealed carry and it would not allow anyone to disobey the laws of his or her home State. What it would do is effectively treat concealed carry licenses as a driver's license. If you are driving from Virginia to Texas, you do not have to obtain a separate driver's license for each State you drive through, but you do have to obey the speed limits and other laws of the State in which you are driving. This legislation would create a similar system for concealed carry permits. If it becomes the law of the land,

someone with a concealed carry permit in Texas would no longer have to worry about obtaining a separate one when he or she was traveling across the country. However, all Texans would still have to follow the concealed carry laws in the State in which they happen to be located, just as residents of other States still have to follow the traffic laws of the State, even if they have a Texas driver's license. If they are in New York they still have to obey the traffic laws of New York.

This bill is very similar to an amendment that won the support of 58 Senators back in 2009, including 13 Democrats who are still serving in this Chamber. I would add that, for those who argue about the effectiveness of background checks—and I certainly agree that for people in the business of selling guns that background checks are and should be the standard—but a concealed handgun license is like a background check on steroids. It is far more intrusive into the privacy and the background of the person who applies for a handgun license, so this standard ought to be one that those who support a robust background check regime could also support.

It is also a bipartisan idea that would make it easier for law-abiding citizens to exercise their second amendment rights and it would avoid the “gotcha” and a prosecution that might otherwise occur. If concealed handgun licensees happen to be traveling across the country and possess a firearm, without this law they might otherwise be prosecuted for a criminal offense.

Just one final point. For more than two decades now, one of the biggest supporters of concealed carry has been a remarkable Texas woman by the name of Suzanna Hupp. In October 1991, Suzanna and her parents were finishing their lunch at a Luby's cafeteria in Killeen, TX, when a mentally ill man drove his truck into the restaurant, pulled out his gun, and began opening fire on customers.

When Suzanna realized what was happening, she reached into her purse to retrieve her handgun, but then she remembered her gun was not in her purse, it was in her car because Texas law at the time did not authorize a concealed handgun permit. As Suzanna told the Senate Judiciary Committee in chilling testimony a few months ago, “I wanted to be a law-abiding citizen.”

Her father courageously tried to tackle the gunman but was shot in the chest. Her mother was also eventually killed too. Thankfully, Suzanna escaped and she quickly became a powerful champion of concealed carry, which Texas legalized in 1995. Suzanna later on ran for the Texas legislature, where she served for 10 years. I thank her for all she has done to bring this issue home in ways that all of us can understand, and to protect the second

amendment rights of responsible, patriotic, law-abiding citizens. Suzanna understands very well that we must never ever criminalize law-abiding citizens exercising their second amendment rights by passing misguided legislation which encroaches on those rights and does not solve the real problem, which we can do and I hope we will take up in enforcing existing laws and dealing with the mental health component that is a common element in so much of this legislation.

Mr. CORNYN. Madam President, I ask unanimous consent to call up my amendment numbered 719.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself and Mr. VITTER, proposes an amendment numbered 719.

Mr. CORNYN. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To allow reciprocity for the carrying of certain concealed firearms)

At the appropriate place, insert the following:

SEC. —. CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT OF 2013.

(a) **SHORT TITLE.**—This section may be cited as the “Constitutional Concealed Carry Reciprocity Act of 2013”.

(b) **RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.**—

(1) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

“§926D. Reciprocity for the carrying of certain concealed firearms

“(a) **IN GENERAL.**—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

“(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

“(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign com-

merce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

“(b) **CONDITIONS AND LIMITATIONS.**—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

“(c) **UNRESTRICTED LICENSE OR PERMIT.**—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

“(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.”.

(2) **CLERICAL AMENDMENT.**—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

“926D. Reciprocity for the carrying of certain concealed firearms.”.

(3) **SEVERABILITY.**—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(4) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

Mr. CORNYN. Madam President, I know this afternoon at 4 p.m. we will vote on a series of amendments. For all of us who were worried and concerned about these episodes of senseless gun violence, I think we can actually find a solution not by encroaching on the rights of law-abiding citizens who are exercising their constitutional rights but by focusing on the areas where we can make a difference.

We need to enforce current laws on the books better, more efficiently, and more uniformly. We also need to deal with the mental health component which is common to so many of these mass shooting atrocities.

Mr. LEAHY. Madam President, my home State of Vermont does not require its citizens to obtain a permit to carry a firearm in a concealed manner, and the people of Vermont have exercised these privileges carefully and respectfully. Citizens respect the wishes

of private property owners and restrictions in government buildings, and this is a regulatory framework that has worked in Vermont, and it is a set of rules that have been considered and adopted by the people and elected officials of Vermont, without interference from those who do not know Vermont or its citizens.

These are judgments made by State elected officials with the advice of State law enforcement leaders. These are not judgments made for the States by Federal legislators who think they know better and want to second guess the best judgments of State and local officials.

In matters of State police power, the Congress has traditionally not meddled in State affairs. That is how it has always been and that is how it should remain. That is what the 10th amendment provides. What might work in Vermont might not work in Chicago. And it is not up to me as a Senator from Vermont to tell the elected and law enforcement officials in Illinois what their public safety laws should be.

The amendment we now consider would nullify the laws of all 50 States that govern who from out of State may or may not carry a concealed weapon in that State. In fact, this amendment would permit a citizen of a rural Western State to bring his guns to the District of Columbia or Boston or other urban cities and override their public safety determinations. This is not a well-considered approach, and it is an immense imposition on law enforcement officials in a host State who will be commandeered by the Federal Government to police the concealed carry laws of 49 other States. I voted against an early version of the Brady bill because it imposed unconstitutional burdens on State and local law enforcement. The Supreme Court agreed with my view and ruled that unconstitutional.

In addition, this amendment would force a jurisdiction that is located within a State that may issue concealed carry permits but which does not allow citizens to carry concealed firearms in that political jurisdiction to favor out-of-state residents by requiring that they be allowed to carry a gun even though the in-state resident is prohibited from doing so. This amendment should offend everyone's sense of State sovereignty and self-government.

This amendment is not about correcting some existing restriction of the second amendment right. That right is secure. Nor can it be about acting where the States have refused to act. The States are doing an exceptional job of entering reciprocity agreements with each other, based upon discussions and agreements between State officials and without meddling by the Federal Government. Thirty-seven States have reciprocity agreements

with at least one other State; some have agreements with many other States. This amendment would unnecessarily trample on the 10th amendment to the Constitution. It places an ideology over the rights reserved to the sovereign States.

I would hope that those who claim to believe in the principles of federalism would recognize the dangers associated with legislating a one-size-fits-all approach in matters of public safety and local concern. And what of the practical concerns, which Philadelphia Police Chief Charles Ramsey laid out in testimony in the House Judiciary Committee in September of 2011?

The Federal preemption of State laws represents a serious encroachment on State sovereignty. It is a subject we have examined thoroughly in the Judiciary Committee during the years of the previous administration and in relation to efforts then to strip the citizens of Vermont and other States of their rights to seek justice in the courts.

In a case called *Wyeth v. Levine*, the Supreme Court rejected efforts by a pharmaceutical company to shield itself from accountability under State law with Federal bureaucratic regulations when it grievously harmed a Vermonter. The Federal preemption of State laws is a very serious matter and one that the Congress should not consider lightly.

Yet, despite the fact that the Judiciary Committee held three hearings and four executive business meetings to debate and consider legislative proposals, not once did the measure we now debate come up for discussion. Now, without having any regular order, the proponents demand that this amendment be made law.

This amendment, which would federalize the concealed carry laws of every State, is a slippery slope. If we vote to enact such precedent, then a future Congress with different views for a different era would have firm ground to preempt the laws of all 50 States to restrict or condition the ability of citizens to carry a concealed firearm.

We, as Senators, ought to be very careful about the path we are asked to take with this amendment.

This is not a measured approach. It is blanket preemption. It is not like the measured approach I took with the Law Enforcement Officers Safety Act, which permits highly qualified active and retired law enforcement officials to carry firearms across State lines. In that law, we have rigorous requirements. We have law enforcement officials who have training, who are sworn to uphold the law, and who have dedicated their careers to protecting the public. That is a measured approach, and it is far different from the amendment we debate now.

Many in this Chamber talk reverently about the importance of State

sovereignty and the 10th amendment. Many in this Chamber decry the presence of "big government" in the lives of Americans. Well, nothing reeks of big government like trampling the judgment of 50 State legislatures that are in a far better position than we are to set local public safety policy.

This amendment comes at the behest of special interests. As I have said repeatedly, we should not be taking orders from special interests. We are the Senators elected to represent the best interests of 314 million Americans.

I urge Senators to have the courage to oppose this amendment. It is unwise and unnecessary. For those who appreciate the ability of citizens to carry concealed firearms, opposing this amendment will help preserve those abilities.

Let's respect the virtues of federalism and let the States act in their own best judgment about who may or may not carry a concealed firearm in their State. Let's be cautious in our approach in matters of State police power and respect the values enshrined in the 10th amendment to the Constitution.

Mrs. FEINSTEIN. Madam President, I wish to oppose amendment No. 719.

Amendment No. 719 would create a public safety crisis by forcing nearly every State to recognize the concealed carry permits issued by other States, even if the permit holder could not qualify for a permit in the State to which he is traveling.

Imagine this: A man convicted of a domestic violence crime against his former girlfriend obtains a concealed carry permit from his State. Under amendment 719, he could travel across State lines and confront his ex-girlfriend, even if she lives in California, where his conviction would have prevented him from obtaining a concealed carry permit.

In other words, States with the weakest conceal carry permitting standards will set the national standard regardless of existing State laws.

States vary widely on how to regulate concealed weapons. For example, California prohibits possession by individuals convicted of violent misdemeanors; requires completion of a firearm safety training course; gives law enforcement broad discretion to approve or deny a concealed carry permit application; and requires applicants to show that they have "good moral character" and "good cause" to carry a concealed weapon.

On the other hand, Mayors Against Illegal Guns found that at least 28 States grant concealed carry permits to individuals convicted of stalking; at least 7 States grant those permits to people convicted of misdemeanor assault and battery; at least 12 States grant permits to individuals with no firearms safety training; and at least 9 States grant concealed carry permits to teenagers.

Ignoring these differences, amendment No. 719 would allow nonresidents who cannot meet a State's permit standards to carry a concealed weapon into the State.

This amendment would also endanger law enforcement officers. According to the California Police Chiefs Association, there is currently no national data system that records legitimate concealed carry permits, so it is impossible for an officer on the street to determine whether a permit is valid during traffic stops or other high-risk situations.

The vast majority of States have either rejected reciprocity or limited it to States with equivalent or higher standards. In fact, several States—such as New Mexico, Nevada, Arkansas, and Wyoming—have rescinded reciprocity with other States that no longer meet the State's minimum standards.

Major national law enforcement organizations—including the International Association of Chiefs of Police and the Major Cities Chiefs Association—as well as the National Network to End Domestic Violence, the American Bar Association, and Faiths United, are also joining with Mayors Against Illegal Guns to oppose amendment No. 719.

Congress should not support a law that undermines State law protections, puts our police officers in greater danger, and allows unfit and dangerous individuals to carry concealed weapons in another State.

I urge my colleagues to join with me in rejecting amendment No. 719.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 715

Ms. COLLINS. Madam President, I rise to discuss the background check amendment proposed by our colleagues Senator MANCHIN and Senator TOOMEY.

I grew up in northern Maine where responsible gun ownership is part of the heritage of virtually every family. In fact, I cannot think of a family in my hometown of Caribou that did not have firearms in their homes when I was growing up, and that includes my own family. I strongly support our second amendment rights, and two recent Supreme Court decisions in *District of Columbia v. Heller* and *McDonald v. Chicago* make clear that those constitutional rights pertain to the individual.

As we have studied this important issue during the past several months, I have met with countless people who hold a wide range of views. They in-

clude the Sportsman's Alliance of Maine, known as SAM, Maine law enforcement officials, the NRA, victims of gun violence, licensed gun dealers, firearms manufacturers, mental health professionals, and school superintendents, among many others. These discussions have been so helpful to me as I seek to better understand the issues which confront us as we shape this bill.

We have discussed issues, including the inadequacy of mental health services, gaps in the reporting of data to the National Instant Background Check System, school safety, excessive violence in video games and movies, the lack of effective laws for gun trafficking, and straw purchases aimed at getting guns in the hands of criminals. Those are just some of the many issues I have had the benefit of discussing with my constituents.

As a result of these extensive discussions, I have decided to support the bipartisan compromise authored by Senators JOE MANCHIN and PAT TOOMEY. Their bipartisan effort would strengthen the background check system without in any way infringing on our second amendment rights. I would note their proposal represents a vast improvement over the provisions currently in the bill.

There were particular provisions of the legislation which was drafted by Senator SCHUMER that I oppose, such as the background check provisions which are in the bill. For example, if a father gives a gun as a gift to his son or daughter or a brother sells his hunting rifle to his brother, the provisions of the legislation would require that those individuals undergo background checks. I found that to be completely unnecessary and onerous.

In addition, the bill that is on the floor now has burdensome paperwork requirements that are unnecessary and that many believe are unworkable as well.

By contrast, the Manchin-Toomey compromise takes a much more commonsense approach by requiring background checks only for commercial transactions. Their approach clearly exempts family gifts and transfers and truly private sales. Their amendment protects private sellers from lawsuits if the weapon is cleared through the expanded background check and is subsequently used in a crime. That is the same kind of protection that licensed gun dealers receive now.

The compromise also authorizes the use of a State concealed carry permit instead of a background check when purchasing a firearm from a dealer, recognizing the rigorous background checks and approval process these concealed carry permits require. Their amendment also improves interstate travel laws for sportsmen and sportswomen who transport their firearms across State lines in a responsible way.

The term "transport" includes staying in temporary lodging overnight,

stopping for food, buying fuel, vehicle maintenance, and medical treatment, which will improve the quality and completeness of the data in the NICS. Their amendment would also mandate improvements that would require States and the Federal Government to send relevant records on criminals and people who are dangerously mentally ill through State plans that are developed in conjunction with the Department of Justice, which is another important improvement made by the Manchin-Toomey amendment since we know there are gaps in the reporting that make the background instant check system less effective than it should be.

The bill also fixes an unjust situation, where veterans have been inappropriately reported to the database without due process. The amendment requires a veteran to receive extra due process prior to losing his or her right to buy a gun, and that is only fair. Specifically, it requires that the VA either establish or designate a board for the purpose of hearing appeals by veterans who are considered adjudicated as mentally ill and the veteran can appeal directly to this board or an outside court of jurisdiction.

It was critical to my support of the Manchin-Toomey amendment that it explicitly bans the Federal Government from creating a national firearms registry. I am completely and unalterably opposed to creating a national registry of gun owners that would be maintained in Washington by the Federal Government. The bill imposes serious criminal penalties on any individual who misuses or illegally retains firearms records.

I am also pleased that the Manchin-Toomey proposal would create a national commission on mass violence. This is a proposal I have long advocated and is very much needed. It would convene experts to study all aspects of these horrible attacks and mass murders that have plagued our country, caused so much anguish to the families left behind, and have caused unbearable anguish for the survivors as well.

Obviously, this debate is just beginning on the Senate floor, and the Manchin-Toomey amendment is just one of many that will be considered. I will support some amendments, others I will strongly oppose. It is impossible to predict, at this early point before we have cast a single vote on the many amendments that have been filed to this bill, what the bill will look like in the final analysis and whether I shall be able to support it. I do believe the Manchin-Toomey background check amendment is a reasonable, commonsense, thoughtful proposal that I can and will support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 717

Mr. BARRASSO. Madam President, I ask unanimous consent to call up my amendment No. 717.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] proposes an amendment numbered 717.

Mr. BARRASSO. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To withhold 5 percent of Community Oriented Policing Services program Federal funding from States and local governments that release sensitive and confidential information on law-abiding gun owners and victims of domestic violence)

At the appropriate place, insert the following:

SEC. _____. PROTECTING THE PRIVACY AND SAFETY OF LAW-ABIDING GUN OWNERS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by adding at the end the following:

“(1) PROTECTING THE PRIVACY OF LAW-ABIDING GUN OWNERS.—

“(1) DEFINITION.—In this subsection, the term ‘private gun ownership data’ means information held by a State or unit of local government that concerns—

“(A) a license or permit of an individual to purchase, possess, or carry a firearm;

“(B) a license or permit of an individual relating to ammunition; or

“(C) the location of an individual gun owner.

“(2) WITHHOLDING FUNDS FOR NONCOMPLIANCE.—

“(A) IN GENERAL.—Subject to subparagraph (B), and notwithstanding any other provision of this part, if a State or unit of local government receiving a grant under this part publicly releases private gun ownership data during any fiscal year, the Attorney General shall withhold 5 percent of the amount that would otherwise be provided to the State or unit of local government under this part for that fiscal year.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to any release of private gun ownership data that is necessary in the course of—

“(i) a bonafide criminal investigation; or

“(ii) a trial, hearing, or other proceeding of any court, board, commission, or agency.

“(3) REDISTRIBUTION OF WITHHELD FUNDS.—On the first day of the first fiscal year after a fiscal year in which amounts were withheld from a State or unit of local government under paragraph (2), such amounts shall be made available to States and units of local government that do not publicly release private gun ownership data.”.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I rise today to speak about this amendment which to me is very simple and very straightforward. This amendment is designed to protect the privacy and the safety of law-abiding gun owners.

If a State or local government releases private information on gun own-

ers—which we know has happened—then that State or local government will lose part of its funding that comes from the Federal Government. This includes private information on individuals who have licenses to purchase, possess, or carry firearms.

Again and again we have seen the irresponsible release of gun ownership information. Most recently, a newspaper published an interactive map of data received by government officials of gun owners in various parts of New York. One may wonder how the publication got such a list. They obtained this sensitive list from county officials. The map included the names and addresses of individuals who have firearm permits in the counties involved.

These individuals—law-abiding gun owners, retired law enforcement officers, victims of domestic violence—all had this information about their private lives released. The release of this information by county government did nothing to increase public safety and, in fact, I believe the government compromised public safety. By releasing the names and addresses, I believe the government put these permit holders and their families at risk. It also put a mark on the backs of their neighbors who may not have any firearms. Eventually, this newspaper took the map down, but the damage was already done.

In January of this year, a criminal attempted to burglarize a home in White Plains, NY. The homeowner was in his seventies and his gun information was released on the Internet. Thankfully, the robber did not successfully steal the firearms. Less than a week later—also earlier this year, in January—another home in New City, NY, that was disclosed on the Internet was robbed. This time, the robber successfully stole two handguns and two firearm permits—legally obtained firearm permits now stolen.

The timing of the disclosure and the robberies clearly appears to be more than just a coincidence. These criminals had the names, addresses, and a map. That is all they needed. And where did they get it? Because of the release of the information by the government.

This, to me, was an irresponsible disclosure.

It goes beyond that. They have also released information that put a victim of domestic violence at risk. According to a New York State Senator, the county officials also disclosed the name and the location of a victim of domestic violence who had a legal gun permit.

Throughout my medical career I have treated victims of domestic violence. I have seen firsthand the importance of not disclosing the location of victims of domestic violence. Often they move among a network of safe houses. They start a new life in a new city. This in-

dividual was so threatened that she contacted her State Senator, for one. While I don't know the specifics of her case, I do know there was someone in her life who posed a threat that warranted a gun permit. Victims of domestic violence should never have their location disclosed by State or county officials—not under any circumstances I can think of. This, to me, is a perfect example of the unintended consequences of a government releasing sensitive information.

As we can see from these examples, there are many unintended consequences that put the public at risk. The county officials were responsible, in my opinion, and they certainly did not increase public safety. I believe they harmed it.

So now we have two handguns that were stolen in the hands of criminals because of the fact that the list was released and then made public in a broader way. We now have a victim of domestic violence whose identity and location have been disclosed. This release of private gun ownership information not only puts the lives of gun owners and law enforcement and victims of domestic violence at risk but also their unarmed neighbors.

I bring this amendment to the floor. While this information clearly involves gun owners, it is about privacy and our rights as individual citizens. It is about protecting the privacy of law-abiding citizens who are exercising their second amendment rights. So today I ask my colleagues to support this amendment.

AMENDMENT NO. 719

I also wish to say a word about another amendment proposed earlier that we will be voting on later today which has to do with the concealed carry issue. I have a Washington Post front-page story from this past Saturday, April 13, and the article quotes a Member of this body. It is a front-page article that carries over. It says: “Somebody could come from Wyoming”—well, I am a Senator from Wyoming. “Somebody could come from Wyoming to the big cities of New York or New Haven or Bridgeport and carry a concealed weapon.”

As a surgeon, I did some of my surgical training in New Haven and Bridgeport. So I am a Senator from Wyoming, and it mentions places where I did my surgical training, and I do have a concealed carry permit issued by the State of Wyoming.

I bring this to the attention of this body to say that I would, with this concealed carry permit, under the amendment I support, be able to carry concealed in Wyoming as well as if I returned to the place where I got some of my surgical training. What we need to have is this sort of reciprocity.

In Wyoming, we don't just hand out permits such as this. There is an entire regimen an individual must go through

to obtain a concealed carry permit. First, a person has to prove they are proficient in handling a firearm by taking a course and getting signed off by a certified inspector, complete an application, pay a fee, and then of course submit fingerprints to the FBI for an evaluation. So a person has to go through all of those things. I will tell my colleagues, criminals do not apply for concealed carry permits. Criminals issue their own.

If an individual is currently prohibited by Federal law from carrying a firearm, they are going to continue to be prohibited under this amendment. This amendment allows law-abiding individuals to lawfully carry concealed firearms across State lines while following the laws of the host State. Just like a driver's license, this amendment is a license for self-defense across State lines in accordance with State laws.

I encourage my colleagues to vote in support of my amendment as well as the one we just heard about from Senator CORNYN about concealed carry.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I ask unanimous consent to speak for up to 45 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Madam President, first of all, I wish to thank all of my colleagues because I know it has been a difficult time and there are an awful lot of people who have different comments on this legislation. They have different feelings about it. There are an awful lot of facts and nonfacts, truths and untruths that have been out there, and I wish to set a few of those things straight.

I think the Presiding Officer knows I am a proud gun owner. I come from a tradition in West Virginia, the same as the Presiding Officer from North Dakota. I am an A-rated lifetime, card-carrying member of the National Rifle Association. I agree wholeheartedly with the mission of the NRA, which is to defend the second amendment rights of law-abiding, gun-owning American citizens such as the Presiding Officer and myself, to promote firearms and hunting safety. As a matter of fact, as Governor, I promoted the Eddie Eagle Program in West Virginia along with our friends. The NRA's mission includes promoting marksmanship and educating the general public about firearms.

I carry my card with me. I have had this for quite some time. It is a lifetime membership. Ever since I became a member, I have read all the magazines, as have most of us when we get them, and I have gotten all the special notices about when there was something of concern. I have always read their material, and I have said, Oh, that is great; I am glad someone is saying this and speaking out.

I was surprised when the latest alerts from the NRA were filled with so much misinformation about the firearms background check legislation that Senator TOOMEY and I are trying to get in front of the Senate to be passed. They are telling their members that our legislation would—and I quote—I want to quote this—“criminalize the private transfer of firearms by honest citizens, requiring lifelong friends, neighbors and some family members to get Federal Government permission to exercise a fundamental right or face prosecution.”

Where I come from in West Virginia—I don't know how to put the words any plainer than this—that is a lie. That is simply a lie. Anybody who can read knows that is not factual. There is nothing in this bill—there is not a universal background check. There is nothing in this bill that says if a person is living in a neighborhood and they want to sell a neighbor their gun, they can't do it. No background checks are required. If a person comes from a State with the gun traditions we have in our State, the gun culture, that person can give it to their son, their grandson, any of their family members, and no background check is needed. Why they would say the private transfer of firearms by honest citizens—this bill protects honest gun-loving, law-abiding citizens more than any piece of legislation we have had in the last two to three decades, and I think people who have read the bill know that.

I remember when the NRA used to feel a lot differently about background checks and it wasn't all that long ago. Back in 1999, their executive vice president, Wayne LaPierre, testified before Congress that background checks were reasonable. In fact, he said it over and over and over. Let me quote Mr. LaPierre: “We think it's reasonable to provide for instant checks at gun shows just like at gun stores and pawnshops.”

Because the law says if a person goes to a gun store now that is a licensed dealer, a person has to do the background check, and by law they have to keep the record, and by law they cannot use that as a registration. They cannot, by law. In our bill, we even make sure any type of information for registration cannot be used. We said if a person tries to do it—if a government agency or a person who works for the government tries to use any of these records, it is a felony with 15 years of imprisonment. That is how much this bill protects my rights as a law-abiding gun owner.

Mr. LaPierre: “We think it's reasonable to provide mandatory instant criminal background checks for every gun sold at a gun show.” We have talked about this before. The law today says that if I go to a gun show and there is a licensed dealer, that dealer

still has to do a background check on me and keep the proper record. But I can go to a table or go outside in the parking lot and nothing is required of me—nothing. All we are doing is taking current law and making it uniform so everybody plays by the same set of rules. We think it helps tremendously.

We talked about criminals and people who have been adjudicated through a court of having mental illness and it has been determined they are incompetent. We don't think those people should be able to buy a gun at a gun show or online or at a gun store. We believe the law-abiding gun owners whom I know in West Virginia—and I am sure the Presiding Officer knows in North Dakota—would not sell their gun, even though they don't have to go through a background check, to someone they know is mentally insane or has a criminal intent. That is not how we transfer or sell our guns in West Virginia.

I will tell my colleagues this. I have talked to all my gun owners all over my State, and I am so proud of them. They have heard all of this hogwash out there and all the lies from people trying to misrepresent. When I talked to them, over 87 of them said, I agree with you; you are right. They have read the bill.

This is tough, I understand, but all I am asking is for people to take the time to read it and make sure they know what is being proposed.

I would be OK if the NRA just said, Listen, we have tried the background checks and guess what. The Federal Government didn't do its job the way it was supposed to. They are right. The Federal Government did not clamp down. They did not require the States to turn in all of their records and impose any type of a penalty.

Guess what. In our bill, we fix that. I have told people before, I have been in the legislative process for quite some time. I have been Governor of my State and I have been involved in so many different aspects of government. I have never seen a perfect bill. I really have not. I have never had a perfect bill that I have ever voted on that did not have to be worked on.

So I would say to my friends—whether it be the NRA or any gun organization—if you do not like the thing you supported 10 years ago, then work with me and let's fix it. If you believe they did not turn all their records in, I have got penalties. Also we have incentives for the States to do their job. We will fix that.

If you are saying there have been some of these agents who have been a little bit rogue, and they wanted to use these records, and you still, in your mind, believe they are going to take your records, we have said, now if they do it, it is a felony with 15 years imprisonment.

We are fixing everything you have told me. If you are saying as a law-

abiding gun owner, I am looked upon as if something is wrong with me: Why would I want to own a gun? Why would I have a gun?

There are three types of gun ownership in America. You have a sportsman who likes to hunt, shoot, enjoy the family outings. You have one who buys it for the defense of themselves and their family. And you have a pure constitutionalist. I do not relate to this group here: that I am afraid my government is going to come after me and I have to defend myself against the U.S. Government or the military. I am not fearing that, so I am not in that category. I am in these two categories which most Americans are: either you are a sportsman or you want to defend your family and yourself and your property.

This bill protects that right more than any bill we have ever had before us. It will do it more than it has ever been done in the last two to three decades. I can stand at any crowd—and I have been going in front of some of the most ardent gun-support crowds—I have given them the bill and let them read the bill and I have taken every question they have asked me—every question. At the end, you might have one or two who say: I am sorry, I think you are overreaching. I think that basically I should have the right to buy, sell, do anything I want with a gun. This might be the same person who believes there should be no laws for anything, that you should not have to have a driver's license to drive a car, that you should not have to pay income taxes, that you should not have to abide by any laws we have on the books. I respectfully disagree, but I respect their position. That is a very small minority but, boy, can they talk. They are very loud, and I understand.

So the only thing I am saying is, if some of the friends I have known forever over at the NRA—if somebody made a mistake when they put this information out, please correct it because, I can tell you, in Washington or in West Virginia or as a human being, the only thing you have is your word and your credibility, and make sure when you tell someone something, you tell them the facts and the truth.

If that is your friend and it is someone you want to represent, honestly, say: Let me tell you both sides. You make your decision. I am going to defend you. I am an unconditional friend. I am your friend no matter what, through thick or thin. Now we go on to the next thing, if you will, when things do not work out. I understand that. But I am just saying: Tell me everything. Tell me what I can expect of someone who might not agree with me and tell me what I can expect of the people who will agree with me. I can handle that.

I will tell my friends, if you lose your credibility in Washington, you have

lost everything. I used to get all the magazines I received, all the special notices they wanted me to be alerted to. I start questioning, if you did not represent it accurately, how could I make an honest decision on how I should feel? That is all.

Madam President, I do not need to tell you. You know how relationships are built and how they are kept, and that is the most important thing here in this body. I say that with the utmost respect for everybody in this body. I understand some of our colleagues believe that supporting this piece of legislation is risky politics. I think there is a time in our life, a defining time in public service, a time when you have the ability to stand when you know the facts are on your side and walk into the lion's den and look that lion in the eye and tell that lion: Listen, not today; not today.

Even if politics are risky, remember the words of Andrew Jackson.

The brave man inattentive to his duty is worth little more to his country than the coward who deserts in the hour of danger.

I am not saying any of that. Everybody has their purpose and reason. This piece of legislation, the longer people read it, the more they study it, the more it sells itself.

My good friend JON TESTER from Montana spoke right on this floor 2 days ago. I said: JON, if you want to come down and say something, please do. I did not know what JON was going to say. But I did encourage JON: Please read it. Well, flying to Montana and back, you have a little bit of time to read, and JON used that time to read the bill, frontwards and backwards. He spoke about the things in the bill it did and the things it did not do. That is what we have been talking about: that 90 percent of Americans—83 percent of West Virginians—support a criminal background check or a mental background check. They do not support infringing on an individual's right. If you are out in parts of my State—my beautiful State of West Virginia—where you know everybody, you know who is responsible or not, you know a family member you want to give a gun to. We know that. We did not infringe on that.

But they also believe that on the Internet you might never know somebody and that some background check should be required. If you read the New York Times today, you will see an article there that is very alarming and alerting. It allows us to see into the world of Internet transfers of guns—people who are known felons, people who are making a living selling guns on the Internet because no one is checking anything. This bill would prevent that from happening.

Old Hickory also said:

One man with courage makes a majority.

One person, because, Madam President, you and the other ladies in this body have given us so much strength.

You really do. You bring balance. As it is said in some of the movies, you complete us. You complete us as a body. You really do. I appreciate so much the grounding and the way you ground us, and I thank you for that.

As shown on this chart, this is an al-Qaida member too, and I want to speak about this. I was watching "Morning Joe" one morning, and they showed a clip. They showed a clip of this gentleman, who is an American, an al-Qaida terrorist who is an American. As you see there, if you ever click on this—this is very easy to pull up on your video—our gun laws are so outdated and so out of whack that even this person, who wants to do damage and harm to every American—even this person—has figured out how to exploit them, to arm themselves and people like him in our country. If you have not, you need to see this. His name is Adam Gadahn—Adam Gadahn is his name—telling sympathizers—telling sympathizers of al-Qaida—how to get their hands on guns in America with almost no questions asked—almost no questions. He says:

America is absolutely awash with easily obtainable firearms. You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle, without a background check and, most likely, without having to show an identification card.

And then he finishes:

So what are you waiting for?

"So what are you waiting for?" Those are his words. Well, I am not waiting. I am not waiting for him to get his hands on the guns. If you are a law-abiding American citizen, who can pass a background check, God bless you. I will fight to the nth degree to defend your second amendment rights. But if you are this guy, with the purpose this guy has for America and Americans, absolutely not. That is what we are asking. Our legislation shuts him down. It stops him cold in his tracks.

If al-Qaida's enthusiasm for gun show sales is not chilling enough, you have to read today's New York Times article about how easy it is for criminals to buy and sell guns on the Internet. Not only is it quick and easy, it is anonymous. You do not have any idea who you are dealing with. One of the people in the article describes these Internet sales as a "gun show that never ends"—"a gun show that never ends"—and I would add: never closes because the Internet is 24/7.

The Internet is a vast marketplace for guns. In 2000, the Department of Justice estimated that 80 online firearm auction sites and approximately 4,000 other sites offered guns for sale.

That was more than a dozen years ago, and we all know how the Internet has expanded since then. The online market may now exceed gun shows in terms of sales volume. We all know

how we are using our technology more and more every day for our personal lives and how we depend on it. For example, the National Shooting Sports Foundation surveyed owners of modern sporting rifles in 2010 and found that 10 percent of them—10 percent of all rifles sold—had purchased their firearms at gun shows whereas 25 percent had purchased them online—25 percent.

Believe me, I understand the political stakes for my colleagues—and I sympathize; I have been there; I understand—who come from States such as West Virginia. And no State has a higher regard for the second amendment right to bear arms than my State. In fact, on the Great Seal of the State of West Virginia, the preamble is: “*Montani semper liberi.*” In Latin that means: “Mountaineers Are Always Free.” So you know how we feel. We are one of the few States that became a State during the Civil War. We broke away from Virginia at that time.

But West Virginians are also guided by a little common sense. I have said this. In West Virginia we know what nonsense is, we know what common sense is, and now we know what gun sense is. That is all we are asking for.

I am proud of all of my West Virginians. When they read our legislation, they understand that all we are doing is using common sense to protect the safety of the public, especially our kids and at the same time protect the second amendment right to bear arms.

John Adams once said:

Facts are stubborn things.

“Facts are stubborn things.” It is hard. It is hard. And I am pretty stubborn myself, as I know, Madam President, you are, and all of our colleagues. If we were not, we would not be here.

So I am going to go through our legislation again and tell you what is the myth out there and what is the fact about our legislation.

Let’s start with the myth that the NRA is repeating to their members. Let’s start with that.

Here is the myth: This legislation will require background checks when a gun owner sells, loans, or gives a firearm to a relative, neighbor, or friend. It is going to prohibit that from happening. That is what they are saying this legislation does.

Here is the fact: Current law exempts such transfers from background checks, and our bill does nothing to change that—nothing to change that.

You can loan your hunting rifle to your buddy without any new restrictions or requirements or you can give or sell a gun to your brother or your sister, your cousin, your uncle, your coworker without a background check. You can post a gun for sale on the cork bulletin board at your workplace or on your church bulletin board without a background check.

We are not going to do anything to turn law-abiding gun owners into

criminals, which is what they want you to believe any legislation and our legislation—mine and Senator TOOMEY’s and Senators KIRK’s and SCHUMER’s—would do. It does not do that.

There is another myth: Nothing in this legislation would have prevented or will prevent any tragic mass shootings in the future.

Madam President, I know you were visited by the families, as most of our colleagues were, from Newtown—a most difficult time. Not one of them ever asked us to take the guns away. Not one of those families ever asked us to repeal the second amendment. They never infringed on any of that. And most of them to a “T” said: I know this would not have saved my baby. I know this law today that you are working on would not have saved my baby. They know that. They said: Maybe we can save somebody else’s baby. That is all.

But let me tell you, this bill has a component called the Commission on Mass Violence because, as you go around and you talk to the children throughout the schools of your State, respectfully—I have been all over West Virginia—this generation has been desensitized to the violence that you and I grew up being scared to death of.

They have been desensitized. They can get on a video game and see things we can never imagine. This Commission on Mass Violence is put together by people of expertise who can tell us about guns. When a person says: Oh, I think that gun ought to be banned, wait a minute. That is my hunting rifle. It might look a little different, but it does not shoot any different. You might not know about it, so do not ban that gun until you know. So this Commission basically puts the expertise of guns on gun people who can explain it to us and then make an informed decision. This piece of legislation—the Commission on Mass Violence—puts together people with expertise in mental illness.

I go to grade schools, I go to the kindergartens since this happened at Newtown. Do you know what they tell me? They say: Senator, I can identify a child who has problems. I can identify a child who comes from a home with problems. They have mental challenges. They need help. I have nowhere to go. I have nowhere to send them. They have no insurance. They have no type of help or support.

We can fix that. But you have to listen to the people who understand mental illness.

Then, on top of that—this is a sad scenario because if we would have had the Commission on Mass Violence, and that Commission would have come back, and part of that Commission says, on school safety—as a Governor, and I know as an official in the Presiding Officer’s State, we built a lot of schools, we modeled a lot of schools. Not one time did an architect ever

come to me and say: Governor, we have to put bulletproof glass on all first floors of our schools. Bulletproof glass.

Now, think about this. Adam Lanza shot out the front door and stuck his arm through and opened the door to get into that school. It was locked down. Most of the schools now have locks on them. Most of the classrooms have locks. If you can shoot the glass out and stick your arm into the door, what good is it?

We would have never thought about that. If we could have done that, maybe, just maybe, we could have prevented this horrible tragedy. I do not know. But the families are not asking us to look back, they are just asking to look forward. They are saying there could be another child, that there could be another massacre; can we stop it?

I do not say this bill is a panacea. But if I can stop one crazy person, if I can stop one criminal who has nothing but hatred and harm to inflict on other people, if I can do that, I have done my job, I think I have, and I can go home.

As one of the Newtown parents, Francine Wheeler, said: Please help us do something before our tragedy becomes your tragedy. This is so compelling. It really is. Our bill will ensure that the States get their records up to speed. The NRA was correct. They said: Hey, you have not done your job. I agree with them. We did not. But we are going to.

I have often said: You can either throw the baby out with the bathwater or you can change the water. I intend to make a change. That is all I am asking.

Our bill is going to prevent felons—it is going to prevent this guy and people like this guy from just going to the gun shows like a supermarket and getting whatever they want to get to do harm to us. It will not stop them all. If we can slow them down, we might have saved an American’s life.

A national registry. I have talked about this so many times. That cannot happen. Section 122 of this bill:

Prohibition of a National Gun Registry. Section 923 of Title 18, United States Code, is amended by adding from our bill: The Attorney General may not consolidate or centralize the records of the acquisition or disposition of firearms, or any portion thereof, maintained by a person with a valid current license under this chapter; an unlicensed transferor under this section; possession of ownership of firearm, maintained by any medical or health insurance entity.

It goes on and on.

All I have asked for is for everyone to please read the bill. I do not know what the outcome will be. I know we are close. I know it is a tough decision. I know that. I feel good. I believe I am here for this purpose. I believe that and I am willing to walk anywhere that would allow me to speak the facts.

As I said, I have never seen a perfect bill. I am sure we can even improve on

this legislation. But I will say, everybody was asked for input. No matter what side of the fence people were on on the gun issue, they were asked for input. Whether it came from an organization representing millions of people, I wanted their input. Whether it came from a person who wanted to ban everything, I wanted their input. Then they were able to come together and say: If I am a law-abiding citizen, then let me exercise my rights as a law-abiding citizen.

The second amendment is very cherished by us and very sacred in West Virginia as it is in North Dakota and everywhere else. We made sure the culture we grew up with was protected and enhanced. We made sure of that.

I can go to any group in America and show them. When they see the facts, they will agree. I have been there. I know it happens.

So I finally will say: If you are a law-abiding citizen, and you are a law-abiding gun owner, you want to be treated and looked upon as a respected law-abiding citizen and gun owner, this bill does it for you. If you believe we should be able to treat our veterans better than we have because veterans today, if they are just evaluated by a VA court, if you will, and determined that—that is just not right. They can be put on the NICS list immediately. We have a 30-day period that every veteran coming out who might have some challenges—and God only knows, those men and women have sacrificed so much, what it has done to their lives. We owe them everything. We owe them the right to be able to live as a law-abiding citizen and to get back into the mainstream of America without having to fight for rights.

This bill does that for veterans. This bill does that. We notify 150,000 veterans—we notify 150,000 veterans who might be on the NICS and do not even know they are on it and give them that 30-day repeal period. We do that in this bill.

So if you want to really honor a veteran, if you want to thank them for their services and make sure they are treated with the utmost respect, this bill does that. If you are a criminal, if you have been deemed to be mentally incompetent through a court, you are probably not going to like the bill. I am the first to tell you that. I am sorry. You are not going to like it. I am not going to make any excuses. I do not think you want guns for the right reasons anyway. So I hope I can keep them from you. That is what I would say. I hope I can keep them from you.

I hope you cannot go down with an al-Qaida person over here who is an American terrorist, go with him and buy a gun. I hope you cannot do it at a gun show. I hope you cannot get on the Internet, where they do not know who you are and what you look like or what your intentions are, and buy a gun.

I would like to maybe find out if I can stop you. So I plead guilty to that. If that is what it is, I would. But I am proud of the work we have done. I am proud of all of the Senators. I know all Senators have to make a decision. I respect that.

I do not think ever in our lives has a bill come together with so many pieces of it and so much involvement and input, that took into consideration law-abiding gun owners like myself and the Presiding Officer and so many of us in this body, and respected that and enforced it; and also the respect of our veterans; we fixed that; also that the government hasn't done its job but could do a better job, and may could do it; and the ability to keep a person who should not have a gun strictly at a commercial transaction.

I do not know of any bill that we have had before or that we might have again that will do it all.

With that, I would say that it has been a pleasure to work with all of my Senators. They have worked hard. I know it is not going to go away. Whatever happens today will happen. I believe we have done a good job. I just ask my colleagues to consider this before we vote sometime this afternoon and make sure they feel good and comfortable and can go home and defend their position. That is all. Everybody has to do that. We have to respect that. I do.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mrs. GILLIBRAND. I rise to urge my colleagues on both sides of the aisle to join a strong bipartisan coalition which is taking real action to end senseless, deadly gun violence. This includes truly commonsense reforms which have nothing to do with infringing on our second amendment rights and the second amendment rights of our law-abiding citizens.

We have seen the Newtown parents here in Washington bravely telling their stories. They deserve better than this body turning their backs on them. The families of Aurora deserve better than this body turning their backs on them. The families of the more than 30 people who die every single day at the hands of gun violence deserve more from this body.

My friends, it is simply time to act. Today is the day for this body to show the American people their voices matter. When 90 percent of Americans demand us to expand background checks, we can deliver.

We should be able to agree we no longer need military-style weapons and ammunition clips on our streets. We should be able to agree it is time to crack down on the illegal handguns being trafficked on our streets into the hands of criminals.

Four years ago I met the parents of Nyasia Pryear-Yard. Nyasia was a beautiful 17-year-old honor student killed in the prime of her life by an illegal handgun when she was just spending time with her friends.

I vowed to Nyasia's parents and classmates I would stop the flow of illegal guns which make their way onto our streets and into the hands of criminals by finally making gun trafficking a Federal crime and holding offenders accountable with stiff penalties. We have the opportunity today to give law enforcement the tools and resources they need and have long asked for. This is not a Republican or a Democratic idea. It is a smart idea and the action Nyasia's parents deserve from us.

According to the New York City mayor's office, 85 percent of the guns used in crimes come from out of State. At least 90 percent of those guns are illegal. They are illegally trafficked into our cities and State. Of all the laws we have on the books today, effectively none are directly focused on preventing someone from driving from one State to another with stricter gun laws, parking their car in a parking lot, and selling hundreds of firearms directly into the hands of criminals. It is shocking to me as a mother and as a lawmaker.

Instead, prosecutors primarily rely on laws which prohibit making false statements in connection with the purchase of a firearm. These are paperwork violations with penalties too low to be effective law enforcement tools.

Over the past 3 fiscal years, more than 330,000 guns used in violent crimes show telltale signs of black market trafficking, 420,000 firearms were stolen, and thousands of guns with obliterated serial numbers were recovered by law enforcement. While law enforcement is working overtime to track down illegal guns and apprehend those who traffic these weapons, current law restricts their ability to investigate and prosecute these crimes.

We can all agree this simply makes no sense and leaves all our communities vulnerable. All across this country in small towns and big cities, families are saying enough is enough. It is time to get serious and do something to prevent the next tragedy.

Now we are able to do so. Our bipartisan Stop Illegal Trafficking in Firearms Act would empower law enforcement to investigate and prosecute illegal gun traffickers, straw purchasers, and their entire criminal networks. This bill is not everything I wanted when I set out on this mission in 2009, but it is a good bipartisan compromise.

It is a compromise I urge my colleagues on both sides of the aisle to support. If you do, we can stop the illegal flow of guns which are coming into our city neighborhoods, reduce gun violence, and reduce senseless gun death.

Law enforcement officials across the country need this legislation to protect our communities from illegal weapons. If you are a responsible, law-abiding gun owner watching this, you should support this legislation too. My friends who are second amendment supporters, gun owners, and hunters support this commonsense legislation.

I am urging all my colleagues on both sides of the aisle to join us. Stand with families in our communities all across the country who are looking to us to take action. It is time to prevent the next senseless tragedy, prevent the next death, and the next Nyasia Pryear-Yard.

I urge you to stand with the brave men and women of our law enforcement at every level who are asking us to take these critical commonsense measures needed so they can do a better job for us and keep our families safer.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, as we close this debate on this historic bill, I urge my colleagues to again heed and hear the families of Newtown. They are here talking about not only the horror and unspeakable and unimaginable tragedy that befell them on December 14, just 4 months ago, but to speak also for the 3,400 or more who have perished since as a result of gun violence, the thousands more who will die needlessly if we fail to take action, and the many others who have died tragically as a result of gun violence.

Newtown shook America. It shocked and changed our country. We owe it to the families and we owe it to ourselves to heed and hear their message. We need to do something about the guns. That is what they told me again and again in Newtown and Connecticut and across the country. And those families have come here, mustering their courage and strength, showing us what is great about America—the grit and greatness of our Nation.

Somewhere in that time period, there were many bracelets, and I was handed one I have worn since. It says, “We choose love.” “We are Newtown. We choose love.” And that is what we should do today.

Those 20 beautiful children and 6 great educators whose pictures have been before us day after day, whose images have been before America week after week during these 4 months, for them, we are all Newtown. Let's choose love.

They are not the first to have perished in a mass killing. Well known to

America, the names are now engraved in our memories, so that we merely need to say them to evoke the grief and tears—Aurora, Tucson, Virginia Tech. All of those names and others are likely not to be the last, and nothing we are doing here will end entirely the plague of gun violence. We will not solve the whole problem because there is no single solution or even necessarily a set of solutions we are debating today that will end all the tragic bloodshed. But we can save lives. We can make a start. We can literally stop a major part of it with commonsense measures that evoke common ground.

With a background check system, we can stop criminals, felons, the dangerously mentally ill, domestic abusers, and others who should not have guns from buying firearms and using them as weapons of war.

With a ban on illegal trafficking, we can stop felons and other criminals from trading and transporting guns across State lines, making a mockery of strong State laws, such as Connecticut's, which protect its people, and stop them from making straw purchases.

With measures on school safety, we can secure those educational institutions that have proven vulnerable again and again. The Campus Safety Enhancements Act will help us do that, and we can make our children less vulnerable.

With an assault weapons ban, we can begin to reduce and eventually end the flow of these military-style assault weapons designed to kill and maim human beings.

With a ban on high-capacity magazines, which I will offer through amendment No. 714, we can make killers less lethal, stop them from killing their victims as rapidly and numerously. We can gain time in those situations of mass killings where a few seconds can actually save lives.

With these measures and others that will be offered here today on mental health, for example, we can choose love. We can choose to make something positive of that unspeakable and horrific tragedy which befell Newtown and which has befallen many others before and since. We can do something. We can take action.

On the universal background check, which my colleague Senator MANCHIN spoke about a short time ago and which he has authored with Senator TOOMEY, we can choose a bipartisan commonsense measure. It is not everything I would hope would be in a background check measure, but it is a genuinely important improvement on current law.

We know background checks have worked on the 60 percent of sales where they have been applied because they have stopped about 2 million felons and other dangerous people who are prohibited by law from buying weapons from

actually going into stores and purchasing them.

I understand the argument that we need more prosecutions and that existing laws need to be enforced more vigorously. As a prosecutor, I am very sympathetic toward that argument, and I will support zealously more resources and even better management to result in more prosecutions. We need to enforce existing laws more effectively, but that goal should not stop us from improving those laws, especially when law enforcement itself—our police and prosecutors at every level: State, Federal, and local—urges us to improve those laws to enable them to prosecute more of the dangerous people who use guns for evil purposes.

We ought to listen to those law enforcement officers, as I did for decades as a U.S. attorney and the State attorney general for 20 years. I am listening to them now when they say to me that we need a universal background check system, we need to make our laws more effective against assault weapons and high-capacity magazines, as well as on school security and illegal trafficking.

Ninety percent of the public, 90 percent of everyone in this Nation supports this commonsense measure and 74 percent of the members of the NRA. This issue is not about the NRA or any special interests—although they have maintained a stranglehold over this type of legislation for over a decade, maybe a generation—it is about a bipartisan compromise forged out of a clear need for rational, sensible action that we now have an obligation to adopt.

Nobody wants to take away guns. Nobody wants to take away rights. The second amendment guarantees the right to possess firearms. But some firearms should not be possessed, and some people should not possess any firearms. That is what brings us to this point, this historic point in a debate that should evoke bipartisan support, and I hope Members on the other side of the aisle who are still in doubt will come to support this measure. We need only a few votes. We have the vast majority of Democrats.

I salute Senators MCCAIN, KIRK, COLLINS, and others on both sides of the aisle who have made difficult decisions. But if this decision has seemed difficult to them and to many others, think of how difficult it has been for the Newtown families to come here and share their grief and pain with us, and they support the ban on high-capacity magazines because they know from their experience how lethal high-capacity magazines make any firearm—even more lethal than they would be otherwise.

I salute my colleague FRANK LAUTENBERG, who has been a champion of this cause for some time, as well as Senator FEINSTEIN, who included a high-capacity magazine measure in her bill—it is

in her amendment now—and my colleague Senator MURPHY, who has been a partner in this effort. He and I have listened to the families of Newtown when they have told us why they support a ban on high-capacity magazines, which is supported by 65 percent of all Americans and 55 percent of gun owners. It is supported by groups across the board, from law enforcement to health care, gun safety, education, child welfare, and religious groups.

Madam President, I ask unanimous consent to have printed in the RECORD a list of those groups supporting a ban on high-capacity magazines.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GROUPS THAT HAVE ENDORSED THIS HIGH CAPACITY MAGAZINE BAN

The groups that have endorsed the high capacity ammunition magazine ban we are debating today include:

LAW ENFORCEMENT

- International Association of Campus Law Enforcement Administrators
- International Association of Chiefs of Police
- Major Cities Chiefs Association
- National Association of Women Law Enforcement Executives
- National Law Enforcement Partnership to Prevent Gun Violence
- National Organization of Black Law Enforcement Executives
- Police Executive Research Forum
- Police Foundation
- Women in Federal Law Enforcement

HEALTH CARE

- American Academy of Nursing
- American Academy of Pediatrics
- American College of Surgeons
- American Congress of Obstetricians and Gynecologists
- American Medical Association
- American Public Health Association
- Association for Ambulatory Behavioral Healthcare
- Doctors for America
- National Association of School Nurses
- National Physicians Alliance
- Physicians for Social Responsibility

EDUCATION AND CHILD WELFARE

- American Federation of Teachers
- Child Welfare League of America
- Children's Defense Fund
- National Association of Social Workers
- National PTA
- National Education Association
- Save the Children

GUN SAFETY

- Arizonans for Gun Safety
- Brady Campaign to Prevent Gun Violence
- Coalition to Stop Gun Violence
- Law Center to Prevent Gun Violence
- Mayors Against Illegal Guns
- Newtown Action Alliance
- Sandy Hook Promise

RELIGIOUS

- African Methodist Episcopal Church
- Alliance of Baptists
- American Friends Service Committee
- Catholic Charities USA
- Catholics United
- Faiths United To Prevent Gun Violence
- Jewish Council for Public Affairs
- National Council of Churches
- National Episcopal Health Ministries

Presbyterian Church (U.S.A.) Office of Public Witness

United Methodist Church

OTHER ORGANIZATIONS

- American Bar Association
- Grandmothers for Peace International
- NAACP
- Sierra Club

LOCALITIES

- U.S. Conference of Mayors
- National League of Cities

Mr. BLUMENTHAL. Madam President, we have listened to the families of Newtown talk about high-capacity magazines.

Bill Sherlach, for example, who was the husband of Mary Sherlach—we have seen her picture here—had this to say about high-capacity magazines:

It's just simple arithmetic. If you have to change magazines 15 times instead of five times, you have three times as many incidents as where something could jam. Something could be bobbled. You just increase the time for intervention. You increase the time-frame where kids can get out. And there's 11 kids out there today that are still running around on the playground pretty much now at lunchtime.

And those 11 kids he talks about are alive because the shooter needed to change magazines.

Another Sandy Hook family member, Nicole Hockley, the mother of Dylan Hockley, said the following:

We looked at the search warrants . . . and know that [the shooter] left the smaller capacity magazines at home, that was a choice the shooter made. He knew that the larger capacity magazine clips were more lethal.

David Wheeler, the father of Benjamin Andrew Wheeler, said the following:

The more bullets you can get out the end of that gun in the least amount of time, that is the single area that I believe affects lethality. And the size of the magazine placed in that weapon is a direct contributor to that—a direct contributor to that factor. There is a place for 30-round magazines, in the military, on the battlefield.

The families of Newtown have spoken clearly and powerfully, but the facts of other shootings support the ban on high-capacity magazines again and again. In Tucson, AZ, for example, Jared Loughner emptied a 33-round magazine in 19 seconds, killing 6 and injuring 13 before stopping to replace his magazine. When he went to reload, a bystander tackled him. Others joined in, subduing and disarming him. Loughner was stopped because he had to pause to reload. His 13th round killed 9-year-old Christina-Taylor Green. If Loughner had been limited to a magazine with 10 rounds, that little girl very likely would still be alive today. If Lanza had been limited to a 10-round magazine, beautiful girls and boys might well be alive today.

Newtown and Tucson are only two instances in which a shooter was stopped when he had to reload or when his firearm ran out of ammunition.

In Queens, NY, in 1993, Colin Ferguson boarded the Long Island Rail-

road with a 9-mm pistol with a 15-round magazine. He opened fire, killing 6 and injuring 19 others in 3 minutes. When he went to load another magazine, he was tackled and disarmed.

In Chapel Hill, NC, in 1995, Wendell Williamson walked the streets of Chapel Hill with an M-1 rifle. He opened fire, killing two. When he paused to reload, a bartender tackled him and disarmed him.

In Springfield, OR, in 1998, Kip Kinkel went to his high school with several firearms and 1,127 rounds of ammunition. He opened fire, shooting 50 rounds, killing 2 students and injuring 24 more.

As his firearm ran out of ammunition and he began to reload, several students tackled him and restrained him until the police arrived.

There are many others. In fact, half of the mass killings since 1982 involved high-capacity magazines. Half of all those mass slaughters were enabled by high-capacity magazines.

Facts are stubborn things, as Ronald Reagan used to say. Everyone is entitled to his own opinion but not to his own facts, as Daniel Moynihan reminded this Chamber many times.

The most tragic stories for me involve law enforcement officers killed in the line of duty. In Connecticut they include Officer Robert Fumiatti of the New Haven Police Department; Master Police Officer Peter J. Lavery of the Newington Police Department; Patrolman Brian A. Aselton of the East Hartford Police Department; Officer James V. Spignesi, Jr. of the Connecticut Department of Environmental Protection; Officer Walter T. Williams, III of the Waterbury Police Department; Officer Daniel Scott Wasson of the Milford Police Department; Patrolman Kenneth Bateman, Jr., of the Darien Police Department; Patrolman Gerald T. DiJoseph of the Bridgeport Police Department; and the first, whom I came to know, at least through his family—although I never knew him personally Trooper Russell Bagshaw. I have known many of these families and had the privilege of coming to know their children in many instances as well. I want to talk about Russell Bagshaw in closing for just a moment.

Russell Bagshaw of the Connecticut State Police was in his patrol car, driving the streets of northeastern Connecticut in North Windham on a summer night in 1991. He was 28 years old and a 4½-year veteran of the Connecticut State Police.

Each of these men I have mentioned died as a result of gunfire from criminals. Some of these shooters got a stolen weapon, perhaps illegally trafficked. None of them should have had access to any firearm. Russell Bagshaw surprised two robbers coming out of a local sporting goods store. One of the robbers shot him with a semiautomatic 9-mm pistol that had a second handgrip

under the barrel, and a 30-round magazine filled with hollow point bullets.

Before Trooper Bagshaw had even a chance to use his radio or exit his vehicle, the shooter unloaded 17 hollow point bullets at the cruiser that took 6.6 seconds from that 30-round, high-capacity clip. The shooter fired haphazardly, but he had enough to pierce the bulletproof vest Bagshaw was wearing above the left armhole and to kill him instantly.

I attended his funeral, with lines and lines of his fellow troopers and others from all around the country. I had the privilege of meeting these families—and most especially his family—brave and strong, just as the Newtown families are.

Neither Russell Bagshaw's training nor any of the other preparations could stop or protect from this carnage. In fact, the troopers I met after the horrific tragedy of December 14 in Newtown and Sandy Hook told me that their bulletproof armor could not have defended them against the assault weapons with the number of rounds that Adam Lanza had at that time.

There is no preparation, no bulletproof vest, no armor that can protect against these kinds of weapons shot at the range that many of them are. That is why we should listen to law enforcement—listen to the police and public officials and prosecutors who have told me since I began working on this cause in the early 1990s, when we passed the first assault weapon ban in Connecticut and I defended it in court, tried the case, and then went to State supreme court successfully defending our law against exactly the same constitutional arguments made now. They are equally without weight at this point.

So I urge my colleagues, whether they are wearing this wristband or not, to choose love. I know it will be difficult. It was difficult for many Connecticut legislators, and I carry with me the pen that our Connecticut Governor used to sign our law that significantly strengthened Connecticut's protection against these weapons, against criminals bearing them, against illegal sales, and against gun violence.

This cause is not going away whatever the outcome today. The vote will be close on many of these amendments. The Newtown families are not going away, the Connecticut effect is not going away, and we are not going away. Unfortunately, gun violence is not going away, and we need to redouble and reinvigorate our efforts. Whatever the outcome here today, we are not going away.

The world has watched Newtown exhibit the kind of strength and courage that we regard as uniquely American. Now the world is watching the Senate, and we will be held accountable for what happens here. History is watching. Let's be on the right side of history.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I rise as a parent, as a father, as an American who saw the horror of Newtown.

Too many times I have come to this Senate floor to say I offer my thoughts and prayers to the parents of the victims of an assault weapon attack. Too many times. Columbine, Aurora, Virginia Tech, Newtown. How many times will we have to offer our thoughts and prayers to the victims of gun violence?

I have two beautiful children, Alicia and Rob, and they are the most important and cherished people in my life. I don't know what I would do if anything happened to either one of them. So I am here for them and for the children they may have one day and for every child in Newtown and across America whose small voice has been silenced by a gun.

I don't think it is an exaggeration to say that each and every Member of the Senate felt a loss that day just 4 months ago. Here we are, 4 months later, trying to do something—but still not enough—for those children, for those families, for all the families who have suffered the devastation of a shooter with the ability and the will to kill innocent people—as many as an assault weapon can kill as quickly as it can fire—a shooter with a desire to get off as many rounds in as short a time as possible.

In my view, we are already too armed. We are by far the most armed Nation in the world. There are more guns in America—almost 90 per 100 residents—than in any other nation. Do you know there are five federally licensed gun dealers in America for every McDonald's? Think about it. Think about how many times you see a McDonald's. Well, imagine five times as many gun dealers. There are about 310 million guns in America. But consider that those 310 million guns are owned by only about 40 percent of American households.

Now we are in the midst of a debate in which some are arguing that not only should we not ban assault weapons, but we should force every State to allow people to carry concealed weapons.

How does that help reduce gun violence? How are we reducing gun violence if we allow people to carry concealed weapons across State lines; if we allow someone in Florida or Virginia to carry their gun to New York City and Times Square or my home State of New Jersey? Is that the legacy we want to leave the children and families of Newtown?

I strongly oppose any amendment that would allow reciprocity for concealed weapons. Yet even as we skirt the real issues, banning the weapons and the ammunition devices that have

caused our Nation so much heartbreak, we would have those who see this as an opportunity to weaken gun laws; those who see this as a way to push, from my view, a radical agenda and put more firearms into the hands of those who don't deserve them.

My home State of New Jersey has a gun control regime specifically tailored to a densely populated State. Our State requires affirmative permission to buy a firearm. But we leave that decision to those who know the State best in terms of its security—the State Police. They conduct a thorough background check, even more thorough than the Federal background check, and then the police sign off and give a purchaser a card to buy a firearm.

Of course we have commonsense safeguards to ensure the second amendment is not violated, including appeal rights. But under an amendment offered by one of my colleagues, soon New Jersey's carefully constructed firearms law, if this amendment were to be adopted, would be eviscerated. Soon New Jersey's law would only be as good as the least restrictive States. This amendment, in essence, is mandatory concealed carry reciprocity. Not the current type of concealed carry reciprocity where States might voluntarily enter into agreements to allow their permits to be used in another State. No. This amendment forces States to accept other States' concealed carry permits.

I guess so much for the States rights advocates that I have listened to here so many times.

At least 28 States grant concealed carry permits to those convicted of stalking, and at least 7 States grant concealed carry permits to those convicted of misdemeanor assault and battery. At least 12 do not require any firearms safety training before the issuance of a concealed carry permit. Florida and Utah do not even require residency for a concealed carry permit. Yet this amendment would force States such as New Jersey to accept these permits even if the out-of-State concealed carry permit owner would not be eligible to simply possess a gun under our laws, much less carry.

This amendment would turn our positive discussion on how to best protect our children into another feather in the cap of the NRA and its gun manufacturers, another example for it to show how it has a stranglehold on this national discussion. And, in my view, this is just asking for more gun violence, not ending it. Not banning assault weapons is asking for more gun violence. Allowing larger clips with more firepower does nothing to end the violence. It is not about hunting. If you need 100 rounds to hunt a deer, you are in sad shape.

Do we honestly think it makes sense to allow someone without a mandatory background check to buy an assault

weapon that can fire up to 13 rounds a second with something called a bump fire stock? Should we not even be considering making weapons that can fire 13 rounds a second legal on the streets of America?

Bang. That is one round fired. It took me 4 seconds to say those five words. In those 4 seconds, if I had an assault weapon, I could have gotten 52 rounds—52 bullets—fired in the time it took me to say five words. There is no need for that kind of firepower on the streets of America. There is no need for the same weapons of that sort to be on the streets of Newark, NJ, or Newtown, CT, as they are in Baghdad, Kabul.

Any attempt that uses the second amendment as an excuse to allow that type of firepower on the streets without some common sense applied to it is not solving a problem, it is creating one.

I will support efforts during this debate to go even further in keeping mass slaughter weapons out of the hands of criminals. I do not believe assault weapons—some of them having names such as “Street Sweeper”—are about anything other than mass killing. I strongly believe in banning assault weapons and high-capacity magazine clips that allow a deranged individual to kill dozens of people in a matter of seconds. There is simply no rationale for having these weapons on our streets—unless your intent is to inflict terror and destruction and mass casualties.

In a nation where there are already 310 million guns and far too few regulations as to who owns and carries them, I believe we have a responsibility to take these assault weapons off the street. I understand that not everyone shares that view, but the one thing I cannot understand is how someone can argue against something as simple and as basic as requiring a background check before putting a deadly weapon in a person's hand.

We owe it to the American people. We owe it to the children of Newtown, to the families who are still trying to pick up the pieces from that tragic day. We owe it to the family of the 6-year-old boy from Toms River who was shot recently by a 4-year-old neighbor with a .22 caliber rifle that was in the house. He did not survive the wounds. We owe it to every victim of gun violence to send a message that America will no longer be the most armed Nation in the world without at least having commonsense gun safety regulations.

Who among us would be content with the counsel of patience and delay when we lose a neighbor or lose a loved one to the type of violence we could have prevented by a vote in the Senate today? It is time for some profiles in courage, and I believe that in the men and women of the Senate there exists that opportunity and that moment for

a profile in courage to stand up for what is right. That is the opportunity that is presented to us today.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I ask unanimous consent that I be recorded as cosponsor on the Grassley amendment No. 725.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, I rise to speak on the issue the Senate is considering. It has been an interesting 3 or 4 weeks as we have considered and talked and thought about how we address what is best for our country and how we do that in a way that will protect the Constitution and protect individual rights and protect States rights. A lot of ideas have been thrown out, many of them with great infirmities in terms of either impacting second amendment rights, impacting 10th amendment rights or the infirmity that they will not do anything to actually solve the problem.

I come from a State that is very pro-gun. I am very pro-gun. I own a multitude of weapons. I know how to handle them, I know how to fire them, and I know how to safely store them. The issue in front of us is, how do we protect this second amendment right and the Supreme Court's rulings that have affirmed our individual right to self-defense and our individual right to freedom? I believe I actually have an answer that the Senate could coalesce around.

As I talk to the most avid gun owners in Oklahoma, many of whom are opposing me trying to reach a compromise, the one question on which they agree with me is this: What if you could know as a gun owner or whoever you are—if you have a gun and you are going to sell it, what if you could know that you are not selling that gun to somebody on the “do not buy” list?

We have all these words going on now. Background check—there is no background check with the NICS list. It is a check against people who are prohibited from buying. It is not a very good list, by the way, because the States have not complied, the courts have not complied with people who have been convicted of felonies. We have a lot of problems in terms of a “do not buy” list.

We have to think of this list like the “do not fly” list that Homeland Security has. Nobody wants to get on an airplane with somebody who is on that “do not fly” list because they are on that list for a very good reason.

Most gun owners—as a matter of fact, I have not met one yet who wants to sell a gun to somebody who is on a “do not buy” list, which is called the NICS list. So how do we do that? How do we do that in such a way that we do not raise the cost, limit the freedom, or otherwise impede a free activity that is available, guaranteed under our Constitution?

The other thing I have learned is that the easier laws are to comply with, the more compliance you will get.

My proposal is very simple and straightforward. Let's create a way that whoever is selling a gun in this country can know they are not selling it to a criminal, they are not selling it to somebody who is prohibited, which is an illegal alien, a child sex abuser, a felon—those people. How do you know? And can we do that in a way that doesn't inhibit commerce, doesn't inhibit your rights as an individual under the second amendment, doesn't inhibit the rights of a State under the 10th amendment? How do we do those things?

You know, it is not hard. With our rights come some responsibilities. What if I could tell you that you could take out your cell phone and go to a portal and you could get a certificate that says—on your cell phones or printed out on your printer—that you are not on the list, and with that would be a PIN number, so that whomever could be selling you a gun would say, “I am going to check your PIN number to see that this is not bogus, now show me your ID,” and you could actually confirm whether somebody was on the list? That is how we control it. We make it easy. We don't put up large hurdles.

I find myself caught between both extremes in this debate. I actually think it is smart policy to make sure we put in place something allowing law-abiding citizens to do the right thing, to actually make a difference. If we were to do that, a large percentage—not all of them—of the transfers of weapons and guns to people who should not have them would stop.

The emotion associated with all the violent events over the last 3 or 4 years tends to cause us to lose sight of some pretty commonsense principles. We are not going to stop all gun violence in this country. People who are going to do illegal things are still going to do them. We cannot stop it all, but we can do straightforward, simple things that can make a big difference in lessening the availability of weapons to people who should not have them.

The other thing we can do is we can make it so that veterans do not automatically lose their second amendment right because for a short period of time, due to their service, they were incapable of managing their financial affairs. That is the right thing to do. We can do this. That is in this proposal.

But what I fear is going to happen is nothing. So what we are going to be offering when there is a time to allow other amendments is my amendment No. 727, which does the following things:

It reauthorizes the “no buy” list at an appropriate level.

It creates reforms to the grant system so that States will comply with reporting those people who are dangerous to themselves or somebody else, so we incentivize States to do that.

We create a protection for the second amendment rights of veterans.

We require the courts to submit to the “no buy” list those who are convicted of violent felonies. We require some transparency in State reporting so we can know whether a State is actually complying by reporting those who are a danger to themselves and other people, those who are truly mentally infirm. That is because one of our big problems—if you take Virginia Tech, the individual who committed that crime was known by the State to be a danger to themselves or somebody else. Yet they did not report it to the “do not buy” list. We incentivize that.

We allow for exceptions for people who are already authorized in their State to purchase guns, whether it is a concealed carry permit or whether it is what the State may use to say: Here is your authorization to say you are not on it. In other words, we give States primacy protecting the 10th amendment. If they want to go further, they can, but we also allow them to innovate, which is one of the things our forefathers wanted us to make sure we did when we did things in Washington.

We create a consumer portal that is easy. We also create penalties if you misuse that portal for some other purpose.

We enforce a destruction of those records into that portal so that the government cannot use that as a list to know who is purchasing guns. So we eliminate the concern over record-keeping and its assault on the second amendment.

We also sunset this, so if it actually doesn't make a marked improvement—which I think it will—in 5 years, it goes away and we do something different.

The other thing is we limit the ATF's ability to grossly violate the intent of previous laws in terms of demand letters on federally licensed firearm dealers.

I daresay there is a difference in culture on guns in this country depending on where in the country you are, but there is a place to be found in the middle, in the Senate, for doing something that is common sense. What we are proposing is something that is simple, it doesn't cost any money to speak of, it is easily accessible, it is verifiable on both ends of the commercial transaction, it does nothing to eliminate the second amendment provisions in the Constitution or take away 10th amendment rights of States, and it will actually decrease transfers of weapons to those who are on the “do not buy” list. Is it a comprehensive plan? No. Will it solve the problem? Yes. Will it work? Yes.

Some of the criticisms we heard—if there is no record, how do you know they did it? If 90 percent of the people in this country—which is what the media are all quoting—want us to do that, 90 percent of us think there ought to be an enhancement to the “no buy” list in terms of utilizing it, that same 90 percent of the people are the gun owners in America. So if 90 percent is the number, then you are going to have at least 90 percent compliance with this very simple, straightforward way that you can know you are complying with the law.

The other area that is confusing is that people want—and why they want—a record of a gun. It is for the investigation of a crime. Well, guess what. The best way to not ever have that crime is to have an effective check on the “do not buy” list. It will not eliminate all crime, but they say the infirmity with ours is that the weapon cannot be traced. That is right, it cannot be traced. The vast majority of used weapons are not sold through gun dealers or at gun shows. They are sold by average, everyday Americans to somebody else.

If we don't want the straw purchasers, felons, or illegal citizens buying them, then what we ought to do is set up something that 90 percent of Americans are going to comply with. It is not hard to do. It is easy to do the right thing. It doesn't please the gun control groups, and it doesn't please the hard second amendment rights groups.

If we think about it and actually make it easy for people to know that they could not sell a gun to somebody on the “do not buy” list, America would comply, and we would actually see a positive outcome of this debate.

I am amazed at the misinformation people have about guns when they come to the Senate floor and talk about them when they have never fired some of those weapons, have never held them in their hands, and do not know what they are designed for.

I plan to come back tomorrow when I will bring up this amendment for consideration.

Our Founders had a Bill of Rights, and we have a Constitution. It was really designed for moral and good people. In that bill, as affirmed by the Supreme Court, was a second amendment right, and that is not going away. That right is not going to go away. Even if we were to take it away, the Supreme Court would probably bring it back.

We really ought to be leading and talking about what the real problems are in our country. What are our real problems? One of the real problems is that we are not a moral and great people anymore compared to what we were when our Founding Fathers drafted those documents. We are in some moral decline, and that is because of an absence of real leadership at a lot of lev-

els and in a lot of areas in our country. We ought to recognize that we cannot legislate away the evilness about us. We cannot fix it all with a law. We fix it in the way we live our lives and the way we treat one another and how we reach out to give our lives for another person every day.

One of the crucial things is that we have become self-focused as Americans rather than Nation focused, and that is why we have seen this moral decline come upon us.

What I think our country is looking for is real leadership on the principles which matter, that change people's minds about what they do and how they do it. We are getting into a much larger debate than guns. Evil is out there. That criminal element is out there. That mental illness is out there. We are not going to address all of that with a few laws on guns. We are going to address that by character-based, morally led, morally affirmed leadership at all levels throughout our country.

As a physician, I am trained to fix the real disease, not treat the symptoms. This debate is about symptoms. It is an important debate. There are things we can do, but the real disease is our moral decline as a country.

The historians talk about it. John Taylor, the Scottish historian, talked about it. It is about the decline of all republics and what happens to them. America is built for a good, moral people. We have to have the leadership that calls us back to that.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 720

Mr. BURR. Madam President, I ask unanimous consent to call up my amendment numbered 720.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] for himself, Mr. WICKER, Mr. INHOFE, Mr. CRAPO, Mr. RISCH, Mr. COCHRAN, Mr. MORAN, Mr. THUNE, Mr. ROBERTS, and Mr. ENZI, proposes an amendment numbered 720.

Mr. BURR. Madam President, I ask that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect the second amendment rights of veterans and their families)

At the end of subtitle A of title I, insert the following:

SEC. 114. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

“§5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

Mr. BURR. Madam President, I rise today in the middle of an important debate on gun control to talk about an issue that should have been at the forefront for years, and it deals with our Nation's veterans.

I am specifically talking about 129,000 of our Nation's war heroes. Due to a determination within the Veterans' Administration, these war heroes have been deprived of their second amendment rights to own firearms.

This is apparently a much tougher issue to understand than I thought because it makes common sense to me that we should hold all individuals to the same threshold before we take their constitutional rights away. If a person is a Social Security beneficiary and Social Security makes a determination that person has a hard time handling their finances, Social Security will assign a person to him or her who will help them to navigate the financial challenges that a senior runs into. They don't just send somebody to do that and then turn around and put their name on the NICS list, which is the instant background check that automatically deprives a person of their second amendment right.

The IRS doesn't equate the fact that because someone cannot handle their finances that they are mentally incapable or that they are a harm to themselves.

What we have is a Veterans' Administration that when they find the veteran needs help with their financial affairs, the VA sends their name to the FBI, and they go on a NICS list. All of a sudden that takes away their second amendment right to own a gun.

It says anybody who lives in that house—so it could be a spouse, a child, including an adult child—cannot own a firearm because the ruling says there cannot be a firearm in the residence.

Clearly, after an appropriate determination, if a veteran, or any other American, is found to be a harm to themselves or has a mental disability, we would all agree that person should be disqualified from gun ownership.

Let me say for the purposes of my colleagues—and for the American people—this is not the standard we currently apply at the Veterans' Administration. We look at a veteran who served his country and we say: You cannot balance your checkbook, so we are going to assign a fiduciary to you to balance your checkbook. That person cannot own a firearm. Think about that. The fiduciary may be the spouse, and suddenly that name goes to the NICS list. Why? Because within the VA an examiner has determined that an individual could not handle their own finances.

The examiner is not a medical professional. I am talking about somebody who made a determination as to whether this veteran could handle the deposits of their VA checks and line up the payments which they need to make. If it has been determined they could not do that on their own, that would therefore automatically trigger that veteran's name. That name would be sent to the FBI and they would then be deprived of their second amendment rights in this country.

Let me suggest that the current process is arbitrary. It doesn't look at whether they represent a danger to themselves or to others. It is in no way relevant to whether the individual should have access to firearms. To the credit of those who have brought amendments to the floor for the gun bill, they have tried to address this issue.

I commend Senator MANCHIN, Senator TOOMEY, and Senator KIRK—who has been passionate about this—but what they have tried to do is say: We have to get an appeals process that is streamlined and easier.

What I am saying to my colleagues is, these are people who should have never had their second amendment right taken away. They should not be on the NICS list. There has been no judicial determination of mental incompetence and no judicial determination that they are a threat to themselves or to others. There has been no medical determination of a mental disability that would cause them to be a threat to themselves or anybody else. We have simply made a financial decision that they were not capable of handling their own finances.

What I disagree with is that I don't want the Senate to focus on what should be the appropriate appeals process. What my legislation, amendment No. 720, does is get to the heart of it. It says what we are going to do is require the VA to go through a different process to make a determination before taking their second amendment right away.

Some will say the VA has an appellate process. We have 129,000 veterans today who currently have had their second amendment right taken away. Only 200 of those veterans have sought relief. Only 200 out of 129,000 veterans have sought relief. Here is the shocker: In less than a dozen cases the appeal has been reversed. The determination has been reversed in less than a dozen cases.

Why would only 200 people appeal this decision which was arbitrarily made by the Veterans' Administration? Well, the VA doesn't provide any help. As a matter of fact, the veteran is on his or her own. Even the cost for the appeal is absorbed by the veteran.

We have made it as difficult as we possibly can to deprive veterans of their second amendment, and then to say we are going to make it even harder for you by making it harder for us to reverse this because now veterans will be required to have financial skin in the game. Well, out of the 128,000 who haven't applied, having looked at only a half dozen being appealed, where is the incentive to invest money? A person might as well throw it down a rat-hole.

So what I am suggesting to my colleagues is that the standard shouldn't be, Can you take care of your finances; the standard should be and ought to be, Are you a harm to yourself or to others—a determination that everywhere else in society is made by the bench, by a judicial review.

My good friends who offered an amendment to fix the appellate process suggested we should internally, within the VA, set up this appeals process whereby we overcome some of the hurdles of the costs and whether a veteran has aid. Let me say to my colleagues: Are we confident we can set up a real appeals process within an agency that is so blind they put 129,000 people on the NICS list and deprived them of their second amendment right? Can we take the individuals who made this interpretation and believe they can go through a fair appellate review of an applicant's request to be taken off the list? I personally don't believe that can happen. For that reason I am offering an amendment to this bill to change the standard—not to eliminate whether a veteran is listed as a harm to themselves or others, and that, in itself, would take away one's second amendment ability to own a gun, but it is to say apply the same standard to veterans we apply to every other American.

Imagine what would happen if every Social Security beneficiary who got assigned somebody to help with their finances lost their second amendment right to have a gun. We would kill ourselves, 100 Members of the Senate, trying to get to the Senate floor to change the law because the pressure would be so great. The numbers may not be as

big as we might see out of Social Security, but that is the entire population.

I suggest to my colleagues I can't think of a population in America that deserves their second amendment right protected more than those who laid their life on the line to protect this Republic we have.

In conclusion, I urge my colleagues to support amendment No. 720. I am not sure what the disposition of this piece of legislation will end up being, but I am convinced that with the addition of amendment No. 720—a vote in favor of this amendment makes whatever this bill looks like at the end of the day a better bill, one that fairly represents our Nation's veterans, and I think continues our commitment to people who have made the ultimate sacrifice to their country.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, they say when a person outlives their child, it is unnatural; it violates the laws of nature, and a person is never ever the same. We all wish we never have to experience that phenomenon.

But on Friday, December 14, 20 sets of moms and dads sent their first graders off to school at Sandy Hook Elementary in Newtown, CT, expecting, as every parent does, to see them come home on Friday and then go out and spend a wonderful weekend with their kids. It was going to be a great weekend because it was the Christmas season. As a parent of a little boy who is a little bit younger than the first graders who went into that classroom that day, I know how amazing the Christmas season can be with a little one. Whether they were going to be picking out their Christmas tree or putting up outdoor lights or visiting Santa Claus, it was going to be the kind of weekend parents live for.

Those parents sent their kids off to school that morning and a few hours later, one shockwave of violence later, 40 parents had outlived their children.

I have been so angry for months. I have been angry at Adam Lanza. I have been angry at his mother for giving him access to those guns. I have been angry at this place for 20 years of inaction. But, mostly, I have been angry at the people in this Chamber and outside of this Chamber who say what we are discussing here right now this week wouldn't have changed what happened in Newtown. I am angry for this first simple reason: They are wrong. Guns have become so much more powerful in this Nation over the past several decades—so powerful that the assault weapon, the military-style assault weapon that was brought into that school that day, was fired at 20 children and every single one of the kids who was hit died. None of them survived because of the power of that

weapon. It got off over 150 bullets in a time period that was perhaps only 5 minutes long, from a weapon that could discharge 6 bullets a second. If there had been a weapon of lesser power in that school that day, there might be kids still alive.

Second, the shooter, to get 150 rounds off, only had to switch magazines 6 times. During at least one of those exchanges, a bunch of kids ran out of the room, and they are alive today. If we had a limitation on magazines that was closer to 10 rounds, Adam Lanza would have had to have changed clips 15 times, providing another 9 opportunities for some subset of those 20 kids to run out and rejoin their parents for the weekend.

In addition to passing laws that would have changed the reality in Sandy Hook, we have an obligation to make sure it doesn't happen again, and we have an obligation to do something about the routine, everyday gun violence plaguing this Nation. Twenty-eight people died in Newtown that day, including 26 at the school, the shooter, and his mother. But every single day the average is higher. Thirty people on average are dying across this country from gun violence. From a statistical point of view, December 14 was just an average day.

So what do we do? The amendments we are debating here today offered by my Democratic colleagues are a good step in the right direction. I suggest there are three rules that should guide our actions. Frankly, I think these are pretty simple rules that the vast majority of the American public in every single State we represent here would agree with.

First, I believe people should be able to own guns, to protect themselves, to shoot for sport, to hunt, but the criminals shouldn't be able to own guns. If someone opposes the Manchin-Toomey amendment, they cannot say with a straight face they oppose criminals getting guns. If a Member votes against Manchin-Toomey, they are basically saying they are OK with more criminals having guns.

Ninety percent of Americans want us to make this commonsense change. Ninety percent of Americans want us to crack down on the number of criminals who have weapons out there, because they know almost 40 percent of gun sales in this country are done without a background check.

For a while, I could only explain opposition to near universal background checks through the power of the gun lobby, because I thought people must know in their heart that a simple, easy thing to do is to make sure criminals don't own guns, so there must be some external pressure that is forcing people to do the wrong thing. The longer I have spent in this place, the more I am convinced there are people who actually believe we should go back to the

days of the wild, wild west; that we should usher in a new era of gun control Darwinism, in which the good guys have guns and the bad guys have guns and we hope the good guys shoot the bad guys. The gun lobby frankly tells us this. We should probably listen to them. They say the only way to stop a bad guy with a gun is to give a good guy a gun, that the government should get out of the way.

The second rule is this: Some guns are too dangerous to have on the streets. We have always accepted this premise. We have always said there are certain weapons that should be in the hands of law enforcement and the military only. Guns have changed over the years. Guns that used to be in the hands of the military now are available to the public and Adam Lanza had one of those weapons when he walked into that school. These are military weapons. These aren't weapons one needs to defend one's home. These are not weapons we need to go out and shoot at targets or hunt in our forests. These are weapons designed to kill as many people as quickly as possible, and they are finding their way into our schools and our movie theaters and our places of worship. Some guns are too dangerous to have on the street.

Third, some ammunition too easily allows for mass murder. The young man who walked into the movie theater in Aurora had a weapon and attached to it was a 100-round drum. Who on Earth needs a 100-round drum of ammunition to protect themselves, to go out and shoot for sport? Nobody does. It should be illegal. Thirty rounds is too much as well. Thirty-round clips, one-hundred-round drums, too easily lead to mass murder and it is being seen in this country over and over and over.

We can take a step forward to realizing those three basic principles today on the floor of the Senate. We can vote for the Manchin-Toomey amendment supported by 90 percent of the American public which will make sure less criminals have guns, something that everybody out there—except for a subset of people in this Chamber—agrees on. We can make the decision to take these dangerous assault weapons off the streets, allowing for thousands of weapons to still be legally purchasable, but to say the most dangerous ones should stay in the hands of the military and law enforcement, and we can say enough is enough when it comes to these high-capacity clips.

We know the shooting stopped in Aurora and Tucson when they exchanged magazines. We know kids escaped in Newtown when the shooter exchanged clips. Less bullets per magazine means more people survive these mass shootings. We can do that today as well.

When we vote today, I would suggest that of all of the victims we can think about—and I have been coming down to

the floor for the last 2 weeks talking about victims; I probably told the story of 50 or 60 or 70 victims on the floor of this Senate—that we think of two specifically. I would end today by talking first about a woman from Chicago named Shirley Chambers. Shirley raised her four kids, three boys and one girl, in the infamous Cabrini-Green housing complex in Chicago. That is where “Good Times” supposedly took place. It was a tough life, but she remembers her kids riding tricycles throughout the neighborhood and she said they were all happy kids.

On January 26 of this year, seven people were killed from gun violence—seven people in 1 day were killed from gun violence in Chicago. One of them was her son Ronnie Chambers. His mother buried him soon after his death. Ronnie was one of the 3,300 people who had been killed by gun violence in our cities and in our suburbs since December 14 of last year. She had four kids, but after Ronnie died Shirley was childless, because all four of her children had been killed by guns on the streets of Chicago: Carlos, Jerome, LaToya, and now Ronnie, all gone. She said, “My life will never ever be the same again.” Isn’t that the understatement of the decade.

Lastly, I want my colleagues to think of Mark and Jackie Barden. I have talked a lot about little Daniel on the floor of the Senate, so I will end my remarks in this debate with him. Mark and Jackie lost Daniel that morning. These parents from Newtown have been so generous. They have visited our offices. They have allowed myself and Senator BLUMENTHAL to come to this floor and to tell the story of who their kids were and who their kids would have been. Mark and Jackie said this of Daniel after he died:

Everyone who has ever met Daniel remembers and loves him. Words cannot express what a special boy Daniel was. Such a light. Always smiling, unfailingly polite, incredibly affectionate, fair, and so thoughtful towards others, imaginative in play, both intelligent and articulate in conversation; in all, a constant source of laughter and joy. Daniel was fearless in his pursuit of happiness and life. He earned his ripped jeans and his missing two front teeth. Despite that, his mother said, he was just so good. He embodied everything that is wholesome and innocent in the world.

Every morning, the Bardens’ kids would leave for school in succession. They all went to different schools. Daniel was the youngest, so he left the latest. Like most kids, he never got out of bed until he absolutely had to. So every morning, his older brother, whom he adored, left for school before Daniel had gotten up. But not on December 14. Every single morning that school year, Daniel had slept in as his brother went off to school. But on Friday morning, something different happened. Daniel got up early, and as his brother was walking down the drive-

way to the bus, for the first time that entire school year, Daniel ran after him in his pajamas and flip-flops, and he hugged his older brother, and he said goodbye.

Losing a child is unnatural, but what should be just as unnatural is a Senator’s unwillingness to do something to change that reality. Occasionally, in truly exceptional moments, we hold the power here that is so big and so bold to change the reality of life and death. We cannot amend what happened to the Bardens. Their loss will sear forever. We cannot change the fact that Shirley Chambers lost her four children. She will bear that loss for the rest of her life. But we can reduce the likelihood that more kids will die of gun violence in Chicago. We can reduce the chances that another Sandy Hook will happen. These parents cannot understand the casual willingness of this body to turn our backs on a chance to make sure that kind of loss does not happen to more parents. To them, that would be truly unnatural.

I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 725

(Purpose: To address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms, and for other purposes)

Mr. GRASSLEY. Madam President, I ask consent to set aside the pending amendment and call up my amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] for himself, Mr. CRUZ, Mr. GRAHAM, Mr. THUNE, Ms. AYOTTE, Mr. HOEVEN, Mr. HATCH, Mr. FLAKE, Mr. COATS, Mr. CORNYN, Mr. ROBERTS, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. RISCH, Mr. RUBIO, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. JOHANNES, Mr. PORTMAN, Mr. MCCONNELL, Mr. BLUNT, Mr. VITTER, and Mr. COBURN, proposes an amendment numbered 725.

Mr. GRASSLEY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

Mr. GRASSLEY. Madam President, the Senate will vote today on an amendment that I am offering for myself, Senator CRUZ, Senator GRAHAM, and many others, as a substitute.

I believe that the underlying bill infringes on the second amendment rights of law-abiding gun owners and it does not provide for adequate measures against criminals who commit gun violence.

My approach is much better than the Manchin-Toomey amendment.

The current background check database, called NICS, is broken. Not enough accurate information on prohibited persons is making its way into the database. This is particularly true for mental health records.

Checking firearms purchasers against an incomplete database will not be effective in stopping prohibited persons from gaining access to guns.

Additionally, we should not further strain the existing, broken system by expanding the use of an incomplete database to more transactions, as Manchin-Toomey would. We should fix the existing system. And that is what my amendment does.

First, we should reauthorize NICS. So the Grassley-Cruz amendment reauthorizes NICS Improvement Act grants to States for providing mental health records.

The amendment codifies one of President Obama’s Executive orders that requires the Attorney General to issue guidance to federal agencies about which records they must submit to NICS.

It improves NICS as well by clarifying the definition of “adjudicated mentally incompetent,” so that it includes only actual adjudications, not a single psychiatrist’s diagnosis.

Manchin-Toomey does not.

Mental health records would also be improved by requiring the Federal courts to make available to NICS information concerning such situations as defendants who plead guilty to a crime by reason of insanity.

This approach is consistent with what Washington Post columnist Courtland Milloy writes today. He says:

[T]he national gun-control legislation set for debate in Congress would rely on a bureaucratic dragnet of “background checks” so extensive that anybody’s hands could end up being the wrong ones. Including mine.

He thinks that gun control supporters are “bent on harassing [him] into giving” up his gun.

He also offers a prescription for the actual problems:

Go after the criminal. Take his illegal gun. Leave everybody else alone.

My amendment reflects that view. It enhances criminal prosecutions of those who use guns.

The real way to fight gun crime is to pursue criminals, not law-abiding citizens.

Under my amendment, Federal gun crime prosecutions are to be increased. This will happen because the very successful Project Exile will be expanded nationally. This initiative requires Federal and State officials to develop agreements on enforcing gun laws. It requires the U.S. Attorney to designate at least one assistant to prosecute firearms cases. Project Exile will be expanded to 18 jurisdictions, including three tribal jurisdictions, with high violent crime rates.

The Grassley-Cruz amendment authorizes \$15 million per year for Project Exile, which will cover more Federal prosecutors and ATF agents.

Manchin-Toomey does not.

The amendment also establishes a task force for prosecuting felons and fugitives who fail NICS background checks.

Right now, thousands of people who are prohibited from owning guns fail background checks. Yet, the Justice Department prosecutes less than 1 percent of them. More of these criminals need to be prosecuted.

Manchin-Toomey does not address the issue.

The amendment also increases the maximum sentence from 5 years to 10 for those who lie and buy on the form that needs to be filled out when purchasing a gun from a licensed dealer.

We also need to think hard before the Justice Department asks gun dealers to sell guns to felons and then doesn't track them. That is why Operation Fast and Furious was such a disaster. It led to the death of a brave Border Patrol agent, Brian Terry.

To avoid such an ill-considered operation in the future, the amendment requires the Attorney General, the Deputy, or the head of the Criminal Division to personally approve any programs for selling guns to criminals.

The Leahy amendment's similar provision would allow the Director of ATF to make this determination. But the ATF Director did not object during Fast and Furious. So that defeats the whole point of requiring high-level approval.

Oversight work on Fast and Furious showed the need for Federal statutes against straw purchasing and gun trafficking. The amendment contains such offenses, but in a more targeted way than does the Leahy amendment.

And now that there is a trafficking offense, the amendment strikes ATF's unnecessary ability to issue demand letters collecting information on purchasers of certain rifles along the southwest border.

The way to target gun violence is to direct efforts against criminals, not law-abiding citizens. So the amendment increases the maximum penalty from 10 to 15 years for transferring a firearm to a prohibited user, as well as the penalty for illegally possessing a firearm.

It creates a 15-year maximum sentence for transferring a firearm to someone knowing that it will be used for a crime of violence, drug trafficking crime, foreign narcotics kingpin crime, or terrorism.

Contrary to what the majority would have the American people believe, mass shootings are not only about guns and mental illness. They are also about what has happened to us as a society.

So the amendment authorizes a study by the National Institute of Jus-

tice and National Academy of Sciences on the causes of mass shootings.

There are other proposals on that subject before us. But they are careful not to look at the entire problem. I don't want to single out any possible cause. But I also don't want to exempt any potential cause.

So some of the mass shooters, for instance, watched and used disturbing video games. The possible influence of violent video games should be part of what is examined.

The amendment also expands the rights of law-abiding gun owners.

It allows interstate firearms sales by permitting out-of-State dealers to sell in a State if they comply with all State laws in which they are selling.

It permits members of the armed services to buy a gun in their State of residence or where they are stationed.

The amendment allows firearms dealers to access NICS to run background checks on their prospective employees. But unlike Manchin-Toomey, the amendment requires that the rights of the prospective employee be respected. The employee would have to be provided notice and have to give their consent before such a check could be run.

Also unlike Manchin-Toomey, the amendment would expand the rights of lawful gun owners to travel through other States without fear of prosecution. Manchin-Toomey, whatever its intent, would make it more likely that law-abiding gun owners would be arrested and prosecuted as they traveled through other States.

Title II of the amendment addresses mental health.

It reauthorizes the bipartisan Mentally Ill Offender Treatment and Crime Reduction Act.

These funds are used for mental health courts, crisis intervention teams, veteran treatment courts, police academy efforts, and prison services.

The amendment allows Byrne grants to be used for mental health programs and operations by law enforcement or corrections.

It allows COPS grants to be used for training law enforcement to deal with mental illness.

To restore the gun owning rights of our veterans, a judicial determination would be necessary to determine that a person is a danger to himself or others to be considered to have been adjudicated mentally defective.

Title III is focused on school safety.

It reauthorizes the Secure our School grants at the prior funding level of \$30 million per year for 10 years.

To safeguard taxpayer money, it would require that different offices that award grants at the Justice Department consult with each other before these grants are awarded.

We want to help as many different schools as possible.

Finally, we should understand that Manchin-Toomey would not have stopped Newtown.

People who steal guns do not submit to background checks.

We heard testimony in the Judiciary Committee that background checks will be effective only if they are universal and accompanied by gun registration.

We should not start down the path to gun registration, as history shows where that leads.

Manchin-Toomey creates, not closes, loopholes by requiring background checks for some private sales but not others.

We have heard from gun control groups that were it to pass, they would immediately seek to expand background checks even further.

This would be a running start on a slippery slope.

The way Manchin-Toomey works, if someone takes out an ad for a gun in their church bulletin or farm bureau newsletter, they would have to proceed with a background check.

Manchin-Toomey's exception for family member transfers provides cold comfort.

If the family member transfers the gun to another family member he does not know, but is found later that he had reasonable cause to believe is prohibited, they could face 5 years in jail.

Even worse, for the first time, a violation of Federal law would be based on a violation of State or local law.

A family member may not know the firearms laws in the place where the other family member resides.

Those laws are published.

Ignorance of the law is no excuse.

A person would have reasonable cause to believe that a family member was in violation of them even if the person did not actually know those State or local laws.

If they transferred the gun to a family member, and they did not know the permitting rules in another state, under Manchin-Toomey, that family member could face up to 5 years in jail.

That is unacceptable.

We cannot have the fate of law-abiding citizens turn on assurances of prosecutorial discretion.

Finally, my amendment, and not Manchin-Toomey, protects the rights of law-abiding gun owners to travel through other States if their guns are unloaded and ammunition is secured.

Manchin-Toomey seems to do this but it does not.

It cuts back on existing protections.

It provides that the criminal immunity does not apply if the transportation does not violate any gun felony.

But some State laws say that not having a State permit for a gun is a felony.

So a law-abiding gun owner who did not have a permit would commit a State felony.

Under Manchin-Toomey, they could be arrested and prosecuted.

Other States that make gun transportation crimes misdemeanors could

change those to felonies and eliminate the force of the Gun Owners Protection Act.

My amendment contains common-sense measures to fight gun violence in our communities and protect the 2nd Amendment rights of law-abiding gun owners.

This is the better way to go.

Mr. LEAHY. Madam President, today the Senate is scheduled to vote on an amendment proposed as a partisan Republican alternative to the bipartisan legislation that was reported by the Judiciary Committee and that has been the business before the Senate for the last 2 weeks. The committee held three hearings and four markups starting in January and concluding in the middle of March. Republican members of the Committee participated but did not offer this substitute at any juncture. When Majority Leader REID introduced the Safe Communities, Safe Schools bill on March 21 and then was forced to end a filibuster to proceed to it last week, the sponsors of this measure were among those filibustering. They justified their filibuster on the fiction that the bill before the Senate somehow violated the second amendment. Of course it does not. If further proof were needed, the fact that they have now reversed themselves to offer a substitute that steals large portions of the bipartisan underlying bill provisions would be it.

The amendment the Senate is now being forced to vote on contains 81 pages of legislative text, and was filed just this morning, so I am not even sure of the amendment number. This last-minute alternative is apparently being offered so that Republicans who fear crossing the Washington gun lobby can go home and say that they voted for something. I invited all members of the Judiciary Committee to work with us and to bring forward their best ideas to reduce gun violence in our society and to have them be fully heard in the Judiciary Committee, in regular order. When Senator GRASSLEY and others came forward, we worked with them to incorporate changes in the Leahy-Collins gun trafficking bill and the Boxer school safety bill to accommodate them. This is our reward. No good deed goes unpunished apparently. I am disappointed that after the tremendous effort so many Senators on the Judiciary Committee made to carefully consider and debate legislation, to reach across the aisle to build consensus, and to work with a seriousness of purpose that would honor the victims of Newtown, Connecticut and all of those whose lives have been affected by gun violence, that this is their response.

The Republican amendment was never proposed during the months of Judiciary Committee consideration. It has not been the subject of hearings. No Senator who supports this effort will have any standing to demand reg-

ular order on any other matter, least of all on consideration of comprehensive immigration reform legislation that will next be considered by the Judiciary Committee.

I oppose the Republican alternative and encourage other Senators who are serious about making progress in the effort to reduce gun violence to do the same. This amendment is not a serious effort to fulfill the extraordinarily important obligation we took on as Senators after the tragedy in Connecticut.

The Senators from Connecticut have spoken eloquently over hours and days on the Senate floor. Senators Kaine and Warner from Virginia gave moving remarks on the anniversary of the tragedy at Virginia Tech. They have helped to celebrate the memory of those who lost their lives in Connecticut, in Virginia, and in other terrible events. They have carried to the Senate the voices of millions of Americans who are demanding that we take meaningful action. I commend them for their work. There are measures on which we will vote today that will carry out our responsibility. The alternative that Republicans put forward for a cover vote is, in my view, not one of them.

I am especially disappointed that after working so closely with the Ranking Member on the legislation to combat straw purchasing and firearms trafficking that Senator COLLINS, Senator GILLIBRAND, Senator KIRK and I introduced, and after earning his support on that measure in the Judiciary Committee, that his amendment contains a proposal that will take us backward, not forward, when it comes to dealing with these serious problems. Anyone serious about the problems on the Southwest border involving straw purchasing and gun trafficking should be determined to give law enforcement the tools they desperately need. The Leahy-Collins bill does that. The watered-down version shoehorned into this Republican alternative does not.

The legislation that Senator COLLINS and I introduced was drafted with input from law enforcement. It provides the tools law enforcement needs to combat straw purchasing and gun trafficking, and it has the support of numerous major law enforcement organizations. We did not just work with law enforcement, however. We consulted with other Senators from both sides of the aisle, including Senator GRASSLEY, and incorporated their suggestions. We even worked with the National Rifle Association to address all of its substantive concerns.

In contrast, the junior Senator from Texas, a self-proclaimed leader of the filibuster against considering any gun violence legislation, introduced his watered-down version of our bill on straw purchasing and gun trafficking just this week. He did not offer amendments when the Judiciary Committee,

a Committee on which he is a member, met to consider and report the Leahy-Collins-Gillibrand bill. His bill takes the serious proposal Senator COLLINS, Senator GILLIBRAND and I developed and strips out almost all of the important tools that law enforcement requested and needs. As far as I can tell, his bill has not been endorsed by any law enforcement groups. Ours is endorsed by the National Fraternal Order of Police, the Federal Law Enforcement Officers Association, the FBI Agents Association, the National District Attorney's Association, and all nine of the members of the National Law Enforcement Partnership to Prevent Gun Violence, including the International Association of Chiefs of Police, the Major Cities Chiefs Association, the Police Executive Research Forum, and others.

There is no wonder as to why. The trafficking provisions suggested by the Republican alternative essentially give straw purchasers a road map to avoid prosecution. As long as straw purchasers ask no questions and bury their heads in the sand, they cannot be held accountable. The Republican substitute requires prosecutors to prove beyond a reasonable doubt that a straw purchaser knew for certain that he was buying for a prohibited person. A straw purchaser could have every suspicion in the world that the actual buyer is a dangerous criminal, but as long as he deliberately shields himself from getting confirmation of that fact, he is untouchable. Willful ignorance will be their shield.

The substitute also gives gun traffickers the same road map. The bill Senator COLLINS and I have proposed prohibits an individual from buying a gun and giving it to someone you know will then give it to a criminal. The Republican proposal inexplicably removes this provision. So as long as the organizer of a firearms trafficking ring uses a middle-man between the straw purchaser and the ultimate recipient, it is simple to avoid prosecution for providing guns to dangerous criminals.

The proposal from the junior Senator from Texas also takes out the provision in the Leahy-Collins bill that allows law enforcement to use wire taps to investigate straw purchasers and gun traffickers. And it also takes away the ability to prosecute gun traffickers for money laundering and racketeering and to seize their ill-gotten proceeds. How does this make us safer? What is the rationale for weakening these law enforcement tools?

Not content to undermine the straw purchasing and gun trafficking measures Senator COLLINS and I have proposed, the Republican substitute aids the Mexican drug cartels by eliminating an existing tool that the Justice Department needs to combat violence on the Southwest border. The ability of cartels to purchase firearms in the

Southwest has led to terrible violence. In order to investigate and stem the flow of dangerous weapons to the cartels, the Justice Department requires licensed gun dealers in that area to report sales of multiple long guns such as assault rifles to the ATF. This practice has provided law enforcement with major investigative leads, yet the Republican proposal prohibits it.

The Republican substitute also interferes with state prosecutions of gun crimes. Under existing law, a person who is traveling through a state with a gun he is not allowed to possess in that state can assert as a defense that he was merely traveling between two states in which his possession would be legal. This is fair. But the Republican proposal takes this defense and places the burden on the state prosecutor to disprove the defendant's claim beyond a reasonable doubt in all cases, even if the defendant has offered no evidence at all to support his claim. If the state prosecutor fails to meet this high burden, the Republican proposal requires the state to pay the defendant's attorney's fees. This is a clear intrusion on the longstanding police powers of states.

I previously have spoken about the amendment proposed by Senators MANCHIN and TOOMEY. That amendment contains a number of important provisions. One aspect of the amendment that has not received enough attention is the additional due process it affords to veterans who have been deemed mentally incompetent by the Department of Veterans Affairs. The amendment provides that before veterans who have been adjudicated mentally incompetent lose their right to a firearm, they can go before a board or a court to evaluate whether they can safely use a firearm. The amendment requires that veterans be notified of this opportunity. This adds to existing law that allows veterans who are no longer mentally incompetent to regain their right to a firearm. These laws are important and I support them.

I cannot support the Republican proposal, however, because it rolls back the existing laws that prohibit mentally ill people from possessing and using guns. It rolls back these laws not only for veterans, but for many civilians deemed mentally incompetent. It would force the FBI to purge existing records from the background check system for those mentally incompetent people. This is dangerous. It is unwise, and it makes us less safe.

What this Republican alternative proposes is weak and unworkable and will be of little use to law enforcement. I urge all Senators to reject this proposal. We have heard much criticism and blame directed at the Justice Department for not adequately enforcing existing laws. But when Congress passes toothless laws it is Congress and not law enforcement that is to blame.

The Republican alternative is not a serious solution to the plague of gun violence.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Madam President, I want to speak today about the series of votes that are going to be taking place this afternoon on gun rights. I wanted to start off by telling a little story and explain why there are some difficulties with some of those amendments that are here.

I had a person in Cheyenne come to me and say: I advertised a gun I wanted to sell. The guy was from southern Colorado, so he had to drive about 300 miles. But he was former FBI and had a concealed carry permit. He was willing to drive up to Cheyenne and wanted to do it the right way—both of them wanted to do it the right way.

The person from Colorado was willing to pay the fee for doing a gun check. The person in Cheyenne arranged for a federally licensed dealer to do that. So they met at the gun store with the gun. Of course, credentials as a former FBI agent is probably good enough to get through a gun check. Concealed carry permit, there is reciprocity in Wyoming for that. They did not think there would be any problem. They looked at it and put it into the system and got word back that he would know in 5 days. Well, it is a long trip to get a gun. The person had a gun that was just like it. He was convinced of the credentials, so they went to his house and finished the transaction. The fellow from Colorado went home. The fellow from Cheyenne went down to retrieve his other gun. He found out that it is now in the Federal system. So he can have a background check done on himself to get his own gun back.

So there are difficulties with the gun check. They are not immediate. There is not a computer that immediately says: This person is not in there so go ahead and sell them a gun. It can be a 5-day process, which, for a 3-day gun show can be a bit of a problem, or even a shorter one than that.

I want to talk a little more broadly about gun rights because the Senate will be voting on proposals today that affect rights not created by the law but, rather, were created by the Constitution that last a lot longer than anything we do in this body. Wyoming is a State of gun owners. A large number of Wyoming residents grow up learning to respect and lawfully use firearms.

As a matter of fact, many schools and youth organizations build hunter

safety and gun safety into their curriculums so that young people become familiar with the responsibilities of gun ownership at an early age. Therefore, it should be no surprise that a majority of Wyoming residents have called on me to oppose any legislation that puts additional restrictions on the freedoms they enjoy and use daily.

I have been saying for some time that the bill before the Senate does not focus on the problem. There is no doubt that we need to do more to curb the senseless acts of violence which continue to occur in this country.

One of the things we need is parents to be more careful and more repetitive at telling their kids it is not right to kill people, it is not even right to bully them, and it is definitely not right for them to kill themselves. Until we can get that message across to our kids, I hope that we do not rely on a few votes by this body to make everybody feel comfortable that all of the problems are taken care of. They will not be.

The Senate should focus on making sure current laws are enforced; they are not. Finally, our Nation and its communities should be doing more to foster the idea that life has to be respected. However, the problem with several of the proposals we will vote on today is that they add to programs with track records of failure.

Additionally, I oppose limiting the rights of gun owners to transfer their firearms to their neighbor or loan hunting rifles to their family members. The underlying bill the Senate is debating would restrict that right in many areas and would only make gun ownership more burdensome on lawful citizens.

My colleagues in other States may not realize this, but in Wyoming guns are not used just for self-defense and recreation. They are a tool. Ask the rancher who uses a rifle to defend his livestock from predation or the outfitter who uses a gun to protect clients in the back country.

Firearms do have everyday uses in Wyoming. Sometimes it is necessary to transfer or loan a gun to a nephew, a niece, or an employee. But under what is being considered, that right may be severely infringed. I do not condone acts of gun violence. I am a father and a grandfather and will do everything I can to keep guns out of the wrong hands. However, I am not willing to infringe on the constitutional right of lawful gun owners when the laws already designed to protect us are being unenforced.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. REED. Mr. President, since 1968, more Americans have been killed by gun violence in the United States than have died in all the wars in American history combined. This is a heavy toll on public safety and public health. As a body, this Senate can do more and should do more to make our communities safer.

It has been too many years, too little action, too much tragedy and heartbreak since the last debate on guns. I know all my colleagues share my utter horror at the mass shootings at Sandy Hook Elementary School in Connecticut last December. Yet our responses to this and other tragedies are vastly different. I am motivated by them to demand passage of serious, concrete, and comprehensive measures to try to safeguard innocent and precious lives, to prevent the next Newtown, the next Aurora, the next Tucson, and countless other devastating examples of senseless gun violence.

Unfortunately, it seems we are on the verge of throwing up our hands and saying there is nothing we can do. But there is something we can do.

We will take a series of votes this afternoon to reinstate the assault weapons ban and prohibit high-capacity magazines, amendments I am cosponsoring, and a compromise effort to close the gun show loophole and require better background checks. These measures balance protection for responsible gun ownership with protection for public safety.

As someone who has served in the U.S. military, I believe carrying a gun is a serious responsibility. However, today it is far too easy for criminals, domestic abusers, gang members, and terrorists to buy weapons.

Today's New York Times describes just how easy it is. One South Carolina man is noted as:

a fugitive from the Rhode Island police who has two outstanding felony warrants as well as a misdemeanor warrant. His legal status bars him from owning guns, but he was recently seeking to buy an AK-47 assault rifle on [the website] Armslist and was also trying to trade a Marlin rifle. He posted photos to his Facebook account of an AK-47 he had already purchased, along with a variety of other guns.

Clearly, the system is broken, and there is room for common sense reform. Indeed, we need to close gaping loopholes in current law which allow the sale of firearms at gun shows or online without accountability or background checks to determine whether the buyer has a criminal record.

The Manchin-Toomey compromise, while not perfect and not my ideal solution, would go a long way toward closing these loopholes. I wish to personally commend both Senator MANCHIN and Senator TOOMEY for their bipartisan, and, indeed in many re-

spects, courageous steps to try to make this legislation possible for all of us.

In March of 2004, during the 108th Congress, when Democrats were in the minority, Senator MCCAIN and I worked together on bipartisan legislation to close the gun show loophole. With his great leadership, we passed an amendment 53 to 46, which was one of several successful gun safety amendments. Ultimately, the gun lobby defeated the underlying bill, a bill it originally supported and identified as a top priority. This was because we had managed to pass sensible gun safety measures, at least in the amendments to the legislation.

This is proof that passing sensible legislation to keep guns out of the hands of dangerous individuals is possible with bipartisan cooperation. We have done it.

Gun ownership is a fundamental right in this country, but reasonable limitations on military-style assault weapons and high-capacity ammunition clips are fully consistent with the second amendment.

Indeed, in the 2008 majority opinion in the Heller decision, Justice Scalia made clear that the second amendment is "not unlimited" and is not "a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose."

Limiting access to military-style weapons and strengthening background checks would help save lives and make our communities safer. We also need to improve access to mental and behavioral health care. One of the ironies is that more often an individual with mental illness is the victim of gun violence or other types of violence than the perpetrator of violence. However, it is still important to take any opportunity to help strengthen our mental health system.

This is why I support the Harkin-Alexander amendment which, among its many provisions, would include my bipartisan youth suicide prevention measure, the Garrett Lee Smith Memorial Act reauthorization, legislation which was led very courageously and successfully by our former colleague, Senator Gordon Smith. I urge my colleagues to support these amendments and to muster the same kind of bipartisan cooperation Senator MCCAIN, I, and several others had years ago.

It is my wish we can reach a sensible consensus. Indeed, an overwhelming majority of Americans are demanding this. There is no question what the American people want. The question we will settle is are we responding to the American people or are we responding to a very narrow self-interest. I hope we will respond to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, this afternoon I, rise to defend the second

amendment to our Constitution. Recent mass killings, such as those in Connecticut and Colorado, are the impetus for the gun control legislation we are discussing before the Senate now.

I mourn the victims of these senseless acts of violence carried out by serious and disturbed individuals. Unfortunately, this legislation, I believe, would do nothing to prevent such tragedies going forward.

The harsh but unavoidable fact is no amount of government intervention can prevent irrational people from doing terrible things. Therefore, we should not react to these tragedies in an irrational manner in the Senate which would erode a fundamental right of every citizen in the United States.

The second amendment states, as you well know, unambiguously, "The right to keep and bear arms shall not be infringed." It makes plain to criminals their targets have the right to defend themselves, their families, and their property.

Since criminals do not follow the law and never will follow the law, new restrictions will hinder only the law-abiding among us. I am afraid. Make no mistake, this is only the first assault on the second amendment. More background checks today, gun registration tomorrow, who knows what will follow after this. Congress should reject it all now.

My opposition to the legislation before the Senate is not abstract. Gun control laws have proven ineffective in reducing violent crime. As gun ownership in the United States has increased over recent years, nationwide crime rates have decreased. Nonpartisan studies, however, show no correlation between the now-expired assault weapons ban and the decrease in crime rates. Still, violence has spiked in certain parts of this country.

In Chicago, for example, murder rates are soaring. Yet Chicago has among the most Draconian and restrictive gun laws in the country. These trends have developed not because of gun control legislation but in spite of it.

Despite this failed record, the legislation before the Senate pushes more of the same. This so-called compromise amendment would do nothing but compromise our second amendment rights.

First, it would drastically expand background checks for gun purchases in an inconsistent and unenforceable manner. The legislation mandates background checks for all firearms purchases at gun shows between two nonlicensed parties. Yet it is unclear whether the same buyer and seller would have to run a background check if they meet at a gun show but wait until it is over to execute the sale.

The legislation also mandates background checks for any gun purchase pursuant to an advertisement by a buyer or seller. This would be extremely difficult to enforce under a

narrow definition of what constitutes an advertisement. Under the extremely broad definition provided in this amendment, enforcement would be virtually impossible.

Will determined criminals not simply avoid gun shows and advertisements? We can bet they would. I believe we should not restrict transactions between law-abiding citizens, especially when we will not prevent such transactions between criminals.

This amendment would also allow health care providers to place a patient in the National Instant Criminal Background Check System database. I believe this would violate patients' privacy and remove their second amendment rights based on subjective judgments and without any clear guidelines or due process.

It is unclear whether a patient must be informed of the health care provider's decision to submit his or her private health information to authorities. This provision could very well discourage those who need mental health services from seeking them for fear their constitutional rights may be abrogated. We should not put doctors and patients in this position.

In addition, the FBI estimates enforcing these background checks would cost approximately \$100 million annually. At the same time, this amendment would prohibit the FBI from charging federally licensed firearms dealers to run these background checks.

To carry this out if it were to become law, the money must come from someone. Will it be gun buyers or taxpayers? Either way, I oppose it.

Again, this legislation is just the first step. It would lay the groundwork for even more Draconian and ineffective gun control measures. As one of the Justice Department's leading crime researchers has stated, the government's ability to implement near-universal background checks would rely, at least in part, on "requiring gun registration." I oppose that.

Mr. President, there are as many guns in this country perhaps as there are people, according to some estimates. That is more than 300 million people, and there are probably over 300 million guns. The bureaucracy we have today cannot track all of the people illegally residing in this country, why then would anyone believe the bureaucracy could track all of the guns illegally possessed in this country? And who would pay for that? Would gun owners again be subject to still more fees or taxes for exercising their second amendment rights?

Who would have access to this so-called registry? Would the public know who owns guns and who does not? Who would ensure this sensitive information is protected and not used for political purposes, and how?

We do not know the answers to these questions, but we do know that such

restrictions will not prevent the next tragedy. We should not start down this dangerous road. What should we do instead? I have a few suggestions.

Instead of undermining the second amendment, Congress should focus its attention on three areas: First, I believe robust prosecution of violent criminals is the best deterrent to violent crime. Prosecutors should punish to the fullest extent of the law individuals who misuse guns, knives, or anything else to commit violent crimes. There should be no leniency whatsoever for the commission of such crimes.

Secondly, we should examine and address any deficiencies—and we have them—in our mental health system. Time and again we have seen a strong connection between mental illness and violent crime. We should not fall prey to the delusion government can prevent all bad things, nor should we assume simply throwing money at the problem will solve it. We should, instead, do a better job of helping those with mental illnesses before their problems spiral out of control.

Third, I would suggest we should weigh the impact of violence in the entertainment industry on violent crime in this Nation. Many video games, movies, television shows, and songs contain graphic depictions of violence. Common sense tells us that glorified violence can distort impressionable minds, particularly those afflicted with mental illnesses or mental challenges. Still, many in Hollywood defend the First Amendment to the Constitution with the same wild-eyed zeal they trash the second amendment to the Constitution.

I stand here to defend the Bill of Rights in its entirety.

In closing, let me mention that since January 1 of this year I have held public meetings in each of my State's 67 counties. Overall, my constituents are deeply concerned about any infringement upon their second amendment rights. They are concerned about their ability to protect themselves, they are concerned about their ability to protect their families, and they are concerned about their ability to protect their property.

They are concerned that the activities, traditions, and way of life they have long and peaceably enjoyed, and which are protected by the Constitution, could possibly be outlawed. They are concerned they may unknowingly run afoul of a new gun control law because the proposals before us are so illogical and inconsistent and contrary to common sense.

I believe this bill is an overall legislative misfire. I have outlined what I believe would constitute a clear-eyed response to the situation at hand. I will continue to vigorously oppose gun control legislation, and I will continue to stand firm in defense of the second amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Would the good Senator from Alabama yield?

Mr. SHELBY. I will be glad to yield for a question, but my time is up.

Mr. MANCHIN. Mr. President, I respect the Senator's views. He is a true friend. But on the bill Senator TOOMEY and I have been working on, if I could point out and ask the Senator's concerns and consideration about that, if he would, especially relating to the second amendment. I am a defender, I think Senator TOOMEY is, as is the Senator, a defender of the second amendment.

In our amendment we basically strengthen and enforce and promote it. Here is what we have: We allow dealers to sell guns at gun shows in different States, which they can't do now. We allow Active-Duty soldiers to buy guns in their home States, which they can't do now. We fix a legal discrepancy that will allow people in transit across the State to carry an unloaded and locked weapon. And we explicitly state the bill does not expand the authority of the ATF. Plus we make it a penalty by a felony and 15 years imprisonment by registration.

Mr. SHELBY. May I respond?

Mr. MANCHIN. Absolutely.

Mr. SHELBY. I would tell the distinguished Senator and my friend from West Virginia, for whom I have a lot of respect, that I totally disagree. This is the first step in the erosion of our rights under the second amendment. That is why I oppose this legislation. I totally and fundamentally disagree with the author.

Mr. MANCHIN. I respect the Senator's position on this, and I thank him.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent to be recognized to talk about the pending amendments for about 8 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRAHAM. Mr. President, this debate we are having about gun control legislation and how to solve a difficult problem is a good debate. Quite frankly, I never understood why we would not want to have this debate. This is an issue where most Americans very much would like to see something of substance accomplished. But the goal is to do something of substance that will address the underlying problem, not just pass legislation, quite frankly, in a more feel-good category.

Senators MANCHIN and TOOMEY are very sincere. I know they are trying to fix a problem that is seen by a lot of people to be a problem, and I understand where they are coming from. But I want to take my time to talk about two things.

The President has given a lot of speeches about this issue, very emotional in nature—that State of the Union Speech—and he has literally traveled all over the country to sort of gin up support for three things: a universal background check, the banning of assault weapons, assault rifles, and limiting magazine sizes. At the end of the day, the Senate will take up these measures individually and somewhat collectively, and here is what I think will happen.

I think when it comes to the magazine size limitation, that is not going to pass the Senate simply because there are thousands, if not millions, of magazines beyond 10 rounds out in the current marketplace. From a criminal point of view, this legislation wouldn't affect them one bit. They will get a magazine of whatever size they would like. It would affect law-abiding citizens and put them in a bad spot.

The best way to interrupt a shooter in a Newtown situation is not to limit the magazine size but to have a security officer in the school who can confront the shooter before they get to the kids. Don't kid yourself that having to reload is going to be the answer to interrupting a crazy person bent on destroying the lives of innocent people. In a school environment, in my view, the best way is to confront that shooter with a trained law enforcement officer. The Grassley-Cruz-Graham amendment has money put back into the system—money President Obama cut out of school safety, some \$300 million, at a time when that was very unwise. So we would restore that money.

Two months ago, maybe a little longer, there was a young woman at home in the Atlanta suburbs with her twin daughters—I believe they were twin daughters—and there was a home invasion by someone who had just been released from jail. She took her children up on the second floor and hid in the closet. She got on the cell phone and called her husband asking what to do. She grabbed a .38 revolver. The guy broke into the closet, she fired six times, emptying the gun and hitting him five to six times. He was still able to get up and drive away.

Approximately one-third of the assaults in this country are committed by more than one person. In the hands of that mother, six shots were not enough. It wouldn't bother me one bit if she had 30 rounds. In the hands of a mentally unstable person or convicted felon, one bullet is too many. That is why I oppose the magazine size limit. It does not address the problem.

Now, as to the AR-15, there are 4 million of these rifles available. It is one of the most popular selling sportsman's rifles in the country. I have been in the military for almost 30 years. It is similar to the M16, but it is a semiautomatic, not a fully automatic rifle. The reason I own one is because I like to

shoot. I am not going to bother anybody. I am not going to do anything wrong with the gun. I passed the background check to get the rifle.

Why an AR-15? Vice President BIDEN, who is a good friend, has suggested a double-barrel shotgun is the best way to defend a home in case you find a lawless environment. We have had hurricanes, earthquakes, or other natural disasters where law enforcement is not available to families because the system is broken. They can't call, they can't travel, there has been a catastrophic event, such as Sandy, Hugo or Katrina. These things happen in the real world where law and order breaks down.

The Vice President was talking to a young man who was worried about this, and he said: You don't need an AR-15, you need a double-barrel shotgun. That is the best way to defend your home.

To be honest with you, I disagree. If there is a roving gang in the community, and there are three homes, one without a gun, one with a double-barrel shotgun, and one with an AR-15, they are going to pick the AR-15 last. Now, you may not agree with me, but I think that makes sense as a self-defense weapon. So that is why the assault ban is not going to pass.

Less than 2 or 3 percent of all murders in this country are committed with a rifle of any kind. Most murders committed in this country, violent acts, with a gun, are committed with handguns.

At the end of the day, the magazine limitation is not going to pass because it doesn't address the problem. In the hands of a mother, six rounds is not enough; in the hands of a criminal, one is too many. The AR-15, 4 million guns available; the assault weapon is a very popular selling gun, and I think under Heller that type of weapon would be protected. It is not the gun you own, it is who owns it.

At the end of the day, the universal background check is not going to make it. Senators MANCHIN and TOOMEY are trying to find a solution in a smaller way. I appreciate that. But here is my concern about background checks.

Last year, 80,000 people failed a background check, and 9,000 of the people who failed the background check were convicted felons on the run from the law. Yet only 44 people were prosecuted out of 80,000. Of those 9,000, I can't find one case where the law enforcement community found out a criminal on the run from the law tried to buy a gun and they went and picked him up. We at least ought to be catching dumb criminals. If they are dumb enough to fill out a background check while they are on the run, the system ought to catch them.

Let me tell you of another problem we found. In 2005, there was a young lady named Alice Boland, who is a paranoid schizophrenic, a very troubled

young lady with a history of mental illness, who pled not guilty by reason of insanity for trying to kill the President of the United States and a Secret Service agent. The threats were made at the Canadian border, and she eventually came to South Carolina with her family.

She was adjudicated by a Federal court, pled not guilty by reason of insanity, and the plea was accepted. She was confined to a mental health institution by the court. When she got out, she went home, and in February of this year she went to Walterboro, a small community near Charleston, and bought a .22 semiautomatic pistol. She filled out the background check, and her plea of not guilty by reason of insanity was not entered into the background check system. The fact she was confined to a mental health institution by a Federal court didn't make it into the background check system.

She bought the gun, went to a private school—Ashley Hall in Charleston—went to the office area where the staff was located, pulled out the gun, and the gun didn't fire. Thank God it didn't. But our background system doesn't catch people like her.

There are 14,000 people in South Carolina who have been adjudicated a danger to themselves and others by a competent court under due process who are not in the Federal background system. There may be up to 1 million people.

The Grassley-Cruz-Graham bill will fix that problem. It would make sure before you get a law enforcement grant from the Federal Government, the State that requests the grant has to enter into the Federal database people who have been held mentally a danger to themselves or others by a competent court. It looks like we could at least do that to get thousands, if not up to 1 million people, who have been deemed to be a danger to themselves or others into the background check system before we expand it.

So I support Grassley-Cruz-Graham. I think it has a comprehensive approach. It has an antitrafficking component to it. It has a task force that will have \$50 million available to the Federal law enforcement community to go after people who fail a background check or who are felons. I think it is a much better approach than the other legislation on the floor.

So I will be opposing Manchin-Toomey. I appreciate the spirit in which it has been offered, but I think defending the background check system is not the problem. Making the background check system capture mental health adjudications and doing something about a felon who fails a background check is a wiser approach rather than expanding a broken system.

When we only have 44 people out of 80,000 prosecuted, something is wrong.

Why create more paperwork where nobody is going to do anything about it. Let's focus on the problem.

So I think this has been a good debate for the Senate. When it is all said and done, after a reasoned debate, the President's proposal—more emotional than practical—of a universal background check, which would have included a private sale, no matter what he said, is not going to carry the day in the Senate.

We should be going after the criminal, not the law-abiding citizen, and all of us should want to make sure that those who are a danger to themselves and others do not have access to a weapon. That is a commonsense approach to a hard problem.

I look forward to the votes today and the votes to come because this is an issue which should be debated. I am not afraid to voice the courage of my convictions. Everyone in this body is sincere about their approach to the problem, but I think at the end of the day what is going to prevail is common sense.

Mr. President, I yield the floor.

Mr. MANCHIN. Mr. President, would the Senator from South Carolina yield for just 1 second?

Mr. GRAHAM. Absolutely.

Mr. MANCHIN. I appreciate so much the Senator's sincere approach.

The only thing I would say is that my and Senator TOOMEY's approach and what we are doing is not a universal background check and would not touch the private sector.

Mr. GRAHAM. Absolutely. It is taking a more limited approach. I totally understand it.

Mr. MANCHIN. I thank the Senator, and I appreciate it.

The PRESIDING OFFICER. The Senator from Massachusetts.

BOSTON MARATHON BOMBING

Ms. WARREN. Mr. President, I rise today to give my first speech from the floor of the Senate. I rise with a heart heavy with mourning, but I also rise with the gratitude of a fearless people—gratitude for the Nation's prayers, strength, and resolve.

Two days ago there was a cowardly and despicable terrorist attack in the city of Boston. Two times blasts from hidden bombs rocked the streets of Copley Square. Two times courageous Bostonians ran toward danger to help their fellow citizens. Three were killed, more than 170 were wounded, and many remain in critical condition.

Two days ago was Patriots' Day in Massachusetts.

Patriots' Day is one of our most cherished holidays. We celebrate the lives of ordinary men and women who, in the hour of reckless darkness and peril and need, rose before dawn in Lexington and Concord and let the world know that liberty and freedom, a government of the people, would be established on this Earth. We celebrate Pa-

triot's Day with reenactments and pancake breakfasts, with barbecues and baseball, and with the Boston Marathon.

The marathon is always the greatest of celebrations. We love the speed of the winners, we love the endurance of the participants, and we love the passion of the supporters, but, as the Scripture says, "The race is not to the swift or the battle to the strong . . . but time and chance happen to them all."

To all the families who lost their children; to all those who were injured and wear the scars of tragedy; to all the citizen heroes, the first responders, the healers who acted with courage in the midst of chaos; to all those who bore witness at Boylston Street; and to the people of Boston and Massachusetts: No one can replace what we have lost. No one can relieve the weight of our sorrow. But here today and in the days and weeks ahead, wherever we are, we will grieve together, hurt together, and pray together.

Today I rise to remember the lives of those we have lost, to support those who survived, and to honor those who served.

Today we remember Martin Richard, an 8-year-old who, like third graders everywhere, spent time drawing pictures, a little boy who loved to play soccer, hockey, and baseball in his neighborhood in Dorchester. We also pray for his sister and his mother to recover from their injuries.

We remember Krystle Campbell, who grew up in Medford and never missed the marathon. Lively and happy, Krystle was always there for others. When her grandmother was recovering from an operation, Krystle moved in to help her because that is the kind of young woman she was.

We remember Lu Lingzi, who came to the United States from China to study statistics. She loved Ben & Jerry's ice cream, and she posted to her friends that morning that she had a wonderful breakfast. Her passing ignites the world in our common humanity.

We will miss them.

To those of you who were injured on April 15, know that we are here for you. Every year during the marathon we are one family. We cheer for each other and we carry each other across finish lines. When tragedy strikes, we are also one family. We hurt together and we help together. In the weeks and months ahead your struggles will be our struggles, your pain our pain, your efforts our efforts. We will be together through sorrow and anger, rehabilitation and recovery. We will be together because we are one family.

To those who served, we honor you. In ancient times the heroes of myth and legend were part mortal, part god, for it was thought that no mortal man or woman could truly be great. This week the people of Boston and the peo-

ple of this country prove the ancients wrong. Our heroes are our friends and our neighbors. They work in Copley and at Children's, and when they were called to act, they answered.

There was the man in a cowboy hat who came to Copley to hand out American flags in memory of his sons. When the bombs went off, he raced to help a young man who lost both his legs, applying a makeshift tourniquet, lifting the man into a wheelchair, and navigating him through the chaos so he could get medical attention.

There was the man who realized that spectators would be trapped by the barricades and started to remove them, only to be hit by the second blast. Battered and burned, he told me yesterday that he was glad and he celebrated not because he lived but because he helped.

There were the marathoners who ran past the finish line to Mass General, unconcerned with their own sweat and tears but resolved to donate their blood.

There were the brave firefighters, police officers, EMS, and guards, coordinating the first response and bringing protection in the wake of peril.

There were world-class hospitals, doctors, nurses, and support staff who refused to accept fatigue and worked through the night.

There were friends, strangers, neighbors, and shopkeepers who gave a home to everyone who was stranded, food to those who were hungry, and comfort to all who needed it.

Across this Nation, whether on Facebook or PeopleFinder, Monday, the whole country was connected to Boston. Our city, our Commonwealth, and our country have been through a grim ordeal. We have seen terror before, but we will not be afraid, and we will not let it change us. Bostonians are tough. We are fighters, and we will not be broken.

Yesterday I met a woman who is recovering in the hospital. Badly injured, clearly in pain, she focused on getting back to work. She said that people counted on her, so she would be back soon. That is the strength and resilience of Boston. Our spirit is indomitable, our will is unyielding. Our Governor and our mayor have demonstrated unwavering resolve.

The men and women of law enforcement are hard at work. In the coming hours, days, and weeks, when we learn more from their investigations, we will identify who did this, and we will bring them to justice.

In times of calamity, in times such as these, we must remember the words of John Winthrop, who counseled the founders of Boston:

[t]o do justly, to love mercy, to walk humbly with our God. For this end, we must be knit together, in this work, as one man. . . . We must delight in each other; make others' conditions our own; rejoice together, mourn together, labor and suffer together. . . . So shall we keep the unity of the spirit in the bond of peace.

May God bless those who have gone and leave them at peace. May He support those who survive and help them carry forward. May He protect those who serve their fellow man. And may He always watch over the people of Boston, of Massachusetts, and of these United States of America.

CONDEMNING THE HORRIFIC ATTACKS IN BOSTON, MASSACHUSETTS

Ms. WARREN. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 101, which was submitted earlier today.

The PRESIDING OFFICER.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 101) condemning the horrific attacks in Boston, Massachusetts, and expressing support, sympathy, and prayers for those impacted by this tragedy.

There being no objection, the Senate proceeded to consider the resolution.

Ms. WARREN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 101) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolution.")

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. COWAN. Mr. President, on Monday a great Boston tradition and a historic holiday in the Commonwealth of Massachusetts were marred by a cowardly and detestable act of violence. Dozens of innocent civilians, gathered to watch an iconic, peaceful athletic event, were injured by explosions and three lives were lost. I am honored today to join the senior Senator from the Commonwealth of Massachusetts, Ms. WARREN, in offering a resolution honoring the heroes and remembering the victims of that horrible day.

We continue to pray for the injured and hope they begin to heal, and we mourn those who were killed and the families who survive them.

As a community, our hearts ached on hearing about the youngest victim, Martin Richard, a vibrant 8-year-old boy from Dorchester—the same age as my son—who came to watch his father finish the marathon, who lost his life. We share in his family's grief and continue to send our prayers to his mother and sister, who are still in the hospital with very serious injuries.

Yesterday we struggled to watch Patty Campbell fight back tears as she talked about her beautiful and always smiling daughter Krystle. This 29-year-

old woman from Arlington and Lingzi Lu, a Boston University graduate student who was from China's northeastern city of Shenyang, were also tragically taken from us by this heinous act.

Events such as those of Monday remind us that, yes, evil still exists in the world, but these events also remind us how unified and resilient the American people are. While the city of Boston witnessed terror, we also witnessed remarkable displays of bravery, support, kindness, and compassion.

The Nation and the world saw the best of the people in the Commonwealth during Monday's tragic events. Countless residents showed such strength and grace in the face of this terrible tragedy.

I am in awe of the bravery shown by our police, fire, and emergency personnel. I am so proud of the medical providers, volunteers, and spectators who rushed toward the noise and smoke to help the injured even as they themselves remained in imminent danger. They helped to evacuate the victims and worked into the night and following days to offer care and protection.

Doctors, nurses, residents, and volunteers worked and continue to work in some of the best hospitals in the Nation right there in Boston to save lives and help victims recover.

I am also grateful for the support the Commonwealth has received from the President, national law enforcement, and my colleagues here in the Congress. The people of the Commonwealth are comforted that the Federal resources needed to help care for the victims and bring to justice those responsible for this assault will be provided. We appreciate that these tangible actions by the Federal Government represent the intangible support given to us by citizens in every State across this Nation.

As we remember those lost and injured, we know that what is good about the human spirit will triumph over the cowards who attacked us. Make no mistake, we will find them and justice will be done. The city of Boston, the Commonwealth of Massachusetts, and the American people will come together and overcome this senseless tragedy. You may visit terror upon us, but we will never be terrorized.

The PRESIDING OFFICER. The Senator from Arizona.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—Continued

AMENDMENT NO. 715

Mr. MCCAIN. Mr. President, given the importance of this debate, I believe it is important for me to explain why I am supporting amendment No. 715, offered by Senators MANCHIN and TOOMEY, to S. 649, the Safe Communities, Safe Schools Act of 2013.

Like all Americans, my heart goes out to the people of Newtown, Connecticut; Aurora, Colorado; Tucson, Arizona, and all other cities and towns impacted by senseless gun violence. These tragic events are impossible to fully comprehend unless you were there and extremely difficult to relate to unless you experience the effects personally. The rest of us are left with more questions than answers, and differing—albeit well-intentioned—solutions designed to preserve our way of life while doing our best to ensure these horrible events are less likely tomorrow.

As everyone is aware, in January of 2011, the citizens of my home State—as well as people around the country and world—were shocked and horrified by the senseless violence of a severely disturbed young man with a gun. Six people were killed and 13 injured. One of those victims was a bright young Congressional staffer named Gabe Zimmerman, who was highly regarded by his colleagues and had a future filled only with promise. Yesterday, here in the Capitol at a room dedication for Gabe Zimmerman, we were provided with a very real portrait of a man who was doing what he loved, serving the people of Arizona, when his life was tragically cut short. I think his father's comments are worth repeating today. Ross Zimmerman, Gabe's father, said:

An echo of Gabriel will persist, perhaps for centuries. It isn't worth the loss, but the echo is good and true. . . . I ask that you and our descendants take inspiration from my son's echo as you conduct the affairs of this Congress and the affairs of this nation.

Another life impacted by those tragic events is that of Congresswoman Gabrielle Giffords. Her life, while still filled with great promise, was unalterably changed that fateful day. Congresswoman Giffords, and her loving husband Captain Mark Kelly—who are both with us here in Washington today to witness this debate—reflect the determination of the American spirit and are beautiful examples of how good really does triumph over evil.

Gabby, Mark and the countless other examples of heroism and resilience that America witnessed in Tucson, Aurora, Newtown and elsewhere around the Nation, are clear reminders of why we are all here serving, and the gravity of the issues we are asked to address. Their presence here today further reminds us that we are here to serve a cause greater than our own self-interest. There is nothing like looking in the eyes of a still-grieving parent who has just lost a young son or daughter to remind you of that fact.

For over three decades in Congress, I have built as strong a record as anyone in this body in defending the second amendment. I have consistently opposed the efforts of anti-gun activists to ban guns and ammunition, staunchly defending the Constitutional rights

that Arizonans hold dear. I have voted against assault weapons bans because I believed they would not work and opposed efforts to cripple firearms manufacturers by making them liable for the acts of violent criminals. I have proudly lent my signature to Supreme Court briefs defending an individual's right to bear arms. In my view, the wisdom of our Framers' inclusion of the right to bear arms is self-evident. And as an Arizonan, I understand the significance of gun ownership to the people of the West, whether for self-defense, sport, or simple ownership.

Just as I have long defended the second amendment to the Constitution, I have also long believed that it is perfectly reasonable to use available tools to conduct limited background checks, as this amendment prescribes, to help ensure that felons and the mentally ill do not obtain guns they should not possess. In my view, such background checks are not overly burdensome or unconstitutional.

Is this a perfect solution? No. Would it prevent all future acts of gun violence? Of course not. Would it have prevented the most recent acts of gun violence? In all likelihood, no. But, it is reasonable and it is constitutional.

I approach the issue of gun rights with profound respect for our Constitution, and the freedoms and rights that it bestows on each and every one of us. I am also guided by a firm commitment that we should do everything we can, within the bounds of the Constitution and the principles of individual rights and federalism on which it is based, to stem the rising tide of gun violence in this country. In this instance, neither the United States Supreme Court nor the lower Federal courts have held that restrictions on possession for certain classes of individuals violate the second amendment. In *Heller v. District of Columbia*, the Court held that the second amendment protects an individual right to a well-armed militia. In his Majority opinion, Justice Scalia observed:

Nothing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms.

In this instance, I agree with Justice Scalia that a background check system is not a restriction of the second amendment right to keep arms. The issue is plain to me because a background check system only seeks to ensure that sellers of firearms do not transfer guns to a prohibited class of owners. Restrictions on ownership by certain classes of people have existed in federal law for 45 years and have not been constitutionally invalidated by the courts.

In addition to Constitutional concerns, many have expressed concerns

about the establishment of a national gun registry. If this amendment would establish such a registry, I would oppose it. But, it does not. In fact, the amendment reinforces the existing Federal ban of a national firearms registry. The amendment explicitly states, "Nothing in this title, or any amendment made by this title, shall be construed to allow the establishment, directly or indirectly, of a Federal firearms registry." But, the amendment does not stop there. It would also provide for a harsh penalty of 15 years for any person who attempts to create a registry and re-affirms that any regulations issued by the Department of Justice to ensure criminals and the mentally ill do not obtain firearms cannot create a firearms registry.

Mr. President, every once in a while I have seen some acts of political courage and quite often we praise each other and ourselves, directly or indirectly, for the positions we take and the votes we pass. I wish to take a moment and express my appreciation to the two sponsors of this amendment, Senator MANCHIN and Senator TOOMEY. Both come from States where there are avid and dedicated and legitimate gun rights advocates. It would have been easier for both Senator MANCHIN and Senator TOOMEY to ignore this situation and not reach across the aisle to each other to see if we could come up with what I think most Americans—in fact, I have seen polls indicating that 80 percent of the American people—support, reasonable background checks that do not infringe on the constitutional rights of our citizens. I congratulate both Senator MANCHIN and Senator TOOMEY for taking this position.

You may not win today, I say to my two colleagues, but I will say that you did the right thing. You did the right thing. It has been my experience, as a Senator in this body for some years who has not always done the right thing, that doing the right thing is always a reward in itself.

Sooner or later this country will take up this issue and it will take up the mentally ill issue, and I hope it will take up Hollywood violence, and I hope it will take up those programs that may incite young people to go out and want to acquire a weapon and use it. But what they have tried to do today I think is an act that should be appreciated by those of us who, many times, avoid taking the tough decisions. I think they are an example to all of us.

I yield.

Mr. MANCHIN. Will the Senator yield?

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Will the Senator yield for a second? Let me say to Senator MCCAIN, I thank the Senator. I truly do. Because with the Senator's

truly busy schedule—and everybody knows in how many directions you are pulled and how you are working—he took time to read it. He took time to see we did not invade anybody's private transactions. He took time to see that basically we had a Commission on Mass Violence that would look at the culture of violence in our country. I can only thank the Senator. For someone with the stature of the Senator in this body, to take the time to go through that bill word by word and know that it does protect our second amendment rights, it does the things we try to do in a comprehensive way, I want to say thank you.

Mr. MCCAIN. I thank my colleague.

AMENDMENT NO. 730

Mr. HARKIN. Mr. President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, Mr. ALEXANDER, Mr. FRANKEN, Ms. MURKOWSKI, Mr. BENNET, Mr. ROBERTS, Ms. BALDWIN, Ms. AYOTTE, Mrs. HAGAN, Mr. MURPHY, and Mr. BLUMENTHAL proposes an amendment numbered 730.

Mr. HARKIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

Today, I offer this bipartisan amendment with my colleague Senator ALEXANDER and several other members from the Health, Education, Labor, and Pensions Committee to reauthorize and improve programs administered by both the Departments of Education and Health and Human Services related to awareness, prevention, and early identification of mental health conditions, and the promotion of linkages to appropriate services for children and youth.

The tragic shooting in Newtown, CT, in December brought the issue of mental health care to the forefront of public dialogue. Many people across the nation, including the President, have said that we need to take a long hard look at access to mental health services across the country. I was pleased to have the opportunity to start that dialogue with my colleagues on the HELP Committee in January when we held a hearing to examine the state of our Nation's mental health care system.

A starting point of any conversation about mental health is recognizing that one of the most insidious stereotypes about people with mental illness is that they are inherently violent. It is deeply regrettable that some of the discussion in the wake of the Newtown tragedy has sadly reinforced this stereotype. As my colleagues in the Senate know and as the President has

emphasized, people with mental illness are much more likely to be victims of violent crimes than they are to be perpetrators of acts of violence.

However, for too long, mental health care has not been at the forefront of public dialogue, despite the fact that mental illness affects one in four Americans every year, and serious mental illness affects 1 in 17. Unfortunately, there is still a stigma associated with mental illness, and that stigma results in too many people suffering in silence without access to the care that could significantly improve their lives.

Unlike many other chronic diseases, mental health problems often begin at a young age. Half of all mental illnesses manifest by age 14, with another quarter appearing by the age of 24. However, less than half of the children with an identified mental health illness receive treatment, and the average lag time from the first onset of symptoms to receiving treatment is almost a decade.

This lack of treatment has huge consequences. Some 30,000 Americans die by suicide each year, and it is a shocking fact that people with serious mental illness die 25 years earlier than Americans overall, often from treatable causes like diabetes and smoking-related chronic conditions.

The shame in this is that with access to the right treatments and supports, most people with mental illnesses can recover and lead productive, healthy lives. But we need to make the critical investments that will enable this to happen, and this amendment is about making those investments.

In the past several years, we have made two important steps forward in mental health care. First, in 2008 Congress passed the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. This long-overdue law put an end to the absurd practice of treating mental and physical illness as two different things under health insurance. We followed this up with another important step forward in the Affordable Care Act, by requiring coverage for mental health and substance use disorders as an essential benefit in health insurance plans and extending Federal parity protections to 62 million Americans.

Building on these important insurance reforms, we started working in the HELP Committee a few months ago to put together a targeted package to address some of the most pressing mental health care challenges in schools and communities. And last week, the HELP Committee unanimously passed and reported out the Mental Health Awareness and Improvement Act, which is this amendment.

The first title of this amendment provides a number of strategies to make sure we are addressing the concerns of students with mental health

needs, starting with prevention and early detection. According to the National Institutes of Mental Health, 20 percent of America's 75 million school-aged children have some mental health needs. This means that 15 million students in our K-12 schools have some sort of mental health need. A RAND Foundation study found that only a quarter of those students needing mental health support received any type of services to address their needs. That means over 11 million school-aged children may be struggling with mental health concerns and not receiving the support that will help them in school, in their home and in their communities.

I worked with Senators BENNET, ALEXANDER, and MURPHY on language in our amendment that encourages schools to develop and implement schoolwide prevention and early intervention programs such as Positive Behavior Interventions and Supports, PBIS. Such schoolwide programs reach every single student in a school; every grade; every classroom. And the programs provide students with both clear information about what the expectations are for positive behavior and interactions, and the support they need to be successful to meet those expectations.

Schoolwide programs such as Positive Behavior Interventions and Supports are important, but we also know that schools often lack sufficient mental health services for students who need more comprehensive services. We also need to help schools link to mental health services. An NIH study found that most mental health services for school-aged children were provided in schools. But schools do not always have the expertise to provide those services. I worked with Senator FRANKEN to direct the Department of Education to allow for grants that would link local schools to community-based mental health services, thereby expanding a school's ability to support children who have more complex mental health needs and allowing for the training of school personnel to meet students' mental health needs.

Finally, this title allows for the use of Elementary and Secondary Education Act title I funds to create or update school crisis management plans. These plans are key to ensuring the safety of all students and school personnel.

Because these programs are schoolwide and reach every student, this means students receive the support they need early—often before problems develop. It also means that students who need more comprehensive and complex services are identified early and can be linked to those services as soon as possible so that problems don't become worse.

This combination of prevention and early detection of needs, as well as ex-

panding the services and supports available to schools, will help address the wide gap in mental health supports for school-age children.

The second title of this amendment focuses on programs at the Department of Health and Human Services. I worked with my colleagues Senator REED and MURKOWSKI to reauthorize the Garrett Lee Smith Memorial Act, which focuses on suicide prevention on college campuses and through grants to States. The bill authorizes "Mental Health Awareness Training Grants," a commonsense idea introduced by Senators BEGICH, BLUMENTHAL, and AYOTTE to train school and emergency personnel, as well as other individuals, to recognize the signs and symptoms of mental illness, to become familiar with mental health resources in the community, and to safely de-escalate crisis situations.

I worked with Senator MURRAY to reauthorize and strengthen the National Child Traumatic Stress Initiative, which supports a national network of child trauma centers in order to coordinate the collection, analysis, and reporting of data concerning evidence-based treatments, interventions, and practices for children and their families who have experienced trauma.

I also worked with Senator SANDERS to authorize and improve the National Violent Death Reporting System at CDC which provides valuable information about violent deaths so we can look for ways to prevent them.

Finally, the amendment calls for additional information to be gathered on mental health services for children, integrating mental health and substance use disorder treatments with primary care and the implementation of recommendations made after the Virginia Tech tragedy in 2007.

Before I yield the floor, I wish to join my colleagues in expressing my appreciation to Senator MANCHIN and Senator TOOMEY. They have provided great leadership in bringing this legislation forward so that we can have background checks. We will be voting on that legislation later this afternoon.

I think it is another example around here—and maybe people will learn this too late—of how we can sit down and talk. We won't know what kind of agreement can be reached until we sit down and talk to people. A person may think he or she is miles apart on an issue, and in the beginning maybe they are, but by talking and working things out, we can reach good agreements. This is a good example of that.

The one element I would add to that is that the amendment I just called up is an important part of this bill in that it deals with mental health services both to children in school and out of school. Again, I believe this is a very important part of what we ought to be doing to reduce violence and respond to the mental health care needs of our young people.

Again, I thank Senator MANCHIN and Senator TOOMEY for their tremendous leadership on this important issue.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Vermont.

Mr. LEAHY. Mr. President, in watching this debate, at times I see a Senator who actually wants to stand up and be the conscience of the Nation. Unfortunately, some quickly want to step back from that precipice and be the conscience of a lobby on one side or the other.

As far as being the conscience, we saw that last Thursday when the Senate rejected the ill-conceived filibuster against considering the Safe Communities, Safe Schools Act of 2013. The vast majority of American people did not want it filibustered. They wanted us to have the courage to stand up and vote yes or no, not vote maybe, which is what a filibuster is.

After considering the bipartisan efforts of Senator MANCHIN and Senator TOOMEY to plug loopholes in the background check system, the Senate will consider a partisan alternative offered by Senator GRASSLEY, and I will speak about that in a moment.

Before I do that, I would like to talk about what Senator COLLINS and I have done. I have a bipartisan amendment that will prevent criminals from circumventing the existing background check system.

AMENDMENT NO. 713

(Purpose: To increase public safety by punishing and deterring firearms trafficking)

Mr. President, I call up my amendment numbered 713, the Leahy-Collins amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] for himself, Ms. COLLINS, and Mr. KING, proposes an amendment numbered 713.

Mr. LEAHY. Mr. President, I ask unanimous consent that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. LEAHY. Mr. President, this amendment makes some minor changes to the Stop Illegal Trafficking in Firearms Act. Our act is designed to give law enforcement the necessary tools to combat the practices of straw purchasing and illegal trafficking in firearms. An example of that is when somebody legally buys a handgun for \$500 and then turns around and sells it for \$1,500 to a drug cartel or somebody who could not buy it themselves. Usually they buy a lot more than one weapon; they buy a whole lot. They will buy them legally and then sell them to people who could never legally buy them. We have seen what that has done in Mexico with its drug cartels. We have seen what it has done with the

drug cartels and gangs in some of our major cities.

I commend Senator COLLINS for her work in developing this amendment and for her strong support of the law enforcement officials who requested this legislation to help them keep our communities safe.

Straw purchasers circumvent the purposes of the background check system. Straw purchasers put guns into the hands of someone who is legally prohibited from having one. And it was an ATF whistleblower who testified last Congress that the existing firearms laws are "toothless." We can create better law enforcement tools and that is what we are doing with the Stop Illegal Trafficking in Firearms Act. We need to close this dangerous loophole in the law that Mexican drug cartels, gangs and other criminals have exploited for too long.

We know that many guns used in criminal activities are acquired through straw purchases. It was a straw purchaser who enabled the brutal murders of two brave firefighters in Webster, New York, this past Christmas Eve, and it was a straw purchaser who provided firearms to an individual who murdered a police officer in Plymouth Township, Pennsylvania, last September.

We need a meaningful solution to this serious problem. We also include suggestions from Senator GILLIBRAND to go after those who traffic in firearms by wrongfully obtaining two or more firearms. We worked hard to develop effective, targeted legislation that will help combat a serious problem and that will do no harm to the second amendment rights of law-abiding Americans.

This Stop Illegal Trafficking in Firearms Act—originally introduced as S. 54—will make important changes and better equip law enforcement officials to investigate and prosecute the all-too-common practices of straw purchasing and illegal trafficking of firearms. As I said, these are people who are not prohibited by Federal law from purchasing a gun. They purchase a firearm on behalf of a person or at the direction of a drug trafficker, criminal, or organization, and that is how these large criminal organizations are supported. That is how these illegally obtained guns are often sold and resold across State lines. Of course, this results in the proliferation of illegal firearms and gun violence in our communities.

Gun trafficking and straw purchasing make our communities less safe. We recently saw a case where a woman was arrested as a straw purchaser after she bought a weapon for a man who then, it appears from the evidence, used that weapon to kill the head of the Colorado prison system. That man was blocked from buying a weapon. Somebody else bought it for him.

Under current law, there is no specific statute that makes it illegal to act as a straw purchaser of firearms. Nor is there a law directly on point to address the illegal trafficking of firearms. As a result, prosecutors must cobble together charges against a straw purchaser using so-called "paperwork" violations such as misrepresentations on a Federal form. These laws are imperfect, and do not give prosecutors the leverage needed to encourage straw buyers, often the lowest rungs on a ladder in a criminal enterprise, to provide the information needed for investigators and prosecutors to go after those directing and profiting from such activity.

Our bill and this amendment would change that. They will add two new provisions to our Federal criminal code to specifically prohibit serving as a straw purchaser of firearms and trafficking in firearms. The bill establishes tough penalties for these offenses in an effort to punish and, importantly, deter this conduct. I was accused at the Committee markup on this bill of being too tough on these crimes. I believe we need a meaningful solution to these serious problems.

Another key provision of our bipartisan bill is that it complements existing law that makes it a crime to smuggle firearms into the United States by specifically prohibiting the smuggling of firearms out of the United States. In light of what we know is occurring, particularly on our Southwest border, this is an important improvement to current law and another tool that was needed but missing over the last few years.

The provisions in our legislation are focused, commonsense remedies to the very real problems of firearms trafficking and straw purchasing. Our bill does not affect lawful purchases from Federal firearms licensees, and in no way alters their rights and responsibilities as sellers of a lawful commodity. We listened to concerns about family members who give firearms as gifts and other transfers that are not designed to get around the existing background check system. As a result, the bill contains important exemptions for the innocent transfer of a firearm as a gift, or in relation to a legitimate raffle, auction or contest.

In an effort to encourage even broader support for our bill, Senator COLLINS and I have made changes to our bipartisan bill to emphasize that this legislation will have no adverse effect that would impact law-abiding gun owners. We have consulted a lot of people on this matter, including law enforcement officials, prosecutors, victims, and the National Rifle Association. We have consulted gun owners and others. We have brought together some very diverse views, which is what that legislation is supposed to do. We want to combat the destructive practices of straw

purchasing and firearms trafficking. I am pleased that our discussions with all of these groups resulted in legislation that reflects diverse views yet is a focused approach to combat the destructive practices of straw purchasing and firearms trafficking, while protecting the second amendment rights of Americans.

The amendment has all of the important provisions of the measure that was debated and voted on by the Judiciary Committee and passed with a bipartisan majority. These include two new Federal criminal statutes that will help law enforcement go after straw purchasers and firearms traffickers. After the bill was reported out of Committee, a Committee report was filed in relation to it that made our intent plain in the meaning of the bill. The clarifying language likewise ensures that lawful gun purchasers can buy firearms from licensed dealers as bona fide gifts or raffles or as contest prizes and so on. This amendment should also eliminate any concern about imposing potential liability on the original purchaser of a firearm for the criminal acts of the ultimate recipient of the firearm after it is conveyed by that purchaser and reconveyed a number of times. The amendment also includes other technical changes to conform the bill to existing law regarding the forfeiture of firearms and ammunition.

Throughout our committee process and discussions, no one was questioning the constitutionality of these provisions, and they have all accepted the fact that they will help law enforcement. In fact, the required nexus to interstate commerce in the bill is identical to that already in existing law. Our bill does not create a national firearms registry, nor does it place any additional burdens on law-abiding gun owners or purchasers.

I worked with Senator COLLINS, Senator DURBIN, Senator GILLIBRAND, and others to provide a real world, common sense solution to the problem of gun trafficking and straw purchasing. There is wide agreement that straw purchasing and illegal gun trafficking have to be stopped, and that is why law enforcement so strongly supports our amendment. In fact, this measure was introduced at the request of law enforcement officials who have said for years that they lack the legal tools necessary to combat illegal straw purchasing and firearms trafficking. It will provide needed tools to fight against the drug cartels and other criminals who threaten our communities.

Like our original bill, the amendment we now offer has the support of numerous law enforcement organizations, including the National Fraternal Order of Police; the Federal Law Enforcement Officers Association; the International Association of Chiefs of Police, the Major Cities Chiefs Associa-

tion; the FBI Agents Association, the National District Attorneys Association—an organization on which I was privileged to serve as vice president; and all nine member organizations of the National Law Enforcement Partnership to Prevent Gun Violence.

I mention all these things because we took months doing this. We met with everybody. We worked. We listened to opposing views and supporting views. Then we had hearings and then we had a markup. But all of a sudden, late this morning, with no hearings, no markup, no chance to debate it, we have a partisan alternative led by some members of the Senate Judiciary Committee.

In contrast to the broad law enforcement support we have earned for our attempt to combat gun trafficking and straw purchasing, there is suddenly a Republican alternative which would gut the protections and tools that our law enforcement community needs. That partisan alternative was released late this morning and surprisingly the effort is led by members of the Senate Judiciary Committee. None of their provisions was considered through regular order or even offered and debated in committee.

People always speak about regular order, but none of these provisions were considered through regular order. None of them were offered or debated in committee. All of a sudden, wait, wait. We can't have this thing that law enforcement wants. We can't have this thing that might actually stop drug cartels and organized crime from getting these guns. We have suddenly come up with a new idea this morning. Sorry we don't have time to talk about it. Sorry we don't have time to have hearings. Sorry we can't go through the committee. Sorry we can't have votes. Trust us.

As chairman of the Senate Judiciary Committee, I took my responsibility seriously when the committee considered gun violence legislation. We held three hearings. We had four lengthy markups. There were many amendments circulated and we debated them. The distinguished Presiding Officer is a member of that committee. He was there for all those hearings. He was there for all that debate. They went on sometimes for a long time, but we voted up or down, and we worked to broker bipartisan compromises.

The results: Some of those same members who serve on the Senate Judiciary Committee circulated this lengthy substitute—just hours before the scheduled vote on their half-baked alternative. It is a weak and counterproductive alternative. The substitute is a weak and counterproductive alternative, and this weak and counterproductive alternative, this partisan substitute, has not been the subject of one single hearing or any committee debate or vote.

The lengthy partisan substitute does several things to make our commu-

nities less safe. One of its provisions directly undermines what Senator COLLINS and I wish to accomplish. We want to stop trafficking. We want to stop drug cartels and organized crime and bank robbers and those who would murder government officials. We want to stop them from being able to get these guns through straw purchases. The Republican substitute requires prosecutors to prove beyond a reasonable doubt that a straw purchaser knew for certain that he was buying for a prohibited person. A straw purchaser could have every suspicion in the world that the actual buyer is a dangerous criminal, but as long as he deliberately shields himself from getting confirmation of that fact, he is untouchable. Willful ignorance will be their shield.

What this alternative Republican amendment does—the one that was suddenly sprung on us with no hearings, no votes late today—is it actually has a roadmap of how to avoid prosecution, how to do the things the drug cartels want and organized crime wants, and to make sure they will never be prosecuted. As long as straw purchasers ask no questions, bury their heads in the sand, they can't be held accountable. They can buy these guns. They can meet somebody in a back alley who is trying to hide his face and say: I could have bought this legally. Give it to me. Here is your money. Besides that, I will pay a 300-percent profit and then get away with it.

The Republican substitute will help the Mexican drug cartels by eliminating an existing tool that the Justice Department needs to combat violence on the Southwest border. The Republican substitute also interferes with state prosecutions of gun crimes. Under existing law, a person who is traveling through a state with a gun he is not allowed to possess in that state can assert as a defense that he was merely traveling between two states in which his possession would be legal. This is fair. But the Republican proposal takes this defense and places the burden on the state prosecutor to disprove the defendant's claim beyond a reasonable doubt in all cases, even if the defendant has offered no evidence at all to support his claim. If the state prosecutor fails to meet this high burden, the Republican proposal requires the state to pay the defendant's attorney's fees. This is a clear intrusion on the longstanding police powers of states.

I urge everyone who cares about helping law enforcement and keeping firearms out of the hands of criminals to oppose the Republican substitute, number 725, and to support the bipartisan, Leahy-Collins amendment, number 713.

THE PRESIDING OFFICER. The Senator is notified the majority time has expired.

MR. LEAHY. I appreciate that. I hope we will not pass this. I hope we will not

strip State and Federal law enforcement in their effort of trying to protect us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 725

Mr. CRUZ. Mr. President, I rise to speak on the Grassley-Cruz substitute amendment. This amendment has come through the extended process of consideration of legislation and, indeed, I think this amendment has come to pass precisely the way the process should operate as a result of multiple hearings in the Judiciary Committee; taking witness testimony, examining what the evidence demonstrates is the problem, and then endeavoring to craft a solution that multiple Senators have contributed to. It has been a long collaborative process. At this point this amendment has over 20 cosponsors, and I am hopeful and believe that when it comes to a vote, it will receive some significant bipartisan support.

In my view the approach of the Federal Government to violent crime should be very simple. It should be focused on stopping violent criminals, and we should devote every resource to stopping violent criminals from committing horrific acts of violence. Every one of us was horrified by the crime in Newtown, CT—at the senseless killing.

Mr. LEAHY. Would the Senator yield for a question?

Mr. CRUZ. I am happy to yield.

Mr. LEAHY. The Senator suggested this went through the process, went through the Judiciary Committee. I have been on the committee for 36 years. I have been chairman for a number of years. I don't recall when this happened. Would the Senator from Texas tell me when it was ever voted on. Did we ever have a markup? Did we ever have a hearing?

Mr. CRUZ. Mr. President, as the distinguished chairman is well aware, this amendment was not put before the committee, but it is as a result of the process in the committee; the testimony that was given in multiple hearings that I was honored to attend with the chairman and with the Presiding Officer, and it is in response to that testimony and that evidence that over 20 Senators have come together to craft legislation that actually addresses the problem.

Indeed, I would note, my biggest concern with the legislation—the Democratic legislation on the floor—is it doesn't address the problem. It doesn't target violent criminals. Instead, what it does is it targets law-abiding citizens. If we are to be effective in stopping violent crime—and I am confident every Member of this body wants to do everything we can to stop violent criminals from harming innocents among us—the approach that is effective, in my judgment, is targeting violent criminals while at the same time

safeguarding the constitutional rights of law-abiding Americans. That is exactly what this substitute does. I wish to talk about several aspects of it, all of which are directed at targeting bad actors, at targeting violent criminals rather than law-abiding citizens.

One of the disturbing things we discovered in the course of these extended hearings in the Judiciary Committee is that the Obama Justice Department has not made it a priority to prosecute felons and fugitives who attempt to illegally purchase firearms. Indeed, we learned that in 2010, over 48,000 felons and fugitives attempted to illegally purchase firearms. Of those 48,000, the Obama Justice Department prosecuted only 44. That is 44 out of over 48,000. At the hearing, we heard from a police chief who yelled at a Senator and said he didn't have time to worry about paperwork violations. I would submit that if a convicted felon is trying to illegally buy a gun, that is not a paperwork violation, and that is a prime area for focusing law enforcement resources, to figure out why that felon wants a gun and to go and prosecute them.

If a fugitive fleeing from justice tries to illegally purchase a gun, we need to have the resources to prosecute it. So one of the things this bill does is to create a task force within the Department of Justice devoted to prosecuting felons and fugitives who attempt to illegally purchase guns. It provides \$50 million—\$10 million a year over 5 years—to provide the additional resources to make sure that when felons and fugitives try to illegally purchase guns, we go after them, we prosecute them, we put them away, and we prevent them from acquiring those guns and using them in horrific acts of violence.

A second aspect of this substitute focuses on gun crimes—instances where felons use a gun in the commission of a crime. In 1997, in Richmond, the U.S. attorney there pioneered a program called Project Exile, which was tremendously successful. I note that was the U.S. attorney under a Democratic President, Bill Clinton. Project Exile put serious Federal resources to prosecuting under Federal law anyone who uses a gun in the commission of a crime. As a result of that innovative plan, we saw tremendous success.

In 1997, before Project Exile had been implemented, Richmond had the third highest murder rate in the Nation. Yet, in 1998, after Project Exile was implemented, homicides dropped 33 percent. The next year, in 1999, homicides dropped an additional 21 percent. It was a program that worked.

When President George W. Bush was elected, he expanded the program with Project Safe Neighborhoods, focused the same, putting law enforcement resources and priorities and prosecuting the use of guns in a violent crime. Un-

fortunately, under the current administration, this has not been a priority. Indeed, in firearms cases, prosecutions have dropped 30 percent in the Obama Justice Department.

All of us are united in wanting to stop violent crime and, in particular, stopping violent crime with firearms. I would suggest the most effective way to do so is to ensure we are prosecuting violent criminals who use firearms. For that reason this amendment creates a national Project Exile that would, in particular, focus on the 15 jurisdictions with the highest violent crime rates and three tribal jurisdictions with the highest crime rates. It would devote \$45 million—\$15 million a year for 3 years—for more assistant U.S. attorneys and agents to prosecute violent gun crimes, to target exactly who we want to target—violent criminals. I would note as well that this legislation also includes new language criminalizing straw purchasing, criminalizing trafficking but doing so in a way that targets bad actors and doesn't sweep innocent, law-abiding citizens inadvertently into its reach.

A third area of focus is school safety. Unfortunately, the Obama administration, in the past several years, has reduced the funding for school safety by over \$300 million. Indeed, next to me are detailed examples: The Secure Our Schools grants were cut \$110 million in 2012; readiness and emergency management for schools was cut \$20 million to 30 million annually in 2012; school safety initiative was cut \$53 million in 2011; and the safe and drug-free school grants were cut \$184 million in 2010. This substitute restores funding for school safety.

If the effort is to protect our kids—and I know all 100 Senators want to do everything we can to protect our kids—one of the most direct ways is to make sure there are resources on the ground protecting our kids. So this bill would provide \$300 million in funding—\$30 million a year for 10 years—to do exactly that, to provide funding for the secure our schools grants.

A fourth area is improving the existing background checks as it concerns mental illness. If we look for a common theme among these mass murders we have seen in recent years, one of the most disturbing themes is we have seen person after person with serious mental illness accessing firearms and using them to commit horrific acts of violence. One of the real problems with our existing background check system is some 18 States have essentially refused to comply with reporting mental health records. Some 18 States have reported fewer than 100 records to the background check system. If adjudications of someone as a danger to others—having a serious mental illness that makes them a danger to others—if those adjudications are not reported to the background check system, then

the existing system cannot operate. I would note my home State of Texas has devoted considerable efforts to reporting those records and, indeed, over 200,000 mental health records have been reported from the State of Texas to ensure that those with serious mental illness who are a danger to others are prevented from accessing firearms.

If the objective is to stop violent crime, then it seems to me we should focus on criminals. I would note that quite intuitive statement is not one which I am alone in viewing in that way.

Recently, a survey was done of over 15,000 law enforcement professionals about what measures would be effective stopping violent crime. Mr. President, 79.7 percent of law enforcement professionals, in this survey done by police, said, one, expanded background checks would not be effective in stopping violent crime; 71 percent of law enforcement professionals said the assault weapons ban being considered by this body would not be effective in stopping violence crime; interestingly enough, 20.5 percent of law enforcement professionals said if the assault weapons ban were passed, it would actually make violent crime worse; and 95.7 percent of law enforcement professionals—virtually unanimous—said the magazine restrictions that are being considered by this body would not be effective in stopping violent crime.

I would suggest we should listen to the men and women on the ground, to the police officers, who risk their lives defending us, defending our children, and we should trust their assessment.

I wish to make two final observations.

One, there has been considerable discussion about expanding background checks. Right now, background checks are required of any individual who purchases a firearm from a licensed Federal firearms dealer. That is the existing system, and the system that the amendment I am proposing would work to improve.

There is an amendment pending before this body to expand that system significantly and in particular to cross a threshold that has not previously been crossed: to require Federal Government background checks for purely private sales between private individuals. If an individual wants to sell, for example, his shotgun, and he puts an ad on Craigslist advertising that shotgun, under the pending bill, by putting that ad on Craigslist, that individual would be required to submit to a Federal background check, would be required to go to a Federal firearms dealer to do so, and would, of necessity, have to pay whatever fee was set.

I would note that fee could well be substantial. We do not know what that fee would be, but we do know the District of Columbia right now charges \$150 to conduct a background check. If

the fee turned out be anything in the order of what the District of Columbia charges, the effect of passing that bill would essentially be a Federal Government penalty, potentially as much as \$150, on an individual who wanted to sell his or her shotgun or rifle to another law-abiding citizen in a purely private transaction.

I would suggest if the objective is to stop violent crime, in all of the hearings we had before the Judiciary Committee, there was no evidence submitted that purely private transactions between private citizens were a significant source of firearms used in crimes and that regulating them would help reduce violent crime. Indeed, as I said, one police chief told the committee he did not have time to prosecute felons and fugitives who were illegally trying to purchase guns.

If law enforcement does not have time to prosecute felons and fugitives, then I would suggest they especially do not have time to prosecute private citizens in a private consensual sale, when neither of those individuals have committed a crime; they are law-abiding citizens. That is not an effective use of law enforcement resources.

But even more problematic, extending background checks to private transactions between private individuals—if this body did that—I believe would put us inexorably on the path to a national gun registry. The reason is simple: Because by extending background checks to private transactions—the Department of Justice has been very candid about this. The Deputy Director of the National Institute of Justice explained that with respect to universal background checks, “effectiveness depends on requiring gun registration.”

Mr. SCHUMER. Will my colleague yield for a question?

Mr. CRUZ. I am happy to yield.

Mr. SCHUMER. I appreciate my colleague's courtesy.

I would ask my colleague this: Isn't it the case that the very background check proposed in Manchin-Toomey is the same one that has been used for 17 years for FFLs, for Federal firearm licensees? Isn't it the exact same one?

Mr. CRUZ. What is not the exact same is extending it to a private individual selling to another private individual.

Mr. SCHUMER. But it is the same technique, it is the same entry into the book, and everything else.

Mr. CRUZ. But what is consequential is extending it to private sellers, not licensed dealers. Because the argument surely would be—if this bill passed, the argument would immediately become: Well, it cannot possibly be effective because we do not know who owns those firearms.

Mr. SCHUMER. Just one more question.

Has my colleague in the last 17 years detected any move out of Washington

for a national registration, any specific substantive move by ATF, the Justice Department, or any other Federal agency to begin a campaign, a move to any kind of national registration?

Mr. CRUZ. In my opinion, adopting mandatory Federal Government background checks for purely private transactions between law-abiding citizens puts us inexorably on the path to a push for a Federal registry.

Mr. SCHUMER. But my colleague has not detected any move of that as of yet?

Mr. CRUZ. It is not currently proposed.

Mr. SCHUMER. OK.

Mr. CRUZ. But if the bill that is being considered were adopted, it would put us on that path, and I think that path would be profoundly unwise and would be inconsistent with the second amendment right to keep and bear arms.

Mr. SCHUMER. I thank my colleague for his courtesy.

Mr. MANCHIN. Mr. President, will my colleague yield for a question?

Mr. CRUZ. I am happy to yield to my friend from West Virginia.

Mr. MANCHIN. I thank my friend from Texas.

I am a little bit confused since it is my and Senator TOOMEY's amendment, working with Senator KIRK and Senator SCHUMER. We excluded all private transactions. We did not even go close to a private transaction. Ours is only at gun shows, gun stores, and Internet sales, which is controlled now.

Mr. CRUZ. With respect, the legislative language, as I understand it, is triggered whenever there is any form of advertising, be it on the Internet or on Craigslist or The Greensheet or anything else, and that sweeps in a whole category of new sellers, purely private sellers who are not commercial firearms dealers.

Commercial firearms dealers are already, as my friend is well aware, subject to significant regulation. Shifting to a new category of private law-abiding citizens is a major threshold and one that I think is unwise.

Mr. MANCHIN. On the Internet right now, as I understand the law as we have it, without changing anything—mine or yours—if I buy from you in Texas, and you send me that gun, it has to go by law through a licensed dealer for me to go get a background check to pick it up. We have not changed that, sir. All we do is say if you buy in State or out of State they are treated the same.

Mr. CRUZ. Well, except the bill also applies to any advertising. It is not limited to the Internet. I would apply to a listing on Craigslist, to a listing in the local newspaper. If an individual wanted to sell his or her firearm and advertised in any way, they would potentially be guilty of a felony for not going through the Federal background check.

What I would suggest—and I want to be respectful of my time because I think I am nearing the conclusion of it—what I would suggest is all of us want to stop violent crime. In drafting this substitute, what a number of Senators endeavored to do is look at the most effective proposals to do exactly that: to stop violent crime. My view is, if you have a violent criminal, we should come down on them like a ton of bricks. But at the same time we should be especially careful to safeguard the constitutional rights of law-abiding citizens.

The second amendment is a critical part of the Bill of Rights, and each of us has taken an oath to defend the Constitution—an oath that I know every Senator takes quite seriously.

I would suggest there is no evidence to support the claim that regulating millions of law-abiding citizens, who do not currently pose a threat, would be remotely effective to stop violent crime. What it would do is increase the pressure substantially for a national gun registry.

I would suggest, instead, the contrast between this substitute and the Democratic bill is striking. The Democratic bill includes no additional resources for prosecution at all. It does not focus on prosecuting criminals. I would suggest that omission is quite striking.

It is my hope that—we are going to have a vote on background checks; this body will decide its view in terms of whether to expand those to private citizens—but I am hopeful that after that vote, when this substitute is considered, we will see some significant bipartisan agreement that says let's provide the resources to the men and women of law enforcement to go after violent criminals, to go after and to incapacitate those with serious mental illness. Let's do everything we can to stop violent crime and protect the most vulnerable among us.

Mr. MANCHIN. Will the Senator yield for one quick moment?

If I may ask the Senator, would he agree that a bill or an amendment should be posted for 48 hours prior to voting?

Mr. CRUZ. Is the Senator suggesting that the Senate should move these votes?

Mr. MANCHIN. No, no. I am saying, does the Senator believe we should have 48-hour postings?

Mr. CRUZ. I think that is ordinarily the right process to follow. In this case, this bill, this substitute took considerable time and was the result of extended negotiation among a great many Senators. And I know my friend from West Virginia has gone through those extended negotiations before and surely will again. This was filed as soon as there was agreement that brought people together in an area that is my hope we should be able to find consensus. We should be able to find

consensus on targeting violent criminals. That is what this bill endeavors to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent to address the Senate for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Mr. President.

First, I want to thank my colleague from Texas for his courtesy.

I wish to address two issues here: first, the bill that my good friend from West Virginia and my friend from Pennsylvania have worked on long and hard, that Senator KIRK and I are sponsors of as well; and, second, concealed carry.

I have always said that background checks are the sweet spot of this debate—the sweet spot because it will do the most good and has the best chance of passing. If this is the sweet spot, we should take advantage of it. Let us step to the plate and not make this a sour day for those in Newtown, for those whose families have been victims of gun violence, and for all Americans.

The bottom line is simple: The Brady law was passed in 1994. The NICS system came into effect in 1999. And the very system of background checks that we are proposing has stopped 1.7 million transactions of guns being sold to felons. It is certain that tens of thousands of people are walking God's green Earth because of the background checks required in the Brady law. But those who have criminal intent and wish to get guns, even though they would not be allowed to under Brady, find ways around it, and they have. The two leading ways around it are the gun shows and sales on the Internet.

This amendment is very simple. All it does is take the same method of background checks and the same method of recording those checks that we use now when you walk into a gun shop and apply it to gun shows and to sales on the Internet—no more, no less.

I have not seen any cry from the other side of the aisle to repeal the background checks mandated under the Brady law. I have not seen any cry saying, they do not work. We have simply seen that they do not cover 40 percent, approximately, of gun sales. The bill I originally introduced I guess is the gold standard. It covered them all. But in an effort to compromise, Senators MANCHIN and TOOMEY, with considerable courage, worked with us and now individual sales are not covered. But the sales on the Internet and sales at gun shows are.

I say to some of my colleagues who have been allies in the pro-gun control movement: Do not let the perfect be the enemy of the good. This is a strong, good bill. I say to my colleagues on the

other side of the aisle, the only objection—the only objection we have heard to this bill, this proposal of Senators MANCHIN, TOOMEY, KIRK, and myself—is that it will lead to registration.

Well, then let me ask or let me refer to my colloquy with the Senator from Texas. Has there been a single step toward registration as this system has been in place since 1999, 14 years? Not one. So why is it all of a sudden that if we extend these to gun shows and Internet sales, registration will come down upon us like a plague within a matter of months? The argument, and it is the only argument made against background checks, that this will cause registration to occur, is a canard, plain and simply, an excuse. Because the opponents cannot argue against the substance, they come up with this fearmongering tactic that this will lead to registration. There is not one jot of evidence that the existing law, the same as the new law we are proposing, has led to that.

I would urge my colleagues to step to the plate. Pass this amendment. I understand the views on the assault weapons ban, which I so strongly support, and the limitation on clips, which I so believe in. They may not get a number of votes. But this one is close. This one is close. In my judgment, this one will save more lives than any other. Let us show the courage, let us show the wisdom, let us show the conviction that doing the right thing is the right political thing, and move it.

One more point. The arguments of reciprocal conceal carry would do devastation to the urban areas of New York. To treat the forests of Wyoming like Times Square or Yankee Stadium would be wrong. I would urge we reject that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, I rise this afternoon to speak about the issue before us, gun violence and the second amendment to the Constitution. We have all been enormously saddened by the recent senseless acts of violence that have affected our Nation. In Congress, we have all been deeply moved, and we are all motivated by the tragedies.

However, unfortunately, the legislation currently before the Senate would do virtually nothing to address the causes of this violence. This legislation, in my judgment, would take us down what I would regard as a dangerous path. Rather than focusing on the underlying causes of gun violence, this legislation would place onerous restrictions on law-abiding Americans, who have a right and are exercising their second amendment rights.

It should trouble us that the first response to recent tragedies is to curtail the Bill of Rights. These rights were so incredibly vital to the birth of this

great Nation. The Founders specifically limited the power of the government to restrict these rights. But this legislation, in my judgment, goes beyond and pushes beyond those constitutional limits. The bill before us would have a number of adverse effects.

For example, it would prevent a Nebraskan from using a neighbor's shotgun to go trap shooting on a nearby farm or an uncle from giving a niece a hunting rifle as a birthday gift without receiving FBI approval. As my colleague from Iowa has pointed out, the Deputy Director of the National Institute of Justice has written that universal background checks can only be enforced if coupled with national gun registration.

This legislation—I agree with the Senator from Texas—would be a first step on the path toward a national gun registry, a far cry from the vision of our Founders, who exercised this very fundamental right to secure our freedom.

The fact is, had this legislation been law, it would not have prevented any of the recent atrocities that have affected families in our Nation.

We will also have the opportunity to vote on a series of amendments. One such amendment we will consider is the so-called assault weapons ban, which would prohibit law-abiding citizens from possessing certain firearms based upon cosmetic characteristics. Once again, this ban would do little to prevent future gun violence.

Furthermore, I find it so incredibly ironic that its proponents think these weapons are a problem in the hands of law-abiding citizens but apparently see no problem with the same weapons being glorified in Hollywood movies and video games. Apparently we should ban these devices in rural Nebraska where we grow up around firearms but allow our children to idolize Hollywood stars committing mass shootings on the big screen and then try it out for yourself in a graphic video game where the game is interactive, violent, and you are literally shooting at people.

At the end of the day, this legislation is so incredibly flawed that no amount of tweaks or changes can ever possibly improve it. That is why I am a cosponsor of the alternative of the Senator from Iowa, a complete substitute which seeks to address the root causes of gun violence and correctly balances the need to secure our second amendment rights.

This amendment focuses on adequate enforcement of the gun laws currently on the books, as well as the mental health needs of our country. We owe it to the victims of gun violence to pass legislation that will actually address the causes of these tragedies; otherwise, it will not stop. As Senators who took an oath to uphold the Constitution, we owe to it all Americans to protect this fundamental right, this right

contained in the Bill of Rights that is so vital to the very freedom we enjoy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to address this issue for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, first, let me mention I am a gun owner. I have an A rating with the NRA. The second amendment is extremely important to me, my constituents, Pennsylvanians generally, to Americans generally.

Let me be very clear about this too. The second amendment does not apply equally to every single American. That is not even a controversial notion. The second amendment was never meant to apply to young children. Nobody disputes that. The second amendment does not apply to people who forfeit their second amendment rights by committing crimes for which they are convicted. It cannot apply and does not apply to people who have been adjudicated as mentally dangerous. These are the three classes of Americans for whom the second amendment does not apply, as it does and should and must for everyone else.

So the goal Senator MANCHIN and Senator SCHUMER and Senator KIRK and I set out on when we began this process—I want to thank my friend from West Virginia. He has worked harder than anybody on this. Senator SCHUMER has worked very hard as well; Senator KIRK, who from the beginning provided very important leadership on this. The goal was to see if we could find a way to make it a little bit more difficult for the people who have no legal right to have a gun to obtain one. That was the goal. Along the way, we thought that if we can find some ways to better secure the opportunities for law-abiding citizens to exercise their second amendment rights, that would be terrific to work into this. We did that as well.

How do we attempt to make it a little bit more difficult for criminals and the dangerously mentally ill to purchase handguns? We do it actually in two ways. One is to strengthen the existing background check system. By strengthening, what I mean is encouraging States to provide the information they already have, and that some do provide but some do not. In other words, the States have records about people who have been adjudicated as dangerously mentally ill, for instance, those people who plead not guilty to a crime by reason of insanity, those people who are deemed to be mentally incompetent to stand trial. We have records at the States of people who have been adjudicated as mentally unfit to have a firearm.

Then, of course, it is States that have the criminal records. So all we

are doing is encouraging these States to provide this information so that when a criminal attempts to buy a handgun or a long gun or when someone who is dangerously mentally ill attempts to do so, the background check system can capture them.

That is the first big piece. It does not create a new system. It does not expand in any way the existing system except to encourage States to provide the information they already have.

The second thing we do is we ask to have a background check at gun shows. We already have background checks if you buy from a licensed dealer. In my State of Pennsylvania, anyone who buys a handgun anywhere at any time has a background check. What this would do in Pennsylvania is it would extend background checks for commercial sales which are conducted at gun shows, and for advertised sales over the Internet.

I have got to tell you, there is absolutely no way that this can be construed as an infringement on second amendment rights. You do not have to take my word for this. But I would take Justice Scalia's word for this, in the Heller decision, where he quite rightly came to the conclusion, as did a majority of the Supreme Court, a conservative majority came to the correct conclusion in my view that the second amendment is an individual right. It is not contingent on membership in a militia, it is not a collective right of multiple people. The Founders did not acknowledge collective rights. It is an individual, personal right. They were correct.

But in that decision, Justice Scalia also observed there is nothing unconstitutional about legislation that would limit or restrict and try to prevent the purchase of firearms by people who do not enjoy this right. So that is what we do.

I know there has been a great deal of concern about a registry. No one would oppose a Federal registry of firearms more than I. There is no need for the government to have one. Only bad things could result. Fortunately, Senator MANCHIN and I are completely in agreement on this. So while it is already illegal, we further strengthen the prohibition against that by stating in our amendment that any Federal employee, not just those who are members of the ATF but any Federal employee who even begins the process of compiling the data that could lead to a registry would be committing a felony subject to 15 years imprisonment.

That is a pretty tough reality, that anyone thinking—even thinking about doing this, I think would weigh very seriously, and thereby, I believe strongly, we preclude the possibility, the danger of an inappropriate registry.

Finally, I mentioned we enhance the opportunity for law-abiding citizens to

enjoy their second amendment rights. We do it in a variety of ways.

One is we clear up some risks people take, law-abiding citizens who are traveling across multiple States, such as a sportsman who packs a weapon quite properly but who is traveling into a State which has a different regime. We clarify that person is not committing any crimes or violating any laws.

We allow the purchase of handguns out of State. They are subject to background checks. Why not?

Current law prohibits Active-Duty military personnel from buying a weapon in their home States. We repeal that as well.

A similar measure to this—without the benefits to second amendment supporters and expansion of background checks—was on the House floor in 1999. That bill was endorsed by the NRA. I voted for it and a majority of Americans voted for it. We did so because it was common sense. This isn't gun control, this is common sense. This is a modest measure to increase the chances of keeping guns out of the hands of people who have no legal right to have a gun.

We are going to have a close vote today. I wish to thank all of my colleagues who considered this and have given us every opportunity to make our case. I wish to again thank Senators MANCHIN, SCHUMER, and KIRK for the very hard work they have done.

I urge my colleagues to support the Manchin-Toomey amendment.

Mr. LEAHY. Mr. President our thoughts and prayers are with the victims and their families of yesterday's cowardly attack. I appreciate the updates I have received from the FBI about the matter and await the outcome of their investigation. The President is right to emphasize that Americans will not be terrorized.

In the aftermath of the explosions in Boston we were reminded once again how Americans come to each other's aid in a crisis. We witnessed citizens and first responders selflessly helping others. Just as first responders in Newtown responded in minutes and went headlong into a situation without knowing what they would encounter, in Boston we saw similar heroism. First responders risk their lives to protect the public. That is what they do over and over again across the country. I believe that as a result of the bravery and speedy response of first responders in Connecticut, lives may have been saved on December 14. And we remember today that 6 years ago the Nation was stunned by the rampage at Virginia Tech.

Our law enforcement officials deserve our respect and support. Law enforcement officers and first responders risk their lives to protect the public. That is why I find it so disappointing to hear some blame law enforcement for not preventing these tragedies.

The legislation before the Senate today to improve the Nation's background checks system and prosecute gun trafficking would significantly assist law enforcement in their efforts to keep the public safe. I spoke yesterday about the pending amendment, the bipartisan Manchin-Toomey amendment to close the gun show and other loopholes in the background check system while respecting and protecting the second amendment rights of responsible gun owners. The Senate has had this amendment before it since last Thursday. I trust the Senate will vote on it today, and I hope the Senate will adopt it.

We have had background checks for decades. These checks are an accepted part of the process of buying a gun. Like millions of other responsible gun owners, I understand that this check is necessary to help keep guns out of the hands of criminals and those who are dangerous to themselves and others due to mental illness.

Since 1998, more than 2 million sales to prohibited people have been prevented thanks to background checks. That is 2 million times a potentially dangerous person trying to get a gun was denied a gun. Is that a good thing, a positive thing, in the interest of safer communities? Of course it is. Who can credibly argue otherwise?

What we are now trying to do is improve the background check system. We all know there is a huge loophole in our background check system. Criminals and others prohibited from buying guns at gun stores can get around the background check requirement by going to gun shows. I know gun store owners in Vermont. They follow the law and conduct background checks. They wonder why others who sell guns do not have to follow these same rules. I agree with these responsible business owners. This loophole needs to be closed.

The Manchin-Toomey bipartisan amendment closes the loophole in a way that does not infringe upon second amendment rights. Sales at gun shows and sales using online or print advertising will now be governed by the same requirements as gun stores in Vermont and elsewhere. This will make us safer. It is focused on gun shows and commercial sales, not family gifts or transfers between friends and neighbors. The bill does not require background checks for temporary transfers of guns for hunting or target shooting. Instead, the bill requires background checks for the kind of sales that can be easily exploited by people who intend to do harm.

Why would we not try to plug the loopholes in the law that allow dangerous criminals to buy guns without background checks? This is a simple matter of common sense. The NRA testified in 1999 in favor of mandatory criminal background checks for "every sale at every gun show."

This is about plugging loopholes in background checks. No court has held that background checks, which have been with us for decades, violate the second amendment. Indeed, when the U.S. Supreme Court expressly held that the second amendment provide an individual right in the *Heller* case, it also said that "longstanding prohibitions on the possession of firearms by felons and the mentally ill" do not violate the second amendment. No one should oppose this amendment on second amendments grounds because it does not undermine the second amendment.

Some have expressed frustration about the level of prosecutions under existing gun laws, and some have suggested that instead of making sensible changes to our public safety laws to prevent gun violence, Federal law enforcement officials should focus exclusively on existing laws. I share some of that frustration, but I do not agree it is a valid excuse for Congress to do nothing. Improvements in the enforcement of existing laws and efforts to give law enforcement officials better tools to do their jobs are not mutually exclusive, those efforts complement each other.

I have noted that Americans are looking to us for solutions and for action, not filibustering or sloganeering. This is something we can come together to accomplish. No one can or will take our second amendment rights or our guns away. They are not at risk. But lives are at risk when responsible people fail to stand up for laws that will keep guns out of the hands of those who will use them to commit crimes of violence. This is something we can come together and do to make America safer and more secure.

I have also been encouraging the Senator from West Virginia in his efforts. He has shown great leadership, sensitivity, and perseverance. I commend Senator TOOMEY for his willingness to join in this legislative effort. Together, they have done the Senate and the country a great service.

Improving the background check system is a matter of common sense. Senators MANCHIN and TOOMEY have shown that it can be accomplished in a way that better protects our communities and fully respects our second amendment rights. I am pleased to support this bipartisan solution.

AMENDMENT NO. 714

Several opponents to the gun violence measure pending have tried to justify their opposition to legislation designed to keep guns out of the hands of criminals by claiming that these measures would not have prevented the tragedy in Newtown or any other mass killings. I think that argument makes no sense.

We should be responding to protect our communities with a broad approach to help law enforcement go after gun traffickers and straw purchasers who arm drug cartels and plug

loopholes in our background check system.

In addition to those important steps, the pending amendment to limit ammunition clip size directly addresses some of our most recent gun violence tragedies. It is clear that several victims of gun violence would be alive today if the gunman had been required to pause momentarily to change his ammunition clip. When I decided to call for hearings on gun violence before the first Judiciary Committee several months ago, I wanted the public to hear directly from victims of gun violence. We began our first of three hearings with former Congresswoman Gabby Giffords. She called on us to act in the wake of too many American tragedies and her battle to recover from gun violence is an inspiration to all of us fighting for legislation today.

At that same hearing, her husband, CAPT Mark Kelly, testified about the day his wife was gunned down. He said:

The shooter in Tucson showed up with two 33-round magazines, one of which was in his 9 millimeter. He unloaded the contents of that magazine in 15 seconds. Very quickly. It all happened very, very fast. The first bullet went into Gabby's head. Bullet number 13 went into a 9-year-old girl named Christina-Taylor Green, who was very interested in democracy and our Government and really deserved a full life committed to advancing those ideas. If he had a 10-round magazine—well, let me back up. When he tried to reload one 33-round magazine with another 33-round magazine, he dropped it. And a woman named Patricia Maisch grabbed it, and it gave bystanders a time to tackle him. I contend if that same thing happened when he was trying to reload one 10-round magazine with another 10-round magazine, meaning he did not have access to a high-capacity magazine, and the same thing happened, Christina-Taylor Green would be alive today.

That was a direct quote from CAPT Mark Kelly's testimony. It is chilling to think that something we could pass today could save the next Christina-Taylor Green.

The Judiciary Committee also heard from Neil Heslin, whose son was murdered at Sandy Hook. He testified in support of limiting high-capacity magazines. We cannot forget his son Jesse or the 19 other precious children who were gunned down in December or the brave educators who sacrificed their lives trying to protect children.

A reasonable limit on the size of ammunition clips is a modest step going forward. This amendment would not apply retroactively. No lawful gun owner will have to turn over anything.

It is a cruel irony that in some States we are more protective of the deer being hunted than our children. In Vermont, we have very few laws affecting the right to bear arms, but we do limit the ammunition clips used in hunting. It is not a threat to the second amendment to limit clip size in hunting, so why is it a threat to limit them when the potential targets are people? The reality is that the second

amendment is not under threat, but our children are.

I am a responsible gun owner. I have owned and shot weapons with many different styles of ammunition clips, so I understand the issue we are considering. Requiring a gun owner to change clips more often is not too much to ask when we see the human costs of high-capacity magazines in mass shootings. The law enforcement organizations that work on the frontlines in our cities and towns support this amendment. The grieving families are right to raise this issue because even if we save one or two lives with this change, it is worth it.

Just as I said in 1993 when I voted for the Feinstein-DeConcini bill, this amendment is not going to solve all violent crime, but it will make people safer. I believe that limiting the size of ammunition clips going forward could save lives in the next mass shooting. I do not want to wonder if we could have done more when another son or daughter is killed. I will support this amendment. It is the right thing to do for public safety and to honor the young lives lost in Newtown, in Aurora, and in Tucson.

Mr. WHITEHOUSE. Mr. President, I rise today in support of commonsense legislation to address the epidemic of gun violence in America.

In the aftermath of the Newtown tragedy, Americans across the country began a solemn discussion about gun violence, and an emerging consensus has formed around several much-needed reforms.

The Senate Judiciary Committee heard compelling testimony in support of these measures, we debated them, and we reported them to the full Senate. It is time now for the Senate to debate and pass this legislation. We can achieve greater safety in our schools, movie theaters, churches, and malls, and on our city streets, without infringing on anyone's constitutional right to bear arms.

A large majority of the public wants to keep dangerous weapons off the streets and out of the hands of criminals.

The legislation that we are voting on includes several important provisions. First, it would close loopholes that allow millions of gun purchasers each year to evade the background check system without scrutiny. Under current law, a convicted felon, a drug addict, a domestic abuser, or someone who has been determined by a court to be dangerously mentally ill, can easily evade background checks by purchasing firearms at a gun show or online.

The American people understand that allowing so many gun purchasers to evade background check laws does not make sense: Universal background checks are supported by over 90 percent of the public. As President Obama has

said, "How often do 90 percent of Americans agree on anything?"

Second, to stop people from subverting existing gun laws, this legislation clearly outlaws straw purchases, where an individual buys a firearm for someone who cannot legally buy one. It also clarifies and expands existing trafficking laws to give our law enforcement officials the tools they need to combat gun violence.

Third, the legislation includes a commonsense grant program to improve school and campus safety. No parent should have to worry, when they walk their son to the bus stop, or drop their daughter off at her dorm, whether they are safe. I hope we can all agree on the importance of protecting our children.

We will also be considering an assault weapons ban as an amendment. This proposal, which I cosponsor, helps restrict the sort of military-style assault weapons that have no place in a civilian setting.

I know that in the politics of this issue, the assault weapons ban has uphill sledding. But I would certainly hope we can agree on a ban on high-capacity magazines. The full assault weapons ban has the support of the majority of Americans; the ban on high-capacity magazines has even more overwhelming support from the public. In recent polling, 65 percent of Americans said that they support a ban on high-capacity magazines.

It is no wonder that the public overwhelmingly supports this ban. As we heard in testimony before the Judiciary Committee and in other venues, in almost every mass shooting in the past few years, high-capacity magazines led to additional deaths and injuries.

John Walsh, the U.S. Attorney for the District of Colorado, testified that in Aurora the shooter used a hundred-round drum and was able to murder 12 people and injure 58 in a matter of 90 seconds. The carnage only stopped when that ultra-large feeding device jammed.

Captain Mark Kelly testified that in Tucson, the shooter had a 33 round magazine and was able to kill 6 people and injure 12 in a matter of 15 seconds. He was only overwhelmed when he eventually had to change magazines. Nine-year-old Christina-Taylor Green was killed by the thirteenth bullet from that magazine. That little girl might well be alive today if her murderer had to stop to reload after 10 rounds.

We have heard no reasonable justification for why any civilian needs these deadly devices. They are not appropriate for hunting. A number of laws already restrict the number of rounds per magazine for hunting, and most sportsmen would not want to hunt with high-capacity magazines.

These magazines also are not necessary or appropriate for self-defense. Opponents of this legislation talk

about the need for high-capacity magazines and assault weapons in nightmare scenarios: society breaking down following a terrorist attack, or natural disaster; or gangs of armed intruders breaking into homes.

But there is no evidence that anyone has been made safer by having access to these magazines, and law enforcement officials and experts have repeatedly pointed to the dangers of keeping them in the home. Even some gun clubs ban their use on the range, because they are so dangerous.

I have also cosponsored an amendment to close the so-called "terror gap." Believe it or not, under the existing law, someone on a terrorist watch list would not be allowed to board an airplane, but there is nothing stopping him or her from buying a gun. This loophole is ridiculous and dangerous, and we should close it immediately.

These proposals are reasonable measures that would make our communities safer from gun violence. I urge the Senate to pass them.

AMENDMENT NO. 715

The VICE PRESIDENT. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to the vote on amendment No. 715, offered by Mr. MANCHIN.

The Senator from West Virginia.

Mr. MANCHIN. If you are committed to protecting second amendment rights, as I am, as well as the great citizens of this country, vote for this bill. If you desire for all of our veterans to be treated with dignity and due process when they return from battle, vote for this bill. If you wish to keep criminals and dangerously mentally ill people from purchasing guns at gun shows and on the Internet, you should vote for this bill.

To always remember those 20 babies, beautiful children, the six brave teachers, and to honor the most courageous family members I have ever met in my life, please vote for this bill.

The VICE PRESIDENT. The Senator from Iowa.

Mr. GRASSLEY. I strongly oppose this amendment.

Expanded background checks would not have prevented Newtown. Criminals do not submit to background checks now; they will not submit to expanded background checks.

The Deputy Director of the National Institute of Justice has written background checks will work only if they are universal and are combined with gun registration.

This amendment would start us down the road to registration. It would open, not close, loopholes.

It would require background checks when people advertise a gun for sale in their church bulletins or Farm Bureau newsletter. It subjects people to Federal criminal liability up to 5 years for violations of State or local law, which is unprecedented.

The pro-gun provisions would actually reduce existing protections for law-abiding gun owners.

I urge my colleagues to reject this dangerous and misguided approach.

I yield back the remainder of my time, and I yield the floor.

Mr. TOOMEY. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—54

Baldwin	Harkin	Murphy
Bennet	Heinrich	Murray
Blumenthal	Hirono	Nelson
Boxer	Johnson (SD)	Reed
Brown	Kaine	Rockefeller
Cantwell	King	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Lautenberg	Stabenow
Coons	Leahy	Tester
Cowan	Levin	Toomey
Donnelly	Manchin	Udall (CO)
Durbin	McCain	Udall (NM)
Feinstein	McCaskill	Warner
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Hagan	Mikulski	Wyden

NAYS—46

Alexander	Enzi	Murkowski
Ayotte	Fischer	Paul
Barrasso	Flake	Portman
Baucus	Graham	Pryor
Begich	Grassley	Reid
Blunt	Hatch	Risch
Boozman	Heitkamp	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Vitter
Cornyn	Lee	Wicker
Crapo	McConnell	
Cruz	Moran	

The VICE PRESIDENT. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which the Manchin amendment No. 715 was not agreed to.

The VICE PRESIDENT. The motion is entered.

AMENDMENT NO. 725

There is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 725, offered by the Senator from Iowa, Mr. GRASSLEY.

Who yields time?

(Disturbance in Visitor's Gallery.)

The VICE PRESIDENT. There will be order in the Senate. The gallery will refrain from any demonstration or comment.

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise to speak in favor of the Grassley-Cruz substitute.

Now that the previous vote has been taken, I would suggest this is a bill we all should be able to support. This is a bill that provides major resources to prosecuting violent criminals, to going after felons, to going after fugitives, to preventing them from getting guns. It provides resources for school safety. It provides additional resources to improve the background check system and to encourage States to provide more records on mental health illness.

This is a strong law enforcement bill. I know everyone in this body, regardless of party, wants to act decisively to stop violent crime, and it would be a shame if this amendment is subject to a partisan vote which would result in inaction rather than our standing together to put law enforcement resources toward stopping violent crime.

The VICE PRESIDENT. The Senator's time has expired.

The Senator from Vermont.

Mr. LEAHY. Mr. President, the argument we just heard is absolutely upside-down of what that amendment is. This amendment guts the bill, it guts the straw purchasing provisions, it guts the gun trafficking provisions. It totally undermines law enforcement.

Law enforcement strongly supports the next amendment we have—the Leahy-Collins—but all this does, this substitute amendment, is aid Mexican drug cartels, eliminates the tools being used to get law enforcement investigatory leads. It undermines rather than strengthens the current background check.

We talk about do we enforce our laws. If you want to gut our laws, which this one does, don't argue they are not being enforced. This handcuffs law enforcement, helps drug cartels, helps drug syndicates. It is a bad amendment.

The PRESIDING OFFICER (Mr. BROWN). The Senator's time has expired.

The question is on agreeing to the amendment.

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—52

Alexander	Coburn	Flake
Ayotte	Cochran	Graham
Barrasso	Collins	Grassley
Baucus	Corker	Hagan
Begich	Cornyn	Hatch
Blunt	Crapo	Heitkamp
Boozman	Cruz	Heller
Burr	Donnelly	Hoeven
Chambliss	Enzi	Inhofe
Coats	Fischer	Isakson

Johanns	Paul	Shelby
Johnson (WI)	Portman	Tester
Landrieu	Pryor	Thune
McCain	Risch	Toomey
McCaskill	Roberts	Vitter
McConnell	Rubio	Wicker
Moran	Scott	
Murkowski	Sessions	

NAYS—48

Baldwin	Heinrich	Murray
Bennet	Hirono	Nelson
Blumenthal	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Rockefeller
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Lautenberg	Schumer
Casey	Leahy	Shaheen
Coons	Lee	Stabenow
Cowan	Levin	Udall (CO)
Durbin	Manchin	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Harkin	Murphy	Wyden

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of the amendment, this amendment is rejected.

Mr. LEAHY. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 713

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 713, offered by the Senator from Vermont, Mr. LEAHY.

Mr. LEAHY. Mr. President, Senator COLLINS and I, as well as other Senators in both parties, worked with law enforcement, worked with the NRA, worked with a whole lot of others to craft this amendment. It gives law enforcement officials the tools they need to stop the all-too-common practices of straw purchasing and illegal trafficking of firearms. This gives us the tools to go after drug cartels that use straw purchasers to get their guns and gangs in big cities that use straw purchasers to get their guns.

It is an important law enforcement measure. Across the political spectrum, law enforcement supports it. Let's stand with law enforcement and vote aye.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Texas is recognized.

Mr. CRUZ. Mr. President, I rise to speak against this amendment. It is worthwhile to strengthen the protections against straw purchasing and trafficking, but unfortunately this language, in my judgment, is overbroad and in particular has a real risk of criminalizing innocent conduct. For example, if your father asks you to purchase a firearm for him and your father pays you, under this bill both you and your father become felons because it bans any purchase for another person if that individual pays for it. In my judgment, that is overbroad, and that

is the reason why in the prior amendment we changed the language to target bad actors and to exclude innocent conduct, to avoid ensnaring those law-abiding citizens with no ill will and inadvertently making law-abiding gun owners into felons.

I urge my colleagues to vote no on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 58, nays 42, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—58

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Stabenow
Collins	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	
Hagan	Murphy	

NAYS—42

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Vitter
Crut	McCain	Wicker

The ACTING PRESIDENT pro tempore. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 719

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 719 offered by the Senator from Texas, Mr. CORNYN.

The Senator from Texas.

Mr. CORNYN. My amendment is called the Constitutional Concealed Carry Act because it is designed to pro-

tect the fundamental second amendment rights of American citizens who are traveling or temporarily away from home while they hold a concealed handgun license.

There is only one State and the District of Columbia that do not recognize some form of concealed gun carry law. In other words, it is part of the public policy of 49 States that concealed handgun licenses may be obtained by lawful owners.

Our amendment would allow persons with concealed handgun permits be allowed to carry those weapons as they travel between jurisdictions and avoid any sort of prosecution. This does not create a national standard. It does not apply to jurisdictions that don't otherwise recognize the right to the conceal carry law. In effect, it would act like a driver's license so the gun owner doesn't have to get a separate license in each State they travel through. For those who believe background checks are important, this is a background check on steroids.

I ask my colleagues to support the amendment.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. This amendment would wreak havoc in large portions of America—suburban and urban areas. The bottom line is very simple: In Wyoming maybe the conceal carry law works. Every police officer in America, all of them, will say that the conceal carry law would be a disaster in Times Square, the L.A. Coliseum, or in the Dallas, TX, stadium. It would be a disgrace. Police officers would not know who is carrying and who is not carrying a weapon. Because there are no residency requirements, criminals from our States could go to States such as Florida, get a conceal carry permit, and criminals and felons could legally conceal and carry weapons in other States.

We hear a lot of talk about States rights. This is a classic States rights vote. Let Wyoming do what it wants to do with conceal carry, but don't impose that on New York and vice versa.

I strongly, strongly urge that this amendment—which takes one way of life in America and imposes it on all ways of life—be defeated.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the Cornyn amendment.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—57

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Baucus	Grassley	Portman
Begich	Hagan	Pryor
Blunt	Hatch	Risch
Boozman	Heinrich	Roberts
Burr	Heitkamp	Rubio
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Tester
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Landrieu	Udall (CO)
Crapo	Lee	Udall (NM)
Cruz	Manchin	Vitter
Donnelly	McCain	Warner
Enzi	McConnell	Wicker

NAYS—43

Baldwin	Harkin	Murray
Bennet	Hirono	Nelson
Blumenthal	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Rockefeller
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Lautenberg	Schumer
Casey	Leahy	Shaheen
Coons	Levin	Stabenow
Cowan	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murphy	

The ACTING PRESIDENT pro tempore. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, if I could have order, we are going to have three more votes tonight, and we are going to finish a number of things that have already been scheduled on this legislation tomorrow. Senator MCCONNELL and I will meet in the meantime to decide our path forward.

So three more votes tonight and then we will finish sometime in the morning.

AMENDMENT NO. 711

The ACTING PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 711 offered by the Senator from California, Mrs. FEINSTEIN.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I have watched these votes and I must say I view them with substantial dismay at the lack of courage in this Chamber—courage to stand and say: We have had enough of these killings. We have had enough of the development of highly militarized weapons—easy to shoot, big clips, 100-plus bullets in each, large velocity guns—falling into the hands of grievous killers, juveniles, people who are mentally disturbed. There will be no background checks, apparently, and we have a proliferation of these weapons.

I have a hard time understanding it. We are here on 6-year terms for a reason: to take votes on difficult issues. Everything needs 60 votes today. This is supposed to be a majority body. We have crafted an assault weapons bill to truly represent the people of America. Every single poll has shown support for this.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mrs. FEINSTEIN. Let me conclude by saying this: I know how this is going to end, and the despair and the dismay of families standing out there whose safety we need to protect, and we don't do it—I am very chagrined and concerned. If anybody cares, vote at least to prospectively ban the manufacture, the sale, the importation of military-style assault weapons. Show some guts. Thank you.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I strongly oppose this amendment. This would result in the largest ban of guns in the history of our Republic.

Three studies that the Justice Department sponsored during the previous ban found no evidence it was effective in reducing multiple victim shootings or wounds per victim. It did not stop Columbine. It would not stop Newtown. The ban does not apply to existing weapons such as those used at Newtown, and criminals who would steal such guns would not care the least if they were banned.

We never received an opinion from the Justice Department that such a ban would satisfy the second amendment. I surmise they are not able to conclude it is constitutional. A ban on guns based on their looks when more powerful guns are exempt would not satisfy any standard of review. These guns are commonly used, in the words of the Supreme Court, for self-defense. They cannot be constitutionally banned.

This is a slippery slope of compromising the second amendment, and if we go down that road, we are going to find it easier to compromise other things in the Bill of Rights.

I yield the floor.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. GRASSLEY. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The result was announced—yeas 40, nays 60, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—40

Baldwin	Cantwell	Coons
Blumenthal	Cardin	Cowan
Boxer	Carper	Durbin
Brown	Casey	Feinstein

Franken	McCaskill	Sanders
Gillibrand	Menendez	Schatz
Harkin	Merkley	Schumer
Hirono	Mikulski	Shaheen
Kaine	Murphy	Stabenow
Kirk	Murray	Warren
Klobuchar	Nelson	Whitehouse
Lautenberg	Reed	Wyden
Leahy	Reid	
Levin	Rockefeller	

NAYS—60

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Paul
Begich	Hagan	Portman
Bennet	Hatch	Pryor
Blunt	Heinrich	Risch
Boozman	Heitkamp	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Tester
Collins	Johnson (SD)	Thune
Corker	Johnson (WI)	Toomey
Cornyn	King	Udall (CO)
Crapo	Landrieu	Udall (NM)
Cruz	Lee	Vitter
Donnelly	Manchin	Warner
Enzi	McCain	Wicker

The PRESIDING OFFICER (Ms. HIRONO). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. DURBIN. Madam President, I move to reconsider the vote.

Mr. CARDIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 720

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 720, offered by the Senator from North Carolina, Mr. BURR.

The Senator from North Carolina.

Mr. BURR. Madam President, I am going to be brief because I do want my colleagues to listen. This is an important amendment.

Today, the VA determination is that if a veteran cannot handle their own finances, then their name is referred to the FBI and they are put on the NICS list. Today, 129,000 veterans are on the NICS list. Yes, there is an appellate process to get off, but the VA provides no help to the veteran. The cost is all incurred by the veteran. Only 200 veterans have applied for that reversal in the decision, and only 6 have been granted. They should never be put on it. A determination that they cannot handle their own finances is not a determination that they are a threat to themselves or to the public.

This bill is very simple. It says that if the VA makes a determination, there has to be a judicial decision to put them on NICS lists. That is the standard everywhere else in the Federal Government.

I urge my colleagues to support this very important piece of legislation.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, when we began this debate, we talked

about strengthening the NICS system, we talked about how people who have mental illness should be added to the list so they might not get guns. And here, in one amendment, in one fell swoop, we will take 165,000 people off that list.

Does my colleague, my dear friend from North Carolina, believe every single one of those people should be allowed to carry a gun? Of course not. If there are injustices to some of those folks, then let's have a system that deals with it. But you do not—you do not—in one fell swoop take 165,000 people, all of whom have some degree of incompetence, off the list.

It is unbelievable that at a time when we are supposed to be strengthening the NICS system with people who are adjudicated or judged otherwise mentally ill, we are considering tonight taking a giant step backward and reducing the list. What is America going to think is going on in this body?

I strongly urge a "no" vote.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

The result was announced—yeas 56, nays 44, as follows:

[Rollcall Vote No. 102 Leg.]

YEAS—56

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Paul
Begich	Hagan	Portman
Blunt	Hatch	Pryor
Boozman	Heitkamp	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Sanders
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	King	Tester
Cornyn	Kirk	Thune
Crapo	Landrieu	Toomey
Cruz	Lee	Vitter
Donnelly	McCain	Wicker
Enzi	McCaskey	

NAYS—44

Baldwin	Harkin	Nelson
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Cowan	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

The PRESIDING OFFICER (Mr. DONNELLY). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. CARDIN. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 714

Mr. BLUMENTHAL. Mr. President, on behalf of myself, my friend, and a great champion, Senator FRANK LAUTENBERG with us today, and others, including my colleague Senator CHRISTOPHER MURPHY, I call up amendment No. 714.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. BLUMENTHAL], for himself, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. MURPHY, Mr. WHITEHOUSE, Mr. COWAN, Ms. HIRONO, Mr. KAINE, Mr. ROCKEFELLER, Mr. MERKLEY, Mrs. BOXER, Mr. CARPER, Ms. WARREN, Mr. LEVIN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. CARDIN, Mr. SCHUMER, and Mr. HARKIN, proposes an amendment numbered 714.

Mr. BLUMENTHAL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To regulate large capacity ammunition feeding devices)

At the end, add the following:

TITLE IV—LARGE CAPACITY AMMUNITION FEEDING DEVICES

SEC. 401. DEFINITIONS.

Section 921(a) of title 18, United States Code, is amended by inserting after paragraph (29) the following:

“(30) The term ‘large capacity ammunition feeding device’—

“(A) means a magazine, belt, drum, feed strip, or similar device, including any such device joined or coupled with another in any manner, that has an overall capacity of, or that can be readily restored, changed, or converted to accept, more than 10 rounds of ammunition; and

“(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

“(31) The term ‘qualified law enforcement officer’ has the meaning given the term in section 926B.”

SEC. 402. RESTRICTIONS ON LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) IN GENERAL.—Section 922 of title 18, United States Code, as amended by this Act, is amended by inserting after subsection (u) the following:

“(v)(1) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a large capacity ammunition feeding device.

“(2) Paragraph (1) shall not apply to the possession of any large capacity ammunition feeding device otherwise lawfully possessed on or before the date of enactment of the Safe Communities, Safe Schools Act of 2013.

“(3) Paragraph (1) shall not apply to—

“(A) the importation for, manufacture for, sale to, transfer to, or possession by the United States or a department or agency of

the United States or a State or a department, agency, or political subdivision of a State, or a sale or transfer to or possession by a qualified law enforcement officer employed by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State for purposes of law enforcement (whether on or off duty), or a sale or transfer to or possession by a campus law enforcement officer for purposes of law enforcement (whether on or off duty);

“(B) the importation for, or sale or transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

“(C) the possession, by an individual who is retired in good standing from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device—

“(i) sold or transferred to the individual by the agency upon such retirement; or

“(ii) that the individual purchased, or otherwise obtained, for official use before such retirement; or

“(D) the importation, sale, manufacture, transfer, or possession of any large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General.

“(4) For purposes of paragraph (3)(A), the term ‘campus law enforcement officer’ means an individual who is—

“(A) employed by a private institution of higher education that is eligible for funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(B) responsible for the prevention or investigation of crime involving injury to persons or property, including apprehension or detention of persons for such crimes;

“(C) authorized by Federal, State, or local law to carry a firearm, execute search warrants, and make arrests; and

“(D) recognized, commissioned, or certified by a government entity as a law enforcement officer.”

(b) IDENTIFICATION MARKINGS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: “A large capacity ammunition feeding device manufactured after the date of enactment of the Safe Communities, Safe Schools Act of 2013 shall be identified by a serial number and the date on which the device was manufactured or made, legibly and conspicuously engraved or cast on the device, and such other identification as the Attorney General shall by regulations prescribe.”

(c) SEIZURE AND FORFEITURE OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 924(d) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “or large capacity ammunition feeding device” after “firearm or ammunition” each place the term appears;

(B) by inserting “or large capacity ammunition feeding device” after “firearms or ammunition” each place the term appears; and

(C) by striking “or (k)” and inserting “(k), or (v)”;

(2) in paragraph (2)(C), by inserting “or large capacity ammunition feeding devices”

after “firearms or quantities of ammunition”; and

(3) in paragraph (3)(E), by inserting “922(v),” after “922(n),”.

SEC. 403. PENALTIES.

Section 924(a)(1)(B) of title 18, United States Code, as amended by this Act, is amended by inserting “(v),” after “(q),”.

SEC. 404. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 501(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)), as amended by this Act, is amended by adding at the end the following:

“(I) Compensation for surrendered large capacity ammunition feeding devices, as that term is defined in section 921 of title 18, United States Code, under buy-back programs for large capacity ammunition feeding devices.”.

SEC. 405. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate equally divided.

Mr. BLUMENTHAL. This amendment, very simply, would ban high-capacity magazines of more than 10 rounds which are used to kill more people more quickly and, in fact, have been used in more than half the mass shootings since 1982.

I ask my colleagues to listen to law enforcement, their police, prosecutors who are outgunned by criminals who use these high-capacity magazines. I ask that my colleagues also listen to the families, to Nicole Hockley, whose son, Dylan Hockley, was killed by a man who used a high-capacity magazine. She said of the man who killed her son, he left the smaller capacity magazines at home. He knew the larger capacity magazines were more lethal.

I ask my colleagues to listen to Bill Sherlach whose wife Mary Sherlach was killed on December 14.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BLUMENTHAL. I ask my colleagues to support this amendment.

I yield the floor.

PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I oppose the amendment. In 2004, we had a study by the Department of Justice, which is the last time we had the large-capacity magazine banned. It found no evidence banning such magazines has led to a reduction in gun violence. The study also concluded it is not clear how often the outcomes of the gun attack depend on the ability of offenders to fire more than 10 shots without reloading.

The report found no evidence more people would be alive if a magazine over 10 rounds was banned.

Secondly, there is no evidence banning these magazines has reduced the deaths from gun crimes. In fact, when the previous ban was in effect, a higher percentage of gun crime victims were killed or wounded than before it was adopted.

Additionally, tens of millions of these magazines have been lawfully owned in this country for decades. They are in common use, not unusually dangerous, and used by law-abiding citizens in self-defense, as in the case of law enforcement.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GRASSLEY. I urge its defeat.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 103 Leg.]

YEAS—46

Baldwin	Heinrich	Nelson
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Lautenberg	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murphy	
Harkin	Murray	

NAYS—54

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Baucus	Graham	Paul
Begich	Grassley	Portman
Blunt	Hagan	Pryor
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Tester
Corker	Johnson (WI)	Thune
Cornyn	Landrieu	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Warner
Donnelly	McCain	Wicker

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that following leader remarks tomorrow, Thursday, April 18, the Senate resume consideration of S. 649; that the time until noon be equally divided and controlled between the two leaders or their designees for debate on the Barrasso and Harkin amendments;

that at noon the Senate proceed to votes in relation to the Barrasso and Harkin amendments, in that order, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business until 7:30 p.m. tonight with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, at 2:24 a.m. this morning, the Group of 8 finally unveiled their immigration reform bill. Since they began their meetings about 4 months ago, I have complimented them on their commitment to reforming our broken immigration system. I have sought their cooperation to ensure the bill goes through the committee process, and I have argued the bill must be open to amendment during consideration in committee and on the Senate floor. Every Member of the Senate must have an opportunity to read, analyze, and improve the bill.

The bill we received is just under 900 pages, and it tackles some very important issues, including measures on border security, E-Verify and the entry-exit system. It includes the legalization program for people here unlawfully, including DREAM Act eligible students and undocumented workers in the agricultural sector. It attempts to move our system to a merit-based and point system. It revises asylum procedures and the court structure governing immigration appeals. It includes reforms to the highly skilled visa program and seasonal worker guest worker program. It changes the way we implement the visa waiver program, and it includes a brand new, low-skilled temporary worker program that allows willing workers to enter the country without being sponsored by an employer.

So you can see there is a lot covered in this bill. There are some new concepts. Yet the majority seems to want us to push this bill through the committee process and are intent on getting it to the floor by June. The sponsor of the bill, the senior Senator from New York, said he hopes the bill will be done in 8 weeks.

On Friday, Secretary Napolitano is scheduled to appear before the Judiciary Committee. It is my intent to dig into the details of the bill with her to understand the mechanics and how the bureaucracy will handle these changes. The Secretary had better have answers,

especially since this may be the only time we hear about how the administration will implement the major overhaul.

The committee will then have a hearing on Monday to discuss the bill. However, the topics will be broad and all encompassing, I have been told. We have experts who need to be heard on this bill. Most importantly, because cost is a big factor around here, we need to hear from the Congressional Budget Office. Knowing how much this bill costs taxpayers and whether it will actually be budget neutral is a critically important matter.

Let me reiterate my desire to work on this bill. I think we need changes to our immigration system and to approve legal avenues for people to enter and remain in the United States, but this is not something to be rushed. We have to get this right; otherwise, the goal of the bipartisan group to solve the problem once and for all will not end. We have a long road ahead of us in order to pass this legislation to reform our immigration system. We cannot tolerate anything less than a transparent and deliberative process to improve the bill.

So let me get back to the point I made just a few seconds ago. This is something that cannot be rushed. We have to get it right. Let me say why I emphasize that.

There are only a few of us in the Senate who voted on the 1986 immigration bill. We thought we did it right. We thought by making it illegal, for the first time, for employers to hire undocumented workers—and have a \$10,000 fine if they did—would take away the magnet that would bring people across the border so readily. Obviously, they come for a better life for themselves, and who can find fault with people who have good spiritual values, good family values, and good work ethics wanting to improve themselves. That is what America is all about. But entering the country illegally is not something a country based upon the rule of law can tolerate.

Anyway, we made it illegal in 1986, and then added that fine. We didn't anticipate a whole industry of fraudulent documents, so that if someone goes to an employer and says they are here lawfully and shows them a passport that looks like it is the real thing, the employer cannot then be fined \$10,000 for hiring them. So we thought we took away that magnet at the time and that we might as well legalize the 3 million people who were here. We did that based on the proposition we were fixing this thing once and for all. But we know what happens when we make it legitimate to violate the rule of law. Instead of 3 million people, there are now 12 million people here in the country undocumented.

So when I read the preamble of the document put out by the Group of 8—

and I am not finding fault with this—they make it very clear: We intend to—and I am paraphrasing it—fix this system once and for all so it never has to be revisited.

That is exactly what we thought in 1986. Well, we were wrong. So that is why I come to the floor tonight to plead, as I did, about a 900-page bill that just came out at 2:24 this morning, and presumably the Secretary of Homeland Security is coming before our committee in less than 48 hours to answer our questions. I wonder if she can fully understand it so she can answer our questions.

I think it is a legitimate question when the Group of 8 comes up with a proposition that we are going to fix this thing once and for all. Well, I hope they have a pattern to do that, and I hope they don't make the same mistake we did. But rushing this along has a tendency to be an environment for a screw-up like we had in 1986. We spent weeks and weeks on legislation to get it right, and we didn't get it right.

I yield the floor.

REMEMBERING ANTHONY LEWIS

Mr. LEAHY. Mr. President, today I would like to pay tribute to Anthony Lewis who passed away on March 25. As a reporter covering the Supreme Court and through his books, including "Gideon's Trumpet," Mr. Lewis shaped the way millions of Americans understand the role of the judiciary in safeguarding our democracy. He was truly an iconic figure in American journalism and he will be greatly missed.

Reading Anthony Lewis changed the way so many of us thought about justice in this country. He brought legal decisions to life and made clear the impact the law has on our lives. He made us aware of the humanity behind the technical legal arguments. Nowhere did he do this better than in "Gideon's Trumpet," his 1964 book about the Supreme Court decision in *Gideon v. Wainwright*. That landmark case affirmed a fundamental principle of our democratic society: that no person, regardless of economic status, should face prosecution without the assistance of a lawyer.

I have spoken countless times over the years about the importance of that decision. And each time, whether it was here on the floor of the Senate, in the Judiciary Committee questioning nominees to the Supreme Court, or in conversations with young law students, I have thought about "Gideon's Trumpet" and the powerful impact that book had on me.

In fact, on the 50th anniversary of the *Gideon* decision, which was just days before Mr. Lewis's death, I introduced the *Gideon's Promise* Act, a bill intended to breathe new life into that seminal case and ensure the fairness of our criminal justice system for all par-

ticipants. Much of what I said about the anniversary of *Gideon*, and the work that remains, finds its roots in my days as a young attorney when I read "Gideon's Trumpet" and was moved both by the unfairness it revealed of a system that allowed poor people to be jailed without a lawyer, and the powerful equalizing impact a courageous Supreme Court can have when it is willing to stand up for those who are marginalized.

When I was a young law student, my wife and I had an opportunity to have lunch with Justice Hugo Black shortly after he wrote the majority decision in that case. It was a powerful experience. He recognized that the Sixth Amendment's guarantee to counsel in a criminal case was fundamental to a fair trial. He called it an obvious truth. And I know from my days as a prosecutor how right he was.

Now, as we pause to remember Anthony Lewis and his contributions to our understanding of the right to counsel and so many other fundamental principles of American democracy, it is also fitting that we acknowledge that the promise made in *Gideon* remains unfulfilled. In too many courtrooms it is better to be rich and guilty than poor and innocent. The rich will have competent counsel, but those who have little often find their lives placed in the hands of woefully overburdened public defenders or underpaid court-appointed lawyers who are inexperienced, overworked, inept, uninterested, or worse.

And now our Federal public defender system, long held out as the gold standard of indigent defense, is being hobbled by sequestration. In New York, the Federal Defenders Office is being forced to furlough each of its 30 lawyers for 5½ weeks by the end of September, resulting in delays in even the most significant terrorism cases. Chief Judge Loretta Preska of the Southern District of New York called these cuts "devastating." The head of the Federal Defenders Office stated: "On a good day, we're stretched thin. . . . Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment." He is right.

I am hardly alone in my concern over this fundamental American right. Last month, four leading advocates for fairness in the criminal justice system, including former Vice President Walter Mondale, sent a letter to President Obama urging him to create a bipartisan commission on the fair administration of justice for the indigent accused. I applaud their efforts and I believe Anthony Lewis would have too.

Through his reporting on the Supreme Court and our Nation's civil rights challenges, Anthony Lewis opened the eyes of millions of Americans to the power of law and judges to change lives. He helped shape my thinking as a young lawyer, and I hope

his work will continue to be an inspiration for the generations to come. Our democracy will be stronger for it.

I ask that a copy of an article dated April 8 be printed in the RECORD at the conclusion of my statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 8, 2013]

CITING CUTS, LAWYERS SEEK RELIEF IN
TERRORISM CASE

(By Benjamin Weiser)

Federal public defenders who are representing a son-in-law of Osama bin Laden on terrorism charges urged a judge on Monday not to hold an early trial because automatic government budget cuts were requiring furloughs of lawyers in their office.

The request, which seemed to take the judge, Lewis A. Kaplan, by surprise, follows requests that five or six federal judges in Manhattan have received from public defenders to be relieved from cases in the wake of the automatic cuts, known as sequestration, said Loretta A. Preska, the chief judge of the Federal District Court in Manhattan.

"It's devastating," Judge Preska said late Monday. She praised the work of the federal defenders and said their replacement in cases with publicly paid court-appointed lawyers would probably lead to delays and higher costs.

Judge Kaplan said in court on Monday that he was considering holding the trial of bin Laden's son-in-law, Sulaiman Abu Ghaith—a onetime Al Qaeda spokesman charged with conspiring to kill Americans—in September. After the defense requested a later date, he said: "It's extremely troublesome to contemplate the possibility of a case of this nature being delayed because of sequestration. Let me say only that—stunning."

The judge did not set a trial date, saying he would consider the request, but the exchange shows how the forced budget cuts are beginning to have an effect on the administration of justice in federal courts in New York.

About 30 trial lawyers with the federal defenders office handle around 2,000 criminal cases a year in federal courts in Manhattan, Brooklyn and other locations, according to David E. Patton, who heads the office.

The forced cuts, he said, will mean each lawyer in the office will be furloughed for five and a half weeks through the end of September, when the fiscal year ends.

"On a good day, we're stretched thin," Mr. Patton said. "Sequestration takes us well beyond the breaking point. You simply can't sequester the Sixth Amendment."

"Investigations have to be conducted," Mr. Patton added. "Evidence must be reviewed. Law must be researched. Those things don't just happen by themselves."

In seeking the delay, lawyers for Mr. Abu Ghaith, who was arraigned in March, cited the need for overseas investigation, the translation of voluminous materials and other issues. "We would urge the court to find a later date," one lawyer, Martin Cohen, said.

Judge Preska said that lawyers had been allowed to leave one of the cases in which the furlough problem had been cited; the issue is pending in the others.

Newly appointed lawyers would have to "get up to speed" on their cases, and because they are paid by the hour (federal defenders are salaried), the public would probably end up paying more, Judge Preska said. "There's

no resolution," she said. "Time is of the essence, and we're very, very concerned."

NATIONAL COALITION FOR THE HOMELESS 30TH ANNIVERSARY

Mr. CARDIN. Mr. President, I would like to recognize the National Coalition for the Homeless, an outstanding organization of activists, advocates, and community and faith-based service providers working to end homelessness in America. This year, the coalition celebrates its 30th anniversary, marking three decades of triumphs and challenges in defense of our Nation's most vulnerable individuals and families.

During the 1970s and 1980s, homelessness was thrust into the national spotlight as a growing problem. Structural changes in the economy, exacerbated by some tough economic downturns, thrust thousands of men, women, and children onto the streets, living without shelter. Out of concern for the rights of this vulnerable population, a group of State and local homeless coalitions gathered together and established the National Coalition for the Homeless in 1982. In these last 30 years, the National Coalition for the Homeless has been at the forefront of the fight against homelessness. The coalition's advocacy and passion have helped define housing policy for the disenfranchised in America.

Through creative initiatives and outspoken advocacy, the coalition played an instrumental role in passage of the McKinney-Vento Homeless Assistance Act, the first comprehensive legislation to address the issue of homelessness in our country. Most recently, the coalition has spearheaded advocacy for the Hate Crimes Against the Homeless Statistics Act, a bill that would include crimes against the homeless in the crime data the Department of Justice collects. I was a member of the Senate Judiciary Committee during the 111th Congress and I was a proud sponsor of this bill. Homeless people are particularly vulnerable targets for acts of humiliation and violence. I believe more needs to be done to protect those who can't protect themselves. I am proud to report Maryland was a pioneer in extending hate crime protections to homeless people.

I have been concerned about homelessness for a long time. I believe having adequate shelter is a human right. A home provides safety from the elements and random acts of violence. It is a place where possessions and items as fundamental as medications can be kept safely. Yet, homelessness persists as one of our Nation's most pressing social problems and has grown more challenging in the wake of the housing market collapse and the return of veterans from the wars in Iraq and Afghanistan. As we continue to recover from the economic downturn, it is imperative that the Nation not lose

ground in the struggle against homelessness, especially among Americans who have lost jobs through no fault of their own, those homeowners and families who are struggling due to the ongoing foreclosure crisis, and our veterans.

I applaud the courage of the members and volunteers of the National Coalition for the Homeless. Their selfless striving to end homelessness in America has changed the lives of thousands and thousands of our fellow Americans, even when so many others have averted their gaze. I hope my colleagues will join me in congratulating the National Coalition for the Homeless on 30 years of service to our communities and in rededicating ourselves to work with the coalition on ending the tragedy and scourge of homelessness in the richest nation on Earth.

TRIBUTE TO JOYE KADING

Mr. BARRASSO. Mr. President, I would like to take a moment to tell my colleagues about a remarkable lady, Joye Kading. Joye is being honored this week with the dedication of the Joye Kading Gallery at the Wyoming Veterans Memorial Museum.

Joye Kading is the founder of the Wyoming Veterans Memorial Museum. Located at the former Casper Army Air Base, a training facility for bomber pilots from 1942-1945, the museum is housed in the original tar paper building that served as the enlisted men's club.

Joye saw the Casper Army Air Base through its entire lifetime. She was there when the area was nothing but open Wyoming prairie, and watched it develop into an operational air base. She saw it through its heyday, and she was there when the base shut down at the end of World War II. In March 1942, when Lt. Col. Carl T. Nordstrom came to visit Casper to see if it was a viable spot for an air base, he hired Joye to serve as his secretary. Her tenacity, ingenuity, and initiative was so highly regarded that she continued to serve as a secretary for many of the Casper Army Air Base's top officials. Around the air base and in the community, she was a confidant, a big sister, and always willing to give a word of advice or just take the time to listen.

During her work with the officers and personnel at the base, Joye collected photographs, letters, programs and other memorabilia. Her collection became a central part of the historical records she preserved through the Wyoming Veterans Memorial Museum. Many of the men in Joye's photographs did not return from war. Joye's passion for preserving this unique part of Wyoming's history has ensured that stories of the servicemembers stationed in Casper will not fade away with time.

In 2006, Kading was awarded the Daughters of the American Revolution

National History Award for her dedication and commitment to honoring veterans and preserving their history. Throughout her life, Joye Kading has embodied the spirit of service to country and responsibility of community. The newly dedicated gallery will serve as a permanent memorial for Joye's important contribution to preserving Wyoming's rich military history. She is a true American patriot and a cornerstone of Wyoming's unique heritage. I am honored to call Joye Kading my neighbor, a former patient, and my friend.

ADDITIONAL STATEMENTS

REMEMBERING JEAN CLARK ROGERS

• Mr. BEGICH. Mr. President, today I wish to honor and remember Mrs. Jean Clark Rogers. Mrs. Rogers died on February 20 at the age of 93 in the home designed by her beloved late husband George. Her daughter, Sidney, was by her side.

Jean became an Alaska treasure who enriched the territory and State for over 65 years. Mother to six adopted children, she was also a celebrated children's book author, an educator, a volunteer, and a passionate friend of the arts.

With savings from her first job as a fifth-grade teacher, Jean Clark enrolled at the University of California at Berkeley. There she met and married the love of her life, George Rogers. In 1945, after completing their degrees, they set sail for Juneau where George had a job with the U.S. Office of Price Administration.

From the time she arrived in Juneau, Jean Clark Rogers made an impact. An avid reader, she was also a talented writer who authored children's books that appealed to both children and adults. Her best known work is "A King Island Christmas," on which she collaborated with a close friend and well-known Alaskan artist, Rie Muñoz. The inspirational book describes an extraordinary effort by a small and isolated island community to celebrate Christmas in the midst of a winter storm. Adapted into a libretto for an oratorio by playwright Deborah Brevoort, the work premiered at Juneau's Perseverance Theater in 1997 and is still performed throughout the United States. This August it will be presented by a Juneau cast at the Fringe Festival in Edinburgh, Scotland.

Literature was so important to Jean that she regularly provided animated readings at schools and public libraries. Recognized endearingly by children as "the lady who pushes books," she was awarded an honorary doctorate of human letters by the University of Alaska Southeast in recognition of her

contributions to children's literacy and literature.

Jean was a busy author and mother, but she always found time to contribute to her State and her community. She served on boards for the Alaska Public Offices Commission, the Alaska Public Broadcasting Commission, and Juneau's Capital City Broadcasting, Inc.—the KTOO family of public stations.

Jean was an avid supporter of local performing arts groups. She loved to sing and added her voice to the St. Paul Singers and the Juneau Lyric Opera. Rarely did she miss a performance of the Juneau Symphony, Perseverance Theater or Opera to Go. In oversized glasses and colorful attire, she stood out in the crowd.

Most recently, Jean Rogers became a visual artist. At age 87, her intricate collages of cut paper were exhibited at the Canvas studio in Juneau, where note cards featuring her designs enjoyed brisk sales.

Despite physical frailties near life's end, Jean found joy outside her challenges. She would comment on the beauty of the day or how much she enjoyed a game of cribbage or dominoes.

While we mourn the loss of Jean's presence, all things shared by this remarkable woman live on.●

TRIBUTE TO CHIEF JUDGE ROBERT BELL

• Ms. MIKULSKI. Mr. President, today I rise to honor the career of an outstanding individual, Chief Judge Robert Bell. Judge Bell is a trailblazer, a stellar legal mind, and a mentor to so many. We are truly blessed to have had him at the helm of our State judiciary here in Maryland for 17 years. We honor him today for his unwavering commitment to justice and for his service to the people of Maryland.

I often speak on the importance of our judges understanding and being connected to the public they serve and the communities in which they serve. Judge Bell reached the highest levels of the judiciary, yet he never forgot where he came from. He was raised in Baltimore and attended Dunbar High School, where he served as student body president and ran on a ticket with Reginald Lewis. He attended college at Morgan State University and then went on to Harvard Law.

Judge Bell has left an enduring legacy that has been shaped by his life events. When he was 16 years old, he was arrested at Hooper's Restaurant in Baltimore because he refused to give up his seat. Judge Bell became the plaintiff in a landmark civil rights case that helped lead to the end of segregation in public accommodations in Maryland.

Judge Bell learned firsthand the power of our judicial system to achieve justice and has committed his career to

the improvement of the justice system. Judge Bell has served on Maryland's bench for over 37 years and has served at each level of our State's judicial system—the only judge to have done so for 4 years at each level. Judge Bell started his legal career in 1975 as a judge of the district court for Baltimore City. In 1980 he moved on to the circuit court and was appointed to the court of special appeals in 1984. In 1991 he was appointed to the court of appeals, and in 1996 he was designated by then-Governor Glendening as chief judge of the court—the first African American to hold the position.

As chief judge, Judge Bell has been committed to the education and continued development of our State's bench and bar. He has made it his priority to make sure that Maryland's legal professionals are prepared to tackle an ever-evolving criminal justice system and are suited to better serve the public. Having personally worked with him for years on the Advanced Science and Technology Adjudication Resource, ASTAR, Program a program established by the Maryland judiciary under Judge Bell's leadership to help adequately prepare judges presiding over cases involving advanced science and medical issues I can personally attest to his commitment in ensuring the continued education and proper training of Maryland's judges. This is just one example of many like it that illustrate Judge Bell's commitment to the improvement from the Maryland judicial system. From spearheading initiatives to increase pro bono work in the State to implementing programs to help aid struggling homeowners, Judge Bell has truly been an indispensable leader in not only the legal community but also in the entire State of Maryland.

Judge Bell's life and resume are a display of civic engagement, and his experience and service are unparalleled in the legal community and beyond. I am honored to recognize the extraordinary life and remarkable achievements of Judge Bell today.●

REMEMBERING GEORGE PAUL HORSE CAPTURE SR.

• Mr. TESTER. Mr. President, today I wish to honor the life and legacy of George Paul Horse Capture Sr., who passed away yesterday in Great Falls, MT.

George was a member of the A'aninin—Gros Ventre—tribe. He was born in 1937 in the Little Chicago neighborhood on the Fort Belknap Indian Reservation.

George had a remarkable life filled with service to his people and to our country.

Early in life, he served in the U.S. Navy, became the only minority person serving as a California State Steel inspector at the time and was educated

at the University of California—Berkeley.

When he was hired as the Curator of the Plains Indian Museum at the Buffalo Bill Historical Center in Cody, WY in 1979, George became one of the first Native American curators in the United States. During his time as curator, he worked closely with a number of Northern Plains Indian tribes to ensure they played a role in the museum exhibitions.

George spent a decade in our Nation's Capital, serving in various capacities at the National Museum of the American Indian at the Smithsonian Institution. He played a key role in the development and construction of the new museum facility that opened in 2004.

During his time at the National Museum of the American Indian, George led the charge to return many sacred objects to the appropriate tribes. The repatriation of those objects was part of George's lifelong mission to empower Indian people.

George's life and his commitment to his people and his community is a reminder of the power of each individual to make a difference.

Our thoughts and prayers are with George's widow, Kay Karol, and all of his family and many friends.●

MESSAGE FROM THE HOUSE

At 11:43 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 756. An act to advance cybersecurity research, development, and technical standards, and for other purposes.

H.R. 967. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

H.R. 1163. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 756. An act to advance cybersecurity research, development, and technical standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 967. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1163. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information

security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 743. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1154. A communication from the Acting Administrator of the General Services Administration, transmitting, pursuant to law, a report relative to the General Services Administration's Capital Investment and Leasing Program for fiscal year 2014; to the Committee on Environment and Public Works.

EC-1155. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Biodiesel and Alternative Fuels; Claims for 2012; Excise Tax" (Notice 2013-26) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Finance.

EC-1156. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2013-28) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Finance.

EC-1157. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines—New York State QEZ Real Property Tax" received in the Office of the President of the Senate on April 11, 2013; to the Committee on Finance.

EC-1158. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 911(d)(4)—2012 Update" (RP-135515-12) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Finance.

EC-1159. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Notice 2013-8) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Finance.

EC-1160. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-051); to the Committee on Foreign Relations.

EC-1161. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-050); to the Committee on Foreign Relations.

EC-1162. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-046); to the Committee on Foreign Relations.

EC-1163. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-023); to the Committee on Foreign Relations.

EC-1164. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-037); to the Committee on Foreign Relations.

EC-1165. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-055); to the Committee on Foreign Relations.

EC-1166. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-011); to the Committee on Foreign Relations.

EC-1167. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13-012); to the Committee on Foreign Relations.

EC-1168. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Initial Implementation of Export Control Reform" (RIN1400-AD37) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Foreign Relations.

EC-1169. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Generic Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-1170. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-1171. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the Inspector General's Budget Justification Report for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-1172. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, reports entitled "Executive Summary of the 2012 Annual Report of the Director of the Administrative Office of the United States Courts" and "Judicial Business of the United States Courts"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment and with a preamble:

S. Res. 65. A resolution strongly supporting the full implementation of United States and

international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title and with an amended preamble:

S. Res. 90. A resolution standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Navy nomination of Capt. Adrian J. Janzen, to be Rear Admiral (lower half).

Air Force nomination of Lt. Gen. John W. Hesterman III, to be Lieutenant General.

Air Force nomination of Col. Richard M. Murphy, to be Brigadier General.

Air Force nomination of Colonel Dorothy A. Hogg, to be Major General.

Air Force nomination of Maj. Gen. James M. Holmes, to be Lieutenant General.

Air Force nomination of Maj. Gen. Michelle D. Johnson, to be Lieutenant General.

Air Force nomination of Lt. Gen. Susan J. Helms, to be Lieutenant General.

*Air Force nomination of Gen. Philip M. Breedlove, to be General.

Air Force nomination of Maj. Gen. Mark O. Schissler, to be Lieutenant General.

Air Force nomination of Maj. Gen. Robert P. Otto, to be Lieutenant General.

Air Force nomination of Brig. Gen. Scott W. Jansson, to be Major General.

Army nomination of Col. Erik C. Peterson, to be Brigadier General.

Army nomination of Col. Brently F. White, to be Brigadier General.

Army nomination of Col. Christie L. Nixon, to be Brigadier General.

Army nominations beginning with Brigadier General Jeffrey L. Bannister and ending with Brigadier General Michael E. Williamson, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013. (minus 1 nominee: Brigadier General Charles A. Flynn)

Army nomination of Lt. Gen. Daniel B. Allyn, to be General.

Army nomination of Lt. Gen. James L. Terry, to be Lieutenant General.

Army nomination of Maj. Gen. Perry L. Wiggins, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. John E. Wissler, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Ronald L. Bailey, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Steven A. Hummer, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Kenneth J. Glueck, Jr., to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Richard P. Mills, to be Lieutenant General.

Navy nomination of Capt. Bret J. Mullenburg, to be Rear Admiral (lower half).

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of

reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Lou Rose Malamug, to be Major.

Air Force nomination of Kelly A. Halligan, to be Major.

Air Force nominations beginning with Christopher E. Curtis and ending with Joseph P. Tomsic, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Timothy A. Butler and ending with Gary J. Ziccardi, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with John T. Grivakis and ending with Sarah K. Tobin, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Danny L. Blake and ending with Andrea C. Vinyard, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Richard G. Anderson and ending with Mark J. Roberts, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Jeffery R. Alder and ending with Kevin L. Wright, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Ronnelle Armstrong and ending with Chad W. Zielinski, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Maiya D. Anderson and ending with Jeffrey L. Wisneski, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Air Force nominations beginning with Matthew G. Adkins and ending with Norman Dale Zellers, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nomination of Jonathan F. Potter, to be Lieutenant Colonel.

Army nominations beginning with Hilario A. Pascua and ending with Gerardo C. Rivera, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with James D. Peake and ending with Ali K. Sonmez, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with John D. Pitcher and ending with Derek A. Woessner, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Mark L. Allison and ending with Joseph J. Streff, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Phillip E. Appleton and ending with Eric C. Rivers, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nomination of Andrew W. Beach, to be Major.

Army nomination of Donald V. Wood, to be Major.

Army nomination of Suzanne C. Nielsen, to be Colonel.

Army nomination of Ann M. Rudick, to be Major.

Army nomination of Matthew P. Weberg, to be Major.

Army nomination of Grady L. Gentry, to be Major.

Marine Corps nominations beginning with Christopher C. Abrams and ending with Joseph J. Zarba, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Timothy L. Adams and ending with James R. Willsea, which nominations were received by the Senate and appeared in the Congressional Record on February 27, 2013.

Navy nomination of Joseph R. Primeaux, Jr., to be Commander.

Navy nomination of Gary S. Phillips, to be Captain.

Navy nomination of Genevieve Buenaflor, to be Lieutenant Commander.

Navy nomination of Freddie R. Harmon, to be Lieutenant Commander.

Navy nomination of Catherine W. Boehme, to be Lieutenant Commander.

Navy nominations beginning with Todd W. Mills and ending with Marvin W. Whiting, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Navy nomination of Richard J. Witt, to be Lieutenant Commander.

Navy nomination of Oleh Haluszka, to be Captain.

Navy nominations beginning with Stephen S. Cho and ending with James W. Winde, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Navy nominations beginning with Timothy R. Anderson and ending with Andrew J. Woolley, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

By Mrs. MURRAY for the Committee on Homeland Security and Governmental Affairs.

*Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

By Mr. CARPER for the Committee on the Budget.

*Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET (for himself, Mr. BAUCUS, Mr. WYDEN, and Mr. UDALL of Colorado):

S. 745. A bill to amend the Healthy Forests Restoration Act of 2003 to provide for the

designation of treatment areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COWAN:

S. 746. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish a market-driven inventory system; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER:

S. 747. A bill to grant exclusive fishery management authority over the red snapper fish in the Gulf of Mexico to certain States; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. BURR, Mr. TESTER, Mr. HELLER, Mr. BLUMENTHAL, and Mrs. McCASKILL):

S. 748. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to consider the resources of individuals applying for pension that were recently disposed of by the individuals for less than fair market value when determining the eligibility of such individuals for such pension, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself, Mr. CORNYN, Ms. STABENOW, Mr. CRAPO, Mr. MENENDEZ, Mr. BROWN, Mr. BEGICH, Ms. COLLINS, Mrs. HAGAN, Mr. INHOFE, Ms. KLOBUCHAR, Mr. RISK, Mr. VITTER, and Mr. WICKER):

S. 749. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 750. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COATS (for himself and Mr. DONNELLY):

S. 751. A bill to amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 752. A bill to require the Secretary of Health and Human Services to promulgate regulations regarding the authorship, content, format and dissemination of Patient Medication Information to ensure patients receive consistent and high-quality information about their prescription medications and are aware of the potential risks and benefits of prescription medications; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself, Mr. UDALL of New Mexico, and Mr. CORNYN):

S. 753. A bill to provide for national security benefits for White Sands Missile Range and Fort Bliss; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 754. A bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 755. A bill to amend title XIX of the Social Security Act to apply the Medicaid primary care payment rate to additional physi-

cian providers of primary care services; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mr. BLUNT):

S. 756. A bill to allow funds under title II of the Elementary and Secondary Education Act of 1965 to be used to provide training to school personnel regarding how to recognize child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER:

S. 757. A bill to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and Lincoln County, Nevada, to extend the authority to purchase certain parcels of public land, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. WARREN (for herself, Mr. COWAN, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. McCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISK, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 101. A resolution condemning the horrific attacks in Boston, Massachusetts, and expressing support, sympathy, and prayers for those impacted by this tragedy; considered and agreed to.

By Mr. CASEY (for himself, Ms. COLLINS, Mr. JOHNSON of South Dakota, Mr. BAUCUS, Mr. BEGICH, Mrs. MURRAY, Mr. LEAHY, and Mr. PRYOR):

S. Con. Res. 13. A concurrent resolution commending the Boys & Girls Clubs of America for its role in improving outcomes for millions of young people and thousands of communities; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. CARPER, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 138

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 146

At the request of Mrs. BOXER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 146, a bill to enhance the safety of America's schools.

S. 186

At the request of Mr. SHELBY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 186, a bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement.

S. 218

At the request of Mr. LEVIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 232

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 294

At the request of Mr. NELSON, his name was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability

compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 375

At the request of Mr. TESTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 381

At the request of Mr. BOOZMAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 427

At the request of Mr. HOEVEN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 457

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 457, a bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 534

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 534, a bill to reform the National

Association of Registered Agents and Brokers, and for other purposes.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 579

At the request of Mr. MENENDEZ, the names of the Senator from Florida (Mr. RUBIO), the Senator from Idaho (Mr. CRAPO) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 610

At the request of Mr. JOHANNIS, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 610, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 642

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 642, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 689

At the request of Mr. HARKIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 695

At the request of Mr. BOOZMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 707

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 707, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 734

At the request of Mr. NELSON, the name of the Senator from Minnesota

(Mr. FRANKEN) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 741

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 741, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. 744

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 744, *supra*.

At the request of Mr. GRAHAM, his name was added as a cosponsor of S. 744, *supra*.

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 744, *supra*.

At the request of Mr. RUBIO, his name was added as a cosponsor of S. 744, *supra*.

At the request of Mr. BENNET, his name was added as a cosponsor of S. 744, *supra*.

At the request of Mr. FLAKE, his name was added as a cosponsor of S. 744, *supra*.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Tennessee (Mr. CORKER) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

AMENDMENT NO. 713

At the request of Mr. LEAHY, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Mr. DURBIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 713 proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 717

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of

amendment No. 717 proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 718

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 718 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 719

At the request of Mr. CORNYN, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Mississippi (Mr. WICKER), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 719 proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

AMENDMENT NO. 724

At the request of Mr. LAUTENBERG, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maine (Mr. KING) were added as cosponsors of amendment No. 724 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 101—CONDEMNING THE HORRIFIC ATTACKS IN BOSTON, MASSACHUSETTS, AND EXPRESSING SUPPORT, SYMPATHY, AND PRAYERS FOR THOSE IMPACTED BY THIS TRAGEDY

Ms. WARREN (for herself, Mr. COWAN, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN,

Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 101

Whereas the two bombings that occurred on Patriots' Day, April 15, 2013, during the running of the 117th Boston Marathon, represent a terrible tragedy and horrific act of terrorism against the United States;

Whereas the people of the United States mourn those who lost their lives or were wounded;

Whereas police officers, firefighters, members of the National Guard, emergency medical personnel, and other first responders acted heroically in responding to the attacks, preventing additional loss of life;

Whereas the full resources of the Federal Government and State and local governments are being brought to bear to investigate this attack and bring the perpetrator or perpetrators to justice;

Whereas the residents of Massachusetts are a resilient people and will recover from this tragedy; and

Whereas the people of the United States will always remember the victims of the previous acts of terrorism that have occurred in the United States and will always stand together as one people: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the senseless attack in Boston, Massachusetts, on Monday, April 15, 2013;

(2) offers sympathy and condolences to the victims' families;

(3) sends thoughts and prayers for those who are recovering from injuries;

(4) honors the heroic efforts of the medical personnel who are tirelessly providing care for the victims of this horrific act of violence;

(5) admires the courage of the first responders and the many citizen heroes who aided the injured and tended to the community;

(6) commits to providing all necessary resources to law enforcement officials who are investigating the terrorist attacks;

(7) remains committed to working together as united Americans to bring those responsible for this attack to justice; and

(8) recognizes that the city of Boston, the people of Massachusetts, and all Americans will rise up from this tragedy and stand together as patriots.

SENATE CONCURRENT RESOLUTION 13—COMMENDING THE BOYS & GIRLS CLUBS OF AMERICA FOR ITS ROLE IN IMPROVING OUTCOMES FOR MILLIONS OF YOUNG PEOPLE AND THOUSANDS OF COMMUNITIES

Mr. CASEY (for himself, Ms. COLLINS, Mr. JOHNSON of South Dakota, Mr. BAUCUS, Mr. BEGICH, Mrs. MURRAY, Mr. LEAHY, and Mr. PRYOR) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 13

Whereas, in 1956, the Boys' Clubs of America celebrated its 50th anniversary and became a federally chartered incorporation;

Whereas, in 1991, the Federal charter of the Boys' Clubs of America was amended to reflect the change of the name of the organization to the Boys & Girls Clubs of America;

Whereas the Boys & Girls Clubs of America has significantly improved the quality of life for many young people and has helped to transform them into leaders and responsible citizens of the United States;

Whereas the Boys & Girls Clubs of America, through its efforts in communities throughout the United States, has a significant impact on the ability of young people to meet various challenges, including by helping them graduate from high school, gain proficiency in science, technology, engineering, and math, and develop skills for the 21st century;

Whereas evaluations of specific programs conducted by, and of the overall experience of participating in, the Boys & Girls Clubs of America demonstrate several positive outcomes linked to participation in the organization, including reduction in delinquent behaviors, increased academic achievement, increased access to and safe use of technology, broadened career goals, and improved attitudes toward school;

Whereas the Boys & Girls Clubs of America effectively leverages limited Federal investment to support Clubs in underfunded communities, while raising the majority of its funding privately;

Whereas the Boys & Girls Clubs of America serves diverse groups of young people in urban, suburban, and rural communities, as well as on military bases and Native American reservations;

Whereas the Boys & Girls Clubs of America provides stability, education, youth development, and prevention programs for children of military personnel, who frequently relocate due to station changes and deployments;

Whereas, as of February 2013, there are 3,985 chartered Clubs serving approximately 4,100,000 young people; and

Whereas, on April 28, 2012, the Boys & Girls Clubs of America signed an agreement with For Inspiration and Recognition of Science and Technology (commonly known as "FIRST") to bring competitive robotics programs to approximately 4,000,000 young people in the United States by 2015: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) commends the Boys & Girls Clubs of America for its work serving the young people of the United States and strengthening thousands of communities;

(2) recognizes the importance of high-impact mentoring of young people in ensuring

positive outcomes for young people of all backgrounds;

(3) supports mentoring of young people as a strategy to prepare young people for education, careers, and citizenship;

(4) encourages the Boys & Girls Clubs of America to continue and expand programs that expose young people to science, technology, engineering, and math; and

(5) commits to strengthening the partnership between the Boys & Girls Clubs of America and various Federal agencies and department in order to serve an even greater number of young people.

AMENDMENTS SUBMITTED AND PROPOSED

SA 725. Mr. GRASSLEY (for himself, Mr. CRUZ, Mr. GRAHAM, Mr. THUNE, Ms. AYOTTE, Mr. HOEVEN, Mr. HATCH, Mr. FLAKE, Mr. COATS, Mr. CORNYN, Mr. ROBERTS, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. RISCH, Mr. RUBIO, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. JOHANNIS, Mr. PORTMAN, Mr. MCCONNELL, Mr. BLUNT, Mr. VITTER, Mr. COCHRAN, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

SA 726. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 727. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 728. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 729. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 730. Mr. HARKIN (for himself, Mr. ALEXANDER, Mr. FRANKEN, Ms. MURKOWSKI, Mr. BENNET, Mr. ROBERTS, Ms. BALDWIN, Ms. AYOTTE, Mrs. HAGAN, Mr. MURPHY, Mr. BLUMENTHAL, and Mr. JOHANNIS) proposed an amendment to the bill S. 649, supra.

SA 731. Ms. KLOBUCHAR (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

SA 732. Mr. GRAHAM (for himself, Mr. BEGICH, Mr. FLAKE, Mr. PRYOR, Mr. HELLER, Mr. CORNYN, Mr. CHAMBLISS, Mr. PORTMAN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 733. Ms. STABENOW (for herself, Mr. BLUNT, Mr. REED, Mr. RUBIO, Ms. COLLINS, Mr. BLUMENTHAL, Mr. UDALL of New Mexico, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 725. Mr. GRASSLEY (for himself, Mr. CRUZ, Mr. GRAHAM, Mr. THUNE, Ms. AYOTTE, Mr. HOEVEN, Mr. HATCH, Mr. FLAKE, Mr. COATS, Mr. CORNYN, Mr.

ROBERTS, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. RISCH, Mr. RUBIO, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. JOHANNIS, Mr. PORTMAN, Mr. MCCONNELL, Mr. BLUNT, Mr. VITTER, Mr. COCHRAN, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; as follows:

On page 1, line 3, strike “short” and all that follows through page 42, line 15, and insert the following:

SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Protecting Communities and Preserving the Second Amendment Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—COMBATING GUN CRIME, NICS REAUTHORIZATION, AND NICS IMPROVEMENT

Sec. 101. Reauthorization and improvements to NICS.
Sec. 102. Availability of records to NICS.
Sec. 103. Definitions relating to mental health.
Sec. 104. Clarification that Federal court information is to be made available to the National Instant Criminal Background Check System.
Sec. 105. Reports and certifications to Congress.
Sec. 106. Increasing Federal prosecution of gun violence.
Sec. 107. Prosecution of felons and fugitives who attempt to illegally purchase firearms.
Sec. 108. Limitation on operations by the Department of Justice.
Sec. 109. Straw purchasing of firearms.
Sec. 110. Increased penalties for lying and buying.
Sec. 111. Amendments to section 924(a).
Sec. 112. Amendments to section 924(h).
Sec. 113. Amendments to section 924(k).
Sec. 114. Multiple sales reports for rifles and shotguns.

Sec. 115. Study by the National Institutes of Justice and National Academy of Sciences on the causes of mass shootings.
Sec. 116. Reports to Congress regarding ammunition purchases by Federal agencies.
Sec. 117. Reduction of Byrne JAG funds for State failure to provide mental health records to NICS.
Sec. 118. Firearm commerce modernization.
Sec. 119. Firearm dealer access to law enforcement information.
Sec. 120. Interstate transportation of firearms or ammunition.

TITLE II—MENTAL HEALTH

Sec. 201. Reauthorization and additional amendments to the Mentally Ill Offender Treatment and Crime Reduction Act.
Sec. 202. Additional purposes for Federal grants.
Sec. 203. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.

TITLE III—SCHOOL SAFETY

Sec. 301. Short title.
Sec. 302. Grant program for school security.
Sec. 303. Applications.
Sec. 304. Authorization of appropriations.
Sec. 305. Accountability.
Sec. 306. Preventing duplicative grants.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “agency” has the meaning given the term in section 551 of title 5, United States Code;

(2) the term “NICS” means the National Instant Criminal Background Check System; and

(3) the term “relevant Federal records” means any record demonstrating that a person is prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

TITLE I—COMBATING GUN CRIME, NICS REAUTHORIZATION, AND NICS IMPROVEMENT

SEC. 101. REAUTHORIZATION AND IMPROVEMENTS TO NICS.

(a) IN GENERAL.—Section 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by redesignating subsection (e) as subsection (f) and amending such subsection to read as follows:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2013 through 2017.”; and

(2) by inserting after subsection (d) the following:

“(e) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

“(1) DEFINITION.—In this subsection, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(2) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(3) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.”.

(b) MODIFICATION OF ELIGIBILITY REQUIREMENTS.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) in section 102(b)(1)—

(A) in subparagraph (A), by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B);

(2) in section 103(a)(1), by striking “and subject to section 102(b)(1)(B)”;

(3) in section 104(d), by striking “section 102(b)(1)(C)” and inserting “section 102(b)(1)(B)”.

SEC. 102. AVAILABILITY OF RECORDS TO NICS.

(a) **GUIDANCE.**—Not later than 45 days after the date of enactment of this Act, the Attorney General shall issue guidance regarding—

(1) the identification and sharing of relevant Federal records; and

(2) submission of the relevant Federal records to NICS.

(b) **PRIORITIZATION OF RECORDS.**—Each agency that possesses relevant Federal records shall prioritize providing the relevant information contained in the relevant Federal records to NICS on a regular and ongoing basis in accordance with the guidance issued by the Attorney General under subsection (a).

(c) **REPORTS.**—Not later than 60 days after the Attorney General issues guidance under subsection (a), the head of each agency shall submit a report to the Attorney General that—

(1) advises whether the agency possesses relevant Federal records; and

(2) describes the implementation plan of the agency for making the relevant information contained in relevant Federal records available to NICS in a manner consistent with applicable law.

(d) **DETERMINATION OF RELEVANCE.**—The Attorney General shall resolve any dispute regarding whether—

(1) agency records are relevant Federal records; and

(2) the relevant Federal records of an agency should be made available to NICS.

SEC. 103. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) **TITLE 18 DEFINITIONS.**—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

“(36)(A) Subject to subparagraph (B), the term ‘has been adjudicated mentally incompetent or has been committed to a psychiatric hospital’, with respect to a person—

“(i) means the person is the subject of an order or finding by a judicial officer, court, board, commission, or other adjudicative body—

“(I) that was issued after—

“(aa) a hearing—

“(AA) of which the person received actual notice; and

“(BB) at which the person had an opportunity to participate with counsel; or

“(bb) the person knowingly and intelligently waived the opportunity for a hearing—

“(AA) of which the person received actual notice; and

“(BB) at which the person would have had an opportunity to participate with counsel; and

“(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, or mental illness—

“(aa) was a danger to himself or to others;

“(bb) was guilty but mentally ill in a criminal case;

“(cc) was not guilty in a criminal case by reason of insanity or mental disease or defect;

“(dd) was incompetent to stand trial in a criminal case;

“(ee) was not guilty only by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice);

“(ff) required involuntary inpatient treatment by a psychiatric hospital;

“(gg) required involuntary outpatient treatment by a psychiatric hospital based on a finding that the person is a danger to himself or to others; or

“(hh) required involuntary commitment to a psychiatric hospital for any reason, including drug use; and

“(ii) does not include—

“(I) a person who is in a psychiatric hospital for observation; or

“(II) a voluntary admission to a psychiatric hospital.

“(B) In this paragraph, the term ‘order or finding’ does not include—

“(i) an order or finding that has expired or has been set aside or expunged;

“(ii) an order or finding that is no longer applicable because a judicial officer, court, board, commission, or other adjudicative body has found that the person who is the subject of the order or finding—

“(I) does not present a danger to himself or to others;

“(II) has been restored to sanity or cured of mental disease or defect;

“(III) has been restored to competency; or

“(IV) no longer requires involuntary inpatient or outpatient treatment by, or involuntary commitment to, a psychiatric hospital; or

“(iii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c) or under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note).

“(37) The term ‘psychiatric hospital’ includes a mental health facility, a mental hospital, a sanitarium, a psychiatric facility, and any other facility that provides diagnoses by licensed professionals of mental retardation or mental illness, including a psychiatric ward in a general hospital.”; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking “as a mental defective” and inserting “mentally incompetent”; and

(ii) by striking “any mental institution” and inserting “a psychiatric hospital”; and

(B) in subsection (g)(4)—

(i) by striking “as a mental defective or who has” and inserting “mentally incompetent or has”; and

(ii) by striking “mental institution” and inserting “psychiatric hospital”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking “as a mental defective” each place that term appears and inserting “mentally incompetent”;

(2) by striking “mental institution” each place that term appears and inserting “psychiatric hospital”; and

(3) in section 102(c)(3)—

(A) in the paragraph heading, by striking “AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION” and inserting “MENTALLY INCOMPETENT OR COMMITTED TO A PSYCHIATRIC HOSPITAL”; and

(B) by striking “mental institutions” and inserting “psychiatric hospitals”.

SEC. 104. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended by adding at the end the following:

“(F) **APPLICATION TO FEDERAL COURTS.**—In this paragraph—

“(i) the terms ‘department or agency of the United States’ and ‘Federal department or agency’ include a Federal court; and

“(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States

Courts shall perform the functions of the head of the department or agency.”.

SEC. 105. REPORTS AND CERTIFICATIONS TO CONGRESS.

(a) **NICS REPORTS.**—Not later than October 1, 2013, and every year thereafter, the head of each agency that possesses relevant Federal records shall submit a report to Congress that includes—

(1) a description of the relevant Federal records possessed by the agency that can be shared with NICS in a manner consistent with applicable law;

(2) the number of relevant Federal records the agency submitted to NICS during the reporting period;

(3) efforts made to increase the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(4) any obstacles to increasing the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(5) measures put in place to provide notice and programs for relief from disabilities as required under the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) if the agency makes qualifying adjudications relating to the mental health of an individual;

(6) measures put in place to correct, modify, or remove records available to NICS when the basis on which the records were made available no longer applies; and

(7) additional steps that will be taken during the 1-year period after the submission of the report to improve the processes by which relevant Federal records are—

(A) identified;

(B) made available to NICS; and

(C) corrected, modified, or removed from NICS.

(b) **CERTIFICATIONS.**—

(1) **IN GENERAL.**—The annual report requirement in subsection (a) shall not apply to an agency that, as part of a report required to be submitted under subsection (a), provides certification that the agency has—

(A) made available to NICS relevant Federal records that can be shared in a manner consistent with applicable law;

(B) a plan to make any relevant Federal records available to NICS and a description of that plan; and

(C) a plan to update, modify, or remove records electronically from NICS not less than quarterly as required by the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) and a description of that plan.

(2) **FREQUENCY.**—Each agency that is not required to submit annual reports under paragraph (1) shall submit an annual certification to Congress attesting that the agency continues to submit relevant Federal records to NICS and has corrected, modified, or removed records available to NICS when the basis on which the records were made available no longer applies.

(c) **REPORTS TO CONGRESS ON FIREARMS PROSECUTIONS.**—

(1) **REPORT TO CONGRESS.**—Beginning February 1, 2014, and on February 1 of each year thereafter through 2023, the Attorney General shall submit to the Committees on the Judiciary and Committees on Appropriations of the Senate and the House of Representatives a report of information gathered under this subsection during the fiscal year that ended on September 30 of the preceding year.

(2) **SUBJECT OF ANNUAL REPORT.**—Not later than 90 days after the date of enactment of this Act, the Attorney General shall require each component of the Department of Justice, including each United States Attorney's Office, to furnish for the purposes of

the report described in paragraph (1), information relating to any case presented to the Department of Justice for review or prosecution, in which the objective facts of the case provide probable cause to believe that there has been a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986.

(3) **ELEMENTS OF ANNUAL REPORT.**—With respect to each case described in paragraph (2), the report submitted under paragraph (1) shall include information indicating—

(A) whether in any such case, a decision has been made not to charge an individual with a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, or any other violation of Federal criminal law;

(B) in any case described in subparagraph (A), a description of why no charge was filed under sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(C) whether in any case described in paragraph (2), an indictment, information, or other charge has been brought against any person, or the matter is pending;

(D) whether, in the case of an indictment, information, or other charge described in subparagraph (C), the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(E) in any case described in subparagraph (D) in which the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, whether a plea agreement of any kind has been entered into with such charged individual;

(F) whether any plea agreement described in subparagraph (E) required that the individual plead guilty, to enter a plea of nolo contendere, or otherwise caused a court to enter a conviction against that individual for a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(G) in any case described in subparagraph (F) in which the plea agreement did not require that the individual plead guilty, enter a plea of nolo contendere, or otherwise cause a court to enter a conviction against that individual for a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, identification of the charges to which that individual did plead guilty;

(H) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, the result of any trial of such charges (guilty, not guilty, mistrial);

(I) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document did not contain a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, the nature of the other charges brought and the result of any trial of such other charges as have been brought (guilty, not guilty, mistrial);

(J) the number of persons who attempted to purchase a firearm but were denied because of a background check conducted in accordance with section 922(t) of title 18, United States Code; and

(K) the number of prosecutions conducted in relation to persons described in subparagraph (J).

SEC. 106. INCREASING FEDERAL PROSECUTION OF GUN VIOLENCE.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Attorney General shall establish in jurisdictions specified in subsection (c) a program that meets the requirements of subsection (b), to be known as the “Nationwide Project Exile Expansion”.

(b) **PROGRAM ELEMENTS.**—Each program established under subsection (a) shall, for the jurisdiction concerned—

(1) provide for coordination with State and local law enforcement officials in the identification of violations of Federal firearms laws;

(2) provide for the establishment of agreements with State and local law enforcement officials for the referral to the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the United States Attorney for prosecution of persons arrested for violations of section 922 or section 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986, relating to firearms;

(3) provide for the establishment of multi-jurisdictional task forces, coordinated by the Executive Office of the United States attorneys to investigate and prosecute illegal straw purchasing rings that purchase firearms in one jurisdiction and transfer them to another;

(4) require that the United States attorney designate not less than 1 assistant United States attorney to prosecute violations of Federal firearms laws;

(5) provide for the hiring of agents for the Bureau of Alcohol, Tobacco, Firearms, and Explosives to investigate violations of the provisions referred to in paragraph (2), United States Code, relating to firearms; and

(6) ensure that each person referred to the United States attorney under paragraph (2) be charged with a violation of the most serious Federal firearm offense consistent with the act committed.

(c) **COVERED JURISDICTIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the jurisdictions specified in this subsection are—

(A) the 10 jurisdictions with a population equal to or greater than 100,000 persons that had the highest total number of homicides according to the uniform crime report of the Federal Bureau of Investigation for the most recent year available;

(B) the 5 jurisdictions with such a population, other than the jurisdictions covered by paragraph (1), with the highest per capita rate of homicide according to the uniform crime report of the Federal Bureau of Investigation for the most recent year available; and

(C) the 3 tribal jurisdictions that have the highest homicide crime rates, as determined by the Attorney General.

(2) **LIMITATION.**—The 15 jurisdictions described in subparagraphs (A) and (B) shall not include any jurisdiction other than those within the 50 States.

(d) **ANNUAL REPORTS.**—Not later than 1 year after the date of enactment of this Act, an annually thereafter, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing the following information:

(1) The number of individuals indicted for such violations of Federal firearms laws during that year by reason of the program.

(2) The increase or decrease in the number of individuals indicted for such violations of Federal firearms laws during that year by reason of the program when compared with the year preceding that year.

(3) The number of individuals held without bond in anticipation of prosecution by reason of the program.

(4) To the extent the information is available, the average length of prison sentence of the individuals convicted of violations of Federal firearms laws by reason of the program.

(5) The number of multi-jurisdiction task forces established and the number of individuals arrested, indicted, convicted or acquitted of charges for violations of the specific crimes listed in subsection (b)(2).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to carry out the program under this section \$15,000,000 for each of fiscal years 2014, 2015, and 2016, which shall be used for salaries and expenses of assistant United States attorneys and Bureau of Alcohol, Tobacco, Firearms, and Explosives agents.

(2) **USE OF FUNDS.**—

(A) **ASSISTANT UNITED STATES ATTORNEYS.**—The assistant United States attorneys hired using amounts authorized to be appropriated under paragraph (1) shall prosecute violations of Federal firearms laws in accordance with subsection (b)(2).

(B) **ATF AGENTS.**—The Bureau of Alcohol, Tobacco, Firearms, and Explosives agents hired using amounts authorized to be appropriated under paragraph (1) shall, to the maximum extent practicable, concentrate their investigations on violations of Federal firearms laws in accordance with subsection (b)(2).

SEC. 107. PROSECUTION OF FELONS AND FUGITIVES WHO ATTEMPT TO ILLEGALLY PURCHASE FIREARMS.

(a) **TASKFORCE.**—

(1) **ESTABLISHMENT.**—There is established a task force within the Department of Justice, which shall be known as the Felon and Fugitive Firearm Task Force (referred to in this section as the “Task Force”), to strengthen the efforts of the Department of Justice to investigate and prosecute cases of convicted felons and fugitives from justice who illegally attempt to purchase a firearm.

(2) **MEMBERSHIP.**—The members of the Task Force shall be—

(A) the Deputy Attorney General, who shall serve as the Chairperson of the Task Force;

(B) the Assistant Attorney General for the Criminal Division;

(C) the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(D) the Director of the Federal Bureau of Investigation; and

(E) such other officers or employees of the Department of Justice as the Attorney General may designate.

(3) **DUTIES.**—The Task Force shall—

(A) provide direction for the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm; and

(B) provide recommendations to the Attorney General relating to—

(i) the allocation and reallocation of resources of the Department of Justice for investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm;

(ii) enhancing cooperation among agencies and entities of the Federal Government in the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm;

(iii) enhancing cooperation among Federal, State, and local authorities responsible for the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm; and

(iv) changes in rules, regulations, or policy to improve the effective investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm.

(4) MEETINGS.—The Task Force shall meet not less than once a year.

(5) TERMINATION.—The Task Force shall terminate on the date that is 5 years after the date of enactment of this Act.

(b) AUTHORIZATION FOR USE OF FUNDS.—Section 524(c)(1) of title 28, United States Code, is amended—

(1) in subparagraph (H), by striking “and” at the end;

(2) in subparagraph (I), by striking the period at the end and inserting “; and”; and

(3) by inserting after subparagraph (I) the following:

“(J) the investigation and prosecution of cases of convicted felons and fugitives from justice who illegally attempt to purchase a firearm, in accordance with section 107 of the Protecting Communities and Preserving the Second Amendment Act of 2013, provided that—

“(i) not more than \$10,000,000 shall be available to the Attorney General for each of fiscal years 2014 through 2018 under this subparagraph; and

“(ii) not more than 5 percent of the amounts made available under this subparagraph may be used for the administrative costs of the task force established under section 107 of the Protecting Communities and Preserving the Second Amendment Act of 2013.”.

SEC. 108. LIMITATION ON OPERATIONS BY THE DEPARTMENT OF JUSTICE.

The Department of Justice, and any of its law enforcement coordinate agencies, shall not conduct any operation where a Federal firearms licensee is directed, instructed, enticed, or otherwise encouraged by the Department of Justice to sell a firearm to an individual if the Department of Justice, or a coordinate agency, knows or has reasonable cause to believe that such an individual is purchasing on behalf of another for an illegal purpose unless the Attorney General, the Deputy Attorney General, or the Assistant Attorney General for the Criminal Division personally reviews and approves the operation, in writing, and determines that the agency has prepared an operational plan that includes sufficient safeguards to prevent firearms from being transferred to third parties without law enforcement taking reasonable steps to lawfully interdict those firearms.

SEC. 109. STRAW PURCHASING OF FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

“§ 932. Straw purchasing of firearms

“(a) DEFINITIONS.—For purposes of this section—

“(1) the term ‘crime of violence’ has the meaning given that term in section 924(c)(3);

“(2) the term ‘drug trafficking crime’ has the meaning given that term in section 924(c)(2); and

“(3) the term ‘Federal crime of terrorism’ has the meaning given that term in section 2332b(g).

“(b) OFFENSE.—It shall be unlawful for any person to—

“(1) purchase or otherwise obtain a firearm, which has been shipped, transported, or

received in interstate or foreign commerce, for or on behalf of any other person who the person purchasing or otherwise obtaining the firearm knows—

“(A) is prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922;

“(B) intends to use, carry, possess, or sell or otherwise dispose of the firearm in furtherance of a crime of violence, a drug trafficking crime, or a Federal crime of terrorism; or

“(C) intends to engage in conduct that would constitute a crime of violence, a drug trafficking crime, or a Federal crime of terrorism if the conduct had occurred within the United States; or

“(D) is not a resident of any State and is not a citizen or lawful permanent resident of the United States; or

“(2) willfully procure another to engage in conduct described in paragraph (1).

“(c) PENALTY.—Any person who violates subsection (b) shall be fined under this title, imprisoned not more than 15 years, or both.

“§ 933. Trafficking in firearms

“(a) DEFINITIONS.—For purposes of this section—

“(1) the term ‘crime of violence’ has the meaning given that term in section 924(c)(3);

“(2) the term ‘drug trafficking crime’ has the meaning given that term in section 924(c)(2); and

“(3) the term ‘Federal crime of terrorism’ has the meaning given that term in section 2332b(g).

“(b) OFFENSE.—It shall be unlawful for any person to—

“(1) ship, transport, transfer, or otherwise dispose of 2 or more firearms to another person in or otherwise affecting interstate or foreign commerce, if the transferor knows that the use, carrying, or possession of a firearm by the transferee would violate subsection (g) or (n) of section 922, or constitute a crime of violence, a drug trafficking crime, or a Federal crime of terrorism;

“(2) receive from another person 2 or more firearms in or otherwise affecting interstate or foreign commerce, if the recipient—

“(A) knows that such receipt would violate subsection (g) or (n) of section 922; or

“(B) intends to use the firearm in furtherance of a crime of violence, a drug trafficking crime, or a Federal crime of terrorism; or

“(3) attempt or conspire to commit the conduct described in paragraph (1) or (2).

“(c) PENALTIES.—

“(1) IN GENERAL.—Any person who violates subsection (b) shall be fined under this title, imprisoned not more than 15 years, or both.

“(2) ORGANIZER.—If a violation of subsection (b) is committed by a person acting in concert with other persons as an organizer, leader, supervisor, or manager, the person shall be fined under this title, imprisoned not more than 20 years, or both.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 931 the following:

“932. Straw purchasing of firearms.

“933. Trafficking in firearms.”.

(c) DIRECTIVE TO THE SENTENCING COMMISSION.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend its guidelines and policy statements to ensure that persons convicted of an offense under section 932 or 933 of title 18, United States Code, and other offenses appli-

cable to the straw purchases and firearms trafficking of firearms are subject to increased penalties in comparison to those currently provided by the guidelines and policy statements for such straw purchasing and firearms trafficking offenses. In its review, the Commission shall consider, in particular, an appropriate amendment to reflect the intent of Congress that straw purchasers without significant criminal histories receive sentences that are sufficient to deter participation in such activities. The Commission shall also review and amend its guidelines and policy statements to reflect the intent of Congress that a person convicted of an offense under section 932 or 933 of title 18, United States Code, who is affiliated with a gang, cartel, organized crime ring, or other such enterprise should be subject to higher penalties than an otherwise unaffiliated individual.

SEC. 110. INCREASED PENALTIES FOR LYING AND BUYING.

Section 924(a)(1) of title 18, United States Code, is amended in the undesignated matter following subparagraph (D) by striking “five years” and inserting the following: “5 years (or, in the case of a violation under subparagraph (A), not more than 10 years)”.

SEC. 111. AMENDMENTS TO SECTION 924(a).

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “(d), (g),”; and

(2) by adding at the end the following:

“(8) Whoever knowingly violates subsection (d), (g), or (n) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.”.

SEC. 112. AMENDMENTS TO SECTION 924(h).

Section 924 of title 18, United States Code, is amended by striking subsection (h) and inserting the following:

“(h) Whoever knowingly receives or transfers a firearm or ammunition, or attempts or conspires to do so, knowing that such firearm or ammunition will be used to commit a crime of violence (as defined in subsection (c)(3)), a drug trafficking crime (as defined in subsection (c)(2)), a Federal crime of terrorism (as defined in section 2332b(g)), or a crime under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), shall be imprisoned not more than 15 years, fined in accordance with this title, or both.”.

SEC. 113. AMENDMENTS TO SECTION 924(k).

Section 924 of title 18, United States Code, is amended by striking subsection (k) and inserting the following:

“(k)(1) A person who, with intent to engage in or promote conduct that—

“(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

“(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802);

“(C) constitutes a crime of violence (as defined in subsection (c)(3)); or

“(D) constitutes a Federal crime of terrorism (as defined in section 2332b(g)), smuggles or knowingly brings into the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.

“(2) A person who, with intent to engage in or to promote conduct that—

“(A) would be punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46, if the conduct had occurred within the United States; or

“(B) would constitute a crime of violence (as defined in subsection (c)(3)) or a Federal crime of terrorism (as defined in section 2332b(g)) for which the person may be prosecuted in a court of the United States, if the conduct had occurred within the United States, smuggles or knowingly takes out of the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.”.

SEC. 114. MULTIPLE SALES REPORTS FOR RIFLES AND SHOTGUNS.

Section 923(g)(5) of title 18, United States Code, is amended by adding at the end the following:

“(C) The Attorney General may not require a licensee to submit ongoing or periodic reporting of the sale or other disposition of 2 or more rifles or shotguns during a specified period of time.”.

SEC. 115. STUDY BY THE NATIONAL INSTITUTES OF JUSTICE AND NATIONAL ACADEMY OF SCIENCES ON THE CAUSES OF MASS SHOOTINGS.

(a) IN GENERAL.—

(1) STUDY.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall instruct the Director of the National Institutes of Justice, to conduct a peer-reviewed study to examine various sources and causes of mass shootings including psychological factors, the impact of violent video games, and other factors. The Director shall enter into a contract with the National Academy of Sciences to conduct this study jointly with an independent panel of 5 experts appointed by the Academy.

(2) REPORT.—Not later than 1 year after the date on which the study required under paragraph (1) begins, the Directors shall submit to Congress a report detailing the findings of the study.

(b) ISSUES EXAMINED.—The study conducted under subsection (a)(1) shall examine—

- (1) mental illness;
- (2) the availability of mental health and other resources and strategies to help families detect and counter tendencies toward violence;
- (3) the availability of mental health and other resources at schools to help detect and counter tendencies of students towards violence;
- (4) the extent to which perpetrators of mass shootings, either alleged, convicted, deceased, or otherwise, played violent or adult-themed video games and whether the perpetrators of mass shootings discussed, planned, or used violent or adult-themed video games in preparation of or to assist in carrying out their violent actions;
- (5) familial relationships, including the level of involvement and awareness of parents;
- (6) exposure to bullying; and
- (7) the extent to which perpetrators of mass shootings were acting in a “copycat” manner based upon previous violent events.

SEC. 116. REPORTS TO CONGRESS REGARDING AMMUNITION PURCHASES BY FEDERAL AGENCIES.

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, shall report to the Speaker of the House of Representa-

tives, the President Pro Tempore of the Senate, and the Chairmen and Ranking Members of the House and Senate Committee on Appropriations and the Committee on the Judiciary, the House Committee on Homeland Security, the Senate Committee on Homeland Security and Government Affairs, and the House Committee on Government Reform and Oversight, a report including—

(1) details of all purchases of ammunition by each Federal agency;

(2) a summary of all purchases, solicitations, and expenditures on ammunition by each Federal agency;

(3) a summary of all the rounds of ammunition expended by each Federal agency and a current listing of stockpiled ammunition for each Federal agency; and

(4) an estimate of future ammunition needs and purchases for each Federal agency for the next fiscal year.

SEC. 117. REDUCTION OF BYRNE JAG FUNDS FOR STATE FAILURE TO PROVIDE MENTAL HEALTH RECORDS TO NICS.

Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as redesignated, by striking “of paragraph (2)” and inserting “of paragraph (1)”;

(4) by inserting before paragraph (2), as redesignated, the following:

“(1) REDUCTION FOR FAILURE TO PROVIDE MENTAL HEALTH RECORDS.—

“(A) IN GENERAL.—During the period beginning on the date that is 18 months after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2013 and ending on the day before the date described in subparagraph (B), the Attorney General shall withhold 5 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not—

“(i) provide not less than 90 percent of the records required to be provided under sections 102 and 103; or

“(ii) have in effect a statute that—

“(I) requires the State to provide the records required to be provided under sections 102 and 103; and

“(II) implements a relief from disabilities program in accordance with section 105.

“(B) FINAL IMPLEMENTATION DEADLINE.—Beginning on the date that is 5 years after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2013, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not have in effect a statute described in subparagraph (A)(ii) of this paragraph.”.

SEC. 118. FIREARM COMMERCE MODERNIZATION.

(a) FIREARMS DISPOSITIONS.—Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “located” and inserting “located or temporarily located”;

(2) in subparagraph (A)—

(A) by striking “rifle or shotgun” and inserting “firearm”;

(B) by striking “located” and inserting “located or temporarily located”;

(C) by striking “both such States” and inserting “the State in which the transfer is conducted and the State of residence of the transferee”.

(b) DEALER LOCATION.—Section 923 of title 18, United States Code, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking “, and such location is in the State which is specified on the license”;

(B) in the last sentence—

(i) by inserting “transfer,” after “sell,”; and

(ii) by striking “Act,” and all that follows and inserting “Act.”; and

(2) by adding at the end the following:

“(m) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition—

“(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

“(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.”.

(c) RESIDENCE OF UNITED STATES OFFICERS.—Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) For purposes of this chapter:

“(1) A member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

“(A) the State in which the member or spouse maintains legal residence;

“(B) the State in which the permanent duty station of the member is located; and

“(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.

“(2) An officer or employee of the United States (other than a member of the Armed Forces) who is stationed outside the United States for a period of more than 1 year, and a spouse of such an officer or employee, is a resident of the State in which the person maintains legal residence.”.

SEC. 119. FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.

(a) IN GENERAL.—Section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), is amended—

(1) by striking “Not later than” and inserting the following:

“(1) IN GENERAL.—Not later than”; and

(2) by adding at the end the following:

“(2) VOLUNTARY BACKGROUND CHECKS.—

“(A) IN GENERAL.—Not later than 90 days after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2013, the Attorney General shall promulgate regulations allowing licensees to use the national instant criminal background check system established under this section for purposes of conducting voluntary, no fee employment background checks on current or prospective employees.

“(B) NOTICE.—Before conducting an employment background check relating to an individual under subparagraph (A), a licensee shall—

“(i) provide written notice to the individual that the licensee intends to conduct the background check; and

“(ii) obtain consent to conduct the background check from the individual in writing.

“(C) EXEMPTION.—An employment background check conducted by a licensee under subparagraph (A) shall not be governed by the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

“(D) APPEAL.—Any individual who is the subject of an employment background check conducted by a licensee under subparagraph

(A) the result of which indicates that the individual is a prohibited from possessing a firearm or ammunition pursuant to subsection (g) or (n) of section 922 of title 18, United States Code, may appeal the results of the background check in the same manner and to the same extent as if the individual had been the subject of a background check relating to the transfer of a firearm.”

(b) ACQUISITION, PRESERVATION, AND EXCHANGE OF IDENTIFICATION RECORDS AND INFORMATION.—Section 534 of title 28, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting “; and”; and

(C) by inserting after paragraph (4) the following:

“(5) provide a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18 with information necessary to verify whether firearms offered for sale to such licensees have been stolen.”; and

(2) in subsection (b), by inserting “, except for dissemination authorized under subsection (a)(5) of this section” before the period.

(c) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, and without regard to chapter 5 of title 5, United States Code, the Attorney General shall promulgate regulations allowing a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code, to receive access to records of stolen firearms maintained by the National Crime Information Center operated by the Federal Bureau of Investigation, solely for the purpose of voluntarily verifying whether firearms offered for sale to such licensees have been stolen.

(d) STATUTORY CONSTRUCTION; EVIDENCE.—

(1) STATUTORY CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed—

(A) to create a cause of action against any person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code or any other person for any civil liability; or

(B) to establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding the use or non-use by a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code of the systems, information, or records made available under this section or the amendments made by this section shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity.

SEC. 120. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

“§ 926A. Interstate transportation of firearms or ammunition

“(a) DEFINITION.—In this section, the term ‘transport’ includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport.

“(b) AUTHORIZATION.—Notwithstanding any provision of any law (including a rule or regulation) of a State or any political subdivision thereof, a person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to—

“(1) transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation—

“(A) the firearm is unloaded; and

“(B)(i) if the transportation is by motor vehicle—

“(I) the firearm is not directly accessible from the passenger compartment of the motor vehicle; or

“(II) if the motor vehicle is without a compartment separate from the passenger compartment, the firearm is—

“(aa) in a locked container other than the glove compartment or console; or

“(bb) secured by a secure gun storage or safety device; or

“(ii) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device; and

“(2) transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation—

“(A) the ammunition is not loaded into a firearm; and

“(B)(i) if the transportation is by motor vehicle—

“(I) the ammunition is not directly accessible from the passenger compartment of the motor vehicle; or

“(II) if the motor vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

“(ii) if the transportation is by other means, the ammunition is in a locked container.

“(c) STATE LAW.—

“(1) ARREST AUTHORITY.—A person who is transporting a firearm or ammunition may not be—

“(A) arrested for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is probable cause to believe that the transportation is not in accordance with subsection (b); or

“(B) detained for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is reasonable suspicion that the transportation is not in accordance with subsection (b).

“(2) PROSECUTION.—

“(A) BURDEN OF PROOF.—If a person asserts this section as a defense in a criminal proceeding, the government shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person was not in accordance with subsection (b).

“(B) PREVAILING DEFENDANT.—If a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant reasonable attorney’s fees.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 926A and inserting the following:

“926A. Interstate transportation of firearms or ammunition.”

TITLE II—MENTAL HEALTH

SEC. 201. REAUTHORIZATION AND ADDITIONAL AMENDMENTS TO THE MENTALLY ILL OFFENDER TREATMENT AND CRIME REDUCTION ACT.

(a) SAFE COMMUNITIES.—

(1) IN GENERAL.—Section 2991(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(a)) is amended—

(A) in paragraph (7)—

(i) in the heading, by striking “MENTAL ILLNESS” and inserting “MENTAL ILLNESS; MENTAL HEALTH DISORDER”; and

(ii) by striking “term ‘mental illness’ means” and inserting “terms ‘mental illness’ and ‘mental health disorder’ mean”; and

(B) by striking paragraph (9) and inserting the following:

“(9) PRELIMINARILY QUALIFIED OFFENDER.—

“(A) IN GENERAL.—The term ‘preliminarily qualified offender’ means an adult or juvenile accused of an offense who—

“(i)(I) previously or currently has been diagnosed by a qualified mental health professional as having a mental illness or co-occurring mental illness and substance abuse disorders;

“(II) manifests obvious signs of mental illness or co-occurring mental illness and substance abuse disorders during arrest or confinement or before any court; or

“(III) in the case of a veterans treatment court provided under subsection (i), has been diagnosed with, or manifests obvious signs of, mental illness or a substance abuse disorder or co-occurring mental illness and substance abuse disorder; and

“(ii) has been unanimously approved for participation in a program funded under this section by, when appropriate, the relevant—

“(I) prosecuting attorney;

“(II) defense attorney;

“(III) probation or corrections official;

“(IV) judge; and

“(V) a representative from the relevant mental health agency described in subsection (b)(5)(B)(i).

“(B) DETERMINATION.—In determining whether to designate a defendant as a preliminarily qualified offender, the relevant prosecuting attorney, defense attorney, probation or corrections official, judge, and mental health or substance abuse agency representative shall take into account—

“(i) whether the participation of the defendant in the program would pose a substantial risk of violence to the community;

“(ii) the criminal history of the defendant and the nature and severity of the offense for which the defendant is charged;

“(iii) the views of any relevant victims to the offense;

“(iv) the extent to which the defendant would benefit from participation in the program;

“(v) the extent to which the community would realize cost savings because of the defendant’s participation in the program; and

“(vi) whether the defendant satisfies the eligibility criteria for program participation unanimously established by the relevant prosecuting attorney, defense attorney, probation or corrections official, judge and mental health or substance abuse agency representative.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 2927(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s-6(2)) is amended by striking “has the meaning given that term in section 2991(a).” and inserting “means an offense that—

“(A) does not have as an element the use, attempted use, or threatened use of physical

force against the person or property of another; or

“(B) is not a felony that by its nature involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.”.

(b) EVIDENCE BASED PRACTICES.—Section 2991(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(c)) is amended—

(1) in paragraph (3), by striking “or” at the end;

(2) by redesignating paragraph (4) as paragraph (6); and

(3) by inserting after paragraph (3) the following:

“(4) propose interventions that have been shown by empirical evidence to reduce recidivism;

“(5) when appropriate, use validated assessment tools to target preliminarily qualified offenders with a moderate or high risk of recidivism and a need for treatment and services; or”.

(c) ACADEMY TRAINING.—Section 2991(h) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(h)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(F) ACADEMY TRAINING.—To provide support for academy curricula, law enforcement officer orientation programs, continuing education training, and other programs that teach law enforcement personnel how to identify and respond to incidents involving persons with mental health disorders or co-occurring mental health and substance abuse disorders.”; and

(2) by adding at the end the following:

“(4) PRIORITY CONSIDERATION.—The Attorney General, in awarding grants under this subsection, shall give priority to programs that law enforcement personnel and members of the mental health and substance abuse professions develop and administer cooperatively.”.

(d) ASSISTING VETERANS.—

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended—

(A) by redesignating subsection (i) as subsection (n); and

(B) by inserting after subsection (h) the following:

“(i) ASSISTING VETERANS.—

“(1) DEFINITIONS.—In this subsection:

“(A) PEER TO PEER SERVICES OR PROGRAMS.—The term ‘peer to peer services or programs’ means services or programs that connect qualified veterans with other veterans for the purpose of providing support and mentorship to assist qualified veterans in obtaining treatment, recovery, stabilization, or rehabilitation.

“(B) QUALIFIED VETERAN.—The term ‘qualified veteran’ means a preliminarily qualified offender who—

“(i) has served on active duty in any branch of the Armed Forces, including the National Guard and reserve components; and

“(ii) was discharged or released from such service under conditions other than dishonorable.

“(C) VETERANS TREATMENT COURT PROGRAM.—The term ‘veterans treatment court program’ means a court program involving collaboration among criminal justice, veterans, and mental health and substance abuse agencies that provides qualified veterans with—

“(i) intensive judicial supervision and case management, which may include random and frequent drug testing where appropriate;

“(ii) a full continuum of treatment services, including mental health services, substance abuse services, medical services, and services to address trauma;

“(iii) alternatives to incarceration; and

“(iv) other appropriate services, including housing, transportation, mentoring, employment, job training, education, and assistance in applying for and obtaining available benefits.

“(2) VETERANS ASSISTANCE PROGRAM.—

“(A) IN GENERAL.—The Attorney General, in consultation with the Secretary of Veterans Affairs, may award grants under this subsection to applicants to establish or expand—

“(i) veterans treatment court programs;

“(ii) peer to peer services or programs for qualified veterans;

“(iii) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to qualified veterans who have been incarcerated; and

“(iv) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and appropriately respond to incidents involving qualified veterans.

“(B) PRIORITY.—In awarding grants under this subsection, the Attorney General shall give priority to applications that—

“(i) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies;

“(ii) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and

“(iii) propose interventions with empirical support to improve outcomes for qualified veterans.”.

(e) CORRECTIONAL FACILITIES; HIGH UTILIZERS.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as so added by subsection (d), the following:

“(j) CORRECTIONAL FACILITIES.—

“(1) DEFINITIONS.—

“(A) CORRECTIONAL FACILITY.—The term ‘correctional facility’ means a jail, prison, or other detention facility used to house people who have been arrested, detained, held, or convicted by a criminal justice agency or a court.

“(B) ELIGIBLE INMATE.—The term ‘eligible inmate’ means an individual who—

“(i) is being held, detained, or incarcerated in a correctional facility; and

“(ii) manifests obvious signs of a mental illness or has been diagnosed by a qualified mental health professional as having a mental illness.

“(2) CORRECTIONAL FACILITY GRANTS.—The Attorney General may award grants to applicants to enhance the capabilities of a correctional facility—

“(A) to identify and screen for eligible inmates;

“(B) to plan and provide—

“(i) initial and periodic assessments of the clinical, medical, and social needs of inmates; and

“(ii) appropriate treatment and services that address the mental health and substance abuse needs of inmates;

“(C) to develop, implement, and enhance—

“(i) post-release transition plans for eligible inmates that, in a comprehensive manner, coordinate health, housing, medical, employment, and other appropriate services and public benefits;

“(ii) the availability of mental health care services and substance abuse treatment services; and

“(iii) alternatives to solitary confinement and segregated housing and mental health screening and treatment for inmates placed in solitary confinement or segregated housing; and

“(D) to train each employee of the correctional facility to identify and appropriately respond to incidents involving inmates with mental health or co-occurring mental health and substance abuse disorders.

“(k) DEMONSTRATION GRANTS RESPONDING TO HIGH UTILIZERS.—

“(1) DEFINITION.—In this subsection, the term ‘high utilizer’ means an individual who—

“(A) manifests obvious signs of mental illness or has been diagnosed by a qualified mental health professional as having a mental illness; and

“(B) consumes a significantly disproportionate quantity of public resources, such as emergency, housing, judicial, corrections, and law enforcement services.

“(2) DEMONSTRATION GRANTS RESPONDING TO HIGH UTILIZERS.—

“(A) IN GENERAL.—The Attorney General may award not more than 6 grants per year under this subsection to applicants for the purpose of reducing the use of public services by high utilizers.

“(B) USE OF GRANTS.—A recipient of a grant awarded under this subsection may use the grant—

“(i) to develop or support multidisciplinary teams that coordinate, implement, and administer community-based crisis responses and long-term plans for high utilizers;

“(ii) to provide training on how to respond appropriately to the unique issues involving high utilizers for public service personnel, including criminal justice, mental health, substance abuse, emergency room, healthcare, law enforcement, corrections, and housing personnel;

“(iii) to develop or support alternatives to hospital and jail admissions for high utilizers that provide treatment, stabilization, and other appropriate supports in the least restrictive, yet appropriate, environment; or

“(iv) to develop protocols and systems among law enforcement, mental health, substance abuse, housing, corrections, and emergency medical service operations to provide coordinated assistance to high utilizers.

“(C) REPORT.—Not later than the last day of the first year following the fiscal year in which a grant is awarded under this subsection, the recipient of the grant shall submit to the Attorney General a report that—

“(i) measures the performance of the grant recipient in reducing the use of public services by high utilizers; and

“(ii) provides a model set of practices, systems, or procedures that other jurisdictions can adopt to reduce the use of public services by high utilizers.”.

(f) GRANT ACCOUNTABILITY.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as so added by subsection (e), the following:

“(1) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

“(1) AUDIT REQUIREMENT.—

“(A) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector

General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

“(D) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

“(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) PROHIBITION.—The Attorney General may not award a grant under this part to a section organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

“(3) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department of Jus-

tice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

“(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

“(iii) all reimbursements required under paragraph (1)(E) have been made; and

“(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.”.

“(m) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

“(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

“(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

“(B) the reason the Attorney General awarded the duplicate grants.”.

(g) REAUTHORIZATION OF APPROPRIATIONS.—Section 2991(n) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as redesignated in subsection (d), is amended—

“(1) in paragraph (1);

“(A) in subparagraph (B), by striking “and” at the end;

“(B) in subparagraph (C), by striking the period and inserting “; and”; and

“(C) by adding at the end the following:

“(D) \$40,000,000 for each of fiscal years 2015 through 2019.”; and

“(2) by adding at the end the following:

“(3) LIMITATION.—Not more than 20 percent of the funds authorized to be appropriated under this section may be used for purposes described in subsection (i) (relating to veterans).”.

SEC. 202. ADDITIONAL PURPOSES FOR FEDERAL GRANTS.

(a) MODIFICATIONS TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—Section 501(a)(1) of title I of the Om-

nibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

“(H) Mental health programs and operations by law enforcement or corrections.”.

(b) MODIFICATIONS TO THE COMMUNITY ORIENTED POLICING SERVICES PROGRAM.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (16), by striking “and” at the end;

(2) by redesignating paragraph (17) as paragraph (19);

(3) by inserting after paragraph (16) the following:

“(17) to provide specialized training to law enforcement officers (including village public safety officers (as defined in section 247 of the Indian Arts and Crafts Amendments Act of 2010 (42 U.S.C. 3796dd note))) to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness and to establish programs that enhance the ability of law enforcement agencies to address the mental health, behavioral, and substance abuse problems of individuals encountered in the line of duty;

“(18) to provide specialized training to corrections officers to recognize individuals who have mental illness and to enhance the ability of corrections officers to address the mental health or individuals under the care and custody of jails and prisons; and”; and

(4) in paragraph (19), as redesignated, by striking “through (16)” and inserting “through (18)”.

SEC. 203. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following:

“§5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by adding at the end the following:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

TITLE III—SCHOOL SAFETY

SEC. 301. SHORT TITLE.

This title may be cited as the “School Safety Enhancements Act of 2013”.

SEC. 302. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “Placement” and inserting “Installation”; and

(ii) by inserting “surveillance equipment,” after “detectors,”;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

“(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations.”; and

(2) by adding at the end the following:

“(g) INTERAGENCY TASK FORCE.—

“(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the School Safety Enhancements Act of 2013, the Director and the Secretary of Education, or the designee of the Secretary, shall establish an interagency task force to develop and promulgate a set of advisory school safety guidelines.

“(2) PUBLICATION OF GUIDELINES.—Not later than 1 year after the date of enactment of the School Safety Enhancements Act of 2013, the advisory school safety guidelines promulgated by the interagency task force shall be published in the Federal Register.

“(3) REQUIRED CONSULTATION.—In developing the final advisory school safety guidelines under this subsection, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies.”.

SEC. 303. APPLICATIONS.

Section 2702(a)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

“(2) be accompanied by a report—

“(A) signed by the heads of each law enforcement agency and school district with jurisdiction over the schools where the safety improvements will be implemented; and

“(B) demonstrating that each proposed use of the grant funds will be—

“(i) an effective means for improving the safety of 1 or more schools;

“(ii) consistent with a comprehensive approach to preventing school violence; and

“(iii) individualized to the needs of each school at which those improvements are to be made.”.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amended by striking “2001 through 2009” and inserting “2014 through 2023”.

SEC. 305. ACCOUNTABILITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a), as amended by section 202 of this title, is amended by adding at the end the following:

“(h) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

“(1) AUDIT REQUIREMENT.—

“(A) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

“(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

“(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this part and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

“(3) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this part may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this part, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the

House of Representatives on all conference expenditures approved under this paragraph.

“(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

“(iii) all reimbursements required under paragraph (1)(E) have been made; and

“(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.”.

SEC. 306. PREVENTING DUPLICATIVE GRANTS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by adding at the end the following:

“(1) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this part, the Attorney General shall compare potential grant awards with grants awarded under parts A or T to determine if duplicate grant awards are awarded for the same purpose.

“(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

“(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

“(B) the reason the Attorney General awarded the duplicate grants.”.

SA 726. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 208. APPOINTMENT OF ASSISTANT UNITED STATES ATTORNEYS TO PROSECUTE FIREARMS OFFENSES.

(a) IN GENERAL.—The Attorney General shall—

(1) appoint 50 individuals to a position as an assistant United States attorney, which shall be in addition to the number of such positions on the date of enactment of this Act;

(2) assign each individual serving in a position described in paragraph (1) responsibility for prosecuting offenses under chapter 44 of title 18, United States Code, and any other offense under Federal law involving firearms or ammunition; and

(3) require each individual serving in a position described in paragraph (1) to give priority in the prosecution of offenses described in paragraph (2) to—

(A) crimes of violence (as defined in section 16 of title 18, United States Code) committed by individuals who have previously been convicted of such a crime;

(B) offenses by individuals who have previously been convicted of a crime punishable by imprisonment for more than 1 year; and

(C) offenses committed with the intent to transfer a firearm across an international border of the United States.

(b) ASSIGNMENT TO JUDICIAL DISTRICTS.—In determining in which judicial districts to appoint individuals to positions as assistant United States attorneys under subsection (a), the Attorney General shall give priority to judicial districts with the highest incidence of crimes and offenses described in subparagraphs (A), (B), and (C) of subsection (a)(3).

(c) AUTHORIZATION FOR USE OF FUNDS.—Section 524(c)(1) of title 28, United States Code, is amended—

(1) in subparagraph (H), by striking “and” at the end;

(2) in subparagraph (I), by striking the period at the end and inserting “; and”; and

(3) by inserting after subparagraph (I) the following:

“(J) carrying out section 208 of the Safe Communities, Safe Schools Act of 2013, provided that not more than \$12,500,000 shall be available to the Attorney General for each of fiscal years 2014 through 2017 under this subparagraph.”.

SA 727. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Gun Rights and Safety Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Rule of construction.

TITLE I—CONSOLIDATING FEDERAL PROGRAMS AND ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

Sec. 101. Reauthorization of the National Criminal History Records Improvement Program.

Sec. 102. Improvement of metrics and incentives.

Sec. 103. Grants to states for improvement of coordination and automation of nics record reporting.

Sec. 104. Relief from disabilities program.

Sec. 105. Protecting the Second Amendment rights of veterans.

Sec. 106. Clarification that federal court information is to be made available to the national instant criminal background check system.

Sec. 107. Publication of NICS Index Statistics.

Sec. 108. Effective date.

TITLE II—EXPANDING NICS CHECKS FOR THE SAFE TRANSFER OF FIREARMS

Sec. 201. Purpose.

Sec. 202. Firearms transfers.

Sec. 203. Prohibition on national gun registry; limitation on authorization to seize, copy, or reproduce records and documents.

Sec. 204. Authority to conduct interstate firearms transactions.

Sec. 205. Consolidating unnecessary duplicative and overlapping DOJ programs.

Sec. 206. Inspector General Report.

Sec. 207. Amendment to section 923(g)(5).

Sec. 208. Effective date.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress supports and respects the right to bear arms guaranteed by the Second Amendment to the Constitution of the United States.

(2) Congress supports the privacy rights of gun owners in the United States, including the existing prohibition on a national firearms registry.

(3) Congress supports longstanding Federal law that prohibits convicted felons and those with dangerous mental illnesses from purchasing or possessing a firearm, along with the national instant criminal background check system to help prevent these persons from procuring firearms in the primary market.

(4) Congress recognizes an inconsistency in Federal law, where a prohibited purchaser is prohibited from accessing firearms at a gun store, but can easily procure a firearm at a gun show, flea market, or through an Internet advertisement.

(5) Congress and the citizens of the United States agree that in order to promote safe and responsible gun ownership, violent criminals and the dangerously mentally ill should be prohibited from possessing firearms and therefore, it should be incumbent upon Congress to empower law abiding citizens to prevent the transfer of weapons to such people.

(6) There are deficits in the background check system in existence prior to the date of enactment of this Act and the Department of Justice should make it a top priority to work with States to swiftly input missing records, including mental health records.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or any amendment made by this Act, shall be construed to—

(1) expand in any way the enforcement authority or jurisdiction of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(2) allow the establishment, directly or indirectly, of a Federal firearms registry; or

(3) infringe on the right of law-abiding citizens to keep and bear arms as explicitly guaranteed by the Second Amendment to the Constitution of the United States, which every Member of Congress has taken an oath to support and defend.

TITLE I—CONSOLIDATING FEDERAL PROGRAMS AND ENSURING THAT ALL INDIVIDUALS WHO SHOULD BE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

SEC. 101. REAUTHORIZATION OF THE NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM.

Section 106(b)(2) of Public Law 103-159 (18 U.S.C. 922 note) is amended by striking “a total of \$200,000,000 for fiscal year 1994 and all fiscal years thereafter” and inserting “\$25,000,000 for each of fiscal years 2014 through 2017”.

SEC. 102. IMPROVEMENT OF METRICS AND INCENTIVES.

(a) IN GENERAL.—Section 102(b) of the NICS Improvement Amendments Act of 2007 (18

U.S.C. 922 note) is amended to read as follows:

“(b) IMPLEMENTATION PLAN.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Gun Rights and Safety Act of 2013, States and Indian tribal government, in coordination with the Attorney General, may establish for each State or Indian tribal government desiring a grant under section 103 a 4-year implementation plan to ensure maximum coordination and automation of the reporting of records or making records available to the National Instant Criminal Background Check System.

“(2) BENCHMARK REQUIREMENTS.—Each 4-year plan established under paragraph (1) shall include annual benchmarks, including both qualitative goals and quantitative measures, to assess implementation of the 4-year plan.

“(3) PENALTIES FOR NON-COMPLIANCE.—

“(A) IN GENERAL.—During the 4-year period covered by a 4-year plan established under paragraph (1), the Attorney General shall withhold—

“(i) 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the first year in the 4-year period;

“(ii) 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the second year in the 4-year period;

“(iii) 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the third year in the 4-year period; and

“(iv) 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the fourth year in the 4-year period.

“(B) FAILURE TO ESTABLISH A PLAN.—If a State fails to establish a plan under paragraph (1)—

“(i) the Attorney General shall withhold 15 percent of the amount that would otherwise be allocated to the State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755); and

“(ii) the State shall be ineligible to receive any grant funds under section 106(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) or under section 103 of this Act.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 106(b)(1) of Public Law 103-159 (18 U.S.C. 922 note) is amended by inserting “that has established an implementation plan under section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note)” after “each State”.

SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

(a) IN GENERAL.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking section 103 and inserting the following:

“SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—From amounts made available to carry out this section, the Attorney General shall make grants to States, Indian Tribal governments, and State court systems, in a manner consistent with the National Criminal History Improvement Program and consistent with State plans for integration, automation, and accessibility of criminal history records, for use by the State, or units of local government of the State, Indian Tribal government, or State court system to improve the automation and transmittal of mental health records and criminal history dispositions, records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, court orders, and mental health adjudications or commitments to Federal and State record repositories in accordance with section 102 and the National Criminal History Improvement Program.

“(2) LIMITATION ON ELIGIBILITY.—A State may not be awarded a grant under paragraph (1) unless the State establishes an implementation plan under section 102(b).

“(b) USE OF GRANT AMOUNTS.—Grants awarded to States, Indian Tribal governments, or State court systems under this section may only be used to—

“(1) carry out, as necessary, assessments of the capabilities of the courts of the State or Indian Tribal government for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

“(2) implement policies, systems, and procedures for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

“(3) create electronic systems that provide accurate and up-to-date information which is directly related to checks under the National Instant Criminal Background Check System, including court disposition and corrections records;

“(4) assist States or Indian Tribal governments in establishing or enhancing their own capacities to perform background checks using the National Instant Criminal Background Check System; and

“(5) develop and maintain the relief from disabilities program in accordance with section 105.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—To be eligible for a grant under this section, a State, Indian Tribal government, or State court system shall certify, to the satisfaction of the Attorney General, that the State, Indian Tribal government, or State court system—

“(A) is not prohibited by State law or court order to submit mental health records to the National Instant Criminal Background Check System; and

“(B) subject to paragraph (2), has implemented a relief from disabilities program in accordance with section 105.

“(2) RELIEF FROM DISABILITIES PROGRAM.—For purposes of obtaining a grant under this section, a State, Indian Tribal government, or State court system shall not be required to meet the eligibility requirement described in paragraph (1)(B) until the date that is 2 years after the date of enactment of the Gun Rights and Safety Act of 2013.

“(d) FEDERAL SHARE.—

“(1) STUDIES, ASSESSMENTS, NON-MATERIAL ACTIVITIES.—The Federal share of a study, assessment, creation of a task force, or other non-material activity, as determined by the Attorney General, carried out with a grant under this section shall be not more than 25 percent.

“(2) INFRASTRUCTURE OR SYSTEM DEVELOPMENT.—The Federal share of an activity involving infrastructure or system development, including labor-related costs, for the purpose of improving State or Indian Tribal government record reporting to the National Instant Criminal Background Check System carried out with a grant under this section may amount to 100 percent of the cost of the activity.

“(e) GRANTS TO INDIAN TRIBES.—Up to 2 percent of the grant funding available under this section may be reserved for reservation-based Indian tribal governments for use by Indian tribal judicial systems.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2014 through 2017.”;

(2) by striking title III; and

(3) in section 401(b), by inserting after “of this Act” the following: “and 18 months after the date of enactment of the Gun Rights and Safety Act of 2013”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections in section 1(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking the item relating to section 103 and inserting the following:

“Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.”.

SEC. 104. RELIEF FROM DISABILITIES PROGRAM.

Section 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by adding at the end the following:

“(c) PENALTIES FOR NON-COMPLIANCE.—

“(1) 10 PERCENT REDUCTION.—During the 1-year period beginning 1 year after the date of enactment of the Gun Rights and Safety Act of 2013, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(2) 11 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (1), the Attorney General shall withhold 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(3) 13 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (2), the Attorney General shall withhold 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

“(4) 15 PERCENT REDUCTION.—After the expiration of the 1-year period described in paragraph (3), the Attorney General shall withhold 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the

State has not implemented a relief from disabilities program in accordance with this section.”.

SEC. 105. PROTECTING THE SECOND AMENDMENT RIGHTS OF VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

“§5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“(a) IN GENERAL.—In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is determined by the Secretary to be mentally incompetent shall not be considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18, until—

“(1) in the case in which the person does not request a review as described in subsection (c)(1), the end of the 30-day period beginning on the date on which the person receives notice submitted under subsection (b); or

“(2) in the case in which the person requests a review as described in paragraph (1) of subsection (c), upon an assessment by the board designated or established under paragraph (2) of such subsection or court of competent jurisdiction that a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

“(b) NOTICE.—Notice submitted under this subsection to a person described in subsection (a) is notice submitted by the Secretary that notifies the person of the following:

“(1) The determination made by the Secretary.

“(2) A description of the implications of being considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18.

“(3) The person's right to request a review under subsection (c)(1).

“(c) ADMINISTRATIVE REVIEW.—(1) Not later than 30 days after the date on which a person described in subsection (a) receives notice submitted under subsection (b), such person may request a review by the board designated or established under paragraph (2) or a court of competent jurisdiction to assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency. In such assessment, the board may consider the person's honorable discharge or decoration.

“(2) Not later than 180 days after the date of enactment of the Gun Rights and Safety Act of 2013, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

“(d) JUDICIAL REVIEW.—A person may file a petition with a Federal court of competent jurisdiction for judicial review of an assessment of the person under subsection (c) by the board designated or established under paragraph (2).

“(e) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Gun Rights and Safety Act of 2013, the Secretary shall provide written notice of the opportunity for administrative review and appeal under subsection (c) to all persons who, on the date of enactment of the Gun Rights and Safety Act of 2013, are considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department of Veterans Affairs to be mentally incompetent.

“(f) FUTURE DETERMINATIONS.—

“(1) IN GENERAL.—Not later than 180 days after the enactment of the Gun Rights and Safety Act of 2013, the Secretary shall review the policies and procedures by which individuals are determined to be mentally incompetent, and shall revise such policies and procedures as necessary to ensure that any individual who is competent to manage his own financial affairs, including his receipt of Federal benefits, but who voluntarily turns over the management thereof to a fiduciary is not considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18.

“(2) REPORT.—Not later than 30 days after the Secretary has made the review and changes required under paragraph (1), the Secretary shall submit to Congress a report detailing the results of the review and any resulting policy and procedural changes.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

(c) APPLICABILITY.—Section 5511 of title 38, United States Code (as added by this section), shall apply only with respect to persons who are determined by the Secretary of Veterans Affairs, on or after the date of the enactment of this Act, to be mentally incompetent, except that those persons who are provided notice pursuant to section 5511(e) of such title shall be entitled to use the administrative review under section 5511(c) of such title and, as necessary, the subsequent judicial review under section 5511(d) of such title.

SEC. 106. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), is amended by adding at the end the following:

“(F) APPLICATION TO FEDERAL COURTS.—In this subsection—

“(i) the terms ‘department or agency of the United States’ and ‘Federal department or agency’ include a Federal court; and

“(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.”.

SEC. 107. PUBLICATION OF NICS INDEX STATISTICS.

Not later than 180 days after the date of enactment of this Act, and biannually thereafter, the Attorney General shall make the National Instant Criminal Background Check System index statistics available on a publicly accessible Internet website.

SEC. 108. EFFECTIVE DATE.

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

TITLE II—EXPANDING NICS CHECKS FOR THE SAFE TRANSFER OF FIREARMS

SEC. 201. PURPOSE.

The purpose of this title is to extend check procedures under the National Instant Criminal Background Check System to promote the safe transfer of firearms in the secondary market.

SEC. 202. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by repealing subsection (s);

(2) by redesignating subsection (t) as subsection (s);

(3) in subsection (s), as redesignated—

(A) in paragraph (3)(C)(ii), by striking “(as defined in subsection (s)(8))”; and

(B) by adding at the end the following:

“(7) In this subsection, the term ‘chief law enforcement officer’ means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.

“(8) The Federal Bureau of Investigation shall not charge a user fee for a background check conducted pursuant to this subsection.”; and

(4) by inserting after subsection (s), as redesignated, the following:

“(t)(1) In this subsection, the term ‘covered transfer’—

“(A) means a transfer that the transferor, the transferee, or both intends to be permanent, including a transfer by sale, pledge, trade, gift, or consignment; and

“(B) does not include—

“(i) a transfer between spouses, between parents or spouses of parents and their children or spouses of their children, between siblings or spouses of siblings, or between grandparents or spouses of grandparents and their grandchildren or spouses of their grandchildren, or between aunts or uncles or their spouses and their nieces or nephews or their spouses, or between first cousins, if the transferor does not know or have reasonable cause to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law;

“(ii) a transfer made from a decedent’s estate by bequest, intestate succession, or by operation of law; or

“(iii) a temporary transfer of a firearm, unless the transferor knows or has reason to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law.

“(2) Beginning on the date that is 18 months after the date of enactment of the Gun Rights and Safety Act of 2013 or 30 days after the date on which the consumer portal established under paragraph (3) is operational, whichever is later, it shall be unlawful for any person who is not licensed under this chapter to make a covered transfer of a firearm to any other person who is not licensed under this chapter, unless—

“(A) the covered transfer is made after a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s), if upon taking possession of the firearm, the licensee complies with all requirements of this chapter as if the licensee were transferring the firearm from the licensee’s business inventory to the unlicensed transferee;

“(B) the covered transfer is made in accordance with regulations promulgated by the Attorney General under paragraph (3) and after the unlicensed transferee has undergone a background check;

“(C) the covered transfer is made—

“(i) after the transferee has presented to the transferor a permit for transfer of a firearm that—

“(I) allows the transferee to possess, acquire, or carry a firearm; and

“(II) was issued not more than 5 years earlier by the State, or political subdivision thereof, in which the transfer is to take place; and

“(ii) in a State in which the law of the State allows the transferee to possess, acquire, or carry a firearm, if the law of the State, or political subdivision of a State,

that issued the permit requires that such permit is issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by the unlicensed transferee would be in violation of Federal, State, or local law; or

“(D) if the State in which the covered transfer takes place has enacted legislation that requires an unlicensed transferor to comply with subsection (s) before the transfer takes place to assure the unlicensed transferee is not prohibited from receiving or possessing a firearm—

“(i) the covered transfer is made between an unlicensed transferor and an unlicensed transferee who reside in the same State, and takes place in such State; or

“(ii) if the unlicensed transferor and the unlicensed transferee reside in different States and the States have entered into a reciprocal agreement, the covered transfer takes place in either of such States.

“(3)(A) Not later than 2 years after the date of enactment of the Gun Rights and Safety Act of 2013, the Attorney General shall, using competitive bidding practices, authorize the establishment of an Internet-based, consumer portal that will allow a person who is not licensed under this chapter to run a self-background check using the National Instant Criminal Background Check System for the purpose of conducting a covered transfer under this subsection.

“(B) In authorizing the establishment of the consumer portal required under subparagraph (A), the Attorney General shall ensure that—

“(i) the consumer portal may be accessed through an Internet website, mobile application, or other means determined appropriate by the Attorney General;

“(ii) an unlicensed transferee who completes a background check using the consumer portal and would not be in violation of subsection (g) or (n) of section 922 of State law by receiving a firearm shall be provided a temporary permit, valid for a 30-day period beginning on the date on which the background check is completed, that—

“(I) signifies that the unlicensed transferee is not prohibited from legally purchasing or possessing a firearm; and

“(II) may be used, during the 30-day period, by the unlicensed transferee for a covered transfer of a firearm under this subsection, in compliance with any applicable State or Federal law;

“(iii) the temporary permit described in clause (ii) shall—

“(I) be made available to the unlicensed transferee as an electronic printable document and be accessible through an Internet website, mobile application, or other means determined appropriate by the Attorney General; and

“(II) contain—

“(aa) the name of the unlicensed transferee;

“(bb) the date of expiration of the permit;

“(cc) a unique pin number that can be used to verify the validity of the permit by the unlicensed transferor of a firearm; and

“(dd) any other protections necessary to prevent fraud;

“(iv) the consumer portal be designed in a manner that allows for maximum privacy and security protections so that a user of the consumer portal may only run a self-background check and not run a background check on any other person;

“(v) any personally identifiable information obtained by the consumer portal from an individual, including names, physical locations, mailing addresses, Internet protocol

addresses, and other unique identifiers, shall be destroyed within 24 hours from the time at which the information was obtained, except for—

“(I) information required for the unlicensed transferor to verify the validity of the permit, including—

“(aa) the unique serial number assigned to a temporary permit; and

“(bb) the date of birth associated with the unique serial number; and

“(II) any record of a person who—

“(aa) attempts to complete a background check; and

“(bb) would be in violation of subsection (g) or (n) of section 922 if the person received or possessed a firearm; and

“(vi) any information described in clause (v)(I) shall be destroyed at the end of the 30-day period described in clause (ii).

“(4)(A) Notwithstanding any other provision of this chapter, except for section 923(m), the Attorney General may implement this subsection with regulations.

“(B) Regulations promulgated under this paragraph may not include any provision requiring licensees to facilitate transfers in accordance with paragraph (2)(A).

“(C) Regulations promulgated under this paragraph may not include any provision requiring persons not licensed under this chapter to keep records of background checks or firearms transfers.

“(D) Regulations promulgated under this paragraph may not include any provision placing a cap on the fee licensees may charge to facilitate transfers in accordance with paragraphs (2)(A).

“(5) No department, agency, officer, or employee of the United States may—

“(A) require that any record or portion thereof generated by a consumer portal be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or political subdivision thereof; or

“(B) use a consumer portal to establish any system for the registration of firearms, firearm owners, or firearm transactions or dispositions, except with respect to persons, prohibited by section 922 (g) or (n) of title 18, United States Code or State law, from receiving a firearm.

“(6) The Attorney General shall establish, and make available to the public, a sample form, which may be used, on a voluntary basis, by a transferor to document information relating to each firearm transfer conducted by the transferor, for the purpose of assisting law enforcement officers during a criminal investigation.

“(7)(A) If the consumer portal established under this subsection is shut down for a period of more than 7 days, this subsection shall have no force or effect during the period for which the consumer portal is non-operational.

“(B) If the consumer portal established under this subsection is ever permanently shut down or defunded, this subsection shall have no force or effect beginning on the date on which the consumer portal is non-operational.

“(8)(A) Subject to subparagraph (B), paragraph (2) shall not apply to a covered transfer described in subparagraph (D) in a State that has enacted legislation that—

“(i) establishes requirements for background checks for covered transfers described in subparagraph (D) that are similar to the requirements described in this subsection; and

“(ii) allows for the State to have primary enforcement authority of covered transfers

described in subparagraph (D) occurring within the State.

“(B) If the Attorney General determines that legislation enacted by a State does not establish requirements for background checks for covered transfers described in subparagraph (D) that are similar to the requirements described in this subsection—

“(i) the Attorney General shall notify the State of the determination; and

“(ii) beginning on the date that is 1 year after the date on which the Attorney General notifies the State under clause (i), paragraph (2) shall apply to a covered transfer in the State unless the State has enacted legislation that establishes requirements for background checks for covered transfers that are, in the determination of the Attorney General, similar to the requirements described in this subsection.

“(C) In establishing requirements that are similar to the requirements under this subsection, a State—

“(i) may allow for geographic or technological exemptions for rural areas within the State that are remote and lack the technological capabilities needed to access the consumer portal; and

“(ii) may impose penalties for violations of the requirements established by the State that are stronger than the penalties imposed under this chapter for violations of the requirements under this subsection.

“(D) A covered transfer described in this subparagraph is a covered transfer between an unlicensed transferor and an unlicensed transferee that occurs—

“(i) at any venue where firearms transactions take place or where firearms transferors or transferees are brought together, including at a gun show or event, or on the curtilage thereof; or

“(ii) pursuant to an advertisement, posting, display, or other public listing on the Internet, in a publication, at a forum, or in any manner accessible to the general public by the transferor of his intent to transfer, or the transferee of his intent to acquire, the firearm.”.

(b) ACCOUNTABILITY.—

(1) IN GENERAL.—

(A) AUDITS OF BACKGROUND CHECKS CONDUCTED FOR LICENSEE SALES.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until the date on which the Inspector General of the Department of Justice begins conducting audits under subparagraph (B), the Inspector General of the Department of Justice shall conduct an audit of the process of background checks conducted for the purposes of a transfer of a firearm under subsection (s) of section 922 of title 18, United States Code, as redesignated by subsection (a)(2) of this section, to—

(i) prevent waste, fraud, and abuse of the background check system; and

(ii) ensure compliance with the requirement to destroy certain information within 24 hours under section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note).

(B) AUDITS OF ALL BACKGROUND CHECKS.—Not later than 90 days after the date on which the prohibition under subsection (t)(2) of section 922 of title 18, United States Code, (as added by subsection (a)(4) of this section) takes effect, and every 90 days thereafter, the Inspector General of the Department of Justice shall conduct an audit of the process of background checks conducted for the purposes of a transfer of a firearm under subsection (s) or (t) of section 922 of title 18,

United States Code, as amended by subsection (a) of this section, to—

(i) prevent waste, fraud, and abuse of the background check system; and

(ii) ensure compliance with the requirement to destroy certain information within 24 hours under—

(I) section 922(t)(3)(B)(v) of title 18, United States Code; and

(II) section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note).

(2) REPORT TO CONGRESS.—The Inspector General of the Department of Justice shall—

(A) submit a report describing the results of each audit conducted under this paragraph to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

(B) publish each report submitted under subparagraph (A) on the homepage of the official public website of the Department of Justice.

(c) PENALTIES.—Section 924(a)(5) of title 18, United States Code, is amended—

(1) by inserting “(A)” after “(5)”;

(2) by striking “or (t)”;

(3) by adding at the end the following:

“(B) Whoever knowingly violates subsection (t) of section 922—

“(i) shall be fined not more than \$1,000; and

“(ii) in the case of a second or subsequent violation, shall be fined under this title, imprisoned not more than 3 years, or both.

“(C) Whoever knowingly uses the consumer portal established under paragraph (3) of section 922(t) for any purpose other than the purpose described in subparagraph (B)(iv) of such paragraph shall be fined under this title, imprisoned not more than 1 year, or both.”.

(d) TECHNICAL AND CONFORMING AMENDMENT.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking “, (g)(5)(B), and (s)(3)(B)(v)(II)” and inserting “and (g)(5)(B)”.

(2) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking “subsection 922(t)” and inserting “section 922(s)” each place it appears.

(e) SUNSET.—Effective on the date that is 5 years after the effective date of the amendments made by this section—

(1) this section is repealed;

(2) each provision of law amended by this section is amended to read as such provision read on the day before the effective date of the amendments made by this section; and

(3) section 923(m) of title 18, United States Code, as added by section 203(a) of this Act, is amended to read as follows:

“(m) The Attorney General and any department or agency of the United States may not consolidate or centralize the records of the—

“(1) acquisition or disposition of firearms, or any portion thereof, maintained by a person licensed under this chapter; or

“(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.”.

SEC. 203. PROHIBITION ON NATIONAL GUN REGISTRY; LIMITATION ON AUTHORIZATION TO SEIZE, COPY, OR REPRODUCE RECORDS AND DOCUMENTS.

(a) PROHIBITION OF NATIONAL GUN REGISTRY.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

“(m) The Attorney General and any department or agency of the United States

may not consolidate or centralize the records of the—

“(1) acquisition or disposition of firearms, or any portion thereof, maintained by—

“(A) a person licensed under this chapter; “(B) an unlicensed transferor under section 922(t); or

“(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.”.

(b) **PENALTY.**—Section 924 of title 18, United States Code, as amended by section 202(c) of this Act, is amended by adding at the end the following:

“(q) **IMPROPER USE OF STORAGE OF RECORDS.**—Any person who knowingly violates section 923(m) shall be fined under this title, imprisoned not more than 15 years, or both.”.

(c) **LIMITATION ON AUTHORIZATION TO SEIZE, COPY, OR REPRODUCE RECORDS AND DOCUMENTS.**—Section 923 of title 18, United States Code, as amended by section 202(b) of this Act, is amended by adding at the end the following:

“(n)(1) An officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosives may only seize, copy, or reproduce a record or document of a person licensed under this chapter, an unlicensed transferor of a firearm, or an unlicensed transferee of a firearm if the record or document—

“(A) constitutes material evidence of a violation of law; or

“(B) is necessary in the conduct of a bona fide criminal investigation.

“(2) If any officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosives violates paragraph (1), the Attorney General—

“(A) shall impose a civil penalty of \$1,000 on the officer for a first violation; and

“(B) shall terminate the officer for a second violation.

“(3)(A) It shall be unlawful for any person who is an officer of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to violate paragraph (1).

“(B) Any person who violates subparagraph (A)—

“(i) for a first offense, shall be fined \$1,000; and

“(ii) for a subsequent offense, shall be fined under this title, imprisoned for not less than 1 year, or both.”.

SEC. 204. AUTHORITY TO CONDUCT INTERSTATE FIREARMS TRANSACTIONS.

(a) **FIREARMS DISPOSITIONS.**—Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “located” and inserting “located or temporarily located”; and

(2) in subparagraph (A)—

(A) by striking “rifle or shotgun” and inserting “firearm”; and

(B) by striking “located” and inserting “located or temporarily located”; and

(C) by striking “both such States” and inserting “the State in which the transfer is conducted and the State of residence of the transferee”.

(b) **DEALER LOCATION.**—Section 923 of title 18, United States code, as amended by section 203(a) of this Act, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking “, and such location is in the State which is specified on the license”; and

(B) in the last sentence—

(i) by inserting “transfer,” after “sell,”; and

(ii) by striking all that follows “Act” and inserting a period; and

(2) by adding at the end the following:

“(o) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition—

“(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

“(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.”.

(c) **RESIDENCE OF UNITED STATES OFFICERS.**—Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) For purposes of this chapter:

“(1) A member of the Armed Forces on active duty, or a spouse of such member, is a resident of—

“(A) the State in which the person maintains legal residence;

“(B) the State in which the permanent duty station of the member is located; and

“(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station.

“(2) An officer or employee of the United States (other than a member of the Armed Forces) stationed outside the United States for a period exceeding one year is a resident of the State in which the officer or employee maintains legal residence.”.

SEC. 205. CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING DOJ PROGRAMS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget and the Attorney General shall coordinate with the heads of the relevant offices of the Department of Justice to—

(1) use available administrative authority to eliminate, consolidate, or streamline the more than 250 grant programs with duplicative and overlapping missions identified in the July 2012 Government Accountability Office report to Congress entitled “Justice Grant Programs: DOJ Should Do More to Reduce the Risk of Unnecessary Duplication and Enhance Program Assessment” (GAO-12-517); and

(2) determine the total cost savings that shall result to each agency, office, and department from the actions described in paragraph (1).

(b) **REPORT.**—Notwithstanding any other provision of law, not later than 200 days after the date of enactment of this Act, the Director of the Office of Management and Budget and the Attorney General shall coordinate with the heads of the relevant offices of the Department of Justice, and submit a report to the Congress detailing—

(1) any actions taken under subsection (a)(1); and

(2) the findings determined under subsection (a)(2).

(c) **RESCISSION OF FUNDS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, \$200,000,000 is hereby rescinded from discretionary unobligated balances within the Department of Justice that are not designated as emergency or overseas contingency operations. The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission shall apply and the amount of such rescission that shall apply to each such account.

(2) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the

Director of the Office of Management and Budget shall submit a report to the Congress of the accounts and amounts determined and identified for rescission under paragraph (1).

SEC. 206. INSPECTOR GENERAL REPORT.

(a) **INITIAL REPORT.**—Not later than 1 year after the date on which the consumer portal established under section 922(t)(3) of title 18, United States Code, as amended by section 202 of this Act, becomes operational, the Inspector General for the Department of Justice shall submit to Congress a report on the effectiveness of the consumer portal, which shall—

(1) take into account feedback from transferors, transferees, and government officials; and

(2) include recommendations to improve—

(A) the effectiveness of the consumer portal; and

(B) the ease of using the consumer portal.

(b) **UPDATED REPORT.**—Not later than 1 year after the date on which the Inspector General of the Department of Justice submits the report required under subsection (a), the Inspector General shall submit to Congress an updated version of the report required in subsection (a), including any additional analysis or recommendations.

SEC. 207. AMENDMENT TO SECTION 923(g)(5).

Section 923(g)(5) of title 18, United States Code, is amended by adding at the end the following:

“(C) The Attorney General may not issue a letter pursuant to this paragraph unless the letter is issued—

“(i) during the course of a bona fide criminal investigation of a person other than the licensee;

“(ii) to determine the disposition of 1 or more particular firearms during the course of a bona fide criminal investigation; or

“(iii) to request the total number of rifles, shotguns, pistols, revolvers, and other firearms manufactured in, or exported from, the United States by the licensee.”.

SEC. 208. EFFECTIVE DATE.

The amendments made by this title shall take effect 180 days after the date of enactment of this Act.

SA 728. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . LIMITATION AND USE OF FUNDS BY THE SECRETARY OF HEALTH AND HUMAN SERVICES.

The Secretary of Health and Human Services—

(1) shall not use Federal funds to collect information on lawful gun owners for purposes of maintaining such information in any data base;

(2) shall not use Federal funds to conduct research on the demographic profile of lawful gun owners;

(3) shall not require vendors of the Department of Health and Human Services or health care providers to include in any electronic records maintained under the HITECH Act (Public Law 111-5), or any amendment made by that Act, data concerning whether a patient lawfully or safely owns or stores a gun or ammunition at home; and

(4) shall, not less than annually, publicly disclose to Congress to what degree any Federal funds may be used for data collection and analysis regarding the mental health characteristics of individuals guilty of the unlawful ownership, possession, or use of a firearm or ammunition.

SA 729. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—ADOPTION AND MEANINGFUL USE OF CERTIFIED EHR TECHNOLOGY BY MENTAL HEALTH PROVIDERS

SECTION 401. SHORT TITLE.

This title may be cited as the “Integrating Mental Health Through Technology Act of 2013”.

SEC. 402. MEDICARE AND MEDICAID PILOT PROGRAMS FOR THE ADOPTION AND MEANINGFUL USE OF CERTIFIED EHR TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) CERTIFIED EHR TECHNOLOGY.—The term “certified EHR technology” has the meaning given that term in section 1848(o)(4) of the Social Security Act (42 U.S.C. 1395w-4(o)(4)).

(2) HIT POLICY COMMITTEE.—The term “HIT Policy Committee” means such Committee established under section 3002(a) of the Public Health Service Act (42 U.S.C. 300jj-12(a)).

(3) NATIONAL COORDINATOR.—The term “National Coordinator” means the head of the Office of the National Coordinator for Health Information Technology established under section 3001(a) of the Public Health Service Act (42 U.S.C. 300jj-11(a)).

(4) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services.

(b) MEDICARE PILOT PROGRAM.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a pilot program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) under which incentive payments are made to eligible professionals and eligible hospitals for the adoption and meaningful use of certified EHR technology.

(B) DEFINITION OF ELIGIBLE HOSPITAL AND ELIGIBLE PROFESSIONAL.—In this subsection:

(i) ELIGIBLE HOSPITAL.—The term “eligible hospital” means a psychiatric hospital (as defined in section 1861(f) of the Social Security Act (42 U.S.C. 1395x(f))) that furnishes inpatient hospital services.

(ii) ELIGIBLE PROFESSIONAL.—The term “eligible professional” means a clinical psychologist providing qualified psychologist services (as defined in section 1861(ii) of such Act (42 U.S.C. 1395x(ii))).

(2) DURATION.—The pilot program under this subsection shall be conducted for a period of 3 years.

(3) REQUIREMENTS.—

(A) ADOPTION AND MEANINGFUL USE.—For purposes of making incentive payments to eligible professionals and eligible hospitals under the pilot program under this subsection, the Secretary shall establish standards for determining adoption and meaningful use that are comparable to the requirements under sections 1848(o)(2) and 1886(n)(3)

of the Social Security Act (42 U.S.C. 1395w-4(o)(2), 1395ww(n)(3)).

(B) INCENTIVE PAYMENTS.—Any incentive payments made to eligible professionals and eligible hospitals under the pilot program under this subsection shall be comparable to payment amounts provided under sections 1848(o)(1) and 1886(n)(2) of the Social Security Act (42 U.S.C. 1395w-4(o)(1), 1395ww(n)(2)).

(4) IDENTIFYING PILOT PROGRAM PARTICIPANTS.—For purposes of selecting participants for the pilot program, the Secretary shall give priority to areas of the United States in which the Secretary determines eligible professionals under section 1848(o) of the Social Security Act (42 U.S.C. 1395w-4(o)) and eligible hospitals under section 1886(n) of such Act (42 U.S.C. 1395ww(n)) have already demonstrated high rates of adoption and meaningful use of certified EHR technology.

(5) NON-APPLICATION OF PAYMENT ADJUSTMENT.—For purposes of section 1848(a)(7) of the Social Security Act (42 U.S.C. 1395w-4(a)(7)), no payment adjustment may be made under such section in the case of any eligible professional or eligible hospital that receives an incentive payment under this subsection.

(6) WAIVER.—The Secretary may waive such provisions of titles XI and XVIII of the Social Security Act as may be necessary to carry out the pilot program under this subsection.

(7) REPORT.—Not later than 6 months after conclusion of the pilot program, the National Coordinator shall submit to the Secretary, the HIT Policy Committee, and the relevant committees of Congress a report that includes—

(A) an evaluation of the effectiveness of the pilot program;

(B) a description of best practices for the adoption and meaningful use of certified EHR technology by participating professionals and hospitals;

(C) recommendations regarding whether the pilot program should be expanded; and

(D) recommendations for such legislation and administrative action as the National Coordinator determines appropriate.

(8) AUTHORIZATION.—There are authorized to be appropriated \$40,000,000 for the period of fiscal years 2014 through 2016 to carry out the pilot program under this subsection, to remain available for the duration of the pilot program.

(c) MEDICAID PILOT PROGRAM.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a pilot program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) under which incentive payments are made to eligible Medicaid providers in participating States for the adoption and meaningful use of certified EHR technology.

(B) DEFINITION OF ELIGIBLE MEDICAID PROVIDER.—In this subsection, the term “eligible Medicaid provider” means any of the following:

(i) A clinical psychologist providing qualified psychologist services (as defined in section 1861(ii) of the Social Security Act (42 U.S.C. 1395x(ii))), if such clinical psychologist is practicing in an outpatient setting that—

(I) is not otherwise receiving payment under paragraph (1) of section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)) as a Medicaid provider described in paragraph (2)(B) of such section; and

(II) is described in clause (i), (ii), or (iii) of paragraph (2)(A) of such section.

(ii) A public hospital that is principally a psychiatric hospital (as defined in section 1861(f) of the Social Security Act).

(iii) A private hospital that is principally a psychiatric hospital (as defined in such section) and that has at least 10 percent of its patient volume (as estimated in accordance with a methodology established by the Secretary) attributable to individuals receiving medical assistance under title XIX of such Act.

(iv) A community mental health center (as described in section 1913(b)(2) of the Public Health Service Act (42 U.S.C. 300x-2(b)(2))).

(2) DURATION.—The pilot program under this subsection shall be conducted for a period of 3 years.

(3) REQUIREMENTS.—

(A) ADOPTION AND MEANINGFUL USE.—The Secretary shall establish standards for determining adoption and meaningful use for purposes of making incentive payments to eligible Medicaid providers under the pilot program under this subsection that are comparable to the standards for adoption and use of certified EHR technology under section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)).

(B) INCENTIVE PAYMENTS.—Any incentive payments made to eligible Medicaid providers under the pilot program under this subsection shall be comparable to payment amounts provided under section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)).

(4) IDENTIFYING PILOT PROGRAM PARTICIPANTS.—For purposes of selecting participants for the pilot program, the Secretary shall give priority to States in which the Secretary determines Medicaid providers under section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)) have already demonstrated high rates of adoption and meaningful use of certified EHR technology.

(5) WAIVER.—The Secretary may waive such provisions of titles XI and XIX of the Social Security Act as may be necessary to carry out the pilot program under this subsection.

(6) REPORT.—Not later than 6 months after conclusion of the pilot program, the National Coordinator shall submit to the Secretary, the HIT Policy Committee, and the relevant committees of Congress a report that includes—

(A) an evaluation of the effectiveness of the pilot program;

(B) a description of best practices for the adoption and meaningful use of certified EHR technology by participating professionals and hospitals;

(C) recommendations regarding whether the pilot program should be expanded; and

(D) recommendations for such legislation and administrative action as the National Coordinator determines appropriate.

(7) AUTHORIZATION.—There are authorized to be appropriated \$40,000,000 for the period of fiscal years 2014 through 2016 to carry out the pilot program under this subsection, to remain available for the duration of the pilot program.

SA 730. Mr. HARKIN (for himself, Mr. ALEXANDER, Mr. FRANKEN, Ms. MURKOWSKI, Mr. BENNET, Mr. ROBERTS, Ms. BALDWIN, Ms. AYOTTE, Mrs. HAGAN, Mr. MURPHY, Mr. BLUMENTHAL, and Mr. JOHANNES) proposed an amendment to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; as follows:

At the appropriate place, insert the following:

**TITLE _____ —MENTAL HEALTH AND
SUBSTANCE USE DISORDERS**

SEC. 01. SHORT TITLE.

This title may be cited as the “Mental Health Awareness and Improvement Act of 2013”.

Subtitle A—Education Programs

SEC. 11. SHORT TITLE.

This subtitle may be cited as the “Achievement Through Prevention Act”.

SEC. 12. PURPOSE.

The purpose of this subtitle is to expand the use of positive behavioral interventions and supports and early intervening services in schools in order to improve student academic achievement, reduce overidentification of individuals with disabilities, and reduce disciplinary problems in schools.

**SEC. 13. AMENDMENTS TO THE ELEMENTARY
AND SECONDARY EDUCATION ACT
OF 1965.**

(a) **TITLE I STATE PLANS.**—Section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)) is amended by adding at the end the following:

“(11) **POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.**—In the case of a State that proposes to use funds under this part to support positive behavioral interventions and supports, the State plan shall describe how the State educational agency will—

“(A) assist local educational agencies in implementing positive behavioral interventions and supports in schools served by the local educational agency on a whole-school basis;

“(B) provide technical assistance and training to local educational agencies to improve and support the development, implementation, and coordination of comprehensive positive behavioral interventions and supports carried out under this Act with activities carried out under the Individuals with Disabilities Education Act; and

“(C) evaluate the effects of providing positive behavioral interventions and supports for all students, including improvement of the learning environment, academic achievement, disciplinary problems such as incidents of suspensions, expulsions, referrals to law enforcement, and other actions that remove students from instruction, and any other effects the State chooses to evaluate.

“(12) **EARLY INTERVENING SERVICES.**—In the case of a State that proposes to use funds under this part to support early intervening services, the State plan shall describe how the State educational agency will—

“(A) assist local educational agencies in implementing early intervening services in schools served by the local educational agency to reduce the need to label children as children with disabilities in order to address the learning and behavioral needs of such children;

“(B) provide technical assistance and training to local educational agencies to improve coordination of early intervening services provided under this Act with early intervening services carried out under the Individuals with Disabilities Education Act; and

“(C) evaluate the effects of providing early intervening services.

“(13) **CRISIS MANAGEMENT PLANS.**—In the case of a State that proposes to use funds under this part to assist local educational agencies in the State in periodically updating the crisis management plans, as described in section 4114(d)(7)(D), of such local educational agencies, the State plan shall describe how the State educational agency

will assist local educational agencies in updating such crisis management plans.”.

(b) **TITLE I STATE REPORTS.**—Section 1111(h)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)) is amended—

(1) in clause (vii), by striking “and” after the semicolon;

(2) in clause (viii), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(ix) the number of local educational agencies in the State that implement positive behavioral interventions and supports;

“(x) the number of students—

“(I) who are served through the use of early intervening services; and

“(II) who, in the preceding 2-year period, received early intervening services and who, after receiving such services, have been identified as eligible for, and receive, special education and related services under part B of the Individuals with Disabilities Education Act; and

“(xi) the number of local educational agencies in the State that implement school-based mental health programs.”.

(c) **TITLE I LOCAL EDUCATIONAL AGENCY PLANS.**—Section 1112(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(b)(1)) is amended—

(1) in subparagraph (P), by striking “and” after the semicolon;

(2) in subparagraph (Q), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(R) if the local educational agency proposes to use subgrant funds under this part for positive behavioral interventions and supports, a description of the actions the local educational agency will take to provide positive behavioral interventions and supports and coordinate those activities with activities carried out under the Individuals with Disabilities Education Act;

“(S) if the local educational agency proposes to use subgrant funds under this part for early intervening services, a description of the actions the local educational agency will take to provide early intervening services and coordinate those services with early intervening services carried out under the Individuals with Disabilities Education Act;

“(T) if the local educational agency proposes to use subgrant funds under this part for school-based mental health programs, a description of the actions the local educational agency will take to provide school-based mental health programs and coordinate those activities with activities carried out under the Individuals with Disabilities Education Act; and

“(U) if the local educational agency proposes to use subgrant funds under this part for periodically updating the crisis management plan of the local educational agency, as described in section 4114(d)(7)(D), a description of the actions the local educational agency will take to develop and implement an updated crisis management plan.”.

(d) **TITLE I SCHOOLWIDE PROGRAMS.**—

(1) **SCHOOLWIDE PROGRAMS.**—Section 1114(b)(1)(B)(iii)(I) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(b)(1)(B)(iii)(I)) is amended—

(A) in item (aa), by striking “and mentoring services” and inserting “mentoring services, and school-based mental health programs”;

(B) by redesignating items (bb) and (cc) as items (dd) and (ee), respectively; and

(C) by inserting after item (aa) the following:

“(bb) implementation of schoolwide positive behavioral interventions and supports,

including through coordination with activities carried out under the Individuals with Disabilities Education Act, in order to improve academic outcomes for students and reduce the need for suspensions, expulsions, and other actions that remove students from instruction;

“(cc) implementation of early intervening services, including through coordination with early intervening services carried out under the Individuals with Disabilities Education Act;”.

(2) **TECHNICAL ASSISTANCE.**—Section 1116(b)(4)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)(4)(B)) is amended—

(A) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(B) by inserting after clause (ii) the following:

“(iii) shall include assistance in the implementation of schoolwide positive behavioral interventions and supports, school-based mental health programs, and other approaches with evidence of effectiveness for improving the learning environment in the school and reducing the need for suspensions, expulsions, and other actions that remove students from instruction, including effective strategies for improving coordination of community resources;”.

(e) **TITLE I ASSESSMENTS AND SCHOOL IMPROVEMENT.**—

(1) **SCHOOL IMPROVEMENT PLAN.**—Section 1116(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)(3)(A)) is amended—

(A) in clause (ix), by striking “and” after the semicolon;

(B) in clause (x), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

“(xi) specify whether the local educational agency or the school will adopt and implement policies or practices to implement or improve positive behavioral interventions and supports and enhance coordination with activities carried out under the Individuals with Disabilities Education Act;

“(xii) specify whether the local educational agency or the school will adopt and implement policies or practices to implement or improve early intervening services and coordinate with early intervening services carried out under such Act; and

“(xiii) specify whether the local educational agency or school will adopt and implement school-based mental health programs and coordinate with programs carried out under such Act.”.

(2) **LOCAL EDUCATIONAL AGENCY IMPROVEMENT PLANS.**—Section 1116(c)(10) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(c)(10)) is amended—

(A) in subparagraph (B), by striking “subparagraph (E)” and inserting “subparagraph (F)”;

(B) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) **ADDITIONAL ACTIVITIES.**—In addition to carrying out 1 or more of the corrective actions required under subparagraph (C) for a local educational agency, the State educational agency may also carry out 1 or more of the following activities:

“(i) Improving or expanding positive behavioral interventions and supports and enhancing coordination with activities under the Individuals with Disabilities Education Act.

“(ii) Improving or expanding early intervening services and coordinating such services with early intervening services carried out under the Individuals with Disabilities Education Act.”.

(f) TITLE I SCHOOL SUPPORT AND RECOGNITION.—

(1) REGIONAL CENTERS.—Section 1117(a)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6317(a)(3)) is amended—

(A) by striking “of 2002 and comprehensive” and inserting “of 2002, comprehensive”;

(B) by striking “and the comprehensive” and inserting “, the comprehensive”;

(C) by inserting “and any technical assistance center on schoolwide positive behavioral interventions and supports funded under section 665(b) of the Individuals with Disabilities Education Act,” after “2002”.

(2) STATEWIDE SYSTEMS FOR SUPPORT.—Section 1117(a)(5)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6317(a)(5)(B)) is amended—

(A) in clause (i), by striking the semicolon at the end and inserting the following: “, including by improving or expanding the use of positive behavioral interventions and supports aligned with activities carried out under the Individuals with Disabilities Education Act;”;

(B) in clause (iii), by striking “and” after the semicolon;

(C) in clause (iv), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

“(v) review and analyze the school’s efforts to identify and assist students with poor academic achievement and students who are children with disabilities, and assist the school in developing or improving early intervening services that are coordinated with activities carried out under the Individuals with Disabilities Education Act;

“(vi) review and analyze the school’s efforts to address behavioral or disciplinary problems, and assist the school in developing or improving schoolwide positive behavioral interventions and supports that are coordinated with activities carried out under the Individuals with Disabilities Education Act;

“(vii) review the number of discipline incidents in the school and use that information to assist the school to implement schoolwide positive behavioral interventions and supports or other early intervening services, or both; and

“(viii) review and analyze the school’s efforts to address mental health needs among students and assist the school in developing or improving school-based mental health programs that are coordinated with activities carried out under the Individuals with Disabilities Education Act.”.

(g) TITLE I PARENTAL INVOLVEMENT.—Section 1118(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318(e)) is amended—

(1) by redesignating paragraphs (6) through (14) as paragraphs (7) through (15), respectively; and

(2) by inserting after paragraph (5) the following:

“(6) shall provide information to school personnel, students, and parents about the school’s use of positive behavioral interventions and supports, school-based mental health programs, and the expectations of school personnel, students, and parents in supporting a safe learning environment for all students;”.

(h) PREVENTION AND INTERVENTION PROGRAMS.—Section 1414(c)(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6434(c)(8)) is amended by inserting “,

including coordinating the use of positive behavioral interventions and supports, early intervening services, and school-based mental health programs to improve academic achievement and reduce disciplinary actions” before the semicolon at the end.

(i) TECHNICAL ASSISTANCE.—Section 1419 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6439) is amended—

(1) in paragraph (1), by striking “and” after the semicolon;

(2) in paragraph (2), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(3) to provide technical assistance in implementing positive behavioral interventions and supports, early intervening services, and school-based mental health programs in order to improve academic achievement and reduce disciplinary actions.”.

(j) TITLE II MENTAL HEALTH PROFESSIONAL DEVELOPMENT.—Section 2123 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6623) is amended—

(1) in subsection (a), by inserting after paragraph (8) the following:

“(9) Carrying out in-service training for school personnel in—

“(A) the techniques and supports needed to identify children with trauma histories, and children with, or at risk of, mental illness, early;

“(B) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community where appropriate; and

“(C) forming partnerships between school-based mental health programs and public or private mental health organizations.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) LIABILITY PROTECTION FOR SCHOOL PERSONNEL.—Section 2366 shall apply to school personnel who received in-service training under subsection (a)(9), and who are carrying out activities related to such training, in the same manner as such section applies to teachers.”.

(k) SCHOOL-BASED MENTAL HEALTH SERVICES PARTNERSHIP PROGRAMS.—Section 4121 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7131) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, health (including mental health),” after “promote safety”;

(B) by redesignating paragraphs (3) through (8) and (9) as paragraphs (4) through (9) and (11), respectively;

(C) by inserting after paragraph (2) the following:

“(3) the development and implementation of school-based mental health services partnership programs under subsection (c);”;

(D) by striking paragraph (7), as redesignated by subparagraph (B), and inserting the following:

“(7) assistance to school systems that have particularly severe drug and violence problems or assistance to support appropriate response efforts to crisis situations, including—

“(A) hiring drug prevention and school safety coordinators; and

“(B) making available to students mental health services, conflict resolution programs, and other school-based violence prevention strategies;”;

(E) in paragraph (9), as redesignated by subparagraph (B), by striking “and” after the semicolon; and

(F) by inserting after such paragraph (9) the following:

“(10) assistance to States to help local educational agencies develop and implement comprehensive emergency management plans; and”; and

(2) by adding at the end the following:

“(c) SCHOOL-BASED MENTAL HEALTH SERVICES PARTNERSHIP PROGRAMS.—

“(1) IN GENERAL.—Each grant, contract, or cooperative agreement awarded or entered into under subsection (a)(3) shall meet the requirements of this subsection.

“(2) ELIGIBILITY.—

“(A) IN GENERAL.—To be eligible to receive a grant, contract, or cooperative agreement under this subsection, a local educational agency shall enter into a school-based mental health partnership that—

“(i) shall include a public or private mental health entity or health care entity; and

“(ii) may include a child welfare agency, family-based mental health entity, family organization, trauma network, or other community-based entity.

“(B) FLEXIBILITY FOR CERTAIN LOCAL EDUCATIONAL AGENCIES.—Notwithstanding subparagraph (A), a local educational agency that is eligible for services under subpart 1 or 2 of part B of title VI, as determined by the Secretary, and that is unable to partner with a public or private mental health entity or health care entity shall be eligible for a grant under this subsection if the local educational agency can demonstrate to the Secretary, in its application for a grant under this subsection, that the local educational agency can otherwise build the capacity to carry out the requirements of this subsection.

“(3) APPLICATION.—A local educational agency that desires a grant, contract, or cooperative agreement under this subsection shall include, in the application required by the Secretary, a description of how the local educational agency will—

“(A) assist schools served by the local educational agency to provide, through the school-based mental health services partnership program, comprehensive school-based mental health services and supports and comprehensive staff development for school and community service personnel working in the school;

“(B) provide technical assistance and training to improve and support the development, implementation, and coordination of school-based mental health programs and ensure such programs are coordinated with activities carried out under the Individuals with Disabilities Education Act; and

“(C) evaluate the effects of providing school-based mental health programs.

“(4) USE OF FUNDS.—A local educational agency receiving a grant, contract, or cooperative agreement under this subsection shall use funds provided under such grant, contract, or cooperative agreement to provide school-based mental health services and supports that—

“(A) may include—

“(i) the early identification of social, emotional, or behavioral problems, or substance use disorders, and the provision of early intervening services;

“(ii) not withstanding section 4154, the treatment or referral for treatment of students with social, emotional, or behavioral health problems, or substance use disorders;

“(iii) the development and implementation of programs to assist children in dealing with trauma and violence; and

“(iv) the development of mechanisms, based on best practices, for children to report incidents of violence or plans by other children or adults to commit violence;

“(B) are based on trauma-informed and evidence-based practices;

“(C) are coordinated, where appropriate, with early intervening services carried out under the Individuals with Disabilities Education Act; and

“(D) are provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise.

“(5) GENERAL REQUIREMENTS.—

“(A) PARENTAL CONSENT.—

“(i) IN GENERAL.—Each local educational agency receiving a grant, contract, or cooperative agreement under this subsection shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any assessment service, program, activity, or treatment that is—

“(I) funded under this subsection; and

“(II) conducted in connection with an elementary school or secondary school under the grant, contract, or cooperative agreement.

“(ii) EXCEPTION.—Notwithstanding clause (i), the written, informed consent described in such clause shall not be required in—

“(I) an emergency, where it is necessary to protect the immediate health and safety of the student, other students, or school personnel; or

“(II) other instances where parental consent cannot reasonably be obtained, as defined by the Secretary.

“(B) PROHIBITION ON MANDATORY MEDICATION.—No child shall be required to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of receiving an evaluation under this subsection, receiving services under this subsection, or attending a school receiving assistance under this subsection.

“(C) PRIVACY.—Each local educational agency receiving a grant, contract, or cooperative agreement under this subsection shall ensure that student mental health records are accorded the privacy protections provided under the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191; 110 Stat. 2033) and section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’).

“(6) LIABILITY PROTECTION FOR SCHOOL PERSONNEL.—Section 2366 shall apply to school personnel providing services under a grant, contract, or cooperative agreement under this subsection in the same manner as such section applies to teachers.

“(7) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL OR FEDERAL REGULATION.—In addition to the prohibition of Federal Government control of a State, local educational agency, or school’s curriculum or program of instruction that is provided under section 9527(a), nothing in this subsection shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s specific instructional content or academic achievement standards and assessments.”.

(1) DEFINITION.—Section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (17) through (43) as paragraphs (18) through (44), respectively; and

(2) by inserting after paragraph (16) the following:

“(17) EARLY INTERVENING SERVICES.—The term ‘early intervening services’ means early intervening services described in section 613(f)(1) of the Individuals with Disabilities Education Act.”.

SEC. 14. CONFORMING AMENDMENTS.

(a) AMERICA COMPETES REAUTHORIZATION ACT OF 2010.—Section 553(d)(6) of the America COMPETES Reauthorization Act of 2010 (20 U.S.C. 9903(d)(6)) is amended by striking “section 9101(23)” and inserting “section 9101(24)”.

(b) HIGHER EDUCATION ACT OF 1965.—Section 255(k) of the Higher Education Act of 1965 is amended—

(1) in paragraph (1), by striking “section 9101(23)(B)(ii)” and inserting “section 9101(24)(B)(ii)”; and

(2) in paragraph (3), by striking “section 9101(23)” and inserting “section 9101(24)”.

(c) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Section 602(10) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(10)) is amended—

(1) in subparagraph (C)(ii), by striking “section 9101(23)” and inserting “section 9101(24)”; and

(2) in each of clauses (ii) and (iii) of subparagraph (D), by striking “section 9101(23)(C)(ii)” and inserting “section 9101(24)(C)(ii)”.

Subtitle B—Health Programs

SEC. 21. GARRETT LEE SMITH MEMORIAL ACT REAUTHORIZATION.

(a) SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.—Section 520C of the Public Health Service Act (42 U.S.C. 290bb-34) is amended—

(1) in the section heading, by striking the section heading and inserting “**SUICIDE PREVENTION TECHNICAL ASSISTANCE CENTER.**”;

(2) in subsection (a), by striking “and in consultation with” and all that follows through the period at the end of paragraph (2) and inserting “shall establish a research, training, and technical assistance resource center to provide appropriate information, training, and technical assistance to States, political subdivisions of States, federally recognized Indian tribes, tribal organizations, institutions of higher education, public organizations, or private nonprofit organizations regarding the prevention of suicide among all ages, particularly among groups that are at high risk for suicide.”;

(3) by striking subsections (b) and (c);

(4) by redesignating subsection (d) as subsection (b);

(5) in subsection (b), as so redesignated—

(A) by striking the subsection heading and inserting “**RESPONSIBILITIES OF THE CENTER.**”;

(B) in the matter preceding paragraph (1), by striking “The additional research” and all that follows through “nonprofit organizations for” and inserting “The center established under subsection (a) shall conduct activities for the purpose of”;

(C) by striking “youth suicide” each place such term appears and inserting “suicide”;

(D) in paragraph (1)—

(i) by striking “the development or continuation of” and inserting “developing and continuing”; and

(ii) by inserting “for all ages, particularly among groups that are at high risk for suicide” before the semicolon at the end;

(E) in paragraph (2), by inserting “for all ages, particularly among groups that are at high risk for suicide” before the semicolon at the end;

(F) in paragraph (3), by inserting “and tribal” after “statewide”;

(G) in paragraph (5), by inserting “and prevention” after “intervention”;

(H) in paragraph (8), by striking “in youth”;

(I) in paragraph (9), by striking “and behavioral health” and inserting “health and substance use disorder”; and

(J) in paragraph (10), by inserting “conducting” before “other”; and

(6) by striking subsection (e) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$4,948,000 for each of fiscal years 2014 through 2018.”.

(b) YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.—Section 520E of the Public Health Service Act (42 U.S.C. 290bb-36) is amended—

(1) in paragraph (1) of subsection (a) and in subsection (c), by striking “substance abuse” each place such term appears and inserting “substance use disorder”;

(2) in subsection (b)(2)—

(A) by striking “each State is awarded only 1 grant or cooperative agreement under this section” and inserting “a State does not receive more than 1 grant or cooperative agreement under this section at any 1 time”; and

(B) by striking “been awarded” and inserting “received”; and

(3) by striking subsection (m) and inserting the following:

“(m) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$29,682,000 for each of fiscal years 2014 through 2018.”.

(c) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Section 520E-2 of the Public Health Service Act (42 U.S.C. 290bb-36b) is amended—

(1) in the section heading, by striking “**AND BEHAVIORAL HEALTH**” and inserting “**HEALTH AND SUBSTANCE USE DISORDER SERVICES**”;

(2) in subsection (a)—

(A) by striking “Services,” and inserting “Services and”;

(B) by striking “and behavioral health problems” and inserting “health or substance use disorders”; and

(C) by striking “substance abuse” and inserting “substance use disorders”;

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “for—” and inserting “for one or more of the following”; and

(B) by striking paragraphs (1) through (6) and inserting the following:

“(1) Educating students, families, faculty, and staff to increase awareness of mental health and substance use disorders.

“(2) The operation of hotlines.

“(3) Preparing informational material.

“(4) Providing outreach services to notify students about available mental health and substance use disorder services.

“(5) Administering voluntary mental health and substance use disorder screenings and assessments.

“(6) Supporting the training of students, faculty, and staff to respond effectively to students with mental health and substance use disorders.

“(7) Creating a network infrastructure to link colleges and universities with health care providers who treat mental health and substance use disorders.”;

(4) in subsection (c)(5), by striking “substance abuse” and inserting “substance use disorder”;

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “An institution of higher education desiring a grant under this section” and inserting “To be eligible to receive a grant under this section, an institution of higher education”;

(B) in paragraph (1)—

(i) by striking “and behavioral health” and inserting “health and substance use disorder”; and

(ii) by inserting “, including veterans whenever possible and appropriate,” after “students”; and

(C) in paragraph (2), by inserting “, which may include, as appropriate and in accordance with subsection (b)(7), a plan to seek input from relevant stakeholders in the community, including appropriate public and private entities, in order to carry out the program under the grant” before the period at the end;

(6) in subsection (e)(1), by striking “and behavioral health problems” and inserting “health and substance use disorders”;

(7) in subsection (f)(2)—

(A) by striking “and behavioral health” and inserting “health and substance use disorder”; and

(B) by striking “suicide and substance abuse” and inserting “suicide and substance use disorders”; and

(8) in subsection (h), by striking “\$5,000,000 for fiscal year 2005” and all that follows through the period at the end and inserting “\$4,858,000 for each of fiscal years 2014 through 2018.”.

SEC. 22. MENTAL HEALTH AWARENESS TRAINING GRANTS.

Section 520J of the Public Health Service Act (42 U.S.C. 290bb-41) is amended—

(1) in the section heading, by inserting “**MENTAL HEALTH AWARENESS**” before “**TRAINING**”; and

(2) in subsection (b)—

(A) in the subsection heading, by striking “ILLNESS” and inserting “HEALTH”;

(B) in paragraph (1), by inserting “and other categories of individuals, as determined by the Secretary,” after “emergency services personnel”;

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “to” and inserting “for evidence-based programs for the purpose of”; and

(ii) by striking subparagraphs (A) through (C) and inserting the following:

“(A) recognizing the signs and symptoms of mental illness; and

“(B)(i) providing education to personnel regarding resources available in the community for individuals with a mental illness and other relevant resources; or

“(ii) the safe de-escalation of crisis situations involving individuals with a mental illness.”; and

(D) in paragraph (7), by striking “, \$25,000,000” and all that follows through the period at the end and inserting “\$20,000,000 for each of fiscal years 2014 through 2018”.

SEC. 23. CHILDREN'S RECOVERY FROM TRAUMA.

Section 582 of the Public Health Service Act (42 U.S.C. 290hh-1) is amended—

(1) in subsection (a), by striking “developing programs” and all that follows and inserting “developing and maintaining programs that provide for—

“(1) the continued operation of the National Child Traumatic Stress Initiative (re-

ferred to in this section as the ‘NCTSI’), which includes a coordinating center, that focuses on the mental, behavioral, and biological aspects of psychological trauma response; and

“(2) the development of knowledge with regard to evidence-based practices for identifying and treating mental, behavioral, and biological disorders of children and youth resulting from witnessing or experiencing a traumatic event.”;

(2) in subsection (b)—

(A) by striking “subsection (a) related” and inserting “subsection (a)(2) (related)”;

(B) by striking “treating disorders associated with psychological trauma” and inserting “treating mental, behavioral, and biological disorders associated with psychological trauma”;

(C) by striking “mental health agencies and programs that have established clinical and basic research” and inserting “universities, hospitals, mental health agencies, and other programs that have established clinical expertise and research”;

(3) by redesignating subsections (c) through (g) as subsections (g) through (k), respectively;

(4) by inserting after subsection (b), the following:

“(c) **CHILD OUTCOME DATA.**—The NCTSI coordinating center shall collect, analyze, and report NCTSI-wide child treatment process and outcome data regarding the early identification and delivery of evidence-based treatment and services for children and families served by the NCTSI grantees.

“(d) **TRAINING.**—The NCTSI coordinating center shall facilitate the coordination of training initiatives in evidence-based and trauma-informed treatments, interventions, and practices offered to NCTSI grantees, providers, and partners.

“(e) **DISSEMINATION.**—The NCTSI coordinating center shall, as appropriate, collaborate with the Secretary in the dissemination of evidence-based and trauma-informed interventions, treatments, products and other resources to appropriate stakeholders.

“(f) **REVIEW.**—The Secretary shall, consistent with the peer review process, ensure that NCTSI applications are reviewed by appropriate experts in the field as part of a consensus review process. The Secretary shall include review criteria related to expertise and experience in child trauma and evidence-based practices.”;

(5) in subsection (g) (as so redesignated), by striking “with respect to centers of excellence are distributed equitably among the regions of the country” and inserting “are distributed equitably among the regions of the United States”;

(6) in subsection (i) (as so redesignated), by striking “recipient may not exceed 5 years” and inserting “recipient shall not be less than 4 years, but shall not exceed 5 years”;

(7) in subsection (j) (as so redesignated), by striking “\$50,000,000” and all that follows through “2006” and inserting “\$45,713,000 for each of fiscal years 2014 through 2018”.

SEC. 24. ASSESSING BARRIERS TO BEHAVIORAL HEALTH INTEGRATION.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives concerning Federal requirements that impact access to treatment of mental health and substance use disorders related to inte-

gration with primary care, administrative and regulatory issues, quality measurement and accountability, and data sharing.

(b) **CONTENTS.**—The report submitted under subsection (a) shall include the following:

(1) An evaluation of the administrative or regulatory burden on behavioral healthcare providers.

(2) The identification of outcome and quality measures relevant to integrated health care, evaluation of the data collection burden on behavioral healthcare providers, and any alternative methods for evaluation.

(3) An analysis of the degree to which electronic data standards, including interoperability and meaningful use includes behavioral health measures, and an analysis of strategies to address barriers to health information exchange posed by part 2 of title 42, Code of Federal Regulations.

(4) An analysis of the degree to which Federal rules and regulations for behavioral and physical health care are aligned, including recommendations to address any identified barriers.

SEC. 25. INCREASING EDUCATION AND AWARENESS OF TREATMENTS FOR OPIOID USE DISORDERS.

(a) **IN GENERAL.**—In order to improve the quality of care delivery and treatment outcomes among patients with opioid use disorders, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Administrator for the Substance Abuse and Mental Health Services Administration, may advance, through existing programs as appropriate, the education and awareness of providers, patients, and other appropriate stakeholders regarding all products approved by the Food and Drug Administration to treat opioid use disorders.

(b) **ACTIVITIES.**—The activities described in subsection (a) may include—

(1) disseminating evidence-based practices for the treatment of opioid use disorders;

(2) facilitating continuing education programs for health professionals involved in treating opioid use disorders;

(3) increasing awareness among relevant stakeholders of the treatment of opioid use disorders;

(4) assessing current barriers to the treatment of opioid use disorders for patients and providers and development and implementation of strategies to mitigate such barriers; and

(5) continuing innovative approaches to the treatment of opioid use disorders in various treatment settings, such as prisons, community mental health centers, primary care, and hospitals.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, if the Secretary carries out the activities under this section, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that examines—

(1) the activities the Substance Abuse and Mental Health Services Administration conducts under this section, including any potential impacts on health care costs associated with such activities;

(2) the role of adherence in the treatment of opioid use disorders and methods to reduce opioid use disorders; and

(3) recommendations on priorities and strategies to address co-occurring substance use disorders and mental illnesses.

SEC. 26. EXAMINING MENTAL HEALTH CARE FOR CHILDREN.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the

Comptroller General of the United States shall conduct an independent evaluation, and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report concerning the utilization of mental health services for children, including the usage of psychotropic medications.

(b) **CONTENT.**—The report submitted under subsection (a) shall review and assess—

(1) the ways in which children access mental health care, including information on whether children are treated by primary care or specialty providers, what types of referrals for additional care are recommended, and any barriers to accessing this care;

(2) the extent to which children are prescribed psychotropic medications in the United States including the frequency of concurrent medication usage; and

(3) the tools, assessments, and medications that are available and used to diagnose and treat children with mental health disorders.

SEC. 27. EVIDENCE BASED PRACTICES FOR OLDER ADULTS.

Section 520A(e) of the Public Health Service Act (42 U.S.C. 290bb-32(e)) is amended by adding at the end the following:

“(3) **GERIATRIC MENTAL HEALTH DISORDERS.**—The Secretary shall, as appropriate, provide technical assistance to grantees regarding evidence-based practices for the prevention and treatment of geriatric mental health disorders and co-occurring mental health and substance use disorders among geriatric populations, as well as disseminate information about such evidence-based practices to States and nongrantees throughout the United States.”.

SEC. 28. NATIONAL VIOLENT DEATH REPORTING SYSTEM.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, is encouraged to improve, particularly through the inclusion of additional States, the National Violent Death Reporting System as authorized by title III of the Public Health Service Act. Participation in the system by the States shall be voluntary.

SEC. 29. GAO STUDY ON VIRGINIA TECH RECOMMENDATIONS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report concerning the status of implementation of recommendations made in the report to the President, On Issues Raised by the Virginia Tech Tragedy, by the Secretaries of Health and Human Services and Education and the Attorney General of the United States, submitted to the President on June 13, 2007.

(b) **CONTENT.**—The report submitted to the committees of Congress under subsection (a) shall review and assess—

(1) the extent to which the recommendations in the report that include participation by the Department of Health and Human Services were implemented;

(2) whether there are any barriers to implementation of such recommendations; and

(3) identification of any additional actions the Federal government can take to support States and local communities and ensure that the Federal government and Federal law are not obstacles to addressing at the community level—

- (A) school violence; and
- (B) mental illness.

SA 731. Ms. KLOBUCHAR (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ADDITION OF DATING PARTNERS AND INDIVIDUALS SUBJECT TO RESTRAINING ORDERS.

(a) **DEFINITION.**—Section 921(a) of title 18, United States Code, is amended—

(1) by striking paragraph (32) and inserting the following:

“(32) The term ‘intimate partner’—

“(A) means with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person; and

“(B) includes—

“(i) a dating partner (as defined in section 2266); and

“(ii) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.”; and

(2) in paragraph (33)(A)(ii)—

(A) by inserting “intimate partner,” after “former spouse.”; and

(B) by inserting “intimate partner,” after “a spouse,” each place it appears.

(b) **ADDITION OF STALKING.**—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8)(ii), by striking “or” at the end;

(B) in paragraph (9), by striking the period at the end and inserting “; or”; and

(C) by inserting after paragraph (9) the following:

“(10) has been convicted in any court of a misdemeanor crime of stalking.”; and

(2) in subsection (g)—

(A) in paragraph (8)(C)(ii), by striking “or” at the end;

(B) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(C) by inserting after paragraph (9) the following:

“(10) has been convicted in any court of a misdemeanor crime of stalking.”.

SA 732. Mr. GRAHAM (for himself, Mr. BEGICH, Mr. FLAKE, Mr. PRYOR, Mr. HELLER, Mr. CORNYN, Mr. CHAMBLISS, Mr. PORTMAN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

Strike titles I and II and insert the following:

TITLE I—NICS REPORTING IMPROVEMENT ACT

SEC. 101. SHORT TITLE.

This title may be cited as the “NICS Reporting Improvement Act of 2013”.

SEC. 102. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) **TITLE 18 DEFINITIONS.**—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

“(36)(A) Subject to subparagraph (B), the term ‘has been adjudicated mentally incompetent or has been committed to a psychiatric hospital’, with respect to a person—

“(i) means the person is the subject of an order or finding by a judicial officer, court, board, commission, or other adjudicative body—

“(I) that was issued after—

“(aa) a hearing—

“(AA) of which the person received actual notice; and

“(BB) at which the person had an opportunity to participate with counsel; or

“(bb) the person knowingly and intelligently waived the opportunity for a hearing—

“(AA) of which the person received actual notice; and

“(BB) at which the person would have had an opportunity to participate with counsel; and

“(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, or mental illness—

“(aa) was a danger to himself or to others;

“(bb) was guilty but mentally ill in a criminal case;

“(cc) was not guilty in a criminal case by reason of insanity or mental disease or defect;

“(dd) was incompetent to stand trial in a criminal case;

“(ee) was not guilty only by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice);

“(ff) required involuntary inpatient treatment by a psychiatric hospital;

“(gg) required involuntary outpatient treatment by a psychiatric hospital based on a finding that the person is a danger to himself or to others; or

“(hh) required involuntary commitment to a psychiatric hospital for any reason, including drug use; and

“(ii) does not include—

“(I) a person who is in a psychiatric hospital for observation; or

“(II) a voluntary admission to a psychiatric hospital.

“(B) In this paragraph, the term ‘order or finding’ does not include—

“(i) an order or finding that has expired or has been set aside or expunged;

“(ii) an order or finding that is no longer applicable because a judicial officer, court, board, commission, or other adjudicative body has found that the person who is the subject of the order or finding—

“(I) does not present a danger to himself or to others;

“(II) has been restored to sanity or cured of mental disease or defect;

“(III) has been restored to competency; or

“(IV) no longer requires involuntary inpatient or outpatient treatment by, or involuntary commitment to, a psychiatric hospital; or

“(iii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c) or under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note).

“(37) The term ‘psychiatric hospital’ includes a mental health facility, a mental hospital, a sanitarium, a psychiatric facility,

and any other facility that provides diagnoses by licensed professionals of mental retardation or mental illness, including a psychiatric ward in a general hospital.”; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking “as a mental defective” and inserting “mentally incompetent”; and

(ii) by striking “any mental institution” and inserting “a psychiatric hospital”; and

(B) in subsection (g)(4)—

(i) by striking “as a mental defective or who has” and inserting “mentally incompetent or has”; and

(ii) by striking “mental institution” and inserting “psychiatric hospital”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking “as a mental defective” each place that term appears and inserting “mentally incompetent”;

(2) by striking “mental institution” each place that term appears and inserting “psychiatric hospital”; and

(3) in section 102(c)(3)—

(A) in the paragraph heading, by striking “AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION” and inserting “MENTALLY INCOMPETENT OR COMMITTED TO A PSYCHIATRIC HOSPITAL”; and

(B) by striking “mental institutions” and inserting “psychiatric hospitals”.

SEC. 103. REDUCTION OF BYRNE JAG FUNDS FOR STATE FAILURE TO PROVIDE MENTAL HEALTH RECORDS TO NICS.

Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as redesignated, by striking “of paragraph (2)” and inserting “of paragraph (1)”; and

(4) by inserting before paragraph (2), as redesignated, the following:

“(1) REDUCTION FOR FAILURE TO PROVIDE MENTAL HEALTH RECORDS.—

“(A) IN GENERAL.—During the period beginning on the date that is 18 months after the date of enactment of the NICS Reporting Improvement Act of 2013 and ending on the day before the date described in subparagraph (B), the Attorney General shall withhold 5 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not—

“(i) provide not less than 90 percent of the records required to be provided under sections 102 and 103; or

“(ii) have in effect a statute that—

“(I) requires the State to provide the records required to be provided under sections 102 and 103; and

“(II) implements a relief from disabilities program in accordance with section 105.

“(B) FINAL IMPLEMENTATION DEADLINE.—Beginning on the date that is 5 years after the date of enactment of the NICS Reporting Improvement Act of 2013, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not have in effect a statute described in subparagraph (A)(ii) of this paragraph.”.

SA 733. Ms. STABENOW (for herself, Mr. BLUNT, Mr. REED, Mr. RUBIO, Ms. COLLINS, Mr. BLUMENTHAL, Mr. UDALL

of New Mexico, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —MENTAL HEALTH CARE

SEC. 01. SHORT TITLE.

This title may be cited as the “Excellence in Mental Health Act”.

SEC. 02. ESTABLISHING CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.

(a) IN GENERAL.—Section 1913 of the Public Health Service Act (42 U.S.C. 300x-2) is amended—

(1) in subsection (a)(2)(A), by striking “community mental health services” and inserting “behavioral health services (of the type offered by certified community behavioral health clinics consistent with subsection (c)(3))”; and

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

“(1) services under the plan will be provided only through appropriate, qualified community programs (which may include certified community behavioral health clinics, child mental health programs, psychosocial rehabilitation programs, mental health peer-support programs, outpatient addiction treatment programs, acute detoxification services, and mental health primary consumer-directed programs); and”; and

(B) in paragraph (2), by striking “community mental health centers” and inserting “certified community behavioral health clinics”; and

(3) by striking subsection (c) and inserting the following:

“(c) CRITERIA FOR CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.—

“(1) IN GENERAL.—The Administrator shall certify, and recertify at least every 5 years, certified community behavioral health clinics as meeting the criteria specified in this subsection.

“(2) REGULATIONS.—Not later than 18 months after the date of the enactment of the Excellence in Mental Health Act—

“(A) the Administrator, in consultation with State Mental Health and Substance Abuse Authorities, shall issue final regulations for certifying non-profit and local government behavioral health authorities and Indian Health Service tribal facilities as clinics under paragraph (1); and

“(B) the Secretary, in determining eligible non-profit entities under this subsection, shall promulgate regulations specifying that an entity receiving payment under section 1902(bb) of the Social Security Act may not be owned, controlled, or operated by another entity.

“(3) CRITERIA.—The criteria referred to in subsection (b)(2) are that the clinic performs each of the following:

“(A) Provide services in locations that ensure services will be available and accessible promptly and in a manner which preserves human dignity and assures continuity of care.

“(B) Provide services in a mode of service delivery appropriate for the target population.

“(C) Provide individuals with a choice of service options, including developmentally

appropriate evidence based interventions, where there is more than one efficacious treatment.

“(D) Employ a core clinical staff that is trained to provide evidence-based practices and is multidisciplinary and culturally and linguistically competent, including the availability of translation or similar services and arrangements if the clinic is located in a geographic area of limited English-speaking ability.

“(E) Establish an emergency plan to support continuity of services for individuals during an emergency or disaster.

“(F) Demonstrate the capacity to comply with behavioral health and related health care quality measures promulgated by such entities as the National Quality Forum, the National Committee for Quality Assurance, or other nationally recognized accrediting bodies.

“(G) Provide services to any individual residing or employed in the service area of the clinic and ensure that no patient or consumer will be denied mental health or other health care services due to an individual’s inability to pay for such services.

“(H) Ensure that any fees or payments required by the clinic for such services will be reduced or waived to enable the clinic to comply with subparagraph (G), including preparing a schedule of fees or payments for the provision of services that is consistent with locally prevailing rates or charges designed to cover the reasonable costs to the clinic of operation along with a corresponding schedule of discounts to be applied to the payment of such fees or payments, such discounts to be adjusted on the basis of the patient’s ability to pay.

“(I) Provide, directly or through contract, to the extent covered for adults in the State Medicaid plan under title XIX of the Social Security Act and for children in accordance with section 1905(r) of such Act regarding early and periodic screening, diagnosis, and treatment, each of the following services:

“(i) Screening, assessment, and diagnosis, including risk assessment.

“(ii) Person-centered treatment planning or similar processes, including risk assessment and crisis planning.

“(iii) Outpatient mental health and substance use services, including screening, assessment, diagnosis, psychotherapy, cognitive behavioral therapy, applied behavioral analysis, medication management, and integrated treatment for trauma, mental illness, and substance abuse which shall be evidence-based (including cognitive behavioral therapy, long acting injectable medications, and other such therapies which are evidence-based).

“(iv) Outpatient clinic primary care screening and monitoring of key health indicators and health risk (including screening for diabetes, hypertension, and cardiovascular disease and monitoring of weight, height, body mass index (BMI), blood pressure, blood glucose or HbA1C, and lipid profile).

“(v) Crisis mental health services, including 24-hour mobile crisis teams, emergency crisis intervention services, and crisis stabilization.

“(vi) Targeted case management (services to assist individuals gaining access to needed medical, social, educational, and other services and applying for income security and other benefits to which they may be entitled).

“(vii) Psychiatric rehabilitation services including skills training, assertive community treatment, family psychoeducation, disability self-management, supported employment, supported housing services, therapeutic foster care services, and such other evidence-based practices as the Secretary may require.

“(viii) Peer support and counselor services and family supports.

“(J) Maintain linkages, and where possible enter into formal contracts, agreements, or partnerships with at least one federally qualified health center, unless there is no such center serving the service area, in order to ensure that the delivery of behavioral health care is integrated with primary and preventive care services, so long as such linkages, contract, agreement, or partnership meets requirements as prescribed by the Secretary;

“(K) Maintain additional linkages and where possible enter into formal contracts with the following:

“(i) Inpatient psychiatric facilities and substance use detoxification, post-detoxification step-down services, and residential programs.

“(ii) Adult and youth peer support and counselor services.

“(iii) Family support services for families of children with serious mental or substance use disorders.

“(iv) Other community or regional services, supports, and providers, including schools, child welfare agencies, juvenile and criminal justice agencies and facilities, Indian Health Service youth regional treatment centers, housing agencies and programs, employers, and other social and human services.

“(v) Onsite or offsite access to primary care services.

“(vi) Enabling services, including outreach, transportation, and translation.

“(vii) Health and wellness services, including services for tobacco cessation.

“(viii) Department of Veterans Affairs medical centers, independent outpatient clinics, drop-in centers, and other facilities of the Department as defined in section 1801 of title 38, United States Code.

“(L) Where feasible, provide outreach and engagement to encourage individuals who could benefit from mental health care to freely participate in receiving the administrative services described in this subsection.

“(M) Where feasible, provide intensive, community-based mental health care for members of the armed forces and veterans, particularly those members and veterans located in rural areas, such care to be consistent with minimum clinical mental health guidelines promulgated by the Veterans Health Administration including clinical guidelines contained in the Uniform Mental Health Services Handbook of such Administration.

“(N) Where feasible, require certified community behavioral health clinics to provide valid and reliable trauma screening and functional or developmental assessment to determine need, match services to needs, and to measure progress over time.

“(4) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) shall be construed as prohibiting States receiving funds appropriated through the Community Mental Health Services Block Grant under subpart I of part B of this title from financing qualified community programs (whether such programs meet the definition of eligible programs prior to or after the date of enactment of this subsection).

“(5) **LIMITATION.**—

“(A) **IN GENERAL.**—For purposes of providing assistance under this section and reimbursement under section 1902(bb) of the Social Security Act—

“(i) for each of fiscal years 2016 through 2024, the Secretary shall certify 10 percent of the total number of entities who apply and are eligible to become certified community behavioral health clinics in each such fiscal year, in addition to the clinics certified in the previous fiscal years; and

“(ii) for fiscal year 2025, and each subsequent fiscal year, the Secretary shall certify all such community behavioral health clinics.

“(B) **REQUIREMENTS.**—In implementing this paragraph, the Secretary shall—

“(i) ensure the geographic diversity of such clinics;

“(ii) ensure that applications from clinics located in rural areas, as defined by the Secretary, and other mental health professional shortage areas are fairly and appropriately considered with the objective of facilitating access to mental health services in such areas; and

“(iii) take into account the ability of such clinics to provide required services, and the ability of such clinics to report required data as required under this title.

“(6) **EXEMPTION.**—Certified community behavioral health clinics receiving payments under section 1902(bb) of the Social Security Act which are located in rural areas, as defined by the Secretary, shall be exempt from the requirements contained in subparagraphs (A) and (I)(v) of paragraph (3).”

(b) **CONFORMING AMENDMENTS TO MEDICARE DEFINITION OF COMMUNITY MENTAL HEALTH CENTER.**—Section 1861(ff)(3)(B) of the Social Security Act (42 U.S.C. 1395x(ff)(3)(B)) is amended—

(1) in clause (i)—

(A) in subclause (I), by inserting “(as in effect on the day before the date of the enactment of the Excellence in Mental Health Act)” after “Service Act”; and

(B) in subclause (II), by inserting “(as so in effect)” after “of such section”; and

(2) in clause (iv)(III), by striking “1931(c)(1) of the Public Health Service Act” and inserting “1913(c)(1) of the Public Health Service Act (as so in effect)”.

SEC. 403. MEDICAID COVERAGE AND PAYMENT FOR COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES.

(a) **PAYMENT FOR SERVICES PROVIDED BY CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.**—Section 1902(bb) of the Social Security Act (42 U.S.C. 1396a(bb)) is amended—

(1) in the heading, by striking “AND RURAL HEALTH CLINICS” and inserting “, CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS, AND RURAL HEALTH CLINICS”; and

(2) in paragraph (1), by inserting “(and beginning with fiscal year 2016 with respect to services furnished on or after January 1, 2016, and each succeeding fiscal year, for services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic)” after “by a rural health clinic”;

(3) in paragraph (2)—

(A) by striking the heading and inserting “INITIAL FISCAL YEAR”; and

(B) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic, for services furnished on and after January 1, 2016, during fiscal year 2016)” after “January 1, 2001, during fiscal year 2001”;

(C) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished

by a certified community behavioral health clinic, during fiscal years 2014 and 2015)” after “1999 and 2000”; and

(D) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic, during fiscal year 2016)” before the period;

(4) in paragraph (3)—

(A) in the heading, by striking “FISCAL YEAR 2002 AND SUCCEEDING” and inserting “SUCCEEDING”; and

(B) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished by a certified community behavioral health clinic, for services furnished during fiscal year 2017 or a succeeding fiscal year)” after “2002 or a succeeding fiscal year”;

(5) in paragraph (4)—

(A) by inserting “(or as a certified community behavioral health clinic after fiscal year 2015)” after “or rural health clinic after fiscal year 2000”; and

(B) by striking “furnished by the center or” and inserting “furnished by the federally qualified health clinic, services described in section 1905(a)(2)(D) furnished by the certified community behavioral health clinic, or”; and

(C) in the second sentence, by striking “or rural health clinic” and inserting “, certified community behavioral health clinic, or rural health clinic”;

(6) in paragraph (5), in each of subparagraphs (A) and (B), by striking “or rural health clinic” and inserting “, certified community behavioral health clinic, or rural health clinic”; and

(7) in paragraph (6), by striking “or to a rural health clinic” and inserting “, to a certified community behavioral health clinic for services described in section 1905(a)(2)(D), or to a rural health clinic”.

(b) **INCLUSION OF COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES IN THE TERM MEDICAL ASSISTANCE.**—Section 1905(a)(2) of the Social Security Act (42 U.S.C. 1396d(a)(2)) is amended—

(1) by striking “and” before “(C)”; and

(2) by inserting before the semicolon at the end the following: “, and (D) certified community behavioral health clinic services (as defined in subsection (1)(4)).”

(c) **DEFINITION OF CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES.**—Section 1905(1) of the Social Security Act (42 U.S.C. 1396d(1)) is amended by adding at the end the following paragraph:

“(4)(A) The term ‘community behavioral health clinic services’ means services of the type described in subparagraphs (I), (L), (M), and (N) of section 1913(c)(3) of the Public Health Service Act furnished to an individual at a certified community behavioral health clinic (as defined by subparagraph (B)).

“(B) The term ‘certified community behavioral health clinic’ means an entity that is certified under section 1913(c) of the Public Health Service Act as meeting the criteria described in paragraph (3) of such section.”.

(d) **EXCLUSION.**—Section 1902(bb) of the Social Security Act (42 U.S.C. 1396a(bb)) is amended by adding at the end the following:

“(7) **EXCLUSIONS.**—

“(A) **IN GENERAL.**—Payments made to certified community behavioral health clinics under this subsection shall be limited to ambulatory behavioral health services of the type described in subparagraphs (I), (L), (M), and (N) of section 1913(c)(3) of the Public Health Service Act and shall specifically exclude reimbursement for inpatient care, residential treatment, room and board expenses,

or any other non-ambulatory services, as determined by the Secretary.

“(B) EXISTING FACILITIES.—Payments under this subsection may not be made to satellite facilities of certified community behavioral health clinics if such facilities are established after the date of enactment of this paragraph.”.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2016.

SEC. 04. MEDICAID DSH.

(a) REBASING OF ALLOTMENTS FOR FIRST, SECOND, AND THIRD QUARTERS OF FISCAL YEAR 2023.—Section 1923(f)(8) of the Social Security Act (42 U.S.C. 1396r-4(f)(8)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by inserting after subparagraph (B) the following new subparagraph:

“(C) FIRST 3 QUARTERS OF FISCAL YEAR 2023.—Only with respect to the period that begins on October 1, 2022, and ends on June 30, 2023, the DSH allotment for a State, in lieu of the amount determined under paragraph (3) for the State for that year, shall be equal to ¾ of the DSH allotment for the State for fiscal year 2022, as determined under subparagraph (B), increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2022.”; and

(3) in subparagraph (D) (as redesignated by paragraph (1) of this section), by striking “after fiscal year 2022” and all that follows through the period and inserting “(and portions of fiscal years) after June 30, 2023, shall be calculated under paragraph (3) without regard to this paragraph and paragraph (7), except that the amount of the DSH allotment available for a State for the fourth quarter of fiscal year 2023 (after such calculation) shall be equal to the sum of ¾ of the amount calculated under paragraph (3) for the State for fiscal year 2023.”.

(b) ELIMINATION OF REDUCTION FOR FISCAL YEAR 2014.—Section 1923(f)(7)(A) of the Social Security Act (42 U.S.C. 1396r-4(f)(7)(A)) is amended—

(1) in clause (i), by striking “2014” and inserting “2015”; and

(2) in clause (ii)—

(A) by striking subclause (I); and

(B) by redesignating subclauses (II) through (VII) as subclauses (I) through (VI), respectively.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to hold a meeting during the session of the Senate on April 17, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 17, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled “The Future of Passenger Rail: What’s Next for the Northeast Corridor?”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The President’s Budget for Fiscal Year 2014.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m. in room 432 Russell Senate Office building to conduct a hearing entitled “The Proposed FY2014 Small Business Administration Budget.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m. to conduct a hearing entitled “Helping Homeowners Harmed by Foreclosures: Ensuring Accountability and Transparency in Foreclosure Reviews, Part II.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 17, 2013, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 17, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Mike Lotus, Paul Casey, and Stephen Sewell, detailees on my Judiciary Committee staff, have floor privileges during the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTHUMOUS PARDON FOR JOHN ARTHUR “JACK” JOHNSON

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Con. Res. 5, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing the sense of Congress that John Arthur “Jack” Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation.

There being no objection, the Senate proceeded to the resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Con. Res. 5) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 5, 2013, under “Submitted Resolutions.”)

Mr. REID. Mr. President, this is very important. This good man who was treated so poorly is now going to have his name cleared, to a certain extent, and I give most of the credit to Senator JOHN MCCAIN who has worked tirelessly on this for a long time. I am glad we finally are able to get it done. I am grateful to everyone for making this happen.

Jack Johnson, a great heavyweight champion, was a good person.

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, April 18, at 2 p.m., the Senate proceed to executive session to consider Calendar Nos. 22 and 23; that there be 15 minutes for debate, equally divided in the usual form prior to votes on the nominations in the order listed; the motions to reconsider be considered made and laid

on the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Section 3166 of Public Law 112-239, the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Gregory B. Jaczko of the District of Columbia.

ORDERS FOR THURSDAY, APRIL 18, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Thursday, April 18, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use until later in the day; that following any leader remarks, the Senate resume consideration of S. 649, the gun safety legislation, under the previous order; further, that following the two votes in relation to the amendments to S. 649, the Senate recess until 2 p.m. to allow for caucus meetings, and finally that at 2 p.m. the Senate proceed to executive session, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be two rollcall votes in relation to the Barrasso and Harkin amendments to the gun safety legislation. At approximately 2:15 p.m., there will be a rollcall vote on confirmation of the Torres nomination.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Thursday, April 18, 2013, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, April 17, 2013

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE AMERICAN PEOPLE DESERVE A BALANCED BUDGET

The SPEAKER. The Chair recognizes the gentleman from Virginia (Mr. HURT) for 5 minutes.

Mr. HURT. Mr. Speaker, the American people know that a budget is one of the most important documents produced by any legislative body. It is a document that reflects the values and priorities of our government and our Nation; and while it is a document that is a reflection of today, more importantly, it is a document that lays out a vision for our Nation's future—the future for our children and the future that they will inherit.

So now, for the first time in 4 years, the American people are able to compare, side by side, the three competing visions for our future as proposed by the House, as proposed by the Senate, and as proposed by the President. Two of these proposals would give to our children more taxes, more spending—and neither ever reaches balance. There is only one proposal, the House budget, that would instead give to our children a balanced budget and a brighter future of freedom and opportunity.

Now is the time to choose the budget that reflects our American values. The American people and future generations of Americans deserve a balanced budget.

JOHN BERRY

The SPEAKER pro tempore (Mr. COLINS of New York). The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Preliminary, however, to my remarks, I want to say I thank the previous speaker for his remarks,

and I would hope that with the Senate's having passed a budget, our having passed a budget, and the President submitting a budget that we will now, hopefully as soon as this week, go to conference so that we might discuss the differences and get that budget to which the gentleman addressed himself.

Mr. Speaker, I rise today to pay tribute to a wonderful individual who has served our country in government service for many years and has spent the last four in overseeing our Federal workforce as the Director of the Office of Personnel Management. I am speaking of my dear friend John Berry, who retired last week as Director of the Office of Personnel Management.

America, Mr. Speaker, is blessed with a Federal workforce composed of hard-working, talented, and dedicated men and women. Too often, however, their contributions are overlooked or are even denigrated by those who would use our Federal employees as an easy target to attack the institution of government.

John Berry made it one of his central missions at OPM to stand up for Federal workers' achievements and remind the American people of the true value we get from recruiting and retaining the best public workforce in the world. He came to OPM with plenty of experience in fighting for Federal employees and their families. When he served for 10 years as my legislative director, John was instrumental in crafting the Federal Employee Pay Comparability Act and in making sure Congress passed it into law. Mr. Speaker, that was a bipartisan law, and it was President George Bush I who signed that piece of legislation into law in 1990.

In that undertaking and in many others, John Berry made a real difference for the more than 62,000 Federal workers and everyone else who calls my district home. Just as we look to our Federal workers to watch out for us, our Federal employees have looked to John to watch out for them—to make sure that they have a safe work environment, that their paychecks will arrive on time, and that the benefits they earn are the ones they receive.

Under President Clinton, John served as deputy Assistant Secretary and acting Assistant Secretary for Law Enforcement at the Treasury Department, overseeing the United States Secret Service and the Bureau of Alcohol, Tobacco and Firearms. He later moved to the Interior Department where he was Assistant Secretary for Policy,

Management and Budget, essentially the manager of the Department of the Interior.

Before coming to the Office of Personnel Management, John spent nearly a decade working on conservation as Director of the Fish and Wildlife Foundation. Then, arguably, the job he perhaps enjoyed most was that of Director of the National Zoo. At the National Zoo, he was so successful at turning around a faltering institution that after he left they named a lion in his honor.

John, indeed, was a lion—a lion on behalf of the Federal employees, a lion on behalf of good government, a lion on behalf of integrity. Those who know John can attest that he is not only a true leader and an effective manager but also an incredibly warm person with an unfailingly positive outlook.

John Berry will be greatly missed by all who serve our country in its civilian workforce, and I wish John and his partner, Curtis, all the best as he begins the next phase in his career.

I hope my colleagues will join me in thanking John for his service, for his leadership, for his insights, for his inspiration, and for being an example to all of us of a positive, constructive, supportive, and successful career in Federal service.

Mr. Speaker, our country has been the beneficiary of his character, integrity, and extraordinary ability. We wish him well in all that he will be doing. I'm sure it will be extraordinarily productive and of service to our country as he moves on from Federal service at the OPM to a new challenge and a new career.

THE VETERANS TIMELY ACCESS TO HEALTH CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. ROSS) for 5 minutes.

Mr. ROSS. Yesterday, I had the distinguished opportunity to greet three busloads of Florida World War II veterans participating in an Honor Flight.

In total, more than 80 proud Floridians who bravely fought to free the world of evil during World War II had the wonderful opportunity to visit and reflect at their memorial. As the son of a World War II veteran, I was blessed to have the opportunity to join my father as he participated in a previous Honor Flight just 2 years ago. Although he has since passed on, I know he truly cherished this great experience.

American veterans are the backbone of the freedom and prosperity this country has enjoyed for over 200 years. Without their service, we would not be the Nation we are today. We would not enjoy the privileges of this democracy—the greatest experiment in government known to mankind. Unfortunately, veterans across the country continue to encounter unacceptable problems and delays in receiving appointments from the Veterans Administration for essential medical and specialty health care needs.

That is why I am proud to introduce H.R. 241, the Veterans Timely Access to Health Care Act.

This legislation, supported by the Military Officers Association of America, will ensure that veterans seeking medical care from the VA facility receive an appointment within 30 days. Moving forward, this legislation will go a long way in ensuring veterans' critical medical needs no longer slip through the cracks of the system.

As I continue to reflect on the proud history and service of the many World War II veterans like my good friend Charlie Clark, with whom I visited yesterday and whom I had the pleasure of knowing for several years as a member of the local YMCA, I will also look forward to ensuring that our youngest generation of veterans receives the support and timely access to health care that they have so honorably earned.

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END-OF-LIFE CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, Monday in the blink of an eye, hundreds of people at the Boston Marathon were faced with an awful decision. None of them woke up that morning expecting they, or a loved one, was going to need emergency care in a life-threatening situation. We tend to think of end-of-life care as the province of a terminally ill person, often elderly, but that's just one circumstance, and not necessarily the most common.

The decisions need to be made instantly about whether to amputate a limb, and a decision must be made that moment. If a person is in shock or unconscious, who helps make that decision for them?

Last week, I had two more circumstances where people in my life were faced with totally unexpected life-threatening circumstances that brought these questions into sharp perspective. Anybody, anywhere, any time. How do we make sure that these decisions, which are made every day in every State in virtually every city, are made in accordance with the best in-

terest and wishes of the patient and the patient's family?

I've been working for the last 5 years for the Federal Government to be a better partner with families. It's called end-of-life care, and the Federal Government, the Department of Health and Human Services, and Congress are missing in action. Medicare will spend billions of dollars on the most expensive, invasive, painful, and in some cases, if not unnecessary, at least questionable care, often regardless of the wishes of the patient and their family. Yet Medicare won't pay \$100 or \$200 for that medical professional to have a conversation with the patient and their family.

It's time for us to step up. We need to make sure that we clear up the questions in everyone's minds about the choices, the consequences, what the patient and the family want, and most critically, make sure those wishes are honored. Like my friend, whose heart stopped this weekend, totally unexpectedly, we don't know when or where a loved one will be in this position. But there's no excuse we don't do everything we can to help families and encourage everyone that is close to us, that works with us, to take their own steps to identify who speaks for them when they can't, and what they want to happen.

This is personal for me. I had these jarring reminders that one of the greatest gifts each of us can give our families is to have a thoughtful and frank discussion about what our wishes would be for medical care if we're unable to suddenly make those decisions. It's also one of the greatest gifts that this Congress can make to the people we represent by doing our job so that the Federal Government is a better partner in making sure those conversations are possible.

Please cosponsor our bipartisan Personalize Your Care Act, H.R. 1173, and then sit down and have this conversation with your family. It's not always the easiest, but it is far better than making your loved ones guess and feel guilty.

PATH TO STATEHOOD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, in November 2012, Puerto Rico held a referendum on its political status. The results demonstrated that a clear majority of the U.S. citizens of Puerto Rico want to end the island's current territory status, that a supermajority prefers statehood among the possible alternatives, and that—for the first time in history—more voters favor statehood than the current status.

As I have remarked before, not a single one of my stateside colleagues in

Congress would accept territory status for their own constituents. So they must recognize and respect that the American citizens of Puerto Rico no longer accept it either. I also trust that my colleagues who represent States will credit my constituents for aspiring to have the same rights and responsibilities as their constituents.

Last week, the President took an important step. As part of the proposed budget the administration submitted to Congress, the Justice Department is seeking \$2.5 million to conduct the first Federally sponsored vote on Puerto Rico's political status in the 115 years that the territory has been under the U.S. flag. The funding would be granted to Puerto Rico's Elections Commission to conduct objective voter education and a vote on "options that would resolve Puerto Rico's future political status."

Key congressional leaders in the House and the Senate, Republican and Democrat alike, have already issued statements of support for the President's action, calling it an appropriate response to the local referendum.

Mr. Speaker, my constituents may not have a vote in the government that makes their national laws, but they do have a voice—and they made that voice heard loud and clear in November. A budget reflects one's priorities and values. I support the President's budget because it shows respect for the democratically expressed aspirations of the U.S. citizens who reside in Puerto Rico. And it demonstrates a clear desire to move forward on this complex but critical issue.

As the budget request states, the Federally sponsored vote is to be among options that would resolve Puerto Rico's political status. The only way to resolve the island's status is through statehood or national sovereignty. Puerto Rico cannot resolve its status by maintaining the same undemocratic status that my people have endured since 1898 and that they soundly rejected in November. The current status is the root cause of Puerto Rico's political, economic, and social problems, so it cannot also be the solution to those problems.

In addition, the budget language clearly states that the Department of Justice shall not provide funding until it certifies that the ballot and voter education materials are consistent with the Constitution, basic laws, and policies of the United States. The purpose of this language is to ensure that the ballot does not include impossible status proposals that have been repeatedly declared unworkable as a matter of both law and policy by the Federal Government. I am pleased that the administration understands that true self-determination is a choice among options that can be implemented, not an exercise in wishful thinking.

The President's request represents one path forward, but it is important

to underscore that it is not the only path forward. In the coming weeks, I will introduce stand-alone legislation on the status issue that will both complement President Obama's request and reflect the undisputable fact that statehood won the November referendum.

Puerto Rico stands in a far different place today than it did six months ago. A historic referendum was held, the President responded to the results, and Congress now has a responsibility to act. Those who seek democracy, equality, and progress for Puerto Rico are on the forward march, while those who support the failed status quo are in retreat. We drive the debate, while they merely react to the debate. And, in the end, mindful that the arc of history is long but that it bends towards justice, I am confident we will prevail.

HONORING MAUELLE SHIREK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE of California. Mr. Speaker, let me first send my thoughts and prayers to the city of Boston, the families and friends of all of those touched by Monday's horrific tragedy. Incredible strength was in full display in the streets of Boston when untold numbers of people—the police, firefighters, volunteers, runners, and bystanders—ran towards the explosions to try to help in any way they could without regard for their own safety.

As we learn the details of this attack, let us remember that what makes us strong as a Nation is the tremendous care we have for our fellow Americans, especially during the hardest times. This is a lesson that I learned deeply from my friend and mentor, Maudelle Shirek. Maudelle died last week at the age of 101. She would have been 102 June 18. My heart and my prayers go out to her friends and family.

□ 1020

Maudelle was truly the "godmother of East Bay progressive politics." The former city of Berkeley vice mayor and eight-term council member was born and raised in Jefferson, Arkansas. As the granddaughter of slaves, she was passionate about justice and civil rights.

After moving to Berkeley in the 1940s, she became active in the antiwar movement, fought on behalf of unions, advocated for HIV and AIDS awareness, care, and treatment, and helped organize the Free Mandela Movement. She was also the first elected official in the United States to advocate for needle exchange programs.

During her tenure as a Berkeley elected official, she was instrumental in creating multiple city commissions, including the Berkeley Commission on

Labor. When she retired, mind you, at 92 years of age, she was the oldest elected official in California at that time. In 2007, the Berkeley City Council renamed city hall in her honor.

She not only urged me to get involved in politics, but also inspired my predecessor, Congressman Ron Delums, to run for Congress. Her understanding of the importance of investing in people won the solid support of voters in her district and across the country.

I met Maudelle in the early seventies while I was a student at Mills College. She widened my perspective on global politics during our travels around the world. She reinforced the idea that we are all part of a global family and what happens here in the United States affects our brothers and sisters in other parts of the world and vice versa. Maudelle was a personal friend, mentor, and confidante.

Maudelle actually was a health aficionado. She was committed to educating seniors and the entire community on the benefits of healthy living. She loved shopping for fresh fruits and vegetables, and you would often find her cooking nutritious meals at the West Berkeley Senior Center.

We loved to walk Lake Merritt and the Berkeley Marina together, where she talked to me about acupuncture and natural remedies like cayenne pepper and warm water for colds and the importance of exercise.

Maudelle was a woman of great faith. During the seventies, we enjoyed attending the Church for Tomorrow, which formerly was the Church for Today. We went there together, and this is where I realized that her passion for service and justice was driven by her commitment to what she called doing the Lord's work on this Earth.

She was a woman who understood that she had to have a comprehensive agenda. It just couldn't be a single issue like health care or seniors or peace and justice, but it had to be about being committed to comprehensive and positive changes that seek to improve the lives of all Americans.

Maudelle worked at the Berkeley Co-Op Credit Union. She engaged all of us, in the seventies, mind you, in financial literacy, and urged me, as a young single student to buy a house because she reminded me over and over again that one's equity in one's home was the primary path to the middle class, and that that was the main way that I could get the resources to take care of my kids and send them to school, a lesson we should teach our own children today.

Several years ago, I tried to name the Berkeley Post Office after Maudelle. While this body has a tradition of supporting post office bills in a bipartisan way, Congressman STEVE KING from Iowa came to this floor and tried to tarnish her character. He

brought groundless accusations, and this body voted against—mind you, against—naming the post office in my district after this great icon. I hope one day, in her memory, Representative KING will apologize to Maudelle and her family and the city of Berkeley for such an unfair and unwarranted attack. She was deeply hurt by it, but kept her head high and lived to see the Berkeley City Hall named after her.

Maudelle refused to accept arbitrary limitations. That's one of the best things we all respected about her. Maudelle is one of the best examples of how one person can make a difference. She was a fearless and inspirational woman who tirelessly fought to make this world a fair and just place. She spoke for the voiceless and was such a staunch defender of our basic civil rights.

I believe, like many, that Maudelle's legacy of over 70 years of service to Berkeley, the East Bay, the Nation, and the world will inspire many to speak for the voiceless and to stand up for justice, both here in America and around the globe. I will deeply miss her wise counsel, love, and support.

LET'S DO OUR PATRIOTIC DUTY AND VOTE ON GUN CONTROL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. LARSON) for 5 minutes.

Mr. LARSON of Connecticut. Mr. Speaker, our hearts as well go out to the victims and the families of those who were killed and seriously wounded in Boston on Patriots' Day.

This has been a very difficult time for our country. At that event in Boston were families from Newtown, Connecticut, invited to celebrate Patriots' Day in Boston. The Red Sox play in the morning, the Marathon takes place, families gather, and again, America faces another tragedy.

Last week, family members from Newtown came to the Hill to lobby Congress, to ask Congress what the President of the United States has asked of us, both in the State of the Union and in his two trips up to Connecticut.

What the President has said is: however you feel about the issue of gun violence, however you feel about the Second Amendment, we deserve a vote, both in the other body, in the Senate, and here, on the floor of the House of Representatives; a vote not only for the 20 children and six teachers and administrators who died in that tragedy on December 14, but for people in Tucson and Aurora and on virtually every street in cities all across America where we have seen this needless and senseless violence take place. Patriots' Day, another act of violence.

Strides are being made in the United States Senate. Compromise is being offered on something that 92 percent of

the American people agree with: universal background checks, universal background checks to keep guns out of the hands of terrorists.

The United States of America is currently mocked by Adam Gadahn, an American al Qaeda on the FBI's Most Wanted List, who taunts America and says this, and you can see it on BuzzFeed:

America is absolutely awash with easily attainable firearms, large-capacity clips. You can get them, even without any identification.

This from the most wanted on the FBI list.

We need to vote in the United States Congress. If these young children had the courage to go after their assailant, if the teachers stepped in the way to protect, does Congress have the will and the courage to stand up and merely do what it was elected to do? Cast a vote in both Chambers. Cast a vote on behalf of the American people. Cast a vote on behalf of these children, on behalf of these parents who have come here to beseech the United States Congress only to do its responsibility, to do what we take the oath of office for.

Ninety-two percent of the American people believe that we need universal background checks. We have to make sure that our bodies, both the Senate and the House, take up this legislation. In the aftermath of yet another tragedy, on Patriots' Day, the most patriotic thing we can do is vote.

□ 1030

AWARDING THE CONGRESSIONAL GOLD MEDAL TO PROFESSOR MUHAMMAD YUNUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. HOLT) for 5 minutes.

Mr. HOLT. Mr. Speaker, for centuries, we have lauded the achievements of great entrepreneurs, whether the automobile industry of Henry Ford or the iPhone of Steve Jobs. Business was the province of people with money. As the old cynical joke goes, banks would loan money only to people who don't need it.

So throughout the world, and especially in the post-colonial developing world, the chance of escaping poverty and living a dignified life seemed an impossible dream for millions and millions. One person has helped transform the dream into a possibility—in fact, a reality—of family sufficiency for people all over the planet.

When the Nobel Committee awarded Dr. Muhammad Yunus and the financial institution he created, the Grameen Bank in Bangladesh, the Nobel Peace Prize a few years back, the Committee made the award for “their efforts to create economic and social development from below.” I'll phrase it differently. Muhammad Yunus and

Grameen Bank received the award for treating people with dignity and giving millions around the world hope.

Today, in the rotunda here at the U.S. Capitol, we honor Dr. Yunus with the Congressional Gold Medal. Muhammad Yunus has shown us being a visionary does not mean promoting the impractical or the impossible. Unlike some economic theories advanced over centuries, Dr. Yunus' theories have been proven to work. To date, the Grameen Foundation and the bank and its partners have helped 9.4 million of the world's poorest people receive microloans. The bank has given loans of a few dollars to millions to those who, by traditional standards, are not worthy of credit.

His idea of a socially conscious business focused on serving the poor flew in the face of conventional economic theory and certainly in the face of existing banking practice. But it worked. Recipients paid back the loans and got ahead financially.

The Grameen Foundation's financial outreach to people living below the poverty level has been life-altering for women in Nigeria and Haiti and Cambodia and Peru. Dr. Yunus has inspired similar local efforts in dozens of nations, including our own. His life and work are a testament to the difference a single person can make here on Earth.

Dr. Yunus' legacy will be measured not simply by the many awards he has won over his career, such as we honor him with today, but by the current and future generations of people who will travel the road from poverty to success and sufficiency because of Dr. Yunus' vision and commitment. He believes that we have the power to end poverty—not just to alleviate it, but end it—and we should take him seriously. Muhammad Yunus is showing us how.

I ask my colleagues to join me in giving Dr. Yunus congratulations on receiving the Congressional Gold Medal today, and join me in giving thanks to him for making many, many lives around the world better.

WVON RADIO'S 50TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. I rise to congratulate WVON Radio on 50 years of broadcasting.

On April 1, 1963, WVON Radio in Chicago, Illinois, was launched, and since that time has gone from being “the voice of the Negro” to “the voice of the Nation.”

WVON began when two brothers, Leonard and Phil Chess, the owners of a successful music business, Chess Records, with a plentiful supply of local music under their banner such as Muddy Waters, Lil' Howlin' Wolf,

Jimmy Reed, and others, needed a way to express their music. Therefore, the brothers bought WHFC-1450 AM, a 1,000-watt station licensed in Cicero, Illinois.

On April 1, 1963, WVON hit the airwaves in Chicago with a group of hand-picked personalities: Franklin McCarthy, E. Rodney Jones, Herb Kent, Wesley South, and Pervis Spann. They became known as “The Good Guys.” Ric Ricardo, Bill “Butterball” Crane, Ed Cook, Joe Cobb, Roy Wood, Ed Maloney, Bill “Doc” Lee, Don Cornelius, Richard Pegue, Isabel Joseph Johnson, Cecil Hale, and McKee Fitzhugh eventually joined the roster.

Under the direction of the station's general manager, Lucky Cordell, and its “Ambassador of Goodwill,” Bernadine C. Washington, The Good Guys held black radio listeners hostage in Chicago for a number of years. It became the hottest station in the market. Not only did it convey music, it also conveyed public information, public events, and what was going on. It was the voice during the civil rights movement, and individuals were often given the opportunity to speak. Dr. Martin Luther King was interviewed by Leslie South, as well as Elijah Muhammad and others.

These personalities became so informational and influential that during the riots after the death of Dr. Martin Luther King, they called for calm and peace. And people began to listen to them. They were very influential throughout what was called the civil rights movement, and individuals often went to them.

They also had a relationship with Berry Gordy in Detroit, when he formed Motown Records; and every time a record would come out, he would send it to the WVON station before sending it anywhere else.

WVON actually was instrumental in electing Harold Washington, the first black mayor of Chicago. Lou Palmer, who had a radio series called “Lou's Notebook,” had a slogan: “We shall see in '83.” And that became the rallying cry. It was also instrumental in electing Carol Moseley Braun to the United States Senate, electing Barack Obama to the United States Senate, and ultimately electing Barack Obama President of the United States of America.

Always more than a radio station, it belonged to the community and was the heart of the community. So I congratulate Melody Spann Cooper and all of those who have made WVON what it is today: the voice of the Nation.

Congratulations to WVON Radio on fifty years of broadcasting.

Mr. Speaker, On April 1, 1963, WVON Radio in Chicago, Illinois was launched and since that time has gone from being “the voice of the negro” to “the voice of the Nation.” WVON began when two brothers, Leonard and Phil Chess, the owners of Chess Records, a successful record company with a

plentiful supply of local music talent under their banner, such as Muddy Waters, Lil' Howlin Wolf, Jimmy Reed and others, who needed an outlet for their music. Therefore, the brothers bought WHFC—1450 AM, a 1000 watt station licensed in Cicero, Illinois.

On April 1, 1963, WVON hit the airwaves in Chicago with a group of hand-picked personalities: Franklin McCarthy, E. Rodney Jones, Herb Kent, Wesley South, and Pervis Spann. They became known as "The Good Guys" and Ric Ricardo, Bill "Butterball" Crane, Ed Cook, Joe Cobb, Roy Wood, Ed Maloney, Bill "Doc" Lee, Don Cornelius, Richard Pegue, Isabel Joseph Johnson, Cecil Hale, and McKee Fitzhugh eventually joined the roster. Under the direction of the station's general manager, Lucky Cordell, and its "Ambassador of Good Will", Bernadine C. Washington, The Good Guys held Black Chicago captive for more than a decade and ranked consistently in the top five of the most listened to stations in the market.

The power of WVON went beyond the Chicago market. Berry Gordy, the founder of Motown Records had a special arrangement with WVON that every song he produced would be sent immediately to WVON before any other station. WVON was so powerful that it produced airplay in other markets, which impacted the overall sales and success of the project.

WVON has always been more than a radio station. During a time when Blacks were actively involved in the civil rights movement, WVON was the voice of information for local and national affairs. During the riots that followed the death of Dr. Martin Luther King, Jr., WVON on-air personalities were there to lift the tension that had erupted in neighborhoods across the city. They pleaded for calmness.

Following the death of Chess in 1969, the family decided to sell WVON to George Gillette (heir to the Shaving Products Company) and to Potter Palmer (heir to Palmer house) who formed Globetrotter Communications.

Their first order of business was to take WVON from 1450 frequency to 5,000 watt 1390 signal, which would improve their coverage of Chicago. The 1450 frequency was left dormant.

In 1977, Globetrotter Communications sold WVON to the Gannett Company, whose major holdings were in print media. Gannett had purchased an FM station in Chicago which became known as WGCI. In 1979, Wesley South and Pervis Spann formed Midway Broadcasting Corporation and purchased the license for the 1450 AM frequency.

Their station WXOL premiered in August of 1979 and remains one of the few minority-owned stations in the market. WVON became a mixed music/talk radio station and with Wesley South, the hotline show in the evening with journalist Lu Palmer doing a notebook series called "Lou's notebook." Lou spearheaded the election of Harold Washington as Chicago's first Black mayor with the slogan, "We Shall See in '83."

Upon the urging of Wesley South, a radio talk show pioneer, WVON changed to a talk format and has never looked back. It has been instrumental in not only electing Harold Washington as Chicago's first Black mayor, but also in electing Carol Mosley Braun, U.S. Senator;

Barack Obama, United States Senator; and Barack Obama, President of the United States of America.

WVON's current line-up of hosts are some of the best in the Nation: Cliff Kelly, called the governor of talk radio; Matt McGill; Perry Small; Reverend Al Sharpton; Saleem Muwakil; Kendall Moore; Dr. Leon Finney; and from time to time, Pam Morris, Dr. Terry Mason, and countless others who buy time like Garfield Major, talking to the people.

Congratulations to Melody Spann Cooper and all of those who have helped to make WVON Radio what it is today.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 37 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at noon.

PRAYER

Rabbi Robert Silvers, Congregation B'Nai Israel, Boca Raton, Florida, offered the following prayer:

Eternal God, we children of humanity pray to You by many names, but in our hearts we all know You as One. Your unity creates the common bond between us and is our common bond with You. And though Your absolute truth eludes us, nonetheless we strive to be more like You and to carry out Your will for humanity: that we live together in peace.

And though some seek to disrupt the peace and deprive us of our very lives, as we witnessed in Boston, we pray, O God, that their actions be thwarted and that You continue to shelter us with Your canopy of peace. Send healing of body and soul, O God, to the victims of this act of terror, to our Nation, and to all who grieve with them. Keep forever in Your loving embrace the souls of those who lost their lives.

We pray that those who do harm be brought to justice and that You, O God, instill in all peoples everywhere a love of humanity and a respect for each and every human being created in Your divine image.

Help us, O God, to realize that each of us holds a glimpse of something greater; though created mortal and fallible, we need Your gifts of wisdom and patience to find partners, even in surprising and unlikely places, with whom we must work together to benefit our country and our world.

We turn to You, Source of Peace, to inspire and support the leaders of our

Nation to find accord even in these times of challenge. May it be Your will that in recognizing the Unity of the Divine, they will strive to foster a similar unity among themselves for the sake of this great Nation.

Joining together, we say the Hebrew word affirming faith; faith in each other, continued faith in humanity, and faith in the Holiness beyond us.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Oklahoma (Mr. LANKFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. LANKFORD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING RABBI ROBERT SILVERS

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. DEUTCH) is recognized for 1 minute.

There was no objection.

Mr. DEUTCH. Mr. Speaker, I'm proud to have the opportunity to welcome one of my constituents, Rabbi Robert Silvers, of the Congregation B'Nai Israel in Boca Raton, Florida, as he offered the opening prayer here today. He is a leader in the Jewish community in south Florida. His life epitomizes the Jewish tradition of tikkun olam—bettering the world.

Rabbi Silvers' impact is felt well beyond the 1,200 families of Congregation B'Nai Israel, with pastoral work and care that he provides not only to his own congregation but also to the greater local community as a volunteer chaplain for the Palm Beach County Sheriff's Office. He has served as president of the Palm Beach County Board of Rabbis and as president of the Greater Boca Raton Religious Leaders Association, an interfaith coalition of clergy. Rabbi Silvers has been involved in education and interfaith dialogue throughout south Florida.

I'm proud to call Rabbi Silvers and his wife, Ava, friends. I welcome them and all of his congregants who watched on C-SPAN as he delivered this meaningful prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

THE SPIRIT OF AMERICA

(Mr. MCCARTHY of California asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY of California. As we gather today in this House, we opened it with prayer—prayer to remember those families, those children, those runners, those spectators that were lost in Boston. As I watched that horrific incident, I paused for a moment. At the same time that I saw this tragic incident, I also saw the spirit of America. The spirit of America was with those individuals who rushed in to help, not knowing whether they would be injured or not, not knowing what would happen to them. But they rushed to help one another.

I want this body to instill that same American spirit—that we are bound together—so that we will remember those lost, but more importantly, we will bring to justice those that perpetrated this action and that we will be stronger in the end as a Nation and never forget those who were lost.

BOSTON MARATHON ATTACK

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Imagine what the front page of The Boston Globe should have looked like yesterday: marathon winners jubilantly accepting medals; throngs of people triumphantly crossing the finish line; bystanders passing out Gatorade; families and friends cheering on loved ones. Instead, the front page depicted a war zone.

This vicious, senseless attack left nearly 200 people injured, some critically, and three dead. My heart breaks for everyone affected, and justice must be served.

But even this dark act couldn't blot out the examples of love, compassion, and selflessness on display. Volunteers and officers raced to aid blast victims. Marathon runners continued running—straight to the nearest hospital to donate blood. And thousands of people opened their homes to athletes who had nowhere else to go.

These are the stories that define us as a Nation. This is the spirit that no terrorist attack will break.

CHARLES C. GATES CENTER FOR REGENERATIVE MEDICINE AND STEM CELL BIOLOGY

(Mr. COFFMAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise to draw attention to cutting-edge research now underway at the Charles C. Gates Center for Regenerative Medicine and Stem Cell Biology at the University of Colorado in Aurora. As you know, our Nation faces major deficiencies in its ability to maintain an adequate blood supply for civilian and military demands. Traditional methods for obtaining blood or producing a new supply fall far short of current demand.

But a collaborative effort at the Gates Center at the University of Colorado is working to develop a new technology that enables the rapid growth of adult blood stem cells. This proprietary technology can generate large numbers of cells that can be frozen and thawed while retaining their stem cell characteristics. This also means that soon there will be an ability to culture adult blood stem cells in an almost indefinite manner.

This research is being funded with peer-reviewed grants from NIH, and they have joined a consortium funded by DARPA to further help develop the Red Blood Cell program. I'm very hopeful about the research at the Charles C. Gates Center, and I urge support for their efforts.

PASS GUN CONTROL LEGISLATION

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Today, Mr. Speaker, the other body has an opportunity to do what 90 percent of the American people would like us to do—to be prayerful and to come together to respond to the horrific siege of gun violence in America.

It is important to note that, on average, 13 young people from ages 10 to 24 are victims of homicide every day, and 82.8 percent of these youth are killed by a gun. Every 30 minutes a child or teenager in America is injured by a gun. Every 3 hours and 15 minutes a child or a teenager loses their life from a firearm. In 2010, 82 children under the ages of 5 lost their lives due to guns. To put that number in perspective, 58 law enforcement lost their lives.

And so today, we don't have to violate the Second Amendment. As I said, we can be prayerful. We can pass universal background checks—the same thing we do with registering our cars, getting licenses. This is a time for America to rise to our higher angels and do what our children need them to do. I ask the Senate to challenge its conscience and to vote for universal background checks to stop the violence.

□ 1210

THE FINE LINE BETWEEN CHOICE AND MURDER

(Mr. LANKFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANKFORD. Mr. Speaker, in a historic red brick building in Philadelphia, a man and his staff performed thousands of abortions under horrid conditions, which has led to a murder trial which is currently under way for seven children and one adult. Some children were torn apart with surgical instruments in the womb. Some mothers were given abortion-inducing drugs and were seated on a toilet until they delivered their baby into that toilet. Other women had their labor induced; and when they delivered, an assistant flipped the baby over and used the scissors to cut their spinal cord.

The horrific murder of innocent children was repeated over and over again in the clinic; but amazingly enough, only the children fully out of the womb are considered murder victims. Can someone explain to me how the children of the same age, size, and development, who were still in the womb when they were torn to pieces by surgical instruments, are not victims of murder, but those who were delivered and then their spinal cord was cut three feet from their mother are victims of murder?

I will never understand the strained logic that says if a child is killed where you cannot see them in the womb, it's choice; but if you kill that child in the daylight, it's murder.

CONGRATULATING MIROSLABA "LILI" VELO ON BEING NAMED 2013 OUTSTANDING SENIOR HIGH SCHOOL TEACHER OF THE YEAR

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Many students often remember that one engaging and empowering teacher who inspired them to change the course of their lives. I am proud to recognize one of those teachers, Ms. Mirosłaba "Lili" Velo, a social studies teacher from Hayward's Tennyson High School in my congressional district.

Ms. Velo was named the 2013 Outstanding Senior High School Teacher of the Year by the California Council for Social Studies. As the chair of the Social Studies Department at Tennyson High School, Ms. Velo is a true leader in advancing social studies education by teaching educators in her high school and across California how to engage students with new and innovative teaching methods. This is something we will need as we continue to lead our students to be competitive in a changing global economy.

Ms. Velo is a wonderful example of the most dedicated teachers from across the Nation, who strive every day to better the lives of their students and assist the teachers around them.

Once again, I congratulate Ms. Velo on receiving this well-deserved recognition.

DEFENDING OUR HOMELAND

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today to pay respect and grief for those who suffered loss of life and harm in Boston. I had two of my own constituents who suffered grievous loss and one of them the loss of a leg. It reminds us once again that those who seek our destruction are fully committed to that objective.

While the terrorists and others work in a very open way, seeking public notoriety, they have also learned to work in a very quiet and sophisticated and tactical way in cyber warfare.

Mr. Speaker, we have a very important bill before us today, H.R. 624. We need to really look at it, and we need to pass it. We need to show the world that we are fully committed to defending our homeland.

300,000 cyber attacks occur on major industry every single day—on each industry. We must stop this. They are bent on our destruction. We can do what it takes today to show the world that we are fully committed to defending our homeland.

MEMPHIS SOUL

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Last night, PBS aired the “Memphis Soul” performance recorded last week at the White House. The performance featured many songs that were recorded at Stax Records located in Memphis.

In 1998, Memphis civic leaders raised more than \$10 million to build the Stax Museum on the original site of Stax Records. The museum honors all of the artists who recorded at Stax, including Isaac Hayes, Al Green, Otis Redding, Booker T and the MGs, and others.

From Eddie Floyd’s “Knock on Wood” to Booker T and the MGs’ classic “Green Onions,” Isaac Hayes’ “Shaft,” and Sam and Dave’s “Soul Man,” the recordings at Stax Records made significant contributions to the music of the era.

Beyond honoring its history, Stax is about education. In 2005, the Soulsville Charter School opened its doors to 60 sixth graders. Now expanded to grades 6–12, the 2013 class of Soulsville Charter School has a 100 percent college acceptance rate and scholarships.

I encourage everyone to come to Memphis to visit the Stax Museum and see the Soulsville Charter School to learn more about Memphis’ contribution to music. I also hope you will tune in to PBS this afternoon to watch another performance of “Memphis Soul” at 5 o’clock eastern, 4 o’clock central.

CONGRATULATING ASHLAND UNIVERSITY WOMEN’S BASKETBALL TEAM FOR WINNING NCAA DIVISION II CHAMPIONSHIP

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, I rise today to honor and congratulate the Ashland University women’s basketball team for winning the NCAA Division II Championship. The Ashland Eagles earned Ashland University’s first basketball national championship with a 71–56 victory over New York’s Dowling College on Friday, March 29, 2013.

I would like to congratulate the Eagles MVP, AU senior Kari Daugherty, for contributing 26 points to the win. Ms. Daugherty was also honored with the Player of the Year title for the division.

I would also like to congratulate Coach Sue Ramsey for leading her team to victory. This sportsmanship, determination, and hard work displayed by the Ashland Eagles throughout the season has been unparalleled. This momentous accomplishment deserves the most sincere congratulations, and we’re very proud of Ashland University and the Ashland Eagles.

Go Eagles.

IMMIGRATION

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute.)

Mr. CÁRDENAS. Last week, right here in D.C., I hosted farm workers from all over this country that only ask for fair treatment and compensation as they do their work. As they chanted “Si, se puede”—yes, it is possible—with 20 of us congressional Members, I saw the look of hope on their faces—hope that they would soon have a pathway to citizenship, fair wages, and adequate worker protections. I saw the same hope in the eyes of my parents who came here as farm workers.

With the introduction of the Senate’s immigration bill, farm workers are one step closer to gaining legal status and the right to feed their families as they feed America. However, as any legislation moves forward, I will remain vigilant against any effort to legalize farm worker mistreatments.

I look forward to working with both sides of the aisle and both of our Houses to make sure that we fix this broken immigration system.

SENIORS’ TAX SIMPLIFICATION ACT

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, the American people have just finished the annual aggravation of tax preparation. Every year, individuals and businesses spend more than 6 billion hours and about \$168 billion just to meet the filing requirements of the IRS.

Among those hit hardest by our 4-million-word Tax Code are senior citizens. Many live on fixed incomes and have common forms of income, like dividends, Social Security benefits, and IRA distributions; yet they face the high cost of compliance. That’s why I introduced the Seniors’ Tax Simplification Act. This commonsense bill—and it is bipartisan—would create one simple form, much like the popular 1040EZ form. It would be used for the relatively simple tax filing situations that are common for seniors anyway. Creating a no-nonsense 1040SR form would reduce compliance costs for seniors and lessen the burden of the tax season for them.

The Seniors’ Tax Simplification Act is a straightforward, no-cost bill that has bipartisan support and has been endorsed by many senior citizen groups and deserves a vote in this House.

IMMIGRATION REFORM

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. After far too long, there is finally real bipartisan momentum in Washington towards implementing much-needed comprehensive immigration reform.

Our immigration system today is crowded and confusing. It divides families, it stifles the American Dream for high-skilled foreign students and entrepreneurs, and it does not address the exploitation of many immigrants in the workplace.

The proposals unveiled last night are not perfect. For example, they eliminate diversity visas and certain family visas. But we are making progress. I look forward to supporting a bill that secures our borders, makes our existing laws more efficient and timely, promotes entrepreneurship and innovation, provides a fair pathway to citizenship for the millions of immigrants already in the United States, and includes the DREAM Act. It must also include humane provisions to keep families of all kinds together. We can and must get this done.

□ 1220

IN MEMORY OF FORMER MEMBER CHARLIE WILSON

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, as dean of the Ohio Republican delegation in the House, I was greatly saddened to hear of the untimely passing early Sunday morning of our friend and former colleague, Representative Charlie Wilson. Although Charlie and I were on different sides of the aisle and often disagreed on policy, I always admired his dedication to our State and his tireless energy as he worked to serve his constituents to the best of his ability.

I am not alone when I say that a conversation with Charlie was always memorable and usually ended with broad smiles as you parted company. One thing that Charlie and I did have in common is that we played college football, and we were both defensive linemen. And at least in our own minds, the older we got, the better we had been.

Charlie Wilson was an honorable man, a trusted ally, and a worthy opponent. I ask my colleagues to join in wishing his four sons and nine grandchildren our condolences. His 14 years of government service in Ohio and in Washington, D.C., is a legacy they should always cherish and be proud of. God bless Charlie Wilson.

NOAA PROPOSES FURLOUGHS

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, like many Americans, I began my morning this morning with a check of the local weather forecast. It actually helps me answer questions, important questions, such as what should I wear, do I need an umbrella, or is a storm approaching that's going to tie up traffic.

The weather forecast is really important, but too often it's taken for granted. And, unfortunately, thanks to the Republican insistence that sequester cuts take effect, our access to these timely and reliable weather forecasts may be impacted negatively.

On Monday, the National Oceanographic and Atmospheric Agency, which includes the National Weather Service, proposed 4 furlough days, with a potential for 10. The cash-strapped Weather Service provides predictions for the ever-more-frequent extreme weather events, such as Superstorm Sandy, the historic drought impacting our agricultural sector last year, and the tornados that ravished the South in 2011.

On a daily basis, it impacts the lives of Americans across the country. Even today, severe storms are ravaging the midsection of the country. The Weather Service is already understaffed. Sequestration could further deteriorate forecasting abilities. So, once again, they've made indiscriminate spending cuts our top priority. We need to stop this and protect our economic safety and our national security.

IN RECOGNITION OF FIRST RESPONDERS

(Mr. CHAFFETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHAFFETZ. Mr. Speaker, our hearts and prayers go out to those in Boston and Massachusetts and all the States where people came from to participate in the marathon.

I, in particular, Mr. Speaker, wanted to stand and thank those first responders. They're firemen and they're police officers and they're paramedics and they're doctors and nurses, and sometimes they're just somebody who never expected to be in that situation at that time. And yet, our fellow countrymen respond; they're there.

And right now we have people responding in the Senate. They've put themselves out there. They've run to the challenges. It is the American spirit. They touch the heart of all of us.

And, Mr. Speaker, I just wanted to say God bless them, and God bless the United States of America.

SUPPORT BACKGROUND CHECKS ON GUN SALES

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, this is what my constituent, Barbara Kelty, wrote to the Louisville Courier-Journal this morning:

While polls continue to say that a majority of NRA members and a sizable majority of the American people support background checks and a majority of citizens support limiting magazine size, a majority in Congress at this point apparently does not favor either.

How can that be? To me, it is evident that these Members of Congress do not feel obligated to us, the people who elected them, whom they represent. Rather, they feel beholden to the gun lobby which fattens their campaign chests. And it is obvious that the gun-making industry, which does not condone or support gun violence, benefits from the emotional rush of citizens exercising the right to buy protection for their families after these tragedies.

We, the citizens, must do our bit to lobby Congress and remind them that our will takes precedence.

Ms. Kelty is right. In Kentucky, three out of four people support background checks for every gun sale. More than 90 percent of the American people, and three-quarters of NRA members, support background checks, which have stopped nearly 2 million people from illegally buying guns. Still, 40 percent of guns are purchased without a background check.

Mr. Speaker, I urge my colleagues in the Senate to listen to the vast majority of Kentuckians and the American people and support background checks.

SENATE IMMIGRATION BILL WORSE THAN WE THOUGHT

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, it's hard to believe, but the Senate immigration bill is worse than we thought.

Despite assurances, the border is not secured before almost everyone in the country illegally is given amnesty. So the bill guarantees there will be a rush across the border to take advantage of massive amnesty.

And the bill offers amnesty to far more illegal immigrants than we thought. In addition to most of the 11 million illegal immigrants already in the country, it offers to legalize their relatives outside the country and even others who have already been deported home. So current immigration laws are shredded.

The good news is that the House Judiciary Committee will come up with a better plan.

IMMIGRATION REFORM

(Mr. GALLEG0 asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GALLEG0. Mr. Speaker, I rise today encouraged that comprehensive immigration reform is moving now that a framework has been released by our colleagues in the Senate.

The 23rd Congressional District, which I represent, runs some 800 miles along the Texas-Mexico border and includes five ports of entry. No other congressional district shares a larger border with Mexico.

After more than two decades, I'm encouraged that our friends in the Senate are taking steps and we finally have this framework. I look forward to working in a bipartisan and bicameral way to get it done this way.

Our values teach us that our families should stick together and that hard work, not circumstance, should shape our future. I believe that our Nation becomes stronger as more people pledge allegiance to our flag and commit themselves fully to our Nation and to our economy.

Last week I asked the Senate Gang of Eight to give special consideration to members of the armed services who risk their lives every day for our country and our families—it's particularly important to folks and families at Joint Base Lackland in San Antonio, Laughlin Air Force Base in Del Rio, and Fort Bliss in El Paso—and requested that comprehensive immigration reform eliminate the 3- and 10-year bar on spouses for spouses, prevent the termination of petitions of spouses and children of fallen heroes, and streamline the naturalization process for those deployed overseas.

I look forward to working with my colleagues to getting it done this year.

□ 1230

TAX REFORM

TAXES

(Mr. STIVERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STIVERS. Mr. Speaker, as you all know, Monday was tax day, so it's an appropriate time to talk about the need for tax reform. We need a simpler, more competitive Tax Code that's flatter and fairer so that we can create jobs and put Americans back to work.

We need a simpler code. In fact, the code, when you include all its regulations, annotations, and explanations, totals 74,000 pages. And according to the latest estimate from the United States Treasury, Americans spent 6.1 billion hours complying with the Tax Code. We also need a more competitive Tax Code. The United States has the highest corporate tax rate in the world.

Simplifying our Tax Code and closing loopholes for everyone will help create an environment that encourages job growth and increases wages. The Ryan budget is based on such reforms. These reforms can help get Americans back to work.

RECOGNIZING THE MERCED COMMUNITY VIOLENCE INTERVENTION AND PREVENTION TASK FORCE

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, on Monday, in Boston, we were reminded how vulnerable we all are as Americans and how important it is that we stay together.

Today, I rise to recognize the Merced Community Violence Intervention and Prevention Task Force. This hardworking organization in the San Joaquin Valley that I represent is the 2013 recipient of the Lois Haight Award of Excellence and Innovation from the Victims' Rights Caucus, of which I am a cochair.

The task force is an innovative collaboration of local leaders that was formed in 2006 in response to gang-related violence throughout the Merced community. The task force makes Merced a safer place by educating the community about violence, promoting character development, and providing information to families and, most importantly, our youth.

From gang awareness workshops to Merced County's first anonymous "text a tip" line, the task force has contributed greatly to our Merced community and throughout the area.

On behalf of the Victims' Rights Caucus, congratulations and thank you to the Merced Community Violence Intervention and Prevention Task Force.

(Mr. STEWART asked and was given permission to address the House for 1 minute.)

Mr. STEWART. Like all Americans, my heart and prayers go out to the people of Boston.

Mr. Speaker, I'm grateful for the opportunity to stand and speak on a very important issue today. It may not be as interesting, it may not grab as much attention as any other issue, but I'm not aware of any other thing that we could talk about that has the potential to invigorate our economy, to expand personal freedoms, and restore faith in our government and, frankly, in our future like this issue could. Of course I'm talking about meaningful, strategic tax reform.

I was a business owner and CEO for 12 years. Because of that, I understand in a very personal way that the current tax system is rife with waste. It invites abuse. Worst of all, it creates so much uncertainty as to make it difficult, if not impossible, to make good decisions about our future.

Again and again, we read stories and we see examples where the current Tax Code punishes success while ignoring the economic impacts of poor government policy. We can do better than this. We have an opportunity to do better than this. We must do better. Everyone will benefit.

Let's do this now.

REMEMBERING THE VICTIMS IN BOSTON

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, last Monday, men and women from around the world traveled to the beautiful city of Boston to take part in the 117th running of the Boston Marathon.

But this longstanding American tradition, this celebration of athletic achievement was shattered at 2:50 eastern time when two bombs went off along the finish line, killing three spectators, including an 8-year-old child, and injuring nearly 200 more.

At times like this, words fail to capture the sense of our disbelief, the pain in our hearts, and the anger we feel towards anyone who would do such great harm to so many innocent lives.

Although we do not yet know the identity of the perpetrators, what we do know is that our country will not rest until they are brought to justice. The American people will emerge from this horrific incident stronger and more united than ever before.

Like all Rhode Islanders since last Monday, my thoughts have remained with the people of Boston and all of the victims of this vicious act of violence and their loved ones, and I pray that

the passage of time might bring them some level of comfort.

TAX REFORM

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESJARLAIS. Mr. Speaker, this week, many of my constituents filed tax returns. Unfortunately, their taxes weren't the only thing that they had to pay. Hardworking Americans will spend \$168 billion completing their taxes under our country's 4-million-word Tax Code.

America's tax system is broken and simply doesn't meet the needs of the 21st century economy. It is time for a simpler, fairer, flatter code, one that eliminates special interest loopholes to ensure that everyone pays what they owe. But what we don't need is higher taxes.

The government is already poised to take in record revenues this year, yet the President insists on calling for another \$1.1 trillion in new taxes. Levying more taxes on families and businesses won't create jobs and won't lead to economic prosperity. Rather, we need to cut spending, balance the budget, and rein in excessive government.

Comprehensive tax reform is something that the American people overwhelmingly support and something that House Republicans remain committed to addressing.

GUN REFORM

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, background checks may not have changed what happened at Sandy Hook, but I hope Sandy Hook changes what happens here.

Ninety percent of the American people agree that expanding background checks for gun sales is the right thing to do. These checks will help keep guns out of the hands of the mentally unstable, convicted felons, and domestic abusers who threaten the safety of our families and our communities.

It's time for Congress to listen to common sense and the voices of the American people.

I say to my Senate colleagues: You came here to work for the American people, not just to work for your reelection. We're here to do a job, not just keep our jobs.

I support Senators MANCHIN and TOOMEY for coming together in a bipartisan way to push forward this legislation for expanded background checks. All we need is 60 Senators who have the courage to stand up and do the right thing.

Commonsense measures to fight tragedy shouldn't be a heavy lift. This should be an easy vote.

The SPEAKER pro tempore. All Members are reminded to direct their remarks to the Chair.

IMMIGRATION REFORM

(Mr. KING of Iowa asked and was given permission to address the House for 1 minute.)

Mr. KING of Iowa. Mr. Speaker, I come to the floor here to announce that the Senate released their Gang of Eight immigration bill sometime around 2:45 a.m. this morning. It didn't take very long for the secret group in the House to release their support for the bill. They had time, apparently, to analyze the 844 pages that are in this bill.

I've had time to analyze a little bit of it. Mr. Speaker, what it says is this: they want to instantaneously legalize everybody that's here in America illegally, with a few exceptions, in case they decide to enforce the law against them.

That doesn't satisfy them, Mr. Speaker. They even want to legalize the people that have been deported and sent to their home countries and bring them back to the United States. If that occurs, 11 million to 20 million becomes at least 30 million people.

Because we have what they call a "de facto" amnesty now, it is, in fact, literally amnesty now, and making that promise is going to start another rush over our borders.

We must restore the rule of law.

IMMIGRATION REFORM

(Mr. PAYNE asked and was given permission to address the House for 1 minute.)

Mr. PAYNE. Mr. Speaker, creating an immigration process for new American immigrants is not just an issue that will shape the future for one group.

So much is at stake for 3 million African and Caribbean immigrants that live and work here. They're a vital part of our future as hardworking, upstanding individuals in search of freedom and a better life. They also deserve a fair system that works, and they are more than just a number on a page.

Last week, a young lady came to my office who was born in America to Haitian parents. Her name is Natalie. Natalie is a graduate student who has job offers lined up. She is ready to work and commits herself to this country. But Natalie can't do those things because of our broken immigration system. She is neither recognized as a citizen here nor in Haiti. While in tears, she said she has no home. She can't see her family. She's scared and feels alone. Natalie is one of those 11 million people that are looking for a pathway to citizenship.

It is time to pass commonsense legislation that fixes our immigration sys-

tem once and for all, one that serves our interests and reflects our values for Natalie and the 11 million other Nationals who call America home.

AMERICA'S ECONOMY CAN THRIVE AGAIN

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, the solution to our economic challenges is one simple word: growth. Unfortunately, the only place really growing in our country today is Washington, D.C.

As I travel my district, workers, job seekers, and small business owners tell me they're concerned about jobs and economic security.

Washington must unleash their economic potential by spending less, taxing less, and regulating less. Washington has to stop growing so the rest of the country can start to grow.

Small business owners this year spent upwards of 2 billion hours trying to comply with our Tax Code. Simplifying the Tax Code will help them save time and money that they can then put towards growing their businesses, hiring new employees and raising wages.

Washington must also streamline regulations that are strangling growth. The REINS Act would require that any regulation with an annual impact of \$100 million or more be subject to a vote of this House.

With the right tax and regulatory policies, America's economy can thrive again.

□ 1240

CLOSE GUANTANAMO BAY

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, about 12 years ago, 779 people were gathered initially and sent to the prison at Guantanamo Bay, Cuba. About 85 percent of them had never actually engaged in direct combat against the United States. A report was issued by an independent, authoritative commission yesterday that I want to bring attention to. It was headed by Asa Hutchinson, a former Republican colleague of ours, and 4 star General Jim Jones, who was head of the National Security Council in the Obama administration.

It concluded that the United States engaged in the practice of torture at Guantanamo Bay. It concluded that the methods we used, like waterboarding, slamming prisoners into walls, chaining them in stress positions for hours, violated international legal obligations with "no firm or persuasive evidence that they produced valuable information that

could not have been obtained by other means." It also concluded that what we did had "no justification" and "damaged the standing of our Nation, reduced our capacity to convey moral censure when necessary, and potentially increased the danger to U.S. military personnel taken captive."

It concluded that President Bush and Vice President Cheney were directly involved in condoning such tactics and that their legal advisors engaged in "acrobatic" legal analysis to attempt to establish legal justification.

There was no legal precedent. Guantanamo Bay should be closed—now.

TAX REFORM

(Mr. SOUTHERLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOUTHERLAND. Mr. Speaker, it's tax week. As you know, that means that Americans' heads are chock-full of all kinds of numbers. We've done all kinds of itemizations, deductions, and calculations in our personal finances just to make sure that we know how much we are going to hand over to Uncle Sam. Let me share with you some more numbers.

How about \$168 billion? That's how much our fellow Americans spend each year just to make sure they comply with our overcomplicated Tax Code. Just how complicated are the tax rules in this country? Well, here is another number—4 million. That's how many words there are in the U.S. Tax Code. There are 4,500 words in the U.S. Constitution. There are 775,000 words in the Bible. Yet there are 4 million in our Tax Code.

What does this all add up to?

It means that our current tax system is broken. We need fundamental, comprehensive tax reform to make our Tax Code fairer and simpler for all Americans. That is the House Republican plan.

PROVIDING FOR CONSIDERATION OF H.R. 624, CYBER INTELLIGENCE SHARING AND PROTECTION ACT

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 164 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 164

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes.

The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-7. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I always enjoy the reading of the resolution. There are a lot of readings that you can waive on the floor of this House, but not so with a Rules resolution because this resolution is framing the nature of the debate we are going to have perhaps on the most important issue that we've taken up so far in this Congress.

The underlying bill is H.R. 624. It's the Cyber Intelligence Sharing and Protection Act.

Whenever we start talking about cyber intelligence sharing and protection, folks often think that sharing and protection are oxymorons—you can't have protected sharing, and you can't have shared protection. It's not an easy nut to crack, Mr. Speaker. I don't sit on the Intelligence Committee, but I've been down to the classified briefings where folks are sharing details of the amazing successes that our teams, both domestically and abroad, are having and combating in cyber threats; but it's getting harder and harder every day, and we have to balance the national security implications of failing to address these threats with what we, as all Americans, love, which is our liberty here at home—our liberty here at home, our privacy here at home.

In order to try to crack that, Mr. Speaker, you'll know that we brought this bill to the floor in the last Congress, and it has been changed and improved since that time. Today, this rule makes in order an additional 12 amendments. Now, of course we'll have the traditional 1 hour of debate on the underlying bill, but there will be another 12 amendments, each debated—2 hours of total additional time—so that Members can have their voices heard. Of these additional 12 amendments, four of them were offered by Republican Members; seven of them were offered by Democratic Members; and one of them is a bipartisan amendment. But the rule is designed to allow that further discussion because of the very important nature of the underlying bill.

I rise, of course, in support of the rule to allow for that debate, and I rise in support for the underlying bill. In today's world, you don't have to have a battlefield full of tanks to wage war on your enemy. A nation-state can have a roomful of young computer scientists and a couple of computers and begin to be a threat to the largest, most democratically controlled country in the world.

How do we stop that, Mr. Speaker? Because we don't want to close our borders. We don't want to have Federal control over the Internet. In so many of these nation-states, the government does control the Internet. That's never going to happen here in America. That's not who we are. That's not what we're about. In fact, 10 private sector providers control about 80 percent of the networks here in America—as it should be.

But what can we do to make ourselves safer tomorrow than we are today? Here is what the underlying bill does, Mr. Speaker: it enables, for the very first time, businesses and governments to share information about the threats that they are facing.

If you go up the road to Maryland, where the NSA is operating today,

there are some smart, smart folks there, and I'm glad we have every single one of them on the front lines of cyber warfare—protecting America, protecting American enterprise. Yet today, when they are aware of threats that are impending threats to our financial system, threats to our economic system, they can't share that information with the private sector.

Back in my home district, Mr. Speaker, we're home to UPS—the United Parcel Service—Delta, Home Depot. If those companies come under attack today, Delta can't share that information with American Airlines and say, Look at what has just happened to us. Be on the lookout. It might happen to you. Home Depot can't share with Lowe's today. This is what has happened to us. We want you to be on the lookout. Don't let it happen to you.

□ 1250

This bill changes that. This bill, for the first time, says in the name of defending America and American interests against cyber threats around the globe, you can begin to share with one another what your experiences are and opportunities to protect yourself from having that happen to you again in the future.

Now, the real important thing to me about this bill, and I will just hold it up for you, Mr. Speaker, the Cyber Intelligence Sharing and Protection aspect of this bill, it's the important part. It's the meat of this bill. It's what's going to allow us to be safer tomorrow than we are today, but the bulk of the words in this bill don't speak to the sharing in terms of enabling it. It speaks to the sharing in terms of restricting it. Page after page after page after page of this short, 24-page bill talks about how we as citizens must, must, must continue to be safe and secure in the privacy of our own information.

It's a four-step process the bill lays out, Mr. Speaker, in terms of how we can ensure that no personally identifiable information is being shared from Home Depot or Delta or UPS or any of the other folks who are out there on the Internet when they're sharing that with the government or with one another in order to prevent threats to American security or economic prosperity, to ensure that personally identifiable information is not a part of that information that's shared, because privacy is paramount.

I've been tremendously impressed through this process, Mr. Speaker, because I'm one of the folks who is most likely to be suspect when we start talking about sharing information with the government. I'm a big lover of liberty. There's not many things I'm willing to give liberty up for. In fact, I dare say there's not a one that I'm willing to give liberty up for.

But the Intelligence Committee, from which this bill came, has worked with Members month after month after month after month to ensure that privacy is protected, that we as citizens can be secure. At the same time that we're fighting threats that perhaps we're not allowed to talk about on this floor, we're protected from threats that each and every one of us experiences in our day-to-day lives—a threat to privacy.

It's not been easy to craft this bill, and it has been an incredible bipartisan effort throughout, Mr. Speaker, in order to put this language together. Again, we have four Republican amendments made in order by this rule, seven Democratic amendments made in order by this rule, and one bipartisan amendment made in order by this rule. It is my great hope that we can move forward today with this rule, with debate on the underlying bill, and move forward with something that is far, far, far overdue, Mr. Speaker, and that's protecting America—American business and American individuals, American citizens—from the threats posed by nation states through cyber warfare from abroad.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Before I begin, I would like to take a moment, as have almost all of our colleagues that have spoken here today, to offer my sincerest condolences to the people of Boston, Massachusetts, following the deadly explosions at Monday's marathon. I can't speak for everyone here, but I believe that most of us would say that the thoughts and prayers of the United States Congress are with the victims, their families and friends at this most difficult time. Those responsible for this act of terror will be brought to justice.

Mr. Speaker, while I rise today in support of H.R. 624, the Cyber Intelligence Sharing and Protection Act, better known as CISA, I do not support the rule. My friend from Georgia spoke about how important it is that we have the reading of the rule, and one of the particular efforts of Congress that allows for there not to be any abridgement of that, but I do believe that we would be better served if this were an open rule.

Last night, during our Rules Committee hearing, the majority blocked several germane Democratic amendments which would have further helped to balance cybersecurity concerns with smart policies that protect our citizens. I spoke to those issues last night, and I raise them again, particularly the two amendments offered by our colleagues, Ms. SCHAKOWSKY and Mr. SCHIFF, and others.

However, the underlying CISA legislation is, as my friend from Georgia said, a bipartisan bill that aims to safeguard our Nation's computer networks and critical infrastructure by allowing for two-way cyber threat information sharing on an entirely voluntary basis, both between the private sector and the Federal Government, and within the private sector itself.

In his March 12, 2013, testimony before the Senate Intelligence Committee, the Director of National Intelligence, James Clapper, stated for the first time that cyber attacks and cyber espionage have supplanted terrorism as the top security threat facing the United States.

In recent months, media reports have highlighted cyber attacks on several major U.S. companies, including Facebook, Google, and the network security firm RSA, as well as The New York Times, Bloomberg News, and The Washington Post newspapers.

Furthermore, government networks such as those of the Central Intelligence Agency and the United States Senate have also been targeted by hackers. Waves of cyber attacks have sought to disrupt operations at financial institutions and service providers, including American Express, JPMorgan Chase, Citigroup, Wells Fargo, Bank of America, MasterCard, PayPal, and Visa.

The fact of the matter is that state actors, terrorist organizations, criminal groups, individuals, and countless persons that describe themselves as hackers attack our public and private computer networks thousands of times every day. Many foreign hackers seek to steal valuable trade secrets, which results in the loss of countless American jobs. There are estimates that have been quoted of loss from economic espionage that range as high as \$400 billion a year.

Unfortunately, the same vulnerabilities used to steal trade secrets can be used to attack the critical infrastructure we depend on every day. Our economy, our power grids, and our defenses are increasingly reliant on computers and network integration. These networks power our homes, provide our clean water, protect our bank accounts, defend our intellectual property, guard our national security information, and manage other critical services. In addition to intellectual property and national security intelligence, personal finance, health care, and other private records are prime targets for hackers to steal.

According to the Information Technology Industry Council, 18 adults become victims to cyber crime—including identity theft and phishing campaigns—every second. This adds up to 1.5 million cyber crime victims each day.

□ 1300

Cyber attacks present a very real and dangerous threat to the United States.

However, the government currently does not have the authority to share classified cyber intelligence information with the private sector.

While private companies have taken considerable measures to protect their networks, they often have limited information and can only respond to known threats.

Cyber threats evolve at the speed of technology, and CISA, this measure, helps the private sector protect against cyber attacks by providing companies with the latest cyber threat information from the intelligence community, which has timely, classified information about destructive malware. This cyber threat intelligence is the information that companies and the government need to protect and defend their networks.

The so-called “signatures” are primarily made up of numerical codes consisting of zeros and ones, without any personal information attached.

CISA is the product of close cooperation between the intelligence community, the private sector companies, and trade groups and, to a certain degree, the White House, as it pertains to many of the measures that are included in this legislation.

During their efforts to improve the bill, they also maintained a dialogue with privacy advocates in an effort to strengthen civil liberties protections and oversight.

I add a personal note here for the reason that, over a period of 10 years, I served 8 of those years on the Intelligence Committee, and the now-chairman of the Intelligence Committee and ranking member were both junior members of the committee that I served on. They have risen to the position that they are in and have acted in an extremely responsible way, over a 2-year period of time, trying to bring a measure as complicated as this one, contemplating all of the factors that I've identified and more, including the members of the committee.

I would urge Members of the House of Representatives—many of them continue to have concerns, not only about this particular legislation, but about other intelligence matters, and rightly so are they concerned. But let me remind them that they are Members of a body that allows, if they wish to go into the spaces of the Intelligence Committee and to be briefed by staff and Members there on classified information, upon appropriate undertakings, they too can gain the information and insight that's needed in order to make an intelligent determination when they are voting, rather than come out here and criticize the people that do that hard work. They get no benefits, no concerns from the Members, and yet, cannot say all of the things that are needed to say or be said to the American public.

The same holds for ADAM SCHIFF and JAN SCHAKOWSKY and others that I

won't mention that I served on that committee with. These are conscientious people who spend more time than almost any Member of Congress on any matter that he or she is attending to, and I have great respect for them. I don't agree with everything that either or all of them say, but I know they put their heart and time, both in the amendments that are offered, as well as in this bill and the particulars that are being put forward to this body.

As a result of their work, 19 improvements to enhance privacy and protect Americans have been adopted. Chief among them, this CISP A measure that requires the government to eliminate any personal information it receives that is not necessary to understand the cyber threat.

It creates no new authorities for any agency, and I can't say that enough. It creates no new authorities for any agency.

It gives companies the flexibility to choose which agency within the intelligence community they would like to work with to protect the cyber networks. It requires an annual review and report by the intelligence community's inspector general of the government's use of any information shared by the private sector.

And I would urge Members, when we increase the responsibilities of the inspector general that we also give the inspector general the resources in order to be able to do the necessary oversight that is required in this legislation.

It includes something that I very much support, and that is a 5-year sunset provision. I've supported other 5-year sunset provisions in the intelligence community and would have preferred, in this instance, that it be a 3-year provision. But the fact of the matter is, it's 5, and we will learn an awful lot during that period of time, and we will be back here dealing with this same subject at some point in the future.

Allowing for the appropriate sharing of cyber threat information between the government and private sector is key to protecting our Nation from those who would do us harm. CISP A balances the critical need to strengthen our cyber defenses while protecting Americans' individual privacy.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, at this time it's my great pleasure to yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), one of those Members on the Intelligence Committee my friend from Florida spoke of, a gentleman who serves us all.

Mr. CONAWAY. Mr. Speaker, I appreciate the opportunity to speak.

I rise in strong support of the rule and the underlying legislation that is before us this afternoon.

I also want to congratulate my colleague from Florida. I agree whole-

heartedly with his reasons why this is important. He walked through those very eloquently.

I'd like to speak quickly as to what this bill does not do. It does not create a government surveillance program. It does not give the government the authority to monitor private networks or communications like email or other activities.

And it is strictly voluntary. It does not create a mandate on the private sector that they participate. In fact, these activities, monitoring and surveillance, are specifically excluded from being an activity that would be authorized under this bill.

There are four purposes for which this activity can be conducted, and whatever gets done has to fit within one of these four. One is cybersecurity. Two is investigating and prosecuting cybersecurity crimes. Three would be preventing death and physical injury, and four would be protecting minors from physical and psychological harm. So whatever gets done under this bill has to fit within those narrow categories specifically to make that happen.

As both speakers have said already, great work has been done in trying to protect the privacy and the civil liberties that all of us have. Those who have a grave concern that we've not fixed those, I would ask them to simply go review the contract they have with their Internet service provider. They have ceded immense personal liberties and privacies under that contract to simply sign up with that Internet service provider.

So as they look at what we're trying to do with this bill, I would argue that they may have already gone past that with respect to those guys.

This bill does nothing like that whatsoever. No personal information can be shared. There's a mandate that the government put in place filters so that, as that data's coming in at the speed of light, no one's reading this information. This is machine-to-machine. That personal information is scrubbed from that as it comes in.

There are immense reporting requirements for this system to be put in place, so that if there are occasional breaches, and there may be, that those breaches are reported on a timely basis to the committee, not at the end of some arbitrary period but as quickly as the system can report it to the oversight committees that have jurisdiction.

There is no ambiguity in this bill. It says what can be done and what cannot be done, and it outlines the consequences for breaking the law.

Let me also agree with my colleague from Florida. It has a sunset provision. Five years from now, future Congresses will have to either deal with this or it goes away. And so unlike many of our bills that just simply go on unless we

actually do something, this has the protection of allowing those who disagree with it to know that there will be another bite at this apple 5 years from now if, in fact, there are things we've learned about that intervening 5-year period.

But this is critical for America to have this. If this were a physical attack on this country, there would be no question that the Federal Government, through its military, would stand in the breach and protect this country. There are no less dangerous attacks conducted against infrastructure, banks, airlines, other things every single day that we weren't able to help protect the private sector from, and this bill goes a long way toward doing that.

I urge my colleagues to support the rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I'm privileged to yield 5 minutes to the distinguished gentleman from Colorado (Mr. POLIS), my colleague on the Rules Committee.

Mr. POLIS. Mr. Speaker, where to begin?

Let's start with process. This, as has been indicated by everyone who spoke thus far, is a critical issue for our country, getting the balance right between protecting American infrastructure and our way of life, with our civil liberties and confidence in the Internet ecosystem. And yet, this rule only allows 1 hour of debate in the House of Representatives on this bill.

□ 1310

I might add, the amendments that were talked about in the Rules Committee last night, the amendments that actually address some of the deficiencies which I'll be getting into about this bill, are not allowed under this rule. In fact, out of the 12 amendments allowed, two of them are actually the same. The same exact amendment allowed twice. And yet a number of other amendments are not even allowed to be debated or voted on here on the floor of the House.

I hold in my hands many, many amendments that were brought forward by Members of both parties and under this rule were prevented from being debated upon here on the floor of the House, which is why I strongly encourage my colleagues to vote "no" on the rule and "no" on the underlying bill in its present form.

There's no disagreement that cybersecurity is a very real and important issue. Threats come from criminal enterprises, they come from nation states, they come from corporations, they come from 16-year-olds. There's a variety of threats to both the public and private sector both here and abroad. The question is, What's the solution?

One of the first fallacies with the premise of this bill at the 20,000-foot

level is, Who helps who? Frankly, it is the government that needs to learn and the private sector that leads the way. I've talked to a number of technology executives, having been a technology executive before I got here, and they are frequently ahead of the government. Because everyday they're fighting hacking attempts and they're on the front lines of cybersecurity.

Now it's not a doubt whether they want free help. Who wouldn't want free help? Should we in fact as taxpayers subsidize the defense of those who have not invested in their own cybersecurity? Should this be a bailout of companies with poor cybersecurity? But the truth of the matter is most of the learning that needs to occur is from the private sector to the government. And, in fact, we're taking some of those steps. The government and the NSA are using private contractors who are in the forefront of this issue every day, and that's more of the direction we need to go.

The notion that somehow the government would be of assistance to companies is laughable to many of the technology executives that I talk to; nor would they expect to call the government for help when they themselves are so far ahead. But to the extent we want to get the government involved with information and with the private sector here, we need to be very careful how this information is used, not just from a civil liberties perspective, which we'll be talking about, but because this is an economic issue; it's a confidence issue.

The Internet has been a tremendous engine of innovation and economic growth. And we should be concerned for the Internet ecosystem, concerned for the millions of jobs, concerned for the great value that's been created, the benefits to consumers across the country, the way it's touched our lives in so many ways.

What's fundamentally flawed in this approach is it trumps privacy agreements in terms of use that Internet companies enter with their users. So you could sign up for a service on the Internet, it could say explicitly we will not share this information with the government unless required by law, in terms of use—and frequently there are statements analogous to that in there—and the minute you click send and complete it, if this bill were law, the company you gave that information to could then turn around, in violation of their own terms of use, and provide all that information to the government.

The limitations on what the government would do with that information are completely inadequate. There is a section of the bill on pages 10 and 11 that deals with those limitations. First, it says that information can be used for cybersecurity purposes. Okay, that's the purpose of the bill: inves-

tigation and prosecution of cybersecurity crimes. That's okay. Then it goes far afield into pretty much everything. It talks about bodily harm, danger of death. When we look at bodily harm and bodily injury, that includes things under U.S.C. section 18, 365: cuts, abrasions, bruises, disfigurement, including mental pain.

So this is anything the government wants to use the information for. Paper that can cause paper cuts. The government can collect who's buying paper, who's buying scissors, who's playing football, who's organizing gun shows, who's a Tea Party enthusiast.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman 1 additional minute.

Mr. POLIS. And there are absolutely no protections with regard to what is done with that information.

There are a number of improvements that could make this bill viable, and these are not allowed under this rule. My colleague, Mr. SCHIFF, has put forward an amendment that would have simply required that reasonable precautions were taken to ensure privacy was protected. That would be a strong step forward. Real limitations about actually tying the use of this information to cybersecurity would be an important step forward with the bill.

What's at danger is, yes, civil liberties; but the danger is the confidence in the Internet ecosystem that has driven our economic growth over the last decade. There will be great harm if that confidence is shaken, great harm if people know that the information that they provide and sign up for can immediately be turned over to a government agency—indeed, a secretive government agency—with no recourse and completely exempt from any liability for the company that's done it.

It's been noted that this program is voluntary. It may be voluntary for the corporations. It's not voluntary for the individual. It's not voluntary for the citizens of the country who provide that information.

Mr. WOODALL. Mr. Speaker, I yield myself 1 minute to say I know my friend from Colorado's concerns are heartfelt, and he shared those last night in the Rules Committee. The gentleman has a great deal of experience in this industry. And as heartfelt as his concerns are, I know, too, equally heartfelt are his concerns to national security if we fail to come together and address this issue.

I would like to be able to say, Mr. Speaker, that when we pass this bill today, it's going directly to the President's desk for signature. I don't actually believe that to be true. I think it's a long process between now and getting it to the President's desk for signature. And I know the gentleman will be raising these concerns throughout that process.

But I just cannot emphasize enough, Mr. Speaker, the dangers to the liberties of the American people of failing to begin this process today. I'm very proud we're allowing 12 amendments today to work through the concerns that the gentleman has, among others. But the importance of beginning this process today cannot be overstated.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3 minutes to the gentleman from California (Mr. SCHIFF), my friend and a distinguished member of the Intelligence Committee.

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule. At the outset, let me say that the cyber threat is real and its damage already devastating. And I very much appreciate the work that the chair and ranking member of the Intelligence Committee have done on this bill, and I appreciate that we have made and are continuing to make improvements.

But as the bill currently stands and as it will stand even after the amendments allowed by the rule are adopted, the bill simply does not do enough to protect the private information of Americans. Most importantly, I'm disappointed that the proposed rule does not allow an amendment that I offered with Ms. SCHAKOWSKY, Ms. ESHOO, Mr. HOLT, and Mr. THOMPSON of Mississippi. My amendment would fix an issue specifically cited by the White House in its Statement of Administration Policy in explaining why the President's advisers would recommend a veto of CISPA without important change. It would require the companies that share cyber threat information either with the government or with another private company to make reasonable efforts to remove personally identifiable information.

As the administration stated in its veto threat, the administration remains concerned that the bill does not require private entities to take reasonable steps to remove irrelevant personal information when sending cybersecurity data to the government or other private sector entities. Citizens have a right to know that corporations will be held accountable—and not granted immunity—for failing to safeguard personal information adequately.

The requirement of government-alone efforts to safeguard or minimize personal information is simply not enough. This is most apparent when, under the immunized conduct in the bill, private entities can share information with each other without ever going through the government. In those circumstances, how can the government minimize what it never possesses? So government-side minimization alone, which is all this bill includes, is not enough.

We have responded to the concerns of industry by making sure that when we

ask them to take reasonable efforts to remove personal information, they can do so in real-time through automated processes. The witnesses who testified before the Intelligence Committee said that often the private parties are in the best position to anonymize the data. This is something they're doing anyway. And it's more than reasonable to require them to do that, particularly if we want to give them a broad grant of immunity.

□ 1320

Mr. Speaker, without an amendment to ensure that companies remove private information when they can do so—when they can do so through reasonable efforts—I cannot support the underlying bill. I believe that Members of both parties who support this change deserve the chance to vote on it. I suspect that because that issue would have gathered broad support, it is not being brought up for a vote here on the floor, and that is very disappointing. Accordingly, I urge a “no” vote on the rule, and I thank the gentleman for yielding.

Mr. WOODALL. Mr. Speaker, I yield myself 60 seconds to say I agree with my friend, that the private sector is often in the best position to get the work done that we're talking about in this bill.

I would refer my colleague, Mr. Speaker, to the Intelligence Committee's Web site—it's intelligence.house.gov—where you can see the long list of those private sector actors who are supporting this bill here today, that long list of folks in the private sector responsible for the security of their firms, of the information that Americans have entrusted to them, asking this body to move forward with this bill today.

There's no question, Mr. Speaker, when you're dealing with something of the magnitude of the national security threats posed by cyber warfare and the privacy protections that everyone in this body is committed to, that you're going to end up with conscientious men and women on both sides of this issue. But it is important to note that the private sector—which is being bombarded each and every day with threats from nation-state actors overseas—is asking, pleading with this body to move forward with this bill.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, may I inquire about how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Florida has 9 minutes remaining. The gentleman from Georgia has 17 minutes remaining.

Mr. HASTINGS of Florida. With that, Mr. Speaker, in an effort to respond to my colleague and friend from Georgia, I yield 1 additional minute at this time to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding the additional time.

And just to respond to my colleague, I'd be interested to know if there is anything you can point to in those 17 amendments that governs or requires the private sector, when it shares information with other private sector entities, to remove personally identifiable information. Because under the bill, the only minimization that's required is being done by the government; and in the case of private-to-private sector sharing, there is no government role. So this is the big hole.

While there are many private sector companies that may support the bill because it gives them broad immunity without any responsibility, that doesn't mean it's good policy, particularly when private companies have said they would make reasonable efforts. They're willing to do it; they can do it; they have the capacity to do it; we're just not asking them to do it or requiring them to do it. And we're giving something of great value to them, and that is we're giving them broad immunity. I think with that immunity ought to come some responsibility; and it shouldn't be too much to ask that that responsibility take the form of a reasonable effort, not a herculean one, not an impossible one, but a reasonable effort to ensure that Americans' privacy interests are observed and they take out that information when they can.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, again, for purposes of clarity, I yield 1 additional minute to my colleague from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Speaker, I have three documents to submit to the RECORD: one from former Representative Bob Barr, one Statement of Administrative Policy, and a letter from several tech companies and others opposed to the bill.

I quote, in part:

Developments over the last year make CISPAs approach even more questionable than before.

Former Representative Bob Barr:

Congress must take the civil liberties threats created by this bill just as seriously as it takes the cyber threats the legislation purports to address.

Mr. Speaker, we should not hurt the Internet to save the Internet; and this bill, in its current form, leaves the language wide open with potential abuse. Again, when we talk about bodily harm, I have learned that in a California statute that includes dog bites. Essentially, anything is included in this information without limitation with regard to how the government can use it. This is a backdoor attack on the Fourth Amendment against unreasonable search and seizures.

We have criminal procedures and processes around how information can and can't be used. This is the biggest

government takeover of personal information that I've seen during my time here in Congress. Again, I believe, on the balance, it harms what it purports to protect.

“JUST SAY NO” TO CYBERSECURITY BILL

(By Former Rep. Bob Barr (R-Ga.), Apr. 16, 2013)

Anyone who has read or watched any news source over the past year knows President Obama, numerous Administration officials, and many leaders in Congress agree that addressing the threat of cyber attacks is a critical national priority. Based on this threat analysis, the administration and many members of Congress continue to push for passage of cybersecurity legislation that would clarify and expand the government's powers to receive and process traffic from American computer networks.

It would, however, be a mistake for Congress to rush to enact legislation that could militarize our computer networks, and pave the way for private companies to share vast quantities of sensitive and highly personal information with the government, all in the name of “cybersecurity.” Although a carefully-crafted “information sharing” program that includes robust protections for civil liberties could be an effective approach to cybersecurity, the bill about to come up for a vote in the House clearly fails this test.

The Cyber Intelligence Sharing and Protection Act (CISPA), H.R. 624, is set to be considered by the full House of Representatives later this month. Although the bill that emerged from markup by the House Permanent Select Committee on Intelligence (HPSCI) includes some improvements in privacy safeguards over the earlier version, CISPA's proponents have overstated the protections incorporated into the bill. As a result, members of Congress should vote against CISPA when it comes to the House floor.

Last year, The Constitution Project's bipartisan Liberty and Security Committee, on which I serve, prepared a detailed report on ways that Congress could protect our nation's computer networks from cyber threats, while at the same time preserving the constitutionally-guaranteed rights of Americans. Unfortunately, the drafters of CISPA failed to incorporate the robust safeguards we recommended.

Most critical, CISPA's sponsors have resisted all efforts to ensure that the new cybersecurity program would maintain civilian control of our nation's computer networks. CISPA would allow private companies, cloaked with broad immunity from legal liability, to share sensitive information such as internet records or the content of emails, with any agency in the government, including military and intelligence agencies. Sensitive personal information from private computer networks should not be shared directly with the military or the National Security Agency (NSA), the agency that gained widespread public notoriety seven years ago for its warrantless wiretapping program—hardly the agency we want to see tasked with receiving private internet traffic.

Sadly, the members of HPSCI voted down an amendment that would have ensured civilian control of computer networks, by specifying that when private companies share information with the federal government, they should not provide it to the NSA or any other military agency or department. This amendment would still have permitted the NSA to share its own expertise on cyber threats with the private sector, but would

have protected the information flowing into the government.

A second critical flaw with CISPA is that it fails to include meaningful limits on the extent of private sensitive information that companies can send into the government. The HPSCI also voted down an amendment requiring that before sharing cyber threat information with the government, companies must “make reasonable efforts” to remove “any information that can be used to identify a specific person unrelated to the cyber threat.” A similar provision was included in last year’s Senate cybersecurity bill, and witnesses at a hearing before HPSCI earlier this year testified that companies can easily strip out personally identifiable information that is not necessary to address cyber threats. Yet CISPA still lacks any such safeguard.

It is true that from a privacy perspective, this version of CISPA is an improvement over last year’s bill. Most notably, the bill no longer permits private information to be used for broad “national security uses” unrelated to cybersecurity. But it clearly is not sufficient. Congress must take the civil liberties threats created by this bill just as seriously as it takes the cyber threats the legislation purports to address. CISPA does not meet this test, and members of the House should just say no.

STATEMENT OF ADMINISTRATION POLICY
H.R. 624—CYBER INTELLIGENCE SHARING AND
PROTECTION ACT

(Rep. Rogers, R-MI, and Rep. Ruppersberger,
D-MD, Apr. 16, 2013)

Both government and private companies need cyber threat information to allow them to identify, prevent, and respond to malicious activity that can disrupt networks and could potentially damage critical infrastructure. The Administration believes that carefully updating laws to facilitate cybersecurity information sharing is one of several legislative changes essential to protect individuals’ privacy and improve the Nation’s cybersecurity. While there is bipartisan consensus on the need for such legislation, it should adhere to the following priorities: (1) carefully safeguard privacy and civil liberties; (2) preserve the long-standing, respective roles and missions of civilian and intelligence agencies; and (3) provide for appropriate sharing with targeted liability protections.

The Administration recognizes and appreciates that the House Permanent Select Committee on Intelligence (HPSCI) adopted several amendments to H.R. 624 in an effort to incorporate the Administration’s important substantive concerns. However, the Administration still seeks additional improvements and if the bill, as currently crafted, were presented to the President, his senior advisors would recommend that he veto the bill. The Administration seeks to build upon the continuing dialogue with the HPSCI and stands ready to work with members of Congress to incorporate our core priorities to produce cybersecurity information sharing legislation that addresses these critical issues.

H.R. 624 appropriately requires the Federal Government to protect privacy when handling cybersecurity information. Importantly, the Committee removed the broad national security exemption, which significantly weakened the restrictions on how this information could be used by the government. The Administration, however, remains concerned that the bill does not require private entities to take reasonable steps to re-

move irrelevant personal information when sending cybersecurity data to the government or other private sector entities. Citizens have a right to know that corporations will be held accountable—and not granted immunity—for failing to safeguard personal information adequately. The Administration is committed to working with all stakeholders to find a workable solution to this challenge. Moreover, the Administration is confident that such measures can be crafted in a way that is not overly onerous or cost prohibitive on the businesses sending the information. Further, the legislation should also explicitly ensure that cyber crime victims continue to report such crimes directly to Federal law enforcement agencies, and continue to receive the same protections that they do today.

The Administration supports the long-standing tradition to treat the Internet and cyberspace as civilian spheres, while recognizing that the Nation’s cybersecurity requires shared responsibility from individual users, private sector network owners and operators, and the appropriate collaboration of civilian, law enforcement, and national security entities in government. H.R. 624 appropriately seeks to make clear that existing public-private relationships—whether voluntary, contractual, or regulatory—should be preserved and uninterrupted by this newly authorized information sharing. However, newly authorized information sharing for cybersecurity purposes from the private sector to the government should enter the government through a civilian agency, the Department of Homeland Security.

Recognizing that the government will continue to receive cybersecurity information through a range of civilian, law enforcement, and national security agencies, legislation must promote appropriate sharing within the government. As stated above, this sharing must be consistent with cybersecurity use restrictions, the cybersecurity responsibilities of the agencies involved, as well as privacy and civil liberties protections and transparent oversight. Such intra-governmental sharing and use should not be subject to undue restrictions by the private sector companies that originally share the information. To be successful in addressing the range of cyber threats the Nation faces, it is vital that intra-governmental sharing be accomplished in as near real-time as possible.

The Administration agrees with the need to clarify the application of existing laws to remove legal barriers to the private sector sharing appropriate, well-defined, cybersecurity information. Further, the Administration supports incentivizing industry to share appropriate cybersecurity information by providing the private sector with targeted liability protections. However, the Administration is concerned about the broad scope of liability limitations in H.R. 624. Specifically, even if there is no clear intent to do harm, the law should not immunize a failure to take reasonable measures, such as the sharing of information, to prevent harm when and if the entity knows that such inaction will cause damage or otherwise injure or endanger other entities or individuals.

Information sharing is one piece of larger set of legislative requirements to provide the private sector, the Federal Government, and law enforcement with the necessary tools to combat the current and emerging cyber threats facing the Nation. In addition to updating information sharing statutes, the Congress should incorporate privacy and civil liberties safeguards into all aspects of cybersecurity and enact legislation that: (1)

strengthens the Nation’s critical infrastructure’s cybersecurity by promoting the establishment and adoption of standards for critical infrastructure; (2) updates laws guiding Federal agency network security; (3) gives law enforcement the tools to fight crime in the digital age; and (4) creates a National Data Breach Reporting requirement.

APRIL 15, 2013.

DEAR REPRESENTATIVE: Earlier this year, many of our organizations wrote to state our opposition to H.R. 624, the Cyber Intelligence Sharing and Protection Act of 2013 (CISPA). We write today to express our continued opposition to this bill following its markup by the House Permanent Select Committee on Intelligence (HPSCI). Although some amendments were adopted in markup to improve the bill’s privacy safeguards, these amendments were woefully inadequate to cure the civil liberties threats posed by this bill. In particular, we remain gravely concerned that despite the amendments, this bill will allow companies that hold very sensitive and personal information to liberally share it with the government, including with military agencies.

CISPA creates an exception to all privacy laws to permit companies to share our information with each other and with the government in the name of cybersecurity. Although a carefully-crafted information sharing program that strictly limits the information to be shared and includes robust privacy safeguards could be an effective approach to cybersecurity, CISPA lacks such protections for individual rights. CISPA’s information sharing regime allows the transfer of vast amounts of data, including sensitive information like internet records or the content of emails, to any agency in the government including military and intelligence agencies like the National Security Agency or the Department of Defense Cyber Command.

Developments over the last year make CISPA’s approach even more questionable than before. First, the President recently signed Executive Order 13636, which will increase information sharing from the government to the private sector. Information sharing in this direction is often cited as a substantial justification for CISPA and will proceed without legislation. Second, the cybersecurity legislation the Senate considered last year, S. 3414, included privacy protections for information sharing that are entirely absent from CISPA, and the Obama administration, including the intelligence community, has confirmed that those protections would not inhibit cybersecurity programs. These included provisions to ensure that private companies send cyber threat information only to civilian agencies, and a requirement that companies make “reasonable efforts” to remove personal information that is unrelated to the cyber threat when sharing data with the government. Finally, witnesses at a hearing before the House Permanent Select Committee on Intelligence confirmed earlier this year that companies can strip out personally identifiable information that is not necessary to address cyber threats, and CISPA omits any requirement that reasonable efforts be undertaken to do so.

We continue to oppose CISPA and encourage you to vote ‘no.’

Sincerely,

Access; Advocacy for Principled Action in Government; American Arab Anti-Discrimination Committee; American Association of Law Libraries; American Civil Liberties Union; American Library Association; Amicus; Association of Research Libraries; Bill

of Rights Defense Committee; Breadpig.com; Center for Democracy & Technology; Center for National Security Studies; Center for Rights; Competitive Enterprise Institute; The Constitution Project; Council on American-Islamic Relations; CREDO Action; Daily Kos; Defending Dissent Foundation; Demand Progress.

DownsizeDC.org, Inc.; Electronic Frontier Foundation; Fight for the Future; Free Press Action Fund; Government Accountability Project; Liberty Coalition; Mozilla; National Association of Criminal Defense Lawyers; New American Foundation's Open Technology Institute; OpenMedia.org; PolitiHacks; Reddit; RootsAction.org; Tech Freedom.

Mr. WOODALL. Mr. Speaker, I yield myself 60 seconds again to say to my friend from Colorado that I know his concerns are heartfelt; but he knows, as I do, there's nothing that we can do in statute here today that would trump any of our civil liberties that are protected under the Constitution of the United States of America. The Constitution of the United States of America trumps all.

What we're doing here today, Mr. Speaker, is responding to a very serious national security threat, and we're doing so in a way that can give Americans great comfort that their civil liberties are every bit as protected today as they were yesterday. In fact, Mr. Speaker, in that these nation-states are hacking into these accounts and accessing our personal information every single day, I would tell you that we will actually have our privacy more protected in the presence of a secure Internet than we do today, as nation-states are frequently eroding our cybersecurity border here in the United States of America.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would advise my friend from Georgia that I'm the last speaker. If he is prepared to close, I am prepared to close.

Mr. WOODALL. I thank my friend. I have one speaker remaining.

Mr. HASTINGS of Florida. I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, at this time it is my great pleasure to yield as much time as he may consume to the chairman of the Rules Committee, the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman, my dear friend from Georgia (Mr. WOODALL), not only for managing his rule, but for the time that he has invested not into just this issue, but the issues that come before the Rules Committee, and I want to thank him for his service.

I also want to thank, if I can, the gentleman from Florida (Mr. HASTINGS)—welcome back to the committee after a couple of days of being out with surgery—and for the vigorous hearing that we had yesterday at the Rules Committee.

Mr. Speaker, we had an opportunity to have Mr. RUPPERSBERGER, the leader

for the Democrats from the Intelligence Committee, as well as MIKE ROGERS from Michigan, the chairman of the committee. Both came and vigorously talked about the things which are aimed at our country—cyber threats, nation-states, nations such as China, North Korea, and others who are trying to invade our Internet here in the United States and to steal not only information and data, but also thoughts, ideas, and money. So it gave us an opportunity yesterday to have a great hearing, one which was full of detail, one which really offered intrigue by our Members and a lot of thought process by all those who came before the committee.

However, I would like to advise, if I can, that following the closing statements on the rule before us, the gentleman from Georgia (Mr. WOODALL) will be offering an amendment to the rule that seeks to address concerns with the role of civilian Federal agencies in receiving the cyber information that would be transmitted from the private sector that is included in the underlying bill. This amendment was in negotiation yesterday and submitted for consideration to the Rules Committee, but the final compromise was not ready at the time that the committee finished its work product yesterday evening, so negotiations continued all last night and through this morning until today.

On a bipartisan basis, these negotiations have given us what I consider to be a good amendment with good merits and should be considered under this rule. The amendment has been vetted thoroughly by the five committees which share jurisdiction in this matter, including Ranking Members THOMPSON and RUPPERSBERGER, and, by the way, my colleague, the ranking member of the Rules Committee, Ms. SLAUGHTER.

If the rule is amended, the language would be offered by Mr. MCCAUL, the chairman of the House Committee on Homeland Security. I'm confident that this work product and the work which we are bringing to this floor will continue to support not just the rule, but the legislation that would be before this House tomorrow by the Rules Committee.

So I believe that this helps not just the underlying bill, but really is a testament to the work on a bipartisan basis among our committees, among a lot of people who had a chance to look at not just jurisdictional issues, but the actual substance of trying to make protecting this country, its assets, and its people a reality now in law that the United States House of Representatives will fully debate tomorrow, vote on, and support.

Part of the role of the Rules Committee about this process has been to make sure that the final product that came to the floor of the House of Representatives was well vetted, received

the attention that was necessary, and, perhaps more importantly, was leading-edge.

□ 1330

And, lastly, the most important thing is that we know what we've agreed to; that we know what we've agreed to where we're very clear about what the law is and the expectations of that performance.

I thank the gentleman for yielding.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I thank the distinguished chairman of the Rules Committee, my good friend, Mr. SESSIONS, for his explanation of the measure going forward. I certainly do not anticipate that my side will oppose the measure as offered.

In addition thereto, I would highlight what he did eloquently point out, and that is the bipartisan effort that has been put into this, including all of the negotiations leading up to now what will be the McCaul amendment offered by Mr. WOODALL.

CISPA, Mr. Speaker, provides the government and private sector with the tools they need to secure our networks and prevent future cyber attacks, while respecting the privacy of individuals.

In bringing private companies and trade groups to the table, as well as taking into consideration the concerns expressed by civil liberties organizations, CISPA has been improved to better address the growing cybersecurity risks faced by the Federal Government and private sector, provide greater oversight, and protect Americans' privacy. We can take significant steps to reduce our vulnerability to cyber threats today.

I have had the honor and privilege of meeting many of our intelligence professionals when I served as a member of the Intelligence Committee; and since that time, I cannot overstate how much I appreciate, and am humbled by, their service.

Furthermore, I want to take this moment of personal privilege to thank my good friends, Chairman ROGERS and Ranking Member RUPPERSBERGER, and to underscore one of the unnoticed and hardworking staffs' efforts, and that would be the House Intelligence Committee staff, for their hard work and dedication in helping to see this and other measures having to do with the intelligence of this committee to the House floor, as well as in cooperation with their colleagues and ours at the United States Senate.

I urge my colleagues to vote "no" on the rule and "yes" on the underlying bill, and I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself the balance of my time.

I thank my friend from Florida for his service on the Rules Committee and

his service on the Intelligence Committee.

The work that goes on in the Intelligence Committee, Mr. Speaker, is work that so many Members of Congress do not involve themselves in. It goes on deep in the bowels of the Capitol Complex. It's under great security, all electronic devices left outside the door, so that they can discuss things within the four walls of that committee that we're not allowed to discuss here on the House floor.

In fact, when they asked me to handle the rule today, Mr. Speaker, I was a little concerned because throughout this process of developing CISPA, I traveled down to that committee room time and time again in order to understand the threats that this Nation is facing, understand the challenges that this community of intelligence professionals is grappling with around the globe, and I don't want to be the one who shares those stories here on the House floor by mistake. I don't envy the gentleman from Florida having to balance being in that committee every single day, trying to protect the security of every single citizen, and not being able to come out of that committee room and share with, not just your colleagues here in the House, but your constituents back home, why it is you're doing the things that you do.

Can you imagine, Mr. Speaker, what would have happened in World War II if we had to keep the bombing of Pearl Harbor a secret? It's a secret. Nobody knows. What do you think the support would have been, Mr. Speaker, for taking affirmative action in World War II? It would have been hard to generate that support. I would have voted "no."

There are things going on in this Nation and in this world today, Mr. Speaker, that our Intelligence Committee grapples with, that our intelligence professionals grapple with, things that are frightening, and things that threaten the liberty of this country and the economic security of this country. Now, I don't want to be a fear-monger, Mr. Speaker. What I love about this country is no matter what the challenge is, we are great enough collectively to rise to meet it.

In this case, we happen to need to rise to meet it in a subject matter that is near and dear to the heart of every American, which is my Internet privacy. I care a lot about Internet privacy, Mr. Speaker. I've got a VPN system set up so nobody is listening in on my Wi-Fi. I change my password about every 10 days to make sure nobody is making any progress towards hacking my system. I'll occasionally go on the Internet and use one of those anonymizers to make sure my IP address isn't being tracked when I'm looking at things that perhaps my friends in Congress, I'm trying to get a bill done, I don't want you to know I'm getting that bill done. Who knows what

those people down in HIR, House Information Resources, what they're tracking that we do here? We have tools available to us in that way, Mr. Speaker.

But do you know who I can't outsmart? Perhaps I can outsmart my next-door neighbor who wants to piggyback on my Wi-Fi system. Perhaps I can outsmart the guy at the hotel who is trying to piggyback on my information there in the hotel room. Perhaps I can even outsmart the U.S. House of Representatives. But what I can't outsmart is that team of cyber warriors gathered by nation-states around the globe who are hacking my information and your information every single day, stealing our intellectual property, stealing our military technology, threatening the privacies that we've talked so much about here on the floor today.

I'm very glad, Mr. Speaker, that as you page through this bill, you will find line after line after line aimed at protecting your and my privacy. I think we do a good job of finding that balance. We even will offer amendments today on the floor to do even better. But without security at the Internet border, I have no protection of my privacy because those agents of the state of China, North Korea, and beyond are accessing that information today.

Mr. Speaker, it's been 18 months that we've been working to craft that balance of privacy and security. We'll continue to work on that throughout 12 amendments here today. I urge my colleagues, look through this resolution, look through H.R. 624 to see the efforts that have gone into crafting this bipartisan piece of legislation; and look at those 12 amendments, look at those 12 amendments that we'll have an opportunity to vote on over the next 2 days to make this bill even better. But the time for delay, Mr. Speaker, has passed us, and the cost of delay is most certainly measured in dollars, and I fear it is measured in lives.

Let's move forward with this bill today, Mr. Speaker. I urge strong support for the rule, and I urge strong support after the debate of these 12 amendments on the underlying legislation.

AMENDMENT OFFERED BY MR. WOODALL

MR. WOODALL. Mr. Speaker, at this time, I offer an amendment to the resolution.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment specified in section 3 shall be in order as though printed as the last amendment in House Report 113-41 if offered by Representative McCaul of Texas or his designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 3. The amendment referred to in section 2 is as follows: After section 1, insert the following new section (and renumber subsequent sections accordingly):

"SEC. 2. FEDERAL GOVERNMENT COORDINATION WITH RESPECT TO CYBERSECURITY.

"(a) COORDINATED ACTIVITIES.—The Federal Government shall conduct cybersecurity activities to provide shared situational awareness that enables integrated operational actions to protect, prevent, mitigate, respond to, and recover from cyber incidents.

"(b) COORDINATED INFORMATION SHARING.—

"(1) DESIGNATION OF COORDINATING ENTITY FOR CYBER THREAT INFORMATION.—The President shall designate an entity within the Department of Homeland Security as the civilian Federal entity to receive cyber threat information that is shared by a cybersecurity provider or self-protected entity in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, except as provided in paragraph (2) and subject to the procedures established under paragraph (4).

"(2) DESIGNATION OF A COORDINATING ENTITY FOR CYBERSECURITY CRIMES.—The President shall designate an entity within the Department of Justice as the civilian Federal entity to receive cyber threat information related to cybersecurity crimes that is shared by a cybersecurity provider or self-protected entity in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, subject to the procedures under paragraph (4).

"(3) SHARING BY COORDINATING ENTITIES.—The entities designated under paragraphs (1) and (2) shall share cyber threat information shared with such entities in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, consistent with the procedures established under paragraphs (4) and (5).

"(4) PROCEDURES.—Each department or agency of the Federal Government receiving cyber threat information shared in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, shall establish procedures to—

"(A) ensure that cyber threat information shared with departments or agencies of the Federal Government in accordance with such section 1104(b) is also shared with appropriate departments and agencies of the Federal Government with a national security mission in real time;

"(B) ensure the distribution to other departments and agencies of the Federal Government of cyber threat information in real time; and

"(C) facilitate information sharing, interaction, and collaboration among and between the Federal Government; State, local, tribal, and territorial governments; and cybersecurity providers and self-protected entities.

"(5) PRIVACY AND CIVIL LIBERTIES.—

"(A) POLICIES AND PROCEDURES.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall jointly establish and periodically review policies and procedures governing the receipt, retention, use, and disclosure of non-publicly available cyber threat information shared with the Federal Government in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act. Such policies and procedures shall, consistent with the need to protect systems and networks from cyber threats and mitigate cyber threats in a timely manner—

“(i) minimize the impact on privacy and civil liberties;

“(ii) reasonably limit the receipt, retention, use, and disclosure of cyber threat information associated with specific persons that is not necessary to protect systems or networks from cyber threats or mitigate cyber threats in a timely manner;

“(iii) include requirements to safeguard non-publicly available cyber threat information that may be used to identify specific persons from unauthorized access or acquisition;

“(iv) protect the confidentiality of cyber threat information associated with specific persons to the greatest extent practicable; and

“(v) not delay or impede the flow of cyber threat information necessary to defend against or mitigate a cyber threat.

“(B) SUBMISSION TO CONGRESS.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall, consistent with the need to protect sources and methods, jointly submit to Congress the policies and procedures required under subparagraph (A) and any updates to such policies and procedures.

“(C) IMPLEMENTATION.—The head of each department or agency of the Federal Government receiving cyber threat information shared with the Federal Government under such section 1104(b) shall—

“(i) implement the policies and procedures established under subparagraph (A); and

“(ii) promptly notify the Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, the Secretary of Defense, and the appropriate congressional committees of any significant violations of such policies and procedures.

“(D) OVERSIGHT.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall jointly establish a program to monitor and oversee compliance with the policies and procedures established under subparagraph (A).

“(6) INFORMATION SHARING RELATIONSHIPS.—Nothing in this section shall be construed to—

“(A) alter existing agreements or prohibit new agreements with respect to the sharing of cyber threat information between the Department of Defense and an entity that is part of the defense industrial base;

“(B) alter existing information-sharing relationships between a cybersecurity provider, protected entity, or self-protected entity and the Federal Government;

“(C) prohibit the sharing of cyber threat information directly with a department or agency of the Federal Government for criminal investigative purposes related to crimes described in section 1104(c)(1) of the National Security Act of 1947, as added by section 3(a) of this Act; or

“(D) alter existing agreements or prohibit new agreements with respect to the sharing of cyber threat information between the Department of Treasury and an entity that is part of the financial services sector.

“(7) TECHNICAL ASSISTANCE.—

“(A) DISCUSSIONS AND ASSISTANCE.—Nothing in this section shall be construed to prohibit any department or agency of the Federal Government from engaging in formal or informal technical discussion regarding cyber threat information with a cybersecurity provider or self-protected entity or from providing technical assistance to address vulnerabilities or mitigate threats at the request of such a provider or such an entity.

“(B) COORDINATION.—Any department or agency of the Federal Government engaging in an activity referred to in subparagraph (A) shall coordinate such activity with the entity of the Department of Homeland Security designated under paragraph (1) and share all significant information resulting from such activity with such entity and all other appropriate departments and agencies of the Federal Government.

“(C) SHARING BY DESIGNATED ENTITY.—Consistent with the policies and procedures established under paragraph (5), the entity of the Department of Homeland Security designated under paragraph (1) shall share with all appropriate departments and agencies of the Federal Government all significant information resulting from—

“(i) formal or informal technical discussions between such entity of the Department of Homeland Security and a cybersecurity provider or self-protected entity about cyber threat information; or

“(ii) any technical assistance such entity of the Department of Homeland Security provides to such cybersecurity provider or such self-protected entity to address vulnerabilities or mitigate threats.

“(c) REPORTS ON INFORMATION SHARING.—

“(1) INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY REPORT.—The Inspector General of the Department of Homeland Security, in consultation with the Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, the Inspector General of the Department of Defense, and the Privacy and Civil Liberties Oversight Board, shall annually submit to the appropriate congressional committees a report containing a review of the use of information shared with the Federal Government under subsection (b) of section 1104 of the National Security Act of 1947, as added by section 3(a) of this Act, including—

“(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

“(B) a review of the type of information shared with the Federal Government under such subsection;

“(C) a review of the actions taken by the Federal Government based on such information;

“(D) appropriate metrics to determine the impact of the sharing of such information with the Federal Government on privacy and civil liberties, if any;

“(E) a list of the departments or agencies receiving such information;

“(F) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

“(G) any recommendations of the Inspector General of the Department of Homeland Security for improvements or modifications to the authorities under such section.

“(2) PRIVACY AND CIVIL LIBERTIES OFFICERS REPORT.—The Officer for Civil Rights and Civil Liberties of the Department of Homeland Security, in consultation with the Privacy and Civil Liberties Oversight Board, the Inspector General of the Intelligence Community, and the senior privacy and civil liberties officer of each department or agency of the Federal Government that receives cyber threat information shared with the Federal Government under such subsection (b), shall annually and jointly submit to Congress a report assessing the privacy and civil liberties impact of the activities conducted by the Federal Government under such section 1104. Such report shall include

any recommendations the Civil Liberties Protection Officer and Chief Privacy and Civil Liberties Officer consider appropriate to minimize or mitigate the privacy and civil liberties impact of the sharing of cyber threat information under such section 1104.

“(3) FORM.—Each report required under paragraph (1) or (2) shall be submitted in unclassified form, but may include a classified annex.

“(d) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives; and

“(B) the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate.

“(2) CYBER THREAT INFORMATION, CYBER THREAT INTELLIGENCE, CYBERSECURITY CRIMES, CYBERSECURITY PROVIDER, CYBERSECURITY PURPOSE, AND SELF-PROTECTED ENTITY.—The terms ‘cyber threat information’, ‘cyber threat intelligence’, ‘cybersecurity crimes’, ‘cybersecurity provider’, ‘cybersecurity purpose’, and ‘self-protected entity’ have the meaning given those terms in section 1104 of the National Security Act of 1947, as added by section 3(a) of this Act.

“(3) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

“(4) SHARED SITUATIONAL AWARENESS.—The term ‘shared situational awareness’ means an environment where cyber threat information is shared in real time between all designated Federal cyber operations centers to provide actionable information about all known cyber threats.”

Page 5, strike line 6 and all that follows through page 6, line 7.

Page 7, beginning on line 17, strike “by the department or agency of the Federal Government receiving such cyber threat information”.

Page 13, strike line 13 and all that follows through page 15, line 23.

Page 17, strike line 15 and all that follows through page 19, line 19.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 192, not voting 13, as follows:

[Roll No. 109]

YEAS—227

Aderholt
Alexander
Amash
Amodei
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutierrez
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Hudson
Huelskamp
Huiuzenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo

Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ruppersberger
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—192

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)

Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay

Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette

Delaney
DeLauro
DeBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kind
Kirkpatrick

Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Maffei
Maloney
Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)

Quigley
Rahall
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

□ 1418

Mr. RAHALL, Ms. PELOSI, Ms. BROWNLEY of California, Mr. CARDENAS and Ms. WILSON of Florida changed their vote from "yea" to "nay."

Messrs. KING of New York, YOHO and AMASH changed their vote from "nay" to "yea."

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The Chair announces the Speaker's appointment, pursuant to 14 U.S.C. 194, and the order of the House of January 3, 2013, of the following Members on the part of the House to the Board of Visitors to the United States Coast Guard Academy:

Mr. COBLE, North Carolina
Mr. COURTNEY, Connecticut

□ 1420

CYBER INTELLIGENCE SHARING AND PROTECTION ACT

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill H.R. 624.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 164 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 624.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1422

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I want to thank my ranking member and both the Republican and Democratic staffs and the Republican and Democratic members of the Intelligence Committee for 2 years of long hours in negotiated efforts to reach the point that we are.

I want to back up just a little bit and tell you how we got to where we are today. We sat down some 2 years ago when the ranking member and I assumed the leadership of the Intelligence Committee and we looked at the one threat that we knew existed but we were not prepared to handle as Americans, both the private sector and the government. And we knew that we had to do something about this new and growing and misunderstood cyber threat and what it was doing to our intellectual property across the country, what it was doing to the freedom and

open Internet that we so enjoy and are increasingly dependent on and the commercial value of our growing economy. And it was at risk. The private sector was at risk because people were stealing their identities, their accounts, their intellectual property, and subsequent to that, their jobs, and people began to question the value of getting on the Internet and using it for commercial purposes. Their trust in the free and open Internet the way we've embraced it in the United States really was at risk.

How do we solve that problem? We knew that nation states were investing millions and billions of dollars to generate cyber warriors to go in and crack your computer network. I don't care if you had intellectual property—those blueprints that made your business successful, or maybe it was your bank account, or your ability to have a transaction. If they could interrupt that, they could do great harm to our economy and to the United States.

We saw nation-states like Russia and China and now Iran and North Korea and others developing military-style attacks to actually do harm to the U.S. economy, to hurt the very men and women who get up every day and play by the rules and think that the Internet would be a safe place for them to interact when it comes to commerce. We want that to continue.

So we sat down and we talked to industry folks, people who are in the business, high-tech industry folks from Silicon Valley, financial services folks from New York City, manufacturers from across the Midwest, who were losing intellectual property due to theft from nation-states like China. We talked to privacy groups. We talked to the executive branch. And over the last 2 years, there were some 19 adjustments to this bill on privacy.

We believe this: this bill will not work if Americans don't have confidence that it will protect your privacy and civil liberties while allowing one very simple thing to happen: cyber threat material, that malware that goes on your computer and does bad things, allows somebody else to take over your computer to attack a bank, allows them to go on your computer and steal your personally identifiable information and use it in a crime, allows them to go into your network at work and steal your most valuable company secrets that keep you alive and build great products here in the United States—could we allow the government to share what they know with the private sector and allow the private sector to share when it comes to just that cyber threat, those zeros and ones in a pattern that equates to malicious code traveling at hundreds of millions of times a second the speed of light, can we share that in a way to stop them from getting in and stealing your private information?

And the good news is the answer is, yes, we can do this. We can protect privacy and civil liberties, and we can allow this sharing arrangement, but not of your identity, not of your personally identifiable information. As a matter of fact, if that's what's happening, it won't work. But at the speed of light, from machine to machine, from your Internet service provider before it ever gets into your network they bounce out the nastiest stuff that's in there that's going to take over your computer, steal your money, steal your personally identifiable information, steal your company secrets. And they can identify that by a pattern and kick it out. They'll say, Something looks bad about that. Can the government take a look at that and say, you know what? This is a Chinese attack, it's an Iranian attack, it's a North Korean attack—let's defend our networks. It's really very simple.

Today, what you see is a collaborative effort. This isn't a bill by DUTCH RUPPERSBERGER and MIKE ROGERS and this is the only way it has to be. We have taken suggestions from all the groups I just talked about, from privacy to the executive branch to industry to other trade associations. And this is the bill that mutually all of those people, representing tens of millions of employees around this country, said this is the way you do this and protect the free and open Internet and you protect civil liberties. And you finally raise that big red sign that tells people like China and Iran and Russia, stop. We're going to prevent you from stealing America's prosperity.

I heard a lot of debate earlier on the rule. I've heard a lot of misinformation. There are people who don't like it for whatever reason, maybe it's conviction, maybe it's politics, maybe it's political theater. And I have a feeling there's a little bit of all of that when they talk about this bill.

This bill does none of the things I've heard talked about in the rule—that it's an exchange of information that they've never seen with the government. This is not a surveillance bill. It does not allow the national security agencies or the Department of Defense or any of our military organizations to monitor our domestic networks. It does not allow that to happen. We would not allow that to happen.

□ 1430

So some notion that that's happening is just wrong, and some of the folks who are pretending otherwise know it's wrong. This is important.

You know, the Iranians, by public report, are laughing at our shores, looking for weaknesses in our financial institutions. They're not doing it for benevolence. They're doing it to try to create chaos in our markets here at home. This isn't 10 years or 20 years. This is today. It's happening today.

The average credit card in your purse, Madam Chair, will be hit 300,000 times today by bad actors trying to get in and steal your personal information—all those cardholders' information—and use it to commit a crime.

Today, hundreds of millions of times across this great country companies will be besieged by DDoS attacks trying to overwhelm their systems and shut them down and not allow commerce to happen, by people who are trying to get into their networks and steal something valuable.

This bill is that right balance between our privacy, civil liberties, and stopping bad guys in their tracks from ruining what is one-sixth of the U.S. economy. It's that important, and it's important that we get at it today.

We must do more to improve our cybersecurity, and this bill is that vital first step toward that bill. Our intelligence agencies collect important information overseas about advanced foreign cyber threats that could dramatically assist the private sector. That information is the intelligence community's unique value-added when it comes to our cybersecurity.

Unfortunately, we are not getting the full value of those intelligence insights. As I said, the intelligence community is not monitoring the Internet. They don't know what's happening on the domestic Internet. So when there is a nasty piece of source code or malicious source code attacking the private sector, the only way we're going to know that is if we—and these folks are victims of crime, by the way—if we allow them, in a classified environment, to share malicious source codes—zeros and ones in the right pattern—with the government and say, Hey, I am the victim of a crime. Here's what it looks like. Can you help? The government needs to be able to share this threat intelligence so that the private sector can protect its own networks.

The government is going to reciprocate. Our intelligence services go overseas. They find out what the bad guys are doing. They come back and protect the government networks. The problem is, because of laws and policies and procedures, we can't share that with the private sector so they can protect their own networks. Wouldn't it be great if they know what's coming? If you know what you're looking for, you can stop it. That's really what we're talking about doing here, Madam Chair.

We must also modernize the law to give the private sector clear authority to share cyber threat information within the private sector, as well as the government, on a voluntary, anonymous basis.

Again, if you believe in the free and open Internet and you look at all the bills that have been introduced, there is a chomping at the bit in this town to

go out and try to put their mitts on the Internet. They want to get in there and start regulating and standards and setting up procedures. They want to get in from business-to-business communication. They want the government to be at every corner of the Internet. I reject that wholly. It's the wrong approach. It will not work. It will bring the Internet to a halt. This is the only bill that doesn't have new mandates, new authorizations for any government involvement in the Internet.

It does something very simple. I'm going to repeat it a lot today, Madam Chair. It allows the government to share zeros and ones in the right pattern with the private sector. And zeros and ones from the private sector, when they know it's malicious and attacking their networks, they share it with the government and say, 'This is a problem. Can you help me?' That's what this bill does. And we've got a long list of privacy protections and restrictions to make sure that that's all that this bill does. The bill achieves all of these important goals that I just walked through, and it will empower the private sector, which already does significant work to protect computer networks, to do even more.

The bill will allow the government to share cyber threat intelligence more widely with American companies in operationally usable form so they can help prevent state-sponsored cyber spies from stealing American trade secrets. It also provides clear, positive authority to allow companies to share cyber threat information with others in the private sector. It also provides authority to allow those companies to share threat information on a purely voluntary and anonymized basis with the government, meaning no personal identifying information.

This bill will not require additional Federal spending. It will not require the creation of a vast new government bureaucracy. It will not impose any Federal regulations or unfunded mandates on the private sector. To the contrary, it will be a critical, bipartisan first step toward enabling America's private sector to better defend itself from the advanced state-sponsored cyber threats in which we live in today.

I'm very proud of the open and transparent process that produced this bill. We've had a great conversation over the last 2 years with a broad range of private sector companies, trade groups, privacy and civil liberties advocates, and the executive branch. I appreciate all the constructive input we have received from the process. This bill has been revised every step of the way in this process, and all of that has been based on discussions with all the groups I just mentioned.

I just want to cover some of the privacy protections we've added along the way.

The bill prohibits the government from requiring private sector entities to provide information to the government. There is nothing in here that has any requirement that the private sector must share cyber threat information. If they don't think it's in their best interest to stop that cyber crime, they don't have to say a word. If they do, they're allowed to share just that cyber threat information with the right agencies in real time. Again, this is machine to machine so that they can deal with the international nature of that threat.

It encourages the private sector to anonymize or minimize the information it voluntarily shares with others, including the government.

In addition, the bill requires an annual independent inspector general audit and report to Congress of all voluntary information sharing with the government. That's another layer of oversight. We have built multiple layers of oversight into this bill so that we can gain the confidence of the public in its purpose, intent, and success.

The bill significantly limits the Federal Government's use of information voluntarily provided by the private sector, including a restriction on the government's ability to search that data—very important.

The bill also enforces the restrictions on the government by levying penalties against the government through Federal court lawsuits for any violations of those restrictions. Again, another layer of oversight.

In the markup, we've made some progress, as well, between the ranking member and the members on the committee negotiating and working out what changes we can make to, again, improve the confidence that people have in this bill. We have improved this bill every step of the way for the last 2 years, and the markup was no different. At our markup, which voted the bill out of committee on a strong 18-2 vote, we adopted five important amendments to further strengthen the bill's protections and safeguards.

We adopted an amendment by Mr. LANGEVIN that made it clear that the bill contained no new authority to allow companies to hack back into networks in other companies. It certainly wasn't intended in the legislation. I thought it was a well-intended amendment. The last thing we want to do is unleash digital vigilantism across the country and what that might do to our ability to continue to rely on the Internet as an engine of commerce.

We've put in place the private sector use restriction that limits companies' use of information received to only cybersecurity purposes. Mr. HECK and Mr. HIMES worked diligently on this amendment to improve the bill and make it very clear that this is just about cybersecurity and cybersecurity purposes.

The bill previously gave the government authorization to create procedures to protect privacy and civil liberties and prevent the government's retention of personal information not necessary to understand a cyber threat. Last week's amendment makes those procedures mandatory. That was by Mr. HIMES. We agreed that was the right place to put the burden to make sure there was no personal identifiable information that was not necessary to determine the nature of the attack.

We also struck the bill's authorized government "national security" use of information received from the private sector. This would have provided the government flexibility in the future to address advanced cybersecurity threats. In conversations with government national security lawyers in recent months, they assured us that this flexibility wouldn't be required in the near future. In light of that, and given the widespread misunderstanding this language was generating, we thought it was prudent to take it out. Ms. SEWELL from Alabama offered that amendment and worked with the committee to make sure it was adopted.

We also added additional oversight in the already very strong oversight structure in the bill to monitor the government's receipt and use of cyber threat information voluntarily provided by the private sector. We added roles for the Privacy and Civil Liberties Board and the individual agency privacy officers to provide additional oversight of the government's use of information received from the private sector under this bill.

I'm also very proud to cosponsor an amendment today with Mr. MCCAUL and Mr. THOMPSON of Mississippi, Mr. RUPPERSBERGER and myself that would put a civilian face on the privacy sector cyber information sharing with this government. It was a concern by many. It was something we had long debates and conversations on, and I think we came to an agreement that will at least end that debate. It puts the appropriate civilian face so that, again, people can have confidence in the intention of this bill and what it will do to protect cybersecurity on networks or allow the private sector to protect their own networks and protect civil liberties of Americans.

□ 1440

Other elements of the government, such as the intelligence community, will still receive the information they need to play their important roles, but only after it has been minimized and screened by a civilian entity like the DHS or, in some rare cases, the FBI.

This bill already contains several levels of strong protections to ensure that it improves cybersecurity without compromising our important civil liberties, but this bill will add a significant new privacy protection to that existing structure.

Again, Madam Chair, you can see the level of effort that we are doing here to protect privacy and civil liberties and still have a workable bill that stops nation-states like China, Russia, Iran, and North Korea from getting into your networks and stealing your property.

We have yet to find a single U.S. company that opposes this bill. In fact, we have the enthusiastic support of nearly every sector of the economy, because they are under assault from foreign cyber attacks and they need our help. They need it now. Companies and industry groups from across the country, including Intel, the chip maker, IBM, the Internet Security Alliance, the U.S. Chamber of Commerce, the Business Roundtable, TechAmerica, TechNet, companies of Silicon Valley, the Financial Services Roundtable, U.S. Telecom, the Nuclear Energy Institute, and the National Association of Manufacturers, just to name a few, have sent the committee letters of support. And that list is growing by the day of people who are encouraged by the very light touch of the government; no new programs, no new authorizations, it's not a surveillance bill. This is the only appropriate way to try to deal with this problem.

By allowing the private sector to expand its own cyber defense efforts and to employ classified information to protect systems and networks, this bill will harness private-sector drive and innovation while also keeping the government out of the business of monitoring and guarding private-sector networks.

This important legislation would enable cyber threat sharing and provide clear authority for the private sector to defend its own networks while providing strong protections for privacy and civil liberties.

Madam Chair, with this great collaborative effort, with the effort facing this country, when you see this many Republicans and Democrats coming together, recognizing the threat and crafting a bill that meets that very important standard, this is the bill we should all stand up and enthusiastically support, and I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I yield to the gentleman from Illinois (Mr. GUTIERREZ) for the purpose of making a unanimous consent request.

Mr. GUTIERREZ. I thank the gentleman for yielding.

Madam Chair, as a member of the House Permanent Select Committee on Intelligence, I am very familiar with the types of threats that this country faces every day and the serious ramifications of cyber vulnerabilities. This is an issue to which the committee has devoted a great deal of time and energy during the last year.

In the cyber security realm these threats are growing in frequency and severity, so much so

that the Director of National Intelligence, James Clapper, identified cyber security as a top threat facing this country earlier this year. Director Clapper stated in an open hearing just a month ago that the growing cyber capabilities of both state and non-state actors "put all sectors of our country at risk, from government and private networks to critical infrastructures." We have seen more and more brazen attacks, from financial institutions and banks to news outlets, credit card companies, telecommunications providers and even government entities.

I believe that we should make every effort to safeguard the privacy of Americans' personal information even as we take steps to prevent attacks to our electronic networks and attempts to steal trade secrets, facilitate critical information sharing, and protect our critical infrastructure.

To that end, the committee made a number of improvements to the bill with bipartisan support during our markup last week. Most notably, we voted to remove the authority for private information to be used for broad non-cyber "national security" purposes. We also expanded oversight responsibilities for the Privacy and Civil Liberties Oversight Board and restricted usage of information received by private entities to cyber security information. The bill also requires the government to minimize any personal information that is unrelated to a cyber threat. The bill has improved since the last time it was considered by the House of Representatives in 2012.

I understand that there remain areas of concern for some of my colleagues. I share your reservations and am disappointed that we were unable to adopt amendments to address some of the liability issues, require private sector entities to make "reasonable efforts" to remove irrelevant personally identifiable information, and establish the Department of Homeland Security as the primary receptor of cyber threat information. An amendment to place DHS as the primary agency was not made in order today and I hope that we can continue to work on an agreement to do that.

I am sensitive to these privacy concerns and hope that we can continue to improve the Cyber Intelligence Sharing and Protection Act through amendments today and ongoing dialogue. However, my underlying concerns about the national security implications of ever-present and even escalating cyber attacks compels me to support the bill today.

Mr. RUPPERSBERGER. Madam Chair, I yield myself such time as I may consume.

Chairman ROGERS and I are here today to discuss the Cyber Intelligence Sharing and Protection Act, known as CISPA. The bill simply allows the government to give cyber threat intelligence to the private sector to protect its networks from cyber attacks.

I don't want to repeat a lot of what the chairman has said, but the first thing I want to do is to acknowledge the leadership of the chairman. Three years ago, the chairman and I, when we took over the leadership of the House Select Intelligence Committee, realized how serious the threat of cyber attacks were to our country, to our busi-

nesses, to our health, safety, and welfare.

We decided to pull together a group of representatives from different parts of this issue—we had the administration involved, we had the privacy groups involved, including the ACLU, we brought in the industry—because we knew that we had to put together a bill that would pass the House, the Senate and be signed by the President.

So, what we attempted to do was get input, and then we put together a bill. And, by the way, the bill is only 27 pages—it's probably a record in this Congress—and we did read the bill.

Now, what we attempted to do in this bill is to address a situation where now, the government cannot really communicate with the private sector to try to help protect our citizens, our businesses from cyber attacks. The reason for that is in 1947, there is a law that says that the intelligence community cannot communicate or pass information to another entity that does not have clearances. So, basically what our bill does is to allow the sharing of information, which we can't do now, to the private sector.

Now, why is this important? This is something that is very important because most people don't understand this. In the United States of America we have 10 companies, called the providers, that control 80 percent of our network—80 percent of our network. So in order for us to protect the United States of America from cyber attacks, we need to make sure that the government has a partnership with the private sector and that they can pass the threat information so that the government can help protect.

As an example, if your house is being robbed, you call 911 and the police department comes. That's the same scenario that we're looking at here, only it's a lot more sophisticated. Again, as the chairman said, passing information, mostly zeroes and ones, to the government so that we can work together to protect our network.

Now, why is this so important? And I think it's important that we get into some of the issues of threats. Just recently, we understand, and we know, that The Washington Post, The New York Times, The Wall Street Journal, were cyber-attacked. And basically, our understanding is that they did this, especially China, to intimidate the paper sources within China. We had our U.S. banks. It is very serious for U.S. banks to be attacked and hacked. Most of what our banks have are records and information. And to be able to shut down a bank or to be able to manipulate or get privacy information could be very destructive to our banks, and yet this is being done, and it's been done for a period of time.

Media reports have said that Iran, a rogue country that we know exports terrorism—we know what Iran's beliefs

are, and yet reports have said that Iran attacked Saudi Arabia's oil company, one of the largest in the world, Aramco, and wiped out 30,000 computers in a weekend. And let me say this: Iran is not a very sophisticated company as it comes to cyber, but they have the sophistication to be able to knock out 30,000 computers and really shut their businesses down for a period of time. This is what's happening in the United States.

Cyber Command, whose job it is to protect our military networks, estimated that in the last couple of years that we have had, the United States of America has had \$400 billion—not million, billion—worth of American trade secrets being stolen from U.S. companies every year, costing these companies market share and jobs. That's probably the biggest theft in the history of the world, and yet we still are not able to help government working with business.

You have Secretary Napolitano, the Director of the FBI, you have the Director of the NSA, Alexander, and all three have said one of the biggest fears they have now are these attacks, and that unless we have a sharing opportunity between government and between business, they feel that they cannot protect our country from these cyber attacks the way that they should. It's so important that we need to act now on this bill.

Now, we can pass bills in the House all day long, but if the Senate doesn't pass a bill and the President doesn't sign it, where are we? We were able to pass our bill last year in a bipartisan manner, and yet our bill went to the Senate and it stalled and the bill didn't go anywhere, so Chairman ROGERS and I started again.

But, what we said to each other and we discussed was that we need to address the issue of privacy. Even though we felt strongly that our bill does protect privacy, we knew there were groups out there, especially the privacy groups, that felt that there was not enough protection in our bill. So we rolled up our sleeves, we listened to the issues raised by the privacy groups, the administration had issues with respect to privacy, and we changed the bill.

Now, I don't want to repeat what the chairman said, but basically we made some significant changes to our bill to deal with the issue of privacy. We provided that first, there's a privacy and civil liberties oversight board, and now that board must review our program. That's one area of oversight.

In the intelligence community, we have privacy officers in each department, in each area. And these privacy people have to look at the threat information. They must also conduct a classified and unclassified review. That's the second oversight that was changed in the bill.

□ 1450

An annual report must be sent to Congress. We also have what we call the "inspector general," whose job it is to oversee the different agencies they represent. Those are four areas of oversight just in the bill.

Regarding the privacy agreements that we were concerned about, we only have five elements where this bill applies. That means if you're a tax cheat and we pick up some information, that can't be used against you. The privacy agreements were concerned about the issue of national security being one of those elements in this bill. They thought it was too broad. So Chairman ROGERS and I got together, and we were able to get the votes from both sides of the aisle, and we were able to take a position that the national security issue is not in the bill anymore. We feel national security is being covered by one of the elements in the bill that says it deals with the issue of protecting people's lives or liberty. So we feel that we have covered national security.

One of the most important issues was the issue of minimization. What is minimization? Most people don't know what it is. Basically, minimization is if private information is passed, there needs to be an entity out there that will take that private information out so that it is not used.

We've now added to the bill that any of the zeroes and ones that are passed—and that's what's happening—if there was some reason why somebody's personal information is passed when those zeroes and ones are coming back and forth, now we have what we call 100 percent minimization, and the government will make sure that every single entity and all the information that is passed will be 100 percent minimized. If there is any personal information in there at all, it will be knocked out. That's very significant, and that gives a lot of coverage.

This is also important: you don't have security if you don't have privacy. That was one of the themes Chairman ROGERS and I used in the beginning: if you don't have security, you don't have privacy. Even though we thought our first bill had it, we felt there was a certain perception, we heard what was said and we made these changes.

There is one other issue that is out there that's very important that I think is also extremely relevant. That's the issue of when the information is passed when we're attempting to protect our citizens and our businesses from these attacks and hopefully from a destructive attack like Iran did to Aramco in Saudi Arabia, there was a perception out there which, again, had to deal with perceptions. The perception was that if this information of zeroes and ones that are being passed back and forth, what is

the point of entry. We did not want the perception to be that the military in any way would be in charge or would be the entity that is overseeing this. We felt very strongly that it had to be civil.

So Chairman ROGERS and I, along with Chairman MCCAUL of the Homeland Security Committee and Ranking Member THOMPSON, have an amendment here today which is very significant. I'm sure it will be very well received by the privacy groups in the White House. What the bill will now say is that when information is passed, it will be the Department of Homeland Security. That is very significant, and we would hope that that would truly deal with the majority of these privacy issues.

We know that we have to move and we have to move quickly. We're here today to debate this bill. And, again, Chairman ROGERS—he's not listening, but I'll say it anyhow—has shown tremendous leadership. I say this and I say it sometimes in jest, that I was a former investigative prosecutor and he was a former FBI agent and all good FBI agents must listen to their prosecutors, even if we're in the minority. That was a joke. Notwithstanding that, he has shown leadership. We threw partisanship out the window. We knew the stakes were high. We have been concerned that we have not been able to protect our country. I believe that Congress needs to act because we're standing in the way of protecting our country.

This reminds me of a situation. We know how serious Hurricane Sandy was. It's similar to if you are a meteorologist and Sandy is coming up the east coast and you can't warn your constituents that Sandy is coming. That's why we need to pass this bill tomorrow, and we need to do it for the benefit of our country.

And I do want to end with this: you do not have security if you don't have privacy. We feel that this bill, along with the amendments that will be introduced today, will effect that.

With that, I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield 3 minutes to a current military officer and great member of the Intelligence Committee, the gentleman from Nevada (Mr. HECK).

Mr. HECK of Nevada. I want to begin by thanking both the chairman and the ranking member for their incredible leadership on this very difficult task. It was especially gratifying to work in such a bipartisan manner to come to the final product that we'll be voting on later tomorrow.

Madam Chair, our Nation is under attack every day, every hour, every minute. Cyber attacks on our Nation's networks threaten our economic and national security. That is why I rise in support of H.R. 624, the Cyber Intelligence Sharing and Protection Act.

Whether it is hacktivists attempting to disrupt services, criminals intent on stealing personal information, spies looking for intellectual property or trade secrets or nation-states searching for military and security vulnerabilities, our networks are at risk.

Cyber looting puts U.S. businesses at a competitive disadvantage, threatening jobs and our private information. The same vulnerabilities used to steal intellectual and personality property are also exploited to target America's critical infrastructure, such as our electrical grids and our banking and financial institutions. These cyber weaknesses make the intelligence-sharing provisions within H.R. 624 vitally important. However, as we seek to secure and defend the U.S. economy and our country's critical infrastructure, we must be mindful of our Nation's founding principles. We must ensure that we protect our citizens' privacy and civil liberties.

The House Permanent Select Committee on Intelligence has sought the input of and worked closely with privacy and civil liberties groups to strengthen the bill and provide necessary individual protections. These discussions resulted in a number of amendments that were adopted on a broad bipartisan basis during the committee markup.

My amendment, offered with my colleague from Connecticut (Mr. HIMES), specifically limits the private sector's use of cyber threat intelligence only to a cybersecurity purpose. This provision addresses the concerns and misperceptions that private sector companies could have used this information for marketing and other commercial purposes.

Another amendment requires the establishment of minimization procedures to limit the receipt, retention, and use of personally identifiable information, or PII. In the unlikely event that PII is inadvertently shared, this provision will prevent the government from receiving and/or maintaining that information while still ensuring rapid transmission of critical cyber threat intelligence necessary to protect our systems.

Yet another amendment narrows the authorized use of shared cyber threat intelligence by striking the provision providing the government broad authority to use this information for national security purposes.

All of these bipartisan amendments will provide the private sector the necessary tools to protect its own networks while at the same time providing critical protections for privacy and civil liberties.

This legislation represents an important first step toward securing our Nation's intellectual property and critical infrastructure from cyber attack, and I urge my colleagues to support its passage.

Again, I thank the chairman and the ranking member for their leadership.

Mr. RUPPERSBERGER. Madam Chair, I now yield 2 minutes to a senior member of our committee who worked very hard on this bill, the gentleman from California (Mr. THOMPSON). He's been with us for the last 3 years attempting to pass a bill that will help our country and protect us.

Mr. THOMPSON of California. Madam Chair, I thank the gentleman for yielding, and I thank both the ranking member and the chairman for their good work on this measure and for including all of us in trying to build a better product.

Clearly, the threat of a devastating cyber attack is real and, as has been mentioned by a number of previous speakers, can't be understated. Advanced cyber attacks from China and other nation-state actors are stealing hundreds of billions of dollars' worth of cutting-edge research and development from our U.S. companies and even from our Federal Government. That's why it's essential that the business community and the Federal Government work together to share cyber threat information for the purpose of protecting the American people from the fallout of cyber attacks and cyber hackers.

While it's important that we protect against the threat of cybersecurity, it's equally as important that we recognize the responsibility to protect the constitutional rights of law-abiding citizens. Though I support H.R. 624, both for the fact that it is important that we address these issues and because I believe it needs to be moved on and we can get it in conference committee with the Senate bill, I remain somewhat concerned that the bill as drafted could lead to the broad sharing of consumer information which in turn could be used in ways unrelated to combating cybersecurity threats.

□ 1500

I emphasize "could be used."

Already the chair and the ranking member have accepted and we've incorporated a series of provisions in this bill that I authored that would minimize the sharing of some personally identifiable information, that would limit permissible uses of information which would be shared under this bill, and that would insist on a number of reporting requirements that will ensure Congress' ability to provide the necessary oversight of this program.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 30 seconds.

Mr. THOMPSON of California. So, taken together, these provisions will improve the transparency and the accountability of this bill. However, notwithstanding these important changes, the bill is not perfect. Given the significance of this threat and the com-

mitment of everyone to continue to work together, I strongly urge my colleagues to support this bill and to move it out of the House. Let's get the thing to conference. Let's get the best bill possible, get it signed into law, and work together to protect the American people.

Mr. ROGERS of Michigan. Madam Chair, I am proud to yield 3 minutes to a leader on the Homeland Security Committee and the chair of the House Admin Committee, the gentlelady from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding me time.

Madam Chair, let me just read for our colleagues the preamble of our Constitution:

We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Madam Chair, this great statement that is the foundation for our Federal Government provides us the direction that we need to our primary responsibilities. I would suggest that this legislation helps us fulfill every one of the responsibilities mandated on us by our Constitution. Now let's just take them one by one.

"Establish justice"—it is just to protect American companies from the theft of their intellectual property by attackers and by competitors.

"Insure domestic tranquility"—can you even imagine the threat to domestic tranquility if our power grid is successfully attacked by a foreign state like North Korea and this Nation is left in the dark?

"Provide for the common defence"—what is more common than our power grid, our financial system and our economy? Are we not required to defend all of that?

"Promote the general welfare"—again, if our power grid is taken down, it is impossible to promote the general welfare.

"Secure the blessings of liberty to ourselves and to our posterity"—our intellectual property, made with American ingenuity, our life savings in banks, under threat from foreign actors, our jobs, our economy. All of these blessings of liberty are currently at risk if we do nothing.

I've heard some suggest, Madam Chair, that they have constitutional concerns about passing this bill. I would just suggest to them that I believe strongly that you should have constitutional concerns about not passing this bill. I do not believe that our Constitution gives foreign state actors like China or Russia or North Korea or Iran uncontested access to the critical systems of private American companies. To the contrary, I believe that our Constitution requires us, the Federal Government, to defend them.

I certainly want to applaud the great work that has been done by the chairman of the House Intelligence Committee, Mr. ROGERS of Michigan, and certainly applaud our ranking member, Mr. RUPPERSBERGER.

Gentlemen, you have worked so closely together on your committee and with other committees as well on this great piece of legislation.

I would urge all of my colleagues, Madam Chair, to join me in fulfilling our oath and in voting "yes."

Mr. RUPPERSBERGER. Madam Chairwoman, I yield 2 minutes to a great Member from the State of Illinois (Mr. ENYART).

Mr. ENYART. Madam Chair, I rise today in support of this important legislation.

The threat we face today from cyber attacks poses a clear and present danger that must be addressed. When I was sworn in to Congress to represent the people of southern Illinois, I took a vow to protect them from all enemies, both foreign and domestic. It was not the first time I had taken such an oath. By supporting CISPA, we move to fulfill our oath.

I know there are good Americans who oppose this legislation because they believe the protections for civil liberties and privacy don't go far enough, but we must not let the perfect be the enemy of the good. This bill prohibits the government from forcing private sector entities to provide information to the government. It places restrictions on the use of any data voluntarily shared. The bill provides for strong congressional oversight. These are tremendous victories to protect our civil liberties.

I support this bill because American jobs hang in the balance. Every day, our companies are subject to cyber attacks seeking to steal valuable trade secrets which deprive American citizens of high-paying high-tech jobs. Locally, my hometown grocery store in southern Illinois, Schnucks, was recently hacked, and customers' debit and credit card information was compromised, making many of my constituents vulnerable to theft.

I cannot stand by and let an opportunity to prevent such actions pass me by, which is why I stand in support of this legislation. To protect the jobs of those who work to build planes at Boeing in Belleville or workers at Afton Chemical in Sauget, I must support this legislation. To ensure that those who make weapons to defend our country at General Dynamics in Marion, Illinois, don't lose their jobs because some Chinese hacker has stolen proprietary information, I must support this legislation.

As the weapons of warfare change and adapt, we must make the necessary adjustments to protect our Nation while adhering to our founding principles. I urge my colleagues to join me in support of this act.

The CHAIR. The gentleman from Maryland has 14½ minutes remaining, and the gentleman from Michigan has 5½ minutes remaining.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to a former military officer, the distinguished gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for all of their hard work over many months, now years, in bringing this to where we are today, and I want to thank all of the committee staff who worked so hard to bring it to this point as well.

I'd like to keep things pretty simple. If there were a sergeant from the Chinese People's Liberation Army inside one of our power plants or inside one of our banks and if they were trying to steal stuff and if they were looking around, trying to figure out how to get in and how to access our systems or to take property or to do damage to our power grid, the American people would demand that the government do whatever it could, and they would be thrilled to learn that that company was permitted and, indeed, protected if it decided to share with others that potential threat to its piece of the infrastructure. That's what we're doing today.

The world has changed just a little bit. In just this last month, the last M-1 tank left Europe. It's the first time we haven't had a tank in Europe since D-Day when the great Kansan invaded on the great quest to free us from Nazi totalitarian domination. There are no tanks. We fight in a different world today. We use the word "cyber," and sometimes folks forget what we're really talking about. We're talking about nation-states trying to do terrible harm to American interests, to American property and, indeed, to American civil liberties.

Now, in the last minute I have here, I want to talk about a couple of myths that have arisen about this piece of legislation. When I first learned about it, I, too, shared some of the concerns about what might be happening, about what might take place here. I offered an amendment last year, which is now incorporated into the bill, along with dozens of such amendments, to make sure belt-and-suspenders that we protected civil liberties.

I've heard the myth propagated that this piece of legislation violates contract rights, that somehow through CISPA we're going to take away the ability of people to negotiate privately for contractual things that they want. I don't know how that could be. This bill is purely voluntary. It mandates that no one participate. It simply allows businesses to voluntarily participate and share information they have about attacks that have been foisted upon them.

I've heard a second myth that this will authorize warrantless searches across the United States of America.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield an additional 60 seconds to the gentleman.

□ 1510

Mr. POMPEO. There's talk about warrantless searches all across America. The legislation does no such thing. It's a short bill. It's 26 pages. I would urge everyone to go read it for themselves.

It fairly clearly limits what government may do, what information government may receive. It limits what private companies can share with government and amongst themselves. It limits what government can do with that information once it is received. It has greatly capped what is going on here.

Its design is simple: it is to make sure that all of the information about direct attacks on America are widely known, easily disseminated, and available for all to help in the protection of the American state. I urge my colleagues to support this legislation.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my good friend, the gentleman from Rhode Island (Mr. LANGEVIN); and I do want to say that we've been working together for years on this issue of cybersecurity, and I consider him to be one of the experts and one of my closest friends working on this issue.

Mr. LANGEVIN. Madam Chair, I thank the gentleman for yielding. I rise in strong support of H.R. 624, and I do thank Chairman ROGERS and Ranking Member RUPPERSBERGER for their commitment to a bipartisan and inclusive process on a very, very challenging issue.

We know with certainty that cybersecurity threats that we face are real, and they are increasing both in number and sophistication every day. Congress may not have acted last year, but those who would use cyberspace for nefarious purposes certainly did, and they continue to steal intellectual property, identities, funds from bank accounts, and sensitive security information.

I know full well that this is not a perfect bill, such is the nature of the legislative process. But we need the authority that CISPA provides to allow the voluntary sharing of cybersecurity threat information.

Improvements, I should point out, have been made over last year's bill. Several amendments have already been adopted to alleviate many privacy concerns, and more may be adopted before we are done. I welcome such progress. This bill is an important step, but information-sharing is only one portion of the broader cybersecurity debate.

I have long maintained that we must also work to ensure the creation of

minimum standards for critical infrastructure; the education of a strong and vibrant future cybersecurity workforce; and effective Federal and military cyber structure, including a Senate-confirmed cybersecurity director with real authority, including comprehensive budgetary authority; and the coordination of research and development on cybersecurity across the Nation.

Together with the President's recent executive order, I believe CISA and the bills this House approved yesterday are a very promising beginning, but there is obviously much more to be done.

Again, I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for their efforts. I commend them on a collaborative approach to a very important issue, and I ask my colleagues to support this important measure.

Mr. ROGERS of Michigan. I don't have any further speakers, and so I will continue to reserve the balance of my time to close.

Mr. RUPPERSBERGER. I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who is a senior member of our committee and has worked very hard on this issue.

Ms. SCHAKOWSKY. Madam Chair, I sincerely want to thank the chair and ranking member of the Intelligence Committee and express my appreciation for all of their efforts to work in a bipartisan manner and to address the concerns raised by me, by civil liberties groups, and by the White House.

However, I rise today in opposition to the bill. While I strongly believe that we need to address the serious cybersecurity threat—there is no question about that—I think we can do it without compromising our civil liberties. Despite some positive changes, I feel this bill fails to adequately safeguard the privacy of Americans. Cybersecurity and privacy are not mutually exclusive, and this bill fails to achieve a balance between protecting our networks and safeguarding our liberties.

Yesterday, I offered an amendment that would have made critical advances toward protecting privacy. My amendment would have required that companies report cyber threat information directly to civilian agencies, maintaining the longstanding tradition that the military doesn't operate on U.S. soil or collect information of American citizens.

Another important amendment offered by Congressman SCHIFF would have required companies to make "reasonable efforts" to remove personal information before sharing cyber threat information. Unfortunately, those critical amendments were not made in order.

Yesterday, the Obama administration expressed ongoing concerns about this legislation, issuing a veto threat. I

share the President's concern—despite positive changes, this bill falls short in several key ways. As written right now, and hopefully there still may be some changes, CISA allows the military to directly collect personal information on American citizens. It fails to safeguard privacy of Americans and grants sweeping immunity to companies for decisions made based on cyber information, prohibiting consumers from holding companies accountable for reckless actions and negligence.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield 30 seconds to the gentlewoman.

Ms. SCHAKOWSKY. I do urge my colleagues to oppose this bill. We can and should do better, and I'm hopeful that we still will do better.

Mr. ROGERS of Michigan. Madam Chair, I yield myself 30 seconds.

I just want to make very, very clear—and I thank the gentlelady for working with us, she is a great member of the committee—nowhere in this bill does it allow the military to collect information on private citizens in the United States. This is not a surveillance bill. It does not allow it to happen. That needs to be very, very clear in this debate. It does not allow the military to surveil private networks in the United States. Period. End of story. That's the biggest part of our privacy protections. Again, I want to thank the gentlelady for working with us, but that's just an inaccurate statement, and I want to make that clear for the RECORD.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, how much time do I have remaining?

The CHAIR. The gentleman from Maryland has 10 minutes remaining.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a very active member of our caucus.

Ms. JACKSON LEE. I thank the distinguished ranking member and the chairman, as well, for working to answer an enormous concern on the question of national and domestic security.

Since Robert Tappan Morris in 1988 released one of the first computer worms, we realized, as the computer and the Internet now have grown, the proliferation of computer malware, or computer programs designed specifically to damage computers or their networks or to co-opt systems or steal data, has attracted public and media attention and that we needed to do something. Now more than ever, cybersecurity impacts every aspect of our lives.

As a member of the Homeland Security Committee, I can assure you that my concern about the electric grid utilities, the energy and financial industries, recognize that it is important to act, and to act with speed and un-

derstanding. Likewise, I am concerned about the rage in epidemic of hackers and the impact that it has on 85 to 87 percent of the infrastructure in this Nation.

For that reason, however, I believe that along with this effort, we should have a lead civilian agency to collect the data. I'm looking forward to the manager's amendment, which I hope will clarify that Homeland Security will be that.

In addition, I have offered an amendment. My amendment ensures that if a cloud service provider identifies or detects an attempt by someone to access, to gain unauthorized access to non-governmental information stored on the system, it would not be required or permitted to report that attempt to the government and it cannot share that information with the government. I thank the Rules Committee for allowing that amendment to be in.

I do, however, want to raise the question on privacy. I believe that we could fix this legislation with a small addition dealing with the privacy question as we hopefully address the question dealing with the lead civilian agency. I thank the chairman and the ranking member, and I look forward to further discussion on this legislation.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank the gentleman.

This bill, unfortunately, hurts what it purports to help. It's detrimental to job growth, innovation, and privacy.

□ 1520

We talked a bit about the process whereby a number of amendments that would have improved it were not allowed to be discussed or voted on on the floor. And there are still enormous flaws with this bill which need to be addressed.

Look, to the extent that companies believe that information-sharing is important, it should be done in a way that's consistent with sanctity of contract. If there's something that gets in the way of information-sharing, we need to identify it. That hasn't been identified.

Clearly, the answer is not to say whatever a company agrees upon with a personal user, even if explicitly it says we're going to keep your information private, the minute after that's agreed to by a user, the company would be completely indemnified by turning all this information, personal information, credit card information, address, everything, over to the government.

Now, why not remove anything?

Why not just pass along the parts that are related to cybersecurity?

There's no incentive to do so. Had there been a requirement that reasonable efforts were taken to delete personal data, that would have been a step

in the right direction. But, again, it's an extra cost with no benefit for the company to delete personal data because they're completely indemnified with regard to this matter without the consent of the user himself.

What happens to this information once it reaches the government?

It can be shared with any government agency. It can be shared with the Bureau of Alcohol, Tobacco and Firearms, the National Security Agency, the Food and Drug Administration. Again, the limitations are so open-ended that anything that relates even to a minor scratch or a cut, issues completely unrelated to cybersecurity, things that could be related to dog bites, essentially any information.

Part of the problem here, there are cyber attacks everywhere. I ran an e-commerce site. Tens of thousand every day. I mean, any e-commerce company experiences this every day, so it's a reality every day. Everything is a potential cybersecurity threat. There's people cracking passwords every day.

So all information is affected by this, under this bill, in its present form, turned over to the government, shared with every agency relating to any bodily injury or harm, and we haven't been offered an opportunity to amend that.

So I encourage my colleagues to vote "no" on this bill. We can and we must do better for our country.

Mr. RUPPERSBERGER. I yield 2 minutes to the gentlewoman from Alabama (Ms. SEWELL). Is it "Roll Tide"? She is an outstanding new member of the Intelligence Committee. She's smart. She works hard. She's very dynamic, and she is our closer today.

Ms. SEWELL of Alabama. Madam Chair, today I rise to support the bill.

I can say, Madam Chair, that I actually voted against the bill last term. But today I am proud to say, because of the hard work of both the chairman and the ranking member and so many members of this committee, that today I stand before you in support of the bill.

I am now a new member of the Intelligence Committee and, as I've told my staff, the more you know, the better you can vote. And today, I want to rise to explain why I am voting for this bill.

I think that everybody agrees that there are cyber threats each and every day. And, in fact, Director Clapper, the Director of National Intelligence, he actually said his number one thing that keeps him up at night is cyber attacks.

And what this bill will do is simply to share information. It is not about releasing personal identifiable information. That is strictly prohibited by this bill. So it is strictly prohibited by this bill.

And this bill has been greatly enhanced by so many of my wonderful colleagues who have submitted amendments, many of which I am sure will

pass tomorrow, as well as greatly enhanced by the amendments that were brought forth by committee members.

I shared some serious concerns about some privacy protections when I came on the committee, and I have to tell you that the committee was gracious enough to listen to the amendments that I offered, as well as other amendments that were offered by my colleagues on this side of the aisle.

I was surprised, given the partisan nature of politics here in this House, that the Intelligence Committee really tries, because of our national security, to work together. And in a true bipartisan manner, many of those privacy protections were unanimously agreed to by members of the committee.

Once again, I urge my colleagues to vote for this bill, and I urge the President to sign this bill into law.

Today, I rise in support of this bill. But Madam Chair, last year, I voted against the cybersecurity bill that was offered in this body. I am now and am honored to serve as a member of the Intelligence Committee and the more you know, the better you can vote. I want to commend the Chairman and the Ranking Member for their leadership to improve this legislation. I also want to thank all of my colleagues who offered amendments to strengthen this bill by providing more privacy protections for our citizens and improving inter-agency coordination. While this is not a perfect bill, this is a step in the right direction and I am hopeful that the Senate will take up this measure and make it even stronger. It is also my hope that the White House will continue to work with us in this body's effort to be proactive instead of reactive. Madam Speaker, we simply cannot afford to wait—The threats against our national and economic security are real. Attacks against our financial, energy and communication sectors are happening every day. We have received dire warnings from our defense and intelligence officials that widespread attacks are the number one threat to our national security above all else. The Director of National Intelligence, James Clapper, has elevated cyber threats to the top of the list of national-security concerns. The National Intelligence Estimate provided evidence of widespread infiltrations of U.S. computer networks. Evidence has also emerged of spying inside the computer networks of major U.S. media, including the Wall Street Journal and New York Times. Defense and intelligence officials have grown increasingly alarmed over a relentless cyber attack campaign against U.S. banks, critical infrastructure and a host of other private entities.

We must continue to work together to find a balance between preserving privacy and protecting the security of this country from the danger of cyber attacks. Sharing cyber threat information, as provided for in this bill, is vital for combatting malicious hackers, criminals, and foreign agents. By removing the legal and regulatory barriers currently impeding the free flow of actionable information, the Cyber Intelligence Sharing and Protection Act (CISPA) will promote nimble, adaptive innovation—the best strategy for defending against a rapidly evolving threat landscape.

This growing number and complexity of cyber attacks on private and government computers has provided an opportunity for us to join together and pass bipartisan legislation to address the problem. I am committed to finding a workable solution with the Senate and White House, and I believe this bill provides a solid framework on a critical issue for national and economic security. I look forward to considering any amendments my colleagues put forth today to help improve the legislation of this bill. And though I realize this is not a perfect bill, I think the time to act is now to protect our national security. I urge members to vote for this legislation.

Mr. RUPPERSBERGER. Madam Chair, I yield myself as much time as I may consume.

First thing, we've heard testimony today about how serious the cyber attacks are to our country. We know what has occurred already. We know that our banks have been attacked, our major banks. We know that our newspapers, New York Times, Washington Post, have been attacked.

We know that news reports have said that Iran attacked Aramco, Saudi Arabia's largest oil company. They took out 30,000 computers, which means we are subjected to those attacks also.

We also know that Cyber Command has said that we, in the United States, have lost, from the attacks on our businesses, approximately \$200 billion. Just think what that equates to in jobs, stealing information about trade secrets, about competing globally with a country like China where they have all of our information, where they're able to shut down banks.

This is a very serious issue, and we need to do a better job to educate the public on how serious it is. And we just hope that we can pass this bill today in the House, a bill in the Senate, and the President signs the bill, so that we can protect our citizens, we can protect our businesses from these attacks.

If we knew that Iran was sending over an airplane with a bomb we would take it out. And yet we have to make sure that we deal with the issue in the United States of America to protect ourselves.

Now, there was a major issue raised, and that issue was privacy. And believe me, I want to say this over and over again. You don't have security if you don't have privacy. And we feel very strongly that this bill provides privacy.

But we also know, Chairman ROGERS and I know, that if we pass a bill here, we need to pass a bill in the Senate, and we need the President to sign it. So we got together, and even though we passed our bill in a bipartisan effort last year and it stalled in the Senate, we now have made the bill what we feel is a lot stronger as it deals with the perception of privacy.

And we've added oversight. We have four categories of oversight, privacy. We've made sure that minimization—taking out any privacy information

that might pass—we made sure that that is 100 percent minimization so that no one's private information will pass.

But the most important thing is that we have to make sure that we pass a bill because of the fact that 80 percent of our network is controlled by 10 companies in the United States of America. And all of our experts in this area have said that if government and business can't share information about these attacks, zeros and ones, if they can't share information, they cannot protect our country from these ongoing attacks that are occurring as we speak right now.

So let's act. Let's not wait until we have another catastrophic attack like 9/11. Let's deal with this now. Let's pass the bill and make sure that we protect, again, our citizens. And I want to say it one more time. The issue that you can't have security if you don't have privacy.

I do want to also say, I want to thank all those individuals in our government, in the private sector. The privacy groups have all come together. This has been a good debate. It's been a debate about issues that the public needed to know.

And I also want to thank the chairman for his leadership, and the fact that he was willing, even though we had our bill passed a year ago, he was willing to deal with the issue of perception and to make sure we made privacy an element that we could deal with, and that we could change our bill to deal with certain perceptions. I feel that we've done that.

I also want to thank Chairman MCCAUL from Homeland Security and Ranking Member BENNIE THOMPSON from Homeland Security, who've worked with us to get an amendment that was very important, as you heard from JAN SCHAKOWSKY.

That amendment basically says that the point of entry for any communication is on the civil side of our government, Homeland Security, and we hope to pass that amendment.

And I feel very strongly that if we do that, we will have addressed the majority of the issues that are so important to this bill and to our security and to our privacy.

I yield back the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield myself the remaining time.

I just want to quickly, Madam Chair, address some of the moving targets on the bill. When we move to change something in the bill, the 19 privacy amendments, people who still decide they don't like it for, again, whatever reason, move their challenges of why they don't like it.

The newest, I think, straw man is that this somehow would violate contract law. Nothing in this bill allows you to avoid contract law. Nothing.

□ 1530

It's a red herring. It is not accurate. Nothing in this bill would allow this to happen. The fact that someone who was in the technical business would say this hurts job growth, that's interesting. The sheer number of companies who support this, from the Business Roundtable to the Financial Services Business Group to TechNet, who has companies like Intel Corporation, Symantec, Juniper, Oracle, EMC, social media, all stand up and say this is the right approach. It will allow us to protect our consumers of our product from foreign governments stealing their private information.

We need to understand what this bill is and what it is not. It is not a surveillance bill. Nothing in here authorizes surveillance. We're going to have an amendment to clarify that, to say it in the law so people can regain that confidence.

We argue, Read the bill. It's 27 pages. It is very clear. It is predominantly protections of your civil liberties, and it also allows companies to voluntarily share malicious source code—and that's source code that's committing a crime against their consumers and their company—with the Federal Government so they can go back overseas and find the Chinese or the Iranians or the Russians or the North Koreans who are perpetrating that crime. This bill is nothing more. It does do that.

Thanks to the ranking member and all who have gotten to this point. I look forward, Madam Chair, to the debate on the amendments, and I yield back the balance of my time.

Mr. CONYERS. Madam Chair, this week, the House of Representatives is scheduled to take up the Cyber Intelligence Sharing and Protection Act (CISPA). Among other things, the legislation would authorize open-ended sharing of threat information between certain private companies and the federal government, and grant those companies unlimited legal immunity. I—along with more than 30 civil liberties and privacy groups ranging from the ACLU to the Competitive Enterprise Institute—believe the bill is badly flawed, and will harm the privacy and civil liberties of our citizens. While the Intelligence Committee amended CISPA last week, purporting to address privacy-related issues, the changes do not ameliorate the core concerns I have with the bill.

CISPA would create a "Wild West" of information-sharing, where any "certified" private-sector entity could share information with any federal government agency for various ill-defined purposes. By allowing for the direct sharing of information between the private sector and the National Security Agency, as well as other Defense Department agencies, the legislation hastily casts aside time-tested legal prohibitions against intelligence agencies and the military from operating on U.S. soil. The bill should be amended to prevent this direct sharing with non-civilian agencies.

CISPA would also create duplicative information-sharing processes with no central over-

sight or accountability. Successive administrations have expended enormous resources building proper information-sharing programs at the Department of Homeland Security and the FBI; these efforts should be enhanced, not clouded by permitting the proliferation of redundant programs across the federal government.

The legislation also removes current legal protections applicable to companies that facilitate and process our private communications and share them with the government and one another. Companies sharing information would be exempt from all privacy statutes and would be relieved of liability for recklessly sharing, or deciding not to share information. Without narrowly defining the information that may be shared, limiting to whom it may be shared and why, and preserving mechanisms to provide accountability for wrongdoing, the privacy of our citizens and confidence in the trustworthiness of our electronic communications networks would be weakened. For example, the bill would not prevent a company sharing cyber threat information from including data not necessary to understanding the threat, such as private emails between family members or personal information such as medical records, in a data dump to the government.

The bill should narrowly define the categories of information that may be shared, such as malicious code or methods of defeating cybersecurity controls, and require that companies sharing the data take reasonable steps to remove information identifying individuals not involved in the threat. It is not enough to require government recipients of the data to remove the private information because it should never be sent to the government in the first place. The bill therefore should be amended to require that companies sharing cyber threat information make reasonable efforts to remove such personally identifiable information from the data they share with other companies and the government.

The bill's liability protection provisions are also unnecessarily broad and eliminate the ability of aggrieved citizens and companies to protect and secure their privacy, as well as their property and physical well-being. Regardless of whether a company acted recklessly or negligently, the bill would prevent civil or criminal actions for decisions made for cybersecurity purposes "based on" cyber threat information. In effect, the legislation removes critical incentives for industry to act reasonably concerning cyber threat information.

Consider a situation in which a telecommunications company through its operations becomes aware of a cyber threat directed toward a utility but fails to notify the critical infrastructure company of the threat, denying the utility the opportunity to engage in defensive measures and resulting in a catastrophic event producing substantial property damage and loss of life. Under the legislation, the telecommunications company characterizing its decision not to notify as one made for a cybersecurity purpose would be able to avoid legal liability. The bill's exemption from liability should therefore be narrowed to exclude protection for such decisions.

The cyber threats our nation faces are serious, and we need to take action. The president's recent executive order directing the enhanced sharing of cyber threat information by

the government to industry is a significant step in the right direction. Legislation encouraging information-sharing by the private sector is also required, but it must be carefully crafted and limited to actual threats. The House version of CISPAA is not the right solution to this real problem, and it must be fixed before it reaches the president's desk.

Mr. HOLT. Madam Chair, I rise in opposition to this bill. I believe my former colleagues on the House Permanent Select Committee on Intelligence who have brought this bill to the floor today have only the very best of intentions. They seek to prevent cyber attacks against our nation. So do I. Unfortunately, their proposed solution is a radical over-reach that would not stop such attacks but would open up the private lives and information of Americans for the government and business to see, at will.

This bill contains the key phrase "Notwithstanding any other provision of law . . .". What does that mean? It means that notwithstanding even the limited privacy protections in the PATRIOT Act and the FISA Amendments Act, this bill would give businesses the ability to share the public's private data among themselves and the government by invoking the phrase "cyber threat". It means that notwithstanding the privacy protections in HIPAA, businesses can share personal medical information with each other and the government if there is a "cyber threat". And the definition of cyber threat is so nebulous, so sweeping that it can be invoked for almost anything that simply look unusual or is not immediately explainable.

Chillingly, the bill in its current form would allow companies to share sensitive and personal information directly with the NSA and other military agencies, even if it is purely domestic, American information that is no way associated with foreign threats or national security events. CISPAA would allow companies to share personally identifiable information without making even reasonable efforts to protect it. Finally, CISPAA grants broad immunity for any "decisions made" based on cyber information, regardless of whether the company was acting recklessly or causes unintended collateral damage. This week the President indicated that he would veto this bill were it presented to him in its current form, as well he should. The better outcome would be for this bill to never reach his desk.

Many competent security experts have shared their views with Congress that we can better protect our nation from cyber attacks without compromising the privacy and interests of our citizens. I regret that their counsel has been ignored, which is why I urge my colleagues to join me in rejecting this badly flawed bill.

Mr. ROGERS of Michigan. Madam Chair, I submit the following letters.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COM-
MITTEE ON THE JUDICIARY,
Washington, DC, April 10, 2013.

Hon. MIKE ROGERS,
Chairman, House Permanent Select Committee
on Intelligence, Washington, DC.

DEAR CHAIRMAN ROGERS: I am writing concerning H.R. 624, the "Cyber Intelligence Sharing and Protection Act," which is scheduled for consideration in your Committee

today. This bill contains provisions that fall within the Rule X jurisdiction of the Committee on the Judiciary.

As a result of your having made mutually agreed-upon changes to the provisions in question, and in order to expedite the House's consideration of H.R. 624, the Committee on the Judiciary will not assert its jurisdictional claim over this bill by seeking a sequential referral. The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 624 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 624, and would ask that a copy of our exchange of letters on this matter be included during floor consideration.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES, PER-
MANENT SELECT COMMITTEE ON IN-
TELLIGENCE,

Washington, DC, April 11, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, House
of Representatives, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 624, the Cyber Intelligence Sharing and Protection Act. As you noted, elements of the bill fall within the jurisdiction of the Committee on the Judiciary. As you also noted, mutually agreed upon changes to the provisions in question were adopted by the Permanent Select Committee on Intelligence during its consideration of the bill, and we will be glad to continue to work with you on these provisions. We will also support the request of the Committee on the Judiciary for conferees in any conference that may occur on the bill.

I appreciate your willingness to forego consideration of the bill in the interest of expediting this legislation for floor consideration. I acknowledge that by agreeing to waive consideration of the bill, the Committee on the Judiciary does not waive any jurisdiction it may have over provisions of the bill or any matters under your jurisdiction. I will include a copy of your letter and this response in our Committee's report on H.R. 624 and the CONGRESSIONAL RECORD during consideration of the legislation on the House floor.

Thank you for your assistance in this matter.

Sincerely,

MIKE ROGERS,
Chairman.

HOUSE OF REPRESENTATIVES, COM-
MITTEE ON HOMELAND SECURITY
Washington, DC, April 11, 2013.

Hon. MIKE ROGERS,
Chairman, House Permanent Select Committee
on Intelligence, Washington, DC.

DEAR CHAIRMAN ROGERS: On April 10, 2013, the House Permanent Select Committee on Intelligence ordered H.R. 624, the "Cyber Intelligence Sharing and Protection Act", reported favorably to the House with certain

provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Homeland Security. Specifically, this legislation identifies the Department of Homeland Security's National Cybersecurity and Communications Integrations Center (NCCIC) as a principal entity for sharing cybersecurity information with the Federal government and amongst stakeholders.

The NCCIC partners with all Federal departments and agencies, State, local, Tribal, and territorial governments, as well as private sector and international entities. The Center works with critical infrastructure owners and operators to reduce risk, coordinates national response efforts to significant cyber incidents, and shares cybersecurity threat and vulnerability assessment information throughout the Federal government. These actions, along with the cybersecurity information provided through the NCCIC, trigger the jurisdiction of the Committee on Homeland Security over functions of the Department of Homeland Security relating to integration, analysis, and dissemination of homeland security information.

In the interest of permitting your committee to proceed expeditiously with consideration of this important legislation, the Committee on Homeland Security will not request a sequential referral over provisions within our jurisdiction. However, I do so with the mutual understanding that the Committee's jurisdictional claims over subject matters contained in this and similar legislation are in no way diminished or altered. I request that you urge the Speaker to name members of this Committee to any conference committee for consideration of provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this bill or similar legislation.

Finally, I ask that you place this letter and your response into the committee report on H.R. 624 and into the CONGRESSIONAL RECORD during consideration of the measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

HOUSE OF REPRESENTATIVES, PER-
MANENT SELECT COMMITTEE ON IN-
TELLIGENCE,
Washington, DC, April 12, 2013.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: This responds to your letter dated April 11, 2013 concerning H.R. 624 the Cyber Intelligence Sharing and Protection Act (CISPAA). Specifically, you noted the provision contained in the legislation relating to the Department of Homeland Security's National Cybersecurity and Communications Integration Center (NCCIC).

I appreciate your decision to forego requesting referral of H.R. 624 to the House Homeland Security Committee in the interest of expediting floor consideration of this legislation. I also acknowledge that this decision will not diminish or alter the Homeland Security Committee's jurisdictional claims over subject matters contained in this and similar legislation. I will also support your request that the Speaker name members of the Homeland Security Committee to any conference committee for consideration of provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this bill. Finally, I will include a copy of

your letter and this response letter in the Committee's report on H.R. 624 and in the Congressional Record during consideration of H.R. 624 on the House Floor.

Sincerely,

MIKE ROGERS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, April 18, 2013.

Chairman MIKE ROGERS,
House Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR CHAIRMAN ROGERS: I am writing to raise concerns relating to amendment #42 to the Cyber Intelligence and Sharing Protection Act (CISPA), H.R. 624, as modified and introduced by you, Chairman McCaul, and Ranking Members Ruppertsberger and Thompson.

First, I am concerned about the possible impact of this amendment on current cyber threat information sharing programs with the Department of Defense (DOD). Based on the short amount of time we have had to review and comment on the amendment, we have not had an opportunity to fully assess the potential effects on DOD activities. In particular, we must ensure that there is no "chilling effect" on sharing between the Defense Industrial Base and DOD that is so critical to our national security.

Second, I am also seeking to clarify the intent behind a specific change proposed by the modified amendment. The amendment would alter the current text, which states that a cybersecurity provider may share cyber threat information "with the express consent of a protected entity" with any entity, "including, if specifically designated, the Federal Government." The amendment would change the reference from "Federal Government" to the Departments of Homeland Security and Justice. I seek to confirm that the intent of the amendment is not to preclude sharing of cyber threat information with the Department of Defense when a cybersecurity provider has received the consent of a protected entity.

More generally, we must ensure that there is no time delay or other obstructions to passing cyber threat information critical for our national defense to DOD.

I am seeking a commitment from you to work with the Armed Services Committee to determine if any further changes to the legislation might be needed, and if possible incorporate those changes when this bill is conferred with the Senate.

Sincerely,

HOWARD P. "BUCK" McKEON,
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, April 18, 2013.

Hon. BUCK McKEON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your letter about an amendment I co-sponsored with Chairman McCaul, and Ranking Members Ruppertsberger and Thompson during floor consideration of H.R. 624, The Cyber Intelligence Sharing and Protection Act (CISPA).

I understand you have concerns about a possible "chilling effect" of this amendment on current cyber threat information sharing programs with the Department of Defense, and about changing the reference to "Fed-

eral Government" to the Departments of Homeland Security and Justice. I confirm that the amendment is not intended to, and does not, preclude sharing of cyber threat information with the Department of Defense when a cybersecurity provider has received the consent of a protected entity.

Additionally, I understand your concerns about the application of (b)(3)(A) and section 941(c)(3) of the National Defense Authorization Act for Fiscal Year 2013. I commit to working with you in an effort to identify a mutually agreeable approach to this matter.

Sincerely,

MIKE ROGERS,
Chairman.

Ms. JACKSON LEE. Madam Chair, I rise to speak on H.R. 624, The Cyber Intelligence Sharing and Protection Act.

I thank and appreciate the hard work done by Chairman ROGERS and Ranking Member RUPPERTSBERGER for their leadership of the House Committee on Intelligence that crafted the legislation we are considering. They have demonstrated their strength of bipartisanship in their work to make great improvements in the bill that was considered during the last Congress.

The bill is intended to improve our nation's ability to investigate and prosecute cybersecurity crimes; secure the protection of individuals from danger of death or serious bodily harm and investigate and prosecute crimes against the most vulnerable in society—our children. The bill's objective regarding minors is to provide physical safety for them from sexual abuse, kidnapping and trafficking.

The debate on H.R. 624, the Cyber Intelligence Sharing and Protection Act afforded members of the House of Representatives and the American public a view into some of the more complex issues related to the protection of digital information.

The bill's drafters and those who have contributed to the process through the amendments offered worked to improve the work already done by the Intelligence Committee. The goal of the bill is not to lay bare the personal digital records of every individual living in the United States. The text of the legislation explicitly states that the government could not obtain library records, library patron lists, book sales records, book customer lists, tax return records, education records or medical records.

The Internet challenges us as policymakers because it introduces into our deliberative process a class of technology that can change far faster than other forms of technology. This fact is acknowledged by the bill's sponsors by highlighting the nature of threats that exists on the Internet—rapid and automated. Cyber attacks can be as short as a few minutes or last for only 2 hours. Thieves work together and have learned to use our own personal computers to help them hurt us. The tools that have proven to be the most threatening are called botnets. A botnet uses a computer virus or worm program to infiltrate computers and take control of them. One botnet can be made of millions of private personal computers. A botnet of this size would have the computing power to overwhelm a major institution's network with a brute force attack that searches for the password to one account on a computer network. Once the botnet controller has gotten access to a private or government network they can use that access to seek greater control.

The question for us today is should the Congress view the threats posed by the Digital Information Age with the same urgency as when our nation has faced events such as September 11 or catastrophic hurricanes.

Many of my colleagues have joined me in expressing great concern about privacy and civil liberties as the Federal presence on the Internet has grown. Federal government agencies are now using Facebook, Twitter and YouTube to communicate with and engage millions of Americans.

There appears to be no scarcity in the capacity of the Internet to accommodate new business websites, technological innovations or the millions of new Internet users who purchase digital devices, create blogs or e-mail accounts.

The Internet is more than ones and zeros—it is how the world is working, living, and communicating. Its borderless nature and ubiquitous presence means that billions of computing devices can interact and connect using the global telecommunication infrastructure.

Computing technology was once tethered by technical limitations to physical spaces—now computing devices are mobile. For example, a few years ago, portable phones that were as powerful as computers were difficult for most consumers to imagine—now they are common place. Unfortunately, with every advance in computing innovation we see that there are those within society who would search for vulnerabilities in these innovations to disrupt their operation.

The Internet is a critical path forward for our nation's recovering economy. However, to meet the challenges and take advantage of the opportunities the Internet makes possible, we must understand the threats and risks as well as take full advantage of innovation.

One of the central challenges for us as legislators is to preserve the Constitution of the United States for future generations. Each generation of Americans has had the task of defining the role of government in their lives. Today, the Internet is making the role of government in American life in some ways more transparent and accessible through government agency websites.

We as members of Congress are using the Internet to bring more transparency to the work we do on behalf of our constituents. The content found on House web pages provides access to information regarding the work we do on behalf of the public.

The Internet could also make the government's presence in our lives much more opaque. For example, the same social networking services that families and friends create to share details about their lives is not held solely under their control.

What once would have been words shared among family members are now digital data stored with social networking service providers. Computer stored data can live on far longer than may be prudent for the peace and tranquility of family life or economic opportunities as our child transition from youth into responsible adults.

If the government gained access to the digital equivalent of your papers and effects—it would leave no signs of having done so. Digital information unlike paper does not fade away nor do the words in digital files degrade when they are copied over and over again.

What is more problematic for the purpose of our debate on this bill is what would happen if the government had open access to decades of communications: the books read; videos watched; thoughts expressed; or the joys and sorrows of millions of our nation's citizens. How would this impact the America experience?

We know that the founders of this nation were determined to protect the privacy of people from the power of the government. The Fourth Amendment states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The constantly shifting Internet environment creates challenges for policy makers. Today, the "papers and effects" of persons have changed in the new Information Age into digital data. This information is not limited to the home, but is mobile as well as remote from the owners of the information.

How do we make sure that the Constitution is preserved and that we as its stewards pass it to the next generation in better condition than when we took an oath to protect it—not just the parts of the document that we like, but all of it.

Although the challenges are great, the rewards of an environment that supports innovation while protecting privacy, civil liberties, and freedom should be the focus of our nation's policies and laws that govern our decisions regarding the Internet.

As members of Congress we must keep a watchful eye on preserving, defending and protecting the Constitution. It is our duty—our passion and our calling to serve this nation—unwavering in our commitment to act first in the interests of the entire country as we see to the needs of the people we serve.

Mr. BLUMENAUER. Madam Chair, cybersecurity experts in government and the private sector agree that the biggest impediments to strengthening cybersecurity are obstacles that prevent the sharing of cyber threat information. The intent of the bill before the House, H.R. 624, the Cyber Intelligence Sharing and Protection Act (CISPA) is laudable in that it eliminates some of those obstacles. Security and privacy, however, should not be mutually exclusive and CISPA does not go far enough to protect privacy. This is the bottom line for me, my constituents, and I hope the Obama Administration, and why I oppose this legislation.

Mrs. LOWEY. Madam Chair, I rise in reluctant opposition to the bill. It is imperative that Congress take substantial action to bolster cybersecurity. The last major cyber bill to become law was the Federal Information Security Management Act in 2002, which was generations ago in the technology realm.

I would very much like to support legislation that would bolster our defenses and improve information sharing. But CISPA falls short of taking the necessary steps to protect our computer and communications networks.

Public and private sector networks are constantly bombarded by cyber attacks. Instead of compelling those administering critical infra-

structure to share information that would mitigate the consequences of those attacks, the bill sets up a voluntary framework that provides liability protections regardless of whether or not a business or operator of critical infrastructure provides the government with any information. I cannot support a bill that provides immunity to those who fail to take reasonable measures to protect networks.

Additionally, the bill does not require the private sector to remove irrelevant personal information before sharing information with the government and between private businesses. Government agencies receiving information from the private sector should not be given personally identifiable information that is of no security value. Yet, amendments to prevent this practice, which raises serious privacy concerns, were defeated in committee and prevented from being offered on the House floor.

In February, President Obama issued an executive order expanding information-sharing from the Department of Homeland Security and Department of Justice to private sector operators of critical infrastructure. It is important that Congress take action to expand upon the executive order to better protect our networks. Unfortunately, CISPA would not adequately protect our cyber networks, and privacy concerns remain in this legislation.

I look forward to working with my colleagues to advance improved cybersecurity legislation.

Ms. LEE of California. Madam Chair, I am voting "no" against the Cyber Intelligence Sharing and Protection Act (CISPA). H.R. 624 endangers privacy and allows personal information to be shared by private companies without adequate safeguards to protect sensitive and highly personal information. While it is important that we build up our nation's defenses against the modern dangers of cyberattacks, we cannot abandon our central values of freedom and independence in the course of doing so. I am prepared to consider an alternate version of CISPA wherein civil liberties are robustly protected. This bill provides no real solutions that adequately upholds an American's right to privacy, and that is why I am voting against it.

Mr. VAN HOLLEN. Madam Chair, every day cyber-networks in this country are attacked. These attacks cause substantial disruption to our networks and drain billions of dollars from our economy each year. Today we consider a bill designed to strengthen our protections against cyber threats by encouraging private entities to share information and intelligence among themselves and with the government. I certainly support that goal. However, I cannot support this bill in its current form because I believe it does not sufficiently protect the privacy of Americans. Specifically, the bill does not include sufficient protections against the disclosure of sensitive personal information.

Under the bill, companies are not required to extract personal information from the data they collect and share. Sharing un-scrubbed personal information with other companies or with government agencies can potentially put the civil liberties of Americans at risk if the data is misused or handled improperly. The bill also grants companies excessively broad immunities from legal responsibility for the disclosure or misuse of this data.

Many of the amendments accepted on the floor this week provide increased protections

for information once it is received by the government, but that is no substitute for protecting it when it is initially collected by companies or when they share the data with each other. The White House has threatened to veto this bill if these issues are not adequately addressed.

I opposed this bill last year for similar reasons. I welcome the changes made to the bill this year to address some of those concerns. For example, no longer can receiving government agencies use information for national security purposes. Additionally, increased protections for personal data have been added for the information when it is placed in government hands. These changes improve the bill, but they do not go far enough to prevent the unwarranted and unnecessary disclosure of private information.

I believe that the cyber threats we face in this country are real, present and destructive. However, I believe that we can address these cyber threats without opening the door to unnecessary disclosure of private information. The companies who collect sensitive data about Americans should be required to safeguard that data to the fullest extent of their ability. The shortcomings of this bill can be easily addressed and I hope the Senate will make these necessary changes. I look forward to supporting a future bill that achieves that goal.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-7. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 624

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cyber Intelligence Sharing and Protection Act".

SEC. 2. CYBER THREAT INTELLIGENCE AND INFORMATION SHARING.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

"CYBER THREAT INTELLIGENCE AND INFORMATION SHARING

"SEC. 1104. (a) INTELLIGENCE COMMUNITY SHARING OF CYBER THREAT INTELLIGENCE WITH PRIVATE SECTOR AND UTILITIES.—

"(1) IN GENERAL.—The Director of National Intelligence shall establish procedures to allow elements of the intelligence community to share cyber threat intelligence with private-sector entities and utilities and to encourage the sharing of such intelligence.

"(2) SHARING AND USE OF CLASSIFIED INTELLIGENCE.—The procedures established under paragraph (1) shall provide that classified cyber threat intelligence may only be—

“(A) shared by an element of the intelligence community with—

“(i) a certified entity; or

“(ii) a person with an appropriate security clearance to receive such cyber threat intelligence;

“(B) shared consistent with the need to protect the national security of the United States; and

“(C) used by a certified entity in a manner which protects such cyber threat intelligence from unauthorized disclosure.

“(3) SECURITY CLEARANCE APPROVALS.—The Director of National Intelligence shall issue guidelines providing that the head of an element of the intelligence community may, as the head of such element considers necessary to carry out this subsection—

“(A) grant a security clearance on a temporary or permanent basis to an employee or officer of a certified entity;

“(B) grant a security clearance on a temporary or permanent basis to a certified entity and approval to use appropriate facilities; and

“(C) expedite the security clearance process for a person or entity as the head of such element considers necessary, consistent with the need to protect the national security of the United States.

“(4) NO RIGHT OR BENEFIT.—The provision of information to a private-sector entity or a utility under this subsection shall not create a right or benefit to similar information by such entity or such utility or any other private-sector entity or utility.

“(5) RESTRICTION ON DISCLOSURE OF CYBER THREAT INTELLIGENCE.—Notwithstanding any other provision of law, a certified entity receiving cyber threat intelligence pursuant to this subsection shall not further disclose such cyber threat intelligence to another entity, other than to a certified entity or other appropriate agency or department of the Federal Government authorized to receive such cyber threat intelligence.

“(b) USE OF CYBERSECURITY SYSTEMS AND SHARING OF CYBER THREAT INFORMATION.—

“(1) IN GENERAL.—

“(A) CYBERSECURITY PROVIDERS.—Notwithstanding any other provision of law, a cybersecurity provider, with the express consent of a protected entity for which such cybersecurity provider is providing goods or services for cybersecurity purposes, may, for cybersecurity purposes—

“(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such protected entity; and

“(ii) share such cyber threat information with any other entity designated by such protected entity, including, if specifically designated, the Federal Government.

“(B) SELF-PROTECTED ENTITIES.—Notwithstanding any other provision of law, a self-protected entity may, for cybersecurity purposes—

“(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such self-protected entity; and

“(ii) share such cyber threat information with any other entity, including the Federal Government.

“(2) SHARING WITH THE FEDERAL GOVERNMENT.—

“(A) INFORMATION SHARED WITH THE NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER OF THE DEPARTMENT OF HOMELAND SECURITY.—Subject to the use and protection of information requirements under paragraph (3), the head of a department or agency of the Federal Government receiving cyber threat information in accordance with paragraph (1) shall provide such cyber threat

information in as close to real time as possible to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security.

“(B) REQUEST TO SHARE WITH ANOTHER DEPARTMENT OR AGENCY OF THE FEDERAL GOVERNMENT.—An entity sharing cyber threat information that is provided to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security under subparagraph (A) or paragraph (1) may request the head of such Center to, and the head of such Center may, provide such information in as close to real time as possible to another department or agency of the Federal Government.

“(3) USE AND PROTECTION OF INFORMATION.—Cyber threat information shared in accordance with paragraph (1)—

“(A) shall only be shared in accordance with any restrictions placed on the sharing of such information by the protected entity or self-protected entity authorizing such sharing, including appropriate anonymization or minimization of such information and excluding limiting a department or agency of the Federal Government from sharing such information with another department or agency of the Federal Government in accordance with this section;

“(B) may not be used by an entity to gain an unfair competitive advantage to the detriment of the protected entity or the self-protected entity authorizing the sharing of information;

“(C) may only be used by a non-Federal recipient of such information for a cybersecurity purpose;

“(D) if shared with the Federal Government—

“(i) shall be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’);

“(ii) shall be considered proprietary information and shall not be disclosed to an entity outside of the Federal Government except as authorized by the entity sharing such information;

“(iii) shall not be used by the Federal Government for regulatory purposes;

“(iv) shall not be provided by the department or agency of the Federal Government receiving such cyber threat information to another department or agency of the Federal Government under paragraph (2)(A) if—

“(I) the entity providing such information determines that the provision of such information will undermine the purpose for which such information is shared; or

“(II) unless otherwise directed by the President, the head of the department or agency of the Federal Government receiving such cyber threat information determines that the provision of such information will undermine the purpose for which such information is shared; and

“(v) shall be handled by the Federal Government consistent with the need to protect sources and methods and the national security of the United States; and

“(E) shall be exempt from disclosure under a State, local, or tribal law or regulation that requires public disclosure of information by a public or quasi-public entity.

“(4) EXEMPTION FROM LIABILITY.—

“(A) EXEMPTION.—No civil or criminal cause of action shall lie or be maintained in Federal or State court against a protected entity, self-protected entity, cybersecurity provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, acting in good faith—

“(i) for using cybersecurity systems to identify or obtain cyber threat information or for sharing such information in accordance with this section; or

“(ii) for decisions made for cybersecurity purposes and based on cyber threat information identified, obtained, or shared under this section.

“(B) LACK OF GOOD FAITH.—For purposes of the exemption from liability under subparagraph (A), a lack of good faith includes any act or omission taken with intent to injure, defraud, or otherwise endanger any individual, government entity, private entity, or utility.

“(5) RELATIONSHIP TO OTHER LAWS REQUIRING THE DISCLOSURE OF INFORMATION.—The submission of information under this subsection to the Federal Government shall not satisfy or affect—

“(A) any requirement under any other provision of law for a person or entity to provide information to the Federal Government; or

“(B) the applicability of other provisions of law, including section 552 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’), with respect to information required to be provided to the Federal Government under such other provision of law.

“(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to provide new authority to—

“(A) a cybersecurity provider to use a cybersecurity system to identify or obtain cyber threat information from a system or network other than a system or network owned or operated by a protected entity for which such cybersecurity provider is providing goods or services for cybersecurity purposes; or

“(B) a self-protected entity to use a cybersecurity system to identify or obtain cyber threat information from a system or network other than a system or network owned or operated by such self-protected entity.

“(c) FEDERAL GOVERNMENT USE OF INFORMATION.—

“(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b)—

“(A) for cybersecurity purposes;

“(B) for the investigation and prosecution of cybersecurity crimes;

“(C) for the protection of individuals from the danger of death or serious bodily harm and the investigation and prosecution of crimes involving such danger of death or serious bodily harm; or

“(D) for the protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking and the investigation and prosecution of crimes involving child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking, and any crime referred to in section 2258A(a)(2) of title 18, United States Code.

“(2) AFFIRMATIVE SEARCH RESTRICTION.—The Federal Government may not affirmatively search cyber threat information shared with the Federal Government under subsection (b) for a purpose other than a purpose referred to in paragraph (1).

“(3) ANTI-TASKING RESTRICTION.—Nothing in this section shall be construed to permit the Federal Government to—

“(A) require a private-sector entity or utility to share information with the Federal Government; or

“(B) condition the sharing of cyber threat intelligence with a private-sector entity or utility on the provision of cyber threat information to the Federal Government.

“(4) PROTECTION OF SENSITIVE PERSONAL DOCUMENTS.—The Federal Government may not use the following information, containing information that identifies a person, shared with the Federal Government in accordance with subsection (b) unless such information is used in accordance with the policies and procedures established under paragraph (7):

“(A) Library circulation records.

“(B) Library patron lists.

- “(C) Book sales records.
- “(D) Book customer lists.
- “(E) Firearms sales records.
- “(F) Tax return records.
- “(G) Educational records.
- “(H) Medical records.

“(5) **NOTIFICATION OF NON-CYBER THREAT INFORMATION.**—If a department or agency of the Federal Government receiving information pursuant to subsection (b)(1) determines that such information is not cyber threat information, such department or agency shall notify the entity or provider sharing such information pursuant to subsection (b)(1).

“(6) **RETENTION AND USE OF CYBER THREAT INFORMATION.**—No department or agency of the Federal Government shall retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

“(7) **PRIVACY AND CIVIL LIBERTIES.**—

“(A) **POLICIES AND PROCEDURES.**—The Director of National Intelligence, in consultation with the Secretary of Homeland Security and the Attorney General, shall establish and periodically review policies and procedures governing the receipt, retention, use, and disclosure of non-publicly available cyber threat information shared with the Federal Government in accordance with subsection (b)(1). Such policies and procedures shall, consistent with the need to protect systems and networks from cyber threats and mitigate cyber threats in a timely manner—

“(i) minimize the impact on privacy and civil liberties;

“(ii) reasonably limit the receipt, retention, use, and disclosure of cyber threat information associated with specific persons that is not necessary to protect systems or networks from cyber threats or mitigate cyber threats in a timely manner;

“(iii) include requirements to safeguard non-publicly available cyber threat information that may be used to identify specific persons from unauthorized access or acquisition;

“(iv) protect the confidentiality of cyber threat information associated with specific persons to the greatest extent practicable; and

“(v) not delay or impede the flow of cyber threat information necessary to defend against or mitigate a cyber threat.

“(B) **SUBMISSION TO CONGRESS.**—The Director of National Intelligence shall, consistent with the need to protect sources and methods, submit to Congress the policies and procedures required under subparagraph (A) and any updates to such policies and procedures.

“(C) **IMPLEMENTATION.**—The head of each department or agency of the Federal Government receiving cyber threat information shared with the Federal Government under subsection (b)(1) shall—

“(i) implement the policies and procedures established under subparagraph (A); and

“(ii) promptly notify the Director of National Intelligence, the Attorney General, and the congressional intelligence committees of any significant violations of such policies and procedures.

“(D) **OVERSIGHT.**—The Director of National Intelligence, in consultation with the Attorney General, the Secretary of Homeland Security, and the Secretary of Defense, shall establish a program to monitor and oversee compliance with the policies and procedures established under subparagraph (A).

“(d) **FEDERAL GOVERNMENT LIABILITY FOR VIOLATIONS OF RESTRICTIONS ON THE DISCLOSURE, USE, AND PROTECTION OF VOLUNTARILY SHARED INFORMATION.**—

“(1) **IN GENERAL.**—If a department or agency of the Federal Government intentionally or willfully violates subsection (b)(3)(D) or subsection (c) with respect to the disclosure, use, or protec-

tion of voluntarily shared cyber threat information shared under this section, the United States shall be liable to a person adversely affected by such violation in an amount equal to the sum of—

“(A) the actual damages sustained by the person as a result of the violation or \$1,000, whichever is greater; and

“(B) the costs of the action together with reasonable attorney fees as determined by the court.

“(2) **VENUE.**—An action to enforce liability created under this subsection may be brought in the district court of the United States in—

“(A) the district in which the complainant resides;

“(B) the district in which the principal place of business of the complainant is located;

“(C) the district in which the department or agency of the Federal Government that disclosed the information is located; or

“(D) the District of Columbia.

“(3) **STATUTE OF LIMITATIONS.**—No action shall lie under this subsection unless such action is commenced not later than two years after the date of the violation of subsection (b)(3)(D) or subsection (c) that is the basis for the action.

“(4) **EXCLUSIVE CAUSE OF ACTION.**—A cause of action under this subsection shall be the exclusive means available to a complainant seeking a remedy for a violation of subsection (b)(3)(D) or subsection (c).

“(e) **REPORTS ON INFORMATION SHARING.**—

“(1) **INSPECTOR GENERAL REPORT.**—The Inspector General of the Intelligence Community, in consultation with the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Privacy and Civil Liberties Oversight Board, shall annually submit to the congressional intelligence committees a report containing a review of the use of information shared with the Federal Government under this section, including—

“(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

“(B) a review of the type of information shared with the Federal Government under this section;

“(C) a review of the actions taken by the Federal Government based on such information;

“(D) appropriate metrics to determine the impact of the sharing of such information with the Federal Government on privacy and civil liberties, if any;

“(E) a list of the departments or agencies receiving such information;

“(F) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

“(G) any recommendations of the Inspector General for improvements or modifications to the authorities under this section.

“(2) **PRIVACY AND CIVIL LIBERTIES OFFICERS REPORT.**—The Civil Liberties Protection Officer of the Office of the Director of National Intelligence and the Chief Privacy and Civil Liberties Officer of the Department of Justice, in consultation with the Privacy and Civil Liberties Oversight Board, the Inspector General of the Intelligence Community, and the senior privacy and civil liberties officer of each department or agency of the Federal Government that receives cyber threat information shared with the Federal Government under this section, shall annually and jointly submit to Congress a report assessing the privacy and civil liberties impact of the activities conducted by the Federal Government under this section. Such report shall include any recommendations the Civil Liberties Protection Officer and Chief Privacy and Civil Liberties Officer consider appropriate to minimize or mitigate the privacy and civil lib-

erties impact of the sharing of cyber threat information under this section.

“(3) **FORM.**—Each report required under paragraph (1) or (2) shall be submitted in unclassified form, but may include a classified annex.

“(f) **FEDERAL PREEMPTION.**—This section supersedes any statute of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under subsection (b).

“(g) **SAVINGS CLAUSES.**—

“(1) **EXISTING AUTHORITIES.**—Nothing in this section shall be construed to limit any other authority to use a cybersecurity system or to identify, obtain, or share cyber threat intelligence or cyber threat information.

“(2) **LIMITATION ON MILITARY AND INTELLIGENCE COMMUNITY INVOLVEMENT IN PRIVATE AND PUBLIC SECTOR CYBERSECURITY EFFORTS.**—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, the Department of Defense or the National Security Agency or any other element of the intelligence community to control, modify, require, or otherwise direct the cybersecurity efforts of a private-sector entity or a component of the Federal Government or a State, local, or tribal government.

“(3) **INFORMATION SHARING RELATIONSHIPS.**—Nothing in this section shall be construed to—

“(A) limit or modify an existing information sharing relationship;

“(B) prohibit a new information sharing relationship;

“(C) require a new information sharing relationship between the Federal Government and a private-sector entity or utility;

“(D) modify the authority of a department or agency of the Federal Government to protect sources and methods and the national security of the United States; or

“(E) preclude the Federal Government from requiring an entity to report significant cyber incidents if authorized or required to do so under another provision of law.

“(4) **LIMITATION ON FEDERAL GOVERNMENT USE OF CYBERSECURITY SYSTEMS.**—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, any entity to use a cybersecurity system owned or controlled by the Federal Government on a private-sector system or network to protect such private-sector system or network.

“(5) **NO LIABILITY FOR NON-PARTICIPATION.**—Nothing in this section shall be construed to subject a protected entity, self-protected entity, cyber security provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, to liability for choosing not to engage in the voluntary activities authorized under this section.

“(6) **USE AND RETENTION OF INFORMATION.**—Nothing in this section shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

“(h) **DEFINITIONS.**—In this section:

“(1) **AVAILABILITY.**—The term ‘availability’ means ensuring timely and reliable access to and use of information.

“(2) **CERTIFIED ENTITY.**—The term ‘certified entity’ means a protected entity, self-protected entity, or cybersecurity provider that—

“(A) possesses or is eligible to obtain a security clearance, as determined by the Director of National Intelligence; and

“(B) is able to demonstrate to the Director of National Intelligence that such provider or such entity can appropriately protect classified cyber threat intelligence.

“(3) **CONFIDENTIALITY.**—The term ‘confidentiality’ means preserving authorized restrictions

on access and disclosure, including means for protecting personal privacy and proprietary information.

“(4) CYBER THREAT INFORMATION.—

“(A) IN GENERAL.—The term ‘cyber threat information’ means information directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity or utility;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or utility or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network of a government or private entity or utility; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity or utility, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity or utility.

“(B) EXCLUSION.—Such term does not include information pertaining to efforts to gain unauthorized access to a system or network of a government or private entity or utility that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(5) CYBER THREAT INTELLIGENCE.—

“(A) IN GENERAL.—The term ‘cyber threat intelligence’ means intelligence in the possession of an element of the intelligence community directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity or utility;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or utility or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network of a government or private entity or utility; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity or utility, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity or utility.

“(B) EXCLUSION.—Such term does not include intelligence pertaining to efforts to gain unauthorized access to a system or network of a government or private entity or utility that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(6) CYBERSECURITY CRIME.—The term ‘cybersecurity crime’ means—

“(A) a crime under a Federal or State law that involves—

“(i) efforts to deny access to or degrade, disrupt, or destroy a system or network;

“(ii) efforts to gain unauthorized access to a system or network; or

“(iii) efforts to exfiltrate information from a system or network without authorization; or

“(B) the violation of a provision of Federal law relating to computer crimes, including a violation of any provision of title 18, United States Code, created or amended by the Computer Fraud and Abuse Act of 1986 (Public Law 99-474).

“(7) CYBERSECURITY PROVIDER.—The term ‘cybersecurity provider’ means a non-Federal entity that provides goods or services intended to be used for cybersecurity purposes.

“(8) CYBERSECURITY PURPOSE.—

“(A) IN GENERAL.—The term ‘cybersecurity purpose’ means the purpose of ensuring the integrity, confidentiality, or availability of, or

safeguarding, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network; or

“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.—Such term does not include the purpose of protecting a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(9) CYBERSECURITY SYSTEM.—

“(A) IN GENERAL.—The term ‘cybersecurity system’ means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network; or

“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.—Such term does not include a system designed or employed to protect a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(10) INTEGRITY.—The term ‘integrity’ means guarding against improper information modification or destruction, including ensuring information nonrepudiation and authenticity.

“(11) PROTECTED ENTITY.—The term ‘protected entity’ means an entity, other than an individual, that contracts with a cybersecurity provider for goods or services to be used for cybersecurity purposes.

“(12) SELF-PROTECTED ENTITY.—The term ‘self-protected entity’ means an entity, other than an individual, that provides goods or services for cybersecurity purposes to itself.

“(13) UTILITY.—The term ‘utility’ means an entity providing essential services (other than law enforcement or regulatory services), including electricity, natural gas, propane, telecommunications, transportation, water, or wastewater services.”

(b) PROCEDURES AND GUIDELINES.—The Director of National Intelligence shall—

(1) not later than 60 days after the date of the enactment of this Act, establish procedures under paragraph (1) of section 1104(a) of the National Security Act of 1947, as added by subsection (a) of this section, and issue guidelines under paragraph (3) of such section 1104(a);

(2) in establishing such procedures and issuing such guidelines, consult with the Secretary of Homeland Security to ensure that such procedures and such guidelines permit the owners and operators of critical infrastructure to receive all appropriate cyber threat intelligence (as defined in section 1104(h)(5) of such Act, as added by subsection (a)) in the possession of the Federal Government; and

(3) following the establishment of such procedures and the issuance of such guidelines, expe-

ditiously distribute such procedures and such guidelines to appropriate departments and agencies of the Federal Government, private-sector entities, and utilities (as defined in section 1104(h)(13) of such Act, as added by subsection (a)).

(c) PRIVACY AND CIVIL LIBERTIES POLICIES AND PROCEDURES.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Homeland Security and the Attorney General, shall establish the policies and procedures required under section 1104(c)(7)(A) of the National Security Act of 1947, as added by subsection (a) of this section.

(d) INITIAL REPORTS.—The first reports required to be submitted under paragraphs (1) and (2) of subsection (e) of section 1104 of the National Security Act of 1947, as added by subsection (a) of this section, shall be submitted not later than 1 year after the date of the enactment of this Act.

(e) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

“Sec. 1104. Cyber threat intelligence and information sharing.”

SEC. 3. SUNSET.

Effective on the date that is 5 years after the date of the enactment of this Act—

(1) section 1104 of the National Security Act of 1947, as added by section 2(a) of this Act, is repealed; and

(2) the table of contents in the first section of the National Security Act of 1947, as amended by section 2(d) of this Act, is amended by striking the item relating to section 1104, as added by such section 2(d).

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113-41. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113-41.

Mr. ROGERS of Michigan. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, beginning line 15, strike “unless such information is used in accordance with the policies and procedures established under paragraph (7)”.

The CHAIR. Pursuant to House Resolution 164, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. I offer this amendment to ensure that library records, firearm sales records, medical

records, and tax returns are not included in any information voluntarily shared with the government under CISPA. Though the underlying bill would not permit this information unless it was cyber threat information, I will support this amendment, as it is a clarification amendment that settles some Members' concerns and reflects an amendment that was passed last year overwhelmingly.

With that, Madam Chair, I urge this body's support of this clarification amendment, and I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I rise to claim the time in opposition, even though I am not opposed.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. I support Chairman ROGERS' amendment to make a technical change to correct our personal records provision and retain the privacy protections that we had in our bill upon the introduction.

I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-41.

Mr. CONNOLLY. Madam Chairwoman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 15, strike "and".

Page 2, line 18, strike the period and insert "; and".

Page 2, after line 18, insert the following:

"(D) used, retained, or further disclosed by a certified entity for cybersecurity purposes."

The CHAIR. Pursuant to House Resolution 164, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Madam Chairwoman, this amendment represents a commonsense improvement to H.R. 624, which I support, that simply narrows the scope of the authorization for the intelligence community to share classified—I stress, classified—cyber threat intelligence with private sector entities and utilities.

As my colleagues are aware, the administration and some leading voices from the civil liberties and privacy rights communities have raised serious concerns with CISPA as reported out of the Permanent Select Committee on Intelligence. These concerns revolve around the fact that many provisions of CISPA are perhaps perceived as overly vague, or outright silent, with respect to limiting the scope of information sharing and mitigating the risk of unintended consequences.

For example, section 2 of CISPA, titled "Cyber Threat Intelligence and Information Sharing," is silent on what specific purposes classified cyber threat intelligence may be used, retained, or further disclosed by a certified entity. As reported, section 2 only requires that the DNI's procedures governing the sharing of classified cyber threat intelligence between the intelligence community and private sector entities be "consistent with the need to protect the national security of the United States" and used by certified entities "in a manner which protects cyber threat intelligence from unauthorized disclosure."

In this particular instance, I believe the concerns raised over the potential unintentional consequences from vagueness are real, valid, and ought to be addressed. I also believe it's a false choice that we must somehow choose between effective cybersecurity initiatives on the one hand and preserving the sacred civil liberties and privacy rights we hold so dear as a Nation on the other. In many cases, defining or limiting the scope of authority would go a long way toward addressing the privacy concerns that have been raised with respect to this legislation.

To be clear, I want to recognize that the sponsors of CISPA have already engaged in good faith efforts to incorporate and address outstanding concerns with respect to the legislation that were held by the administration and other stakeholders, and I think that needs to be recognized.

On that note, I am pleased that my amendment that was made in order represents a straightforward improvement, I hope, to CISPA that's consistent with the sponsor's stated commitment to enhancing cybersecurity, safeguarding privacy rights and civil liberties, and ensuring oversight of activity. The amendment simply establishes that, with respect to CISPA's requirements, the DNI establish procedures to govern the sharing of classified cyber threat intelligence—that this classified cyber threat intelligence may only be used, retained, or further disclosed by a certified entity for cybersecurity purposes.

As noted by the ACLU in its statement of support for the amendment, it's consistent with similar restrictions limiting the scope of other information sharing activities addressed in other

parts of the bill. The straightforward enhancement will be one of many needed improvements to the bill that will ensure it is a targeted, well-defined bill that directly—and only—strengthens our national cybersecurity.

With that, I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, while I do not oppose the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. Madam Chair, I do not oppose this amendment, which clarifies that classified intelligence shared by the government with a certified cybersecurity entity may only be used, retained, or further disclosed for cybersecurity purposes. The amendment is consistent with language that is already in the bill requiring the DNI, the Director of National Intelligence, to ensure that such classified information is carefully protected.

I appreciate the gentleman's working with us and the ACLU to find an amendment that we could all agree on. I do not oppose this further clarification and would urge support by this body of the amendment.

I reserve the balance of my time.

Mr. CONNOLLY. I would inquire of the Chair how much time is remaining.

The CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. CONNOLLY. Madam Chairwoman, I yield 1 minute to the distinguished ranking member of the committee, the gentleman from Maryland (Mr. RUPPERSBERGER).

□ 1540

Mr. RUPPERSBERGER. I thank the gentleman for yielding.

This amendment increases the privacy and civil liberties protections in our bill; therefore, I urge a "yes" on Congressman CONNOLLY's amendment.

Mr. ROGERS of Michigan. I continue to reserve the balance of my time.

Mr. CONNOLLY. Madam Chairwoman, I yield 1 minute to my distinguished colleague and our friend from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Chair, I rise in support of this amendment.

I would also argue that, in addition to it being vague, it's also overbroad in that it includes investigations for child pornography and child abductions and computer crimes. This means that under CISPA, the NSA could share data with law enforcement to investigate computer crimes, which is so broad and includes even lying about your age on your Facebook page. Are these really cyber threats that this bill claims to fix? We must defend against cyber attacks while protecting the liberties and privacy of Americans.

Mr. ROGERS of Michigan. Madam Chair, I yield myself such time as I

may consume to clarify that this doesn't call for investigations of those crimes based on this material, but only protection of the individuals that may—and I want to stress “may,” because, again, the PII, the personal identifying information, is stripped clean. But in some rare, rare cases, you might find that you have located the child who has been subjugated to child pornography. In those cases, you don't want to throw that away. There are parents out there begging for us to find this child. It's very rare, it's exceptional, doesn't happen often, but in that very rare case—and, remember, there's no personally identifiable information. It would allow for the protection, not investigation.

I reserve the balance of my time.

Mr. CONNOLLY. Madam Chairwoman, I just want to thank the distinguished chairman and the distinguished ranking member of the committee for their leadership and for their cooperation, and I yield back the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. SCHNEIDER

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-41.

Mr. SCHNEIDER. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, beginning on line 2, strike “employee or officer” and insert “employee, independent contractor, or officer”.

The CHAIR. Pursuant to House Resolution 164, the gentleman from Illinois (Mr. SCHNEIDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHNEIDER. Every day, U.S. Web sites, databases, and operating networks are threatened by foreign governments, criminal organizations, and other groups trying to hack into our systems and wreak havoc.

Daily we read about infiltrations of the networks of our banks, newspapers, and even Federal agencies putting sensitive information at risk. These cyber attacks are real, and they can have devastating consequences: billions of dollars a year in stolen intellectual property and the potential to shut

down our power grids and financial systems. The Cyber Intelligence Sharing and Protection Act gives the private sector the necessary tools to protect itself and its customers against these cyber attacks.

Currently, the intelligence community has the ability to detect cyber threats, but Federal law prohibits the sharing of this information with the very companies whose firewalls are under attack. By sharing this information, private companies can actually prevent these attacks.

The amendment I'm offering makes a small, clarifying change to the underlying bill, simply allowing independent contractors to be eligible for security clearances to perform the critical work of handling cyber threat intelligence. This clarification will allow companies—in particular, small and medium-sized businesses without the resources to employ full-time experts—to hire the most capable individuals and organizations to analyze network information, coordinate with the Federal Government, and protect ordinary Americans.

We cannot allow ourselves to be in a situation where the Federal Government has available the information to prevent or mitigate a cyber attack, but companies remain defenseless because there was no legal framework to share that critical information.

The networks at risk power our homes, our small businesses, and are what allow our banking systems to function. They facilitate nearly every aspect of our daily lives. These networks must be protected as best and responsibly as possible.

I urge my colleagues to support both my amendment and final passage of this critically important bill.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. Madam Chairman, I will support the clarification in this amendment.

The amendment clarifies that independent contractors are eligible to receive security clearances to handle cyber threat intelligence and cyber threat information shared under the bill, an important clarification amendment.

I appreciate the gentleman's work and effort in offering this amendment; And because the bill was not intended to exclude independent contractors, I will support this important clarification and would reserve the balance of my time.

Mr. SCHNEIDER. I yield such time as he may consume to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding, and I rise in opposition to the overall measure.

There are three concerns that have been raised by the administration about this bill that I share.

The first is that it does not include a provision requiring the private sector to make reasonable efforts to remove personal information before they share it with each other or before they share it with the government. This is a bed-rock necessity for those who are concerned about the privacy of Americans who may be implicated in this cyber sharing.

Second, it's very important that a civilian agency, like the Department of Homeland Security, be the main intake—really, the sole intake—for this domestic data.

There was one form of amendment offered in Rules to try to address this problem yesterday, yet another form of that amendment that was ultimately adopted by Rules, and yet a third form of that amendment that was adopted here this morning. None of us know exactly what it does because it has been a moving object. But it is very unclear whether this amendment would make a civilian agency, such as DHS, the sole intake for this domestic data. It should not be a military agency. We shouldn't have the private sector interacting directly with a military agency when it comes to domestic data that may involve the privacy of the American people.

Finally, the immunity provisions are very broad and need to be reined in so as to encourage the private sector to take reasonable steps to make sure it does not compromise privacy interests when it is not necessary to do so to protect cybersecurity.

Those three issues still must be addressed.

I want to compliment the chairman and the ranking member for the work they have done. They have made a very good-faith effort to make progress on many of these issues and in fact have made progress, but the bill still falls short and I must urge a “no” vote.

Mr. SCHNEIDER. Madam Chairman, may I inquire as to how much time I have remaining.

The CHAIR. The gentleman from Illinois has 2 minutes remaining.

Mr. SCHNEIDER. I yield such time as he may consume to the ranking member.

Mr. RUPPERSBERGER. Madam Chair, our bill now enables companies and the government to have the option to hire independent contractors to handle cyber threat information. It helps bring talented people into our cybersecurity workforce; it provides jobs; it is good for our economy; and it is good for our national security. Therefore, I urge a “yes” vote on this amendment.

I also want to acknowledge Congressman SCHNEIDER for his involvement in this issue.

Mr. SCHNEIDER. I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I just want to address my friend from California, who is a thoughtful member of the intelligence community.

This is a position that much has been debated about: Should the government regulate into the private sector their use of the Internet? I argue that is a dangerous place to go. They will have to promulgate rules; they will have to set what reasonable standards are; they will have to determine what the private sector does on the Internet. That's government in the Internet. One of the things that we decided to avoid in this bill was not to make that mandate, the burden to make sure that no PII, personal identifying information, is mandated in this bill; and it's stripped out at the place where the burden should be: on the government. To make sure it happens, we have four different layers of oversight built in just to make sure what we say that they're supposed to do according to the law, they follow the law—four levels of review.

□ 1550

We shouldn't put the burden on the victims. We don't do it if somebody sticks a gun in your face on the street or robs the bank or robs your home. What's the difference if they're robbing your Internet or stealing your blueprints that steals American jobs? The difference? There is none. Theft is theft.

Let us not move to get the government into regulating. Aspects of the Internet between private to private has been the explosion of growth in one-sixth of our economy. Keep the government out of it.

That's what we decided to do. We came to a very sensible place that protects that PII, that personal identifying information, and allows the government to stay out of regulating the Internet.

I think that's the right prudent course. I think most Americans are with us. Certainly the broad specter of industries who have joined this, from the high-tech industry to the financial services to manufacturing, have said, This is the right way to go. You stay out of our business. We'll share with you when we're victims of a crime.

With that, I reserve the balance of my time.

Mr. SCHNEIDER. Madam Chairman, I just want to thank the ranking member and the chairman for the way you have approached this in a bipartisan effort, and I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHNEIDER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LANGEVIN

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-41.

Mr. LANGEVIN. Madam Chair, I rise to offer an amendment, No. 35, listed as No. 4 in the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 16, strike "a State, local, or tribal law or regulation" and insert "a law or regulation of a State, political subdivision of a State, or a tribe".

The CHAIR. Pursuant to House Resolution 164, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Madam Chair, I yield myself such time as I may consume.

My amendment ensures that utility districts are not unnecessarily and unintentionally limited from protecting their own information and ultimately will lead to a broader and more effective information sharing structure, leading to better cybersecurity across all critical infrastructure. Specifically, the amendment replaces the word "local," which is typically interpreted to mean city, town, and county by the courts.

Such a definition, I believe, could potentially leave out special districts that provide utility services, like the Salt River Project, the Central Arizona Project, the Metropolitan Water District of Southern California, and other smaller special districts.

My amendment, Madam Chair, which is supported by the American Public Power Association, changes the bill to read, "political subdivision," allowing more utilities to receive the protections built into our bill. In doing so, it also makes the language consistent with the preemption provision in the bill.

If not amended, this legislation could subject utility districts to additional requirements if they share threat information, effectively creating a deterrent to participation—precisely what we want to avoid. We know that myriad threats are arrayed against the networks that run our critical infrastructure, and we must ensure that the utilities, which are the front lines in the cybersecurity fight, are properly protected.

I have long advocated for minimum standards for utilities, but absent such standards, I believe that we have to make sure that as many utilities as possible have access to the best possible information to defend their networks and are able to share information about the attacks that they experience.

This is an important bill overall. I really do want to applaud, again,

Chairman ROGERS and Ranking Member RUPPERSBERGER for their outstanding work on the underlying bill.

Obviously, the challenges of the threats that we face in cyberspace are growing exponentially every day. It seems like there's not a week that goes by that you don't hear of a new major attack on the critical infrastructure or, in particular, our banking system or major corporations with intellectual property theft, and obviously we have got to take action and do so now. Failure to do so would be a great abdication of our responsibility.

I'm disappointed the bill didn't pass last year. I know how hard the chairman and ranking member worked on this legislation, but clearly our adversaries, or enemies, have not taken a hiatus. They are actively engaged in cyber attacks or threats of intellectual property or identity theft, and the list goes on and on.

The underlying bill is a major step forward in protecting our cyber networks, allowing classified information to be shared with the private sector, allowing threat information to be shared back with the government to give broader situation awareness, as well as information sharing between both in the private sector among companies.

So, again, the underlying bill is a major step forward. I believe this amendment that I'm offering makes the bill even better for making sure that broader utilities are included in allowing for information sharing.

I urge my colleagues to support this commonsense amendment and the underlying legislation, and I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Madam Chair, I yield myself such time as I may consume.

I want to thank the gentleman from Rhode Island (Mr. LANGEVIN), who has been a tremendous leader on cybersecurity efforts on the Intelligence Committee. Much of our work there is classified and it goes unnoticed, and rightly so. I think it would be wrong for us not to commend in public your great leadership and efforts and work with us to try to make sure that this bill does what we say we want it to do. It has been a great privilege and pleasure to work with you throughout that process, and without that leadership, we wouldn't be standing on the floor today. I want to thank the gentleman for that.

I will support the amendment, which clarifies that entities located across multiple localities are intended to be covered by provisions in the bill exempting information shared under the bill from certain disclosures otherwise

required of public or quasi-public entities. The amendment replaces the term "local" with "political subdivision." Because there is no intention to exclude such entities, this is intended as a clarification, an important clarification, and I will gladly support the amendment, and again thank the gentleman for his work on the totality of both national security issues and cybersecurity.

I reserve the balance of my time.

Mr. LANGEVIN. Madam Chair, I yield such time as he may consume to the ranking member of the Intelligence Committee, the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. I thank the gentleman for yielding.

Madam Chair, first, I want to agree with our chairman, and I said it before, that you have been one of the key players in developing legislation to protect our country. From the beginning, when those of us started working on this issue, probably 2006, you were there. You have a tremendous amount of expertise. You have been a great adviser to all of us, and also not only the Intelligence Committee, but the Armed Services Committee, and I appreciate all your work.

I also support your amendment to include political subdivisions within the information, use, and protection requirements in our bill. Your amendment ensures that utility districts are not unnecessarily and unintentionally limited from protecting their own information.

Therefore, I urge a "yes" vote on your amendment.

Mr. LANGEVIN. Madam Chair, before I close, I just wanted to thank, again, the chairman and the ranking member for their comments, but, more importantly, their extraordinary collaborative work in trying to protect our Nation's cybersecurity. The work that they did in putting this legislation together, it is a real service to the country what you have done, and I am grateful to have played a part in it with you, and thank you for your friendship.

With that, I urge my colleagues to support the amendment, and I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

□ 1600

The Chair understands that amendment No. 5 will not be offered.

It is now in order to consider amendment No. 6 printed in House Report 113-41.

Mr. ROGERS of Michigan. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MARCHANT) having assumed the chair, Ms. ROS-LEHTINEN, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 1 minute p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 4 o'clock and 30 minutes p.m.

CYBER INTELLIGENCE SHARING AND PROTECTION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 164 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 624.

Will the gentleman from Texas (Mr. MARCHANT) kindly take the chair.

□ 1631

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mr. MARCHANT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 4 printed in House Report 113-41 offered by the gentleman from Rhode Island (Mr. LANGEVIN) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those

amendments printed in House Report 113-41 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. ROGERS of Michigan.

Amendment No. 2 by Mr. CONNOLLY of Virginia.

Amendment No. 4 by Mr. LANGEVIN of Rhode Island.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 14, as follows:

[Roll No. 110]

AYES—418

Aderholt	Cartwright	Duckworth
Alexander	Cassidy	Duffy
Amash	Castor (FL)	Duncan (SC)
Amodei	Castro (TX)	Duncan (TN)
Andrews	Chabot	Edwards
Bachus	Chaffetz	Ellison
Barber	Chu	Ellmers
Barletta	Cicilline	Engel
Barr	Clarke	Enyart
Barrow (GA)	Clay	Eshoo
Barton	Cleaver	Esty
Bass	Clyburn	Farenthold
Beatty	Coble	Farr
Becerra	Coffman	Fattah
Benishek	Cohen	Fincher
Bentivolio	Cole	Fitzpatrick
Bera (CA)	Collins (GA)	Fleischmann
Billirakis	Collins (NY)	Fleming
Bishop (GA)	Conaway	Flores
Bishop (NY)	Connolly	Forbes
Bishop (UT)	Conyers	Fortenberry
Black	Cook	Foster
Blumenauer	Cooper	Fox
Bonamici	Costa	Frankel (FL)
Bonner	Cotton	Franks (AZ)
Boustany	Courtney	Frelinghuysen
Brady (PA)	Cramer	Fudge
Brady (TX)	Crawford	Gabbard
Braley (IA)	Crenshaw	Gallego
Bridenstine	Crowley	Garamendi
Brooks (AL)	Cuellar	Garcia
Brooks (IN)	Culberson	Gardner
Brown (GA)	Cummings	Garrett
Brown (FL)	Daines	Gerlach
Brownley (CA)	Davis (CA)	Gibbs
Buchanan	Davis, Danny	Gibson
Bucshon	Davis, Rodney	Gingrey (GA)
Burgess	DeFazio	Gohmert
Bustos	DeGette	Goodlatte
Butterfield	Delaney	Gosar
Calvert	DeLauro	Gowdy
Camp	DelBene	Granger
Campbell	Denham	Graves (GA)
Cantor	Dent	Graves (MO)
Capito	DeSantis	Grayson
Capps	DesJarlais	Green, Al
Capuano	Deutch	Griffin (AR)
Cárdenas	Diaz-Balart	Griffith (VA)
Carney	Dingell	Grijalva
Carson (IN)	Doggett	Grimm
Carter	Doyle	Guthrie

Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larsen (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeback
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maffei
Maloney
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)

NOT VOTING—14

Bachmann
Blackburn

McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger

Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

Jackson Lee
Kennedy

Lynch
Markey
Miller, Gary

Moore
Nugent
Rush

Shimkus
Tsongas

□ 1656

Mrs. LOWEY and Mr. RANGEL changed their vote from “no” to “aye.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 110, had I been present, I would have voted “aye.”

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 14, as follows:

[Roll No. 111]

AYES—418

Aderholt
Alexander
Amash
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishke
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney

Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Doyle
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais

Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)

Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larsen (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeback
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maffei
Maloney
Maloney, Carolyn
Maloney, Sean
Marchant
Marino

Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce

Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stewart
Nolan
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Bachmann Jackson Lee Nugent
Bishop (UT) Kennedy Rush
Blackburn Lynch Shimkus
Graves (GA) Markey Tsongas
Holding Miller, Gary

□ 1701

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. LANGEVIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 3, not voting 18, as follows:

[Roll No. 112]

AYES—411

Aderholt	Castor (FL)	Duncan (TN)
Alexander	Castro (TX)	Edwards
Amodei	Chabot	Ellison
Andrews	Chaffetz	Ellmers
Bachus	Chu	Engel
Barber	Cicilline	Enyart
Barletta	Clarke	Eshoo
Barr	Clay	Esty
Barrow (GA)	Cleaver	Farenthold
Barton	Clyburn	Farr
Bass	Coble	Fincher
Beatty	Coffman	Fitzpatrick
Becerra	Cohen	Fleischmann
Benishek	Cole	Fleming
Bentivolio	Collins (GA)	Flores
Bera (CA)	Collins (NY)	Forbes
Bilirakis	Conaway	Fortenberry
Bishop (GA)	Connolly	Foster
Bishop (NY)	Conyers	Fox
Bishop (UT)	Cook	Frankel (FL)
Black	Cooper	Franks (AZ)
Blumenauer	Costa	Frelinghuysen
Bonamici	Cotton	Fudge
Bonner	Courtney	Gabbard
Boustany	Cramer	Galleo
Brady (PA)	Crawford	Garamendi
Brady (TX)	Crenshaw	Garcia
Braley (IA)	Crowley	Gardner
Bridenstine	Cuellar	Garrett
Brooks (AL)	Culberson	Gerlach
Brooks (IN)	Cummings	Gibbs
Brown (GA)	Daines	Gibson
Brown (FL)	Davis (CA)	Gingrey (GA)
Brownley (CA)	Davis, Danny	Goodlatte
Buchanan	Davis, Rodney	Gosar
Bucshon	DeFazio	Gowdy
Burgess	DeGette	Granger
Bustos	Delaney	Graves (GA)
Butterfield	DeLauro	Graves (MO)
Calvert	DelBene	Grayson
Camp	Denham	Green, Al
Campbell	Dent	Green, Gene
Cantor	DeSantis	Griffin (AR)
Capito	DesJarlais	Griffith (VA)
Capps	Deutch	Grijalva
Capuano	Diaz-Balart	Grimm
Cárdenas	Dingell	Guthrie
Carney	Doggett	Gutierrez
Carson (IN)	Doyle	Hahn
Carter	Duckworth	Hall
Cartwright	Duffy	Hanabusa
Cassidy	Duncan (SC)	Hanna

Harper	McGovern	Ryan (OH)
Harris	McHenry	Ryan (WI)
Hartzel	McIntyre	Salmon
Hastings (FL)	McKeon	Sánchez, Linda
Hastings (WA)	McKinley	T.
Heck (NV)	McMorris	Sanchez, Loretta
Heck (WA)	Rodgers	Sarbanes
Hensarling	McNerney	Scalise
Herrera Beutler	Meadows	Schakowsky
Higgins	Meehan	Schiff
Himes	Meeks	Schneider
Hinojosa	Meng	Schock
Holt	Messer	Schrader
Honda	Mica	Schwartz
Horsford	Michaud	Schweikert
Hoyer	Miller (FL)	Scott (VA)
Hudson	Miller (MI)	Scott, Austin
Huelskamp	Miller, George	Sensenbrenner
Huffman	Moore	Serrano
Huizenga (MI)	Moran	Sessions
Hultgren	Mulvaney	Sewell (AL)
Hunter	Murphy (FL)	Shea-Porter
Hurt	Murphy (PA)	Sherman
Israel	Nadler	Shuster
Issa	Napolitano	Simpson
Jeffries	Neal	Sinema
Jenkins	Negrete McLeod	Sires
Johnson (GA)	Neugebauer	Slaughter
Johnson (OH)	Noem	Smith (NE)
Johnson, E. B.	Nolan	Smith (NJ)
Johnson, Sam	Nunes	Smith (TX)
Jones	Nunnelee	Smith (WA)
Jordan	O'Rourke	Southerland
Joyce	Olson	Speier
Kaptur	Owens	Stewart
Keating	Palazzo	Stockman
Kelly (IL)	Pallone	Stutzman
Kelly (PA)	Pascrell	Swalwell (CA)
Kildee	Pastor (AZ)	Takano
Kilmer	Paulsen	Terry
Kind	Payne	Thompson (CA)
King (IA)	Pearce	Thompson (MS)
King (NY)	Pelosi	Thompson (PA)
Kingston	Perlmutter	Thornberry
Kinzinger (IL)	Perry	Tiberi
Kirkpatrick	Peters (CA)	Tierney
Kline	Peters (MI)	Tipton
Kuster	Peterson	Titus
Labrador	Petri	Tonko
LaMalfa	Pingree (ME)	Turner
Lamborn	Pittenger	Upton
Lance	Pitts	Valadao
Langevin	Pocan	Van Hollen
Lankford	Poe (TX)	Vargas
Larsen (WA)	Polis	Veasey
Larson (CT)	Pompeo	Vela
Latham	Posey	Velázquez
Latta	Price (GA)	Visclosky
Lee (CA)	Price (NC)	Wagner
Levin	Quigley	Walberg
Lipinski	Radel	Walden
LoBiondo	Rahall	Walorski
Loeb	Rangel	Walz
Loeb	Reed	Wasserman
Lofgren	Reichert	Schultz
Long	Renacci	Waters
Lowenthal	Ribble	Watt
Lowe	Rice (SC)	Waxman
Luetkemeyer	Richmond	Weber (TX)
Lujan Grisham	Rigell	Webster (FL)
(NM)	Roby	Welch
Lujan, Ben Ray	Roe (TN)	Wenstrup
(NM)	Rogers (AL)	Westmoreland
Lummis	Rogers (KY)	Whitfield
Maffei	Rogers (MI)	Williams
Maloney,	Rohrabacher	Wilson (FL)
Carolyn	Rokita	Wilson (SC)
Maloney, Sean	Rooney	Wittman
Marchant	Ros-Lehtinen	Wolf
Marino	Roskam	Womack
Massie	Ross	Woodall
Matheson	Rothfus	Yarmuth
Matsui	Roybal-Allard	Yoder
McCarthy (CA)	Royce	Yoho
McCarthy (NY)	Ruiz	Young (AK)
McCaul	Runyan	Young (FL)
McCollum	Ruppersberger	Young (IN)
McDermott		

NOES—3

Amash	Gohmert	McClintock
Bachmann	Holding	Lewis
Blackburn	Jackson Lee	Lucas
Fattah	Kennedy	Lynch

NOT VOTING—18

Markey	Nugent	Shimkus
Miller, Gary	Rush	Stivers
Mullin	Scott, David	Tsongas

□ 1707

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. BACHMANN. Mr. Chair, on April 17, 2013, I was not able to vote on rollcall votes 110, 111 and 112. At the time, I was performing my duties as a designee of the U.S. House of Representatives attending the funeral of Baroness Margaret Thatcher in London. Had I been present for the vote, I would have voted "aye" on all three votes.

Mr. SESSIONS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. WAGNER) having assumed the chair, Mr. MARCHANT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, had come to no resolution thereon.

□ 1710

HOUR OF MEETING ON TOMORROW

Mr. COLLINS of Georgia. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

APPOINTMENT AS MEMBER TO WORLD WAR I CENTENNIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(b) of the World War I Centennial Commission Act (Public Law 112-272), and the order of the House of January 3, 2013, of the following individual on the part of the House to the World War I Centennial Commission:

Colonel Thomas N. Moe, Retired, Lancaster, Ohio

PERSONAL EXPLANATION

Ms. JACKSON LEE. Madam Speaker, I was unavoidably detained with meetings in my office. Had I been present, I would have voted "aye" on the Rogers amendment, "aye" on the Connolly amendment, and "aye" on the Langevin amendment to the underlying legislation, H.R. 624.

COMMEMORATING 100TH ANNIVERSARY OF THE CONGRESSIONAL RESEARCH SERVICE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, 100 years ago, Congress passed the 1914 Legislative, Executive, and Judicial Appropriations Act, which established a separate department within the Library of Congress to serve the legislative and resource needs of the United States Congress.

The legislation authorized the Library of Congress to “employ competent persons to prepare such indexes, digests, and compilations of laws as may be required for Congress and other official use.”

In 1946, the Department was renamed the Legislative Reference Service, which is today known as the Congressional Research Service, or CRS. Over the years, CRS has served the Congress by providing comprehensive and reliable legislative research and analyses that are timely, objective, and authoritative.

This year is the 100th anniversary of the Congressional Research Service, and today I want to thank these research professionals for the work they do and the contributions they make to the United States Congress and our Federal legislative process.

SAFE CLIMATE CAUCUS

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Madam Speaker, last week, members of the Safe Climate Caucus challenged the Republicans who are on the Energy and Commerce Committee to come to the floor and debate with us and talk about the problems of climate change. We wrote them a letter, and we haven't even gotten a reply. There seems to be a conspiracy of silence in the House of Representatives about the dangers of climate change, and it's time for real debate on the House floor.

Every day, members of the Safe Climate Caucus have come to this floor to give speeches on topics relating to climate change, including the importance of preparing communities to mitigate the impacts of extreme weather events, potential for clean energy technologies, and the threats of rising temperatures across the country.

In contrast, we're not aware of any Republican Member who has spoken on the House floor about the dangers of climate change, and the committee of jurisdiction is not even willing to hold a hearing to hear what the scientists and experts have to say about the issue.

I have a message to House Republicans: You can't make climate change go away by ignoring the problem.

THE BOSTON TRAGEDY

(Mrs. McMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McMORRIS RODGERS. Madam Speaker, today our hearts remain heavy. Our hearts are heavy for those who lost their lives in Monday's unspeakable act of violence, for those who remain in critical condition, for the parents who lost their 8-year-old son, and for the families whose loved ones never came home from the Boston Marathon.

While our sorrow is great, so, too, is our resolve. We're committed to working with law enforcement officers to ensure that those responsible are held accountable, and we are committed to stopping acts of terror on U.S. soil and abroad.

We will remain vigilant, demand answers, and seek justice, for there is nothing we take more seriously than the protection of American life. And in our sorrow, we will find gratitude for the firefighters, paramedics, police officers, and first responders who put their lives at risk to help save others.

In the words of Ronald Reagan:

I know in my heart that man is good, that what is right will always eventually triumph. And there's purpose and worth to each and every life.

So today let us come together as Americans—as moms and dads, brothers and sisters, husbands and wives—and continue to pray for those whose lives were forever changed.

SAFE CLIMATE CAUCUS

(Mrs. CAPPS asked and was given permission to address the House for 1 minute.)

Mrs. CAPPS. Madam Speaker, earlier today, the Energy and Commerce Committee passed, for the third time in 2 years, a bill to force approval of the Keystone XL pipeline.

I voted against the bill for many reasons, but chief among them is the fact that it doubles down on a dead-end oil-based energy policy that is hurting our economy, hurting our environment and our health.

Burning fossil fuels is a primary cause of climate change, and we simply can't afford to continue down this destructive path. It makes far more sense to focus on developing the clean, renewable energy technologies that we all know we're going to need down the road. Developing these technologies will create quality long-term jobs that can't be shipped overseas. It's good for business; it's good for our planet; and it's good for our national security.

There's no reason we can't put aside our differences and take action to pro-

mote a clean energy future. It's what our constituents sent us here to do.

Our window of opportunity is rapidly closing. The time to act is now.

□ 1720

CYBERSECURITY AND THE CONSTITUTION

(Mr. McCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. McCLINTOCK. Madam Speaker, the House has been considering H.R. 624, the so-called CISPA bill.

Although its sponsors assure us that a person's Internet data would be stripped of personal identification, this bill then allows this data to be used to prosecute certain Federal crimes. Well, how could they do it? It turns out the Federal Government, having stumbled upon this evidence, can then seek a warrant to obtain that personally identifying information.

That makes it the functional equivalent of the “writs of assistance” used by the English Crown in colonial times. It is antithetical to the Fourth Amendment, which requires that, before the government can invade your privacy, it must first present a court with reasonable cause to believe you have committed a crime. This bill effectively allows the government to search through your personal records indiscriminantly and then use that information to form the basis of a prosecution.

Cybersecurity is an important national security issue, but it does not trump the Bill of Rights or the American freedoms that our Constitution protects.

SAFE CLIMATE CAUCUS

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Today, I rise to cite the fact that the American people and Democrats and scientists agree that climate change is a danger to us all, but where are the Republicans? A week ago, I joined my colleagues in the Safe Climate Caucus to challenge the Republican members of the Energy and Commerce Committee to debate the Nation's response to climate change on the House floor. We received no response.

It is time for a real debate on the House floor about the dangers of climate change. We are already seeing the powerful forces and effects of nature. We are witnessing the predictions of our premier scientists come true, and they are alarming. We've seen catastrophic storms, record heat waves, droughts, and wildfires. Top scientists in the U.S. and around the world tell us that impacts like these will get even worse as climate change continues.

There is no debate about the science of climate change.

Madam Speaker, it's time for a debate on how to solve climate change.

THE "GOLD STAR" FOR DAWSON COUNTY HIGH SCHOOL JUNIOR ROTC

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Madam Speaker, I am pleased to report that the Dawson County High School Junior ROTC recently earned "gold star" status. This honor places the Dawson County High School Junior ROTC in the top 10 percent of the Nation. This status is a reflection of each cadet's hard work and the investment of the parents, the instructors, and the community in the Junior ROTC program.

As a member of the Air Force Reserve, I have great admiration for the young people involved in Junior ROTC in Georgia and throughout the United States. This important program instills the values of citizenship, service, and personal responsibility in the next generation of leaders.

I anticipate great things from these young men and women in the future, and I wish the Dawson County High School Junior ROTC program continued success.

THE 40TH ANNIVERSARY OF FEDEX

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. I rise today to recognize the 40th anniversary of the founding of FedEx, one of the world's great companies.

According to business lore, CEO Fred Smith originally introduced his idea for FedEx in a Yale economics paper that got him a C grade. Today, 40 years later, we can all appreciate the merit of that C paper after the company originally set up shop in 1973 near the Memphis airport with 14 aircraft and 186 packages set for delivery. That first day, FedEx flew to 25 U.S. cities from its home base in Memphis, which remains its world headquarters. Today, FedEx has grown to ship more than 9 million parcels daily across the globe.

FedEx and Fred Smith have also shown great generosity to the country, and Memphis is lucky and proud that it's our home company. Fred Smith, a combat marine, who served two tours of duty in Vietnam, served as the co-chair of the World War II Memorial Committee to build a memorial here in Washington.

It used to be said that what's good for General Motors is good for the Nation, but now I think what's good for FedEx is good for the Nation—absolutely, positively.

I congratulate Fred Smith and FedEx on 40 years of great service, and I look forward to another 40 years of innovation and service.

SAFE CLIMATE CAUCUS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. It is time for a real debate on climate change—right here on the House floor. The members of the Safe Climate Caucus come to the floor to talk about this critical issue every day that the House is in session, but where are our Republican colleagues?

Last week, we challenged the Republican members of the Energy and Commerce Committee to a debate, a debate about the appropriate policy response to the threat of climate change, but we've heard nothing from the Republicans. The House Republican leadership should schedule that debate right away. This problem is not going away. The longer we delay, the greater the risks.

The Energy and Commerce Committee has refused to act or to even hear the latest science. Congressman WAXMAN and Congressman RUSH have sent over 20 letters requesting hearings with scientists and other experts about important developments in climate science, but the Republicans have refused to hold any hearings on climate change. The American public is entitled to an explanation for this disappointing record of inaction.

Madam Speaker, we need to get serious about tackling climate change. That means having a debate about what actions should be taken. That debate is long overdue, and my friends, time is running out.

JOHN GRANVILLE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, I rise today to talk about a remarkable man from Buffalo, New York—John Granville.

John was a diplomat with the United States Agency for International Development, who was facilitating free elections in the Sudan when, 5 years ago, he was assassinated in Khartoum. Four of his killers were captured and convicted, but they escaped from prison. Two remain at large, and the State Department has issued a \$5 million reward for information leading to their capture. Meanwhile, in February, the Sudanese Government pardoned the man who helped John Granville's killers escape.

Madam Speaker, John deserves better. He was a selfless and courageous man who dedicated his life to representing the United States and in

helping those who needed it most. Tomorrow, I will introduce a resolution calling for the Sudan to remain on the State Sponsors of Terrorism list until the pardon is repealed and the escapees are captured. I will also send a letter demanding that President al-Bashir rescind the pardon immediately.

John Granville made western New York and our Nation proud. I will keep fighting to see that justice is served and that his memory is honored.

CLIMATE CHANGE NEEDS A GLOBAL SOLUTION

(Mr. GRIFFITH of Virginia asked and was given permission to address the House for 1 minute.)

Mr. GRIFFITH of Virginia. Ladies and gentlemen, I join you today to share an amusing note that one of my constituents posted on Facebook recently. He said:

I carved my pumpkin, and it was snowing outside. Today, I dyed Easter eggs, and it's snowing outside. Congratulations, Mr. President. You've solved global warming.

Now, that's amusing. Climate change is a serious issue, but we must recognize that we do not have this planet all to ourselves and that, when the Chinese are increasing elevenfold their profits on the production of coal, when they, in fact, have become the number one coal producer, when their equipment is about 30 to 50 percent less efficient than ours, we cannot solve this problem without a global solution, and we must have the Chinese act.

We've done our part in going down this road to solve problems. We need the Chinese to act as well.

COMMONSENSE BACKGROUND CHECKS ON GUN OWNERS

(Mr. LARSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LARSON of Connecticut. I rise to commend JOE MANCHIN and PAT TOOMEY for coming up with a rational approach that 92 percent of Americans all agree with in the need for universal background checks as they relate to our gun laws.

The bill was taken up today in the Senate, and the vote was 54-46. Every fifth grader in America is astounded that that bill was defeated. Only in the United States Senate, the other body, could that take place—that a vote of 54-46 would not pass.

So, disheartening as it is and in reeling from the events that have taken place in Boston on Patriots' Day, children all across America cannot be reassured by their parents tonight that they are safe, but the NRA will sleep well this evening. Mission accomplished.

But there is another Chamber and an opportunity for the House of Representatives to speak its will on the violence that has been perpetrated across

this country: in the commonsense background checks that are needed here in this country.

□ 1730

WAR ON COAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Kentucky (Mr. BARR) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. BARR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BARR. Madam Speaker, this Nation was founded on a simple, but majestic, idea; and that idea is that we are endowed by our Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

Think about these words from Jefferson in the Declaration of Independence for just a minute: the pursuit of happiness—the idea that every human being has a fundamental, natural right to follow his or her dreams, to reach for the stars, to work hard to achieve their God-given potential, all without undue interference from the government.

What is the key to happiness? I believe it to be hard work—a relentless and unyielding desire on the part of the individual to apply effort and improve their lot in life. Hard work, after all, has been an American tradition from our very founding. Benjamin Franklin once said:

It is the working man who is the happy man. It is the idle man who is the miserable man.

And so this story is the story of America. The work ethic defines who we are as a nation. It is in our DNA; unconstrained by excessive government, the industry and creativity of the American people have fueled the most prosperous and productive nation in the history of the world.

So what gives Americans—or anyone else for that matter—the character to pursue happiness? What animates our capacity to do work? In a word: energy.

Quite literally, the classic, scientific definition of energy is the ability to do work. And Americans' ability to perform work, to work hard and to pursue happiness over the years has been supported by an abundant and affordable supply of domestic American-produced energy. Energy has been the indispensable ingredient in Americans' ability to pursue happiness.

Think about it: the story of this country has been the story of Amer-

ican energy—coal, oil, natural gas. Abundant, reliable, affordable energy has always been essential to a growing national economy. It built the railroads and conquered the West. It spawned the industrial revolution and won two world wars. It revolutionized communications and fostered innovation from Henry Ford to the Wright brothers, Apollo and Neil Armstrong. It propelled us into the Information Age and the knowledge-based economy. Energy always has been and always will be the key to Americans' ability to work hard and pursue happiness.

It is no surprise then that the countries with the best human health and the most material wealth on this planet are the countries with the highest levels of energy consumption. The most salient difference between nations in the developed world and nations in the lesser-developed world is that nations in the developed world produce and consume the most energy, whereas nations in the lesser-developed parts of the world produce and consume the least.

And so before us we have a choice, and it's a choice between two futures. The first is a future of energy freedom and independence in which we continue to embrace the ideals of our Founding Fathers, of Jefferson and Franklin, where men follow their dreams, can work hard and pursue happiness unconstrained by central planners in Washington, D.C., where we can pursue an open energy system and a diversity of energy sources to create jobs and opportunity and power a future of unlimited growth and potential.

The second is a future of energy scarcity, a future of energy dependency in which we abandon the traditions of the Founding Fathers, reject the American work ethic, and deprive Americans of their ability to pursue their dreams, by limiting the diversity of their energy choices to only those that Washington politicians and not the American people decide are worthwhile and sustainable.

In short, in the words of Benjamin Franklin, we can be the happy man. We can pursue happiness, or we can be the idle man. The choice is ours, and here's why this is relevant today. We are on the path toward a future of energy scarcity rather than energy freedom. We are on a path that replaces Americans' right to work hard and pursue happiness with a government-directed society in which politicians and bureaucrats restrict Americans' freedom and limit their choices. And the best example of this is the Obama administration's war on coal.

What is the impact of this great, abundant natural resource? In 2012, coal was responsible for 37 percent of electricity generated in the United States, more than any other source of electricity. Given current consumption rates, the United States has more than

230 years remaining in coal reserves. Coal is mined in 25 U.S. States and is responsible for over 760,000 U.S. jobs.

My home State, Kentucky, has produced energy for centuries. And most importantly, we have produced coal. And our coal industry that has been built by the hard work of my fellow Kentuckians powers America. Kentucky was the third largest coal producer in the United States during 2011, and coal mining was by far the greatest source of energy production in the Commonwealth. In 2011, coal mines employed more than 19,000 individuals through the year, and mining directly contributed approximately \$4 billion to the Commonwealth's economy.

What has the war on coal brought to our country and to Kentucky? Domestic coal decreased by 4.6 percent just last year. In 2012, U.S. coal consumption for electric power declined by 11.5 percent. Within the past year, 226 coal electricity-generating units have been shut down. In 2012, Kentucky's overall coal production decreased by 16.3 percent, reaching its lowest level of production since 1965.

And this has an impact on real people. U.S. coal-mining jobs dropped by 7,700 in 2012, and new and pending EPA regulations will cost 1.65 million jobs. With 205 coal-fired generators shutting down in the coming year due to stricter environmental regulations, the United States is expected to lose up to 17,000 jobs.

In my home State of Kentucky, this war on coal has been devastating to my fellow Kentuckians. In 2012, direct employment in Kentucky's coal industry decreased by over 4,000 workers.

Mr. Speaker, this has a real impact on real lives. It's easy to sit in Washington and issue regulations when you don't have to confront the human cost.

I want to yield time to some of my fellow colleagues in the House; but before I do, I want to tell a brief story that I think tells the story of the war on coal and why it matters to people all around this country. It's a story of a young coal miner that I met in my home State of Kentucky. His name is Chris Woods, and Chris commutes over an hour each way, both ways, to work and back home every day. He took me in the coal mine, and he wanted to show me his work. And it's heroic work what these coal miners do. And he took me underground and he showed me what he did. As we were coming out of the mine, and as I recognized that what he was doing was providing low-cost, reliable electricity to the American people, he looked at me and he said: You know, ANDY, I don't really know much about politics. And, frankly, I don't care much about politics; but if you can save my job, I'm for you.

And the thing about Chris Woods was he wasn't thinking about himself. His one paycheck takes care of his wife, two children, and both sets of parents.

□ 1740

This matters to people. And for every one coal mining job lost, there are 3½ additional jobs that are dependent on the coal industry.

And so, Mr. Speaker, I look forward to having a discussion tonight about the future of coal in America, about the choices we have as a country to pursue our happiness, to work hard, to fulfill and embrace the Founding Fathers' vision that we should shoot for the stars, that we should have energy diversity and energy freedom, and we should reject the path we're on, a path of energy scarcity and dependence.

With that, Mr. Speaker, I'd like to yield to the gentlelady from Missouri, ANN WAGNER.

Mrs. WAGNER. I thank the gentleman from Kentucky for yielding and for hosting this Special Order on the importance of America's coal industry.

Mr. Speaker, I rise to discuss the importance of coal in Missouri. There is no denying that coal has played a vital role in providing an abundant source of power to plants that generate electricity for families and for businesses across this country.

In Missouri, coal-fired electricity is responsible for 81 percent of the State's electric supply, and largely contributed to Missouri's low electricity rate of 7 cents per kilowatt hour in 2011, compared with the national average of 10 cents per kilowatt hour for that very same year.

Additionally, Missouri was sixth in the country in coal consumption, with 46 million tons of coal used for electricity in 2011, of which Ameren Missouri's Meramec plant in the Second Congressional District consumed 3½ million tons.

Ameren Missouri, based out of St. Louis, is the State's largest electric utility and provides electric service to approximately 1.2 million customers across central and eastern Missouri, including the Greater St. Louis area.

In addition to the consumption of coal, the Greater St. Louis area is also a critical player in the procurement of coal for our Nation's energy needs, with companies like Arch Coal, Peabody Coal and Patriot Coal headquartered in St. Louis and drawing employees from Missouri's Second Congressional District. These companies are among some of the country's and the world's largest coal providers.

All of this helps in keeping energy costs low for families and for businesses. More than half of American households devote more than 20 percent of their family budget to energy costs and, in this economy, we must do everything we can in order to keep the costs of electricity down.

Despite the reliance on coal in providing for this country's energy needs and contributing to low electricity prices, this administration has continually made it more difficult for these

longstanding plants to operate, which ultimately threatens the industry for the future.

Existing power plants are already in the middle of meeting compliance with an EPA regulation aimed at reducing uncontrolled greenhouse gas emissions by 90 percent over 3 years. Now EPA is also proposing to regulate greenhouse gases for new power plants that will require them to meet a natural gas standard for air emissions by relying on unproven technology utilizing carbon capture and storage.

This standard was originally designed for a completely different energy source and relies on technology that has not yet been commercially tested, with the EPA itself estimating that this New Source Performance Standards rule will add around 80 percent to the cost of electricity for a new coal plant.

The EPA has already missed their April 13 deadline to finalize the rule, citing that they are still reviewing the close to 2 million comments that have been offered on the proposal. Among these comments are submissions from 221 Members of Congress, including 14 Democrats, who all have concerns with the devastating impact that this rule will have on jobs and the economy.

As a new Member of Congress, I would like to join my colleagues in opposition of this rule. The New Source Performance Standards rule will deny economic and environmental benefits of new low-emissions coal power plants in favor of plants that rely on commercially unproven technology in order to chase unrealistic and marginal environmental standards.

On top of all of this, President Obama's nominee to head the EPA during his second term only promises to bring the same kind of policies that have shut down factories and bogged down companies with increased regulatory red tape during his first term.

Gina McCarthy has headed the EPA's Office on Air Quality since 2009, and was instrumental in the creation of these regulations that have attacked the coal industry.

I applaud Senator ROY BLUNT's leadership in placing a hold on her nomination, and hope that my other Senate colleagues will also take a hard look at her previous agenda when considering her legitimacy for the position, with such an important part of our domestic energy production and economic activity at stake. The coal industry just simply cannot handle four more years of the same regulatory overburden by the EPA.

What this all comes down to is continuing to provide reliable and affordable energy for the people of Missouri and the United States of America. Increasing costs of doing business subsequently increases the price of energy for households at a time when families are spending more and more of their budget on powering their homes.

The amount that American households devote from their family budget to energy cost is more than double from 10 years ago, and these regulations on coal have all played a significant role in that.

Mr. BARR. I thank the gentlelady, and appreciate her comments on the fact that certainly affordable electricity is part of this discussion. And it's particularly important to recognize that the war on coal affects everybody, not just coal miners, not just people in the power industry, but seniors on fixed income.

Over half of American households devote more than 20 percent of their family budget to energy costs, more than double 10 years ago, and so this matters to every middle class family in America.

At this time I'd like to yield to my colleague, the gentleman from Kentucky, the chair of the Energy Subcommittee.

Mr. WHITFIELD. I want to thank the gentleman from Kentucky for hosting this discussion about the importance of coal, and for all those who are going to participate in this discussion this evening.

When President Obama was seeking the office he now holds, he visited San Francisco and he attended a meeting in San Francisco. And at that meeting he made the comment that if he was elected President, you could still build a coal plant in America, but he would bankrupt the industry.

And guess what?

He and his administration have made it very clear, despite their comments that they support all of the above in energy policy to produce electricity, they've made it very clear that they do not support the use of coal.

The gentleman from Kentucky mentioned earlier that over 205 coal-burning plants have closed in this country in recent years. And this President's EPA recently came out with a rule proposal relating to greenhouse gas emissions, and that when they finalize that rule—they were supposed to have finalized it on April 13 and they did not do it—but when they finalize it, it will be impossible to build a new coal-powered plant in America because the technology is not available to meet the emissions standards required by EPA.

Now, let's think about that for a moment. We would be the only country in the world in which you would not be able to build a coal-powered plant to produce electricity. And we know that in China, they're building more and more every day, every week, every month. The same thing in India. And even in Germany, where they closed down their nuclear power plants, they're building more coal-powered plants.

Now, what does that mean to America if we can not build a new coal-powered plant?

My friend from Virginia was talking about, in Virginia, just about a year ago, they built one of the cleanest burning coal-powered plants in America.

I was in Texarkana, Arkansas, in December. They opened up another clean-burning plant in Arkansas. But under these new regulations, you would not be able to build any plant, regardless of how clean it is.

□ 1750

Now the sad thing about this is that we're losing jobs because of these regulations. But just as important, America is becoming less competitive in the global marketplace because it's increasing the cost of electricity, making it much more difficult for us to compete in the global marketplace. And the sad thing about it is that this is being done by regulators without any public debate.

It's hard to believe that a regulation administered by EPA will prohibit the building of any coal-powered plant in America, once it's final, from that day forward, unless the technology is dramatically improved. And yet there's no public debate about it. This is a decision that should be made on the floor of the House of Representatives and on the floor of the United States Senate, not by a group of regulators who determine that they want to put coal out of business.

Now a few of our friends were talking earlier in the 1-minutes about climate change. America does not have to take a backseat to anyone on a clean environment. In fact, our CO₂ emissions in America today are lower than they have been in 20 years, and our other emissions are lower than they have been in many, many years because our Clean Air Act and our Clean Water Act are working. But let's not use these pieces of legislation to penalize the American people and lose jobs and be less competitive in the global marketplace.

So I want to thank the gentleman for sponsoring this event. Let's be mindful of the importance of coal and producing electricity in America.

Mr. BARR. I thank the gentleman. And I think his final point was a good one; that, ironically, the EPA's overly restrictive policies are actually contributing to a negative global environment. The crackdown on domestic energy production is producing exports to countries with inferior electrical generation capabilities. We need to unleash the American free enterprise system. The American free enterprise system is what will solve problems in utility generation and energy production.

So I thank the gentleman, and I look forward to continuing to work with him on this important topic.

I now would like to recognize the gentlelady from West Virginia.

Mrs. CAPITO. I would like to thank the gentleman from Kentucky for

hosting us today to talk about coal. As he mentioned, I am from the great State of West Virginia, one of the largest coal-producing States in our Nation, and, historically, some of the largest coal-producing areas of our Nation.

As we know, coal is a huge part of the economy in West Virginia. But we also know that energy is a jobs economy. When you're generating energy in any capacity, you're generating jobs. We have over 7.6 percent unemployment across the country, and yet we have a President who wants to pick winners and losers on the energy front. Coal has been one of the President's favorite losers, as we have seen and heard from our colleagues.

But there are three reasons I'm standing here today. The first reason I'm here is to stand up for the jobs of tens of thousands of West Virginians, whether that's a coal miner, as you mentioned, transportation, shop owner, electrician, fuel supplier, and all the different jobs that are connected with getting to and burning our Nation's most abundant resource. And I'm very concerned about it. We lost 1,200 jobs in the last quarter of 2012 in West Virginia alone.

Secondly, I'm here to stand up to the families and those who are on fixed incomes. As the gentleman from Kentucky brought up, when you think about the largest part for a senior who lives on a fixed income, the most difficult thing for them is the fluctuation in their power bill, whether it's heating or air conditioning. And when you start chipping away at \$50 or \$100 a month, you're going to find our seniors and those who live on fixed incomes really suffering.

Finally, I'm here to talk about the reliability of our electrical grid. If we disadvantage ourselves as a Nation, as we have been, and say no more coal generation, no more coal-fired power plants, we're going to disadvantage ourselves as an energy economy and the manufacturing jobs that come with that.

We've heard a lot about the different regulations that are out there that we've tried to battle back in the House and say, Unacceptable; you can't regulate; you have to legislate, you have to let this body, the representatives of the people, decide who are going to make these decisions. We've already had 266 coal-fired power plants close.

I know we have the gentleman from Kentucky. We've got Virginia, West Virginia. Permitting has been very, very difficult. We've got regulators who are coming in and have yanked back one major permit retroactively. After the 10 years of going through all the permitting, all of the reissuing, all of the capital investment, the EPA comes in and grabs back on that permit. The court said, No, you can't do that. And so we have an overreaching

EPA that is willing to overreach into the legal area until the courts say, No more.

Now we've worked in the House to try to stop this war on coal. We've passed a lot of things. We did pass the Stop the War on Coal Act last September. Unfortunately, the Senate did not act on this. It's sort of a bit of a repeating theme for us in the House.

But the administration is seeking to turn us away from coal and keep the war on coal and drive up energy prices. People around the world are buying West Virginia coal. Our exports in the Nation almost doubled since 2006, and in West Virginia we exported more than \$5 billion of West Virginia coal. Now we all know it's going to China because they have an insatiable demand, right? Guess where else it's going? Europe, the Netherlands, Italy, Germany. These are countries that are going to use our cheaper resource to power themselves into a burgeoning economy, and we're going to disadvantage ourselves here with our own natural resources.

So the rest of the world wants American coal.

Myself and my colleagues here today can't for the life of us see why we don't have a President and an administration that believes that coal has a great future in our energy mix. He always says he's for all of the above, but we all know standing here it's "all of the above, except."

I always try to end everything on a bit of a positive note. And there's some great technological advances with coal. This is why I think we've got to keep coal active and in the mix and viable as our energy resource because the future for coal is very good. One of the discoveries was at Ohio State University, where they were able to do a laboratory experiment. We don't know if it'll go full-scale, but the technique would release the heat from the coal without actually burning it. So there's no carbon emission. That has great potential.

Also, in another use of coal, the carbon could be used commercially for enhanced oil recovery. We hear about all of the oil sands and the oil shale in the northern part of our country and even in West Virginia. There are technologies that enable the use of carbon to enhance that recovery so that we get more from the recovery. And I think that's something that has a tremendous future for us.

We stand here today on a united front. I look at my colleagues and I see folks from States all across this country. We formed a Coal Caucus, of which I'm the chair, to talk to our other Members of Congress who don't have this passion and realistic view of the place that coal can play in our energy future.

I want to thank all of my colleagues here for fighting the good fight. We have a lot of miners and their families,

other business folks, jobs, manufacturers, and elderly folks who understand what it means to try to have availability of cheaper energy resources. We've got a whole lot of America behind us. This is the reason the opportunity to talk about these things tonight, I think, sends a powerful message across the Congress, across to the Senate, across to the President that really an all-of-the-above energy plan does include coal, must include coal, and we're going to fight like heck to make sure it does.

Mr. BARR. I thank the gentlelady.

I would like to recognize another Member from the great State of West Virginia and yield some time to the gentleman. This is not a partisan issue. It is an American issue. And I am appreciative of the gentleman's attending this session tonight.

Mr. RAHALL. Thank you, Mr. BARR. I appreciate very much your giving this Special Order for a discussion of America's most plentiful, most economic, efficient domestic energy resource we have, that being coal.

□ 1800

I also come from the great State of West Virginia, a State that is proud of its heritage of mining coal—proud of its coal miners, number one, those individuals who go beneath the bowels of the Earth to extract the energy that has fueled the industrial revolution in this country. They are brave, courageous individuals. Every one of us is concerned every day about their safety, number one, their health, and their retirement benefits for themselves and their families. Yes, coal is a valuable natural resource, but our number one natural resource is the coal miner, himself or herself. So we thank them for what they do. They are courageous individuals.

My district is both surface and deep mined. We can do both in a very environmentally sane manner, a manner which produces jobs for our people, produces energy for our country, and at the same time does restore our environment and make it a beautiful place in which to work. That's why we in West Virginia pride ourselves on our clean environment, our productive workforce, and our high worker morale because we can do all-of-the-above at the same time. And we are for all-of-the-above as far as our energy resources as long as all-of-the-above means our domestic production of resources for energy in this country.

Coal literally keeps the lights on. Many a county commission in my district, during the downturns in the coal market, has had to lay off law enforcement personnel, has had to really trim the lighting of their public streets when coal resources are down, when revenues and our coal severance taxes are down to our local county units of government.

So coal is important. It has been, it is, and it always will be a mainstay of our economy in West Virginia. Our quality of life—indeed, the quality of life in America—and our economic vitality have long been fueled by coal, and it's something that the American people cannot turn their backs on. Yet too many, I'm afraid, fail to recognize the contributions that coal has made to our past, and certainly they underestimate the role that coal can and should play in our future.

Through decades of investment, coal has changed for the better. It is not our grandfathers' coal. It is a cleaner, more efficient fuel than ever before. And with the right kind of investments and know-how and the technologies that are coming online—some of which have already been talked about this afternoon—its use continues to improve and modernize.

Our Nation must embrace an energy strategy that encompasses a broad range of fuel choices, including domestic coal, if we are ever to have any hope of completely freeing ourselves from our overdependence on foreign fuels. This means that this Nation must acknowledge the simple fact that coal has been and for the foreseeable future it must be part of a comprehensive national energy strategy that will enable us to grow our economy, remain strong militarily, and help to influence environmental and economic challenges around the globe.

So coal is a critical element for ensuring affordable, abundant, and reliable energy that fuels the opportunities and the way of life that we cherish here in the United States of America.

So as a Representative of coal mining communities and generations of coal mining families, I will continue the good fight in the Congress for the future of coal and for the health and safety of America's coal miners. And as the gentleman from Kentucky has said, it is a bipartisan issue. I wish there were more from my side of the aisle here this evening, but perhaps they will submit comments for the RECORD. I do hope that many more of my colleagues that may not be with us on the floor this evening will come forth and express their support for coal as a valuable domestic source of energy.

I thank the gentleman for yielding.

Mr. BARR. I thank the gentleman from West Virginia. I thank him for his comments. I thank him for, in particular, his sentiments about the heroic work of these men and women who go to work every day in our coal mines. I just cannot thank them enough for their contributions to our society every day for providing us with affordable and reliable electricity.

With that, I would like to yield to the gentlelady from Missouri.

Mrs. HARTZLER. I thank the gentleman. I really appreciate you holding this special time, where we can show

our support for the coal industry, as well as condemn the Obama administration's current war on coal, because that's what it is.

In Missouri, coal is our preferred source of energy for electrical generation due to its abundance and its low cost. Coal provides over 81 percent of Missouri's electric-power generation, and Missouri ranks 11th in the Nation in energy affordability. So that means the people of Missouri have more money that they can spend on other things for their family.

It also attracts businesses to our State. We want to keep it that way. We love coal in Missouri, and we appreciate the role that it plays in having affordable, safe energy in our country.

I wanted to show this picture to you and my colleagues here because a lot of people think in Missouri that we don't have coal mines. But I want to tell you, in the Fourth District of Missouri, we have a coal mine. This is a picture. My husband and I had the opportunity to go there and I snapped a few pictures, and let me tell you we are so proud of it. These hardworking people here are doing a great job in getting coal out of the ground and taking it to our local power plants.

This coal mine is providing great jobs in my district. These are high-paying, skilled jobs. I know some of the people that work here, and they appreciate this opportunity. This mine is also bringing in property taxes to our local schools, and it's helping the economy of the entire county, this region of the district. Plus, it is powering two of our local power plants nearby. So this is very exciting for us. We want to see this continue rather than having the current administration, through the EPA, try to rein us in and to force us to rely on more expensive, untested energy sources in our country.

You know, President Obama and the EPA are pushing this over-prescriptive, regulatory agenda without adequate cost-benefit analysis, workable timelines, and input from the industry. Both of the proposed and current regulations being promoted by the EPA are having sweeping negative impacts on coal-fueled electricity generation in this country.

Now, according to the National Economic Research Associates, it is estimated that compliance costs for these EPA regulations on the electric sector will average \$15 billion to \$16 billion per year. Who pays for that? Who's going to pay for the extra cost to our electric industry, \$15 billion to \$16 billion? I'll tell you who: it's the families in my district who are living from paycheck to paycheck and who are struggling to put food on the table. When they see their electric bill go up every month because of the EPA coming here from Washington, D.C., imposing these regulations on our electric industry, that's who ends up paying, and it's wrong.

It also is costing jobs. The same group estimated that these regulations are going to cost half a million jobs just next year. Now, we have too much unemployment in this country already. Why would the government administration from this President be pushing regulations that's going to kick out half a million more people from being able to work? Just in Missouri alone, the cost is expected to be \$500 per household in higher electricity bills. It's wrong.

I want to just point out two of these regulations that are driving this cost and impacting them—and several of my colleagues have mentioned several of them already. But these two I wanted to bring to your attention.

The New Source Performance Standards for new coal units are establishing new guidelines that control carbon dioxide emissions from any newly constructed coal and natural gas power plants. This proposal requires new coal units to meet a standard so low that it effectively is going to ban new coal plants. My friend and colleague from Kentucky did a very good job of illustrating this. I wanted to reiterate, though, the quote from our President about this administration. He admitted in 2008 that his goal was to bankrupt new coal-fired power plants. Now, that is wrong. Here's what he said:

If somebody wants to build a coal-powered plant, they can. It's just that it will bankrupt them because they're going to be charged a huge sum for all that greenhouse gas that's being emitted.

Now, it's frustrating to me that the Obama administration, our President, would target an industry that is providing clean, affordable energy for our country, providing jobs in my district and all across this country, and keeping that electricity bill at home low for our families, but he is.

The second regulation that he is talking about is going to impact what's called coal ash and try to make it a hazardous waste. Now, this is something that is not hazardous. It is going to increase the cost of cement. Now, we need cement. We're building new highways. We need it in building new homes. We need it for our businesses that are building. Why would we do this? It's going to increase the cost for that.

□ 1810

We have in Missouri five cement plants that provide 12,000 jobs. Yet if this continues to go through we're going to see an increase in cement cost.

So here, gentleman, we have two examples of regulations coming out of Washington here that are increasing the cost for our families at home and that are killing jobs and increasing our electricity costs. It's wrong, and I will continue to stand against it. And I appreciate all my colleagues as we stand

together tonight against this and we make a stand for low-cost, reliable energy, and that is coal. I commend you for having this, and I encourage all my colleagues to join us in this very important effort.

Mr. BARR. I appreciate the gentleman, and I appreciate her stand for the coal industry. Just one of those rules that she was referring to, the Utility MACT rule, the EPA estimates it to cost \$10 billion per year, but other independent annual cost estimates range from \$70 billion to \$200 billion, well above the EPA estimate. It is no wonder that within the past year, 226 coal electricity-generating units have shut down.

With that, I would like to recognize the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. I thank the gentleman, and thank you for holding this this evening, because it's really important that we understand exactly what's going on with coal.

When America was looking for energy, they went to coal. Coal has always been there for us. It is abundant, it is accessible, it is affordable, and it is truly American. And this is the part I don't get. You just heard Mrs. HARTZLER talk about the President's statement, and also Mr. WHITFIELD. That's one campaign promise he kept. He said, If you want to produce electricity using coal, you can do it, but we'll bankrupt you. Now, this makes absolutely no sense to anybody who understands what America needs right now, and it's jobs.

In Pennsylvania, 40 percent of Pennsylvania's electricity is produced using coal. In addition to keeping electricity affordable, the coal industry contributes more than \$7 billion annually to the Commonwealth's economy. It's about jobs, jobs, jobs.

This is a President who just doesn't get it. He talks about all the above when it comes to energy, but he forgets all that's below. He turns his back on coal and looks to renewables that are very expensive and make no sense to the average American. And the hard-working American people who produce this coal are miners. We've not only shut down their mines, we've shut down their power plants, and we're ruining their communities. We're absolutely ruining communities right now.

Now, I couldn't understand what was so horrible about this product, because I heard the President describe it many times, and I grew up in a coal producing community. The Sauls were in the coal mining business, they had Eagle Coal. My friend John Stilley has Amerikohl. I have friends over in the Kittanning area, Rosebud.

But I went to CONSOL, and I went down to the Bailey Mine. I went down 700 feet underground to see this horrible, horrible product that the President absolutely hates and wants to eliminate. And while I was there, I was trying to figure out: Where is it so bad?

I watched as they did the longwall mining, how it shaved the coal off the wall. It's being drenched all the time with a fine mist, and then there's vacuums taking all the coal dust out.

I sat as far away from the machine as you having a conversation with somebody. And the guy who I was talking to said: You know, MIKE, I've done this for 40 years. When I first started, I had to do it on my hands and knees. I laid on my back and I used a pick. And the reason I did that was because I was married and my wife and I had some dreams. We wanted to buy a house, we wanted to raise a family, wanted to educate those kids, and we wanted to live our life. And I did it through coal mining.

But, you know, the way it is now, this is incredible. And I stood in a room that was at least 10 to 12 feet high and about 30 feet wide and watched the coal miner, a machine, shave the face of the coal off the wall and then extract it.

Now, it doesn't make sense to me or to anybody else as a commonsense person. What in the world are you trying to do, Mr. President? In Erie, Pennsylvania—that's where GE Transportation is, they build locomotives. Now, the locomotives haul trains and those trains haul coal. And there's been a 20 percent reduction in coal.

So do you know what that did to GE? They don't have to build as many locomotives. We have 3,000 locomotives sitting idle. Why? In a country that's looking for jobs, why is this President eliminating jobs?

Now, look, it doesn't make any sense, it just doesn't make any sense. And as we go forward, I would like this President to look at energy, all the above. What would make us great as a country? Energy independence. That's what we need—low cost energy. And we have it right here, right now.

When coal wins, America wins, and when America wins, we all win. This isn't a Republican initiative or a Democrat initiative. As you said earlier, this is about America and America's strategy and America's answer to energy independence. Coal is a big part of it and has to continue to be a big part of that.

So I thank you for what you're doing. We'll keep fighting for coal, we're not going to give up, we're not going home. Mr. RAHALL spoke very eloquently about it. But all these folks from all these coal-producing areas—you know, Pennsylvania is the fourth-leading coal-producing State in the country, the third-largest State in terms of coal produced by the underground mining method, and first in terms of total coal extracted by longwall mining technology. We win with coal, we put people to work with coal, we lower our energy costs with coal, we win the battle in the world economy because our cost of energy is lower, which allows us to

pay higher wages to all those folks out there right now who are struggling, hardworking American taxpayers.

Why in the world would we take from them right now low-cost energy and condemn it because it doesn't meet this President's standards?

It's time for us to fight back and fight back hard, not as Republicans, not as Democrats, but as Americans. So, Mr. BARR, I thank you so much for what you're doing.

Mr. BARR. I thank the gentleman. I think his comments about the railroads reminds me of a quick story about my district in Estill County, Kentucky, a little town called Ravenna. This community was built on the railroads, and those railroads carried the coal out of Perry County and Harlan County and Bell County and all those counties in southeast Kentucky. This community in my congressional district was built on the railroads.

Today, furloughed railroaders, their families are without jobs, without a paycheck, and this is because of the war on coal. One of the furloughed railroaders told me that just a few years ago 120 trains would come through their community full of coal. Now barely 50 come through every month.

So this has a real impact for real people, middle class Americans losing their jobs. The war on coal is hurting the American people. Unemployment is higher than the national average in Estill County, Kentucky, because of this President's war on coal. So I thank the gentleman.

I would now like to recognize the gentleman from Indiana to talk about coal in Indiana.

Mr. BUCSHON. Mr. Speaker, I rise today in strong support of our coal industry and the men and women who work in the industry.

I grew up in a small town in Illinois, 1,400 people, Kincaid, Illinois, where my dad was a United Mine worker for 36 years. All of my friends' parents worked in the coal mine. Coal created good, middle class jobs for those who lived in my hometown.

I've been down in these mines in my hometown when I was a kid, and recently in my district now in southwestern Indiana. I've met the proud, hardworking coal miners, and I've seen the impact their hard work has on the local economy.

In 2010, Indiana mined around 36 million tons of coal and consumed nearly 65 million tons. Currently, Indiana has more energy underground in the form of coal reserves than the entire United States does in oil and gas reserves.

Indiana's demonstrated coal reserve base of over 17 billion short tons is enough to maintain the current level of production in Indiana for 500 years. The reserve base for the entire Illinois Basin, which includes Indiana coal, is over 130 billion tons, enough to meet the entire U.S. coal demands for the

next 100 years. Eighty-eight percent of all electricity generated in Indiana is from coal. And I'm proud to say that all of that coal production is in my district.

This natural resource is vital to our State's energy industry and supports over 3,300 direct mining jobs and approximately 12,000 indirect mining jobs. Twenty-seven percent of Indiana's GDP is from manufacturing dependent on coal-fired electrical generation.

Mr. Speaker, we cannot deny that coal is vitally important to Indiana's economy, as well as our Nation's. Despite the immense impact coal has on our economy, onerous Federal regulations can often be an obstacle for this industry.

I'm pleased to say that the administration actually recently responded to a request by myself and our two Indiana Senators to give a permit to a company creating 100 jobs in my area, but this is unusual. The coal industry under this administration should not have to navigate the overaggressive and ideological regulatory climate coming out of the EPA.

□ 1820

The Mine Safety and Health Administration, or MSHA, recently proposed outlandish rules that are nearly impossible to follow. As has been previously stated, they can't be followed. There's no technology that will meet these standards. These proposed rules are oftentimes, as I just stated, impossible to meet, and they fail to examine the science.

I was a heart surgeon in my previous career, and I can tell you I didn't practice medicine based on ideology or anecdote. I practiced based on scientific fact. Many of the regulations do not have the backing of science.

Madam Speaker, we need a sound energy policy that supports our Nation's coal industry to lower the cost of electricity, create jobs, and make our businesses more competitive internationally.

I'm proud to stand here today to support coal in Indiana and across America, and I thank the gentleman from Kentucky for holding this Special Order.

Mr. BARR. I thank the gentleman.

I would now recognize the gentleman from Montana.

Mr. DAINES. I want to thank the gentleman from Kentucky this evening for this opportunity to talk about coal.

I stand with my colleagues to show support for an all-of-the-above energy strategy. Montana possesses an abundance of hydropower, oil, sun, wind, natural gas, and coal. And coal is a very important piece of that equation.

Coal provides the fuel for roughly 40 percent of the electricity used in the United States. You know, I see the electric cars going down the street; and I'm not opposed to electric cars, but

they ought to say "powered by coal" on them in terms of understanding where the source of the power is to power these electric cars.

Coal keeps energy costs low. It helps keep American businesses competitive, and it allows middle Americans to keep more of their hard-earned dollars during these challenging economic times.

In Montana, we are seeing firsthand the critical role that coal plays in the energy sector. In my home State, it is creating hundreds of jobs, fostering important relationships with our Indian reservations, being a leader in coal production for our country and leading the way for coal exports.

I support this industry because it enables more young Montanans to put their training and education to work and to stay at home with their job instead of exporting our talent to other places so Grandma and Grandpa have to fly to see the grandkids versus visiting them next door.

You see, in my home State of Montana, we boast the largest coal reserve in the Nation. The Powder River Basin, which spans across southern Montana and northern Wyoming, contains nearly 3.4 billion tons of coal reserves.

I recently met with representatives from Arch Coal, a company that is ready to invest millions of dollars into developing the Otter Creek mine in southeastern Montana.

Developing these resources creates jobs, injects millions of dollars into the economy. It helps lower energy costs, and, importantly, it creates tax revenues for our schools.

Cloud Peak Energy recently signed an agreement with the Crow Tribe to open up access to more than 1.4 billion tons of coal on the northern Powder River Basin, which would help inject millions of dollars into the Crow reservation's economy. I met with Chairman Old Coyote of the Crow Tribe. He said they have a vision of becoming financially independent on the reservation because of these coal opportunities.

These are exciting opportunities, but the industry is under attack. Fringe environmental groups continue to pressure the administration and others to slow production and slow economic development. This must change.

As Montana's Congressman, I'm committed to working for commonsense reforms that ensure that our natural resources like coal can be developed responsibly.

With that, I thank the rest of my colleagues here tonight for helping do the same.

Mr. BARR. I thank the gentleman.

I now yield to the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. I'd like to thank the gentleman from Kentucky for doing this Special Order tonight, and it's an honor for me to also follow my colleague from Indiana (Mr.

BUCSHON), who talked about his hometown of Kincaid, Illinois, and talked about the importance growing up of coal mining in that community.

I represent Kincaid, Illinois, right now in the 13th Congressional District of Illinois, and just over 20 years ago, these miners lost their jobs because of deliberations and the eventual stroke of a pen here in Washington, D.C. It became cheaper to import coal from the western United States to burn at the power plant across the street from this coal mine where these miners worked than it was to dig it out from underground, ship it on an electronic conveyor belt across the street, and burn it. Over 1,200 miners that day lost their job.

Those were Congressman BUCSHON's friends. Those were my friends' parents. It hit our local economy harder than anything we had seen. Our local economy has since recovered, but we cannot forget that these deliberations in this great body have an impact on all of America's families. And these coal miners of 20 years ago are no different than the coal mining families of today, and we need to make sure we think of them every single time we see this war on coal, that we stand together, Mr. BARR, and fight.

Thank you.

Mr. BARR. I thank the gentleman.

I would now like to yield to the gentleman from Pennsylvania.

Mr. ROTHFUS. I thank the gentleman from Kentucky, and I rise today in solidarity with the middle class workers and families who call western Pennsylvania home.

President Obama's war on coal is a threat to their livelihood and to our communities. From the mine and power plant workers who have received pink slips because of misguided regulations, to the middle class moms who are trying to pay monthly utility bills, to the restaurants and barbershops and other small businesses concerned about costs, President Obama's onerous regulations will negatively impact our communities.

Coal is an essential part of our economy and infrastructure. It is an abundant, affordable, and reliable source of energy that powers our streetlights, schools, and factories. Coal-fired power plants generate 40 percent of electricity in Pennsylvania and 37 percent around the country. Electricity derived from coal is more affordable for families and businesses.

The coal industry employs more than 41,000 hardworking women and men across our commonwealth. Unfortunately, these workers, their families, and their communities are the ones who will suffer as a result of the EPA's unreasonable regulations and President Obama's war on coal.

These burdensome regulations have forced the electric generating industry to shutter coal-fired power plants and lay off workers. Six of these coal-fired power plants in our common-

wealth—including several in Western Pennsylvania—have been marked for closure since the beginning of last year. The power company placed part of the blame on the burdensome cost of federal environmental regulation.

The resulting slowdown in demand and surge in costly regulation have forced coal mines to shut down or reduce production. Last summer, the head of a Western PA coal company attributed the idling of some of its mines to the escalating costs and uncertainty caused by EPA regulations.

Layoffs caused by shuttering of power plants and idling of coal mines—and job losses in related industries—devastate middle-class workers, their families, and their communities.

It is too easy for unelected federal elites in Washington to write regulations without an understanding of the human costs of their actions.

That is why I am working with my colleagues to pass the REINS Act. The REINS Act will provide a check and balance on the Obama Administration by requiring that any regulation with an annual economic impact of \$100 million or more be subject to the approval of the House and Senate. Last week, I voted in favor of the REINS Act in the House Judiciary Committee. The Act was approved and now moves to the full House for consideration.

Middle-class moms and dads, coal miners, seniors, and those on fixed incomes deserve the support of all of my colleagues in the House and Senate on a pro-growth agenda. I call on both chambers to pass the REINS Act as a good first step towards sensible regulation that helps grow all parts of our economy.

There is a war on coal in this country, and it needs to stop. It's time to keep the lights on in America. It's time to relight America, and we need to do that here in this House and stop this war on coal.

With that, I thank the gentleman from Kentucky.

Mr. BARR. I thank the gentleman.

I would now like to yield to the gentlelady from Wyoming.

Mrs. LUMMIS. I thank the gentleman for yielding and hosting this Special Order.

Wyoming is the largest coal-producing State in the Nation. It has been since 1986. The 10 largest coal mines in the United States are in the State of Wyoming. And we're having trouble exporting our coal. Even if Americans don't want to use it and would disadvantage themselves in comparison to other countries, we'd like to send it overseas to people who want it.

Who wants it? I'll show you.

China, India, and even Turkey wants our coal. Yet here's the United States, this little dot. This is all the United States wants. It's silly, given this tremendous resource the United States has that produces jobs and revenue and electricity that keeps our manufacturing competitive, to have to send it to those other countries. They want it because they want what we have. They want inexpensive, affordable, abundant

energy so their people can manufacture.

We need to protect these jobs in manufacturing. We need to protect the affordability and the reliability by keeping these resources working at home for Americans with American energy.

Mr. BARR. I thank the gentlelady.

I appreciate all of my colleagues here this evening talking about and highlighting the importance of the future of energy freedom in this country and independence.

I would like to yield the balance of our time to the gentleman from California.

Mr. LAMALFA. I appreciate my colleague from Kentucky having this conversation tonight and allowing me to speak on it.

Being from California, we don't have a lot of coal in California, and we don't really use a lot of it either. But what I would like to point out is we have a very similar plight in that many of our industries have been devastated by out-of-control regulations by Federal Government: our timber industry, mining, our ability to trap more water for our water supply. Agriculture is also being affected by overreaching regulations.

Also, coal is very important for our entire Nation, and it does have an effect on California, too. What I'm saying here is that, with 42 percent of our Nation's grid being powered by coal and a mandate coming down from the EPA and the President's very aggressive remarks saying that coal is a thing of the past, we're going to put our country in great peril by devastating this industry for our electricity grid. For all the many jobs that are all over the eastern part of this country and part of the West, we're really going to hurt ourselves in this country with this type of policy.

□ 1830

In California, we've seen the effects, for example, in that we have a self-inflicted mandate that makes it where California can no longer use coal, and we've devolved down to only 8 percent as part of our grid—and getting lower. So we're going to be seeing higher and higher energy costs in our State. Why would we want to do this to the rest of our Nation here? California's energy costs are 14 cents per kilowatt while the Nation's average is about 10 cents.

That's why we see an exodus of business from the State of California and their moving to other States. If we do this type of thing in this country, this mandate, we're going to see a bigger exodus to places like China, where they don't have near our environmental regulations. Indeed, China's smoke plume comes over in the jet stream and affects California. We're going backwards with this type of mandate, with this type of policy.

So, for many reasons, I think it's key that we support the coal industry in

America—for our economy and for our electricity grid. For those who want to be agitators against coal, then they should be the first ones to sit in the dark, in the cold, from not having electricity on the grid.

Mr. BARR. Madam Speaker, I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. VARGAS) is recognized for 60 minutes as the designee of the minority leader.

Mr. VARGAS. Thank you very much, Madam Speaker. I appreciate it.

I would first like to say and take a moment to remember the victims of the Boston attack. Certainly, my prayers and the prayers of all of us here go to the families and everyone affected.

I had the great opportunity to go to Harvard Law School and to graduate from that school and spend 3 years there. I ran the marathon once. Usually, when you finish the marathon, it's a great celebration. It's an incredible time. The people there are so friendly, so nice, and everyone is excited. So what this horrible tragedy has done is unbelievable, and our prayers go out to each and every one affected.

I also rise today in recognition of the need for our great Nation to address immigration reform. Tomorrow, many evangelical churches are scheduled to come to the Capitol to pray for just and merciful immigration reform. I want to welcome them here. I think it is about time that we listened to some of the voices of these pastors, to some of the voices of their congregations. I welcome them here, and I'm very, very excited about their presence here at the Capitol tomorrow. I know that they will be praying for us. I know that they will be here to open up our hearts and to listen to what immigration reform can do for us, which is to set us on a path of not only more justice but a more merciful path, so I am very excited about tomorrow.

I want to put this in the context of what has been happening in the United States because of our immigration laws, and I'd like read an excerpt from *The New York Times*. This is entitled, "Immigration Status of Army Spouses Often Leads to Snags":

Lieutenant Kenneth Tenebro enlisted in the Armed Forces after the September 11 terrorist attacks, signing up even before he became an American citizen. He served one tour of duty in Iraq, dodging roadside bombs . . . but throughout that . . . mission, he harbored a fear he did not share with anyone in the military. Lieutenant Tenebro worried that his wife, Wilma, back home in New York with their infant daughter, would be deported. Wilma, who like her husband was born in the Philippines, is an undocumented immigrant.

"That was our fear all the time," he said. When he called home, "She often cried about it," he said. "Like, hey, what's going to happen? Where will I leave my daughter?"

It goes on and explains:

Like Lieutenant Tenebro, many soldiers, anticipating rebuke and possibly damage to their careers, do not reveal to others in the military their family ties to immigrants here illegally.

Mrs. Tenebro is snagged on a statute, notorious among immigration lawyers, that makes it virtually impossible for her to become a legal resident without first leaving the United States and staying away for 10 years.

So our current law requires that the wife of this brave American soldier leave the country for 10 years before her status can be legalized. There are very few things that I can think of that are less just than that law, and that law must be changed.

I want to thank the Senators, the Group of Eight—I don't like the word "gang" because I'm from California, and there it has a very negative connotation. I don't think of the Senators as gangs or as anything other than good guys over there, so I want to thank the Group of Eight that has come forward with these proposals, because I think these proposals are very, very important.

You might think that Wilma and Lieutenant Tenebro are unique, but they're not. In fact, we've heard testimony here, interestingly. A brave marine said something in such stark terms that I'll never forget it. He came and told his story, and he said this:

I've been through two tours of duty in Iraq, and I'm going back to Afghanistan. I'm not afraid of dying, "because that's what soldiers do."

I thought that was really stark. He's not afraid of dying in fighting for our country, but what he said he was afraid of was that his wife might be deported. It was the exact same thing as Lieutenant Tenebro. His fear was not that he would be killed in action. His fear was that his wife would be deported. He said, What will I do then with my two children? What will happen with my two children if they deport my wife?

He told the story that he met his wife at church. I understand from him she's a beautiful young lady. They fell in love, they got married, and they began to have children. The next thing he thinks about is—well, he gets deployed to fight for his country, and he's proud to do it, but his fear is that his wife and his kids will be separated, that the family will be broken.

He did a very interesting thing that I've heard a couple of soldiers do now. He has covered his wife's car with "Go, Marines. My husband is a marine in Iraq." He says he has blanketed his car with that, suspecting that they won't pull her over for a minor traffic issue because, if they do pull her over, the police will find out that she does not have a driver's license because she's

not a citizen. So his fear is that they're going to deport her. What will become then of their kids?

Again, he's not unique. We also met here—and he testified over in the Senate—a gentleman who was an Army soldier. He was in the Army. He went to Iraq, and unfortunately, he was injured. He then came home, and thank God for his loving wife, who has taken care of him, and his children. He has the opportunity then to live with them, but they live in fear. He says:

I'm captured here. I am a prisoner of my country. I'm afraid to go anywhere because I can't drive. My wife drives, but my wife's undocumented. I am afraid that they're going to pull us over and they're going to deport her. Then what am I supposed to do? How am I going to take care of myself and my kids?

This is a very unjust law. This law has to be changed. How can it be that we can allow this? One of our brave soldiers is called by his Nation to fight. He fights and he's injured. He comes home, and his loving wife takes care of him, and his fear is that his wife is going to be deported. We have to change this law. We have to change this law because it's unjust.

I would like to take a moment to review what our immigration law is, because a lot of people say, Well, you know, these people broke the law. They broke the law. Maybe they should be deported. Maybe the soldier's wife should be deported. She broke the law. I would say this: let's take a look at the law because the law is very interesting. I'm an attorney, and I can tell you this, that the law usually is divided in a very special way, and that is: *malum in se* and *malum prohibitum*.

□ 1840

So what is *malum in se*? *Malum in se* is this. *Malum in se* means the thing is wrong or bad in itself. It's *malum in itself*. *Malum in se*. So, for example, murder, murder is illegal because it's *malum in se*. It's always wrong. It's bad. It's wrong to murder and it's illegal to murder, so that's *malum in se*.

So what is *malum prohibitum*? *Malum prohibitum* is it's bad or wrong or illegal because it's prohibited, not because it's wrong or immoral in itself. So the act itself is not wrong; it's simply illegal because we make it illegal. A good example is the speed limit. You could be traveling 56 miles an hour in a 55-mile-an-hour zone. Now you've broken the law, but have you done something immoral? Have you done something wrong? Well, you broke the law, but you know what? You didn't endanger anybody. And, in fact, your car is built to go safely at 56 miles an hour. The road, we call them in California freeways, the freeway was built to do 70, so you're actually obeying common sense. So it's illegal only because it's *malum prohibitum*, because we created the law, not because it's wrong in itself. And, in fact, we often change the law because we say that's a

silly law. It doesn't make sense to travel 55 miles an hour on a freeway, so we change the law to 70. Although I drove through Texas, and I see that they have 75. They think it's safe at 75, which is great. I'm sure it is. And so they changed the law. Why they'd change the law, because there's nothing wrong or immoral about it. It's simply *malum prohibitum*, so they changed the law. That's what we have to do with our immigration laws.

When a person comes here to work, when a wife like Wilma lives here with her husband, she's not violating any type of moral law. She's violating *malum prohibitum*, a law that we made that we can change.

So let's review, then, a little bit of the immigration laws in our Nation.

The Naturalization Act of 1790 stated that Congress adopted the uniform rule so that any free white person could apply for citizenship after 2 years of residency. So if you were here, if you lived here for 2 years, you could become a resident.

Then there were minor changes, and in 1882, we had the Chinese Exclusion Act of 1882. It was the first Federal immigration law that suspended Chinese immigration for 10 years and barred Chinese in the U.S. from becoming citizens. A terrible law that, of course, we changed. Why? Because it was *malum prohibitum*. It was a dumb law. It was an immoral law. We changed it, and we should've changed it. Thank God we changed it.

Then in 1892 we opened up Ellis Island. No one ever talks about California, by the way. We had Angel Island located in San Francisco. Not as many people went through Angel Island. In fact, between 1892 and 1953, in Ellis Island we had over 12 million immigrants that were processed in that facility. Angel Island had nowhere near that.

What was the law then? The law said this: first- and second-class passengers, those on ships, were not required to undergo inspections at Ellis Island unless they were sick or had legal problems. So, in other words, you showed up; come on in. That's the law. That was the law. You showed up; come on in. You're in first-class, second-class on a ship, yup, come on through. No problem.

Third-class passengers had to undergo a medical and legal inspection. If in good health and papers in order, the process took 3 to 5 hours, and then they were citizens. That was the law. That was the law. So it's very interesting when people say, Well, we did it the right way. My ancestors did it the right way.

They came here. There was basically no law. All you had to do was walk in. It was very interesting.

Then there were minor changes. But in 1986, we had a major change—the Immigration Reform and Control Act

of 1986. It is also known as the Simpson-Mazzoli Act. And what this law did, it set a ceiling of 540,000 immigrants a year. It also required employers to attest to their employees' immigration status, that they were here legally, and made it illegal to knowingly hire or recruit unauthorized immigrants. It legalized certain seasonal agricultural immigrants, and it legalized illegal immigrants who entered the United States before January 1, 1982, and had resided here in the United States continuously.

And who signed the law? Ronald Reagan. Ronald Reagan signed the law. It's very interesting because I'm a Californian. Ronald Reagan, even though he is from Illinois originally, we claim him as one of our own. We're very proud of Ronald Reagan in California, and even as a Democrat, I'm very proud of Ronald Reagan. I've always liked Ronald Reagan. I thought he was a good man, and I think he set a great example. He certainly set a great example when it came to immigration. He looked at the humanity of the immigrants here, and I'll read a couple of quotes from him a little later on, but he signed it, and it was something he never regretted. He never regretted. Just the opposite. He said, I regretted raising taxes in California and a bunch of other bills that he signed when he was still a fairly young Governor, but he never regretted this. Just the opposite; it was something that he was proud of.

So what now? Where do we go from here? I think what we should do is we should remember the people that are coming tomorrow, the evangelical pastors and churches, and thank them for coming and opening our hearts. I want to read a few letters from both Catholic priests, pastors and a rabbi, and see what they think about immigration because it has been very interesting. I do watch here some of the speeches that are given, and I have to say that they're very negative about immigrants. You hear about all the terrible things, the parade of horrors that some people come up here and talk about day after day after day, and you'd think that most immigrants are terrible. It would be as if I came up here and talked about some of the terrible things that some mothers do, and say, Well, mothers are terrible. We should get rid of mothers. That's ridiculous.

The reality is most immigrants are very hardworking people. They come here for a better life. They work hard. I want to read a few letters from pastors and priests and a rabbi that talks to this and puts it into the context of Scriptures because I think it is very important. Obviously they are here tomorrow because they read the Scriptures, they believe in the Scriptures, and that's why they're here tomorrow; and I want to put this debate within

that context because I think that we are a very fair and merciful people. I think we are a God-fearing people. I think we need to put this immigration debate within the context of our faith communities, and so I'm going to read this letter.

The first letter is from Father Scott Santarosa. He's the pastor at Dolores Mission Catholic Church in Los Angeles, California. He's a Jesuit. He addresses this letter to me and it reads like this:

Dear Congressman Vargas,

I applaud your enthusiastic support of comprehensive immigration reform that includes a pathway to citizenship. I believe you are correct in stating, as you did before the House of Representatives last week, that immigration reform is one of the most pressing moral issues of our time.

He says it's "one of our most pressing moral issues of our time."

He goes on and says:

The truth is there are numerous biblical reasons for advocating for immigration reform. Indeed, our Judeo-Christian history as people is built on immigration, and Jesus, who himself is the new covenant with us, calls us to be compassionate to all.

He goes on and says:

Early in Genesis, we find God's exhortation to Abraham: "Leave your country, your people, and your father's household and go to the land I will show you."

That's from Genesis 12:1.

He goes on and says:

God makes a promise to Abraham to make him a great nation. It is a promise of a better life, a better future.

Again, a quote from the Bible:

"I will make of you a great nation, and I will bless you; I will make your name great, so that you will be a blessing."

Genesis 12:2-3.

This is God's calling his people to immigration as their pathway to greatness, and we of Christian and Jewish faith cannot deny that our roots are built on immigration, on God's call to us to be migrants.

And once we arrive at our destination, we cannot rest there, but we must remember what it was to be immigrants, to be aliens. God instructs us, His people, "to love those who are aliens for you, yourselves, were aliens in Egypt" (Deuteronomy 10:19) and to treat strangers by providing a place of rest, food, and hospitality: "Let some water be brought that you may bathe your feet and then rest yourselves under the tree. Now that you have come close to your servant, let me bring you a little food that you may refresh yourselves." (Genesis 18:4-5)

□ 1850

Scripture is clear on the treatment of the immigrant. We read this time and again in passages like the following:

"When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born."

I'm going to read that again:

"When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt. I am the Lord your God." (Leviticus 19:33-34)

Then Father goes on and quotes from Deuteronomy:

"Cursed is the man who withholds justice from the alien, the fatherless or the widow."

He then quotes Exodus 23:9:

"Do not mistreat the alien or oppress him, for you were aliens in Egypt. Do not oppress an alien; you yourselves know what it feels to be aliens, because you were aliens in Egypt."

Father Santarosa goes on and says:

Jesus himself is an immigrant, as very early in His life He and His parents, Mary and Joseph, are forced to flee to Egypt for His safety. We must understand that His heritage as a Jewish person and as an immigrant informed His teachings on how we are called to treat the other, in particular the most vulnerable among us. Jesus goes so far as to say that how we treat the least among us, namely, the immigrant, is how we treat him: "For I was hungry and you gave me something to eat. I was thirsty and you gave me something to drink. I was a stranger, and you invited me in. I needed clothes and you clothed me. I was sick and you looked after me. I was in prison and you came to visit me." (Matthew 25:35-36). Jesus clearly mandates that we are to treat the immigrant and the alien as we would treat Jesus himself.

Other New Testament readings after Jesus continue to emphasize the just and humane treatment of our immigrant brothers and sisters. First, we read that we, though perhaps not actual immigrants, are called to see ourselves as people who have no home here on Earth, that our destination is beyond this world: "But our citizenship is in heaven, and from it we also await a Savior" (Philippians 3:20) and "Beloved, I urge you as aliens and sojourners to keep away from worldly desires that wage war against the soul." (1 Peter 2:11).

And second, we are called to be just and fair in our treatment of immigrants. "Contribute to the needs of the holy ones. Exercise hospitality." (Romans 12:13). "Let mutual love continue. Do not neglect hospitality, for through it some have unknowingly entertained angels." (Hebrews 13:1-2).

He goes on and says:

In sum, as people of Judeo-Christian heritage, and as people of faith, we cannot escape or get around Jesus' call to exercise hospitality towards our immigrant brothers and sisters. Jesus' call to love one another as He loves us requires that we not simply do the least or the minimum just to get by, for that is not how He has loved us. Jesus has loved us to the maximum. So, also, we are called to go above and beyond what could be expected in order to love others. In this country, this would imply granting full citizenship to our undocumented brothers and sisters. Less than this would be creating a level of society that is devalued as persons, and this would be in direct violation of everything that Jesus teaches. To be a person of value in this democratic country is to be a person with a voice, a person with a vote. This is the democratic foundation of our country.

He goes on and ends like this:

Thank you for reading this letter to fellow leaders in Congress. I, together with my parishioners of Dolores Mission, and with 26 other multi-faith congregations of Los Angeles, and 1 million families in 150 cities of this country which make up PICO, am praying for your good discernment as you propose to enact an immigration reform which is just

and humane, rooted in our faith and biblical values.

Gratefully and faithfully yours,

Father Reverend Scott Santarosa, S.J., Society of Jesus, Pastor.

I want to thank Father Santarosa. I want to let him know that tomorrow he will have help here. He will have plenty of help from the evangelical ministers and pastors that will be here tomorrow on hand to open up the hearts and the minds of those that are not yet convinced that we have to have a humane, a just, and a merciful immigration reform package. And I thank him.

The second letter that I'd like to read is from Father Sean Carroll. Father Sean Carroll is the executive director at the Kino Border Initiative for Nogales, Arizona, and Nogales, Sonora, Mexico. He also addresses the letter to me and says this:

Dear Congressman Vargas:

Since 2009 I have been working with deported migrant men, women and children along the U.S./Mexico border. These past 4 years I have witnessed firsthand their brokenness in body and spirit when they are deported due to days and weeks in detention and forced separation from their spouses and children. I have held the hand of the mother separated from her children in Chicago, and listened to the father deported away from his two children in North Dakota. I have been present with the mother so far apart from her children in New York and with the son seeking to be reunited with his mother in Central California.

He goes on and says:

I know God calls us not to oppress the widow, the orphan and the stranger (Exodus 22:21-22 and Deuteronomy 27:19) and yet I have been a witness to how we essentially make widows out of women migrants when we deport them away from their husbands in the United States. I am also keenly aware of how we turn U.S. citizen children into orphans by repatriating their migrant parents to Mexico and placing their sons and daughters in foster care. And I see the ways we reject the stranger in our midst, the person seeking a better life for themselves and their families, the one who in the Gospel of Matthew (25:35-40) reflects the presence of Jesus himself.

What would happen if we accepted God's invitation to remember the moments that we were in exile (Exodus 22:21), the times when we felt like strangers, and to recall how God has led us through those experiences to new life? My memory of God's action in my own struggles and challenges compels me in gratitude to put this Word of God into practice in the here and now, to support a path to citizenship for our undocumented sisters and brothers, to reunify family members separated due to mixed immigration status, and to provide some ways for people that come to work in the United States with dignity and with their human rights respected.

Jesus quotes the book of Isaiah (61:1-2) when He opens the scroll and says, "The Spirit of the Lord is upon me, because He has anointed me to bring good news to the poor. He has sent me to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free, to proclaim the year of the Lord's favor. Today, this scripture has been fulfilled in your hearing."

(Luke 4:16-19; 21). I firmly believe that God has given us the gift of His Spirit, the same Spirit that Jesus breathed on His friends when he rose from the dead (John 20:19-22). It is a spirit that empowers us to make the promise and command of the word, God's word, a reality, by working for comprehensive immigration reform.

□ 1900

He concludes by saying this:

Please count on my prayers for you and the other Members of Congress, as you follow God's word on this issue of great importance for us as a country and as a people of faith.

Sincerely yours in Christ,

Reverend Sean Carroll, Society of Jesus

Executive Director

Kino Border Initiative

Nogales, Arizona, and Nogales, Sonora, Mexico.

Thank you, Father Carroll. I appreciate that very much.

Father Carroll very poignantly says that our policy today makes orphans out of children of migrants.

Recently, I had the opportunity in San Diego to listen to a young lady who is very accomplished in her short life. I believe she's 17 years old. She's very excited about going to college next year. She attends the Preuss School. It's a magnet school at UCSD. She has very, very good grades and is excited about college. We're very excited for her. She started off with a great tempo and we thought wow, this is going to be a great story. She's a lovely young person. She was telling her story and we were all excited to listen and hear what was going on in her life. And then she stopped for a moment, sort of an awkward cadence, and started crying. She said, Of course, my parents have just been deported. She said she didn't know what to do because her parents had been deported.

It really was a shocking moment to me to listen to her because she's an American citizen, she was born here, but her parents are undocumented immigrants. Right at the moment of great accomplishment, the moment of great pride for her, and I'm certain for her parents, her parents are pulled away, not because they're terrible, not because they have done anything wrong other than try to provide a better life for themselves and for their daughter, but because they're undocumented.

The good thing is that we have a chance to do something about this. We have a chance to pass immigration reform that's merciful, that lives up to the values that we hold dearly in this country. And so I'm very excited about this reform. I'm very excited about tomorrow, frankly. I have to be honest and say I've always been in favor of immigration reform. I thought that President Reagan got it right, that we should have a humane policy towards immigrants. I think he was following certainly the Good Book. I appreciate Ronald Reagan, and I appreciate all those that felt like him previously.

I've always thought that we should have immigration reform that makes sense. But not everyone was always convinced of this. In fact, a few years ago, I had a conversation with a pastor in San Diego who was pretty sour on the notion that we should give an opportunity for the people that came here without documents to stay. We got into a heated but loving discussion. I do love the pastor. He's a great guy. But we got into somewhat a heated discussion. I said, I don't see how this tracks the Bible. I know the Bible pretty well. I studied to be a priest myself for 5 years. So I certainly read the Good Book and am humbled by what's in there. I said, I challenge you to go through there and find a place that criticizes the immigrant, that criticizes the stranger. Because it's just the opposite.

Anyway, we got into a theological discussion. And we remain friends. I met him again recently and he told me that he was praying for me and for the rest of us in Congress to pass a very comprehensive, just, merciful reform package. And I said, Pastor, I remember our conversation. He says, Yes, so do I. He said, I was wrong. I said, What happened? He said, I want to say it was simply the Bible. I read it. But the reality is my congregation has changed. We evangelize. That's our mission. I'm an evangelizing preacher here, and in my evangelization I have brought in people who are undocumented. And they're wonderful. They come, they pray. They make my church a better place. Some of them have married, he mentioned two people, in fact, who were in the Navy, the people in his congregation. He says, I've changed. I was wrong about them.

So I thank the evangelical churches, most of whom now are ardent supporters of immigration reform, a comprehensive immigration reform that's just, that's merciful, that leads to citizenship so people are not second-class citizens. I want to thank them.

Tomorrow, I know that they're going to have an opportunity to mix among us Congress Members and senators. And I hope that we have an open heart to receive them and to receive their words because I think they're here on a good mission.

I would like to read a letter from Mark Potter. He is the Provincial Assistant for the Social Ministries at the California Province, Society of Jesus, the Jesuits. And it reads like this:

In the Hebrew scriptures the story of Israel is a story of a people on the move, called by God to migrate and to become strangers in strange lands, motivated by God's promise of something better—a better life, a better future: "The Lord said to Abram: 'Go forth from your land, your relatives, and from your father's house to a land that I will show you.'" This is how the people of Abraham wound up in Egypt, where they were forced into captivity. The Egypt experience of being enslaved because they were immi-

grants became for Israel the touchstone of God's command to treat aliens with hospitality.

And they certainly have. And I thank the Jewish community. I know a number of rabbis in San Diego, and they are the first people to defend immigrants in such a strong way. And I thank the Jewish community. That faith community is one that has always had the immigrant at heart. I thank you from the bottom of my heart.

It goes on with a quote from Deuteronomy:

"So you, too, should love the resident alien, for that is what you were in the land of Egypt." Care and hospitality for the stranger became a hallmark of Jewish ethics, law, and culture, famously invoked dozens of times throughout the Hebrew scripture as the particular concern for the "widow, the orphan, and stranger in your midst." Living according to these values became for Israel a sign of fidelity to God's laws. Violating this concern for the widow, the orphan, and the alien became reasons for God's judgment against his people.

Exodus 22:20-22:

"You shall not oppress or afflict a resident alien, for you were once aliens residing in the land of Egypt. You shall not wrong any widow or orphan. If ever you wrong them and they cry out to me, I will surely listen to their cry."

Leviticus 19:33-34:

"When an alien resides with you in your land, do not mistreat such a one. You shall treat the alien who resides with you no differently than the natives born among you; you shall love the alien as yourself; for you too were once aliens in the land of Egypt. I, the Lord, am your God."

Deuteronomy 27:19:

"Cursed be anyone who deprives the resident alien, the orphan, or the widow of justice! And all the people shall answer, 'Amen.'"

He goes on and quotes a number of passages from the Bible. And then he concludes his letter by stating this:

The most literal reference to care for the stranger is found in the famous story of the Final Judgment in Matthew 25, where Jesus instructs His followers about how they will ultimately be judged by how they treated the most vulnerable: "The King shall say to those on His right, 'Come, you who are blessed by my Father. Inherit the kingdom prepared for you from the foundation of the world. For I was hungry and you gave me food, I was thirsty and you gave me drink, a stranger and you welcomed me, naked and you clothed me, ill and you cared for me, in prison and you visited me.'" (Matthew 25:34-37)

Tomorrow we will have, again, the opportunity, and I hope that we all take the opportunity to meet with the pastors that are going to be here, the evangelical churches.

□ 1910

I would like to quote a pastor who wrote very eloquently. He is a doctor, Pastor Dr. Richard Land, outgoing president of the Southern Baptist Convention's Ethics and Religious Liberty Commission and executive editor of *The Christian Post*. He writes:

Southern Baptists have gotten to know immigrants as brothers and sisters in Christ. It has put a human face on this.

He also pointed out that Southern Baptist churches now include several hundred thousand Hispanics as a result of their evangelization efforts. An Hispanic pastor told Reverend Land that he estimates that as many as 40 percent of those Southern Baptist Hispanics probably do not have legal status in this country.

So I am very excited about tomorrow. I know that Dr. Pastor Richard Land and others are praying for us. They're very excited about coming and speaking to us and opening up our hearts and our minds and making sure that we do the right thing, which I'm sure we will do—I'm hoping we will do.

The last letter that I'm going to read is a letter that was actually written by Rabbi Laurie Coskey, executive director of the Interfaith Committee for Worker Justice, and Pedro Rios, chairperson of the San Diego Immigrant Rights Consortium and director of the American Friends Service Committee. The letter is addressed to the San Diego Council, which just last week unanimously approved a resolution in support of comprehensive immigration reform.

I would note that the San Diego City Council is made up pretty equally of Democrats and Republicans, and here they put aside partisanship and they strongly passed a resolution in support of comprehensive immigration reform. So this is the letter that Rabbi Laurie Coskey and Mr. Pedro Rios wrote:

Dear San Diego City Council, we are writing to you today representing ourselves and the myriad of organizations that have worked within our city to support immigrants and refugees over many decades. Over the years, in the spirit of good faith, we have urged our City Council members to take a stand with immigrant and refugee communities who live and work in the city of San Diego.

As the conundrum of our broken immigration system has affected all of us in profound ways, many times over the years the City Council of San Diego has been at the forefront of human rights issues that affect the people living and working here. We come to you now, recognizing the importance of your voice.

Today, we stand at a unique moment in history, where the Federal Government has recognized that the immigration laws and policies are no longer of benefit, and that they are stretching to craft a new comprehensive immigration policy that we pray will be generous, humane, and transformational for those who live and work here.

As the leaders of the largest border city in the United States, we passionately urge you to take a leadership stand by passing a bipartisan resolution in support of reasonable immigration policy reform.

In parenthesis, they did, they did exactly that. They did it unanimously. And I thank the San Diego City Council—every member, the Democrats and the Republicans. Thank you. Thank you deeply for that.

They go on and say:

Because of the prominence of San Diego, your bipartisan resolution can serve as an

example and as a model to the Federal legislators that the benefit of such policy change demands bipartisan collaboration and agreement in order to pass sweeping immigration policy reform. To put it simply, by working together quickly, you may teach the Congress what bipartisan collaboration can actually accomplish.

They did exactly that. They acted together; they acted swiftly; they acted unanimously; they acted compassionately. I hope we do the same.

They go on and say:

Additionally, your action will encourage immigrant and refugee community members and their supporters by demonstrating that their city representatives understand and support the call for reforming immigration laws.

We all recognize that in recent years the failure of Congress to reform immigration laws has led to great hardships for too many people who live in fear. In San Diego, we have witnessed the devastating impact of the broken immigration system. Families have been torn apart in immigration raids; immigrant workers are silent in the face of abusive labor practices; distrust has generated fear for immigrants, who otherwise contribute to the social fabric of our communities; and the current immigration laws have led to an unbalanced focus on enforcement.

To be sure, the city of San Diego would not be America's finest city without numerous ways that immigrant and refugee communities contribute economically, culturally, and socially, from the agriculture fields in northern San Diego County to the tech industries, and adding to the cultural vibrancy that make San Diego an attraction to people around the world.

As a border city, San Diego is uniquely positioned to address immigration issues and to offer insight into what reasonable immigration reform might look like. A resolution might address the need to improve the port's infrastructure. It can address human and civil rights implications and enforcement mechanisms. It can advocate for a broad and inclusive pathway to citizenship without burdensome obstacles.

As representative organizations and coalitions, we urge you to adopt a resolution that supports a reasonable and comprehensive approach to immigration reform.

It's signed, Sincerely Rabbi Laurie Coskey, Educational Doctorate, Executive Director, Interfaith Committee for Worker Justice; Pedro Rios, Chairperson, Director of the San Diego Immigrant Rights Consortium and the American Friends Service Committee.

I want to thank Rabbi Laurie Coskey for this letter. I also want to thank Pedro Rios for coauthoring this letter.

I have to say that one of the reasons that I'm up here reading these letters is that there are a lot of people that want to be heard out in the Nation about this issue of immigration. From this podium, day after day after day, they've only been hearing the negative voices, the parade of horrors, the instances when immigrants have failed or have even committed horrible crimes, and some have. But unfortunately, it has been somewhat of a less than veiled attack on all immigrants, especially those that came to this

country for no other reason but to better their lives and to work very hard so their children could have a better life. That's the American Dream. That's the American Dream for all of us, for our children, that we can have a better life.

I want to read now from President Ronald Reagan. Again, many of us are very proud of Ronald Reagan. I will give Illinois their due, he was from there originally, but the reality is he's a Californian. If you look at the statue here in Statuary Hall, he's here as a Californian. So I'm very proud of him. As a Democrat, I've always been very proud of him. I say that, and some of my Democrat friends, they get a little nervous about that. The reality is I'm very proud of him. I didn't agree with everything, obviously, but I agreed with his humanity.

I think we will see that in some of these quotes. I think what made Reagan a great person and a great President was that he didn't stick to some of the tired dogma of others. Instead, he led us forward as a great President. I quote him:

Unless the United States makes a more sensible and efficient system for admitting legal migrants who come to take advantage of work opportunities, no reasonable level of enforcement is likely to be enough to resolve this illegal immigration problem.

How true he was. How true he is still.

I also agree with former President Reagan when he said the following, referring to the Immigration Reform and Control Act, again, the Simpson-Mazoli Act of 1986:

We have consistently supported a legalization program which is both generous to the alien and fair to the countless thousands of people throughout the world who seek legally to come to America.

You know what? Ronald Reagan was generous. I hope that each and every one of us can have that spirit of generosity, that magnanimous spirit that he had.

I'm going to quote him again and continue with his quote:

The legalization provisions in this act will go far to improve the lives of a class of individuals who now must hide in the shadows without access to many of the benefits of a free and open society. Very soon many of these men and women will be able to step into the sunlight, and ultimately, if they choose, they may become Americans.

□ 1920

I thank Ronald Reagan because I think he was very generous. It's very interesting how many Republicans are running away from his legacy on this, his legacy of generosity. You shouldn't be running away from it; you should be running towards it; you should be running to it. You will be like him if you have that spirit that he had, the spirit of a generous soul.

I know I have a few minutes left here, and I thank the Speaker very much for the opportunity that they've given me here. Normally I don't speak

this long, but I thought it was important to come and hear another voice, not just the voice that condemns the immigrant, a voice that says there's millions and millions and millions of Americans out there, in fact, a great majority now, that want comprehensive immigration reform that's just, that matches up with our values of a generous people.

This is a statement of citizenship from the evangelical churches. This is the evangelical statement of principles for immigration reform.

Our national immigration laws have created a moral, economic, and political crisis in America. Initiatives to remedy this crisis have led to polarization and name calling, in which opponents have misrepresented each other's position as open borders and amnesty versus deportations of millions. This false choice has led to an unacceptable political stalemate at the Federal level at a tragic cost of human life, at tragic human cost.

As evangelical Christian leaders, they say:

We call for a bipartisan solution on immigration that respects the God-given dignity of every person, protects the unity of the immediate family, respects the rule of law, guarantees secure national borders, ensures fairness to taxpayers, establishes a path toward legal status and/or citizenship for those who qualify and those who wish to become permanent residents. We urge our Nation's leaders to work together with the American people to pass immigration reform that embodies these key principles and that will make our Nation proud.

There's heads of the evangelical immigration table, and it's very, very lengthy. In fact, I'm not going to go through and read it. I was tempted to do that because day after day I heard a few people come in here and you'd think that everyone in the United States was against immigration reform. In fact, just the opposite.

I could read that Leith Anderson, President of the National Association of Evangelicals; Stephan Bauman, President and CEO of the World Relief; David Beckmann, President of Bread for the World; Noel Castellanos, CEO of Christian Community Development Association—I could go on and on and on because this thing goes on for pages. My trustee staff gave me pages and pages and pages of leaders in the evangelical churches that have signed on to this, so I won't go on and read all the names.

But I will say this. I believe we will come to an agreement on immigration. I do believe that. I honestly believe that. I do believe that the prayers that the faith communities are directing towards us, and especially towards the immigrants, are going to be heard. I believe that. I believe it deeply that this time we won't fail, that this time will be different, that this time, in fact, we will pass a law that is just, a law that treats immigrants as we're supposed to treat them, as it says in this Good Book. As our values as Americans, I think that we will have a

just, a merciful immigration law, and I'm very excited about it.

I wanted to end with a story of a young woman that came and testified in California last year. I spoke about it in California and I want to speak about it here, because it's one of those incredible tragedies in life, and I called it, "Two Days in Mexicali." And, unfortunately, for many of us Californians, when we think about 2 days in Mexicali or 2 days in Tijuana, it's normally not the 2 days that I'm going to speak about here.

Instead, this was a young lady. This was a young lady who was born in Mexicali. Her mother was a prostitute and a drug addict. They lived in Los Angeles. The mother had been born and raised there. She went to Mexicali and then had a child in Mexicali.

She abandoned the child there, and this child's grandmother went and found her, brought her back to Los Angeles. And the grandmother was, I suspect, a very Christian, devout woman, and raised this child in a beautiful way, because for 13 years she developed into a very successful student and a very nice person.

We got to meet her because she was, I guess, 19 years old. She had turned 19, and she had not known that she was an undocumented person because that never came up. So, instead, she lived her life thinking she was an American citizen. Then she applied for college. And at that point, we hadn't changed the law yet as they had in Texas to allow an undocumented person to get in-State tuition or to get any kind of financial aid; so even though her mother was a prostitute and a drug addict who abandoned this little girl, this little girl grew up to be a wonderful person, and then the law oppressed her by not allowing her to continue.

We have a chance to change that for her and for so many other people. And I hope we listen to the pastors tomorrow, our evangelical brothers and sisters that are going to come tomorrow to pray for us, to pray that we open up our hearts, pray that we will see the immigrant as the stranger in Matthew 25, that we will treat them in a way that is humane and that cherishes our values as Americans.

Madam Speaker, I thank you very much for the opportunity today to speak. I think this is a very important issue, an issue that I have great faith in God that will be resolved according to our best values; and our best values are those of mercy.

I thank you very much, and I yield back the balance of my time.

CURRENT EVENTS IN REVIEW

The SPEAKER pro tempore (Mrs. WALORSKI). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Madam Speaker, we know that there is so much going on after the tragedy in Boston where not just Boston was attacked, but the United States was attacked by acts of sheer evil, perpetrators who did not care about innocent people and innocent lives. They thought it better to try to kill, maim, and destroy. What sick, twisted, evil human being or human beings would do that?

But we saw 9/11/2001 vividly clear. There actually are people who are so radical, so mean, so evil, so twisted that they actually believe they could make for themselves a way to paradise by killing innocent people, killing children not even old enough to have really done anything wrong, and that is what they obviously felt would make their great mark in the world. I can't help but strongly believe with all my heart that, unless they repent and find grace, they are in for a very rude awakening in the next life.

It is my hope, as well, that the individual or individuals who are responsible will be held to account with the death penalty that will be implemented behind closed doors, without cameras present, without an opportunity for them to yet insult or hurt anyone else. They've done enough.

□ 1930

We'll await to see who it is that ends up being responsible. Perhaps there's an announcement tonight, perhaps not.

I am glad that even though there was a person of interest, that the investigators did not rush to judgment on that, that they continue to explore every possible clue, every possible video and photograph, thoroughly doing a good job it certainly appears in law enforcement so that when the evil culprits are apprehended and they go to trial and their attorneys are trying to raise a reasonable doubt with a jury, that the investigation will have been so thorough and there will not have been an inappropriate rush to judgment such that a fair trial is had, due process is had, and then making sure that it is, indeed, the perpetrator or perpetrators and then carry out a death penalty. I hope that is the justice that ends up being carried out.

In the meantime, we had a gun bill that was voted down, as I understand, 54-46 in the Senate. It did not pass. It did not have enough votes. But with all of our hearts having poured out and continuing to have prayers and sympathy and empathy for the people in Sandy Hook, in Newtown, we still had a bill that was being brought to the Senate floor that all of the people who supported the bill, as I heard, had basically admitted that bill would not have saved a single one of the precious, dear little children that were so violently gunned down in their schoolroom. It would not have saved the heroic administrator, a teacher, those who were trying to protect the children.

It just seems that if people in Washington or other parts of the world, New York City or wherever, are going to manipulate and use such a tragic situation, such sympathetic victims, they ought to at least, for goodness' sake, at least put forward a bill that if it had been implemented would have ensured that at least one of the children or adults killed at Sandy Hook would not have been killed.

Otherwise, let's put together laws and let's have this administration finally enforcing laws that both together will reduce violence. Pushing forward a bill that would not save any of the lives lost there or in Colorado is just inappropriate and manipulative, and the victims deserve better.

I still completely understand the families of the victims, their hearts, the struggle, the difficulty. I understand, but let's not manipulate them for an individual political agenda.

Now, I was on C-SPAN this morning with the host, Greta Brawner, a terrific host, as is Susan Swain. I've enjoyed being on with both of them. But we were talking about border security and a bill that the so-called "Gang of Eight" is putting forward. They're great people in the "Gang of Eight," and I know they mean well. They want good for this country.

I'm also reminded of a line that I was told back in the Soviet Union in the summer of 1973 when I got close to a Soviet college student and we had a free exchange of ideas. He never put down his country at all. Despite that, he was ordered not to talk to me anymore after we became good friends because that's what happens in a country where the government becomes too powerful: you can't even choose your friends any more.

At one point we were sitting alone visiting, and he tugged on my shirt and he said, We don't have material this good for our individual citizens. We wish we did, but we recognize you have so much more and better things for your citizens in the United States than we do here in the Soviet Union. He said, But you've got to understand that here in the Soviet Union, since we were formed in 1918, we have had two major wars fought on our own soil that have kept this country just in turmoil, and we have had to spend most of our resources not on such nice clothes and good things for individuals, but in defending our country because we never had two oceans protecting us the way you have in the United States.

I was able to point something out to President Bush some years back when he was President and I was a freshman here. I said, Look, for most of this Nation's history, as the young Soviet college student told me when I was a college student, you have had two oceans protecting your country, the United States. He was exactly right. For most of our history, two oceans have protected the United States.

I remember having conversations in the eighties and nineties, as we would see violence in other places, whether it was Beirut or the terrible atrocities inflicted on Israelis on their own soil, the constant bombings and people being blown up just as occurred at the terrible and evil event in Boston.

People have actually said the thing about America is if somebody were to decide to be a suicide bomber in America, they'd have to cross either the Atlantic or the Pacific, and they'd have such a cooling-down time, that even though they might be whipped up into a rage before they left to fly to America, all of the hours of sitting quietly on a plane or days on a ship would be enough to cause them to pause; and when they got to America, they would think, Nah, I really didn't want to blow myself up after all. That seemed to work pretty well.

But then the radicalization of Muslims got to the point where they were actually able to radicalize people who could cross an ocean, who could come into America; and as the 9/11 hijackers, they could come in here and unthinkably live in America, enjoy our liberties, our freedoms, enjoy the company of neighbors, share food with their neighbors, have neighbors invite them over and share food, share things such as if they need a cup of flour or whatever it is, share and see the way Americans share and are such a friendly country. They were able to live here. And too many of them were here on visas, and the visas expired.

□ 1940

Since neither Republican nor Democratic administration was effectively enforcing visas when they expired, these 9/11, hate-filled hijackers were able to keep on the mask that they enjoyed America, enjoyed the liberties, while all the time looking for the opportunity to kill themselves in a manner that would most effectively kill the greatest number of innocent people they could in America. It's unthinkable for American citizens.

The only thing closely akin that came to mind after 9/11 was when some were talking about, Well, you know what, in World War II, the idea that someone would get in an airplane and fly it toward an American ship and crash their plane into the ship, trying to sink the ship, and kill as many as possible was foreign to Americans. We couldn't believe there was such a thing as kamikaze pilots. Who would do such a thing? Who would have that little regard for life and such hatred for other life that you would do all you could, including giving up your own life, just to kill as many people as you possibly could who just want to live free? That was foreign during World War II. It was strange. We couldn't believe it. I remember being taught about that in public schools while growing up. The

teachers thought it was so strange, and we thought it was strange.

Now we've seen that same type of mentality that was told to Thomas Jefferson when he went to negotiate with the Barbary pirates. In essence, he couldn't understand why these radical Muslims, the Barbary pirates, would be attacking American ships. As Jefferson and the other diplomats explained, We've never attacked your ships. We've never attacked you. We're not any threat to you. Why would you attack American ships?

It was explained, In our religion, we believe that, if you die killing infidels, which you Americans are and since you don't believe what we do, then we go to paradise.

Jefferson thought that so strange. He was so well read, so intelligent that he couldn't believe it. He got his own copy of the Koran, in English translation, and read it. He could not believe there was a religion that anybody believed was teaching that you would go to paradise by killing innocent people. That just seemed so strange.

I am extremely grateful that most Muslims don't believe that. They don't believe they should get themselves a ticket to paradise by killing innocent people. They believe in reason and in talking and in trying to work things out. They don't want to be ruled and reigned over by radical Islamists either. Amazingly, I've had people approach me, the last in DFW airport, who have come up and indicated:

Aren't you in Congress?

Yes.

I'm from Egypt.

The last was getting ice cream there at DFW. He said, Aren't you in Congress?

Yes.

He said, You're helping the wrong people.

He had family still in Egypt, and he said, You're helping the wrong people. You're helping the radicals. You're helping the Muslim Brotherhood. We don't want the Muslim Brotherhood running Egypt. We want freedom in Egypt. That's what we thought we were going to get, and then your government helps the wrong people. You help the radicals. You help the Muslim Brotherhood. Quit doing that. Please, tell others in Washington to quit doing that. Quit helping the radicals.

I was surprised. That was not the first time, but it was the most recent time that someone turned out who was from Egypt, a Muslim. They want to live in peace. They don't want radicals ruining their lives, and they think it's wrong for radical Muslim Brotherhood members to persecute, kill, inflict pain and suffering on Coptic Christians and Jews. They don't think that's appropriate. They may not agree with them, but they want to live in peace. Yet this administration continues to help the wrong people.

After I met the young man from Egypt at DFW, I find out we're sending tear gas to Egypt in order to help the radicals in the Muslim Brotherhood use it against people like Coptic Christians, like Jewish residents in Egypt, like moderate Muslims who disagree with the kind of radicalism that is being forced on them in Egypt. Then we find out this week that this administration is sending more tanks to be used to crush those who just want freedom in Egypt. They're moderate Muslims. They want to have freedom. They don't want radicals running their country.

Just like our allies, the Northern Alliance—the moderate Muslims in Afghanistan who fought—many gave their lives. They lost friends and family in fighting the Taliban on our behalf, and now this administration has figuratively thrown them under the bus, and it's trying to buy friendship and peace—literally buy it with money—with the Taliban. That's not how you deal with the Taliban. The Northern Alliance knew how to deal with them. We helped them with some arms. We embedded less than 500 Special Operations people in intelligence, and within 3 or 4 months, the Northern Alliance had defeated the Taliban.

Then as I learned in my first meeting with Northern Alliance leaders some years ago, we told them, Give us back the significant weapons we've given you because we're America. We will make sure you're safe now. We'll make sure Afghanistan is safe and peaceful now. So they turned in the weapons. They trusted the United States, and now they find an administration that had previously been offering to buy elegant, first-class international offices in Qatar, in the Middle East, to give the Taliban—who still wants to kill Americans and destroy our way of life—international standing, classing them up in their efforts to kill Americans and destroy our way of life.

And what did the Northern Alliance get for their loyalty for defeating the Taliban initially before we allowed them to re-surge? They got betrayed. They have been betrayed.

It was reported that the administration was offering to release some of the Taliban's murdering thugs and buy them elegant offices in Qatar. No preconditions. Just sit down and talk with us, and we will buy you stuff, and we will let your murdering thugs go from confinement. We've already done that.

One of them was on television over a year ago, telling the Afghanistans people on the most watched television station, If you do not fully support the Taliban, then you have one chance, and that is to come apologize to us and, under sharia law, beg our forgiveness and ask for our protection. Then you will fall under our protection, and you will not be killed. They explained to the nation of Afghanistan—the leader

that this administration let out of confinement and who is now back leading the Taliban against us—that everyone in the world knows that the Americans have been defeated, and so their President is pulling everyone out. They're running away; they're scared; they're cowards; they're afraid of us. So once the cowardly Americans finish running away from us, in 2014, we, the Taliban, will be back in charge.

□ 1950

And so you've got a choice. You either come back, apologize, pledge devotion to us, ask forgiveness and protection, and under sharia law, we'll protect you. Otherwise, life may not last long once the Americans are gone.

The message has been going around the world. In Egypt when we turned—this administration, at least—turned its back on our ally, Mubarak. When Qadhafi had blood on his hands since 2003, he had been an important ally of this country, giving us more information about terrorists because it was in his interest to keep terrorists at bay, giving us more information about terrorism at times than any other countries were able to give us; and that was repaid by this administration—helped bomb Qadhafi and his troops, and support the radicals. Back at the time, some of us here on the floor were explaining, we don't know who all's involved in the revolution, but we know there are al Qaeda elements of this revolution. Let's stop. This is not a good idea until we know whose side we should be on.

But the world has seen this administration turns against its allies and tries to buy off its enemies. So if this administration were going to be consistent, it would seem that the thing to do, to expect for this administration to offer something, as the Clinton administration did to North Korea: hey, you know, we'll build you a nuclear plant; we'll do something if you just promise you won't develop nuclear weapons. Well, we saw how that worked. Madeleine Albright and President Clinton worked out a heck of a deal. We helped them get nuclear weapons because of the naivete of that administration, and now we're faced with a very difficult situation.

Also understand, if North Korea continues on this path and Iran is not stopped, that what North Korea has Iran may have, and then no one in Israel will be safe at all. And Israel is considered in their minds, in radical Islamist minds, the Little Satan, and we're the Great Satan.

I mentioned this morning on C-SPAN that we have been aware that not everyone that wants to come into this country wants to come for jobs. We know that. Most of the Hispanics are fantastic people. They want to work hard. They believe in God. They're devoted to family. And that is a bit of a

generalization, but it's my hope that that Hispanic culture coming into this country will help bring a resurgence and make us the strong country we once were when it came to family values and an acknowledgement that "In God We Trust," as is our national motto.

Or as Ben Franklin said during the Constitutional Convention:

I've lived, sir, a long time, and the longer I live the more convincing proofs I see of this truth: God governs in the affairs of men.

And as Franklin said:

If a sparrow cannot fall to the ground without His notice, is it possible an empire could rise without His aid? We've been assured in the sacred writing, that unless the Lord build the House, they labor in vain that build it. I firmly believe that.

So I welcome people. And I've met Christian friends that I just fell in love with in West Africa. And one of them, an elderly black West African, wonderful, wonderful man, a heart as big as all outdoors, but he said, please tell others in Washington to quit getting weaker because if America grows weak, yes, we know where we go when we die, but if America grows weak, we have no chance of peace. We have no chance of a good life in this world. So please stop getting weaker. It looks like you're getting weaker.

He started off by saying, We were excited when you elected your first black President, but please urge him to quit getting weaker in America. We need you to be strong.

And I mentioned this morning that we even are aware that we've had al Qaeda, we've had radical Islamists try to disguise themselves as Hispanics and sneak across our southern border because Americans have never been worried about our Hispanic friends being radical and wanting to kill innocent people to go to paradise. That's not part of the Hispanic culture.

And I've been amazed since then that the left wing always wants to try to distort, to create a story out of a twisted—I have to choose my words wisely because it'll be interesting to see what the twisted mind of the left does—but the ignorance was apparently only coupled by laziness by left wing media, so they go nuts trying to paint me as a bigot when obviously they are the bigots, and not only bigots but they're lazy because if they had bothered to even turn on their computer and use it for something besides mean-spirited, twisted, distorted untruths, they could have found this story from the "American Thinker" back on August 2, 2010. In the story by Norah Petersen, it points out, it discusses that:

In 2001, the brother of a Hezbollah military chief illegally entered the United States by crossing the Mexican border. He then settled in Dearborn, Michigan, and raised money for Hezbollah.

In 2002, illegal immigrants from Lebanon who were thought to have ties to Hezbollah were smuggled into the United States via the

Mexican border, according to a congressional report:

"In December 2002, Salim Boughader Mucharraffille, a cafe owner in Tijuana, Mexico, was arrested for illegally smuggling more than 200 Lebanese illegally into the United States, including several believed to have terrorist ties to Hezbollah."

The congressional report also revealed that the FBI has confirmed that persons from al Qaeda-linked nations have been known to disguise themselves as Hispanic immigrants:

"Federal Bureau of Investigation Director Robert Mueller has confirmed in testimony 'that there are individuals from countries with known al Qaeda connections who are changing their Islamic surnames to Hispanic-sounding names and obtaining false Hispanic identities, learning to speak Spanish, and pretending to be Hispanic immigrants.'"

These are the kinds of things that our enemies are doing to try to bring down this Nation. I hope the administration will wise up and do something about it.

With that, Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SHIMKUS (at the request of Mr. CANTOR) for today and April 18 on account of personal matters.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 18, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1139. A letter from the Under Secretary, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program for Fiscal Year 2013, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

1140. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Daniel P. Bolger, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1141. A letter from the Acting Chairman, National Foundation on the Arts and the Humanities, transmitting the Federal Council on the Arts and the Humanities' thirty-seventh annual report on the Arts and Artifacts Indemnity Program for fiscal year 2012; to the Committee on Education and the Workforce.

1142. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-03, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1143. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

1144. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's fiscal year 2012 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1145. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the Commission's FY 2012 Annual Report pursuant to Section 203, Title II of the Notification and Federal Anti-discrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

1146. A letter from the Chairman, National Labor Relations Board, transmitting the Board's FY 2012 Buy American Act report; to the Committee on Oversight and Government Reform.

1147. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2012 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1148. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-10) activities report; to the Committee on Foreign Affairs.

1149. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airways V-68, V-76, V-194, and V548 in the Vicinity of Houston, TX [Docket No.: FAA-2013-0231; Airspace Docket No.: 13-ASW-7] (RIN: 2120-AA66) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1150. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Middletown, OH [Docket No.: FAA-2012-0651; Airspace Docket No.: 12-AGL-7] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1151. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; West Union, IA [Docket No.: FAA-2011-1434; Airspace Docket No.: 11-ACE-27] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1152. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Decorah, IA [Docket No.: FAA-2011-1433; Airspace Docket No.: 11-ACE-26] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1153. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tecumseh, NE

[Docket No.: FAA-2012-1098; Airspace Docket No.: 12-ACE-5] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1154. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Beeville, TX [Docket No.: FAA-2012-0821; Airspace Docket No.: 12-ASW-8] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1155. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Superior, WI [Docket No.: FAA-2012-0656; Airspace Docket No.: 12-AGL-5] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1156. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airway V-233, Springfield, IL [Docket No.: FAA-2013-0179; Airspace Docket No.: 05-AGL-6] (RIN: 2120-AA66) received April 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1157. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2012-1288; Directorate Identifier 2012-NE-37-AD; Amendment 39-17403; AD 2013-06-06] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1158. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robinson Helicopter Company Helicopters [Docket No.: FAA-2012-1088; Directorate Identifier 2012-SW-005-AD; Amendment 39-17987; AD 2013-05-15] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1159. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hughes Helicopters, Inc., and McDonnell Douglas Helicopter Systems (Type Certificate is currently held by MD Helicopters, Inc.) Helicopters [Docket No.: FAA-2012-0890; Directorate Identifier 2011-SW-019-AD; Amendment 39-17388; AD 2013-05-16] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COURTNEY (for himself, Mr. LARSON of Connecticut, Ms. DELAUNO, Ms. PINGREE of Maine, and Mr. SCHRADER):

H.R. 1590. A bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops; to the Committee on Agriculture.

By Mr. CARTER (for himself, Mr. BURGESS, Ms. SPEIER, Mr. KING of New York, Mr. MCCAUL, and Mr. RANGEL):

H.R. 1591. A bill to amend the Public Health Service Act to provide for the estab-

lishment and maintenance of an undiagnosed diseases network, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICA (for himself, Ms. WILSON of Florida, Mr. DIAZ-BALART, Ms. WASSERMAN SCHULTZ, Mr. RADEL, Mr. HASTINGS of Florida, Mr. ROONEY, Mr. BUCHANAN, Mr. GARCIA, Ms. ROS-LEHTINEN, and Mr. MILLER of Florida):

H.R. 1592. A bill to provide for the conveyance of the David W. Dyer Federal Building and United States Courthouse in Miami, Florida, to Miami Dade College in Miami Dade County, Florida; to the Committee on Transportation and Infrastructure.

By Ms. SPEIER (for herself, Mr. ANDREWS, Ms. BASS, Mr. BECERRA, Mr. BERA of California, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAUNO, Mr. DELANEY, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GRILJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. JONES, Ms. KAPTUR, Mr. KEATING, Mr. KIND, Ms. LEE of California, Mr. LEWIS, Mr. LEVIN, Mr. BEN RAY LUJAN of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. PERLMUTTER, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUIGLEY, Mr. RANGEL, Mr. RAHALL, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SCHRADER, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Ms. TITUS, Mr. TONKO, Mr. WALZ, Ms. WATERS, Mr. WELCH, Ms. WILSON of Florida, and Mr. LARSON of Connecticut):

H.R. 1593. A bill to amend title 10, United States Code, to improve the prevention of and response to sexual assault in the Armed Forces by establishing a Sexual Assault Oversight and Response Council and an enhanced Sexual Assault Oversight and Response Office and by requiring the appointment of a Director of Military Prosecutions for sexual-related offenses committed by a member of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. CASSIDY (for himself, Mr. BRIDENSTINE, Mr. LAMALFA, Mrs. NOEM, Mr. POSEY, Mr. FLEMING, and Mr. OLSON):

H.R. 1594. A bill to prohibit the use of Federal funds for the costs of official portraits of members of Congress, heads of executive agencies, or heads of offices of the legislative branch; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COURTNEY (for himself, Mr. BISHOP of New York, Ms. BONAMICI, Mr. BRALEY of Iowa, Mrs. BUSTOS, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARKE, Mr. COHEN, Mr. CONNOLLY, Ms. DELAURO, Ms. DELBENE, Mr. DINGELL, Mr. DOYLE, Ms. DUCKWORTH, Ms. EDWARDS, Ms. ESTY, Mr. GRIJALVA, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HORSFORD, Ms. JACKSON LEE, Mr. KILMER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEWIS, Mr. LOEBSACK, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHRAEDER, Ms. SCHWARTZ, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. TONKO, Mr. VAN HOLLEN, Mr. VELA, Mr. WALZ, Mr. WAXMAN, Mr. WELCH, Mr. YARMUTH, Mr. CONYERS, Mr. AL GREEN of Texas, Ms. ROYBAL-ALLARD, Mr. THOMPSON of California, Mr. PETERS of California, Mr. TIERNEY, Mr. LYNCH, Mr. CARTWRIGHT, Mr. BEN RAY LUJÁN of New Mexico, Mr. VARGAS, Ms. BORDALLO, Ms. ESHOO, Ms. CASTOR of Florida, Ms. TITUS, Mrs. DAVIS of California, Mr. ELLISON, Mr. ENYART, Mr. FOSTER, Mr. GENE GREEN of Texas, Mr. KILDEE, Mr. KIND, Mr. MATHESON, Mr. MCINTYRE, Mr. O'ROURKE, Mr. RUSH, Mr. SABLON, Mr. SMITH of Washington, Mr. CAPUANO, and Ms. WILSON of Florida);

H.R. 1595. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Education and the Workforce.

By Mr. DEFazio:

H.R. 1596. A bill to increase the employment of Americans by requiring State workforce agencies to certify that employers are actively recruiting Americans and that Americans are not qualified or available to fill the positions that the employer wants to fill with H-2B nonimmigrants; to the Committee on the Judiciary.

By Mr. DEUTCH:

H.R. 1597. A bill to amend the Internal Revenue Code of 1986 to provide a credit to individuals for legal expenses paid with respect to establishing guardianship of a disabled individual; to the Committee on Ways and Means.

By Mr. GRIFFIN of Arkansas (for himself, Mr. GRIFFITH of Virginia, Mr. MCGOVERN, Ms. SHEA-PORTER, Mr. NUNNELEE, Ms. HANABUSA, Mr. BLUMENAUER, Ms. BORDALLO, Ms. SLAUGHTER, Mr. KEATING, Mr. HIMES, Mr. RUSH, Mrs. HARTZLER, Mr. JONES, Ms. NORTON, Mr. BRADY of Pennsylvania, Mr. WESTMORELAND, Mr. RAHALL, Mr. GRIJALVA, Mrs. MILLER of Michigan, Mr. HASTINGS of Florida, Mr. VAN HOLLEN, Mr. BUCHSHON, Mr. HECK of Washington, Mr. BRIDENSTINE, Mr. LATTI, Mr. LONG, Mr. TAKANO, Mr. OLSON, Mr. WITT-

MAN, Mr. STEWART, Mr. FITZPATRICK, Mr. POLIS, Mrs. ROBY, Mr. BENTIVOLIO, and Mr. COHEN);

H.R. 1598. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans; to the Committee on Veterans' Affairs.

By Mr. GRIJALVA (for himself, Mr. GARY G. MILLER of California, and Mrs. NAPOLITANO):

H.R. 1599. A bill to amend section 520E of the Public Health Service Act to require States and their designees receiving grants for development or implementation of statewide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. GRIJALVA:

H.R. 1600. A bill to prescribe procedures for effective consultation and coordination by Federal agencies with federally recognized Indian tribes regarding Federal Government activities that impact tribal lands and interests to ensure that meaningful tribal input is an integral part of the Federal decision-making process; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Ms. CHU, Mr. CONYERS, Ms. NORTON, Ms. LEE of California, Ms. SCHAKOWSKY, and Mr. SERRANO):

H.R. 1601. A bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIJALVA:

H.R. 1602. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to transfer the credit for electricity produced from renewable resources; to the Committee on Ways and Means.

By Mr. GRIMM (for himself, Mr. KING of New York, and Mr. MEEKS):

H.R. 1603. A bill to support and promote community financial institutions in the mutual form, and for other purposes; to the Committee on Financial Services.

By Mr. LAMBORN:

H.R. 1604. A bill to establish the National Geospatial Technology Administration within the United States Geological Survey to enhance the use of geospatial data, products, technology, and services, to increase the economy and efficiency of Federal geospatial activities, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Oversight and Government Reform, Science, Space, and Technology, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut:

H.R. 1605. A bill to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process; to the Committee on the Judiciary, and in addition to the Committees on Veterans' Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEUGEBAUER:

H.R. 1606. A bill to amend the Federal Crop Insurance Act to make available to pro-

ducers a supplemental coverage option based on both an individual yield and loss basis and an area yield and loss basis in order to allow producers to cover all or a portion of their deductible under the individual yield and loss policy, to improve the accuracy of actual production history determinations, and for other purposes; to the Committee on Agriculture.

By Mrs. NOEM (for herself and Mr. TERRY):

H.R. 1607. A bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs to cover fiscal years 2012 through 2018, and for other purposes; to the Committee on Agriculture.

By Mr. OWENS:

H.R. 1608. A bill to require the Secretary of Health and Human Services to promulgate regulations regarding the authorship, content, format, and dissemination of Patient Medication Information to ensure patients receive consistent and high-quality information about their prescription medications and are aware of the potential risks and benefits of prescription medications; to the Committee on Energy and Commerce.

By Mr. PASCRELL (for himself and Mr. KING of New York):

H.R. 1609. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Education and the Workforce.

By Mr. RIBBLE (for himself, Mr. WALZ, Mr. GIBBS, Mr. ROKITA, Mr. PETRI, and Mr. DUFFY):

H.R. 1610. A bill to amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm; to the Committee on Agriculture.

By Mr. RIBBLE:

H.R. 1611. A bill to authorize the Secretary of Agriculture to use funds derived from conservation-related programs executed on National Forest System lands to utilize the Agriculture Conservation Experienced Services Program; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Alabama (for himself, Mr. ADERHOLT, Mr. BACHUS, Mr. BONNER, Mr. BROOKS of Alabama, Mrs. ROBY, and Ms. SEWELL of Alabama):

H.R. 1612. A bill to direct the Secretary of Veterans Affairs to convey a parcel of land in Tuskegee, Alabama, to Tuskegee University, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LATHAM (for himself, Mr. COLE, Mr. DUFFY, Mr. FITZPATRICK, Mr. FORTENBERRY, Mr. HANNA, Mr. KING of Iowa, and Mr. NUGENT):

H. Res. 166. A resolution condemning any proposals for the arbitrary seizure of funds from federally insured deposit accounts in the United States by the Government without due process; to the Committee on Financial Services.

By Mr. GRAVES of Missouri (for himself, Mr. HANNA, Mr. SCHIFF, Mr. PAYNE, Mr. SIMPSON, Ms. BORDALLO, Mr. LOEBSACK, Mr. NEAL, Mr. HOLT, Mr. GUTHRIE, Mr. ROE of Tennessee, and Mr. WALZ):

H. Res. 167. A resolution recognizing the roles and contributions of America's teachers to building and enhancing our Nation's

civic, cultural, and economic well-being; to the Committee on Education and the Workforce.

By Mr. MARKEY (for himself, Mr. NEAL, Mr. MCGOVERN, Mr. KENNEDY, Ms. TSONGAS, Mr. TIERNEY, Mr. CAPUANO, Mr. LYNCH, and Mr. KEATING):

H. Res. 168. A resolution condemning the horrific attacks of April 15, 2013, in Boston, Massachusetts, and expressing support, sympathy, and prayers for all persons impacted by this tragedy; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COURTNEY:

H.R. 1590.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3, Clause 2 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. CARTER:

H.R. 1591.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. MICA:

H.R. 1592.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. SPEIER:

H.R. 1593.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. CASSIDY:

H.R. 1594.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. COURTNEY:

H.R. 1595.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DeFAZIO:

H.R. 1596.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8. Clause 4.

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States

By Mr. DEUTCH:

H.R. 1597.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. GRIFFIN of Arkansas:

H.R. 1598.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. GRIJALVA:

H.R. 1599.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 1600.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 1601.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 1602.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIMM:

H.R. 1603.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LAMBORN:

H.R. 1604.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3—

Article IV—The States

Section 3—New States

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LARSON of Connecticut:

H.R. 1605.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NEUGEBAUER:

H.R. 1606.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States”, 18 (“To make all Laws which shall be necessary and proper for carrying into

Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mrs. NOEM:

H.R. 1607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. OWENS:

H.R. 1608.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PASCRELL:

H.R. 1609.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RIBBLE:

H.R. 1610.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. RIBBLE:

H.R. 1611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ROGERS of Alabama:

H.R. 1612.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—This bill promotes the general welfare of the United States by returning vacant land to its original charitable donor, Tuskegee University.

Article 1, Section 8, Clause 18—Creates necessary and proper authority for the Secretary of Veterans Affairs to convey the vacant land to Tuskegee University.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolution as follows:

H.R. 139: Mr. CARTWRIGHT.

H.R. 164: Mr. STEWART, Mrs. ELLMERS, Mr. GRIMM, Mr. PETERSON, and Mr. PAULSEN.

H.R. 198: Mr. McDERMOTT.

H.R. 274: Mrs. BUSTOS and Ms. SINEMA.

H.R. 300: Mr. YODER.

H.R. 335: Mr. GARAMENDI.

H.R. 357: Mr. RUNYAN.

H.R. 377: Mr. RUIZ and Ms. SEWELL of Alabama.

H.R. 382: Mr. RADEL and Mr. BURGESS.

H.R. 445: Mr. JOHNSON of Georgia.

H.R. 452: Mr. SWALWELL of California, Mr. COURTNEY, Mr. PALLONE, Mr. TONKO, Mr. HIGGINS, and Mrs. LOWEY.

H.R. 485: Mr. SWALWELL of California and Ms. TITUS.

H.R. 495: Mr. NUNES.

H.R. 521: Ms. SINEMA.

H.R. 523: Mr. KING of New York, Mr. HUDSON, Mr. DESJARLAIS, Mr. HENSARLING, Mr. LABRADOR, Mrs. LUMMIS, Mr. GARY G. MILLER of California, Mr. RIGELL, Ms. ROSS-LEHTINEN, Mr. RUNYAN, Mr. SOUTHERLAND, Mr. WOODALL, and Mr. YOUNG of Alaska.

H.R. 525: Mr. RADEL.

H.R. 526: Mr. SCHIFF.

H.R. 556: Mr. CHABOT, Mr. STOCKMAN, Mr. YOHIO, and Mr. GRAVES of Georgia.

H.R. 627: Mr. VELA, Ms. BASS, Mrs. DAVIS of California, Ms. JACKSON LEE, Ms. TITUS, Mr. THOMPSON of Mississippi, Mr. FALEOMAVAEGA, Mr. LEWIS, Mr. PIERLUISI, Mrs. NOEM, Mr. TERRY, Mr. ROSKAM, Ms. SINEMA, Mrs. WAGNER, Mrs. WALORSKI, Mr. HULTGREN, Mr. LUETKEMEYER, Mr. HUFFMAN, Ms. SCHWARTZ, Mr. OLSON, Mr. DOYLE, Mr. CUMMINGS, Mr. MARCHANT, Mr. GRIFFIN of Arkansas, Mr. WOLF, Mr. FORBES, Mr. STUTZMAN, Mr. LARSEN of Washington, Mr. ANDREWS, Mr. CÁRDENAS, and Mr. VEASEY.
H.R. 649: Mr. FARR.
H.R. 693: Mr. DUNCAN of Tennessee.
H.R. 721: Mr. ANDREWS.
H.R. 724: Mr. MULVANEY, Mr. BENISHEK, and Mr. PALAZZO.
H.R. 730: Mr. POE of Texas.
H.R. 732: Mr. BENTIVOLIO.
H.R. 755: Ms. MATSUI.
H.R. 763: Mr. WALBERG, Mr. WENSTRUP, Mr. DIAZ-BALART, Mr. POMPEO, Mr. HANNA, Mr. AUSTIN SCOTT of Georgia, Mr. NEUGEBAUER, and Mr. REICHERT.
H.R. 769: Mr. ENYART.
H.R. 786: Mrs. CAPPS.
H.R. 792: Mr. CLAY.
H.R. 807: Mr. CRAWFORD, Mrs. ELLMERS, and Mr. COBLE.
H.R. 809: Mr. DUNCAN of Tennessee.
H.R. 820: Mr. RANGEL and Mrs. CHRISTENSEN.
H.R. 846: Mr. DENHAM, Mr. GINGREY of Georgia, Mr. RAHALL, and Mrs. LUMMIS.
H.R. 847: Mr. MURPHY of Florida and Mr. SHERMAN.
H.R. 851: Mr. BRADY of Pennsylvania.
H.R. 855: Mr. MAFFEI.
H.R. 892: Ms. SCHWARTZ.
H.R. 893: Mr. CHABOT and Mr. STOCKMAN.
H.R. 894: Mr. COHEN.
H.R. 904: Mr. WEBER of Texas, Mr. ROSKAM, and Mr. FORBES.
H.R. 906: Mr. POCAN, Mr. MORAN, and Mr. BILIRAKIS.
H.R. 938: Mr. GARDNER, Ms. HERRERA BEUTLER, Mr. LARSON of Connecticut, Mr. ROSS, Mr. MULVANEY, Mr. PERLMUTTER, Ms. WILSON of Florida, Mr. GRAYSON, Mr. COTTON, Mr. WEBER of Texas, Ms. DeLAURO, Mr. RENACCI, Mr. ROYCE, and Mr. SESSIONS.
H.R. 940: Mr. GOSAR.
H.R. 949: Ms. SCHWARTZ, Mr. BRADY of Pennsylvania, and Ms. DeLAURO.
H.R. 959: Mr. SHIMKUS and Mr. PITTS.
H.R. 961: Mr. LoBIONDO and Mrs. CAROLYN B. MALONEY of New York.
H.R. 962: Mr. PETERS of California.

H.R. 974: Mr. HECK of Washington.
H.R. 997: Mr. YOUNG of Florida.
H.R. 1010: Ms. SHEA-PORTER.
H.R. 1014: Mr. COLE.
H.R. 1015: Mr. GERLACH and Mr. WOLF.
H.R. 1026: Mr. GOSAR, Mr. LUCAS, Mr. WEBER of Texas, and Mr. RIBBLE.
H.R. 1029: Mr. BRADY of Pennsylvania.
H.R. 1074: Mr. TAKANO, Mr. GENE GREEN of Texas, and Mr. BISHOP of New York.
H.R. 1077: Mr. COTTON, Mr. GRIFFIN of Arkansas, and Mr. FINCHER.
H.R. 1078: Mr. SMITH of Nebraska.
H.R. 1095: Mr. KLINE.
H.R. 1130: Ms. LEE of California.
H.R. 1149: Ms. MCCOLLUM.
H.R. 1173: Mr. LEVIN and Mr. LARSON of Connecticut.
H.R. 1179: Mr. BISHOP of Georgia and Mr. OWENS.
H.R. 1199: Mr. COHEN, Mr. WALZ, Mr. KILMER, Mr. MEEKS, Ms. CHU, Mr. BISHOP of New York, Mr. SARBANES, Mr. DINGELL, Mr. DELANEY, Mr. SCHRADER, and Ms. DELBENE.
H.R. 1209: Mr. BENTIVOLIO, Mr. WENSTRUP, Mr. VELA, Mr. FLORES, Mrs. BLACK, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. FINCHER, Mr. KEATING, Mr. BARTON, Mr. DUNCAN of Tennessee, Mr. DAINES, Mrs. McMORRIS RODGERS, Mr. REICHERT, Mr. JONES, Mr. PETERS of California, Mr. FLEISCHMANN, Mr. KINGSTON, Ms. EDWARDS, and Mr. FORBES.
H.R. 1242: Mr. BARR.
H.R. 1245: Ms. LORETTA SANCHEZ of California, Ms. JACKSON LEE, Ms. CLARKE, Mr. HIGGINS, Mr. KEATING, Mr. PAYNE, Ms. GABBARD, Mr. HORSFORD, Mr. SWALWELL of California, Mr. DINGELL, Mr. CONNOLLY, Ms. HAHN, and Mr. GALLEG0.
H.R. 1249: Mr. SMITH of Washington and Mr. POE of Texas.
H.R. 1250: Mr. GRAVES of Georgia.
H.R. 1252: Mr. RYAN of Ohio, Mr. COFFMAN, and Ms. SCHAKOWSKY.
H.R. 1276: Mr. BRALEY of Iowa, Mr. CICILLINE, Mr. COHEN, Mr. CRAWFORD, Mr. DOYLE, Mr. FITZPATRICK, Mr. GIBSON, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Ms. HANABUSA, Mr. LANGEVIN, Mr. LOEBSACK, Mr. MARINO, Mr. MARKEY, Ms. MCCOLLUM, Mr. ROGERS of Michigan, Ms. LORETTA SANCHEZ of California, Mr. SENSENBRENNER, Mr. TONKO, Mr. WITTMAN, and Mr. YARMUTH.
H.R. 1286: Mr. ANDREWS.
H.R. 1288: Mr. COHEN, Mr. FORBES, Mrs. CHRISTENSEN, and Mr. LATHAM.
H.R. 1354: Ms. WILSON of Florida and Ms. CASTOR of Florida.

H.R. 1355: Mr. AUSTIN SCOTT of Georgia, Mr. SCALISE, Mr. YOH0, Mr. MEADOWS, Mr. DESJARLAIS, Mr. FRANKS of Arizona, and Mr. BARTON.
H.R. 1362: Mr. OWENS.
H.R. 1406: Mr. STUTZMAN, Mr. WITTMAN, Mr. LABRADOR, Mr. HOLDING, Mr. BISHOP of Utah, Mr. DESANTIS, Mr. RIBBLE, Mr. JOHNSON of Ohio, Mr. GIBBS, Mr. BENTIVOLIO, Mr. HARRIS, Mr. REICHERT, Mr. VALADAO, Mr. COLLINS of New York, Mr. COFFMAN, Mr. THOMPSON of Pennsylvania, Mr. NUNES, Mr. CRAWFORD, Mr. MULVANEY, Mr. LATHAM, Mr. MEADOWS, and Mr. GARRETT.
H.R. 1416: Mrs. WALORSKI, Mrs. CAPITO, Mr. LANCE, Mrs. HARTZLER, Mr. CRAWFORD, Mrs. BLACK, Mr. KINZINGER of Illinois, Mrs. CHRISTENSEN, Mr. HIGGINS, Mr. MEADOWS, and Mr. YOUNG of Florida.
H.R. 1427: Ms. TITUS.
H.R. 1435: Mr. GRIJALVA.
H.R. 1466: Ms. BORDALLO, Ms. DeLAURO, Ms. SCHAKOWSKY, Mr. POCAN, Ms. SLAUGHTER, Mr. RYAN of Ohio, Ms. TITUS, Ms. EDWARDS, and Mr. YARMUTH.
H.R. 1494: Mr. LATTa and Mrs. DAVIS of California.
H.R. 1496: Mr. COSTA.
H.R. 1502: Mr. GOHMERT and Mr. NEUGEBAUER.
H.R. 1528: Mr. PETERSON and Mr. DUNCAN of Tennessee.
H.R. 1538: Mr. VELA.
H.R. 1549: Mrs. ELLMERS, Mr. WALDEN, Mr. CASSIDY, Mr. JOHNSON of Ohio, Mr. LONG, Mr. TERRY, and Mr. HALL.
H.R. 1551: Mr. WESTMORELAND, Mr. RIGELL, Mr. GRAVES of Missouri, Mr. SCHOCK, and Mr. BUTTERFIELD.
H.R. 1588: Ms. DeGETTE, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SARBANES, Mr. RANGEL, and Mr. ENGEL.
H. Con. Res. 4: Mr. LONG.
H. Con. Res. 23: Mr. ROSKAM.
H. Res. 36: Mrs. NOEM, Mr. ROONEY, and Mr. LUETKEMEYER.
H. Res. 76: Mr. LONG.
H. Res. 134: Mr. WOLF and Mr. TERRY.
H. Res. 144: Mr. LANCE.
H. Res. 154: Mr. RANGEL, Ms. BORDALLO, Ms. HAHN, Ms. LOFGREN, Mr. GEORGE MILLER of California, Mr. PETERS of California, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Mr. THOMPSON of California, and Mr. HONDA.

EXTENSIONS OF REMARKS

A TRIBUTE TO STEPHANIE VENDIG

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

Today, I proudly recognize the outstanding work and contributions of Stephanie Vendig of Silver Lake, California. Although retired, Stephanie continuously directs her efforts towards giving back to her community through her advocacy and exceptional leadership.

Ms. Vendig attended the University of California, Berkeley, where she graduated with a B.A. in 1959. In addition to credentials to teach the disabled and elementary school students, she continued her education and received a Master's degree in Early Childhood Education from the California State University, Northridge. Stephanie started her teaching career in San Francisco, and began teaching the disabled when she moved to Los Angeles. In addition, Stephanie became involved with the Los Angeles Unified School District's Division of Special Education as a consultant, where she trained special education teachers and developed programs serving young children with special needs. In 1980, Stephanie joined the Youth and Family Center which provides services for parenting and pregnant teens, and retired from the agency in 1996 as Interim Executive Director.

Stephanie has also served as President of the Silver Lake Senior Club, which is now the Griffith Park Adult Community Club, GPACC, and has been a steadfast advocate for senior citizens. Currently, Stephanie is involved in program development at GPACC, where she is chairing a committee to advocate for the expansion of their facility, since they are outgrowing their current facility. Furthermore, she is a columnist for the Los Feliz Ledger, and serves as a Board Member of the Silver Lake Improvement Association.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Stephanie Vendig, for her exceptional, unwavering, and tireless support and service to the community.

HONORING THE MARTIN'S MILL LADY MUSTANGS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. HENSARLING. Mr. Speaker, today I would like to honor the Martin's Mill Lady Mustangs basketball team, which won the Texas Class A Division I High School Basketball Championship on March 2, 2013. This victory marked the third time since 2006 the Lady Mustangs have captured the title.

I would like to especially recognize team members Alyssa Pate, Brienne Miller, Hannah Celsur, Cassidy McCoy, Taylor Munns, Haily Jenkins, Bailey Caldwell, Cheyenne Brown, Madison Daniel, Meagan Weatherford, and Hailey Hawes. I would also like to recognize Head Coach Doug Barncastle; Assistant Coaches Laura Jenkins and Don Tarrant; and Managers Hailey Celsur, Jacee Greenlee, Jillian Jones, Megan Lafleur, and Adrianna Weatherford.

On behalf of the Fifth District of Texas, I am honored to congratulate the Martin's Mill Lady Mustangs—both players and coaches—for their talent, dedication, and exceptional performance. I am confident that this is an accomplishment these young ladies will remember for the rest of their lives.

RECOGNIZING VIRGINIA REILLY MCDEVITT

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. FOXX. Mr. Speaker, I rise to recognize my constituent Virginia Reilly McDevitt and her classmates on the 50th anniversary of their graduation from the New York Methodist Hospital School of Nursing.

New York's Methodist Hospital, America's first Methodist hospital, opened in Brooklyn's Park Slope section in 1881. Its nursing school opened shortly thereafter in 1888. For years, nurses prepared at the Methodist Hospital to serve throughout the world, wherever the country might have need.

In 1963, Virginia McDevitt joined the ranks of New York Methodist Hospital's esteemed graduates.

Today Virginia McDevitt puts her New York Methodist Hospital education to work serving as a home health and hospice nurse in Davie County, North Carolina. In the communities of Davie County she is well-regarded for the caliber of her care, the excellence of her work, and the pride she takes serving patients and their families even in life's most challenging times.

Congratulations are certainly due to Virginia McDevitt and the New York Methodist Hospital Nursing School class of 1963.

PERSONAL EXPLANATION

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. COURTNEY. Mr. Speaker, on Monday April 15, 2013, I was unable to be present for three recorded votes. Had I been present, I would have voted:

"Yes" on rollcall No. 103 (on passage of H.R. 1162);

"Yes" on rollcall No. 104 (on passage of H.R. 882); and

"No" on rollcall No. 105 (on passage of H.R. 249).

A TRIBUTE TO ROSIE BETANZOS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

Today, I want to acknowledge and recognize the exemplary work of Rosie Betanzos, who is widely known as a vibrant member of the Echo Park community. Born and raised in Echo Park, Rosie is happily married to her husband, Ceasar Betanzos, and they have two children.

After Rosie's establishment of the Echo Park Improvement Association in 1988, which was the first crime prevention organization in Echo Park, crime was reduced by 80 percent as a result of community involvement. Rosie has served as a Top Peer Counselor for John Marshall High School and has been involved with the Los Angeles Police Stop-In-Location volunteer unit in Echo Park. In 2009, Rosie coordinated and directed the Echo Park Lotus Festival.

Currently, Rosie serves as a Board Member of the Los Angeles Police Department's Northeast Area Community Police Advisory Board. She also coordinates and directs an annual block party representing the Northeast Police Station, and serves as a Board Officer of the Echo Park Chamber of Commerce, where she coordinates the Taste of Echo Park fundraiser. Rosie is also the owner of the Echo Park Trading Post, and is influential as a coach and mentor in business consulting in business décor and customer service.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Rosie Betanzos, for her exceptional service and continuous dedication to the community.

RECOGNIZING PETTY OFFICER 2ND CLASS JUAN TAIJERON ON RECEIVING COAST GUARD SECTOR GUAM'S RESERVE ENLISTED PERSON OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend Petty Officer 2nd Class Juan Taijeron on being named Coast Guard Sector Guam's Reserve Enlisted Person of the Year.

Petty Officer Taijeron is a boatswains mate currently assigned to Station Apra Harbor Guam, and was chosen as the Sector Guam's Reserve Enlisted Person of the Year by the U.S. Coast Guard. He serves as a tactical coxswain and engineer on the 45 ft. Response Boat—Medium (RB-M) and 25 ft. Response Boat—(RB-S). His duties include: boarding team member instructor, boat crew member instructor, and Weapons Petty Officer.

The U.S. Coast Guard awarded Officer Taijeron this distinguished honor for successfully achieving the highest underway hours for certified engineers, executing 385 hours underway, many of which were performed outside of his rating specialty as a boat engineer, through 141 missions.

Born and raised on Guam, Petty Officer Taijeron entered the U.S. Coast Guard Reserves in 2008. After graduating high school in 1997, he attended leadership and management school. He has been a civilian dive boat captain and dive master for 15 years. The knowledge he has of Guam is invaluable when training new members of Station Apra Harbor.

His major awards and decorations include: Coast Guard Commandant Letter of Commendation; Coast Guard Meritorious Team with Bronze Star; Coast Guard Special Operations Service Ribbon; Coast Guard Overseas Ribbon; Coast Guard Reserve Good Conduct; Armed Forces Reserve Medal with Device; National Defense Service Medal; and Coast Guard Pistol Expert Medal.

He is also an active member of our island community, as he volunteered more than 100 hours of liberty time to help set up 12 static displays to provide education to the public about the Coast Guard operations as well as volunteering at the Angel Tree Project for underprivileged children during the holiday season.

Petty Officer Taijeron embodies the Coast Guard's core values: honor, respect, and devotion to duty.

I congratulate Petty Officer 2nd Class Juan Taijeron on being named Coast Guard Sector Guam's Reserve Enlisted Person of the Year. I join the people of Guam in commending him and thanking him for his contributions to our community. I wish him the best of luck as he competes for national honors with his peers from other Coast Guard Districts across the nation.

RECOGNIZING THE 23RD ANNUAL DC BLACK PRIDE CELEBRATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. NORTON. Mr. Speaker, as the Supreme Court considers two historic marriage equality cases, I rise today to ask the House of Representatives to join me in recognizing the 23rd annual DC Black Pride celebration, to be held in Washington, DC on May 24–26, 2013.

The DC Black Pride celebration is a multi-day festival featuring a reception, films, a poetry slam, a church service, educational workshops, community town hall meetings, a basketball tournament, and a health and wellness expo, among other events. We in the District of Columbia are pleased and proud that the DC Black Pride celebration is widely considered to be one of the world's preeminent Black Pride celebrations, drawing more than 30,000 people to the nation's capital from across the United States as well as from Canada, the Caribbean, South Africa, Great Britain, France, Germany, and the Netherlands.

We are particularly proud that the DC Black Pride was the very first Black Pride celebration and fostered the beginning of the Center for Black Equity (formerly known as the International Federation of Black Prides, Inc. (IFBP)) and the "Black Pride Movement," which now consists of 40 Black Prides on four continents.

Black Lesbian and Gay Pride Day, Inc., the celebration's organizing body, has chosen "Step Up and Be Heard" as the theme for this year's celebration. This theme reflects the connectedness of the Black Lesbian, Gay, Bisexual, and Transgender (LGBT) community and its commitment to fulfilling the mission of DC Black Pride, which is to increase awareness of and pride in the diversity of the Black LGBT community. Moreover, the theme expresses the resolve of the African-American LGBT community and its allies to come together to: fight for LGBT equality; celebrate its heritage and culture as members of both the Black and LGBT communities; and promote health and wellness for the community.

We congratulate the DC Black Pride board of directors, coordinator of the annual event and smaller events throughout the year: Andrea Woody-Macko; Derrick Dunning; Earl Fowlkes, Jr.; June Spence; Kenneth Hopson; Kenya Hutton; Lauren Morris; Leandrea Gilliam; Marc Morgan; and Robert "Harold" Dinkins.

I ask the House of Representatives to join me in welcoming all attending the 23rd annual DC Black Pride celebration in Washington, D.C., and I take this opportunity to remind the celebrants that the American citizens who reside in Washington, D.C. are taxed without full voting representation in Congress.

A TRIBUTE TO NYLA ARSLANIAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Nyla Arslanian of Los Feliz, California, who is one of the strongest advocates for the arts in the city of Los Angeles, as well as a pioneer in the cultural tourism movement in the city.

Ms. Arslanian is the editor of Discover Hollywood Magazine, now in its 27th year, whose mission is to inform visitors and residents alike, about the unique culture and lore of Hollywood. Nyla is married to Oscar Arslanian, who is her partner in their entertainment management and publishing firm, Arslanian & Associates, Inc. In addition to publishing Discover Hollywood Magazine, they represent performers Chris Montez, Fabian, Johnny Tillotson and Kathy Young.

Since 1984, Nyla has served as the President of the Hollywood Arts Council, creating several programs such as the Children's Festival of the Arts and the Charlie Awards Luncheon, which is held annually. Through her unparalleled leadership, the Council has brought the arts to more than 15,000 elementary school children, and over 70,000 people who have attended the Children's Festival, which is also an annual event.

Nyla has served on numerous boards including the Greater Griffith Park Neighborhood Council, the Hollywood Chamber of Commerce, and now serves on the board of the Los Feliz Improvement Association. She has received many well-deserved honors, including the Buddy Collette Award, the Award of Excellence by the Women's Club of Hollywood, and the Hollywood Star Award, which she received with her husband.

I ask all Members to join me today in honoring an outstanding woman of California's 28th Congressional District, Nyla Arslanian, for her exceptional service to the community.

HONORING THE LIFE OF R.D. "DAN" MUSSER

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. BENISHEK. Mr. Speaker, I would like to honor the life of R.D. "Dan" Musser, owner of the Grand Hotel on Mackinac Island, who passed on at the age of 80 on April 13, 2013.

Born in Circleville, Ohio in 1932, Mr. Musser graduated from Dartmouth College and served in the U.S. Army during the Korean War. After returning in 1951, Mr. Musser went to work at the Grand Hotel on Mackinac Island, Michigan, which was owned by his family. In order

not to show favoritism, his uncle W. Stewart Woodfill, who was the hotel's owner, had Mr. Musser work twice the number of hours other employees did while learning about the operations of the hotel.

Mr. Musser became the manager of the hotel in 1960, when he doubled the number of rooms in the establishment and extended the hours of the hotel during the summer season. Mr. and Mrs. Musser purchased the hotel from W. Stewart Woodfill in 1979.

During the Musser's ownership of the hotel, Mr. Musser worked to run the large hotel with an impeccable attention to detail and a level of personal service found in much smaller establishments. Mr. Musser often wrote over 50 handwritten notes to employees of the Grand Hotel a day regarding items needing attention. During his tenure as owner, the Grand Hotel became a National Historical Landmark in 1989.

In addition to his work at the Grand Hotel, Mr. Musser served as Chairman of the Michigan Travel Commission, Chairman of the Mackinac Island Public Works Commission, and was remembered as a civic pillar. When not working to improve the Grand Hotel and Mackinac Island, Mr. and Mrs. Musser also enjoyed raising show dogs, his Scottish terrier, Sadie earned the prestigious "Best in Show" at the 2010 American Kennel Club Dog Show.

Survived by his wife, three children, and seven grandchildren, Musser's great legacy includes building the Grand Hotel into what it is today and working to share Northern Michigan hospitality and beautiful summers with all citizens. On behalf of all residents of the First Congressional District of Michigan, I wish to express my condolences to the Musser family and salute R.D. Musser's contribution to our state and country.

THE TAIWAN RELATIONS ACT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. DUNCAN of Tennessee. Mr. Speaker, the Taiwan Relations Act, signed into law more than 34 years ago on April 10, 1979 by President Jimmy Carter, officially recognizes the unique relationship between Taiwan and the United States.

Taiwan acknowledges and represents the many liberties and freedoms the United States holds dear, and is a dependable ally and friend in the Western Pacific.

Our countries share a strategic partnership. The United States should continue to support the ideals of Democracy and strengthen our relationship with Taiwan, a reliable partner in a very strategic part of the world.

HONORING THE COLLEGE OF CENTRAL FLORIDA'S MEN'S BASKETBALL TEAM FOR WINNING THE NJCAA NATIONAL CHAMPIONSHIP

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. NUGENT. Mr. Speaker, I rise today to honor College of Central Florida men's basketball team for their heroic win in the NJCAA National Championship.

On March 23, 2013, the College of Central Florida Patriots faced Northwest Florida State in the NJCAA national championship game. Early on, the Patriots built a 15-point lead and managed to fend off a late charge by their opponents to bring back the school's first ever national championship in men's basketball.

During the game, Eugene McCrory scored 23 points and earned the Most Valuable Player award. Rasham Suarez also earned all-tournament honors for the school and Central Florida Coach Tim Ryan won the award for the tournament's best coach.

The win makes the Patriots the third team from Florida to win the national championship and it is the first such win for a Florida team in almost twenty years.

This historic win is a testament to what can be accomplished when sound leadership and hard work combine to pursue a specific goal. The win is a true credit to Coach Ryan and the entire CF community who rallied around these young men and helped them through till the final whistle.

The team has made our community very proud and I know that it is a sign of more good things to come in the years ahead.

A TRIBUTE TO HEIDI SHINK

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Heidi Shink of West Hollywood, California, who for many years has been an avid community leader and political activist.

Heidi is an Advocacy Board Member for the National Council of Jewish Women, Vice President of Communications for the Stonewall Democratic Club, a Commissioner for Human Services in the City of West Hollywood, a liaison to West Hollywood's Women's Advisory Board, and Board Member of Liberty Hill's Community Funding Board, Victory Fund's Campaign Board, Democrats For Israel, and the Los Angeles Gay and Lesbian Chamber of Commerce. In 2013, Heidi ran as a candidate and was elected to the California Democratic Party's State Central Committee.

Heidi Shink has had a dynamic and multi-dimensional professional career. After graduating from New York University, she landed a record deal with her band, Ceremony. She performed for audiences worldwide, as a co-lead singer, along with Chaz Bono. After working with the band for a decade, she became a Senior Producer at the E! Entertainment Network. Heidi has also co-authored a health book titled 3 Minutes to a Pain-Free Life (Simon & Schuster, 2006) and a wine guide titled Winecology (Globe Pequot Press, 2012). Heidi is a writer for the Huffington Post Gay Voices and hosts "The Shink Tank: Politics for the People" on CBS radio and LATALKLIVE.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Heidi Shink.

JANEICE LONGORIA—A SPECIAL ADVOCATE FOR OUR PORTS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. POE of Texas. Mr. Speaker, I would like to take this opportunity to recognize the newest Chairman of the Port of Houston Commission, the first woman ever appointed to the position, Janeice Longoria. In my role as the Co-Founder and Co-Chair of the Congressional PORTS Caucus, I have enjoyed working with the Port of Houston and was delighted to learn of Janeice's appointment back in January. Since she first joined the Port Commission in 2002, Janeice has been an effective advocate for the port. She has also been a strong voice for businesses along the ship channel and within port-related industries.

Just a few weeks ago, Chairman Longoria joined me and several Texas-based companies at a roundtable event that I hosted at the Port of Houston to help raise awareness about the need for Custom and Border Protection agents to share certain identifying information regarding potential counterfeit goods with intellectual property rights-holders. The roundtable focused on economic impact that counterfeit goods have on the national and local economies, on U.S. jobs and on American ingenuity. Chairman Longoria's recognized the role that ports play in helping to limit counterfeit goods from entering the U.S. marketplace.

Chairman Longoria's Texas ties run deep and so does her Longhorn pride. An honors graduate of the University of Texas for both her undergraduate and law degrees, she is also a former Vice Chairman of the University of Texas System Board of Regents and a Founder of both the Center for Women in Law and the Kay Bailey Hutchison Center for the Study of Latin American Law at the University of Texas School of Law. She is also on the Board of Directors of the University of Texas Law School Foundation.

In the Houston area, Chairman Longoria's contributions exceed far beyond the Port. She currently serves on the Board of Directors for the Texas Medical Center, MD Anderson Visitors Center, the Greater Houston Partnership, Center Point Energy, and the Galveston Bay Area Foundation. Her service to many great

causes throughout the state earned her the Sandra Day O'Connor Award for Board Excellence in 2008.

Needless to say, her resume is impressive and her commitment to public service is admirable. I appreciate her dedication to the State of Texas and to the City of Houston and look forward to working with her to raise awareness of the importance of the Port of Houston to the entire nation. And that's just the way it is.

**A PROCLAMATION DECLARING
THE WEEK OF FEBRUARY 17-23,
2013 AS CHILDHOOD CANCER
AWARENESS WEEK**

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. LOWENTHAL. Mr. Speaker, I submit the following proclamation.

Whereas, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among children in the United States. This tragic disease is detected in nearly 15,000 of our nation's young people each and every year; and

Whereas, founded nearly twenty years ago by Steven Firestein, a member of the philanthropic Max Factor family, the American Cancer Fund for Children, Inc. and sister organization, Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

Whereas, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at the Los Angeles County-USC Medical Center, Mattel Children's Hospital at Ronald Reagan-UCLA Medical Center, Miller Children's Hospital-Long Beach, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

Whereas, through its uniquely sensitive and comforting Magical Caps for Kids program, the American Cancer Fund for Children and Kids Cancer Connection distributes thousands of beautifully hand made caps and decorated baseball caps to children who want to protect their heads following the trauma of chemotherapy, surgery and/or radiation treatments; and

Whereas, the American Cancer Fund for Children and Kids Cancer Connection also sponsor nationwide Courageous Kid recognition award ceremonies and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

Now therefore, U.S. Representative ALAN LOWENTHAL declares the week of February 17-23, 2013 as Childhood Cancer Awareness Week.

**IN RECOGNITION OF ST. JAMES
CHRISTIAN METHODIST EPIS-
COPAL CHURCH'S 155TH ANNI-
VERSARY**

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my sincere congratulations to the congregation of St. James Christian Methodist Episcopal Church in Columbus, Georgia as the church's membership and leadership celebrates 155 years. The congregation of St. James CME Church will celebrate this significant anniversary with a series of events including Revival and a musical extravaganza and culminating in a morning Worship Service and afternoon Anniversary Celebration on Sunday, April 21, 2013 in Columbus, Georgia.

This upcoming anniversary celebration will enable church members, local religious leaders, elected officials and other individuals throughout the Columbus, Georgia metropolitan area to pay tribute to the members of St. James CME Church who have positively contributed to the spiritual maturation and personal development of those in the Columbus, Georgia metropolitan area and beyond.

St. James CME Church traces its historical roots back to the 1800s when a group of dedicated Christian pioneers in Chattahoochee County, Georgia built with bushes and sticks a scant structure on land donated by white landowners. This structure was replaced by a log cabin built with wood also donated by the landowners. When the land was returned to the owners, the small congregation moved several times, ultimately settling on the present site where the first brick structure was built.

In 1858, St. James CME Church was organized as a Negro congregation of the Methodist Episcopal Church South. It became St. James Colored Methodist Episcopal Church in 1870 in Jackson, Tennessee before the name "Colored" was changed to "Christian" at the 1954 General Conference. St. James received a donation of property in Chattahoochee County and remained there until 1918 before moving to Muscogee County, where it has had several locations. The first cornerstone at the present location, 380 Dawson Drive, later renamed Northstar Drive, was laid in 1936 with the Reverend I.D. Mitchell as Pastor and the Reverend S.A. Thomas as Presiding Elder.

St. James Christian Methodist Episcopal Church, "God's Glowing Star on Northstar," has been under the pastorate of the Reverend Leon C. Moore, Jr. since July 2012. The story of St. James, which began during a dark and divided time in our nation's history, is a truly inspiring one of the dedication and perseverance of a faithful congregation of people who put all their love and trust in the Lord.

Mr. Speaker, today I ask my colleagues to join me in paying tribute to the St. James Christian Methodist Episcopal Church in Columbus, Georgia for their long history of coming together through the good and difficult times to praise and worship our Lord and Savior Jesus Christ.

**A TRIBUTE TO GAIL SCHAPER-
GORDON**

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize Dr. Gail Schaper-Gordon, of Pasadena, California, whose work in her private practice and in her community focuses on building leadership skills, teamwork and motivating people to reach their full potential.

Dr. Schaper-Gordon received her B.S. in Sociology from UC Irvine and her Ph.D. in Clinical Psychology from the California School of Professional Psychology. She is the CEO Group Chair of Vistage International, which provides executive coaching and group facilitation of peer advisory groups for business owners, President of Win-Win Workplace Solutions, an executive and management consulting company, and is a Business Psychologist.

A consummate volunteer, some of Gail's past volunteer activities include membership in Zonta International and the National Women's Political Caucus, and serving on the boards of the Valley Industry and Commerce Association (VICA), where she chaired various committees, and the Pasadena-Foothill Valley YWCA. Gail is a Leadership San Fernando Valley Graduate, and is a past Board Member of Leadership Pasadena. Dr. Schaper-Gordon has been involved in many professional organizations, such as the National Register of Health Service Providers, the California Psychological Association, where she served as Past Chair of the Statewide Governmental Affairs Committee, and the San Fernando Valley Psychological Association, where she served as Chapter President. Current volunteer activities include serving as Program Chair for the Kiwanis Club of Pasadena, and as a Board Member of the Pasadena Chamber of Commerce. In addition, Gail provides free services to local non-profit organizations each year.

Gail's passion for educating and motivating people is evident in the many workshops and presentations she's given, such as Working with Difficult People in Public Settings at the Valley Alliance of Neighborhood Councils, Motivating Employees at the VICA Business Forecast Conference and Psychologists Meeting the Needs of the Business Community and National Health Care Reform, at the San Fernando Valley Psychological Association.

Gail and her husband of twenty years, Barry Gordon, live in Pasadena and have two children and one grandchild.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Dr. Gail Schaper-Gordon.

PERSONAL EXPLANATION

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. THORNBERRY. Mr. Speaker, on Monday, April 15, 2013, I was unable to be in Washington and missed rollcall votes No. 103 "To amend title 31, United States Code, to make improvements in the Government Accountability Office," No. 104 "To prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes," and No. 105 "To amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment." Had I been present, I would have voted "yes" on all three bills.

IN HONOR OF LYNDON STATE COLLEGE

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. WELCH. Mr. Speaker, today, Vermonters across the state are donning the green and gold in honor of our own Lyndon State College. The Vermont State Legislature proclaimed Green and Gold Day in celebration of all this college means to our state: to the thousands of students who have gone there to learn and earn a degree, to the regional economy that depends on its graduates and its ideas, to the Lyndonville community that is enriched by its college neighbor. Lyndon State College, and its sister schools in the Vermont State College system, provide a lifeblood to our state and deserve this day of recognition and celebration.

Lyndon State is found on a hilltop in the small town of Lyndon in the heart of the Northeast Kingdom of Vermont. For over one hundred years, this college has symbolized the aspirations of Vermonters who believe that higher education is a means to better their lives. In fact, Lyndon State College is a leader in serving first generation students in this most rural area of our state.

This college delivers for Vermont: 90% of Lyndon State College graduates are employed or continuing their education at graduate school within six months of graduation. Its business incubator program is responsible for job creation and new businesses in the region.

The Northeast Kingdom is deeply rooted in tradition and community, and in the coming years economic development will bring significant changes to the entire area. We will depend on Lyndon State to be a key player in these changes. But we will also depend on Lyndon State to continue to help Vermont uphold all that is key to the Kingdom: the value of community, the environment, and lifelong learning.

Congratulations to Lyndon State College on the upcoming inaugural of its 15th president, Dr. Joseph Bertolino, and on the completion of another successful academic year. We join you in celebrating the Green and the Gold, and look forward to many years of your continued success.

PERSONAL EXPLANATION

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on the evening of Monday, April 15, 2013, I joined Bishop Thomas Paprocki and Father Alan Hunter to celebrate the sacrament of Confirmation of my daughter and her classmates from St. Mary's Parish in Taylorville, St. Rita's Parish in Kincaid, and Holy Trinity Parish in Stonington, Illinois.

Had I been present in Washington DC on Monday April 15, 2013, my votes would have been as follows:

For rollcall No. 103, on suspending the rules and passing H.R. 1162, the Government Accountability Office Improvement Act, which confirms that the GAO has the authority to go to court to force departments to hand over records, as well as generally assures that the GAO has the proper tools to monitor agencies, I would have voted "yes."

For rollcall No. 104 on suspending the rules and passing H.R. 882, the Contracting and Tax Accountability Act of 2013, which states that it is the policy of the United States that no government contracts or grants should be awarded to individuals or companies with seriously delinquent federal tax debts, I would have voted "yes."

For rollcall No. 105 on suspending the rules and passing H.R. 249, the Federal Employee Tax Accountability Act, which prohibits any person who has a serious delinquent tax debt from serving on an executive agency, working for the U.S. Postal Service, the Postal Regulatory Commission, and an employing authority in the legislative branch, I would have voted "yes."

It is an honor to serve the people of the 13th Congressional District of Illinois.

A TRIBUTE TO CINDY CLEGHORN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our Nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize Cindy Cleghorn of Tujunga, California, whose involvement in the Sunland-Tujunga community is truly remarkable.

Cindy began her volunteer career early. As a young girl in La Crescenta, California, she

went door-to-door raising funds for the March of Dimes, and was a member of several organizations that promoted leadership development, including Job's Daughters, Eastern Star and Camp Fire Girls. This involvement gave her not only experience in giving back to her community, but also fostered her business and entrepreneurial skills.

In 1982, Ms. Cleghorn founded her company, C&M Printing, in Glendale, a small business that provides personalized service for nonprofits, businesses and organizations with their printing, copying and mailing needs, serving the greater Los Angeles area. She has been a leader in many business organizations, including the California Association of Business Printers, serving as President, the National Association of Women Business Owners-Los Angeles Chapter, where she received the Member of the Year Award in 1993, the Kiwanis Club of Glendale, where she served as Vice President, and Women Impacting Public Policy. In 1995, Cindy received the distinct honor of being elected to serve on the White House Conference on Small Business.

Cindy became active in the Sunland-Tujunga community when she moved her business to Tujunga. She helped to organize the certification of the Sunland-Tujunga Neighborhood Council, an advisory body to the city of Los Angeles, served as a member of the Board of Directors, served as President and Secretary and is currently serving as Vice President of Outreach. In addition, Ms. Cleghorn spearheaded the restoration of a business area in Tujunga which is now designated as Historic Olde Towne Tujunga. Selected by Los Angeles Mayor Antonio Villaraigosa, Cindy served as a City Commissioner on the Neighborhood Council Review Commission. Currently, she is on the executive committee of the Valley Alliance of Neighborhood Councils where she works with nearly 100 neighborhood councils in Los Angeles as Chair of the Congress of Neighborhoods, and the Sunland-Tujunga Chamber of Commerce, where she is President.

I ask all Members to join me in honoring a truly remarkable woman of California's 28th Congressional District, Cindy Cleghorn.

A TRIBUTE IN RECOGNITION OF NATIONAL CHEERLEADING SAFETY MONTH

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. FINCHER. Mr. Speaker, I rise today to recognize that March was National Cheerleading Safety Month. I would like to commend the leadership efforts of Varsity Brands, which is located in Memphis, Tennessee, in promoting safety in cheerleading. Varsity Brands employs 300 people in the Memphis area, and 5,000 people across the country.

I would also like to commend Varsity Brand's support for USA Cheer, the United States All Star Federation (USASF), and the American Association of Cheerleading Coaches and Administrators (AACC). Through the

CheerSafe initiative led by these organizations, the safety of more than 3 million cheerleaders is improved.

CheerSafe members work to ensure that every cheerleading team is trained under the direction of a knowledgeable coach. Members also ensure that every cheerleading team follows the established safety rules and has an emergency plan in place. To this end, the CheerSafe coalition provides training to more than 4,500 coaches and instructors each year.

In addition, AACCA and USA Cheer have partnered to distribute concussion information to coaches of over 400,000 cheerleaders. There are currently more than 20,000 coaches across the United States who have completed the AACCA Risk Management course and are in good standing. Through these efforts, the risk of participation in cheerleading has decreased since 2006 and the risk of serious injury is now lower than in many other school sports.

USA Cheer is the national governing body for sport cheering. It exists to help grow and develop interest and participation throughout the United States. The program is designed to promote safety education, while representing the United States in international competitions.

USASF's mission is to support and enrich the lives of All Star athletes and members. It provides consistent rules, strives for a safe environment, drives competitive excellence, and promotes a positive image for the sport.

AACCA was created to form a structured platform for cheerleading safety. The first set of standard safety rules were published in 1988 and the first Cheerleading Safety Manual in 1990.

Mr. Speaker, I ask my colleagues to please join me in recognizing the combined efforts of Varsity Brands, USA Cheer, the United States All Star Federation for Cheer and Dance Teams, and the American Association of Cheerleading Coaches and Administrators to prevent injuries and increase safety in cheerleader performance.

HONORING DR. SANGTAE KIM

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of Dr. Sangtae Kim, distinguished professor of mechanical and chemical engineering at Purdue University in West Lafayette, Indiana.

Dr. Kim was recently awarded the 2013 Ho-Am Engineering Prize from South Korea, the highest engineering research award issued by that nation. Dr. Kim, a Korean-American, was born in Seoul, South Korea, and his family immigrated to Canada when he was seven years-old.

While on leave from Purdue, Dr. Kim is a visiting professor of chemical engineering at the University of Wisconsin-Madison where he also previously served on the faculty as professor and department chair.

He is the founder and chairman of Pro WD Sciences Inc., a Wisconsin drug-discovery and drug-development company.

Dr. Kim came to Purdue in 2003 from Eli Lilly and Co. in Indianapolis, where he was the Lilly Research Laboratories' Vice President and Information Officer in research and development. Prior to this, Dr. Kim also served in leadership positions at Pfizer Inc. and Parke-Davis Pharmaceutical Research.

In addition, Dr. Kim served as inaugural director of the National Science Foundation's Shared Cyber-infrastructure Division from 2004–2005 and has led research projects funded by the National Science Foundation and the Office of Naval Research. Dr. Kim's research has included work in mathematical and computational methods for "microhydrodynamics," including a book on the subject published in 1991.

I ask the 6th Congressional District and entire State of Indiana to join me in congratulating Dr. Kim for this great achievement.

COMPLEX TAX CODE PLACES BURDEN ON FAMILIES AND BUSINESSES

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. MARCHANT. Mr. Speaker, this week, American citizens and businesses across the country will be surprised by the amount of their annual tax bill.

This surprise is a direct result of a staggering 4 million-word tax code filled with confusing deductions and loopholes that make it difficult to understand and file tax returns.

The basic fact is that the tax code is overly complex and out of date. It places an enormous burden on families and businesses and needs to be reformed and simplified.

Families and businesses paying taxes throughout the year should not be burdened each April by an additional round of time-consuming and expensive tax filing headaches.

Americans deserve better.

A TRIBUTE TO CECI DOMINGUEZ

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the outstanding contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District.

I would like to recognize an exceptional woman, Ceci Dominguez. A resident of Elysian Valley for 41 years, Ms. Dominguez has been an advocate for clean air and creating green areas in our community. She has helped not only plan, but also establish the Jardin Del Rio Community Garden, the Marsh Street Park, and the Marsh Skate Park.

Currently, Ceci serves as President of the Elysian Valley Seniors, and serves on the boards of the Sotomayor Learning Academies

ArtLab School Site Governing Council, and the Cornerstone Theater Company, where she received the Community Visionary Award. She also serves as the President of the Park Advisory Board at the Elysian Valley Recreation Center, where she co-organized the Health and Holiday Fair in 2010 and the first Mammogram Social for women in 2011, where health services were provided free of charge to the public. She is also involved with community organizations such as the Los Angeles County Bicycle Coalition, Friends of the Los Angeles River, and Elysian Valley Girl Scouts of America.

Previously, Ceci served as a Board Member of the Elysian Valley Riverside Neighborhood Council. She also co-founded the NorthEast Residents for Clean Air in 2011. Along with her late husband, Rey Dominguez, Ceci raised two wonderful children, Laura and Rey, and is the proud grandmother of Ricky.

I ask all Members to join me in honoring a truly extraordinary woman of California's 28th Congressional District, Ceci Dominguez.

HONORING LIEUTENANT COLONEL STEVEN M. DOTSON

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. FINCHER. Mr. Speaker, I rise today to honor the retirement of Lieutenant Colonel Steven M. Dotson. Lt. Col. Dotson will be retiring from active duty service in the United States Marine Corps after almost 28 years on September 30, 2013.

Lt. Col. Dotson's roots are in the Eighth District of Tennessee, as he was raised in the town of Sharon. He enlisted in the Marines on October 5th, 1985, in Union City, Tennessee. Currently, Lt. Col. Dotson serves as a Strategic Mobility Officer for the Marine Corps Installations & Logistics Department.

Lt. Col. Dotson proudly represents the United States, and I am proud to represent him as a Member of Congress. As we reflect on the career of this exemplary public servant, I express appreciation for his distinguished and selfless service on behalf of a grateful nation. It is his sacrifice, along with the sacrifices of those in uniform around the world, which helps to keep our Nation strong and secure.

HONORING THE LIFE OF LT. COL. DON C. FAITH

HON. LARRY BUCSHON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. BUCSHON. Mr. Speaker, I rise today to honor and respect an American hero. Today, the Korean War Medal of Honor winner from Washington, Indiana, Lt. Col. Don Faith, was finally put to rest at Arlington National Cemetery.

Forced to assume command of a small U.S. Army task force, due to his superior being killed in combat, Lt. Col. Faith put together a

plan. Renowned as "Task Force Faith," Lt. Col. Faith was responsible for maintaining a more defensible position.

Grossly outnumbered and surrounded by Chinese People's Volunteer Forces, Lt. Col. Faith continued to rally his troops, and personally led an assault on a CPVF position. Lt. Col. Don C. Faith Jr. was awarded the highest U.S. military honor for valor, the Medal of Honor, during the battle of Chosin Reservoir in 1950 for his heroics and leadership.

I rise today to celebrate the life, honor, leadership and incredible sacrifice of a true American hero. An honor to which we all owe a debt of gratitude.

May God bless you, Lt. Col. Don C. Faith Jr.

IN RECOGNITION OF EDWARD
VITTARDI

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. RENACCI. Mr. Speaker, I rise today to recognize Mr. Ed Vittardi who has proudly served 31 years in public education in the great State of Ohio. Mr. Vittardi's career began as a social studies teacher at Dodge Middle School in Twinsburg, Ohio. From there, he served in many other roles in Twinsburg, ultimately becoming principal of Dodge Middle School. He also served as principal of Claggett Middle School (Medina), Independence Middle School (Independence), and North Royalton Middle School (North Royalton). For the past four years, Mr. Vittardi has worked as the North Royalton City District Superintendent. Under his leadership the district has made incredible progress. The Strategic Plan, developed in 2010 with unprecedented community involvement, has become a true living document. Through Mr. Vittardi's direction, the North Royalton City School District has maintained its Excellent rating on the Ohio Department of Education's Local Report Card. He implemented a five-year strategic plan, engaging more than 800 community members. Mr. Vittardi was also instrumental in the development of the North Royalton Stadium Foundation which raised more than \$1.3 million to build a new stadium complex, including field turf, without a tax increase. I would like to acknowledge his achievements throughout his long career of public service and thank him for his outstanding contribution to the 16th Congressional District and the community of North Royalton.

KENYA'S 2013 ELECTIONS: AN
EFFECTIVE ASSISTANCE MODEL?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing that ex-

amined U.S. actions to support the March 2013 elections in Kenya, a critically important African ally. The United States has devoted more than \$35 million since 2010 alone to prepare for and manage this year's election process.

After the massive violence following the closely contested December 2007 election, many precautions were taken to prevent a similar occurrence in 2013, and election-day and post-election violence have been greatly reduced. However, an effort to use new technology did not work as well as hoped. There were questions about the effectiveness of this election, which had promised to be a technological advancement. Given future important African elections, this hearing will look at what a responsible U.S. policy toward African elections should look like in an era of constrained development aid budgets.

The tragic election day deaths of 19 people, although attributed mostly to Islamic separatist elements and not to specifically election-related causes, cannot be overlooked and the perpetrators must be held to account. It is unacceptable that in the violence that followed the 2007 elections, an estimated 1,200 Kenyans were killed, and approximately 600,000 were displaced, according to media reports. Yet no one has thus far been held accountable.

Kenya this year conducted its first election under the 2010 constitution. In addition to voting for a president and members of the National Assembly, Kenyans selected members of the new Senate, as well as governors and local Assembly representatives in the 47 newly-created counties, each with a designated women's representative. More technology was brought into polling places to better ensure accuracy of voting and vote tabulation. Unfortunately, reported malfunctions of the equipment in some polling stations and at the national level, where a server broke down, for awhile stoked fears of vote rigging. If the court process had not been handled well as it was, we might now be looking at another wave of post-election violence.

Uhuru Kenyatta was elected President with 6,173,433 votes to 5,340,546 votes for Raila Odinga, and this was certified by the Kenyan Supreme Court. Nevertheless, violence was still a possibility until Odinga gave a magnanimous concession speech following the court ruling.

The amount of U.S. support for the Kenya election was extraordinary. American and Kenyan civil society organizations were enabled to conduct civic education, including radio and television messages and programs aimed at youth to encourage participation in the election process and discourage violence. Youth organizations were created nationwide to give young people an enduring voice in their country's political system. Several innovative approaches were created, including a comic book called Shujazz with young characters involved in commenting on the Kenyan political scene.

The three organizations presenting testimony today all played major roles in creative preparations for the 2013 Kenyan election. The International Republican Institute printed nearly 1.2 million sample ballots and 400,000 election posters for the IECB and also distrib-

uted 800,000 Shujazz posters. The National Democratic Institute conducted an important poll on voter attitudes heading into the election, covering such issues as whether the country was headed in the right direction, whether their lives would improve during the next five years, whether the election posed a security threat to them and their community and whether they felt others were being encouraged to do harm to their ethnic group because of the elections.

The International Foundation for Electoral Systems advised Kenya's electoral commission on the process to conduct an election where there were 1,882 different configurations of the ballot, depending on the local races being run. The cell phones necessary for reporting of vote totals from polling stations were so late in being procured that IFES went ahead and purchased 1,200 to send into the field in time for election day.

Despite the extraordinary efforts by NGOs in preparing for the Kenyan election, we must be selective in what lessons we take from this experience. We will not be able to devote such resources to what will be several important elections yet to be held in 2013.

The U.S. Government has pressed both the governments of Mali and Madagascar to hold elections at the earliest possible date in order to normalize relations after coups replaced elected leaders. Zimbabwe, which recently held a constitutional referendum, is scheduled to hold presidential and legislative elections that many in that country hope will break the long cycle of repression of the political opposition. Ethiopia's next election will replace the late Prime Minister Meles Zenawi and also will determine whether the political opposition will have more space to operate than in previous elections. Guinea's election also is being conducted in an atmosphere of uncertainty for the political opposition.

These elections are important to U.S. foreign policy as was the election in Kenya. So how do we ensure that they are successful and represent the will of the voters if we can't devote the resources we did in Kenya? That was the question we put to the witnesses, whose organizations have broad experience with African elections and have a unique viewpoint that we hope will allow Congress and the administration to agree on funding for a policy that is fiscally sound while being politically effective.

HONORING DANIEL B. HASTINGS,
JR.

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. CUELLAR. Mr. Speaker, I rise today to honor the contributions of the late Daniel B. Hastings, Jr. of Laredo, Texas—a well-known, local businessman and philanthropist.

Daniel B. Hastings was born January 8, 1948 in Laredo, Texas to Daniel and Irma M. Hastings. Daniel Jr., was the third child and only son among the couple's five daughters. Daniel graduated from Martin High School in 1965, and continued his education at Laredo

Junior College and later received his B.S. degree in chemistry with minors in both math and physics from Texas State University (formerly then, Southwest Texas State University).

At the young age of 13, Mr. Hastings, Jr. began working in Laredo for the U.S. customs brokerage firm, Daniel B. Hastings, Inc. The company, established by his great-aunt, provided him and other members of the Hastings family a strong livelihood. It was not long until Daniel, Jr. moved up in ranks from running errands and performing warehouse duties to officially joining the firm as a partner in 1973. Seven years later, in 1980, he would follow his father's footsteps and assume ownership.

Mr. Hastings has been highly regarded for having a strong network of personal, business, and religious relationships. His dedication and work ethic have earned him numerous awards for his contributions to business and educational development including the Laredo Chamber of Commerce Small Businessman of the Year (1989), Junior Achievement Hall of Fame (2001), Alumni Achievement Award from Texas State University (2010) and the U.S. Department of Commerce Border Champion Award (2012). As a founding member of the Laredo Community College Education Foundation and endowment fund Mr. Hastings' mission will continue to touch the lives of many.

Mr. Hastings is survived by his wife of 36 years, Mrs. Gloria V. Montemayor Hastings; their loving children, Daniel B. Hastings III (Lucina), V. Nicole Hastings and David B. Hastings; and grandchildren Daniel B. Hastings IV and Dillon B. Hastings. A noble friend to the people of my district and hometown; there is no doubt that Mr. Hastings will be missed.

Mr. Speaker, I am honored to have had the opportunity to recognize the late Daniel B. Hastings, Jr. His hard work and generosity have truly impacted many lives and our community.

CELEBRATING THE 25TH ANNIVERSARY OF THE CLOSE UP FOUNDATION'S PROGRAM FOR NEW AMERICANS

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. HINOJOSA. Mr. Speaker, I rise today to recognize one of the nation's preeminent civic education organizations, the Close Up Foundation, on the occasion of the 25th anniversary of their Program for New Americans.

Close Up is a nonprofit nonpartisan organization that informs, inspires, and empowers young people to exercise the rights and accept the responsibilities of citizens in a democracy. Over the past forty years, Close Up has brought hundreds of thousands of students and teachers to Washington for week-long civic learning experiences. Close Up believes that a strong democracy requires active and informed participation by all citizens and seeks to reach participants of every race, creed, geographical community, socio-economic

level, and academic standing. The Close Up Foundation partners with educators, schools, and youth organizations throughout the country to help young people develop the skills and attitudes to become informed and engaged citizens.

Today we celebrate the 25th anniversary of the Close Up Program for New Americans. This unique civic learning program has helped more than 20,000 recently immigrated and migrant high school and middle school students understand American democracy, government, and U.S. political traditions. Using experiential education methodologies, the Program for New Americans helps young people understand both the rights and responsibilities of democratic citizenship.

The program is comprised of three parts: service learning in preparation for the program; a week in Washington in which students use the city as a classroom to learn about the government and develop an action plan to address a community need; and implementation of the action plan at home. The goal of the Program for New Americans is to help these young people adjust to and become an active participant in the communities in which they live.

The Washington portion of the program focuses students on the founding documents of our nation—the Declaration of Independence and the Constitution—to provide them with an understanding of our nation's democratic principles and traditions. Through study, workshops, and visits to the memorials and monuments of the nation's capital, students examine the rights and responsibilities of citizenship in our society.

As Congress begins consideration of immigration legislation we should keep in mind the importance of innovative programs such as the Close Up Program for New Americans in providing young people with opportunities to engage with their government, its institutions and representatives and learn to apply those civic skills in their communities. It is essential that our nation's youth acquire the knowledge and the critical skills and attitudes necessary for active citizenship in our democracy.

I applaud the work of the Close Up Foundation and the outreach that they have done in the immigrant and migrant communities for a quarter century. I hope that Congress will continue to support these programs that build informed and active citizens and strengthen our communities.

HONORING WALTER SEGALOFF, FOUNDER OF AN ACHIEVABLE DREAM ACADEMY AND 2013'S VIRGINIAN OF THE YEAR

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor the life and career of a local community leader, businessman, and humanitarian from Newport News, Virginia—Walter Segaloff.

I have known Walter throughout my career in public service representing the citizens of

Newport News. He has dedicated his life to improving the lives of his fellow citizens. When he owned Virginia Specialty Stores, he would often interview young people seeking jobs but noticed many lacked the needed skills, despite having graduated from high school. Walter knew these young people had great potential that was going to waste and he wanted to do everything he could to make sure they had access to the right opportunities.

Walter took matters into his own hands. He joined forces with other local business leaders, citizens, Newport News Public Schools, and the City of Newport News to help improve the lives and educational outcomes of our City's most at-risk young children. Out of this effort, An Achievable Dream was born in the summer of 1992 as a summer education and tennis program.

Due in large part to Walter's dedication and tenacity, An Achievable Dream quickly expanded since that first summer. In 1994, it became a full-time, extended day school serving 400 children in grades three through five. A year later, An Achievable Dream expanded the extended day program to students at Dunbar-Erwin Middle School. By 2000, An Achievable Dream Academy was founded as a year-round full time elementary school and by 2007 a separate full time middle and high school opened under the An Achievable Dream name.

An Achievable Dream provides a social, academic, and moral educational framework for its students and every day starts with a motivation rally where each student shakes the hand of an adult. The Achievable Dream program is structured to give young people the skills needed to succeed in life. Those skills are taught at An Achievable Dream on the tennis court, in the classroom, on field trips, and in sharing experiences with successful and caring adults in our community. Today, An Achievable Dream is educating more than 1,200 at-risk students in Newport News and is putting these students on the path to success.

Often, young people don't think too much about the future, and don't realize that choices made today may limit those in the future. Walter has worked to ensure that the students at An Achievable Dream have every opportunity to be successful in life.

As a public-private partnership with Newport News Public Schools, the City of Newport News, the Newport News Police Department, the Newport News Sheriff's Department, the U.S. Army, the Rotary Club, Riverside Health System and the College of William and Mary, An Achievable Dream has received national recognition as one of the most effective urban school programs in the country and has provided a model for integrating support from the business community to support quality educational opportunities for at-risk students.

On April 19th, the Virginia Press Association will honor Walter as its Virginian of the Year for 2013. Walter was nominated by our hometown newspaper, The Daily Press, in recognition of his decades of dedication to improving the educational opportunities of thousands of at-risk young people living in Newport News and the Association was unanimous in selecting Walter as this year's recipient.

Walter recently stepped down as CEO of An Achievable Dream, but he leaves behind a

strong legacy. His vision is expected to expand to other localities in Hampton Roads, helping improve the lives of thousands of more at-risk young people in our community.

I commend Walter for being recognized as this year's Virginian of the Year and I thank him for his years of dedicated service to improving the lives of so many young people in Newport News.

NATIONAL DAY OF PRAYER AND
REFLECTION

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mrs. BACHMANN. Mr. Speaker, for centuries America has been blessed by God. Americans today and in previous generations looked to God for guidance on both private and national designated days of prayer and fasting.

At this time of national mourning, as we search for comfort in the aftermath of this loss of innocent life, we would be wise to consider afresh II Chronicles 7:14: "If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sin and will heal their land."

I join together with other Americans who have called for September 11, 2013 to be set aside as a day for personal prayer, reflection and fasting, for ourselves and for our Nation.

As we humble ourselves and pray and seek God's grace, we can take assurance from the Holy Scripture that God has promised to hear from heaven and will heal our land.

CONGRATULATING ANN BOCHLER
OF ASHLAND, WISCONSIN, ON
BEING NAMED THE 2013 PERSON
OF THE YEAR BY THE ASHLAND
AREA CHAMBER OF COMMERCE

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. DUFFY. Mr. Speaker, I rise today to recognize the community accomplishments of Ann Bochler of Ashland, Wisconsin, who has been named the 2013 Person of the Year, by the Ashland Area Chamber of Commerce.

Ann sits on the Ashland Youth Hockey Association Board of Directors, and is a past board member of several community organizations including the Ashland Area Chamber of Commerce, Big Top Chautauqua, Depot Restoration Committee, the Ashland Waterfront Commission and the Ashland Parks and Recreation Committee. Ann was the 2011 Recipient of the Badger of the Year Award presented by the UW-Madison Alumni Club of the Chequamegon Bay Area. She has also been instrumental in helping coordinate and plan events for the Ashland Chamber and for the Ashland and Bayfield County Relay for Life, for which she serves as Chairperson.

Ann is a true community leader, and through her own creativity comes up with great ideas. Her positive demeanor and strong, outgoing personality has allowed her to connect with the community to develop a great support network of volunteers who help her attain her goals for community fundraising and other events.

Thanks to the community contributions of outstanding citizens like Ann Bochler, Ashland is rightfully known by many as "Lake Superior's hometown." I ask that my colleagues join me today to express our appreciation for Ann's community spirit and our congratulations to her on receiving this well-deserved award.

HONORING THE GAY AND LESBIAN
ACTIVISTS ALLIANCE OF WASH-
INGTON, DC (GLAA)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Ms. NORTON. Mr. Speaker, every spring since 1991, when I became a member of Congress, I remind the House of Representatives I have the honor and pleasure of representing the oldest continually functioning lesbian, gay, bisexual and transgender (LGBT) organization in the United States, the Gay and Lesbian Activists Alliance of Washington, DC (GLAA). I rise today to ask the House of Representatives to join me in celebrating GLAA's 42nd anniversary and wishing it well as it continues in the struggle for equal rights for the LGBT community.

Since its founding in April 1971, GLAA has been a respected and tireless advocate for full and equal rights for the LGBT community in the District of Columbia, and has been at the forefront of efforts to strengthen enforcement of the landmark D.C. Human Rights Act of 1977. One of GLAA's most significant achievements, on which it worked with coalition partners, D.C. elected officials, and District residents, was enactment of the Religious Freedom and Civil Marriage Equality Amendment Act of 2009, which permits same-sex couples to marry in the District.

In addition to its leadership on LGBT rights in the District, GLAA has always provided leadership on a wide range of civil rights issues, such as family rights, police accountability, and access to condoms in prisons and D.C. public schools. GLAA also emphasizes effective public health strategies and accountability in the fight against HIV/AIDS in the District.

At GLAA's 42nd anniversary reception on April 25, 2013, the recipients of its 2013 Distinguished Service Awards will be recognized, including:

Diana Bruce is Director of Health and Wellness for the District of Columbia Public Schools (DCPS), and leads DCPS's school health office, developing policies, programs, systems and partnerships that enable local schools to provide school health services and supports for students. In this capacity, Diana initiated the development of DCPS's efforts to make its schools welcoming and inclusive of lesbian, gay, bisexual, transgender and ques-

tioning students, staff and families. She also leads the community engagement process to develop DCPS's framework and approach to preventing, identifying and responding to bullying.

Clarence J. Fluker is the editor of Substanceandstyle.com, an art, culture, entertainment and lifestyle blog. Clarence's articles have been featured in SWERV and The Life magazines, and he has served as the Next Generation editor for Arise. He served as Program Manager of the D.C. Office of Gay, Lesbian, Bisexual and Transgender Affairs from 2008 to 2012, and previously served on its Advisory Committee. In 2002, he was elected the youngest member of the Board of Directors of Black Lesbian & Gay Pride Day, Inc., and served as its board president in 2006.

Brent Minor is executive director of Team DC, established in 2003 to educate the LGBT community on the benefits of individual and team sports. Brent chaired the Metropolitan Washington Gaymes bid committee for the 2014 Gay Games. He is a member of the Alexandria Commission on HIV/AIDS. He served on the President's Advisory Council on HIV/AIDS under Presidents Bill Clinton and George W. Bush. He also served as Director of Public Policy at the Whitman-Walker Clinic of Northern Virginia and as Director of Community Relations at Food & Friends.

Peter Rosenstein has been a tireless activist in politics, government affairs, and the arts for more than 30 years. He is president of the Campaign for All DC Families. He is founder and president of Arts in Action, and was Vice Chair of the Board of Trustees of the University of the District of Columbia. He served on Whitman-Walker Clinic's Health Development Committee, and chaired the host committee for the Food & Friends annual dinner for 9 years. He writes regularly for many publications, including the Washington Blade.

Jason A. Terry is a conflict resolution and human rights advocate dedicated to educating others about how to build a more peaceful world, locally and globally. He is training manager at the National Council for International Visitors, with responsibilities for regional and national meetings, webinars, and curriculum design. He is also an anti-violence organizer with the DC Trans Coalition, coordinating advocacy and educational campaigns to reduce anti-transgender violence, and serves as treasurer on the board of the Association for Gender Research, Education, Academia and Action.

I ask the House to join me in honoring the recipients of GLAA's 2013 Distinguished Service Award and in celebrating GLAA's 42nd anniversary of contributions to the LGBT community in the District of Columbia.

HONORING THE HEROISM AND EXTRAORDINARY SERVICE OF THE DOOLITTLE TOKYO RAIDERS ON THE OCCASION OF THEIR SEVENTY-FIRST ANNIVERSARY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 17, 2013

Mr. MILLER of Florida. Mr. Speaker, I am privileged to recognize the Doolittle Tokyo Raiders for their heroism and extraordinary service and sacrifice that lifted our Nation and helped propel the Allies to victory over Japan in World War Two.

On April 18, 1942, as a response to Japan's surprise attack on our Nation, eighty brave Americans from the 17th Bombardment Group (Medium) set out to execute a first-of-its-kind mission to bring the fight Japan started to their homeland. Led by then Lieutenant Colonel Jimmy Doolittle, these heroic men all volunteered for what they were told to be an extremely hazardous mission and were still willing to put their lives in harm's way to help defend our great Nation.

The mission, thought by many to be near impossible, required innovations and extensive training to include secret preparations conducted in March 1942 at Eglin Field in the First Congressional District of Florida. These intensive preparations included training for accomplishing short takeoffs and landings and techniques for fuel efficient flying. Eglin Field helped serve as the proving ground for the military's innovations and techniques required to ensure these brave Americans were ready for their mission.

After months of Japanese military successes in the Pacific, these brave airmen set out on a mission that changed the tide of the Second World War and lifted the morale and spirits of a grateful Nation. On that day, they planned to launch their sixteen modified B-25 bombers from the deck of the aircraft carrier USS *Hornet*, flying to Japan to drop their bombs and then fly on to land in a part of China that was still free from Japanese occupation.

However, despite their extensive preparations, the USS *Hornet* was discovered by the Japanese 170 miles further from their prearranged aircraft launching point. Still, these selfless and brave American's decided to continue with their mission despite the fact they were beyond the distance considered to be safe for launch. The Doolittle Tokyo Raiders deliberately accepted the risk that their B-25's might have only the fuel required to reach their targets but not enough to ensure their safe landing.

Despite the obstacles presented to these men, they successfully reached Japan, dropped their bombs and set on their journey to find a safe landing site. Because of their deliberate choice to launch early, they found themselves low on fuel navigating in increasingly deteriorating weather. None of the sixteen B-25's launched reached their preplanned landing sites. Of the eighty Doolittle Raiders who conducted the raid, seven gave the ultimate sacrifice with the loss of their lives while defending the freedoms we all enjoy today.

The Doolittle Tokyo Raiders acts of heroism and extraordinary airmanship while facing unimaginable odds against their own safety and well-being is recognized as a turning point in the war in the Pacific. Their skill, valor, and selflessness boosted the morale of our Nation's military while causing the Japanese offensive pause as they moved resources to defend their own nation. This morale boost helped fuel the growing American offensive, ultimately leading to the United States victory in the Pacific.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to recognize the Doolittle Tokyo Raiders on their 71st anniversary of their remarkable bombing raid on Tokyo during World War II. My wife Vicki joins me in thanking all the Doolittle Tokyo Raiders and their families for their sacrifice to our Nation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 18, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 19

10 a.m.

Committee on the Judiciary

To hold hearings to examine comprehensive immigration reform legislation.

SH-216

APRIL 22

10 a.m.

Committee on the Judiciary

To resume hearings to examine comprehensive immigration reform legislation.

SH-216

APRIL 23

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-106

10 a.m.

Committee on Appropriations

Subcommittee on State, Foreign Operations, and Related Programs

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the United States Agency for International Development.

SD-192

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the Consumer Financial Protection Bureau's semi-annual report to Congress.

SD-538

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for the Coast Guard and the National Oceanic and Atmospheric Administration (NOAA).

SR-253

Committee on Energy and Natural Resources

To hold hearings to examine S. 306, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 545, to improve hydropower, and an original bill to promote energy savings in residential and commercial buildings and industry.

SD-366

Committee on Finance

To hold hearings to examine the Antwone Fisher story as a case study for child welfare.

SD-215

Committee on Health, Education, Labor, and Pensions

Subcommittee on Primary Health and Aging

To hold hearings to examine successful primary care programs.

SD-430

Committee on the Judiciary

Subcommittee on the Constitution, Civil Rights and Human Rights

To hold hearings to examine drone wars, focusing on the constitutional and counterterrorism implications of targeted killing.

SD-226

10:30 a.m.

Committee on the Budget

To hold hearings to examine the President's proposed budget and revenue request for fiscal year 2014 for Veterans' program proposals.

SD-608

2:30 p.m.

Committee on Appropriations

Subcommittee on Department of Homeland Security

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Homeland Security.

SD-124

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To hold hearings to examine proliferation prevention programs at the Department of Energy and at the Department of Defense in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; to be immediately followed by a closed session in SVC-217.

SR-222

Committee on Commerce, Science, and Transportation

Subcommittee on Science and Space

To hold hearings to examine challenges and opportunities for human space exploration.

SR-253

Committee on Energy and Natural Resources

To hold hearings to examine S. 59, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 155, to designate a mountain in the State of Alaska as Denali, S. 156, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska, S. 219, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 225, to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, S. 228, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 285, to designate the Valles Caldera National Preserve as a unit of the National Park System, S. 305, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 349, to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, S. 371, to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, S. 476, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 486, to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, S. 507, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and S. 615, to establish Coltsville National Historical Park in the State of Connecticut.

SD-366

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

APRIL 24

9:30 a.m.

Committee on Appropriations

Subcommittee on Department of the Interior, Environment, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Environmental Protection Agency.

SD-124

10 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Navy.

SD-192

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Health and Human Services.

SD-138

Committee on Armed Services

Subcommittee on Personnel

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Finance

To hold hearings to examine the Trans-Pacific partnership, focusing on opportunities and challenges.

SD-215

Committee on Foreign Relations

To hold hearings to examine international development priorities in the fiscal year 2014 budget.

SD-419

Committee on Homeland Security and Governmental Affairs

To hold an oversight hearing to examine business practices of durable medical equipment companies.

SD-342

Committee on Veterans' Affairs

To hold hearings to examine Veterans' Affairs outreach and community partnerships.

10:30 a.m.

Joint Economic Committee

To hold hearings to examine long-term unemployment, focusing on consequences and solutions.

TBA

2 p.m.

Special Committee on Aging

To hold hearings to examine the national plan to address Alzheimer's disease, focusing on if we are on track to 2025.

SD-106

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Nuclear Security Administration.

SD-192

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine military construction, environmental, and base closure programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine military space programs and views on Department of Defense usage of the electromagnetic spectrum in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Commerce, Science, and Transportation

To hold hearings to examine a status update on the development of voluntary do-not-track standards.

SR-253

Committee on Health, Education, Labor, and Pensions

Subcommittee on Children and Families

To hold hearings to examine the economic importance of financial literacy education for students.

SD-430

Committee on Indian Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for Tribal Programs.

SD-628

Committee on the Judiciary

To hold hearings to examine certain nominations.

SD-226

3 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine tactical aircraft programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-G50

APRIL 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine drought and the effect on energy and water management decisions.

SD-366

10:30 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Communications, Technology, and the Internet

To hold hearings to examine the state of wireless communications.

SR-253

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 27, to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah", S. 28, to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, S. 159, to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, S. 241, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 255, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 256, to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa, S. 258, to amend the Federal Land Policy and Management Act of 1976 to improve the

management of grazing leases and permits, S. 312, to adjust the boundary of the Carson National Forest, New Mexico, S. 327, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 340, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 341, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, S. 342, to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada, S. 353, to designate certain land in the State of Oregon as wilderness, to make additional wild and scenic river designations in the State of Oregon, S. 360, to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, S. 366, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 368, to reauthorize the Federal Land Transaction Facilitation Act, S. 447, to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, and S. 609, to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico.

SD-366

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MAY 7

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SH-216

MAY 8

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

MAY 16

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine certain nominations.

SD-430

JUNE 11

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

11 a.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

Committee on Armed Services

Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

3:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

JUNE 12

9:30 a.m.

Committee on Armed Services

Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

2:30 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 13

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 14

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

SENATE—Thursday, April 18, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Hear our voice, O God, and listen to our prayer. You know our inward thoughts even before we think them. As we place our trust in You, enable us to experience Your joy. Breathe upon our Senators the fresh Spirit of Your love that old things will become new and the darkness will turn to dawn. Amid the dangers and destruction in our world, give us the miracle of Your peace. Make us good stewards of the gifts You have given us.

And, Lord, we ask You to comfort the victims and families affected by the explosions in West, TX.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 18, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume

consideration of the gun safety legislation. The time until noon will be equally divided and controlled for debate on the Barrasso and Harkin amendments.

At noon there will be two votes in relation to those amendments.

Following the votes the Senate will recess until 2 p.m. to allow for some important caucus meetings.

At 2 p.m. the Senate will proceed to executive session to consider the Torres and Watson nominations.

At about 2:15 p.m., then, there will be a rollcall vote on confirmation of the Torres nomination and an expected voice vote on confirmation of the Watson nomination.

EXPLOSION IN WEST, TEXAS

Mr. REID. Mr. President, there was a new tragedy during the night, and our thoughts are with the people of West, TX. Our thoughts are with all of Texas in the wake of a terrible explosion of a fertilizer factory in the town, as I have indicated, of West, just outside of Waco. The extent is being estimated at this time—5 to 15 dead, a couple hundred who were injured.

But I am troubled and feel so badly about those who were hurt. They were working. They were sleeping. They were having dinner. I offer my condolences to those who lost loved ones and those who have people who were injured.

We will continue to follow the news from Texas as it develops today. I am going to do everything I can with my colleagues to ensure that this terrible tragedy has the resources of the Federal Government available to help the people of that city as they recover from this tragedy.

GUN VIOLENCE

Mr. REID. Mr. President, this Nation has simply dealt with too much—too much—loss during these last few months. Once again I offer my condolences to the families who joined us here yesterday to honor the loved ones they lost to gun violence and to lobby for stronger background checks. The mothers and fathers of the murdered children from Newtown were here, family and friends of those who were injured and killed in Aurora, CO, were here. We had people here from the tragedy where 32, 33 people were killed in Blacksburg, VA, at Virginia Tech. They were here yesterday.

We knew the effort to keep America's streets safe from gun violence would not be easy. I commend Senator MANCHIN and others for setting aside

partisanship to negotiate this compromise. Unfortunately, even though we got a strong, strong majority vote—well over 50—55 Senators voted in favor of this. And FRANK LAUTENBERG came. He had not been here for a while. He has been ill. He voted. We voted with a strong majority to change things here in America so that people who have serious mental illness would have to have a background check before they can buy a gun or that criminals would have to have a background check before they can buy a gun.

Even people who are selling the guns think there should be some background check. The man who sold the gun to the man who walked into the courthouse in Las Vegas and blasted away—that man who sold that gun said he sold guns to lots of people who were bad people, but he did it legally. He thinks the law should be changed. So the vast majority of the Senate agreed that should be the case. But we could not get to 60, the magic number here in the Senate.

Yesterday the families of gun violence victims watched as Republicans defeated a commonsense proposal to expand background checks that has the support of 90 percent of Americans.

But make no mistake, the debate is not over. This is not the end of the fight. Republicans are in an unsustainable position—crosswise with 9 out of 10 Americans.

In an event we did out this backdoor yesterday, Senator SCHUMER said—I think he summed it up about as well as you could when he said: America today on background checks is in about the same place America was a few years ago dealing with immigration, gay marriage, and things related to gender equality.

I believe Senator SCHUMER is right. This is the beginning, and it has to happen. Anytime in America, on those rare occasions when 90 percent of the American people agree something should be done, it should be done. And it will be done. It is only a question of time.

The brand of the Republicans is further tarnished by going against what 90 percent of the American people want. Democrats will continue to stand with the families from Newtown, Aurora, Tucson, Carson City, and I assure the 90 percent of Americans who support meaningful background check legislation that I personally will continue this fight.

IMMIGRATION

Mr. REID. Mr. President, the Senate suffered a notable and stunning defeat

of bipartisanship this week during the debate over background checks. They said a week ago we would never get on the bill, but the Senate joined together and we got on the bill. Then yesterday, as I have indicated earlier, we got a significant majority of the Senate voting to move forward on this background check. Ninety percent of the Democrats, which is in keeping with the American people, and four valiant Republicans joined to put us where we are today.

But the week did not bring only bad news from the legislative front. A bipartisan group of eight of my Senate colleagues—it would never have happened a few years ago, but it is going to happen now. As I indicated, quoting Senator SCHUMER, background checks is about where immigration was just a few years ago. A bipartisan group of my Senate colleagues—four Democrats and four Republicans—from all different political persuasions introduced a comprehensive plan to reform our broken immigration system. Senators SCHUMER, MCCAIN, DURBIN, MENENDEZ, GRAHAM, BENNET, RUBIO, and FLAKE worked very hard on this legislation. All one needs to do is look at the legislative pedigree of these eight Senators. They are all over the book—liberal, conservative, moderate. And that is the way it should be.

I commend each of them for setting partisanship aside—both Democrats and Republicans setting partisanship aside—on an issue that is critical to our great Nation. The four Democrats did not get everything I wanted in that legislation they now have before the American people. They did not give me, they did not give Democrats everything they wanted in these negotiations. But, as I have said on this floor numerous times, that is what legislating is. It is the art of compromise. It is not the art of getting everything you want.

I have been in this body a long time, and I have been very fortunate to put my name on things that have passed here, and I have helped guide things through this Senate in the last many years. I have to on occasion swallow hard and say: Well, we are going to have to compromise here to get this done.

That is what we need to do. People have been in a situation where they have been unwilling to compromise. There are things that have happened in the great history of this body that have come by compromise. I have never ever gotten everything I wanted. Republicans in these negotiations dealing with immigration, I guarantee you, did not get everything they wanted, just as Democrats did not.

But I am satisfied with this legislation. It continues to secure our borders, the northern and southern borders. It improves our dysfunctional legal immigration system. Our immi-

gration system is broken, and has been for quite some time, and needs to be fixed.

Another thing that is important, it requires 11 million people who are undocumented to pass a criminal background check, pay fines, start on a path to citizenship, and, yes, learn English. It does not put them at the head of the line; it puts them at the back of the line. It takes about 12 or 13 years to finally get up there. But at least the program is moving forward. I look forward to hearings on this measure that will be led by Senator LEAHY.

Mr. President, I want to take a minute to commend Chairman LEAHY. He is the most senior Member of the Senate, he is the President pro tempore of the Senate, but he also has an important responsibility as chairman of the Judiciary Committee.

The reason we were able to get the legislation on the floor that we have been working on this past few weeks is because of Senator LEAHY, because he had his committee—even though, as I have just indicated, Senator LEAHY did not agree with everything that came out of that committee of his; he comes from the State of Vermont which is much different than other places people on that committee come from around the country, but he brought it forward, and everything we voted on as the base bill came out of that committee.

It is the same as is going to happen on immigration. Senators—these eight—a significant number of them want to do hearings. They want to have a markup. Other Senators said: Let's just move to the floor. Well, there are a number of Senators who believe it should come out of the committee first, so that is what is going to happen. So I commend Senator LEAHY for agreeing to do this.

He is going to have a hearing tomorrow and another one on Monday. He has estimated a time for the markup. So I commend him for his leadership with Judiciary.

I repeat, I look forward to hearings on this measure before the committee, and to a thoughtful debate on the Senate floor.

We are going to have ample time to discuss and consider this legislation. I am going to do what I can to get this bill across the finish line, which I think we are going to do. I think we are going to do it pretty soon.

MAIL SAFETY

Mr. REID. Mr. President, we deal with a lot of controversial things. That is the way it has always been here. We deal with controversial issues that elicit passionate responses, including the immigration proposal I just outlined and the antiviolenence legislation I talked about earlier. We try to deal with these issues thoughtfully and

with respect. Those who serve and work in the Senate do so out of a sense of patriotism and a love of country.

I disagree with a number of my Republican Senators. JEFF SESSIONS and I—I do not think we have ever voted on anything the same way, but I have tremendous respect for him as a person. He does what he believes is right. His colleague from Alabama, RICHARD SHELBY, is one of my dear friends. He and I do not vote much alike, but our relationship is one of respect and admiration for each other. That is what we have to do in this body.

I never question the patriotism or love of country of any Senator because if I did, I would be wrong. So it was deeply disturbing that an anonymous individual would attempt to send deadly poison to Senate offices as well as the White House. It appears that with the swift action of the Capitol Police and Federal law enforcement officials, the suspect in these cowardly, anonymous attacks has been apprehended. I hope he will be brought to justice very soon.

We should all understand that incident does not appear in any way to be related to the tragedy in Boston. Nevertheless, it is a reminder to the Senate community and to all Americans to remain vigilant during these unsettling times. It is also a reminder that Senate offices should continue to follow the mail policies that are in place for their safety in this investigation.

Fortunately, the system in place to protect the Senate community worked. Maybe people say: Well, it is not good enough. It is good. I remember what happened when we had anthrax with Senator Daschle and Senator LEAHY in previous years. So the system that is in place to protect the Senate community has worked. That is good. These suspicious letters were found and intercepted before they reached the Capitol.

I applaud the postal employees and law enforcement officials who detected and neutralized this threat. I commend the Senate Sergeant at Arms, Chief Gainer, and the Capitol Police for their diligent work to keep the Senate community safe. I rest easier knowing the safety of everyone who works and visits the Capitol is their first priority. I know that to be the case.

I apologize to my friend the Republican leader for talking longer than I usually do.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

TEXAS TRAGEDY

Mr. McCONNELL. Mr. President, I would like to say a brief word about last night's tragedy near Waco. From

the media reports we have seen, there have clearly been a great many injuries and a terrible loss of life. We are all thinking of and praying for the victims and their families.

Given the horrendous event at the Boston Marathon on Monday, followed by the event near Waco last night, it has been a very difficult week for all of us. Our hearts are a little bit heavier.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 649, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying firearms are listed in the national criminal background check system and require a background check for every firearm sale, and for other purposes.

Pending:

Barrasso amendment No. 717, to withhold 5 percent of Community Oriented Policing Services program Federal funding from States and local governments that release sensitive and confidential information on law-abiding gun owners and victims of domestic violence.

Harkin amendment No. 730, to reauthorize and improve programs related to mental health and substance use disorders.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRAYERS FOR WEST, TEXAS

Mr. CORNYN. Mr. President, it is perhaps an understatement to say that it has been a difficult week for our country.

As Americans hold the city of Boston in their thoughts and prayers, I come to the floor to ask for another prayer for the small town of West, TX, in McLennan County, which is very close to Waco, TX.

I just got off the phone talking to the county judge, Scott Felton, and he de-

scribed for me the terrible tragedy that occurred last night and the ongoing efforts to recover from that tragedy.

Apparently a fire started at an ammonia facility that then caught some tanks of anhydrous ammonia on fire and they literally exploded. And for those who aren't aware of the use of anhydrous ammonia, it is actually a source of nitrogen used in the cultivation of crops. You can imagine that at this time of year, springtime, when planting is starting, there is a lot of use for this essential fertilizer.

The fire started at about 7:30 last night, and the volunteer fire department/first responders were called. The problem was they showed up for a fire but ultimately ended up being victims of the explosions that ensued a short time thereafter when tanks of this anhydrous ammonia exploded. They don't yet know the number of fatalities.

I saw in press reports it could be between 5 and 15. Judge Felton tells me he fears it could be on the higher side of that number or even higher; they just don't know. They are continuing to try to find the victims and help those who need help.

We do know more than 100 people were wounded. An unknown number have lost their lives, as I said, but we do know that among the dead are a number of firefighters, volunteer firefighters, and other first responders. As typical, and as we actually saw in Boston, during a time of crisis in tight-knit communities such as West and cities such as Boston, we see some acts of real heroism that are encouraging at a time when we could use a little encouragement. We are seeing the resilience of a tight-knit, self-sufficient community in the aftermath of this terrible tragedy.

Businesses have reportedly stayed open throughout the night and neighbors have opened their doors to help support the victims. As is so often the case, ordinary citizens ran toward danger as they offered assistance. One resident loaded his car with people and made three successive trips to the hospital. This morning, as I was waking up and watching the news, I saw one gentleman who said he made multiple trips into the nursing home for nursing home residents who were not able to walk out themselves, to bring them to safety.

As one police officer at the scene said, "The people of West will not let a person stand out in the rain."

We, of course, grieve for those who lost their lives and we pray for those who are injured and still missing. I ask all Americans to keep the people of West, TX, in their thoughts and prayers.

GUN LEGISLATION

Mr. President, on another note—and I say this more in sadness than in anger—I watched the President of the United States say it was a pretty

shameful day for Washington—on the national news. That was yesterday. I agree, but for different reasons than the President himself articulated. When good and honest people have honest differences of opinion about what policies our country should pursue when it comes to the Second Amendment and gun rights and mass gun violence, the President of the United States should not accuse them of having no coherent arguments or caving to the pressure. The President could have taken the high road, could have said, ok, now that we have been unsuccessful in these measures, let's move on to the area where we know there is consensus and that has to do with the mental health element in so many of these mass gun tragedies.

Instead, he chose to take the low road. I agree with him it was a truly shameful day. I and many of my colleagues are not worried, as some of the press like to portray it, about the gun lobby who would spend a lot of money and paint us as anti-Second Amendment. I don't work for them. I don't listen for them. I work for 26 million Texans, and I am proud to represent them. The views I represented on the floor of the Senate are their views. If I do not represent their views, then I am accountable to them and no one else, and, no, those of us who did not agree with the President's proposals are not being intimidated, as he said yesterday. It is false, it is absolutely false to say it comes down to politics, as he said.

For me, it comes down to a meeting I had with the families who lost loved ones at Sandy Hook Elementary School. I told them I was not interested in symbolism, in things we might be able to do that would have had no impact on the terrible tragedy that day or in Tucson or at Virginia Tech or in Aurora, CO. I am not interested in passing legislation that would have had no impact on those incidents and then patting ourselves on the back and congratulating ourselves, saying, haven't we done a wonderful thing, when in fact it would be to celebrate symbolism over solutions. I am interested in trying to come up with a solution.

I told them that day, the family members who came to visit with me as we grieved with them for their terrible loss, I told them that as I understood what they were telling me, they were not coming to sell a particular political point of view or an agenda or legislative laundry list of things they wanted to see passed. It boiled down to this. These families—who lost children and parents and spouses—want to make sure their loved one did not die in vain. They want to make sure something good comes out of this terrible tragedy. Why wouldn't we want to work together to try to help them achieve their goals?

The President indicated yesterday that the legislation he actually was

pursuing, the so-called assault weapons ban, the background check bill, and others—he said none of that legislation would have solved the problem these families were experiencing. I happen to agree with that part of what he said. But instead of calling the President names and taking the low road as he did yesterday and chastising my fellow Senators for their good-faith disagreement on the best policies to pursue in order to make sure these families' loss was not in vain, I am here to ask for his help. I am here to ask for the help of every Member, to try to make sure we actually continue to look for measures we might be able to get behind to actually make things better, that would have offered a solution to some of these problems.

I have heard Senator FEINSTEIN, who so eloquently spoke in favor of her proposed assault weapons ban. She conceded—I think as she had to—that Adam Lanza would not have been stopped by an assault weapons ban because he stole weapons his mother legally possessed, and he murdered his own mother before he then went to Sandy Hook Elementary School and murdered innocent children and other adults. The background check bill would not have had any impact on that. As Senator FEINSTEIN conceded, as she must, neither would the assault weapons ban we voted on yesterday.

What might have an impact on incidents such as occurred at Virginia Tech? What might have had an impact on incidents that occurred in Tucson, where Congresswoman Gabby Giffords was shot and others killed? We know the background check system, the National Instant Criminal Background Check System, the NICS system that the FBI maintains, depends on the States sending information to the FBI that they could use to screen out gun buyers. As a matter of fact, the shooter at Virginia Tech had been adjudicated mentally ill by the State of Virginia, but that information was never forwarded to the FBI to be used on a background check so he could therefore purchase weapons without a hit occurring on the NICS background check system.

After 2008, we passed legislation encouraging the States, trying to incentivize them to send that information to the FBI so that would not happen again. We know from the Government Accountability Office, the GAO, that the record of compliance with that law is dismal indeed. Many States simply have not done it. I believe there are things we can do to further incentivize the States to send that information so the background check system, maintained by the FBI, actually works to preclude shooters such as the Virginia Tech shooter from legally buying weapons because there would be a hit on the background check system and he would be stopped from that source of these weapons.

We know in Tucson, for example, the shooter there failed a drug test when he tried to volunteer for the military. That is also a disqualifying incident that had it been reported to the background check system, as it could have and should have been, would have prevented him from purchasing weapons legally without being blocked by a hit on the background check system. Why in the world wouldn't we look for ways to improve the current background check regime, to stop people like that from buying weapons and committing these mass atrocities?

I believe there is actually a way forward for us, and I hope Senator REID, the majority leader, who controls the agenda on the Senate floor, will not choose to quit in our effort to try to find solutions, indeed something we need to pursue instead of just symbolic gestures which would have had no impact on these mass gun tragedies.

We do not know what the majority leader is going to choose to do. He may choose to get off the gun bill and get onto other business. It is his prerogative to file the appropriate paperwork to ask the Senate to do that. But it is our prerogative to say, no, we believe we ought to stay on this topic until we pass commonsense solutions that would actually make a difference in terms of these mass tragedies, and so these families could say, no, my loved one—amidst all this terrible tragedy, amidst this terrible grief and heartache they are experiencing that we can all just barely imagine, that they can say something good came out of their loss because Congress moved forward, putting politics aside, setting the talking points aside, and looked for some sort of common ground that would advance the cause of public safety and, hopefully, just hopefully, prevent some of these tragedies from occurring in the future.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CDH RESOLUTION

Mr. SESSIONS. Mr. President, I rise today to discuss S. Res. 85. I am pleased that the Senate has unanimously declared April as National Congenital Diaphragmatic Hernia Awareness Month. I would like to thank my friend and able colleague, Senator BEN

CARDIN of Maryland, for joining me in this legislation. This Resolution is very important to me and my family, as my grandson, Jim Beau, is a CDH survivor.

CDH is a birth defect that occurs when the fetal diaphragm fails to fully develop. The lungs develop at the same time as the diaphragm and the digestive system. When a diaphragmatic hernia occurs, the abdominal organs move into and develop in the chest instead of remaining in the abdomen. With the heart, lungs, and abdominal organs all taking up space in the chest, the lungs do not have space to develop properly. This may cause the lungs to be small and underdeveloped.

A diaphragmatic hernia is a life-threatening condition. When the lungs do not develop properly during pregnancy, it can be difficult for the baby to breathe after birth or the baby is unable to take in enough oxygen to stay healthy.

CDH will normally be diagnosed by prenatal ultrasound, as early as the 16th week of pregnancy. If undiagnosed before birth, the baby may be born in a facility that is not equipped to treat its compromised system because many CDH babies will need to be placed on a heart-lung bypass machine, which is not available in many hospitals. All babies born with CDH will need to be cared for in a Neonatal Intensive Care Unit, NICU.

Babies born with CDH will have difficulty breathing as their lungs are often too small, biochemically and structurally immature. As a result, the babies are intubated as soon as they are born, and parents are often unable to hold their babies for weeks or even months at a time.

Most diaphragmatic hernias are repaired with surgery 1 to 5 days after birth, usually with a GORE-TEX patch. The abdominal organs that have migrated into the chest are put back where they are supposed to be and the hole in the diaphragm is closed, hopefully allowing the affected lungs to expand. Hospitalization often ranges from 3 to 10 weeks following the procedure, depending on the severity of the condition.

Survivors often have difficulty feeding, some require a second surgery to control reflux, others require a feeding tube, and a few will reherniate and require additional repair.

Awareness, good prenatal care, early diagnosis, and skilled treatment are the keys to a greater survival rate in these babies. That is why this resolution is so important.

Congenital diaphragmatic hernia is a birth defect that occurs in 1 out of every 2,500 live births. Every 10 minutes a baby is born with CDH, adding up to more than 600,000 babies with CDH since just 2000. CDH is a severe, sometimes fatal defect that occurs as often as cystic fibrosis and spina bifida.

Yet, most people have never heard of CDH.

The cause of CDH is unknown. Most cases of diaphragmatic hernia are believed to be multi-factorial in origin, meaning both genetic and environmental are involved. It is thought that multiple genes from both parents, as well as a number of environmental factors that scientists do not yet fully understand, contribute to the development of a diaphragmatic hernia.

Up to 20 percent of cases of CDH have a genetic cause due to a chromosome defect or genetic syndrome.

Approximately 40 percent of babies born with CDH will have other birth defects, in addition to CDH. The most common is a congenital heart defect.

In 2009, my grandson Jim Beau was diagnosed with CDH during my daughter Mary Abigail's 34th week of pregnancy. Although she had both a 20-week and a 30-week ultrasound, the nurses and doctors did not catch the disease on the baby's heartbeat monitor.

Thankfully, when Mary Abigail, her husband Paul, and daughter Jane Ritchie moved to southeast Georgia, the baby's irregular heartbeat was heard at her first appointment with her new OB. She was sent to Jacksonville for a fetal echo.

The technician there told her that she wasn't going to do the echo because there was something else wrong with the baby. She asked my daughter if she had ever heard of congenital diaphragmatic hernia. Of course, she had not, and at that time our family did not know the extent of our grandson's birth defect.

My daughter and her family moved to Gainesville, FL, on November 16 and Jim Beau was born 2 weeks later on November 30. They heard their son cry out twice after he was born, right before they intubated him, but they were not allowed to hold him.

The doctors let his little lungs get strong before they did the surgery to correct the hernia when he was 4 days old. Unfortunately, it turned out that the hernia was worse than they expected. The hole in his diaphragm was very large, and he had almost no posterior diaphragm. His intestines, spleen, and one kidney were up in his chest.

Thankfully, Jim Beau did not have to go on a heart-lung bypass machine, but he was on a ventilator for 12 days and on oxygen for 36 days. In total, he was in the NICU for 43 days before he was able to go home.

Fortunately for my family, and thousands of similar families across the United States, a number of physicians are doing incredible work to combat CDH.

The CDH survival rate at Shands Children's Hospital in Gainesville, FL, where my grandson was treated, is unprecedented. The survival rate of CDH

babies born at Shands is between 80 percent and 90 percent, while the nationwide average is significantly lower.

Dr. David Kays, who was the physician for my grandson's surgeries, uses gentle ventilation therapy as opposed to hyperventilation. Gentle ventilation therapy is less aggressive and therefore protects the underdeveloped lungs. My family was very lucky that Jim Beau's defect was caught before he was born, and that they were in the right place to seek excellent care for his CDH.

The resolution Senator CARDIN and I introduced is important because it will bring awareness to this birth defect, and this awareness will save lives. Although hundreds of thousands of babies have been diagnosed with this defect, the causes are unknown and more research is needed. Every year more is learned and there are more successes. I hope my colleagues will join me in supporting this legislation to bring awareness to CDH.

Tomorrow, April 19, is the International Day of Congenital Diaphragmatic Hernia Awareness. In commemoration of this day, a march, the Parade of Cherubs, will take place tomorrow here in Washington, DC. We will be joined in our efforts by multiple cities across the Nation, all of which are hosting their own Parade of Cherubs. Events like these will help increase awareness of this devastating birth defect.

I thank the Chair and yield the floor. The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I am here today with sadness and anger after one of the saddest and most troubling days in my career in public service. Yesterday the Senate turned its back on the families of Newtown—some of them sitting in this very gallery, along with victims of other shootings.

The first words I heard when Vice President BIDEN banged the gavel to end the vote on the background check bill yesterday were, "Shame on you." "Shame on you" were the words of a rightfully angry mother of a Virginia Tech student who was shot in the head twice 6 years ago this week. This heartbroken mother had the courage and the fortitude to say the words that all of us who have been fighting for commonsense laws to reduce gun violence felt at that moment.

Shame on us. Shame on the Senate. It was, in fact, a shameful day for this Nation and for our democracy. The hardest part of that day was to explain to the loved ones who lost children, spouses, family members in Newtown

that day how 90 percent of the American people—the majority of gun owners and even NRA members—and 54 Members of the Senate could favor a proposal that failed to become law. How could that be in a democracy?

Part of the answer relates to the filibuster, which is a now proven despicable antidemocratic feature of this body. I have voted several times to, in effect, eliminate it, and yesterday's vote was a nail in the coffin of the filibuster because the American people simply will not stand for a result that so typifies an antidemocratic result but, even more, an antidemocratic process.

The filibuster fight is for another day. The fight today is to continue this effort against gun violence. I will pledge to every Member of this body, every person in Connecticut, and anyone who is engaged in this fight, that I will continue with redoubled determination.

When I tried to explain to one of the family members yesterday how this process could be so broken and reach such an intolerable result, I said: We are not done. And she said to me: We are not even close to done.

So resolute and resilient are these families that they should inspire us and uplift us in their determination to continue this work for the sake of the loved ones they lost and to keep faith with the 3,400 innocent people who have perished as a result of gun violence since December 14 and the thousands who perished before.

It is not just our opportunity in the Senate—one of the great institutions in the history of the world—but our obligation, as public officials and as Members of a body that holds a trust for democracy and for safety, to provide better security for our people and our children.

The mother of that Virginia Tech student was sitting in the same gallery with those members of Newtown, CT, who lost 20 precious, beautiful children and six brave, great educators. They were keeping vigil as the Senate turned its back on them.

Despite their profound and harrowing loss, those parents, husbands and wives, sons and daughters, sisters and brothers, grandmothers and grandfathers have kept faith. They have spent the last 4 months tirelessly and relentlessly advocating for changes and reforms in our gun laws so that the loss they suffered will not have been in vain. Still, the Senate failed in its responsibility in turning its back on them.

I do not want to relive December 14 when I went to Sandy Hook and heard and saw the grief and pain of those parents and loved ones as they emerged from the firehouse. That unspeakable and unimaginable horror I do not want to see again.

Yesterday was demoralizing and discouraging but not defeating because,

ultimately, this reform will be delayed but not denied.

The massacre of 20 innocent children and their teachers will bring us, ultimately, to our senses, but so will the violence, carnage, and killing since then. In the words of Mark Barden, whose son Daniel is in this picture: We are not defeated. We are here now. We will always be here because we have no other choice. The "Connecticut effect" is not going away. The Bardens are not going away, nor are any of the Newtown families. The advocates of sensible, commonsense gun reform are not going away. We are here to stay.

For Mark and Jackie Barden and all of the other families from Newtown and every other victim of gun violence in this country, there is no going back. There is no turning back the page. We must simply move on to the next issue. As the bicycle team who came from Newtown to Washington, Team 26, said, we must go on pedaling. The only way to keep a bicycle upright is to move forward. That is a simple lesson of life the families of Newtown learned in their horrific tragedy. I will continue to stand with them and all of the other victims of gun violence to work, to fight another day.

I say to every one of my colleagues, my friends who sided with the proponents of fear, do not underestimate the power of the Newtown families and the other victims of gun violence. They are not going away. They will help to hold accountable and answerable to the people of America the actions that were taken here, the votes that were cast. Votes have consequences, just as elections do. The people of America will remember. Our job now is to raise awareness, spread the rage that we feel, raise that rage, and organize and enable and empower citizens to be heard and heeded by this body, whether in the next election or before then. My hope is that it will be before then because we must act before the next election. That action is an opportunity, a historic moment we must seize.

Not everyone in this body turned their back on the victims of Newtown or on this cause yesterday. There were genuine profiles in courage on this floor, in this body: first and foremost, Senator MANCHIN, who led the fight on background checks and forged a compromise that should have won the day, and Republicans who chose to buck their own leadership and follow their hearts and consciences—Senators MCCAIN, COLLINS, KIRK, and TOOMEY. The American people will thank you.

There are Democrats who took some tough votes—tough votes particularly for their States. I thank Senators HAGAN, CASEY, LANDRIEU, HEINRICH, MARK and TOM UDALL, JON TESTER, and Senator SHAHEEN. These Senators put saving lives above the politics of the moment. They showed true leadership in the face of lies and fearmongering. They deserve our thanks and praise.

I wish to pay tribute to the Senators who have led this effort over many years: Senators FEINSTEIN, LAUTENBERG, SCHUMER, and DURBIN. I thank my colleague CHRIS MURPHY for his leadership and his courage. Senators FEINSTEIN, LAUTENBERG, SCHUMER, and DURBIN have been a tireless foursome on behalf of this fight. They have been dogged and determined. No amount of NRA deception or dishonesty has deterred them or stopped them.

I thank the majority leader, HARRY REID, for his courage. He has persevered in seeking a path forward on this legislation in the face of some of the most difficult political and procedural obstacles. He has been as passionate and persevering in this cause as any one of the advocates in these last weeks.

If you want to know the definition of "resilient," look up "FRANK LAUTENBERG" in the dictionary because there he was, right here yesterday, after weeks of debilitating illness, with his wife Bonnie in the gallery. She cheered him on, and so did we. Nothing was going to keep him from voting on the gun control bills he had championed for a lifetime.

In moving forward, let's take heart and inspiration from the families of Newtown, who have been resolute and resilient at every turn, from the continued strength of the advocates, from the courage of our colleagues who stood strong yesterday, and from the American people.

I have said, along with others, that at the end of the day the American people would be the ones to make a difference. Their rage and disbelief is palpable. They will be there for Daniel Barden. He is only one among thousands. We have seen their pictures. They have been on display on this floor. Their names have been recited and their memories revived.

Yesterday the Senate said no to America, but the people of America will not take no for an answer. As Martin Luther King said, "The arc of history is long, but it bends towards justice." We are on the right side of history, which will eventually vindicate this cause. I look forward to being here, if not within days, at least in the very near future when we take another vote and we stand 60 or more strong to make sure that Daniel Barden's memory is not in vain and that his brave parents are also vindicated in their trust in us.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 717

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 717 offered by the Senator from Wyoming, Mr. BARRASSO.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, this amendment protects the privacy and safety of law-abiding gun owners. When government officials release gun ownership information, it puts many lives at risk. This includes the lives of lawful gun owners, the lives of law enforcement, and the lives of victims of domestic violence.

State or local governments which release private gun owner information will be penalized 5 percent of their Federal program funding. This includes the release of private information on individuals who have licenses to purchase, possess, or carry firearms. The funding which is withheld will then be redistributed to the States which are in compliance. This amendment will ensure gun owners across the Nation do not have their private gun owner information publicly released.

I urge all Senators to support the amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this is a case of Washington being Big Brother and telling each one of the States—whether it is Wyoming, Vermont, or Connecticut—what they must do. We have no idea how it will affect them. We do know it is going to cut off a lot of money to law enforcement because it is telling States, even though the State legislators have gone out for the year, they need to have a one-size-fits-all. There has not been a hearing on it. It is a feel-good amendment. It will hurt our States but, most importantly, it will hurt law enforcement.

If you wish to have a discussion on this subject, that is fine. Let's have a hearing. Let's find out what it is. To do this feel-good amendment and inform every one of our 50 States there is 2 minutes of debate, inform our 50 States we know better than they do and this is what they should do, makes no sense.

I oppose the amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the Barrasso amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 30, as follows:

[Rollcall Vote No. 104 Leg.]

YEAS—67

Alexander	Flake	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Baucus	Hagan	Portman
Begich	Hatch	Pryor
Bennet	Heinrich	Risch
Blunt	Heitkamp	Roberts
Boozman	Heller	Rubio
Burr	Hoeven	Scott
Casey	Inhofe	Sessions
Chambliss	Isakson	Shaheen
Coats	Johanns	Shelby
Coburn	Johnson (WI)	Tester
Cochran	Kaine	Thune
Collins	Kirk	Toomey
Coons	Klobuchar	Udall (CO)
Corker	Landrieu	Udall (NM)
Cornyn	Lee	Vitter
Crapo	Manchin	Warner
Cruz	McCain	Wicker
Donnelly	McCaskill	Wyden
Enzi	McConnell	
Fischer	Merkley	

NAYS—30

Baldwin	Gillibrand	Murray
Blumenthal	Harkin	Nelson
Boxer	Hirono	Reed
Brown	Johnson (SD)	Reid
Cantwell	King	Rockefeller
Cardin	Leahy	Sanders
Carper	Levin	Schatz
Durbin	Menendez	Schumer
Feinstein	Mikulski	Stabenow
Franken	Murphy	Whitehouse

NOT VOTING—3

Cowan	Lautenberg	Warren
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mr. BARRASSO. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 730

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 730 offered by the Senator from Iowa, Mr. HARKIN.

Mr. HARKIN. Mr. President, I rise to speak in support of amendment No. 730, which I have offered along with Senator ALEXANDER and a bipartisan group of colleagues. This amendment would reauthorize and improve programs administered by both the Department of Education and Health and Human Services related to awareness, intervention, prevention of mental health conditions, and the promotion of linkages to appropriate services for children and youth.

Basically, title I focuses on school settings by promoting schoolwide prevention through the development of positive behavioral interventions and supports. Title II focuses on suicide prevention and also helping children recover from traumatic events.

I wish to make it clear this amendment passed our committee last week unanimously—unanimously. It has a number of Republican and Democratic

cosponsors, so I hope, regardless of how we might agree or disagree on all the stuff about guns and the stuff that has come up, we can all agree we need to do a better job of early identification, intervention, and providing support services for the mental health of our children in this country.

With that, I yield to Senator ALEXANDER.

Mr. ALEXANDER. Mr. President, this bill was unanimously accepted in committee. It has the contributions of many Senators on both sides. It improves prevention and intervention in our schools, universities, communities, doctors' offices, and mental health clinics. I urge a "yes" vote. It is an authorization bill and, therefore, has no score.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—95

Alexander	Flake	Moran
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Graham	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Portman
Bennet	Harkin	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Rubio
Cantwell	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johanns	Schumer
Casey	Johnson (SD)	Scott
Chambliss	Johnson (WI)	Sessions
Coats	Kaine	Shaheen
Coburn	King	Shelby
Cochran	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Landrieu	Thune
Corker	Leahy	Toomey
Cornyn	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden
Fischer	Mikulski	

NAYS—2

Lee	Paul
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NOT VOTING—3

Cowan	Lautenberg	Warren
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The PRESIDING OFFICER. Under previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mr. HATCH. Mr. President, earlier this week, as the debate on this legislation began, the distinguished majority whip said that "we are here because of Newtown, Connecticut." I agree. Had that horrific event not occurred last December, this legislation would not have been introduced.

I share with all Americans the sorrow, frustration, and anger that follows a tragedy like what happened in Newtown or earlier in Aurora, Colorado, and Arizona. I share the sense that we must respond in some way, that we must prevent such tragedies in the future. We feel that way even though we know that such a guarantee is impossible, especially in a country that we want to remain free. But when a tragedy like that occurs, our fellow Americans look to Congress as if to say: Don't just stand there, do something.

If we are here because of Newtown, if this legislation is indeed a response to that tragedy to prevent it from happening again, then it seems obvious that there should be some connection between what happened there and what is happening here. Common sense would say that Newtown must have exposed some deficiency in our laws or some gap that needs to be filled. Common sense would say that a legislative response to Newtown would be something that could have prevented this tragedy and, therefore, can prevent a similar tragedy in the future.

That is what common sense would say, but it is just not true. In fact, the same day that the majority whip said that we are here because of Newtown, liberal columnist Richard Cohen wrote in the Washington Post that this legislation would do "absolutely nothing to avoid such a tragedy." Expanding background checks, for example, would not have prevented the Newtown shooting because Adam Lanza did not purchase the weapons that he used, nor would they have prevented the Aurora shooting because James Holmes not only legally purchased the weapons he used, but would have passed a background check even under the bill before us. We may be here because of Newtown, but the bill we are considering simply does not respond to that tragedy.

As I said, I share the feeling after a tragic event that we must take action. We must, however, resist the temptation to believe that more legislation is always the answer. The truth is that the Newtown and Aurora shooters, as well as the Columbine shooters before them, broke dozens of Federal, State, and local laws already on the books. Federal law has already created more

than 60 different firearms offenses. The Bureau of Alcohol, Tobacco, and Firearms posts on its Web site a reference guide to Federal firearms regulations. It is 243 pages long. But during the first decade of the 21st century, according to the Census Bureau, the percentage of intentional homicides from handguns, rifles, or shotguns all declined rather than rose.

Even more important than these legislative considerations is the fact that public policy in this area impacts fundamental constitutional rights. When other tragedies occur, even terrorist attacks, we often hear that such circumstances must not weaken our commitment to the Bill of Rights, and I do not believe we should do so now.

One of the disturbing arguments I have heard so often during this debate is that Americans do not "need" certain guns for certain activities or do not "need" to exercise their Second Amendment rights in certain ways. This dangerous view gets it exactly backwards. The place to start is with the individual right that the Constitution guarantees and the burden should be on the government to justify infringing or limiting that right. Imagine if the government told us how much speech or the exercise of religion we "need" under the First Amendment or if the government told us how much privacy we "need" under the Fourth Amendment. My liberal friends would howl in protest if we treated other provisions of the Bill of Rights in the way they want to treat the Second Amendment.

The Second Amendment guarantees a fundamental right of individuals to keep and bear arms. In fact, the Second Amendment merely codifies a right that already existed, a right that predates the Constitution itself. In 1982, when I chaired the Judiciary Subcommittee on the Constitution, we published a landmark report on the history of this fundamental right. More than 25 years before the Supreme Court officially said so, our report established that the Second Amendment "was intended as an individual right of the American citizen to keep and carry arms in a peaceful manner, for protection of himself, his family, and his freedoms."

The President yesterday called it "shameful" that the Senate defeated gun control proposals that he favors. I disagree. There was nothing shameful about opposing legislation that failed to respond to the Newtown tragedy, that cannot prevent such tragedies from ever happening again, and that undermines the Bill of Rights.

Two things will always be true as we continue grappling with violence in our society: people, not guns, kill and harm other people and criminals will not obey the law. It does no good to pretend otherwise or legislate for a society in which those things are not true,

in other words, for a society that does not exist. We have to address the society we have, a society we want to remain free, a society in which we are protected by the Constitution. I could not support the legislation before us because it failed to meet this standard.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. HETTKAMP).

EXECUTIVE SESSION

NOMINATION OF ANALISA TORRES TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

NOMINATION OF DERRICK KAHALA WATSON TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII

The PRESIDING OFFICER. Under the previous order the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Analisa Torres, of New York, to be United States District Judge for the Southern District of New York and the nomination of Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii.

The PRESIDING OFFICER. Under the previous order, there will now be 15 minutes for debate equally divided in the usual form prior to votes on the nominations.

The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, Monday's confirmation of Judge Beverly O'Connell marked the 150th confirmation of a Federal trial court nomination by President Obama. Thanks to Senate Republicans' concerted effort to filibuster, obstruct and delay his moderate judicial nominees, it took almost 1 year longer to reach this milestone than it did when his Republican predecessor was serving as President, 10 months in fact. I have repeatedly asked Senate Republicans to abandon their destructive tactics. Their unwillingness to do so shows that Senate Republicans are still focused on obstructing this President, rather than helping meet the needs of the American people and our judiciary.

The ability of hardworking Americans to get their day in court and have their rights protected should not be subject to this kind of wrongheaded,

partisan obstructionism. Today, the Senate is being allowed to vote on just 2 of the 15 judicial nominees ready for confirmation. Ten of the judicial nominees confirmed this year could and should have been confirmed last year. There are still four judicial nominees in that category, who are part of the backlog on which Senate Republicans insist on maintaining. And like so many of President Obama's district court nominees, Analisa Torres and Derrick Watson have had to wait more than 60 days after being voted on by the Judiciary Committee to be considered by the Senate. These systematic delays help explain why we remain more than 20 confirmations behind the pace we set with President Bush's nominees. We can make up much of that ground if Senate Republicans would just agree to a vote on all 15 nominees currently pending on the Executive Calendar. All of them received bipartisan support in committee, and all but one were unanimously approved by the committee. There is no good reason for further delay, especially at a time when judicial vacancies remain at 85.

Let us clear the backlog of judicial nominees ready for confirmation. Republicans have recently started pointing to 2004. In 1 month in 2004, a presidential election year, we were able to clear a backlog of consensus nominees by confirming 20. This insistence on delay and holding over consensus nominees from 1 year to the next has been constant. Seventeen of the confirmations for which Senate Republicans now seek credit over the past 2 years should have been confirmed more than 2 years ago in the preceding Congress. That is when they allowed only 60 judicial confirmations to take place during President Obama's first 2 years in office, the lowest total for a President in over 30 years. Indeed, during President Obama's first year in office, Senate Republicans stalled all but 12 of his circuit and district nominees. That was the lowest 1-year confirmation total since the Eisenhower administration, when the Federal bench was barely $\frac{1}{2}$ the size it is today.

The fact is that we have these 15 nominees waiting for a vote. We have 15 judgeships that can be filled so that hardworking Americans in New York, Hawaii, Louisiana, California, Florida, Oregon, Pennsylvania, North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Missouri, Arkansas, New Mexico, Colorado, Kansas, Oklahoma, Utah, and Wyoming can have better access to justice. All Senate Democrats are prepared to vote on all of these nominees today.

Judge Analisa Torres is nominated to serve on the U.S. District Court for the Southern District of New York. She currently serves as a New York State Supreme Court Justice. Previously, she served as an acting New York State

Supreme Court Justice, a judge for the Civil Court of the City of New York, and as a judge for the Criminal Court of the City of New York. She received her A.B., magna cum laude, from Harvard University and her J.D. from Columbia Law School. Judge Torres has the strong support of her home State Senators, Senator SCHUMER and Senator GILLIBRAND.

Derrick Kahala Watson is nominated to the U.S. District Court for the District of Hawaii. He currently serves as the chief of the Civil Division in the US attorney's office in the District of Hawaii. Prior to that, he was an assistant United States attorney in the same office. From 1995 to 2000, he served as an assistant United States attorney in the Northern District of California and served as deputy chief of the Civil Division from 1999 to 2000. In addition to his service at the U.S. attorney's office, he was in private practice for more than a decade. Derrick Watson received his J.D. from Harvard Law School and his A.B., cum laude, from Harvard College. He has the support of his home State Senators, Senator HIRONO and Senator SCHATZ.

Both nominees were unanimously approved by the Senate Judiciary Committee by voice vote 2 months ago.

Like almost all of the other nominees pending on the Executive Calendar, these are the kind of mainstream and consensus nominees who should be confirmed quickly. For nearly 4 years vacancies have been at or above 80, putting an unnecessary strain on our Federal courts. Sequestration cuts have added to the pressure on our justice system. Let us vote on the remaining nominees so that they can get to work for the American people.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise to speak in support of the nomination of Derrick Kahala Watson to be a district judge for the U.S. District Court of Hawaii. But before I discuss this nomination, I would like to join with the rest of my colleagues in acknowledging the week we have had and how trying it has been for all Americans. The horrific bombing at the Boston Marathon, the targeting of Senate offices and the President with mail containing poison, other actions at the Capitol, and now this tragic explosion in Texas have captured our attention and given us all perspective on what is important in life. Our hearts go out to all the victims and their families.

Turning now to Mr. Watson's nomination, I thank Chairman LEAHY and Ranking Member GRASSLEY of the Judiciary Committee for their quick consideration, referring this nomination to the full Senate for a vote. Mr. Watson was born in Hawaii. He attended Harvard college and Harvard Law School and started a successful career in law in San Francisco, CA, before re-

turning to Hawaii to serve as an assistant U.S. attorney.

Mr. Watson testified before the Judiciary Committee in January at my first hearing as a Senator. He demonstrated that he had the qualifications, ability, and temperament to be an outstanding judge for Hawaii.

Once he is confirmed by the Senate, Mr. Watson will be the only person of Native Hawaiian descent serving as an article III judge, and only the fourth to serve in the history of the United States.

In addition, once he joins the Federal bench in Hawaii, that court will be the first majority Asian American Pacific Islander article III court in American history.

I am proud to support Judge Watson, and I am happy that the Senate will vote to confirm him today. I certainly urge all my colleagues to cast a unanimous vote for his nomination.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I am deeply honored to stand here today in support of Analisa Torres's nomination to the United States District Court for the Southern District of New York. I also want to thank President Obama for acting on my recommendation and nominating another superbly qualified female jurist to the Federal bench.

I know Judge Torres as a fair-minded woman of great integrity. Her lifetime of public service and legal experience, serving as a jurist, an attorney, and serving her community has earned her the respect of her colleagues. Her body of work demonstrates her qualifications to serve on the Federal bench.

Since 2000, she has served as a judge in various courts, including the Criminal Court of the City of New York, and in 2012 she was elected to a 14-year term as a New York State Supreme Court Justice. Judge Torres has previously worked in private practice, as a law clerk, and as a teacher. In her current role, she has exemplified pragmatism and has demonstrated a consistent commitment to thoughtful, sound and fair reasoning.

In addition to her professional work, she has shown an enduring commitment to her community.

There is no question that Judge Torres is extremely well qualified and well suited to serve as a Federal court judge. I strongly believe this country needs more women like her serving in the Federal judiciary—an institution I believe needs more exceptional women.

Today, women make up only 30 percent of the Federal bench.

According to the National Women's Law Center, only 66 women of color currently serve as active Federal judges—that is less than 10 percent of the Nation's active Federal bench.

We have to do better.

Judge Torres's nomination has been pending before this body for over 150

days. I urge my colleagues to put aside partisan differences and help us move forward on the 14 judicial nominees who have been forced to deal with this unprecedented delay.

I remind my colleagues that greater diversity, of gender, ethnicity and professional backgrounds, are not just ideals that we should aspire to, but steps we must take to have a judiciary that is more diverse, and more reflective of the great country we live in. I have no doubt that having Judge Torres serving in the Federal judiciary will bring us closer to that goal.

I was proud to recommend her for this position. I urge all my colleagues to join me and vote in support of her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I will be voting for both of these nominees for judges, but I would like to make some comments because I hear rumblings of how Senate Republicans are obstructing judicial nominees. I would just like to remind my colleagues of how well we are proceeding.

Today the Senate will consider two more judicial nominations. These nominations are people, as I just said, I am going to approve. This is the third of this week, and with today's expected action we will have confirmed 4 circuit and 9 district nominees during this Congress, for a total of 13. At this point in 2005, during President Bush's second term, the Senate had confirmed not 13 like now, with us, not 9, not 4, but only 1 judicial nominee. So that would be a record of 13 for this administration and 1 for a counter time during the second Bush administration.

As I stated last week, the quick pace of this year comes on top of a very productive 112th conditioning, in which 111 judges were confirmed. That was more judges confirmed than any other Congress going all the way back 20 years. Overall, with today's actions, we will have confirmed 184 judicial nominees. Divide it this way, 34 circuit judges and now 150 district judges. The Senate has defeated only 2 nominees. That is a record of our passing 184 to 2 that have not been approved. That is a .989 batting average. So I do not know who is shedding tears around here, but they ought to look at the record.

Other nominees are still being considered by the Senate and a few remain in committee. I note we have a hearing scheduled next week for another circuit and district judge, so we are continuing to move forward. But even counting those pending nominations, the President has a confirmation rate that is comparable to that of President George W. Bush, President Clinton, and exceeds that of President George H.W. Bush.

Again, there is no credible basis to say this President is being treated differently from previous Presidents.

What is different, though, in the case of this President is the manner in which he has allowed vacancies to accumulate before submitting nominations. It is about time that down at the White House they get down to work, decide who they are going to nominate, and get the nominations up here. His failure to make judicial nominations a priority in his first year when Democrats had a filibuster-proof majority in the Senate resulted in an increase of vacancies. That was not the fault of Senate Republicans.

Throughout his administration it has been the case that a majority of vacancies have had no nominees. Presently, do you know that three of four vacancies have no nominees up here?

For the 36 vacancies categorized as "judicial emergencies," there are only 8 nominees. So I just want to set the record straight before the vote for these nominees because I get tired of these crocodile tears being shed. Particularly, I am sick of hearing about us not moving on judges when three-fourths of them we don't even have the nominees here yet. So quit crying.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I share the perplexed attitude of the Senator from Iowa about our friends' concern about nominations. The President has even talked about it. I have gone back and looked at the record. There was a Washington Post article 3 weeks ago. I gave a copy of it to the President. This is what it said: On Cabinet nominations, this Senate has considered President Obama's Cabinet nominations more rapidly than they did the last three Presidents. That is Cabinet nominations. Never in the history of the Senate has the Senate denied a Cabinet nomination by filibuster, with the exception of the Democrats blocking John Bolton in the George W. Bush administration. So the President is treated better on Cabinet nominations.

Evidence from the Congressional Research Service says President Obama's circuit judges in his first term were considered more rapidly than President George W. Bush's circuit judges. Senator GRASSLEY just pointed out that in the second term of President Bush he had 1 judge confirmed by this time; President Obama has 13.

On district judges, according to the Congressional Research Service, during the first term of President Obama his district judges were considered a little more slowly than President George W. Bush's, but the Senate changed the rules earlier this year to cut down the postcloture debate time to make it easier to bring judges to the floor and get them through more rapidly. Perhaps that is why the score is 13 to 1, with Obama getting 13 judges and Bush getting 1 in the same period of time in the second term.

I do not know where this is coming from. In addition, we have never blocked a district judge by filibuster—neither party in the history of the Senate. In the circuit judges we never blocked a circuit judge until George W. Bush made some nominations about the time I came to the Senate 10 years ago, and the Democrats started it. They caused Miguel Estrada to be blocked and a number of others, and they brought up cloture motions time after time and we had a gang of 6, 8, 10 or 14 who slowed it all down. But still the score is 5 to 2; 5 Republican judges blocked for confirmation by the Democrats under President Bush, and 2 by Republicans with President Obama.

We worked pretty hard for the President to confirm his nominations. We had two sets of rules changes, and we have a number of expedited nominations which come now to the desk. We had about 170 nominations that have been completely removed from Senate confirmation. I would think the Obama administration would be thanking the Senate for its work to make it easier for any President to get confirmations. In any event, when we are talking about Cabinet Members, President Obama is being better treated than the last three Presidents. When we are talking about circuit judges he is better treated than George W. Bush. When we are talking about district judges he is treated a little worse in his first term than George W. Bush, but we changed the rules to speed up district judges. The score in the second term, as I have said twice now, is Obama 13, Bush 1—Obama way ahead.

I like to see confirmations move ahead. I hope I do not hear this much more, when the record shows that in fact it is a manufactured crisis.

I yield the floor.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Analisa Torres, of New York, to be United States District Judge for the Southern District of New York?

The nomination was confirmed.

The PRESIDING OFFICER. The question is on agreeing to the Watson nomination.

Mr. ALEXANDER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii?

The yeas and nays have been ordered. The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent; the Senator from North Carolina (Mr. BURR) and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 106 Ex.]

YEAS—94

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Baucus	Harkin	Portman
Begich	Hatch	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Blunt	Heller	Risch
Boozman	Hirono	Roberts
Brown	Hoeven	Rockefeller
Cantwell	Inhofe	Rubio
Cardin	Isakson	Sanders
Carper	Johanns	Schatz
Casey	Johnson (SD)	Schumer
Chambliss	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Toomey
Crapo	Levin	Udall (CO)
Cruz	Manchin	Udall (NM)
Donnelly	McCain	Vitter
Durbin	McCaskill	Warner
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	
Franken	Murkowski	

NOT VOTING—6

Boxer	Cowan	Moran
Burr	Lautenberg	Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

VOTE EXPLANATION

• Mr. COWAN. Madam President, I was necessarily absent from votes during today's session. Had I been present for the votes on amendments relating to S. 649, the Safe Communities, Safe Schools Act of 2013 I would have opposed the Barrasso amendment, S. Amdt. 717, and I would have supported the Harkin-Alexander amendment, S. Amdt. 730. Also, I would have supported the nomination of Analisa Torres to be United States District Judge for the Southern District of New York. •

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The majority leader is recognized.

GUN SAFETY

Mr. REID. Madam President, this bears repeating: We knew all along that efforts to pass stronger background checks and keep guns out of the hands of criminals wouldn't be easy, and it hasn't been. But keeping America's streets safe from gun violence is worth the effort.

Yesterday the families of gun violence victims watched as Republicans defeated a commonsense proposal to expand background checks. It is supported by 90 percent of the American people. It is not some hocus-pocus. What it says is that if a person is a criminal, that person shouldn't be able to buy a gun. It says that if a person has severe mental issues, that person shouldn't be able to buy a gun. That is all it said.

Yesterday the families of gun violence victims watched, but despite the fact that a strong majority of the American people feel this way, we weren't able to get this done. Despite the fact that a strong majority of the Senate voted in favor of stronger background checks—a strong majority—Republicans once again filibustered a commonsense proposal. We were able to get 4 Republicans—4 out of 45.

Yesterday President Obama said it was a shameful day for the Senate, and it probably was, I agree. But we should make no mistake; this debate is not over. In fact, this fight is just beginning.

I have spoken with the President. He and I agree that the best way to keep working toward passing a background check bill is to hit "pause" and freeze the background check bill where it is. In the meantime, we will keep moving forward with the people from Aurora, CO, Blacksburg, VA, Newtown, CT, and other places to make sure we are able to get something done. This will allow Senators to keep negotiating.

We had nine amendments yesterday. They were not easy to vote on—not for us or for the Republicans—and I understand that. But it was a good process by which to move forward and get some of these contentious amendments on both sides out of the way—or voted on, rather, is a better way to phrase it.

So we are going to come back to this bill. I feel obligated to Senator STABENOW. She should have an opportunity to offer her amendment on mental health. I feel an obligation to Senator COBURN. He should be able to offer his amendment on background checks. I feel an obligation to a number of Senators who believe we have to do a better job dealing with the issue of veterans.

So we are going to have time to work on what people want to do before we come back to this. It will give opponents an opportunity to decide what

they want to do when we get back on this, and it will give gun violence advocates time to make their voices heard by Republican Senators. This option will preserve the progress we have made on the bill. We passed a couple of amendments today—we passed a Republican amendment and a Democratic amendment. I suggest to the Senate that this option will prevent us from having to return to square one procedurally, and I think that is good.

I am committed to ensuring that any bill we pass includes an expansion of background checks, closing the gun show loophole, as well as covering private sales.

This afternoon I am going to file cloture on the motion to proceed to the Marketplace Fairness Act, which would give brick-and-mortar stores parity with Internet-only retailers. It is only a matter of time before we bring this anti-gun violence measure back to the floor for a vote.

The stand of the Republicans is not sustainable. It is a question of how long they are going to stand firm, but it is not sustainable.

I assure the 90 percent of Americans who support meaningful background checks that I am going to continue this fight. I assure the families of Newtown and Aurora and Tucson and Blacksburg that we are going to continue to stand by their side.

To those Senators who have indicated they want to offer amendments, we will be back and try to do another tranche of amendments, and when we get there, I hope we can proceed the way we did this week to line up amendments.

MARKETPLACE FAIRNESS ACT OF 2013—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to Calendar No. 41, S. 743.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to the consideration of Calendar No. 41, S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 41, S. 743, To restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Harry Reid, Richard J. Durbin, Sherrod Brown, Sheldon Whitehouse, Amy Klob

buchar, Joe Manchin III, Richard Blumenthal, Patrick J. Leahy, Martin Heinrich, Angus S. King, Jr., Al Franken, Tom Harkin, Carl Levin, Mark Begich, Brian Schatz, Robert Menendez, Tammy Baldwin.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President, as I understand it, Leader REID moved to proceed to the Marketplace Fairness Act a bit ago. I have deep reservations about this legislation, so I am not able to support the motion to proceed. The leader has filed cloture on his motion, and I just want it understood at this point that if cloture is invoked, I will not be able to support a reduction in the amount of time available for Members to debate this.

The Presiding Officer and I have talked about this a number of times, but just for purposes of this discussion, I think it is extremely important that the Senate and the country think through the implications of what this bill is all about.

What this bill is all about is that the advocates essentially want to take a function that is now vested in government—State tax collection—and, in effect, outsource that function of government to small businesses, particularly these small online retailers.

This has been a big source of employment, good wages, innovative approaches, new apps. It has been a big boost for our country. I think it is important for the Senate to think through what this means and try to see if we can come up with something that is sensible.

For example, the proponents of the legislation are going to argue with considerable passion that this is not going to be a hard task for these small businesses on which they have imposed this new assignment—as they call it, outsourcing the function of State tax collection, which is done by government, to these small businesses.

The proponents say it is not going to be hard for small businesses to handle this. They are going to say there is a lot of new technology available—computer software and the like—and that the Marketplace Fairness Act will not be difficult to administer as a result of these new technologies.

Having been involved in this debate now for years and years—having been the original author of what is a different subject but has some of the same connections, the Internet tax fairness legislation—I have heard the proponents of this legislation say, year after year after year, this is not going

to be a hard assignment, the process of these small businesses collecting these taxes, that new technologies are available, and that the law ought to be passed because it can be done.

But year after year we have seen that the idea that this is so simple and it can be done is not borne out. If it were so simple, it would have been done already. The reason this bill comes to the floor of the Senate is because it is, in fact, not so simple. It is not going to be a piece of cake for these small businesses.

There are more than 5,000 taxing jurisdictions in our country. Some of them give very different treatment for products and services that are almost identical. So this is a big lift to say we are going to have software and computers and technology and it is just going to be a piece of cake for these small businesses to be able to handle this.

I think that is part of what needs to be discussed in a debate on the floor of the Senate because, fundamentally, the idea of taking a function of government—tax collection—and handing it over to small businesses—and small businesses being a big part of our country's economic engine—is something I think ought to give every Senator pause.

In addition to that, I want us to think through the aspects of this that relate to America's ability to compete in tough global markets.

I know when we talked about this in a brief way during the Senate budget debate, several Senators said that, oh, back in the days when we were just debating the Internet, they could see the need for some of these policies in the digital age, but now the Internet is all grown up. We do not need any of these kinds of approaches such as technological neutrality and nondiscrimination with respect to taxes and regulation.

My response to this is, yes, it is a different day. There is no question about it. I chair the Senate Finance Subcommittee on International Trade. As part of my obligations there to look at trade and competitiveness, I have come to the conclusion that the Internet is the shipping lane of the 21st century.

I think about what the Finance Committee looked like 30, 40 years ago—people moving goods physically from North Dakota, Oregon, and the like. It is very different today. With a lot of economic activity, in a sense, being conducted online on the Internet, to a great extent it is now the shipping lane.

This bill, I want the Senate to know and the country to know, will be a big leg up for foreign retailers and foreign businesses. The reason I say that is the Marketplace Fairness Act, in effect, tries to take local law and apply it to the global economy. It is unprecedented.

What it will mean—if passed in its present form—is that if you are on the northern border—say you are in North Dakota or Washington State or other places that are on the northern border—if you are an online retailer, you are going to say to yourself: Why in the world would you want to stay on the U.S. side of the border and try to comply with the rules of thousands of taxing jurisdictions when you can move, in effect, half an hour away outside the borders of the United States and not be subjected to this?

So maybe the sponsors of the bill want to rename their bill—now called the Marketplace Fairness Act—the shop Canada and the shop Mexico bill because that is truly what it would mean.

I have heard some in favor of the bill say that is not the case, that there are long-arm statutes and the like. Good luck with that. Good luck with the idea we have not been able to figure out a way to do this in the United States, now we are going to write a bill that says it does not apply to the foreign retailer or the foreign business, and we are going to say we are going to be able to hook those people somehow with a long-arm statute. I do not see it.

That is what the point of this debate is all about. So we had the discussion in the context of the budget. I think then it was sort of seen as kind of a general proposition. But now we are getting ready to write a real law. My own preference would be to have this go back to the Senate Finance Committee chaired by Chairman BAUCUS—we work very closely in a bipartisan way, Chairman BAUCUS and Senator HATCH—and that we have a chance to think through the implications here.

I can think of some commonsense ideas where the Presiding Officer and I would agree on some kind of uniformity. I mean, if we were talking about uniformity rather than 5,000-plus taxing jurisdictions, that would be one thing. We saw the jobs numbers last month. They were not where they ought to be. The idea that now we are going to take steps here in the Senate which would hinder the growth of the innovative engine of the American economy strikes me as something we should not be doing.

Personally I would very much like to be part of an effort to work this out. I have always said the American economy is now about bricks and clicks. We now have most of our businesses looking to try to have storefronts and online operations. I want both of them to prosper. Some of Oregon's most illustrious companies look at just that principle, bricks and clicks.

But let's not hammer the innovation sector, that online aspect of the American economy, especially given what we have seen of late. I mean, think about the Friday after Thanksgiving. Were the malls and the stores empty

the Friday after Thanksgiving? They certainly were not. The traditional part of the American economy, stores and malls—people could not find a parking place. Those stores were offering hours earlier and earlier in order to meet consumer demand.

So, yes, let's promote bricks and clicks, but let's not precipitously take steps that will harm so much of the American economy. When I got involved in these issues years ago—I think I told the Presiding Officer about this. When I came to the Senate, I had just become Oregon's first new Senator in 30 years. I made it clear I was going to spend a lot of time on timber and natural resources issues. I chair the Energy Committee. I am going to continue to do that, because that is a bedrock part of the American economy and a bedrock part of Oregon's future and small communities and what our State is all about.

I said in addition to that focus on timber and natural resources, when I came to the Senate, I am going to spend a lot of time looking at technology and innovation and new areas for our State to get into. That led me into some of those initial kinds of efforts, passage of the section of the Communications Decency Act which encouraged investment in social media, Facebook and Twitter and social media, because had we not gotten that passed, we were told a lot of people who might think about investing in the social media would see that someone who ran a Website would get held liable for someone who posted on that site and the owner of the site would not know anything about it and could not figure out how to get rid of that. So with that, and with the Internet tax freedom bill and others, we said with respect to technology and innovation, let's do two things: First, let's do no harm. Let's not take steps actively where we damage our economy and our future. Second, let's not discriminate. Let's not single out this sector which has shown so much promise.

At a minimum, the marketplace fairness legislation, as written today, will violate that first principle. It will do harm. It will force those small online retailers to, in effect, take on a government function, tax collection. I do not know of any civics book that talks about outsourcing a function of government—tax collection—to small businesses. That is what the marketplace fairness legislation does.

Second, in a tough global economy—I know the Presiding Officer cares a great deal about global commerce and global trade coming from her State—this bill will favor foreign businesses that will not be subjected to it. That is something that cannot be corrected in this bill in its present form. There may be other ways to correct it; there may be other ways to correct a number of aspects of the bill. That cannot. It will favor foreign retailers.

As I chair the Finance Subcommittee on Global Commerce and Global Trade, I do not see how that makes sense. That is why I have made it clear today that given the state of where the Senate discussion is now with the leader having filed cloture on his motion—I want to make it clear that if cloture is invoked, I will not support a reduction in time for this discussion.

I yield the floor and I would suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. RUBIO. Madam President, this week I joined my colleagues in introducing immigration reform legislation that seeks to end de facto amnesty by achieving the strongest border security enforcement measures in U.S. history but also by modernizing our legal immigration system so it can unleash the strong economic growth and job creation potential that immigration has.

Let me begin by stating the obvious, and that is that America is a nation of immigrants. We know that because every single one of us can track our lineage back to someone who came here from somewhere else. The truth is it is one of the things that make us different and special from the rest of the world.

If we think about the history of the world, it is basically people being told they can only do what their parents did for a living. How far you are going to go in life depends on what your parents used to do and who you are and to whom you are connected. What made America truly unique and what made the idea of America truly revolutionary was the idea that every single human being, no matter where they were born, how they were born, into what kind of family they were born, and into what circumstances they were born, had the God-given right to go as far as their talent and their hard work would take them. We may take that for granted—those of us, like me, who were born and raised here our entire life—but this is the exception rather than the rule throughout human history, and it is one of the things that have made America so special because the belief and commitment to that ideal unleashed here the revolutionary power of the human spirit and transformed this country into the single most powerful and greatest and freest Nation in all of human history.

This is the story of immigration in America, and it is why we as Americans understand that legal immigration is critically important for our future and a critical part of our heritage.

The problem is that for too long both Republicans and Democrats have failed to enforce our immigration laws, and the result is that today we have millions of people living in the United States in violation of our immigration laws. The other problem is that our legal immigration system is broken. It is just broken. It doesn't reflect the 21st century. It doesn't take into account special skills and talents. It doesn't allow us to attract the world's best and brightest. In fact, it doesn't allow us to keep the world's best and brightest, many of whom are students in our universities who learn from our best schools—that our taxpayers are paying for—and when they are done learning, we ask them to leave and take what they have learned here and use it somewhere else to compete against us. It makes absolutely no sense.

Let me start by saying that if there wasn't a single illegal immigrant in the United States, we would still have to do immigration reform because the immigration system is broken. I am pleased this bill we have offered as a starting point reforms our legal immigration system in a very serious and profound way. It turns it into a merit-based system that takes into account skills, talents, and job opportunities. It creates a system where agriculture can get the workers into this country legally—by the way, workers who feed not just our families but the world. It allows our business community, in times of labor shortages where there is very low unemployment, to be able to provide for themselves the kind of guest and seasonal labor some industries depend upon but to do so in a legal way. These reforms are significant.

By the way, in the high-tech industry, where we are not graduating nearly enough people in the high-tech fields—science, engineering, technology, and math—shame on us as a country that more of our children are not graduating with the skills they need to do those jobs. We have to change that.

In the meantime there are thousands of jobs that are going overseas because we can't fill them here. These companies in the high-tech industry are creating these jobs, but then they are taking them somewhere else because that is where the workers are. It is pretty simple: They go to a university, they interview the students, they find someone they like, and if they can't hire them in the United States they will hire the same person in some other country. And that is terrible for America.

So this bill modernizes our illegal immigration system—something we would have to do even if there wasn't a single illegal immigrant in the United States.

Next, the bill actually enforces our laws. It begins by creating a universal entry-exit tracking system.

You may not know this, but 40 percent of the people who are illegally in the United States didn't come illegally. They came on a visa, on a permit, and then the permit expired and they stayed—40 percent. We have no idea who they are because we don't track people when they leave. We only track them when they come in. This bill will change that.

We all understand the magnet for illegal immigration. It is jobs. It is pretty simple: There is a supply of people willing to work, there is a supply of jobs on this side of the border we can't fill domestically, and those two are meeting. They are just not meeting legally.

This bill will require every employer in America to comply with E-Verify, to basically check the documents their workers are providing against the national data base that provides employment eligibility information. The next thing it does on enforcement is the border region—let me say this about the border. The border is not just about immigration. It is about national security. It is a national security risk. The border must be secured.

This bill requires the Department of Homeland Security to come up with not one but two plans—a border plan and a fencing plan—to achieve 100 percent ability to be aware of the entire border and 90 percent apprehension, that we apprehend 9 out of 10 people who are illegally crossing. We give the Department of Homeland Security 5 years to reach that goal.

If they do not reach the goal in 5 years, then the issue is turned over to a commission made up of State officials, local officials on the border to take care of the job themselves—and they will. If the Federal Government refuses to secure the border, the States of New Mexico and Texas and Arizona and California, through their Governors and their leaders, will finish the job.

The next thing this bill does is deal with the millions of people who are in this country in violation of our immigration laws. Let me begin by saying this: No one has a right to illegally immigrate to the United States. There is no legal right to be here illegally. As a sovereign country we have a right to enforce our immigration laws.

If we do something to accommodate those who are here illegally, we don't do it because we legally have to. We do it for two reasons: First, because it is in the best interest of our country. When we debate this immigration issue, we need to understand that when we talk about millions of illegal immigrants, this is not a theory, this is a reality; they are here now. We are not talking about bringing these people in; they are already here and they will be

here for the rest of their lives. So we have to deal with that reality. It is in our national interest to deal with that reality.

The second reason we are dealing with it is because that is who we are. We are a compassionate people. We are not going to deport 11 million people, so we have to deal with this. We believe we handled this in a very professional and effective way.

If there are people in this country illegally who entered here before December 2011, they have to present themselves. They will undergo a background check. If they have committed serious crimes in the U.S., they will be deported. If they have not, they will have to pay an application fee, a fine. They will have to start paying taxes, and they will receive a permit that will allow them to work in the United States and pay their taxes.

They will not qualify for any Federal benefits—no welfare, no ObamaCare, no food stamps—but they will have a chance to work and will no longer have to hide. They are going to have to remain in that system for 6 years, and then they have to go back and get their permit renewed. It is not a permanent grant of a temporary status; it is a temporary grant of a temporary status.

In 6 years they have to go back and apply again for this permit. When they reapply, not only do they have to pay another fine and another application fee, but they are going to have to prove they have been paying taxes the last 6 years and that they are gainfully employed in a way that means they are not going to wind up on public assistance.

If the border plans have been completed, if E-Verify is in place, if the entry-exist system is in place, assuming their permit is renewed, after 10 years has gone by, then the only thing that happens is they are given a chance to apply for a green card just like everybody else does, not a special process. They are at the back of the line. Everyone who applied before them legally goes first.

The only thing that happens after 10 years goes by and the border is secured, E-Verify is in place and the entry-exit system is in place, we don't give them anything. All they have now is the opportunity to apply for a green card.

By the way, during the first 5 years of a green card under existing law, people don't qualify for Federal benefits either. The point is, this is a reasonable way to deal with a real problem that faces our country.

The alternative is to do nothing, which leads me to one of the points that people are using, and we will be talking a lot about this issue. One of the arguments against this is how much money it is going to cost.

First of all, over the first 10 or 15 years, all these things about the fence and the things we are doing are paid

for in the bill. Beyond that, as far as the economy of the United States—a couple points.

First of all, we can't compare this bill to nothing. We have to compare it to what we have now, and what we have now is worse. What we have now is costing our economy. We have people in this country illegally. They get sick, they go to the emergency room, and the taxpayer pays for it.

We have people in this country who are having children who are U.S. citizens and they go to our schools; they are driving on our streets without a driver's license, which means they have no car insurance, which means all of us have to pay more in car insurance as a result. This is obviously not good for them, but it is not good for us.

What we have today is devastating and horrible for our economy. We can't continue to have this. We have to fix this problem, and we have to fix it in a way that is fair to the people who have done it the right way and fix it in a way that makes sure this never ever happens again. I believe the bill we are working on does that, and I look forward to the input that my colleagues have.

One more criticism I hear is that it is being rushed through. That is just not true. Just yesterday we voted on a series of amendments that I had less than 12 hours to review, and these amendments dealt with a fundamental right to Second Amendment constitutional rights. This bill has been online for 48 hours. The Committee on Judiciary would not even begin to consider amendments to this bill until next month. People are going to have 3 to 4 weeks to review it. It is posted on my Web site. People can go on there now and see it. It will be available all these weeks. Then it is going to go through an extensive committee process. Then it will be brought here, hopefully, to the floor of the Senate where we can debate it openly as well.

I am not claiming the bill is perfect. I am sure it can be improved, and I hope my 99 other colleagues will work hard to improve it because we have an opportunity to do something important.

My last point, and I address many of my fellow Americans who share my deep commitment to upholding the Constitution of the United States, to limiting the size and scope of government, to encouraging the free enterprise system as the best way to create economic opportunity. America is a nation of immigrants, but both Republicans and Democrats have failed to enforce our immigration laws and, as a result, we have millions of people here illegally. We are not going to deport them. So let's secure the border and let's identify these people. Let's have them undergo a background check, get in the back of the line, pay a fine, and pay taxes. No Federal benefits.

We all wish we didn't have this problem, but leaving it the way it is is amnesties. We have to solve this problem, and I hope we will.

Madam President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLOODING IN ILLINOIS

Mr. DURBIN. Madam President, I want to draw attention to the major flooding going on in Illinois at this moment, particularly in Chicago and its suburbs but not exclusively. It is affecting downstate as well.

Hundreds of families have been evacuated from their homes, and more than 30,000 people are without power and we are experiencing a major storm. The Rock, Fox, DuPage, Illinois, and Mississippi Rivers have overtopped their banks, damaging hundreds, if not thousands, of homes and businesses. Several levees are near the breaking point.

In many areas, the flooding is so bad it exceeds what we saw during the major floods in 2008 and in 1987. The ground is so saturated that a sinkhole in Chicago swallowed three cars this morning, and Libertyville High School has sunk a foot into the muddy soil.

More than 300 flights have been cancelled out of O'Hare and Midway Airports, and hundreds of schools in and around Chicago were closed today because of dangerously high water.

People along the Des Plaines and Fox Rivers in Grundy, Kane, and LaSalle Counties have been evacuated—and the evacuations are ongoing.

More than 30 major roads in northeastern Illinois are closed due to flooding. Heavy rain has completely filled the large underground flood control system known as the Deep Tunnel in Chicago. This project was designed to handle sewer backup problems and water pollution in Cook County. The Chicago River has swelled by 6 feet, triggering locks to open and for the flow to be reversed back to Lake Michigan.

For the first time in recent memory, the DuPage County government is shut down because of flooding. All county government buildings, including the health department, are closed. Governor Patrick Quinn has issued a state of emergency for the entire State of Illinois. National Guardsmen are on hand helping to evacuate people and monitor water levels and road closures. First responders are supplying sandbags, pumps, life vests, generators, and other supplies along the threatened riverbanks. Sandbagging operations are ongoing in Boone, DeKalb, Grundy, Kane, McHenry, and Will Counties.

My office is in close contact with Mayor Nicholas Helmer of Prospect Heights—where many people have been evacuated. We are also working with Mayor-elect Matthew Bogusz and the interim mayor, Mark Walsten of the city of Des Plaines. They are working hard to make sure the communities are safe.

Communities all along the Mississippi River and the western part of the State could be next in the flooding. Water is already rising in Quincy and the Quad Cities, and communities downstate—such as East St. Louis and Cairo—could see major flooding this weekend as storm runoff from up north works its way south.

My colleague Senator MARK KIRK and I are ready to help the affected communities in any way. We have cosigned a letter to the Governor to put in writing what we have said orally: We stand prepared to work with all of the Federal agencies available to help our State during this flooding challenge.

We understand they are doing everything possible at the local level. If the situation continues to worsen, there may be need for Federal assistance. Senator KIRK and I will work together on a bipartisan basis to make sure it is there. My thoughts are with the people and families affected by floodwaters in Illinois, especially those who had to leave their homes. I am particularly grateful for the people who are working around the clock to control these rivers. I have spoken to John Monken, Director of the Illinois Emergency Management Agency, and am monitoring the efforts on a minute-by-minute basis. I will continue to work with Federal, State, and local officials to make sure vital resources are made available for the flood control effort.

Madam President, a short time ago there was a press conference that was historic in nature. Eight Senators, four Democrats and four Republicans, came together to announce the introduction of an immigration bill. It is a bill we have worked on for months. The four Senators on the Democratic side are Senator SCHUMER, Senator MENENDEZ, Senator BENNET of Colorado, and myself; on the Republican side, Senator MCCAIN, Senator LINDSEY GRAHAM, Senator JEFF FLAKE of Arizona, Senator MARCO RUBIO of Florida.

When you put the eight of us in a room you have the full political spectrum in the Senate. But we decided as a group to try to do our best to write a law to deal with the immigration challenge in America. It is a substantial challenge. America's immigration system is badly, badly broken. I say that because we estimate there are 11 million people living in this country who are undocumented. They are people who get up and go to work every day. They may have picked the fruits you put on your cereal this morning. They could be cleaning your room in

the hotel you stopped in in Chicago. They could be taking care of your mother in the nursing home this evening. They are spread across the economy. They are hard-working people. Most immigrants are. But they are undocumented. They have no country. About half of them are here because they came judicially as visitors or college students and they stayed. They are here illegally, there is no question about it. They are undocumented. The question we asked ourselves over and over for the last many years is, What are we going to do?

In the last Presidential campaign, Governor Romney said they should self-deport themselves, they should leave. That is not going to happen. It may be good campaign rhetoric but it doesn't reflect reality. What you find when you get to know the undocumented is they do not live in houses filled with undocumented people. It is not uncommon to find that dad is a citizen, the children were born here and they are citizens, it is mom who is undocumented. These stories are repeated over and over.

So the eight of us sat down and said: What are we going to do to deal with this and what are we going to do to deal with the problem this creates in the economy? Here is what it is. It is not a matter of 11 million people working in the economy undocumented. It is the fact that they end up taking jobs and being paid the lowest possible wages, so their work depresses wages.

In addition, in most cases—many cases, I should say—they are being paid in cash. Their employers are not paying into unemployment, workers compensation, Social Security, Medicare. They are off the books. That doesn't help our country if they are not paying taxes and if their wages are so cheap and so low it hurts the jobs of American workers.

In addition, many of these workers are mistreated. It is not unusual for me to hear that in Chicago a group of workers worked a whole week and then their boss said: Oh, the money didn't come through. We are not going to pay you. What are they supposed to do, call the police? Go to court? They are undocumented. There are abuses that take place when it comes to these workers and it does not help the overall economy.

There are other issues as well. About 12 years ago I got a phone call in my office from the Merit Music Program in Chicago, which offers to kids, low-income-family kids, musical instruments and instruction. And 100 percent of these kids end up going to college. One of them, Tereza Lee, was Korean and very good playing the concert piano. She was accepted at Julliard and the Manhattan Conservatory of Music, which was amazing. She came from such a poor family that many times she would go to school and go through

the trash basket to find uneaten food to try to get through the day. But, boy, was she good at a piano, and it was recognized. When she went to fill out the application to go to school there was a box that said nationality, citizenship. She said to mom, What do I put here? Her mom said, I don't know. We brought you in on a visitors visa at the age of 2 and we never did anything. So she said we better call DURBIN's office. They called my office and we checked into it. The law is very clear. She is not documented, she is not a citizen, and she needs to leave America for 10 years and see if she can get back in, get a green card to come back—10 years. This girl was 18 years old. She had never done anything wrong. She came here at the age of 2.

I put in this bill called the DREAM Act and it said if you, like Tereza Lee, came here, no fault of your own, no criminal record, finished high school, we will give you a chance. Go to college, enlist in the military, and we will let you become a citizen someday soon.

The DREAM Act has been out there for 12 years and didn't pass but we still have hundreds of thousands of these young people. Half a million of them have signed up under the President's Executive order not to be deported if they are eligible for the DREAM Act. There are many more out there. That is one of the unresolved issues in our immigration system. I could go on and give you volumes of problems with the current immigration system in America.

We decided to sit down and do something about it. In the first meeting we had, the Republican Senators, Senator MCCAIN, Senator FLAKE from Arizona, as well as Senator GRAHAM and Senator RUBIO, said the first item on the agenda: Fix the border. It does us no good to deal with immigration problems within the country if we do not deal with the flow of people into the country.

The border is strong today, stronger than it has ever been in 40 years. But there are weaker parts. There are about nine different sections of our southern border and about three of them are problematic. Six are pretty strong. So we agreed, let's make sure the nine sections of the border have the investment they need to be as strong as possible. Then let's do more. Let's create a computer system, expand the one we have called E-Verify so if you go to apply for a job in America and you are asked to show a picture ID, such as your driver's license, the employer can enter the information into a computer right at work and up pops a picture which should match your picture on the license. If it matches, you can be employed; you are here legally. If it does not match, there is a question, you may not be employed. So E-

Verify will make sure that in the workplace you have to be part of the system. You have to be registered in America.

The third element involves visitors visas. We give a lot of people an opportunity to visit this great country from all over the world. Some of them never go home and we don't know it. We know they came in; we check that. But we don't know if they ever left. We are finally going to finish that system so we know, we have information collected not only when they enter, when they leave, and if they overstay, we can go after them. So those things which we debated and included in our immigration bill deal with the draw of people into America, the border, employment, visitors visas.

Then we asked, what to do with the 11 million people? What to do realistically and honestly. Here is what we suggested in the bipartisan bill we have introduced. We said first you have to step forward and register with the government. You have lived in the shadows. You have always feared a knock on the door and deportation. Now come forward. If you come forward and register, we will put you through a criminal background check. If you have a serious crime in your background, you are finished, we don't want you, goodbye. If you do not, we will go forward. We will give you a chance to register with the government, pay your taxes, pay a fine, make it clear you are learning English and working in America. If you do that, you can stay here legally and you can work here legally. You can even travel outside the country legally and come back. It is a provisional recognition of an opportunity for legalization. At the end of 10 years, after you paid the fines, after you have been reviewed on a regular basis, you will have a chance to get a green card and move toward citizenship over a 3-year period of time.

This is basically the system, a system that strengthens the border and creates a pathway to citizenship for 11 million people. And, as far as the DREAM Act I mentioned earlier, this is the strongest version of the DREAM Act of any I have introduced, any I have proposed on the floor of the Senate in the last 12 years. It is going to give these young people a chance.

There was a young woman here at the press conference named Tolu Olubumai. She was born in Nigeria. She came here at an early age and went through high school and then went through college. She received a chemical engineering degree from a prestigious Virginia university. That was 10 years ago. She has never been able to work 1 day as an engineer, despite her talent, because she can't get licensed. She is undocumented. She deserved a chance. She will get a chance under this bill, under the DREAM Act, as she should.

I can go through stories—I have told about 54 different ones on the floor of the Senate—of young people in her circumstances, came here as kids, knew no other country. As BOB MENENDEZ often says, pledged allegiance to the flag every day in the classroom, only knows our national anthem. They have no country. They will have a chance because of this bill.

There are other parts of this bill that are important too. When it comes to employment, the first rule I insisted on, we all insisted on, was that any job opening had to be offered to an American worker first. That is in every part of this bill, because we still have people unemployed and they should have first priority on any job opening. But if the job can't be filled—and let's be honest, some of these jobs Americans are not standing in line for, particularly agricultural workers, backbreaking work of picking fruits and vegetables. There are many of these jobs that will go unfilled unless migrant workers, for example, agricultural workers, come to fill them. So what we say is basically offer the job to an American first at a wage that is the prevailing wage, average wage in the industry. If it goes unfilled, then a foreign worker has an opportunity—only if the unemployment rate in this country or in the region where the person works is below 8.5 percent. So we want to make sure American workers have the first chance.

Then what to do about the extraordinarily educated and talented people who can make a difference in the American economy? It was 6 or 8 years ago when I spoke to the Illinois Institute of Technology commencement. It was at the Chicago Theater on State Street in the city of Chicago. It was a happy day. All of these graduates from the prestigious Institute of Technology were getting their chance. They went through the baccalaureate degrees and they were pretty diverse. But then, when they got into the advanced degrees, the master's degrees and Ph.D.s, it took a little longer because it was tough to pronounce all of the names from the South Asian continent, India and places nearby. These are graduates, foreign students, admitted in the United States, trained in the United States, receiving their degrees from this prestigious institution, and the next thing we did after handing them their diploma is, figuratively, gave them a roadmap to show them how to leave America, to take their talents and everything they learned to go someplace else to compete with American business.

We are going to change that. If foreign students come here and are educated here and have skills we need in our economy and can help create jobs and grow our businesses, we are going to give them that chance with a green card. That makes sense. They can ex-

pand the economy. Some of the major high-tech corporations in America today were actually created by immigrants to this country who came here because they loved the freedom, the opportunity no other country can offer. We have to give more just like them a chance to build tomorrow's Intel, tomorrow's Google, and they will do it and create American jobs in the process.

We want the United States to be a magnet for this kind of job creation. We also want the United States to have more homegrown engineers ourselves. MARIA CANTWELL brought this up at our Senate luncheon this afternoon and I told her it was an issue I felt strongly about, not only making sure we have the talent we need but that we grow the talent we need—improve our schools, focus on the STEM subjects—science, technology, engineering, mathematics—and bring more American students to the point where they can make a good living using those skills. That is part of our responsibility as well.

There are many aspects to this bill, immigration reform, that will come tomorrow before the Senate Judiciary Committee. I will be there. We will be having a hearing to discuss it on Friday, then again on Monday. Then soon after, after we come back from our break in the first part of May, we will have an actual markup of the bill in the Senate Judiciary Committee.

The bill has been filed now. It is available for everyone to read. We are not trying to push anything through in a hurry. It will be discussed, debated, and amendments will be offered in the committee and on the floor, as they should be. At the end of the day, it gives us a chance to make sure we fix this broken immigration system in this country.

I come to this debate with some personal history. It was in 1911 when my mother was carried off a ship in the Baltimore Harbor. My grandmother, whom I never met, brought my mother and her brother and sister over from Lithuania. They were immigrants to America in 1911. Somehow or another—although they could not speak English—they found the right train, the Baltimore and Ohio Railroad, and took that train to St. Louis.

They got off the train when they came to a town called East St. Louis, IL, where my grandfather was waiting. That immigrant family made a home there, and that is where I was born and grew up.

My mother was an immigrant to this country, a naturalized citizen, and I am first-generation American. I am blessed to be standing on the floor of the Senate. That is my story, that is my family, but that is also the American story. Every single one of us has a version of that story. It may not be your parents or grandparents, but go

back far enough and you will find a story just like that in your back-ground.

I said many times on the floor of the Senate that I had the good fortune to go back to my mother's village in Lithuania, Jurbaricas, which is near Kaunas. My mother never made it back to her village.

When I got there, I asked the people in that village what was left from the time my mother was there in 1911. They said the Catholic Church where she was baptized was still there as well as an old well in the center of town that everybody used for water. They said, your family must have used it.

I took a look at the old well, and I could not even pick it out now because of all the traffic circles around it and everything. I thought about that moment when my grandparents said to their relatives and friends: We have an announcement. We are leaving. We are picking up everybody and going to America. We are going to a place called East St. Louis, IL, because there are some Lithuanians there from this area who found work.

Stanley Yochiss, who was the pharmacist and druggist in that area, was kind of like the Godfather. People who didn't trust the local banks would leave their money with Stanley. The Lithuanian community, similar to many communities, worked the toughest jobs in the packing houses, steel mills, and jobs such as that.

I often thought about that meeting my grandparents had when they called in their relatives and friends and what might have happened afterward when they left. As they were walking away from my grandparents' home, I bet one of them said to the other: Can you believe this? The Kuticaite family is leaving. They are going to America. They don't even speak English. They are leaving their home, their church, all their relatives and friends, the dog, the cat, and chickens. They are all leaving. They will be back. This will not work. They never looked back.

Repeat that story millions of times and we have the story of America. We have the story of people who came to this country and have somewhere deep in their DNA this appetite and thirst for a better life. They were willing to risk everything for it to get to this country, and it still happens.

We hear about people walking across the desert on their way to America and dying in Arizona and Texas. We hear of all the dangerous things they do to get to this country. That is what is great about America and that is what is great about Americans and what is in our DNA as a people. We should never forget how important immigration is to us. Those who criticize immigrants have forgotten where they came from. Those who criticize immigrants don't realize the diversity of America, the talent of America, the drive of America

is all about immigration. We have to control it. We have to make sure it is done legally and done in a systematic way. We cannot absorb everybody who wants to come here. But by bringing in new blood to America, we revitalize the American dream every single generation.

This bill is an important one. We have not done anything to immigration in 25 years, and it shows. We have a mess in this country, and it is time to straighten it out.

Eight Senators produced a bill—four Democrats, four Republicans. I think the bill is balanced and should be debated and considered. I hope it passes. I hope the day comes soon when it is signed into law by the President, who fully supports comprehensive immigration reform.

I said today at the press conference that I want to be at at least one of the naturalization ceremonies when my DREAMers get a chance to become part of the only country they have ever called home. They are going to make this a better and stronger nation, and they are part of our citizenry.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CELEBRATING U.S. AIR FORCE RESERVE 65TH BIRTHDAY

Mr. CHAMBLISS. Mr. President, this year marks the 65th anniversary of the Air Force Reserve, created by President Harry S. Truman on April 14, 1948.

Since the founding of the United States, citizens have answered the call to arms, accomplished their mission with professionalism and honor, and returned to their civilian lives to await the next call to serve.

Truman envisioned a new Reserve component to continue this tradition of service—being ready when called upon—that was founded by the Army Air Service reservists of the First World War who flew wood and canvas bi-planes.

The forerunner of our modern Air Force Reserve was authorized by the National Defense Act of 1916. Today, Air Force reservists, known as citizen airmen, perform leading roles in military operations, humanitarian crises, and disaster relief around the globe. The Air Force Reserve consists of officers, enlisted, and civil servants who

are tasked by law to fill the needs of the Armed Forces wherever necessary. More than 860,000 people make up the Ready, Standby, Retired, and Active-Duty Retired Reserve. This includes 70,000 selected reservists who are ready now and serve on the frontlines of daily military operations around the globe.

The creation of the Air Force Reserve followed the birth of the Air Force itself by about 7 months earlier on September 18, 1947. The newly created Air Force had gained its independence from the Army, tracing its roots back to the Aeronautical Division of the U.S. Army's Office of the Chief Signal Officer, which took charge of military balloons and air machines in 1907.

Ten years later the first two Air Reserve units were mobilized, and one of them, the first Aero Reserve Squadron from Mineola, NY, deployed to France as the United States entered World War I in 1917. The new Air Service Reserve program provided the war effort with about 10,000 pilots who had graduated from civilian and military flying schools.

Later, reservists played a critical role in World War II when 1,500 Reserve pilots, along with 1,300 nonrated officers and 400 enlisted airmen, augmented the Army Air Corps in the war's early days. This included the legendary Jimmy Doolittle, who was ordered to Active Duty to work in Detroit to convert automobile manufacturing plants into aircraft factories and later went on to lead Doolittle's Raiders, the first American bombing attack on the Japanese mainland.

After World War II ended, the young Air Force Reserve was barely 2 years old when it mobilized nearly 147,000 reservists for the Korean War.

In the 1960s five Air Force Reserve C-124 aircraft units, along with 5,613 reservists, were mobilized for a year to support the Berlin crisis. By 1962 an additional mobilization of 14,220 reservists and 422 aircraft were supporting operations during the Cuban missile crisis.

During the Vietnam War, the Air Force Reserve provided strategic airlift as well as counterinsurgency, close air support, tactical mobility, interdiction, rescue and recovery, intelligence, medical, maintenance, aerial port and air superiority until U.S. involvement ended in 1973.

As our Nation entered a period of peace for the next few years, the Air Force Reserve periodically engaged in emergency response missions. This included the rescue of American students from Grenada in 1983, aerial refueling of strike aircraft conducting the raid on Libya in 1986, and operations to oust Panamanian dictator Manuel Noriega in 1989 through 1990. Air Force reservists also supported humanitarian and disaster relief efforts, including resupply and evacuation missions in the aftermath of Hurricane Hugo in 1989.

All the while, they stood ready to answer the call to arms as our Nation entered the final days of the Cold War.

More than 23 years of continuous combat operations began with Operation Desert Shield in response to Saddam Hussein's invasion of Kuwait in 1990. In the aftermath of coalition victory, Air Force reservists continued to enforce no-fly zones over northern and southern Iraq while also performing humanitarian relief missions to assist displaced Iraqi Kurds.

In 1993 Air Force Reserve tanker, mobility, and fighter units began operations in Bosnia, and in 1999 they were also supporting Operation Allied Force over Serbia and Kosovo.

When terrorists attacked the United States on September 11, 2001, Air Force reservists responded in full force. Air Force Reserve F-16 fighter airplanes flew combat air patrols to protect American cities, while KC-135 tankers and AWACS aircraft supported security efforts.

In October 2001 Operation Enduring Freedom began as U.S. military forces entered Afghanistan to combat the Taliban and terrorist sanctuaries. In March 2003 Operation Iraqi Freedom began in order to end Saddam Hussein's regime. Air Force Reserve units and reservists played key roles in all combat operations as Air Force Reserve MC-130 Combat Talon aircraft became the first fixed-wing aircraft to penetrate Afghan airspace while Air Force Reserve F-16 crews performed the first combat missions.

In recent years citizen airmen have supported every Air Force core function and every combatant commander around the world. Air Force reservists were engaged in surge operations in Iraq and Afghanistan. They supported combat and humanitarian missions in Haiti, Libya, Japan, Mali, and the Horn of Africa. Also, they provided national disaster relief at home in the United States after Hurricanes Katrina and Sandy, the gulf oil spill, and the wildfires in the Western States.

Throughout their history, citizen airmen have volunteered unconditionally, demonstrating without fail that they were ready when needed. Since inception in 1948, the Air Force Reserve has evolved from a unit-mobilization-only force into an operational reserve that participates in missions around the globe. From its headquarters at Robins Air Force Base in my home State of Georgia, the Air Force Reserve serves with distinction to provide for our national security on a daily basis. Spanning 6½ decades—with the last 2 decades of continuous combat—the Air Force Reserve has fulfilled the promise of early air pioneers and exceeded the potential foretold by the visionaries who created it.

Congratulations to all citizen airmen, past, present, and future, on the 65th anniversary of the U.S. Air Force Reserve.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

BIG SKY HONOR FLIGHT

Mr. TESTER. Mr. President, on April 21, 88 World War II veterans from Montana will be visiting our Nation's Capital.

With a great deal of honor and respect, I extend a hearty Montana welcome to each and every one of them. Together they will visit the World War II Memorial and share stories about their service. This journey will no doubt bring about a lot of memories, and I hope it will give them a deep sense of pride as well.

What they achieved together seven decades ago was remarkable. The memorial is a testament to the fact a grateful nation will never forget what they did or what they sacrificed. To us, they are the "greatest generation." They left the comforts of their family and their communities to confront evil from Iwo Jima to Bastogne.

Together they won the war in the Pacific by defeating an empire and liberating the continent by destroying Hitler and the Nazis. To them, they were simply doing their jobs. They enlisted in unprecedented numbers to defend our freedoms and our values. They represented the very best of us and made us proud. From a young age, I remember playing the bugle at the memorial services of veterans of the first two World Wars. It instilled in me a profound sense of respect which will be with me forever.

Honoring the service of every generation of American veterans is a Montana value. I deeply appreciate the work of the Big Sky Honor Flight, the nonprofit organization which made this trip possible.

To the World War II veterans making the trip, I salute you and welcome you to our Nation's Capital. We will always be grateful, and we will never forget your service or your sacrifice.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask to speak as in morning business for up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAIR MINIMUM WAGE ACT

Mr. BROWN. Seventy-five years ago, President Roosevelt signed the Fair Labor Standards Act. This legislation, proposed by Senator Hugo Black in 1932, ultimately ensured American workers would receive a minimum wage, reasonable work hours, and an end to child labor.

President Roosevelt led our country out of the worst economic climate we have ever faced. He led us to decades of prosperity by ensuring hard work in our Nation is met with two fundamental American rights—fair wages and decent working conditions.

In the 20th century, the minimum wage lifted millions of Americans from poverty and allowed them to begin the step toward joining the middle class. In the 21st century a fair livable minimum wage can continue moving our country forward.

Even as corporate executives and Wall Street banks are earning record profits, too many families are struggling. Americans who work hard and play by the rules should be able to take care of their families. Too many people in my home State, in places such as Youngstown, Lorain, Portsmouth, and Norwood are working harder than ever and barely getting by.

Nearly 1.3 million Ohioans in places such as Chillicothe and Mansfield work in a minimum wage job. Working full time in a minimum wage job in Ohio pays about \$16,000 per year because our minimum wage is a bit higher. The Federal minimum wage today pays only \$15,000 per year, \$3,000 below the poverty level for a family of three.

It is not much to live on for families trying to put food on the table, fill a gas tank, send their children to school or provide a safe place for them to live. The minimum wage in this country should be a livable wage.

This is why I am fighting to pass the Fair Minimum Wage Act. It would raise the minimum wage to \$10.10 an hour in three 95-cent increments, then provide for automatic annual increases linked to changes in the cost of living.

The bill would also gradually raise the minimum wage for tipped workers for the first time in 20 years. The tip minimum wage now stands at \$2.13 an hour. This bill would increase it to 70 percent of the regular minimum wage.

More than 1.2 million people in Ohio would receive a raise because of our bill. Millions of people around the country in places such as Helena, Butte, and Billings would have an increase in their standard of living.

The vast majority of minimum wage earners, despite what some in this body say—some 88 percent—are adult workers. They are not 16- and 17-year-old high school students. They are 18 and above, with many of them supporting families. More than half are women.

Eighteen million children, nearly one-quarter of all American children, have parents who would receive a raise. Over the past 2 weeks, I have met with people in my home State who earn low wages, and I listened to their stories.

Ms. Walter, a server from Youngstown in northeast Ohio, struggled to raise three boys as a single mother.

Ms. Day, a cake decorator from Bowling Green, works two jobs because the salary of one isn't enough to provide for her two children. She says she doesn't need a lot but just a little more.

This bill matters. It matters for the grandmother who works an evening shift at a restaurant to enable her to care for her grandchildren during the day. It matters for the elder care worker who takes two buses to work, and it matters for all of the working-class families who work hard and play by the rules. It is not only about the families who will be directly affected.

Increasing the minimum wage to \$10.10 per hour will also help the economy. It will increase GDP by more than \$30 billion over the course of 3 years as workers spend their raises in local businesses and communities. Opponents to the increase in minimum wage say people will not hire; it will cost jobs.

It is actually the opposite. This economic activity created by more spending in communities as a result of more money in minimum wage earners' pockets would generate 140,000 new jobs over these 3 years. This is why business owners support raising the minimum wage.

The owners of Brothers Printing and Synergistic Systems in the Cleveland area both pay their workers more than the minimum wage. It means they have less turnover. It means their workers have a better standard of living, and it helps their community. They do this because it is the right thing to do. It helps them keep their best employees and strengthens their businesses and their commitment. Plain and simple, ensuring a fair wage is good for America's families. It is good for America's economy.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I ask unanimous consent the mandatory quorum under rule XXII be waived with respect to the cloture motion on the motion to proceed to calendar No. 41, S. 743, and that the vote on the motion to invoke cloture on the motion to proceed occur at 5:30 p.m., Monday, April 22, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING MAYOR BOB BUTLER

Mr. DURBIN. Mr. President, fifty years ago, when Bob Butler was sworn in as mayor of Marion, IL, the town was literally on fire.

Just outside city hall, one of the largest fires in the city's history was raging.

It may not have been, as Mayor Butler has described it, an "auspicious" start. I will go a little farther and call it what it was: a baptism by fire. But through his five decades of thoughtful leadership, he has always been devoted to the city he loves and has never stopped working to improve the lives of its residents.

During his time as mayor, the local population has increased, area businesses have grown, and the economy has expanded.

And along the way, some have reported, Bob Butler became the longest-serving currently active mayor in America.

After first being elected, a fire wasn't the only problem he had to deal with; he also had to dig the city out of financial trouble.

Under Mayor Butler's guidance, Marion got itself back in the black and began building a platform to allow for future growth.

And then, a few years later, another disaster hit. A tornado tore through the city, killing 10 and injuring hundreds including the Mayor and leaving tens of millions of dollars of damage.

After crawling out of his car, which had been thrown 300 feet and turned upside down, Mayor Butler showed the sort of resilience we don't see much anymore and dove headfirst into recovery efforts.

His efforts, along with those of many others, helped lead to a boom in economic and residential development that we still see effects of today.

Without Mayor Butler's leadership, Marion would look very different than it does now. His touch can be seen on everything from the civic center to the city's businesses to the local minor league team, the Miners.

His leadership helped guide Marion through many trying experiences, and the city's voters kept their faith in Bob Butler. He has served them well each and every year.

Despite all of his hard work and his clear record of results, Mayor Butler has always remained humble.

He may be mayor, but he always gives credit to the people of Marion for their city's success.

This week, the people of Marion gave some credit back to Mayor Butler.

They honored his five decades of good work with a life-size bronze statue at the site where that fire once raged so many years ago—in Tower Square, just across from city hall.

I extend my heartfelt congratulations to Mayor Butler and his family for this impressive achievement and wish him the best when he enters retirement at the end of this term.

TRIBUTE TO PASTOR JOSEPH R. JORDAN

Mr. LEVIN. Mr. President, in my hometown and in cities and towns across this country, houses of worship and the men and women who lead them care for the spiritual needs of our people. But they do more. They are pillars of neighborhoods. They minister to the sick in body or spirit. They feed the hungry. They help resolve the lamentable but all-too-human divisions in our communities.

This has been the role of Corinthian Baptist Church in Hamtramck, MI, and its pastor, the Rev. Dr. Joseph R. Jordan, who will in a few days be honored for leadership and community spirit. Under Pastor Jordan's leadership, Corinthian Baptist has been a rock for its community. Pastor Jordan is a thoughtful and respected shepherd of his flock. He and the church are actively engaged in community service, helping to fight hunger and sickness in Hamtramck and Detroit. His service and leadership include serving on the board of trustees of Henry Ford Health System, one of the Nation's largest medical service providers.

Pastor Jordan has been a tireless seeker of justice. Nothing exemplifies this better than his long years of work and advocacy to help resolve a housing discrimination case that dates back to the 1960s, the resolution of which has taken decades. Pastor Jordan and others never gave up on their community or on the idea of justice, and thanks to the hard work of many, and despite significant challenges, the case has been resolved.

I should note that I am among the many who have benefitted from Pastor Jordan's wisdom and leadership. Over the years, I have valued his friendship and his counsel. And so I am pleased that the city of Hamtramck will, on April 28, rename a section of Caniff Street, including the block on which Corinthian Baptist sits. It will be known as Rev. Dr. Joseph R. Jordan Street. I join Pastor Jordan's many friends in congratulating him for this honor, and I personally thank him for his decades of service to his church and his community.

WORLD WAR II VETERANS VISIT

Mr. BAUCUS. Mr. President, I rise to recognize a very important event that will be occurring this Sunday and Monday. About 90 World War II veterans from Montana will take part in the "Big Sky Honor Flight," and come to Washington, D.C. to visit their monument—the WWII Memorial.

Their trip is hosted by the Big Sky Honor Flight program. The mission is to recognize American Veterans for their sacrifices and achievements by flying them to Washington, D.C., to see their memorials at no cost. The program, which has already sent 184 Montana veterans to visit the memorials, is generously funded by businesses, student groups, and folks all across Montana.

These veterans come from all parts of our great State, and while they are in Washington, they will see the WWII Memorial and other monuments, enjoy a banquet honoring their service to the country, and fly home the next day.

This is a special two days for this group of heroes, but it is also a time to give thanks for the courage and sacrifice of all our veterans and servicemembers. It is a time to reflect on the sacrifices made by those who fought on the front in Europe, on the battlefields of Korea, in the jungles of Vietnam, the deserts of Iraq, and those who are currently fighting in the mountains of Afghanistan. We must not forget their sacrifices.

I am so pleased I will be able to meet with these courageous Montanans. I ask the Senate to join me in welcoming these heroes to our Nation's capital this weekend. They are:

Robert E Anderson, George P Ardelean, William Bakker, Lorraine F Blank, Roy Boettger, Charles E Brickman, Richard A Caruso, Edward B Campen, Roy F Cattrell, Robert W Cook, Donald P Culliton, Louis J Day, Roy S Dimond, Raymond V Drake, Marvin Duncan, Theodore E Eklund, Joseph Fahn, Everitt D Foust, Leo C Fowler, Robert M Frankforter, Colin Glasgow, Maurice Graham, Joseph Hartman, John Hepler, Rudolph Hergenrider, Russell S Hodge, Vance Holbrook, William C Howard, Amy Johnson, Robert C Johnston, Bruce D Jones, Jack Jurgens, Gertrude Kalan, Lester L Kath, Joseph C King III, Robert Kinyon, Gordon Kirkwood, Donald B Koeppen, Henry J Kornegay, Howard Largent, Raymond Leone, Robert L Lubbers, Pierre Mangen, Donald J Marshall, William Clayton, George R McMurray, Paul Milam, Irvin J Miller, William Mills, Richard Miner, Ruben F Oberlander, John M Richards, Ivory L Robinson, Gerald C Schlichenmayer, Kenneth Schneider, Ernest D Sells, Donald C Siers, George E Sexton, John St Germain, Paul Stengel, Harry K Stine, Myron J Stratton, Myron R Stutterheim, Kent T Swift, Margaret J Talmage, Everett V Tande, Agatha F Twist, James A Vick, Robert L Wagnitz, Robert E Willems, Andrew R Winter, William D Worth, Kenneth Baeth, Raymond A Bergstrom, James Kenaley, James J Bertrand, George A Moore, William Bug, Edgar E St John, Gordon P Slovarp, Donald Shay, Edmund M Bouchard, George L

Schuyler, Elizabeth Riley, Raymond J Rae, Ralph Stone.

DOOLITTLE TOKYO RAIDERS

Mr. BAUCUS. Mr. President, I rise today to recognize David J. Thatcher, a remarkable Montanan and American. On April 18, 1942, Thatcher was one of 80 Doolittle Raiders who carried out the first air raid on Japan during World War II. The unit was named for their commander, Lt. Col. Jimmy Doolittle, who planned and led the mission that dealt a devastating psychological blow to the Japanese Empire in the wake of the Pearl Harbor attacks.

I ask my colleagues in the Senate to join me in honoring Mr. Thatcher and his comrades for their heroic deeds, carried out 71 years ago today.

Staff Sergeant Thatcher was born on July 31, 1921 in Bridger, MT and entered the Army in December 1940. He volunteered for the secret mission that later became known as the Doolittle Raid and was assigned as an engineer/gunner to Crew 7 of the "Ruptured Duck."

On April 18, 1942, the Doolittle Raiders launched their B-25 bombers off the USS *Hornet* aircraft carrier, 250 miles further out than planned because they had been discovered by a Japanese fishing boat. During their approach to Tokyo, the crew of the "Ruptured Duck" spotted a formation of enemy planes, but because of their special training and unique flying tactics, the Japanese formation never detected the "Ruptured Duck." Crew 7 successfully bombed the Nippon Steel Factory in Tokyo.

Following their airstrikes, all 16 aircraft either ditched at sea or crash landed because they did not have enough fuel to make it to their intended landing sites on the Chinese mainland. The commander of Crew 7, LT T.W. Lawson, attempted to land the "Ruptured Duck" on a beach, but instead struck the water a quarter mile off the Chinese coastline. The crew was forced to swim to shore.

Staff Sergeant Thatcher, the only member of Crew 7 who was unharmed, cared for the injured until the Chinese arrived to help. Sadly, 11 Doolittle Raiders were killed or captured by the Japanese during the raid but, remarkably, 69 of them were eventually rescued.

Staff Sergeant Thatcher went on to serve in England and became an engineer/gunner on a B-26 for the invasion of North Africa. He was discharged from the service on July 11, 1945.

For his gallantry in action during the raid on Japan, he received the Silver Star. He was also awarded the Distinguished Flying Cross and the Air Medal with four Oak Leaf Clusters, along with the Chinese Army, Navy, and Air Corps Medal, Class A, 1st Grade.

Today, I would like to honor the four courageous Doolittle Raiders who remain with us: Richard E. Cole, Robert L. Hite, Edward J. Saylor and David J. Thatcher.

Let us also take a moment to honor the 76 others who have passed.

The success of the Doolittle Raid marked a turning point in the war. It provided a morale boost for the United States and it proved to the Japanese people that they were no longer invulnerable.

The Doolittle Raiders have earned a hallowed place in our American history, and today I commend Mr. Thatcher and his comrades for their courage and sacrifice.

TRIBUTE TO REAR ADMIRAL ROY A. NASH

Ms. LANDRIEU. Mr. President, today I ask my colleagues to join me in recognizing RADM Roy A. Nash, who will retire on May 2, 2013, as the Commander of the Eighth Coast Guard District of New Orleans.

Since graduating from the Coast Guard Academy in 1979, Rear Admiral Nash has served in a variety of operational and staff assignments during his 34 years of service. A few of his assignments during his years with the Coast Guard include serving as the Special Assistant to the Deputy Commandant for Operations, Deputy Director of the National Maritime Intelligence Center, Commander of the Coast Guard Sector Southeastern New England, Commanding Officer of the Coast Guard Marine Safety Center, and Commanding Officer of Marine Safety in Portland, ME.

Rear Admiral Nash will retire as the Commander of the Eighth Coast Guard District in New Orleans, where he was responsible for Coast Guard operations that span 26 States, including over 1,200 miles of coastline and 10,300 miles of inland waterways. Prior to this assignment, Rear Admiral Nash served as the Deputy Federal On-Scene Coordinator for the Deepwater Horizon oil spill response. In this capacity, Rear Admiral Nash joined more than 40,000 responders to provide needed relief for citizens, wildlife, and the environment. His outstanding leadership in these operations played an integral role in resolving the unparalleled problems posed by the ongoing spill.

Rear Admiral Nash's illustrious career includes many military decorations. Among them are the Legion of Merit, Coast Guard Meritorious Service Medal, Coast Guard Commendation Medal, and Coast Guard Achievement Medal. Rear Admiral Nash has been and continues to be an inspiration to all those who have been impacted by his tireless service.

It is with my greatest sincerity that I ask my colleagues to join me, along with Rear Admiral Nash's family, in

recognizing the hard work, dedication, and many accomplishments of this incredible leader.

ADDITIONAL STATEMENTS

TRIBUTE TO GERALDINE MITCHELL

• Mr. BROWN. Madam President, I rise to commemorate Geraldine Mitchell of Toledo, OH.

Ms. Mitchell saved a woman's life during her work day as a bus driver in Ohio's fourth most populous city. Every day, hundreds of Toledoans take public transit to work, to the doctor's office, to school.

As a driver for the Toledo Area Regional Transit Authority with some 16 years of experience, Ms. Mitchell keeps a watchful eye—for children chasing balls into the street, for passersby crossing busy roads in front of on-coming traffic. So, on an afternoon in March, Ms. Mitchell did not hesitate to act as she witnessed a woman attempting to commit suicide along the bus route. Ms. Mitchell immediately stopped her bus and ran to the woman's aid.

Bus passengers and Corey Bush, an off-duty police officer from a neighboring jurisdiction, also ran to help as Ms. Mitchell performed CPR to keep the woman alive before emergency responders arrived. According to the Toledo Police Department, the victim would have died if not for Ms. Mitchell's quick actions.

A police officer responding to the incident entered the woman's home and found a man unconscious. Both individuals were taken to Mercy St. Vincent Medical Center—and they are alive today.

Ms. Mitchell and her fellow citizens are heroes whose actions saved a life, potentially two. They didn't give any thought to their own safety. They did what many of us hope we would do by acting swiftly when a fellow citizen was in danger. Together, they exhibited the courage worthy of recognition here today. In addition to receiving the Toledo Police Department's Meritorious Public Service Award, it is my honor to commend Ms. Mitchell on the Senate Floor.●

RECOGNIZING NELA PARK

• Mr. BROWN. Mr. President, I rise in recognition of General Electric's famed Nela Park, which is celebrating its 100th Anniversary this year.

Nela Park was built in 1913, but its roots go back even further.

In 1879, American hero and one of Ohio's great luminaries, Thomas Edison, invented the carbon filament lamp. This invention led to the founding of Edison Electric, which in 1892 would merge with a competitor to become General Electric.

GE had many competitors by the turn of the century. When the National Electric Lamp Company, NELA, was acquired by GE, it prompted the development of Nela Park in East Cleveland. The 92 acre campus was completed 2 years later and was the world's first industrial park, another example of Ohio's leadership and trailblazing spirit.

Nela Park is famous for its Georgian Revival architecture and every year features a world-renowned Christmas lighting display, modeled after the lighting display in Washington, DC. By 1975, the park earned the recognition it deserved and was listed as a Historic Place in the U.S. Department of the Interior's National Register.

Today, Nela Park is the national headquarters of GE's Lighting & Electrical Institute and serves as a source of innovation and a testament to Ohio's manufacturing strength. In an age of environmental and efficiency conscientiousness, GE lighting still illuminates the world, advancing new technologies such as fluorescents and light-emitting diodes.

For more than a century GE has employed Ohioans—at all levels of the company—and has been a significant part of our State and our Nation's economy. I commend GE for its positive impact on Ohio, the United States, and the world.

I am proud that GE Lighting calls Ohio its home, and I look forward to its continued production and innovation in the Buckeye state.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:45 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 4(b) of the World War I Centennial Commission Act (Public Law 112-272), and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the World War I Centennial Commission: Colonel Thomas N. Moe, Retired, of Lancaster, Ohio.

The message also announced that pursuant to 14 U.S.C. 194, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the Board of Visitors to the United States Coast Guard Academy: Mr. COBLE of North Carolina, and Mr. COURTNEY of Connecticut.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1173. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's 51st Annual Report of the activities of the Federal Maritime Commission for fiscal year 2012; to the Committee on Commerce, Science, and Transportation.

EC-1174. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to recommendations of the Advisory Committee on Aviation Consumer Protection; to the Committee on Commerce, Science, and Transportation.

EC-1175. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a report relative to Amtrak's Executive Level 1 salary for 2012; to the Committee on Commerce, Science, and Transportation.

EC-1176. A communication from the Acting Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report entitled "Assistance Provided to Foreign Aviation Authorities for Fiscal Year 2012"; to the Committee on Commerce, Science, and Transportation.

EC-1177. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC584) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1178. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC585) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1179. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Accountability Measures for Species in the U.S. Caribbean" (RIN0648-XC574) received in the Office of the President of the Senate on April

10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1180. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC590) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1181. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 feet (18.3 meters) Length Overall Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC596) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1182. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic" (RIN0648-XC570) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1183. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program" (RIN0648-XC569) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1184. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Sector Exemptions; Final Rule Implementing a Targeted Acadian Redfish Fishery for Sector Vessels" (RIN0648-XC164) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1185. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Framework Adjustment 7" (RIN0648-BC72) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1186. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-BC75) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1187. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XC263) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1188. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustment to 2013 Annual Catch Limits" (RIN0648-XC318) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1189. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; Groundfish Retention Standard" (RIN0648-BA93) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1190. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; 2013 and 2014 Harvest Specifications for Groundfish" (RIN0648-XC311) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1191. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2013 and 2014 Harvest Specifications for Groundfish" (RIN0648-XC254) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1192. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western Pacific Fisheries; 2013 Annual Catch Limits and Accountability Measures" (RIN0648-XC351) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1193. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category Fishery" (RIN0648-XC506) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1194. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in

the Bering Sea and Aleutian Islands" (RIN0648-XC543) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1195. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Gulf of Mexico Reef Fish Fishery; 2013 Accountability Measure for Gulf of Mexico Commercial Gray Triggerfish" (RIN0648-XC510) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1196. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC552) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1197. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XC550) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1198. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XC536) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1199. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XC499) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1200. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XC522) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1201. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Accountability Measures for the Gulf of Mexico Commercial Greater Amberjack" (RIN0648-

XC467) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1202. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Group Resources of the South Atlantic; Golden Tilefish Trip Limit Adjustments" (RIN0648-XC529) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1203. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XC505) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1204. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XC502) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1205. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (RIN0648-XC553) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1206. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Transportation of Agricultural Commodities" (RIN2126-AB58) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1207. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" (RIN2120-AA64) (Docket No. FAA-2012-0085) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1208. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2012-0004) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1209. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; SFPD Training Safety Zone; San Francisco Bay, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0148)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1210. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Stuart Sailfish Regatta, Indian River; Stuart, FL" ((RIN1625-AA08) (Docket No. USCG-2012-0150)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1211. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0239)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1212. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0240)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1213. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0210)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1214. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0795)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1215. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0641)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1216. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1160)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1217. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1031)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1218. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0247)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1219. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Type Certification Procedures for Changed Products" ((RIN2120-AK19) (Docket No. FAA-2001-8994)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1220. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Activation of Ice Protection" ((RIN2120-AJ43) (Docket No. FAA-2009-0675)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1221. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (105); Amdt. No. 3525" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1222. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (57); Amdt. No. 3524" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1223. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Multiple Restricted Areas; Eglin AFB, FL" ((RIN2120-AA66) (FAA-2013-0178)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1224. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Unalakleet, AK" ((RIN2120-AA66)

(FAA-2012-0322)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1225. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class B Airspace; Atlanta, GA" ((RIN2120-AA66) (FAA-2011-1237)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1226. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Wilbur, WA" ((RIN2120-AA66) (FAA-2012-0768)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1227. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Morrisville, VT" ((RIN2120-AA66) (FAA-2012-0835)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1228. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Scammon Bay, AK" ((RIN2120-AA66) (FAA-2012-0121)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WYDEN for the Committee on Energy and Natural Resources.

*Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.

By Mr. LEAHY for the Committee on the Judiciary.

Karol Virginia Mason, of Georgia, to be an Assistant Attorney General.

Gregory Alan Phillips, of Wyoming, to be United States Circuit Judge for the Tenth Circuit.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself, Mr. FRANKEN, Mr. REED, and Mr. SANDERS):

S. 758. A bill to establish a comprehensive literacy program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. MORAN, Mr. TESTER, Mr. BEGICH, Ms. MIKULSKI, Mr. SANDERS, Mr. BLUMENTHAL, Mr. SCHATZ, Mrs. BOXER, Mr. BLUNT, Ms. COLLINS, Mr. LAUTENBERG, Mr. COONS, and Mr. ROBERTS):

S. 759. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. JOHNSON of Wisconsin):

S. 760. A bill to require the establishment of Federal customer service standards and to improve the service provided by Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 761. A bill to promote energy savings in residential and commercial buildings and industry, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE:

S. 762. A bill to amend the Food and Nutrition Act of 2008 to improve the supplemental nutrition assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS (for himself and Mr. MORAN):

S. 763. A bill to authorize States to enforce pipeline safety requirements related to wellbores at interstate storage facilities; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN:

S. 764. A bill to amend title XXVII of the Public Health Service Act to require the disclosure of information regarding how certain taxes and fees impact the amount of premiums, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. UDALL of Colorado, and Mr. HEINRICH):

S. 765. A bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON of South Dakota (for himself, Mr. ROBERTS, Mr. TESTER, Mr. CRAPO, Mr. JOHANNIS, and Mr. MORAN):

S. 766. A bill to amend section 520 of the Housing Act of 1949 to revise the census data and population requirements for areas to be considered as rural areas for purposes of such Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BARRASSO (for himself, Mr. ENZI, Mr. INHOFE, and Mr. ROBERTS):

S. 767. A bill to amend title II of the Social Security Act to provide for Congressional oversight and approval of totalization agreements; to the Committee on Finance.

By Mr. LEE (for himself, Mr. CRUZ, and Mr. PAUL):

S. 768. A bill to treat gold and silver coins used as legal tender in the same manner as United States currency for taxation purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Ms. STABENOW, Mr. UDALL of Colorado, Ms. WARREN, Mr. BENNET, Mr. REED, Mr. WHITEHOUSE, Mr. SANDERS, Mr. HARKIN, Mrs. BOXER, Mrs. MURRAY, and Mr. CARDIN):

S. 769. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 770. A bill to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 771. A bill to provide to the Secretary of the Interior a mechanism to cancel contracts for the sale of materials CA-20139 and CA-22901, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself, Mr. RUBIO, Ms. LANDRIEU, Mr. TESTER, Mr. CASEY, and Mr. VITTER):

S. 772. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself, Mr. CRAPO, Mr. HEINRICH, Mr. BENNET, Mr. UDALL of Colorado, and Mr. RISCH):

S. 773. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BLUNT, Mr. BURR, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. UDALL of Colorado, Mr. RISCH, Mr. ROBERTS, Ms. HIRONO, Mr. ROCKEFELLER, Mr. NELSON, Ms. COLLINS, Mr. KING, Mr. RUBIO, Mr. COBURN, Mr. COATS, Mr. WYDEN, Mr. HEINRICH, Mr. COCHRAN, Mr. DURBIN, Mr. MANCHIN, Mr. CARDIN, Mr. KAINE, and Mr. SCHATZ):

S.J. Res. 13. A joint resolution amending title 36, United States Code, to designate July 26 as United States Intelligence Professionals Day; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 102. A resolution expressing support for the designation of Saint Louis, Missouri, as the "National Chess Capital" of the United States to enhance awareness of the educational benefits of chess and to encourage schools and community centers to engage in chess programs to promote problem-

solving, critical thinking, spatial awareness, and goal setting; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. Res. 103. A resolution to authorize representation by the Senate Legal Counsel in the case of *Steve Schonberg v. Senator Mitch McConnell, et al*; considered and agreed to.

ADDITIONAL COSPONSORS

S. 200

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 200, a bill to amend title 38, United States Code, to authorize the interment in national cemeteries under the control of the National Cemetery Administration of individuals who served in combat support of the Armed Forces in the Kingdom of Laos between February 28, 1961, and May 15, 1975, and for other purposes.

S. 226

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 294

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 345

At the request of Mrs. SHAHEEN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 468

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 468, a bill to protect the health care and pension benefits of our nation's miners.

S. 475

At the request of Mr. HARKIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 475, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 603

At the request of Mr. BARRASSO, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 621

At the request of Mr. MANCHIN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 621, a bill to amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug.

S. 632

At the request of Mr. MCCAIN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 632, a bill to amend the Food, Conservation, and Energy Act of 2008 to repeal a duplicative program relating to inspection and grading of catfish.

S. 679

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 687

At the request of Mr. MORAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 707

At the request of Mr. REED, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 707, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 709

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 720

At the request of Mr. THUNE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 720, a bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 733

At the request of Mr. ALEXANDER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 733, a bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

S. 734

At the request of Mr. NELSON, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 741

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 741, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. 743

At the request of Mr. ENZI, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from South Dakota (Mr. JOHNSON), the Senator from Missouri (Mr. BLUNT), the Senator from Rhode Island (Mr. REED), the Senator from Tennessee (Mr. CORKER), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Maine (Ms. COLLINS), the Senator from Arkansas (Mr. PRYOR), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Mr. FRANKEN), the Senator from Maryland (Mr. CARDIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from West Virginia (Mr. MANCHIN), the Senator from Michigan (Mr. LEVIN), the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Maine (Mr. KING), the Senator from Colorado (Mr. UDALL), the Senator from Massachusetts (Mr. COWAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Delaware (Mr. CARPER), the Senator from Virginia (Mr. WARNER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 743, a bill to restore

States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. RES. 60

At the request of Mrs. BOXER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Mr. LEVIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 90

At the request of Mr. COONS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 90, a resolution standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts.

AMENDMENT NO. 72

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was withdrawn as a cosponsor of amendment No. 72 proposed to H.R. 933, "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013."

AMENDMENT NO. 733

At the request of Ms. STABENOW, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of amendment No. 733 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 764. A bill to amend title XXVII of the Public Health Service Act to require the disclosure of information regarding how certain taxes and fees impact the amount of premiums, and for

other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 764

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Patients' Right to Know Act of 2013".

SEC. 2. DISCLOSURE OF HEALTH INSURANCE INFORMATION TO CONSUMERS.

(a) IN GENERAL.—Section 2715 of the Public Health Service Act (42 U.S.C. 300gg-15) is amended by adding at the end the following new subsection:

"(h) DISCLOSURE OF HEALTH INSURANCE INFORMATION TO CONSUMERS.—

"(1) IN GENERAL.—A health insurance issuer or sponsor of a group health plan, through its annual summary of benefits and coverage explanation provided under subsection (d), through an Internet website, or through some other written means of communication with the consumer such as a printed mailing—

"(A) shall include the disclosure (effective for plan years beginning on or after January 1, 2016, and in addition to the information required to be disclosed under this section) of—

"(i) the applicable additional information relating to fees described in paragraph (2); and

"(ii) the applicable additional information included under paragraph (3)(D); and

"(B) shall not be subject to any administrative action by the Secretary or by a State authority with respect to any disclosure made on or after the date of the enactment of this subsection of such applicable additional information if the disclosure is made based upon a good faith estimates of such information and is in accordance with such standards as the Secretary may establish to carry out this subsection.

"(2) FEE INFORMATION.—The additional information described in this paragraph, with respect to a health insurance issuer issuing health insurance coverage in the individual, small, or large group market and with respect to the sponsor of a group health plan, is as follows:

"(A) FEE ON HEALTH INSURANCE PROVIDERS.—The annual fee on health insurance providers under section 9010 of the Patient Protection and Affordable Care Act (26 U.S.C. 4001 note).

"(B) PCORI TAX.—Fees imposed under subchapter B of chapter 34 of the Internal Revenue Code of 1986 (relating to funding the Patient-Centered Outcome Research Institute).

"(C) REINSURANCE CONTRIBUTIONS.—Reinsurance contributions required under section 1341(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18061(b)).

"(D) PROPOSED HEALTH INSURANCE EXCHANGE USER FEE.—Fees imposed on health plans relating to participation in an Exchange under subtitle D of title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18021 et seq.).

"(E) RISK CORRIDOR PAYMENTS.—Risk corridor payments required under section 1342(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 18062(b)(2)).

"(F) RISK ADJUSTMENT CHARGES.—Risk adjustment charges imposed under section

1343(a)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18063(a)(1)).

In the case of health insurance coverage, such costs may be calculated separately for such coverage in the individual market, in the small group market, and in the large group market for the health insurance issuer involved.

"(3) OTHER INFORMATION.—

"(A) STUDY.—The Comptroller General of the United States shall conduct a study of methods of calculating the impact on average premium costs associated with each of the following:

"(i) MARKET IMPACT OF GUARANTEED ISSUE AND COMMUNITY RATING.—The requirement for guaranteed issuance of coverage under section 2702 and community rated premiums under section 2701.

"(ii) AGE RATING IMPACT.—The requirement of section 2701(a)(1)(A)(iii) (relating to limitations on age rating).

"(iii) PREVENTIVE SERVICES.—The requirement for coverage of preventive services under section 2713.

"(iv) MINIMUM ESSENTIAL HEALTH BENEFITS COVERAGE.—The requirement that coverage provide for at least 60 percent of the actuarial value of essential health benefits under section 1302(d) of the Patient Protection and Affordable Care Act. (42 U.S.C. 18022(d)).

"(B) CONSULTATION.—In conducting such study, the Comptroller General shall consult with health insurance issuers and State health insurance commissioners.

"(C) REPORT.—Not later than October 1, 2014, the Comptroller General shall submit to each House of Congress and the Secretary a report on the study conducted under subparagraph (A).

"(D) INCLUSION OF ADDITIONAL INFORMATION.—After submission of such report, the Secretary may also include in the information required to be disclosed under paragraph (1)(A)(ii) information on the impact on premiums of each of the requirements described in subparagraph (A).

"(4) RETENTION OF STATE RATE SETTING AUTHORITY.—Nothing in this subsection shall be construed to preempt State authority to regulate, reject, alter, or require additional information in support of rates for health insurance coverage or oversight authority of the Secretary.

"(5) DISCLOSURE TO THE GENERAL PUBLIC.—The Secretary shall make the information provided by a health insurance issuer or sponsor of a group health plan as specified in paragraph (2) and additional information included under paragraph (3)(D) available to the general public through an Internet website. In addition, such website shall include information provided in the report submitted under paragraph (3)(A)."

By Mr. DURBIN (for himself, Ms. STABENOW, Mr. UDALL of Colorado, Ms. WARREN, Mr. BENNET, Mr. REED, Mr. WHITEHOUSE, Mr. SANDERS, Mr. HARKIN, Mrs. BOXER, Mrs. MURRAY, and Mr. CARDIN):

S. 769. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I rise today to introduce America's Red Rock

Wilderness Act of 2013. This legislation continues our commitment to preserve natural resources in this country.

America's Red Rock Wilderness Act will designate as wilderness some of our Nation's most remarkable, but currently unprotected public lands. Bureau of Land Management, BLM, lands in Utah harbor some of the largest and most remarkable roadless desert areas anywhere in the world. Included in the 9.2 million acres I seek to protect are well known landscapes, such as the Grand Staircase-Escalante National Monument, and lesser known areas just outside Zion National Park, Canyonlands National Park, and Arches National Park. Together this wild landscape offers spectacular vistas of rare rock formations, canyons and desert lands, important archaeological sites, and habitat for rare plant and animal species.

I have visited many of the areas this act would designate as wilderness. I can tell you that the natural beauty of these landscapes is a compelling reason for Congress to grant these lands wilderness protection. I have the honor of introducing legislation first introduced by my friend and former colleague in the House of Representatives, Wayne Owens. As a member of the Utah delegation, Congressman Owens pioneered the Congressional effort to protect Utah's red rock wilderness. He did this with broad public support, which still exists not only in Utah, but in all corners of the Nation.

The wilderness designated in this bill was chosen based on more than 20 years of meticulous research and surveying. Volunteers have taken inventories of thousands of square miles of BLM land in Utah to help determine which lands should be protected. These volunteers provided extensive documentation to ensure that these areas meet Federal wilderness criteria. The BLM also completed an inventory of approximately 7.5 million acres of the land that would be protected by America's Red Rock Wilderness Act and agreed that the vast majority qualify for wilderness designation.

For more than 20 years, Utah conservationists have been working to add the last great blocks of undeveloped BLM-administered land in Utah to the National Wilderness Preservation System. The more than 9 million acres of lands that would be protected by this legislation surround eleven of Utah's national park, monument and recreation areas. These proposed BLM wilderness areas easily equal their neighboring national parklands in scenic beauty, opportunities for recreation, and ecological importance. Yet, unlike the parks, most of these scenic treasures lack any form of long-term protection from commercial development, damaging off-road vehicle use, or oil and gas exploration.

Americans understand the need for wise stewardship of these wild land-

scapes. This legislation represents a realistic balance between the need to protect our natural heritage and demand for energy. While wilderness designation has been portrayed as a barrier to energy independence, it is important to note that within the entire 9.2 million acres of America's Red Rock Wilderness Act the amount of "technically recoverable" undiscovered natural gas and oil resources amounts to roughly 6 days of oil and a little more than three weeks of natural gas at current consumption levels. In fact, protecting these lands benefits local economies because of the recreational opportunities they provide. In fact, for many Utah cities and counties, outdoor recreation is the largest sector of the local economy providing up to 44 percent of non-government jobs in the region.

Unfortunately, scientists have already begun to see the impacts of global warming on public lands throughout the West. Hotter and drier conditions, larger wildfires, shrinking water resources, the spread of invasive species, soil erosion, and dust storms are all expected to increase over the next century. These threats make the need to protect the remaining undisturbed landscapes and wildlife habitats in Utah's red rock wilderness even more urgent.

America's Red Rock Wilderness Act is a lasting gift to the American public. By protecting this serene yet wild land we are giving future generations the opportunity to enjoy the same untrammelled landscape that so many now cherish.

I would like to thank my colleagues who are original cosponsors of this measure. Original cosponsors are DEBBIE STABENOW, MARK UDALL, ELIZABETH WARREN, MICHAEL BENNET, JACK REED, SHELDON WHITEHOUSE, BERNARD SANDERS, TOM HARKIN, BARBARA BOXER, PATTY MURRAY, and BENJAMIN CARDIN. Additionally, I would like to thank the Utah Wilderness Coalition, which includes The Wilderness Society, the Sierra Club, the Natural Resources Defense Council, Earthjustice, and the Wasatch Mountain Club, the Southern Utah Wilderness Alliance, the Outdoor Industry Association and all of the other national, regional and local, hard-working groups who, for years, have championed this legislation.

Theodore Roosevelt once stated:

The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value.

Enactment of this legislation will help us realize Roosevelt's vision. To protect these precious resources in Utah for future generations, I urge my colleagues to support America's Red Rock Wilderness Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 769

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "America's Red Rock Wilderness Act of 2013".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—DESIGNATION OF WILDERNESS AREAS

Sec. 101. Great Basin Wilderness Areas.

Sec. 102. Grand Staircase-Escalante Wilderness Areas.

Sec. 103. Moab-La Sal Canyons Wilderness Areas.

Sec. 104. Henry Mountains Wilderness Areas.

Sec. 105. Glen Canyon Wilderness Areas.

Sec. 106. San Juan-Anasazi Wilderness Areas.

Sec. 107. Canyonlands Basin Wilderness Areas.

Sec. 108. San Rafael Swell Wilderness Areas.

Sec. 109. Book Cliffs and Uinta Basin Wilderness Areas.

TITLE II—ADMINISTRATIVE PROVISIONS

Sec. 201. General provisions.

Sec. 202. Administration.

Sec. 203. State school trust land within wilderness areas.

Sec. 204. Water.

Sec. 205. Roads.

Sec. 206. Livestock.

Sec. 207. Fish and wildlife.

Sec. 208. Management of newly acquired land.

Sec. 209. Withdrawal.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) STATE.—The term "State" means the State of Utah.

TITLE I—DESIGNATION OF WILDERNESS AREAS

SEC. 101. GREAT BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Great Basin region of western Utah is comprised of starkly beautiful mountain ranges that rise as islands from the desert floor;

(2) the Wah Wah Mountains in the Great Basin region are arid and austere, with massive cliff faces and leathery slopes speckled with piñon and juniper;

(3) the Pilot Range and Stansbury Mountains in the Great Basin region are high enough to draw moisture from passing clouds and support ecosystems found nowhere else on earth;

(4) from bristlecone pine, the world's oldest living organism, to newly flowered mountain meadows, mountains of the Great Basin region are islands of nature that—

(A) support remarkable biological diversity; and

(B) provide opportunities to experience the colossal silence of the Great Basin; and

(5) the Great Basin region of western Utah should be protected and managed to ensure the preservation of the natural conditions of the region.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the

following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

- (1) Antelope Range (approximately 17,000 acres).
- (2) Barn Hills (approximately 20,000 acres).
- (3) Black Hills (approximately 9,000 acres).
- (4) Bullgrass Knoll (approximately 15,000 acres).
- (5) Burbank Hills/Tunnel Spring (approximately 92,000 acres).
- (6) Conger Mountains (approximately 21,000 acres).
- (7) Crater Bench (approximately 35,000 acres).
- (8) Crater and Silver Island Mountains (approximately 121,000 acres).
- (9) Cricket Mountains Cluster (approximately 62,000 acres).
- (10) Deep Creek Mountains (approximately 126,000 acres).
- (11) Drum Mountains (approximately 39,000 acres).
- (12) Dugway Mountains (approximately 24,000 acres).
- (13) Essex Canyon (approximately 1,300 acres).
- (14) Fish Springs Range (approximately 64,000 acres).
- (15) Granite Peak (approximately 19,000 acres).
- (16) Grassy Mountains (approximately 23,000 acres).
- (17) Grouse Creek Mountains (approximately 15,000 acres).
- (18) House Range (approximately 201,000 acres).
- (19) Keg Mountains (approximately 38,000 acres).
- (20) Kern Mountains (approximately 15,000 acres).
- (21) King Top (approximately 110,000 acres).
- (22) Ledger Canyon (approximately 9,000 acres).
- (23) Little Goose Creek (approximately 1,200 acres).
- (24) Middle/Granite Mountains (approximately 80,000 acres).
- (25) Mount Escalante (approximately 18,000 acres).
- (26) Mountain Home Range (approximately 90,000 acres).
- (27) Newfoundland Mountains (approximately 22,000 acres).
- (28) Ochre Mountain (approximately 13,000 acres).
- (29) Oquirrh Mountains (approximately 9,000 acres).
- (30) Painted Rock Mountain (approximately 26,000 acres).
- (31) Paradise/Steamboat Mountains (approximately 144,000 acres).
- (32) Pilot Range (approximately 45,000 acres).
- (33) Red Tops (approximately 28,000 acres).
- (34) Rockwell-Little Sahara (approximately 21,000 acres).
- (35) San Francisco Mountains (approximately 39,000 acres).
- (36) Sand Ridge (approximately 73,000 acres).
- (37) Simpson Mountains (approximately 42,000 acres).
- (38) Snake Valley (approximately 100,000 acres).
- (39) Spring Creek Canyon (approximately 4,000 acres).
- (40) Stansbury Island (approximately 10,000 acres).
- (41) Stansbury Mountains (approximately 24,000 acres).
- (42) Thomas Range (approximately 36,000 acres).
- (43) Tule Valley (approximately 159,000 acres).

(44) Wah Wah Mountains (approximately 167,000 acres).

(45) Wasatch/Sevier Plateaus (approximately 29,000 acres).

(46) White Rock Range (approximately 5,200 acres).

SEC. 102. GRAND STAIRCASE-ESCALANTE WILDERNESS AREAS.

(a) GRAND STAIRCASE AREA.—

(1) FINDINGS.—Congress finds that—

(A) the area known as the Grand Staircase rises more than 6,000 feet in a series of great cliffs and plateaus from the depths of the Grand Canyon to the forested rim of Bryce Canyon;

(B) the Grand Staircase—

(i) spans 6 major life zones, from the lower Sonoran Desert to the alpine forest; and

(ii) encompasses geologic formations that display 3,000,000,000 years of Earth's history;

(C) land managed by the Secretary lines the intricate canyon system of the Paria River and forms a vital natural corridor connection to the deserts and forests of those national parks;

(D) land described in paragraph (2) (other than East of Bryce, Upper Kanab Creek, Moquith Mountain, Bunting Point, and Vermillion Cliffs) is located within the Grand Staircase-Escalante National Monument; and

(E) the Grand Staircase in Utah should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Bryce View (approximately 4,500 acres).

(B) Bunting Point (approximately 11,000 acres).

(C) Canaan Mountain (approximately 16,000 acres in Kane County).

(D) Canaan Peak Slopes (approximately 2,300 acres).

(E) East of Bryce (approximately 750 acres).

(F) Glass Eye Canyon (approximately 24,000 acres).

(G) Ladder Canyon (approximately 14,000 acres).

(H) Moquith Mountain (approximately 16,000 acres).

(I) Nephi Point (approximately 14,000 acres).

(J) Orderville Canyon (approximately 9,200 acres).

(K) Paria-Hackberry (approximately 188,000 acres).

(L) Paria Wilderness Expansion (approximately 3,300 acres).

(M) Parunuweap Canyon (approximately 43,000 acres).

(N) Pine Hollow (approximately 11,000 acres).

(O) Slopes of Bryce (approximately 2,600 acres).

(P) Timber Mountain (approximately 51,000 acres).

(Q) Upper Kanab Creek (approximately 49,000 acres).

(R) Vermillion Cliffs (approximately 26,000 acres).

(S) Willis Creek (approximately 21,000 acres).

(b) KAIPAROWITS PLATEAU.—

(1) FINDINGS.—Congress finds that—

(A) the Kaiparowits Plateau east of the Paria River is 1 of the most rugged and isolated wilderness regions in the United States;

(B) the Kaiparowits Plateau, a windswept land of harsh beauty, contains distant vistas and a remarkable variety of plant and animal species;

(C) ancient forests, an abundance of big game animals, and 22 species of raptors thrive undisturbed on the grassland mesa tops of the Kaiparowits Plateau;

(D) each of the areas described in paragraph (2) (other than Heaps Canyon, Little Valley, and Wide Hollow) is located within the Grand Staircase-Escalante National Monument; and

(E) the Kaiparowits Plateau should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Andalex Not (approximately 18,000 acres).

(B) The Blues (approximately 21,000 acres).

(C) Box Canyon (approximately 2,800 acres).

(D) Burning Hills (approximately 80,000 acres).

(E) Carcass Canyon (approximately 83,000 acres).

(F) The Cockscomb (approximately 11,000 acres).

(G) Fiftymile Bench (approximately 12,000 acres).

(H) Fiftymile Mountain (approximately 203,000 acres).

(I) Heaps Canyon (approximately 4,000 acres).

(J) Horse Spring Canyon (approximately 31,000 acres).

(K) Kodachrome Headlands (approximately 10,000 acres).

(L) Little Valley Canyon (approximately 4,000 acres).

(M) Mud Spring Canyon (approximately 65,000 acres).

(N) Nipple Bench (approximately 32,000 acres).

(O) Paradise Canyon-Wahweap (approximately 262,000 acres).

(P) Rock Cove (approximately 16,000 acres).

(Q) Warm Creek (approximately 23,000 acres).

(R) Wide Hollow (approximately 6,800 acres).

(c) ESCALANTE CANYONS.—

(1) FINDINGS.—Congress finds that—

(A) glens and coves carved in massive sandstone cliffs, spring-watered hanging gardens, and the silence of ancient Anasazi ruins are examples of the unique features that entice hikers, campers, and sightseers from around the world to Escalante Canyon;

(B) Escalante Canyon links the spruce fir forests of the 11,000-foot Aquarius Plateau with winding slickrock canyons that flow into Glen Canyon;

(C) Escalante Canyon, 1 of Utah's most popular natural areas, contains critical habitat for deer, elk, and wild bighorn sheep that also enhances the scenic integrity of the area;

(D) each of the areas described in paragraph (2) is located within the Grand Staircase-Escalante National Monument; and

(E) Escalante Canyon should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Brinkerhof Flats (approximately 3,000 acres).

(B) Colt Mesa (approximately 28,000 acres).

(C) Death Hollow (approximately 49,000 acres).

(D) Forty Mile Gulch (approximately 6,600 acres).

(E) Hurricane Wash (approximately 9,000 acres).

(F) Lampstand (approximately 7,900 acres).

(G) Muley Twist Flank (approximately 3,600 acres).

(H) North Escalante Canyons (approximately 176,000 acres).

(I) Pioneer Mesa (approximately 11,000 acres).

(J) Scorpion (approximately 53,000 acres).

(K) Sooner Bench (approximately 390 acres).

(L) Steep Creek (approximately 35,000 acres).

(M) Studhorse Peaks (approximately 24,000 acres).

SEC. 103. MOAB-LA SAL CANYONS WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the canyons surrounding the La Sal Mountains and the town of Moab offer a variety of extraordinary landscapes;

(2) outstanding examples of natural formations and landscapes in the Moab-La Sal area include the huge sandstone fins of Behind the Rocks, the mysterious Fisher Towers, and the whitewater rapids of Westwater Canyon; and

(3) the Moab-La Sal area should be protected and managed as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Arches Adjacent (approximately 12,000 acres).

(2) Beaver Creek (approximately 41,000 acres).

(3) Behind the Rocks and Hunters Canyon (approximately 22,000 acres).

(4) Big Triangle (approximately 20,000 acres).

(5) Coyote Wash (approximately 28,000 acres).

(6) Dome Plateau-Professor Valley (approximately 35,000 acres).

(7) Fisher Towers (approximately 18,000 acres).

(8) Goldbar Canyon (approximately 9,000 acres).

(9) Granite Creek (approximately 5,000 acres).

(10) Mary Jane Canyon (approximately 25,000 acres).

(11) Mill Creek (approximately 14,000 acres).

(12) Porcupine Rim and Morning Glory (approximately 20,000 acres).

(13) Renegade Point (approximately 6,600 acres).

(14) Westwater Canyon (approximately 37,000 acres).

(15) Yellow Bird (approximately 4,200 acres).

SEC. 104. HENRY MOUNTAINS WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Henry Mountain Range, the last mountain range to be discovered and named by early explorers in the contiguous United States, still retains a wild and undiscovered quality;

(2) fluted badlands that surround the flanks of 11,000-foot Mounts Ellen and Pennell contain areas of critical habitat for mule deer and for the largest herd of free-roaming buffalo in the United States;

(3) despite their relative accessibility, the Henry Mountain Range remains 1 of the wildest, least-known ranges in the United States; and

(4) the Henry Mountain range should be protected and managed to ensure the preservation of the range as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Bull Mountain (approximately 16,000 acres).

(2) Bullfrog Creek (approximately 35,000 acres).

(3) Dogwater Creek (approximately 3,400 acres).

(4) Fremont Gorge (approximately 20,000 acres).

(5) Long Canyon (approximately 16,000 acres).

(6) Mount Ellen-Blue Hills (approximately 140,000 acres).

(7) Mount Hillers (approximately 21,000 acres).

(8) Mount Pennell (approximately 147,000 acres).

(9) Notom Bench (approximately 6,200 acres).

(10) Oak Creek (approximately 1,700 acres).

(11) Ragged Mountain (approximately 28,000 acres).

SEC. 105. GLEN CANYON WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the side canyons of Glen Canyon, including the Dirty Devil River and the Red, White and Blue Canyons, contain some of the most remote and outstanding landscapes in southern Utah;

(2) the Dirty Devil River, once the fortress hideout of outlaw Butch Cassidy's Wild Bunch, has sculpted a maze of slickrock canyons through an imposing landscape of monoliths and inaccessible mesas;

(3) the Red and Blue Canyons contain colorful Chinle/Moenkopi badlands found nowhere else in the region; and

(4) the canyons of Glen Canyon in the State should be protected and managed as wilderness areas.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Cane Spring Desert (approximately 18,000 acres).

(2) Dark Canyon (approximately 134,000 acres).

(3) Dirty Devil (approximately 242,000 acres).

(4) Fiddler Butte (approximately 92,000 acres).

(5) Flat Tops (approximately 30,000 acres).

(6) Little Rockies (approximately 64,000 acres).

(7) The Needle (approximately 11,000 acres).

(8) Red Rock Plateau (approximately 213,000 acres).

(9) White Canyon (approximately 98,000 acres).

SEC. 106. SAN JUAN-ANASAZI WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) more than 1,000 years ago, the Anasazi Indian culture flourished in the slickrock canyons and on the piñon-covered mesas of southeastern Utah;

(2) evidence of the ancient presence of the Anasazi pervades the Cedar Mesa area of the San Juan-Anasazi area where cliff dwellings, rock art, and ceremonial kivas embellish sandstone overhangs and isolated benchlands;

(3) the Cedar Mesa area is in need of protection from the vandalism and theft of its unique cultural resources;

(4) the Cedar Mesa wilderness areas should be created to protect both the archaeological heritage and the extraordinary wilderness,

scenic, and ecological values of the United States; and

(5) the San Juan-Anasazi area should be protected and managed as a wilderness area to ensure the preservation of the unique and valuable resources of that area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Allen Canyon (approximately 5,900 acres).

(2) Arch Canyon (approximately 30,000 acres).

(3) Comb Ridge (approximately 15,000 acres).

(4) East Montezuma (approximately 45,000 acres).

(5) Fish and Owl Creek Canyons (approximately 73,000 acres).

(6) Grand Gulch (approximately 159,000 acres).

(7) Hammond Canyon (approximately 4,400 acres).

(8) Nokai Dome (approximately 93,000 acres).

(9) Road Canyon (approximately 63,000 acres).

(10) San Juan River (Sugarloaf) (approximately 15,000 acres).

(11) The Tabernacle (approximately 7,000 acres).

(12) Valley of the Gods (approximately 21,000 acres).

SEC. 107. CANYONLANDS BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) Canyonlands National Park safeguards only a small portion of the extraordinary red-hued, cliff-walled canyonland region of the Colorado Plateau;

(2) areas near Arches National Park and Canyonlands National Park contain canyons with rushing perennial streams, natural arches, bridges, and towers;

(3) the gorges of the Green and Colorado Rivers lie on adjacent land managed by the Secretary;

(4) popular overlooks in Canyonlands National Park and Dead Horse Point State Park have views directly into adjacent areas, including Lockhart Basin and Indian Creek; and

(5) designation of those areas as wilderness would ensure the protection of this erosional masterpiece of nature and of the rich pockets of wildlife found within its expanded boundaries.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Bridger Jack Mesa (approximately 33,000 acres).

(2) Butler Wash (approximately 27,000 acres).

(3) Dead Horse Cliffs (approximately 5,300 acres).

(4) Demon's Playground (approximately 3,700 acres).

(5) Duma Point (approximately 14,000 acres).

(6) Gooseneck (approximately 9,000 acres).

(7) Hatch Point Canyons/Lockhart Basin (approximately 149,000 acres).

(8) Horsethief Point (approximately 15,000 acres).

(9) Indian Creek (approximately 28,000 acres).

(10) Labyrinth Canyon (approximately 150,000 acres).

(11) San Rafael River (approximately 101,000 acres).

(12) Shay Mountain (approximately 14,000 acres).

(13) Sweetwater Reef (approximately 69,000 acres).

(14) Upper Horseshoe Canyon (approximately 60,000 acres).

SEC. 108. SAN RAFAEL SWELL WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the San Rafael Swell towers above the desert like a castle, ringed by 1,000-foot ramparts of Navajo Sandstone;

(2) the highlands of the San Rafael Swell have been fractured by uplift and rendered hollow by erosion over countless millennia, leaving a tremendous basin punctuated by mesas, buttes, and canyons and traversed by sediment-laden desert streams;

(3) among other places, the San Rafael wilderness offers exceptional back country opportunities in the colorful Wild Horse Badlands, the monoliths of North Caineville Mesa, the rock towers of Cliff Wash, and colorful cliffs of Humbug Canyon;

(4) the mountains within these areas are among Utah's most valuable habitat for desert bighorn sheep; and

(5) the San Rafael Swell area should be protected and managed to ensure its preservation as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Cedar Mountain (approximately 15,000 acres).

(2) Devils Canyon (approximately 23,000 acres).

(3) Eagle Canyon (approximately 38,000 acres).

(4) Factory Butte (approximately 22,000 acres).

(5) Hondu Country (approximately 20,000 acres).

(6) Jones Bench (approximately 2,800 acres).

(7) Limestone Cliffs (approximately 25,000 acres).

(8) Lost Spring Wash (approximately 37,000 acres).

(9) Mexican Mountain (approximately 100,000 acres).

(10) Molen Reef (approximately 33,000 acres).

(11) Muddy Creek (approximately 240,000 acres).

(12) Mussentuchit Badlands (approximately 25,000 acres).

(13) Pleasant Creek Bench (approximately 1,100 acres).

(14) Price River-Humbug (approximately 120,000 acres).

(15) Red Desert (approximately 40,000 acres).

(16) Rock Canyon (approximately 18,000 acres).

(17) San Rafael Knob (approximately 15,000 acres).

(18) San Rafael Reef (approximately 114,000 acres).

(19) Sids Mountain (approximately 107,000 acres).

(20) Upper Muddy Creek (approximately 19,000 acres).

(21) Wild Horse Mesa (approximately 92,000 acres).

SEC. 109. BOOK CLIFFS AND UINTA BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Book Cliffs and Uinta Basin wilderness areas offer—

(A) unique big game hunting opportunities in verdant high-plateau forests;

(B) the opportunity for float trips of several days duration down the Green River in Desolation Canyon; and

(C) the opportunity for calm water canoe weekends on the White River;

(2) the long rampart of the Book Cliffs bounds the area on the south, while seldom-visited uplands, dissected by the rivers and streams, slope away to the north into the Uinta Basin;

(3) bears, bighorn sheep, cougars, elk, and mule deer flourish in the back country of the Book Cliffs; and

(4) the Book Cliffs and Uinta Basin areas should be protected and managed to ensure the protection of the areas as wilderness.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System.

(1) Bourdette Draw (approximately 15,000 acres).

(2) Bull Canyon (approximately 2,800 acres).

(3) Chipeta (approximately 95,000 acres).

(4) Dead Horse Pass (approximately 8,000 acres).

(5) Desbrough Canyon (approximately 13,000 acres).

(6) Desolation Canyon (approximately 555,000 acres).

(7) Diamond Breaks (approximately 9,000 acres).

(8) Diamond Canyon (approximately 166,000 acres).

(9) Diamond Mountain (also known as "Wild Mountain") (approximately 27,000 acres).

(10) Dinosaur Adjacent (approximately 10,000 acres).

(11) Goslin Mountain (approximately 4,900 acres).

(12) Hideout Canyon (approximately 12,000 acres).

(13) Lower Bitter Creek (approximately 14,000 acres).

(14) Lower Flaming Gorge (approximately 21,000 acres).

(15) Mexico Point (approximately 15,000 acres).

(16) Moonshine Draw (also known as "Daniels Canyon") (approximately 10,000 acres).

(17) Mountain Home (approximately 9,000 acres).

(18) O-Wi-Yu-Kuts (approximately 13,000 acres).

(19) Red Creek Badlands (approximately 3,600 acres).

(20) Seep Canyon (approximately 21,000 acres).

(21) Sunday School Canyon (approximately 18,000 acres).

(22) Survey Point (approximately 8,000 acres).

(23) Turtle Canyon (approximately 39,000 acres).

(24) White River (approximately 23,000 acres).

(25) Winter Ridge (approximately 38,000 acres).

(26) Wolf Point (approximately 15,000 acres).

TITLE II—ADMINISTRATIVE PROVISIONS

SEC. 201. GENERAL PROVISIONS.

(a) NAMES OF WILDERNESS AREAS.—Each wilderness area named in title I shall—

(1) consist of the quantity of land referenced with respect to that named area, as generally depicted on the map entitled "Utah BLM Wilderness"; and

(2) be known by the name given to it in title I.

(b) MAP AND DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by this Act with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the Office of the Director of the Bureau of Land Management.

SEC. 202. ADMINISTRATION.

Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this Act shall be administered by the Secretary in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 203. STATE SCHOOL TRUST LAND WITHIN WILDERNESS AREAS.

(a) IN GENERAL.—Subject to subsection (b), if State-owned land is included in an area designated by this Act as a wilderness area, the Secretary shall offer to exchange land owned by the United States in the State of approximately equal value in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) and section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)).

(b) MINERAL INTERESTS.—The Secretary shall not transfer any mineral interests under subsection (a) unless the State transfers to the Secretary any mineral interests in land designated by this Act as a wilderness area.

SEC. 204. WATER.

(a) RESERVATION.—

(1) WATER FOR WILDERNESS AREAS.—

(A) IN GENERAL.—With respect to each wilderness area designated by this Act, Congress reserves a quantity of water determined by the Secretary to be sufficient for the wilderness area.

(B) PRIORITY DATE.—The priority date of a right reserved under subparagraph (A) shall be the date of enactment of this Act.

(2) PROTECTION OF RIGHTS.—The Secretary and other officers and employees of the United States shall take any steps necessary to protect the rights reserved by paragraph (1)(A), including the filing of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State—

(A) in which the United States is or may be joined; and

(B) that is conducted in accordance with section 208 of the Department of Justice Appropriation Act, 1953 (66 Stat. 560, chapter 651).

(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in this Act relinquishes or reduces any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(c) ADMINISTRATION.—

(1) SPECIFICATION OF RIGHTS.—The Federal water rights reserved by this Act are specific to the wilderness areas designated by this Act.

(2) NO PRECEDENT ESTABLISHED.—Nothing in this Act related to reserved Federal water rights—

(A) shall establish a precedent with regard to any future designation of water rights; or

(B) shall affect the interpretation of any other Act or any designation made under any other Act.

SEC. 205. ROADS.

(a) SETBACKS.—

(1) MEASUREMENT IN GENERAL.—A setback under this section shall be measured from the center line of the road.

(2) WILDERNESS ON 1 SIDE OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on only 1 side shall be set at—

(A) 300 feet from a paved Federal or State highway;

(B) 100 feet from any other paved road or high standard dirt or gravel road; and

(C) 30 feet from any other road.

(3) WILDERNESS ON BOTH SIDES OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on both sides (including cherry-stems or roads separating 2 wilderness units) shall be set at—

(A) 200 feet from a paved Federal or State highway;

(B) 40 feet from any other paved road or high standard dirt or gravel road; and

(C) 10 feet from any other roads.

(b) SETBACK EXCEPTIONS.—

(1) WELL-DEFINED TOPOGRAPHICAL BARRIERS.—If, between the road and the boundary of a setback area described in paragraph (2) or (3) of subsection (a), there is a well-defined cliff edge, stream bank, or other topographical barrier, the Secretary shall use the barrier as the wilderness boundary.

(2) FENCES.—If, between the road and the boundary of a setback area specified in paragraph (2) or (3) of subsection (a), there is a fence running parallel to a road, the Secretary shall use the fence as the wilderness boundary if, in the opinion of the Secretary, doing so would result in a more manageable boundary.

(3) DEVIATIONS FROM SETBACK AREAS.—

(A) EXCLUSION OF DISTURBANCES FROM WILDERNESS BOUNDARIES.—In cases where there is an existing livestock development, dispersed camping area, borrow pit, or similar disturbance within 100 feet of a road that forms part of a wilderness boundary, the Secretary may delineate the boundary so as to exclude the disturbance from the wilderness area.

(B) LIMITATION ON EXCLUSION OF DISTURBANCES.—The Secretary shall make a boundary adjustment under subparagraph (A) only if the Secretary determines that doing so is consistent with wilderness management goals.

(C) DEVIATIONS RESTRICTED TO MINIMUM NECESSARY.—Any deviation under this paragraph from the setbacks required under in paragraph (2) or (3) of subsection (a) shall be the minimum necessary to exclude the disturbance.

(c) DELINEATION WITHIN SETBACK AREA.—The Secretary may delineate a wilderness boundary at a location within a setback under paragraph (2) or (3) of subsection (a) if, as determined by the Secretary, the delineation would enhance wilderness management goals.

SEC. 206. LIVESTOCK.

Within the wilderness areas designated under title I, the grazing of livestock authorized on the date of enactment of this Act shall be permitted to continue subject to such reasonable regulations and procedures as the Secretary considers necessary, as long

as the regulations and procedures are consistent with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) section 101(f) of the Arizona Desert Wilderness Act of 1990 (Public Law 101-628; 104 Stat. 4469).

SEC. 207. FISH AND WILDLIFE.

Nothing in this Act affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

SEC. 208. MANAGEMENT OF NEWLY ACQUIRED LAND.

Any land within the boundaries of a wilderness area designated under this Act that is acquired by the Federal Government shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this Act and other laws applicable to wilderness areas.

SEC. 209. WITHDRAWAL.

Subject to valid rights existing on the date of enactment of this Act, the Federal land referred to in title I is withdrawn from all forms of—

(1) entry, appropriation, or disposal under public law;

(2) location, entry, and patent under mining law; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 770. A bill to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, today marks an important day in history as our nation continues to honor the sesquicentennial of the Civil War. There are many landmarks in my hometown of Baltimore that are significant to the history of the Civil War that I believe are in the Nation's interests to protect for future generations to experience. As our nation pays tribute to this trying time in our nation's history, I am proud to re-introduce the President Street Station Study Act which would initiate the process for preserving one such landmark in the heart of Baltimore. President Street Station played a crucial role in the Civil War, the Underground Railroad, the growth of Baltimore's railroad industry, and is a historically significant landmark to the presidency of Abraham Lincoln.

The station was constructed for the Philadelphia, Wilmington, and Baltimore, PW&B, Railroad in 1849 and remains the oldest surviving big city railroad terminal in the United States. This historical structure is a unique architectural gem, arguably the first example and last survivor of the early barrel-vault train shed arches, also known as the Howe Truss. The arch-rib design became the blueprint for railroad bridges and roofs well into the 20th century and was replicated for every similarly designed train shed and roof for the next 20 years.

The growth of President Street Station and the PW&B railroad mirror the expansion of the railroad industry throughout the country in the latter half of the 19th century. This station played an essential role in making Baltimore the first railroad and sea-rail link in the nation and helped the city become the international port hub it is today.

In its heyday, President Street Station was the key link connecting Washington D.C. with the northeast States. Hundreds of passengers traveling north passed through this station and, by the start of the Civil War, Baltimore had become our Nation's major southern railroad hub. Not surprisingly, the station played a critical role in both the Civil War and the Underground Railroad.

Perhaps the most famous passenger to travel through the station was President Abraham Lincoln. He came through the station at least four times, including secretly on his way to his first inauguration in 1861. President-elect Lincoln was warned by a PW&B private detective of a possible assassination plot in Baltimore as he transferred trains. While it is unclear if this plot existed and posed a serious threat, Lincoln nevertheless was secretly smuggled aboard a train in the dead of night to complete his trip to Washington.

Just a few months later, President Street Station served as a backdrop for what many historians consider to be the first bloodshed of the Civil War. The Baltimore Riot of 1861 occurred when Lincoln called for Union volunteers to quell the rebellion at Fort Sumter in Charleston. On this day in history, April 19, 1861, Massachusetts and Pennsylvania volunteers were met and attacked by a mob of secessionist and Confederate sympathizers. The bloody confrontation left four dead and 36 wounded. As the war continued, the Station remained a critical link for the Union. Troops and supplies from the north were regularly shuttled through the station to support Union soldiers.

It is well known that Maryland was a common starting point along the Underground Railroad and that many escaped slaves from Maryland's Eastern Shore plantations were destined for Baltimore and the President Street Station to travel North to freedom. A few weeks ago, President Barack Obama honored Maryland's own Harriet Tubman, the Underground Railroad's most famous "conductor" by establishing the Harriet Tubman Underground Railroad National Monument, the first National Monument to commemorate an African American woman. While she personally led dozens of people to freedom, her courage and fortitude also inspired others to find their own strength to seek freedom. President Street Station was indeed a station on this secret network.

Prior to emancipation in 1863, several renowned escapees, including Frederick Douglass, William and Ellen Craft, and Henry "Box" Brown, traveled through the Station, risking their lives for a better and freer life.

Others' journeys for a better life also passed through President Street Station. From its beginning and into the 20th century, Baltimore was both a destination and departure point for immigrants. New arrivals from Ireland, Russia, and Europe arriving on the eastern seaboard traveled by way of the PW&B railroads to the west.

For decades, President Street Station has long been recognized as having an important place in history: In 1992, it was listed on the National Register of Historic Places and the city of Baltimore has dedicated it a local historical landmark. For many years it served as the Baltimore Civil War Museum, educating generations of people about the role Maryland and Baltimore played in the Civil War and the early history of the city. In recent years, the museum, run by dedicated volunteers from the Maryland Historical Society and Friends of President Street Station, have struggled to keep the station's doors open and keeping the station's character true to its historical roots. The area around President Street Station has changed dramatically over the decades, but the Station has worked to preserve its place in history. It has been many years since trains passed through the Presidents Street Station and it is clear that today the best use for this building is to preserve the building and use it to tell Station's American story.

President Street Station is one of America's historical treasures. As we commemorate the 152nd Anniversary of the Baltimore Riot and the start of National Park Week this weekend, we honor some of our country's greatest leaders and remember our own rich and innovative history. This bill authorizes the Secretary of the Interior to conduct a special resource study of President Street Station to evaluate the suitability and feasibility of establishing the Station as a unit of the National Park Service. President Street Station, a contributor to the growth of the railroad, and a vital player in the Underground Railroad, Lincoln Presidency and Civil War, is part of this history. I urge my colleagues to join me in giving this station the recognition it deserves and support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 770

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "President Street Station Study Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STUDY AREA.—The term "study area" means the President Street Station, a railroad terminal in Baltimore, Maryland, the history of which is tied to the growth of the railroad industry in the 19th century, the Civil War, the Underground Railroad, and the immigrant influx of the early 20th century.

SEC. 3. SPECIAL RESOURCE STUDY.

(a) STUDY.—The Secretary shall conduct a special resource study of the study area.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals;

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives; and

(6) identify any authorities that would compel or permit the Secretary to influence local land use decisions under the alternatives.

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

(d) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of the study; and
(2) any conclusions and recommendations of the Secretary.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 102—EXPRESSING SUPPORT FOR THE DESIGNATION OF SAINT LOUIS, MISSOURI, AS THE "NATIONAL CHESS CAPITAL" OF THE UNITED STATES TO ENHANCE AWARENESS OF THE EDUCATIONAL BENEFITS OF CHESS AND TO ENCOURAGE SCHOOLS AND COMMUNITY CENTERS TO ENGAGE IN CHESS PROGRAMS TO PROMOTE PROBLEM-SOLVING, CRITICAL THINKING, SPATIAL AWARENESS, AND GOAL SETTING

Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 102

Whereas, in 2009 and 2011, the United States Chess Federation awarded Saint

Louis, Missouri, the title of "Chess City of the Year" and, in 2010, the Chess Club and Scholastic Center of Saint Louis was named "Chess Club of the Year";

Whereas Saint Louis hosted the United States Chess Championship and United States Women's Chess Championship in 2009, 2010, 2011 and 2012 and the United States Junior Closed Chess Championship in 2010, 2011, and 2012, which are the three most prestigious, invitation-only chess tournaments in the United States;

Whereas the Chess Club and Scholastic Center of Saint Louis opened its doors in July 2008, and since that date, Saint Louis has become widely recognized as the emerging chess center of the United States;

Whereas chess promotes problem-solving, higher-level thinking skills, and improved self-esteem;

Whereas the Chess Club and Scholastic Center of Saint Louis brings the educational benefits of chess to thousands of students in more than 100 schools and community centers across the greater Saint Louis area, targeting more than 3,300 students in 2011 and 2012;

Whereas the Chess Club and Scholastic Center of Saint Louis offers free classes and lectures, weekly tournaments, private lessons, summer camps, and field trips to expose school-aged children to the benefits of chess;

Whereas the Chess Club and Scholastic Center of Saint Louis provides instructors, equipment, and curricula to after-school programs in the greater Saint Louis area;

Whereas the Chess Club and Scholastic Center of Saint Louis offers a coaching program to create a sustainable network of participating after-school chess programs; and

Whereas Saint Louis has become a hub for developing chess skills in students from across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of Saint Louis, Missouri, as the "National Chess Capital" of the United States;

(2) encourages the people of Saint Louis to continue promoting the educational benefits of chess among school-aged children; and

(3) encourages all schools and community centers in the United States to engage in chess programs to promote problem-solving, critical thinking, spatial awareness, and goal setting.

SENATE RESOLUTION 103—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF STEVE SCHONBERG V. SENATOR MITCH MCCONNELL, ET AL.

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 103

Whereas, Senator Mitch McConnell, Vice President Joseph R. Biden, Jr., and Sergeant at Arms Terrance W. Gainer have been named as defendants in the case of Steve Schonberg v. Senator Mitch McConnell, et al., No. 3:13-cv-220, now pending in the United States District Court for the Western District of Kentucky;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and officers of the Senate in civil

actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Mitch McConnell, Vice President Joseph R. Biden, Jr., and Sergeant at Arms Terrance W. Gainer in the case of *Steve Schonberg v. Senator Mitch McConnell, et al.*

AMENDMENTS SUBMITTED AND PROPOSED

SA 734. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table.

SA 735. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 736. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the bill S. 649, supra; which was ordered to lie on the table.

SA 737. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the bill S. 649, supra; which was ordered to lie on the table.

SA 738. Ms. LANDRIEU (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

SA 739. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 734. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—NATIONAL COMMISSION ON MASS VIOLENCE

SEC. 401. SHORT TITLE.

This title may be cited as the “National Commission on Mass Violence Act of 2013”.

SEC. 402. NATIONAL COMMISSION ON MASS VIOLENCE.

(a) **ESTABLISHMENT OF COMMISSION.**—There is established a commission to be known as the National Commission on Mass Violence (in this title referred to as the “Commission”) to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and all positive and negative impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

(b) **MEMBERSHIP.**—

(1) **APPOINTMENTS.**—The Commission shall be composed of 12 members, of whom—

(A) 6 members of the Commission shall be appointed by the Majority Leader of the Senate, in consultation with the Democratic leadership of the House of Representatives, 1 of whom shall serve as Chairman of the Commission; and

(B) 6 members of the Commission shall be appointed by the Speaker of the House of Representatives, in consultation with the Republican leadership of the Senate, 1 of whom shall serve as Vice Chairman of the Commission.

(2) **PERSONS ELIGIBLE.**—

(A) **IN GENERAL.**—The members appointed to the Commission shall include—

(i) well-known and respected individuals among their peers in their respective fields of expertise; and

(ii) not less than 1 non-elected individual from each of the following categories, who has expertise in the category, by both experience and training:

(I) Firearms.

(II) Mental health.

(III) School safety.

(IV) Mass media.

(B) **EXPERTS.**—In identifying the individuals to serve on the Commission, the appointing authorities shall take special care to identify experts in the fields described in section 403(a)(2).

(C) **PARTY AFFILIATION.**—Not more than 6 members of the Commission shall be from the same political party.

(3) **COMPLETION OF APPOINTMENTS; VACANCIES.**—Not later than 30 days after the date of enactment of this Act, the appointing authorities under paragraph (1) shall each make their respective appointments. Any vacancy that occurs during the life of the Commission shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

(4) **OPERATION OF THE COMMISSION.**—

(A) **MEETINGS.**—

(i) **IN GENERAL.**—The Commission shall meet at the call of the Chairman.

(ii) **INITIAL MEETING.**—The initial meeting of the Commission shall be conducted not later than 30 days after the later of—

(I) the date of the appointment of the last member of the Commission; or

(II) the date on which appropriated funds are available for the Commission.

(B) **QUORUM; VACANCIES; VOTING; RULES.**—A majority of the members of the Commission shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings scheduled by the Commission. Each member of the Commission shall have 1 vote, and the vote of each member shall be accorded the same weight. The Commission may establish by majority vote any other rules for the conduct of the Commission's business, if such rules are not inconsistent with this title or other applicable law.

SEC. 403. DUTIES OF THE COMMISSION.

(a) **STUDY.**—

(1) **IN GENERAL.**—It shall be the duty of the Commission to conduct a comprehensive factual study of incidents of mass violence, including incidents of mass violence not involving firearms, in the context of the many acts of senseless mass violence that occur in the United States each year, in order to determine the root causes of such mass violence.

(2) **MATTERS TO BE STUDIED.**—In determining the root causes of these recurring and tragic acts of mass violence, the Commission shall study any matter that the Commission determines relevant to meeting the requirements of paragraph (1), including at a minimum—

(A) the role of schools, including the level of involvement and awareness of teachers and school administrators in the lives of their students and the availability of mental

health and other resources and strategies to help detect and counter tendencies of students towards mass violence;

(B) the effectiveness of and resources available for school security strategies to prevent incidents of mass violence;

(C) the role of families and the availability of mental health and other resources and strategies to help families detect and counter tendencies toward mass violence;

(D) the effectiveness and use of, and resources available to, the mental health system in understanding, detecting, and counter-tendencies toward mass violence, as well as the effects of treatments and therapies;

(E) whether medical doctors and other mental health professionals have the ability, without negative legal or professional consequences, to notify law enforcement officials when a patient is a danger to himself or others;

(F) the nature and impact of the alienation of the perpetrators of such incidents of mass violence from their schools, families, peer groups, and places of work;

(G) the role that domestic violence plays in causing incidents of mass violence;

(H) the effect of depictions of mass violence in the media, and any impact of such depictions on incidents of mass violence;

(I) the availability and nature of firearms, including the means of acquiring such firearms, and all positive and negative impacts of such availability and nature on incidents of mass violence or in preventing mass violence;

(J) the role of current prosecution rates in contributing to the availability of weapons that are used in mass violence;

(K) the availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of mass violence;

(L) the views of law enforcement officials, religious leaders, mental health experts, and other relevant officials on the root causes and prevention of mass violence;

(M) incidents in which firearms were used to stop mass violence; and

(N) any other area that the Commission determines contributes to the causes of mass violence.

(3) **TESTIMONY OF VICTIMS AND SURVIVORS.**—In determining the root causes of these recurring and tragic incidents of mass violence, the Commission shall, in accordance with section 404(a), take the testimony of victims and survivors to learn and memorialize their views and experiences regarding such incidents of mass violence.

(b) **RECOMMENDATIONS.**—Based on the findings of the study required under subsection (a), the Commission shall make recommendations to the President and Congress to address the causes of these recurring and tragic incidents of mass violence and to reduce such incidents of mass violence.

(c) **REPORTS.**—

(1) **INTERIM REPORT.**—Not later than 3 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress an interim report describing any initial recommendations of the Commission.

(2) **FINAL REPORT.**—Not later than 6 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a comprehensive report of the findings and conclusions of the Commission, together with the recommendations of the Commission.

(3) **SUMMARIES.**—The report under paragraph (2) shall include a summary of—

(A) the reports submitted to the Commission by any entity under contract for research under section 404(e); and

(B) any other material relied on by the Commission in the preparation of the report.

SEC. 404. POWERS OF THE COMMISSION.

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under section 403.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out its duties under section 403. Upon the request of the Commission, the head of such agency may furnish such information to the Commission.

(c) INFORMATION TO BE KEPT CONFIDENTIAL.—

(1) IN GENERAL.—The Commission shall be considered an agency of the Federal Government for purposes of section 1905 of title 18, United States Code, and any individual employed by any individual or entity under contract with the Commission under subsection (d) shall be considered an employee of the Commission for the purposes of section 1905 of title 18, United States Code.

(2) DISCLOSURE.—Information obtained by the Commission or the Attorney General under this title and shared with the Commission, other than information available to the public, shall not be disclosed to any person in any manner, except—

(A) to Commission employees or employees of any individual or entity under contract to the Commission under subsection (d) for the purpose of receiving, reviewing, or processing such information;

(B) upon court order; or

(C) when publicly released by the Commission in an aggregate or summary form that does not directly or indirectly disclose—

(i) the identity of any person or business entity; or

(ii) any information which could not be released under section 1905 of title 18, United States Code.

(d) CONTRACTING FOR RESEARCH.—The Commission may enter into contracts with any entity for research necessary to carry out the duties of the Commission under section 403.

SEC. 405. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from

their homes or regular places of business in the performance of service for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional employees as may be necessary to enable the Commission to perform its duties. The employment and termination of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(2) COMPENSATION.—The executive director shall be compensated at a rate not to exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. The Chairman may fix the compensation of other employees without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 406. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission and any agency of the Federal Government assisting the Commission in carrying out its duties under this title such sums as may be necessary to carry out the purposes of this title. Any sums appropriated shall remain available, without fiscal year limitation, until expended.

SEC. 407. TERMINATION OF THE COMMISSION.

The Commission shall terminate 30 days after the Commission submits the final report under section 403(c)(2).

SA 735. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

Strike titles I and II and insert the following:

TITLE I—KEEPING OUR SCHOOLS SAFE ACT

SEC. 101. SHORT TITLE.

This title may be cited as the “Keeping Our Schools Safe Act of 2013”.

SEC. 102. AUTHORIZATION FOR USE OF COPS GRANT FUNDS.

(a) COMBATING TARGETED FIREARMS VIOLENCE AGAINST STUDENTS AND SCHOOL PERSONNEL.—Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by

striking “to combat school-related crime and disorder problems, gangs, and drug activities” and inserting “to combat targeted firearms violence against students and school personnel and other forms of school-related violent crime, gangs, and drug activities”.

(b) HIRING SCHOOL RESOURCE OFFICERS.—Notwithstanding any other provision of law, of amounts appropriated to the Attorney General for fiscal year 2014 for grants to hire additional career law enforcement officers under paragraph (2) of section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(2)), the Attorney General may use not more than 25 percent of such amounts for grants for school resource officers under paragraph (12) of such section 1701(b), as amended by subsection (a), which shall be awarded through a competitive process.

SA 736. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . EXPLOSIVE MATERIALS BACKGROUND CHECK ACT.

(a) SHORT TITLE.—This section may be cited as the “Explosive Materials Background Check Act”.

(b) AMENDMENTS TO TITLE 18.—Chapter 40 of title 18, United States Code, is amended—

(1) in section 841—

(A) in subsection (d), by inserting “smokeless powder and black powder substitutes,” after “black powder;” and

(B) in subsection (h), by striking “the business of”;

(2) in section 842—

(A) in subsection (d)—

(i) in paragraph (9), by striking the period and inserting a semicolon; and

(ii) inserting at the end the following:

“(10) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

“(11) has been convicted in any court of a misdemeanor crime of domestic violence.”;

(B) in subsection (i)—

(i) in paragraph (7), by inserting a semicolon after “person”; and

(ii) inserting at the end the following:

“(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such

person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

“(9) has been convicted in any court of a misdemeanor crime of domestic violence.”;

(3) in section 843(b)—

(A) by striking “Upon” and inserting “Except as provided in subsection (j), upon”;

(B) in paragraph (6), by striking “and” after the semicolon;

(C) in paragraph (7), by striking the period and inserting “; and”; and

(D) by inserting at the end the following:

“(8) in the case of a limited permit holder, the applicant certifies the permit will only be used to purchase black powder, black powder substitute, and smokeless powder in which case the limitation in paragraph (7) shall not apply.”; and

(4) in section 845(a)—

(A) in paragraph (4), by striking “and components thereof”; and

(B) in paragraph (5), by striking “black powder in quantities not to exceed fifty pounds.”.

SA 737. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXPLOSIVE MATERIALS BACKGROUND CHECK ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Explosive Materials Background Check Act”.

(b) **AMENDMENTS TO EXPLOSIVE MATERIALS PROVISIONS.**—

(1) **CHAPTER 40.**—Chapter 40 of title 18, United States Code, is amended—

(A) in section 841—

(i) in subsection (d), by inserting “smokeless powder and black powder substitutes,” after “black powder.”; and

(ii) in subsection (h), by striking “the business of”;

(B) in section 842—

(i) in subsection (d)—

(I) in paragraph (9), by striking the period and inserting a semicolon; and

(II) inserting at the end the following:

“(10) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(C) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(11) has been convicted in any court of a misdemeanor crime of domestic violence; or

“(12) has received actual notice of the Attorney General’s determination made pursuant to subsection (d)(1)(B) or (j) of section 843 of this title.”; and

(ii) in subsection (i)—

(I) in paragraph (7), by inserting a semicolon after “person”;

(II) inserting at the end the following:

“(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(C) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(9) has been convicted in any court of a misdemeanor crime of domestic violence; or

“(10) has received actual notice of the Attorney General’s determination made pursuant to subsection (d)(1)(B) or (j) of section 843 of this title.”;

(C) in section 843—

(i) in subsection (b)—

(I) by striking “Upon” and inserting “Except as provided in subsection (j), upon”;

(II) in paragraph (6), by striking “and” after the semicolon;

(III) in paragraph (7), by striking the period and inserting “; and”; and

(IV) by inserting at the end the following:

“(8) in the case of a limited permit holder, the applicant certifies the permit will only be used to purchase black powder, black powder substitute, and smokeless powder in which case the limitation in paragraph (7) shall not apply.”;

(i) in subsection (d)—

(I) by inserting “(1)” after “(d)”;

(II) by striking “if in the opinion” and inserting the following: “if—

(iii) in the opinion; and”;

(I) by striking “The Secretary’s action” and inserting the following: “; or

“(II) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

“(2) The Attorney General’s action”;

(iv) in subsection (e)—

(I) in paragraph (1), by inserting after the first sentence the following: “However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.”; and

(II) in paragraph (2), by adding at the end the following: “In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”;

(v) in subsection (h)(2)—

(I) in subparagraph (A), by inserting “or in subsection (j) of this section (on grounds of terrorism)” after “section 842(i)”;

(II) in subparagraph (B)—

(aa) in the matter preceding clause (i), by inserting “or in subsection (j) of this section,” after “section 842(i)”;

(bb) in clause (ii), by inserting “, except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security” after “determination” ; and

(vi) by inserting at the end the following:

“(j) **ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.**—The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.”; and

(D) in section 845(a)—

(i) in paragraph (4), by striking “and components thereof”; and

(ii) in paragraph (5), by striking “black powder in quantities not to exceed fifty pounds.”.

(2) **CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.**—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking “or (5)” and inserting “(5), or (10)”.

(3) **GUIDELINES.**—

(A) **IN GENERAL.**—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(B) **CONTENTS.**—The guidelines issued under subparagraph (A) shall—

(i) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(ii) ensure that terrorist watch list records are used in a manner that safeguards privacy

and civil liberties protections, in accordance with requirements outlined in Homeland Security Presidential Directive 11 (dated August 27, 2004).

(c) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

“§ 922A. Attorney General’s discretion to deny transfer of a firearm.

“The Attorney General may deny the transfer of a firearm under section 922(b)(1)(B)(ii) of this title if the Attorney General—

“(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

“§ 922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).

“The Attorney General may determine that—

“(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”;

(2) in section 921(a), by adding at the end the following:

“(36) The term ‘terrorism’ includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

“(37) The term ‘material support or resources’ has the meaning given the term in section 2339A of this title.

“(38) The term ‘responsible person’ means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.”; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

“922A. Attorney General’s discretion to deny transfer of a firearm.

“922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).”.

(d) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting “or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking “and” at the end; and

(II) by adding at the end the following:

“(III) was issued after a check of the system established pursuant to paragraph (1);”;

(ii) in clause (ii), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;”;

(4) in paragraph (4), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”; and

(5) in paragraph (5), by inserting “, or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”.

(e) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.”.

(f) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (9) the following:

“(10) who has received actual notice of the Attorney General’s determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title.”.

(g) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “Any” and inserting “Except as provided in paragraph (3), any”; and

(2) by adding at the end the following:

“(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”.

(h) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(e)”;

(2) by striking “revoke any license” and inserting the following: “revoke—

“(A) any license”;

(3) by striking “. The Attorney General may, after notice and opportunity for hearing, revoke the license” and inserting the following: “;

“(B) the license”; and

(4) by striking “. The Secretary’s action” and inserting the following: “; or

“(C) any license issued under this section if the Attorney General determines that the

holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

“(2) The Attorney General’s action”.

(i) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: “However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.”.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: “With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(j) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: “If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(k) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (3) the following:

“(4) constitutes an act of terrorism, or providing material support or resources for terrorism.”.

(l) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking “**Remedy for erroneous denial of firearm**” and inserting “**Remedies**”;

(B) by striking “Any person denied a firearm pursuant to subsection (s) or (t) of section 922” and inserting the following:

“(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B”; and

(C) by adding at the end the following:

“(b) In any case in which the Attorney General has denied the transfer of a firearm

to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination under section 922A or 922B of this title. The court shall sustain the Attorney General's determination upon a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B."

(2) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

"925A. Remedies."

(m) **PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.**—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting "or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code," after "is ineligible to receive a firearm"; and

(B) by inserting "except any information for which the Attorney General has determined that disclosure would likely compromise national security," after "reasons to the individual,"; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting "or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code," after "or State law,"; and

(ii) by inserting "except any information for which the Attorney General has determined that disclosure would likely compromise national security" before the period at the end; and

(B) by adding at the end the following: "Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code."

SA 738. Ms. LANDRIEU (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—YOUTH PRISON REDUCTION THROUGH OPPORTUNITIES, MENTORING, INTERVENTION, SUPPORT, AND EDUCATION ACT

SEC. 401. SHORT TITLE.

This title may be cited as the "Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act" or the "Youth PROMISE Act".

SEC. 402. DEFINITIONS.

In this title:

(1) **ADMINISTRATOR.**—The term "Administrator" means the Administrator of the Office of Juvenile Justice and Delinquency Prevention.

(2) **COMMUNITY.**—The term "community" means a unit of local government or an Indian tribe, or part of such a unit or tribe, as determined by such a unit or tribe for the purpose of applying for a grant under this title.

(3) **DESIGNATED GEOGRAPHIC AREA.**—The term "designated geographic area" means a 5-digit postal ZIP Code assigned to a geographic area by the United States Postal Service.

(4) **EVIDENCE-BASED.**—The term "evidence-based", when used with respect to a practice relating to juvenile delinquency and criminal street gang activity prevention and intervention, means a practice (including a service, program, activity, intervention, technology, or strategy) for which the Administrator has determined—

(A) causal evidence documents a relationship between the practice and its intended outcome, based on measures of the direction and size of a change, and the extent to which a change may be attributed to the practice; and

(B) the use of scientific methods rules out, to the extent possible, alternative explanations for the documented change.

(5) **INTERVENTION.**—The term "intervention" means the provision of programs and services that are supported by research, are evidence-based or promising practices, and are provided to youth who are involved in, or who are identified by evidence-based risk assessment methods as being at high risk of continued involvement in, juvenile delinquency or criminal street gangs, as a result of indications that demonstrate involvement with problems such as truancy, substance abuse, mental health treatment needs, or siblings who have had involvement with juvenile or criminal justice systems.

(6) **JUVENILE DELINQUENCY AND CRIMINAL STREET GANG ACTIVITY PREVENTION.**—The term "juvenile delinquency and criminal street gang activity prevention" means the provision of programs and resources to children and families who have not yet had substantial contact with criminal justice or juvenile justice systems, that—

(A) are designed to reduce potential juvenile delinquency and criminal street gang activity risks; and

(B) are evidence-based or promising educational, health, mental health, school-based, community-based, faith-based, parenting, job training, social opportunities and experiences, or other programs, for youth and their families, that have been demonstrated to be effective in reducing juvenile delinquency and criminal street gang activity risks.

(7) **PROMISING.**—The term "promising", when used with respect to a practice relating to juvenile delinquency and criminal street gang activity prevention and intervention, means a practice (including a service, program, activity, intervention, technology, or

strategy) that, based on statistical analyses or a theory of change, has been determined by the Administrator to have demonstrated the potential to meet the requirements of an evidence-based practice.

(8) **STATE.**—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Northern Mariana Islands, and any other territories or possessions of the United States.

(9) **THEORY OF CHANGE.**—The term "theory of change" means a program planning strategy approved by the Administrator that outlines the types of interventions and outcomes essential to achieving a set of program goals.

(10) **YOUTH.**—The term "youth" means—

(A) an individual who is 18 years of age or younger; or

(B) in any State in which the maximum age at which the juvenile justice system of such State has jurisdiction over individuals exceeds 18 years of age, an individual who is such maximum age or younger.

SEC. 403. FINDINGS.

The Congress finds as follows:

(1) Youth gang crime has taken a toll on a number of urban communities, and senseless acts of gang-related violence have imposed economic, social, and human costs.

(2) Drug- and alcohol-dependent youth, and youth dually diagnosed with addiction and mental health disorders, are more likely to become involved with the juvenile justice system than youth without such risk factors, absent appropriate prevention and intervention services.

(3) Children of color are over-represented relative to the general population at every stage of the juvenile justice system. African American youth are 17 percent of the United States population, but represent 38 percent of youth in secure placement juvenile facilities, and 58 percent of youth incarcerated in adult prisons.

(4) Research funded by the Department of Justice indicates that gang-membership is short-lived among adolescents. With very few youth remaining gang-involved throughout their adolescent years, ongoing opportunities for intervention exist.

(5) Criminal justice costs have become burdensome in many States and cities, requiring reductions in vital educational, social, welfare, mental health, and related services.

(6) Direct expenditures for each of the major criminal justice functions, police, corrections, and judicial services, have increased steadily over the last 25 years. In fiscal year 2009, Federal, State, and local governments spent an estimated \$258,000,000,000 for police protection, corrections, and judicial and legal services, nearly a 207 percent increase since 1982.

(7) In 2009, State governments spent \$5,700,000,000 to incarcerate youth. The average annual cost to incarcerate one youth is \$88,000.

(8) Coordinated efforts of stakeholders in the juvenile justice system in a local community, together with other organizations and community members concerned with the safety and welfare of children, have a strong record of demonstrated success in reducing the impact of youth and gang-related crime and violence, as demonstrated in Boston, Massachusetts, Chicago, Illinois, Richmond, Virginia, Los Angeles, California, and other communities.

(9) Investment in prevention and intervention programs for children and youth, including quality early childhood programs, comprehensive evidence-based school, after

school, and summer school programs, mentoring programs, mental health and treatment programs, evidence-based job training programs, and alternative intervention programs, has been shown to lead to decreased youth arrests, decreased delinquency, lower recidivism, and greater financial savings from an educational, economic, social, and criminal justice perspective.

(10) Quality early childhood education programs have been demonstrated to help children start school ready to learn and to reduce delinquency and criminal street gang activity risks.

(11) Evidence-based mentoring programs have been shown to prevent youth drug abuse and violence.

(12) Evidence-based school-based comprehensive instructional programs that pair youth with responsible adult mentors have been shown to have a strong impact upon delinquency prevention.

(13) After-school programs that connect children to caring adults and that provide constructive activities during the peak hours of juvenile delinquency and criminal street gang activity, between 3 p.m. and 6 p.m., have been shown to reduce delinquency and the attendant costs imposed on the juvenile and criminal justice systems.

(14) States with higher levels of educational attainment have been shown to have crime rates lower than the national average. Researchers have found that a 5-percent increase in male high school graduation rates would produce an annual savings of almost \$5,000,000,000 in crime-related expenses.

(15) Therapeutic programs that engage and motivate high-risk youth and their families to change behaviors that often result in criminal activity have been shown to significantly reduce recidivism among juvenile offenders, and significantly reduce the attendant costs of crime and delinquency imposed upon the juvenile and criminal justice systems.

(16) Comprehensive programs that target kids who are already serious juvenile offenders by addressing the multiple factors in peer, school, neighborhood, and family environments known to be related to delinquency can reduce recidivism among juvenile offenders and save the public significant economic costs.

(17) There are many alternatives to incarceration of youth that have been proven to be more effective in reducing crime and violence at the Federal, State, local, and tribal levels, and the failure to provide for such effective alternatives is a pervasive problem that leads to increased youth, and later adult, crime and violence.

(18) Savings achieved through early intervention and prevention are significant, especially when noncriminal justice social, educational, mental health, and economic outcomes are considered.

(19) The prevention of child abuse and neglect can help stop a cycle of violence and save up to \$5.00 for every \$1.00 invested in preventing such abuse and neglect.

(20) Targeting interventions at special youth risk groups and focusing upon relatively low-cost interventions increases the probability of fiscal benefit.

(21) Evidence-based intervention treatment facilities have been shown to reduce youth delinquency and to be cost-effective.

(22) States, including Wisconsin, Ohio, New York, Texas, and Pennsylvania, have seen a reduction in juvenile incarceration due to a reallocation of criminal justice funds towards prevention programs.

(23) The rise in homicides in several cities in recent years followed declines in Federal

funding provided for law enforcement, educational, health and mental health, social services, and other support to localities for youth, their families, and other community-oriented programs and approaches.

SEC. 404. ALLOTMENT FOR YOUTH PROMISE PROGRAMS.

Not more than 50 percent of the total amount available for the Edward Byrne Memorial Criminal Justice Innovation Program for each fiscal year shall be made available to carry out this title.

Subtitle A—Federal Coordination of Local and Tribal Juvenile Justice Information and Efforts

SEC. 405. PROMISE ADVISORY PANEL.

(a) ORGANIZATION OF STATE ADVISORY GROUP MEMBER REPRESENTATIVES.—Section 223(f) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(f)) is amended—

(1) in paragraph (1), by striking “an eligible organization composed of member representatives of the State advisory groups appointed under subsection (a)(3)” and inserting “a nonpartisan, nonprofit organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986,”; and

(2) by amending paragraph (2) to read as follows:

“(2) ASSISTANCE.—To be eligible to receive such assistance, such organization shall—

“(A) be governed by individuals who—

“(i) have been appointed by a chief executive of a State to serve as a State advisory group member under subsection (a)(3); and

“(ii) are elected to serve as a governing officer of such organization by a majority of the Chairs (or Chair-designees) of all such State advisory groups;

“(B) include member representatives from a majority of such State advisory groups, who shall be representative of regionally and demographically diverse States and jurisdictions;

“(C) annually seek appointments by the chief executive of each State of one State advisory group member and one alternate State advisory group member from each such State to implement the advisory functions specified in clauses (iv) and (v) of subparagraph (D), including serving on the PROMISE Advisory Panel, and make a record of any such appointments available to the public; and

“(D) agree to carry out activities that include—

“(i) conducting an annual conference of such member representatives for purposes relating to the activities of such State advisory groups;

“(ii) disseminating information, data, standards, advanced techniques, and program models;

“(iii) reviewing Federal policies regarding juvenile justice and delinquency prevention;

“(iv) advising the Administrator with respect to particular functions or aspects of the work of the Office, and appointing a representative, diverse group of members of such organization under subparagraph (C) to serve as an advisory panel of State juvenile justice advisors (referred to as the ‘PROMISE Advisory Panel’) to carry out the functions specified in subsection (g); and

“(v) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.”.

(b) PROMISE ADVISORY PANEL.—Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is fur-

ther amended by adding at the end the following new subsection:

“(g) PROMISE ADVISORY PANEL.—

“(1) FUNCTIONS.—The PROMISE Advisory Panel required under subsection (f)(2)(D) shall—

“(A) assess successful evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention carried out by PROMISE Coordinating Councils under the Youth PROMISE Act;

“(B) provide the Administrator with a list of individuals and organizations with experience in administering or evaluating practices that serve youth involved in, or at risk of involvement in, juvenile delinquency and criminal street gang activity, from which the Administrator shall select individuals who shall—

“(i) provide to the Administrator peer reviews of applications submitted by units of local government and Indian tribes pursuant to subtitle B of the Youth PROMISE Act, to ensure that such applications demonstrate a clear plan to—

“(I) serve youth as part of an entire family unit; and

“(II) coordinate the delivery of service to youth among agencies; and

“(ii) advise the Administrator with respect to the award and allocation of PROMISE Planning grants to local and tribal governments that develop PROMISE Coordinating Councils, and of PROMISE Implementation grants to such PROMISE Coordinating Councils, pursuant to subtitle B of the Youth PROMISE Act; and

“(C) develop performance standards to be used to evaluate programs and activities carried out with grants under subtitle B of the Youth PROMISE Act, including the evaluation of changes achieved as a result of such programs and activities related to decreases in juvenile delinquency and criminal street gang activity, including—

“(i) prevention of involvement by at-risk youth in juvenile delinquency or criminal street gang activity;

“(ii) diversion of youth with a high risk of continuing involvement in juvenile delinquency or criminal street gang activity; and

“(iii) financial savings from deferred or eliminated costs, or other benefits, as a result of such programs and activities, and the reinvestment by the unit or tribe of any such savings.

“(2) ANNUAL REPORT.—Not later than 18 months after the date of the enactment of the Youth PROMISE Act, and annually thereafter, the PROMISE Advisory Panel shall prepare a report containing the findings and determinations under paragraph (1)(A) and shall submit such report to Congress, the President, the Attorney General, and the chief executive and chief law enforcement officer of each State, unit of local government, and Indian tribe.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 299(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671(a)(1)) is amended to read as follows:

“(1) There are authorized to be appropriated such sums as may be necessary to carry out this title for each of the fiscal years 2014 through 2016.”.

SEC. 406. GEOGRAPHIC ASSESSMENT OF RESOURCE ALLOCATION.

(a) GRANT FOR COLLECTION OF DATA TO DETERMINE NEED.—The Administrator shall award a grant, on a competitive basis, to an organization to—

(1) collect and analyze data related to the existing juvenile delinquency and criminal

street gang activity prevention and intervention needs and resources in each designated geographic area;

(2) use the data collected and analyzed under paragraph (1) to compile a list of designated geographic areas that have the most need of resources, based on such data, to carry out juvenile delinquency and criminal street gang activity prevention and intervention;

(3) use the data collected and analyzed under paragraph (1) to rank the areas listed under paragraph (2) in descending order by the amount of need for resources to carry out juvenile delinquency and criminal street gang activity prevention and intervention, ranking the area with the greatest need for such resources highest; and

(4) periodically update the list and rankings under paragraph (3) as the Administrator determines to be appropriate.

(b) **DATA SOURCES.**—In compiling such list and determining such rankings, the organization shall collect and analyze data relating to juvenile delinquency and criminal street gang activity prevention and intervention—

(1) using the geographic information system and Web-based mapping application known as the Socioeconomic Mapping and Resource Topography (SMART) system;

(2) from the Department of Health and Human Services, the Department of Labor, the Department of Housing and Urban Development, and the Department of Education; and

(3) from the annual KIDS Count Data Book and other data made available by this section initiative of the Annie E. Casey Foundation.

(c) **USE OF DATA BY THE ADMINISTRATOR.**—The list and rankings required by this section shall be provided to the Administrator to be used to provide funds under this title in the most strategic and effective manner to ensure that resources and services are provided to youth in the communities with the greatest need for such resources and services.

(d) **LIMITATION ON USE OF COLLECTED DATA.**—The information collected and analyzed under this section may not be used for any purpose other than to carry out the purposes of this title. Such information may not be used for any purpose related to the investigation or prosecution of any person, or for profiling of individuals based on race, ethnicity, socio-economic status, or any other characteristic.

(e) **LIMITATION OF ALLOCATION.**—Of the amount made available for fiscal year 2014 to carry out this section and part I of subtitle B (as authorized under section 411), not more than 1 percent of such amount, or \$1,000,000, whichever is less, shall be available to carry out this section.

Subtitle B—PROMISE Grants

SEC. 407. PURPOSES.

The purposes of the grant programs established under this subtitle are to—

(1) enable local and tribal communities to assess the unmet needs of youth who are involved in, or are at risk of involvement in, juvenile delinquency or criminal street gangs;

(2) develop plans appropriate for a community to address those unmet needs with juvenile delinquency and gang prevention and intervention practices; and

(3) implement and evaluate such plans in a manner consistent with this title.

PART I—PROMISE ASSESSMENT AND PLANNING GRANTS

SEC. 408. PROMISE ASSESSMENT AND PLANNING GRANTS AUTHORIZED.

(a) **GRANTS AUTHORIZED.**—The Administrator is authorized to award grants to units of local government and Indian tribes to assist PROMISE Coordinating Councils with planning and assessing evidence-based and promising practices relating to juvenile delinquency and criminal street gang activity prevention and intervention, especially for youth who are involved in, or who are at risk of involvement in, juvenile delinquency and criminal street gang activity. Such PROMISE Coordinating Councils shall—

(1) conduct an objective needs and strengths assessment in accordance with section 409; and

(2) develop a PROMISE Plan in accordance with section 410, based on the assessment conducted in accordance with section 409.

(b) **GRANT DURATION, AMOUNT, AND ALLOCATION.**—

(1) **DURATION.**—A grant awarded under this section shall be for a period not to exceed one year.

(2) **MAXIMUM GRANT AMOUNT.**—A grant awarded under this section shall not exceed \$300,000.

SEC. 409. PROMISE COORDINATING COUNCILS.

To be eligible to receive a grant under this part, a unit of local government or an Indian tribe shall establish a PROMISE Coordinating Council for each community of such unit or tribe, respectively, for which such unit or tribe is applying for a grant under this subtitle. Each such community shall include one or more designated geographic areas identified on the list required under section 406(a)(2). The members of such a PROMISE Coordinating Council shall be representatives of public and private sector entities and individuals that—

(1) should include at least one representative from each of the following:

(A) the local chief executive's office;

(B) a local educational agency;

(C) a local health agency or provider;

(D) a local mental health agency or provider, unless the representative under subparagraph (C) also meets the requirements of this subparagraph;

(E) a local public housing agency;

(F) a local law enforcement agency;

(G) a local child welfare agency;

(H) a local juvenile court;

(I) a local juvenile prosecutor's office;

(J) a private juvenile residential care entity;

(K) a local juvenile public defender's office;

(L) a State juvenile correctional entity;

(M) a local business community representative; and

(N) a local faith-based community representative;

(2) shall include two representatives from each of the following:

(A) parents who have minor children, and who have an interest in the local juvenile or criminal justice systems;

(B) youth between the ages of 15 and 24 who reside in the jurisdiction of the unit or tribe; and

(C) members from nonprofit community-based organizations that provide effective delinquency prevention and intervention to youth in the jurisdiction of the unit or tribe; and

(3) may include other members, as the unit or tribe determines to be appropriate.

SEC. 410. NEEDS AND STRENGTHS ASSESSMENT.

(a) **ASSESSMENT.**—Each PROMISE Coordinating Council receiving funds from a unit of

local government or Indian tribe under this subtitle shall conduct an objective strengths and needs assessment of the resources of the community for which such PROMISE Coordinating Council was established, to identify the unmet needs of youth in the community with respect to evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention. The PROMISE Coordinating Council shall consult with a research partner receiving a grant under section 420 for assistance with such assessment. Such assessment shall include, with respect to the community for which such PROMISE Coordinating Council was established—

(1) the number of youth who are at-risk of involvement in juvenile delinquency or street gang activity;

(2) the number of youth who are involved in juvenile delinquency or criminal street gang activity, including the number of such youth who are at high risk of continued involvement;

(3) youth unemployment rates during the summer;

(4) the number of individuals on public financial assistance (including a breakdown of the numbers of men, women, and children on such assistance);

(5) the estimated number of youth who are chronically truant;

(6) the number of youth who have dropped out of school in the previous year;

(7) for the year before such assessment, the estimated total amount expended (by the community and other entities) for the incarceration of offenders who were convicted or adjudicated delinquent for an offense that was committed in such community, including amounts expended for the incarceration of offenders in prisons, jails, and juvenile facilities that are located in the United States but are not located in such community;

(8) a comparison of the amount under paragraph (5) with an estimation of the amount that would be expended for the incarceration of offenders described in such paragraph if the number of offenders described in such paragraph was equal to the national average incarceration rate per 100,000 population; and

(9) a description of evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention available for youth in the community, including school-based programs, after school programs (particularly programs that have activities available for youth between 3 p.m. and 6 p.m. in the afternoon), weekend activities and programs, youth mentoring programs, faith and community-based programs, summer activities, and summer jobs, if any; and

(10) a description of evidence-based and promising intervention practices available for youth in the community.

(b) **LIMITATION ON USE OF ASSESSMENT INFORMATION.**—Information gathered pursuant to this section may be used for the sole purpose of developing a PROMISE Plan in accordance with this subtitle.

SEC. 411. PROMISE PLAN COMPONENTS.

(a) **IN GENERAL.**—Each PROMISE Coordinating Council receiving funds from a unit of local government or Indian tribe under this subtitle shall develop a PROMISE Plan to provide for the coordination of, and, as appropriate, to support the delivery of, evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to youth and families who reside in the community for which such PROMISE Coordinating Council was established. Such a PROMISE Plan shall—

(1) include the strategy by which the PROMISE Coordinating Council plans to prioritize and allocate resources and services toward the unmet needs of youth in the community, consistent with the needs and available resources of communities with the greatest need for assistance, as determined pursuant to section 406;

(2) include a combination of evidence-based and promising prevention and intervention practices that are responsive to the needs of the community; and

(3) ensure that cultural and linguistic needs of the community are met.

(b) **MANDATORY COMPONENTS.**—Each PROMISE Plan shall—

(1) include a plan to connect youth identified in paragraphs (1) and (2) of section 409(a) to evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention;

(2) identify the amount or percentage of local funds that are available to the PROMISE Coordinating Council to carry out the PROMISE Plan;

(3) provide strategies to improve indigent defense delivery systems, with particular attention given to groups of children who are disproportionately represented in the State delinquency system and Federal criminal justice system, as compared to the representation of such groups in the general population of the State;

(4) provide for training (which complies with the American Bar Association Juvenile Justice Standards for the representation and care of youth in the juvenile justice system) of prosecutors, defenders, probation officers, judges and other court personnel related to issues concerning the developmental needs, challenges, and potential of youth in the juvenile justice system, (including training related to adolescent development and mental health issues, and the expected impact of evidence-based practices and cost reduction strategies);

(5) ensure that the number of youth involved in the juvenile delinquency and criminal justice systems does not increase as a result of the activities undertaken with the funds provided under this part;

(6) describe the coordinated strategy that will be used by the PROMISE Coordinating Council to provide at-risk youth with evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention;

(7) propose the performance evaluation process to be used to carry out section 412(d), which shall include performance measures to assess efforts to address the unmet needs of youth in the community with evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention; and

(8) identify the research partner the PROMISE Coordinating Council will use to obtain information on evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention, and for the evaluation under section 412(d) of the results of the activities carried out with funds under this subtitle.

(c) **VOLUNTARY COMPONENTS.**—In addition to the components under subsection (b), a PROMISE Plan may include evidence-based or promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention in the following categories:

(1) Early childhood development services (such as pre-natal and neo-natal health serv-

ices), early childhood prevention, voluntary home visiting programs, nurse-family partnership programs, parenting and healthy relationship skills training, child abuse prevention programs, Early Head Start, and Head Start.

(2) Child protection and safety services (such as foster care and adoption assistance programs), family stabilization programs, child welfare services, and family violence intervention programs.

(3) Youth and adolescent development services, including job training and apprenticeship programs, job placement and retention training, education and after school programs (such as school programs with shared governance by students, teachers, and parents, and activities for youth between the hours of 3 p.m. and 6 p.m. in the afternoon), mentoring programs, conflict resolution skills training, sports, arts, life skills, employment and recreation programs, summer jobs, and summer recreation programs, and alternative school resources for youth who have dropped out of school or demonstrate chronic truancy.

(4) Health and mental health services, including cognitive behavioral therapy, play therapy, and peer mentoring and counseling.

(5) Substance abuse counseling and treatment services, including harm-reduction strategies.

(6) Emergency, transitional, and permanent housing assistance (such as safe shelter and housing for runaway and homeless youth).

(7) Targeted gang prevention, intervention, and exit services such as tattoo removal, successful models of anti-gang crime outreach programs (such as “street worker” programs), and other criminal street gang truce or peacemaking activities.

(8) Training and education programs for pregnant teens and teen parents.

(9) Alternatives to detention and confinement programs (such as mandated participation in community service, restitution, counseling, and intensive individual and family therapeutic approaches).

(10) Pre-release, post-release, and reentry services to assist detained and incarcerated youth with transitioning back into and reentering the community.

PART II—PROMISE IMPLEMENTATION GRANTS

SEC. 412. PROMISE IMPLEMENTATION GRANTS AUTHORIZED.

(a) **PROMISE IMPLEMENTATION GRANTS AUTHORIZED.**—The Administrator of the Office of Juvenile Justice and Delinquency Prevention is authorized to award grants to units of local government and Indian tribes to assist PROMISE Coordinating Councils with implementing PROMISE Plans developed pursuant to part I.

(b) **GRANT DURATION.**—A grant awarded under this part shall be for a 3-year period.

(c) **NON-FEDERAL FUNDS REQUIRED.**—For each fiscal year during the 3-year grant period for a grant under this part, each unit of local government or Indian tribe receiving such a grant for a PROMISE Coordinating Council shall provide, from non-Federal funds, in cash or in-kind, 25 percent of the costs of the activities carried out with such grant.

(d) **EVALUATION.**—Of any funds provided to a unit of local government or an Indian tribe for a grant under this part, not more than \$100,000 shall be used to provide a contract to a competitively selected organization to assess the progress of the unit or tribe in addressing the unmet needs of youth in the community, in accordance with the performance measures under section 410(a).

SEC. 413. PROMISE IMPLEMENTATION GRANT APPLICATION REQUIREMENTS.

(a) **APPLICATION REQUIRED.**—To be eligible to receive a PROMISE Implementation grant under this part, a unit of local government or Indian tribe that received a PROMISE Assessment and Planning grant under part I shall submit an application to the Administrator of the Office of Juvenile Justice and Delinquency Prevention not later than one year after the date such unit of local government or Indian tribe was awarded such grant under part I, in such manner, and accompanied by such information, as the Administrator, after consultation with the organization under section 223(f)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(f)(1)), may require.

(b) **CONTENTS OF APPLICATION.**—Each application submitted under subsection (a) shall—

(1) identify potential savings from criminal justice costs, public assistance costs, and other costs avoided by utilizing evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention;

(2) document—

(A) investment in evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to be provided by the unit of local government or Indian tribe;

(B) the activities to be undertaken with the grants funds;

(C) any expected efficiencies in the juvenile justice or other local systems to be attained as a result of implementation of the programs funded by the grant; and

(D) outcomes from such activities, in terms of the expected numbers related to reduced criminal activity;

(3) describe how savings sustained from investment in prevention and intervention practices will be reinvested in the continuing implementation of the PROMISE Plan; and

(4) provide an assurance that the local fiscal contribution with respect to evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention in the community for which the PROMISE Coordinating Council was established for each year of the grant period will not be less than the local fiscal contribution with respect to such practices in the community for the year preceding the first year of the grant period.

SEC. 414. GRANT AWARD GUIDELINES.

(a) **SELECTION AND DISTRIBUTION.**—Grants awarded under this part shall be awarded on a competitive basis. The Administrator shall—

(1) take such steps as may be necessary to ensure that grants are awarded to units of local governments and Indian tribes in areas with the highest concentrations of youth who are—

(A) at-risk of involvement in juvenile delinquency or criminal street gang activity; and

(B) involved in juvenile delinquency or street gang activity and who are at high-risk of continued involvement; and

(2) give consideration to the need for grants to be awarded to units of local governments and Indian tribes in each region of the United States, and among urban, suburban, and rural areas.

(b) **EXTENSION OF GRANT AWARD.**—The Administrator may extend the grant period under section 412(b)(1) for a PROMISE Implementation grant to a unit of local government or an Indian tribe, in accordance with regulations issued by the Administrator.

(c) RENEWAL OF GRANT AWARD.—The Administrator may renew a PROMISE Implementation grant to a unit of local government or an Indian tribe to provide such unit or tribe with additional funds to continue implementation of a PROMISE Plan. Such a renewal—

(1) shall be initiated by an application for renewal from a unit of local government or an Indian tribe;

(2) shall be carried out in accordance with regulations issued by the Administrator; and

(3) shall not be granted unless the Administrator determines such a renewal to be appropriate based on the results of the evaluation conducted under section 418(a) with respect to the community of such unit or tribe for which a PROMISE Coordinating Council was established, and for which such unit or tribe is applying for renewal.

SEC. 415. REPORTS.

Not later than one year after the end of the grant period for which a unit of local government or an Indian tribe receives a PROMISE Implementation grant, and annually thereafter for as long as such unit or tribe continues to receive Federal funding for a PROMISE Coordinating Council, such unit or tribe shall report to the Administrator regarding the use of Federal funds to implement the PROMISE Plan developed under part I.

PART III—GENERAL PROMISE GRANT PROVISIONS

SEC. 416. NONSUPPLANTING CLAUSE.

A unit of local government or Indian tribe receiving a grant under this subtitle shall use such grant only to supplement, and not supplant, the amount of funds that, in the absence of such grant, would be available to address the needs of youth in the community with respect to evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention.

SEC. 417. GRANT APPLICATION REVIEW PANEL.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention, in conjunction with the PROMISE Advisory Panel, shall establish and utilize a transparent, reliable, and valid system for evaluating applications for PROMISE Assessment and Planning grants and for PROMISE Implementation grants, and shall determine which applicants meet the criteria for funding, based primarily on a determination of greatest need (in accordance with section 406), with due consideration to other enumerated factors and the indicated ability of the applicant to successfully implement the program described in the application.

SEC. 418. EVALUATION OF PROMISE GRANT PROGRAMS.

(a) EVALUATION REQUIRED.—The Administrator shall, in consultation with the organization provided assistance under section 223(f)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(f)(1)), provide for an evaluation of the programs and activities carried out with grants under this subtitle. In carrying out this section, the Administrator shall—

(1) award grants to institutions of higher education (including institutions that are eligible to receive funds under part F of title III of the Higher Education Act of 1965 (20 U.S.C. 1067q et seq.)), to facilitate the evaluation process and measurement of achieved outcomes;

(2) identify evidence-based and promising practices used by PROMISE Coordinating Councils under PROMISE Implementation grants that have proven to be effective in

preventing involvement in, or diverting further involvement in, juvenile delinquency or criminal street gang activity; and

(3) ensure—

(A) that such evaluation is based on the performance standards that are developed by the PROMISE Advisory Panel in accordance with section 223(g) of the Juvenile Justice and Delinquency Prevention Act of 1974 (as added by section 405(b) of this title);

(B) the development of longitudinal and clinical trial evaluation and performance measurements with regard to the evidence-based and promising practices funded under this subtitle; and

(C) the dissemination of the practices identified in paragraph (2) to the National Research Center for Proven Juvenile Justice Practices (established under section 301), units of local government, and Indian tribes to promote the use of such practices by such units and tribes to prevent involvement in, or to divert further involvement in, juvenile delinquency or criminal street gang activity.

(b) RESULTS TO THE NATIONAL RESEARCH CENTER FOR PROVEN JUVENILE JUSTICE PRACTICES.—The Administrator shall provide the results of the evaluation under subsection (a) to the National Research Center for Proven Juvenile Justice Practices established under section 419.

Subtitle C—PROMISE Research Centers

SEC. 419. ESTABLISHMENT OF THE NATIONAL RESEARCH CENTER FOR PROVEN JUVENILE JUSTICE PRACTICES.

The Administrator shall award a grant to a nonprofit organization with a national reputation for expertise in operating or evaluating effective, evidence-based practices related to juvenile delinquency and criminal street gang activity prevention or intervention to develop a National Research Center for Proven Juvenile Justice Practices. Such Center shall—

(1) collaborate with institutions of higher education as regional partners to create a best practices juvenile justice information-sharing network to support the programs and activities carried out with grants under subtitle B;

(2) collect, and disseminate to PROMISE Coordinating Councils, research and other information about evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to inform the efforts of PROMISE Coordinating Councils and regional research partners and to support the programs and activities carried out with grants under title subtitle B;

(3) increase the public's knowledge and understanding of effective juvenile justice practices to prevent crime and delinquency and reduce recidivism; and

(4) develop, manage, and regularly update a site to disseminate proven practices for successful juvenile delinquency prevention and intervention.

SEC. 420. GRANTS FOR REGIONAL RESEARCH PROVEN PRACTICES PARTNERSHIPS.

The Administrator shall establish a grant program to award grants to institutions of higher education to serve as regional research partners with PROMISE Coordinating Councils that are located in the same geographic region as an institution, in collaboration with the National Research Center for Proven Juvenile Justice Practices authorized under section 419. Regional research partners shall provide research support to such PROMISE Coordinating Councils, including—

(1) assistance with preparing PROMISE grant applications under subtitle B, includ-

ing collection of baseline data for such applications;

(2) assistance with the needs and strengths assessments conducted under section 410; and

(3) provision of support services to PROMISE grant recipients for data collection and analysis to assess progress under the PROMISE grant.

SA 739. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 307. AUTHORIZATION FOR USE OF SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES FUNDS FOR SCHOOL SAFETY MEASURES.

Section 4121(a) of the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7131(a)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following:

“(9) assistance in the acquisition and installation of physical measures, such as metal detectors, surveillance cameras, or other related security equipment and technologies, that are designed to prevent targeted firearms violence against students and school personnel; and”.

NOTICES OF HEARINGS

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public of an addition to a previously announced hearing before Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, April 25, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Committee will also consider:

S. 736, to establish a maximum amount for special use permit fees applicable to certain cabins on National Forest System land in the State of Alaska; and,

S. 757, to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and Lincoln County, Nevada, to extend the authority to purchase certain parcels of public land, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States

Senate, Washington, D.C. 20510-6150, or by e-mail to john_assini@energy.senate.gov.

For further information, please contact Meghan Conklin at (202) 224-8046, or John Assini at (202) 224-9313.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public of additions to a previously announced hearing before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 23, 2013, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Committee will also consider H.R. 678, Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act; and S. 761, Energy Savings and Industrial Competitiveness Act of 2013.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224, Dan Adamson at (202) 224-2871, or Lauren Goldschmidt at (202) 224-5488.

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON ARMED SERVICES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 18, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN
AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 18, 2013, at 10 a.m., to conduct a hearing entitled "Oversight of Federal Housing Finance Agency: Evaluating FHFA as Regulator and Conservator."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 18, 2013, at 9:45 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 18, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 18, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 18, 2013, at 9:30 a.m., to hold a hearing entitled, "National Security and Foreign Policy Priorities in the FY 2014 International Affairs Budget."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Hearing for Secretary of Labor-Designate Thomas E. Perez" on April 18, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 18, 2013, at 10 a.m., in SC-226 of the Dirksen Senate Office Building, to conduct executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate, on April 18, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND
CAPABILITIES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate, April 18, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 52, 54, 65, 66, 67, 68, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88, and all nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, Marine Corps, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF DEFENSE

Frederick Vollrath, of Virginia, to be an Assistant Secretary of Defense.

Eric K. Fanning, of the District of Columbia, to be Under Secretary of the Air Force.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John W. Hesterman, III

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Richard M. Murphy

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 8069:

To be major general

Colonel Dorothy A. Hogg

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. James M. Holmes

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michelle D. Johnson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. Philip M. Breedlove

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Mark O. Schissler

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert P. Otto

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Scott W. Jansson

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. Erik C. Peterson

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Brently F. White

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Christie L. Nixon

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Jeffrey L. Bannister
Brigadier General Scott D. Berrier
Brigadier General Gwendolyn Bingham
Brigadier General Joseph A. Brendler
Brigadier General Clarence K. K. Chinn
Brigadier General Edward F. Dorman, III
Brigadier General Terry R. Ferrell
Brigadier General George J. Franz, III
Brigadier General Christopher K. Haas
Brigadier General Thomas A. Horlander
Brigadier General Thomas S. James, Jr.
Brigadier General Ole A. Knudson
Brigadier General Jonathan A. Maddux
Brigadier General Theodore D. Martin
Brigadier General Kevin G. O'Connell
Brigadier General Barrye L. Price
Brigadier General James M. Richardson
Brigadier General Martin P. Schweitzer
Brigadier General Richard L. Stevens
Brigadier General Stephen M. Twitty
Brigadier General Peter D. Utley
Brigadier General Gary J. Volesky
Brigadier General Darryl A. Williams
Brigadier General Michael E. Williamson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Daniel B. Allyn

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. James L. Terry

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Perry L. Wiggins

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John E. Wissler

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Ronald L. Bailey

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Steven A. Hummer

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Kenneth J. Glueck, Jr.

The following named officer for appointment as Commander, Marine Forces Reserve, and appointment to the grade indicated in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5144:

To be lieutenant general

Lt. Gen. Richard P. Mills

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Bret J. Muilenburg

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Adrian J. Jansen

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN279 AIR FORCE nomination of Lou Rose Malamug, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN280 AIR FORCE nomination of Kelly A. Halligan, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN300 AIR FORCE nominations (3) beginning CHRISTOPHER E. CURTIS, and ending JOSEPH P. TOMSIC, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN301 AIR FORCE nominations (4) beginning TIMOTHY A. BUTLER, and ending GARY J. ZICCARDI, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN302 AIR FORCE nominations (9) beginning JOHN T. GRIVAKIS, and ending SARAH K. TOBIN, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN303 AIR FORCE nominations (11) beginning DANNY L. BLAKE, and ending ANDREA C. VINYARD, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN304 AIR FORCE nominations (14) beginning RICHARD G. ANDERSON, and ending MARK J. ROBERTS, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN305 AIR FORCE nominations (17) beginning JEFFERY R. ALDER, and ending KEVIN L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN306 AIR FORCE nominations (20) beginning RONNELLE ARMSTRONG, and ending CHAD W. ZIELINSKI, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN307 AIR FORCE nominations (51) beginning MAIYA D. ANDERSON, and ending JEFFREY L. WISNESKI, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN308 AIR FORCE nominations (126) beginning MATTHEW G. ADKINS, and ending NORMAN DALE ZELLERS, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

IN THE ARMY

PN220 ARMY nomination of Jonathan F. Potter, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN221 ARMY nominations (2) beginning HILARIO A. PASCUA, and ending GERARDO C. RIVERA which nominations were received by the Senate and appeared in the Congressional Record of March, 19, 2013.

PN222 ARMY nominations (2) beginning JAMES D. PEAKE, and ending ALI K. SONMEZ, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN223 ARMY nominations (6) beginning JOHN D. PITCHER, and ending DEREK A. WOESSNER, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN224 ARMY nominations (6) beginning MARK L. ALLISON, and ending JOSEPH J. STREFF, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN225 ARMY nominations (7) beginning PHILLIP E. APPLETON, and ending ERIC C. RIVERS, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN281 ARMY nomination of Andrew W. Beach, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN282 ARMY nomination of Donald V. Wood, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN310 ARMY nomination of Suzanne C. Nielsen, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN311 ARMY nomination of Ann M. Rudick, which was received by the Senate

and appeared in the Congressional Record of April 11, 2013.

PN312 ARMY nomination of Matthew P. Weberg, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN313 ARMY nomination of Grady L. Gentry, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

IN THE FOREIGN SERVICE

PN177 FOREIGN SERVICE nominations (5) beginning MARGARET A. HANSON-MUSE, and ending SARAH E. KEMP, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2013.

IN THE MARINE CORPS

PN112 MARINE CORPS nominations (98) beginning CHRISTOPHER C. ABRAMS, and ending JOSEPH J. ZARBA, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN187 MARINE CORPS nominations (57) beginning TIMOTHY L. ADAMS, and ending JAMES R. WILLSEA, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2013.

IN THE NAVY

PN229 NAVY nomination of Joseph R. Primeaux, Jr., which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN232 NAVY nomination of Gary S. Phillips, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN233 NAVY nomination of Genevieve Buenaflor, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN234 NAVY nomination of Freddie R. Harmon, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN235 NAVY nomination of Catherine W. Boehme, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN236 NAVY nominations (2) beginning TODD W. MILLS, and ending MARVIN W. WHITING, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN285 NAVY nomination of Richard J. Witt, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN316 NAVY nomination of Oleh Haluszka, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN317 NAVY nominations (3) beginning STEPHEN S. CHO, and ending JAMES W. WINDE, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN318 NAVY nominations (48) beginning TIMOTHY R. ANDERSON, and ending ANDREW J. WOOLLEY, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with Republican leader, the Senate proceed to executive session to consider Calendar No. 60; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of the time the Senate proceed to vote, without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA CHIEF FINANCIAL OFFICER VACANCY ACT

Mr. SCHUMER. I ask unanimous consent that the Senate proceed to the consideration of H.R. 1246, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1246) to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1246) was ordered to a third reading, was read the third time, and passed.

AUTHORIZING SENATE LEGAL COUNSEL REPRESENTATION

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 103, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 103) to authorize representation by Senate Legal Counsel in the case of *Steve Schonberg v. Senator Mitch McConnell*, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, this resolution concerns a pro se civil action filed in Kentucky federal district court against Senator MCCONNELL, Vice President BIDEN, and Senate Sergeant at Arms Gainer. Plaintiff claims that the Senate cloture rule is unconstitutional.

This lawsuit, like previous suits challenging the cloture rule, is subject to jurisdictional defenses requiring dismissal. This resolution would authorize the Senate Legal Counsel to represent Senator MCCONNELL, Vice President BIDEN, and Sergeant at Arms Gainer to seek dismissal of this suit.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 103) was agreed to.

The preamble was agreed to.
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, APRIL 22, 2013

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, April 22, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, at 5:30 p.m., the Senate resume consideration of the motion to proceed to calendar No. 41, S. 743, and immediately proceed to the cloture vote on the motion to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SCHUMER. Mr. President, at 5:30 p.m. on Monday, there will be a cloture vote on the motion to proceed to the Marketplace Fairness Act.

ADJOURNMENT UNTIL MONDAY, APRIL 22, 2013, AT 2 P.M.

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:50 p.m., adjourned until Monday, April 22, 2013 at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

INTERNATIONAL MONETARY FUND

BEN S. BERNANKE, OF NEW JERSEY, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

AVRIL D. HAINES, OF NEW YORK, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE HAROLD HONGJU KOH, RESIGNED.

SOCIAL SECURITY ADMINISTRATION

HENRY J. AARON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2014, VICE JEFFREY ROBERT BROWN, TERM EXPIRED.

HENRY J. AARON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2020. (REAPPOINTMENT)

NATIONAL CONSUMER COOPERATIVE BANK

ANDREA LEVERE, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE NGUYEN VAN HANH, TERM EXPIRED.

LEGAL SERVICES CORPORATION

GLORIA VALENCIA-WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTION 532:

To be major

MICHAEL B. MOORE

CONFIRMATIONS

Executive nominations confirmed by the Senate April 18, 2013:

THE JUDICIARY

ANALISA TORRES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

DERRICK KAHALA WATSON, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII.

DEPARTMENT OF DEFENSE

FREDERICK VOLLRAATH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

ERIC K. FANNING, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF THE AIR FORCE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN W. HESTERMAN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. RICHARD M. MURPHY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8069:

To be major general

COLONEL DOROTHY A. HOGG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAMES M. HOLMES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHELLE D. JOHNSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

CATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. PHILIP M. BREEDLOVE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK O. SCHISSLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT P. OTTO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. SCOTT W. JANSSON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. ERIK C. PETERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BRENTLY F. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. CHRISTIE L. NIXON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL JEFFREY L. BANNISTER

BRIGADIER GENERAL SCOTT D. BERRIER

BRIGADIER GENERAL GWENDOLYN BINGHAM

BRIGADIER GENERAL JOSEPH A. BRENDLER

BRIGADIER GENERAL CLARENCE K. K. CHINN

BRIGADIER GENERAL EDWARD F. DORMAN III

BRIGADIER GENERAL TERRY R. FERRELL

BRIGADIER GENERAL GEORGE J. FRANZ III

BRIGADIER GENERAL CHRISTOPHER K. HAAS

BRIGADIER GENERAL THOMAS A. HORLANDER

BRIGADIER GENERAL THOMAS S. JAMES, JR.

BRIGADIER GENERAL OLE A. KNUDSON

BRIGADIER GENERAL JONATHAN A. MADDOX

BRIGADIER GENERAL THEODORE D. MARTIN

BRIGADIER GENERAL KEVIN G. O'CONNELL

BRIGADIER GENERAL BARRY L. PRICE

BRIGADIER GENERAL JAMES M. RICHARDSON

BRIGADIER GENERAL MARTIN P. SCHWEITZER

BRIGADIER GENERAL RICHARD L. STEVENS

BRIGADIER GENERAL STEPHEN M. TWITTY

BRIGADIER GENERAL PETER D. UTLEY

BRIGADIER GENERAL GARY J. VOLESKY

BRIGADIER GENERAL DARRYL A. WILLIAMS

BRIGADIER GENERAL MICHAEL E. WILLIAMSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DANIEL B. ALLYN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JAMES L. TERRY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PERRY L. WIGGINS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN E. WISSLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RONALD L. BAILEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEVEN A. HUMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KENNETH J. GLUECK, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 514:

To be lieutenant general

LT. GEN. RICHARD P. MILLS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRET J. MULLENBURG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ADRIAN J. JANSEN

IN THE AIR FORCE

AIR FORCE NOMINATION OF LOU ROSE MALAMUG, TO BE MAJOR.

AIR FORCE NOMINATION OF KELLY A. HALLIGAN, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH CHRISTOPHER E. CURTIS AND ENDING WITH JOSEPH P. TOMSIC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH TIMOTHY A. BUTLER AND ENDING WITH GARY J. ZICCARDI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN T. GRIVAKIS AND ENDING WITH SARAH K. TOBIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH DANNY L. BLAKE AND ENDING WITH ANDREA C. VINYARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD G. ANDERSON AND ENDING WITH MARK J. ROBERTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFERY R. ALDER AND ENDING WITH KEVIN L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH RONNELLE ARMSTRONG AND ENDING WITH CHAD W. ZIELINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH MAIYA D. ANDERSON AND ENDING WITH JEFFREY L. WISNESKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH MATTHEW G. ADKINS AND ENDING WITH NORMAN DALE ZELLERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

IN THE ARMY

ARMY NOMINATION OF JONATHAN F. POTTER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH HILARIO A. PASCUA AND ENDING WITH GERARDO C. RIVERA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH JAMES D. PEAKE AND ENDING WITH ALI K. SONMEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH JOHN D. PITCHER AND ENDING WITH DEREK A. WOESSNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH MARK L. ALLISON AND ENDING WITH JOSEPH J. STREFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH PHILLIP E. APLETON AND ENDING WITH ERIC C. RIVERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATION OF ANDREW W. BEACH, TO BE MAJOR.

ARMY NOMINATION OF DONALD V. WOOD, TO BE MAJOR.

ARMY NOMINATION OF SUZANNE C. NIELSEN, TO BE COLONEL.

ARMY NOMINATION OF ANN M. RUDICK, TO BE MAJOR.

ARMY NOMINATION OF MATTHEW P. WEBERG, TO BE MAJOR.

ARMY NOMINATION OF GRADY L. GENTRY, TO BE MAJOR.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH CHRISTOPHER C. ABRAMS AND ENDING WITH JOSEPH J. ZARBA, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH TIMOTHY L. ADAMS AND ENDING WITH JAMES R. WILLSEA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2013.

IN THE NAVY

NAVY NOMINATION OF JOSEPH R. PRIMEAUX, JR., TO BE COMMANDER.

NAVY NOMINATION OF GARY S. PHILLIPS, TO BE CAPTAIN.

NAVY NOMINATION OF GENEVIEVE BUENAFLORE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF FREDDIE R. HARMON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF CATHERINE W. BOEHME, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH TODD W. MILLS AND ENDING WITH MARVIN W. WHITING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

NAVY NOMINATION OF RICHARD J. WITT, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF OLEH HALUSZKA, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH STEPHEN S. CHO AND ENDING WITH JAMES W. WINDE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY R. ANDERSON AND ENDING WITH ANDREW J. WOOLLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MARGARET A. HANSON-MUSE AND ENDING WITH SARAH E. KEMP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2013.

HOUSE OF REPRESENTATIVES—Thursday, April 18, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 18, 2013.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

PRAYER

Minister Yolanda Adams, Bay Area Baptist Church, Houston, Texas, offered the following prayer:

Heavenly Father, we are honored to be in Your presence, experiencing Your goodness and glory. We thank You for this day, a day to make a difference in the lives of those who need and depend upon us, a new day to realize how much we absolutely need Your guidance and direction.

Give us the boldness to be the leaders of light and compassion, for we are our brothers' keepers. Allow us to be blessings wherever and whenever the opportunities arise.

Lord, empower us to be leaders of great example. Let us become loving like You, caring like You, unselfish like You, and always giving like You.

Lord, in light of all the recent tragedies, we ask that You give comfort and compassion to those who are hurting and grieving. Be with them in this time of grief, loss, fear, and uncertainty.

Lord, let us be agents of healing, hope, and love. We love and adore You. Thank You for hearing and answering our prayers and petitions. Thank You for Your grace and mercy which strengthens us for daily service. We expect goodness to follow us this day as we honor You in our living.

In our Lord's name, amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. PITTENGER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PITTENGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. BERA) come forward and lead the House in the Pledge of Allegiance.

Mr. BERA of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING MINISTER YOLANDA ADAMS

The SPEAKER pro tempore. Without objection, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 1 minute.

There was no objection.

Ms. JACKSON LEE. Mr. Speaker, we have faced enormous tragedies this week with the horrific tragedy of Boston, and now today the tragedy of explosions in West, Texas. I rise today to salute Minister Yolanda Adams, who has taken her music to a step where she is ministering and giving comfort to those who need comfort.

As reflected in her prayer and through her music, Yolanda Adams has taught us to embrace God's grace and mercy, and for those who will listen, to stand in the sunlight of joy as one looks toward the hopefulness of their future or of their lives.

Yolanda Adams is a native-born American, native-born Houstonian, and in fact someone who grew up in the public schools of Houston and began her life in music after she began her life as a teacher. She graduated from Sterling High School in 1979 and is the oldest of six siblings.

After graduating from the University of California, Berkeley, she began a career as a schoolteacher, and then she

began her career as a professional singer. But she wanted to do more and combined her singing with ministering.

She is an American Grammy Award-winning gospel singer, but she also has a heart for giving, and she provides every year in our community a health forum for women to make them healthier, to make them take care of themselves, to provide them with information. She has a wonderful album, "Songs from the Heart," with the wonderful song "Fragile Heart." In 1999, she was able to move her career beyond this local community. Her songs included "Yeah" and "Open My Heart." Many of you have heard her sing "Believe," "Never Give Up," and "Battle is the Lord's." Yolanda Adams comes to us as a person who believes that her ministry can comfort, but she can also comfort in song. She never leaves anyone behind.

She had the privilege and honor of giving to President Barack Obama and adding to the song, "Yes We Can: Voices of a Grass Roots Movement." She has sung the national anthem at the BCS national championship football game, as well as making a lot of other contributions to American music. She is a supporter of music education for our children, the mother of a daughter, and, yes, a prominent American.

But I think what says the most about Yolanda Adams is that she never stops evangelizing and seeking to help those who are hopeless and in despair. She brings joy to those who seek it and believes that everyone is a child of God.

I'm grateful to know Yolanda Adams and to claim her as a constituent of the great city of Houston and the great State of Texas. But most of all, she is an American and a believer and understands the value of America's freedom to be able to worship. She continues to soldier on to save souls, and we're delighted to have been able to have her bless us this morning.

Mr. Speaker, I rise today to celebrate a great American artist. I wish to first thank Ms. Adams for her thoughtful, and inspirational prayer. As the representative of the 18th District of Texas I am proud to say that she is a constituent and represents what is best about the State of Texas.

As was reflected in her prayer, Yolanda Adams through her music, has taught us to embrace God's grace and mercy, and for those who will listen, to stand in the sunlight of joy as one looks toward the hopefulness of the future.

Yolanda Adams is an American Grammy and Dove-award winning Gospel music singer

and radio show host. The oldest of six siblings, Yolanda Adams was raised in Houston, Texas. She graduated from Sterling High School in Houston in 1979.

After graduating from University of California Berkeley, she began a career as a school-teacher and part-time model in Houston, Texas. Eventually she gave up teaching to become a professional singer.

Her enormous talent attracted the attention of Thomas Whitfield and Sound of Gospel Records which signed her recording contract and released her first album, *Just As I Am* in 1987. In 1990, she released her second album, *Through The Storm*, released by Tribune Records.

Songs from the Heart, her album released through Verity Records, featured the inspirational "Only Believe," "Still I Rise," a song dedicated to Rosa Parks and inspired by Maya Angelou's poem of the same name.

"Fragile Heart," was dedicated to the memory of Yolanda's long time road manager who died in 1998. Her album "Mountain High . . . Valley Low" in 1999 extended her popularity and appeal outside the urban contemporary gospel arena. The album went Platinum in 2000 and won her a Grammy Award. Notable singles from the album include "Yeah," "Fragile Heart," and "Open My Heart."

In 2001, Yolanda Adams released a live album, *The Experience*, which won her a second Grammy Award for Best Contemporary Soul Gospel Album. *Believe*, which included the hit "Never Give Up" was released in 2001. She would later go on to perform this song at "The Salute to Gospel Music" at the White House during President George W. Bush's administration. *Believe* was certified Gold in 2002. The *Divas Of Gospel*, with Albertina Walker, (Queen of Gospel), was also released in 2001.

Yolanda Adams recorded the song for the 2003 hit film, *Honey* titled "I Believe" and was also a judge for the 2nd Annual Independent Music Awards.

Yolanda Adams' song "Hold On" is included in a compilation in support of Barack Obama's campaign entitled "Yes We Can: Voices of a Grass Roots Movement".

Yolanda Adams performed the National Anthem at the 2009 BCS National Championship football game at Dolphin Stadium in Miami, Florida.

I want to thank Yolanda Adams for her bountiful contribution to American music, songs which have enriched our lives for a decade and cascade like the blessings from the heaven above.

Mr. Speaker, Yolanda Adams has sold 4.5 million albums since 1991 according to Soundscan. Although she is proud of that achievement, she has said that her greatest treasure is being a child of God.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five further requests for 1-minute speeches on each side of the aisle.

NATIONAL DAY OF SILENCE

(Ms. ROS-LEHTINEN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I stand today to call attention to the devastating impact that harassment and bullying have on LGBT students around our country. Bullying affects LGBT teens every day in emotional, psychological, and physical ways, and can even lead to suicide. Statistics show that 30 percent of LGBT youth attempt suicide near the age of 15.

While tomorrow has been designated as National Day of Silence, bullies do not stop when the calendar turns. We must all work together if we hope to deter and defeat bullying. I would like to take a moment of silence in honor of those who are harassed and those who have passed away due to this repeated and aggressive behavior.

□ 1010

WHERE IS OUR COURAGE?

(Mr. LEWIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS. Mr. Speaker, what happened on the floor of the other body yesterday is a shame and a disgrace. Leaders of this country must be headlights and not taillights. Leaders must lead.

More than 91 percent of the American people say they want us to put strong background checks in place before someone can buy a gun in this country. This is not about preserving Second Amendment rights; it is about saving lives.

How many more little babies, how many more little children, how many more American citizens must die of gun violence?

How many more funerals must we attend before we act?

The blood of the innocent is crying out to us. Where is our courage?

What happened to our heart?

When will we have the guts to do what is right?

We need to pass a strong gun bill, and pass it now.

The SPEAKER pro tempore. The Chair will remind all Members to refrain from improper references to the Senate.

SERVICEMEMBERS' TELEMEDICINE AND E-HEALTH PORTABILITY ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in the debate over the terrible acts of violence that have been committed upon innocent men, women, and children, there is frequently one common issue, that of mental health.

As we all know, the profiles of the perpetrators in many of the recent acts

of mass violence had histories of mental health illness. Deaths from suicide as well obviously have significant mental health implications.

The access barriers to mental health services and the stigma associated with seeking help are significant. The safety of individuals living with these potentially disturbing behaviors, family members and surrounding communities, deserves a more robust mental health system responsive to these issues.

Now I'm proud to be the author of one of the only new laws in recent years to expand access to mental health services and reduce the stigma of seeking help. The STEP Act, or the Servicemembers' Telemedicine and E-Health Portability Act, expands access to care in a confidential manner, through telemedicine.

While the STEP Act serves only our Active Duty, Reserve and Guard, it provides a template that can be expanded to all those living with mental health issues.

THE AMERICAN PEOPLE DESERVE MORE

(Mr. LARSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LARSON of Connecticut. Mr. Speaker, I rise to associate myself with the remarks of the legendary JOHN LEWIS.

I also stand in praise of CATHY MCMORRIS RODGERS, who, yesterday, came with all the grace and eloquence to talk about the need to bring the country together in the aftermath of what took place up in Boston, and to bring comfort to families.

Yesterday, the other body brought little comfort to families, especially families from Newtown, Connecticut, who had traveled there, who had lobbied, and were looking for a common-sense, practical answer to a solution that plagues this country.

They got a vote. The vote was 54-46. But no fifth-grader waking up in America today says how could you get a vote of 54-46 and lose?

This is the most deliberative body in America, the House of Representatives, and we owe the people of this country, whether from Newtown, or whether from Aurora or wherever you are, in Chicago or across this great Nation of ours, we come here with a responsibility to vote.

SIMPLIFY THE TAX CODE

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today to pay respect to those faithful Americans who filed their tax returns

this week, only with a stark reminder of the enormous burden we have placed upon them with our complicated Tax Code.

You know, it's been like a snowball going down a hill. It just gets bigger and more bloated and more cumbersome with each passing year. It's become an avalanche on the back of the American taxpayer.

Mr. Speaker, this needs to stop. We've added 4,400 changes to the Tax Code just in the last 10 years. We can make it better.

House Republicans have a plan. We have a plan to reform the Tax Code, to make it simpler, to make it fairer, to make it responsible to the American people, to put more money in their paychecks and to give more money to them to take care of their families.

Mr. Speaker, American taxpayers deserve better, and we're going to do it.

CAP TO CAP

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, this week, over 300 individuals, community leaders from my hometown of Sacramento, came out here to share with us their vision of how we move forward. They came here on the 43rd Annual CAP to CAP visit. This is the largest trip of its type.

Here's what those community leaders asked. They wanted us to understand the number one job for us to do is to create jobs, to get America working again. They wanted to make sure we invested in the innovation economy, and they wanted us to do what we've always done historically, rebuild our infrastructure. For us back home that means rebuilding our levees, our roads, and our highways.

They want Washington, D.C., to start getting about the business of pushing this country forward. I applaud these community leaders because this is exactly what citizen-led democracy looks like.

Mr. Speaker, I applaud the Sacramento Metro Chamber of Commerce for their leadership, and I look forward to the 44th Annual CAP to CAP next year.

REFLECTIONS ON TAX FREEDOM DAY

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, for my neighbors and friends back home in Illinois, and families across the country, today is Tax Freedom Day, the date after which the average American worker will finally start earning money for themselves after working just to pay their Federal, State, and

local tax obligations in 2013, meaning it takes all of the wages earned by the average worker from January 1 to April 18 just to pay off this year's tax debt. Pretty astounding.

To put it in perspective, back in 1900, Tax Freedom Day was January 22, when taxes amounted to 5.9 percent of a person's income. Today that figure has grown to 29.4 percent.

We've come a long way in the past century, digging deeper and deeper into the pockets of hardworking men and women in America, and digging ourselves deeper into debt in the process.

The tax reform component of the budget this House passed in March would take a major step forward, allowing families to keep more of the money they earn and making government more accountable.

Let's finish the job this year.

SENATE VOTE ON BACKGROUND CHECKS FOR GUN BUYERS

(Ms. ESTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESTY. Mr. Speaker, I rise to address the House as the Representative for Newtown. Over the last 4 months, I've had the honor of getting to know many families in Newtown. These parents live with grief so deep that any mother or father can only begin to imagine.

I was honored to join these families, Governor Malloy, and members of both parties as a bipartisan gun violence prevention law was signed into law in Connecticut.

Connecticut has shown that Democrats and Republicans can work together, that a special interest and their small minority cannot stand in the way of common sense and doing the right thing.

Yesterday was a shameful day. I'm outraged that 46 Senators prevented a compromise to reduce gun violence which 92 percent of the American people support. Forty-six Senators ignored the voices of the courageous Newtown families, who have paid the ultimate price of political inaction.

I join the message of the Sandy Hook Promise and Mark Barden, who lost his son, Daniel, in the tragedy at Sandy Hook Elementary.

Our hearts are broken. Our spirits are not.

AMNESTY DEFINED

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, there is much discussion these days about immigration and what amnesty means. But the definition is clear.

In Black's Law Dictionary, "A pardon extended by the government to a

group or class of persons. The 1986 Immigration Reform and Control Act provided amnesty for undocumented aliens already present in the country."

That's exactly what the Senate immigration bill does.

And from the Merriam-Webster Dictionary, amnesty is "The act of an authority (as a government) by which pardon is granted to a large group of individuals."

Again, that's exactly what the Senate immigration bill does.

You could say that the Senate immigration bill amounts to amnesty-plus, since illegal immigrants are pardoned, plus are allowed to become citizens.

□ 1020

NATIONAL DAY OF SILENCE

(Mr. POCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POCAN. I join today with my colleagues to observe the National Day of Silence, which began 13 years ago, to raise awareness of the hurtful and often long-term silencing effects that anti-LGBT name-calling, bullying, and harassment has on our young people. It's a tragic fact of our society that almost all LGBT youth know what it's like to be bullied or harassed because of their identified or perceived sexual orientation. Surveys show that nearly 9 out of every 10 LGBT students have experienced harassment in our schools.

Mr. Speaker, our schools should be a place of learning and growth, where every student, no matter their background or orientation, should be safe and free to reach their full potential. On the National Day of Silence, we stand with our LGBT students to let them know that we understand, we care, and we are here for you.

I stand in silence to observe this day.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 18, 2013.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 18, 2013 at 9:38 a.m.:

That the Senate agreed to S. Con. Res. 5.

Appointments:

Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

CYBER INTELLIGENCE SHARING
AND PROTECTION ACT

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 624 in the Committee of the Whole, pursuant to House Resolution 164, the last amendment in House Report 113-41 be modified in the form that I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Page 12, after line 18, insert the following:

Page 4, line 18, strike "Federal Government" and insert "entities of the Department of Homeland Security and the Department of Justice designated under paragraphs (1) and (2) of section 2(b) of the Cyber Intelligence Sharing and Protection Act".

Page 5, line 5, strike "Federal Government" and insert "entities of the Department of Homeland Security and the Department of Justice designated under paragraphs (1) and (2) of section 2(b) of the Cyber Intelligence Sharing and Protection Act".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and add extraneous material on the bill, H.R. 624.

The SPEAKER pro tempore (Mr. SESSIONS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 164 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 624.

Will the gentleman from California (Mr. DENHAM) kindly take the chair.

□ 1023

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mr. DENHAM (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, April 17, 2013, amendment No. 4 printed in House Report 113-41 offered by the gentleman from Rhode Island (Mr. LANGEVIN) had been disposed of.

AMENDMENT NO. 7 OFFERED BY MS. SINEMA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113-41.

Ms. SINEMA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 17, insert "Department of Homeland Security and the Inspector General of the" before "Intelligence Community".

Page 17, line 21, insert "jointly and" before "annually".

Page 17, line 22, strike "congressional intelligence committees" and insert "the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the congressional intelligence committees".

The Acting CHAIR. Pursuant to House Resolution 164, the gentlewoman from Arizona (Ms. SINEMA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Arizona.

Ms. SINEMA. Mr. Chairman, I yield myself such time as I may consume.

My amendment is simple and straightforward. Currently, this bill, H.R. 624, requires the inspectors general of the intelligence community, Departments of Justice and Defense, as well as the Privacy and Civil Liberties Board to submit a report to Congress every year regarding the use of the information shared with the Federal Government. This amendment adds the inspector general of the Department of Homeland Security to the list of inspectors general that are required to submit the report.

It also adds the House and Senate Committees on Homeland Security to the list of committees that will receive the report. Currently, only the House and Senate Intelligence Committee will receive the report. Having the Department of Homeland Security, a civilian department, included in this reporting requirement adds one more layer of accountability to this review and report.

Allow me to briefly talk about the overall bill and why it has my support. I believe we need a 21st century solution for this 21st century problem. I've heard from businesses and constituents in Arizona who have firsthand knowledge of this issue. It's affecting both large corporations and small businesses alike. Our national security, our financial security, and our innovations are under very serious threat. This bill ensures that research and development, intellectual property, and software code is no longer being stolen by China, Iran, and Russia.

Countries and cyber hackers steal trade secrets and they steal innovation and research, but they also steal American jobs. Americans are known for their ingenuity and hard work, but we are losing that hard work to hackers. One of the biggest cyber threats is to an American's personal information—information like bank accounts, health records, and Social Security numbers.

This is very, very serious and a real threat to all Americans, and this threat is growing. Terrorist organizations have taken credit for taking down the online systems at Wells Fargo, JPMorgan Chase, and Bank of America. Three weeks ago, American Express also admitted that they were hacked.

Cyber attacks are becoming more sophisticated. Instead of merely disrupting commerce and stealing information, the attacks are focused on destroying our Nation's digital systems, destroying our national security, our infrastructure and financial systems that Americans depend on every day. It is imperative that we partner with private companies to discover, and then prevent, more attacks such as these.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized or 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

Mr. Chair, I will support this amendment, and I want to thank the gentlewoman from Arizona for her diligence and work in coming down to the briefings and getting well educated on the threat and familiarizing herself with the classified material. Thank you for your extra work on this issue, and thank you for being a strong voice in advocating our solution.

This amendment is important. It adds the inspector general at the Department of Homeland Security to the list of entities responsible for creating an annual report reviewing the use of information shared with the Federal Government. The amendment also adds the congressional Homeland Security Committee to the recipients of the report. This adds one more layer of oversight to make sure our civil liberties and privacy are protected in the bill.

I stand in support and appreciate all the efforts of the gentlewoman from Arizona, and I reserve the balance of my time.

Ms. SINEMA. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Ms. SINEMA. Mr. Chair, I yield 2 minutes to the gentleman from New York (Mr. MAFFEI).

Mr. MAFFEI. I thank the gentlewoman from Arizona for offering this amendment.

Mr. Chair, I rise today to speak in support of the Cyber Intelligence Sharing and Protection Act. I opposed the PATRIOT Act because many of its elements I did feel violated civil liberties and allowed things like profiling and abusive wiretapping; and while I don't think this was an easy decision, I do

feel that this is certainly a different case.

Every day international agents, terrorists, and criminal organizations attack the public and private networks of the United States, as we speak. They disrupt services, attack newspapers and banks, infiltrate government agencies. They can steal intellectual property, and most alarmingly, they access private information of millions of citizens.

□ 1030

We've already seen state actors like the People's Republic of China pursue widespread data theft from American computer networks. Intelligence experts believe that rogue nations like Iran and even independent groups like WikiLeaks are pursuing very aggressive measures to hack into our Nation's power grid, our air traffic control systems, and individuals' personal financial records and other sorts of records across the country; and I do believe we should be very concerned. So while I do have some concern that the U.S. Government may access our private information in the cybersphere, I am more concerned that the Chinese Government will access our private information. This is a clear and present danger.

This bill does have protections that strictly prohibit the Federal Government from using or retaining any information other than for cyber threat purposes. And it remains illegal, after this bill is passed, for a company to share its information, except for cybersecurity reasons. This amendment will help to further enforce that.

We must recognize that cybersecurity threats are real and constantly changing. This bill is an important measure that allows private companies to share the cyber threat information with the Federal Government to help protect critical networks and infrastructure from attack.

I support this bill. It is an important step in our United States security strategy to protect our country from emerging cyber threats at home and abroad. And I support this amendment.

Mr. ROGERS of Michigan. Mr. Chairman, I yield such time as he might consume to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. I thank the chairman for yielding.

First thing, to the Congresswoman from Arizona, I really appreciate all of your work on this bill. You came to Congress; you did your homework; you decided that it was important to protect our country; and you've done a lot of work. I just want to let you know that you've done a great job for your district and for America, generally, and I want to thank you for that.

Basically, this amendment really allows the Committee on Homeland Security and the Inspector General to

oversee and to do reporting. It's important that we have oversight. I know the chairman and I have worked hard to make sure that we deal with all of the privacy issues, and this is just another example of how we're going to protect our privacy. You cannot have security if you don't have privacy.

Ms. SINEMA. Mr. Chairman, I just want to emphasize again that this amendment helps add another layer of accountability. It includes the Homeland Security Department as a civilian interface for Congress in both the Homeland Security Committee and the Intelligence Committee.

I want to thank, in particular, the chair and the ranking member for their leadership on this issue over the course of several years. I know in my district it's important not just to consumers, but also to industry leaders who are leading the way forward on American innovation. I want to thank them for that.

I encourage Members to support this amendment, and I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time, Mr. Chairman.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Arizona (Ms. SINEMA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. SINEMA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Arizona will be postponed.

AMENDMENT NO. 8, AS MODIFIED, OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113-41.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, beginning on line 24, strike "Director of National Intelligence and" and insert "Director of National Intelligence,".

Page 19, line 1, insert "and the Privacy Officer and the Officer for Civil Rights and Civil Liberties of the Department of Homeland," after "Justice,".

The Acting CHAIR. Pursuant to House Resolution 164, the gentlewoman from California (Ms. LORETTA SANCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the challenge of defending our Nation on a constantly ex-

panding cyber front continues to grow. I believe that I'm one of those Members of the Congress that sits both on the House Armed Services Committee and on the Homeland Security Committee and I see it from both angles, both from the civilian side and the military side.

I've constantly tried to improve how we address the need for the next-generation technology, public-private cooperation, and ensuring that we have the right personnel to counter this 21st-century cyber threat. However, I am uncompromising in safeguarding the rights of our citizens, and I will never sacrifice our civil liberties for unneeded intrusion.

To this end, the amendment I am offering today would strengthen existing provisions in the bill to include the Privacy Officer and the Officer for Civil Rights and Civil Liberties of the Department of Homeland Security as key stakeholders in the report that would assess the impact activity caused by this legislation.

This report would assess how this legislation affected our civil liberties and privacy throughout our Federal Government. The Department of Homeland Security is "the" key civil department in our Federal Government that develops and implements cybersecurity protocols for the rest of the Federal Government. It's crucial that they be part of any civil liberty and privacy assessment.

I have worked closely with both the Privacy Office and the Office of Civil Rights and Civil Liberties. The individuals in these offices are experts in their fields and they should have a say; they should be in the room as we take a look at this.

Much work needs to be done, but I urge my colleagues to support my amendment to continue improving this bill.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. Mr. Chairman, I will support this amendment; and I want to thank the gentlelady for her work and interest on this very, very important issue and her taking the time to be involved in the process of making this a better bill and protecting privacy and civil liberties.

What this bill does is add a Privacy Officer and Officer of Civil Rights and Civil Liberties of the Department of Homeland Security to the list of entities responsible for producing an annual report assessing the privacy and civil liberties impact of activities conducted by the Federal Government under this bill.

Because the bill requires the Senior Privacy and Civil Liberties Officer of each department or agency receiving information under the bill to participate in the report, I will not oppose this effort to specifically include these officials from the Department of Homeland Security.

I think this is, again, making more clarification, making our privacy and civil liberties protection that much more robust in the bill, and I want to thank the gentlelady for her efforts.

With that, Mr. Chairman, I reserve the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank the kind chairman for his remarks and his support.

Mr. Chairman, I ask unanimous consent that the amendment be modified with the modification that is at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Insert "Security" after "Homeland" in the second instruction.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIR. The amendment is so modified.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from California (Mr. McNERNEY).

Mr. McNERNEY. I thank my colleague from California, and I rise in support of Ms. SANCHEZ's amendment, but in opposition to the underlying bill, H.R. 624.

This legislation has positive aspects, but I'm concerned with the civil protections not required in H.R. 624. Ms. SANCHEZ's amendment is a necessary step toward improving the bill by giving oversight authority to a civilian agency.

Sharing information is absolutely essential; however, in exchange for the liabilities protections given to businesses that share cyber threat information with the government, it is our responsibility here in Congress to protect our constituents' private information. Businesses should be required to remove personally identifiable information before submitting data to Federal agencies.

I thank Ms. SANCHEZ again for her efforts, as well as Mr. ROGERS and Mr. RUPPERSBERGER for their efforts as leaders of the Intelligence Committee.

Mr. ROGERS of Michigan. I would thank the gentlelady again and yield back the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from California (Ms. LORETTA SANCHEZ).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 113-41.

Mr. LAMALFA. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, after line 7 insert the following:

"(7) LIMITATION ON SURVEILLANCE.—Nothing in this section shall be construed to authorize the Department of Defense or the National Security Agency or any other element of the intelligence community to target a United States person for surveillance.

The Acting CHAIR. Pursuant to House Resolution 164, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 1040

Mr. LAMALFA. I yield myself such time as I may consume.

Mr. Chair, I appreciate the opportunity to rise today and speak in favor of my amendment to the Cyber Intelligence Sharing and Protection Act. This is an example of the process working. A lot of folks have expressed concerns about the measure here, not only on the cyber intelligence side but as well the privacy and personal security side. I think this amendment and many others that we have seen today, and will see, are addressing that issue so we get the right balance between cybersecurity and individual liberties and freedoms, Fourth Amendment concerns.

The threat we face today in the cyber realm is nothing short of a serious threat to our national security. Nation-states like China and Russia are targeting the American government and the American private sector alike for cyber espionage, and potentially for cyber attack.

Chinese espionage targeting the American private sector to steal core research and development information—at the very heart of American innovations and jobs—represents an unprecedented threat to our very way of life.

While strongly supporting this legislation, I am pleased to have worked with Chairman ROGERS and Ranking Member RUPPERSBERGER to further clarify that nothing in the legislation should be construed to be a surveillance program directed at American citizens.

The amendment is very concise yet extremely important. Titled the "Limitation on Surveillance," it simply reads as follows:

Nothing in this section shall be construed to authorize the Department of Defense or the National Security Agency or any other

element of the intelligence community to target a United States person for surveillance.

As we act to protect the United States from cyber attack by foreign countries and terrorist groups, we must ensure that our constitutional rights and privacy are maintained. The term "United States person" includes U.S. citizens and legal residents or legal visitors to the country, limiting the surveillance powers of this bill to foreign nationals and those entering the Nation illegally.

This amendment helps to strike the balance this measure strives for, granting our government the means to defend the Nation while, importantly, preventing any inappropriate use of these powers.

Again, I am pleased to support legislation that creates no new regulatory regime and does not create additional Federal bureaucracy or require significant additional spending.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chair, I rise to claim time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. Mr. Chair, while we never believe that any surveillance of Americans was permitted under our bill, we are taking any and all precautions to make it entirely clear that no element of the intelligence community—which, of course, includes the Department of Defense and the National Security Agency—is authorized to target any United States person for surveillance. The chairman's amendment solidifies the privacy and civil liberties protections that we always have intended to have as part of the bill. No American activities or communications will be targeted—period. We cannot have security without privacy.

Therefore, I urge a "yes" vote on this amendment, and I reserve the balance of my time.

Mr. LAMALFA. It is my pleasure to now yield 1 minute to the chairman of the Intel Committee, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Chair, I support this amendment, which makes very, very clear that nothing in this bill authorizes the government to target an American citizen for surveillance. It's incredibly important.

Though the underlying bill would not allow the surveillance of an American citizen under CISPA, I will support this amendment as a further clarification that settles some Members' concerns and ensures the scope of the bill stays as narrow as we intended it to be.

The amendment is an important myth buster about the intentions of CISPA. I commend Mr. LAMALFA for

his leadership on this issue and urge strong support for the LaMalfa amendment.

Mr. RUPPERSBERGER. I would like to yield to the gentleman from Virginia, the chairman of the Judiciary Committee, Congressman GOODLATTE, as much time as he may consume. And I would also like to thank him personally for working closely with us on this bill to have a bill that will protect the citizens of the United States of America.

Mr. GOODLATTE. I thank the gentleman from Maryland, the ranking member, for not only yielding me this time, but also for the great work that he has done, and also the great work that Chairman ROGERS has done. They have worked together in a bipartisan fashion to accomplish something very, very important to accomplish in terms of fighting cyber terrorism, cyber crime, and making sure that we are safe in this country from cyber attacks to which we are very vulnerable today.

I also want to thank the gentleman from California for his amendment. I support efforts to make it absolutely clear that this legislation does not in any way authorize the surveillance of American citizens.

I also want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for working with me to enhance the liability provisions in the legislation, for working with me to address some jurisdictional issues in the bill that affected the Department of Justice and the House Judiciary Committee.

I would also like to note that the President's statement in opposition to this bill insists on exposing our best technology providers to even more lawsuits when they are simply helping to defend our Nation against cyber attacks. The President's opposition statement expresses a deep distrust of private industry that America has rejected since its founding.

The bill before us today instead welcomes the private sector and acknowledges that we need the best minds in the country to help protect our citizens from ever-evolving cyber attacks by the likes of China and Iran. And the work done by the chairman and the ranking member to improve the provision of this bill, working with my committee and my staff to make it clear that we have a definite definition of what constitutes good faith and what constitutes circumstances under which a business that does not act in good faith would be exposed to lawsuits and liability, is one that helps protect the privacy of American citizens, because those citizens will be assured they will know under what circumstances a business has exceeded its authority under the law and be protected and have a clear right to bring an action under those circumstances. And the businesses themselves will be protected be-

cause they will not share information if they know they are not acting in good faith, because they know what the definition of good faith is in the bill.

So the gentleman from Michigan, the gentleman from Maryland, the chairman and ranking member, have done a great job with this legislation. I support their efforts and urge my colleagues to do the same.

Mr. LAMALFA. Mr. Chair, again, thank you to my colleagues. The ranking member from Maryland (Mr. RUPPERSBERGER), I really appreciate your kind words and your strong support. To my colleague from Virginia, thank you for your kind words on the amendment as well. And to my colleague, Mr. Chairman, Mr. ROGERS from Michigan, thank you for letting me offer this amendment here.

It does strike the balance I think we need with cybersecurity. The great threat to many of our institutions in this Nation is something that we do have to act upon, but also finding that balance with personal privacy that is so key to the elements of the founding of our Nation. I'm proud to be able to carry this amendment. I ask for your support, Mr. Chairman, and I yield back the balance of my time.

Mr. RUPPERSBERGER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

□ 1050

AMENDMENT NO. 10 OFFERED BY MR. PAULSEN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 113-41.

Mr. PAULSEN. I offer an amendment, Mr. Chair.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 4. SENSE OF CONGRESS ON INTERNATIONAL COOPERATION.

It is the sense of Congress that international cooperation with regard to cybersecurity should be encouraged wherever possible under this Act and the amendments made by this Act.

The Acting CHAIR. Pursuant to House Resolution 164, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, last month at a Senate hearing outlining the threats facing our security, it was the Director of National Intelligence, James Clapper, who warned that the intelligence community is seeing indications that some terror groups are interested in "developing offensive cyber capabilities, and cyber criminals are using a growing black market to sell cyber tools that fall into the hands of both state and nonstate actors."

Mr. Chair, just last week in Chairman ROGERS' committee, it was Director Clapper who also said, "As more and more state and nonstate actors gain cyber expertise, its importance and reach as a global threat cannot be overstated."

Our society has increasingly become reliant on modern technology in nearly every aspect of our daily lives, making the possibility of a cyber attack that much more dangerous. Under cyber terrorist or cyber crime, industries as diverse as financial systems, transportation, social media, and even utilities could be negatively impacted. A successful attack could disrupt the lives of Americans and result in other unpredictable consequences.

We do know the threat is real. We've already experienced attacks on our Nation's financial institutions and have faced hackers trying to gain access to the Pentagon and our Nation's critical infrastructure. According to the U.S. Government Accountability Office, the number of U.S. organizations believed to have been hacked has dramatically increased in just the last 6 years. Back in 2006, there were about 5,500 separate attacks noted, compared to 48,500 in 2012. As a January 2013 U.S. Government report found, cyber attacks and intrusions in critical energy infrastructures rose 52 percent between 2011 and 2012 alone. That's in a 1-year period, Mr. Chair.

Cyber weapons will likely continue to be used by a greater number of countries and other actors as a form of warfare. Between 20 and 30 states already have the capability to launch cyber warfare, including China, Russia, Iran, and North Korea and others, as has been stated as part of the debate on this bill.

Fortunately, these attacks have so far been thwarted by our intelligence before significant and lasting damage could occur, but it would be unwise to choose to act alone in the face of the growing fact of cyber criminality. In order to produce effective outcomes, our intelligence community must continue to promote collaboration among experts and across boards.

Just as we conduct our drills and our training exercises with our allies, we need to work together to share our best practices to keep our citizens safe from cyber attacks. My amendment would

call on Congress to encourage international cooperation when it comes to cybersecurity.

This amendment would not bind the United States to working with other nations, but it simply does promote doing so in situations that would be mutually beneficial. Such collaboration would more effectively allow us to combat cyber terrorism and threats by sharing resources and using proven security techniques when possible.

Mr. Chair, in the end, by working together on an issue that poses a threat to all of us, the international community will benefit from the exchange of experiences and potential solutions.

Mr. Chair, I just want to thank the gentleman from Michigan and the gentleman from Maryland for their leadership on this very challenging issue. I know that looking forward we will continue to see success in battling these real threats.

With that, I reserve the balance of my time.

Mr. RUPPERSBERGER. I rise to claim the time in opposition to this amendment even though I'm not opposed.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. I thank Congressman PAULSEN for his work on this bill. I support his amendment with the sense of Congress to encourage international cooperation with regard to cybersecurity whenever possible under this bill.

Given that cyber threats are global in nature, as are our networks and computer systems, international efforts must work together to protect against domestic and foreign actors who seek to destroy our industries, government, agencies, and utilities.

Therefore, I urge a "yes" vote on the amendment, and I yield back the balance of my time.

Mr. PAULSEN. Mr. Chair, I yield such time as he may consume to the committee chairman.

Mr. ROGERS of Michigan. Mr. Chairman, I support this amendment and agree that we must employ international cooperation to combat the scourge of economic cyber espionage and leverage our official state relationships and alliances to help stop the bleeding.

China's economic espionage has reached an intolerable level, and I believe U.S. officials should demand that it stop at every meeting and engagement we have with Chinese officials. Moreover, the United States and our allies in Europe and Asia have an obligation to confront Beijing and demand they put a stop to this piracy.

Beijing is waging a massive trade war on us all, and we should band together to pressure them to stop. Combined, the United States and our allies in Eu-

rope and Asia have significant diplomatic and economic leverage over China, and we should use this to our advantage to put an end to this activity.

I commend the gentleman from Minnesota for offering this amendment, and I urge my colleagues' strong support for it.

Mr. PAULSEN. Mr. Chair, I urge support for my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. BARTON

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 113-41.

Mr. BARTON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 4. RULE OF CONSTRUCTION RELATING TO CONSUMER DATA.

Nothing in this Act or the amendments made by this Act shall be construed to provide new or alter any existing authority for an entity to sell personal information of a consumer to another entity for marketing purposes.

The Acting CHAIR. Pursuant to House Resolution 164, the gentleman from Texas (Mr. BARTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, when this same bill or bill similar to it was on the House floor last year, I had to reluctantly rise in opposition to it because it was my opinion that the privacy protections in the bill were not sufficient to protect the privacy of the American people. I think that surprised a lot of people that I was not for the bill.

After the bill failed to move in the Senate, I went to Chairman ROGERS and I told him that I supported the underlying intent of the bill and I was hopeful that, if the bill came back up in this session, he and myself and our staffs could work together to improve the privacy protections. He promised then that he would do it, and Chairman ROGERS and his staff have been men and women of their word. The result is a bill that was reported out of the Intelligence Committee on a bipartisan basis with much stronger privacy protections.

When I went to the Rules Committee, Chairman ROGERS supported that this amendment I'm about to offer should be made in order, and it has been. And if this amendment is accepted—and I'm told that the chairman and the ranking

member are going to support it, as I'm not aware of any organized opposition to it—it is going to be my intent to vote for the bill.

We obviously have a cyber threat that faces the American people, and Chairman ROGERS and Ranking Member RUPPERSBERGER have talked about that in some detail earlier in this debate. We want to combat that threat. But in doing it, we do not want to eliminate or weaken the privacy protections of the American people that we represent in this body.

So what my amendment does is make sure that any information that is collected is going to be used simply for the purpose of protecting against cyber threats. It's a very short amendment. It adds a new section to the bill, section 4. Here I will read the amendment since it's in clear English and very short.

Nothing in this act or the amendments made by this act shall be construed to provide new or alter any existing authority for an entity to sell personal information of a consumer to another entity for marketing purposes.

What this does, Mr. Chair, is simply nail down the fact that when we find information that might be necessary to protect against a cyber threat, that's all it's going to be used for. It can't be used for any other purpose.

As I said earlier, Chairman ROGERS has worked very closely with myself, and his staff has worked with my staff. Congressman MARKEY of Massachusetts, who is the cochairman of the Privacy Caucus, strongly supports this amendment.

Again, I think it was unanimously accepted at the Rules Committee. I'm aware of no opposition, so I hope that we can adopt the amendment.

With that, I reserve the balance of my time.

□ 1100

Mr. RUPPERSBERGER. I rise to claim the time in opposition even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. First, I would like to thank Congressman BARTON for his work on the bill.

You've made the bill stronger, and we want to make sure that there is no perception that people's privacies are being violated.

I support Congressman BARTON's amendment, which ensures that nothing in our bill, CISPA, provides the authority for any entity to sell a consumer's personal information for marketing purposes.

I yield back the balance of my time.

Mr. BARTON. I yield such time as he may consume to the distinguished

chairman of the Intelligence Committee and also a distinguished member of the Energy and Commerce Committee, a former FBI agent, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Thank you, Mr. BARTON, for your work on this.

Last year, you expressed strong reservations about certain privacy protections, and you were willing to sit down and work with us to try to find and make sure that we sent that very clear message about protecting privacy in this bill. I thought the language was excellent, and it added to that purpose. It really does prevent any information in the bill from being misused by a company for anything other than the bill's strictly defined cybersecurity purpose. But his amendment adds an important clarification to make Congress' intent absolutely clear, to try again to reassure the American public that this is about protecting privacy and civil liberties while protecting the country.

I want to thank Mr. BARTON for working with me and my ranking member on this important issue, and I urge my colleagues to strongly support this amendment.

Mr. BARTON. In reclaiming my time, Mr. Chairman, before I yield back, I want to thank my staff member Emmanuel Guillory. He has worked tirelessly on this issue and on this amendment. I also want to thank Congressman ED MARKEY of Massachusetts and his staff for working with me and Chairman ROGERS and Ranking Member RUPPERSBERGER.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BARTON).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 113-41.

Ms. JACKSON LEE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 4. SAVINGS CLAUSE WITH REGARD TO CYBERSECURITY PROVIDER OBLIGATION TO REPORT CYBER THREAT INCIDENT INFORMATION TO FEDERAL GOVERNMENT.

Nothing in this Act or the amendments made by this Act shall be construed to provide authority to a department or agency of the Federal Government to require a cybersecurity provider that has contracted with the Federal Government to provide information services to provide information about cybersecurity incidents that do not pose a threat to the Federal Government's information.

The Acting CHAIR. Pursuant to House Resolution 164, the gentlewoman

from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank the chairman and the ranking member for the work that they have done in getting us here today and in crafting the legislation, and I thank the Rules Committee for making what I think is a very important amendment in order. I thank this process for allowing clarifying amendments because we are here representing the American people.

Mr. Chair, my amendment is straightforward. It improves the bill by indicating that:

Nothing in this Act or the amendments made by this Act shall be construed to provide authority to a department or agency of the Federal Government to require a cybersecurity provider that has contracted with the Federal Government to provide information services to provide information about cybersecurity incidents that do not pose a threat to the Federal Government.

We want to be concerned about that.

It makes it clear that the only instance in which a cloud service provider can share information about a cyber incident with a government agency is when the objective of an attempted intrusion of the service provider's network was to gain unauthorized access to the government's information.

I am pleased to state that this commonsense amendment is supported by a number of groups, including Constitutional Alliance, The Constitution Project, Liberty Coalition, and the ACLU.

In other words, if a cyber incident does not threaten the government's information, then the incident is none of the government's need to intrude, and this is especially true when disclosure to the government would compromise an individual's privacy and proprietary information of businesses.

Mr. Chairman, today, something commonly called the "cloud" plays an unseen but critical part in the lives of millions of Americans and thousands of businesses. Persons and businesses that use iPhones, Gmail, Yahoo!, and MSN email services are connected to the cloud. This, of course, does not in any way hinder our homeland security or national security. Cloud services include popular online services like Facebook and YouTube. The cloud is saving consumers and businesses from the loss of valuable data through storage services, and when you speak to our industries, they are protected.

This is the cloud—all private sector. They are not intruded upon, but add the government—if the government comes in and decides just without any clarification that we'll give your information to others without it being necessary, without it being government information, without it being related to government operations, my amend-

ment protects you in the private sector from that kind of intrusion.

So I believe that this amendment will protect commerce. These are well-known names. This is who this amendment will protect—all of those who are generating commerce in the midst of cloud computing.

Mr. Chairman, cloud computing is such an important innovation that it is changing how people, businesses, and government agencies manage information. The Jackson Lee amendment recognizes the importance of cloud computing to our economy, and it is consistent with the objectives of the bill while ensuring that the privacy and civil liberties rights of citizens are protected.

Again, they are doing business with each other. Once we put in the government, the question has to be whether or not the government transmits information that is not necessary. My amendment protects consumers and businesses that are in the midst of providing and helping in their lives to make sure that users have their privacy. The cloud allows users seamless access to information from any location in the United States where the Internet is accessible and available. My amendment protects them and is ready to help clarify this bill, and I ask my colleagues to support this amendment.

Mr. Chair, I yield to the ranking member of the committee, the distinguished gentleman from Maryland.

Mr. RUPPERSBERGER. I just want to thank the gentlelady from Texas for her hard work on this bill, and I support this amendment.

Ms. JACKSON LEE. I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose this amendment, I ask unanimous consent to control the time in opposition.

The Acting CHAIR (Mr. YODER). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. I want to thank the gentlelady for working with us. It is her concern and a genuine concern, and we've had discussions on this bill about the protection of privacy. It's an important element of the way we move forward to try to protect those companies that you talk about in the networks that protect the jobs of every American and the privacy of every American.

Every piece of this bill is voluntary. No one is pressured or compelled to give anything to the government under this bill. In fact, the bill contains two important protections to drive this point home:

First, the bill prohibits the government from requiring a private sector entity to share information with the government. It is completely, 100 percent voluntary;

Second, the bill prohibits the government from conditioning the sharing of

classified cyber threat intelligence with a private sector entity on the provision of cyber threat information back to the government in return. In other words, no quid pro quo, and this is a good protection that I know the gentlelady supports.

I believe that these important provisions make it very clear that every molecule of this bill is 100 percent voluntary, and this amendment, I think, reaffirms the strong language that is in the bill in order to give that next level of confidence on all the privacy amendments we've adopted today and to make it very clear that it is paramount that we protect individuals' privacy in the conduct of sharing cyber threat information.

I, therefore, support the amendment, and would urge the body to do the same. Again, I thank the gentlelady for her work on this issue and for working with the committee to come to a better place.

With that, I yield back the balance of my time.

The Acting CHAIR. The gentlewoman from Texas has 45 seconds remaining.

Ms. JACKSON LEE. Again, I say that the cloud is saving consumers and businesses from the loss of valuable data. The Jackson Lee amendment adds to the firewall of protecting Americans' privacy and, in the flow and the discourse of business, of protecting the privacy of our businesses that do not have data that is necessary for the government's information. That should be said over and over again.

I thank both the ranking member and the chairman for their kind remarks, and I ask my colleagues to support the Jackson Lee amendment that provides, again, the firewall of privacy.

With that, Mr. Chairman, I ask support of my amendment, and I yield back the balance of my time.

Mr. Chairman, I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for the work in crafting this legislation and the Rules Committee for making my amendment in order.

Mr. Chairman, my amendment is straightforward. It improves the bill by providing that:

Nothing in this Act or the amendments made by this Act shall be construed to provide authority to a department or agency of the Federal Government to require a cybersecurity provider that has contracted with the Federal Government to provide information services to provide information about cybersecurity incidents that do not pose a threat to the Federal Government's information.

Mr. Chairman, the Jackson Lee amendment makes clear that the only instance in which a cloud service provider can share information about a cyber incident with a government agency is when the objective of an attempted intrusion of the service provider's network was to gain unauthorized access to the government's information.

Mr. Chairman, I am pleased to state that this commonsense amendment is supported by interested groups across the spectrum,

from the ACLU on the left to the Constitutional Alliance on the right.

In other words, if a cyber incident does not threaten the government's information, then the incident is none of the government's business.

And this is especially true where disclosure to the government would compromise individuals' privacy and proprietary information of businesses.

Mr. Chairman, today something commonly called "the Cloud" plays an unseen but critical part in the lives of millions of Americans and thousands of businesses. Persons and businesses who use iPhones or use Gmail, Yahoo and MSN e-mail services are connected to the Cloud.

Cloud services include popular online services like Facebook, YouTube, "LinkedIn" (a professional networking service) and "Flickr" (a place where millions of personal and family photos are stored).

The Cloud is saving consumers and businesses from the loss of valuable data through storage services like the popular Apple iCloud. The Cloud protects digital information from loss should their computer or smart phone be damaged, lost or stolen. The Cloud also allows users seamless access to information from any location in the United States where internet access is available.

Mr. Chairman, "cloud computing" is such an important innovation that it is changing how people, businesses, and government agencies manage information.

The Jackson Lee amendment recognizes the importance of "cloud computing" to our economy and is consistent with the objectives of the bill while assuring that privacy and civil liberty rights of citizens are protected.

This is an important amendment, and I urge my colleagues to support it.

ORGANIZATIONS ENDORSING JACKSON LEE
AMENDMENT

ACLU
Constitutional Alliance
Stop Real ID Coalition
The Constitution Project
The Liberty Coalition

□ 1110

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCCAUL

The Acting CHAIR. It is now in order to consider the amendment printed in section 3 of House Resolution 164 as modified by the order of the House of today.

Mr. MCCAUL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 1, insert the following new section (and renumber subsequent sections accordingly):

"SEC. 2. FEDERAL GOVERNMENT COORDINATION WITH RESPECT TO CYBERSECURITY.

"(a) COORDINATED ACTIVITIES.—The Federal Government shall conduct cybersecurity activities to provide shared situational aware-

ness that enables integrated operational actions to protect, prevent, mitigate, respond to, and recover from cyber incidents.

"(b) COORDINATED INFORMATION SHARING.—

"(1) DESIGNATION OF COORDINATING ENTITY FOR CYBER THREAT INFORMATION.—The President shall designate an entity within the Department of Homeland Security as the civilian Federal entity to receive cyber threat information that is shared by a cybersecurity provider or self-protected entity in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, except as provided in paragraph (2) and subject to the procedures established under paragraph (4).

"(2) DESIGNATION OF A COORDINATING ENTITY FOR CYBERSECURITY CRIMES.—The President shall designate an entity within the Department of Justice as the civilian Federal entity to receive cyber threat information related to cybersecurity crimes that is shared by a cybersecurity provider or self-protected entity in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, subject to the procedures under paragraph (4).

"(3) SHARING BY COORDINATING ENTITIES.—The entities designated under paragraphs (1) and (2) shall share cyber threat information shared with such entities in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, consistent with the procedures established under paragraphs (4) and (5).

"(4) PROCEDURES.—Each department or agency of the Federal Government receiving cyber threat information shared in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act, shall establish procedures to—

"(A) ensure that cyber threat information shared with departments or agencies of the Federal Government in accordance with such section 1104(b) is also shared with appropriate departments and agencies of the Federal Government with a national security mission in real time;

"(B) ensure the distribution to other departments and agencies of the Federal Government of cyber threat information in real time; and

"(C) facilitate information sharing, interaction, and collaboration among and between the Federal Government; State, local, tribal, and territorial governments; and cybersecurity providers and self-protected entities.

"(5) PRIVACY AND CIVIL LIBERTIES.—

"(A) POLICIES AND PROCEDURES.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall jointly establish and periodically review policies and procedures governing the receipt, retention, use, and disclosure of non-publicly available cyber threat information shared with the Federal Government in accordance with section 1104(b) of the National Security Act of 1947, as added by section 3(a) of this Act. Such policies and procedures shall, consistent with the need to protect systems and networks from cyber threats and mitigate cyber threats in a timely manner—

"(i) minimize the impact on privacy and civil liberties;

"(ii) reasonably limit the receipt, retention, use, and disclosure of cyber threat information associated with specific persons that is not necessary to protect systems or networks from cyber threats or mitigate cyber threats in a timely manner;

"(iii) include requirements to safeguard non-publicly available cyber threat information that may be used to identify specific

persons from unauthorized access or acquisition;

“(iv) protect the confidentiality of cyber threat information associated with specific persons to the greatest extent practicable; and

“(v) not delay or impede the flow of cyber threat information necessary to defend against or mitigate a cyber threat.

“(B) SUBMISSION TO CONGRESS.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall, consistent with the need to protect sources and methods, jointly submit to Congress the policies and procedures required under subparagraph (A) and any updates to such policies and procedures.

“(C) IMPLEMENTATION.—The head of each department or agency of the Federal Government receiving cyber threat information shared with the Federal Government under such section 1104(b) shall—

“(i) implement the policies and procedures established under subparagraph (A); and

“(ii) promptly notify the Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, the Secretary of Defense, and the appropriate congressional committees of any significant violations of such policies and procedures.

“(D) OVERSIGHT.—The Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the Secretary of Defense shall jointly establish a program to monitor and oversee compliance with the policies and procedures established under subparagraph (A).

“(6) INFORMATION SHARING RELATIONSHIPS.—Nothing in this section shall be construed to—

“(A) alter existing agreements or prohibit new agreements with respect to the sharing of cyber threat information between the Department of Defense and an entity that is part of the defense industrial base;

“(B) alter existing information-sharing relationships between a cybersecurity provider, protected entity, or self-protected entity and the Federal Government;

“(C) prohibit the sharing of cyber threat information directly with a department or agency of the Federal Government for criminal investigative purposes related to crimes described in section 1104(c)(1) of the National Security Act of 1947, as added by section 3(a) of this Act; or

“(D) alter existing agreements or prohibit new agreements with respect to the sharing of cyber threat information between the Department of Treasury and an entity that is part of the financial services sector.

“(7) TECHNICAL ASSISTANCE.—

“(A) DISCUSSIONS AND ASSISTANCE.—Nothing in this section shall be construed to prohibit any department or agency of the Federal Government from engaging in formal or informal technical discussion regarding cyber threat information with a cybersecurity provider or self-protected entity or from providing technical assistance to address vulnerabilities or mitigate threats at the request of such a provider or such an entity.

“(B) COORDINATION.—Any department or agency of the Federal Government engaging in an activity referred to in subparagraph (A) shall coordinate such activity with the entity of the Department of Homeland Security designated under paragraph (1) and share all significant information resulting from such activity with such entity and all other appropriate departments and agencies of the Federal Government.

“(C) SHARING BY DESIGNATED ENTITY.—Consistent with the policies and procedures es-

tablished under paragraph (5), the entity of the Department of Homeland Security designated under paragraph (1) shall share with all appropriate departments and agencies of the Federal Government all significant information resulting from—

“(i) formal or informal technical discussions between such entity of the Department of Homeland Security and a cybersecurity provider or self-protected entity about cyber threat information; or

“(ii) any technical assistance such entity of the Department of Homeland Security provides to such cybersecurity provider or such self-protected entity to address vulnerabilities or mitigate threats.

“(C) REPORTS ON INFORMATION SHARING.—

“(1) INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY REPORT.—The Inspector General of the Department of Homeland Security, in consultation with the Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, the Inspector General of the Department of Defense, and the Privacy and Civil Liberties Oversight Board, shall annually submit to the appropriate congressional committees a report containing a review of the use of information shared with the Federal Government under subsection (b) of section 1104 of the National Security Act of 1947, as added by section 3(a) of this Act, including—

“(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

“(B) a review of the type of information shared with the Federal Government under such subsection;

“(C) a review of the actions taken by the Federal Government based on such information;

“(D) appropriate metrics to determine the impact of the sharing of such information with the Federal Government on privacy and civil liberties, if any;

“(E) a list of the departments or agencies receiving such information;

“(F) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

“(G) any recommendations of the Inspector General of the Department of Homeland Security for improvements or modifications to the authorities under such section.

“(2) PRIVACY AND CIVIL LIBERTIES OFFICERS REPORT.—The Officer for Civil Rights and Civil Liberties of the Department of Homeland Security, in consultation with the Privacy and Civil Liberties Oversight Board, the Inspector General of the Intelligence Community, and the senior privacy and civil liberties officer of each department or agency of the Federal Government that receives cyber threat information shared with the Federal Government under such subsection (b), shall annually and jointly submit to Congress a report assessing the privacy and civil liberties impact of the activities conducted by the Federal Government under such section 1104. Such report shall include any recommendations the Civil Liberties Protection Officer and Chief Privacy and Civil Liberties Officer consider appropriate to minimize or mitigate the privacy and civil liberties impact of the sharing of cyber threat information under such section 1104.

“(3) FORM.—Each report required under paragraph (1) or (2) shall be submitted in unclassified form, but may include a classified annex.

“(d) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives; and

“(B) the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate.

“(2) CYBER THREAT INFORMATION, CYBER THREAT INTELLIGENCE, CYBERSECURITY CRIMES, CYBERSECURITY PROVIDER, CYBERSECURITY PURPOSE, AND SELF-PROTECTED ENTITY.—The terms ‘cyber threat information’, ‘cyber threat intelligence’, ‘cybersecurity crimes’, ‘cybersecurity provider’, ‘cybersecurity purpose’, and ‘self-protected entity’ have the meaning given those terms in section 1104 of the National Security Act of 1947, as added by section 3(a) of this Act.

“(3) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

“(4) SHARED SITUATIONAL AWARENESS.—The term ‘shared situational awareness’ means an environment where cyber threat information is shared in real time between all designated Federal cyber operations centers to provide actionable information about all known cyber threats.”

Page 4, line 18, strike “Federal Government” and insert “entities of the Department of Homeland Security and the Department of Justice designated under paragraphs (1) and (2) of section 2(b) of the Cyber Intelligence Sharing and Protection Act”.

Page 5, line 5, strike “Federal Government” and insert “entities of the Department of Homeland Security and the Department of Justice designated under paragraphs (1) and (2) of section 2(b) of the Cyber Intelligence Sharing and Protection Act”.

Page 5, strike line 6 and all that follows through page 6, line 7.

Page 7, beginning on line 17, strike “by the department or agency of the Federal Government receiving such cyber threat information”.

Page 13, strike line 13 and all that follows through page 15, line 23.

Page 17, strike line 15 and all that follows through page 19, line 19.

The Acting CHAIR. Pursuant to House Resolution 164, the gentleman from Texas (Mr. MCCAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. MCCAUL. Mr. Chairman, I yield myself such time as I may consume, and I want to first thank Mr. ROGERS, Mr. RUPPERSBERGER, Mr. THOMPSON, and all the staff for their real-time collaboration over the last several days, very late night hours, to get this amendment to perfection, and let me just say thanks again for that.

Mr. Chairman, I strongly encourage support of this amendment. Cyber threats that the United States faces are real and immediate, and the key to addressing these cracks in our cyber defenses lies with bridging the gap between government and industry. My amendment helps do just that.

This amendment would direct the Federal Government to conduct cybersecurity activities in a real-time, coordinated, and integrated way so that

there is shared situational awareness across agencies to protect the Nation from cyber attack. This amendment would designate an entity within the Department of Homeland Security as the civilian Federal entity interface to receive cyber threat information from the private sector. This is an important improvement and provides an additional layer of review for information sharing procedures by a robust civilian privacy office in order to ensure Americans' civil liberties are protected.

Additionally, another important improvement to the underlying bill by way of this amendment is designating an entity within the Department of Justice as the civilian Federal entity to receive cyber threat information from the private sector related to cyber crime.

This bipartisan amendment improves the underlying bill and addresses concerns raised by privacy groups. These changes ensure that DHS and DOJ will serve as points of entry for those seeking to share cyber threat information with the Federal Government.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Chairman, while I am not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Chair, I rise in strong support of this amendment.

Enhancing our security in cyberspace is of the highest importance, but it cannot be done at the expense of our privacy and civil liberties. The key to ensuring the necessary protections are in place is codifying in statute a strong civilian lead for information sharing with the private sector. Our amendment does just that.

Yesterday, I reached an agreement with Chairman ROGERS, Ranking Member RUPPERSBERGER, and Chairman MCCAUL to offer this bipartisan amendment to strengthen the bill. The amendment establishes a center within the Department of Homeland Security as the Federal hub for cyber threat information shared under this bill, and the Department of Justice as the hub for all cyber crime information.

With this amendment, citizens may take comfort knowing that their information will be more likely shared with the appropriate civilian agencies with the accompanying accountability and transparency; and businesses can be more sure that their dealings abroad will not be colored by the perception, fair or otherwise, that they are in cahoots with the National Security Agency.

To be clear, this amendment does not fix all of the privacy or liability issues with the underlying bill, but it does es-

tablish the strong precedent of civilian control of cyber information sharing; and I hope we can fix the broader issues with the bill, should it pass, further down the line.

This amendment is absolutely essential to the bill, and it sends the right message to the world about the way the United States will act in cyberspace.

I reserve the balance of my time.

ENHANCE THE CIVILIAN AUTHORITIES IN CISPA

ENHANCE THE CIVILIAN AUTHORITIES IN CISPA

DEAR COLLEAGUE: Chairman Rogers and Ranking Member Ruppertsberger of the House Permanent Select Committee on Intelligence, together with Chairman McCaul and Ranking Member Thompson of the House Homeland Security Committee, will offer an amendment that will designate a civilian lead for the cyber security information sharing program under the Cyber Intelligence Sharing and Protection Act (CISPA).

This amendment requires the President to designate a civilian entity within the Department of Homeland Security (DHS) to be the entry point to receive cyber threat information and to designate an entity within the Department of Justice (DOJ) as the civilian entity to receive cyber threat information related to cybersecurity crimes. These changes make clear that DHS and the DOJ will serve as points of entry for those seeking to share cybersecurity threat information with the federal government.

The amendment also requires the Secretary of DHS, the Attorney General, the Director of National Intelligence, and the Secretary of Defense to establish procedures to eliminate any personal information from cyber threat information shared with the federal government. Cyber threat information shared with the government from any source will be scrubbed of any personally identifiable information and deleted—this is also known as “minimization.”

Every agency receiving cyber threat information must notify these four agencies, and Congress of significant violations of the procedures required by the bill. These agencies must also establish a program to oversee compliance with the minimization procedures.

We urge you to vote “yes” on this amendment.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Homeland
Security Committee.

BENNIE THOMPSON,
Ranking Member,
Homeland Security
Committee.

MIKE J. ROGERS,
Chairman, Permanent
Select Committee on
Intelligence.

DUTCH RUPPERSBERGER,
Ranking Member, Per-
manent Select Com-
mittee on Intel-
ligence.

Mr. MCCAUL. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Michigan (Mr. ROGERS), the chairman of the Permanent Select Committee on Intelligence.

Mr. ROGERS of Michigan. Mr. Chair, I want to thank Mr. THOMPSON and Mr.

MCCAUL for working so hard on this particular amendment to try and get it right. An agreement was agreed to and then undone, and then agreed to by some involvement who are filled with self-importance beyond this Chamber. We were able to work out those differences and get to a place where we all agreed.

This is an important amendment. This is that civilian face that so many talked about for so long on this bill. And I want to thank both the chair and the ranking member of Homeland Security for working through all of the difficulties to get us to this place where we could present that civilian face and add yet one more reassurance about privacy, civilian liberty protection, and that this is not a surveillance bill.

And I want to thank again Mr. THOMPSON for your graciousness, your patience for working with us, and Mr. MCCAUL for your leadership on this issue as well. I urge strong support for the McCaul-Thompson-Ruppertsberger-Rogers amendment.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Democratic leader.

Ms. PELOSI. Mr. Chairman, today the Internet and new technologies are shaping a world that we could scarcely have imagined even 10 years ago. It's giving Americans an easy way to build friendships, build business, and participate in democracy, all with the click of a button.

But because so much of our daily lives are invested in cyberspace, it only takes one more click to put our personal identities, our economic stability, and our national security at risk. The threat of a cyber attack on our country is real, and our response must always balance our security with our liberties. That has always been the case in the history of America, the balance between liberty and security.

There can be absolutely no doubt or delay in shoring up our Nation's cybersecurity. We must take clear, responsible, effective action to enhance the security of the American people.

I want to commend Chairman ROGERS and Ranking Member RUPPERSBERGER, working together in a bipartisan way, for their leadership on this issue and their efforts to craft and try to improve this legislation. I want to thank Chairman MCCAUL and Ranking Member THOMPSON on the Homeland Security Committee for their energetic leadership on this subject as well. I thank both committees for recognizing the jurisdiction of the other committee.

I had hoped that today we would be addressing some major concerns of Members of Congress and the White House by improving the legislation's protections of personal information. With all of the respect in the world for

the work of our chairs and ranking members on this, and it has been considerable. You have standing on this issue that is recognized and respected. I am disappointed, however, that we did not address some of the concerns, as I mentioned, of the White House about personal information.

Unfortunately, this bill offers no policies, did not allow any amendments—and I don't put that to you, no amendments—and no real solutions that adequately uphold an American's right to privacy.

For one thing, in promoting the sharing of cyber threat information, the bill does not require the private sector to minimize irrelevant personally identifiable information from what it shares with the government, or other private matters. They can just ship the whole kit and caboodle. We are saying minimize what is relevant to our national security; the rest is none of the government's business.

The bill continues to offer overly broad liability protections and immunities to the businesses that could violate our liberties rather than offering more targeted liabilities to ensure that the private sector only shares appropriate information.

□ 1120

We thought there might be a way to get this done by amendment—I'm sure that it would enjoy bipartisan support—but the Rules Committee did not allow that amendment to come forward.

Most importantly, the bill fails to critically address the greatest weakness in our cybersecurity: our Nation's infrastructure. Too many of our country's systems, both physical and virtual, are still exposed to an increasing number of intrusions and attacks.

Now, as a longtime former member of the Intelligence Committee, I know that infrastructure is not your jurisdiction, so in your original bill you couldn't go to that place. But now the Rules Committee could have allowed, with the cooperation of the Homeland Security Committee, us to go into infrastructure.

If we're truly going to secure a reliable and resilient cyberspace that reflects our country's values, we must target our clearest vulnerabilities, while preserving a space that promotes the innovation, expression, and security of the American people.

The world we live in and the threats our country faces can change with just one click. While we should never let Americans doubt our vigilance, our preparation, our effectiveness, we must never let us compromise their civil liberties.

If we fail to meet the standard of security, we always do more harm than good.

I, myself, am personally going to vote "no" on this legislation but, in

doing so, salute the chairs and ranking members of the committees for taking us way down the road on this issue. It's just that crucial balance between security and liberty that I do not think has been struck in that bill. So, for my own part, it will not have my support.

Mr. MCCAUL. We have no more speakers. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Chair, I yield 1 minute to the gentleman from Maryland (Mr. RUPPERSBERGER), the ranking member on the Committee on Intelligence.

Mr. RUPPERSBERGER. First thing, I want to thank the ranking member, Mr. THOMPSON, and I want to thank Mr. MCCAUL and Mr. ROGERS for coming together. That's what we're elected to do, to come together in a bipartisan way and to deal with difficult issues. And they were difficult issues. But we're here today to all support this amendment.

The White House and the privacy groups raised this as one of the main issues with the bill. These groups were concerned that there was an impression, wrongly, I believe, that the military would control the program. This was never the case, but we heard these concerns, and we are addressing them in this amendment.

It means that companies sharing information about cyber threats will go to the Department of Homeland Security, a civilian agency. If the information is related to cybersecurity crime, the companies will go to the Department of Justice, another civilian agency.

The amendment requires that the Department of Homeland Security share this information with other government agencies in real-time so they can use it to protect against future cyber threats and attacks.

This amendment ensures we protect the security of our Nation, but also protect the privacy and liberties of our country and our citizens. I strongly support this amendment and urge other Members to do the same.

I commend, again, Ranking Member THOMPSON, Chairman MCCAUL, Chairman ROGERS for coming together at the last moment. I respectfully request a "yes" vote on the amendment.

You can't have security if you don't have privacy and liberty.

Mr. THOMPSON of Mississippi. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from Mississippi has the right to close.

Mr. THOMPSON of Mississippi. I reserve the balance of my time.

Mr. MCCAUL. Mr. Chairman, I yield myself the balance of my time.

Let me just say this: when it comes to this issue, particularly, which we know is one of the greatest threats that the United States faces right now, and that's the threat of cyber attacks, this is not a Republican-Democrat issue. It's really an American issue.

And with all due respect, this does provide, I think, the balance between security and civil liberties; and it provides the civilian interface to the private sector to protect our critical infrastructures that are already under attack by countries like Iran, China, and Russia.

So I think that, if anything, the recent events in Boston demonstrate that we have to come together as Republicans and Democrats to get this done in the name of national security. In the case in Boston, they were real bombs, explosive devices. In this case, they're digital bombs, and these digital bombs are on their way.

That's why this legislation is so important. That's why it's so urgent that we pass this today. For if we don't, and those digital bombs land and attack the United States of America, and Congress fails to act, then Congress has that on its hands.

I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Chair, at this point, I'd like to say that I agree with Democratic Leader Ms. PELOSI's issue with respect to cyber, particularly critical infrastructure. And I look forward to working with Chairman MCCAUL on submitting legislation.

With that, Mr. Chair, I encourage Members to support this bipartisan amendment that the chair of the Committee on Homeland Security and I drafted.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I am in support of the amendment offered by Intelligence Committee Chairman ROGERS, Congressman MCCAUL and Homeland Security Ranking Member THOMPSON to H.R. 624, the Cyber Intelligence Sharing and Protection Act of 2013. This is very similar to the amendment I offered before the Rules Committee, but was not made in order. I am pleased that the focus of my amendment is addressed by this amendment that was made in order.

This amendment just as I outlined in my amendment offered to the Rules Committee would establish a lead role for the Department of Homeland Security—a civilian agency in matters related to cyber security threats. DHS would be the agency to receive all cyber threat information. This amendment designates the Department of Justice (DOJ) as the civilian entity to receive cyber threat information related to cybersecurity crimes.

These changes make clear that DHS and the DOJ will serve as points of entry for those seeking to share cybersecurity threat information with the federal government.

The amendment also requires the Secretary of DHS, the Attorney General, the Director of National Intelligence, and the Secretary of Defense to establish procedures to eliminate any personal information from cyber threat information shared with the federal government. Cyber threat information shared with the government from any source will be scrubbed of any personally identifiable information and deleted—this is also known as "minimization."

Every agency receiving cyber threat information must notify these four agencies, and

Congress of significant violations of the procedures required by the bill. These agencies must also establish a program to oversee compliance with the minimization procedures.

The importance of a civil agency in a central role regarding the establishment and functions of domestic cyber protection programs is critical to building in the transparency, accountability and oversight the American public expects. I am in strong support of this amendment and thank my colleagues for their efforts to address the concerns of many of our constituents as we work to assure the Internet is as safe as it can be and that we maintain the level of oversight that is needed.

This is an important amendment, and I urge my colleagues to support it.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. MCCAUL).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MCCAUL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. ROGERS of Michigan. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENHAM) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 27 minutes a.m.), the House stood in recess.

□ 1145

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JOYCE) at 11 o'clock and 45 minutes a.m.

CYBER INTELLIGENCE SHARING AND PROTECTION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 164 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 624.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1146

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from Texas (Mr. MCCAUL) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113-41 on which further proceedings were postponed, in the following order: Amendment No. 7 by Ms. SINEMA of Arizona.

Amendment No. 9 by Mr. LAMALFA of California.

Amendment by Mr. MCCAUL of Texas. The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MS. SINEMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Ms. SINEMA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 21, as follows:

[Roll No. 113]

AYES—411

Aderholt
Alexander
Amash
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishak
Bentivoglio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)

Black
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Campbell

Cantor
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman

Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Galleo
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler

Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebach
Lofgren
Long
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan

Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarelli
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Boyce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner

Serrano	Thompson (MS)	Waters
Sessions	Thompson (PA)	Watt
Sewell (AL)	Thornberry	Waxman
Sherman	Tiberi	Weber (TX)
Shuster	Tipton	Webster (FL)
Simpson	Titus	Welch
Sinema	Tonko	Wenstrup
Sires	Turner	Westmoreland
Slaughter	Upton	Whitfield
Smith (NE)	Valadao	Williams
Smith (TX)	Van Hollen	Wilson (FL)
Smith (WA)	Vargas	Wilson (SC)
Southerland	Veasey	Wittman
Speier	Vela	Wolf
Stewart	Visclosky	Womack
Stivers	Wagner	Woodall
Stockman	Walberg	Yarmuth
Stutzman	Walden	Yoder
Swalwell (CA)	Walorski	Yoho
Takano	Walz	Young (AK)
Terry	Wasserman	Young (FL)
Thompson (CA)	Wasserman	Young (IN)

NOT VOTING—21

Bachmann	Kennedy	Pitts
Blackburn	Lynch	Shea-Porter
Burgess	Markey	Shimkus
Capuano	McGovern	Smith (NJ)
Ellmers	Miller, Gary	Tierney
Holding	Neal	Tsongas
Keating	Nugent	Velázquez

□ 1213

Mr. CICILLINE changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. ELLMERS. Mr. Chair, on rollcall No. 113, I was unavoidably detained. Had I been present, I would have voted “aye.”

(By unanimous consent, Mr. FLORES was allowed to speak out of order.)

A MOMENT OF SILENCE FOR THE VICTIMS IN BOSTON, MASSACHUSETTS, AND WEST, TEXAS

Mr. FLORES. Mr. Chair, I rise today in the wake of two grave tragedies in our Nation. The terrorist attack in Boston and then the tragedy in West, Texas, last night remind us of the risks that modern life presents. I ask that all Americans pray for these two communities and to hug your families a little tighter tonight.

As we gather on the House floor, I want to take a moment to remember all of those affected by the explosion in West, Texas, who have been injured or killed, and their families and their loved ones.

I would also like to recognize the bravery of the first responders and the volunteers from our community and, actually, from all over Texas who have come to the aid of those in need.

I want to thank my House colleagues for their many offers of support, and I also ask for a moment of silence.

The Acting CHAIR. All present will rise and observe a moment of silence.

AMENDMENT NO. 9 OFFERED BY MR. LA MALFA

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LAMALFA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 413, noes 0, not voting 19, as follows:

[Roll No. 114]

AYES—413

Aderholt	Cramer	Grimm
Alexander	Crawford	Guthrie
Amash	Crenshaw	Gutierrez
Amodei	Crowley	Hahn
Andrews	Cuellar	Hall
Bachus	Culberson	Hanabusa
Barber	Cummings	Hanna
Barletta	Daines	Harper
Barr	Davis (CA)	Harris
Barrow (GA)	Davis, Danny	Hartzler
Barton	Davis, Rodney	Hastings (FL)
Bass	DeFazio	Hastings (WA)
Beatty	DeGette	Heck (NV)
Becerra	Delaney	Heck (WA)
Benishek	DeLauro	Hensarling
Bentivoglio	DeBene	Herrera Beutler
Bera (CA)	Denham	Higgins
Bilirakis	Dent	Himes
Bishop (GA)	DeSantis	Hinojosa
Bishop (NY)	DesJarlais	Holt
Bishop (UT)	Deutch	Honda
Black	Diaz-Balart	Horsford
Blumenauer	Dingell	Hoyer
Bonamici	Doggett	Hudson
Bonner	Doyle	Huelskamp
Boustany	Duckworth	Huffman
Brady (PA)	Duffy	Huizenga (MI)
Brady (TX)	Duncan (SC)	Hultgren
Braley (IA)	Duncan (TN)	Hunter
Bridenstine	Edwards	Hurt
Brooks (AL)	Ellison	Israel
Brooks (IN)	Ellmers	Issa
Brown (GA)	Engel	Jackson Lee
Brown (FL)	Enyart	Jeffries
Brownley (CA)	Eshoo	Jenkins
Buchanan	Esty	Johnson (GA)
Bucshon	Farenthold	Johnson (OH)
Burgess	Farr	Johnson, E. B.
Bustos	Fattah	Johnson, Sam
Butterfield	Fincher	Jones
Calvert	Fitzpatrick	Jordan
Camp	Fleischmann	Joyce
Campbell	Fleming	Kaptur
Cantor	Flores	Kelly (IL)
Capito	Forbes	Kelly (PA)
Capps	Fortenberry	Kildee
Carney	Foster	Kilmer
Carson (IN)	Fox	Kind
Carter	Frankel (FL)	King (IA)
Cartwright	Franks (AZ)	King (NY)
Cassidy	Frelinghuysen	Kingston
Castor (FL)	Fudge	Kinzinger (IL)
Castro (TX)	Gabbard	Kirkpatrick
Chabot	Gallego	Kline
Chaffetz	Garamendi	Kuster
Chu	Garcia	Labrador
Cicilline	Gardner	LaMalfa
Clarke	Garrett	Lamborn
Clay	Gerlach	Lance
Cleaver	Gibbs	Langevin
Clyburn	Gibson	Lankford
Coble	Gingrey (GA)	Larsen (WA)
Coffman	Gohmert	Larson (CT)
Cohen	Goodlatte	Latham
Cole	Gosar	Latta
Collins (GA)	Gowdy	Lee (CA)
Collins (NY)	Granger	Levin
Conaway	Graves (GA)	Lewis
Connolly	Graves (MO)	Lipinski
Conyers	Grayson	LoBiondo
Cook	Green, Al	Loeb
Cooper	Green, Gene	Loftgren
Costa	Griffin (AR)	Long
Cotton	Griffith (VA)	Lowenthal
Courtney	Grijalva	Lowey

Lucas	Perry	Sewell (AL)
Luetkemeyer	Peters (CA)	Sherman
Lujan Grisham	Peters (MI)	Shuster
(NM)	Peterson	Simpson
Lujan, Ben Ray	Petri	Sinema
(NM)	Pingree (ME)	Sires
Lummis	Pittenger	Slaughter
Maffei	Pitts	Smith (NE)
Maloney,	Pocan	Smith (NJ)
Carolyn	Poe (TX)	Smith (TX)
Maloney, Sean	Polis	Smith (WA)
Marchant	Pompeo	Southerland
Marino	Posey	Speier
Massie	Price (GA)	Stewart
Matheson	Price (NC)	Stivers
Matsui	Quigley	Stockman
McCarthy (CA)	Radel	Stutzman
McCarthy (NY)	Rahall	Swalwell (CA)
McCaul	Rangel	Takano
McClintock	Reed	Terry
McCollum	Reichert	Thompson (CA)
McDermott	Renacci	Thompson (MS)
McHenry	Ribble	Thompson (PA)
McIntyre	Rice (SC)	Thornberry
McKeon	Richmond	Tiberi
McKinley	Rigell	Tipton
McMorris	Roby	Titus
Rodgers	Roe (TN)	Tonko
McNerney	Rogers (AL)	Turner
Meadows	Rogers (KY)	Upton
Meehan	Rogers (MI)	Valadao
Meeks	Rohrabacher	Van Hollen
Meng	Rokita	Vargas
Messer	Rooney	Veasey
Mica	Ros-Lehtinen	Vela
Michaud	Roskam	Visclosky
Miller (FL)	Ross	Wagner
Miller (MI)	Rothfus	Walberg
Miller, George	Roybal-Allard	Walden
Moore	Royce	Walorski
Moran	Ruiz	Walz
Mullin	Runyan	Wasserman
Mulvaney	Ruppersberger	Schultz
Murphy (FL)	Rush	Waters
Murphy (PA)	Ryan (OH)	Waxman
Nadler	Ryan (WI)	Weber (TX)
Napolitano	Salmon	Webster (FL)
Negrete McLeod	Sánchez, Linda	Welch
Neugebauer	T.	Wenstrup
Noem	Sanchez, Loretta	Westmoreland
Nolan	Sarbanes	Whitfield
Nunes	Scalise	Williams
Nunnelee	Schakowsky	Wilson (FL)
O'Rourke	Schiff	Wilson (SC)
Olson	Schneider	Wittman
Owens	Schock	Wolf
Palazzo	Schrader	Womack
Pallone	Schwartz	Woodall
Pascrell	Schweikert	Yarmuth
Pastor (AZ)	Scott (VA)	Yoder
Paulsen	Scott, Austin	Yoho
Payne	Scott, David	Young (AK)
Pearce	Sensenbrenner	Young (FL)
Pelosi	Serrano	Young (IN)
Perlmutter	Sessions	

NOT VOTING—19

Bachmann	Lynch	Shimkus
Blackburn	Markey	Tierney
Capuano	McGovern	Tsongas
Cárdenas	Miller, Gary	Velázquez
Holding	Neal	Watt
Keating	Nugent	
Kennedy	Shea-Porter	

□ 1221

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MCCAUL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. MCCAUL) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 409, noes 5, not voting 18, as follows:

[Roll No. 115]

AYES—409

Aderholt	Daines	Hensarling
Alexander	Davis (CA)	Herrera Beutler
Amash	Davis, Danny	Higgins
Amodei	Davis, Rodney	Himes
Andrews	DeFazio	Hinojosa
Bachus	DeGette	Holt
Barber	Delaney	Honda
Barletta	DeLauro	Horsford
Barr	DelBene	Hoyer
Barrow (GA)	Denham	Hudson
Barton	Dent	Huelskamp
Bass	DeSantis	Huffman
Beatty	DesJarlais	Huizenga (MI)
Becerra	Deutch	Hultgren
Bera (CA)	Diaz-Balart	Hunter
Bilirakis	Dingell	Hurt
Bishop (GA)	Doggett	Israel
Bishop (NY)	Doyle	Issa
Bishop (UT)	Duckworth	Jackson Lee
Black	Duffy	Jeffries
Blumenauer	Duncan (SC)	Jenkins
Bonamici	Duncan (TN)	Johnson (GA)
Bonner	Edwards	Johnson (OH)
Boustany	Ellison	Johnson, E. B.
Brady (PA)	Ellmers	Johnson, Sam
Brady (TX)	Engel	Jones
Braley (IA)	Enyart	Jordan
Bridenstine	Eshoo	Joyce
Brooks (AL)	Esty	Kaptur
Brooks (IN)	Farenthold	Kelly (IL)
Broun (GA)	Farr	Kelly (PA)
Brown (FL)	Fattah	Kildee
Brownley (CA)	Fincher	Kilmer
Buchanan	Fitzpatrick	Kind
Bucshon	Fleischmann	King (IA)
Burgess	Fleming	King (NY)
Bustos	Flores	Kingston
Butterfield	Fortenberry	Kinzinger (IL)
Calvert	Foster	Kirkpatrick
Camp	Fox	Kline
Campbell	Frankel (FL)	Kuster
Cantor	Franks (AZ)	Labrador
Capito	Frelinghuysen	LaMalfa
Capps	Fudge	Lamborn
Cárdenas	Gabbard	Lance
Carney	Gallego	Langevin
Carson (IN)	Garamendi	Lankford
Carter	Garcia	Larsen (WA)
Cartwright	Gardner	Larson (CT)
Cassidy	Garrett	Latham
Castor (FL)	Gerlach	Latta
Castro (TX)	Gibbs	Lee (CA)
Chabot	Gibson	Levin
Chaffetz	Gingrey (GA)	Lewis
Chu	Gohmert	Lipinski
Cicilline	Goodlatte	LoBiondo
Clarke	Gosar	Loeb
Clay	Gowdy	Lofgren
Cleaver	Granger	Long
Clyburn	Graves (GA)	Lowenthal
Coble	Graves (MO)	Lowey
Coffman	Grayson	Lucas
Cohen	Green, Al	Luetkemeyer
Cole	Green, Gene	Lujan Grisham
Collins (GA)	Griffin (AR)	(NM)
Collins (NY)	Griffith (VA)	Luján, Ben Ray
Conaway	Grijalva	(NM)
Connolly	Grimm	Lummis
Conyers	Guthrie	Maffei
Cook	Gutierrez	Maloney,
Cooper	Hahn	Carolyn
Costa	Hall	Maloney, Sean
Cotton	Hanabusa	Marchant
Courtney	Hanna	Marino
Cramer	Harper	Massie
Crawford	Harris	Matheson
Crenshaw	Hartzler	Matsui
Crowley	Hastings (FL)	McCarthy (CA)
Cuellar	Hastings (WA)	McCarthy (NY)
Culberson	Heck (NV)	McCaul
Cummings	Heck (WA)	McClintock

McCollum	Price (NC)	Smith (NJ)
McDermott	Quigley	Smith (TX)
McHenry	Radel	Smith (WA)
McIntyre	Rahall	Southerland
McKeon	Rangel	Speier
McKinley	Reed	Stewart
McMorris	Reichert	Stivers
Rodgers	Renacci	Stockman
McNerney	Ribble	Stutzman
Meadows	Rice (SC)	Swalwell (CA)
Meehan	Richmond	Takano
Meeks	Rigell	Terry
Meng	Roby	Thompson (CA)
Messer	Roe (TN)	Thompson (MS)
Mica	Rogers (AL)	Thompson (PA)
Michaud	Rogers (KY)	Thornberry
Miller (FL)	Rogers (MI)	Tiberi
Miller (MI)	Rohrabacher	Tipton
Miller, George	Rokita	Titus
Moore	Rooney	Tonko
Moran	Ros-Lehtinen	Turner
Mullin	Roskam	Upton
Mulvaney	Ross	Valadao
Murphy (FL)	Rothfus	Van Hollen
Murphy (PA)	Roybal-Allard	Vargas
Nadler	Royce	Veasey
Napolitano	Ruiz	Vela
Negrete McLeod	Runyan	Visclosky
Neugebauer	Ruppersberger	Wagner
Noem	Rush	Walberg
Nolan	Ryan (OH)	Walden
Nunes	Ryan (WI)	Walorski
Nunnelee	Salmon	Walz
O'Rourke	Sánchez, Linda	Wasserman
Olson	T.	Schultz
Owens	Sanchez, Loretta	Waters
Palazzo	Sarbanes	Watt
Pallone	Scalise	Waxman
Pascarell	Schakowsky	Weber (TX)
Pastor (AZ)	Schiff	Webster (FL)
Paulsen	Schneider	Welch
Payne	Schock	Wenstrup
Pearce	Schrader	Westmoreland
Pelosi	Schwartz	Whitfield
Perlmutter	Schweikert	Williams
Perry	Scott (VA)	Wilson (FL)
Peters (CA)	Scott, Austin	Wilson (SC)
Peters (MI)	Scott, David	Wittman
Peterson	Serrano	Womack
Petri	Sessions	Woodall
Pingree (ME)	Sewell (AL)	Yarmuth
Pittenger	Sherman	Yoder
Pitts	Shuster	Yoho
Pocan	Simpson	Young (AK)
Poe (TX)	Sinema	Young (FL)
Polis	Sires	Young (IN)
Pompeo	Slaughter	
Price (GA)	Smith (NE)	

NOES—5

Benishak	Posay	Wolf
Bentivolio	Sensenbrenner	

NOT VOTING—18

Bachmann	Kennedy	Nugent
Blackburn	Lynch	Shea-Porter
Capuano	Markey	Shimkus
Forbes	McGovern	Tierney
Holding	Miller, Gary	Tsongas
Keating	Neal	Velázquez

□ 1227

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEBSTER) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the

intelligence community and cybersecurity entities, and for other purposes, and, pursuant to House Resolution 164, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1230

MOTION TO RECOMMIT

Mr. PERLMUTTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore (Mr. YODER). Is the gentleman opposed to the bill?

Mr. PERLMUTTER. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. PERLMUTTER moves to recommit the bill, H.R. 624, to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendments:

At the end of the bill, add the following new section:

SEC. ____ . PROTECTING THE PRIVACY OF INTERNET PASSWORDS AND THE CREATIVITY OF THE INTERNET.

Nothing in this Act or the amendments made by this Act shall be construed to—

(1) permit an employer, a prospective employer, or the Federal Government to require the disclosure of a confidential password for a social networking website or a personal account of an employee or job applicant without a court order; or

(2) permit the Federal Government to establish a mechanism to control United States citizens' access to and use of the Internet through the creation of a national Internet firewall similar to the "Great Internet Firewall of China", as determined by the Director of the National Intelligence.

In section 2(c)(1)(F) of the bill (as inserted by the amendment offered by Mr. McCaul), strike "; and" and insert a semicolon.

In section 2(c)(1)(G) of the bill (as inserted by the amendment offered by Mr. McCaul), strike the period and insert a semicolon.

At the end of section 2(c)(1) of the bill (as inserted by the amendment offered by Mr. McCaul), add the following new subparagraphs:

(H) the number of Americans who have—

(i) been required by employers, prospective employers, or the Federal Government to release confidential passwords for social networking websites; and

(ii) had personal information released to the Federal Government under this section

or obtained in connection with a cybersecurity breach; and

(I) the impact of the information that has been released or obtained as referred to in subparagraph (H) on privacy, electronic commerce, Internet usage, and online content.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

PARLIAMENTARY INQUIRY

Mr. PERLMUTTER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the inquiry.

Mr. PERLMUTTER. Is it not the case that if my amendment, if this motion to recommit is adopted, the House would immediately vote on final passage of this bill with the motion to recommit, this amendment, included?

The SPEAKER pro tempore. If a motion to recommit with forthwith instructions is adopted, the amendment is reported by the chair of the committee and is immediately before the House.

Mr. PERLMUTTER. Mr. Speaker, I'm pleased to offer this final amendment to this bill. It does not kill the bill or send it back to the committee. If adopted, as the Speaker just mentioned, it would move immediately to final passage.

Now, I want to just take a moment, because I know everybody was listening very closely to the Clerk's reading of the amendment a few minutes ago, but there are two paragraphs that I think are very important—they're very simple and they're very direct—about privacy, individuals' right to privacy, their reasonable expectation of privacy.

And I would just say, my friend, Mr. ROGERS, stated, in discussing and debating the bill as a whole, it is paramount to protect an individual's right to privacy, and I couldn't agree with him more.

So this amendment says nothing in this act or the amendments made by this act shall be construed to:

One, permit an employer, a prospective employer, or the Federal Government to require the disclosure of a confidential password for a social networking Web site or a personal account of an employee or job applicant without a court order; or

Two, permit the Federal Government to establish a mechanism to control and use of the Internet through the creation of a national Internet firewall, similar to the great Internet firewall of China, as determined by the Director of National Intelligence.

So boil that down, those are two pretty direct and simple paragraphs. Boil it down, as a condition of employment, you can't be made to give up a password to your Twitter account, your Facebook account, your LinkedIn account, your other social media types of accounts.

Now, have we done something like this in the past? Absolutely. And I'd remind the Members that in the eighties, there was a requirement, or there was an effort on the part of employers to get people to take polygraph tests, to take lie detector tests.

We, here in the Congress, said that's just not going to be a proper condition of employment. You can do background checks; you can ask for references; you can do a number of things, but we're not going to allow lie detector tests as a condition of employment. We said an employer shall not require, request, suggest, or cause an employee or prospective employee to take or submit to any lie detector test as a condition of employment.

Now, this thing has exploded as social media has exploded so that people are being asked for their private passwords to these various social media networks. And I would refer the House to an article in Yahoo! News from last year, which says, "Employers ask job-seekers for Facebook passwords."

A gentleman was seeking employment as a consultant in New York. The H.R. person wanted to see his profile, asked him for his password, for instance. He said no. He was no longer allowed to apply for that particular job.

A law professor at George Washington University here said, "It's akin to requiring someone's house keys," said the law professor and former Federal prosecutor, who calls it "an egregious violation of privacy."

This is a very simple amendment that really does two things: it helps the individual protect his right to privacy, and it doesn't allow the employer to impersonate that particular employee when other people are interacting with that person across social media platforms. So for two reasons: one, that an individual's right to privacy shouldn't be breached just because he's seeking employment; and, two, the employer shouldn't be in a position to impersonate that individual who's seeking a job. It's very clear. We've done it with respect to polygraph, lie detector tests. We should do it now.

This is an amendment that, whether you're a Democrat or a Republican, should be part of our law. And so with that, Mr. Speaker, I ask for a "yes" vote on this final amendment to the bill.

I yield back the balance of my time. Mr. ROGERS of Michigan. Mr. Speaker, I rise in opposition.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. You know, it's the time-honored tradition of this House that we allow the minority of whomever is in the majority to have a motion to recommit, and it's a legislative instrument designed to draw that very bright line down the center of this Chamber. It tends to be music to your

ears on the oral presentation and poison to the paper when you get to the details.

I appreciate the gentleman's efforts. Well done, sir; I tell you that.

Clearly, this belongs in employer-employee law. I'm sure the Labor Committee, Mr. KLINE, would be delighted to deal with this very serious issue. It doesn't comport to our language, has nothing to do with our bill. But I'll take this opportunity again to say thank you for that very bright line in the center of the aisle, to commend all of the folks on both sides of this aisle who have come together on a bill that is so important to our national security. I'm going to give you a couple of quick examples.

American Semiconductor, a company that lost its intellectual property to China, theft of China. The President one time called American Semiconductor a model of cooperation with China.

□ 1240

Their partner in China stole their intellectual property, canceled their contracts, and almost put them out of business. They were worth \$1.8 billion. Now they're worth \$170 million. Their stock price is down 90 percent, from a \$44 high to just \$2 today. They had to lay off 70 percent of their staff.

That's real. Those are real people losing real jobs to intellectual property theft as we speak.

The credit cards in your pockets will get hit 300,000 times by people trying to steal that information today, alone. Each and every one of them.

There's an unnamed large manufacturing company here in the United States. Through cyber espionage, they lost a particular product. They stole the blueprints, took it back to China, and repurposed it to compete in the global market against this particular company. Their estimate: 20,000 manufacturing jobs lost.

This is as serious an issue as we are not prepared to handle as Americans, and it is happening every minute of every single day.

When you look at the weight of those issues of the people before us in this Chamber and what they had to deal with—people like Adams and Henry and Madison—it was the size of their politics that tipped the scale for making really hard, difficult decisions and moving on. I'm going to challenge everybody in this Chamber today to not have those small, petty politics about what gets done and doesn't get done, about what I wanted in there and didn't get in there, about how my feelings got hurt or didn't get hurt.

There are Americans suffering under the weight of loss of opportunity. And those are middle class jobs. That's one rung on the ladder that's taken out for any hope for moving up and prosperity in this country.

We have a constitutional obligation to defend this Nation. We have done it in a way that doesn't allow the government to meddle with the Internet. It protects privacy, it protects civil liberties, and it has the government not even touching the Internet. This is the answer to empower cyber information sharing, to protect this Nation, to allow those companies to protect themselves, and move on to economic prosperity. If you want to take a shot across China's bow, this is the answer.

Reject this motion to recommit and let's pass this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. PERLMUTTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 624, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 224, not voting 19, as follows:

[Roll No. 116]

AYES—189

Andrews	DeLauro	Johnson (GA)
Barber	DelBene	Johnson, E. B.
Barrow (GA)	Deutch	Jones
Bass	Dingell	Kaptur
Beatty	Doggett	Kelly (IL)
Becerra	Doyle	Kildee
Bera (CA)	Duckworth	Kilmer
Bishop (NY)	Edwards	Kind
Blumenauer	Ellison	Kirkpatrick
Bonamici	Engel	Kuster
Brady (PA)	Enyart	Langevin
Braley (IA)	Eshoo	Larsen (WA)
Brown (FL)	Esty	Larson (CT)
Brownley (CA)	Farr	Lee (CA)
Bustos	Fattah	Levin
Butterfield	Foster	Lewis
Capps	Frankel (FL)	Lipinski
Cárdenas	Fudge	Loebsack
Carney	Gabbard	Lofgren
Carson (IN)	Gallego	Lowenthal
Cartwright	Garamendi	Lowe
Castor (FL)	Garcia	Lujan Grisham
Castro (TX)	Grayson	(NM)
Ciциlline	Green, Al	Luján, Ben Ray
Clarke	Green, Gene	(NM)
Clay	Grijalva	Maffei
Cleaver	Gutierrez	Maloney,
Clyburn	Hahn	Carolyn
Cohen	Hanabusa	Maloney, Sean
Connolly	Hastings (FL)	Matheson
Conyers	Heck (WA)	Matsui
Cooper	Higgins	McCarthy (NY)
Costa	Himes	McCollum
Courtney	Hinojosa	McDermott
Crowley	Holt	McIntyre
Cuellar	Honda	McNerney
Cummings	Horsford	Meeks
Davis (CA)	Hoyer	Meng
Davis, Danny	Huffman	Michaud
DeFazio	Israel	Miller, George
DeGette	Jackson Lee	Moore
Delaney	Jeffries	Moran

Murphy (FL)	Richmond	Smith (WA)
Nadler	Roybal-Allard	Speier
Napolitano	Ruiz	Swalwell (CA)
Negrete McLeod	Ruppersberger	Takano
Nolan	Rush	Thompson (CA)
O'Rourke	Ryan (OH)	Thompson (MS)
Owens	Sánchez, Linda	Titus
Pallone	T.	Tonko
Pascarell	Sanchez, Loretta	Van Hollen
Pastor (AZ)	Sarbanes	Vargas
Payne	Schakowsky	Veasey
Pelosi	Schiff	Vela
Perlmutter	Schneider	Visclosky
Peters (CA)	Schrader	Walz
Peters (MI)	Schwartz	Wasserman
Peterson	Scott (VA)	Schultz
Pingree (ME)	Scott, David	Waters
Pocan	Serrano	Watt
Polis	Sewell (AL)	Waxman
Price (NC)	Sherman	Welch
Quigley	Sinema	Wilson (FL)
Rahall	Sires	Yarmuth
Rangel	Slaughter	

NOES—224

Aderholt	Gibson	Mulvaney
Alexander	Gingrey (GA)	Murphy (PA)
Amash	Gohmert	Neugebauer
Amodei	Goodlatte	Noem
Bachus	Gosar	Nunes
Barletta	Gowdy	Nunnelee
Barr	Granger	Olson
Barton	Graves (GA)	Palazzo
Benishek	Graves (MO)	Paulsen
Bentivolio	Griffin (AR)	Pearce
Bilirakis	Griffith (VA)	Perry
Bishop (UT)	Grimm	Petri
Black	Guthrie	Pittenger
Bonner	Hall	Pitts
Boustany	Hanna	Poe (TX)
Brady (TX)	Harper	Pompeo
Bridenstine	Harris	Posey
Brooks (AL)	Hartzler	Price (GA)
Brooks (IN)	Hastings (WA)	Radel
Broun (GA)	Heck (NV)	Reed
Buchanan	Hensarling	Reichert
Buchson	Herrera Beutler	Renacci
Burgess	Hudson	Ribble
Calvert	Huelskamp	Rice (SC)
Camp	Huizenga (MI)	Rigell
Campbell	Hultgren	Roby
Cantor	Hunter	Roe (TN)
Capito	Hurt	Rogers (AL)
Carter	Issa	Rogers (KY)
Cassidy	Jenkins	Rogers (MI)
Chabot	Johnson (OH)	Rohrabacher
Chaffetz	Johnson, Sam	Rokita
Coble	Jordan	Rooney
Coffman	Joyce	Ros-Lehtinen
Cole	Kelly (PA)	Roskam
Collins (GA)	King (IA)	Ross
Collins (NY)	King (NY)	Rothfus
Conaway	Kingston	Royce
Cook	Kinzingler (IL)	Runyan
Cotton	Kline	Ryan (WI)
Cramer	Labrador	Salmon
Crawford	LaMalfa	Scalise
Crenshaw	Lamborn	Schock
Culberson	Lance	Schweikert
Daines	Lankford	Scott, Austin
Davis, Rodney	Latham	Sensenbrenner
Denham	Latta	Sessions
Dent	LoBiondo	Shuster
DeSantis	Long	Simpson
DesJarlais	Lucas	Smith (NE)
Diaz-Balart	Luetkemeyer	Smith (NJ)
Duffy	Lummis	Smith (TX)
Duncan (SC)	Marchant	Southernland
Duncan (TN)	Marino	Stewart
Ellmers	Massie	Stivers
Ellmendorf	McCarthy (CA)	Stockman
Fincher	McCauley	Stutzman
Fitzpatrick	McClintock	Terry
Fleischmann	McHenry	Thompson (PA)
Fleming	McKeon	Thornberry
Flores	McKinley	Tiberi
Forbes	McMorris	Tipton
Fortenberry	Rodgers	Turner
Fox	Meadows	Upton
Franks (AZ)	Meehan	Valadao
Frelinghuysen	Messer	Wagner
Gardner	Mica	Walberg
Garrett	Miller (FL)	Walden
Gerlach	Miller (MI)	Walorski
Gibbs	Mullin	Weber (TX)

Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams

Wilson (SC)
Wittman
Wolf
Womack
Woodall

Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—19

Bachmann
Bishop (GA)
Blackburn
Capuano
Chu
Holding
Keating

Kennedy
Lynch
Markey
McGovern
Miller, Gary
Neal
Nugent

Shea-Porter
Shimkus
Tierney
Tsongas
Velázquez

□ 1250

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 288, nays 127, not voting 17, as follows:

[Roll No. 117]

YEAS—288

Aderholt	Cotton	Hartzler
Alexander	Cramer	Hastings (FL)
Amodei	Crawford	Hastings (WA)
Bachus	Crenshaw	Heck (NV)
Barber	Cuellar	Heck (WA)
Barletta	Culberson	Hensarling
Barr	Daines	Higgins
Barrow (GA)	Denham	Himes
Barton	Dent	Horsford
Beatty	DesJarlais	Hoyer
Benishek	Deutch	Hudson
Bera (CA)	Diaz-Balart	Huizenga (MI)
Bilirakis	Dingell	Hultgren
Bishop (GA)	Duckworth	Hunter
Bishop (NY)	Duffy	Hurt
Black	Duncan (TN)	Israel
Bonner	Ellmers	Issa
Boustany	Enyart	Jeffries
Brady (TX)	Farenthold	Jenkins
Brooks (AL)	Fincher	Johnson (OH)
Brooks (IN)	Fitzpatrick	Johnson, E. B.
Brown (FL)	Fleischmann	Johnson, Sam
Brownley (CA)	Flores	Jordan
Buchanan	Forbes	Joyce
Buchson	Fortenberry	Kaptur
Burgess	Foster	Kelly (IL)
Bustos	Fox	Kelly (PA)
Butterfield	Frankel (FL)	Kilmer
Calvert	Franks (AZ)	Kind
Camp	Frelinghuysen	King (IA)
Campbell	Fudge	King (NY)
Cantor	Gallego	Kinzingler (IL)
Capito	Garamendi	Kirkpatrick
Cárdenas	Garcia	Kline
Carney	Gardner	Kuster
Carter	Gerlach	LaMalfa
Cassidy	Gibbs	Lamborn
Castor (FL)	Gingrey (GA)	Lance
Chabot	Goodlatte	Langevin
Chaffetz	Gowdy	Lankford
Clarke	Granger	Larsen (WA)
Clay	Graves (GA)	Latham
Cleaver	Graves (MO)	Latta
Clyburn	Green, Al	Lipinski
Coble	Green, Gene	LoBiondo
Coffman	Griffin (AR)	Long
Cole	Griffith (VA)	Lucas
Collins (GA)	Grimm	Luetkemeyer
Collins (NY)	Guthrie	Lujan Grisham
Conaway	Gutierrez	(NM)
Connolly	Hanabusa	Luján, Ben Ray
Cook	Hanna	(NM)
Cooper	Harper	Lummis
Costa	Harris	Maffei

Maloney, Sean
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters (CA)
Peterson
Petri
Pittenger
Pitts
Poe (TX)

Pompeo
Price (GA)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanchez, Loretta
Scalise
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shuster
Simpson
Sinema

Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stutzman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—127

Amash
Andrews
Bass
Becerra
Bentivolio
Bishop (UT)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bridenstine
Broun (GA)
Capps
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Cohen
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
Doggett
Doyle
Duncan (SC)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fleming
Gabbard

NOT VOTING—17

Bachmann
Blackburn
Capuano
Holding

Keating
Kennedy
Lynch
Markey

McGovern
Miller, Gary
Neal

Nugent
Shea-Porter

Shimkus
Tierney

Tsongas
Velázquez

□ 1259

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. BACHMANN. Mr. Speaker, on April 18, 2013 I was not able to vote on rollcall votes 113, 114, 115, 116 and 117. At the time, I was performing my duties as a designee of the U.S. House of Representatives attending the funeral of Baroness Margaret Thatcher in London. Had I been present for the vote, I would have voted "aye" on rollcall votes 113, 114, 115 and 117. I would have voted "no" on rollcall vote 116.

PERSONAL EXPLANATION

Mr. CAPUANO. Mr. Speaker, I missed several votes today to attend an Interfaith Service in Boston. I wish to state for the record how I would have voted had I been present:

Rollcall No. 113—"Yes"

Rollcall No. 114—"Yes"

Rollcall No. 115—"Yes"

Rollcall No. 116—"Yes"

Rollcall No. 117—"No"

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 624, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I am pleased to yield to my friend from Virginia, the majority leader, for the purposes of inquiring about the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House is not in session. On Tuesday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the

House will meet at 10 a.m. for morning hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a few suspensions on Tuesday and Wednesday, a complete list of which will be announced by the close of business tomorrow. Of the suspensions, I'm proud to announce that the House will consider a bill by Representative TERRI SEWELL to award the Congressional Gold Medal to the four young girls who lost their lives in the bombing of the 16th Street Baptist Church in Birmingham 50 years ago, which served as a catalyst for the civil rights movement.

In addition, Mr. Speaker, we'll take up H.R. 1549, the Helping Sick Americans Now Act. This bill, authored by Representatives JOE PITTS, MICHAEL BURGESS, and ANN WAGNER, will help Americans with preexisting conditions obtain insurance coverage without delay.

We will also consider H.R. 527, the Responsible Helium Administration and Stewardship Act, a bipartisan bill sponsored by Chairman HASTINGS. This legislation applies pre-market principles to future sales from the Federal Helium Reserve and will protect thousands of American jobs.

Mr. HOYER. I thank the majority leader for the information on the business for next week.

I would observe that he and I co-chaired, the honorary cochaurs, with JOHN LEWIS, of course, the chair, our leader, along with TERRI SEWELL, SPENCER BACHUS, and Congresswoman ROBY, a delegation to march across the Edmund Pettus Bridge to recognize the Voting Rights Act and the acts that led up to that. I thank the majority leader for bringing the gold medal bill to the floor, sponsored by Congresswoman SEWELL, recognizing those four little girls who at the Birmingham church lost their lives to what could rightfully be referred to, I think, as a terrorist act, a bomb going off, with no specific objective in mind other than to kill people inside that church.

□ 1310

The little girls were the closest to that explosion, and they lost their lives. And as the majority leader has pointed out, that event and the events that occurred in the square just across the street from the church led to this country living out its principles better than it had done to that date. But some lost their lives, these four little girls, and some gave dearly to accomplish that objective. So I thank the majority leader for facilitating that bill coming to the floor.

Mr. Leader, I noted on the schedule, however, that there is no motion to go to conference on the budget. As the

gentleman knows, the House has been requesting for some years now a budget, which the Senate has passed. That budget has now been sent to the House and it is ripe for us to go to conference.

The gentleman, the Speaker, and others have been talking about regular order for some period of time. I agree with them. Regular order leads to better results. Regular order leads to an ability to sit down and try to come to compromises on where there are differences and to make progress. I would hope that we would follow regular order now that the Senate has acted.

Speaker BOEHNER said, in January of this year, "Regular order works best." I think he was absolutely right. There was a headline in *Politico* just a couple of days ago where it says, "GOP Clammers for Regular Order." Speaker BOEHNER said on December 8, 2011, regarding a bill we had passed:

The House has passed its bill. Now the Senate has passed its bill. And, you know, under the Constitution, when we have these disagreements, there could be a formal conference between the House and Senate to resolve our differences.

You said that same year:

We have committed and the Speaker has committed to make sure that our committees will go through regular order.

PAUL RYAN, the chairman of the Budget Committee on November 29, 2011, said:

We're going to restore regular order.

I think you were correct in all those instances, and I want to associate myself with those remarks.

Now we have an opportunity for regular order, and we're going to be meeting next week, and then we'll be taking off a week. That is all time that a conference could be working to try to get us to an agreement so, frankly, we could not only have an agreement, which I think the country would welcome, but we could also, I think, substitute that agreement for the sequester, which is currently having and will have a very negative effect on our economy, on jobs, and on the confidence that Americans have that we're pursuing rational policies. The gentleman and I both have agreed that sequester is not a rational policy in that it deals with high-priority and low-priority items in very much the same way.

So my question, Mr. Leader, is there a possibility—it's not on the calendar and you didn't announce it, but I would urge you that we go to conference, preferably the first day we're back after this weekend, so that we could get to work on trying to get to an agreement on one of the most pressing problems confronting this country, and that's getting ourselves on a fiscally sustainable path.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman. I appreciate the spirit with which he recommends that we

proceed along the lines asked for by those individuals he spoke about.

I would say to the gentleman, Mr. Speaker, that I'm told that our chairman and the chairman on the other side of the Capitol, Mrs. MURRAY, they're meeting and looking to see the path forward so that we can effect a meeting of the minds and do what the American people are asking us to do, which is to get the fiscal challenges addressed at the Federal level so they can go on about making their life work and continue to create their dreams and live the life they want and have the life they want for their kids.

Mr. HOYER. I thank the gentleman for his comments.

I want to say I have a lot of respect, as the gentleman knows and I have expressed on this floor, for Mr. RYAN. I think Mr. RYAN is a very able and dedicated and conscientious Member of this House. I have equal respect for and confidence in Senator MURRAY, who chairs the Senate Budget Committee.

And while I'm appreciative of the fact they're having discussions, frankly, the American people need to have a transparent view of discussions that would occur in a conference committee. So not only would the chair of the House Budget Committee and the chair of the Senate Budget Committee—now, that implies, therefore, that in the Senate there are no Republicans participating in those discussions and in the House there are no Democrats participating in those discussions.

In light of the fact that we have 315 million to 320 million people who are represented by both Democrats and Republicans, Mr. Leader, I think it would be very useful and would accelerate—not impede—the process of getting to an agreement so the American public could weigh in with their views as they saw a conference committee debating and discussing the alternatives between the Ryan budget and the Murray budget and, indeed, the President's budget.

I've seen press reports that Mr. RYAN wants to have discussions and he wants to have parameters, but, frankly, you and I both know that if we wait to have Mr. RYAN and Ms. MURRAY agree, we're going to be probably waiting a long time. Senator MURRAY participated along with JEB HENSARLING in the supercommittee which met for many months and ultimately came to no conclusion. That's not good for the country; it's not good for our economy; and it's not good for jobs and growth.

As I understand, Mr. RYAN has said he's having discussions with Senator MURRAY; but I would urge us to have the ability to go to conference, move to go to conference, appoint conferees, and pursue regular order.

If the gentleman wants to respond to that, I yield to the gentleman; if not, I'll go on to another subject.

Mr. Leader, I don't think it was on the announcement, but I do know there is discussion in your memorandum and you've been quoted about a debt ceiling, a debt prioritization piece of legislation that would be considered. I would hope, as I said last week, that we could deal with, in a nonpartisan, bipartisan, nonpolitical fashion, the protection of the creditworthiness of the United States of America and to the maintenance of America's credit rating. It was reduced for the first time in history when we had a debt cliff debate in 2011, and we were reduced by one point in the creditworthiness of our country. That was unfortunate, and I think it hurt our country.

President Reagan said in 1986:

Unfortunately, Congress consistently brings the government to the edge of default before facing its responsibility. This brinkmanship threatens the holders of government bonds and those who rely on Social Security and veterans benefits.

Interest rates, et cetera, would skyrocket if we did that, and he was urging the then-Democratic Congress and Republicans to support an increase in the debt, which, as you know, was done.

In addition, Keith Hennessey, who was George Bush's National Economic Council Director, said on January 14:

Payment prioritization doesn't stop payments; it just delays them. Then the aggrieved party sues the government and probably wins, and it turns into a bloody mess.

That was Keith Hennessey, who was Bush's National Economic Council Director.

Tony Fratto, Deputy Press Secretary for President George Bush, said:

Prioritization is impossible. Is the government really going to be in the position of withholding benefits, salaries, rent, contract payments, et cetera, in order to pay off Treasury bondholders? That would be a political catastrophe.

I suggest not only would it be a political catastrophe, with which I agree—and I presume he's referring to the Republican Party, as he's a member of the Republican Party—but also a disaster for our economy and not, I think, something that would be helpful in growing jobs and expanding confidence, which the gentleman has talked a lot about and with which I agree with him on. We need confidence.

□ 1320

This constant utilization of the debt limit for political leverage, I think, is not in the best interest of our country or the people we represent, and I would hope that bill would not be brought to the floor but that we could together, in a bipartisan fashion, resolve that the debt limit will not be put in question by this Congress.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for his desire to see a satisfactory resolution of issues surrounding the fiscal challenges.

Obviously, the debt ceiling is another point with which we will be faced on how to deal with the spiraling debt and out-of-control spending in Washington. I know that the gentleman shares with me the desire to see the reduction in the need to borrow, the balancing of our budget and, actually, a return to a real growth in America of jobs and the economy, of economic opportunity for all. It is in that spirit that I know that he approaches this issue, and so do I.

I would say to the gentleman, when the rating agencies look at the creditworthiness of our Nation—and I think some have said as much—it is, yes, to observe a political system that works, but it is also to make sure that there is demonstrable evidence that we are making progress in dealing with the problem, and that is the focus that we must all maintain.

I mean, we know that the disproportionate problem of the debt in this country and the deficits we are running have to do with the unfunded liabilities of the entitlement programs, and we can see the White House and the President call for tax increases every other day—every day for that matter—and those are not going to deal with the spiraling, out-of-control spending that raises the need for more debt.

Again, the differences on this subject, Mr. Speaker, are well known, and I am hopeful that we can work towards setting aside the differences and focusing in on how far we can work towards accomplishing success in dealing with the problem of the mounting unfunded liabilities of the Federal Government.

Mr. HOYER. I thank the gentleman for his observation. If I can, there is some irony in the gentleman's response.

We've been talking about two items: one, the going to conference on the budget, which does, in fact, deal with prospective spending, a prospective increase in debt or deficit, because we buy more or spend more or cut revenues more. The debt limit, as the gentleman so well knows, deals with what we've already done. It doesn't have anything to do with increasing what we're going to spend. The budget does that.

Now, we're not dealing with the budget, but there is discussion about dealing with this prioritization. Frankly, we should have made that determination when we spent the money, and both sides have spent a lot of money. Our country is determined to spend a lot of money. Two wars cost us a lot of money we didn't pay for. I'm not going to go through the litany—the gentleman knows that litany—but it is somewhat ironic when we're not dealing with going to conference on the budget deficit, but we're talking about a prioritization of the debt that we've already incurred.

I think the American public will understand that raising the debt limit is

simply a recognition of what we've already done and that we're going to pay our bills—that we're not going to welch, that we're not going to default—that the most creditworthy, greatest Nation on the face of the Earth is going to pay for what it bought.

So I would urge the gentleman to not do prioritization, but let's deal with raising the debt limit so we pay our bills, and let's go to conference so we can make sure that, in fact, we keep that debt from going higher and, in fact, decrease it through reforms that we can adopt in a budget conference. I would hope the gentleman would agree with that.

I yield back the balance of my time.

HR. OF MEETING ON TOMORROW

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; and when the House adjourns on that day, it adjourn to meet on Tuesday, April 23, 2013, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. WEBER of Texas). Is there objection to the request of the gentleman from Virginia?

There was no objection.

BOSTON TRAGEDY

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Mr. Speaker, we are all still reeling from the senseless violence that was perpetrated on the community of Boston. I live a long way from Boston; but, like many Americans, I'm trying to make sense of the senseless.

How can someone so cowardly kill with such randomness—targeting innocent people who just wanted to enjoy a great American tradition in a great American city?

Last night, I read a Boston Globe article about the attack. Two runners, a father and a daughter, were in the 26th mile when they heard the explosions. Natalie Stavas' immediate reaction was to run to the scene, as depleted as she was, leaping over a barricade. The police then yelled at her to stop, but she yelled back, "I'm a pediatric doctor; you have to let me through." She began to tend to the wounded. Her father, Dr. Joe Stavas, noticed that the other runners were quickly growing cold. He tended to an elderly man who had no pulse and who was experiencing hypothermia.

Both Natalie and Joe are Nebraskans—good Americans who reacted with great selflessness in the midst of great tragedy.

THE WHITE RIBBON CAMPAIGN

(Mr. MAFFEI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAFFEI. Mr. Speaker, Vera House, which is based in Syracuse in my central New York district has been working to end domestic violence in the area for 35 years. Each year, we come together during the White Ribbon Campaign to show our support for Vera House's important work.

Vera House provides critical resources for victims of sexual violence in central New York. It ensures that all victims and families receive the care, counseling, and advocacy they need and deserve. It offers shelter services, counseling for children and adult survivors of rape and sexual abuse, and it offers violence preservation education.

Vera House and many organizations like it across the country need our continued support. An estimated 1.3 million people are victims of domestic violence every year—men and women who are straight, gay, transgender, as well as so many children. Nearly 7.8 million women have been raped by an intimate partner at some point in their lives.

Mr. Speaker, each year, Vera House serves about 1,050 survivors of sexual assault, domestic violence, and other crimes. Vera House's counseling program helps over 700 impacted by domestic or sexual violence. The White Ribbon Campaign asks people to wear a white ribbon as a symbol of awareness and solidarity with all those affected by domestic violence.

TAX REFORM

(Mr. KELLY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. KELLY of Pennsylvania. Mr. Speaker, today is a very important day to us.

Monday, April 15, was tax day.

Our Tax Code is way too big, way too complicated, way too confusing, and way too costly. Americans spend a combined 6.7 billion hours on their taxes every year, and they pay a combined total of \$168 billion just to comply with tax rules. Now, I've run a business all my life. I know full well the burdens of tax regulation: it slows hiring; it slows productivity; and it slows growth. Our Tax Code is a 70,000-page spiderweb that is unfairly trapping American workers, American families, and American businesses as well as the American economy; and it's time to set them free.

Today, April 18, is tax freedom day.

Look, it's time for us to simplify the rules, to lower the rates, to close the loopholes. A fairer, freer, simpler Tax Code will allow all taxpayers to save money, will let our economy thrive, and will allow new jobs to flourish; and, in the end, all America wins.

□ 1330

PROTECT PRIVACY RIGHTS

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to explain my "no" vote on CISPA. There's no doubt that Congress must act to improve cybersecurity and combat ongoing cyber threats, but we should never legislate out of fear or sacrifice essential rights, such as privacy, in the name of security.

Despite improvements, the bill contains unacceptable threats to privacy and lacks adequate safeguards and accountability. I am opposed to allowing private companies to share personal information with other companies and the government without making reasonable efforts to remove personally identifiable information. If Congress does not require companies to make these efforts, they will not do so.

In addition, private entities will operate with immunity under this legislation, and the people I represent will have no recourse should their privacy be violated. The changes made to the bill did not address this underlying problem, and I could not vote for it.

We can fix these shortcomings, and we should. Let's improve cybersecurity and protect the privacy rights of the people we are so honored to represent.

REMEMBERING BARBARA WILLKE

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, it's with a heavy heart that I rise today to mourn the loss of a dear friend, Mrs. Barbara Willke of Cincinnati, Ohio. She, along with her husband, Dr. Jack Willke, cofounded Cincinnati Right to Life. She died peacefully at the age of 90 this past Sunday and leaves behind her husband, 6 children, 20 grandchildren, and several foster children.

During the early years of the national debate on abortion, she recognized the injustice of abortion on demand and held steadfastly to her belief that life is a gift from God.

I first met Barb and her husband, Jack, nearly 35 years ago and have worked closely with them to protect innocent unborn children ever since. For 8 years, I worked with the Willkes on legislation to ban the horrific practice of partial-birth abortion. With their significant help and influence, the Partial-Birth Abortion Ban Act passed Congress, was signed into law by President Bush, was upheld by the United States Supreme Court by a 5-4 vote, and is now the law of the land.

Despite Barb's passing, her legacy and good works will live on. God bless Barbara Willke.

NATIONAL DAY OF SILENCE

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, I rise today in recognition of the National Day of Silence and introduced a National Day of Silence resolution earlier today. This is the day in which students from around the country rise to show their solidarity with gay, lesbian, transgender, and bisexual students who suffer abuse and harassment and are bullied solely because of their sexual orientation and gender identity.

I will use this 1-minute speech to observe a moment of silence to let all of those children know that I stand with them, that they are not alone, and that it gets better.

REMEMBERING BARBARA WILLKE

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute.)

Mr. WENSTRUP. Mr. Speaker, I stand before you today with great sadness. This weekend, the movement on behalf of life lost a passionate leader, Barbara Willke. For over four decades, Barbara and her husband, Dr. John Willke, were an unstoppable force for life. They joined together to author books, craft teaching materials, and give lectures in 64 countries, all to promote faith and sanctity of life. In 1971, they founded Right to Life of Greater Cincinnati, one of the first organizations of its kind. This life-loving organization continues to thrive in no small part due to their efforts over the years.

In addition to being a pioneer of the pro-life movement, Barbara was a nurse, a mother, a foster parent, a grandmother, and devoted wife. She and John would have celebrated their 65th wedding anniversary this summer. Barbara's influence lives on through the lives she touched, especially those she protected. It's my honor to be one of the many people who will keep her legacy alive by defending our most vulnerable, the unborn, as she did for so many years.

God bless Barbara Willke, and may she rest in peace.

CLIMATE CHANGE THREATENS COLORADO RIVER

(Mr. GRIJALVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRIJALVA. Mr. Speaker, I rise today as a member of the Safe Climate Caucus. Earlier this week, American Rivers published its annual list of the country's most-threatened rivers. Primarily because of over allocation, the Colorado River is at the top of that list. That is a challenging place to be.

Across our region, 34 million people rely on the Colorado River for drinking water. That includes cities like Las Vegas, Los Angeles, and Phoenix. The Colorado River snakes through the Grand Canyon and is truly the lifeblood of Arizona, and that's why I continue to advocate for Federal solutions to threats from uranium mining and other sources of contamination.

But the real and most serious threat to the health of the Colorado River is climate change, and that should not be ignored. Scientists predict that climate change will reduce the Colorado River's flow by up to 30 percent by 2050, threatening all those communities and resources, including recreation and agriculture.

We need proactive solutions. We need strategies to manage and mitigate climate change and the impacts of climate change. The majority has to deal with this question. It cannot be ignored. The Safe Climate Caucus is challenging the majority to floor debate on climate change. We look forward to that opportunity; and for the sake of the Colorado River, that debate needs to happen.

EXPLOSION IN WEST, TEXAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, it was around 8 p.m. last night, as the sun was setting, when in the historically Czech community of West, Texas, families were finishing up supper and winding down the day. Suddenly the tiny town of 2,600 was shaken by a massive explosion at the nearby fertilizer plant, equivalent to 2.3 on the Richter scale. The fiery blast was so strong that it was described by West Mayor Tommy Muska "like a nuclear bomb going off."

My daughter and her family were in church in Mexia, Texas, about 50 miles away, when they felt the shock. In fact, three firefighters from Mexia took off then and were headed straight for the town of West. Homes were set ablaze and flattened to the Earth. The senior citizens home has disappeared. Many citizens in the town were trapped in their homes. Others were stranded on the streets, covered with blood and no place to go.

When disaster struck, first responders, firefighters, EMS volunteers, and citizens traveled from all over Texas, headed to the town of West. For those of us in Texas, this is not a surprise. Texans always take care of Texans. In fact, so many firefighters came to West that officials said there were too many, and no more assistance was needed.

Mr. Speaker, hundreds of people are injured. Up to 70 are feared dead. Many are unaccounted for as the police go door to door looking for survivors. So

as the misty rain settles on the town of West, our prayers go out to the people of this wonderful community.

And that's just the way it is.

NATIONAL DAY OF SILENCE

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, I rise today in honor of the National Day of Silence. Tomorrow is the 16th year we've commemorated the National Day of Silence, a time when students across the country remain silent for the whole day to draw attention to the discrimination toward their LGBT peers. The National Day of Silence is important for many reasons—to let our youth know they're not alone, that there are plenty of people ready to support them just the way they are.

As my constituent, Heidi Dimas, a senior at Pajaro Valley High School puts it:

The National Day of Silence is important to me because it is a day when you see all the support for the silent ones and that nobody is alone in anything.

I'm proud of my constituents who are calling for a stop to harassment of LGBT individuals. I am particularly proud of my constituents in Watsonville and from the Pajaro Valley High School for hosting the 16th Annual Queer Youth Leadership Awards.

Though many LGBT advocates and their allies are silent tomorrow, we in Congress must never be silent. It is our job to speak for those who cannot speak for themselves. Another of my constituents, Molly Schrank, from Alternative Family Education in Santa Cruz said it best:

The National Day of Silence is important to me because sometimes silence speaks louder than words.

□ 1340

DISABLED VETERANS RED TAPE REDUCTION ACT

(Mr. SEAN PATRICK MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, no one should fight for their country, only to return home and have to fight their government. But that's exactly what's happening with over a million disabled veterans today who are waiting far too long to have their claims processed by the VA.

There are, right now, thousands of folks in my home State of New York and in the Hudson Valley who are waiting, on average, over 400 days to have their claims processed. That's a year and a half. That's wrong, and we can do better by our veterans.

I met one veteran recently named Edward Kackos. Ed served his country in Vietnam. He came home. He filed a disability claim just in February 2011. But that was 800 days ago, and Ed's still waiting for an answer. He said to me recently, "SEAN, I just need an answer so I can decide whether I'm going to have to sell my house, because I don't want to have it foreclosed."

Think about how disgraceful that is. We need to give him an answer sooner, and there's a solution.

I recently introduced the Disabled Veterans Red Tape Reduction Act. This is a simple idea that would allow veterans to go to doctors outside the VA system to get their claims processed, and it would speed it up.

But this program is at risk right now, a program that 20 percent of all veterans use, because the last Congress failed to reauthorize it.

I urge my colleagues to support this measure for another 5 years.

LET'S HELP SMALL BUSINESSES

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, today I have introduced two bills to help small businesses. We all like to talk about how small businesses are the engine of our economy, and that's because that is true. That's why I have introduced the Help Entrepreneurs Create American Jobs Act, which is a bipartisan bill, to double the deduction for startup expenses to encourage entrepreneurs to start a business and create jobs.

I'll also introduce the Fairness and Transparency in Contracting Act to ensure that only small businesses, actual small businesses, receive Federal small business contracts.

Mr. Speaker, these bills are the least that we can do to give our economy a shot in the arm.

DAY OF SILENCE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the National Day of Silence, which is coordinated nationally by the Gay, Lesbian and Straight Education Network, and organizes students across our country to take a vow of silence for the day to highlight the bullying and harassment that many LGBT youth encounter in their public schools.

I am proud to join Congressman ENGEL from New York to introduce a resolution today in support of the goals of the National Day of Silence, and I will continue to work in this Chamber to raise awareness about this ongoing problem.

I ask that the House now join me in observing a moment of silence for LGBT youth who are victims of harassment and violence in cities and towns all across this country, and as a symbol of our commitment to guarantee that every child in America can study and learn in a safe environment.

HONORING THE LIFE OF DICK FALLOW

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. I rise today to talk about the recent passing of Dick Fallow, a great friend to working men and women of the Quad-City region of Illinois and Iowa and a great ally to American workers.

Dick spent his life fighting to improve the lives of others. He was a tireless and a passionate advocate for working families and a true champion for civil rights.

As a young man, Dick served his country by driving an ambulance in World War II. Later, in the 1960s, he fought for civil rights legislation.

He is best known for being a lifelong local and national leader on behalf of the American worker. He showed up at every labor rally, picket line, and civil rights event. Rain, snow, heat, old age, and sickness, nothing could deter Dick Fallow from fighting on behalf of working people.

He was a rousing public speaker and inspired generations of Illinoisans and Iowans to get involved in public service. He also was a devoted and loving family man.

I know my husband, Gerry, and I join so many others in extending our deepest condolences to Dick Fallow's family. He will truly be missed.

REAL TAX REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Oklahoma (Mr. LANKFORD) is recognized for 60 minutes as the designee of the majority leader.

Mr. LANKFORD. Mr. Speaker, this is a conversation about something that's very pertinent to all Americans right now, and that is their taxes. Obviously, this is tax week, which was punctuated by an incredibly difficult day in Boston.

But this is also tax freedom day that's happening April 18. It's a recognition that if Americans worked their entire year they could get to this point. For many areas of the country, this would be the day they're finally paying into their own family, rather than paying into the Federal Government or the State and local Treasury.

Now, that differs from area to area, but this shows, again, the significance of what it really means to get to a

point like this where we have to look again at our Tax Code.

Today is the day just to be able to pause and say: Where are we with our Tax Code, and where are we with our budget?

Let me just highlight a couple of things. Then I have several colleagues that I want to get a chance to yield the floor to to get a chance to continue this conversation.

There's a lot of conversation about our budget, rightfully so. We're over \$1 trillion overspending this year, the same as we did the year before, the year before, and the year before. Now, for the fifth year in a row something has happened that's never happened ever in American history. We've overspent the budget by \$1 trillion.

Let me set aside something else, though, for people to be able to look at, and that is, this year, in the Federal Treasury, we will receive the highest amount of tax revenue ever in the history of the United States Treasury. Make sure no one misses that. We'll receive more revenue this year than we ever have in the history of the United States Government. Yet, we're still overspending \$1 trillion.

We have serious budget issues, but they're not tax revenue as far as how much is coming in issues; it's overspending. But our issue with taxes is not the issue of the tax rate not necessarily having enough. It's the issue of how we do it.

It's such a convoluted mess to be able to go through our thousands and thousands of pages of Tax Code. We need to stop and be able to evaluate this: Is this really the right way to do it?

The purpose of tax action is to tax the smallest amount possible to run an efficient government. Is that really what we're doing in our Tax Code right now?

Is it a simple system that people can actually do? If so, why do people spend billions of dollars across America, and millions of hours, trying to fill out tax forms, and to be able to get it in on time in a way that's so complicated that when you turn it in, no one thinks that they actually turned it in correctly. No one.

So the challenge of this is, how can we get to real tax reform to be able to solve many of the tax issues, to be able to benefit our Nation and what happens in the days ahead, and especially for our businesses that need so much help and would like to have the relief of the burden that they have to go through all this convoluted tax policy.

Let me introduce one of my dear friends. This is TOM REED from New York. He's a member of the Ways and Means Committee. They live and breathe and function with the Tax Code, and he is one of the leaders of trying to walk through the process of reforming this code.

Mr. REED. Mr. Speaker, I thank my colleague from Oklahoma for orga-

nizing this important topic and this conversation tonight.

Mr. Speaker, I believe in an America that is fair. I believe in an America where the rules are simple, so that hardworking taxpayers in America understand what those rules are, and they're not subject to the jeopardy of violating the rules because they're too complicated.

□ 1350

I believe in an America where it's not judging a person by whom they know but, rather, who they are. And, Mr. Speaker, why I start my conversation with those beliefs is because we need to apply those beliefs to getting rid of this broken, complicated Tax Code that we have in America. What we have is a Code that is not simple, that is not fair, that is way too complicated. That's why I believe in going through commonsense tax reform for the purposes of coming up with a simple, fair, and reasonable Tax Code so that people can fill out their own taxes.

As my colleague from Oklahoma rightfully points out, people are spending billions of dollars on tax preparers, third parties, and millions of hours—that can otherwise go to their businesses or to their families—to fill out a tax return that they can't understand because the rules are too complicated.

Also, we have to end what we came here to Washington, D.C., to do, my colleague from Oklahoma and myself of this freshman class in November, 2010, and that is having our country under the control of the special interests and creating those loopholes in the Tax Code that go to narrowly tailored people because of whom they know.

We want a Tax Code, I want a Tax Code, and I know my colleagues on the Ways and Means Committee want a Tax Code that promotes growth, that promotes economic opportunity, that promotes the opportunity for us to be competitive on the world stage. Because when America competes on a world stage in a competitive market, we win. We have the best workers. We have the best technology. We have freedom. We have the rule of law. We need to do commonsense tax reform for the purposes of putting us in a position where we can create the jobs today and for generations to come, because we will then create a fair, level playing field that allows us to start building things in America, allows us to put people to work for generations to come.

So I appreciate my good friend from Oklahoma bringing this issue to the forefront and having this conversation tonight, and I know he's bringing forth a copy of the Code and the regulations. And all you have to do is look at that colossal piece of paper, or reams of papers, books of papers, 70,000 pages of statutory tax and regulation. We in America can do better. We as House

Republicans demand us to do better. And we will do better under the leadership that House Republicans are doing in the Ways and Means Committee and as a Conference to make sure that we end up with a Code that is simple, fair, and no longer riddled with loopholes, big government handouts, big government subsidies. That's the principle of tax reform for the Republican side of the aisle.

Mr. LANKFORD. Thank you for those words of encouragement, because that is what we're all about.

As simple as this is, everyone would look at this Tax Code, the few notes that I brought with me to be able to reference where we really are on tax policy now, and see how large this has really become.

When we look at our tax policy, we say, How did it become this? It became this because we've added one new rule after another after another as it's gone through. Just since 2001, there have been 3,250 changes to the Tax Code. That's more than one per day. And they continue to rack up. And every business and every American has to try to rush to keep up with all this Tax Code, which leads to the problem of, How do I know that I actually filled it out correctly and completed all this? For many people, there is that sense that I didn't get a chance to write anything off as deductions but there are other people that know how to get out of this.

In this constant fight to say how do we fix this, first, we have to get to some basic definitions. One is, What does it mean to reform the Tax Code? Reforming the Tax Code seems to be a simple thing. That means we're going to fix it to make it simpler; we're going to make it more fair; we're going to make it more straightforward.

There are some that try to define reforming the Tax Code as a new way to be able to raise taxes on other people, to be able to take away this deduction or that loophole and find ways to keep this same convoluted, crony system of Tax Code, but we're going to find some way through it to be able to raise taxes on different groups of people. And so we accomplish more revenue by raising taxes rather than by fixing the system.

Again, I go back to we have the highest amount of revenue ever in the history of the Nation. This is not a tax revenue problem of how much is coming in. We have a serious spending problem. But we do have a Tax Code problem, as well, that forces businesses to overspend for tax preparation when they should be taking care of customers and clients and their employees.

We can do better than all of this. We can do better, and we should. Again, there's this sense that within the Tax Code that, if we just create a couple more things, that we can fix the Tax Code, or maybe if we just raise rates on people, that will get in more revenue.

Let me tell you a quick story. My daughters at their school several years ago had a project between the fifth graders and the first graders. As they studied through American history, the fifth graders and the first graders both got to the American Revolution at the same time; obviously, at different levels of interest and different depth on the topic. But as they studied through the American Revolution, the fifth graders, at some point, would take the role of the British and the first graders would be the patriots, the Americans, the revolutionaries.

Actually, the week before, I got a note, as a parent, saying, You need to send 100 pennies with your first graders for next week's class. And all it was was just a note saying every first grader needs 100 pennies to come. And so I sent my first grader off to school that next week with 100 pennies in her little sack. She didn't know why.

They began studying the American Revolution, and midway through the day, the fifth grade class barges into class and says, There is now a tax on sharpening your pencil, and they would impose a one penny tax on sharpening your pencil. If you go to lunch, you also have to pay another penny to leave the classroom if you go to lunch. There's a one penny tax to get a piece of Kleenex as well. They just declared it, and they would come in. Several times throughout the course of the day, they would just pop in and start collecting their tax from people. Well, on Tuesday, they came in and they doubled their tax. It's now 2 cents to sharpen your pencil, it's 2 cents to get a Kleenex, and its 2 cents to head to lunch. And so on Wednesday, it comes again and they add new things again to it.

So by Wednesday night, do you know what my first grader did? My first grader, Wednesday night, came home and said, Dad, I need to take 10 sharpened pencils with me tomorrow to school. I said, Why do you need 10 sharpened pencils? She said, Because the tax is so high on sharpening pencils, I'm going to take sharpened pencils with me to school so I won't have to pay the tax to sharpen my pencil at school. I laughed and I said, My first grader knows how to avoid taxes. My first grader knows how to do this.

Some perception that, if we just raise rates on people, a lot more tax money is going to come in is foolish, based on a basic value of, when we know it's unfair, we'll find a way to get out from under it. If we had a simple, fair, clean, straightforward tax system, we would not fight with this, and we would actually receive in the revenue that we should receive in as a Nation.

A nation does not need tax revenue. We need to be efficient, we need to be fair, and we need to be straightforward. We can do this, and we should do this.

I'd like to take just a brief moment to be able to recognize another one of

my colleagues from North Carolina. This colleague has a different topic than tax reform, but it's really important this week because a mutual person that we have great respect for that he knows personally, as well, is due of honor in this week of all weeks.

So with that, I'd like to recognize my colleague from North Carolina (Mr. MCHENRY).

HONORING GEORGE BEVERLY SHEA

Mr. MCHENRY. I thank my colleague. I appreciate his leadership both with the policy committee and on this very important issue.

Mr. Speaker, I rise today to honor America's most beloved gospel singer. According to the Guinness Book of World Records, he holds the world record for singing in person to more people than anyone in human history, to a cumulative total of a live audience of 220 million people.

Mr. Speaker, I am rising to recognize George Beverly Shea, who passed away 2 days ago at the age of 104. "Bev," as he was affectionately known, began singing with Reverend Billy Graham in 1943. In the following years, he would travel to every State in the Union and to nearly every continent on the globe to spread the gospel.

He was inducted to the Religious Broadcasters Hall of Fame in February of 1996, and was also inducted into the inaugural class of the Conference of Southern Baptist Evangelists "Hall of Faith" in 2008.

□ 1400

From a recent visit with him, I can tell you that such awards weren't the most important things to him in life. As I visited Bev, it was a beautiful day in the summer in the town of Montreat in western North Carolina. He lived right down the hill from Dr. Graham. He wanted to be close to his friend, and that's where he chose to live.

But as I noticed his pictures of his grandchildren, behind those pictures of his family I noticed a Grammy Award. It was a Lifetime Achievement Grammy Award given to him in 2010. That was behind his family pictures. Very interesting, beautiful statement from a wonderful person. It was in the Wilshire Theatre back in 2010 when he was given that Lifetime Achievement Award, and he was with the likes of Dolly Parton and even the Ramones. So it showed that he thought family was most important.

Despite his worldwide fame though, friends and residents of his town of Montreat knew him as a person who was deeply faithful to his Lord and Savior and showed many good deeds and great kindnesses throughout the community. He even had a tradition. Though he was known around the globe, he still took the time every year to sing "Happy Birthday" to the mayor of his small town of Montreat. What a special gentleman. What a special

American. What a special Christian and man of faith.

While friends and fans from around the world and Christians from around the world know him from his renditions of "How Great Thou Art" and the "Wonder of It All," he will always be remembered by friends and family in Montreat—and beyond—as one of the most humble and gracious men that has ever been known.

Bev Shea was 104, and leaves behind a wonderful blessing of a family.

So with that, I thank my colleague for yielding and giving me the opportunity to recognize such a significant individual.

Mr. LANKFORD. I thank the gentleman. He is a man worthy of honor and worthy of spending the moment to be able to stop and discuss.

Back on tax policy—which seems a mundane topic now compared to George Beverly Shea and all that he has done for our Nation and the world—did you know that under our current system if you own a guard dog to protect your business or if you hold a business convention in Bermuda or pay for your child's clarinet lessons so that it will help with their overbite, you can deduct those expenses from our income tax?

There is something morally and culturally wrong with a government that enables its citizens to deduct their gambling losses but punishes the same person by taxing the interest that they have on savings in the bank. Why would we as a Nation deduct gambling losses and tax interest savings from the bank? Shouldn't we encourage saving and maybe discourage, or at least be neutral, for gambling losses? That's the nature of this code.

There's a section even in this code that specifically outlines that if you're a drug trafficker or drug dealer, you can't deduct your expenses from drug trafficking. That's what our code has become. We've got to find a way to be able to simplify the code and to make it a fair, straightforward code that deals with the issues and takes away the absurdity that's in our code.

Let me give you another example. We have a tax system dealing with internal taxes. In our internal tax system, we actually tell people that if you're a business that's an American-owned business and you do business with other parts of the world, you will pay that tax rate to that country, which is fair, but that when you bring your money back to the United States, you'll also have to pay the difference in our tax rate. We're the only country that does that.

So we literally tell our businesses, do business all over the world, function all over the world, make money all over the world, but when you make money over there, we'd encourage you to leave that money over there and not bring it back home. Because if they bring it

back home, they're actually punished for returning money back to the United States.

Now, what does that mean to American competition and how we actually function in our business world? What that means is if you're a German company doing business in the U.K., let's say, you pay your taxes in the U.K. and then you return your money back to headquarters. But if you're an American business doing business in the U.K., you pay the business tax in the U.K., and then you don't return your money back to America, you just reinvest in your U.K. branch. Because why would you lose all that money coming back to the United States with it? This simple fix would bring back \$1 trillion in private American capital from around the world back into the United States.

Now, in 2009, this Congress passed an almost trillion-dollar stimulus bill where they took money from each other as Americans and tried to redistribute it to say it would fix the economy. Actually, what it did was it skyrocketed our debt, and we will be paying for it for generations. And it did not resolve our fiscal situation.

What would it mean, instead of just taking money from Americans and redistributing it around and pretending we did something, what would it mean instead to allow private capital to move from all over the world from American-owned businesses to be able to come back home? It would be significant to us. It's one of those commonsense things that when I talk to people, they all nod their head and say, why don't we do that? I say, because of this, because it's so difficult to get through our Tax Code and to fix the things that are obvious.

I've even had some people say to me, well, if those American companies bring their stuff back home, they'll just buy stocks or reinvest in their building, they'll just spend it however they want to. We should tell them how to spend it. I just smile and say, it's their money; let them spend it how they choose to spend it but allow them to be able to bring it home. In fact, we should encourage American-based companies to bring American money back home when they make it rather than reinvesting all over the world. It's a commonsense thing.

It's a commonsense thing to say when you do business: no matter what type of business that you're in, don't discriminate. If they have normal business expenses, allow those normal business expenses to be written off and tax on the profit. It's a commonsense thing. But instead, our code makes it so convoluted. One business gets taxed different than another business and another business. No one can define what just basic simple business expensing is because the code is all so cluttered.

Then you see in some proposals—like the President's proposal when he put

out his budget, when he said that normal business expensing should be taken away from any company that does oil or gas or coal, and instead we should give special preferences to those that do wind and solar and hydro and other things. In fact, they had the audacity to make the statement in the Treasury Green Book, they made the statement that the President wants a neutral Tax Code on energy. I had to laugh. I said, one group of companies that actually has just normal business expensing—if they have a cost for a well, they're able to deduct it like every other business does for their basic operation—gets punished in this code, and other companies get triple benefits from it. That's not neutral; that's preferences. That's back to crony capitalism.

Now, I've got to tell you, I'm all for all types of energy; I really am. I'm all for it. In my great State of Oklahoma we have geothermal; we have oil; we have gas; we use coal; we have wind. We've got all kinds of energy, and we use it all extremely well. It's a great solution for us. But the issue is not what do we do on what type of energy, it's where do we put preferences.

The code doesn't need to become even more convoluted by saying, well, the administration has certain preferences on energy, and so it's going to make it more expensive for some types, and then we're going to give special crony benefits to others. That's not the way that we need to function.

We need a code that is straightforward and clean and intentional, that we have a certain amount of money that needs to be raised to have basic operation of the Federal Government, and not raise more than that—and definitely not create a system that is even more complicated than what we have, when we have all of this giant code. Instead, we should make it more simple.

So what do we need to do? Let's set some basic guidelines. Can we create a code that is fair and straightforward? Yes. So let's get started on that. And let's start with the basics. Let's not take this code and edit. Let's take a blank sheet of paper and say, how much does the Federal Government have to raise to efficiently operate? What is the best Tax Code to start that process and begin our reform not by tweaking this, but by fixing it?

I know for certain if I went to any American and said, what is the best way to do Tax Code, no one would point to this. No one would point to our current Tax Code and say that's the best way to do it. We all get that. So let's start from there and say let's start by fixing it.

□ 1410

The second thing is let's make our Tax Code as neutral as we possibly can. What can we do to make it simple, neutral, straightforward, so that whether you're an American that makes \$20,000

a year or whether you're an American that makes \$2 million a year, you feel like it's fair to you, there's not some sense of somebody else gets more benefits than I do out of this Code. It's a simple, straightforward Code.

So, we're going to make it neutral, we're going to make it simple, and we're going to try to make it as efficient as we possibly can. And I know the words "efficient" and "Federal Government" don't go together very often, but when we start a Code, we should start it as simple as we possibly can.

The last time there was a major reform of the Tax Code was in the 1980s, and it was to simplify the Code. Since that time, it has grown more and more and more complex again. I have every belief that if we go through the long process of simplifying our Code, which dramatically needs reform, if we will simplify our Code again, in the days ahead, future Congresses will make it more complicated again. That's the nature of government. I understand that. I'm just saying it's past time to do the simplification again.

We need to have significant reform, and not reform that's defined as: How do we stick it to a certain group to make sure they pay more? Reform that's actually reform, that fixes our broken system and walks Americans through a process where they can pay taxes, as we all love to do, but can at least pay taxes in a way that they believe is fair and neutral and consistent from year to year.

With that, I yield back the balance of my time.

APRIL 21, 1836, SAN JACINTO DAY

The SPEAKER pro tempore (Mr. WENSTRUP). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. POE) for 30 minutes.

Mr. POE of Texas. Mr. Speaker, as we approach April 21 this year, that is a day of importance to those of us who are from Texas.

April 21, in Houston, when I was growing up, was a holiday. My mother, who was also born on April 21, used to tell me and my sister that we had a school holiday because it was her birthday. I didn't learn that that wasn't really correct until I got to seventh grade Texas history, when I learned that April 21 was to commemorate a battle that took place in Texas, which we now call San Jacinto Day.

Most Americans have never heard of that, but that event, April 21, 1836, is of historical significance, not only to Texans, but really to all Americans.

Texas was first controlled by the nation of France up until 1689. And then the Spanish Government, country, took over the control of what we now call Texas and controlled it for over 130 years until 1821—1690 to 1821.

The nation of Mexico revolted against Spanish oppression, and in 1821 became a republic of itself, and Texas belonged to Mexico until 1836. Texas declared independence on March 2, 1836. And then we had April 21, 1836, the day of the Battle of San Jacinto.

Well, let me back up a little bit and explain why Texas revolted against Mexico, how it became an independent country for 9 years and then later joined the United States.

Mr. Speaker, here is a map of what Mexico looked like in about 1821 after Mexico had revolted from Spain. It all happened because of the person who took charge of Mexico. His name was Santa Anna.

Santa Anna became President of Mexico in the 1820s and quickly made himself dictator of Mexico. He was supported by the military. He became the military dictator. He abolished the constitution of Mexico. He abolished the Congress of Mexico, and not all of the people in Mexico approved it. In fact, 11 different states in Mexico revolted against this dictatorship.

A lot of times in Mexican or world history, we don't talk about the other revolts in Mexico because of this dictator, because of this tyrant, but it did happen. Eleven states revolted. Those are on this map.

This map shows what Mexico looked like in 1821. The red portions are several of the states that revolted against the dictator, Santa Anna. They were: San Luis Potosi, Queretaro, Durango, Guanajuato, Michoacan, Yucatan, Jalisco, Nuevo Leon, Tamaulipas, Zacatecas, and Coahuila de Tejas, which also included Texas. These red areas revolted against Mexican rule.

Santa Anna, being President and Commander in Chief, quickly assembled his professional army and started putting down rebellions in Mexico. In fact, three of these areas claimed to be countries. There was the Republic of the Yucatan. Here is the Yucatan Peninsula, which we have all heard about. There was the Republic of the Rio Grande. And then, of course, there was the Republic of Texas, all claiming independence from the tyrant.

In fact, there was a portion of this revolution that almost succeeded in the interior of Mexico. The Zacatecas area had as good an army as Santa Anna, but their rebellion was put down quickly by Santa Anna. In fact, it was put down so brutally that other areas of the republic began to tremble. So, after these areas were put down in rebellion, Santa Anna moved his army north into what we now call Texas.

The events in Texas occurred simultaneously with all these independent revolts, but this is the event that triggered it. It happened in October of 1835—Texas, a part of Mexico. The small town of Gonzales, Texas, had a cannon that they used to protect themselves from the Apaches, the

Karankawas, and other Indian tribes. The Mexican Government decided they would take the arms of the Texans, as they called themselves; they would take the cannon. So a Mexican militia showed up, or a Mexican army showed up at Gonzales demanding return of the cannon and a skirmish ensued. Guns were fired, and the Texas Revolution was on.

For your information, the Mexican Government was not successful in starting or taking that cannon.

It's interesting to note that the Texas Revolution started, the first battle started, because government tried to take away the arms of the citizens. Interesting enough, you go backwards to Lexington and Concord, if we remember our American history, the British marched to Lexington and Concord, started the battle in the American War of Independence, and the reason: the British Government tried to take the arms, the firearms, of the colonists. They were not successful. And the same event triggered the Texas Revolution. In fact, it was called the "shot heard 'round the world."

But, in any event, the battles and skirmishes occurred. It started in October of 1835 in this area of Texas, San Antonio area primarily.

A group of Texans—really, they were volunteers from all over the United States, almost every State in the United States, a half a dozen foreign countries—had assembled themselves, 187 of these individuals, along with 11 Tejanos. "Tejano" is a uniquely Texan name for Texans of Spanish descent. And those 187 volunteers found themselves in an old beat-up Spanish church that was 100 years old at the time, that we now call the Alamo.

They knew, of course, that Santa Anna had crossed into the United States, or into Texas, across the Rio Grande River and was headed straight for the Alamo. Those defenders, rather than leave, they decided to stay. They knew, of course, that they would not be able to defend and protect the Alamo very long, because Santa Anna's Army was several thousand strong versus 187 Texans.

They were led by one of my most famous or favorite persons in all of history, a 27-year-old lawyer from South Carolina named William Barret Travis. He was the commander of those volunteers at the Alamo. For 13 days they held off the Mexican army; and we've heard the story in the history of the Alamo, how they withstood the onslaught for 13 days.

□ 1420

Travis asked for help, for people to come to the Alamo. No one came to help him except 32 volunteers from, yes, the town of Gonzales. And while he was behind those Alamo walls, he wrote probably the most famous letter written by any military leader in our

history. It was dated February 24, 1836. I have a copy of this letter on my wall, as do many Texans that represent Texas in the House of Representatives. I think it's a call to freedom and liberty in the spirit of our ancestors.

He said:

Fellow citizens, I am besieged by 1,000 or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours, but I have not lost a man. The enemy has demanded surrender at its discretion; otherwise, the fort will be put to the sword. I've answered that demand with a cannon shot, and the flag still waves proudly over the wall. I shall never surrender or retreat. I call upon you in the name of liberty and patriotism and everything dear to our character to come to my aid with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to 3,000 or 4,000 in a few days. If this call is neglected, I am determined to sustain myself for as long as possible and die like a soldier who never forgets what is due his honor and that of his country.

Victory or death, William Barret Travis, Commander of the Alamo.

A few days later, on March 6, 1836, after three assaults by Santa Anna's army, the walls were breached and every volunteer was put to the sword.

William Barret Travis in his last letter after this one said that victory will cost Santa Anna more than defeat. He was right. The losses were unbelievable against the Mexican Army, but still they were able to take the Alamo.

Meanwhile, at a place called Washington-on-the-Brazos, a group of volunteers were writing a declaration of independence and then a constitution. And on March 2, four days before the Alamo fell, under the leadership of Sam Houston and others, Texas declared independence from Mexico. The Alamo wall was breached, Santa Anna's army is moving through Texas, and Sam Houston is trying to form another army.

Remember, Santa Anna's army was no slouch. They were a professional bunch. They had defeated all of those other folks in Mexico that had sought independence and revolted against the dictatorship. They were well trained and had yet to lose a battle. In history, this is called a "runaway scrape." For Texans who live between San Antonio and Louisiana, move toward the United States, the runaway scrape.

Sam Houston is trying to find an army and design an army. Meanwhile, Santa Anna is feeling undefeatable. So he approaches the area of what is now called "the plains of San Jacinto." That's outside of Houston, on the eastern side of Houston, where the Buffalo River meets Harrisburg. And on a peninsula there in a marsh, Sam Houston had decided he was going to fight.

Yet to have fought a battle, the Mexican Army yet to be defeated, General Sam, as we call him, had an army of about 900 that he had assembled. Once again, volunteers, once again people from all over the United States,

and once again Tejanos, Texans of Spanish descent, had assembled together to do battle really on April 22, 1836; however, Sam Houston assembled a war council. His commander said, "We're not waiting until tomorrow."

Battles usually take place in the morning when the sun comes up, but on an afternoon in the heat of the day, Sam Houston decided he was going to attack the Mexican forces of Santa Anna. Tradition primarily says that Sam Houston was busy and occupied by the Yellow Rose of Texas, Emily Morgan, who was of mixed race and was keeping Santa Anna occupied in an encounter and kept him from noticing the Texas Army being assembled.

That's legend, tradition, maybe based on a little historical fact. But we honor Emily Morgan in our history, and we've named a building for her because of what she accomplished in the Texas Revolution, the first Yellow Rose of Texas.

The Texans assembled on the high plains, and they marched in broad daylight. There were so few of them they had to make one column. They were led also by Captain Juan Seguin. Juan Seguin was a Tejano. He had a calvary regiment. It wasn't really a regiment. It was just a handful of Tejanos. And to make sure that Captain Seguin and his Tejanos weren't mistaken for Santa Anna's army, Sam Houston had Juan Seguin put playing cards in their hat bands so they would be recognized as loyalists to Texas and not to Santa Anna. In those days I understand the playing card was not small like we have today, but they were rather large playing cards.

And they stuck those in their hats, the headbands of their sombreros. The fight was on. The Texans come down the hill, catching the enemy by surprise. It was an overwhelming defeat to Santa Anna's army, his first defeat. In 18 minutes, half of the Mexican Army was killed and the other half was captured. There were more captured than in the Texas Army. There were about 900 Texans, about 1,800 Mexicans thereabouts; and they were captured.

Santa Anna got away. He's later found to have changed his presidential commander-in-chief dictator outfit into a private. When he's captured, he looks like a private. He's brought into the campgrounds. His troops saw who he was, and they stood up and saluted him; and Sam Houston had captured the president and commander and dictator of the enemy, Santa Anna.

Texas declared its independence on March 2, 1836. It was realized on April 21, 1836. Texas claimed land—here's a map of what Texas looked like and claimed to be Texas in 1836 after the Battle of San Jacinto, all of what now is Texas. But there's more land. Part of New Mexico, Colorado, Oklahoma, Kansas, and part of Wyoming was claimed by Texas. In fact, Texas ceded this land

to the United States after Texas became part of the United States because Texas was a country for 9 years. Sam Houston was its President. It had its own army. It had to fight off the Mexican Army again to invaders, and it remained a Republic for 9 years.

Then Texas decided to join the Union. It wasn't easy. It was not something that was popular to put Texas in the United States. In fact, it could not get in by a treaty. It takes two-thirds of a vote by the Senate for a treaty to be signed. So it was a joint resolution. Texas got into the United States by two votes when a Senator, as I understand it, from Louisiana changed his vote and voted for the admission of Texas.

Those of us from Texas, because of our history, because of the people who are there of all races, have a unique spirit, in my opinion. It is the spirit of freedom, but that's the spirit of America. You know, our history is not really based on what happened in the 13 colonies. Our history is based independent of that, but it's the same. It's a spirit of liberty and freedom from oppression, whether it's King George, III, or whether it's a dictator named Santa Anna.

On April 21, we celebrate San Jacinto Day. On Saturday there will be a reenactment of the Battle of San Jacinto. We have a monument called the San Jacinto Monument there on the marshes of San Jacinto. It looks very similar to the Washington Monument, except, of course, it's taller than the Washington Monument. The star on top of the monument makes it taller than the Washington Monument. And as a side note, the Texas State Capitol is taller than this Capitol right here by some 15 feet.

□ 1430

The point is, Mr. Speaker, that history is important. Our history is important. People who lived before us who fought for liberty—who volunteered to fight oppression even though the odds were overwhelming that many gave up their lives for that—they are as important and they are as much a part of our tradition as the young men and women we have now fighting for America's interests all over the world; and they, like those volunteers in the Texas War of Independence, are volunteers, raising their hands to stand between us and tyranny.

So we honor those folks who fought and made Texas a country for 9 years. We are proud of that, and it is important that all of us come to remember our history.

And that's just the way it is.

I yield back the balance of my time.

APPOINTMENT AS MEMBERS TO COMMISSION TO ELIMINATE CHILD ABUSE AND NEGLECT FATALITIES

The SPEAKER pro tempore. The Chair announces the Speaker's ap-

pointment, pursuant to section 3 of the Protect Our Kids Act of 2012 (Pub. L. 112-275), and the order of the House of January 3, 2013, of the following individuals on the part of the House to the Commission to Eliminate Child Abuse and Neglect Fatalities:

Ms. Susan Dreyfus, Milwaukee, Wisconsin

Ms. Cassie Statuto Bevan, Derwood, Maryland

CURRENT EVENTS IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

With the news yesterday of the terrible explosion in West, Texas, our thoughts, hearts, prayers go out to those people so terribly harmed and adversely affected and to the loss of lives, just as we continue to remember those who have lost family, friends, loved ones, limbs in Boston.

West, Texas, is often known for their West Fest in the fall of the year. They always advertise as having the best kolaches anywhere in the world. It's just a beautiful little town, a wonderful little town, but it is rocked and needs our prayers. That is, in fact, what the mayor of West, Tommy Muska, said:

We need your prayers. There's a lot of people that got hurt. There's a lot of people, I'm sure, who will not be here tomorrow.

They're still trying to dig out from under that devastating explosion that occurred there at the fertilizer plant, so we will continue to remember those people.

It is also interesting and worthy of note that, in the news, we now find that we have confessions in the murders of the Assistant District Attorney in the neighboring county of where I live, over in Kaufman. The Assistant District Attorney, Mark Hasse, and the District Attorney, Mike McLelland, and his wife were killed back on March 30 of this year—the DA was. Mark was killed back on January 31.

That was so tragic, and any of us who have ever been prosecutors or judges as I have—and my friend TED POE has been a judge—you suffer the death threats and the slings and arrows that come at you; and I think, in a way, it was preparation for slings and arrows verbally that would come in Congress. These were real bullets that were used to kill a prosecutor, an Assistant DA and a District Attorney, and anytime law enforcement is threatened in such a way, it's a threat to the rule of law; it's a threat to the country.

Sadly, after those two heinous murders in Kaufman, the Southern Poverty Law Center came out—for which this administration has helped achieve a

very special place, unfortunately, of credibility when they do not deserve credibility because of the pain and suffering that the institution has caused—and there were articles written. Here is one from ABC with the headline “Aryan Brotherhood of Texas Among Groups Eyed in Prosecutors’ Murders.”

The article from April 2 says:

The Aryan Brotherhood of Texas, a white supremacist prison gang, has become one of the top focuses of authorities investigating the murders of two Texas prosecutors, sources told ABC News.

Prosecutors from Kaufman County, Texas, had helped imprison dozens of Aryan Brotherhood of Texas members late last year, the sources said.

In recent weeks, Kaufman County District Attorney Mike McLelland and his top assistant, Mark Hasse, were murdered in shootings that have left investigators hunting for clues.

Cops are poring over hundreds of old cases that Hasse and McLelland prosecuted and following clues that involve not just the Aryan Brotherhood of Texas, but Mexican drug cartels, local drug traffickers and other violent individuals; but they are aggressively pursuing a possible Aryan Brotherhood link, sources said.

It was nice of ABC to give so much weight and credibility to their sources that obviously did not have any clue whatsoever of what they were talking about because, just as was reported by people back at the time, they were concerned about the former justice of the peace’s possible involvement.

In the same way, the Southern Poverty Law Center began its bigoted approach toward a group like Family Research Council and all those who happen to hold religious beliefs affirmed in the Bible, constantly referred to in this Chamber and in the Chamber down the Hall, where nondenominational Christian worship services were held through most of the 1800s and where President Thomas Jefferson—who coined the phrase “separation of church and State” and said there should be a wall of separation—felt there was no problem with having a nondenominational Christian worship service in the United States Capitol and, in fact, at times, had the marine band come to play the hymns.

I have a bill that would require a plaque be put down the Hall so people would know. We’re not advocating to have church services every Sunday down there—it’s completely unnecessary—but it is important for people to not have this view that is completely inappropriate by people who would attempt to rewrite history.

The Family Research Council, as do so many other Christian groups, holds to the religious belief about marriage as was recognized by Jesus at his first recorded miracle at a wedding between a man and a woman, as is recorded in the Old Testament, in Genesis: that God saw man alone and felt it would be better for him to have a helpmate and then created woman.

Regardless of how anyone believes everyone got here, I love the way the late Bob Murphey from Nacogdoches used to explain in his country way—though he was a brilliant intellect, he explained things in a countrified fashion—“I feel sorry for atheists. I really do. They have to believe that nobody, plus nothing, equals everything.”

□ 1440

Well, the people that met through most of the 1800s down the Hall, most of them hoped for the day when slavery would be gone. Many of them attended church services down the Hall, including John Quincy Adams, spent their lives fighting to end slavery in America, pushing for that day as William Wilberforce did in England; and yet because the Family Research Council held the beliefs about marriage being between a man and a woman, that most people have in recorded history, and has, although there are some people who interpret the Bible differently, if you look at the real interpretation, there is no mistake, what it says and what it means, but because people hold the values that the Pilgrims depicted down in the rotunda, having a prayer meeting with an open Bible believed, as the Family Research Council held the same views about marriage that George Washington did, who’s considered the father of the country, because the Family Research Council held the same views about marriage that DeSoto, who is pictured down the Hall in the rotunda, finding the Mississippi River and being so overwhelmed that there was this incredible amount of freshwater this far inland, they commemorated the spot, as depicted in that massive mural, by digging a hole and planting a cross there to commemorate the spot.

Since the Family Research Council believed that marriage was the same thing as Pocahontas and those present for her baptism depicted down the Hall in the rotunda believed, because the Family Research Council believed that marriage, as all 56 of the signers of the Declaration of Independence depicted in the rotunda, because the Family Research Council had the same religious convictions about marriage of all of those people depicted down the Hall, as I’ve mentioned, the Southern Poverty Law Center claimed that Family Research Council was a hate group and stirred up animosity against them that eventually played a role.

As we found out later, no one wanted to jump to conclusions, but it was very clear that their branding the Family Research Council and Chick-fil-A as being hateful simply because they held religious beliefs protected by our Constitution that marriage is between a man and a woman, the Southern Poverty Law Center stirred up hate, animosity, and rage against the Family Research Council. And on the fateful

day not so long ago, a gunman came to the Family Research Council with a bunch of Chick-fil-A sandwiches and a gun. And but for the valiant work of the man that stopped him and got shot in the process, there could well have been 15 dead Family Research Council employees with 15 Chick-fil-A sandwiches beside them.

There is an article here written by Bryan Preston on April 15, 2013. It says:

News broke Friday afternoon that an arrest has been made in the murders of three people. Those murders, of Kaufman County DA Mike McLelland; his wife, Cynthia; and prosecutor Mark Hasse, triggered national coverage. As R.S. McCain notes, MSNBC’s Chris Matthews ran an 8-minute segment on the killings on April 3, detailing the widespread belief that Aryan Brotherhood white supremacist/thug groups were behind the killings.

Now I live in east Texas, and the widespread beliefs in east Texas were not that the Aryan Brotherhood had been involved in this. Usually, they take actions crazy enough to indicate they’re not trying to hide from anything they did. It just didn’t sound like those people. Yet that’s what some were stirring up, the sources at NBC.

The article goes on:

But if the reports out of Kaufman County are correct, the Aryan Brotherhood isn’t behind the crimes. Former Kaufman Justice of the Peace Eric Williams is.

And we know now, a couple of days later, his wife has also confessed to being part of it. So it was the JP and his wife.

But this article says:

CBS reports that Williams was arrested Friday and charged with making “terroristic threats,” which includes threatening county employees and issuing demands that had to be met at a “certain time on a certain date.” A storage shed was searched, weapons were found, and they’re being tested for ballistics. Capital murder charges may come in a day or two.

According to the report, Williams had a history with both McLelland and Hasse. The two had prosecuted and secured a conviction against him in 2012 for burglary and theft by a public servant. Surveillance cameras caught Williams taking computer equipment from a county building. As part of his appeal, Williams claimed that McLelland and Hasse did not like him. As the case unfolds, it is starting to look like a local vendetta, not part of a national anything by a political-crime syndicate like the Aryan Brotherhood.

Where did MSNBC and other national media quickly get the idea that the Aryan Brotherhood was involved? Possibly from the Southern Poverty Law Center, which on January 31—a day after Hasse’s murder—posted a lengthy piece by Mark Potok bringing up the AB link. Potok also showed up on MSNBC April 1, the day after the McLellands’ murders, to once again point the finger at the Aryan Brotherhood.

Other press followed up, as Stacy McCain notes, flowing from that January 31 article posted by the Southern Poverty Law Center. But if Williams is the killer, then it looks like the SPLC got the whole story wrong. Meanwhile, on the ground in Kaufman County, suspicion was already falling on Williams much earlier, according to Stacy McCain.

This says:

The pieces might have fallen into place earlier—Mark Hasse's murder might have been solved, and Williams arrested before McLelland was killed—if law enforcement hadn't wasted time chasing the "white supremacist" wild goose, when the DA himself tried to tell them who murdered Mark Hasse.

Country Judge Bruce Wood said Sunday that McLelland repeatedly told him that McLelland believed Williams was behind Hasse's slaying. The first time was in the emergency room in the hours after Hasse was shot down by a mysterious gunman dressed in black.

He was distraught, Wood said. He very pointedly said to me, I know who did this. I said, Well, who, Mike? He said, Well, Eric Williams.

McLelland, who worked for years as a diagnostic psychologist described Williams as a "narcissistic psychopath" during that conversation and others. Woods said McLelland never elaborated on why he thought Williams was involved.

On March 27, Woods said he met with McLelland in the county judge's office. I said, Are you still convinced that it's Eric Williams? Woods recalled he said, Absolutely.

The SPLC and its "hate watch" and "hate map" fuel media and left wing speculation while helping the center generate donations, and the latter even inspired an attempt at a mass killing at the headquarters of the Family Research Council last year. This time, the SPLC might have misdirected law enforcement long enough for a man to commit murder. One Federal prosecutor quit a case on April 3, citing the danger of dealing with the Aryan Brotherhood after those original three murders.

It is clear that there is hate in the heart of the Southern Poverty Law Center individuals who would stir up such hatred toward whites or toward a fantastic Christian group like the Family Research Council, and like other Christian groups of all types of races, against my black friends here in Washington who simply believe what they read in the Bible about marriage. And because they believe what they read in the Bible about marriage, you have a group in this country that is so full of hate that they can't stand the thought of someone having religious beliefs different from theirs, so they stir up hatred and animosity.

□ 1450

I was totally against the hate crimes bill. And yet this is a group that wanted a hate crimes bill, yet they're stirring up hate. As a Christian, it is my prayer that those in the Southern Poverty Law Center that are so filled with jealousy and hate and animosity will come to know the peace that passes all understanding that will allow this Nation to heal so many wounds that will only fester with a group like that stirring up hatred. We will continue to hope and pray for such peace and the complete diminishment and dissolution of hatred of such a vile nature within the hearts of those people there, so they could come to the point of being able to hold hands and sing songs and

hymns together as so many did around this country on 9/12 of 2001, as I've done with others, different races, creeds, right here in Washington, D.C., because we share a love for our Nation and a love for God. And when we do that, there's no hyphenated American.

That was the one thing, with all the heartache, the anguish on 9/12 of 2001, that was so amazing. We were Americans. We were not hyphenated anything. We were Americans. We were one people. Out of many, we came together as one.

And it continues to be my hope and prayer that groups that stir up hate like the Southern Poverty Law Center and brand others as hate in an attempt to disguise their own will come to know peace and will come to know love and will take the example of the man whose bust is down in the rotunda as well, Dr. Martin Luther King, Jr., who advocated to the very end peace and the love that Jesus showed to all of us. May the Southern Poverty Law Center find such love and such grace.

We also had a story here, April 17, by Helle Dale, Congressional Hearing Produces Shocker on Benghazi:

Kudos to members of the House Foreign Affairs Committee for squarely placing Benghazi on the table at today's hearing with Secretary of State John Kerry. Kerry's answers were nothing less than shocking.

What we learned is that State is conducting yet another internal review of Benghazi, initiated by Kerry himself immediately after taking office and allegedly due soon. This amounts to a huge indictment of the credibility of Kerry's predecessor Hillary Clinton and of the investigation by the State Department's Accountability Review Board. Clearly, even John Kerry is not confident in the Obama administration's version of events.

Kerry promised the committee that he would "clear the air," though he also repeatedly used the phrase that clearing the air needs to be done "so we can move on" to far more important issues.

I am so grateful to Secretary Kerry for taking that position. We do need to get to the truth. The dead at Benghazi, the dead Americans, cry out for truth. Those who were harmed and hurt, Americans there, deserve the truth. Hopefully we will get that.

Mr. Speaker, with so much suffering and anguish right now in America, it is still the greatest nation in the history of the world. May God guide the leadership in this country that we don't drop the ball and fail on our watch, that we show ourselves to be worthy recipients of the gifts of liberty given to us by prior generations, all coming, as the Founders noted, as a gift from God.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. VELÁZQUEZ (at the request of Ms. PELOSI) for today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. CON. RES. 5. Concurrent resolution expressing the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; the Committee on the Judiciary.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 19, 2013, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1160. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's FY 2012 Foreign Language Skill Proficiency Bonus Report; to the Committee on Armed Services.

1161. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report for fiscal years 2009-2010 on the Family Violence Prevention and Services Program, pursuant to 42 U.S.C. 10405, section 306; to the Committee on Education and the Workforce.

1162. A letter from the President and CEO, Corporation for Public Broadcasting, transmitting the Corporation's 2011 annual report on the provision of services to minority and diverse audiences by public broadcasting entities and public telecommunication entities; to the Committee on Energy and Commerce.

1163. A letter from the Secretary, Department of Health and Human Services, transmitting annual financial report as required by the Animal Generic Drug User Fee Act for FY 2012; to the Committee on Energy and Commerce.

1164. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

1165. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablock Act; to the Committee on Foreign Affairs.

1166. A letter from the Deputy Associate Director for External Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's annual report for fiscal year 2012 on the Notification and Federal Employee Anti-discrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

1167. A letter from the President and CEO, Overseas Private Investment Corporation, transmitting the Department's Fiscal Year 2012 Annual Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 Report; to the Committee on Oversight and Government Reform.

1168. A letter from the Director, Administrative Office of the United States Courts, transmitting eighth annual report on crime victims' rights; to the Committee on the Judiciary.

1169. A letter from the Acting Administrator, Department of Transportation, transmitting the Department's report for fiscal year 2012 on foreign aviation authorities to which the Administrator provided services in the preceding fiscal year; to the Committee on Transportation and Infrastructure.

1170. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0772; Directorate Identifier 2007-SW-053-AD; Amendment 39-17393; AD 2013-05-21] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1171. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2011-1453; Directorate Identifier 2009-SW-46-AD; Amendment 39-17394; AD 2013-05-22] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1172. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1417; Directorate Identifier 2011-NM-159-AD; Amendment 39-17382; AD 2013-05-10] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1173. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; REIMS ABIATION S.A. Airplanes [Docket No.: FAA-2012-1346; Directorate Identifier 2012-CE-047-AD; Amendment 39-17401; AD 2013-06-04] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1174. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2012-1077; Directorate Identifier 2012-NM-146-AD; Amendment 39-17384; AD 2013-05-12] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1175. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0150; Directorate Identifier 2011-NM-234-AD; Amendment 39-17399; AD 2013-06-03] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1176. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures,

and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30891; Amdt. No. 3526] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1177. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30892; Amdt. No. 3527] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1178. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2012-0085; Directorate Identifier 2011-SW-004-AD; Amendment 39-17389; AD 2013-05-17] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1179. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron, Inc. [Docket No.: FAA-2012-1016; Directorate Identifier 2010-SW-009-AD; Amendment 39-17386; AD 2013-05-14] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 527. A bill to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes; with an amendment (Rept. 113-42). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DUNCAN of South Carolina (for himself, Mr. HASTINGS of Washington, and Mr. SALMON):

H.R. 1613. A bill to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAWFORD:

H.R. 1614. A bill to amend the Internal Revenue Code of 1986 to authorize agricultural producers to establish and contribute to tax-exempt farm risk management accounts; to the Committee on Ways and Means.

By Mr. MCKINLEY (for himself and Ms. KAPTUR):

H.R. 1615. A bill to provide for a study by the Institute of Medicine on gaps in mental health services and how these gaps can increase the risk of violent acts; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 1616. A bill to promote energy savings in residential and commercial buildings and industry, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Budget, Science, Space, and Technology, Transportation and Infrastructure, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. HOLT, Mr. HONDA, Mr. JOHNSON of Georgia, Ms. LEE of California, Ms. MOORE, Mr. RANGEL, Mr. ELLISON, Ms. ROYBAL-ALLARD, Ms. BROWN of Florida, and Mr. GRIJALVA):

H.R. 1617. A bill to create an emergency jobs program that will fund 2,242,000 positions during fiscal years 2014 and 2015; to the Committee on Education and the Workforce, and in addition to the Committees on Natural Resources, Agriculture, the Judiciary, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 1618. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on employer-provided group term life insurance that can be excluded from the gross income of the employee; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. MARKEY, Mr. SMITH of New Jersey, Ms. NORTON, Mr. ROSKAM, Mr. KING of New York, and Mr. CARTER):

H.R. 1619. A bill to authorize the issuance of United States bonds to fund Alzheimer's research; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. WITTMAN, Mr. ANDREWS, Mrs.

BEATTY, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CALVERT, Mrs. CAPPS, Mr. CAPUANO, Mr. CASTRO of Texas, Mr. CÁRDENAS, Mr. CARNEY, Mr. CONNOLLY, Mr. COURTNEY, Mr. CRAMER, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Mr. NOLAN, Ms. NORTON, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS of California, Mr. RAHALL, Mr. RUSH, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. DOGGETT, Mr. DOYLE, Mr. ENYART, Mr. FARR, Ms. GABBARD, Mr. GALLEGOS, Mr. GARAMENDI, Ms. HAHN, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. KILDEE, Mr. KILMER, Mr. LEWIS, Mr.

LOEBSACK, Mr. LOWENTHAL, Mr. MARKEY, Mrs. MCCARTHY of New York, Mr. SHUSTER, Ms. SINEMA, Ms. SLAUGHTER, Mr. TAKANO, Ms. TITUS, Mr. VAN HOLLEN, and Ms. WILSON of Florida):

H.R. 1620. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia (for himself, Ms. NORTON, Mr. CONYERS, Mr. LEWIS, Mr. MORAN, Mr. GRIJALVA, Mr. CLAY, Mr. ELLISON, Ms. TITUS, Mr. McDERMOTT, Ms. BROWN of Florida, Mr. VAN HOLLEN, Mr. PETERS of Michigan, Mr. CICILLINE, Mr. SERRANO, Mr. RANGEL, Mr. CONNOLLY, Mr. RYAN of Ohio, Ms. LEE of California, Mr. HONDA, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Mr. CHABOT, Ms. SCHWARTZ, Ms. MENG, Mr. RUSH, Mr. BENTIVOLIO, Ms. WILSON of Florida, Ms. FUDGE, Ms. SEWELL of Alabama, Mr. MURPHY of Florida, and Ms. JACKSON LEE):

H.R. 1621. A bill to amend the Internal Revenue Code of 1986 to make permanent the 2010 increase in the deduction for start-up expenditures; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia (for himself, Ms. NORTON, Mr. RUSH, Mr. CONYERS, Ms. WILSON of Florida, Mr. GRIJALVA, Ms. CHU, Mr. CLAY, Ms. BORDALLO, Ms. KAPTUR, Ms. BROWN of Florida, Mr. THOMPSON of Mississippi, Mr. DANNY K. DAVIS of Illinois, and Mr. McDERMOTT):

H.R. 1622. A bill to amend the Small Business Act to ensure fairness and transparency in contracting with small business concerns; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NEGRETE McLEOD (for herself, Mr. COOK, Mr. RUIZ, and Ms. KUSTER):

H.R. 1623. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to make publicly available certain information about pending and completed claims for compensation under the laws administered by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. POE of Texas (for himself and Mr. COSTA):

H.R. 1624. A bill to safeguard the Crime Victims Fund; to the Committee on the Budget, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. ELLISON, Mr. QUIGLEY, Mr. KEATING, Mr. HUFFMAN, and Mr. McDERMOTT):

H.R. 1625. A bill to amend the Toxic Substances Control Act to prohibit the manufacture, processing, distribution in commerce, and use of coal tar sealants, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. WAGNER (for herself and Mr. GARRETT):

H.R. 1626. A bill to amend the Securities Exchange Act of 1934 to prohibit the Securities and Exchange Commission from issuing rules requiring the disclosure of an issuer's expenditures for political activities; to the Committee on Financial Services.

By Ms. WATERS (for herself and Mr. DELANEY):

H.R. 1627. A bill to amend the Investment Advisers Act of 1940 to require certain investment advisers to pay fees to help cover the costs of inspecting and examining investment advisers under such Act; to the Committee on Financial Services.

By Mr. NUNES (for himself, Mr. RYAN of Wisconsin, and Mr. ISSA):

H.R. 1628. A bill to amend the Internal Revenue Code of 1986 to provide for reporting and disclosure by State and local public employee retirement pension plans; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 1629. A bill to amend the Internal Revenue Code to make permanent qualified school construction bonds and qualified zone academy bonds, to treat qualified zone academy bonds as specified tax credit bonds, and to modify the private business contribution requirement for qualified zone academy bonds; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Ms. MOORE, Mr. GRIJALVA, Mr. MORAN, Ms. SLAUGHTER, Mr. DEUTCH, Mr. CUMMINGS, Ms. TSONGAS, Mr. TONKO, Mr. SCHIFF, Ms. MCCOLLUM, Mr. HASTINGS of Florida, Mr. QUIGLEY, Mrs. CAROLYN B. MALONEY of New York, Mr. HIMES, Mr. DEFazio, Ms. DELAURO, Mr. WALZ, Mr. PRICE of North Carolina, Ms. NORTON, Mr. YARMUTH, Mr. MARKEY, Ms. PINGREE of Maine, Mr. TIERNEY, Mr. VAN HOLLEN, Mrs. CAPPs, Mr. WAXMAN, Mr. DAVID SCOTT of Georgia, Mr. LEVIN, Ms. EDWARDS, Mr. HONDA, Mr. SMITH of Washington, Mr. ISRAEL, Mr. PETERS of Michigan, Ms. MENG, Mr. COHEN, Mr. BLUMENAUER, Mr. HUFFMAN, Mrs. MCCARTHY of New York, Ms. CHU, Mr. JOHNSON of Georgia, Mr. ELLISON, Mr. KEATING, Ms. SCHWARTZ, Mr. POCAN, Ms. MATSUI, Mr. CONNOLLY, Mr. PETERSON, Ms. LINDA T. SANCHEZ of California, Ms. SHEA-PORTER, Mr. LANGEVIN, Mr. LYNCH, Ms. DELBENE, Mr. NADLER, Mr. GRAYSON, Mr. LEWIS, Mr. O'ROURKE, Mr. GEORGE MILLER of California, Mr. POLIS, Mr. CAPUANO, and Mr. CONYERS):

H.R. 1630. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Natural Resources.

By Mr. MARKEY:

H.R. 1631. A bill to amend title 37, United States Code, to require the Secretary of Defense to ensure that members of the Armed Forces serving in a combat zone automatically receive the education benefits to which they are entitled; to the Committee on Armed Services.

By Mr. SOUTHERLAND (for himself, Mr. MCINTYRE, Mr. ENYART, Mr. YOUNG of Alaska, Mrs. HARTZLER, Mr. ROE of Tennessee, Mr. STOCKMAN, Mr. RIBBLE, and Mr. DUNCAN of South Carolina):

H.R. 1632. A bill to ensure that the Federal government is able to receive the maximum return on its investment in the rural essen-

tial community facilities loan and grant programs and effective services to rural communities; to the Committee on Agriculture.

By Mr. AMODEI:

H.R. 1633. A bill to provide for the conveyance of small parcels of National Forest System land and small parcels of public lands administered by the Bureau of Land Management to private landowners, State, county, and local governments, or Indian tribes whose lands share a boundary with the National Forest System land or public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. LARSON of Connecticut, Mr. RODNEY DAVIS of Illinois, and Mr. SCHOCK):

H.R. 1634. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; to the Committee on Ways and Means.

By Mr. COHEN (for himself, Mr. POLIS, Mr. BLUMENAUER, Mr. FARR, and Mr. MORAN):

H.R. 1635. A bill to establish the National Commission on Federal Marijuana Policy; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself, Mr. HASTINGS of Florida, Mr. MORAN, Mr. LARSON of Connecticut, and Mr. BRADY of Pennsylvania):

H.R. 1636. A bill to amend the Federal Election Campaign Act of 1971 to prohibit certain State election administration officials from actively participating in electoral campaigns; to the Committee on House Administration.

By Mr. DUNCAN of South Carolina (for himself, Mr. BARTON, Mrs. BLACKBURN, Mr. CHABOT, Mr. FLORES, Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. POMPEO, Mr. YODER, Ms. JENKINS, and Mr. AMASH):

H.R. 1637. A bill to amend the provisions of title 40, United States Code, commonly known as the Davis-Bacon Act, to raise the threshold dollar amount of contracts subject to the prevailing wage requirements of such provisions; to the Committee on Education and the Workforce.

By Mr. DUNCAN of South Carolina (for himself, Mr. CHAFFETZ, Mr. HARRIS, Mr. JONES, Mr. PEARCE, Mr. RIBBLE, and Mr. SOUTHERLAND):

H.R. 1638. A bill to repeal the authority to conduct certain censuses, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Agriculture, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON (for himself and Mr. SCHRADER):

H.R. 1639. A bill to amend the Rural Electrification Act of 1936, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. HANNA, Ms. SCHWARTZ, Mr. ENYART, and Mr. PALAZZO):

H.R. 1640. A bill to amend titles 10 and 32, United States Code, to enhance capabilities to prepare for and respond to cyber emergencies, and for other purposes; to the Committee on Armed Services.

By Mr. ISRAEL (for himself, Mr. LARSON of Connecticut, Mr. DINGELL, Ms. SLAUGHTER, and Mr. CLYBURN):

H.R. 1641. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Mr. KILMER (for himself, Ms. HANABUSA, and Mr. HECK of Washington):

H.R. 1642. A bill to protect the eligibility for Federal employment and access to classified information for Department of Defense civilian employees who may incur financial hardships as a result of furloughs dictated by sequestration; to the Committee on Armed Services.

By Mr. KILMER (for himself and Ms. HANABUSA):

H.R. 1643. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from the Federal Thrift Savings Fund to employees who are furloughed as a result of the Federal budget sequester; to the Committee on Ways and Means.

By Mr. KIND (for himself and Mr. BLUMENAUER):

H.R. 1644. A bill to impose a limitation on the maximum amount of crop insurance premiums paid by the Federal Crop Insurance Corporation, to repeal the authority to provide direct payments for producers of certain major agricultural commodities and peanuts, to prohibit the Secretary of Agriculture from making payments to the Brazilian Cotton Institute, and for other purposes; to the Committee on Agriculture.

By Mr. BEN RAY LUJAN of New Mexico:

H.R. 1645. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. GRIMM, and Mrs. MCCARTHY of New York):

H.R. 1646. A bill to amend the Federal Credit Union Act to provide an exception from the member business loan cap for loans made to aid in the recovery from a disaster; to the Committee on Financial Services.

By Mrs. MILLER of Michigan:

H.R. 1647. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a Great Lakes basin initiative for agricultural nonpoint source pollution prevention; to the Committee on Agriculture.

By Mr. GEORGE MILLER of California (for himself, Mr. COURTNEY, Ms. TITUS, Mr. HOLT, Mr. NADLER, Mr. GENE GREEN of Texas, Ms. DELAURO, and Mr. PAYNE):

H.R. 1648. A bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or

their family members, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GEORGE MILLER of California (for himself, Mr. MARKEY, Mr. COURTNEY, and Mr. HOLT):

H.R. 1649. A bill to provide whistleblower protections to certain workers in the offshore oil and gas industry; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 1650. A bill to provide for nuclear weapons abolition and economic conversion in accordance with District of Columbia Initiative Measure Number 37 of 1992, while ensuring environmental restoration and clean-energy conversion; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 1651. A bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico; to the Committee on Natural Resources.

By Mr. POLIS (for himself, Mr. SCHIFF,

Mr. CARSON of Indiana, Ms. HAHN, Mr. McDERMOTT, Mr. MORAN, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Mr. HOLT, Ms. KUSTER, Ms. WASSERMAN SCHULTZ, Mr. CICILLINE, Mr. SARBANES, Mr. ISRAEL, Ms. FUDGE, Mr. VAN HOLLEN, Ms. ESTY, Mrs. CAPPS, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. HIMES, Mr. SIREN, Mrs. DAVIS of California, Mr. CAPUANO, Mr. BRALEY of Iowa, Ms. SLAUGHTER, Mr. SWALWELL of California, Ms. CHU, Mr. WAXMAN, Mr. POCAN, Mrs. CAROLYN B. MALONEY of New York, Mr. PRICE of North Carolina, Mr. CLAY, Mr. LANGEVIN, Mr. ENGEL, Mr. HIGGINS, Mr. HASTINGS of Florida, Mr. LOWENTHAL, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. FARR, Mr. TONKO, Mr. CONNOLLY, Mr. CONYERS, Ms. ROYBAL-ALLARD, Mr. LYNCH, Mr. HINOJOSA, Ms. TSONGAS, Mr. SEAN PATRICK MALONEY of New York, Mr. SERRANO, Ms. MCCOLLUM, Mr. DEUTCH, Ms. DELAURO, Ms. LINDA T. SANCHEZ of California, Mr. PASCRELL, Ms. LOFGREN, Mr. QUIGLEY, Ms. LEE of California, Mr. SCHNEIDER, Ms. MATSUI, Mr. MCGOVERN, Mr. KEATING, Mr. ELLISON, Mr. CUMMINGS, Mr. MICHAUD, Mr. MARKEY, Ms. BONAMICI, Mr. WELCH, Ms. SCHWARTZ, Mr. CARTWRIGHT, Mr. SHERMAN, Mr. LOEBACK, Ms. DEGETTE, Mr. SMITH of Washington, Mr. DOGGETT, Ms. SCHAKOWSKY, Mr. LEWIS, Mrs. MCCARTHY of New York, Mr. GRIJALVA, Mr. KILDEE, Mr. WATT, Ms. WILSON of Florida, Ms. DELBENE, Ms. CASTOR of Florida, Mr. LARSEN of Washington, Mr. RANGEL, Ms. EDWARDS, Mr. ANDREWS, Mr. BEN RAY LUJAN of New Mexico, Ms. KAPTUR, Mrs. NEGRETE McLEOD, Ms. JACKSON LEE, Mr. MEEKS, Mr. LEVIN, Mr. AL GREEN of Texas, Mr. RUSH, Mr. PALLONE, Mr. TAKANO, Ms. SPIER, Ms. MOORE, Mr. PAYNE, Mr. WALZ, Mr. KIND, Ms. FRANKEL of Florida, Ms. SINEMA, Ms. TITUS, Mr. CROWLEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HUFFMAN, Mr. PETERS of California, Mr. GARCIA, Ms. WATERS, Mr. NADLER, Ms. EDDIE BERNICE JOHNSON of

Texas, Mr. GUTIERREZ, Mr. BISHOP of New York, Ms. ROS-LEHTINEN, Mr. VARGAS, Ms. PELOSI, Mr. PETERS of Michigan, and Mr. COHEN):

H.R. 1652. A bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RENACCI (for himself, Mr. GIBBS, Mr. TURNER, Mr. JOYCE, Mrs. BEATTY, Mr. RYAN of Ohio, Mr. CHABOT, Ms. FUDGE, Mr. STIVERS, Mr. JORDAN, Mr. TIBERI, Mr. JOHNSON of Ohio, Mr. LATTA, and Mr. WENSTRUP):

H.R. 1653. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame; to the Committee on Financial Services.

By Mr. RENACCI (for himself, Mr. QUIGLEY, Mr. CARNEY, Mr. WELCH, Mr. HECK of Nevada, Mr. BUCSHON, Mr. BARBER, Mr. WEBSTER of Florida, Mr. DELANEY, Mr. OWENS, and Mr. MEEHAN):

H.R. 1654. A bill to improve the accuracy and transparency of the Federal budget process; to the Committee on the Budget, and in addition to the Committees on Rules, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee:

H.R. 1655. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to require States to delay certifying the results of regularly scheduled general elections for Federal office in order to ensure the counting of any marked absentee ballots of absent overseas uniformed services voters that are collected by the Presidential designee under such Act for delivery to State election officials; to the Committee on House Administration.

By Mr. SABLON:

H.R. 1656. A bill to amend the Wagner-Peyser Act to include the Commonwealth of the Northern Mariana Islands in the employment services provided under that Act; to the Committee on Education and the Workforce.

By Mr. STUTZMAN:

H.R. 1657. A bill to amend the Food and Nutrition Act of 2008 to improve the supplemental nutrition assistance program; to the Committee on Agriculture.

By Mr. TIPTON (for himself, Mr. COLE,

Mr. YOUNG of Alaska, Mr. GARDNER, Ms. DEGETTE, Mr. PERLMUTTER, Mr. COFFMAN, Mr. BEN RAY LUJAN of New Mexico, Mr. POLIS, Ms. MCCOLLUM, Mr. MORAN, Mrs. KIRKPATRICK, Mr. HONDA, Mr. JONES, Ms. MOORE, Mr. GRIJALVA, Mr. HINOJOSA, Mrs. NEGRETE McLEOD, Mr. FALBOMAVEGA, Mr. CARDENAS, Mr. RANGEL, Ms. SINEMA, Mr. POCAN, Mr. RUIZ, Mr. TAKANO, Mr. LAMBORN, Mr. GOSAR, and Mrs. NAPOLITANO):

H.R. 1658. A bill to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians; to the Committee on Education and the Workforce, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself and Mr. GARDNER):

H.R. 1659. A bill to provide for utilizing energy savings performance contracts and utility energy service contracts; to the Committee on Energy and Commerce.

By Mr. BARLETTA (for himself and Ms. NORTON):

H. Con. Res. 32. Concurrent resolution authorizing the use of the Capitol Grounds for the National Honor Guard and Pipe Band Exhibition; to the Committee on Transportation and Infrastructure.

By Mr. ENGEL (for himself, Mr. CICILLINE, Mr. POLIS, Mr. POCAN, Ms. ROS-LEHTINEN, Mr. FARR, Mr. GRIJALVA, Mr. LOWENTHAL, Mr. ELLISON, Mr. HASTINGS of Florida, Ms. HAHN, Mr. MARKEY, Ms. DEGETTE, Mr. CONNOLLY, Ms. WILSON of Florida, Mr. CROWLEY, Mr. MORAN, Mr. HIGGINS, Ms. MCCOLLUM, Mr. TONKO, Mr. BRADY of Pennsylvania, Mr. QUIGLEY, Ms. SCHAKOWSKY, Mrs. CAROLYN B. MALONEY of New York, Ms. WASSERMAN SCHULTZ, Mr. RANGEL, Mr. MCGOVERN, Mr. SEAN PATRICK MALONEY of New York, Mr. TAKANO, Ms. MOORE, Ms. NORTON, Ms. SPEIER, Mrs. CAPPS, Ms. LINDA T. SÁNCHEZ of California, Ms. KUSTER, Mrs. DAVIS of California, Mr. SERRANO, Mr. SMITH of Washington, Mr. GUTIERREZ, Mr. DEUTCH, Mr. NADLER, Ms. MENG, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CHU, Mr. HONDA, Mr. ANDREWS, Ms. TITUS, Ms. LOFGREN, Mr. AL GREEN of Texas, Ms. LEE of California, and Mr. HOLT):

H. Con. Res. 33. Concurrent resolution supporting the goals and ideals of the National Day of Silence in bringing attention to anti-lesbian, gay, bisexual, and transgender name-calling, bullying, and harassment faced by individuals in schools; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Mr. BARBER, Mrs. BEATTY, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. CÁRDENAS, Mr. CARTWRIGHT, Mrs. CHRISTENSEN, Ms. CHU, Mr. CLAY, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFazio, Mr. DEUTCH, Ms. EDWARDS, Mr. ELLISON, Mr. ENYART, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GARAMENDI, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KILDEE, Mrs. KIRKPATRICK, Mr. LANGEVIN, Ms. LEE of California, Mr. LEWIS, Mr. LOEBSACK, Mr. LOWENTHAL, Mr. LYNCH, Mr. MAFFEI, Mr. MARKEY, Ms. MATSUI, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. PAYNE, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POCAN, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUSH, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SIRES, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. TONKO, Mr. VARGAS, Mr.

VEASEY, Mr. VELA, Ms. VELÁZQUEZ, Ms. WATERS, Mr. WELCH, Ms. WILSON of Florida, and Mr. SCOTT of Virginia):

H. Con. Res. 34. Concurrent resolution expressing the sense of the Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security benefits; to the Committee on Ways and Means.

By Mr. CLAY (for himself and Mr. LUETKEMEYER):

H. Res. 169. A resolution expressing support for designation of Saint Louis, Missouri, as the "National Chess Capital" to enhance awareness of the educational benefits of chess and to encourage schools and community centers to engage in chess programs to promote problem solving, critical thinking, spatial awareness, and goal setting; to the Committee on Education and the Workforce.

By Mr. DIAZ-BALART (for himself, Mr. CAMPBELL, Ms. BORDALLO, Mr. PETRI, Mr. ROSKAM, Mr. HOLDING, Mr. HALL, Mr. MARCHANT, Mr. SENSENBRENNER, Mr. FALCOMA, Ms. ROS-LEHTINEN, Mr. MCINTYRE, Mr. HIGGINS, Mr. GRIFFITH of Virginia, Mr. RYAN of Ohio, and Mr. POE of Texas):

H. Res. 170. A resolution recognizing the Falkland Islands referendum in favor of retaining their status as a British Overseas Territory; to the Committee on Foreign Affairs.

By Mr. HIGGINS (for himself, Mr. ENGEL, Mr. COLLINS of New York, Mr. STOCKMAN, Mr. KING of New York, Mr. ISRAEL, Mr. OWENS, Ms. SLAUGHTER, Mr. CONNOLLY, Mr. FALCOMA, Ms. BASS, and Ms. MENG):

H. Res. 171. A resolution condemning the Republic of the Sudan for its actions to pardon Mubarak Mustafa, who was responsible for the escape of two men convicted of the assassination of John Granville on January 1, 2008, and calling on the United States Department of State to continue to include Sudan on the list of state sponsors of terrorism; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DUNCAN of South Carolina:

H.R. 1613.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. CRAWFORD:

H.R. 1614.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8, which include the power to "regulate commerce . . . among the several States . . ."

By Mr. MCKINLEY:

H.R. 1615.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8 of the Constitution of the United States.

By Mr. MCKINLEY:

H.R. 1616.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Ms. SCHAKOWSKY:

H.R. 1617.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BURGESS:

H.R. 1618.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section VIII: "The Congress shall have Power To lay and collect Taxes".

By Mr. BURGESS:

H.R. 1619.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to borrow money on the credit of the United States; To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures as enumerated in Article I, Section 8, Clauses 1, 2 & 4 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 1620.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. JOHNSON of Georgia:

H.R. 1621.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 cl. 1 and cl. 1.

By Mr. JOHNSON of Georgia:

H.R. 1622.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

[The Congress shall have the power] To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mrs. NEGRETE MCLEOD:

H.R. 1623.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. POE of Texas:

H.R. 1624.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause I

By Mr. DOGGETT:

H.R. 1625.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. WAGNER:

H.R. 1626.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1: "The Congress shall have power to lay and collect taxes, duties, imposts and

excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;”

In addition to Article I, Section 8, Clause 3 of the United States Constitution: “To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;”

In addition to Article I, Section 8, Clause 18 of the United States Constitution: “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”

By Ms. WATERS:

H.R. 1627.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Mr. NUNES:

H.R. 1628.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the United States Constitution

By Mr. RANGEL:

H.R. 1629.

Congress has the power to enact this legislation pursuant to the following:

Article XVI of the Constitution—Congress shall have power to lay and collect taxes on incomes . . .

By Mr. HOLT:

H.R. 1630.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S. Constitution

By Mr. MARKEY:

H.R. 1631.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. SOUTHERLAND:

H.R. 1632.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in Article I Section 8, Clause 1 of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. AMODEI:

H.R. 1633.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BOUSTANY:

H.R. 1634.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Sixteenth Amendment: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. COHEN:

H.R. 1635.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3 and 18 of Article I of the United States Constitution

By Mrs. DAVIS of California:

H.R. 1636.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 4

By Mr. DUNCAN of South Carolina:

H.R. 1637.

Congress has the power to enact this legislation pursuant to the following:

Because this legislation adjusts the formula the federal government uses to spend money on federal contracts, it is authorized by the Constitution under Article 1, Section 8, Clause 1, which grants Congress its spending power.

By Mr. DUNCAN of South Carolina:

H.R. 1638.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 2 notes the need for an Enumeration of the people necessary for the apportionment of Congressional districts. That is the true purpose of the Census Bureau. This legislation seeks to return the Census Bureau to the Constitutional intent of the Founding Fathers by eliminating non-Constitutional additional enumerations that the Bureau undertakes today.

By Mr. GIBSON:

H.R. 1639.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 3 of Section 8 of Article 1

By Mr. ISRAEL:

H.R. 1640.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. ISRAEL:

H.R. 1641.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 4, Clause 1 of the United States Constitution

By Mr. KILMER:

H.R. 1642.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. KILMER:

H.R. 1643.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. KIND:

H.R. 1644.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1645.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1646.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 (General Welfare Clause)

By Mrs. MILLER of Michigan:

H.R. 1647.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GEORGE MILLER of California:

H.R. 1648.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of Section 8, Article I of the U.S. Constitution

By Mr. GEORGE MILLER of California:

H.R. 1649.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of Section 8, Article I of the U.S. Constitution

By Ms. NORTON:

H.R. 1650.

Congress has the power to enact this legislation pursuant to the following:

clauses 1 and 3 of section 8 of article I of the Constitution.

By Mr. PEARCE:

H.R. 1651.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. POLIS:

H.R. 1652.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3
Clause 3 of Section 8 of Article 1 of the Constitution (Commerce)

By Mr. RENACCI:

H.R. 1653.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 states “The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.

By Mr. RENACCI:

H.R. 1654.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7 of the United States Constitution, and Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. ROE of Tennessee:

H.R. 1655.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated

in Article I, Section 4, Clause 1 of the United States Constitution.

By Mr. SABLAN:

H.R. 1656.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. STUTZMAN:

H.R. 1657.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, clause 3 of the United States Constitution.

Article 1, Section 8, Clause 3 of the United States Constitution bestows upon Congress the authority "To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes."

Congress is within its constitutionally prescribed role to reform, limit, or abolish programs maintained by the United States Department of Agriculture, a body which has regulated interstate commerce under the auspices of Congress.

By Mr. TIPTON:

H.R. 1658.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. WELCH:

H.R. 1659.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof . . .

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. CALVERT, Mrs. BEATTY, Mr. RUIZ, Ms. TITUS, Mr. GRAYSON, Mrs. NAPOLITANO, and Mr. HANNA.

H.R. 148: Ms. DELBENE.

H.R. 164: Mr. WEBSTER of Florida and Mr. O'ROURKE.

H.R. 184: Mr. KING of New York.

H.R. 207: Mr. BRIDENSTINE and Mr. SESSIONS.

H.R. 268: Mr. LOWENTHAL.

H.R. 324: Ms. DUCKWORTH.

H.R. 330: Mr. CARTWRIGHT.

H.R. 352: Mr. COLLINS of New York.

H.R. 375: Mr. RUIZ.

H.R. 377: Mr. RAHALL, Mr. BARROW of Georgia, Mr. DOGGETT, Ms. KELLY of Illinois, Mr. GRAYSON, and Mr. GALLEG0.

H.R. 411: Mr. GENE GREEN of Texas.

H.R. 431: Mr. HIMES and Mrs. NAPOLITANO.

H.R. 456: Ms. BASS.

H.R. 490: Ms. WILSON of Florida.

H.R. 493: Mr. LONG and Mr. HARRIS.

H.R. 495: Mr. CROWLEY, Mr. KING of New York, Mr. LUCAS, Ms. SCHWARTZ, Mr. KINZINGER of Illinois, and Mr. FLORES.

H.R. 496: Mr. HURT.

H.R. 497: Ms. SEWELL of Alabama and Mr. SCHOCK.

H.R. 506: Mr. LANGEVIN.

H.R. 517: Mrs. MCCARTHY of New York.

H.R. 519: Mr. CONNOLLY, Mr. KIND, and Mr. PETERS of Michigan.

H.R. 523: Mr. ROHRABACHER.

H.R. 532: Ms. BROWNLEY of California.

H.R. 556: Mr. PRICE of Georgia.

H.R. 594: Mr. BISHOP of New York.

H.R. 611: Mr. HANNA.

H.R. 612: Mr. COFFMAN.

H.R. 627: Mr. MCCAUL, Mr. GARAMENDI, Mr. COSTA, Mr. THOMPSON of California, Mr. CLYBURN, Ms. FUDGE, Mr. PAYNE, Mr. RUPPERSBERGER, Ms. BROWN of Florida, Ms. DELAURO, Mr. CICILLINE, Mr. DEUTCH, Ms. HANABUSA, Mr. ROKITA, Mr. COFFMAN, Mr. TIPTON, Mr. BUCHANAN, and Mr. SMITH of New Jersey.

H.R. 628: Mr. O'ROURKE and Mr. COHEN.

H.R. 647: Mr. ANDREWS, Mr. FITZPATRICK, Mr. STUTZMAN, Mr. FINCHER, and Mr. BENTIVOLIO.

H.R. 666: Ms. SHEA-PORTER.

H.R. 671: Ms. SLAUGHTER.

H.R. 683: Ms. TITUS.

H.R. 719: Ms. HAHN.

H.R. 721: Mr. WOMACK and Mr. DUNCAN of South Carolina.

H.R. 724: Mr. LONG and Mr. BROUN of Georgia.

H.R. 760: Mr. LABRADOR and Ms. ROSLEHTINEN.

H.R. 763: Mr. TIPTON, Mr. STEWART, and Ms. ROS-LEHTINEN.

H.R. 786: Mr. HUFFMAN.

H.R. 792: Mr. SHUSTER and Mr. BENTIVOLIO.

H.R. 793: Ms. WILSON of Florida and Mr. MEEKS.

H.R. 805: Mr. BROOKS of Alabama, Mr. COFFMAN, Mrs. BLACKBURN, and Mr. BOUTANY.

H.R. 807: Mr. CAMPBELL, Mr. GOSAR, Mr. FLEMING, Mr. REED, Mr. BISHOP of Utah, Mr. WOODALL, and Mr. GRAVES of Missouri.

H.R. 833: Mr. BARR.

H.R. 850: Mr. HUDSON, Mr. STEWART, Mr. JOHNSON of Ohio, and Mr. ROGERS of Kentucky.

H.R. 851: Mrs. NAPOLITANO, Mr. HIGGINS, Ms. KUSTER, Mr. SIREs, and Mr. ENYART.

H.R. 896: Ms. DEGETTE.

H.R. 914: Mr. WENSTRUP.

H.R. 920: Mr. MAFFEI.

H.R. 924: Mr. CONNOLLY.

H.R. 949: Ms. KUSTER and Mr. ENYART.

H.R. 990: Mr. CARTWRIGHT.

H.R. 1024: Ms. DEGETTE.

H.R. 1141: Mr. KINZINGER of Illinois.

H.R. 1149: Mr. CARTWRIGHT.

H.R. 1151: Mr. FORBES, Mr. MEEHAN, and Mr. DEUTCH.

H.R. 1155: Mr. FITZPATRICK.

H.R. 1187: Mr. RAHALL and Mr. JONES.

H.R. 1199: Ms. SHEA-PORTER, Mr. ISRAEL, and Mr. HUFFMAN.

H.R. 1201: Mr. COFFMAN.

H.R. 1249: Mr. HANNA.

H.R. 1265: Mr. CARTWRIGHT.

H.R. 1267: Mr. JONES.

H.R. 1286: Mr. BISHOP of New York.

H.R. 1288: Ms. LINDA T. SANCHEZ of California.

H.R. 1292: Mr. CHAFFETZ and Mr. CULBERSON.

H.R. 1295: Mr. WATT.

H.R. 1303: Mr. AMODEI and Mr. SHUSTER.

H.R. 1304: Mr. STUTZMAN and Mr. HUELSKAMP.

H.R. 1310: Mr. WITTMAN and Mr. POSEY.

H.R. 1334: Mr. CARTWRIGHT and Ms. BORDALLO.

H.R. 1380: Mr. ISRAEL.

H.R. 1386: Mr. KINZINGER of Illinois, Mr. BARLETTA, Mr. STUTZMAN, and Mr. POE of Texas.

H.R. 1404: Mr. STEWART.

H.R. 1413: Mr. CARDENAS.

H.R. 1414: Mr. POCAN, Mr. TONKO, Mr. ELLISON, Mr. O'ROURKE, and Mr. CUMMINGS.

H.R. 1417: Mr. FRANKS of Arizona and Mr. BARBER.

H.R. 1428: Mr. SMITH of Washington and Mr. SCHOCK.

H.R. 1432: Mr. LABRADOR, Mr. RIBBLE, Mr. MCGOVERN, Mr. MULLIN, Mr. MICHAUD, Mr. ENYART, Mr. PETRI, Mr. BRADY of Texas, Mr. HALL, and Mr. BISHOP of Utah.

H.R. 1470: Mr. MORAN and Ms. WILSON of Florida.

H.R. 1474: Mr. RANGEL and Ms. SCHKOWSKY.

H.R. 1485: Mr. SMITH of New Jersey.

H.R. 1497: Ms. FOXX.

H.R. 1549: Mr. LATTI and Mr. SESSIONS.

H.R. 1552: Mr. DUNCAN of South Carolina and Mr. WALBERG.

H.R. 1553: Mr. COTTON, Mr. MCHENRY, Mr. GRAVES of Georgia, Ms. SEWELL of Alabama, Mr. YODER, Mr. CONAWAY, Mr. RIBBLE, Mr. PERLMUTTER, Mr. YOUNG of Indiana, Mr. WOMACK, Mr. TIBERI, Mr. DAINES, Mr. LATHAM, Mr. RIGELL, Mr. COFFMAN, and Mr. WOLF.

H.R. 1565: Ms. JACKSON LEE and Mr. LANGEVIN.

H.R. 1571: Mr. HUIZENGA of Michigan, Mr. COLE, Mr. FRANKS of Arizona, and Mr. NEUGEBAUER.

H.R. 1605: Mr. COURTNEY, Mr. YARMUTH, Mr. HIMES, and Ms. DELAURO.

H. Con. Res. 16: Mr. JORDAN, Mr. REED, Mr. MULVANEY, and Mr. BRIDENSTINE.

H. Con. Res. 21: Mr. CONYERS.

H. Res. 36: Mr. ROE of Tennessee, Mr. GINGREY of Georgia, Mr. MASSIE, Mr. GRAVES of Missouri, and Mr. SMITH of Texas.

H. Res. 108: Mr. LEWIS.

H. Res. 166: Mr. BENTIVOLIO.

EXTENSIONS OF REMARKS

COMMENDING AMBER VAN DEN HEUVEL

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. RIBBLE. Mr. Speaker, I rise today to recognize the efforts of 14-year-old Amber Van Den Heuvel. Ms. Van Den Heuvel committed two years to developing the "Ride Oconto History" bike tour of Oconto County, Wisconsin. This project was the result of her involvement in another program called "Oconto Promise," a group dedicated to getting young people more invested in their communities.

Ms. Van Den Heuvel's research and planning led to the creation of 5 different bike routes through the county that highlight 46 unique and historic stops along the way. Those stops include a National Landmark and 28 locations found on the National Register of Historic Places. This project is not only a tribute to her hard work, but also the support of her mother who encouraged her daughter and helped secure sponsors to assist in developing pamphlets, posters and signs for these bike trails. This project has already earned Ms. Van Den Heuvel the George E. Hall Award from the Oconto County Historical Society.

I commend Ms. Van Den Heuvel for this project, and I know that the residents of Northeast Wisconsin, and the many tourists that visit Oconto County each year, will enjoy the fruit of Ms. Van Den Heuvel's labor for many years to come.

HONORING TRENTON DEAN LEWIS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Trenton Dean Lewis. Trenton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and earning the most prestigious award of Eagle Scout.

Trenton has been very active with his troop, participating in many scout activities. Over the many years Trenton has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Trenton has contributed to his community through his Eagle Scout project. Trenton designed and rebuilt a walking bridge within the Parkville Nature Sanctuary in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Trenton Dean Lewis for his ac-

complishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING DONNA JONES, OF IDAHO, FOR HER DISTINGUISHED SERVICE TO THE PEOPLE OF IDAHO

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. SIMPSON. Mr. Speaker, I rise today to pay tribute to a great public servant, a trailblazer in Idaho politics, and a close personal friend—Donna Jones.

Donna was born in Colorado, but has called the State of Idaho home since she was in elementary school. She grew up in Middleton, Idaho and has spent the vast majority of adulthood in Payette, Idaho where she and her husband owned a thriving auto parts business and where she was a very successful realtor.

In 1987, Donna, a Republican, was appointed to an open seat in the Idaho House of Representatives by Democrat Governor Cecil Andrus. Donna served with distinction in the Idaho House of Representatives for twelve years.

I am proud to say that in 1997, as the then-Speaker of the Idaho House of Representatives, I had the distinct honor to appoint Donna as the first female Chair of the House Revenue and Taxation Committee. She was an outstanding Chair—tough but fair, patient but determined. It was one of the best appointments I ever made.

In 1998, after just one term as Chair, and in no small measure as a result of having to work too closely with me, Donna resigned her seat in the Legislature and accepted a position as Executive Director of the Idaho Real Estate Commission.

In 2006, Donna was elected to the position of Idaho's state Controller by a wide margin. She was easily re-elected in 2010. Regrettably, following a very serious automobile accident in 2012, Donna decided to resign her position as State Controller and was succeeded in office by her Chief of Staff, Brandon Woolf. I am pleased to say that Donna has made tremendous progress in her recovery from that accident.

Throughout her career, Donna has held many leadership positions and worked tirelessly on behalf of the offices she held and the people she represented. She has served on the Board of Directors and as Treasurer for the Association of Real Estate License Law Officials. As a State Legislator, she was the State Chairman for the American Legislative Exchange Council and served on its Board of Directors. She was also recognized by the Idaho March of Dimes as its Outstanding Woman of the Year.

In addition, Donna has served on the Idaho Hispanic Commission, the Idaho Housing and Finance Association Advisory Board, the Idaho Permanent Building Fund, and the Multi-State Tax Commission. She has served in a variety of capacities as well for the National Association of State Auditors, Comptrollers and Treasurers, including as Vice Chairman of the International Committee.

Donna married her husband Don in 1956. They have three children, Dawn, Lisa and Stuart; seven grandchildren and two great grandchildren. Don passed away in 2000.

I rose today not just to recite a long list of Donna's accomplishments, but to thank her for her outstanding service to the people of Idaho and to honor her contributions to our state in my own small way.

I do so on a day when the Idaho Association of Realtors is presenting Donna with its second annual Max C. Black Award for exceptional public service to the people of Idaho, and outstanding leadership on business and industry issues—an award she richly deserves. I want to thank the Idaho Association of Realtors for honoring Donna's outstanding record of public service in this way and congratulate Donna for this well-earned recognition of her work.

Donna is a very good friend, a trusted former colleague, and someone for whom I have a great deal of admiration. She is one of the most respected public servants in the State of Idaho and a person whose name is synonymous with integrity, loyalty, professionalism, and courage.

I am proud to call Donna Jones my friend and pleased to be able to share her many qualities and accomplishments with the House of Representatives.

INTRODUCTION OF H. RES. 25 TO RECOGNIZE APRIL 18, 2013 AS NATIONAL LINEMEN APPRECIATION DAY

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise to recognize this day, April 18, as a day of honor for Journeymen Linemen. Accordingly, I have introduced H. Res. 25 to recognize April 18, 2013, as National Linemen Appreciation Day in order to honor these brave men and women for their contributions to protect public safety.

Linemen are often the first responders during a storm or other catastrophic event, which means these brave men and women are often required to make the scene safe for other public safety heroes. Linemen work with thousands of volts of electricity high atop power lines every day of the year in order to

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

protect the nation from dangerous electrical currents.

The profession of Lineman is steeped in tradition and family, both professionally and personally. Generations ago, Linemen climbed poles using hooks and blocks, but as technology has grown through the years, inventive Linemen have pioneered advancements with innovative materials, altering the direction of line work for the future.

Mr. Speaker, I ask my colleagues to join me today in honoring the extraordinary commitment and courage demonstrated everyday by the nation's Linemen.

HONORING JACOB D. LINDBURG

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob D. Lindburg. Jacob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 333, and earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob has been involved with scouting, he has not only earned 41 merit badges, but also the respect of his family, peers, and community. Most notably, Jacob has earned the rank of Firebuilder in the Tribe of Mic-O-Say and became a Brotherhood Member in the Order of the Arrow. Jacob has also contributed to his community through his Eagle Scout project. Jacob removed the old parking lot lines and painted new lines along with handicap-accessible parking spots at Parkville Presbyterian Church in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Jacob D. Lindburg for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF INGRID BRUCK

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Ingrid Bruck on her retirement as Director of the Long Branch Free Public Library in New Jersey. Ms. Bruck has dedicated over 15 years of service to the Long Branch Free Public Library and her contributions are truly deserving of this body's recognition.

Ingrid Bruck brought a wealth of experience to the Long Branch Public Library. She previously served as Branch Manager for Irving Public Library in Texas, Children's Coordinator at Grand Prairie Public Library in Texas and Farmingdale Public Library in New York, and Children's Manager at the Mattapan Branch of Boston Public Library. She also held positions

as Acting Director of La Biblioteca de la Universidad de Monterrey in Mexico and Director of La Biblioteca de Proyecto Linguistico Francisco Maroquin in Guatemala. She received her B.A. in English and History and a Library Science degree from Simmons College.

In addition to 15 years as Director of the Long Branch Free Public Library, Ms. Bruck has been a member of the Central Jersey Regional Library Cooperative (CJRLC) Board for six years. Throughout her time on the Board, she has served as President, Vice President and Secretary. She was also its representative on the Library Network Review Board.

Ms. Bruck's commitment to the Long Branch Free Public Library helped the library grow. The services it offers welcome all those in the community, from children and young adults, to older adults, non-English speakers and many others. There were also renovations to the Main Library and Elberon Branch and updated technology advancements.

Mr. Speaker, please join me in congratulating Ingrid Bruck on her retirement and thanking her for her service to the Long Branch community.

HONORING THE "DOOLITTLE
TOKYO RAIDERS"

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. COOPER. Mr. Speaker, I rise today to honor the Doolittle Tokyo Raiders, a group of 80 Americans who claimed their place in history on April 18, 1942, when they carried out the first U.S. air raid on Japanese Home Islands during World War II. I am proud to share their story here today, and I am especially proud to represent one of the four living raiders, Nashvillean LTC Robert Hite.

Though not originally from the Volunteer State, LTC Robert Hite and his 79 fellow raiders epitomized the Volunteer spirit when they signed up for their death-defying mission. Their goals were to break the air of invincibility radiated by Japanese forces as they extended their reach across the Pacific Ocean and to give Americans the win they needed after the dark months following the attack on Pearl Harbor. The United States needed something dramatic to turn the tide of the war. The Doolittle Raiders delivered.

They launched from an aircraft carrier, knowing they would not have enough fuel to return. They displayed uncommon valor and patriotism, and inspired Americans both abroad and at home. Their courageous flight proved that Japan was vulnerable to attack, changing the course of the war—and of history.

Please join me in honoring these extraordinary gentlemen and true American heroes.

CONGRATULATING BERTRAM
JAMES ASKWITH

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. BISHOP of New York. Mr. Speaker, I rise to congratulate Bertram James Askwith, who celebrated his 102nd birthday on March 2, 2013. Bert was married for almost 60 years to Miriam Teidor, who passed away in 2001; they had four children, one of whom, Patti Askwith Kenner, is a constituent who lives in East Hampton, New York.

Mr. Askwith is a remarkable man who still works nine hours a day at the company he founded while he was a college student at the University of Michigan. Still very active, he travels to work each day by train from his home in Harrison, New York.

Mr. Askwith was born in 1911 at the Battle Creek Sanitarium in Battle Creek, Michigan, where his father Herbert worked as the public relations director for the doctor who delivered him, Dr. John Harvey Kellogg, who was later portrayed by Anthony Hopkins in the film, *The Road to Wellville*.

While he was a student at the University of Michigan in 1928, Mr. Askwith objected to the high train fare of \$100 for students who needed to travel home from Ann Arbor to New York. He chartered a bus from a local company, put a sign on it saying "Campus Coach Lines," started a sign-up sheet in the Student Union, and paid for four years of college by transporting students at a more reasonable rate.

After graduating from college in 1931, Mr. Askwith moved to New York City and purchased his first bus. Now, 82 years later, he remains the Chief Operating Officer of Campus Coach Lines providing charter service to private groups in New York City and as well as college groups, public and private schools, baseball and football teams, leading American corporations, and for family events.

At age 102, he still enjoys his daily routine but he has never forgotten his years at the University of Michigan. He built "Bert's Café" in the undergraduate Shapiro Library and celebrated his 100th birthday with 600 students and the University of Michigan band playing "Happy Birthday" as he cut the ribbon for "Bert's Study & Campus Center." When asked what was his favorite birthday, Mr. Askwith always replies, "the next."

Mr. Askwith is active in many philanthropic causes and served as chairman of his local United Way, where he remains on the Board of Directors. He is involved in the Museum of Jewish Heritage, a living memorial to the Holocaust in Battery Park and the Askwith Forum at Harvard University in memory of his parents who were students there.

On behalf of myself, and the first congressional district of New York, I congratulate Mr. Askwith for an inspirational 82 years of hard work and dedication to his business, Campus Coach Lines and to wish him the very best 102nd birthday.

RECOGNIZING THE KELLOGG-BRIAND PACT

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. ELLISON. Mr. Speaker, I rise today to recognize the Kellogg-Briand Pact.

One of the busiest streets in Minnesota's state capital of St. Paul is Kellogg Boulevard. This street runs along the Mississippi River and was named after the only person from Minnesota to ever win the Nobel Peace Prize. Frank B. Kellogg was a Department of Justice prosecutor who was elected President of the American Bar Association and then served as a U.S. Republican Senator from Minnesota, followed by an appointment as U.S. Secretary of State for President Calvin Coolidge from 1925 to 1929.

Kellogg was awarded the Nobel Peace Prize in 1929 for his work in co-authoring the Kellogg-Briand Pact that made war illegal, renounced the use of war, and committed nations to the peaceful settlement of disputes. The Kellogg-Briand Pact—also called the Pact of Paris, or the General Treaty for the Renunciation of War—was signed on August 27, 1928 by the United States, France, the United Kingdom, Germany, Italy, Japan, and several other countries.

The Pact prohibited the use of war as "an instrument of national policy" except in matters of self-defense. President Coolidge signed the Pact on January 27, 1929 and the U.S. Senate passed it by a vote of 85 to 1. On July 24, 1929 President Herbert Hoover declared the Pact in force. The Kellogg-Briand Pact provided the legal basis for prosecuting Nazi officials at Nuremberg and is still U.S. and international law, with 84 state signatories.

Mr. Speaker, some of my own constituents are currently planning a commemoration of the Kellogg-Briand Pact to mark its 85th anniversary and to recognize Frank B. Kellogg. The Minneapolis-St. Paul chapter of Veterans for Peace is taking part in a peace essay competition organized by the West Suburban Faith-based Peace Coalition. The competition asks the question, "How can we obey the law against war?" The best essays will be sent to members of Congress. I urge this body to welcome these essays and give them due attention. Everyone must do their part to help eliminate war and promote the cause of peace.

HONORING JAKOB KORT UPHAM-TUBBS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jakob Kort Upham-Tubbs. Jakob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and earning the most prestigious award of Eagle Scout.

Jakob has been very active with his troop, participating in many scout activities. Over the many years Jakob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jakob has contributed to his community through his Eagle Scout project. Jakob designed and rebuilt a walking bridge within the Parkville Nature Sanctuary in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Jakob Kort Upham-Tubbs for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

2013 14TH CONGRESSIONAL DISTRICT ART COMPETITION

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. DOYLE. Mr. Speaker, I rise today to recognize the artistic ability of a young woman from my Congressional District, Stephanie Taylor from South Allegheny High School. Ms. Taylor is the winner of the 2013 14th Congressional District of Pennsylvania's High School Art Competition, "An Artistic Discovery." Ms. Taylor's artwork, an acrylic painting entitled "My Artistic Discovery: Mona and Me" was selected from a number of outstanding entries to this year's competition.

In fact, 58 works from twelve different schools in Pennsylvania's 14th Congressional District were submitted to our panel of respected local artists. It's a real tribute to her skill and vision that her work was chosen as the winner of this year's competition. I am certain that Ms. Taylor's family is proud of her artistic talents and this impressive accomplishment, but perhaps her selection as the winner won't surprise them. Stephanie has received one of the top five awards for 4 years in a row! Last year, she received fifth place for her oil painting "Shades of Green". Two years ago, she took Second Place, and in 2010 her painting was the winner. Stephanie has a tremendous amount of artistic talent, and I hope that she'll continue painting after she graduates from high school.

Ms. Taylor's artwork will represent the 14th Congressional District of Pennsylvania in the national exhibit of high school students' artwork that will be displayed in the United States Capitol over the coming year. I encourage my colleagues as well as any visitor to Capitol Hill to view Ms. Taylor's artwork, along with the winning entries from the high school art contests held in other Congressional Districts, which will be on display in the Capitol tunnel. It is amazing to walk through this corridor and see the interpretation of life through the eyes of these young artists from all across our country.

Miranda McCully from Springdale High School was awarded second place for her graphite drawing "Breaking Free." Reanna Buzza from Springdale High School received third place for her graphite drawing entitled "Koala in Tree." Candice Kubican from High-

lands High School was awarded fourth place for her marker composition "Frederick the Frog," and Ashley Guillary, also from Highlands High School, received the fifth place award for her silk painting "Pittsburgh."

In addition, Honorable Mention Awards were presented to works by Cassandra Finnegan of Springdale High School, Sarah Welsh of Baldwin High School, Elif Kizilkaya of the Pittsburgh Creative and Performing Arts School, Elizabeth Schaap of Brentwood High School, Dakotah Yaworski of Highlands High School, John Karp of Penn Hills High School, Roomel Reese of Penn Hills, Stephanie Taylor of South Allegheny High School, Kattie Jones of Brentwood High School, Emily Cotter of Springdale High School, Perri Murray of the Pittsburgh Creative and Performing Arts School, and Samantha Reiss of Sto-Rox High School.

I would like to recognize all of the participants in this year's 14th Congressional District High School Art Competition, "An Artistic Discovery:" from Highlands High School, Meagan Ekas, Ashley Guillary, Candice Kubican, Katherine McDonough, Cassie Olszewski, and Dakotah Yaworski; from East Allegheny High School, Adam Jacko, Shannon Nelis, and Thomas Randall; from Our Lady of the Sacred Heart, Evalynn Farkas, Alexia Janikowski, Pheobe Kristek, Rebecca Rodgers, Rachael Samowski, and Heidi Langhorst; from the Pittsburgh Creative and Performing Arts School, Lauren Brown, Maeve Gannon, Elif Kizilkaya, Adam Linn, Ethan Michaels, Perri Murray, and Arianna Williams; from Baldwin High School, Joseph Esposito, Alicia Mastroianni, Kayla Munizza, and Sarah Welsh; from Springdale High School, Reanna Buzza, Emily Cotter, Cassandra Finnegan, Sam Hieber, Miranda McCully, and Skylar Siciliano; from Penn Hills High School, John Karp, Witney Larko, Tyler Madden, Nevina Orsini, Roomel Reese, and Hamilton Rodkey; from Brentwood High School, Sydney Bauer, Kattie Jones, Samanta Sauro, Elizabeth Schaap, Shelby Stockline, and Taiyu Wang; from Riverview High School, Chandler Fescemyer and Jake Morgan; from Sto-Rox High School, Keirstin Bopp, Adam Gilchrist, Alanna Molter, Katelyn Parker, Samantha Reiss, and Cheyenne Simmons; from Woodland Hills High School, Brandywine Dugan, Miranda Miller, and La'tosha DeMaris Milton, and from South Allegheny High School, Amy Underwood and Stephanie Taylor.

I would like to thank these impressive young artists for allowing us to share and celebrate their talents, imagination, and creativity. The efforts of these students in expressing themselves in a powerful and positive manner are no less than spectacular.

I hope that all of these individuals continue to utilize their artistic talents, and I wish them all the best of luck in their future endeavors.

30TH ANNIVERSARY OF THE NATIONAL COALITION FOR THE HOMELESS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of the National Coalition for the Homeless as they celebrate their 30th Anniversary this month. The National Coalition is a network of homeless individuals, advocates, and service providers who are dedicated to meeting the needs of our most vulnerable segments of the population: homeless individuals and families.

The National Coalition was originally formed in 1982, in conjunction with various local and statewide homeless coalitions. Since the beginning, the National Coalition has worked tirelessly to increase access to safe, affordable, and adequate housing for any individual who so desires. While combating homelessness is a constant struggle, the National Coalition has fought diligently to facilitate a fundamental shift in our approach to addressing homelessness.

Under the leadership of Mr. Neil Donovan, Executive Director, the National Coalition has grown to become a leading organization in the fight to end homelessness. Mr. Donovan has used his knowledge and expertise in serving homelessness individuals to expand the reach of the organization, in order to meet the growing needs of those experiencing homelessness. The National Coalition has also been a strong advocate for the Congressional Homelessness Caucus by supporting its work in Congress to educate and mobilize Members of Congress and their staff.

Mr. Speaker, as co-chair and co-founder of the Congressional Homelessness Caucus, I am proud to honor the National Coalition for the Homeless for its worthy efforts to defend homeless individuals across the country. The National Coalition has made tremendous gains since its inception, and I truly believe in the goals that the National Coalition is trying to accomplish. I would like to congratulate the organization once again for achieving this historic milestone, and I look forward to maintaining our invaluable partnership.

RECOGNIZING MS. CAMILLE GLAZER

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize Ms. Camille Glazer of Orlando, Florida, upon her accomplishment of being named to the first ever National Youth Orchestra of the United States, NYO-USA. As a student at William R. Boone High School and member of the Florida Symphony Youth Orchestra, Camille is most deserving of this distinguished accomplishment.

The National Youth Orchestra will reflect the breadth, diversity, and quality of musically gift-

ed young people throughout our nation. Those selected to represent the National Youth Orchestra are among a group of 120 of the finest young musicians in this country aged 16–19. Camille was chosen based on her musical, technical and personal qualities. Beginning in July, Camille will have the opportunity to rehearse with the orchestra for two weeks in New York before embarking on an international tour that includes Washington, DC; Moscow and St. Petersburg, Russia, and London, England.

On behalf of the citizens of Central Florida, I am honored to congratulate Camille Glazer on her selection to the National Youth Orchestra hosted by Carnegie Hall, and I wish her great success as she represents our country around the world.

HONORING WYATT SHAY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Wyatt Shay. Wyatt is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and earning the most prestigious award of Eagle Scout.

Wyatt has been very active with his troop, participating in many scout activities. Over the many years Wyatt has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Wyatt has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Wyatt Shay for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

ON THE TRAGIC BOSTON MARATHON BOMBING

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. AL GREEN of Texas. Mr. Speaker, I would like to express my deepest sympathies for the victims and their families of the horrific Boston Marathon Bombing, which took place on Monday, April 15, 2013.

To date three people have been killed, including an eight-year old boy, and many were also wounded in this senseless violence as people sought to athletically express the power of perseverance, while their loved ones cheered them on. The glory and the innocence of athletic achievement as well as supporting one's families and friends in such a pursuit must not be desecrated by this tragedy.

While we will never truly understand what causes someone to seek to maim and kill others in cold blood, faith will console where rea-

son cannot. We can find some solace in the extraordinary heroism displayed by runners who finished the race after the bombing and continued running to the nearest hospital to give blood, as well as the spectators who rushed to the aid of the wounded immediately after the blast.

Those responsible for this heinous deed will be brought to justice, and the singular steadfastness of our great nation to punish the wrongdoers and support the victimized will once again be apparent.

HONORING THE MILESTONES OF JAMES AND CONNIE MCCARTY AND VERNON AND GENEVA GIBBS

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. BARR. Mr. Speaker, today I wish to recognize the parents and grandparents of a constituent of the sixth district of Kentucky by the name of Jim McCarty.

Mr. McCarty's parents, James and Connie McCarty, celebrated their 50th wedding anniversary on December 22, 2012 this past year. I would like to extend to them my best wishes and congratulations on such a great accomplishment.

In 2013, Jim celebrated the anniversary of his grandparents Vernon and Geneva Gibbs who have been together for 70 years. Their anniversary occurred on January 30, 2013. I want to wish Mr. and Mrs. Gibbs congratulations as well and recognize the steadfast devotion they have for each other.

Mr. Speaker, clearly in Mr. McCarty's family when you say I do, you stand by your word. I wish Jim and his family all the best, and again congratulations.

COMMENDING MAJOR BRYAN T. TAYLOR OF NORTH CAROLINA

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. COBLE. Mr. Speaker, America has the strongest military in the world because it is composed of patriotic volunteers—the men and women who put their lives in harm's way to keep our country safe. I want to recognize and congratulate a young North Carolinian who was recently promoted to Major in the U.S. Army. I have known Bryan T. Taylor since he was a child, and I served with his father in the North Carolina General Assembly and the United States House of Representatives.

Bryan was appointed to the United States Military Academy by the late Sen. Jesse Helms. At West Point, he served as captain of his senior class and on the West Point honor guard during the difficult year of 9/11/2001. He graduated in 2003 near the top of his class and was physics mentor in his third year. From West Point, Bryan took additional training as a combat engineer and was stationed

in Korea near the DMZ. From there, he entered combat in Iraq and spent 12 months in Ramadi, where constant battle was waged by both the U.S. Army and U.S. Marines.

He was promoted to 1st Lieutenant during that combat and returned home. After his promotion to Captain, he served in Central America, and in 2008 he returned to Iraq. His Major promotion service was held at Kirtland Air Force Base in Albuquerque, New Mexico. Sgt. Karen Vannov and Lt. Col. Jeff Moran conducted the promotion service. Present at the ceremony were Bryan's wife, Sgt. Miriana Perez Taylor, his parents Charles and Elizabeth Taylor, bringing prayers and greeting from his mother-in-law and father-in-law Lucia Macias and Leoncio A. Perez.

I have nominated many young men and women to our service academies during my tenure in Congress. And I have known many brave men and women who have served their country with honor. On behalf of the citizens of the Sixth District of North Carolina, I would like to thank Major Bryan T. Taylor and the other hundreds of thousands of our military for their service and sacrifice in keeping our country free. May God bless them one and all.

CONGRATULATING LOUISIANA
STATE UNIVERSITY—SHREVE-
PORT DEBATE TEAM

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. ALEXANDER. Mr. Speaker, I rise today to congratulate Louisiana State University—Shreveport (LSUS) Debate team for finishing its season with a combined total of nine International Public Debate Associations (IPDA) National Championship titles after four days of competition at the 2013 IPDA's National Championship Tournament hosted by the University of Arkansas at Monticello.

Under the great leadership of Coach Trey Gibson, the LSUS team won nearly 60 percent of their preliminary rounds earning 14 spots in the elimination rounds. As a program, the team earned four national tournament titles, including the National Tournament Overall Championship title, the Scholastic Championship, and Founders title. Finance majors Cody King and Christian Juneau each made it to the final round in their respective divisions. King lost in the professional division final on a 2–1 decision. Things were different for Juneau as he defeated his opponent and took the Novice National Tournament Championship title.

Before the tournament began, the team had already earned five national championship titles for competition throughout the season. The LSUS team was the top ranked program in the Nation in the Varsity, Professional and Scholastic division season rankings. Success in those categories contributed to the Founders' Cup title making LSUS the top ranked program in the Nation for the 2012–2013 competitive season. Individually, senior Psychology major Chelsea Anthony won the season ranking title in the Varsity division.

The Season Ranking National title is the fifth in a row for LSU Shreveport. The National

Tournament title is the team's second in a row and third in the last five years.

Mr. Speaker, I ask my colleagues to join me in offering congratulations to the LSUS Debate Team, Coach Trey Gibson, and to each member for all of their wonderful successes.

HONORING WESLEY HARRIS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Wesley Harris. Wesley is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and earning the most prestigious award of Eagle Scout.

Wesley has been very active with his troop, participating in many scout activities. Over the many years Wesley has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Wesley has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Wesley Harris for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING FRANCIS J. SAVAGE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. REED. Mr. Speaker, I rise today to recognize the life of Francis J. Savage. A resident of Olean, New York, Mr. Savage served his country admirably across the world for the better part of two decades as a member of the Foreign Service and the United States Agency for International Development (USAID).

Mr. Savage's career in the Foreign Service began with an assignment in Iceland in 1950, but he was subsequently transferred to Marseilles, France where he met his wife, Doreen. The two continued to serve across the world, specifically Greece, Trinidad, Tripoli, and Libya.

Following his tenure with the Foreign Service, Mr. Savage began to work for the USAID. It was during this time that his work took him to Vietnam as a Provincial Representative. Tragically, Mr. Savage was mortally wounded at the My Calm bombing in 1965. To honor his sacrifice, President Lyndon Johnson posthumously awarded Francis Savage with the Secretary's Award at the White House with his surviving wife, Doreen, and two children in attendance.

It is with great privilege that I announce Francis J. Savage will be honored on May 3, 2013, Foreign Affairs Day, at the Department of State in Washington, D.C. Mr. Savage's service and sacrifice to this great nation deserves such recognition and I am proud to

represent the district Mr. Savage once called home.

JOSEPH DELUCA, RETIRING COMMANDER OF THE ITALIAN AMERICAN VETERANS OF LUZERNE COUNTY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Mr. Joseph DeLuca, retiring Commander of the Italian American Veterans of Luzerne County, Post No. 1 in Wilkes-Barre, Pennsylvania.

Mr. DeLuca was born in Cilento Eremiti, Campania, Italy in 1937. Prior to World War II, he and his family moved to the United States, settling in Hazleton, Pennsylvania. Growing up in Hazleton, he attended Most Precious Blood School and graduated from Hazleton Senior High School in 1954.

In February 1961, Mr. DeLuca enlisted in the Pennsylvania Army National Guard where he trained as a radio communications message router at Fort Knox in Kentucky. During the Cuban Missile Crisis, he served in Company A 165th Military Police Battalion in Fort Polk, Louisiana. Later he joined the 54th Heavy Armored Division of Texas, earning the nickname "DeLuca the Bazooka" for his superior ability to handle weapons.

Outside his military service, Mr. DeLuca spent 35 years working in the garment industry, ultimately attaining the position of Concept Fashion Design Planner. Today, he still resides in Hazleton and is a proud father and grandfather.

Mr. Speaker, for his loyalty to both his Italian heritage and our great nation, I commend Mr. Joseph DeLuca upon his retirement as Commander of the Italian American Veterans of Luzerne County, Post No. 1 in Wilkes-Barre, Pennsylvania.

HONORING BENJAMIN JOHN COLLENS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Benjamin John Collens. Benjamin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 264, and earning the most prestigious award of Eagle Scout.

Benjamin has been very active with his troop, participating in many scout activities. Over the many years Benjamin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Benjamin has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Benjamin John Collens for his

accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF AMERICA'S RED ROCK WILDERNESS ACT

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. HOLT. Mr. Speaker, for decades, Americans have been calling on Congress to support the designation of a Red Rock Wilderness Area on the Colorado Plateau in Utah.

In 1984, the people of Utah began to conduct a volunteer driven wilderness inventory of America's Red Rock Country.

Soon thereafter—in 1989—former Utah Rep. Wayne Owens introduced America's Red Rock Wilderness Act.

Then in 1996, the Bureau of Land Management (BLM) began their own survey of the Red Rock Wilderness Area.

During this time President Bill Clinton, using the Antiquities Act, proclaimed Grand Staircase-Escalante National Monument.

The next year, Senator DICK DURBIN of Illinois first introduced a Red Rocks bill in the Senate.

In recent Congress Rep. Maurice Hinchey introduced a Red Rock bill in the House.

Today, Senator DURBIN and I are introducing companion bills to protect 9.5 million acres of federal land as wilderness in Utah's Red Rock Country.

America's Red Rock Wilderness Act will protect from development one of this country's most spectacular landscapes.

Deep red canyons, windswept mesas and naturally sculpted sandstone formations will define the Red Rock Wilderness Area.

Places like Labyrinth and Desolation Canyons; Cedar Mesa and the San Rafael Swell; and of course, Grand Staircase-Escalante National Monument.

All of the lands proposed for wilderness in our bill are already federal lands managed by the BLM.

All of these lands would be preserved for all time and for all Americans—existing as they are—sculpted and defined by the forces of nature and the hand of God . . .

Wilderness designations have a strong bipartisan history in Utah.

In fact, in 2006, my friend from Utah and current Chairman of the House Natural Resources Subcommittee on Public Land and Environmental Regulation sponsored legislation that created the Cedar Mountains Wilderness Area.

America's Red Rock Wilderness Act will preserve some of the last unbroken tracts of lands in Utah, all while continuing to uphold the land's multiple use mandate under the Federal Lands Policy and Management Act.

A wilderness designation will also allow for the protection of natural environments and watersheds, ecological diversity, native habitat, and a range of recreational opportunities such as hiking, backpacking, hunting and fishing.

Right now off-road vehicle use and encroaching oil and gas development pose major

threats to an area that desperately deserves wilderness protection.

A gallon of gas will in the tank of an ORV will only take you so far, but a vote to designate America's Red Rock Wilderness Areas would perpetuate for all time.

I thank my colleagues in the House who have joined me in cosponsoring this legislation today, and I thank Senator DURBIN and his colleagues for their support in the Senate.

I urge immediate consideration of America's Red Rock Wilderness Act in the House.

IN RECOGNITION OF RICHARD WEINER'S FOUR DECADES OF SERVICE TO THE RESIDENTS OF MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize my friend, Richard Weiner, as he is honored by the Women's Caucus of the Michigan Democratic Party for his decades of outstanding work on behalf of the State's residents.

Rick has built a long and distinguished career, which spans nearly forty years, as a civil servant to the people of Michigan. Rick began his work in the public arena with former U.S. Congressman William Brodhead, where he served as a district representative, working with residents and local groups to find solutions that strengthened communities across the Greater Detroit region. Rick's career also includes service to one of Michigan's great statesmen, Senator CARL LEVIN, for whom he served as Director of Michigan Operations, where he assisted Michigan residents across the entire State. After serving as a key advisor to former Governor Jim Blanchard during his transition into office, Rick went on to serve as Chairman of the Michigan Democratic Party (MDP) for six years. During his most recent stint in the public sector, Rick served as Chief of Staff to Governor Jennifer Granholm from 2002 to 2005.

Every day he worked in public service, Rick brought with him the passion to craft policy that supported a fair and just Michigan, where all residents would have the ability to reach their full potential. Outside of his work in government, Rick continued to fight for his ideals by founding and building Wiener Associates, a firm specializing in public policy advocacy. In addition to this work, Rick also teaches Election Law and Legislation as an Adjunct Professor at Michigan State University's College of Law.

Throughout his career, Rick has been particularly focused on supporting the rights of women across Michigan. While serving as Chair of the MDP, he championed the Jefferson Jackson Day Women's Caucus Luncheon, an event that supports women's involvement in politics. In his daily work for so many elected officials, Rick fought to protect the rights of women to make vital decisions about their own lives. During his tenure in the MDP, Rick also took steps to increase support for electing more women to office across the State of Michigan.

Mr. Speaker, involvement of bright and dedicated Americans in the political process, like Rick Weiner, is one of the great strengths of our Nation. For nearly four decades, Rick has taken a leading role to create a better future for residents in the State of Michigan and for his work, our future is brighter. I congratulate Rick on his recognition from the Women's Caucus of the MDP and look forward to our continued work in the ongoing task of securing a more prosperous future for our State of Michigan and our Nation.

JOHN W. JACKSON (BUD FOWLER)

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GIBSON. Mr. Speaker, I rise today on behalf of my constituents in New York's 19th Congressional District to commemorate the life and work of John W. Jackson or, as he became known, Bud Fowler.

Bud was born in Fort Plain, NY in 1858 and grew up in the famous baseball community of Cooperstown, NY. As an African American in a segregated America, his race often prohibited him from participating in the same leagues as his white counterparts. Despite this challenge, he made a name for himself as the first African American baseball player to participate in organized leagues.

Beginning as a pitcher, Bud soon excelled in all positions of the game, most notably at second base, which he preferred. He played in several leagues in the second half of the 19th Century and the beginning of the twentieth. This included playing, coaching, or organizing for Binghamton in the International League, Keokuk in the Western League, Lansing in the Michigan State League, and various black ball clubs, including the Page Fence Giants, Cuban Giants, the Smoky City Giants, and the All-American Black Tourists.

Bud is recognized as having the longest professional baseball career for an African American prior to Jackie Robinson. He is an incredible role model for all Americans, displaying what can be accomplished beyond all hurdles faced in life. I am proud that I will have the opportunity to attend Cooperstown's upcoming recognition ceremony of this great American on Sunday, April 21, 2013, when a street leading up to Doubleday Field will be renamed "Fowler Way."

HANOVER NURSERY 55TH ANNIVERSARY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Mr. John Basar and the Hanover Nursery in Hanover Township, Pennsylvania, which will celebrate its 55th anniversary this year.

In 1958, John Basar, a Hanover Township native, started taking on small landscaping jobs throughout the area while also attending

classes at Kings College. Initially the operation was small—just Mr. Basar, his 1948 Plymouth Coupe, a trailer, and the part-time help of his brother and a friend. By 1960, Mr. Basar had purchased a pick-up truck and hired two full-time employees but it wasn't until 1961 that he decided his business needed a name. He chose "Hanover Nursery" as a way to honor his hometown. In 1963, Mr. Basar began to secure his first commercial landscaping contracts. A topsoil pit was purchased by the business in 1970, an asset which became invaluable to the people of Wyoming Valley when they fell victim to the Hurricane Agnes flood in 1972. Mr. Basar and the Hanover Nursery were an important part of the storm recovery following this disaster, helping to restore yards for families and eventually re-landscaping portions of the neighboring city of Wilkes-Barre.

From the mid 1970s to the present day, Mr. Basar and the Hanover Nursery have been responsible for many prominent developments throughout Northeastern Pennsylvania. The nursery's work can be seen at several commercial projects including the Crossing Premium Outlets in Tannersville, the community of Sunset Drive in Hanover Township, the Wyoming Valley levy raising project and the newly reconditioned River Commons area in downtown Wilkes-Barre.

Outside the Hanover Nursery, Mr. Basar has been a vital figure in the Hanover Township community. In 2014, he will celebrate 50 years as a member of the local Lions Club where he plays a primary role in the organization's Christmas celebration, planting new trees and decorating them with lights each Holiday season. He has also been a generous patron of the Hanover Township little league.

Mr. Speaker, for the last 55 years Mr. John Basar and the Hanover Nursery have helped beautify Hanover Township and the surrounding areas. They played an active role in growing our community. Therefore, I commend Mr. Basar and all the Hanover Nursery employees who have been integral in the development and beautification of Northeastern Pennsylvania.

HONORING JOSEPH DANIEL
BODENHEIMER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joseph Daniel Bodenheimer. Joseph is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 303, and earning the most prestigious award of Eagle Scout.

Joseph has been very active with his troop, participating in many scout activities. Over the many years Joseph has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Joseph has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Joseph Daniel Bodenheimer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE SHIFFER FAMILY ON THEIR CONTRIBUTIONS TO THE CHAMPAIGN FAMILY YMCA

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. JORDAN. Mr. Speaker, I am honored to commend to the House the generosity and support of the family of Leah and the late Jerry Shiffer to the Champaign County, Ohio, YMCA chapter.

In July 2007, Leah Shiffer and her children donated an 88-acre parcel in North Lewisburg to the Champaign Family YMCA. In so doing, they honored Jerry Shiffer's lifelong appreciation for outdoor recreation—an appreciation he shared with his whole family.

The Champaign Family YMCA recognized the Shiffer Family's benevolence at a 2008 dedication event. The Y has used this land for its summer day camp program, giving hundreds of young people the opportunity to learn about nature and the environment.

On Sunday, the Champaign Family YMCA will formally acknowledge Jerry Shiffer and his family by naming this camp in their honor. Sunday's event will include a tree-climbing demonstration, a nature hunt, archery, and other family activities led by the Y and the Boy Scouts of America.

I appreciate the opportunity to join the Champaign County Y and the people of Champaign County in recognizing the ongoing commitment and gracious gift of the Shiffer Family. I know that the family is pleased that Jerry's vision for a recreational camp for area youth will continue to be fulfilled.

WAGNER-PEYSER

**HON. GREGORIO KILILI CAMACHO
SABLAN**

OF THE COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. SABLAN. Mr. Speaker, I am introducing a bill to allow for the expansion of the federal Employment Service network to my district, the Northern Mariana Islands to be eligible for Employment Service Programs by amending the Wagner-Peyser Act of 1933, as amended by the Workforce Investment Act of 1998.

The Employment Service Programs provide funds to establish a nationwide system of public employment offices and One-Stop Career Centers across the United States. These centers have successfully connected millions of job seekers with employers throughout the 50 states, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam. The legislation I am introducing today, in remedying the statu-

tory absence of the Northern Mariana Islands from the definition of "State," will allow for the expansion of the federal Employment Service network to the NMI, thereby contributing to both the local and National economy by supporting the development of an experienced, motivated, and most importantly, employed American workforce.

Should the Commonwealth government choose to apply for this grant, the funds could be used to stand up One-Stop Centers in the NMI that would help those searching for work find jobs and help local employers find qualified workers. These Centers provide services that have a proven record of success in hundreds of locales throughout the United States.

Our national economy is still pulling itself out of the deepest recession since the 1930s. The economy in the NMI is in even worse condition, however, with declines in GDP every year from 2004 to 2009. This bill provides for the possible extension of a federal program that is helping address unemployment around our Nation to the one place, perhaps, that needs help the most, the Northern Marianas.

The employment services the Wagner-Peyser programs provide have proven effective in facilitating the connection between the employers' demand for employees and the labor market's abundant supply of a willing workforce. That is why I ask my colleagues to support this bill.

We have to do more in this Congress for U.S. workers. This is not a new program. This is not a fundamental amendment to the intent of the Act. This bill merely offers equal treatment to the Northern Marianas in giving them the chance to access funding to support our local businesses and workers in need.

TRIBUTE TO PAT WOOTON

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a dedicated employee of the U.S. House of Representatives and a staunch Kentucky Republican, Mr. Dennis Patrick Wooton, upon his retirement from my Hazard district office following six years of service as my trusted Field Representative.

Pat has been my right hand on many issues impacting constituents in the eastern half of Kentucky's Fifth Congressional District, covering 18 counties. Anytime a natural disaster occurs in our region, such as flash flooding, tornadoes and damaging mudslides, Pat immediately reaches out to local officials to offer a helping hand and evaluate the potential need for federal assistance. He has been a loyal, reliable resource in the mountains of eastern Kentucky, always offering a friendly smile, his contagious humorous attitude, and word of encouragement.

Before serving as Congressional staff, Pat bravely served our U.S. Army in the Vietnam War. He was awarded several medals for his valiant efforts, including the honorable Bronze Star. He is a life-time member of V.F.W. Post 7378 and D.A.V. Chapter 64. Upon returning

home, Pat was a teacher, baseball coach, and basketball coach at Buckhorn High School in Perry County, Kentucky, where he also became one of the most beloved principals in the history of the institution. In 2007, he was elected to the Kentucky High School Baseball Coach Hall of Fame. Through his dedicated efforts in the county, Pat gained the respect of the people of Perry County, who elected him Sheriff 2003–2006.

Pat has also been a dedicated advocate for conservative Republican principals and currently serves as Chairman of the Perry County Republican Party.

Pat has a true heart of service, which is displayed by his volunteer efforts across the Kentucky River region. His long list of service includes training the Buckhorn Volunteer Fire Department, serving on the Governor's Smart Growth Task Force, the ARH Family Health Service and Community Advisory Boards, Buckhorn City Council, the Hazard Community and Technical College Board of Directors, and many more.

Please join me in congratulating Mr. Pat Wooton on his retirement, and in appreciation of his brave military service to this nation. My wife, Cynthia, and I wish Pat and his wife, Veda, the very best in the years to come.

CONGRATULATING ARMSTRONG
CABLE ON THEIR FIFTIETH AN-
NIVERSARY

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. KELLY. Mr. Speaker, Armstrong is proudly celebrating its fiftieth anniversary of providing loyal cable service to its customers. With 800 employees, Armstrong serves 282,000 subscribers. Armstrong was founded in 1946 by Jud and Ned Sedwick and remains a family-owned and operated business that maintains close ties with the communities it serves.

Cablefax Magazine, a leading telecommunications publication, recently awarded Armstrong the 2012 Best Customer Service Award for service excellence among independent cable operators nationwide.

I congratulate Armstrong on the 18th day of April in the year 2013. I heartily commend Armstrong for its dedication to customer service and offer best wishes for future success.

IN HONOR OF MICHAEL
ELLENBOGEN

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. FITZPATRICK. Mr. Speaker, I share this letter on behalf of a constituent of mine named Michael Ellenbogen. I hope his story helps others in a profound and positive way.

My name is Michael Ellenbogen. I am living with Alzheimer's disease. I spend almost every waking hour advocating for increased

funding for research that will improve the treatment of this dreadful disease. In 2008, at the age of 49, I was diagnosed with Alzheimer's disease after struggling to get a diagnosis since my first symptoms began at age 39. There are more than five million Americans now suffering from this devastating disease.

The National Institutes of Health (NIH) funds research into critical and devastating diseases such as cancer and HIV/AIDS. Yet there is much neglect and discrimination regarding the allocation of funds for research into Alzheimer's and related dementias. As a person who experiences the devastating impact of Alzheimer's disease every day I hope that research will lead eventually to postponing the onset or slow the progression of this disease, if not prevention and cure.

Currently, Alzheimer's disease only receives about \$450 million for research from NIH, compared to more than \$5 billion for cancer and more than \$3 billion for HIV/AIDS. I am astonished at the lack of funding dedicated to addressing the number one health epidemic. Historically, leadership from the federal government has helped lower the number of deaths from major diseases such as HIV/AIDS, heart disease, stroke and many types of cancers. This past experience provides hope that increased efforts directed at Alzheimer's disease will be met with similar success.

There are many more Americans living with Alzheimer's than HIV; more funding is desperately needed. If we do not act now this disease has the potential to bankrupt this country. Money allocated today will have an enormous return on investment if it leads to the kind of successes obtained for other diseases.

If you have not yet been touched by this devastating and debilitating disease it's just a matter of time. I hope that my advocacy will help prevent future generations having to suffer my fate and that of many others. You can help by increasing NIH funding for research on Alzheimer's disease and other dementias.

I appeal to members of the House of Representatives, the Senate and the respective appropriations committees: Make the hard choices; increase funding for Alzheimer's disease. Do everything necessary to ensure that Alzheimer's disease gets the exposure, commitment and funding necessary to change the course of the disease before millions more Americans are affected.

My work as an advocate has provided opportunities to share my story on a national platform. I have provided public comment during meetings of the Advisory Council on Alzheimer's Research, Care and Services in addition to having my personal essay about overcoming the stigma of the disease featured in the Alzheimer's disease World Report 2012. I have also become a member of the Alzheimer's Association National Early-Stage Advisory Group, helping to raise awareness of the disease and provide insights on the most appropriate programs and services for individuals in the early stage of Alzheimer's and other dementias.

I hope that what I am doing now will allow me to leave this world knowing that I have done everything possible to make generations to come have a fighting chance. Do not forget these people or the future generations who will develop this disease. We face dying in the worst possible way.

Regards,

MICHAEL ELLENBOGEN.

TRIBUTE TO GEE'S BEND QUILT
ARTISTS MARY LEE BENDOLPH
AND LORETTA PETTWAY BEN-
NETT

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to pay tribute to two of my talented and distinguished constituents—Mary Lee Bendolph and Loretta Pettway Bennett. Both ladies are renowned quilt artists from Gee's Bend, Alabama. The beautiful work of these honorees and the group of women quilters from Gee's Bend has gained international recognition and is source of great pride to my district and the state of Alabama.

Gee's Bend is a beloved rural community—geographically isolated on a peninsula at a deep bend in the Alabama River, just southeast of my hometown of Selma. For nearly 200 years the women of Gee's Bend have been creating quilt art. These local women use available materials, in patterns of their own creative design. They have received widespread, critical acclaim and their work has been compared to the most valuable pieces of modern abstract art.

Mary Lee Bendolph, the seventh of 17 children, descends from generations of accomplished quilt makers in Gee's Bend. She learned to quilt from her mother, Aolar Mosely, and she worked over the years in a variety of textile-related jobs. Mary Lee gathers design ideas for her quilt art by looking at the world around her. Anything—from people's clothes at church, to her barn, to quilts hanging on clotheslines in front yards, to how the land looks when she's high above it in an airplane—can inspire her.

Mary Lee Bendolph has worked to promote greater understanding of her community and its unique art form. She has appeared on numerous television and radio programs, and figured prominently in the PBS documentary "The Quiltmakers of Gee's Bend." In 1999, Mary Lee's life was profiled in The Los Angeles Times by J.R. Moehringer in "Crossing Over: Mary Lee's Vision," which was awarded a Pulitzer Prize. Additionally, the main character Sadie Pettway in Elizabeth Wilder's play "Gee's Bend," currently on tour, is based on the life of Mary Lee Bendolph.

Loretta Pettway Bennett is a fifth-generation quilter from Gee's Bend, Alabama and one of the youngest to continue handstitching quilts in the renowned Gee's Bend style. She is the second of eight children and oldest daughter of Tom O. and Quennie Elizabeth Pettway Jr. Loretta's ancestry traces back to Dinah Miller, a great-great-grandmother who, according to folklore and family history, was one of the first slaves to have arrived in Gee's Bend. Loretta has over two dozen additional relatives among the initial group of quilters, establishing her as a bona fide member of what could be considered America's quilting royalty.

Loretta has stated that she came full circle, back to her Gee's Bend roots, when she made a quilt in honor of her mother Quennie Pettway, who taught her to sew and quilt, and her cousin Arlonzia Pettway. "After that quilt, I went

into a zone where I was inspired to use really bold colors and different types of materials together just like the generations of relatives before me, because they used what they had. I added something else that my family especially loves, music and dancing. I was finally there, using different shapes, sizes, colors and textures. Just like my family, imperfect but still a family."

Most recently, the John F. Kennedy Center for the Performing Arts featured the Gee's Bend Jazz Symphony in February 2013. During Black History Month 2013, the history of the community of Gee's Bend, and the spirit of the women of the Gee's Bend quilt art, was brought to the nation by jazz pianist Jason Moran, using music to help animate history and interpret museum collections.

Mr. Speaker, I am beyond honored to represent the community of Gee's Bend and these two extraordinary artists. I look forward to many more appearances in our nation's capital by these highly talented artists.

INTRODUCTION OF THE NUCLEAR WEAPONS ABOLITION AND ECONOMIC AND ENERGY CONVERSION ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Ms. NORTON. Mr. Speaker, today, I am introducing the Nuclear Weapons Abolition and Economic and Energy Conversion Act of 2013, a version of which I have introduced since 1994, after working with the District of Columbia residents who were responsible for the Nuclear Disarmament and Economic Conversion ballot initiative passed by DC voters in 1993. This version of the bill now requires the United States to negotiate an international agreement to disable and dismantle its nuclear weapons by 2020 and provides for strict control of fissile material and radioactive waste and for use of nuclear-free energy. The bill continues to provide that the funds used for nuclear weapons programs be redirected to human and infrastructure needs, such as housing, health care, Social Security and the environment, and it would take effect when the President certifies to Congress that all countries possessing nuclear weapons have eliminated such weapons. The bill is particularly timely as Congress continues to make cuts to important human and infrastructure programs and as the world confronts concerns about nuclear proliferation to Iran and North Korea.

Following years of dangerous increases in U.S. nuclear capacity during the George W. Bush administration, President Barack Obama has begun to rebuild U.S. credibility with his goal of taking the necessary steps to achieve a world without nuclear weapons. The president's strong push for the New START treaty in 2010, when Republicans seemed adamant on delaying it, resulted in ratification by the Senate. The treaty requires the two major nuclear powers, Russia and the United States, to continue to reduce nuclear weapons by mutually reducing their nuclear warheads by half and their number of intercontinental ballistic

missiles and missile launchers, and, within 60 days of the treaty taking effect, on February 5, 2011, submit to on-site inspections of strategic nuclear weapons facilities by the weapons experts of the other country.

Today, our country has a long list of urgent domestic needs that have been put on the back burner even though millions of Americans have lost their homes and jobs and sequestration has started. As the only nation that has used nuclear weapons in war, and that still possesses the largest nuclear weapons arsenal, I urge support for my bill to help the United States lead the world in redirecting funds that would otherwise go to nuclear weapons to be available for urgent domestic needs.

INTRODUCTORY STATEMENT FOR THE SMALL BUSINESS DISASTER RELIEF AND RECOVERY ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to introduce a bill that would exempt loans from the credit union member business lending cap that are made after federally-declared natural disasters, injecting much-needed funds into local communities when they need it most.

Superstorm Sandy caused enormous destruction throughout the Northeast, and wildfires, hurricanes, and tornados have wreaked similar havoc across the country. Federal disaster assistance that flows after each declaration of a disaster is essential but not sufficient to get a region back on its feet. I've heard from many small businesses about their struggle to recover from Sandy. Counties in eleven states and the District of Columbia were declared major disaster areas by the President during the storm.

That is why this bill is so important. It will exempt credit union 'member business loans' from the normal lending cap for a period of up to five years after a natural disaster declaration. This will enable credit unions to temporarily lend above their cap in any area where there had been a federal declaration of disaster.

Exempting these loans from the cap will open up a new source of credit for struggling small businesses and untie the hands of credit unions that want to provide that assistance. Credit unions are key members of the communities they serve and want to be there for small businesses who need assistance recovering from natural disasters. This bill will provide businesses a source of capital to help them rebuild and recover.

Currently, under federal regulations, Federal Credit Unions are each subject to a ceiling of 12.25% of their assets in business loans to their members. As many credit unions approach that cap, they are unable to provide needed capital to their communities.

I urge my colleagues to support this important legislation to help areas that so badly need access to capital to help them recover.

HONORING THE WAYNE PUBLIC LIBRARY'S 90TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Wayne Public Library, located in the Township of Wayne, Passaic County, New Jersey, which is celebrating its 90th Anniversary.

The Wayne Public Library was established in December, 1922, after a discussion during a meeting of the Mountain View Parent Teacher Association with Mrs. Grace Freeman, who would become the President. The issue of the need for a public library was raised, and fundraising efforts began. By June of 1923, after canvassing the neighborhood and hosting a tag day, \$1,500 was raised, and 200 books donated. Due to these efforts, on July 24, 1923, the new Mountain View Library and Preakness Library officially opened.

As Wayne grew, and the collections of the libraries increased, regulation and further organization was needed. In 1947, the citizens of the Township of Wayne voted to establish an "American Free Public Library, governed by state laws which provided for a seven member Board of Trustees including the mayor of the town and the Superintendent of Schools." This governing body of the library systems in Wayne still operates today.

This Board of Trustees and a Library Improvement Association recognized the need for additional space to accommodate the collections, as well as to provide other locations to better serve Wayne residents. On November 6, 1962, they were able to facilitate the passing of a referendum to provide funds for a new central library building. They acquired a lot on Nellis Drive, next to the Town Hall, which allowed for an 11,000 square foot library, and on February 8, 1964, the groundbreaking and building began. A few years later, in 1967, a bookmobile was purchased to serve the Wayne neighborhoods. This held approximately 4,000 books, and was in service for nearly twenty years.

Over the next fifteen years, the three branches of the Wayne libraries underwent changes to further accommodate the residents and expanding collections. With the main library crowded with over 700,000 volumes, in 1972, an extra 16,000 square feet were added. The new Preakness Branch was completed six years later, and in 1980, the Mountain View Branch was also renovated, though it would close twelve years later. In the latter 1990s, the Wayne Public Library was remodeled, and held its grand opening on June 11, 2000.

The Wayne Public Library branches are home to a variety of programs. Their spacious meeting rooms are used for a variety of purposes, including music, tutoring, and reading programs, as well as presentations and groups for children and young adults. For adults, book discussion groups, computer, English language, art classes, and writing groups are all available. The meeting rooms are also used by other groups, such as the annual ballet performance for children by the

McKenna School of Dance. The Wayne Public Library also hosts movie nights and viewings for all three age groups at both locations. The library offers to display artwork from the Township of Wayne as well.

The celebration of the Wayne Public Library's 90th Anniversary, on April 20, 2013, includes a Wine Tasting and Art Auction Event, featuring hors d'oeuvres, desserts, door prizes, a raffle, and live music. The event is sponsored by the Friends of the Wayne Public Library.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Wayne Public Library as they celebrate their 90th Anniversary.

CELEBRATING FLORENCE
"FLOSSY" KEESLEY'S 99TH
BIRTHDAY

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate Florence "Flossy" Keesley of Boca Raton, Florida, who turns 99 years old today.

Flossy is a vibrant and active member of our community. In addition to her work championing the arts in Boca Raton, she is active in many local charities.

She is truly an exceptional woman who I am proud to represent in Florida's 22nd District. I know I join with her friends and family in celebrating this wonderful milestone. I wish her good health and continued success in the coming year.

75TH ANNIVERSARY OF THE
NORTH WILKESBORO LIONS CLUB

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Ms. FOXX. Mr. Speaker, on April 5, 1938, the North Wilkesboro Lions Club was chartered in North Carolina.

Tomorrow members of the club, including charter member Blair Gwyn, will celebrate their 75th anniversary as an organization committed to the service of those in need.

For years, the North Wilkesboro Lions, like Lions Clubs International, have devoted themselves to combating the problem of blindness. The Record of Wilkes notes that our North Wilkesboro's Lions chapter provides eye exams and glasses to the less fortunate, helps support Camp Dogwood—a Lake Norman summer camp for the visually impaired, sponsors a leader dogs program, and, in addition, runs an annual book drive for literacy in Wilkes County.

North Wilkesboro's Lions work to raise funds to support the blind through annual broom sales, the Apple Festival's White Cane Drive, food sales at Merle Fest, and regular dues and donations from members.

For seventy-five years, North Wilkesboro has been served by the contributions of its

Lions Club. I congratulate each North Wilkesboro Lions Club Member on this monumental anniversary.

HONORING THE MEMORY OF
ROBERT "BOB" JESSOP BEER

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mrs. WALORSKI. Mr. Speaker, today I wish to honor the legacy of Robert "Bob" Jessop Beer. Born on August 8, 1943 to Harry L. and Lucille Jessop Beer, Robert is a lifelong Hoosier, proud family man, entrepreneur, and soldier whose contributions have made a positive impact on the Milford Community.

In 1962, Robert graduated from Warsaw High School and proudly served his country as a U.S. Army Reservist from 1964–1970. He married his beautiful wife, Jacquelyn Craft, on September 11, 1965, and together had eight lovely children. Robert's entrepreneurial spirit led him to be the President and CEO of his business, Beer's & Jessop's Company, Inc., where he worked for many years.

Robert's contributions stemmed far beyond his immediate family and business, his presence was well-known to many Hoosiers in the community. For more than 40 years, Robert served as the precinct committeeman for Van Buren Township and was the Chairman of the Kosciusko County Board of Zoning Appeals. Along with his civic duties, Robert was a past patron of the Kosciusko Chapter 169 order of the Eastern Star and a member of Kosciusko Masonic Lodge 418 F&M.

Robert leaves behind an incredible legacy that will surely live on to inspire many Hoosiers in the community to lend a hand in the community and help others. His family, including his wife, Jacquelyn, children, and grandchildren will remain in my thoughts and prayers during this difficult time.

I am honored to recognize the life of Robert "Bob" Jessop Beer and extend my deepest sympathies to his loved ones. Joining Hoosiers across the State, we mourn his loss and remember the leadership that will continue motivating us all to serve our communities.

TRIBUTE TO JOSEPH A.
MCINERNEY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to Mr. Joseph A. McInerney, president and CEO of the American Hotel & Lodging Association (AH&LA), on the occasion of his departure after 12 years as head of the association.

The lodging industry is a key driver of our Nation's economy, employing 1.8 million men and women in hotels, inns, and resorts in all 50 States, and generating \$137.5 billion in annual sales. In my home State of Alabama, the industry is responsible for more than 21,000

jobs and \$654.9 million in employee wages. As head of the one trade association representing all interests of hoteliers, Joe has been a vocal advocate and leader for the policies and initiatives that have brought a renewed strength to lodging since the economic downturn of 2008.

Beginning in 1961 with his first job at the Sheraton Chicago, he quickly moved up the ranks before being transferred to the franchise division of Sheraton as regional director of operations in 1966. Three years later, he moved to Winston Salem, North Carolina, to be general manager of the Sheraton Inn. In 1970, he was named vice president, assistant to the president of the franchise division, and continued to move up until being appointed president of ITT's Sheraton franchise division in 1980.

After 25 years with Sheraton, he rose to the position of president and CEO for the soon-to-be-launched Hawthorn Suites. His next industry position came in 1991, when he was named president and CEO of Travelodge and then president and CEO of Forte Hotels in 1992, before becoming chairman in 1995. Just before coming to AH&LA in 2001, he served as president and CEO of the Pacific Asia Travel Association and was responsible for moving the organization's headquarters from San Francisco to Bangkok.

With more than 50 years in the industry, Joe has seen countless innovations and changes—many of which he created and implemented. He is widely recognized for having revolutionized the franchise concept for Sheraton and popularizing the suite concept for Hawthorn Suites. He has also been responsible for the creation of new initiatives to encourage and recognize the diversity in the industry, including the Under 30 Gateway, a group comprised of young, up-and-coming hoteliers; Women in Lodging, made up of leading women CEOs, high-ranking executives, and employees in lodging; and the promotion of student chapters at colleges and universities across the country.

An honors graduate of Boston College, Joe has earned the designation of Certified Hotel Administration from the American Hotel & Lodging Educational Institute. He has been recognized with numerous industry awards, including the first 2012 Founding Member award from DePaul University College of Commerce School of Hospitality Leadership; induction into the 2010 University of Houston's Hospitality Hall of Honors; induction into the 2010 Massachusetts Lodging Association Hall of Fame; the 2009 J. Patrick Leahy Lifetime Achievement Award from the Illinois Hotel and Lodging Association; the 2007 "Above and Beyond Award" at The Lodging Conference; the "Tourism Man of the Year" award from the Pacific Area Travel Writers Association; the 1999 Stephen Brener, Silver Plate Lifetime Achievement Award from Hospitality Magazine; the 1998 Pacific/Asia Person of the Year from Travel Agent Magazine; and the 1994 Economy Lodging's "Person of the Year."

Mr. Speaker, I join with Joe's many friends and colleagues, in Alabama and across the country, in celebrating his long and successful career and thanking him for his leadership, foresight, and commitment to the lodging industry. I know his family—his wife, Ruth, his

children, Joe and Susan, their spouses, Robin and Ken, and his five grandchildren, Elizabeth, Colin, Weston, Finn, and Calla—are particularly proud of him and all he has accomplished and look forward to being able to spend more time with him in the weeks and months ahead.

HONORING MARILYN MICHELINI

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. FOSTER. Mr. Speaker, I rise today to honor the long and distinguished career of Marilyn Michelini. For more than 24 years, Marilyn has served the Montgomery community with great devotion and integrity. Through more than 30 years of professional experience in public service, Marilyn has proven herself to be a staunch advocate for the people whom she represents.

After 12 years in office, Marilyn will serve her last day as the Mayor of Montgomery, Illinois on Monday, May 13. When first elected, she represented a little more than 5,000 constituents. As we stand here today, that number has grown to more than 18,000. Under her leadership, the Village of Montgomery undertook projects to widen Orchard Road, Route 30 and the construction of a new Village Hall.

Marilyn started her political career in 1982 when she agreed to complete the remaining 2½-year term of a retiring board member on the Kane County Board. Five years later, she became the first woman to be elected to the Board of Trustees for the Village of Montgomery, where she earned the reputation of always “doing her homework.” In 2001, Marilyn was elected as Village President, a position that would allow her to utilize her professional experience to best serve the people of this rapidly changing village.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Marilyn Michelini and her service to the constituents of Montgomery, Illinois. There are some people you meet and know instantly that they are trying to leave their community and this world a better place. Marilyn is one of these people. I am humbled by her commitment, and I wish her the best of luck in her well-deserved retirement.

IN RECOGNITION OF FIRE CHIEF RAY MILLER

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Ray Miller, who has served as a volunteer member of the Dundee Fire Department for 58 years. Mr. Miller has completed seven terms as fire chief, during which he has demonstrated unequivocal dedication to the fire service and the entire Dundee community.

In recognition of Mr. Miller's service to the fire department, he has been honored with the Dundee Fire Department's Fireman of the Year Award six times. Mr. Miller also received the Yates County Roger A. Ribble Memorial Award in 1998 for his “dedication to the fire service, embracing its traditions, and training its future members.”

It is evident that Mr. Miller leads by example. Year after year, he leads the fire department in number of responses, ambulance calls, and extra work details. He provides an example for other members to follow, and inspires younger members to train and perform to the best of their abilities. Mr. Miller is well-known and respected throughout the community, and he is held in the highest regard by his fellow firemen. Anyone who knows Mr. Miller will attest to his character, work ethic, and countless contributions to the community.

I am proud to recognize Ray Miller for his dedication to the fire department, and the invaluable contributions that he has made to the Dundee community over the past 58 years. It is a privilege to have a man of Mr. Miller's reputation in my district and I am honored to have this opportunity to recognize him today.

RECOGNIZING CHILD ABUSE PREVENTION MONTH

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Mr. BARR. Mr. Speaker, I submit the following.

Whereas, National Child Abuse Prevention Month will be recognized throughout the United States during the month of April, 2013; and

Whereas, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

Whereas, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

Whereas, during periods of economic challenges, families feel more vulnerable, and as a result, child abuse and neglect increases drastically; and

Whereas, child abuse and neglect can be reduced by making sure each family has the needed support to raise their children in a healthy environment; and

Whereas, child abuse is considered to be one of our nation's most serious public health problems with scientific studies documenting the link between the abuse and the neglect of children and a wide range of medical, emotional, psychological and behavioral disorders; and

Whereas, all citizens should become involved in supporting families in raising their children in a safe and nurturing environment; and

Whereas, effective child abuse prevention programs succeed because of partnerships

created among state and local government agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

As the representative of all the people of the sixth Congressional District of Kentucky and the former Board Chair of Prevent Child Abuse Kentucky, be it resolved that the month of April, 2013 is Child Abuse Prevention Month. I urge all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our effort to support families, thereby preventing child abuse and strengthening our community.

HONORING DR. GILEY GRIFFIN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 18, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Dr. Giley Nixon Griffin, a distinguished leader in my community and good friend. Dr. Griffin is a pillar of the Dallas community and has devoted her life and work to educating and mentoring others. Dr. Griffin and I worked together with Jack and Jill of America, a nationwide organization with over 220 chapters in 35 states and the District of Columbia that works to provide social, cultural, and educational opportunities for young people. Dr. Griffin's greatest joy comes from helping others and her service to God. Currently, Dr. Griffin serves as Elder, Vice Chairman of the Board and Vice President of Women's Ministries at Romine Avenue Christian Church in Dallas, Texas. She was acknowledged recently by the Dallas Post Tribune as their “Leader of the Week,” a testament to her devotion and service to others.

Dr. Griffin worked for years as a librarian and Director of Library Services at Jarvis Christian College. Dr. Griffin received her Bachelor of Science Degree from Jarvis Christian College, a Master of Science Degree in Library Science from Atlanta University, and an Honorary Doctorate Degree from Jarvis Christian College. In addition, Dr. Griffin has authored two books, Faith Keepers: African American Women Leaders in Texas 1846–2000 and Texas Christian Missionary Fellowship of the Christian Church (Disciples of Christ) Southwest Region-A Historical Prospectus—1914–2000. Dr. Griffin is also a Charter member of the National Sorority of Phi Delta Kappa Sorority, Incorporated, Delta Epsilon Chapter. She served as First Lady at Corinth Christian Church in Kilgore, Texas for 17 years where her husband, the late Dr. James O. Griffin, served as Senior Pastor.

Mr. Speaker, the Dallas community is indebted to Dr. Griffin for her years of public service. Through her efforts, countless lives have been touched and young minds have been empowered. A community can only be as strong as its leaders, and we have a stalwart supporter in Dr. Griffin.

HOUSE OF REPRESENTATIVES—Friday, April 19, 2013

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 19, 2013.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day. Lead us this day in Your ways, that our Nation might be guided along the roads of peace, justice, and goodwill.

We ask Your protection upon those involved this day with the pursuit and arrest of the marathon bombing suspect in Boston. Send Your Spirit of peace upon that city and its inhabitants.

Bless as well all persons who are tortured or troubled in heart and who might think that violence against others is an option. Give them hope and justified confidence that there are many who care for them and wish to help with whatever their need.

Bless us this day and every day, and may all that is done be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 19, 2013.

Hon. JOHN A. BOEHNER, *The Speaker,*
U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 19, 2013 at 9:48 a.m.:

That the Senate passed without amendment H.R. 1246.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Tuesday, April 23, 2013, for morning-hour debate.

There was no objection.

Thereupon (at 11 o'clock and 3 minutes a.m.), under its previous order, the House adjourned until Tuesday, April 23, 2013, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1180. A letter from the Deputy Associate Director for External Affairs, Consumer Financial Protection Bureau, transmitting the Annual Report of the Office of Minority and Women Inclusion; to the Committee on Financial Services.

1181. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Office of Minority and Women Inclusion's annual report for 2012; to the Committee on Financial Services.

1182. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Regulatory Guide 4.4, Reporting Procedure for Mathematical Models Selected to Predict Heated Effluent Dispersion in Natural Water Bodies [NRC-2012-XXXX] received April 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1183. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting the 2012 management report and statements on the system of internal controls of the Federal Home Loan Bank of San Francisco, pursuant to 31 U.S.C. 9106; to the

Committee on Oversight and Government Reform.

1184. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of the Affordable Housing Mandates for Development Projects Formerly Managed by the Dissolved National Capital Revitalization Corporation and Anacostia Waterfront Corporation"; to the Committee on Oversight and Government Reform.

1185. A letter from the Acting Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf — Revisions to Safety and Environmental Management Systems [Docket ID: BSEE-2012-0011] (RIN: 1014-AA04) received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1186. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2013 and 2014 Harvest Specifications for Groundfish [Docket No.: 120918468-3111-02] (RIN: 0648-XC254) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1187. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Fisheries; 2013 Annual Catch Limits and Accountability Measures [Docket No.: 121107617-3181-02] (RIN: 0648-XC351) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1188. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Setting and Adjusting Patent Fees; Correction [Docket No.: PTO-C-2013-0010] (RIN: 0651-AC86) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1189. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on stalking for 2012; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1067. A bill to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements (Rept. 113-43). Referred to the House Calendar.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1068. A bill to enact title 54, United States Code, "National Park Service

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and Related Programs", as positive law (Rept. 113-44). Referred to the House Calendar.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1549. A bill to amend Public Law 111-148 to transfer fiscal year 2013 through fiscal year 2016 funds from the Prevention and Public Health Fund to carry out the temporary high risk health insurance pool program for individuals with pre-existing conditions, and to extend access to such program to such individuals who have had creditable coverage during the 6 months prior to application for coverage through such program; with an amendment (Rept. 113-45). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CUELLAR (for himself and Mr. McCAUL):

H.R. 1660. A bill to require the establishment of Federal customer service standards and to improve the service provided by Federal agencies; to the Committee on Oversight and Government Reform.

By Mr. ISRAEL (for himself and Mr. TIBERI):

H.R. 1661. A bill to amend title XVIII of the Social Security Act to provide comprehensive cancer patient treatment education under the Medicare program and to provide for research to improve cancer symptom management; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND (for himself and Mr. BOUSTANY):

H.R. 1662. A bill to amend chapter 171 of title 28, United States Code, and the Federal Flood Control Act of 1928 to provide for liability for the United States Army Corps of Engineers in cases of damage caused by the gross negligence of an officer or employee of the Corps; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CUELLAR:

H.R. 1660.

Congress has the power to enact this legislation pursuant to the following:

THE U.S. CONSTITUTION
ARTICLE I, SECTION 8: POWERS OF CONGRESS
CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. ISRAEL:

H.R. 1661.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. RICHMOND:

H.R. 1662.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 309: Mr. KINGSTON, Mr. RICE of South Carolina, and Mr. FINCHER.

H.R. 485: Mr. HANNA.

H.R. 718: WENSTRUP, Mr. DAINES, and Mr. HARRIS.

H.R. 858: Mr. MURPHY of Florida, Mr. VELA, Mr. BARR, Mr. GUTHRIE, Mr. TIPTON, Mr.

GARDNER, Mr. RYAN of Ohio, and Mr. WOODALL.

H.R. 875: Mr. SALMON.

H.R. 904: Ms. SCHWARTZ.

H.R. 946: Mr. WOLF.

H.R. 961: Ms. EDWARDS and Mr. PETERS of Michigan.

H.R. 1150: Ms. PINGREE of Maine, Mr. MICHAUD, and Mr. GEORGE MILLER of California.

H.R. 1155: Mr. TIBERI, Ms. ROS-LEHTINEN, and Mr. PAULSEN.

H.R. 1199: Ms. ROYBAL-ALLARD, Mr. PASCRELL, and Mrs. BEATTY.

H.R. 1258: Ms. LOFGREN.

H.R. 1304: Mr. MASSIE.

H.R. 1389: Ms. HAHN, Mr. CICILLINE, Mr. TIERNEY, Mr. MORAN, Ms. LINDA T. SANCHEZ of California, Ms. SCHWARTZ, and Ms. CLARKE.

H.R. 1406: Mr. BUCHANAN, Mr. HALL, Mr. SENSENBRENNER, Mr. FORTENBERRY, and Mr. SCALISE.

H.R. 1416: Mr. PAYNE and Mrs. ROBY.

H.R. 1485: Mr. JOHNSON of Ohio.

H.R. 1496: Mr. MULVANEY.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 1 by Ms. DeLAURO on H.R. 377: Bennie G. Thompson, Melvin L. Watt, Henry C. "Hank" Johnson, Jr., Adam B. Schiff, Elijah E. Cummings, David E. Price, Pete P. Gallego, José E. Serrano, Nita M. Lowey, Gene Green, Gary C. Peters, Sam Farr, Alcee L. Hastings, Chellie Pingree, Peter A. DeFazio, Robert C. "Bobby" Scott, Diana DeGette, Janice D. Schakowsky, Xavier Becerra, Kurt Schrader, Luis V. Gutierrez, Peter Welch, Rush Holt, Sander M. Levin, John Conyers, Jr., Kathy Castor, Steve Cohen, Ami Bera, Frederica S. Wilson, Ron Kind, Betty McCollum, Gloria Negrete McLeod, Marcy Kaptur, James A. Himes, John K. Delaney, C.A. Dutch Ruppersberger, Tony Cardenas, Michael M. Honda, Keith Ellison, Jim Costa, Adam Smith, Bill Foster, André Carson, Maxine Waters, Nick J. Rahall II, Beto O'Rourke, Alan Grayson, Ed Pastor, Steve Israel, and Jim Matheson.

EXTENSIONS OF REMARKS

ACKNOWLEDGING DENNIS
COCKING'S SERVICE TO THE
SOUTH TAHOE PUBLIC UTILITY
DISTRICT

HON. TOM MCCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Mr. MCCLINTOCK. Mr. Speaker, I rise today to acknowledge Dennis Cocking, who will be retiring May 1, 2013, from the South Tahoe Public Utility District in California after 25 years of service.

Beginning his career part-time in the field, Dennis worked his way up to his current role as the public information officer handling both public relations and legislative affairs. In this capacity, Dennis has become the face of the Utility District and has been described as the bridge between the community and the board.

Dennis's service to the community of South Lake Tahoe has been indispensable over the past decades, ensuring that the public always had access to information about their water resources and providing clear communication on events in the district. His retirement will be spent traveling with his wife Kathy, enjoying their first grandchild and continuing their involvement in the community.

Dennis is a fine example of the culture of service that ought to be reflected in public officials and it is my privilege to rise today in recognition of his service.

RECOGNIZING THE RETIREMENT
AND SERVICE OF MAYOR AR-
LENE J. MULDER

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize a dedicated public servant from the Ninth Congressional District of Illinois, Mayor Arlene Mulder of Arlington Heights, a Chicago suburb with a population of approximately 77,000 residents. In May, she will conclude her successful service as Mayor after two decades in office.

A longtime Arlington Heights resident, Ms. Mulder has exemplified the ethic of public service throughout her illustrious 35-year career. After establishing herself as a secondary educator and high school basketball coach, she entered public office in 1979 as a member of the Arlington Heights Park District. After twelve years with the Park District, during which time she served as commissioner and then as president, Mayor Mulder served two years as a village trustee. She was elected mayor in 1993.

Ms. Mulder's mayoral leadership has been nothing short of exemplary. Her administration

was instrumental in the revitalization of downtown Arlington Heights, which now boasts a thriving arts and cultural scene. In addition, she has provided vital leadership in her capacity as the chair of the O'Hare Noise Compatibility Commission, an organization that advocates for the reduction of aircraft noise in the communities around O'Hare International Airport.

In addition to serving as ONCC chair, Mayor Mulder is the vice president of the Illinois Municipal League, an executive board member of the U.S. Conference of Mayors, and secretary of Metra, the Chicago area commuter rail service. She is also active in a host of other community organizations, including the Arlington Heights Women's Club, the AAUW, the BPW, Allied Arts, NWCH Auxiliary, Historical Society, the United Way, and the Boy Scouts Council. She is an established and highly respected presence in Arlington Heights, where she is known to make daily public appearances around town.

Mayor Mulder has represented her community with distinction and has been a strong voice for the Village of Arlington Heights throughout her time in office. Her distinguished service to the people of Cook County is truly commendable. Although retiring as Mayor, Arlington Heights will continue to benefit from her abundant community involvement.

I hope my colleagues will join me in congratulating Mayor Mulder on 35 years of public service and in wishing her all the best for the days ahead.

HONORING RIO HONDO COLLEGE
50TH ANNIVERSARY

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize Rio Hondo College 50th Anniversary. Located in Whittier, California, Rio Hondo College is a collaborative center of lifelong learning which provides innovative, challenging, and quality educational offerings for its diverse students and community.

Since Rio Hondo first opened its doors in 1963, over one million students have come to the hillside campus to pursue their educational goals. Today Rio Hondo College serves more than 20,000 students each semester on a beautiful campus and new satellite facilities equipped with essentials for 21st Century teaching and learning.

Rio Hondo College strives to be an exemplary California community college, meeting the learning needs of its changing and growing population. In 2011, The Hispanic Outlook in Higher Education Magazine ranked Rio Hondo College one of the "Top 50 Community

Colleges" by Hispanic Full-Time Enrollment, by Hispanic Faculty, and for Hispanics Awarding Associate Degrees. Rio Hondo was also ranked nationally in the annual "Top 100" producers of Associate Degrees awarded to minority students in all disciplines by Community College Week, and in the "Top 50" for degrees awarded in homeland security, law enforcement, and firefighting. For the fourth consecutive year G.I. Jobs Magazine designated Rio Hondo College as a "Military Friendly School." The 2013 Military Friendly Schools list honors the top 15 percent of colleges, universities and trade schools in the country that are doing the most to embrace America's military service members, veterans, and spouses as students and ensure their success on campus.

Our community is especially grateful for the strong and vibrant Mathematics, Engineering, Science, Achievement (MESA) program and outstanding Veterans Service Center. In 2010, Rio Hondo College launched the award-winning South Whittier Educational Center (SWEC) partnership that provides a seamless pipeline to college for students from underserved areas with a historically low college attendance.

Throughout its history, Rio Hondo College has assembled strong leadership teams in support of the work done by outstanding faculty in the classroom and caring and able classified staff who provide essential services in all phases of college operation. As a teaching/learning institution, Rio Hondo College comes together and strives to meet the needs, aspirations, and goals of our changing student population and communities.

The contributions and achievements of Rio Hondo are far too many to count, but the enrichment and sense of community they have created is something to be acknowledged. For that reason, I would like to recognize Rio Hondo Community College for 50 years of lifelong learning and quality education.

SAN JACINTO DAY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to commemorate one of the most important events in Texas history, and the history of our United States, San Jacinto Day.

On April 21, 1836, Texas forces, led by General Sam Houston, dealt a decisive blow to General Antonio Lopez de Santa Anna and his oppressive Mexican Government. Approximately 900 Texan and Tejano volunteers overpowered a larger, professionally trained Mexican army of conscript soldiers, after suffering defeats at Goliad and the Alamo.

These outnumbered volunteers were fighting against tyranny and for their homeland, and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

they triumphed because of their determination to be free from oppression.

In the words of the Texas Declaration of Independence, the people's government had been "forcibly changed, without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism."

The Texas Revolution proved the bonds of freedom are stronger than ethnicity, as many Tejanos sacrificed their lives for Texas' freedom at the battles of Gonzalez, Bexar, Goliad, the Alamo, and San Jacinto. The war was not between Anglos and Hispanics, it was a struggle between all Texans and the military dictatorship in Mexico City.

Texans and Tejanos knew then what we know now—freedom requires sacrifice. Texas culture places high honors on heroes willing to sacrifice their lives for a better life for their fellow man, and Texans are known around the world as an honorable people who respond to the call of duty.

In that spirit, I want to highlight the work by the San Jacinto Chapter of the Daughters of the Texas Republic, who made the preservation of the San Jacinto Battleground possible by petitioning the Legislature to purchase the acreage and by donating their treasury to complete the sale in 1900.

The San Jacinto Chapter of Daughters and the Texans Veterans Association did extraordinary work to ensure that the legacy lived on, and the importance of the park has only expanded since then.

I am very proud to have formerly represented the site of the Battle of San Jacinto commemorated by the San Jacinto Monument.

This park not only has the San Jacinto Monument to recognize the brave men that defeated the military dictator General Santa Anna, it also home to the Battleship *Texas*, which is a symbol of sacrifices in World War I and World War II.

With the understanding of where they came from, Texans and Americans will continue to respond to calls of service, thereby continuing their legacy of respect and admiration throughout the world.

HONORING THE LIFE AND SERVICE OF JOSEPH L. WYATT

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Ms. PELOSI. Mr. Speaker, I rise today to pay tribute to a great statesman, a great Democrat and a great American, Joseph L. Wyatt, Jr. who passed away on April 15, 2013, in Pasadena, California.

California Democratic Party Chairman John Burton put it best in describing Joe's essence and contribution, his commitment to our state and his work as the California Democratic Party Parliamentarian, our gratitude for his service and our fond memories of his extraordinary life, saying in a statement:

California Democrats lost one of the closest members of our Democratic family in California. Joe Wyatt, Jr. who served as our Party's parliamentarian since 1970 passed at the age of eighty-nine.

To know Joe was to know first and foremost a kind and wonderful human being. He was also a committed husband, father, grandfather, and Democratic activist.

Joe was a founder of the California Democratic Council (CDC), a federation of local volunteer Democratic clubs that helped reinvigorate statewide Democratic politics in California and was instrumental in the election of Pat Brown as California governor in the election of 1958. He was a delegate to the Democratic National Convention on numerous occasions.

He was a committed activist in the truest sense of the word, tirelessly serving our state party and always offering sage and fair counsel on the rules and procedures needed to advance party business. For over 50 years he practiced trust and estate law for three law firms, most recently as Senior of Counsel to Morrison/Foerster LLP, since 1995.

It was a privilege to know and work with such a deeply principled, humble, accomplished, and exemplary human being. All of us will always remember his signature bow-tie, his wonderful wit, his kind heart and unwavering spirit. His life has been a gift to all who knew him; his memory will be a blessing for all who remember him.

I only hope it is a comfort to his wife Marjorie, his sons Jonathan, Daniel and Lawrence, his daughter Linn, his daughter-in-law Tamara, and his grandchildren Jack and Taryn, that so many share in their grief at this sad time.

HONORING SEMIFINALISTS IN THE INTEL SCIENCE TALENT SEARCH

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to honor a number of talented and dedicated high school students from my Congressional District who were chosen to be Semifinalists in the Intel Science Talent Search (STS) as well as one who was named as a Finalist. These students are the future of our nation's research and I am so proud to recognize them today.

Mayuri Sridhar attends Kings Park High School in Kings Park, NY in my district and Intel has recognized her as a finalist in this year's competition. Mayuri is being recognized for her research project entitled "Computational Analysis of the DNA-Binding Mechanism of the p53 Tumor Suppressor and its Inactivation through the R249S Mutation." In March, Mayuri traveled to Washington D.C. to participate in the final round of the competition and compete for the top award of \$100,000. While in the nation's capital, she was one of only forty finalists to display her work to the public as well as meet with notable American scientists. This extraordinary honor reflects Mayuri's commitment and dedication to her academic work and I know Mayuri will be successful in her future endeavors.

Additionally, I want to recognize the Intel Semifinalists that I have the honor to represent here in Congress. Long Island and Queens are fortunate to have so many top notch schools with dedicated teachers guiding

these talented young students to success. The Semifinalists were selected from among more than 1,700 entrants to receive a \$1,000 award for their outstanding research. In addition, their schools receive \$1,000 to support further excellence in science and technology education. I am impressed not just by their scientific knowledge but also by their profound commitment to the scientific process and making discoveries that will help our country. The following names of the Intel Semifinalists represent the young students with bright futures ahead of them and the next generation of American innovation, science, and research:

Amanda Elyssa Ruiz of Bronx High School of Science; Puja Bansal, Rohan Goyal, Tammy Jin, Jonathon Kim, Abhinav Patil, Robert Tannenbaum of Half Hollow Hills High School East; Deriam Chirinos, Menglu Dong, Julia Zhuang of John L. Miller Great Neck North High School; Yonatan David of North Shore Hebrew Academy; David Kim, Cyrus Zhou of William A. Shine Great Neck South High School; Jacob Gary Wax of Harborfields High School; Sonia Joshi, Samuel Lam, Brendan Liu, Michael Shen, Raymond Wu of Jericho Senior High School; Wesley Cox, Kenan Mutlu of Kings Park High School; Nick Fiocco of Manhasset High School; Meenakshi Krishna, Benjamin Isaac Pleat of Herricks High School; Jongyoon Lee, Carolyn Yao of Stuyvesant High School; James Shamul, Sunny Zheng of Plainview-Old Bethpage John F. Kennedy High School; Drew Feldman, Minah Kim of Paul D. Schreiber High School; Arshia Aalami, Arvind Kumar, Ethan Levine, Alian Emil Sherman of Roslyn High School; Michelle Jiang Long, Jared Brandon Weiss of Syosset High School,

In closing, I again want to applaud the families, teachers and students that make all of these achievements possible. I commend you for all of your successes and I look forward to hearing more from all of you in the future. You will keep Americans globally competitive and at the forefront of innovation.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Ms. MOORE. Mr. Speaker, I unexpectedly missed rollcall vote 110 on April 17, 2013. Had I been able to vote, I would have voted in favor of rollcall vote 110.

ACKNOWLEDGING COACH BOB SHAFFER'S CONTRIBUTIONS TO THE TRUCKEE HIGH SCHOOL FOOTBALL PROGRAM

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Mr. McCLINTOCK. Mr. Speaker, I rise today to recognize High School Football Coach and legend Bob Shaffer for his tremendous contributions to the community of Truckee, the

Truckee Football Program and the many players he has influenced over the years.

Since taking over the head coaching position in 1995, Coach Shaffer has had an overall record of 170 to 32, becoming the 3rd most winning football coach in the Nevada Interscholastic Activities Association history. Throughout his eighteen year career, Shaffer has led the Truckee High School Wolverines to win nine state titles, including back-to-back championships in the past four years.

Shaffer has set a standard for excellence on and off the field and has been a role model for his players, teaching them that hard work and perseverance are part of being a champion. A former player describes Shaffer's ability "to take many kids who didn't think they had what it takes to play football and make them believe they were champions."

The success of his football program is not only shown in the number of wins, but also in the great team of coaches he has assembled. These coaches help instill in their players life-long skills for success with many graduating with high honors, playing college football, and becoming leaders in their communities.

Shaffer will spend his retirement from coaching watching his two youngest sons' college athletics and continuing to teach Physical Education at Truckee High School.

It is my privilege to rise today in recognition of Coach Shaffer's accomplishments in the continuation of the Truckee Football tradition.

A TRIBUTE TO PASTOR AND FIRST LADY BOBBY YOUNG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 19, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and honor Pastor Bobby Young and First Lady Eva Young of the Mount Hebron Missionary Baptist Church in Des Moines, Iowa as the congregation celebrates the 11th Pastoral Anniversary of the couple's driven and selfless leadership next month.

Pastor Young and his wife were both born in Batesville, Mississippi. The couple married in 1963 and began fulfilling their purpose in life as a team. Together, they moved to Iowa at just 19 years of age, started a family, and at age 30, Bobby accepted his call to the ministry, never looking back.

At Mount Hebron, Pastor and First Lady Young have immersed themselves in serving their congregation and local community. Pastor Young is involved with numerous initiatives to change lives for the better, including feeding programs and continuing education with teenagers in the area to decrease dropout rates and help forge stronger lives. Pastor Young's uncompromising commitment to his brothers and sisters is continually on display, often meeting with local leaders of all political persuasions to help find solutions to problems facing the community. Pastor Young is currently building his own house from the ground

up, as he has also built up an entire spiritual community. It is his hands-on approach that has helped improve the lives of Iowans around him.

Much like her husband, First Lady Young plays an enormously important role in her church and community, and has touched countless lives through her work as an instructor and a mentor. A former teacher, Eva has taught a weekly children's Bible study open to any child for many years. She also uses her gifts as a leader to advocate for a safer world for others, working in the community to address problems facing women and help women receive relevant information and assistance. First Lady Young's all-inclusive approach to this work has brought together women of all ages and races to help strengthen the community.

So selfless is this couple that they are known to pay the bills of those who cannot afford it and feed those who cannot find food. Bobby and Eva are truly committed to helping their neighbors.

Throughout the past 11 years at Mount Hebron, Pastor and First Lady Young have provided immeasurable guidance and comfort to a grateful community. I am honored to represent this amazing couple, Mount Hebron Missionary Baptist Church, and the city of Des Moines in the United States Congress. I invite my colleagues in the House to join me in congratulating and thanking Pastor and First Lady Young for all they do, and I wish them a truly memorable Pastoral Anniversary.

SENATE—Monday, April 22, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, our Father, give our lawmakers today high aspirations as You lift their thoughts above everything that would keep them from fulfilling Your purpose for them. Let Your blessings be upon them, enabling them to know the joy of giving You their whole heart.

Lord, we are grateful that Your power extends beyond humanity's powers and achievements, for Your thoughts are as high above our reflections as the heavens are above the Earth. Give us serenity of mind in spite of life's tensions and tumult, so that we will find the paths of peace.

Again, Lord, we ask You to bless the victims and families of the explosions in Boston and Texas. We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. MURPHY). The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 5:30 this evening. Senators will be permitted to speak for up to 10 minutes each. At 5:30 there will be a vote on the motion to proceed to S. 743, the Marketplace Fairness Act.

ORDER OF PROCEDURE

Mr. REID. I now ask unanimous consent there be a moment of silence at 2:50 p.m. today for the purpose of honoring the victims of the Boston bombings.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING BOSTON'S LAW ENFORCEMENT COMMUNITY

Mr. REID. Mr. President, I commend the law enforcement officials at the city, state, and local level for their incredible response to last week's traumatic and horrifying events at the Boston Marathon, and for hours following that all over the Boston metropolitan area.

A week that began with this unspeakable tragedy, the death of three innocents, ended with the death of one suspect in the Boston bombing marathon and the capture of the other. Capturing those suspects would have been impossible without the hard work and bravery of countless law enforcement personnel as well as the cooperation and fortitude of the people of Boston. They are Boston strong.

Our hearts extend to the family of 26-year-old Sean Collier, the young MIT officer who was simply sitting in his car and was so callously killed by these bombing murderers. Our thoughts this week are with Richard Donohue, the transit police officer who was wounded during the manhunt by these terrorists.

We once again extend hope for recovery of those injured in last week's senseless bombings and our condolences to lost loved ones. The U.S. Government and Americans across the nation pledge our continued support for the people of Massachusetts as they recuperate from a truly trying week.

SEQUESTRATION

Mr. REID. Mr. President, Americans arriving at the airport—almost any airport in America—to take off on their summer vacations already face long lines at security checkpoints. Soon they will be facing long waits at the terminal as well. Last week the Federal Aviation Administration announced that starting this week thousands of flights every day will be delayed for up to 3 hours.

Because of the devastating, arbitrary cuts of sequestration, the FAA is forced to furlough tens of thousands of workers. These furloughs could lead to 6,700 flight delays every day this summer. I repeat, every day, 6,700 delayed flights. By comparison, the worst travel day of last year, 2012, was about 3,000 flights being delayed. That was after severe thunderstorms accompanied by 2-inch hail and a 90-mile-an-hour wind that ripped across the Midwest and Northeast and a tornado touched down in New York. That caused 3,000 flight delays. On any day this sequestration kicks in, it will be double that. Travelers

were stranded at airports across the country during that very bad day we had last year. Some were stranded for days. It is going to be worse than that. As I said, this summer more than twice that number of flights will be delayed every single day.

While major airports such as LaGuardia in New York and O'Hare in Chicago will see the worst delays, furloughs will impact every airport in the Nation. So whether Americans are traveling to Orlando, Las Vegas, San Diego or Seattle, Maine or Montana, they should expect a long wait for a flight.

This will make air travel frustrating, to say the least. It is bad enough now. It will be worse. It will be time-consuming for millions of Americans, whether taking the family to see the Grand Canyon or heading to New York for business. It will cover everything. At airports across the country, millions of Americans who fly will get their first taste of the pain of sequestration.

Many Americans have been feeling that pain for weeks. For example, in Rockland, ME, Meals on Wheels, a wonderful program, been in existence for a long time, decades—it is for people who are old and homebound. They bring them a meal, one meal a day, a hot meal. In Rockland, ME, Meals on Wheels has a waiting list for the first time in 16 years.

It is going to affect Meals on Wheels Programs all over the country. They have literally cut the size of meals they serve to the elderly in order to save money. Not only are they going to be able to do less meals, but those they serve are going to be smaller. This is the only meal most of these seniors get every day. They may have a bowl of cereal, eat a piece of toast. But as far as a hot meal, this is it.

In Fayetteville, AR, a Head Start Program will close 13 days early this spring, leaving hundreds of needy children without anywhere to go and without nutritious meals to eat. Nationwide, more than 70,000 little boys and girls will be kicked off Head Start, a program for low-income children who could not afford preschool.

As the name Head Start says, the purpose of it is for these tiny little boys and girls to have preschool programs so they can learn to start to understand what it means to read, to understand what education is all about. Economically burdened little kids, because of this program, who want to get a head start will not be able to; these programs will be savaged.

At Duke University, just one program out of hundreds at the School of

Medicine program will have 50 people laid off. These are people doing some of the most important research there is in the world to cure diseases such as Parkinson's, Alzheimer's, diabetes. All over the country, thousands of these researchers will be furloughed or they will be laid off.

The U.S. military has cut tuition assistance for soldiers and eliminated a program helping more than 100,000 homeless veterans get off the street and back on their feet. The U.S. Air Force has grounded one-third of its fighter jets and bombers because of the across-the-board cuts. These programs are to train our military so in a time of crisis they can be prepared. They cannot be prepared if they cannot practice. More than 1 million Federal workers, including hundreds of thousands of Defense Department employees, are preparing to take forced furlough days. This is not only a hardship for individual families, it is also a threat to our national economy and our national security.

In national parks across the Nation—Great Basin in Nevada, Bryce Canyon, UT, Mount Desert Island, thousands of miles away from those two places in Maine—employees face reduced hours, and closure will affect thousands of travelers.

Long delays at the airport will not be the only damper on summer vacation travel. For every person who loses work because of this sequestration, that is less they can buy to help people who are selling goods and services. We cannot and we should not only address the FAA cuts. As important as they are, we should look at the whole spectrum. We cannot ignore the sequester's overall effect on Americans and on programs that help small businesses grow, fund crucial medical research, and keep our children and seniors safe.

While airport delays are costly and frustrating, some would say they are not as severe as the pain of a senior citizen missing a meal, the only hot meal they would get that day, or veterans going without a roof over their head at night.

Families and businesses in every State in the Nation, in red States and blue States, are at risk because of these haphazard cuts. That is what they are. But Congress has the power to reverse these self-inflicted wounds without adding 1 penny to the deficit. We are winding down the war in Afghanistan, and Iraq has been wound down significantly. We have provided the money. The money is there. We have not spent it. We do not need to. We can use those savings from wrapping up two wars to avoid the full brunt of the sequester's arbitrary cuts. The Congressional Budget Office said that would score, that money is available, money we could use. Funding for the operations in Iraq and Afghanistan is kept in the so-called Overseas Con-

tingency Operations Account. That is what it is called. Since the worst of the sequester cuts is creating an emergency situation, we should consider using these funds to offset their impact. These really are emergencies. We should do it. I am not proposing to use these funds to offset the entire sequester, but Congress has the power to avert the most painful and senseless of the sequester's cuts using these monies.

Twenty-eight Republicans in the Senate and 174 Republicans in the House voted to oppose these sequester haphazard cuts. If those same Republicans will work with Democrats, we could act now to protect families, businesses, ensure our national defense, and save Americans millions of hours spent waiting at the airport.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

MARKETPLACE FAIRNESS ACT

Mr. DURBIN. I note Senator ENZI is on the floor. At 5:30 p.m. we are voting on a measure which will affect literally millions of Americans. I will provide some illustration about this bill.

A close friend of mine is the mayor of Normal, IL. His name is Chris Koos, and he is a local businessman. His business sells bicycles, running shoes, running paraphernalia, and equipment. Chris has a good business and has done well.

He told me that in the last 10 or 20 years things have changed. He said, It is not unusual for someone to come into my store, ask to see a pair of running shoes, try them on, look at the different colors, and then leave without buying anything. Sometimes they will come back several weeks later with shoes and they will say: Chris, we bought these over the Internet, and they are not what we thought they would be; what can we do about it?

This is called "showrooming" and is happening more and more. Why would somebody try on the shoes, not purchase them, and then go to the Internet? In many instances, it is because many Internet retailers do not collect

sales tax. In my State, this means 9 or 10 percent less cost to purchase an item over the Internet.

This is the reality for most companies. Some companies, Internet retailers, collect a sales tax. I recently purchased a book on Amazon, and they charged the sales tax, which is appropriate in Illinois. Most companies do not collect the sales tax.

I wish to tell another side of this story. When we are dealing with the collection of this sales tax, we are dealing with existing law. Forty-six States in America have sales tax. The States that do not are Montana, Oregon, New Hampshire, and Delaware. Every other State has either a sales tax or what they call a use tax, and the State law requires all of us living in those States to pay a sales tax on Internet purchases even if the seller didn't charge it.

In my State, people are supposed to pay it when they file their annual State income tax return. There is a line: How much do you owe for Illinois sales tax that should have been paid on remote purchases or online purchases? It is really an honor system is what it comes down to. Though there is a legal obligation, there is no direct enforcement. It turns out that only 1 out of 20 people in Illinois even know this exists. So only 5 percent of the population know.

As I mentioned several times, a few years ago my bookkeeper said—when she was doing our taxes—Senator, do you want to pay the sales tax you owe? I said: I think I do. I did, and we have ever since. But most people aren't aware of it.

So here we have businesses all around America, on Main Streets and in shopping malls, collecting sales tax on the things they sell and competing with Internet retailers who do not collect the sales tax. Secondly, we have individuals with an obligation to pay the sales tax, but most of them do not. So the bill we will consider at 5:30 this afternoon is going to try to resolve this problem.

Over 20 years ago the U.S. Supreme Court said: Congress, you have to fix this. We are not going to fix it by court decision. The States can't fix it because it affects retailers from all around the United States. In the Quill decision before the Supreme Court, they said: Congress, you have to fix it.

It was about that time my colleague, Senator ENZI of Wyoming, teamed up with Senator Byron Dorgan of North Dakota to fix it. Many years have passed and here we are today on the floor of the Senate trying to finally resolve this issue. We have reached a good place. I think we have a reasonable approach to it, and this is what it says: States have to decide to opt in to our system. In other words, no mandate from the Federal Government.

If States opt in to what we propose in this legislation, here is what it means.

It means States will be willing to provide the Internet retailers with the software program so that when they sell into the State of Illinois and the purchaser gives the home address, the program will automatically calculate how much sales tax should be collected on the sale. This is free to the retailers, and it allows them to collect the sales tax and then remit the sales tax to the State of Illinois or the other States in which they are selling.

We have worked with businesses—Internet businesses, obviously—and have the support of amazon.com, the largest Internet retailer. For years they have been fighting this battle State by State. As I said, they are now in Illinois collecting sales tax on things they sell over the Internet. But they have decided, and many others as well, it is time to put an end to these statewide court battles, statewide legislative battles, and finally have a national program to collect the sales tax.

What it means is a lot of money for the States and localities. My State is struggling with terrible budget problems. We are in the red with deficits, our pension system is in trouble, and money that should be collected for sales tax is not being collected. So what we are doing with this bill is allowing States to have Internet retailers selling in those States to collect the sales tax.

Several of my colleagues will come to the floor to oppose this, and they have one thing in common. Most of them—I think virtually all of them—live in States that don't have a sales tax. So what about those States? If we say Internet retailers can collect a sales tax, what does that mean in the State of Montana, for example? It means nothing changes for the people living in Montana. If there is no State sales tax they have to pay in their stores, this bill is not going to impose any new sales tax on the people of Montana.

So, then, why are the Senators from Montana opposing it? They are arguing their Internet retailers should not have to collect a sales tax for sales made in States that do have a sales tax. My answer to that is, if you wanted to do business in Illinois—if you wanted to move your shoe store to Illinois—you would have to follow Illinois law; you would have to play by Illinois rules—you would have to pay your property tax and collect the sales tax. That is accepted. If you want to do business in our State or any other State, those are the rules. We think the same thing should apply when it comes to Internet sales.

If a Montana Internet retailer, a State with no sales tax—Montana has no sales tax—wants to sell in Illinois, we are saying they need to collect money from the Illinois purchaser—not from the Montana purchaser but from the Illinois purchaser—for the sales tax

and remit that back to the State of Illinois. If they do not want to do that or sell in Illinois or any State with a sales tax, that is their right. But if they do, for the privilege of selling in our State, we are saying they will pay this sales tax.

Mr. President, I ask unanimous consent to have printed in the RECORD a column from last week, April 21, from the Wall Street Journal, entitled "Tax Internet Sales, Stimulate Growth."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 17, 2013]

TAX INTERNET SALES, STIMULATE GROWTH

(By Arthur B. Laffer)

States can cut their income-tax rates if Web vendors collect the sales taxes that are legally due.

Reinvigorating the economy should be priority No. 1 for federal and state leaders. After enjoying an average growth rate above 3.5% per year between 1960 and 1999, Americans have had to make do with less than one-half that pace since 2000.

The consequences are already dramatic and will become even more so over time. Overall we are 20% poorer today than we would be had the pre-2000 growth rate persisted. All other things being equal, less national income also means federal and state fiscal problems are more intractable.

At the state level, there are reforms that can alleviate the problems associated with declining sales-tax bases and, at the same time, allow the states to move closer to a pro-growth tax system. One such reform would be to have Internet sellers collect the sales taxes that are owed by in-state consumers when they purchase goods over the Web.

So-called e-fairness legislation addresses the inequitable treatment of retailers based on whether they are located in-state (either a traditional brick-and-mortar store or an Internet retailer with a physical presence in the state) or out of state (again as a brick-and-mortar establishment or on the Internet).

In-state retailers collect sales taxes at the time of purchase. When residents purchase from retailers out of state (including over the Internet) they are supposed to report these purchases and pay the sales taxes owed—which are typically referred to as a "use tax." As you can imagine, few people do.

The result is to narrow a state's sales-tax base. It also leads to several inefficiencies that, on net, diminish potential job and economic growth.

Exempting Internet purchases from the sales tax naturally encourages consumers to buy goods over the Web; worse, the exemption incentivizes consumers to use in-state retailers as a showroom before they do so. This increases in-state retailers' overall costs and reduces their overall productivity.

The exemption of Internet and out-of-state retailers from collecting state sales taxes reduced state revenues by \$23.3 billion in 2012 alone, according to an estimate by the National Conference of State Legislatures. The absence of these revenues has not served to put a lid on state-government spending. Instead, it has led to higher marginal rates in the 43 states that levy income taxes.

Therefore—as with any pro-growth tax reform—the sales tax base in the states should be broadened by treating Internet retailers

similarly to in-state retailers, and the marginal income-tax rate should be reduced such that the total static revenue collected by the state government is held constant.

One difficulty in imposing an Internet sales tax is the existence of dozens, if not hundreds, of sales-tax jurisdictions in many states, often with the tax rates and tax classification of the same goods varying by jurisdiction. It is overly burdensome to task companies with remitting sales taxes to more than 9,500 such tax jurisdictions. Instead, each state should set up a single sales-tax system, making compliance as easy as possible for today's modern sellers.

Addressing e-fairness from a pro-growth perspective creates several benefits for the economy. A gross inequity is addressed—all retailers would be treated equally under state law. It also provides states with the opportunity to make their tax systems more efficient and better aligned toward economic growth, as well as improve the productivity of local retailers.

The principle of levying the lowest possible tax rate on the broadest possible tax base is the way to improve the incentives to work, save and produce—which are necessary to reinvigorate the American economy and cope with the nation's fiscal problems. Properly addressing the problem of e-fairness on the state level is a small, but important, step toward achieving this goal.

Mr. DURBIN. There are differences of opinion about this, but here are several things we should make clear. This is not a new tax. The bill we have before us will not create any new tax. It creates a method for compliance or collection of an existing tax.

Secondly, it is only fair to the businesses across America—the entrepreneurs who open their stores every morning and do business. If they are required to collect a sales tax on their sales, it is only fair those who are competing with them do the same.

Also, I might add, it is naive to believe the Internet retailers are selling into States and not using the benefits of the State. When I buy a book on Amazon or wherever it happens to be, ultimately it may be delivered by UPS, for example. That UPS truck is going to use the streets of Chicago and the streets of Springfield. It will use all the basic infrastructure of the cities and the State of Illinois to deliver its product. I don't think it is unreasonable they collect taxes to support the State and the city where they are making their sales, and that is what this is about.

I also note, Mr. President, that today the White House announced the President supports this bill to give States the authority to collect sales tax from Internet retailers. The White House spokesman said: The Senate bill will level the playing field for small businesses and brick-and-mortar retailers undercut by online retailers. Governors and mayors are overwhelmingly in support of this bill. They told the White House the bill is needed. The States are losing out on revenues that can go to education, law enforcement, infrastructure investments, and health care.

We have a wide array of businesses supporting this. You can imagine. Retailers large and small are supporting it. Labor unions are supporting it as well. Business and labor have come together. They believe this is only a matter of fairness.

I want to thank my colleague, Senator ENZI of Wyoming—and then I will yield the floor for him—for his leadership, persistence, and patience on this issue. It has been a long time. Senator ENZI was in the retail business before he came to the Senate, and he was one of the earliest supporters of this measure. When Senator Dorgan retired, I asked MIKE if I could join him in this effort, and he has been a terrific ally.

At this point, Mr. President, I yield the floor for my colleague and friend from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. I thank the Senator from Illinois, Mr. DURBIN, for his interest and participation in this issue, his ability to explain it, and for the way he has brought a lot of people along in helping out with this bill. He has been a great replacement, and we have made more progress than we ever have in the other 14 years of working on the bill. So I thank him for that and for his ability to explain things so clearly.

I also want to thank Senator LAMAR ALEXANDER who helped us change this bill in the last year from about an 80-page bill to an 11-page bill and made it States rights. As Senator DURBIN so eloquently explained, this takes action by the States. This is just to clear up the Quill case that made it a little confusing about whether they could charge a tax and then challenged Congress to fix the problem.

The solution Senator ALEXANDER came up with condensed the bill considerably and made it a lot easier. But it made it a States rights issue so that the States have to take some action.

I thank Senator HEITKAMP as well. She is brand new to the bill but has more years of experience than anybody because she was a part of the Quill case when it came up. She was representing North Dakota in that case, and that is the other side of the case. She can explain the intricacies of that and the challenge we were given, and the number of reasons why it didn't happen earlier.

One of the reasons is that 20 years ago the Internet was in its infancy and nobody knew what its capabilities were going to be. Most people didn't even know it was out there. That has changed over quite a period of time to where it is now one of the handy tools everybody uses. We have come to recognize there are apps that are available that will answer any question and sources of information that will provide us with what we need to know on virtually any subject. I think that has probably put some encyclopedias out of

business, but it has made information more readily available, and it has made products available that people didn't have the availability of before. But it is creating a bit of a dilemma that marketplace fairness straightens out.

Today we are scheduled to vote on the motion to proceed to the bill at 5:30, and I do strongly encourage my colleagues to vote yes. Let me explain why.

As Senator DURBIN said, I have been working on this sales tax fairness issue since joining the Senate in 1997, and I may have a unique perspective on the dozens of proposals that have been introduced. For instance, I have worked sales tax from a number of different aspects. I worked the sales tax issue when I was in the Wyoming Legislature. I know when our legislators were considering sales tax they didn't intend to discriminate against the people in the communities, those who hire the people in the communities and pay the property tax to the communities and participate in all of the community events. They definitely didn't anticipate they were going to be the source where people could come in and feel and touch and try on the product and then check the bar code with their cell phone—one of the advances made possible now through Internet use—and then find out if there is a lower price, which is usually based on no sales tax.

I am pleased some businesses across the Nation have said that isn't fair and have decided to voluntarily do the sales tax. And there is no problem with them doing that.

I have also been a retailer, so I know that feeling. My wife and I had a shoe store, so I know the feeling, again, the Senator from Illinois described, of people coming in, trying it on, feeling it, making sure it is the right size and then checking to see where else it is available. It is discouraging when the sales tax is the difference. So as a former small business owner, I believe it is important to level that playing field for all retailers—the in-store, the catalogue, and the online—so an outdated rule for sales tax collection doesn't adversely impact particularly small businesses and Main Street retailers.

I know a lot of year books would never be published if it wasn't for the support of some of the local businesses. Thousands of these local businesses are forced to do business at a competitive disadvantage because they have to collect a sales tax or a use tax and remote sellers don't. In some States that can mean a 5- to 10-percent price disadvantage. We should not be subsidizing some taxpayers at the expense of others. All businesses and their retail sales should be treated equally.

As a former mayor, I know sales taxes go to State and local governments to bring in needed revenue for maintaining schools, fixing our roads,

supporting law enforcement, fire protection, those first responders we are always so conscious of, particularly today and through this last week. If Congress fails to authorize States to collect tax on remote sales, and electronic commerce continues to grow, we are implicitly blessing a situation where States will be forced to raise other taxes, such as income and property taxes, to offset the growing loss of sales tax revenue. Do we want that to happen? I don't think so. We need to promote economic growth, not stifle it.

As the Supreme Court identified in the Quill v. North Dakota decision in 1992, the Quill decision challenged Congress to come up with a better system, a way of making it fair. The local brick-and-mortar retailers collect sales taxes, while many online and catalog retailers are exempt from collecting the same tax as a result of that case, and that was based on whether they had a nexus. The nexus has changed dramatically since that time. That used to be where you would go and actually pick up something, but now it is where you can order something and that can be even moved around the country virtually at will. So we designated some States as not having to do it. Web sites could be set up in that State for people to sell through from anywhere.

So the taxes need to be collected. It needs to be fair, and right now it is not only fundamentally unfair to Main Street retailers, but it is costing States and localities billions in lost revenue. The Supreme Court invited Congress to address this issue, and we stalled. We know that early on the Internet was new, but now everything is done on the Internet. So now is the time for Congress to act.

Many Americans don't realize that when they buy something online or order something from the catalog of a business outside their own State, they still owe the sales tax. I know from being a legislator that was part of what we put in place. There is a form in Wyoming that you can fill out and pay your tax. It is pretty hard to keep track of, particularly on smaller items, but it ought to be easier on big items. And I do know there are about three people who comply with that.

For over a decade Congress has been debating how to best allow States to collect sales tax from the online retailers in a way that puts Main Street businesses on a level playing field with the online retailers. So on February 14, 2013, the bicameral—House and Senate—and bipartisan—Republicans and Democrats—put together the Marketplace Fairness Act that was introduced to close that 20-year loophole that distorts the American marketplace by picking winners and losers, by subsidizing some businesses at the expense of other businesses and subsidizing some taxpayers at the expense of other

taxpayers. All businesses in retail sales and all consumers and their purchases should be treated equally.

The bill also empowers States to make the decision themselves. This is not Congress saying what has to be done or whether they collect them. If they choose to collect already existing sales taxes on all online purchases regardless of whether the sale was online or in-store, States will be able to if this bill passes. If they want to keep things the way they are, that is the State's choice. That is why this bill is the States rights bill.

The Marketplace Fairness Act does not tax Internet use, it does not tax Internet services, and it does not raise taxes. It gives States the right to collect what is owed by the purchasing individuals. Some argue that the bill is a disguise to create taxes. It is not. Consumers are already supposed to pay taxes and use taxes in most States for purchases made over the phone, by mail, or by way of the Internet.

Mr. President, in a couple of minutes we are going to have a moment of silence for the tragic events that happened. I yield the floor for the time to be able to do that.

Mr. REID. Mr. President, I ask unanimous consent for a moment of silence and that the Senator from Wyoming then be again recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOMENT OF SILENCE

The PRESIDING OFFICER. Under the previous order, there will now be a moment of silence to honor the victims of the bombings in Boston, MA.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I wish to thank the leader for that moment of silence. I hope everybody in America will keep the people of Boston—particularly those who were injured or lost family members and those who saw the pain and the tragedy—in their prayers. I hope we would keep all the people across America who witnessed that on television or saw the replays of it on television in our prayers, and I hope the recovery will bring Americans together, as happened on 9/11.

MARKETPLACE FAIRNESS ACT

Mr. ENZI. To return to the discussion on marketplace fairness, I mentioned that most consumers are aware they are supposed to pay the tax on purchases that the retailer does not choose to collect at the time of the purchase, so I would like to provide some highlights of what the Marketplace Fairness Act actually accomplishes.

The bill gives the States the right to decide to collect or not collect taxes

that are already owed. The legislation would simplify and streamline the country's more than 9,000 diverse State tax jurisdictions and provide 2 options by which States could begin collecting sales taxes from online and catalog purchases.

The bill also carves out small businesses so that they won't be adversely affected by the new law by exempting businesses with less than \$1 million in online or out-of-State sales from the collection requirements until they have had a year in which they have had more than \$1 million worth of sales. This small business exemption will protect small merchants and give new businesses time to get started. As has been mentioned, when they meet that level, then they have to be provided with a program that will do the calculations for them, provide for submitting the revenues, and also hold them harmless for any errors there might be in the program.

So don't let the critics get away with saying this type of simplification can't be done. The different tax rates and jurisdictions are no problem for today's software programs. When you order something online, you have to put in your ZIP Code. The ZIP Code will tell what the tax is from whatever jurisdiction.

As a former mayor and State legislator, I strongly favor allowing States the authority to require sales and use tax collection from retailers on all sales for each State that chooses to do so. We need to implement a plan that will allow States to collect revenue using mechanisms already approved by their local leaders. We need to allow States the ability to collect the sales taxes they already require.

If enacted, it would provide approximately \$23 billion in fiscal relief for States for which Congress does not have to find an offset. This will give States less of an excuse to come knocking at the Federal door for handouts and will reduce the problem of federally attached strings.

A lot of people don't realize that the Federal Government is out of money, and that is shown by what was done through the sequester because the Federal Government usually pays property tax to States and localities that have Federal property. That amount has never been equal to what other people would be paying in their property taxes, but it has been a show of good faith that they recognize that with the government there, there is a loss of revenue and that the Federal Government should do something. So there is a tax level they have been paying. It hasn't gone up much and it hasn't gone down much until this year. Then, as part of the sequester, they decided they would hold 5.3 percent from all the States and all the local governments. That is called payment in lieu of taxes, and that is one way the States and the

counties have lost money and a way they are going to have to make up for it if that continues. But there is also the possibility that the revenue they take in from this can reduce something like property taxes.

For many years I have worked with all the interested parties to find a mutually agreeable legislative package to introduce and ultimately enact into public law. This year Senators DURBIN, ALEXANDER, HEITKAMP, and I worked together with 25 of our bipartisan Senate colleagues to produce a bill that assists sellers and State and local governments to simplify taxes and use collection and administration. We are working with our House supporters—Representatives STEVE WOMACK, JACKIE SPEIER, PETER WELCH, and JOHN CONYERS—and have found common ground on this important issue to move forward with a bipartisan, bicameral bill in this Congress. I wish to publicly commend all of my Senate and House colleagues in taking a leadership role and working on this important issue.

The Marketplace Fairness Act is about States rights, and it is about fairness on the budget bill. We had a vote on this, and I was very pleased that 75 of the 100 Senators voted in favor of making the marketplace fair. So I strongly encourage my colleagues to vote for the motion to proceed on S. 743, the Marketplace Fairness Act, tonight at 5:30 when we have that vote. I am hoping we will be able to duplicate what we did before and support the goals of States rights and a level playing field for all businesses.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, we have an important opportunity this week, or before, to help small and local businesses all across our country. We have an opportunity to help the kinds of local businesses that make our small towns and rural States so warm and inviting. These businesses attract tourists because of the nature of their smallness.

Everything is not big. Everything that is big is not necessarily friendly. Small businesses are almost always friendly. Today these same small and local businesses are competing on a very unfair playing field. This is an issue I have cared about ever since the Internet was created. I felt strongly about it then and I feel strongly about it now—except even more so.

For over 20 years States have been unable to enforce their own sales tax laws on sales by out-of-State catalog

and online sellers due to something I am familiar with only because of the specificity of the issue to the 1992 Supreme Court decision *Quill Corp. v. North Dakota*.

Sales tax is not collected for most Internet transactions, so consumers know they can benefit from a 5- to 10-percent discount online, and they know that before they go into a store. In fact, something that is even more discouraging—because I have made a point of watching it—also takes place, and that is what cell phones can do for shoppers. I have seen shoppers in various small shops, such as craft shops, tool shops, and other various kinds of Main Street shops, come in and look at the merchandise. They pick over the merchandise, compare it, decide what they like, and take a picture of it. While still in that small store, they go online and buy it, thus avoiding having to pay a sales tax. They never have to leave the store—or they can. They can just look at their cell phone when they get home and then buy it if they want to.

This strikes me as profoundly unfair, so profoundly unfair that it is one of the easiest issues I think I have ever dealt with since I came to the Senate some time ago. It is profoundly unfair to traditional shops and small businesses to end up serving as the display case for consumers who see the product in person but buy it online to avoid paying sales tax—or maybe they aren't doing it deliberately to avoid paying sales tax. If they are well versed in the ways of life, they can do that because they know they will get a nice little discount. On the other hand, it is just a habit because States don't have the money—particularly small States such as mine—they don't have the money to possibly collect that or go after that.

I feel very strongly about sales taxes. For the most part sales taxes are used, about 70 percent of them are used in my State for boards of education, public education. I think that is probably true in most States. But, frankly, I just don't know. It is true in my State, so I care about it. My State, because of what I have just described—simply buying online and not having to pay a sales tax or anything—my State lost about \$103 million last year alone. That is a pretty big chunk of our budget. That sounds silly to California. On the other hand, California loses about \$4 trillion-plus because of this, and this simple bill would correct that situation and allow them to be able to have the software to do all this.

In West Virginia we are fighting to keep our small towns vibrant, and I think the good Presiding Officer understands what I mean by that. His State has a couple of big cities, but it has a lot of small towns. My daughter lives in one. Those small towns are the heart and soul—towns such as Newtown are the heart and soul of America, with

good people, honest people, doing honest commerce.

We need local retailers to keep our small towns vibrant. I believe we can have both a vibrant Main Street economy and e-commerce businesses together, but we have to have them both. Let's be honest. Allowing States to collect sales tax for online purchases is not going to stop the growth of e-commerce.

My Commerce Committee held a hearing on this issue a couple of years ago, and we had a bunch of folks who made all kinds of claims, but then a lot more folks who said this isn't fair. It is not a fair way to do business.

Today's technology, with the tremendous advances made in recent years, makes tax collection simple, makes it cheap, makes it reliable. In many ways, the Internet is the perfect environment to collect sales taxes because it can be automated.

If Congress does nothing, we will end up with States forced to raise income or property taxes to offset the growing loss of sales tax revenue. That doesn't seem right or fair to me, and I feel strongly about it.

I know the Congress has worked on this issue for a long time. I recall Senator ENZI's original bill on this issue was referred to the Commerce Committee. Senators ENZI, DURBIN, and ALEXANDER are, from my point of view, to be enormously commended for their commitment on this issue, keeping up the good fight. I have always thought it was the right idea, and I cosponsored the very first bill just as I am cosponsoring this current bill.

When Senator ENZI first introduced this bill, it was not a popular idea. Over time more people have come to understand that this is an issue of basic fairness—really just that word, “fairness”—to make it possible to allow people to compete on a correct basis, and it is terribly critical to our States' fiscal health. So that is why I stand here excited to see a growing bipartisan consensus in this Chamber to pass the Marketplace Fairness Act. I commend its authors. By a vote of 75 to 24, the Senate recently supported the inclusion of this bill in the budget resolution. I hope we can finish the bill soon and level the playing field once and for all.

I wish to close by saying this bill is ultimately about fairness. It would allow small and local businesses—the kind that dot every town all across the United States—a chance to play on a level playing field and, in fact, in some cases a chance to operate, to be in business. By passing this bill in the next several days, we can restore fairness to small and local businesses.

I thank the Presiding Officer. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I am here on the floor today just to say a few words to follow the distinguished chairman of the Commerce Committee in support of the Marketplace Fairness Act.

I represent Rhode Island and I have to say my Governor, a former member of this body, Lincoln Chafee; the president of our State senate, Senator Teresa Paiva; our speaker of the house, Gordon Fox, and numerous other Rhode Island organizations have ardently urged us to pass this legislation. The reason for that is twofold. No. 1, they are losing immense amounts of tax revenue that is swirling down this loophole of noncollection. Actually, the number I think is \$23 billion for 2012. Rhode Island is not the biggest State, so we don't have a huge chunk of it, but it is about \$70 million for Rhode Island, which is pretty significant. So it is important to all of us, while the States are struggling, to make sure tax revenue that is due and just not being collected is put into the revenue equation.

The second thing is that it really just plain is not fair to the local businesses that have shops on Main Street, that have shops in the local shopping malls, to have competition with electronic delivery companies, with companies that exist on the Internet and with Internet shopping, that are subsidized, in effect, by the government.

Very often my colleagues come to the floor to say government should not pick winners and losers. Government should not pick winners and losers—how many times have we heard that? If I had a nickel for every time somebody on the other side of the house said government should not pick winners and losers, I would probably be a wealthy man. But “government should not pick winners and losers” is a principle that really applies in this area because those companies that are operating a brick-and-mortar storefront are paying their taxes—they are paying their taxes—and the noncollection on the Internet sales puts them at an unfair disadvantage.

There are conveniences to Internet sales. Nobody wants to get rid of that. It is an important, growing part of our economy. I am all for that. In fact, I think I have family members who shop that way, including a daughter who is one of the more ardent eBay shoppers in the country, I suspect. But in any event, it is very important that we not add to the natural advantages Internet shopping has by creating this additional, manufactured tax advantage.

It comes down to a point that I think you could appreciate if you can put yourself in the shoes of a small business owner. Imagine that you own an electronic goods store and you sell televisions—imagine that you are a shoe store owner and you sell shoes for kids and adults—and somebody comes into your electronics store and they look at all the TVs, they call over your salesperson and they get the whole briefing on what is best and how you hook it up and all of the technical details about it, and they see exactly what they want. Then, when they have decided what they want, that is the moment when they should reach into their wallet and pull out their credit card and say: I will take that one. I will buy it. Instead, they reach into their pocket and they pull out a notepad and they write down the details of the television they were looking at, and they say thank you very much to the store owner, and they walk out and they buy it off the Internet.

The brick-and-mortar store has put all the expense into having the overhead, into having the television there, and into having the expert salespeople there, and a consumer takes advantage of that but then does not buy it, goes outside. That may still happen, but it will happen less if we can take out the unfair disadvantage that brick-and-mortar store owner has and put that back into balance.

I have had a shoe store owner say the same thing. A parent comes in, sits the kids down, and has the sales clerk bring out boxes of shoes. They try them all on, see which ones the kids like, see which ones fit best. Then, when they are all done and they are ready to make their purchase, again, out with the notepad. They write down the brand of the shoe, the size of the shoe, and then walk out of the store, and there is the sales clerk left to box up the shoes, wrap them back up in the paper, take them back in the back again, and they took all that effort and all that expense and they never made the sale.

Again, there are advantages to shopping on the Internet, and there are probably times when that kind of behavior by consumers will continue. But why add the subsidy of uncollected taxes to the advantages the Internet shopper has? Our local stores, our local small businesses need to have this set right and set into balance.

There has been a concern raised that the Marketplace Fairness Act would create all this immense bureaucracy and it would be so difficult to do this. That is really not true. The computer and billing systems that exist right now make this a virtually seamless transaction, and States are obliged before they can do it to come into compliance with the Streamlined Sales and Use Tax Agreement, which is a com-

pact among States, developed by them, that has coordinated the different State tax laws so that this process can be easy and streamlined.

So I think this is a good moment coming for us after a very lousy week last week. We have the chance to get together on a bill that in the budget process I think gathered 70 votes—maybe more than 70 votes. I do not remember the exact count, but it was a very strong majority in this body. It was a completely bipartisan vote, with proponents and opponents on either side.

But I think that in the interest of fairness, in the interest of economic efficiency, in the interest of not picking winners and losers, and in the interest of helping to move our economy forward and protecting our stores that are on our Main Streets and in our shopping centers and shopping malls, this is a good thing to do. So I hope we will come together and pass this bill and show that we can act productively and in a bipartisan fashion and that we will do so this week.

I thank the Presiding Officer and again thank the chairman of the Commerce Committee for his leadership and enthusiasm.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

Mr. COONS. I ask unanimous consent to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. COONS. Mr. President, today is Earth Day, so I wanted to come to the floor and reflect on some of the changes our Earth is experiencing and to talk at some length about how those changes are affecting my home State of Delaware and how the Delaware community is studying, planning, and preparing to deal with these important changes.

The recent National Climate Assessment has said that the last decade in the United States was the hottest on record, and that the last year was the hottest year ever recorded through the U.S. Government. We are waking up to fewer mornings with frost on our windshields, to less snow cover, to warmer oceans and freshwater sources, to more frequent and intense storms, to heat waves, to floods and droughts.

These many changes are affecting human health, agriculture, transportation, our water supply, our eco-

system, wildlife, and many other aspects of our daily lives and our American heritage. On top of all of this, we are seeing higher water levels in our oceans and estuaries, including in and around my home State of Delaware.

Sea level rises essentially for two different reasons. First, as the planet's ice sheets are melting, they are adding to the amount of water in the ocean. But second, saltwater actually expands as it warms. So as the planet's average temperature rises, so does the level of its saltwater seas.

The fact that Earth's oceans are rising each year is not new information. It has been rising for as long as we have been keeping track. What is jarring, though, is that the rate of rise is increasing steadily and significantly.

When the data was tracked between 1870 and 1930, sea level was rising at a rate of just under 4 inches per hundred years. Over the next 60 years, the sea level rose at a doubled rate of 8 inches per hundred years. And then just over the last 20 years, sea level has been rising at a rate of more than 12 inches per hundred years.

The water is rising. For those of us from coastal States, in particular for those in Delaware, it is rising fast. At just 60 feet, Delaware actually has the lowest mean elevation of any State in the United States, already making it more susceptible to sea level rise. But here is the thing. We also have another challenge in that the land itself is also sinking. There is a documented vertical movement of the Earth's crust underneath the MidAtlantic coast referred to as subsidence. It has been happening in Delaware since the last ice age, at a pace of roughly 2 millimeters every year. I know 2 millimeters does not sound like much, but it adds up to another 4 inches per century.

In total, that means you have got, between the water rising and the land sinking, making climate change and sea level rise specifically a very real issue for my State and for many other coastal States. An array of scientists of many different disciplines and backgrounds has studied this in and outside of the U.S. Government. They have developed three models for future scenarios.

In the most conservative model, by the year 2100, the sea level in Delaware will rise above half a meter or about a foot and a half. In another middle range model, the water in Delaware will rise by a full meter. In the most troubling model, it will rise 1.5 meters or about 5 feet between now and the end of this century. Unfortunately, at present, the scientific consensus, their shared estimate, is this is the most likely model.

Well, let's try to make that real, as we have in Delaware through a whole series of planning exercises to engage our coastal communities. Here is what these different projections look like in

Bowers Beach, DE. It only takes half a meter of sea level rise, shown here, before much of this community close to Dover Air Force Base in Kent County, DE, is underwater a half a meter, the most conservative scenario. By the end of the century, the majority of this community is underwater. At a meter and a half—the most likely scenario in current estimates—the town is virtually gone.

Here is another chart which we shared with our communities in Delaware of sea level rise. It is a look at South Wilmington. The city of Wilmington, where I live, is very close to the Delaware River. It has a whole lot of low-lying areas, this part of the largest city in our State.

As water rises in the Atlantic, it also rises up the Delaware Bay and the Delaware River and the Christina River which runs through most of New Castle County and through this part of Wilmington. The water rises through the Peterson Wildlife Refuge as well. The impacts are devastating.

We are talking about water every day more than half a foot higher than Delaware experienced during Superstorm Sandy. You can see from the conservative to the moderate to the most likely scenario, it floods, it impacts, and it eliminates, wipes out, puts underwater most of South Wilmington.

The calculation of whether we are going to be hit with half a meter, a full meter or a meter and a half of sea level rise comes down to a question of the rate of acceleration of climate change globally. It is also implicated in the question of whether we should be trying to slow the rate at which climate change is affecting our planet and maybe even have some hope of turning the tide. This is the part of climate change policy known as mitigation. Priority one in this strategy is reducing, cutting the emissions we are pumping into our atmosphere that are driving this change. To do it, we need to diversify our energy sources, reduce our dependence on fossil fuels. Clean energy technology, energy efficiency programs, public transportation, recycling, and many others could help cut down on these emissions. But it will require a global and coordinated effort to avoid or minimize these projected devastating local impacts.

The second part of climate change policy is adaptation. It is based on accepting the reality our climate is changing and that it will have real effects on our planet and our communities. The truth is, even if we stopped all greenhouse gas emissions today, if we shut down our current powerplants, stopped driving our current automobiles, stopped drilling, using gas-powered equipment on our farms or trains or ships, the amount of greenhouse gases already in the atmosphere would still take decades to dissipate.

Changes in the world's climate are at this point inevitable. It is already hap-

pening and affecting our communities. We can expect these impacts to intensify and accelerate as the climate continues to change. In my view, we need to accept these facts and modify our behavior to prevent these effects from becoming cumulatively catastrophic. We can make better choices now to prevent a disaster later.

In Delaware, for example, we have had two laws on the books for decades that helped us to adapt. The first law, championed in 1971 by then-Republican Governor Russ Peterson, was called the Coastal Zone Act and prohibited future industrial development on a vital swath of coastal land, allowing the State and Federal Government to preserve it and to reduce the impacts of flooding and coastal erosion on these vital wetland areas.

The second law empowered our State to protect and replenish the State's beaches, including beaches on the Delaware Bay which are so often overlooked. This has allowed the State to build a series of berm-and-dune systems that protect infrastructure and prevent private property from being washed away. Instead of running away from the science, Delaware's leaders have embraced it. The State agency that manages environmental issues for Delaware is known as DNREC. Under Secretary Collin O'Mara's able leadership, it has taken the lead on a governmentwide project to assess our State's vulnerability to sea level rise and to recommend actions for adaptation.

In fact, Delaware's Sea Level Rise Advisory Committee, whose report I have here, spent 18 months looking at 79 different Statewide resources, vital entities: roads and bridges, fire stations, schools, tourist hotspots, wetlands, and, of course, our people, their homes, their businesses, and layered them on various maps as I have shown, which demonstrated how far the water would reach at different projected sea levels.

If sea level gets to 1.5 meters, we lose more than 10 percent of our State, the water claims 20,000 residential properties, and significant percentages of the State parks and wetlands, farms, highways, industrial sites, rail lines. In Delaware we could lose 21 miles of rail lines to flooding, effectively shutting down Amtrak's Northeast corridor. The vital Port of Wilmington would be rendered useless in its current footprint. Nearly all the State's acreage of protected wetlands would be inundated, destroyed. Nearly three-quarters of the State's dams, dikes, and levees that we use to hold back the bay would be flooded. It would be simply devastating to our State.

So to those who say: Oh, a few feet of water rising over a century is a modest amount, something we can plan for, something we do not need to be alarmed about, I think this detailed and thorough study demonstrates the

devastating consequences to my home State, a State that would lose 11 percent of its territory in the worst-case scenario.

Our own Secretary of Natural Resources Collin O'Mara said:

We are looking at big risks for human health and safety, and not just at the Delaware Bay beaches. We have big concerns about south Wilmington, Delaware City and New Castle. It's more complex than just the bay beaches or a community here or there.

I believe he is right. So once again, if we remember, we have two basic approaches—adaptation and mitigation. Once Delaware compiled its 200-page vulnerability assessment on sea level rise, the committee got to work on an adaptation strategy to protect our State. They came up with more than 60 options and released them publicly, hosting a whole series of townhall meetings to solicit public opinion before the State decides which strategy to implement.

The committee is also now working on a broader vulnerability assessment to examine the full range of impacts from climate change—even beyond sea level rise—changing temperatures, extreme weather, and changes in precipitation. These are impacts which will affect even more of our neighbors.

Climate change will affect the distribution, abundance and behavior of wildlife, as well as the diversity, structure, and function of our complex ecosystems. We are already seeing changes in natural patterns. Many commercial and recreational fish stocks along the east coast have moved northward 25 to 200 miles over the last 40 years as ocean temperatures have steadily but modestly increased, deeply impacting our fishing industries and our fishing-reliant communities.

Scientists expect migratory species to be strongly affected by climate change since animal migration is closely connected to climatic factors, and migratory species use multiple habitats and resources during their migrations. These changes are impacting the multibillion-dollar waterfowl hunting industry vital to my State. It is an important economic driver to Delaware and a vital part of our heritage.

According to the draft National Climate Assessment released in February, our farmers are expected to adapt relatively well to the changing climate over the next 25 years. However, later, as temperatures increase and precipitation extremes become more intense, crop yields and production of livestock and poultry are expected to decline. More extreme weather events, including droughts and heavy downpours, will further reduce yields, damage soil, stress irrigation water supplies, and increase production costs.

I am proud of my State. I am proud Delaware was the first State to assess its vulnerability and the vulnerability of specific resources in as comprehensive a way as it has. We are determined

to confront these changes to our planet head on, protect our own communities, and to protect the way of life we have built. It is an approach which many other States should replicate.

The private sector has a vital role to play, and they are not waiting around for action in this Chamber by the Federal Government. We are already seeing a lot of our companies taking steps on their own to be more sustainable. I see this all the time at home when I visit companies in Delaware, such as Phillips, Kraft, DuPont, Perdue, and Mountaire. This Chamber may still be debating climate change, whether it is real, and what if anything we should do. These companies in communities in our State are reducing their water use, reducing power consumption, slimming their footprint, and finding ways to be energy efficient. They are doing this not only because it is good for the planet, but because it is good for the bottom line. They have learned in measurable ways that reducing their operating costs is good for business and good for the planet.

Frankly, there is only so much the Federal Government can do as far as adapting to climate change. It still plays a very important role, which States and the private sector alone cannot. The Federal Government can ensure States have accurate data on climate trends over the long term on which to base its assessments and calculations; invest in tidal gauges that the National Oceanic and Atmospheric Administration, or NOAA, maintains off all of our coasts, which are critical to monitoring sea level rise; and support the satellites overhead which track changing weather patterns.

The Federal Government facilitates technology transfer and information sharing provides technical assistance and guidance to States and regions such as ours and initiates collaboration and coordination among partners, which is essential. From the U.S. Global Change Research Program, the Interagency Climate Change Adaptation Task Force, to the CDC's grant program to help State and local health departments assess risks the Federal Government is doing a lot. Given the scope and the dire consequences, we need to do more.

This President and this administration understand, but what role can and should Congress play? In my view we need to also lead in the area of mitigation, to support the executive branch as they continue to help States with adaptation. We need to invest wisely in our efforts to combat and prepare for climate change.

I have been a member of the Senate Energy and Natural Resources Committee for more than 2 years. We have seen some ambitious plans to do our part in mitigation, many of which I have supported. One proposal was from Senator Bingaman, former chair of the

Energy Committee in the last Congress, to adopt a clean energy standard.

It would have set a national goal for clean energy usage and establish a transparent framework that lets resources compete based on how clean they are, and then move out of the way and let the market and American ingenuity determine the best path forward. Sadly, this plan failed to attract any bipartisan support and did not make it out of committee.

Although I am an idealist, I am also a pragmatist. I can read the politics of this Chamber. They are deeply divided on this issue at a time when we need to be coming together. Fortunately, there is bipartisan support for some steps to improve our Nation's energy efficiency. We could take up and pass the bipartisan bill recently introduced by Senator SHAHEEN and Senator PORTMAN to increase the use of energy-efficient technologies in residential, commercial, and industrial sectors.

We could level the playing field for financing to help new clean energy technologies get off the ground by giving them access to the same tax advantages currently utilized only by fossil fuel projects. The bipartisan Master Limited Partnerships Parity Act—which I will reintroduce later this week with a bipartisan group of my colleagues, Senators MORAN, STABENOW, and MURKOWSKI—would level the playing field for renewables and give these new technologies a fighting chance in the emerging energy market.

As we take these sorts of steps and others, we must also be mindful of the need to reduce our Nation's dangerous deficits. We also need to ensure we are not taking away the tools we desperately need to prepare for these changes to our planet. This means sustained support for scientific research and protecting the programs which are channeling this vital data to our States.

The bottom line in my view is the climate has already changed. We know this. With this knowledge comes the responsibility to reduce our emissions in order to mitigate the impacts and to prepare for and take action with regard to these coming changes.

Climate change is happening. It is happening right now. While it may have local impacts, it has global causes. We ignore these at our peril. I believe we have a responsibility: a responsibility to God's creation, a responsibility to each other, a responsibility to our home States, and to future generations. We need to do our very best to slow this process, to help this planet, our only home, to survive.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARKETPLACE FAIRNESS ACT

Mr. WYDEN. Mr. President, the Senate is on course to consider profoundly misguided legislation. This proposal is known as the Marketplace Fairness Act, but it is anything but fair. The Marketplace Fairness Act is unprecedented in its reach to discriminate against the Internet, employers, and States with modest or no sales taxes.

As the Internet economy has evolved through innovation, and as it expanded because of the value the innovation enabled, traditional brick-and-mortar businesses are seeking to compete through legislation. Big retailers, effectively seeking a legislative bailout, have allied themselves with State governments that see the Marketplace Fairness Act as an opportunity to obtain new tax revenue without enduring the political consequence of enforcing their own tax laws in their own jurisdictions. It is always easier to put the burden of collecting taxes on the people who can't vote for you; isn't that right, Mr. President?

The Marketplace Fairness Act is going to hobble the Internet economy and constrain online commerce. It is, in my view, a recipe for economic stagnation. It would rein in the Internet economy which has helped lead our economy out of the recession that began in 2008. What this proposal does is give each State the ability to require online businesses outside their States to enforce their tax laws. It enables the State of Indiana or the State of South Dakota to require online businesses located in New Hampshire to collect sales taxes on their behalf. Let me repeat that. The Marketplace Fairness Act could require the businesses of New Hampshire, a State that has determined not to have a sales tax, to collect sales taxes for goods or services provided to consumers in Indiana or South Dakota and then send money to those States.

This proposal, in effect, unleashes all the Nation's tax collectors on small Internet businesses—Internet entrepreneurs who have neither the ability to enforce the terms of the Marketplace Fairness Act nor the political influence in this city to be able to shape the legislation. The Marketplace Fairness Act takes the Internet down a dangerous path because its passage would endorse the notion that Internet entities should be required to enforce laws outside their home jurisdiction.

Foreign countries have long pressed the notion the Internet should be ceded to their control. Let me repeat that. This has been an objective of a whole number of our global competitors over the years—trying to, in effect, get control over the Internet. There is no difference in New York telling Oregon Internet firms to enforce New York laws than China telling American firms to enforce China's censorship practice. As it is already, many countries are seeking to actually put the United Nations in charge as the Internet's regulator-in-chief, and this bill, to a great extent, endorses that world view.

Today the Senate is being asked to consider schemes to allow States and localities to essentially nationalize their taxes, but tomorrow the Senate may be asked to consider similar schemes to enforce laws and regulations about content, for example, and other issues that are so important to the powerful and the well connected.

The precedent the Marketplace Fairness Act establishes takes the Internet, the American economy, and our society down a dark path. It is a path toward a future where governments can impose their values and their regulatory regimes on Internet businesses anywhere. It is a future in which the sovereignty of the country and the sovereignty of our States is significantly eroded.

Beyond these issues, the proponents of the legislation are spawning myths about the bill that aren't true. One myth is the Marketplace Fairness Act levels the playing field. They are going to argue the Marketplace Fairness Act levels the playing field between brick-and-mortar firms and Internet companies for purposes of collecting and remitting sales taxes. But the facts are the facts, and they indicate otherwise.

Furthermore, even if Best Buy knows the consumer resides in Washington, DC, because Best Buy provides the consumer with a credit card or a rewards card that is associated with a Washington, DC, address, Best Buy is still allowed to assume the television purchased will be consumed in Virginia. The Marketplace Fairness Act, in my view, is a targeted strike against the Internet and a targeted strike against the digital economy.

Another myth being put forward is the myth the MFA isn't about new taxes; that the proposal is about enforcing taxes already owed. The fact is the taxes that would be collected as a result of the Marketplace Fairness Act's passage have generally not been collected. So these are going to be regarded as new taxes. This is money that is going to come out of the pockets of American families that has not come out of their pockets before.

Collecting sales and use taxes for goods or services acquired in another State has long been a low priority for State and local governments. Because

these taxes go uncollected and unenforced, the establishment of an unprecedented regime to collect them for the first time is going to require American consumers to pay more sales taxes and pay more use taxes.

Furthermore, the creation of this new trans-State enforcement scheme creates significant new incentives for States to establish new sales taxes and new use taxes and also to increase the tax rates that exist now for these particular items.

Ultimately, the Marketplace Fairness Act is going to require consumers to pay an additional \$22 billion in sales taxes they have never had to pay before. In fact, unless the United States pursues the types of international arrangements that govern the Internet economy—the types of arrangements sought by China and a host of other States—foreign Internet retailers will only continue to have the competitive advantage the Marketplace Fairness Act would artificially provide them. That is not what the American economy needs. That is not what is going to promote online innovation and value.

I hope my colleagues will oppose this Marketplace Fairness Act. It is premature. It is, more than anything else, coercive. It is coercive.

We are going to hear about how simple this is. Back when we started writing the first bills about technology and the Internet, we said the key principle is do no harm. This is going to do harm. Just this past weekend, I was in southern Oregon, where we have many small retailers. We have one in Grants Pass, OR—Fire Mountain Gems. It is an exciting new business online, but it is up against very tough international competition. What I fear is that unless there is a thoughtful effort along the lines of what Chairman BAUCUS has tried to do in the Finance Committee to think this through, this bill, in a global economy, will give foreign retailers a significant leg up.

We will have people on the northern border of the United States or the southern border of the United States who will say: I want to do business in the United States. I am a patriotic American, but there are more than 8,000 taxing jurisdictions in America. If we force our businesses, our online retailers, such as the one I represent in southern Oregon, to spend their time and their money trying to comply with scores and scores of tax regimes that are thousands of miles away, it is going to be very tough for them to compete with foreign retailers.

This violates the basic principle we began decades ago with respect to technology; that is, do no harm. Do no harm to the cause of innovation, ensure we have fairness—bricks and clicks together—which is the future of the American economy.

This bill violates that basic principle of technology policy. It will do harm.

I urge my colleagues to oppose it and its premature consideration by the full Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I rise today to urge the Senate not to move forward on the Marketplace Fairness Act.

This bill forces small businesses across the country to spend time and resources they should be using to create jobs, jumping through new bureaucratic hoops. In Montana it forces our small businesses to play tax collector for other States, with absolutely no benefit to them. Instead of slapping more red tape on our small businesses, we need to be supporting their work to create jobs and get our economy going.

Let me be very clear. This bill is bad for business and bad for jobs. This bill is not ready for debate on the Senate floor. It has not been completely thought through and is full of unintended consequences that could seriously harm America's small businesses.

Supporters of the Marketplace Fairness Act claim this bill would level the playing field between Main Street businesses and out-of-State businesses by forcing both to collect sales taxes from customers. The bill's sponsors claim this is fair. The reality, however, is this legislation is anything but fair to America's small businesses. This legislation doesn't help businesses expand and grow and hire more employees. Instead, it forces small businesses to hire expensive lawyers and accountants to deal with the burdensome paperwork and added complexity of tax rules and filings across multiple States.

This is a big-box bill. This is not a downtown bill. Our vanishing downtowns are in crisis. We must find ways to revitalize Main Streets across America by supporting our small retailers. In doing so, we foster economic growth and job creation in our communities.

Let me read just one of the hundreds of letters I have received from small business owners in Montana and across America who are opposed to this legislation:

Dear Senator Baucus, at a time when the economy is just recovering, the pending Internet sales tax legislation will cost small business jobs, reduce consumer demand, [and] reduce e-commerce innovation.

As you know, TicketPrinting.com is the largest private employer in Wheatland County. . . . We expect this legislation to cost 13–20 jobs in one of the poorest counties in the United States, where a job means everything. Rather than rewarding the thousands of small businesses for their innovation and our hard work, Congress will be taxing the job engine of the economy and reducing jobs across the nation.

Sincerely, Lance Trebesch.

There are mom-and-pop businesses such as Mr. Trebesch's across the country asking for our help. Unfortunately, this bill does not provide that help. It

will not solve the challenges facing Main Street. Instead, the Marketplace Fairness Act only creates new challenges that will put many of America's small businesses at a disadvantage.

This bill imposes additional burdens and compliance demands on businesses already weighed down by Federal and State tax systems that are too complex, too time consuming, and too costly to comply with.

I encourage my colleagues to look at this bill very closely. It requires America's businesses to track thousands of different tax codes in 7,500 different jurisdictions if they do online business out of State. It will force small businesses to hire expensive accountants and implement costly systems to deal with the complexity of collecting sales tax on purchases made in other States.

And who is policing all of this? The bill, as written, has no audit or enforcement protection. As a result, it opens small businesses to aggressive out-of-State tax collectors. States will be taxing businesses beyond their borders. This bill helps States target those businesses that are truly operating out of State and subjects them to the same broken, confusing State sales tax systems that are currently in place. Tell me, how does this grow our economy and how does this create jobs? The promise of simplification in the Marketplace Fairness Act is a ruse.

First of all, they provide no simplification to the businesses that already collect sales taxes in multiple jurisdictions. Those businesses are not even considered in this bill. They are left out.

Second, the bill offers no real simplification for the businesses that will now be required to collect sales taxes. It only adds complexity, with no resources for guidance.

This bill does not streamline the 7,500 different tax rates. It does not require the States to agree on definitions of taxable and exempted products. Think about that for a moment. Each State and many cities and municipalities have different definitions of what is taxable and what products are exempt. They are all different.

It does not establish standard requirements for electronic filing. Think of that for a moment, no standard requirements for electronic filing. It does not establish a central location for registration or filing. It does not offer uniform forms or paperwork. The list goes on and on. These are just a few of the problems this bill is going to create.

Even more concerning, this bill does not establish one audit system for all States. Rather, businesses will be exposed to audit by all 50 States. So any State can decide at any time it wants to audit a business beyond its borders.

This bill does not even establish any rules or procedures for dispute resolution. Got a problem with the tax collector in a State across the country?

Good luck. You will have to work it out with that State's court system.

The bill's sponsors tell us not to worry. They say that computer software can calculate the sales taxes owed, collect the money due, and file the reports with the States by linking to the seller's Web site. Is offering a business the chance to pay someone else to calculate their taxes for them what passes for simplification? And those software providers cannot protect the business from exposure to audit, collection, and enforcement by 50 different States.

Still worried? Well, the bill's sponsors tell us they will exempt businesses that have \$1 million or less in sales to other States where sales taxes are not being currently collected. Why this threshold?

Studies show that the burden of sales taxes on the very smallest is the highest. It costs approximately 13 percent of the tax collected for these small sellers to comply. As a result, they are not profitable tax collectors for the States. And what about the businesses with \$1,000,001 in sales? Are they somehow a more efficient tax collector?

These are not just empty fears. Businesses call me, exasperated with current State law collection requirements. Last Friday I received a call from the director of a farmers cooperative. He explained that many States exempt farmers from sales tax on certain goods. But the laws vary greatly by State on what items qualify for exemptions. Businesses selling to farmers already spend a lot of time determining what qualifies for exemption and what does not. They spend even more time tracking exemption certificates.

The director then went on to explain:

If the Marketplace Fairness Act becomes law, it appears that a regional agribusiness, which might occasionally make Internet sales to farmers in states outside of its territory, would have to invest just as much time and effort into studying and complying with the sales tax laws of far-flung states, as it does in the half dozen states where it has facilities.

The burden of such compliance would clearly outweigh the benefits of occasional sales.

This legislation is ripe with unintended consequences. Let me give another example. A key loophole in this bill is that States get to decide what is and what is not taxable. A State could decide that stock trades are taxable goods or services. Then when that State's resident purchases shares through his broker, that Wall Street firm will be responsible for registering as a business for sales tax purposes, collecting the sales tax, and remitting the tax to the State. True, States have the authority to decide what is and isn't taxable—to date—even without this bill. But right now the only way to collect taxes on transactions with out-of-State businesses is through use taxes.

If States could now require out-of-State businesses to collect on their behalf, there is an incentive to expand the items that are taxable. This bill is going to make it very desirable for States to start taxing and collecting on all sorts of services—not just the financial world but also on services provided by attorneys, architects, engineers, and accountants. One can only imagine. By not asking the States to do anything to simplify their system in return for the benefit of having out-of-State business collect taxes for them, we are giving a carte blanche to States to impose even more taxes on businesses.

The act is also an abdication of the responsibility given to Congress under the Commerce Clause. We have the duty to recognize that the State sales tax systems are still too complicated and would burden interstate commerce if imposed on more businesses.

The Finance Committee is committed to tackling these issues to provide real relief to America's families and small businesses. We have held more than 30 hearings on tax reform—including one specifically dedicated to State tax issues, such as the Marketplace Fairness Act. I have affirmed repeatedly to Senators ENZI and DURBIN that the Finance Committee would work with them to mark up the bill in the next work period, and I stated that commitment a few moments ago personally to them.

THE PRESIDING OFFICER. The Senator has used 10 minutes of his time.

MR. BAUCUS. Mr. President, I ask unanimous consent to proceed for 2 more minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

MR. BAUCUS. Circumventing the committee process allowed this bill to come to the floor full of so many unanswered questions. Avoiding the committee process quashes any chance to improve this bill. Evading the committee process denies the chance to provide a fair playing field among businesses and reduce the heavy burden imposed by State compliance.

I know some may dismiss my concerns as coming from a non-sales-tax State. Granted, I am always proud to protect Montana businesses. But this is not a Montana-only issue, nor is it an issue just for States without sales taxes.

Lance Trebesch of TicketPrinting.com and Main Street business owners across America show us that our interests are tied together. We need to stop burdening America's small businesses with more compliance costs and figure out ways to help them grow.

I urge Members to vote against cloture. Do not give small businesses in our States more regulations and more risks with more unintended consequences that have not been addressed. Do not set our Main Street

businesses up to be audited by other States' tax collectors. Give the members of the Finance Committee the opportunity to make this bill work and make it fair. I urge a vote against this motion so we can do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I ask unanimous consent that after I finish speaking, my colleague from Tennessee, Senator ALEXANDER, be permitted to speak.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Reserving the right to object, if the vote is at 5:30, could we allocate time so that each of us could have some time before 5:30? If the Senator would be willing to do that at this point, I would not object.

Ms. AYOTTE. Absolutely. In fact, as I understand it, Senator HATCH is going to be coming to the floor also to speak in opposition to it. I only have some brief comments, and I know Senator ALEXANDER will also. If we want to divide this up, I am fine with that.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from New Hampshire for her courtesy. I am perfectly agreeable, following her speech, to dividing it, if Senator DURBIN wishes to suggest an allocation of time.

Mr. DURBIN. As I understand what Ms. AYOTTE has said, there are four members who wish to speak. I don't want to be presumptuous, but if we each speak for 5 minutes, then that leaves 10 minutes for those who might arrive whom we are not aware of. So two Senators on the Republican side speak for 5 minutes, I will speak 5 minutes, and then Senator HATCH can speak for 5 minutes. Is that fair?

Ms. AYOTTE. That is fair. I thank the Senator from Illinois.

Mr. ALEXANDER. I thank the Senator from New Hampshire for her courtesy.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise to support the comments of my colleague from Montana on the so-called Marketplace Fairness Act, which is being brought up today on the floor. I previously said it should be renamed the Internet Tax Collection Act because it is going to make online businesses the tax collectors for the Nation. And as the Wall Street Journal pointed out in an editorial today called "The Internet Sales Tax Rush," it actually puts the Internet businesses in a disadvantage to brick-and-mortar businesses in terms of making requirements on online businesses to collect taxes for transactions that the online businesses would not have to. And for a State such as mine, New Hampshire, where we do not have a sales tax, this is also par-

ticularly onerous and tramples on the decision that New Hampshire has made to not have a sales tax.

Most important, where we stand right now with the bill pending on the floor, so many times there is so much around here that happens that does not go through regular order. Yet we have been saying on both sides of the aisle how important it is that when we have a major piece of legislation—which certainly this is—that we must go through regular order.

We just heard the chairman of the Finance Committee saying that this is circumventing the committee process, that there has not been a markup of this legislation, and that there are many concerns being raised by online businesses across this country based on onerous requirements this legislation will put on them to become the tax collectors for States around the Nation.

Many business groups are raising important issues and urging this body to go through the regular process, including the Financial Services Roundtable and the Security Industry and Financial Markets Association.

Technet said:

Imposing a new Internet sales tax regime is a tremendously complex issue that should be addressed through regular order starting in the Senate Finance Committee and done in a thorough and deliberative manner.

It seems to me that when you have an issue that will impact a growing and robust area of our economy; that is, online businesses that are selling to the Nation, where we have seen tremendous growth, we owe it to the American people to have this go through regular order.

I have heard the Senate leader talk about regular order. I have heard the minority leader, Senator MCCONNELL, talk about regular order. Here we are again not going through regular order. This should go to the Finance Committee. It should be thoroughly marked up in that committee.

I see Senator HATCH. Senator BAUCUS and Senator HATCH both believe this should go through the proper committee of jurisdiction so that we can address the concerns raised by so many about the bill and the way it is drafted.

With that, I urge my colleagues to vote against cloture. This is not the right way to do business. This bill, which has very important and negative implications for many businesses in this country and on a very important area of our economy, should go through regular order to address concerns that have already been raised by many business groups.

Mr. President, I ask my colleagues to vote against cloture today.

I will yield the floor. I know the Senator from Tennessee is coming up now, and I know that he too believes in regular order. I hope that he would, at least for this bill, despite his support for it, ask it go through regular order.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from New Hampshire and the Senator from Illinois for allowing me to have 5 minutes.

I do believe in having regular order. I have been looking for it for quite a while on this bill. But let me start with exactly what the point of this bill is. This bill is about two words. It is about States rights. I say that as a former Governor who cares a lot about States rights.

I see another former Governor sitting in the chair up there. What this bill does is it allows the Governor of Tennessee and the Legislature of Tennessee to decide whether to require out-of-State sellers in Tennessee to do the same thing we require of in-state sellers in Tennessee. In other words, if the National Boot Company has to collect the State sales tax and send it to the State government when it sells a pair of boots, then an out-of-State catalog seller or an out-of-State online seller who sells boots in Tennessee has to do the same thing. It is that simple.

It is an 11-page bill. That is a rarity around here, an 11-page bill. It doesn't make any of these decisions for the States; it just says the States can make that decision for themselves. With all respect to ourselves, I trust the Governor of Tennessee and the legislators of Tennessee to make tax decisions a lot more than I trust Washington politicians to make them.

This has nothing to do with the Federal Tax Code. It has zero to do with it. It has about as much to do with the Federal Tax Code as the milk production bill. Actually, milk production has more to do with the Federal Tax Code. This is about what a State can decide for itself.

If somebody from Ohio or Illinois wants to sell in Tennessee, they need to play by the same rules everybody in Tennessee has to play by—which is all we are deciding, or at least the Governor and Legislature of Tennessee ought to be able to decide that.

It is going to be done fairly. We have an equal protection clause in the Constitution that says you cannot treat an out-of-State seller in a different way than you do an in-state seller, but that is the first point. This is about States rights. It is about the 10th amendment. It is about our saying: Yes, Governor, yes, legislature, you don't have to play "Mother, may I?" to the Congress. Make your own decisions about taxes. If you decide you want to treat one set of businesses differently than others and one set of taxpayers differently than others, you have the right to be wrong. That is your business. But if you decide you want to collect taxes that are already owed—that are already owed; this is not a new tax, taxes that are already owed—from everybody who owes the tax so you can lower your

tax rate for everybody, you are free to decide that.

That was the argument Art Laffer made in the Wall Street Journal last week. Art Laffer was President Reagan's favorite economist. That is the point he made. States have the right to be right. He said this: States have the right to be wrong. But if Tennessee or Idaho or any State can collect taxes from everybody who owes them, it can lower the tax rate for everybody.

That is why so many conservative leaders support this, Art Laffer, Al Cardenas, the chairman of the American Conservative Union, Gov. Mike Pence, Gov. Mitch Daniels—almost all the Republican Governors support this. But all we are deciding here in this 11-page bill is two words: Do we respect States' rights to decide their own tax policy? Do we respect States rights as the 10th amendment suggests we do?

As far as regular order, I wish the Finance Committee had reported a bill. This legislation was first introduced in some form in 2001. As the chairman of the Finance Committee said, he had a hearing on part of it last year. That was good. The Commerce Committee had a hearing on almost this identical 11-page bill last August. There have been repeated requests of the chairman of the Finance Committee to report the bill. He has not. That is what rule XIV is about.

The majority leader said: If the committee is not going to hold a hearing and report the bill after that amount of time, then let's put it on the floor, let's debate it, let's amend it.

It has been thoroughly considered. It has been before this body and the American people for a good bit of time. The bill we were to move to today is exactly the bill that was introduced on February 14 of this year, this 11 pages—exactly the bill. It has been out there for everybody to see all that time.

I urge the 75 Senators who voted for this during the budget resolution to reaffirm their vote for States rights—at least vote tonight to move ahead, and let's debate it. Let's put it on the floor. If people have amendments or objections, let's bring them down here and let's debate them and vote on it. If we do not, as Senator HEITKAMP has said, who knows—

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALEXANDER. If I may use 30 more seconds?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Senator HEITKAMP has pointed out that if we do not act, it will be one big mess. Instead of having a handful of jurisdictions where a seller can simply—when you buy your ice cream over at Williams-Sonoma and put in your credit card and ZIP Code, automatically the tax is collected by the seller out of State and sent to the State. Instead of that, you will have

thousands of jurisdictions to contend with. This simplifies the process.

This is States rights. This is an opportunity to debate a bill that has been around for more than a decade and that the country has been able to see for a couple of months.

I urge our colleagues on both sides to take the conservative point of view and vote yes and move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Tennessee. If this is truly a bipartisan effort on both sides of the issue, Democrats and Republicans see it differently. The distinguishing feature of those who oppose this is that so far the leading opponents are from States with no sales tax—New Hampshire, Oregon, Montana. One other State in America does not have a sales tax—Delaware. They see it differently. They are supporting the bill.

Here is what it boils down to. If this bill passes as written, at the end of the day a resident of Montana still will not pay sales tax on any purchases they make in a store or on the Internet. Residents of Oregon will not pay a sales tax on any purchase they make in an Oregon store or over the Internet. The same holds true for New Hampshire. They are held harmless from the impact of this measure.

However, if an Internet retailer in any of those no-sales-tax States wants to sell in Maine or Illinois, the terms of doing business under here are that they will collect the sales tax that is owed in that State. It is that simple.

People have tried to make this more complicated. It is not. They have also suggested it is just going to be beyond anyone to calculate what the sales tax might be. That is just plain wrong. We are way beyond the quill pen and ledger days. We are now dealing with software easily available for a very small amount of money that can be given to any retailer to know exactly when Durbin of Bates Avenue in Springfield, IL, 62704, buys a product and what sales tax should be collected. And the bill provides that each State has to provide the retailer, free of charge, with the basic software so that they can use it to collect the appropriate sales tax.

They are trying to make this more complicated than it is. Thanks to computers and thanks to software, it is not that complex, and neither is the issue that is underlying this debate. The issue is this: How in the world can you expect the bricks-and-mortar businesses of America to compete with Internet competition when the bricks-and-mortar businesses have to collect sales tax and the Internet competitor does not? In my State, that is an 8-, 9-, or 10-percent advantage, and it is shifting more sales to the Internet and away from the local stores. I don't think that is fair.

We are asking for a level playing field. A level playing field says that if you want to sell to a consumer in Illinois directly over the counter or over the Internet, you collect the same sales tax. It is just that simple. If you don't want to, if your business in Montana or Oregon does not want to collect sales tax for sales in Illinois, it is simple: You don't sell in Illinois. It is their choice, their call. I think that is basic fairness.

Look at the groups that are supporting this. I could sit here for the rest of my time and read all the organizations supporting this—the obvious ones, the retailers across America, the men and women with the stores. The small businesses we venerate in speeches all the time on the floor of the Senate are begging us to do this so they have a fighting chance against Internet retailers. We are also getting a lot of support from Governors, from mayors, from labor unions. It is a diverse group—business and labor. They believe it not only is fair but it will raise revenue that is badly needed in a lot of these local units of government.

I might also say that when you take a look at the impact of the current situation, you can understand why this is long overdue. MIKE ENZI was on the floor earlier. He has been for 12 years trying to change this. People say: Regular order; we ought to take a little more time. You can understand that our patience is wearing thin—MIKE's more than mine. I have only been at this for a few years. But we reached this point. We had a vote on the budget resolution. We asked the Members of the Senate: What do you think about this issue?

Forty-nine from the Democratic side and 26 from the Republican side said: We favor going forward on this issue.

That is the vote we will have in a few minutes. We should go forward on this too. Those who have constructive, relevant, germane amendments, bring them to the floor. Let's have a conversation. Let's get this issue done this week. Let's make sure we meet the challenge we have been given.

I thank the Senator from Tennessee for making this as clear as I think any former Governor can make it. If you want to do business in Tennessee, play by Tennessee rules and obey Tennessee law. If you don't, it is just that simple and fair. In terms of imposing a new tax, this bill does not create one new tax.

First, there are no Federal taxes in here—none. Second, we don't even have the power to impose a new State sales tax, nor would we try. There are no new taxes. It is simply a question of compliance and collecting the taxes already owed in the 46 States that currently have sales-and-use taxes.

I urge my colleagues to come forward tonight at 5:30 and vote for cloture on the motion to proceed. Let us engage

in this important debate. Let us not put this off another day, another week, or another month. Let's bring this to a conclusion in the Senate with a good, wholesome debate on a bipartisan basis. Germane, relevant, and constructive amendments that address these issues are welcome. Bring those amendments forward. Let's not burn up the hours of the day and the hours of the week in quorum calls. Let's get down to the business in the Senate we were meant to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

BOSTON TRAGEDY

Mr. HATCH. Mr. President, before I begin, I want to take a moment to say my thoughts and prayers go out to the good people in Boston and other areas where they have had tremendously horrific events and attacks. I hope and pray that all those whose lives were impacted by these tragic events will have a swift and peaceful recovery.

I want to commend all of the law enforcement agencies involved in the investigation that brought the hunt for the perpetrators to a successful end.

MARKETPLACE FAIRNESS ACT

Mr. HATCH. Mr. President, over the last few months I have come to the floor several times to discuss the need for the Senate to return to regular order. If the last several years taught us anything, it is that efforts to force legislation through the Senate without full and fair consideration tend to yield unsatisfying results.

Complaints about the lack of bipartisanship have more or less become the norm around here, and we hear all the time about the desire for the so-called grand bargains. Bipartisan agreements don't just happen. I think we would all agree grand bargains cannot be made out of thin air.

Luckily the Senate already has a system in place for fostering these types of agreements. It is called regular order. Yet today the Senate will vote on cloture on the motion to proceed to the so-called Marketplace Fairness Act, and in doing so, the Senate will once again abandon regular order in favor of the whims of the Senate Democratic leadership. This is a bill that falls under the jurisdiction of the Senate Finance Committee, but the committee has not had a markup on the bill. Instead the Marketplace Fairness Act is just the latest in a long line of bills brought before the full Senate without due consideration in the committee of jurisdiction.

This has become far too common. I understand there are those who feel strongly about this legislation, and I admire them and respect the sponsors of the bill who worked hard to address

what they see as a major problem with our Nation's tax policy.

However, that simply is not enough to justify yet another abdication of the committee process here in the Senate.

The Senate is organized into various committees of jurisdiction so Members are able to develop and utilize their own expertise on specific issues. When a piece of legislation goes through the committee process, it is thoroughly vetted and examined. This provides an opportunity to resolve technical issues and address various concerns before the bill is brought to the floor for a vote.

Regular order is not a process designed to protect the power of committee chairmen and ranking members. We have regular order and our committee structure so we have an organized way of ensuring our constituents are fully represented and to make sure the legislation we pass is technically sound. The legislation we will be voting on today is a perfect example of the importance of regular order.

The Marketplace Fairness Act is a bill that will have a significant impact on millions of consumers and businesses throughout the country, and clearly, this is no trifling matter.

Most reasonable people would agree that a bill of this magnitude would benefit from full and fair committee consideration, including a markup with an open debate and an opportunity to vote on amendments before it is brought to the floor. However, being reasonable doesn't appear to be part of the equation on the floor today.

I want to stress I am not fundamentally opposed to this legislation. My goal is not to stop it at all costs. Instead, I simply want to ensure it is fully vetted and examined. I know if all sides are able to look at this in a dispassionate way, we might find ways of bringing all sides together, and that is not going to happen the way it is being done now. Therefore, today's vote is, in my view at least, as much a vote on regular order as it is a vote on the underlying bill.

That said, I do have specific concerns about the legislation as it is currently drafted. To begin with, the Marketplace Fairness Act in its current form is a fairly short 11 pages long. This bill essentially provides two avenues for States to compel remote sellers or out-of-State businesses to collect and remit sales and use taxes. Under the bill, the State may either meet specified minimum requirements or be a member State under the Streamlined Sales and Use Tax Agreement, as long as the minimum requirements are met under the agreement.

The Streamlined Sales and Use Tax Agreement is a good deal more complicated than the Marketplace Fairness Act. For starters, at 203 pages, the agreement is about 18 times longer. Since its adoption on November 12, 2002, the Streamlined Sales and Use

Tax Agreement has been amended 28 times, most recently last year. It is not a simple little problem here.

The streamlined sales tax governing board has done excellent work in bringing States together to cooperatively and voluntarily address the issues of sales and use tax complexity and administration, just to mention a few issues.

According to the streamlined sales tax governing board, 24 States have adopted the simplification measures in the agreement, representing 31 percent of the population.

The authors of the Marketplace Fairness Act hope to apply its measures to all 50 States and 100 percent of the population.

However, the bill is comparatively short on details. For example, the Streamlined Sales and Use Tax Agreement contains provisions on rules for the sourcing of sales, along with exclusions to those rules. In order to levy the appropriate sales tax, the location and subject matter of the transaction must be determined. This level of detail is not present in the Marketplace Fairness Act.

It is unclear if the floor established on sourcing requirements under this bill is sufficient to protect consumers from unintended consequences. For example, I have received a letter from the American Society of Pension Professionals and Actuaries which is worried that this legislation "would allow states to impose a financial transaction tax that would apply to American workers' 401(k) contributions and other transactions within workers' accounts."

Another concern I have with the current version of the Marketplace Fairness Act is that it contains a preemption clause which could make it possible for States to expand the reach of their sales taxes through creative legislating. The Streamlined Sales and Use Tax Agreement at least provides an avenue for the input of multiple States. The States that are not subject to the agreement would, under this bill, be able to legislate knowing that the Federal Government will compel enforcement of their tax law on non-residents.

I am concerned with the transition costs that will come with this legislation for retailers who have been operating in an environment where they have not been required to collect and remit sales taxes for States where they do not have a physical presence. This legislation would change that almost in an instant.

Before we enact a new sales tax system, we need to take into account the costs that system will impose on businesses of all sizes and the difficulties these companies will face as they adapt to the new regime.

For example, there is the issue of vendor compensation. The Streamlined

Sales and Use Tax Agreement currently includes a provision giving States the opportunity to voluntarily compensate remote sellers "as a measure of good faith" for registering to voluntarily collect and remit sales taxes into States where the seller has no physical presence. This is included in the agreement because under the current law remote sellers are generally not required to collect and remit the sales tax, and they incur a cost when they do so.

The Marketplace Fairness Act does not include any provision for compensation of remote sellers. I believe this is something we must take into account and examine even more thoroughly. I am also concerned about the small-seller exemption in the bill which would exempt sellers with national remote sales of less than \$1 million from the new requirements to collect and withhold sales taxes. This seems like an important concession, but it is not without its problems.

First of all, the cap on the exemption is not indexed to inflation. I think anyone who has observed any part of the roughly 50-year process where the alternative minimum tax has grown from a fairness measure targeting the rich to an ever-increasing burden on the middle class should understand how inflation can radically distort policy outcomes over a period of time. In addition, there are many who argue that the \$1 million exemption may be too low. In my view, these are concerns we need to fully consider before bringing the bill to the floor.

Finally, I want to point out that the bill does not include a provision for a dispute resolution venue. Ideally the bill would give Federal district courts exclusive jurisdiction in matters concerning the implementation of this legislation. Policy changes with such far-reaching effects inevitably lead to unexpected issues and consequences. Giving Federal courts this jurisdiction would ensure greater uniformity and application of this legislation across the country.

These are only a few of the concerns I have regarding the Marketplace Fairness Act. I don't believe these are necessarily fundamental concerns, but they are issues that need to be addressed.

I am quite certain that, if given an opportunity, the Finance Committee could address these issues without inexorably changing the underlying purpose of the bill. However, if we proceed with floor debate on the Marketplace Fairness Act as is, we will not have that opportunity.

The Senate simply cannot continue to operate this way. Once again, we need to restore the deliberative traditions of the Senate, and that means a return to regular order.

I know a number of my colleagues have expressed similar concerns about

the need to restore the committee process in the Senate. I hope they will join with me in voting no on cloture on the motion to proceed to the Marketplace Fairness Act. This doesn't necessarily determine how I am going to vote on the final analysis of this, but I sure as heck would like to approach this in a much more intelligent and legislatively profound way than we are doing here tonight.

By the way, we can talk about the fairness of this thing, but there are a lot of stakeholders that are not quite convinced this is as fair as those who are supporting the bill actually claim.

I hope we can have a more deliberative process to examine these matters. The distinguished chairman of the committee has offered to have a hearing on the bill, mark up the bill, and consider it in a regular-order approach in the immediate future as soon as we get back from this next recess. Frankly, I think that is a pretty good offer, and it is one we ought to honor if we honor our committee structure in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I understand that unanimous consent was given earlier to have printed in the RECORD an op-ed from the Wall Street Journal by Arthur B. Laffer entitled "Tax Internet Sales Stimulate Growth."

Mr. ALEXANDER. Mr. Laffer, as most Americans know, is a distinguished economist. People sometimes said he was President Reagan's favorite economist. He makes the argument that many conservatives and many Governors across the country make, which is: Give us the authority to make these decisions for ourselves. We will collect taxes from everybody who already owes the taxes by requiring sellers to collect the taxes whether they are in State or out of State, and then we will lower the tax rate.

Mr. Laffer says fairness legislation that collects taxes from everyone who owes it and then lowers the tax rate is better for economic growth, which is something our country desperately needs.

Mr. President, I also ask unanimous consent to have printed in the RECORD the comments supporting specifically the legislation from Al Cardenas, chairman of the American Conservative Union, Governor Mike Pence of Indiana, and former Governor Mitch Daniels of Indiana.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONSERVATIVES SUPPORT MARKETPLACE
FAIRNESS

AL CARDENAS, CHAIRMAN OF THE AMERICAN
CONSERVATIVE UNION

"When it comes to state sales taxes, it is time to address the area where federally

mandated prejudice is most egregious—the policy toward Internet sales, the decades old inequity between online and in-person sales as outdated and unfair."

GOVERNOR MIKE PENCE

"I don't think Congress should be in the business of picking winners and losers. Inaction by Congress today results in a system today, that does pick winners and losers."

GOVERNOR MITCH DANIELS

"Sales taxes that states impose ought to be paid, and paid by everybody equally and collected by everybody in the retail business . . . We're not talking about an additional or new tax here—we're talking about the collection of a tax that's existed a long time."

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. We are in morning business for 1 more minute and then morning business will be closed and we will proceed to the motion under the agreement.

Mr. BAUCUS. Mr. President, I will take that 1 minute, please.

This is pretty simple. This legislation is new and only recently introduced. It has never been vetted. Others have but not this legislation. This bill is fraught with all kinds of problems, some of which have already been enumerated on the floor. There are many unintended circumstances.

The only right thing to do is to permit this to go back to the committee so the committee can take it up. As chairman of the committee, I have made that promise many times. We have already had hearings. We will have a markup on this bill in the next work period. A markup means there will be a vote. I stand here ready to abide by the vote. I submit right now that the majority of the Members of the committee maybe will let us work this thing. I don't know. But that is the process. That is what we should be doing, not just ramming this thing through, which is so complex. There are so many unintended consequences. Many of the consequences have been enumerated and not addressed but could be addressed and would be addressed in a proper committee forum.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MARKETPLACE FAIRNESS ACT OF 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 743 which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of Calendar No. 41, S. 743, a bill to restore

States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 41, S. 743, To restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Harry Reid, Richard J. Durbin, Sherrod Brown, Sheldon Whitehouse, Amy Klobuchar, Joe Manchin III, Richard Blumenthal, Patrick J. Leahy, Martin Heinrich, Angus S. King, Jr., Al Franken, Tom Harkin, Carl Levin, Mark Begich, Brian Schatz, Robert Menendez, Tammy Baldwin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use taxes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. MERKLEY), and the Senator from New Hampshire (Ms. SHAHEEN), are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent; the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 74, nays 20, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—74

Alexander	Cowan	Kaine
Baldwin	Crapo	King
Barrasso	Donnelly	Klobuchar
Begich	Durbin	Landrieu
Bennet	Enzi	Leahy
Blumenthal	Feinstein	Levin
Blunt	Fischer	Manchin
Boozman	Flake	McCain
Brown	Franken	McCaskill
Burr	Gillibrand	Menendez
Cantwell	Graham	Mikulski
Cardin	Hagan	Moran
Carper	Harkin	Murphy
Casey	Heinrich	Murray
Chambliss	Heitkamp	Nelson
Coats	Hirono	Portman
Cochran	Hoeben	Pryor
Collins	Isakson	Reed
Coons	Johanns	Reid
Corker	Johnson (SD)	Risch

Rockefeller
Sanders
Schatz
Schumer
Sessions

Shelby
Stabenow
Thune
Udall (CO)
Udall (NM)

Warner
Warren
Whitehouse
Wicker

NAYS—20

Ayotte
Baucus
Coburn
Cornyn
Cruz
Grassley
Hatch

Heller
Inhofe
Kirk
Lee
McConnell
Paul
Roberts

Rubio
Scott
Tester
Toomey
Vitter
Wyden

NOT VOTING—6

Boxer
Johnson (WI)

Lautenberg
Merkley

Murkowski
Shaheen

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 20. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

VOTE EXPLANATION

• Mrs. BOXER. Mr. President, I was unable to attend the rollcall vote that occurred on Monday, April 22, 2013. Had I been present, I would have voted in favor of the motion to invoke cloture on the motion to proceed to S. 743, the Marketplace Fairness Act. •

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that all time during adjournment, recess, and morning business count postcloture on the motion to proceed to S. 743.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I designate the Senator from Illinois, Mr. DURBIN, as the floor manager for the consideration of S. 743.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I heard the Senator from Colorado. My remarks are about 25 minutes. Are the remarks of the Senator from Colorado significantly shorter?

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I have 3 or 4 minutes of remarks.

Mr. FRANKEN. I yield to my colleague.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I am very grateful to my colleague from Minnesota for yielding for those 3 or 4 minutes. I thank him for his forbearance.

I rise in support of our local small businesses and retailers across Colorado and I would like to think across our great country. Senator DURBIN and

Senator ENZI have introduced a bipartisan bill, the Marketplace Fairness Act, of which I am a cosponsor. It would level the playing field for businesses located in Colorado by requiring out-of-State online sellers to collect and remit the same local and State sales taxes they have to pay.

It just makes common sense, which is why a similar amendment during the budget debate a few weeks ago, which I also cosponsored, passed by a bipartisan vote of 75 to 24.

The Marketplace Fairness Act is about achieving equitable treatment for all sales so businesses with a physical presence in Colorado, employing Colorado workers living in our communities, are not at a competitive disadvantage with out-of-State businesses that sell products online.

Online marketplaces have created great companies and innovative ways of doing business, but Federal law has failed to keep up with the pace of online sales. Again, we have had a lot of innovation in the online space, but Federal law has failed to keep up with the pace of online sales.

Back when trading posts and local markets were the most prevalent places for consumer goods, they did not have to worry about out-of-State sellers. Today, though, nearly 1 in 10 sales occurs online. Because of these online sales, we now have two inequitable forms of treatment in the marketplace: one where local brick-and-mortar retailers have to pay sales taxes and one where out-of-State online retailers get to take advantage of a loophole and avoid collecting any sales taxes at all. This has, unfortunately, created a disincentive to shop at and support our small local businesses.

It has been said, for at least a decade, that fixing this inequity is too difficult or it will burden certain online retailers and consumers. However, it should be noted this legislation requires States to simplify sales tax laws that apply to these out-of-State sales, in addition to providing software free of charge to sellers in order to make the task of collecting and remitting this revenue as painless as possible.

Many States have already taken this step. My State of Colorado is considering legislation this year to conform to the rules set out in this bill.

The version of the Marketplace Fairness Act we are going to consider has been negotiated by Members of both political parties, and it is a testament to what we can do when we work together to benefit our country and our economy. Not only will this legislation help level the playing field for mom-and-pop shops across our State and our country, it will help restore a lost revenue base for local governments that has slowly been eroded with the expansion of online out-of-State sales.

Most Americans know those commonsense, fair taxes support our

schools, police and fire departments, and other critical local services. At the very least I think we can all agree that we do not want to penalize Main Street retailers for creating jobs in Colorado communities, which is why this bipartisan bill is so important.

I look forward to voting for the Marketplace Fairness Act, and I encourage all of my colleagues to do the same. I want to acknowledge my colleague from Minnesota for yielding me the time.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY.) The Senator from Minnesota.

Mr. DURBIN. Would the Senator from Minnesota yield for a moment? I believe the Senator from Oregon would like to make a very brief statement for the RECORD.

Mr. FRANKEN. I will yield.

Mr. MERKLEY. I thank my colleague from Minnesota. The vote was closed as I came in the door. Had I been here, I would have voted against cloture. I want that to be a clear part of the RECORD.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I ask unanimous consent to speak as in morning business for 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. FRANKEN. Mr. President, I rise today to talk about climate change. But I first do want to say how pleased I am that we just got cloture to move to debate on the Marketplace Fairness Act. I am a strong supporter of the legislation. As I said, I am a cosponsor. I look forward to the upcoming debate. I plan to speak on this legislation further tomorrow.

Now I would like to talk about climate change. More specifically, I rise to suggest that we in this body talk more about climate change so that we can agree on taking action to address it. We need to address the environmental impacts that we are currently facing and the future impacts that will only become exponentially worse if we fail to act. 2012 was the hottest year on record in the continental United States. In fact, it beat the previous record by a full degree.

To give you some idea about how remarkable a full degree of warming in 1 year is, scientists tell us since the last ice age 20,000 years ago the Earth has warmed only 16 degrees at the most. Since we began actually measuring temperatures in the continental United States and recording them 117 years ago, the variance between the coldest year and the warmest year has only been 4.2 degrees.

So for the temperature to jump a full degree in 1 year is not just remarkable, it is alarming. Often when people consider the harmful consequences of climate change and its cost, they are

talking about the future. But make no mistake, climate change is already costing the United States serious money.

2012 was a year when a historic drought caused more than 70 percent of U.S. counties to be declared disaster areas. Agriculture Secretary Tom Vilsack has estimated the drought's impact on the agricultural sector to be around \$50 billion to \$60 billion. That cost gets passed on to every American. The drought destroyed or damaged major crops all over this country, making corn and soybeans more expensive, increasing animal feed costs. So Americans are paying more for meats and other animal-based products.

The 2012 drought dramatically lowered water levels on the Mississippi River, seriously interfering with our ability to transport our agricultural goods to market to compete with those from other countries. So that barges did not run aground, shippers sent them down the Mississippi River the last few months half full, say, with soybeans, making our beans less competitive with Brazilian beans.

More and more of my conversation with Minnesota soybean growers who export over one-third of their crop focused on this very issue. Climate change is exacerbating our Nation's wildfires, and that is costing us serious money. When Forest Service Chief Tom Tidwell testified before the Senate Energy Committee, I asked him about the link between forest fires and climate change. He told us that throughout the country we are seeing longer fire seasons on average by more than 30 days. Wildfires are also larger and more intense.

I asked Chief Tidwell whether scientists at the Forest Service thought that climate change was increasing the size and intensity of wildfires and extending their season. Without hesitation he said yes. The Forest Service is spending more and more of its budget fighting wildfires, now about half of its budget. Longer fire seasons and larger more intense fires are just going to eat up more of that budget.

Not only is climate change worsening our forest fires, it is also exacerbating other problems plaguing our forests. That includes a very serious bark beetle crop. The bark beetle is normally kept in check because cold winters at high altitudes kill its larva.

Let's talk about the bark beetle at high altitudes. Their larva used to freeze. But now, because of climate change, that is not happening. The winters have gotten warmer and at higher altitudes, and the bark beetles are surviving. That means they are destroying more forests.

Similarly, in some Colorado forests scientists have shown that because of warmer weather, mountain pine beetles have gone from reproducing once a year to twice a year. In a little over a

decade, this mountain pine beetle has killed more than 70,000 square miles' worth of trees. That is an area equivalent to the entire State of Washington.

Of course, we cannot talk about climate change without talking about sea level rise. I serve on the Committee on Energy and Natural Resources. Several months ago we had a hearing on sea level rise. We heard testimony about how rising sea level is increasing the size of flood zones and increasing damage that occurs from storm surges.

One of the witnesses told us that just a few extra inches of sea level could result in a storm surge that could flood the New York City subway system. It sounded like something out of science fiction. Yet a little over 6 months later that is exactly what happened. That is exactly what happened when Hurricane Sandy hit New York City and flooded the subways.

My colleagues do not need to be reminded of the cost of Hurricane Sandy. It is costing taxpayers a staggering \$60 billion. Unfortunately, only one of my colleagues from the other side of the aisle, the ranking member, Senator MURKOWSKI, attended this hearing. This has been pretty much the case whenever we have a hearing that even tangentially relates to climate change.

A number of my colleagues in Congress do not believe that human activities contribute to climate change. Many others, I suspect, do not talk about climate change because addressing it requires making some difficult choices. But let's be clear about this. Climate change is already costing us. If we do not act now, it will worsen dramatically and be far more costly.

The Defense Department has studied potential threats to national security imposed by climate change. DOD's 2010 Quadrennial Defense Review states that climate change may act as an accelerant of instability or conflict. That, in turn, would place burdens on civilian institutions and militaries around the world. The top commander in the Pacific, ADM Samuel Locklear, has said the biggest long-term security challenge in the Pacific is climate change. As the Pacific commander he understands the impact sea level rise and extreme weather events can have on our military resources and on civilian populations in the Pacific.

My constituents in Minnesota also understand the threat of climate change. That is why recently nearly 400 people gathered at a local Lutheran church in Willmar, MN, to talk about climate change. Willmar is not a big city. So when this many people gather in one place, you know it is a big deal. They are concerned about climate change and the marked increase in severe weather occurrences.

But when they look to Washington they see a disconnect. They see a disconnect between what the country is experiencing and what Washington is

doing about it—or, rather, what Washington is not doing. Outside of Washington, and not just in Minnesota, things are different. In fact, many respected Republican leaders outside of Washington understand the importance of addressing climate change.

In the aftermath of Hurricane Sandy, for example, Republican Governor Chris Christie of New Jersey acknowledged that climate change is a problem and that human activities are playing a role.

Former Governor Arnold Schwarzenegger of California, also a Republican, has launched an organization to fight climate change. Former Utah Governor and Republican Presidential candidate John Huntsman has noted that whenever a party takes a position that runs counter to the position of 98 out of every 100 scientists, that party has a problem.

Governor Huntsman is right. Let me illustrate with an analogy. Say you went to a doctor who told you: You know, you better start eating more sensibly and start exercising because you are tremendously overweight. I see in your file that your father died of a heart attack at an early age. So you really have to go on a diet and start working out.

You say: You know what, I would like a second opinion.

So you go to a second doctor and he examines you, or she examines you, and says: OK, look, you have a family history of heart disease. Your father died of a heart attack at 40. You weigh over 300 pounds. Your cholesterol is out of control. Your blood pressure is through the roof. It would just be irresponsible of me not to immediately send you to the Mayo Clinic to this place I know. You have to go there.

Then you say: Thanks, doctor, but I would really like a third opinion.

The third doctor says: Wow. This is a problem. You know, looking at your family history and looking at you and your tests, I am amazed you are still alive. You have to do something about this.

You say: You know, I would really like a fourth opinion—and this keeps going. It takes months. Finally, you get to the 50th doctor. The 50th doctor examines you and says: Boy, it is a good thing you came to me because all this diet and exercise would have been a waste. You are doing just fine. Those other doctors, well, they are in the pockets of the fresh food and vegetable people. Enjoy life as much as you want and watch a lot of TV.

Then you learn this doctor was paid his salary by the makers of Cheetos. Don't get me wrong—Cheetos are a delicious snack. They can and should be eaten in moderation.

If 98 out of 100 doctors tell me I have a problem, I should take their advice. If those two other doctors are paid by "Big Snack Food" the way certain cli-

mate deniers are paid by "Big Coal," I shouldn't take their advice. However, 98 out of 100 climate scientists are telling us we have a problem.

Governor Huntsman is right. Outside of Washington, many people get this. Even some of the very companies that previously funded anti-climate change efforts have turned the page on this issue. ExxonMobil used to fund the Heartland Institute, which is one of the leading climate change denial organizations. If you go to ExxonMobil's Web site today, it states, "Rising greenhouse gas emissions pose significant risks to society and ecosystems." Shell Oil states on its Web site, "CO₂ emissions must be reduced to avoid serious climate change." Even the major oil and gas companies have begun to acknowledge that climate change is real.

I respectfully suggest that my colleagues on the other side of the aisle here in Congress also need to engage in a serious conversation on climate change. At a time when Americans are dealing with record droughts and devastating hurricanes, the Senate cannot afford to simply ignore climate change. We need to talk about this, as Democratic and Republican leaders outside of Washington are talking about it. Ultimately, we need to come together to address climate change before its damaging costs to society are out of control.

I do not pretend this will be easy. Some people will point out that climate change is a global problem. It is. We can't solve it alone. We can't, and they are right. Emissions in the developing world are now on the rise. China surpasses the United States in total greenhouse gas emissions—not per capita; we are still ahead on that. But China is also making major investment in renewable energy. According to the United Nations Environmental Program, in 2011 China led the world in renewable energy investments, with nearly one-fifth of the global total. This is in spite of the fact that China's GDP in 2011 was half of our GDP. If we are going to lead the clean energy race and create good-paying jobs for Americans, we must invest in our renewable energy infrastructure.

Last year the Senate Energy Committee heard testimony regarding a report from the American Energy Innovation Council's report entitled "Catalyzing Ingenuity." The report, authored by former Lockheed Martin CEO Norman Augustine, Microsoft founder Bill Gates, and other business leaders, states:

The country has yet to embark on a clean energy innovation program commensurate with the scale of the national priorities that are at stake. In fact, rather than improve the country's energy innovation program and invest in strategic national interests, the current political environment is creating strong pressure to pull back from such efforts.

This is very important. I encourage my colleagues—especially those who

oppose Federal funding for clean energy—to read this report because what people often forget is that this is nothing new. Government has always supported strategic energy priorities. As Mr. Augustine noted in his testimony, commercial nuclear power was the result of government investments in naval reactors. Do you know why natural gas is transforming our energy sector today? It is because of years of Federal support to develop hydrofracking technology. The Eastern Gas Shales Project was an initiative the Federal Government began back in 1976, before hydrofracking was a mature industry. The project set up and funded dozens of pilot demonstration projects with universities and private gas companies that tested drilling and fracturing methods. This investment by the Federal Government was instrumental in the development of the commercial extraction of natural gas from shale. In fact, microseismic imaging—a critical tool used in fracking—was originally developed by Sandia National Laboratory, a Federal energy laboratory.

The industry was also supported through tax breaks and subsidies. In fact, Mitchell Energy vice president Dan Stewart said in an interview that Mitchell Energy's first horizontal well was subsidized by the Federal Government. Mr. Mitchell said of the Department of Energy:

DOE started it, and other people took the ball and ran with it. You cannot diminish DOE's involvement.

So the basis of the natural gas revolution that is helping make America more energy independent can be traced back to Federal support. In the same way, we must support the renewable energy sector now. We need to be the ones—our country, the United States, Americans—we must be the ones who sell this transformative and environmentally friendly technology to other nations. We must do this.

We need to start by having a conversation about climate change. It would be irresponsible to avoid the issue because it is uncomfortable to talk about. The stakes are too high and we would be shirking our responsibility to our constituents, to our children, to our grandchildren, and to posterity. The discussion is not going to be easy because there are going to be painful tradeoffs. I certainly don't have all the answers. I do know we need to have the conversation. We cannot leave this issue to future generations. I have a grandchild on the way—my first. I don't want to look back and tell him that when his grandfather was in a position to do something about climate change, he chose not to because it involved some politically difficult choices. I don't want to tell him that we compromised our moral integrity for political expediency.

We all have constituents who care about this issue. When I go back to

Willmar, MN, I want to tell my constituents who met in a church and spoke about climate change that we heard them. I want to tell them we are working together across the aisle to talk about and address one of the most difficult problems we face.

I invite my colleagues to join in this endeavor and make dealing with climate change a bipartisan issue. We owe it to the Nation and to future generations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, let me commend my colleague from Minnesota for making so many thoughtful points in this effort to deal with climate change. Having returned from Oregon, with a whole host of meetings in connection with Earth Day, the Senator is spot-on in speaking about the enormity of the problem. It is very clear that the planet is getting warmer, drought is becoming more serious, the fires are becoming more catastrophic and the storms increasingly brutal. It is very clear that now Democrats and Republicans must come together around this issue.

The Senator and I serve together on the Energy and Natural Resources Committee. This will be priority business for us, and his thoughtful remarks today are yet another effort in terms of trying to bring people together. The focus of the Senator's remarks has been not to say it is this person's fault or another person's fault, it is about how Democrats and Republicans need to come together.

I commend my Democratic colleague for his good speech and the good fortune to chair the subcommittee on Energy and Natural Resources, where he will be able to focus on these issues.

I ask unanimous consent to speak as if in morning business for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. The Senate has now moved to the Marketplace Fairness Act. I say this, frankly, a little dubiously because I think it really ought to be called the Shop Canada or Shop Mexico Act. It will make it attractive for businesses located in the United States to set up shops overseas as the coercion that is applied to the United States will not affect foreign retailers.

What I wish to do tonight is speak for a brief period of time—because we are going to have opportunity throughout the week to discuss this—in the hopes that the points I highlight tonight will help start a bipartisan effort to attempt to fix what I think are the most serious problems with the Marketplace Fairness Act.

The essence of my concern is that coercion and discrimination are not what America is all about. Those are the fundamental principles of the Market-

place Fairness Act. What I wish to do is be very specific with respect to how this coercion and discrimination, particularly against some of the most innovative forces in the American economy, are going to take their toll.

With respect to coercion, this is legislation that enabled one State to impose the enforcement of its laws on 49 other States and the territories without the approval of such States and territories. Let me repeat this. It is coercion. It can be forced on these other States against their will. In effect, under the Marketplace Fairness Act, businesses may be audited by a myriad of out-of-State tax collectors and be forced to defend themselves in out-of-State courts.

A vote for the Marketplace Fairness Act without efforts to try to promote some element of voluntary participation is a vote to subject a Senator's home State Internet companies to the whim and will of tax collectors and State courts around the country. This, in essence, is the coercion aspect of this legislation.

I have suggested to Senators that at a minimum this effort, this legislation should be altered to allow for voluntary compacts. Congress would say States could voluntarily take these steps with respect to interstate tax collection rather than being required to do it. I have heard my colleagues who say perhaps this would make one State a haven with respect to Internet sales. The reality is that States rights are about States rights. One State may look to choose to incent one particular type of business or another, but this is ultimately a State decision.

If you are, in fact, a supporter of States rights, why would you oppose something that allows a State to voluntarily choose what course it wishes to promote with respect to the collection of online taxes? This is not what this bill is all about. It is not voluntary, it is coercive. That is why, in my view, it undermines what I think the principles of our country are all about. Our country is not about coercion, it is not about discrimination. This is what the bill, regrettably, is all about.

Let me outline the second point with respect to how the Marketplace Fairness Act discriminates against Internet companies. The Marketplace Fairness Act relies on Internet sellers to determine the address of where consumers are located in order to generate an approximation of where goods or services sold by an online retailer will be consumed. There is no similar requirement with respect to brick-and-mortar businesses—no similar requirement with respect to brick-and-mortar businesses—even though consumers often travel across State lines in order to purchase goods and services that may be unavailable to them in their home jurisdictions or available at lower sales or use tax rates.

The Marketplace Fairness Act does not require brick-and-mortar firms to obtain and use consumer information to determine where a good or service may be consumed. Why should the Federal Government require Internet companies to collect and remit sales and use taxes on behalf of consumers but not impose any such burden on brick-and-mortar firms providing goods and services to out-of-State consumers?

So the irony of this is that really about 15 years ago—and it has been particularly satisfying to me in terms of our service in the Senate—as we began to look at policies that would allow innovation and technology to grow—and I will talk a little about how some of those policies led to the first investments in social media—we established two principles with respect to technology policy: No. 1, we said let's ensure there is no discrimination. What goes on off-line and what goes on online should be parallel so that we can encourage both parts of the American economy.

That principle has made a lot of sense. In fact, it has led to a great many stores—I am sure at home in Indiana for the Presiding Officer of the Senate—with bricks and clicks looking to try to have a vigorous presence in States because the two are mutually reinforcing. To do that we have to ensure there is a policy of nondiscrimination.

What I have done is outline very specifically about how the Marketplace Fairness Act moves away from that principle of nondiscrimination by giving, in many jurisdictions, the brick-and-mortar retailers a leg up. And what I am in favor of is continuing that policy which has made sense for 15 years.

We also talked about doing no harm and ensuring we especially promoted voluntary approaches—voluntary approaches. I think it was before the Presiding Officer was in the Congress, but one of the things I was especially proud of was our help in generating investment in the social media back when I came to the Senate. There was a great concern about censorship online. Of course, all of us, as parents, were horrified by some of the smut and pornography that was coming available online, all over the Web, and so a big debate was held.

There were essentially two approaches: One was to set up a big censorship effort that would say, for example, if somebody posted some of this horrible pornography on a Web site or a blog, the Web site would be held secondarily liable for this material posted on the site. A lot of us said: No way the Net is going to be able to grow if Web sites and blogs are held liable for something that is posted on their site, which they probably aren't even going to know anything about because there are, of course, thousands and thousands

of postings—millions in the case of some of the big sites.

So working with a very conservative Republican in the House, Congressman Cox, we wrote an alternative approach which encouraged voluntary approaches with respect to dealing with a societal problem, and a very serious problem with respect to pornography. Back then the Congress didn't know how to deal with these issues, so both approaches—both the censorship approach and the voluntary approach to help parents filter out the smut—actually got into the law and it went to the Supreme Court. The Supreme Court struck down the censorship approach and upheld the voluntary bipartisan approach Congressman Cox and I put together.

Today, when we talk to people in the social media, they will tell us that voluntary approach was, to a great extent, what encouraged the first investments in social media. People in social media will say nobody would have invested in the future Facebooks and Twitters and the like if they thought the social media sites, the Web sites and the like, were going to be held secondarily liable for something that was posted.

That voluntary approach, which did so much to boost our economy, is being rejected in the Marketplace Fairness Act as it is written because this bill goes to a coercive approach, as I said, that would outline the ability for one State to impose the enforcement of its laws on 49 other States and territories without the approval of those States and territories.

So I bring up this tonight because I am very hopeful as this debate goes forward and the bill is considered further that at a minimum the sponsors of the legislation—and all of us here can count and look at vote totals—will see that allowing for voluntary compacts is really what States rights are all about, No. 1. It is that voluntary approach that has made such a difference in encouraging the innovation and growth of the Internet and technology.

One other point I would like to mention tonight is what this bill does with respect to America's ability to compete in a global economy. This is, in effect, an unprecedented approach that would apply local laws to the global medium that is the Internet.

For example, I just came back—flew about 6,000 miles over the last few days—from meeting with constituents at home. I was in southern Oregon until the middle of the day yesterday. They have a big e-commerce effort going in a wonderful company called Fire Mountain Gems in Grants Pass, OR, with hundreds of employees and a very exciting online business. Their big competitor in Grants Pass, OR—which is a town that has been hard hit economically. We are working hard on their forestry issues, particularly trying to get the harvest up. That is some-

thing I am working on as chairman of the Energy and Natural Resources Committee, and I had a good chance to talk about resources policy with the Presiding Officer of the Senate.

One of the things they very much want to do in Grants Pass is find as many good-paying jobs as they can, given the fact the economy is hurting in rural areas.

So as I try to boost the harvest in Grants Pass, OR, and get people back to work in the woods, I am obviously looking for other areas where businesses could grow. This legislation, as written, will deal a significant body blow to a business's ability to grow, such as the one I know about in Grants Pass, OR. Here is why: The legislation doesn't apply to foreign retailers, and the competition for Fire Mountain Gems is certainly overseas, with a host of companies in this space.

It also has huge implications for the northern border and the southern border of our country because so many of the promising businesses in those communities are going to say to themselves: We are patriotic Americans. We deeply believe in our country and our values, but how are we going to compete? How are we going to figure out a way to wade through more than 9,000 taxing jurisdictions? Wouldn't it be more sensible to just move a half hour across the border and not have to go through any of this?

I just don't think this works as it relates to the global economy. Maybe this bill ought to be called the Shop China or Shop Mexico or Shop Canada bill. Whatever you call it, it seeks to apply local laws to a global medium. That, in my view, defies common sense, and, by the way, that too has been a principle that has been rejected in debates about tech policy over the years.

So I hope Senators are going to be open to working with the bipartisan group—there are a host of Senators on both sides of the aisle who care about these issues—to take some of the principles that have been central to the growth of innovation, online business—particularly as it relates to new apps and new technologies—that have worked for the last few years and build them into this legislation, rather than repudiate the principles of voluntarism and nondiscrimination that have been so key, as I have outlined here tonight, to investment in the social media, to encouraging innovation through non-discriminatory tax policies, and to new innovations that we began to bring into the policy arena, such as digital signatures.

There we had the same thing—a great concern about whether this was equitable, whether it would work, but after hearings and a thoughtful analysis, a group of us wrote that law as well. So whether it was regulation, whether it was taxes, whether it was innovation such as digital signatures,

the four or five laws over the last 15 years that have paid off for technology and innovation and small business—the basic principles behind those laws—are being repudiated in this bill and, I believe, will be injurious to the country.

So my hope is, as we go forward, that we can take some of those principles that have been key to growth in the technology sector and start building them into this discussion with respect to collection of online sales taxes.

By the way, for more than a decade, this has been a topic. I and others have said we are very open to any and all approaches to collect taxes owed, and particularly ones that don't amount to what looks like bureaucratic water torture associated with the collection process. And I think Senators are underestimating how difficult this will be.

I would particularly cite the proposition that if it was so easy, it would have been done some time ago. By the way, it would have been done with voluntary actions through many of these taxing jurisdictions rather than the coercive approach that is advanced in this legislation.

I see my friend from New Hampshire. I was particularly struck, I would say to my colleague, about how the principles I am talking about today—coercion and nondiscrimination—apply in my colleague's State as well because her State, as so many others, would face the prospect where online retailers would have one set of burdensome rules that wouldn't apply to a whole host of other businesses. It brings back the principle of discrimination we rejected years and years ago.

Having heard the Senator from New Hampshire speak eloquently on these issues, I look forward to her remarks. When I came to the floor, I said the key to successful tech legislation for the last 15 years has been two principles: a voluntary approach rather than a coercive approach and nondiscrimination rather than discrimination. The Senator from New Hampshire and I are from States where this bill brings those policies—coercion and discrimination—back in very stark terms that will be injurious to the citizens we represent and harm the cause of innovation across the country.

I thank the Senator from New Hampshire for all her contributions.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I couldn't say it any more eloquently than my friend from Oregon whose small businesses are facing the same kind of discrimination our small businesses in New Hampshire are facing.

I came straight from the airport—my flight was delayed; so I wasn't here to vote no on this legislation that I think has not been thought through carefully because, as the Senator from Oregon points out, it is going to affect innovation and the ability to use the Internet

in a way that I think most of this should be used. It is going to set up a whole new set of rules that are very difficult for our businesses in New Hampshire and Oregon to comply with. I think it is not the best way for us to go about taxation and doing it in a fair way. Sadly, as a result of this legislation, if it passes, as the Senator pointed out, we are going to see a whole different set of rules for one set of businesses than for another and that just isn't right.

So I plan to come down to the floor and speak at greater length about this tomorrow, but I wanted to come this afternoon, when I heard the Senator was speaking as I came from the airport, to join the Senator in opposition to the legislation and point out that I certainly would have voted no and intend to continue to do everything I can to try to address what I think is a very unfair way to deal with taxation.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I wish to thank the Senator from New Hampshire for her contribution.

Obviously, the vote this afternoon didn't go our way. My hope is that as Senators from both political parties have a chance over the next few days to lay out the consequences of the two principles we have been talking about—staying away from coercion and staying away from discrimination—by the time the Senate has completed debate and votes, we can come up with a proposal that will not set back the cause of innovation in this country.

We both have talked about the fact that the March numbers on jobs were not where we would like them to be. Particularly distressing is the number of people who seem to be either dropping out of the workforce or working part time because they can't find anything full time. Now we are looking at policies that will make efforts to put those people back to work even harder.

So I am very appreciative of the fact that the Senator was able to come to the floor; because what I tried to do over the last 20 minutes or half an hour is outline what has worked in technology policy for the last 15 years. It has been nondiscrimination and non-coercion. This bill repudiates both of those. My hope is the Senator and I and other Senators on both sides of the aisle can find a way to change this legislation so as to at least not go backward with respect to those values that have been so key to the growth of jobs in the technology sector. To have the Senator here is so helpful, and I am very appreciative.

Mrs. SHAHEEN. Mr. President, I look forward to working with my friend from Oregon to try and amend this legislation to address some of the concerns that we, along with a number of other members of this body, share. It should be an interesting week.

Mr. WYDEN. A good note to close on. Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent that I address the Senate as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS CLAIMS BACKLOG

Mr. MORAN. Mr. President, next month, Americans across the country will gather on Memorial Day to remember the sacrifices made by generations of men and women in service to our country and to preserve our freedoms.

There is no group of Americans I hold in higher regard than our Nation's veterans. Their service and sacrifice have allowed us to live in the strongest, freest, and greatest country in the world. We should, in the Senate, utilize their service as our role models.

America's veterans have fought tyrants and terrorists to keep our country safe and secure. Yet when they return home from war, they have to continue to fight many battles.

Veterans are struggling to find a job. The unemployment rate for the post-September 11 veteran remains well above the national average of 10 percent.

Some veterans continue to face difficulties accessing quality health care services, especially those as in my State where there are rural areas and long distances to travel for the care they need, and many veterans must wait long periods of time for their benefit claims to be processed by the Federal Government, which is what I would like to highlight today.

Honoring those who served our country certainly means more than paying tribute to them on Memorial Day. It means keeping our promises. We owe our Nation's veterans the absolute best—the best health care, the best educational opportunities, the best support possible to help them continue to have successful lives after their service to our country. But all too often, veterans tell me they had to wait months—and in some cases years—for their benefits to be processed. This is simply unacceptable.

I served on the House Veterans' Affairs Committee for 14 years. I now serve on the Senate Veterans' Affairs Committee. Making an improvement in the quality of life for our Nation's veterans is one of my top priorities, and I want to continue to raise the concerns that are raised to me until progress is made.

In January of this year, the VA outlined a strategic plan to reduce their enormous claims backlog. According to this new plan, they estimate they will resolve around 1.9 million claims in 2015, which is an ambitious goal because that would be roughly an 80-percent increase in the productivity over the 2012 level.

I certainly appreciate Secretary Shinseki's commitment to eliminating the backlog of claims and his initiatives to transform the claims process, but there is evidence against the VA's assertion that the claims backlog will be remedied by 2015.

In 2010, the VA projected that by this year—2013—it would take 160 days per claim to reach a decision. But in the first quarter of this fiscal year, it actually took more than 270 days per claim. It seems the numbers are, once again, continuing to be headed in the wrong direction.

In fact, the number of claims considered backlogged—or have been pending for more than 125 days—grew from fewer than 150,000 in 2009 to 600,000 in March of this year. In total, about 70 percent of the currently pending claims are considered backlogged.

The Presiding Officer has probably heard the saying that past performance is a good indicator of future performance. If this pattern continues, my fear is—and reality suggests—this problem only gets worse.

As we draw down in Afghanistan and the Armed Services reduce their force structure, the number of service members who will rely upon the VA will increase significantly. If the VA is not able to adequately handle claims now, how will the process work when even more veterans claims are being submitted?

As recently as September of last year, the inspector general of the VA found that the VA had not yet fully tested their new system, which is supposed to help them process these claims more efficiently. At that point, the new system could not even process a claim from the beginning of the end of the rating process.

I met recently with Kansas veterans who were here in Washington, DC, as part of national veterans service organization—the American Legion, the Disabled Veterans of America, and the Veterans of Foreign Wars—and their No. 1 concern is the unreasonable amount of time it takes for benefits claims to be processed.

Oftentimes the conversations I have are with folks who have an urgent need related to their home or health care, but they are stuck waiting on the VA to get back to them. I know my colleagues in the Senate experience the same kind of stories. These are real individuals, with real needs, whose lives are impacted when their benefits claims go unresolved day after day.

A step in the right direction was announced this last Friday from the Department of Veterans Affairs: The VA is finally responding to our concerns about claim backlogs and expediting the process for claims that have been held for more than 1 year.

It is absurd a veteran would have been waiting for 1 year or more to have claims processed, and I am pleased to see the VA is taking action and I am glad the message is being heard. I hope it has success.

Nonetheless, we certainly know that challenges remain, and it is important to me that the VA get to the bottom of this issue and come up with a solution to improve the claims process and eliminate this backlog in a timely manner.

The government is not the only industry that has to process an enormous volume of benefit claims. Large insurance companies process claims successfully every day, so the VA should consult with the private sector and learn from their experiences a way to process claims. The VA does not need to waste more time and money recreating the wheel when solutions may be ever present in the private sector and within the agency among those who service claims.

Until then, Congress should continue to hold the VA accountable as to how they will resolve this problem in a real way, with real results for our veterans.

We must never forget that our country has a responsibility to its veterans. The brave men and women who have put their lives on the line to defend our country deserve our respect and that means receiving the benefits they have earned in a timely manner.

Especially at a time when more and more troops are transitioning out of the military, and the needs of aging veterans are increasing, I am committed to keeping our promise to those who have served our country.

REMEMBERING DON CONCANNON

Mr. MORAN. Mr. President, I also wish to speak this evening about a Kansan who recently died and pay tribute to his life. My tribute this evening is to Don Concannon. Don Concannon of Hugoton, KS, is an example of a life I admire and respect so much. He exemplifies so much the folks from my home State of Kansas. It is a tribute to the folks at home who get so involved in their local communities. They volunteer at school. They serve on their church board. They get involved in public service. Kansans are always looking for ways to improve the lives of those around them, their friends and neighbors and people they do not even know.

One of those Kansans is our former Republican Party State chairman, Don Concannon. We have lost a great man, a strong advocate and a dedicated public servant when Don recently passed away.

Don grew up on a farm in southwest Kansas and graduated from Garden City High School in 1945. Early on in life, Don began serving our country when he joined the U.S. Navy and fought in the South Pacific during WWII.

After the war, Don graduated from Washburn Law School in 1952 and moved to Hugoton to practice law. It didn't take long for him to get involved in his new community because one month after his arrival, Don was elected Stevens County Attorney and went on to serve the county for four years in that role.

That same year, Don married Patricia June Davis and spent the next 49 years by her side before her passing in 2001. Don later re-married his wife of the past ten years, Sharon Collins.

As a young man, Don became interested in politics and at the age of 32, Don was elected Chairman of the Kansas Young Republican Federation. The following year, Don served as Chairman of the Kansas Presidential Electors for the presidential election between John F. Kennedy and Richard Nixon. Then, from 1968–1970, Don served as the Chair of the Kansas Republican Party. His zeal for politics never faded and kept him involved for many years—chairing committees in support of his favorite candidates. He even put his name on the ballot one year for Governor but fell short by just 530 votes in the primary.

As a long-time Kansas resident, Don was well known and respected by many throughout our state, but especially in Southwest Kansas.

Don was a strong advocate for rural Kansas and the special way of life we enjoy in small communities across our great State. Through his service on several committees focused on the future of rural Kansas, Don helped make certain the next generation can return to the towns and communities they call home.

From his participation in Kansas politics to his public service career, Don was always looking for ways to serve his fellow Kansans and improve their lives. In recognition of that service, Don was awarded a lifetime achievement award by Washburn Law School in 2010.

His family and friends described him as someone whose generosity, enthusiasm, and overall optimism towards life touched the lives of so many. It has been said that Don had the character of "one in a million," and that he did not "just participate in life, but made life happen." Don had the unique ability to connect with just about anyone, but he was especially revered by his family and friends who looked up to him in many ways. Don lived each day to its fullest and his commitment to his fellow man serves as an inspiration to us all.

I extend my heartfelt sympathies to his wife, Sharon, his son, Craig, his

daughter, Debra, and his many grandchildren. I know they loved him dearly and will undoubtedly miss him. I ask my colleagues and all Kansans to remember the Concannon family in your thoughts and prayers in the days ahead. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

MORNING BUSINESS

Mr. WYDEN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING PROFESSOR MUHAMMAD YUNUS

Mr. DURBIN. Mr. President, last week Congress recognized one of the planet's leading visionaries and humanitarians by awarding Prof. Muhammad Yunus the Congressional Gold Medal.

The ceremony occurred just a few hundred yards from here in the august Capitol Rotunda. There to pay tribute to this proud son of Bangladesh, this banker to the poor, this Nobel laureate were Members of Congress, former heads of state, diplomats, heads of major companies and foundations, and grassroots activists—all of whom have been inspired by the work of one great man—Prof. Muhammad Yunus. It was a great privilege for me to be there.

More than 6 years ago I introduced a resolution in the Senate to award Professor Yunus the Congressional Gold Medal. I was joined in this effort by my friends, former Utah Senator Robert Bennett and Representative RUSH HOLT in the House.

We had a lot of help outside of Congress in making this happen. Joanne Carter and her team at RESULTS were instrumental. Thousands of RESULTS grassroots volunteers across the country contacted their Members of Congress and asked them to support the effort to recognize Professor Yunus. Two of those volunteers were Cindy Levin and Richard Smiley from Illinois. I am pleased that both could be here to see their hard work pay off.

I first met Muhammad Yunus more than two decades ago in Bangladesh. His revolutionary concept of microcredit and the Grameen Bank that he founded was helping to lift millions out of poverty. He loaned small amounts of money traditional banks wouldn't bother with to individuals traditional banks wouldn't bother with.

His innovative idea defied old beliefs. He proved banking could be done without collateral and that investing in women worked. Most of Grameen Bank's loans go to poor women who go from beggars to entrepreneurs.

I have seen it myself. Several years ago, in a ramshackle hut in Uganda, I met with three mothers who worked in the local market. I asked them, through an interpreter, how micro-credit had changed their lives. One woman said: "My knees have gone soft." I didn't understand what she meant so I asked her to explain. She said that before she received the micro-credit loan that gave her a chance to go to market and make a little money, she used to have to crawl on her knees and beg her husband for money to feed her children. But she doesn't have to crawl anymore. Her knees have gone soft.

Over the last nearly 40 years, more than 160 million people on five continents have received microloans. His idea changed the world.

The Congressional Gold Medal is the highest civilian honor Congress can bestow and the practice dates back to the Continental Congress. Unlike other awards, each Congressional Gold Medal is unique to the recipient. It is specifically designed and sculpted according to the wishes of the recipient. I couldn't be more thrilled with how this tribute to Professor Yunus turned out. It is truly beautiful.

The obverse of the medal was designed by Indiana artist Donna Weaver and sculpted by Phebe Hemphill. The portrait of Professor Yunus is meant to "accurately reflect his optimistic and cheerful personality." He is depicted wearing the traditional Bengali jamdani fabric design.

On the reverse, a "lotus open in full bloom, rising above the water and cradling the world in its open petals" evokes powerful symbolism. It was designed by Wisconsin artist Richard Masters and sculpted by Jim Licaretz. The Bangla inscription in the center is a quote taken from Professor Yunus' Nobel speech and reads, "Let us send poverty to the museum."

Beyond the typical pomp and circumstance of these ceremonies, last week's event truly made history. Professor Yunus becomes the first Muslim to win the Congressional Gold Medal. Additionally, he becomes only the seventh person in history to receive the Presidential Medal of Freedom and the Congressional Gold Medal and the Nobel Peace Prize. In doing so, he joins truly exceptional company. Consider the six others with whom he now shares this honor: Nelson Mandela, Martin Luther King, Jr., Norman Borlaug, Elie Wiesel, Mother Teresa, and Aung San Suu Kyi. To most of us these individuals are giants of history; to Professor Yunus they are peers in the struggle to advance human dignity.

Many probably thought Professor Yunus would be a contender for the Nobel Prize in Economics, but in awarding him the Peace Prize, the Nobel Committee recognized that lasting peace and prosperity can only come

when the poor can escape the prison of poverty. As I noted at last week's ceremony, this simple but important lesson from a Bangladeshi professor should not be lost here in Congress.

In addition to those I have already mentioned who contributed to this endeavor, there are many more who deserve a great deal of thanks. I would like to thank a few of them.

First of all, Professor Yunus' assistant and the director of the Yunus Centre, Lamiya Morshed. She has worked tirelessly throughout this process—helping in the medal design and development and successfully taking on the daunting task of planning and coordinating a complex series of ceremonies, receptions, and meetings for Professor Yunus.

The dedicated and professional staff of the U.S. Mint deserve great praise for their work to design and produce the medal. Throughout the process one person has held this project especially close to her heart. Leslie Schwager, program specialist for the Yunus Gold Medal, worked tirelessly with my staff, Lamiya, and within the Mint to keep the process on track.

I would finally like to thank Speaker BOEHNER and his staff, as well as the staff of the Senate Sergeant at Arms, for their cooperation and leadership on the ceremony.

At last, Prof. Muhammad Yunus, my friend, has received from Congress an honor he has deserved for so long. I congratulate him and his family. I thank the country of Bangladesh for sharing this beloved national hero with the world.

EXECUTIVE CALENDAR OBJECTION

Mrs. McCASKILL. Mr. President, at this time, I am objecting to the Senate proceeding to the consideration of the nomination of Lt Gen. Susan Helms, USAF, Calendar No. 70 in order to provide additional time for myself and other Senators to gather additional information regarding Lieutenant General Helms' record of service, particularly her actions serving as a convening authority for military courts martial.

TRIBUTE TO ANN LORDEMAN

Mr. ROCKEFELLER. Mr. President, I would like to recognize the distinguished career of Ann Lordeman, who is retiring after 22 years of service at the Congressional Research Service, CRS. In her time at CRS, Ann has been lead analyst on employment and training programs, national and community service programs, and programs serving students with disabilities such as the Individuals with Disabilities Education Act, IDEA. Her work has contributed in important ways to numerous Federal policies in these areas and benefited many American families, workers, and schoolchildren.

Ann was deeply involved in deliberations leading to the passage of the Workforce Investment Act, WIA, of 1998 and in deliberations leading to the reauthorization of the National and Community Service Act, NCSA, of 1990 and the Domestic Volunteer Service Act, DVSA, of 1973. In recent years, she has focused heavily on issues related to the financing, implementation, and administration of IDEA. In all of these policy areas, Ann has provided technical expertise and critical legislative support to congressional committees, Members, and their staffs.

Throughout her career Ann has embraced standards of authoritativeness, objectivity, and confidentiality, which are essential to the success of CRS analysts. She is a trusted resource who has supported the development and refinement of legislative proposals through data analysis, strong understanding of the policy areas she works in, and the anticipation of potential consequences associated with policy options. Ann has also always exhibited a strong service-orientation; while working on national issues, Ann is never too busy to support congressional offices trying to resolve problems for families seeking appropriate educational services and accommodations for their children or to identify resources available for communities to help dislocated workers. She has helped the citizens of West Virginia in this manner with great regularity over her years of service.

Within CRS, Ann is renowned for her generosity and strong inclination to mentor and support the growth of new analysts and to work collaboratively with colleagues for the benefit of her congressional clients. Her many career achievements warrant recognition, and it is my great pleasure to commend her on her 22 years of outstanding public service at CRS.

ADDITIONAL STATEMENTS

TRIBUTE TO DEAN E. GALLES

• Mr. TESTER. Mr. President, today I wish to honor Dean E. Galles, a decorated U.S. Army combat veteran of World War II. Dean, on behalf of all Montanans and all Americans, I stand to say "thank you" for your service to this Nation.

It is my honor to share the remarkable story of Dean's service in World War II.

Dean was born November 9, 1919 in Broadview, MT, a small prairie town on a rail spur.

As a boy, Dean's family moved to Billings where his father continued in business. Dean looked up to his father as a role model throughout his life. In 1937, Dean graduated from high school in Billings and enrolled at the University of Montana, where he also participated in the Army Reserve Officer's

Training Corps. Dean graduated in the spring of 1941 and became a commissioned officer in the 7th Infantry Division, U.S. Army.

Lieutenant Galles sailed with his division to attack Japanese forces occupying Attu and Kiska Islands in the Aleutian chain, the westernmost group of Alaskan islands. Upon landing, the American forces were left with the daunting task of removing Japanese troops firmly entrenched on high ground.

At dawn on May 29, 1943, the Japanese commander ordered a desperate, all-out assault on the American forces, which is believed to be the largest banzai charge in World War II's Pacific theater of operation. In spite of the extreme cold weather and high casualties, American forces prevailed. Sometime during the battle, Dean was bayoneted twice and left for dead. In spite of his wounds, Lieutenant Galles struggled two miles to alert other Americans.

On April 7, 1945, then-Captain Galles led an American assault on a Japanese force entrenched on the island of Okinawa. With complete disregard for personal hazards, he moved across open, fire-swept terrain and directed the successful attack. During the confrontation, Captain Galles was wounded a third time and received the Silver Star medal for heroism. Dean is still impacted today due to the Japanese bullet in his chest from wounds received on Okinawa.

Following the third injury, Dean returned to Billings where his wife lived, and he began a successful business. After retirement, Dean has been active in veterans' and civic organizations, where he continues to be a source of inspiration, courage, and patriotism. A fellow veteran recently asked Dean what would he say to Americans yet unborn? In a now frail, but resolute, voice, Mr. Galles replied, "America is worth fighting for; I hope they keep on fighting."

Seventy years would pass before the Army would award Dean the Bronze Star medal for Valor for his actions on Attu Island.

Mr. President, on behalf of a grateful Nation, I commend Mr. Galles and his service to America.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting three treaties which were referred to the Committee on Foreign Relations.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 624. An act to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes.

The message also announced that pursuant to section 3 of the Protect Our Kids Act of 2012 (Public Law 112-275), and the order of the House of January 3, 2013, the Speaker appoints the following individuals on the part of the House of Representatives to the Commission to Eliminate Child Abuse and Neglect Fatalities: Ms. Susan Dreyfus of Milwaukee, Wisconsin, and Ms. Cassie Statuto Bevan of Derwood, Maryland.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 624. An act to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; to the Select Committee on Intelligence.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Health, Education, Labor and Pensions, and referred as indicated:

S. 437. A bill to authorize the Department of Housing and Urban Development to transform neighborhoods of extreme poverty into sustainable, mixed-income neighborhoods with access to economic opportunities, by revitalizing severely distressed housing, and investing and leveraging investments in well-functioning services, education opportunities, public assets, public transportation, and improved access to jobs; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1229. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Decorah, IA" ((RIN2120-AA66) (Docket No. FAA-2011-1433)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1230. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; West Union, IA" ((RIN2120-AA66) (Docket No. FAA-2011-1434)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1231. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Middletown, OH" ((RIN2120-AA66) (Docket No. FAA-2012-0651)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1232. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Superior, WI" ((RIN2120-AA66) (Docket No. FAA-2012-0656)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1233. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Round Mountain, TX" ((RIN2120-AA66) (Docket No. FAA-2012-0771)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1234. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Tecumseh, NE" ((RIN2120-AA66) (Docket No. FAA-2012-1098)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1235. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Beeville, TX" ((RIN2120-AA66) (Docket No. FAA-2012-0821)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1236. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2008-0847)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1237. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0597)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1238. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1288)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1239. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hughes Helicopters, Inc., and McDonnell Douglas Helicopter Systems (Type Certificate is Currently Held by MD Helicopters, Inc.) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0890)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1240. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Robinson Helicopter Company Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-1088)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1241. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2005-22523)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1242. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0772)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1243. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-1453)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1244. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1417)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1245. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; REIMS AVIATION S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1346)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1246. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Airworthiness Directives; Embraer S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1077)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1247. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0150)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1248. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airway V-233, Springfield, IL" ((RIN2120-AA66) (Docket No. FAA-2013-0179)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1249. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of VOR Federal Airways V-68, V-76, V-194, and V-548 in the Vicinity of Houston, TX" ((RIN2120-AA66) (Docket No. FAA-2013-0231)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1250. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (52); Amdt. No. 3526" ((RIN2120-AA65) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1251. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (87); Amdt. No. 3527" ((RIN2120-AA65) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1252. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron, Inc." ((RIN2120-AA64) (Docket No. FAA-2012-1016)) received in the Office of the President of the Senate on April 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1253. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS Aircraft LTD. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2008-0070)) received in the Office of the President of the Senate on April 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1254. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Commercial Driver's License Testing and Commercial Learner's Permit Standard" ((RIN2120-

AB59) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1255. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Systems for Telephonic Notification of Unsafe Conditions at Highway-Rail and Pathway Grade Crossings" ((RIN2130-AC38) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1256. A communication from the Deputy Assistant Chief Counsel for Safety, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Vehicle/Track Interaction Safety Standards; High-Speed and High Cant Deficiency Operations" ((RIN2130-AC09) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1257. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Export Administration Regulations: List of Items Classified Under Control Classification OY521 Series—Biosensor Systems" ((RIN0694-AF73) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1258. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services: Jackson, Wyoming to Wilmington, Delaware" (MB Docket No. 13-73) received in the Office of the President of the Senate on April 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1259. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; A National Broadband Plan for Our Future" (DA 13-332) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1260. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund, High-Cost Universal Service Report" ((RIN3060-AJ90) (DA 13-252)) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1261. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Lake Champlain, Swanton, VT" ((RIN1625-AA09) (Docket No. USCG-2012-0918)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1262. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Elizabeth River, Eastern Branch, Norfolk, VA"

((RIN1625-AA09) (Docket No. USCG-2012-0357)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1263. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Green River, Small-house, KY and Black River, Jonesboro, LA" ((RIN1625-AA09) (Docket No. USCG-2013-0041)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1264. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Pelican Island Causeway, Galveston, Channel, TX" ((RIN1625-AA09) (Docket No. USCG-2013-0063)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1265. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Sabine River, near Ruliff, LA" ((RIN1625-AA09) (Docket No. USCG-2012-1065)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1266. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; New Haven Harbor, Quinnipiac and Mill Rivers, CT" ((RIN1625-AA09) (Docket No. USCG-2009-1021)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1267. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; 2013 Lauderdale Air Show, Atlantic Ocean; Fort Lauderdale, FL" ((RIN1625-AA08) (Docket No. USCG-2012-1073)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1268. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; New River Raft Race, New River; Fort Lauderdale, FL" ((RIN1625-AA08) (Docket No. USCG-2013-0047)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1269. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; 2013 International Rolex Regatta; St. Thomas Harbor; St. Thomas, U.S. Virgin Islands" ((RIN1625-AA08) (Docket No. USCG-2012-1079)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1270. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Spe-

cial Local Regulations; Patriot Challenge Kayak Race, Ashley River; Charleston, SC" ((RIN1625-AA08) (Docket No. USCG-2013-0030)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1271. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Charleston Race Week, Charleston Harbor; Charleston, SC" ((RIN1625-AA08) (Docket No. USCG-2013-0081)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1272. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone within the Lower Portion of Anchorage No. 9, Mantua Creek Anchorage; Paulsboro, NJ" ((RIN1625-AA00) (Docket No. USCG-2012-1092)) received in the Office of the President of the Senate on April 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1273. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Change to Enforcement Period, Patapsco River, Northwest and Inner Harbors; Baltimore, MD" ((RIN1625-AA00) (Docket No. USCG-2012-1075)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1274. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; MODU KULLUK; Kiliuda Bay, Kodiak Island, AK to Captains Bay, Unalaska Island, AK" ((RIN1625-AA00) (Docket No. USCG-2013-0091)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1275. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Desert Storm Shootout; Lake Havasu, Lake Havasu City, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0005)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1276. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; BWRC Southwest Showdown 2, Parker, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0058)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1277. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 2013 Naval Air Station Key West Air Spectacular, Boca Chica Channel; Boca Chica, FL" ((RIN1625-AA00) (Docket No. USCG-2013-0077)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1278. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Havasu Triathlon; Lake Havasu City, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0023)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1279. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; M/V XIANG YUN KOU and MODU NOBLE DISCOVERER; Resurrection Bay, Seward, AK" ((RIN1625-AA00) (Docket No. USCG-2013-0128)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1280. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; St. Patrick's Day Fireworks; Manitowoc River, Manitowoc, WI" ((RIN1625-AA00) (Docket No. USCG-2013-0116)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1281. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lubbers Cup Regatta; Spring Lake, MI" ((RIN1625-AA00) (Docket No. USCG-2013-0210)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1282. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Blue Water Resort and Casino Spring Classic, Parker, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0074)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1283. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone" ((RIN1625-AA00) (Docket No. USCG-2013-0020)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1284. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Seafair Blue Angels Air Show Performance, Seattle, WA" ((RIN1625-AA00) (Docket No. USCG-2012-0903)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1285. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Spanish Navy School Ship San Sebastian El Cano Escort; Bahia de San Juan; San Juan, PR" ((RIN1625-AA00) (Docket No. USCG-2013-0166)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1286. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage; Lower Mississippi River, Above Head of Passes, Convent, LA and Point Pleasant, LA" ((RIN1625-AA08) (Docket No. USCG-2012-0103)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1287. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Great Lakes Pilotage Rates—2013 Annual Review and Adjustment" ((RIN1625-AB89) (Docket No. USCG-2012-0409)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1288. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Implementation of MARPOL Annex V Amendments" ((RIN1625-AB97) (Docket No. USCG-2012-1049)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1289. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Marine Vapor Control Systems" ((RIN1625-AB37) (Docket No. USCG-1999-5150)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 601. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes (Rept. No. 113-13).

By Mr. WYDEN, from the Committee on Energy and Natural Resources, without amendment:

S. 23. A bill to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes (Rept. No. 113-14).

S. 25. A bill to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes (Rept. No. 113-15).

S. 26. A bill to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project (Rept. No. 113-16).

S. 112. A bill to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes (Rept. No. 113-17).

S. 130. A bill to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming (Rept. No. 113-18).

S. 157. A bill to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes (Rept. No. 113-19).

S. 222. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs (Rept. No. 113-20).

S. 230. A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes (Rept. No. 113-21).

S. 244. A bill to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project (Rept. No. 113-22).

By Mr. WYDEN, from the Committee on Energy and Natural Resources, with an amendment:

S. 247. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes (Rept. No. 113-23).

By Mr. WYDEN, from the Committee on Energy and Natural Resources, without amendment:

S. 276. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir (Rept. No. 113-24).

S. 304. A bill to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes (Rept. No. 113-25).

By Mr. WYDEN, from the Committee on Energy and Natural Resources, with an amendment:

S. 311. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes (Rept. No. 113-26).

S. 347. A bill to establish the First State National Historical Park in the State of Delaware, and for other purposes (Rept. No. 113-27).

By Mr. WYDEN, from the Committee on Energy and Natural Resources, without amendment:

S. 352. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes (Rept. No. 113-28).

S. 354. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes (Rept. No. 113-29).

S. 383. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System (Rept. No. 113-30).

S. 393. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System (Rept. No. 113-31).

S. 459. A bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes (Rept. No. 113-32).

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship:

Special Report entitled "Summary of Legislative and Oversight Activities During the 112th Congress" (Rept. No. 113-33).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BEGICH (for himself and Mrs. FISCHER):

S. 774. A bill to require the Comptroller General of the United States to submit a report to Congress on the effectiveness of the Federal Communications Commission's universal service reforms; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself and Mr. JOHANNES):

S. 775. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Finance.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 776. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself, Mr. MENENDEZ, Mr. BROWN, and Mr. LAUTENBERG):

S. Res. 104. A resolution supporting the goals and ideals of National Youth HIV & AIDS Awareness Day; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. Con. Res. 14. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014 and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023; to the Committee on the Budget.

ADDITIONAL COSPONSORS

S. 19

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 19, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 162

At the request of Mr. FRANKEN, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 170

At the request of Ms. MURKOWSKI, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 296

At the request of Mr. LEAHY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 337

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 337, a bill to provide an incentive for businesses to bring jobs back to America.

S. 425

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 425, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 445

At the request of Mr. FRANKEN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 445, a bill to improve security at State and local courthouses.

S. 573

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 573, a bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

S. 619

At the request of Mr. LEAHY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 619, a bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

S. 632

At the request of Mr. MCCAIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 632, a bill to amend the Food, Conservation, and Energy Act of 2008 to repeal a duplicative program relating to inspection and grading of catfish.

S. 664

At the request of Mrs. SHAHEEN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 664, a bill to require reports by Federal Government entities regarding responses to Inspector General recommendations on potential cost-saving measures or on reimbursement for poor contractor performance, cost overruns, or other reasons, and for other purposes.

S. 674

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 675

At the request of Ms. AYOTTE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 675, a bill to prohibit contracting with the enemy.

S. 707

At the request of Mr. REED, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 707, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 709

At the request of Ms. STABENOW, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 710

At the request of Mr. WARNER, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 710, a bill to provide exemptions from municipal advisor registration requirements.

S. 733

At the request of Mr. ALEXANDER, the name of the Senator from Vermont

(Mr. SANDERS) was added as a cosponsor of S. 733, a bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

S. 734

At the request of Mr. NELSON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 104—SUPPORTING THE GOALS AND IDEALS OF NATIONAL YOUTH HIV & AIDS AWARENESS DAY

Mr. BLUMENTHAL (for himself, Mr. MENENDEZ, Mr. BROWN, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 104

Whereas, more than 30 years into the epidemic, the Centers for Disease Control and Prevention estimates that in the United States more than 1,100,000 people are living with HIV, and every year approximately 50,000 people acquire HIV;

Whereas 1 in 4 new HIV infections occurs among young people between the ages of 13 and 24, accounting for approximately 1,000 new cases every month;

Whereas 60 percent of HIV positive youth do not know that they carry the HIV virus; Whereas there are approximately 76,400 young people living with HIV;

Whereas African-American youth bear a disproportionate burden of the epidemic, representing 60 percent of new infections in young people;

Whereas new HIV infections among 13 to 29 year old African-American men who have sex with men increased 48 percent from 2006 to 2009;

Whereas the Division of Adolescent and School Health is the only Federal program supporting HIV prevention for adolescents in schools;

Whereas the largest Federal program dedicated to providing care and treatment for people living with HIV was named after Ryan White, a teenager from Indiana who helped educate the people of the United States about HIV and AIDS in the 1980s;

Whereas the Ryan White Part D Program is one of the national efforts to link HIV positive youth to medical care and support services;

Whereas the Patient Protection and Affordable Care Act (42 U.S.C. 18001 et seq.) includes many provisions that benefit young people and help achieve the goal of an AIDS-free generation, including funding for sex education to help ensure that every young person in the United States is educated about HIV/AIDS, a prohibition against denying people living with HIV access to health care, HIV testing for women without a co-pay, and expanded access to Medicaid which will help more HIV-positive youth receive care; and

Whereas April 10 of each year is now recognized as National Youth HIV & AIDS Awareness Day; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Youth HIV & AIDS Awareness Day;

(2) encourages State and local governments, including public health agencies, education agencies, schools, and media organizations to recognize and support such a day;

(3) promotes effective and comprehensive HIV prevention education programs both in and out of schools as a tool to ensure that all people in the United States are educated about HIV, as called for in the National HIV/AIDS Strategy;

(4) urges youth-friendly and accessible health care services to better provide for the early identification of HIV through voluntary routine testing, and to connect those in need to clinically and culturally appropriate care and treatment as early as possible;

(5) commends the work of AIDS service organizations, community and faith-based organizations, and school-based health centers that are providing youth-friendly and effective prevention, treatment, care, and support services to young people living with and vulnerable to HIV/AIDS;

(6) recognizes the importance of interventions that address structural barriers faced by young people to living healthy lives, including accessible health care, safe and inclusive schools and communities, family acceptance, secure housing, excellent education, employment and legal protections, and poverty reduction initiatives; and

(7) prioritizes youth leadership and development in order to ensure the involvement of youths in decisions that impact their health and well-being and to provide the next generation of HIV/AIDS doctors, advocates, educators, researchers, and other professionals, as a necessary means to achieving an AIDS-free generation.

SENATE CONCURRENT RESOLUTION 14—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2014 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2015 THROUGH 2023

Mr. PAUL submitted the following concurrent resolution; which was referred to the Committee on the Budget:

S. CON. RES. 14

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.

(a) **DECLARATION.**—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2014 and that this resolution sets forth the appropriate

budgetary levels for fiscal years 2014 through 2023.

(b) **TABLE OF CONTENTS.**—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

Sec. 103. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.

Sec. 202. Deficit-reduction reserve fund for selling excess Federal lands.

Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.

Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.

Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 301. Discretionary spending limits for fiscal years 2014 through 2023, program integrity initiatives, and other adjustments.

Sec. 302. Point of order against advance appropriations.

Sec. 303. Emergency legislation.

Sec. 304. Point of order against any Budget Resolution that fails to achieve balance.

Subtitle B—Other Provisions

Sec. 311. Oversight of Government performance.

Sec. 312. Application and effect of changes in allocations and aggregates.

Sec. 313. Adjustments to reflect changes in concepts and definitions.

Sec. 314. Rescind unspent or unobligated balances after 36 months.

TITLE IV—RECONCILIATION

Sec. 401. Reconciliation in the Senate.

TITLE V—CONGRESSIONAL POLICY CHANGES

Sec. 501. Policy statement on Social Security.

Sec. 502. Policy statement on Medicare.

Sec. 503. Policy statement on tax reform.

TITLE VI—SENSE OF CONGRESS

Sec. 601. Regulatory reform.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2014 through 2023:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2014: \$1,724,000,000,000.

Fiscal year 2015: \$2,034,000,000,000.

Fiscal year 2016: \$2,318,000,000,000.

Fiscal year 2017: \$2,468,000,000,000.

Fiscal year 2018: \$2,734,000,000,000.

Fiscal year 2019: \$3,039,000,000,000.

Fiscal year 2020: \$3,323,000,000,000.

Fiscal year 2021: \$3,501,000,000,000.

Fiscal year 2022: \$3,671,000,000,000.

Fiscal year 2023: \$3,817,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2014: \$–547,000,000,000.

Fiscal year 2015: \$–573,000,000,000.

Fiscal year 2016: \$–461,000,000,000.

Fiscal year 2017: \$–436,000,000,000.

Fiscal year 2018: \$–295,000,000,000.

Fiscal year 2019: \$–110,000,000,000.

Fiscal year 2020: \$38,000,000,000.

Fiscal year 2021: \$44,000,000,000.

Fiscal year 2022: \$20,000,000,000.

Fiscal year 2023: \$–15,000,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2014: \$2,509,976,000,000.

Fiscal year 2015: \$2,461,876,000,000.

Fiscal year 2016: \$2,541,467,000,000.

Fiscal year 2017: \$2,649,189,000,000.

Fiscal year 2018: \$2,763,981,000,000.

Fiscal year 2019: \$2,876,015,000,000.

Fiscal year 2020: \$2,980,877,000,000.

Fiscal year 2021: \$3,062,110,000,000.

Fiscal year 2022: \$3,220,296,000,000.

Fiscal year 2023: \$3,287,823,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2014: \$2,497,689,000,000.

Fiscal year 2015: \$2,445,543,000,000.

Fiscal year 2016: \$2,512,417,000,000.

Fiscal year 2017: \$2,607,682,000,000.

Fiscal year 2018: \$2,705,913,000,000.

Fiscal year 2019: \$2,822,123,000,000.

Fiscal year 2020: \$2,914,907,000,000.

Fiscal year 2021: \$3,011,989,000,000.

Fiscal year 2022: \$3,169,595,000,000.

Fiscal year 2023: \$3,232,819,000,000.

(4) **DEFICITS.**—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2014: \$–765,000,000,000.

Fiscal year 2015: \$–411,000,000,000.

Fiscal year 2016: \$–193,000,000,000.

Fiscal year 2017: \$–140,000,000,000.

Fiscal year 2018: \$23,000,000,000.

Fiscal year 2019: \$201,000,000,000.

Fiscal year 2020: \$390,000,000,000.

Fiscal year 2021: \$467,000,000,000.

Fiscal year 2022: \$478,000,000,000.

Fiscal year 2023: \$560,000,000,000.

(5) **PUBLIC DEBT.**—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2014: \$13,073,000,000,000.

Fiscal year 2015: \$13,576,000,000,000.

Fiscal year 2016: \$13,862,000,000,000.

Fiscal year 2017: \$14,095,000,000,000.

Fiscal year 2018: \$14,156,000,000,000.

Fiscal year 2019: \$14,049,000,000,000.

Fiscal year 2020: \$13,772,000,000,000.

Fiscal year 2021: \$13,437,000,000,000.

Fiscal year 2022: \$13,119,000,000,000.

Fiscal year 2023: \$12,740,000,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

Fiscal year 2014: \$13,073,000,000,000.

Fiscal year 2015: \$13,576,000,000,000.

Fiscal year 2016: \$13,862,000,000,000.

Fiscal year 2017: \$14,095,000,000,000.

Fiscal year 2018: \$14,156,000,000,000.

Fiscal year 2019: \$14,049,000,000,000.

Fiscal year 2020: \$13,772,000,000,000.

Fiscal year 2021: \$13,437,000,000,000.

Fiscal year 2022: \$13,119,000,000,000.

Fiscal year 2023: \$12,740,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) **SOCIAL SECURITY REVENUES.**—For purposes of Senate enforcement under sections

302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2014: \$732,000,000,000.
 Fiscal year 2015: \$766,000,000,000.
 Fiscal year 2016: \$812,000,000,000.
 Fiscal year 2017: \$862,000,000,000.
 Fiscal year 2018: \$908,000,000,000.
 Fiscal year 2019: \$952,000,000,000.
 Fiscal year 2020: \$995,000,000,000.
 Fiscal year 2021: \$1,039,000,000,000.
 Fiscal year 2022: \$1,084,000,000,000.
 Fiscal year 2023: \$1,129,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2014: \$634,822,000,000.
 Fiscal year 2015: \$711,355,000,000.
 Fiscal year 2016: \$756,949,000,000.
 Fiscal year 2017: \$805,969,000,000.
 Fiscal year 2018: \$856,933,000,000.
 Fiscal year 2019: \$907,679,000,000.
 Fiscal year 2020: \$962,040,000,000.
 Fiscal year 2021: \$1,022,374,000,000.
 Fiscal year 2022: \$1,086,431,000,000.
 Fiscal year 2023: \$1,227,009,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2014:
 (A) New budget authority, \$5,784,000,000.
 (B) Outlays, \$5,803,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$5,968,000,000.
 (B) Outlays, \$5,943,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$6,176,000,000.
 (B) Outlays, \$6,146,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$6,392,000,000.
 (B) Outlays, \$6,360,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$6,619,000,000.
 (B) Outlays, \$6,586,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$6,846,000,000.
 (B) Outlays, \$6,812,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$7,073,000,000.
 (B) Outlays, \$7,039,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$7,304,000,000.
 (B) Outlays, \$7,269,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$7,544,000,000.
 (B) Outlays, \$7,508,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$7,792,000,000.
 (B) Outlays, \$7,754,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) National Defense (050):
 Fiscal year 2014:
 (A) New budget authority, \$529,191,000,000.
 (B) Outlays, \$534,962,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$530,037,000,000.
 (B) Outlays, \$523,364,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$541,611,000,000.
 (B) Outlays, \$536,268,000,000.

Fiscal year 2017:

(A) New budget authority, \$555,333,000,000.
 (B) Outlays, \$542,638,000,000.

Fiscal year 2018:

(A) New budget authority, \$568,160,000,000.
 (B) Outlays, \$548,903,000,000.

Fiscal year 2019:

(A) New budget authority, \$582,025,000,000.
 (B) Outlays, \$567,622,000,000.

Fiscal year 2020:

(A) New budget authority, \$596,924,000,000.
 (B) Outlays, \$581,825,000,000.

Fiscal year 2021:

(A) New budget authority, \$611,794,000,000.
 (B) Outlays, \$596,323,000,000.

Fiscal year 2022:

(A) New budget authority, \$628,145,000,000.
 (B) Outlays, \$617,785,000,000.

Fiscal year 2023:

(A) New budget authority, \$644,858,000,000.
 (B) Outlays, \$628,204,000,000.

(2) International Affairs (150):

Fiscal year 2014:

(A) New budget authority, \$22,801,000,000.
 (B) Outlays, \$25,438,000,000.

Fiscal year 2015:

(A) New budget authority, \$21,349,000,000.
 (B) Outlays, \$21,798,000,000.

Fiscal year 2016:

(A) New budget authority, \$21,818,000,000.
 (B) Outlays, \$18,563,000,000.

Fiscal year 2017:

(A) New budget authority, \$22,288,000,000.
 (B) Outlays, \$18,467,000,000.

Fiscal year 2018:

(A) New budget authority, \$22,728,000,000.
 (B) Outlays, \$18,599,000,000.

Fiscal year 2019:

(A) New budget authority, \$23,207,000,000.
 (B) Outlays, \$18,997,000,000.

Fiscal year 2020:

(A) New budget authority, \$23,691,000,000.
 (B) Outlays, \$19,377,000,000.

Fiscal year 2021:

(A) New budget authority, \$23,695,000,000.
 (B) Outlays, \$19,744,000,000.

Fiscal year 2022:

(A) New budget authority, \$24,446,000,000.
 (B) Outlays, \$20,420,000,000.

Fiscal year 2023:

(A) New budget authority, \$24,930,000,000.
 (B) Outlays, \$20,794,000,000.

(3) General Science, Space, and Technology

(250):

Fiscal year 2014:

(A) New budget authority, \$20,821,000,000.
 (B) Outlays, \$19,396,000,000.

Fiscal year 2015:

(A) New budget authority, \$21,215,000,000.
 (B) Outlays, \$20,168,000,000.

Fiscal year 2016:

(A) New budget authority, \$21,616,000,000.
 (B) Outlays, \$19,687,000,000.

Fiscal year 2017:

(A) New budget authority, \$22,025,000,000.
 (B) Outlays, \$20,059,000,000.

Fiscal year 2018:

(A) New budget authority, \$22,441,000,000.
 (B) Outlays, \$20,439,000,000.

Fiscal year 2019:

(A) New budget authority, \$22,866,000,000.
 (B) Outlays, \$20,825,000,000.

Fiscal year 2020:

(A) New budget authority, \$23,298,000,000.
 (B) Outlays, \$21,219,000,000.

Fiscal year 2021:

(A) New budget authority, \$23,739,000,000.
 (B) Outlays, \$21,620,000,000.

Fiscal year 2022:

(A) New budget authority, \$24,188,000,000.
 (B) Outlays, \$22,029,000,000.

Fiscal year 2023:

(A) New budget authority, \$24,646,000,000.
 (B) Outlays, \$22,446,000,000.

(4) Energy (270):

Fiscal year 2014:

(A) New budget authority, \$672,000,000.
 (B) Outlays, \$2,237,000,000.

Fiscal year 2015:

(A) New budget authority, \$1,090,000,000.
 (B) Outlays, \$1,981,000,000.

Fiscal year 2016:

(A) New budget authority, \$1,096,000,000.
 (B) Outlays, \$1,491,000,000.

Fiscal year 2017:

(A) New budget authority, \$1,108,000,000.
 (B) Outlays, \$1,396,000,000.

Fiscal year 2018:

(A) New budget authority, \$1,009,000,000.
 (B) Outlays, \$1,137,000,000.

Fiscal year 2019:

(A) New budget authority, \$1,014,000,000.
 (B) Outlays, \$1,137,000,000.

Fiscal year 2020:

(A) New budget authority, \$981,000,000.
 (B) Outlays, \$988,000,000.

Fiscal year 2021:

(A) New budget authority, \$934,000,000.
 (B) Outlays, \$900,000,000.

Fiscal year 2022:

(A) New budget authority, \$957,000,000.
 (B) Outlays, \$866,000,000.

Fiscal year 2023:

(A) New budget authority, \$985,000,000.
 (B) Outlays, \$854,000,000.

(5) Natural Resources and Environment

(300):

Fiscal year 2014:

(A) New budget authority, \$24,903,000,000.
 (B) Outlays, \$24,670,000,000.

Fiscal year 2015:

(A) New budget authority, \$24,319,000,000.
 (B) Outlays, \$23,318,000,000.

Fiscal year 2016:

(A) New budget authority, \$24,717,000,000.
 (B) Outlays, \$22,408,000,000.

Fiscal year 2017:

(A) New budget authority, \$25,379,000,000.
 (B) Outlays, \$23,500,000,000.

Fiscal year 2018:

(A) New budget authority, \$26,274,000,000.
 (B) Outlays, \$24,549,000,000.

Fiscal year 2019:

(A) New budget authority, \$26,220,000,000.
 (B) Outlays, \$22,492,000,000.

Fiscal year 2020:

(A) New budget authority, \$26,972,000,000.
 (B) Outlays, \$25,419,000,000.

Fiscal year 2021:

(A) New budget authority, \$26,706,000,000.
 (B) Outlays, \$25,203,000,000.

Fiscal year 2022:

(A) New budget authority, \$26,953,000,000.
 (B) Outlays, \$25,091,000,000.

Fiscal year 2023:

(A) New budget authority, \$27,478,000,000.
 (B) Outlays, \$25,483,000,000.

(6) Agriculture (350):

Fiscal year 2014:

(A) New budget authority, \$18,637,000,000.
 (B) Outlays, \$16,714,000,000.

Fiscal year 2015:

(A) New budget authority, \$18,657,000,000.
 (B) Outlays, \$18,107,000,000.

Fiscal year 2016:

(A) New budget authority, \$19,241,000,000.
 (B) Outlays, \$18,444,000,000.

Fiscal year 2017:

(A) New budget authority, \$18,794,000,000.
 (B) Outlays, \$17,931,000,000.

Fiscal year 2018:

(A) New budget authority, \$18,786,000,000.
 (B) Outlays, \$17,867,000,000.

Fiscal year 2019:

(A) New budget authority, \$19,074,000,000.
 (B) Outlays, \$18,059,000,000.

Fiscal year 2020:

(A) New budget authority, \$19,258,000,000.

(B) Outlays, \$18,345,000,000.
Fiscal year 2021:
(A) New budget authority, \$19,482,000,000.
(B) Outlays, \$18,589,000,000.
Fiscal year 2022:
(A) New budget authority, \$19,611,000,000.
(B) Outlays, \$18,711,000,000.
Fiscal year 2023:
(A) New budget authority, \$19,841,000,000.
(B) Outlays, \$18,949,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2014:
(A) New budget authority, \$12,266,000,000.
(B) Outlays, \$-3,909,000,000.
Fiscal year 2015:
(A) New budget authority, \$10,088,000,000.
(B) Outlays, \$-4,953,000,000.
Fiscal year 2016:
(A) New budget authority, \$11,455,000,000.
(B) Outlays, \$-3,965,000,000.
Fiscal year 2017:
(A) New budget authority, \$12,112,000,000.
(B) Outlays, \$-5,158,000,000.
Fiscal year 2018:
(A) New budget authority, \$11,634,000,000.
(B) Outlays, \$-5,848,000,000.
Fiscal year 2019:
(A) New budget authority, \$11,335,000,000.
(B) Outlays, \$-11,985,000,000.
Fiscal year 2020:
(A) New budget authority, \$11,421,000,000.
(B) Outlays, \$-10,985,000,000.
Fiscal year 2021:
(A) New budget authority, \$11,381,000,000.
(B) Outlays, \$-5,842,000,000.
Fiscal year 2022:
(A) New budget authority, \$11,320,000,000.
(B) Outlays, \$7,038,000,000.
Fiscal year 2023:
(A) New budget authority, \$11,240,000,000.
(B) Outlays, \$-8,454,000,000.
(8) Transportation (400):
Fiscal year 2014:
(A) New budget authority, \$79,068,000,000.
(B) Outlays, \$78,768,000,000.
Fiscal year 2015:
(A) New budget authority, \$70,126,000,000.
(B) Outlays, \$78,229,000,000.
Fiscal year 2016:
(A) New budget authority, \$70,962,000,000.
(B) Outlays, \$79,661,000,000.
Fiscal year 2017:
(A) New budget authority, \$73,668,000,000.
(B) Outlays, \$82,350,000,000.
Fiscal year 2018:
(A) New budget authority, \$76,223,000,000.
(B) Outlays, \$83,919,000,000.
Fiscal year 2019:
(A) New budget authority, \$76,696,000,000.
(B) Outlays, \$85,779,000,000.
Fiscal year 2020:
(A) New budget authority, \$79,389,000,000.
(B) Outlays, \$88,350,000,000.
Fiscal year 2021:
(A) New budget authority, \$79,703,000,000.
(B) Outlays, \$89,954,000,000.
Fiscal year 2022:
(A) New budget authority, \$80,362,000,000.
(B) Outlays, \$91,378,000,000.
Fiscal year 2023:
(A) New budget authority, \$80,817,000,000.
(B) Outlays, \$92,689,000,000.
(9) Community and Regional Development (450):
Fiscal year 2014:
(A) New budget authority, \$31,742,000,000.
(B) Outlays, \$30,419,000,000.
Fiscal year 2015:
(A) New budget authority, \$13,051,000,000.
(B) Outlays, \$15,893,000,000.
Fiscal year 2016:
(A) New budget authority, \$13,250,000,000.
(B) Outlays, \$12,384,000,000.
Fiscal year 2017:

(A) New budget authority, \$13,455,000,000.
(B) Outlays, \$12,402,000,000.
Fiscal year 2018:
(A) New budget authority, \$13,172,000,000.
(B) Outlays, \$11,989,000,000.
Fiscal year 2019:
(A) New budget authority, \$12,974,000,000.
(B) Outlays, \$11,684,000,000.
Fiscal year 2020:
(A) New budget authority, \$13,220,000,000.
(B) Outlays, \$11,921,000,000.
Fiscal year 2021:
(A) New budget authority, \$13,472,000,000.
(B) Outlays, \$12,465,000,000.
Fiscal year 2022:
(A) New budget authority, \$13,728,000,000.
(B) Outlays, \$12,465,000,000.
Fiscal year 2023:
(A) New budget authority, \$13,988,000,000.
(B) Outlays, \$12,729,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2014:
(A) New budget authority, \$13,565,000,000.
(B) Outlays, \$29,573,000,000.
Fiscal year 2015:
(A) New budget authority, \$21,948,000,000.
(B) Outlays, \$25,559,000,000.
Fiscal year 2016:
(A) New budget authority, \$31,997,000,000.
(B) Outlays, \$27,873,000,000.
Fiscal year 2017:
(A) New budget authority, \$42,511,000,000.
(B) Outlays, \$36,554,000,000.
Fiscal year 2018:
(A) New budget authority, \$46,512,000,000.
(B) Outlays, \$42,471,000,000.
Fiscal year 2019:
(A) New budget authority, \$47,097,000,000.
(B) Outlays, \$44,017,000,000.
Fiscal year 2020:
(A) New budget authority, \$46,859,000,000.
(B) Outlays, \$44,315,000,000.
Fiscal year 2021:
(A) New budget authority, \$47,196,000,000.
(B) Outlays, \$44,419,000,000.
Fiscal year 2022:
(A) New budget authority, \$47,892,000,000.
(B) Outlays, \$44,802,000,000.
Fiscal year 2023:
(A) New budget authority, \$48,645,000,000.
(B) Outlays, \$45,467,000,000.
(11) Health (550):
Fiscal year 2014:
(A) New budget authority, \$344,065,000,000.
(B) Outlays, \$339,669,000,000.
Fiscal year 2015:
(A) New budget authority, \$353,749,000,000.
(B) Outlays, \$350,536,000,000.
Fiscal year 2016:
(A) New budget authority, \$358,733,000,000.
(B) Outlays, \$358,536,000,000.
Fiscal year 2017:
(A) New budget authority, \$371,740,000,000.
(B) Outlays, \$370,334,000,000.
Fiscal year 2018:
(A) New budget authority, \$382,880,000,000.
(B) Outlays, \$379,880,000,000.
Fiscal year 2019:
(A) New budget authority, \$328,851,000,000.
(B) Outlays, \$394,039,000,000.
Fiscal year 2020:
(A) New budget authority, \$414,951,000,000.
(B) Outlays, \$400,863,000,000.
Fiscal year 2021:
(A) New budget authority, \$416,836,000,000.
(B) Outlays, \$412,860,000,000.
Fiscal year 2022:
(A) New budget authority, \$429,666,000,000.
(B) Outlays, \$425,077,000,000.
Fiscal year 2023:
(A) New budget authority, \$442,319,000,000.
(B) Outlays, \$437,732,000,000.
(12) Medicare (570):

Fiscal year 2014:
(A) New budget authority, \$516,044,000,000.
(B) Outlays, \$515,813,000,000.
Fiscal year 2015:
(A) New budget authority, \$7,068,000,000.
(B) Outlays, \$7,012,000,000.
Fiscal year 2016:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2017:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2018:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2019:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2020:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2021:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2022:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2023:
(A) New budget authority, \$0.
(B) Outlays, \$0.
(13) Income Security (600):
Fiscal year 2014:
(A) New budget authority, \$338,810,000,000.
(B) Outlays, \$341,208,000,000.
Fiscal year 2015:
(A) New budget authority, \$336,457,000,000.
(B) Outlays, \$333,329,000,000.
Fiscal year 2016:
(A) New budget authority, \$340,753,000,000.
(B) Outlays, \$337,648,000,000.
Fiscal year 2017:
(A) New budget authority, \$345,718,000,000.
(B) Outlays, \$338,338,000,000.
Fiscal year 2018:
(A) New budget authority, \$354,654,000,000.
(B) Outlays, \$343,599,000,000.
Fiscal year 2019:
(A) New budget authority, \$364,538,000,000.
(B) Outlays, \$358,369,000,000.
Fiscal year 2020:
(A) New budget authority, \$375,679,000,000.
(B) Outlays, \$369,752,000,000.
Fiscal year 2021:
(A) New budget authority, \$387,531,000,000.
(B) Outlays, \$381,668,000,000.
Fiscal year 2022:
(A) New budget authority, \$397,717,000,000.
(B) Outlays, \$396,729,000,000.
Fiscal year 2023:
(A) New budget authority, \$408,616,000,000.
(B) Outlays, \$402,741,000,000.
(14) Social Security (650):
Fiscal year 2014:
(A) New budget authority, \$27,506,000,000.
(B) Outlays, \$27,586,000,000.
Fiscal year 2015:
(A) New budget authority, \$30,322,000,000.
(B) Outlays, \$30,343,000,000.
Fiscal year 2016:
(A) New budget authority, \$33,369,000,000.
(B) Outlays, \$33,444,000,000.
Fiscal year 2017:
(A) New budget authority, \$36,691,000,000.
(B) Outlays, \$36,729,000,000.
Fiscal year 2018:
(A) New budget authority, \$40,005,000,000.
(B) Outlays, \$40,005,000,000.
Fiscal year 2019:
(A) New budget authority, \$43,421,000,000.
(B) Outlays, \$43,421,000,000.
Fiscal year 2020:
(A) New budget authority, \$46,421,000,000.
(B) Outlays, \$46,954,000,000.
Fiscal year 2021:

(A) New budget authority, \$50,474,000,000.
 (B) Outlays, \$50,474,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$54,235,000,000.
 (B) Outlays, \$54,235,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$58,441,000,000.
 (B) Outlays, \$58,441,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2014:
 (A) New budget authority, \$145,079,000,000.
 (B) Outlays, \$144,951,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$149,792,000,000.
 (B) Outlays, \$149,237,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$162,051,000,000.
 (B) Outlays, \$161,425,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$160,947,000,000.
 (B) Outlays, \$160,110,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$159,423,000,000.
 (B) Outlays, \$158,564,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$171,032,000,000.
 (B) Outlays, \$170,143,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$175,674,000,000.
 (B) Outlays, \$174,791,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$179,585,000,000.
 (B) Outlays, \$178,655,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$191,294,000,000.
 (B) Outlays, \$190,344,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$187,945,000,000.
 (B) Outlays, \$186,882,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2014:
 (A) New budget authority, \$49,101,000,000.
 (B) Outlays, \$33,580,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$38,199,000,000.
 (B) Outlays, \$36,926,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$40,527,000,000.
 (B) Outlays, \$39,512,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$39,329,000,000.
 (B) Outlays, \$40,808,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$39,843,000,000.
 (B) Outlays, \$38,047,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$40,538,000,000.
 (B) Outlays, \$37,333,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$41,242,000,000.
 (B) Outlays, \$37,350,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$42,130,000,000.
 (B) Outlays, \$38,094,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$46,816,000,000.
 (B) Outlays, \$42,690,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$48,121,000,000.
 (B) Outlays, \$43,911,000,000.
 (17) General Government (800):
 Fiscal year 2014:
 (A) New budget authority, \$21,623,000,000.
 (B) Outlays, \$22,532,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$22,268,000,000.
 (B) Outlays, \$22,550,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$23,010,000,000.
 (B) Outlays, \$22,631,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$23,661,000,000.
 (B) Outlays, \$23,268,000,000.
 Fiscal year 2018:

(A) New budget authority, \$24,523,000,000.
 (B) Outlays, \$24,065,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$25,408,000,000.
 (B) Outlays, \$24,556,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$26,246,000,000.
 (B) Outlays, \$25,556,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$27,130,000,000.
 (B) Outlays, \$26,478,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$28,043,000,000.
 (B) Outlays, \$27,400,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$28,953,000,000.
 (B) Outlays, \$28,357,000,000.
 (18) Net Interest (900):
 Fiscal year 2014:
 (A) New budget authority, \$350,410,000,000.
 (B) Outlays, \$350,410,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$370,928,000,000.
 (B) Outlays, \$370,928,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$413,618,000,000.
 (B) Outlays, \$413,618,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$492,494,000,000.
 (B) Outlays, \$492,494,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$582,183,000,000.
 (B) Outlays, \$582,183,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$615,018,000,000.
 (B) Outlays, \$615,018,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$642,799,000,000.
 (B) Outlays, \$642,799,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$653,992,000,000.
 (B) Outlays, \$653,992,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$661,671,000,000.
 (B) Outlays, \$661,671,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$664,720,000,000.
 (B) Outlays, \$664,720,000,000.
 (19) Allowances (920):
 Fiscal year 2014:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2016:
 (A) New budget authority, \$-1,792,000,000.
 (B) Outlays, \$-269,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$-3,875,000,000.
 (B) Outlays, \$-1,029,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$-3,737,000,000.
 (B) Outlays, \$-1,977,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$-4,392,000,000.
 (B) Outlays, \$-2,831,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$-3,907,000,000.
 (B) Outlays, \$-3,468,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$-3,735,000,000.
 (B) Outlays, \$-3,866,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$-3,777,000,000.
 (B) Outlays, \$-3,890,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$-3,817,000,000.
 (B) Outlays, \$-3,882,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2014:
 (A) New budget authority, \$-89,452,000,000.
 (B) Outlays, \$-89,452,000,000.
 Fiscal year 2015:

(A) New budget authority, \$-98,914,000,000.
 (B) Outlays, \$-98,914,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$-114,591,000,000.
 (B) Outlays, \$-114,591,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$-131,537,000,000.
 (B) Outlays, \$-131,537,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$-154,180,000,000.
 (B) Outlays, \$-154,180,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$-163,759,000,000.
 (B) Outlays, \$-163,759,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$-168,611,000,000.
 (B) Outlays, \$-168,611,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$-155,297,000,000.
 (B) Outlays, \$-155,297,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$-143,747,000,000.
 (B) Outlays, \$-143,747,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$-151,025,000,000.
 (B) Outlays, \$-151,025,000,000.
 (21) Global War on Terrorism (970):
 Fiscal year 2014:
 (A) New budget authority, \$50,000,000,000.
 (B) Outlays, \$50,000,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$25,000,000,000.
 (B) Outlays, \$25,000,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$-0.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2023:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (22) Congressional Health Insurance for Seniors (990):
 Fiscal year 2014:
 (A) New budget authority, \$3,125,000,000.
 (B) Outlays, \$3,125,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$495,308,000,000.
 (B) Outlays, \$495,406,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$528,308,000,000.
 (B) Outlays, \$528,416,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$527,644,000,000.
 (B) Outlays, \$527,777,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$531,755,000,000.
 (B) Outlays, \$531,921,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$567,710,000,000.

(B) Outlays, \$567,989,000,000.

Fiscal year 2020:

(A) New budget authority, \$588,233,000,000.

(B) Outlays, \$588,479,000,000.

Fiscal year 2021:

(A) New budget authority, \$605,718,000,000.

(B) Outlays, \$606,297,000,000.

Fiscal year 2022:

(A) New budget authority, \$681,132,000,000.

(B) Outlays, \$672,935,000,000.

Fiscal year 2023:

(A) New budget authority, \$706,491,000,000.

(B) Outlays, \$706,150,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LANDS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal lands. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the Federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2014 THROUGH 2023, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2014, \$942,636,000,000 in new budget authority and \$997,677,000,000 in outlays;

(2) for fiscal year 2015, \$899,935,000,000 in new budget authority and \$942,103,000,000 in outlays;

(3) for fiscal year 2016, \$885,842,000,000 in new budget authority and \$910,362,000,000 in outlays;

(4) for fiscal year 2017, \$906,645,000,000 in new budget authority and \$925,457,000,000 in outlays;

(5) for fiscal year 2018, \$929,163,000,000 in new budget authority and \$939,667,000,000 in outlays;

(6) for fiscal year 2019, \$951,179,000,000 in new budget authority and \$966,694,000,000 in outlays;

(7) for fiscal year 2020, \$976,080,000,000 in new budget authority and \$990,498,000,000 in outlays;

(8) for fiscal year 2021, \$999,540,000,000 in new budget authority and \$1,013,879,000,000 in outlays;

(9) for fiscal year 2022, \$1,024,753,000,000 in new budget authority and \$1,044,562,000,000 in outlays; and

(10) for fiscal year 2023, \$1,050,347,000,000 in new budget authority and \$1,064,229,000,000 in outlays; as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports; making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2014, \$50,000,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2015, \$25,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2016, \$0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2017, \$0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2018, \$0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2019, \$0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2020, \$0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2021, \$0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2022, \$0 in new budget authority and the outlays flowing therefrom; and

(x) for fiscal year 2023, \$0 in new budget authority and the outlays flowing therefrom.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term “advance appropriation” means any new

budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) **AUTHORITY TO DESIGNATE.**—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) **EXEMPTION OF EMERGENCY PROVISIONS.**—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) **DESIGNATIONS.**—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) **DEFINITIONS.**—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) **IN GENERAL.**—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) **WAIVER.**—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) **APPEALS.**—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) **DEFINITION OF AN EMERGENCY DESIGNATION.**—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) **FORM OF THE POINT OF ORDER.**—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) **CONFERENCE REPORTS.**—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) **IN GENERAL.**—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) **UNFORESEEN.**—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) **INAPPLICABILITY.**—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. POINT OF ORDER AGAINST ANY BUDGET RESOLUTION THAT FAILS TO ACHIEVE BALANCE.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any budget resolution following the enactment of this resolution that does not achieve balance within 10 fiscal years.

(b) **SUPERMAJORITY WAIVER AND APPEALS IN THE SENATE.—**

(1) **WAIVER.**—This section may be waived or suspended only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) **APPEALS.**—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional con-

sideration identified on the Government Accountability Office's High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) **SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.**—(1) Not later than September 1, 2013, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by \$2,456,000,000 for the period of fiscal years 2014 through 2023.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$3,195,000,000 for the period of fiscal years 2014 through 2023.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND ENERGY.—The Committee on Agriculture, Nutrition, and Energy shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$465,600,000,000 for the period of fiscal years 2014 through 2023.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$1,022,000,000 for the period of fiscal years 2014 through 2023.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$504,000,000,000 for the period of fiscal years 2014 through 2023.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$4,676,000,000,000 for the period of fiscal years 2014 through 2023.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$10,818,000,000 for the period of fiscal years 2014 through 2023.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window. Legislation should be enacted that adopts the following:

(1) The legislation must modify the Primary Insurance Amount formula to gradually reduce benefits on a progressive basis for workers with career-average earnings above the 40th percentile of newly retired workers.

(2) The normal retirement age (NRA) be increased to reflect longevity growth rate.

(3) The legislation should allow for and provide the option of private Social Security retirement accounts.

(4) Implement and allow for certain individuals to completely forego Social Security benefits and contribution.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare. Legislation should be enacted that adopts the following:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2015, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal standards for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new "high-risk pool" for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3 month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax.

(1) TAXES ON INDIVIDUALS.—This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers should be equal to or greater than \$35,000, \$21,690 for head of household, and \$17,500 for single filers. The personal exemption amount is \$6,800. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) TAXES ON BUSINESSES.—This concurrent resolution shall eliminate all tax brackets and have one standard flat tax on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of goods and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) SINGLE SYSTEM.—The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should pro-

vide the ability to fill out a tax return no larger than a postcard.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform.

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies.

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the policy of Congress to vote on the REINS Act, legislation that would require all regulations that impose a burden greater than \$100,000,000 in economic aggregate may not be implemented as law unless Congress gives [their/its] consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It is the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every two years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily required regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, April 23, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled "Successful Primary Care Programs: Creating the Workforce We Need."

For further information regarding this meeting, please contact Sophie Kasimow of the committee staff on (202) 224-2831.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, April 24, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled "The Economic Importance of Financial Literacy Education For Students."

For further information regarding this meeting, please contact Josh Teitelbaum of the committee staff on (202) 228-1455.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, April 25, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Whistleblowers and Job Safety: Are Protections Adequate to Build a Safer Workplace?”

For further information regarding this meeting, please contact Larry Smar of the committee staff on (202) 224-9243.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Thursday, April 25, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to markup the nomination of Thomas E. Perez, to be Secretary of Labor.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 22, 2013, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled “The Border Security, Economic Opportunity, and Immigration Modernization Act, S. 744.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that Anna Henderson, a fellow on my staff, have privileges on the floor during today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

STANDING WITH THE PEOPLE OF
KENYA

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 42, S. Res. 90.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 90) standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts.

There being no objection, the Senate proceeded to consider the resolution

which had been reported from the Committee on Foreign Relations with an amendment and an amendment to the preamble and an amendment to the title, as follows:

(Strike all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

S. RES. 90

Whereas the Governments of the United States and Kenya have long shared a strong bilateral partnership, and Kenya plays a critically important role as a cornerstone of stability in East Africa and as a valued ally of the United States;

Whereas Kenya's disputed 2007 presidential election threatened the country's stability and its democratic trajectory, triggering an explosion of violence that resulted in the deaths of some 1,140 civilians and displaced nearly 600,000, some of whom have still not returned home;

Whereas a mediation effort by former United Nations Secretary-General Kofi Annan and an African Union Panel of Eminent African Personalities, supported by the United States, led to the signing of the National Accord on February 28, 2008, which led to a series of constitutional, electoral, and institutional reforms to address underlying causes of the crisis;

Whereas, as part of that reform process, the citizens of Kenya participated in a national referendum in August 2010, approving a new constitution that mandated significant institutional and structural changes to the government;

Whereas those constitutional changes have led to important reforms in the judicial sector and the electoral system in Kenya that aim to build greater public confidence in government institutions, and which demonstrate meaningful progress;

Whereas Kenya's Independent Commission of Inquiry into the Post-Election Violence (the “Waki Commission”) concluded from its investigation in 2008 that there had been “no serious effort by any government” to punish perpetrators of previous incidents of ethnic and political violence, leading to a culture of impunity that contributed to the crisis that followed the 2007 elections, and, since then, despite laudable judicial reforms, few perpetrators or organizers of that violence have been held accountable for their crimes in Kenyan courts;

Whereas, based on the findings of the Waki Commission, mediator Kofi Annan submitted a list of key suspects to the Office of the Prosecutor of the International Criminal Court (ICC) in 2009, and several have been subsequently charged at the ICC with crimes against humanity;

Whereas the Department of State's 2011 Human Rights Report on Kenya notes, “Widespread impunity at all levels of government continued to be a serious problem. The government took only limited action against security forces suspected of unlawful killings, and impunity in cases of corruption was common. Although the government took action in some cases to prosecute officials who committed abuses, impunity . . . was pervasive”;

Whereas President Barack Obama's Strategy on Sub-Saharan Africa, released in June 2012, states that the United States will not stand by while actors “. . . manipulate the fairness and integrity of democratic processes, and we will stand in steady partnership with those who are committed to the principles of equality, justice and the rule of law”;

Whereas, in a February 2013 message to the people of Kenya, President Obama highlighted the power Kenyan communities have to reject intimidation and violence surrounding the upcoming election, resolve disputes in the courts as opposed to the streets, and “move forward to-

wards prosperity and opportunity that unleashes the extraordinary talents of your people”;

Whereas, five years after Kenya's post-election crisis, the country held its first general elections under the new constitution on March 4, 2013, which were largely peaceful;

Whereas Kenya's presidential candidates and their political parties committed themselves to a peaceful electoral process, and to resolving any resulting disputes through the judicial process;

Whereas the Kenyan Supreme Court ruled on March 30, 2013, that Uhuru Kenyatta was validly elected, and his opponents pledged to respect and honor the decision of the Court;

Whereas the White House issued a statement on March 30, 2013, stating, “The electoral process and the peaceful adjudication of disputes in the Kenyan legal system are testaments to the progress Kenya has made in strengthening its democratic institutions, and the desire of the Kenyan people to move their country forward. Now is the time for Kenyans to come together to fully implement the political, institutional, and accountability reforms envisioned in the Kenyan constitution. . . . We welcome and wish to underscore the importance of Kenya's commitment to uphold its international obligations, including those with respect to international justice.”; and

Whereas in his inauguration speech on April 9, 2013, President Kenyatta said, “I will lead all Kenyans – those who voted for me – and those who voted for our competitors – towards a national prosperity that is firmly rooted in a rich and abiding peace in which unity can ultimately be realized. . . . Indeed, national unity will only be possible if we deal decisively with some of the issues that continue to hinder our progress. Achieving peace and strengthening unity will be the goal of my Government. This work begins now. We welcome all Kenyans to hold us to account.”; Now, therefore, be it

Resolved,

That the Senate—

(1) congratulates the people of Kenya on their commitment to peaceful elections, as demonstrated on March 4, 2013;

(2) calls on Kenyans to come together to fully implement political, institutional, and accountability reforms envisioned in the Kenyan constitution;

(3) calls on the people of Kenya to continue their efforts to end intimidation, impunity, and violence;

(4) notes that many of the underlying grievances that have underpinned ethnic divisions and fueled the 2007-2008 violence remain largely unaddressed;

(5) affirms that accountability for the 2007-2008 post-election violence is a critical element to ensure Kenya's democracy, peace, and long-term stability;

(6) calls on the Government of Kenya to respect commitments to seek justice for the victims of political violence, including by honoring its obligations under the Rome Statute to cooperate fully with the International Criminal Court with regard to the three cases that remain before the Court slated to go to trial in 2013;

(7) calls on the Government of Kenya to ensure the International Criminal Court witnesses are fully protected and not subject to interference but afforded the protections they deserve to ensure justice is served;

(8) recognizes that, while the Government of Kenya has made important progress since the 2007 election, aspects of the Kenyan reform agenda specified in the National Accord and 2010 constitution remain unfinished, particularly with regard to police reform, devolution, land reform, and security;

(9) encourages the people and Government of Kenya to support ongoing implementation of

constitutional reforms, rule of law, the establishment of county level government and efforts to strengthen governance, security, and judicial institutions that respect the dignity and rights of all the people of Kenya and ensure protection for judges;

(10) supports the devolution process in order to enable constitutional reform to be fully implemented;

(11) encourages the Government of Kenya to respect and protect the freedom of civil society organizations and activists which have historically led the process of political reform in Kenya;

(12) expresses hope that newly elected members of government will herald a new generation of responsible leadership in Kenya; and

(13) reaffirms that the people of the United States will continue to stand with the people of Kenya in support of democracy, partnership, and peace.

Mr. WYDEN. Mr. President, I further ask that the committee-reported amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the committee-reported title amendment be agreed to; and the motions to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment to the resolution was agreed to.

The resolution (S. Res. 90), as amended, was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 90

Whereas the Governments of the United States and Kenya have long shared a strong bilateral partnership, and Kenya plays a critically important role as a cornerstone of stability in East Africa and as a valued ally of the United States;

Whereas Kenya's disputed 2007 presidential election threatened the country's stability and its democratic trajectory, triggering an explosion of violence that resulted in the deaths of some 1,140 civilians and displaced nearly 600,000, some of whom have still not returned home;

Whereas a mediation effort by former United Nations Secretary-General Kofi Annan and an African Union Panel of Eminent African Personalities, supported by the United States, led to the signing of the National Accord on February 28, 2008, which led to a series of constitutional, electoral, and institutional reforms to address underlying causes of the crisis;

Whereas as part of that reform process, the citizens of Kenya participated in a national referendum in August 2010, approving a new constitution that mandated significant institutional and structural changes to the government;

Whereas those constitutional changes have led to important reforms in the judicial sector and the electoral system in Kenya that aim to build greater public confidence in government institutions, and which demonstrate meaningful progress;

Whereas Kenya's Independent Commission of Inquiry into the Post-Election Violence

(the "Waki Commission") concluded from its investigation in 2008 that there had been "no serious effort by any government" to punish perpetrators of previous incidents of ethnic and political violence, leading to a culture of impunity that contributed to the crisis that followed the 2007 elections, and, since then, despite laudable judicial reforms, few perpetrators or organizers of that violence have been held accountable for their crimes in Kenyan courts;

Whereas based on the findings of the Waki Commission, mediator Kofi Annan submitted a list of key suspects to the Office of the Prosecutor of the International Criminal Court (ICC) in 2009, and several have been subsequently charged at the ICC with crimes against humanity;

Whereas the Department of State's 2011 Human Rights Report on Kenya notes, "Widespread impunity at all levels of government continued to be a serious problem. The government took only limited action against security forces suspected of unlawful killings, and impunity in cases of corruption was common. Although the government took action in some cases to prosecute officials who committed abuses, impunity . . . was pervasive";

Whereas President Barack Obama's Strategy on Sub-Saharan Africa, released in June 2012, states that the United States will not stand by while actors ". . . manipulate the fairness and integrity of democratic processes, and we will stand in steady partnership with those who are committed to the principles of equality, justice and the rule of law";

Whereas, in a February 2013 message to the people of Kenya, President Obama highlighted the power Kenyan communities have to reject intimidation and violence surrounding the upcoming election, resolve disputes in the courts as opposed to the streets, and "move forward towards prosperity and opportunity that unleashes the extraordinary talents of your people";

Whereas five years after Kenya's post-election crisis, the country held its first general elections under the new constitution on March 4, 2013, which were largely peaceful;

Whereas Kenya's presidential candidates and their political parties committed themselves to a peaceful electoral process, and to resolving any resulting disputes through the judicial process;

Whereas the Kenyan Supreme Court ruled on March 30, 2013, that Uhuru Kenyatta was validly elected, and his opponents pledged to respect and honor the decision of the Court;

Whereas the White House issued a statement on March 30, 2013, stating, "The electoral process and the peaceful adjudication of disputes in the Kenyan legal system are testaments to the progress Kenya has made in strengthening its democratic institutions, and the desire of the Kenyan people to move their country forward. Now is the time for Kenyans to come together to fully implement the political, institutional, and accountability reforms envisioned in the Kenyan constitution. . . . We welcome and wish to underscore the importance of Kenya's commitment to uphold its international obligations, including those with respect to international justice."; and

Whereas in his inauguration speech on April 9, 2013, President Kenyatta said, "I will lead all Kenyans – those who voted for me – and those who voted for our competitors – towards a national prosperity that is firmly rooted in a rich and abiding peace in which unity can ultimately be realized. . . . Indeed, national unity will only be possible if we

deal decisively with some of the issues that continue to hinder our progress. Achieving peace and strengthening unity will be the goal of my Government. This work begins now. We welcome all Kenyans to hold us to account." Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people of Kenya on their commitment to peaceful elections, as demonstrated on March 4, 2013;

(2) calls on Kenyans to come together to fully implement political, institutional, and accountability reforms envisioned in the Kenyan constitution;

(3) calls on the people of Kenya to continue their efforts to end intimidation, impunity, and violence;

(4) notes that many of the underlying grievances that have underpinned ethnic divisions and fueled the 2007–2008 violence remain largely unaddressed;

(5) affirms that accountability for the 2007–2008 post-election violence is a critical element to ensure Kenya's democracy, peace, and long-term stability;

(6) calls on the Government of Kenya to respect commitments to seek justice for the victims of political violence, including by honoring its obligations under the Rome Statute to cooperate fully with the International Criminal Court with regard to the three cases that remain before the Court slated to go to trial in 2013;

(7) calls on the Government of Kenya to ensure the International Criminal Court witnesses are fully protected and not subject to interference but afforded the protections they deserve to ensure justice is served;

(8) recognizes that, while the Government of Kenya has made important progress since the 2007 election, aspects of the Kenyan reform agenda specified in the National Accord and 2010 constitution remain unfinished, particularly with regard to police reform, devolution, land reform, and security;

(9) encourages the people and Government of Kenya to support ongoing implementation of constitutional reforms, rule of law, the establishment of county level government and efforts to strengthen governance, security, and judicial institutions that respect the dignity and rights of all the people of Kenya and ensure protection for judges;

(10) supports the devolution process in order to enable constitutional reform to be fully implemented;

(11) encourages the Government of Kenya to respect and protect the freedom of civil society organizations and activists which have historically led the process of political reform in Kenya;

(12) expresses hope that newly elected members of government will herald a new generation of responsible leadership in Kenya; and

(13) reaffirms that the people of the United States will continue to stand with the people of Kenya in support of democracy, partnership, and peace.

Attest:

The committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: "A resolution congratulating the people of Kenya on their commitment to peaceful elections, as demonstrated on March 4, 2013, and calling on Kenyans to come together to continue to implement political, institutional, and accountability reforms envisioned in the Kenyan constitution.".

DISCHARGE AND REFERRAL—S. 437

Mr. WYDEN. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. 437, and the bill be referred to the Committee on Banking.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 113-1, TREATY DOCUMENT NO. 113-2, AND TREATY DOCUMENT NO. 113-3

Mr. WYDEN. Mr. President, as in executive session, I ask unanimous consent that the Injunction of Secrecy be removed from the following treaties transmitted to the Senate on April 22, 2013, by the President of the United States:

Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, Treaty Document No. 113-1; Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, Treaty Document No. 113-2; and amendment to the Convention of Future Multilateral Cooperation in the Northwest Atlantic Fisheries, Treaty Document No. 113-3.

I further ask that the treaties be considered as having been read the first time, they be referred with the accompanying papers to the Committee on Foreign Relations and ordered to be printed, and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

I transmit herewith the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (the "Convention"), done at Auckland, New Zealand, November 14, 2009, with a view to receiving the advice and consent of the Senate to ratification. I also transmit, for the information of the Senate, the report of the Secretary of State on the Convention that includes an article-by-article analysis.

The Convention establishes a regional fisheries management organization through which Parties will give effect to their duty to cooperate in the conservation and sustainable use of the high seas fishery resources in the South Pacific Ocean and to safeguard the marine ecosystems in which these resources occur.

The Convention requires Parties to apply specific conservation and management principles and approaches in giving effect to the objective of the Convention. These principles and approaches are enshrined in existing international instruments to which the United States is a party, such as the

Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of December 10, 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of December 4, 1995. In addition, the Convention requires that Parties design and adopt specific conservation and management measures, such as limitations on catch or effort, time or area closures, and gear restrictions.

The Department of State, Department of Commerce, U.S. Coast Guard, and relevant U.S. stakeholders strongly support the Convention. The legislation necessary to implement the Convention will be submitted separately to the Congress for its consideration. I therefore recommend that the Senate give early and favorable consideration to this Convention and give its advice and consent to ratification.

BARACK OBAMA.

THE WHITE HOUSE, April 22, 2013.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, done at Tokyo on February 24, 2012, and signed by the United States on May 2, 2012 (the "Convention"). I also transmit, for the information of the Senate, the report of the Secretary of State on the Convention that includes an article-by-article analysis.

The Convention establishes a regional fisheries management organization through which Parties will cooperate to ensure the long-term conservation and sustainable use of the fisheries resources in the high seas of the North Pacific Ocean while protecting the marine ecosystems in which these resources occur.

The Convention will require implementing legislation, which is being drafted and will be submitted separately to the Congress for its consideration.

Cooperation under the Convention will address fisheries resources not covered under preexisting international fisheries management instruments and will help to prevent destructive fishing practices on the high seas that may have impacts on fisheries resources in areas subject to U.S. jurisdiction. Ratification by the United States would also ensure that future U.S. fisheries interests in the region subject to the Convention will be factored into allocation decisions. I therefore recommend that the Senate give favorable consideration to the Convention and give its advice and consent to ratification at the earliest possible date.

BARACK OBAMA.

THE WHITE HOUSE, April 22, 2013.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (the "Convention"), adopted on September 28, 2007, at the twenty-ninth Annual Meeting of the North Atlantic Fisheries Organization (NAFO). I also transmit, for the information of the Senate, the report of the Secretary of State on the Amendment, which includes an article-by-article analysis.

The Amendment serves to bring the Convention in line with modern international fisheries governance, including revisions to its decisionmaking and objection rules and a new comprehensive dispute settlement procedure. The Amendment also reflects changes to the budget contribution scheme that are expected to significantly reduce U.S. annual payments to NAFO. Involved Federal agencies and stakeholders strongly support the proposed changes to the Convention. The strengthened Convention will improve the way NAFO manages the fish stocks under its purview and enforces compliance with the measures it adopts, which in turn will improve the chances that key stocks in the Northwest Atlantic will recover enough to support resumed fishing.

The recommended changes to the Northwest Atlantic Fisheries Convention Act of 1995 necessary to implement the Amendment will be submitted separately to the Congress. I therefore recommend that the Senate give favorable consideration to the Amendment to the Convention and give its advice and consent to ratification at the earliest possible date.

BARACK OBAMA.

THE WHITE HOUSE, April 22, 2013.

ORDERS FOR TUESDAY, APRIL 23, 2013

Mr. WYDEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 23, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; further, that following morning business, the Senate resume consideration of the motion to proceed to Calendar No. 41, S. 743, the Marketplace Fairness Act postcloture; finally, that the Senate recess from

12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

the Senate stand adjourned under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent

There being no objection, the Senate, at 7:09 p.m., adjourned until Tuesday, April 23, 2013, at 10 a.m.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 23, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 24

9:30 a.m.

Committee on Appropriations
Subcommittee on Department of the Interior, Environment, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Environmental Protection Agency.

SD-124

10 a.m.

Committee on Appropriations
Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Health and Human Services.

SD-138

Committee on Armed Services
Subcommittee on Personnel

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Finance

To hold hearings to examine the Trans-Pacific partnership, focusing on opportunities and challenges.

SD-215

Committee on Foreign Relations

To hold hearings to examine international development priorities in the fiscal year 2014 budget.

SD-419

Committee on Homeland Security and Governmental Affairs

Subcommittee on Financial and Contracting Oversight

To hold an oversight hearing to examine business practices of durable medical equipment companies.

SD-342

Committee on Veterans' Affairs

To hold hearings to examine Veterans' Affairs outreach and community partnerships.

SR-418

10:30 a.m.

Joint Economic Committee

To hold hearings to examine long-term unemployment, focusing on consequences and solutions.

SD-106

11 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Navy.

SD-192

2 p.m.

Special Committee on Aging

To hold hearings to examine the national plan to address Alzheimer's disease, focusing on if we are on track to 2025.

SD-106

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Nuclear Security Administration.

SD-192

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine military construction, environmental, and base closure programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine military space programs and views on Department of Defense usage of the electromagnetic spectrum in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Commerce, Science, and Transportation

To hold hearings to examine a status update on the development of voluntary do-not-track standards.

SR-253

Committee on Health, Education, Labor, and Pensions

Subcommittee on Children and Families

To hold hearings to examine the economic importance of financial literacy education for students.

SD-430

Committee on Indian Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for Tribal Programs.

SD-628

Committee on the Judiciary

To hold hearings to examine the nominations of Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit, and Jennifer A. Dorsey, to be United States District Judge for the District of Nevada.

SD-226

3 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine tactical aircraft programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-G50

APRIL 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

Committee on the Judiciary

Business meeting to consider S. 607, to improve the provisions relating to the privacy of electronic communications, and S. 744, to provide for comprehensive immigration reform.

SD-226

10 a.m.

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the National Aeronautics and Space Administration.

SD-192

Committee on Appropriations

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies

To hold hearings to examine an overview of the Federal Housing Administration.

SD-138

Committee on Energy and Natural Resources

To hold hearings to examine drought and the effect on energy and water management decisions.

SD-366

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

- Committee on Health, Education, Labor, and Pensions
Business meeting to consider the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, and any pending nominations.
SD-430
- 10:30 a.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of wireless communications.
SR-253
- 2 p.m.
Committee on Foreign Relations
Subcommittee on East Asian and Pacific Affairs
To hold hearings to examine rebalance to Asia II, focusing on security, defense, cooperation, and challenges.
SD-419
- 2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
To hold hearings to examine S. 27, to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah", S. 28, to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, S. 159, to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, S. 241, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 255, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 256, to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa, S. 258, to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, S. 312, to adjust the boundary of the Carson National Forest, New Mexico, S. 327, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 340, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 341, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, S. 342, to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada, S. 353, to designate certain land in the State of Oregon as wilderness, to make additional wild and scenic river designations in the State of Oregon, S. 360, to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, S. 366, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 368, to reauthorize the Federal Land Transaction Facilitation Act, S. 447, to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, S. 609, to authorize the Secretary of the Interior to convey certain Federal land in San Juan County, New Mexico, S. 736, to establish a maximum amount for special use permit fees applicable to certain cabins on National Forest System land in the State of Alaska, and S. 757, to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and Lincoln County, Nevada, to extend the authority to purchase certain parcels of public land.
SD-366
- Committee on Health, Education, Labor, and Pensions
Subcommittee on Employment and Workplace Safety
To hold hearings to examine whistleblowers and job safety, focusing on adequate protections to build a safer workplace.
SD-430
- Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH-219
- MAY 7
- 9:30 a.m.
Committee on Armed Services
To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SH-216
- 10 a.m.
Committee on Foreign Relations
To hold hearings to examine the nominations of James Knight, of Alabama, to be Ambassador to the Republic of Chad, and Deborah Kay Jones, of New Mexico, to be Ambassador to Libya, both of the Department of State.
SD-419
- MAY 8
- 9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR-222
- Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR-232A
- 10 a.m.
Joint Economic Committee
To hold hearings to examine immigration and its contribution to our economic strength.
TBA
- MAY 16
- 10 a.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine certain nominations.
SD-430
- JUNE 11
- 9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD-G50
- 11 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD-G50
- 2 p.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD-G50
- 3:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR-232A
- 6 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR-232A
- JUNE 12
- 9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR-222

2:30 p.m.

Committee on Armed Services
Closed business meeting to markup the
proposed National Defense Authoriza-
tion Act for fiscal year 2014.

SR-222

JUNE 13

9:30 a.m.

Committee on Armed Services
Closed business meeting to continue to
markup the proposed National Defense
Authorization Act for fiscal year 2014.

SR-222

JUNE 14

9:30 a.m.

Committee on Armed Services
Closed business meeting to continue to
markup the proposed National Defense
Authorization Act for fiscal year 2014.

SR-222

SENATE—Tuesday, April 23, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, the light for those who know You and the security for those who love You, You formed us in Your image and likeness. Help us, therefore, to live as children of Your kingdom. May we not squander our inheritance of faith, integrity, love, humility, and perseverance in a far country of waste. Empower us instead, O God, to live worthy of Your Name.

Use our lawmakers to do Your will. May they remember not only to serve the haves but also the have-nots: the hungry, the homeless, the persecuted, the voiceless, and the powerless. Fill our Senators with compassion so that they will glorify and honor You.

We pray in Your marvelous Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 23, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business for 1 hour. The majority will control the first half, the Republicans the final half. Following morning business the Senate will resume consideration of the motion to proceed to the Marketplace Fairness Act. From 12:30 today until 2:15 the Senate will be in a recess to allow for our weekly caucus meetings.

Yesterday evening a number of Senators missed votes. We have talked about this a number of times and become somewhat complacent. We have votes for 15 minutes. We extend it for 5 minutes. We have extended that time for a long period of time.

Because of procedural things around here in the Senate, I had to terminate that vote before 6 o'clock in an effort to save a full day of legislative business. Obviously, there is 30 hours following that cloture vote—wasted time. I have talked about it before, but there was no reason whatsoever that we went into Wednesday rather than Tuesday. So I do not apologize. Everyone here has to understand there are certain things we have to do around here.

We have been somewhat lax in enforcing the length of votes. It is very unfair to people who vote and have other things to do to wait for others before the vote is terminated. I understand how important it is for people to do their votes, but it is also important to get our business done here. I repeat, had we not terminated that vote before 6 o'clock, then it would have kicked us over until Wednesday before cloture could be filed on the bill. I do not know if I am going to file cloture on the bill today, but at least I have the opportunity to do that.

REGULAR ORDER

Mr. REID. Mr. President, my Republican colleagues often demand a return to regular order. We have heard speeches, and the House is also talking about regular order. They have done this many different places but especially where the budget process is concerned. They complained for 2 years that we did not pass a budget, even though there was a law we passed that gave us those budget numbers.

But they still came and talked about our needing to do a budget resolution. I repeat, we did not need a budget resolution because we had enacted a budget with the force of law, a bill the President signed. A resolution, the President does not have to sign that. This year, I repeat, the Republicans again

requested we take up a budget resolution.

Until 5 in the morning we took vote after vote on amendment after amendment, more than 100 votes. In the end, we passed a budget resolution without a single Republican vote in the affirmative. After giving the Republicans what they wanted or what they said they wanted, regular order, countless amendment votes, the passage of a budget resolution, a strange thing happened. House Republicans did a complete 180. They flipped. They are no longer insisting on regular order, even though they preached that for years. They do not want to go to conference and work things out. They did not even want to name conferees.

It seems House Republicans do not want to be seen discussing even the possibility of compromise with Democrats for fear there will be a tea party revolt, but that is not a good reason to run away from budget negotiations. In fact, it is ridiculous. So today I am going to ask unanimous consent to name conferees so we can have a budget conference to try to work things out.

I hope, even though I doubt, my Republican colleagues in the Senate will not object for the sole purpose of giving cover to the House Republican colleagues who are certainly directed and guided by the tea party folks over there. If the Republicans are serious about reducing the deficit, we need to get to work, get to work sooner rather than later.

What is regular order? It means we do things the way they are supposed to be done—by the book, so to speak. So I am going to ask that consent soon.

SEQUESTRATION

Mr. REID. Let's talk about sequestration just for a brief time. I talked about it yesterday in the afternoon when the Senate convened. On Sunday, the Federal Aviation Administration implemented sequester furloughs. It will affect tens of thousands of employees. By Monday, yesterday, travelers were already experiencing delays at airports from coast to coast.

According to the Wall Street Journal, flights to New York airports were delayed more than an hour already because of those furloughs. Delays are also reported in Los Angeles and even Baltimore. The FAA assured us things will get much worse before the end of the busy summer travel season, as these arbitrary sequester cuts continue to affect airport staffing levels.

What this means is that every 2 weeks all FAA employees will have to

take a day off. At peak travel times, almost 7,000 flights will be delayed every day, some of them by up to 3 hours. On the worst day we had last year because of weather-related issues, less than 3,000 flights were delayed. Now, every day, more than twice that number will be delayed.

These delays will be bad for business, they will be frustrating for families, and they will be devastating for the economy. But flight delays are not the only unintended consequence of these across-the-board cuts. It is not just FAA employees. It will affect 750,000 jobs across the country. It will shred the safety net that keeps millions of seniors, children, veterans, and needy families from falling through the cracks.

It will gut investment in education, medical research that helps America compete in the 21st century. More than 2,700 schools with large numbers of disadvantaged children will see their Federal funding slashed. Seventy thousand little boys and girls will not be able to do the Head Start programs. These cuts will put 10,000 classroom jobs at risk. They will eliminate extra help at closing the achievement gap for 1.2 million underprivileged students.

More than 7,200 teachers and classroom aids who work with children with disabilities will lose their jobs because of the sequester. Some 33,000 college students will lose their work study jobs. I was a janitor for part of the time I went to school. It helped me pay my tuition. Things have changed over the years, but these jobs are still important, very important. They call them work study jobs.

We are putting the dream of higher education further out of reach for our poorest students if we keep this sequestration going. Families and businesses in every State will feel the pain of the sequester whether they fly or do not fly. But Congress could act now to reverse these cuts without adding a single dollar to the deficit. We can use the savings from wrapping up military operations in Iraq and Afghanistan to avoid the full brunt of these arbitrary cuts.

Right now, there is about \$650 billion in that fund. We could erase the sequester for the rest of the year, which is a fraction of the savings from winding down these two wars. Using those savings, Congress could avert the most painful and senseless sequester cuts, cuts to the FAA and programs that get homeless veterans off the streets, fund research to cure lethal diseases, and provide meals to needy seniors.

I only hope public outcry over long delays at airports will serve as a wake-up call to my Republican colleagues. We cannot put off action any longer.

UNANIMOUS CONSENT REQUEST— H. CON. RES. 25

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that is, the budget resolution; that all after the enacting clause be stricken and that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid on the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with the appointment of the budget conferees being on the ratio of 7 Democrats to 5 Republicans, and there be no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, the ranking member of the Budget Committee, Senator SESSIONS, is not available because he has a conflict at the moment. On his behalf, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the second half.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that Senator TOOMEY be recognized for up to 4 minutes, that following his remarks the Senator from North Dakota, Ms. HEITKAMP, be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SEQUESTRATION

Mr. TOOMEY. Mr. President, I thank the majority leader.

I feel the need to respond to the comments from the leader about the sequester that has gone into effect. I wish to be very clear. The flight delays

that are occurring, the furloughs among air traffic controllers, and the shutting down of air traffic towers are entirely, utterly unnecessary. This is a willful choice being made by this administration in order to inflict as disruptive a process as possible on the American public and on our economy, all to further a political agenda. The political agenda is to attempt to convince the American people there are no circumstances under which we can ever cut spending at all.

If you question why I say this is a willful decision on the part of this administration, I would refer you to legislation Senator INHOFE and I offered prior to the beginning of the sequestration. This legislation, as you may recall, would have granted to the administration complete flexibility in how they achieved the savings of the sequester.

What we hear from the administration, administration officials, and White House spokespeople is that this is terribly unfortunate, but they have no choice and no alternative; the law requires that they make these cuts. However, when Senator INHOFE and I introduced legislation to explicitly grant them all the flexibility they could ask for, complete flexibility to find the most wasteful, most redundant, most unnecessary programs, and to cut there instead of cutting essential services, what did the administration say? They said: If you send us the legislation, we will veto it. They put out a Statement of Administration Policy insisting that this was a terrible idea, to give them the flexibility to avoid exactly what they are doing.

I don't know how one can come to any conclusion other than that this administration wishes to impose this inconvenience, this disruption, and this cost on the American people and our economy. They have it within their ability to accept the device we were offering, which would have allowed them to avoid this entirely.

I am extremely disappointed the administration would choose to inflict this kind of harm to our economy, this kind of inconvenience to our travelers, all for the purpose of furthering a political agenda. This is no way to run this government.

What I would suggest we do is we revisit the legislation Senator INHOFE and I offered which would have avoided all of this, allowed us to cut some of the waste, excess, duplication, and avoid all of this inconvenience. This is entirely unnecessary, and it is unacceptable.

One of the proper functions of any executive, including the President of the United States, is to look throughout the spending over which he or she has control to find the lowest priority, to find the least necessary and least disruptive way to achieve the savings we need. We are running unacceptably

large deficits. We have a huge debt that is already costing this economy the kind of growth we ought to have.

The very modest savings of the sequester could be achieved in a way that wouldn't be disruptive at all. The size of the Federal budget has more than doubled in the last 12 years. To suggest that it is not possible to find 2.5 percent savings is simply ridiculous. It is not true.

I urge my colleagues, let's fix this. We know how to do it. We have the tools available. Senator INHOFE and I offered. There are other ways, and I would be open to any number of them. We need to achieve the savings of the sequester, and we need to do it in a way that is not disruptive and that can be done.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Las Vegas is the destination resort of the world. I may get a little static from New York about that, but it is a place a lot of people wish to visit. We understand the importance of doing something about the lines at airports as the result of sequestration. But as I indicated in my remarks, I am also concerned about the little boys and girls who are knocked off Head Start—70,000 of them. I am also concerned about medical research. As I stated yesterday, Duke University is laying off 50 people. Duke does some of the most important medical research there is, dealing with dread disease. I am concerned about homeless veterans. The program will eliminate homeless veterans having a home. This is what sequestration does to them.

The reason sequester is taking effect is because Congress enacted it into law the Budget Control Act of 2011. The vast majority of Republicans voted for this. The Senate considered an alternative that would have altered sequester, and it would have done it with a balanced package. Republicans blocked it earlier this year.

We need to lessen the impact of sequestration. It is not as if we are blind to doing something about deficit reduction. We have already reduced the debt by about \$2.6 trillion.

My friend from Pennsylvania has a reputation for being very concerned about dealing with money, and I admire him for his tenaciousness in that regard.

What I have suggested here certainly seems reasonable. For 5 months, we do a timeout on the sequestration. During the 5 months, sequestration would be paid for with part of the \$650 billion that was in a pot that is a result of the money building up due to reducing the wars in Iraq and Afghanistan. During these 5 months, let's find a better way to go forward with our efforts to reduce the debt. I think this is reasonable, it would be fair, and it would give us time to do something.

Certainly with the debt ceiling coming up and other major issues we need to deal with, I think we should lessen not only the impact of the problems we have at airports around America, but also we should focus on little boys and girls and elderly men and women who are losing Meals On Wheels, their only hot meal of the day.

I think we should do that—look at this sequestration and take a timeout.

I recognize my friend from North Dakota, who is going to give her maiden speech. We are looking forward to hearing what she has to say.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

FACING CHALLENGES TOGETHER

Ms. HEITKAMP. First, I wish to thank all of my colleagues who came here today to see me offer my first speech on the floor of the Senate. It is a great group, a bipartisan group, and I believe our new class is exactly that—a group of great people who are very bipartisan and very willing to work to solve America's problems. I am proud to be part of this freshman class in the Senate.

People here all think they know each other, and this is absolutely true, but sometimes it is a good reminder to tell people about from where you come. I wish to spend a little time talking about my home State because I think it speaks a great deal about how I believe, how I vote, and who I am.

I grew up in a small town in North Dakota. Many may think that means 90,000 people. No, it is 90 people. My family was one-tenth the population of that small town. When I was born, my mother had four kids, and the oldest was 2 and there were no twins. By the time my parents were done having children, there were seven children in 9 years. My dad was a seasonal construction worker, and my mom was a school cook and a janitor. Think about those occupations.

My mom never let anyone be bullied. The worst thing a person could do, in my mother's eyes, was to pick on someone who couldn't defend themselves. We knew that was what our role would be throughout our entire lives. This is a value my six siblings and I carry with us.

From my dad we learned about community and building community. My dad built the smallest VFW chapter in the country. He returned from World War II and knew they needed a place to gather, to provide support for veterans and for each other, and that needed to be in his community. He built the ballpark, he built the fire hall, was chief of the volunteer fire department for years, head of the VFW, and was someone who believed in the community. He believed that when Mrs. Poster needed her sidewalk shoveled so she could go to church, it was our job. It wasn't

someone else's job. We didn't look around to see who would come; we picked up the shovel and we went down there.

What do you learn from the place where you grew up? In Mantador, ND, as in communities all across this country, people gather at coffee tables usually at 7 o'clock, maybe 10:30 in the morning or maybe a little bit in the afternoon, and they talk about the problems of America. They talk about the problems of their community. There are many ideologies at that table—Democrats and Republicans; as we say in Mantador, there are Lutherans and Catholics; there are Green Bay fans and Vikings fans, which may be the most divisive issue. They gather together and solve all the problems of America, if we would only listen here in Washington, DC. More importantly, even though they have horrible fights, they get together and solve problems in their community. They figure out how to put up the Christmas lights on Main Street. They figure out how to fix the roof on the church, how to pass a school bond so they can expand classrooms.

All across America, people work together. That is the spirit, and that is what I learned growing up in a small town in North Dakota—that we can accomplish things if we keep our eyes on the goals, if we understand and appreciate that we all come from different places and need to work together. Sometimes we are not going to agree, but we need to move forward. We need to work together to move this country forward.

I wish to take a moment, and hopefully I won't get too emotional, but I want to think about this. We live in a country, an amazing country where the daughter of a school cook and janitor and a seasonal construction worker can stand on the floor of the Senate and address this body. It is an amazing country, and we can never forget that value. But I never thought I would be here. What I mean by that is I never thought I would come to the Senate. Do you know why? North Dakota had Senator Conrad and Senator Dorgan—two giants who came to this body, spoke their minds, and represented their State. I knew they would always represent me. Then something happened: They became tired, frustrated, and moved on with their lives. They asked me to join this fight, the fight for North Dakota and the fight for our values. They asked me to step into their shoes. I am extraordinarily proud to be here, extraordinarily proud to represent agriculture.

What do I mean by that? We have frustration in farm country. There are 16 million jobs in agriculture. It is the bright spot on our economy, and it is helping to reduce our trade deficit. It is everything in my State.

We have small farmers, small family farmers who must spend \$1 million before they can even take a crop out of the ground. That is an average farmer in my State. That is how much it costs to engage in farming. When we don't have a farm bill that provides certainty and security for them, we not only hurt them and hurt American agriculture, we risk our secure food supply. So I came here to speak for North Dakota farmers.

I came here to speak for an energy policy. This is an amazing place. You hear everybody say we believe in "all of the above." In North Dakota, we do "all of the above." We not only are rich in natural gas, oil, and coal, but we also have geothermal, ethanol, and biofuels. We are one of the leading producers in the country of wind energy. We get it. But policies in this body and in this city that provide certainty to our energy producers need to be established.

I am here to address the concerns we have. If we do not have policies that address issues of redundancy and reliability in energy, we will fall further and further behind. And these are new technologies and great innovations that are coming down the pike. We need to address those. We need to move forward.

I came here to speak about reasonable fiscal solutions. We heard a debate—a good debate—about the effects of sequestration. We know we have challenges. On both sides of the aisle, there is a sense of purpose to change the trajectory of this debt. We are borrowing 40 cents of every dollar we spend. We have a national debt that is almost equal to our gross domestic product. We have interest payments that are the third highest payment we make here at a time of record-low interest rates. This is unsustainable and it needs to be addressed, but it needs to be addressed responsibly.

Like many of you, I have my own personal passions. They involve senior citizens—making sure we provide them with a secure future, but also a secure future for future senior citizens. Veterans, I care deeply about the condition of veterans benefits and what we are going to do to reward and truly thank the 1 percent in this country who step up to serve us. I have a great concern for people living in Indian Country, what we are going to do to make sure they enjoy a future in our State. If we take every problem of America and multiply it times 3, those are the problems in Indian Country that need to be addressed. I care about Head Start. I believe a Head Start investment is a smart investment.

My colleagues might wonder, with all of these concerns and all of these issues, why I am standing today to talk about marketplace fairness. Well, we are going to hear a lot about a case called *Quill v. North Dakota*. What my

colleagues may not know is the whole caption of that case is *Quill v. North Dakota ex rel. MK Heidi Heitkamp*.

Over 20 years ago, I heard the despair of Main Street businesses. I had a woman come to me who ran a little wallpaper shop in her town. At the time—and I don't know if it is true today—she had to buy these wallpaper books from the companies, so there was an investment in presenting this product. People would come to her, they would open the book, and she would help them do a little interior design. She would work through the fabrics and all of this, and then they walked out and she never saw them again.

She knew and I knew what they did was go home, look in their catalogues, take the lot number she had given them, and then order the wallpaper. Maybe—maybe—they ordered it more cheaply than just the sales tax, but she wanted to know from me, when I was tax commissioner, how I could justify the 5 percent disadvantage she was having. She wanted to know what I could do to level the playing field so she at least had a chance, she at least could compete.

Well, I listened. And it wasn't just that woman who ran the wallpaper business, it was the furniture stores, and it was the Main Street office supply stores. So we initiated a lawsuit called *Quill*.

For those who think this is going to unduly burden small business, I want them to think about this: In my State we sued *Quill* because they were the third highest retailer of office products in my State—the third highest. It was pretty remarkable. Yet they were enjoying this advantage of not having to collect sales tax. So we took the case to the Supreme Court.

Some might say that didn't turn out very well for us. But let me cite some basic information about the court case because at the time there was a sense there was not due process jurisdiction if one didn't have physical contacts in their State. A lot of us in this body are lawyers, and we know that long-arm statute had at the time moved on. The question was what in fact would be the contact, and could we, in tax jurisdiction and in sales tax collection, get the court to agree that due process was not disturbed by an extension of regulation and responsibility to Internet sales and at that time catalogue sellers.

The court agreed with that piece, but when they were challenged with the argument did North Dakota's imposition affect interstate commerce—and they heard a lot of arguments we will hear today about a lot of jurisdictions, it is not very streamlined—they said: We aren't comfortable. But you know where this belongs. It belongs where the Constitution puts this discussion. It belongs in the Senate. It belongs in the House of Representatives. It be-

longs to Congress because Congress has the obligation of regulating interstate commerce.

So here we are almost 20 years later—over 20 years later—since the court case was decided and still debating this issue. This issue has grown tremendously because of the explosion of Internet sales. Remote sellers are getting bigger and our Main Street businesses continue to suffer and continue to struggle.

We will hear a lot today about how this bill discriminates. We will hear a lot about how it is not fair. We will hear how it affects small business. Every time we hear that argument, I want my colleagues, the Members of this body, to think just for a moment that you are that one woman with the wallpaper books or you are the small drugstore trying to sell candles to supplement the prescription drug business you have. You are that small business, and what you see is that you have the burden of collecting this sales tax and you are building your community. You take out a little ad in your school newspaper to help that school newspaper or an ad for the scoreboard down at the high school. When they come around and ask for a little money for the fire hall, you chip in. So you are building the community, and you are there, and you are employing people there and wondering why this government can authorize and approve discrimination against you, and why you have to fight so hard.

We will hear a lot today about small businesses that operate on the margin; right? Retail has a small margin. Exactly. That is exactly the point. That small margin is just as small for that Main Street business, but they have a 5-percent disadvantage.

So today and tomorrow we will hear a lot about this bill. I know feelings are running fairly high for people who oppose it. But when we hear discrimination and we hear it is not the role of this body to take this on, understand this: It is exactly the role of this body. It is exactly the obligation we have—to level the playing field, to make things fair, to respond to the needs of our community. And that is why we are fighting so hard. That is why we are working so hard on this bill.

I think we are going to get it done, but let's just think for a moment. We have taken a couple of votes. They have been pretty good, lopsided votes for us. If we fail in moving this bill after it has such tremendous support, how do we do the tough stuff? How do we do the deficit reduction we need to do? How do we do the tough stuff that comes here? Let's do this. Let's level the playing field. Let's make this responsive to those Main Street businesses who every day struggle and are simply asking for justice. They are simply asking for equity.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I am going to proceed on my leader time.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator is recognized.

THE SEQUESTER

Mr. MCCONNELL. Mr. President, as a result of the administration's poor planning and, I would argue, political motives, thousands of people were stuck on tarmacs over the last few days. The FAA's mismanagement of this issue is the source of bipartisan frustration. Our goal shouldn't be to score political points on the backs of weary travelers, it should be to fix the problem.

Look, the Obama administration knew about the sequester for months—for months. Yet it gave the traveling public and Congress only 3 days' notice before implementing the furloughs now being blamed for these delays. The FAA Administrator testified before the Commerce and Appropriations Committees last week but made no mention of the magnitude and impact on delays of these furloughs that were just right around the corner.

It seems completely implausible to me he didn't know about them when he was testifying last week. Was the administration hiding the ball from the traveling public? It seems like a fair question.

Frankly, this episode is a perfect illustration of why Republicans sought to give the administration even greater flexibility to ensure they could prioritize essential services. One of the primary areas for which that flexibility was intended was air traffic control. The fact the administration rejected it strongly suggests a political motive is at play.

I would also remind everyone this flexibility was rejected by nearly every Democrat in the Senate, and the President threatened to veto legislation that granted it, holding it hostage to tax hikes instead.

So here is what I would suggest at this point. We are where we are. The Obama administration needs to direct the FAA to review their current spending and use their existing flexibility to keep America moving as smoothly as possible. Ensuring the safe, efficient

movement of the traveling public is a much higher priority than the administration's own travel, conferences, and consultants.

Not all government spending is created equally, and so this morning I am calling on the Obama administration and the FAA to be smarter and more transparent about the sequester. That means prioritizing funding to ensure flights are not needlessly delayed or canceled.

If for some reason the President or the FAA do not believe they have the flexibility to address this issue, they should ask Congress for the flexibility they need. Until then, however, they should use the flexibility we all know they do have to ease the burden on passengers.

But let's be clear: We wouldn't even be in this situation if the administration hadn't rejected the flexibility we offered them months ago or if they had done the planning they needed to do in the first place. There is no good reason for these delays.

MARKETPLACE FAIRNESS ACT

Mr. MCCONNELL. Mr. President, this week, the Senate is debating a bill that would authorize States to require retailers to collect taxes on remote sales. I recognize there are a range of views on this bill, and these views don't break along partisan lines nor do they follow, really, along traditional ideological lines. Speaking for myself, however, I intend to oppose the bill, and here is why.

For me, the issue boils down to the fact the legislation we are considering would create an enormous compliance burden for a lot of small businesses out there, making them tax collectors for thousands of far-away jurisdictions. Just as importantly, this legislation would increase the tax burden on Kentuckians. As I have said before, I don't think the people of Kentucky sent me here to help them pay higher taxes.

Brick-and-mortar companies complain about the inequity that exists in current law, where their customers have to pay taxes that online shoppers do not. Frankly, that is a legitimate concern; but by imposing this new Internet tax, States would suddenly be empowered to force online retailers to simultaneously comply with all the different tax codes of all the States in which their customers reside. And that is no small feat.

From what I am told, there are nearly 10,000 State, local, and municipal tax codes nationwide. While complying with so many codes might not be a big deal for large online retailers, it is actually a huge burden for the little guys. So small business owners are worried, and justifiably so.

I know they are in Kentucky because so many keep writing to share their concerns with me. One small business

owner lamented that "small online business owner[s] ha[d] been silenced and pushed to the side" in this debate as larger companies "[press] for the changes to take effect as quickly as possible. The simple matter of the fact is that any business with [fewer] than 100 employees would be completely overwhelmed by applying, keeping, updating, and reporting sales tax for every state and tax zone in the United States."

It is pretty hard to argue with that. Moreover, this is a bill that—once again, as happens all too often in the Senate—hasn't been run through a committee, hasn't been properly vetted, and hasn't yet had the kinks worked out of it.

It is not like there aren't other things that can be done to improve tax compliance for online shoppers—things that don't require us to turn private businesses into tax collectors for remote State governments. Most States impose a use tax, for instance, which requires taxpayers to report how much they have purchased on the Internet. Individual States that are concerned about this issue could choose to enforce their own existing use taxes rather than expect the Federal Government to impose sweeping legislation to empower States to reach across borders to collect taxes.

And let's not forget the fact that the Internet has been such an enormous source of innovation and convenience for our constituents, our country, and our economy—even in these tough economic times. But that is largely because the government has kept its nose out and allowed innovation to flourish.

I won't be supporting this bill. If States decide they need this revenue, they should keep in mind the tremendous burden they will be placing on the little guys who do so much to drive this economy. In my view, the Federal Government should be looking for ways to help, not hurt, these folks. Let's be honest; the big guys can take care of themselves. Let's not make it even harder for the smaller competitors.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

COMMENDING SENATOR HEITKAMP

Mr. HOEVEN. Mr. President, I come to the floor to commend my esteemed colleague from the State of North Dakota, Senator HEITKAMP, on giving her maiden address this morning. She is not only someone I have known for a long time and worked with for a long time but somebody who I think truly brings a spirit of bipartisanship to this body, which is so needed as we address the challenges today, ranging from our debt and deficit, to getting our economy going, to getting people back to work, and addressing things such as terrorism and the heinous act we saw

in the attack on the marathon in Boston and the great people of this great country, on immigration, on entitlement reform, protecting and preserving Social Security and Medicare for the long term, progrowth tax reform, an energy plan for this country, making sure we find ways to get our health care system working better—the finest health care system in the world—all of these great issues of the day for this Nation. I know she brings that sense of bipartisanship and that desire to serve the people of this great country.

It is an unbelievable honor to serve the people of North Dakota and this country and this body, and I look forward to working with Senator HEITKAMP—and all of our colleagues—on the challenges we face and the opportunities we face, the greatest country in the world, as we work on behalf of the American people. But I do want to commend her for her dedication and her commitment and her vision for a brighter future for this country.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MARKETPLACE FAIRNESS ACT

Mr. ALEXANDER. Mr. President, I know Senator BARRASSO is coming, but until he does, I wish to make a few comments about the Marketplace Fairness Act, which is the legislation before us today, and especially, to begin with, Senator HEITKAMP's address, the new Senator from North Dakota.

It is rare that a new Senator has a chance to come to the Senate and in her first few months find us debating a bill she brought when she was a State official in North Dakota 20 years ago. That shows why the Senate is a good place for people with a little bit of experience because she can bring to us exactly what we are talking about.

Her story about the small business people who are making a few dollars and have a very small margin for profit and then who are discriminated against by out-of-State sellers who don't have to collect the tax that is already owed is a real story, and she made a remarkably good address and I compliment her for that and welcome her to the Senate.

Sometimes we launch into these complicated debates without saying what we are talking about. Let me see if I can say in a few simple words exactly what we are talking about here.

My wife gave me an ice cream freezer for my birthday last year. She got it

from Williams-Sonoma. It is not one of those freezers you have to crank, as I did when I was a kid, and when you eat the ice cream it makes your head hurt because you would eat it too fast. This is a modern ice cream freezer, and you mix the stuff up and put it in, and after a while here comes the ice cream. But then I discovered that Williams-Sonoma also sells a mix you can order and that makes it even easier. So I ordered the mix.

Williams-Sonoma has stores in Tennessee, but I ordered mine online. I don't do this very much so I am not the best online purchaser who is around. But I looked up the catalog number, punched a few buttons on my computer, and I ordered my ice cream ingredients. It asked for my name, address, and the information on my credit card. And with that information, two things happened: I ordered the ingredients and they arrived within a few days. But Williams-Sonoma, through the Internet, determined from my ZIP Code what the sales tax is in Tennessee and in my home county and will remit it electronically to the State of Tennessee. That is what we are talking about.

If I go to the Williams-Sonoma store in Nashville and I buy the ice cream freezer or the ingredients, they add our 10-percent sales tax to it. If I order it online from Williams-Sonoma, they add the 10 percent, too, because I put my ZIP Code in. The way software is today, it is very simple to find out what the tax is in any jurisdiction. It is as easy as finding out the weather. If I want to know the weather in Maryville, TN, I put weather 37205. That is my ZIP Code. I find out the weather. Williams-Sonoma can find out the tax I owe on the ice cream ingredients that way.

So the Williams-Sonoma store in Nashville collects the tax, and they have to do it by law. That is part of their business responsibility in the State of Tennessee. The Williams-Sonoma store online collects the tax because they have stores in Tennessee. But lots of other out-of-State sellers do not collect the tax that is already owed. It is owed.

It is said there is a new tax here. I don't know where everybody got that. They must not have read the bill carefully. The U.S. Congress can't change the sales tax in Tennessee. We can't impose it, we can't lower it, we can't raise it. That is under the responsibility of the sovereign State of Tennessee.

This bill has nothing to do with the Federal Tax Code. Caterpillars have as much to do with the Federal Tax Code as this bill does. So it has nothing to do with taxes. This bill has to do with two words, and two words alone: States rights. Or you could substitute those two words with Tenth Amendment.

Do we believe here in the Senate that the Governor of Tennessee or Massa-

chusetts or Kentucky or Wyoming or anywhere else has to come here and play "mother, may I" to ask permission to decide what the State tax policy ought to be in Tennessee?

Tennessee imposes its own State sales tax. That is its decision. We do not have a State income tax. That is Tennessee's decision. Some States do. States have the right to be right; States have the right to be wrong. That came with our constitutional framework. We ignore it all the time.

A lot of Senators who fly to Washington somehow get the idea—if they can get through the delay on the tarmac everybody else is experiencing right now—that this 1-hour flight makes them smarter because they flew up here. No, it doesn't make us smarter. In fact, we ought to leave to States the responsibilities that States are supposed to have—whether it is in education or in health care or anything else, but certainly in matters of State tax policy. We shouldn't be trying to tell Tennessee or Massachusetts or anybody else what their taxes ought to be.

What we are doing with this bill is we are doing what the Supreme Court said we are the best persons to do. That is what Senator HEITKAMP said a little while ago. We are the ones to write the rules to say: States, of course, may decide whether they want to collect the State sales tax and use tax from all the people who owe it or some of the people who owe it. That is what the issue is.

Let's say we pass the Marketplace Fairness Act. It says that Tennessee can make its own decision about how it collects its sales tax and its use tax. Tennessee could decide it wants to discriminate against the Nashville Boot Company that sells boots out the front door, collects the sales tax, and sends it to the State. Let's discriminate against the Nashville Boot Company and tell the out-of-State seller of boots, You don't have to do that. Or, the State may decide—as I am sure it will, because the Governor, the Lieutenant Governor, and the legislators have told me they will. They may decide: We don't pick and choose between winners and losers, we don't pick and choose between taxpayers, we don't pick and choose between businesses. We want a level playing field. So we are going to say to the out-of-State seller—catalog, online, or whatever it is—welcome. You can sell in Tennessee if you play by the same rules that people who live in Tennessee do. That is all you have to do.

So the States are going to require, as it does, the Nashville Boot Company, the Williams-Sonoma store, the service station, the drugstore, to collect the sales tax and send it in to the States, and it is going to require the out-of-State seller to do the same thing. That is all we are talking about. If the out-of-State seller doesn't want to do it, it

doesn't have to. Nobody is requiring people to sell their stuff in Tennessee. It is a free country. It is a big country. It is a big market. We produce 25 percent of all the money in the world. If you don't like Tennessee's rules, as long as they fit the constitutional framework of not imposing a burden on interstate commerce, you don't have to sell in Tennessee. We hope you will. And if it is as easy for you to collect the tax as it is to find out the weather in your hometown, we don't know why you wouldn't.

We don't know why you would even expect that you would be treated better than somebody who lives in Tennessee and goes to work every day in Tennessee and pays taxes in Tennessee and collects taxes in Tennessee. We will treat you just as well as we do the local folks, but we are not going to treat you any better and put you at an advantage with our hometown businesses. That is what this is about, and that is all it is about.

Let's make clear what this is not. It is not a tax. It is about taxes already owed. It is not a Federal tax. It is State taxes already owed. Sales taxes and use taxes, that is all we are talking about.

Are we telling any State they must do this or must do that? No. We are saying to States that we are simply affirming the spirit of the Tenth Amendment, which says: You have the right to decide for yourself, Mr. Governor, Ms. Legislator, what your State tax structure ought to be. It is up to you. If you want to have just some people pay the sales taxes and use taxes that are owed and other people to not pay them, that is up to you too. That is your business. But this is a States rights Tenth Amendment decision that leaves to the States this ability.

I wanted to talk mostly about what we are talking about: We are talking about what happens when you buy something online, from a catalog, and the local store, and making sure that States are able, if they wish, to treat all businesses in the same way. That is why so many conservative leaders, as they have understood this bill, have come to support it.

This is a rarity in the Senate. This is an 11-page bill. Some people say it has been rushed. I wish to respectfully disagree with that. This legislation was introduced beginning in 2001. It was introduced in almost exactly the same form in 2011. It had a full hearing in the Senate Commerce Committee in 2011 in almost the same form of the 11-page bill that is before us today. Exactly this bill was filed on February 14, 2013, so everyone has had plenty of time to read it since February 14.

This is a bill that has been here for a long time, and the reason it is before us and hasn't come through the Finance Committee is because the Finance Committee simply wouldn't hear

it, act on it, and report it. We have a chance to amend it. The majority leader has said there will be amendments. It is my hope that Senators will come to the floor with their amendments as early as this afternoon. I hope Senators would want to keep amendments aimed at the subject of the debate, the marketplace fairness debate. There are many issues that have been raised. Let's bring them up, let's debate them, and let's vote on them. That is what we do when we are acting properly in the Senate.

I mentioned some of the conservative leaders who have talked about this issue. William F. Buckley, before he died, talked about the unfairness of treating instate sellers one way and out-of-State sellers another way. Another leading advocate for the idea of marketplace fairness is Al Cardenas, who is chairman of the American Conservative Union. He has written eloquently about it.

Former Governor Jeb Bush, former Governor Mitch Daniels, Governor Mike Pence, the Congressman from Indiana—these are leading conservatives on the Republican side. They have all said if Congress does not act, it freezes into place a system that picks and chooses among winners and losers, that treats one taxpayer one way and one business another way. That is not a good principle. That is not a good conservative principle at all. That is why so many of the Republican Governors, the Republican leaders—Art Laffer, President Reagan's favorite economist and distinguished writer, wrote in the Wall Street Journal last week that it would actually help economic growth if States were permitted to collect taxes from all of the people who owe it rather than some of the people who owe it. Mr. Laffer said, and I am paraphrasing, that the best tax policy is one that, when there has to be a tax, taxes the largest number of people at the lowest possible rate.

Governor Haslam of Tennessee, Governor Otter of Idaho, many of the Governors have said if we have the opportunity to collect the taxes from everybody who already owes them, we have in mind a tax rate we would like to lower. We would like to have a lower sales tax rate in Tennessee. We don't like a 10-percent tax rate. One reason we have it is because some people do not pay it even though they owe it. The reason they do not pay it is because out-of-State sellers—catalog, online—many of them do not collect it as others will do.

I think that is a summary of the legislation before us. It is about States rights. It is an 11-page bill. It has been before the Senate for months. The idea has been before the Senate for years. It does not seek to tell any State to do anything.

New Hampshire does not have a sales tax. After this law is passed New

Hampshire citizens will not have to pay a sales tax. If a New Hampshire company or Michigan company sells in Tennessee they will have to do what Tennessee companies do, or anybody else who sells in Tennessee will have to collect the tax and send it to the State government—or not sell. But unlike 20 years ago, that is pretty easy today. As I have said, it is as easy as putting in a ZIP Code and finding out the weather. One can compute the tax the same way I found out what my ice cream ingredients from Williams-Sonoma cost and what the tax was, and in the same way I paid that tax.

I look forward to the debate. I hope we can enact this bill. We have had 2 good votes: one at 74 votes and one at 75 votes. A majority of Democrats supported each vote. A majority of Republicans supported each vote. There is substantial support in the House of Representatives. This is an important States rights piece of legislation. It is part of our job to simplify things and not to require States to play "Mother may I?" with Congress about what their tax structure ought to be.

FISHING BARRIERS

Mr. ALEXANDER. Mr. President, seeing no other Senator here, I would like to turn to another matter. In his biography of Thomas Jefferson, Jon Meacham writes that Jefferson liked to fish. Jefferson "had a favorite spot," Meacham writes, "below the old dam on the Rivanna River." Thomas Jefferson, if he were alive, would be pleased to know Americans followed his example. Americans like to fish, and in Tennessee we have nearly 900,000 Tennesseans who bought fishing licenses last year, and they like to fish below the dams just like President Jefferson liked to do because they know that is where the fishing is sometimes the best.

That is why there is such an uproar in Tennessee and in Kentucky and from fishermen all over the country about the unreasonable obstinance of the U.S. Army Corps of Engineers in seeking to put up physical barriers to fishing below the 10 dams on the Cumberland River.

The Corps of Engineers is an honorable institution. The flooding season is upon us, and we all remember the terrific job they did last year and the year before when we had such serious floods along the Mississippi. We are grateful to them for that. But for whatever reason, the Corps of Engineers is rejecting every reasonable proposal from the States of Tennessee and Kentucky to say let us work with you to ensure safety below the dams on the Cumberland River in a way that continues to allow fishing when it is safe and that allows us to attract the jobs into our area.

Senator CORKER, Senator McCONNELL, Senator PAUL, Congressman

WHITFIELD, Congressman COOPER, Congresswoman BLACKBURN—we have all introduced legislation we call the Freedom to Fish Act. I met with every general and colonel I could find. I even talked to the Secretary of the Army and said: What in the world are you doing here? On these 10 dams ever since they have been built in the 1960s, people have been fishing there with their children and grandchildren. Some of the most ardent fisherman are retired Army Corps of Engineers people.

They always come back and say: We have to ensure public safety. Of course they have to ensure public safety, but there are various ways to do that. They do not have to put up physical barriers across the dam. So they are on a path to take \$2.6 million, during a time of sequester, that is needed for other projects to build these monstrosities across the river below these 10 dams.

Up to now it has been mostly those of us in Congress who registered the complaints of the men and women who like to fish. I went to a rally at Old Hickory Lake about a month ago. There were a lot of people there. They were not of any particular party, I would say. They were tea party, environmentalist, outdoors men and women, retired Corps of Engineers people, a lot of grandparents—people were mad because they fished there with their grandchildren and wanted to keep doing it. Then I went up to Kentucky to Lake Barkley a week ago with Senator MCCONNELL, Senator PAUL, and Congressman WHITFIELD and found the same sort of thing there.

The argument is that it is unsafe. Of course it is unsafe when the water is spilling through the dam. That is about 20 percent of the time. The rest of the time it is safe. Restricting fishing below the dams 100 percent of the time when it is only dangerous 20 percent of the time is like keeping the crossing gate down over the railroad track 100 percent of the time. We could do that. I think we have nearly 130,000 railroad crossings, but if we had a gate down on them all the time we could never go anywhere. People expect drivers to have enough sense to stay off the track when the train is coming. The track is not dangerous when the train is not coming and the water is not dangerous for fishing when it is not spilling through the dam.

One reason we are outdoorsmen in this country—and the great American outdoors is a part of the American character and our ethic—is we want to go outside and evaluate the risk. We want to be on our own. We want to be able to make decisions. We don't want a government that is so all powerful and all knowing that it makes it risk free when we go into the great American outdoors.

Now we have an additional voice that comes from the Democratic side of the aisle, and more important from the

legal side. The Corps of Engineers, in talking with me, said: You know, we have legal liability. Here is an article that was in the *Tennessean* yesterday about the comments of Jerry Martin, the U.S. attorney for the Middle District of Tennessee, who retired last week. He was appointed by President Obama as a leading Democrat in the area. This is the U.S. attorney position that was first held by Andrew Jackson at one time. This is what the article said:

Responding to the U.S. Army Corps of Engineers' proposal to limit fishing on dams along the Cumberland River and its tributaries in Kentucky, former U.S. Attorney Jerry Martin said that the Corps' plan is not worth the effort.

Martin, who just weeks ago would have been responsible with carrying out the Corps' wishes, said the Tennessee Valley Authority's siren system, which goes off when water is released from the dams, is enough to ensure public safety.

The Corps has proposed barriers along the river that would limit fishing access, citing safety concerns. Detractors say the move could cost millions of tourism dollars every year.

"These waters belong to the citizens," Martin, who was appointed by President Barack Obama in 2010, said in a prepared statement. "In light of the tremendous protection from liability enjoyed by the Corps, I don't think it's reasonable for the Corps to ban everyone at all times from these public places."

I am concluding my remarks because I see the Senator from Wyoming has arrived.

Let's stop and think about this a minute. The Corps of Engineers now already has everybody in Tennessee of any political stripe saying: You are taking an unreasonable step. They have the wildlife agencies of Tennessee and Kentucky saying: We would like to work with you to help you do a better job of ensuring safety below the dams when the water is spilling through the dams, which is 20 percent of the time. We have the Tennessee Valley Authority with dams on the Tennessee River, which makes the Cumberland look like a stream, and the TVA allows fishing below the dams. It has sirens, it has signs, it has whistles. It assumes people are wise enough not to roll up just below the dam when the water is spilling through it. Just like we assume we are wise enough, if we put on a siren and put on the red lights, not to sit on the railroad tracks when a train is coming.

Now the former lawyer who would have been responsible for defending the U.S. Army Corps of Engineers in a liability case says:

These waters belong to the citizens. In light of the tremendous protection from liability enjoyed by the Corps, I do not believe it is reasonable for the Corps to ban everyone at all times from these public places.

I call on the U.S. Army Corps of Engineers to recognize the voices of the

people of our country—all over the country—who fish below these dams and accept the offer of the two States, Kentucky and Tennessee, to work with the corps to develop a reasonable attitude, a reasonable way of ensuring public safety for fishing below the dams. That is our opinion. We will pass a law to make it happen if we have to, but given the statement, especially of the retired U.S. attorney, Jerry Martin, who would have been the corps's lawyer in defending lawsuits about this, the corps needs to change its mind, act reasonably, and spend that \$2.6 million on some more needed project.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Mr. President, recently the Secretary of Health and Human Services, Kathleen Sebelius, gave a speech in which she said she didn't realize how complicated it would be to implement the President's health care law. She didn't attribute this to all of the flaws that all of us know are in the law. The only problems she could see were because, she said, of Republican opposition.

Here is how one newspaper, *Investor's Business Daily*, described it: "Blaming GOP for ObamaCare."

The article goes through a list of problems with the law saying it is and it continues to be "unpopular," "expensive," "ill-conceived" and "poorly written."

Democrats in Congress and the administration do not seem to be interested in admitting that there are flaws in their law. They are only interested in trying to make sure someone else takes the blame for their huge mistake. The question is, Are Republicans opposed to this law? Of course we are because it is a terrible law. Democrats know how much of a mess this law is too. Some of them are even finally willing to admit it.

Last week the Senate Finance Committee held a hearing on President Obama's budget for the next fiscal year. Secretary Sebelius testified at that hearing. I wish to read from an article in *The Hill* newspaper about what happened. The article is entitled: "Baucus warns of 'huge train wreck' in enacting ObamaCare provisions." A huge train wreck. The article identifies Senator BAUCUS as "a key architect of the President's health care law" and quotes him telling Secretary Sebelius: "I just see a huge train wreck coming down." He added: "You and I have discussed this many times, and I don't see any results yet."

It also quotes the Senator saying: "Small businesses have no idea what to do, what to expect."

I agree with Senator BAUCUS. Businesses do have no idea what to expect,

and this health care law is a train wreck.

So what does this mean in the real world? It is causing businesses to avoid hiring or to cut back hours. There are new headlines on this every day. Here is what one said last week: "Nation's biggest movie theater chain cuts work-week, blaming ObamaCare."

Regal entertainment has more than 500 movie theaters in 38 different States. Last month it began cutting shifts for employees to 30 hours a week. That is the cutoff under the health care law where an employer has to provide health insurance. The company sent out a memo to its employees explaining why it had to cut shifts. It said:

To comply with the Affordable Care Act, Regal had to increase our health care budget to cover those newly deemed eligible based on the law's definition of a full time employee.

One theater manager said they have had a wave of resignations from managers who have seen their hours cut by 25 percent.

He said:

In the last couple of weeks, managers have been quitting on a daily basis from various locations to try and find full-time work. Mandating businesses to offer health care under threat of debilitating fines doesn't fix the problem, it creates one.

We already had 22 million people in this country who either can't find a job or can't find the full-time work they want. Now we have even more hard-working Americans whose hours are being cut because of the unreasonable burdens of the President's health care law. That is what this law does to jobs in America. That is what the coming health care train wreck looks like.

Here is another headline, this one from the New York Times over the weekend. It is on page 1. At the top of the page is the news about the capture of the second bomber. At the bottom of page 1: "Part-Time Work Becomes Full-Time Waits for Better Job." Part-time work is a full-time wait for a better job. The article talks about exactly this problem of people who want full-time work but can only find part-time work.

The article specifically cites the health care law as a reason why so many people are having trouble. It quotes one economist saying:

There is another reason to believe that part-time employment will stay higher for longer, namely, the incentives to employ part-time workers created by Obama's health care reforms.

The article goes on to add: "Confusion about the law and its requirements abounds."

That is the same point Senator BAUCUS made. Businesses don't know what to expect, people don't know what is going to happen and it is hurting families and it is holding down our economy. Again, that is what the health care train wreck looks like.

The train wreck also means the health care law is going to be very hard on family finances. It is going to increase how much people have to spend for insurance and care. A study by the Society of Actuaries says costs for health claims will go up an average of 32 percent—a 32-percent average increase across the country. Those higher costs are going to be passed along to consumers. That means more money out of the pockets of hard-working people, and that is going to be money they can't afford to lose right now.

We got another sign of the coming health care train wreck when President Obama finally released his budget for the next fiscal year. Of course, it came in over 2 months late. That is later than any other President who was already in office at the beginning of the year.

Why did it take so long? President Obama certainly didn't use the extra time to come up with any sort of a plan to stabilize the Nation's finances. Instead, he continues to add to the debt burden of America's children and makes it harder for Americans of all ages to achieve their dreams. Deficits continue far into the future. The President also offered no real entitlement reform and no plan to grow America's stagnant economy. President Obama is truly budgeting from behind.

What is interesting about his budget, though, is not just how late it is; it isn't just what that says about the lack of leadership from the White House. What is also very interesting is what this budget says about the coming train wreck of the President's own health care law.

The train wreck is coming not just because the President's health care law is unaffordable for families; it is also unaffordable for the taxpayers of this country. The President's budget fails to slow down Washington spending, but it is also dishonest about how much of a budget buster his health care law will be.

In fact, the administration has used a lot of smoke and mirrors to try to hide the true costs of the health care law. Here is how the Associated Press put it. They ran an article entitled "Tracking Obama's health law in budget isn't easy." The article points out that the President's budget includes no chapter, no table, not even a mention of what all the health care spending adds up to.

This Associated Press article quotes Bill Hoagland, who is a senior vice president at the Bipartisan Policy Center. He says: "I'm sure somebody has a spreadsheet somewhere, but clearly they are not publishing it in this budget."

The Obama administration knows that if they spelled out exactly how much this law is costing, the American people would be outraged.

So what do we know about the cost of the health care law? We know the

President wants almost \$975 billion for the Department of Health and Human Services next year. It is a budget increase of over \$100 billion since just last year—an 11.5-percent increase. The health care law was supposed to help slow down the growth in spending. Instead, it is using taxpayer dollars to fuel the fire, and it is powering us toward the coming train wreck faster than ever.

Part of the money would go to pay for 3,000 more Washington bureaucrats at Health and Human Services. That kind of increase in Washington spending is not something the American people need, and it is not anywhere close to what we as a nation can afford.

In another part of the budget, it says Washington needs \$32 billion to pay for what the administration calls premium assistance credits. Those are the subsidies to help people pay for the new insurance they are going to have to get under the President's health care law. That is taking \$32 billion from taxpayers to help hide how unaffordable this health care law is for families. The President says that 10 years from now this \$32 billion will grow to \$118 billion a year. That is a train wreck.

What else does the President want? He wants \$772 million for administrative costs at the Centers for Medicare and Medicaid Services. That is going to pay for more than 4,600 bureaucrats.

When I talk to people about their health care concerns, nobody has ever told me—and I am a doctor; I have practiced for over two decades in Wyoming and I was home this weekend at a health care fair—nobody has ever told me the problem is we don't have enough Washington bureaucrats. I have never heard that, not even once.

Still, that is exactly what we are going to get under the President's budget and under this health care law: costs going up instead of down; debt going up, not down; the Washington bureaucracy getting bigger and bigger. That is a train wreck.

The President's budget also asks for \$440 million for the IRS to administer the health care law. That is \$440 million the IRS would not need if Democrats had not forced this law on the American people. The Internal Revenue Service is going to need 1,954 more employees just to implement the health care law, not more doctors, not more nurses—1,954 more IRS employees. That is just the beginning of what the agency is going to be asking for in the next few years. We are going to see an army of new IRS agents and auditors to investigate the health insurance choices of Americans and their families.

The Obama administration isn't worried about all that power in the hands of those IRS agents. It is not worried about how unaffordable the health care law is for taxpayers. The only thing this administration seems to worry

about is who is going to take the blame for the train wreck we all know is coming right around the corner.

The President's health care law is bad for our economy, it is bad for consumers, it is bad for patients, and it is bad for the health care providers of our Nation.

Now the President's budget makes clear his health care law is also very bad for hard-working American taxpayers. The people wanted real health care reform, but Washington Democrats instead gave them a train wreck.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MARKETPLACE FAIRNESS ACT OF 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 743, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of Calendar No. 41, S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to speak on this bill. It is called the Marketplace Fairness Act. It will not do anything but damage to the marketplace, in my opinion.

This bill will impose new burdens on our small businesses. Let me repeat that. It will place new burdens on our small businesses. I have heard folks come to the floor and talk about how great this is going to be for small businesses. This is going to be terrible for small businesses. Small businesses are going to have to bring on more people. This is going to be more bureaucracy, with more accountants, more lawyers. This should be called the bill to employ more attorneys and more CPAs.

The fact is, I do not think the attorneys want this kind of work, nor do the CPAs want this kind of work, because what it will do is fundamentally alter the rights of States by allowing them to tax entities outside their borders.

Who is put at risk by this? Small businesses. If the small business screws

up, by the way, they are the ones who are held accountable. We talk about this big old database out there that these folks are going to be able to dub into to determine what the sales tax is for a single entity of the 9,600 cities and States and municipalities that collect sales tax. If the business gets it wrong, they are the ones that have the penalty. I am going to tell you that small businesses are not that profitable to be able to go through this kind of an exercise.

In Montana we are in a little different situation. In Montana our budget has a surplus because we have handled our money wisely. Montanans do not pay a sales tax, we do not have a sales tax, and the people of the State of Montana have twice voted against having one. But our budget continues to operate with a surplus without that sales tax.

Now we are going to have other States balance their budgets on the backs of Montana's hard-working small businesses. It is wrong and, quite frankly, it is insulting. In fact, Virginia—right close here—has already counted these funds as part of their budgeting for a new transportation plan.

I would say this is bad policy that I hope—I know what the cloture vote was yesterday—people take a look at because this is not the direction this body should be going. At a bare minimum, we should send this bill to committee and let the Finance Committee deal with it.

This has some real problems. It has real problems from an implementation standpoint. If we go down this road, it is a very slippery slope; it is going to create more bureaucracy; it is going to create more burdens for small businesses, including new liabilities for incorrectly collecting this sales tax, as I talked about before.

There are 9,600—let me say it again—there are 9,600 cities, States, and municipalities that collect taxes—different taxes: higher taxes on candy than in a different jurisdiction, sometimes no taxes on food. The list goes on and on and on.

It also leaves questions unanswered about how this could impose new taxes on financial transactions and 401(k) plans. It is bad policy.

What businesses will out-of-State tax collectors go after next? It is an aberration of States rights—rights which so many in this Chamber have supported.

It is a situation where we are going down a road that, quite frankly, we have not gone down before from a States rights standpoint. If we do this, I think it opens a Pandora's box, so to speak, as to new rules, new laws that potentially come down, using this as a basis for it.

As I said before, I empathize with the situation of States that have had their budgets underwater. But they ought

not be looking at other States' small businesses—in our case Montana's small businesses—to get their budgets in balance.

I would urge my colleagues to vote against this bill. It would gut States rights. It would impose new tax burdens on small businesses and middle-class Americans. Quite frankly, this is bad policy, and we should not be passing bad policy around here.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I rise in support of the legislation that is on the floor, the Marketplace Fairness Act. I rise as someone who has spent 20 years in the technology business helping to fund and develop online businesses, understanding the importance they play to our economy, and applaud the enormous growth of Internet-based businesses.

But I also rise in support of this legislation, because in addition to being a technology investor, I also was a Governor and know the importance that sales tax plays in funding so many critical State and local functions. Unfortunately, under the current circumstances, we have an uneven playing field because local small businesses, oftentimes bricks and mortar, follow the law and collect sales taxes from customers who make purchases in their stores while, on the other hand, many large online businesses that may be located or domiciled in some other State do not collect the same sales taxes. I think on this floor already we have heard repeated stories of some online retailers that even encourage people to go to the brick-and-mortar store to look, go out and price a product and then go back and go online and purchase that product. Not only does that discriminate against the brick-and-mortar store, but from a public policy standpoint, if these sales taxes are not collected, it creates an uneven playing field between the online vendor and the brick-and-mortar store.

This legislation will help level the playing field. It is about fairness. It is about having a level playing field for all types of retail outlets. Let me make clear, all it simply does is require every business to collect and remit an already legal sales tax that has been put in place at a State or local level.

Because of this unequal playing field, because of current circumstances, because there has been a failure amongst many of our online vendors to collect these sales taxes, this creates a direct and immediate impact on State and

local governments. As a former Governor, I can tell you the inability of States and localities to gather uncollected revenues undermines dramatically their ability to invest in K-12 education, police and fire prevention, funding for roads and bridges, public safety, environmental causes. You name it, all the basic core services that State and local governments perform, so many of them are directly funded in a major way by local or State sales taxes.

I would also like to mention how important this bill is to the Commonwealth of Virginia. Most recently in the Commonwealth, Virginia's leadership, with a Republican Governor and a bipartisan legislature, finally enacted legislation to make significant investments in our outdated and overstressed transportation network. Many of the folks work on the Hill or those of my colleagues who happen to live in Virginia know that traffic in Northern Virginia is at an almost debilitating point. We have finally in Virginia passed a funding source to try to address the transportation needs of Virginia.

Part of this solution, though, anticipates revenue from this legislation. So if we are going to be able to solve the transportation crisis that confronts not just Northern Virginia but all of Virginia, Virginia has to have the ability to collect all of its sale tax revenue. This is a large amount. The current uncollected amount of sales tax revenue in Virginia is estimated to be \$422 million over the past year.

That number is going to continue to increase as more and more vendors go online. Nationally, the amount is a staggering \$23 billion. Again, as I mentioned earlier, at a time when our States and municipalities are struggling to maintain essential core services or government, I think it is irresponsible of us at the Congressional level to, in effect, interfere or not allow these States and localities to collect sales taxes that they have put in place, that are collected from vendors that are in their communities but not certain vendors who operate online.

I would like to take a moment also to address a couple of the concerns I have heard from my community in Virginia. I say there are ways to improve this bill. I am grateful the Northern Virginia technology community is generally supportive of this legislation. They have raised some concerns, concerns I would like to address.

First, there is discussion about the small seller exemption. The current legislation says that those small sellers online that have less than \$1 million in sales will be exempted from this regulation. It is important that a startup business gets going online, that we do not put undue bureaucratic and other restrictions in place. There have been some suggestions that that \$1 mil-

lion small seller exemption is too small. I think perhaps looking at a slightly higher number may make some sense.

But there have been some who suggested we would take this number all the way up to \$15 million. I have to tell you, I believe taking the small seller exemption up to \$15 million per year in revenues would dramatically undermine this legislation and dramatically cut back the \$422 million Virginia has left on the table and the \$23 billion that is estimated to be left nationally.

So, yes, we can look at something a little larger than \$1 million but to go up to \$15 million would be much too high.

Second, I think there have been reasonable questions about how to make sure, where we are going to create an audit trail, and where we are going to allow those vendors to remit back, not to the literally hundreds of jurisdictions that collect these kind of taxes but to be able to simply remit to a single point of contact.

I think the legislation moves forward in this direction. I again would look at other opportunities. On the issues of remittance, the legislation does put in place a requirement that every State would have a single point of remittance, which I think strikes the right kind of balance needed to not create an undue burden.

On the question of audits, I think there is more work that can be done. I believe there is an analogy here to the telecommunications industry I used to be part of. In the early days of the cell phone industry, there were clearinghouses that were allowed to, in effect, be the settlement agencies between a variety of competing cell phone systems when we were charged roaming charges. I think we can look to some examples in that industry and others to make sure that in a look-back basis, there is an ability to have a single point of audit so those vendors, particularly small vendors, make sure they get a fair shake.

Finally, I think we need to make sure that, particularly for these smaller vendors, we do all we can to make it easy for them to comply with the law. I am pleased this legislation requires States to make available, at no cost to retailers, common software that will basically calculate the State and local sales tax requirements for any of these online vendors, as well as kind of build in some of the administrative services. I think this is an important step to make sure we continue to allow the entrepreneurial spirit to grow online as well as in the local community.

Again, I think it is terribly important to remember that all we are doing in this legislation is making sure there is a process in place to collect sales taxes that are already due.

Two final comments before I yield the floor. During the course of this de-

bate, some opponents of the Marketplace Fairness Act have made statements about what this bill might possibly do that I do not think are reflected in the legislation.

Among those claims, there is a claim that this bill is the first step toward a State or local transaction tax on the purchase of stocks or derivative contracts. I have reviewed this legislation closely. There is nothing in this legislation that would make it be the first step on a slippery slope toward a transaction tax. There is nothing in this bill that would prohibit that kind of tax. States already have that ability. This legislation will do nothing to take a step toward that. So I think that claim being made by some is not accurate and does not reflect the legislation.

Finally, this legislation comes about because at the beginning of the development of online sales, there was a belief, perhaps accurate at that moment in time, that this growing industry of online retailers needed an extra little benefit, an extra little head start, an ability to have this industry not be squashed at its outset. I think history has shown, as we have seen the growth of retail sales online go up dramatically, faster than the growth of retail sales in bricks and mortar, that whatever needed boost the online industry might have needed at some point, that they now have become an extraordinarily important and successful part of our economy.

I commend all those and many other companies I had the ability to help fund when I was in the private sector. I welcome their success. Online businesses continue to be one of the areas for most entrepreneurial activity. I commend those efforts. But I do believe, in 2013, we do not need to perpetuate what has become at this point an unlevel playing field.

I believe the Marketplace Fairness Act will correct that unfairness, correct this unlevel playing field. I was pleased to see the overwhelming bipartisan majority that voted to invoke cloture. I hope this week we will be able to finish considering this bill, get it passed, and get it sent over to the House.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BOSTON BOMBING

Mr. MCCAIN. Mr. President, there has been a great deal of misunderstanding about the position the Senator from South Carolina, I, and others have taken on the detention and interrogation of the suspect in the Boston

bombing. None of us is saying the suspect should be indefinitely detained as an enemy combatant by the U.S. military or tried in a military tribunal. The suspect is a U.S. citizen and must be treated accordingly, and he will be. What we are saying is that the importance of treating the suspect in accordance with his rights as an American citizen must be balanced with our government's top national security priority, which is the lawful, effective, and humane interrogation of this subject for the purposes of gathering intelligence.

The Boston attacks were clearly inspired by the violent ideology of transnational Islamist terrorism. We need to learn everything we can about what foreign terrorists or terrorist groups the suspect and his brother may have associated with, whether they were part of additional plots to attack our Nation, and what other relevant information the suspect may possess that could prevent future attacks against the United States or our interests.

We need to delve further into this whole issue of the education some people who are motivated by these base ideologies obtain over the Internet and the effect it is having. We should at least know about this.

Our civilian justice system offers a responsible option for striking this balance with American citizens. It allows the Justice Department to delay reading a suspect his Miranda rights if doing so is in the interest of "public safety." The administration had rightly invoked this public safety exception in the case of the Boston suspect, which provided our national security professionals a discrete period of time to gather intelligence from the suspect without the presence of his lawyer.

However, soon after questioning him in this manner, the administration recently reversed itself and read the suspect his Miranda rights. In doing so, the administration gave up a valuable opportunity to lawfully and thoroughly question the suspect for purposes of gathering intelligence about potential future terrorist plots. Whether we will be able to acquire such information has now been left entirely at the discretion of the suspect and his lawyer. Put simply, the suspect has been told he has the right to remain silent. If he doesn't want to provide intelligence, he doesn't need to.

Is this a responsible balance between a citizen's rights and our national security? The suspect had only been responsive for a couple of days before he was read his Miranda rights. Even then, he could not communicate verbally. Does anyone really believe our national security professionals were able to acquire all of the relevant intelligence possessed by a subject who couldn't speak in only 2 days? This is not a responsible balance between civil liberties and national security.

From the very beginning of this debate, the Senator from South Carolina, the Senator from New Hampshire, I, and others have maintained that the administration should reserve its right to hold the suspect as an enemy combatant for the purpose of gathering intelligence. This was not the only option or even the ideal option. In light of the administration's decision not to continue questioning the suspect under the public safety exception, the only option we are left with is lawfully questioning the suspect as a potential enemy combatant.

The full extent of whether the suspect is linked to al-Qaida or its associated forces remains unclear. The brother's trip to Russia certainly should be the subject of an inquiry. Additional questioning is critical to making it clear.

Today there is ample evidence that would allow the administration to question the suspect for key intelligence. The consequence of not doing so is that our need to question the suspect for such intelligence is left solely at his discretion and willingness to cooperate. This is not a responsible approach to the national security of this country.

Again, this is not to say that we must hold the suspect indefinitely in military detention, nor that the suspect must be or should be tried in a military tribunal. In both cases, there is plenty of precedence for holding a terrorism suspect as an enemy combatant for a limited time before moving him into the criminal justice system for the purpose of standing trial in civil court. What is more, the Supreme Court has consistently upheld the legality and constitutionality of this approach, as well as the ability to hold American citizens as enemy combatants. Ultimately, the broader question is whether one views the United States as part of the battlefield in the global fight against terrorists. I know some don't. I, however, do not see how we can avoid this fact. Those who seek to attack us certainly view the homeland as part of the battlefield—indeed, the central part.

Of course, there will always be and should be differences in how we handle events in the United States and events overseas and differences in what rights are due to American citizens as opposed to foreign citizens. Yet we cannot afford to build a wall between the fight against terrorists abroad and the fight against terrorists who are trying to attack us here at home, including when American citizens are involved in this fight, as some clearly are, and will continue to be.

Just because some don't seem to want to grapple with the difficult, unprecedented legal issues this war presents does not mean they will cease to be real challenges. If we pretend the homeland, the United States of Amer-

ica, is not part of this battle, I believe it will only be a matter of time before we learn this lesson the hard way.

I say to many who are reporting on this issue, I hope it is clearly understood that we are not saying the suspect should be indefinitely detained as an enemy combatant by the U.S. military or tried in a military tribunal. The suspect is a U.S. citizen and must be treated accordingly, and he will be.

During the now-famous discussion of 13 hours on the floor of the Senate, there were certain comments made that I think are important to recall.

The battlefield coming to America or acknowledging that is an enormous mistake.

I am quoting from the debate that took place.

Alarm bells should go off when people tell you that the battlefield's in America.

I'm here to argue that we can't let America be a battlefield because we can't say that we're no longer going to have due process, that we're no longer going to have trial by jury, that we're no longer going to have presentment of charges in grand juries. It is impossible in a battlefield.

This is another quote:

[W]hen people say, oh, the battlefield's come to America and the battlefield's every—where the war is limitless in time and scope, be worried, because your rights will not exist if you call America a battlefield for all time.

The Chair understands as well as anyone that the people of Boston and the people of Massachusetts, of the Commonwealth of Massachusetts, would clearly take exception to a statement such as "the battlefield coming to America or acknowledging that is an enormous mistake." The people of Boston are very well aware that the battle comes to the United States. There are many attempts for it to come to the United States. Tragically, it came to the United States of America in a most tragic and terrible way.

We need to have a larger debate here about the location of the battlefield. To somehow believe the ultimate target of these radical Islamic extremists and other extremist elements is not the United States of America is a gross misreading of what this fight against terrorism is all about.

Quoting from a Wall Street Journal editorial, as I have done in the past:

The Boston bombing also ought to chasten libertarians who keep insisting that the U.S. homeland is not part of the terror battlefield.

"It's different overseas than it will be here. It's different in the battlefield than it will be here," [one Member] told Fox News earlier this year. "Which gets precisely to the argument I have with some other Republicans who say, well, 'the battlefield is everywhere. There is no limitation.' President Obama says this. Some members of my party say the battle has no geographic limitations and the laws of war apply. It's important to know that the law of war that they're talking about means no due process."

Boylston Street looked like a boulevard on Monday, and so did Watertown on Thursday

night. The artificial distinction [arises from undue] focus on geography. The vital distinction for public safety is between common criminals, who deserve due process protections, and enemy combatants at war with the U.S., wherever they are.

As for due process, the greatest danger to liberty would be to allow more such attacks that would inspire an even greater public backlash against Muslims or free speech or worse. The anti-terror types on the left and GOP Senators who agree that the U.S. isn't part of the battlefield are making the United States more vulnerable.

Americans erupted in understandable relief and gratitude on Friday with the rapid capture of the terrorist brothers. But we shouldn't forget that their attack succeeded, with horrific consequences for the dead, the wounded and their loved ones. The main goal now is to prevent the next attack.

How do we prevent the next attack? We find out as much information as possible as to what motivated this attack.

Mr. President, I ask unanimous consent that the Senator from South Carolina be included in the colloquy.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. We wish to make sure our position is very clear. We are not saying the subject should be indefinitely detained by the U.S. military or tried in a military tribunal. The suspect is a U.S. citizen and must be treated accordingly, and he will be.

The tragic events we saw in Boston bring home again that this fight is far from over. I don't know if these young men were motivated by the information they received, whether it was overseas or whether it was due to the Internet and various influences there. What we do know is that while living in this country, they changed from apparently normal young people into terrorists who were willing to do anything to take the lives of their fellow American citizens.

The battlefield is the United States of America. Anyone who doesn't believe this ignores the events from which we are recovering.

I yield to the Senator from South Carolina, who has probably been more widely quoted than I have, and request that he clear up this exact situation we are calling for which, frankly, is being portrayed inaccurately in a great deal of the media.

Mr. GRAHAM. Very simply put, I have two goals. I think Americans want two things to happen in this case. They want the surviving suspect to be brought to justice. I am glad he survived, as hopefully we may learn some information from him that will make us all safer in the future. I am pleased he survived so we may try him in a court of law, before a Federal court in Massachusetts, to hold him accountable for his crimes. In the trial, he will be given a lawyer. He has the right to remain silent. He will be tried by a jury. He will be given all the rights as-

sociated with a Federal court trial. He is an American citizen, and we have never suggested otherwise.

As one of the primary authors of the 2009 Military Commissions Act, I expressly exempted American citizens from military commission trials. Why? I wanted to reserve that system for foreign terrorists. It doesn't mean I don't believe there will be domestic terrorism. It doesn't mean I don't envision an American citizen helping the foreign enemy. I do. Every war, unfortunately, we have been in during the history of our country, American citizens have joined forces and sided with the enemy. This is not an unusual event. What would be unusual is to say one could do so and not be treated under the law of war. We would be making history if we adopted that view.

Let me begin with a case in World War II. German saboteurs landed in Long Island. They had been planning for years an effort to come to our country. These were Germans who had lived in our country and went back to Germany and became Nazis. Because they spoke good English, they were recruited by the German intelligence service to come back and plan massive attacks on our homeland.

They had a cell here in America, some of whom were American citizens who joined the plot. Thanks to the great FBI work of this time and day, as soon as they landed the plot was foiled and the American citizens were captured. In 1944, 1945, and possibly as late as 1946, the American citizens who aided the German saboteurs were held as enemy combatants and tried in a military court. Three of them were hanged.

The case went to the U.S. Supreme Court, and the Supreme Court said: When you join the forces of our enemy, you are committing an act of war, not a common crime.

Tokyo Rose sided with the Japanese. She was tried and given a life sentence. Since 9/11, there have been three American citizens who have been involved with al-Qaida or the Taliban or affiliated groups. They have been held as enemy combatants. They have gone to trial in civilian court and the courts have blessed the holding of American citizens as enemy combatants.

Rumsfeld v. Hamdi was an American citizen captured in Afghanistan held under the law of war as an enemy combatant. He was eventually tried and the Court said, as in World War II, we can hold one of our own as an enemy combatant, recognizing the difference between a common crime and the law of war.

Mr. Padilla was held 4 years by the Bush administration. His case went up to the Fourth Circuit and the Fourth Circuit said: Yes, you can hold enemy combatants off the battlefield. That is the power the United States possesses at a time of war.

When you are fighting a war, the goal is to win the war and to find out about what the enemy is up to. When you are fighting a crime, the goal is to convict someone or have them found innocent. They are two different systems.

This young man will be going to Federal Court and a jury will decide if he is guilty of his crimes. What we are asking of the administration is: How do you gather intelligence in that system? It is not meant to gather intelligence. We don't want to limit ourselves as a Nation to asking questions about future attacks in the criminal justice system because here is the way that works. If I am his lawyer, I am not going to let you ask him any question about anything until I get a benefit for my client. So intelligence gathering now is controlled by the terror suspect and his lawyer. Is that smart? Now you are having to plea bargain to get intelligence.

What we are saying is, conduct the trial in civilian court—the only form available—but because there are international terrorist connections here—clearly they killed people in Boston not because they wanted their property or they were mad with the Boston city government, they killed—they slaughtered a young boy and his family and others because they have adopted a radical jihadist view of us as a Nation. The older brother was quoted as saying we are infidels, we are a colonial Christian power, we have corrupted Islam. They are trying to kill us and destroy our way of life because of what we believe.

The sooner we understand that, the better off we will be.

Here is my view about defending ourselves as a Nation. A criminal court is about due process and giving the accused a fair trial. Military intelligence gathering is about defending the Nation at war. The question we all have to answer for ourselves is: Is America at war? The answer, to me, is yes. We are at war with a radical ideology that hates everything we stand for.

Bin Laden is dead. We celebrate that. But al-Qaida is very much on the march. As a matter of fact, radical Islam is regenerating, and the way they are coming after us is to find people in our own backyard and turn them against us.

How could we have missed this? How could the intelligence services in Russia tell the FBI: You need to watch this guy; we believe he is a radical Islamist coming to your country to hurt you? How could we miss him going to Russia and coming back? How could we miss his YouTube videos where he is ranting and raving against us and threatening to take us down as a Nation?

These are questions to be asked and answered. And here is what we are suggesting: The surviving suspect, due to the ties these two have to radical Islamic thought, and the ties to

Chechnya, one of the most radical regions in the world, the President should declare preliminarily that the evidence suggests this man should be treated as an enemy combatant. We could hold him for a period of time, question him without a lawyer, and none of the evidence could be used against him in the criminal proceeding. That is the best way to gather intelligence. The best way to gather intelligence is to have a rapport with him, take down the stories he is telling us and deconstruct them; spend time with him outside the criminal justice system.

We have gathered so much good intelligence from enemy combatants at Guantanamo Bay. You won't send him to Guantanamo Bay, but during the last decade we have exploited intelligence from enemy combatants—people who have joined the other side—and it has helped us figure out how to defend ourselves and find bin Laden.

All we are saying is when it comes to defending against future attacks, we want to talk to him without a lawyer. That is all we are saying. We want to talk to him without a lawyer so we can find out what he may know about what we face in the future, and when it comes to prosecuting him, we won't use anything we found against him. A first-year law student could convict him, but, my God, look what we are losing as a Nation by using this model. Instead of taking time out to interrogate him without the presence of counsel to learn about what did happen, we are now stuck in a criminal justice system where we can't ask him one question his lawyer won't allow.

I am not blaming the lawyer. My goodness, if I were his defense lawyer, no one would ask him one thing without my permission, and they would have to give a lot to get an answer to anything. All I am suggesting is we are at war, these two people fit the profile of folks who are trying to kill us, they are tied to overseas organizations potentially, so why in the world can't our country have some time with this person in the national security legal system to find out about what he knows and how they planned this attack, to make the rest of us safer.

I believe in due process. And he, in that system, can go to a judge and say, I am not an enemy combatant, and the government would have to prove he is. So he has due process there. But here is what I believe deeply, and then I will turn it over to Senator AYOTTE of New Hampshire. I believe the closer one gets to our homeland, the more rights we have as a people to defend ourselves. I don't want a police state. I don't want to live in a country where we can't express who we are and what we believe in and to argue and have a different view of religion. But, by God, given the times in which we live, I don't want to become deaf and blind to

the threats that are real in our own backyard. I want a system that can find out about guys like this before they kill us.

Let me tell you, ladies and gentlemen, if we don't gather good intelligence and we don't hit them before they hit us, there is more to come.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from New Hampshire be included in the colloquy.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. I ask my colleague for a comment on the issue of whether the United States of America is a battlefield. Does my colleague agree with the quote, "The battlefield coming to America or acknowledging that is an enormous mistake"?

Mr. GRAHAM. Not only do I agree, who picked the battlefield? I didn't pick America to be the battlefield. I don't want to be at war with anybody. They chose the battlefield.

Where do you think they want to hit us most, I ask Senator MCCAIN? If you could get the top leadership and give them one shot at America anywhere, where would they take that shot? Would they hit us in France? They would hit us here. Why? Because they want to destroy our way of life. They are trying to come here to kill us. All I am suggesting is we should be able to defend ourselves. And the closer they get to us, the more rights to defend ourselves we should have.

Let me say I asked the Judge Advocates General of the Army, Navy, Air Force, and Marine Corps: Is the authorization to use military force against al-Qaida, the Taliban, or affiliated groups limited to outside the United States? They said: No, there is no geographic limitation. So if somebody hijacked a plane tomorrow trying to fly it into the Capitol, our military could shoot it down. We are not going to restrict ourselves to the battlefield being everywhere else but in our own backyard.

Mr. MCCAIN. Finally, again, if there were information of an imminent attack, such as the aircraft that crashed in Pennsylvania that might have been headed for the Capitol, we would take whatever measures necessary to prevent it from happening. To somehow say we would not use every capability in our arsenal to prevent that goes back again to this fundamental error, fundamental misconception about the nature of radical extremists where the battlefield clearly is the United States, and we should be most prepared.

And, by the way, if there is some good news that came out of Boston, it was that some of the measures that had been taken since 9/11 contributed significantly to our ability to track down and eliminate this threat far more rapidly than we would have prior to 9/11.

Mr. GRAHAM. Yes, if I may, hats off to the Boston, MA, police officers, to the Presiding Officer's town. Our heart breaks for the victims. Bostonians made us proud. They show us how to stay brave. The FBI and everybody did a great job, but how we missed this I still want to know.

The Senator from New Hampshire was the former attorney general of New Hampshire. She knows the difference between fighting a war and fighting a crime.

I have been a military lawyer, I have been a civilian lawyer, and I am all very much for the idea of due process being given to everyone charged with a crime, including this man. He deserves to be presumed innocent, to have a lawyer, and a jury to find him guilty or innocent. He deserves all that because it makes us better and safer. But what we should not give up as a Nation is the ability to find out about future attacks in a logical way. We are at war, and in the law of armed conflict, national security applies here, in my view, because of the type of incident involved and the threats we face.

I wish to hear from Senator AYOTTE, who has become one of the most knowledgeable people on the topic. She has tried people in New Hampshire—death penalty cases—and if she doesn't mind, perhaps she can share with us her view of where the battlefield is, what kind of laws to apply to a situation such as this.

Ms. AYOTTE. I thank my colleague from South Carolina and very much thank my colleague from Arizona for, obviously, their leadership on this issue.

I have great confidence in our criminal justice system, having both defended and tried criminal cases in that system. The purpose of that system, of course, is to bring people to justice. There is no question in this case, in light of what Boston has gone through—and I know the Chair knows all too well the crimes that were committed and the acts of terrorism committed—that we need to make sure the criminal justice system holds that individual, the terrorist who survived, accountable in the Federal criminal system.

I am confident, based not only on what we have seen with video evidence but the great work done by our law enforcement officials, both at the local level in Boston, along with the cooperation of our Federal agencies—they did phenomenal work—that evidence will be used against this terrorist in the Federal court system and he will be found guilty. In fact, with the overwhelming evidence, this is not a difficult case to prosecute, and we should hold him fully accountable.

But our criminal justice system, which I have great respect for, was not set up to gather intelligence to protect our Nation. In fact, protections such as

the right against self-incrimination, when an individual is given their Miranda rights, that is intended to tell people they have the right to a lawyer, they have the right to remain silent so they can't be coerced into confessing to something and then having that confession used to convict them later in a court of law, that doctrine was not intended to stop this Nation from gathering intelligence, to make sure when we have a terrorist attack, such as what occurred in Boston, which was so horrific—and let me say my thoughts and prayers are with the victims of those terrorist attacks—we cannot in the national security context hold that individual for a sufficient period while still being respectful of his constitutional right—which we can be—and gather intelligence.

If we cannot do that, what are we saying about our Nation? What are we saying here? Let us go back to 9/11.

What if we had captured one of those individuals before the second plane hit the second tower or before the plane went down in Pennsylvania. Are you telling me we couldn't hold them for a longer period of time?

Our law enforcement officers relied on what is called the public safety exception to Miranda in this case with the Boston terrorist, but that exception expired very quickly. It expired so quickly that yesterday, while our law enforcement spoke with him, by noon he was being advised by a Federal court judge he had the right to remain silent. Is that enough time to find out whether he has any ties to any foreign terrorist organizations, given that his brother traveled to Dagestan, with ties to Chechnya—with known ties in those areas of the world to al-Qaida? Is that enough time to know whether somebody else or some other organization was funding them or there are other attacks that America can expect? Because that was a very brief period of time, and that is what we are talking about—respecting our values in the criminal justice system but also protecting our Nation.

In this instance, this individual was very quickly advised that he had the right to remain silent. When he came to consciousness, it was a matter of hours that were given to gather all this information. Is that enough, given what happened in Boston, to make sure we know everything this individual knows to protect this Nation from future attacks, if he has ties to al-Qaida or some other foreign terrorist group? That is a very limited time.

What we are saying is, yes, try him in Federal court, and he is entitled to due process in that system as well. But he should have been held initially to make sure we have the maximum information in our national security system to protect our Nation.

Is America the battlefield? We all remember too well 9/11. Unfortunately,

the goal is to come to America, and we have to acknowledge we are at war with radical Islamic jihadists who are seeking to kill us—not for anything we have done but for what we believe in and for what we stand.

I want to show an individual whose name is Anwar al-Awlaki. Anwar al-Awlaki was an American citizen, just like this individual who committed the terrorist attack in Boston whom we are holding right now. This American citizen became an influential leader in al-Qaida in the Arabian Peninsula, advocated for violent Jihad against the United States, used the Internet to recruit followers and inspire attacks, and was linked to dozens of terrorist investigations in our country and with our allies. He was in Yemen, and on September 30, 2011, our administration took him out with a drone strike, and I applaud them for that.

But if Anwar al-Awlaki, a U.S. citizen under the constructs we are under right now, came to the United States of America and was involved in an attack against our country—we can take him out with a drone strike if he is in Yemen. But if he actually gets to the United States of America to carry out the attacks he wanted to as a terrorist and we capture him here, we have to give him Miranda? No. We need to be able to hold individuals such as he, and anyone who is seeking to commit a terrorist attack against our country, in the national intelligence context, to find out what they know to make sure we can disrupt these terrorist networks around the world. That is what we are talking about, and we can do both within our values.

To those who have been writing inaccurate pieces about this, we understand that if someone is an American citizen, they cannot be tried in a military commission; they can only be tried in a Federal court. And we will do that here. If we had caught him, we would have tried him too. But before we do that, we had better know what he knows about the terrorist network to be able to know whom he is involved with and to prevent future attacks on this country because people like him—and unfortunately what we saw in Boston—do want to come here to attack us. We have to be in a position to protect this country.

What concerns me most of all is the construct that this administration has put together. Here we have a construct where even foreigners who are terrorists—not American citizens—are being brought into our civilian system and are being advised of their Miranda rights without giving the maximum opportunity to gather intelligence.

This is a picture of Osama bin Laden's son-in-law sitting next to Osama bin Laden, Abu Ghaith, the day after our country was attacked on September 11. Osama bin Laden's son-in-law, Abu Ghaith, was captured over-

seas. He spent time in Iran. Instead of being brought to Guantanamo or held for a lengthy period to be interrogated, he was brought right to a Federal court in New York City to be tried there.

This is the construct this administration is using, where they are not treating this like we are at war even with foreign terrorists. Osama bin Laden's son-in-law, not held as an enemy combatant, tried—just like this individual who was captured committing the terrorist attacks against us in Boston—in the Federal civilian court system.

We are at war, ladies and gentlemen, and we owe it to our Nation to protect our country. The only way we can do that is when we capture individuals who are foreigners who are members of al-Qaida or when we capture individuals who are American citizens who commit terrorist attacks against this country—who may or may not have ties to foreign organizations—we had better find out. If they do, we need to understand what they know to protect our Nation and then hold them accountable, as we will in this case, and make sure they never see the light of day. I hope in this case we seek the death penalty for what that suspect in Boston did in terrorizing those who were there at the Boston Marathon on such a wonderful day.

Mr. GRAHAM. Would the Senator yield for a question?

The ACTING PRESIDENT pro tempore. We have an order for a recess at this hour.

Mr. GRAHAM. I ask unanimous consent for 1 minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRAHAM. I thank the Chair.

I would ask the Senator from New Hampshire, how do we get the death penalty when the only way we can get information out of the suspect is to go through his lawyer? If we can't have this national security interrogation, where there is no lawyer, to get information to protect against a future attack that can't be used in a trial, don't you think the lawyer is going to say: I am not going to have my client talk to you unless you promise not to seek the death penalty?

Ms. AYOTTE. I would say to the Senator from South Carolina, I don't know how that isn't possible in this case. Any defense lawyer—as they should—to defend their client, there is no way they will allow that individual who committed the terrorist attack in Boston to speak to one investigator now, if we get additional information or we have followup questions, without taking the death penalty off the table.

That is the defense lawyer's job. I respect them for that. But it puts our Nation in an awkward position to have to negotiate with a defense lawyer when we have questions for someone who has committed a terrorist attack against our Nation.

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

MARKETPLACE FAIRNESS ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, are we in regular order?

The PRESIDING OFFICER. We are considering the motion to proceed.

Mr. REED. Madam President, I rise today in support of the Marketplace Fairness Act. I am pleased to join Senators ENZI and DURBIN and many of my colleagues in this bipartisan effort to pass this bill that will help small businesses in my State expand and create jobs by ending a tax loophole that benefits out-of-State remote sellers. I want to particularly commend Senator ENZI and Senator DURBIN for their long-time leadership on this issue. They have been relentless in trying to find an effective way to allow States to collect sales taxes on items that are actually delivered into their States.

This is a huge issue in my State of Rhode Island where businesses are having a very difficult time competing against out-of-State retailers because of, frankly, the outdated rules that require shops on Main Street to collect taxes while their out-of-State online competition does not. When you go to the stores in Rhode Island you'll see that they are facing this with increasing frequency. And small business men and women are demanding help.

When Internet commerce was in its early stages, online companies were basically exempted by what is now, by all accounts, an out-of-date Supreme Court decision, from collecting State and local sales taxes for sales in States where they do not have a physical presence—despite the fact that there was still an obligation to collect sales taxes on those purchases. That obligation was shifted to consumers, who are often unaware they have an obligation. This loophole puts Main Street businesses at a competitive disadvantage, hurts the ability of Rhode Island to keep jobs in the State, and strains State budgets all across the United States.

In order to address this inequity, the bill before us today would give States the ability to enforce their own sales tax laws and, by so doing, relieve consumers of the legal burden to report to State tax departments the sales taxes they owe on online purchases—since they would be paying sales taxes as a matter of course at the time of purchase, just as they would in a regular store.

Essentially it levels the playing field. If you walk into a store in Rhode Island and there is a sales tax charge, you would pay it. If you receive an item you ordered off the Internet, you would pay a sales tax as part of the bundled price of the item. It is what people would expect to do.

The legislation would also ensure that the rules for collecting sales tax from out-of-State retailers are clear and consistent. States can enter into an already established Streamlined Sales and Use Tax Agreement which my State and 21 other States are party to, or States can adopt a set of alternative minimum simplification standards to make it easier for online businesses to comply with their tax laws.

And this bill makes it easier for businesses—that choose to do business in a State that requires remote sellers to collect sales taxes—to comply with the law by providing software to help them calculate the sales tax.

Furthermore, this bill exempts small businesses with less than \$1 million in gross revenue from having to collect sales taxes on remote sales. Those truly small businesses would not be affected by the legislation before us today.

This bill does not create new taxes or increase existing taxes. Instead, the bill will help States and cities collect billions in unpaid taxes already owed, reducing the need to raise new taxes on tax-compliant businesses and citizens. Indeed, yesterday I was with my Governor and he indicated that if we could pass this at the Federal level and allow the State of Rhode Island to collect approximately \$70 million a year, he would secure a reduction in our sales taxes which would benefit all the people and businesses in Rhode Island.

This is a proposal that I think is not only necessary, it is long overdue. In 2012, as I have indicated, Rhode Island estimated it lost approximately \$70 million in uncollected revenue. The revenue was legally owed but, because of this loophole, it went uncollected. This puts pressure on individuals and businesses that play by the rules. Indeed, if the Marketplace Fairness Act becomes law, Rhode Island has provisions in State law—and the Governor reiterated that yesterday—that would help lower the sales tax from 7 percent to 6.5 percent and eliminate the recent extension of sales tax to clothing purchases over \$250. This would have huge and immediate benefits to the people and businesses of Rhode Island.

The other thing it could do, frankly, is it would encourage local businesses to hire Rhode Islanders. We are facing a 9.1-percent unemployment rate. We have been slowly making progress in terms of putting people back to work—but there is much more to be done. This bill would help with that recovery because one of the barriers main street businesses face in hiring locally is the

unfair competition from remote sellers that do not collect sales tax. This bill corrects that.

Now some online retailers who benefit from this unfair tax advantage understand the need to correct the loophole. That is why companies such as Amazon.com, with substantial remote sales, support this legislation. Governors of every political stripe recognize the undue pressure this tax loophole puts on their budgets, businesses, and citizens, and that is why the National Governors Association supports this. Ultimately, the Marketplace Fairness Act is about revitalizing our real economy by helping Main Street businesses compete against remote sellers that benefit from this tax loophole because these Main Street businesses cannot hire workers or expand if shoppers use their stores just to browse and then make their purchases online in order to avoid paying sales tax.

Yesterday I was with a group of business leaders in Rhode Island. Among them were the Cardi brothers, Ron and Pete Cardi, who own a family furniture store. It has been in the family for generations. They are first-rate businessmen and first-rate community leaders. They tell me it is not uncommon for someone to come in the showroom, get help from one of their skilled sales personnel, order the furniture, have it shipped to their homes so they see it fits exactly right, then call up and have it returned to the store—and then a truck will show up a day or two later at the customer's house, from a remote seller with the same item because the remote seller doesn't collect sales tax. We cannot have our retailers in States such as Rhode Island simply be showrooms for remote sellers. That is one of the consequences of this loophole we have to correct. This bipartisan proposal is designed not only to allow States to keep or retain the tax that is owed, but also, in the case of Rhode Island, to allow a tax reduction; and furthermore, to give local businesses more incentive to hire.

This is legislation that makes extraordinary sense in every dimension. I hope we can get through this debate this week and successfully pass this legislation. We are all encouraged by the 75 votes this proposal received when it was made as an amendment during the budget debate and the 74 votes this bill received on the cloture motion. I am hopeful it will continue to enjoy a similar level of support moving forward.

Once again, let me thank Senators ENZI and DURBIN for their extraordinary leadership, which has helped forge this bipartisan and bicameral bill, and I urge my colleagues to support its passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I join my colleague Senator REED of

Rhode Island and I thank Senators ENZI and DURBIN for their hard work on S. 743.

I rise to speak in favor of the Marketplace Fairness Act. This legislation will put businesses in Hawaii on an even playing field with their out-of-State competitors. It does this by giving the States—not the Federal Government, the States—the authority to require out-of-State merchants to collect the same taxes local merchants have to collect when they sell goods to customers in Hawaii. This is only fair.

I want to be clear about what this bill does and what it does not do because there is some confusion about what this bill does and doesn't do. For example, this bill does not impose a new Federal sales tax. This bill does not require the States to do anything. In fact, if this bill becomes law, nothing would change unless a State passes its own legislation.

What this bill does do is to give States that choice. It lets each State choose whether to level the playing field for its local businesses. In addition, this legislation provides a framework that ensures States can exercise this authority in a way that ensures fairness for businesses of all sizes.

For example, it requires any State that chooses to exercise this new authority to streamline its sales and use taxes, and to provide free software to calculate these taxes to out-of-State sellers. This does not impose any kind of burden on these out-of-State sellers who are selling items to people in States such as Hawaii. This legislation protects small online businesses by exempting any business with less than \$1 million of annual sales.

The growth of the Internet has been one of the most significant drivers of innovation in our country's history. More and more Americans rely on the Internet to run their small businesses, access educational and health resources, keep in touch with loved ones, and for entertainment. Expanding fast, affordable, and secure Internet access is an essential building block for a strong 21st century economy.

However, we must be careful to ensure that while we are promoting the economic potential of the Internet, we are also being fair to local businesses and entrepreneurs. These are the businesses that populate the Main Streets of towns all across the country, across all the islands in the Hawaiian chain. These are hardware stores, clothing stores, gift shops, and many others—many of which are small businesses. These are businesses that create jobs, pay taxes, and provide needed goods and services in our communities. In fact, in Hawaii, retail businesses employ nearly 25 percent of the workforce, about 128,000 people. In 2012, these businesses in Hawaii generated \$30 billion in sales as well as \$1.2 billion in tax revenue. Many of these entre-

preneurs do not want to just contribute economically, they want to contribute and do contribute to the culture and character of their communities.

For example, my office received a call from the owner of Kona Stories, a small bookstore in Kailua-Kona, HI. Kona Stories opened in 2006 and sells over 10,000 titles of all kinds. But Kona Stories doesn't just sell books, it hosts book clubs, supports local authors and artists, and it also helps promote other local businesses. The programs and meetings Kona Stories hosts focus on promoting the local culture and character of the community. Small shops like these are places that can teach visitors about the unique characteristics of our communities. They also help bring local people closer together around shared experiences and values.

Unfortunately, these small businesses are the ones that are hurt most by the advantage online merchants currently have, because they do not collect Hawaii sales and use taxes. This makes online products appear cheaper because their prices do not include State taxes, even though these taxes are technically still owed. That is not real competition, it is an artificial discount that is unfair to local brick-and-mortar businesses and it puts businesses in Hawaii, such as Kona Stories, at a disadvantage. As small businesses, they have a hard enough time competing with the online giants that can offer lower prices even if they were collecting State taxes.

In addition to allowing States to level the playing field for their local businesses, this bill would also provide a boost for State and local government by letting them collect the taxes that are already owed. According to a 2012 Hawaii Tax Review Commission report, fixing the situation and giving States such as Hawaii that option to enact necessary legislation would mean nearly \$160 million in additional revenue for the State of Hawaii in 2013.

I want to be clear. That money does not come from new taxes. It comes from taxes that are already owed, that are not paid. That is money that should be going to keep teachers in the classroom, firefighters and cops on the beat, and fixing our roads and bridges so we all benefit.

Overall, the Marketplace Fairness Act is a good bill whose time has come. It balances the need to preserve a vibrant and innovative online marketplace with a need to ensure fairness for local businesses. It also ensures that everyone is meeting their responsibilities with regard to paying State and local taxes.

That is why this legislation has such a broad range of support from business, government, labor organizations, big and small, from all across the country. In fact, my home State of Hawaii has been working to try to address this issue on the State level for years. We

need this Federal legislation. Passage of this bill will finally give Hawaii the ability to address this disparity and put our businesses on an even playing field. That will be especially important to the 2,000 local businesses that make up the retail merchants of Hawaii.

Madam President, I ask unanimous consent that a list of Hawaii national supporters be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPPORTERS OF S. 743, THE MARKETPLACE
FAIRNESS ACT

Retail Merchants of Hawaii, National Association of Counties, National League of Cities, U.S. Conference of Mayors, Government Finance Officers Association, National Council of State Legislatures, Bipartisan Policy Center's Governors Council, AFL-CIO, AFSCME, American Federation of Teachers, National Education Association, American Federation of Government Employees, International Association of Fire Fighters, International Federation of Professional Technical Engineers, International Union of Police Associations, Service Employees International Union, UAW, American Apparel & Footwear Association, Food Marketing Institute, Consumer Electronics Association.

Ms. HIRONO. I hope my colleagues will join me in supporting this important legislation.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. MANCHIN). Without objection, it is so ordered.

JUDICIAL NOMINATIONS

Mr. ALEXANDER. Mr. President, occasionally some of my friends on the other side of the aisle will say President Obama is being poorly treated on his nominations. That did not ring true to me because it seems to me that just the reverse was true. I have spent a good deal of time in the last two Congresses to actually make it easier for Presidents—not just President Obama but any President—to have his or her nominations considered in a timely fashion.

There are about 1,000 nominations that a President makes in the whole government that are subject to advice and consent. This is the constitutional authority of the Senate. It was put there deliberately by the Founders to provide a check and balance. The Founders did not want a king. They had been accustomed to tyranny and they wanted to think of ways to avoid that. So they created a President, not a king. They said the President shall, with these important nominations, send them up to the Senate. The Senate has the right to advise and consent.

Movies and books have been writing about this. It is well known. Some of the most celebrated debates we have had in the Senate have been about Presidential nominations.

But for the most part, the Senate listens to the President's nominations, extends to him the courtesy that he was, after all, elected by the American people, that he has a right to staff his government. He has the benefit of the doubt on his nominations for judges.

So I was surprised to keep hearing from some of my Democratic friends. Every time we confirmed a judge, somebody would come on the floor and say: The Republicans are holding up President Obama's nominations. I did not think that was true. So I asked my staff to work with the Congressional Research Service. I come to the floor to include in the RECORD the facts which show it is not true.

Here is the bottom line. The Senate has confirmed President Obama's nominations for Cabinet more rapidly than it did those of President George W. Bush or President Clinton; and has confirmed Obama's nominations to circuit courts—but not his district court nominations—more rapidly than it did those of President George W. Bush.

In 2013, the Senate changed its rules to speed up consideration of those district judge nominations. In the history of the Senate, of course this includes President Obama, no Cabinet member, unless we count John Bolton's nomination by George W. Bush to be the U.N. Ambassador, and no district judge has ever been denied his or her seat because of a filibuster; that is, a failed cloture vote.

In the history of the Senate, only seven circuit judge nominees have been denied their seats by a filibuster, five of George W. Bush's nominees and two of President Obama's nominees. I ask unanimous consent to have printed in the RECORD this summary of President Obama's nominations, along with an article from the Washington Post that points out that President Obama's nominees have been confirmed more rapidly than those of the last three Presidents in his first term.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESIDENT OBAMA'S NOMINATIONS

BOTTOM LINE:

The Senate has confirmed President Obama's nominations for cabinet and circuit court—but not his district court nominations—more rapidly than it did those of President G.W. Bush or President Clinton. In 2013 the Senate changed its rules to speed up consideration of district judge nominations.

In the history of the Senate, no cabinet member (unless you count John Bolton) and no district judge has ever been denied his/her seat because of a filibuster (failed cloture vote). In the history of the Senate, only SEVEN circuit judge nominees have been denied their seat by filibuster—FIVE G.W. Bush nominees and TWO Obama nominees.

FIRST-TERM CIRCUIT COURT JUDICIAL CONFIRMATIONS:

Obama average time (240 days) is FASTER than G.W. Bush (277 days) from nomination to confirmation.

FIRST-TERM DISTRICT COURT NOMINEES:

Obama average time (221 days) is SLOWER than G.W. Bush (156 days) from nomination to confirmation NOTE: January, 2013 Senate rules changes should speed this up.

SECOND-TERM CABINET CONFIRMATIONS:

Obama average time (46 days) is FASTER than G.W. Bush (55 days) or Clinton (68 days) from announcement to confirmation (see attached Washington Post article).

SENATE FILIBUSTERS THAT DENIED A CABINET NOMINEE HIS/HER SEAT DUE TO A FAILED CLOTURE VOTE:

NONE in the history of Senate (with only exception G.W. Bush's nomination of John Bolton in 2005).

SENATE FILIBUSTERS THAT DENIED A DISTRICT JUDGE NOMINEE HIS/HER SEAT BECAUSE OF FAILED CLOTURE VOTE:

NONE in the history of the Senate.

SENATE FILIBUSTERS THAT DENIED A CIRCUIT JUDGE NOMINEE HIS/HER SEAT BECAUSE OF A FAILED CLOTURE VOTE:

SEVEN in the history of the Senate, including five under G.W. Bush and two under Obama.

In 2011, Senate rules changes created "innocent until nominated" working group to make it easier for presidential nominees to be considered and eliminated 169 major and approximately 3000 minor presidential nominations requiring confirmation. And 273 Presidential nominations were placed in an expedited process.

In 2013, the Senate has confirmed 10 Obama judicial nominees (4 circuit, 6 district). President G.W. Bush by comparison had 0 judges confirmed at this point in his second-term.

[From the Washington Post, Mar. 18, 2013]

SENATE MOVING ON OBAMA NOMINEES

(By Al Kamen)

How slowly is President Obama's second-term Cabinet coming together?

Well, there are two sides to the story.

One part of the equation is how fast Obama is putting up nominees. And it seems he's been pretty sluggish on that front. With the addition Monday of Thomas Perez for labor secretary, he's announced eight nominees and still has four more Cabinet or Cabinet-rank jobs to fill. By contrast, George W. Bush had made 11 nominations by this time in his second term—nine of which he made in the six weeks after reelection. Bill Clinton had announced 12 nominees by the end of the December after his reelection.

But in the second half of the Obama administration's nomination picture—how quickly the Senate is approving those nominees—things are moving apace.

Three of Obama's Cabinet nominees have been confirmed so far: Secretary of State John Kerry, Defense Secretary Chuck Hagel and Treasury Secretary Jack Lew. For those folks, the average number of days between the announcement by the White House and confirmation is 45.6 days, which beats the averages of the last three administrations that had second terms.

According to the Congressional Research Service, it took an average of 54.6 days for Bush's second-term nominees; that figure was 67.8 days for Clinton's picks and 56 days for Ronald Reagan's.

Who says the Senate can't step lively these days?

Mr. ALEXANDER. To be more specific about these matters, let's take circuit court judicial confirmations in President Obama's first term. According to our research, the average time for President Obama's nominees was 240 days. That is faster than President George W. Bush, 277 days from nomination to confirmation. So circuit court judicial confirmations which are usually the subject of great interest around here, President Obama treated better than President George W. Bush, slightly better.

First-term district court nominees. The Obama average time, 221 days is slower than George W. Bush, 156 days from nomination to confirmation. That is why in January of 2013 we changed the Senate rules to speed this up. Apparently, that is working. Last time I checked, during this year, the beginning of President Obama's second term, he has to date had 13 judges confirmed. President Bush, in this same period of time in his second term, had one judge confirmed. Second-term Cabinet confirmations. The average time of President Obama's nominees is 46 days. That is faster than George W. Bush, 55 days, and faster than Bill Clinton, 68 days from announcement to confirmation.

I mentioned the Washington Post article which said—it was published March 18, 2013. It says:

He has announced eight nominees and still has four more cabinet or cabinet-ranked jobs to fill. By contrast, George W. Bush had made 11 nominations by this time in his second term—nine of which he made in the six weeks after reelection. Bill Clinton had announced 12 nominees by the end of December after his reelection.

In other words, President Obama is a little slower in making his second-term nominations.

According to the Congressional Research Service,—

Says the Washington Post:

—it took an average of 54.6 days for Bush's second-term nominees; that figure was 67.8 days for Clinton's picks and 56 days for Ronald Reagan's. So the Obama nominees were moving more rapidly.

Senate filibusters that denied a Cabinet nominee his or her seat due to a failed cloture vote. It has never happened in Senate history so far as we can find, with the exception of President George W. Bush's nomination of John Bolton.

There have been occasions when the minority says we are not ready to cut off debate yet. We have more information we want about a Cabinet member. That happened with Secretary Hagel. Many of us made it clear to the majority leader that his motion to cut off debate on Secretary Hagel's nomination was premature because it had only been reported by committee for 2 days; we requested another 10 days to consider it, that was until after the recess,

and said that there would be an up-or-down vote.

But so far as we are able to tell, there has always been an up-or-down vote on any President's nominee for the Cabinet, after that Cabinet member has gotten to floor. Now it may be that in the past some Cabinet nominees fell by the wayside in committee. I have repeated on the floor my own experience in 1991, when President Bush nominated me to be Education Secretary and Senator Metzenbaum put a hold on my nomination that lasted a month, but I was eventually confirmed unanimously.

So there may have been secret holds in the past that slowed down nominations or even may have killed one. But so far as the Congressional Research Service has found, no Cabinet member by President Obama or any President has been denied his or her seat ultimately by a failed cloture vote.

Same with district judges. No district judge in the history of the Senate has been denied his or her seat by a failed cloture vote. There may have been a cloture vote on one or two occasions, but in the end, that person was finally seated.

Then, as far as circuit judges, one of my great disappointments in the Senate was when I arrived in 2003. The Democrats had cooked up a plan to filibuster President Bush's circuit court Federal nominees. So far as I can tell, that had never been done before. There was always an up-or-down vote. Even in the case of Clarence Thomas, for example, a controversial nominee for the Supreme Court, I think the vote was 53 to 47 or 52 to 48. There was no thought of killing Clarence Thomas's nomination by a cloture vote, by a 60-vote margin.

What happened was, without dwelling on it too much, Democrats decided they did not like some of President Bush's nominees. It was not they were not qualified. Michael Estrada was one, one of the most eminently qualified persons ever nominated. Bill Pryor was another one, from Alabama, former law clerk to Judge Wisdom for whom I used to clerk. Pickering of Mississippi was another.

They were basically smeared is what happened. It was an outrageous thing. I remember I was waiting to make my maiden speech as a Senator in 2003 on another subject. I got so upset about this. The first time I spoke on the Senate floor was against that, against that practice of denying a President an up-or-down vote on his circuit judge nominees.

If you do not like the person, vote against him or her but at least allow an up-or-down vote. That so enraged the other Republicans that they wanted to change the rules of the Senate. They said: OK. We have the majority. There are 55 of us. We will just change the rules. We will confirm all of Presi-

dent Bush's judges with 51 votes. That is what the Democrats have tried to do at the beginning of the last two Congresses: We have enough votes to do it. We will change the rules and everything will be 51.

Cooler heads prevailed. I made a couple speeches about it. Democrats and Republicans got together, one of these gangs that we have, maybe 14 Members, they said: Look, except in extraordinary cases in the case of circuit judges, there will always be an up-or-down vote on a President's nominee.

But a lot of the damage had been done. Five of President George W. Bush's Federal circuit judge nominees were denied their seat because of a filibuster. So as far as we can tell, with the research of the Congressional Research Service, that was the first time in the history of the Senate that it happened. As one might expect, now Republicans have done the same thing, twice in the case of Ms. Halligan. If we count her as twice, that is three. But we can count Miguel Estrada several times because he was filibustered a half dozen times.

The record is the Democrats have now blocked five of President Bush's Republican nominees for circuit judge, and Republicans have blocked two of President Obama's nominees. I don't believe this is good for the Senate or for the country. It would be better if we had up-or-down votes for Cabinet members and for Federal judges, both Cabinet and district.

The body of the Senate has precedents. My own personal view is as far as district judges go I will always vote for an up-or-down vote. As far as circuit judges go, I will always do so except in an extraordinary case. I have always thought a President ought to be able to have an up-or-down vote on a Cabinet member. Again, the Democrats, under President Bush, decided once not to do this.

I believe it is important to bring this before the Senate. I would like us not to go any further in the direction we have followed in the last 20 years. I would like for us in the Senate to get back to where we recognize elections have consequences. The President needs to staff his government. Give the President the presumption of the doubt on judicial nominees. If we don't like the judge, vote no.

This means Republicans now need to swallow a little hard because there is a Democratic President and a Democratic Senate. It will not always be this way. We may have a Republican President and a Democratic Senate. Then the Democratic Senate could decide never to confirm a Cabinet member or never to confirm a circuit judge. I think the American people would be very upset with that. It is important to bring this to the attention of the full Senate and place this in the RECORD.

One other aspect which is important, we have had very good conversations at

the beginning of the last two Congresses about the rules of the Senate. The rules of the Senate are not as exciting as a debate about guns, immigration, or a debate about marketplace fairness, which is really the 10th Amendment we are having today. However, they are very fundamental to our country's structure.

The wisdom of our Founders was that they set up three competing, sound branches of government. All need to function well in order for us to have our liberty. This is why we have checks and balances. We want our liberty. We don't want a king, we don't want a runaway parliament, and we don't want a runaway court. We want checks and balances so we, as individuals, can retain our liberty.

I wish the Senate to function as it should and the advice and consent nomination to function as it should.

This is why as part of our rules change we took some steps to streamline the advice and consent role of the Senate. We did this when it wasn't clear whether there would be a President Obama or a President Romney, which is one way we were able to do it with the Democratic Senate and a Republican House.

We took some important steps. For example, we reduced the number of Presidential nominees which require a full-blown Senate confirmation by approximately 170. We took approximately 200 of those nominees right to the desk, and they were expedited. Unless an individual Senator says: I wish to have a full hearing on a member of the board for the Goldwater Scholarship Fund—or something such as this, then it stays on the desk, goes through the committee for vetting, and is moved to the calendar for a vote. This has worked pretty well.

We did one other thing which was important and which, hopefully, the President and his administration are taking advantage of, we tried to work on the innocent-until-nominated syndrome which has existed around here for a long time.

Whenever someone is nominated for a Cabinet position, we need to go through such a process of vetting, public scrutiny, and general indignation, we wonder why anybody in his or her right mind would do it. Many people won't. This is why we call it innocent until nominated.

One reason for this is because of the multiplicity of forms a nominee such as the Secretary of Education needs to fill out. They might need to fill out one form about what their income was in 1977 and then another form about what their income was in 1977 by a different definition. When they arrive at their hearing and someone has made a mistake, some Senator accuses the nominee of perjury because he was sworn in and said he was going to tell the truth. It was easy to make a mistake under those circumstances.

What we did was create a working group to review all the forms. They made recommendations mainly to the executive branch about simplifying them. The executive branch has worked with our Senate committees. They are doing this now.

As a result, if I am nominated for Secretary of Education, I might fill out a single form which might comprise the only form I would need to fill out for the executive branch. Any Senate committee could ask any question at once and add that to the form, but they might agree to start with this form. It should make it simpler for the nominee, easier for the Senators as we go through the confirmation process, and it might be a way to help encourage talented men and women to enter public service.

The President has said to several of us before that he recognizes part of the reason his nominations aren't moving as rapidly as he would wish is because of the vetting process, the process he and his administration need to go through before they even send anybody over to the Senate.

Much of the delay is in the time which comes before a nomination actually arrives in the Senate.

I hope this review will help to quiet down these—as Senator GRASSLEY said—crocodile tears on the other side of the aisle. We don't think they are deserved.

The President's nominees are moving more rapidly than the last three Presidents, and his circuit court nominees moved more rapidly than those of George W. Bush. As we change the rules to speed up his district court nominees—he is ahead 13 to 1 in terms of nominations in the second term for judges. This is a pretty good record.

It is my desire the President will work with us to speed up the vetting process to develop an innocent-unnominated effort, which is ongoing to enable it to be an advantage not to just this President but future Presidents. Hopefully, we may give respect and due consideration to any nominee the President sends forward.

At the same time, the President will recognize we have an advice and consent responsibility. It may take some time. We will ask questions and may not want to move to a final vote at the very moment the majority leader may. This doesn't necessarily mean the nominee will be denied his or her seat. As a matter of fact, as far as I can find in the history of the Senate, it has not, with the exception of John Bolton.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Tennessee for coming to the floor. He has been here with some frequency together with the Republican Senator from Wyoming to discuss the matter which is pending before the Senate.

What is pending before the Senate is known as the Marketplace Fairness Act. It is a measure which Senator ENZI of Wyoming has been working on for 12 years and one on which I have worked with him for several years. It is an interesting issue because it is one where the Supreme Court challenged Congress 20 years ago. The States went to the Supreme Court and said: We want those who are not physically present in our State, but sell in our State, to collect sales tax. At that time the Supreme Court in the Quill decision said no; this is up to Congress. Congress needs to take action.

Here we are 20 years later and the conversation has changed dramatically. What used to be sales by mail or catalog are now Internet sales, and they are growing in volume by the day. States are finding themselves in a challenging situation.

States pass sales taxes. Senator ALEXANDER was Governor of Tennessee. The State decided on a State sales tax. They say to every business in the State—as Senator MANCHIN understands because he was Governor of West Virginia—every sale you make over the counter collects sales tax for West Virginia, Tennessee, or in the State of Illinois. Those merchants understand their legal responsibility, their civic responsibility, and they collect the sales tax, remitting this amount back to the State.

The problem they now have discovered is what is known as showrooming. Store owners have described this as a situation where a customer shows up and requests to look at running shoes—this happens at Chris Koos running sports shop in Normal, IL. The customer will say: These look good, but do you have them in a different color? Staff goes back and gets another box of shoes for the customer who tries them on. Then they will say: This looks great but do you have a wider one? Yes, that is perfect. That is the shoe I want. Let me write down the information about the shoe.

The customer will then turn around, go home, and order the shoe on the Internet. The local merchant who did all of the work, who displayed the merchandise, pays the rent, pays the taxes, receives nothing. The person buys it over the Internet because many Internet retailers do not collect sales tax.

In my State this might be 8, 9 or 10 percent difference. Chris, my friend, the mayor of Normal, told me it is not unusual 2 weeks later for them to come back in with the shoes purchased over the Internet and say: These didn't turn out right. He reminds them they didn't buy the shoes in his store.

This is a story repeated over and over. The brick-and-mortar retailers, the shops on Main Street, and the malls feel they are at a great disadvantage. If their competition on the Internet is not collecting sales tax and they

are, it puts them at a competitive disadvantage.

In all of the States with a sales tax, approximately 46 States, if I am not mistaken the purchaser over the Internet has a legal responsibility to pay the sales tax. Most people don't know this. In my State of Illinois people are supposed to pay it when they file their State income tax. There is a line: How much do you owe for sales tax and use tax for remote purchases on Internet purchases?

Several months ago I was reminded by my bookkeeper this line was on the form. I said I should take a quick look to see what I owe.

One in twenty people in Illinois fill out this line. We have about 95 percent of the taxpayers in my State who put zero. We know it is more than 5 percent of the people living in Illinois who are purchasing over the Internet. This tax is not paid.

What this bill says is we don't create any Federal tax; no, none at all. We don't create any new State or local tax, none at all. What we do say is States can give the software to these Internet retailers to collect the tax when people make the purchase.

I recently bought a book on amazon.com, put in my address, ZIP code, and they calculated instantly how much I owed in sales tax on that purchase. I paid it and the money was emitted to the Illinois Department of revenue. They are doing this even though there is no legal obligation for them to do so. More and more companies such as Lands End—I called them. They said: We collect sales tax.

More and more companies are doing so, but this would make it uniform. We wrote this law understanding there are some small Internet retailers who perhaps sell several hundred or several thousands of dollars' worth of goods in the course of a year. We exempt them. They don't have to collect the sales tax if their revenues from the previous year are below \$1 million. We exempt them. That is to put no hardship on the small retailers but to go after the 1 percent with sales in excess—revenue in excess of \$1 million. We go after them to make them pay what they should.

This is what is pending before the Senate. It has been a long time coming. We have been working with retailers across America to accomplish this. They have said this will give them a level playing field when it comes to sales. The same sales tax is collected over the counter which is collected over the Internet. This is the way it works and at no expense to the retailer.

The States need to provide the software for the collection. They are not going to be held responsible if the State gives software which is imperfect. They can't be held responsible for it. If they use the software given to

them, they have met their legal obligation. This is what is before us.

We have had two votes now: one a symbolic vote on the budget and another a procedural vote to move forward on this measure yesterday, which 74 Senators voted for, which is pretty substantial in a body of 100 Senators. All but 5 of the Democratic Senators support it, and a substantial number, 24 or 25 Senators, from the Republican side support this, more than half of their caucus.

We are on this measure now. I have said to my colleagues, and I believe Senator ALEXANDER said to his Republican colleagues: If you have an amendment which is relevant and material to this bill, bring it to the floor. Let's get into a debate. Let's talk about these amendments. Let's vote on these amendments, and then let's move to final passage.

Those who will witness this will see a rare occurrence on the floor of the Senate—perhaps an actual debate and vote on an amendment. It doesn't happen very often around here. So you may wish to stay tuned. I encourage all of my colleagues interested in this issue who believe they would like to offer some form of an amendment to please bring it to the floor as soon as it is ready, which I hope will be today. This is our last week in session before we break for a week. We want to get this bill done. We started early in the week—on Monday, yesterday—and we want to get it done by Friday. If we have to stay over, we will stay over—Saturday, whatever it takes. We want to get this done before this break, and it now depends on my colleagues.

Those who are sitting on an idea, it is time to let it hatch. Bring it to the floor, and let's have a vote on it or let's talk about it. It may be something we can accept. If it is, we will try. If it isn't, we will bring it up for a vote and let the Senate decide. We want to act as a Senate because we have a good bipartisan measure, Senator HEITKAMP of North Dakota and I, joining on the Democratic side along with quite a few others, Senators ENZI and ALEXANDER on the Republican side.

I urge my colleagues and staff who are following this debate, now is the time. If you have an amendment, bring it to the floor today, right now. We will be here to receive those amendments and to work on them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I see the principal leaders for this legislation, Senators DURBIN and ENZI, and I congratulate them for their leadership. What they have been able to do is to come up with a simple, 11-page bill that has two words for a theme—States rights or 10th Amendment. We have a majority of Senators on the Democratic side and a majority of Senators

on the Republican side who have indicated their support for it. They voted twice in support of it.

I talked with Senators at the Republican luncheon today, and at least one Member told me he had a couple of amendments, and I encouraged him to bring them on down because we want amendments. We want this to be discussed on the Senate floor. Senator REID, the majority leader, has said there will be amendments. I have a fishing amendment I would like to get passed somewhere, but I will not offer it on this bill because I want to offer amendments that are related to marketplace fairness. But there are a number of ideas that are, and they ought to be discussed.

I wonder if, before I finish, I might ask the distinguished Senator from Illinois a question. Maybe I am just sensitive to this as a former Governor, as I know the occupant of the Chair is as well, but I wonder if the Senator from Illinois finds it a little ironic there are some people in Washington who say they do not trust the States to make decisions about their own tax structure. I was Governor of a State that has a triple-A bond rating, no State debt on roads, no income tax, is one of the best run States, and when I was there had eight balanced budgets. Unfortunately, during the 10 years I have been in the Senate, we haven't had any of that. So I feel just the reverse.

In a constitutional framework that has a 10th Amendment that says decisions are reserved to the sovereign State, it not only smacks of a lack of respect for our constitutional structure, but it makes no sense to me that Members of Congress would not trust the Governor of Tennessee and the Legislature of Tennessee to make their own decisions.

We had a representative today at a meeting that all three of us attended who said that in Ohio, as I recall, the legislature and the Governor have already decided that if we pass this law permitting Ohio to collect taxes from everybody who already owes them rather than just some people, they will reduce their income tax rate.

So does the Senator find it ironic there would be people in Washington who don't trust the States to make decisions for themselves in a constitutional system that was created by sovereign States?

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from Tennessee for posing that question, and through the Chair I would say to him that I am in a tough position here facing two former Governors—Governors of West Virginia and Tennessee—but I am sure they agree with what I am about to say.

In this circumstance, the decision was made by the State of Tennessee—and West Virginia as well—as to what

the sales tax would be by the people living in the State and making purchases in the State. We don't change that at all. That is up to the States to decide.

As I mentioned, four States, maybe five States, when it comes to sales tax, have no sales tax. What we are putting in this bill will not change that in any way. If you live in Oregon, you will pay no sales tax because of this bill for what is sold over the counter or over the Internet.

Our friends from Delaware are supporting this bill because they think because they are a no-sales-tax State surrounded by Pennsylvania and New Jersey and Maryland, they are going to have an advantage. They believe people will cross the borders to buy in Delaware. So they have calculated this actually helps them.

But we are respecting the decisions made by each State as to the taxes that will be imposed. We are doing it on a fair and equalized basis for those who have brick-and-mortar stores as well as those over the Internet. And I would say that is consistent with the 10th Amendment and consistent with States rights in this area.

Mr. ALEXANDER. Mr. President, I wonder if I could, through the Chair, pose another question to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. If I am not mistaken, there is a Federal moratorium on Internet taxes; that is, there is a Federal temporary ban on State taxes on access to the Internet. Am I not correct that if the Marketplace Fairness Act passes, that ban will still be there? In other words, today there is a Federal ban on Internet taxes, and after this law passes there will continue to be a ban on Internet taxes? And this is not about Internet taxes, it is about State sales and use taxes that are already owed but in some cases are not collected.

Mr. DURBIN. Responding to the Senator from Tennessee through the Chair, he is right. And this has been controversial. I can remember that in the last debate—and it was a few years ago—the argument being made was that we should have free access to the Internet. I don't quarrel with that. The Internet has been a powerful force in our economy. It is going to grow as a force in our economy, and I don't believe we should tax access to the Internet. There are also a myriad of bills related to services over the Internet and whether they should be taxed. We do not get into that in any way whatsoever. What we are talking about are taxable goods by State law subject to State sales taxes as they currently exist. We don't change those taxes in any way.

A point that was raised in our press conference is an important one. Some

States treat food differently, prescription drugs differently. The State has to basically tell the retail community what the State standard is going to be for the categories of goods that are being sold. So we make it as easy as humanly possible for the Internet retailers, providing at the expense of the State the software they need to make this work.

Mr. ALEXANDER. Mr. President, the Senator alluded to this in his remarks, and we both heard Senator HEITKAMP from North Dakota. It is pretty remarkable that a Senator, in her first 3 months, would find herself in the middle of a debate about a problem she created 20 years ago in North Dakota. She brought this case that created this situation.

But let me ask the Senator from Illinois what he envisions will happen if we do not act. If I am not mistaken, under the arrangements we now have today, if a big Internet seller in Illinois—someone who sells more than \$1 million a year—and as I understand it, 99 percent of Internet sellers are exempt from this, but let's say you are in that 1 percent and you want to sell in Tennessee—your responsibility is to file one return in Tennessee, and you are subject to one audit, period. And if you sell in another State, the same thing. So you might be subject to filing one report and one audit in all the States, and many of the States are part of what is called a streamline structure where they work together, so they audit together. And audits don't occur every year.

But there are 9,600 taxing jurisdictions in the United States. So what we have done or propose to do is simplify this greatly so that if you are an Internet seller, if you sell online or by catalog from Illinois to Tennessee, you have a very small number of reports you need to fill out, a very small number of audits to which you might be subjected. And your liability is very limited for making a mistake because the State has to provide the software, and if the software doesn't work, that is the State's fault and not yours.

But what would happen if we didn't act, I would ask the Senator from Illinois? What if we did not act to simplify this system, as the Supreme Court said 20 years ago is our responsibility?

Mr. DURBIN. I would say to the Senator from Tennessee through the Chair that there are two possibilities:

We continue under this current system, which works a disadvantage on the Main Street stores and shopping malls and denies to those units of government the revenue that would otherwise be coming from the sales tax. That would be one outcome.

The second outcome is—and Senator HEITKAMP has mentioned it—this case may return to the Supreme Court. If it returns to the Supreme Court, it is quite possible it won't be written as

mercifully as our version. We have exempted—we have exempted Internet retail sellers with revenues the previous year below \$1 million. We have tried to lean toward an accommodating approach. I don't know if the Supreme Court would reach the same decision when it comes to sales tax liability. I believe it is better for us to accept their challenge, even 20 years later, and get this done.

Mr. ALEXANDER. In addition to that, let's say I am the Governor of Tennessee and I look to the Senate and say: These guys can't get anything done. They have been debating this ever since Senator ENZI has been a Senator. They have been debating it for 14 years. They are never going to do anything.

So I just bring a lawsuit and I say: If you are going to sell in Tennessee, you are welcome, but you are going to collect the tax. I mean, Tennessee businesses collect the tax and send it in. So if you want to come in and sell to us, you do that too. We are going to treat you exactly the same way.

Now, let's say the Congress hasn't acted. Then that seller in Illinois who wants to sell in Tennessee has not only the State taxing jurisdiction to consider, he has 95 counties to consider, he has several dozen cities with local sales taxes to consider, and he has 9,600 jurisdictions across the country to consider if we don't act.

So some of the opponents of this legislation who raise this 9,600 jurisdictions—this is the solution to that problem. If you want to sell by catalog or online, this simplifies it for you, it reduces your liability, it reduces the number of forms, and it requires the States to provide the software that you would use, which many businesses are using today and it works for them.

So I would ask the Senator from Illinois, don't you imagine if we don't act, another consequence will be some Governor in some State will go back to the Supreme Court, and the Supreme Court will say: Twenty years have passed. We now have an Internet. There is no burden on interstate commerce, so it is up to the States to decide what to do.

And then we would have a big free-for-all.

Mr. DURBIN. Responding to the Senator from Tennessee through the Chair, I listened to the speeches of our critics, and they were swooning over the notion of being subjected to 9,600 taxing districts, taxing entities. What the Senator from Tennessee has described is our answer. This bill avoids that problem. This bill simplifies that situation.

We are down to 46 States with the defined goods and the defined sales tax. That is more reasonable for the retailers than running the risk, as the Senator suggests, that this goes back to the Supreme Court, and 20 years after the fact they say: It is wide open. If

Congress is not going to act, the Internet retail community has now matured to a point where they should be able to collect sales tax in every taxing entity where a person resides.

I believe that is a much more complex and challenging situation.

Mr. ALEXANDER. Mr. President, I see Senator ENZI is here, and I appreciate his patience in allowing me to go ahead, but I know if I were still the Governor of Tennessee—which I am not, and I won't be again—and Congress did not act on this and I saw an opportunity—if I looked across my State and I saw that our tax laws treated some taxpayers one way and other taxpayers a different way and instate businesses one way and out-of-State businesses better, it wouldn't take me 20 minutes to call the attorney general over and say: Let's take this case to court. Let's go back to court. If somebody is going to sell in Tennessee, they are going to collect the tax.

I believe I would have a reasonably good chance of winning. And I am confident that, knowing a number of the Governors around this country, if we fail to act, I will bet one of them will be in court the next day.

I congratulate Senator DURBIN and Senator ENZI for their persistence in creating what is an 11-page bill about two words—States rights—that will—my prediction—allow many States to lower their tax rates when they collect taxes that are already owed but not paid and treat businesses the same way and taxpayers the same way.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator from Tennessee, Mr. ALEXANDER, and the Senator from Illinois, Mr. DURBIN, for this discussion they have had where I think they cleared up a lot of the confusion there might be over the bill. They have presented excellent reasons why we need to get this bill done, and why we need to get it done now—so we can continue to grow businesses in our States instead of growing businesses outside of our States.

There are a number of things people have mentioned. One of the big ones I want to talk about is the small seller exemption. I know Senator WYDEN from Oregon has suggested a compromise for the whole bill which was to create the nontax States to be a haven for all Internet sales, and that won't work. Our purpose is not to move all of the business online out of our own States but to keep it there.

But there is a compromise in this bill. It is called the small seller exemption, and that is where people who are starting in business don't have to collect the tax when they are out of State. With in-State sales, a lot of them will

have retail sales in their State as well as hopefully some online sales. On what they sell in their bricks-and-mortar store, they collect sales tax from everybody who buys from them. There is no exemption. But the compromise we made for the online sales was until a retailer hits the \$1 million mark in a year—and we would love for them to hit the \$1 million mark and have that kind of business. But until they do, they are protected in that they don't have to collect the tax. We give them a break over the in-State retailers. Of course, the ones who are in State who are selling out of State have that same online break. But that is why we have a small seller exemption, to continue to grow small businesses that are using the Internet. We want the Internet to grow and are not discriminating against the Internet. And as has been mentioned, there will be no tax on the use of the Internet. That is not a part of this bill.

This is a tax on what people buy on the Internet, because States already anticipate that the sales tax they have in place is going to be paid on every purchase. When that money comes back, part usually goes to the State, part goes to the county, part goes to the towns. That is to provide for their schools, fire protection, for all of the services people who live in the communities are used to. I can tell you that in Wyoming that makes up at least 30 percent of everybody's budget. I know in one town it is 70 percent of their budget.

So if you start eliminating the sales tax by getting products from out of State, you are wiping out services in the local communities. Those local communities are where the Main Street retailers, the shopping center retailers—the brick-and-mortar retailers—are the ones paying property tax. They are hiring local people, and they are also participating in the community in a number of ways. School year-books probably wouldn't exist without the participation of the local merchants.

We want to continue to encourage the local merchants, and so we came up with the small seller exemption of \$1 million. You don't start collecting the tax and you don't need to get the free software to be able to collect the tax until you hit the \$1 million mark in a year, and then that would go into effect.

We looked into a number of different levels. Our older bill had ½ million in the Senate bill and the House had \$1 million in their bill. I said, Let's give a little more flexibility. Let's go with the \$1 million. So that is how we wound up with \$1 million.

I will comment more on this later, but I see my fellow Senator is here who would probably like to make a comment.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first let me thank Senator ENZI and Senator ALEXANDER. I completely agree with their position.

I had a chance to talk about this issue when we were debating it on the budget issue. The bill simply removes an impediment from the States being able to collect the sales taxes that are due. It responds to the Quill decision about requiring a physical presence in a State in order to require that State to collect the sales tax.

Senator ENZI points out there are no new taxes; that it is a matter of basic fairness. It really does help small businesses. The brick-and-mortar companies located in our neighborhoods, small shopowners who build a neighborhood and build a community, are the ones who are at risk where they have to pay sales taxes and yet their competitors don't.

I will give a short example with a story told to me about a retailer selling electronic goods. The consumer came into the shop, looked and found the product she wanted, went on the Internet, found the product for the same price on the Internet but didn't have to pay the sales tax, and literally bought it while the shopowner was watching—after the shopowner had given that individual personal service. The shopowner didn't lose the sale because of competitiveness but lost the sale because of tax avoidance. This bill would correct that.

This is \$23 billion. This is a lot of money our States are not collecting. These are taxes that are already imposed. In my own State of Maryland, it is somewhere between \$150 million and \$300 million of taxes that could be used to reduce tax burdens to the taxpayers in my State.

It is a matter of basic fairness, something that needs to be done. As Senator ENZI pointed out, it will simplify the sales tax collections by using the Streamlined Sales and Use Tax Agreement, and we exempt small sellers of \$1-million-or-below sales. So it is an issue that needs to be passed, and I am pleased that we are finally getting around to passing it.

Mr. President, I ask unanimous consent to speak for up to 10 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mr. CARDIN. I have never supported the sequestration. I always thought it was a big mistake. These are across-the-board, mindless cuts that say every priority in government is identical to the other. That is not the case.

If you had a problem in your family budget and you had to reduce some spending and you had money put aside for your mortgage payment, your rent payment, or your family food budget,

and maybe some money for a weekend trip, you wouldn't identically cut every category. You may give up that weekend trip in order to be able to save the roof over your family or put food on the table. Sequestration says every priority in government is the same.

It is also not directed to where we need to go to reduce the deficit. Once again, sequestration primarily applies to domestic discretionary spending. It provides a fourth round of cuts when we have already had cuts over the last 3 years. For the agencies that are affected, it is equivalent to about a 10-percent cut. You can't do that without seriously affecting the mission of the agencies, and that is wrong. That is why I have said from the beginning, let's replace sequestration.

March 1 came; sequestration came; people woke up the next day and said, What is the big deal? Well, we are finding out what the big deal is all about. We just heard from the FAA, the air traffic controllers, that because of sequestration they have very little option—85 percent of their operational budget is in personnel, and air traffic controllers are most of the personnel. Therefore, they have announced they have to furlough 11 days during the remainder of this fiscal year. That comes out to about one furlough day over each work period. It is as much as a 10-percent reduction in the workforce to man our towers to make sure air traffic is managed safely. You can't do that with that type of reduction, and we are now looking at whether there are going to be significant delays of flights. Those types of cuts are ridiculous. We know better than that. There is no question about it, these are the types of things that are going to hurt our economy if we can't have a reliable air traffic service.

I was talking to one of the nonprofits in Maryland that manages a Head Start Program, and they were telling me about what the fall enrollment is going to be. They have a waiting list of families who want their children in Head Start and qualify for Head Start and aren't going to be able to get into a Head Start Program. Why? Because of sequestration. The waiting list will get longer. Children will be denied the ability to go to Head Start Programs. Did we intend that? I don't think so. I don't think our colleagues wanted to say we were going to balance our budgets on the backs of children being denied Head Start placement.

I was at the National Institutes of Health not too long ago. The research they do is so critically important to our country's future. It is not only the fact that they are discovering the answers to dread diseases or ways in which we can keep people healthy. They are now working on developing a universal flu vaccine against the influenza so you don't have to get a vaccine every year. Think how many lives that

can save. It is also the basic research we need in order to create the jobs in the bioscience areas and the tech areas. This is about creating more jobs in our communities. Now they are going to have to give up grants as a result of sequestration even though today they are only approving about one out of every seven worthwhile grant applications. We certainly didn't intend that through sequestration.

I could talk about new transit starts. We have some very exciting programs in Baltimore, Washington, and Maryland—a purple line to provide transit between the Washington suburban counties and Maryland. We have transit programs in Baltimore. We have the corridor cities along the 270 corridor. We have southern Maryland that needs help. All these programs need to compete for a limited amount of funds. Now, because of sequestration, there are going to be less funds available, meaning we are going to have more traffic jams rather than less. Do we mean for that to happen?

I could go on and on. I could talk about the cuts to the Department of Defense and what they have to go through. These weren't cuts we initiated, saying this program needs to be reduced. These aren't the types of deliberative actions a Congress would do. It is saying we are going to do a meat ax approach and tell the agency: You cut your program by this percentage amount. We advertised it a little over 5 percent, but in reality it is much higher than that because these cuts over a 7-month period reflect a year's reduction. So the cuts are even more severe when used on an annual basis.

Our Federal workforce deserves more. These are people working hard providing vital services in our country, whether it is protecting our borders or doing research or keeping our food supply safe or making sure our seniors get Social Security checks. The list goes on and on. It is not fair to those who signed up to serve the public as Federal workers, and it is certainly not fair to our economy. This is having a very damaging impact on the economy of this country. We have already seen in the most recent job reports a slowdown of more than we predicted, and most economists say it is directly related to these across-the-board sequestration cuts.

So what should we do? We are in session. It is time for us to act. We are in the fiscal budget year 2013. Yes, we passed a budget at the end of last year. I think it was on January 1 when it finally got around to passing. We passed it at the sequestration levels saying we hoped we would figure out a budget plan to avoid the sequestration cuts in this year. So let us consider a way to avoid these mindless across-the-board cuts, and substitute it for sensible reductions that we know will not have the same type of unintended con-

sequences on services that are vitally important to our economy and to the people of this country.

There are areas where we have savings. We know that. We have that in the overseas contingency accounts under the Department of Defense. We know we can find savings in tax expenditures. We spend \$1.2 trillion a year in tax expenditures. We know we can certainly find some savings on tax expenditures. I think we have to look at a broader level than just these discretionary spending accounts that are particularly devastated by these sequestration cuts.

I urge this body to find a way we can replace sequestration for fiscal year 2013—this current fiscal year—by more responsible budget savings, and then, working through our appropriations committees, working through the Budget Committee and the other committees for fiscal year 2014, have time under a more normal legislative process to figure out our spending priorities to go beyond the appropriate dollars—what we do on the Tax Code, what we do under mandatory spending. Let's bring up that game plan after the next fiscal year, 2014, which begins October 1. But for the current situation, let's replace sequestration with a more sensible way to get those savings, rather than causing harm—whether it is to those who depend upon air traffic, those who depend upon a place in Head Start, those who rely upon the research done at NIH, or those who depend upon having adequate support within our military. All of the above are adversely affected by sequestration. It is time for us to take action, to do what we were supposed to do: Make the tough decisions. Don't take the way out that every program in government is of equal importance.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, yesterday I came to the floor to oppose the cloture motion on the motion to proceed to the so-called Marketplace Fairness Act. I, of course, would like to, I think properly, name it the Internet Tax Collection Act because that is what it is. I strongly oppose this bill which has very serious flaws to it and very serious ramifications for not only businesses in my State, online businesses where we have seen great growth, but also online businesses across this Nation.

I strongly disagree with the decision to fast-track this bill, to skip the regular markup process of the Finance Committee. Both the chairman of the Finance Committee, Senator BAUCUS, and the ranking Republican on the Finance Committee, Senator HATCH, had opposed going to this bill without the committee doing its work.

Why? There are a number of concerns that have been raised about this bill by

Members on both sides of the aisle. At a very minimum, we believe these concerns warrant a thorough vetting through the regular order. That is why I, along with Senators WYDEN, TESTER, SHAHEEN, RUBIO, LEE, and CRUZ wrote a letter to the majority leader expressing these concerns, asking again for regular order for this bill. But here we are. Cloture was invoked and I suspect the supporters of this bill certainly do not want to go through the markup process so here we are again without regular order.

This bill is wrong for a great area of growth for our country, which is online businesses. Small business owners get hit the worst under this bill. Small business owners from my State of New Hampshire have told me—and large businesses from my State of New Hampshire that do business online have told me—this legislation would make it harder for them to do business. During the recent Senate work period, I held two roundtable discussions in New Hampshire, one in Manchester and one in Portsmouth. It was a great opportunity to hear directly from those on the ground what the implications of this bill will be to business owners in my State. I would like to share a sampling of the feedback from businesses in New Hampshire about this bill.

Russ Gaitskill, who is the president and CEO of Garnet Hill, in Franconia, NH: "It's going to be a nightmare."

He sent to my office an example of what he would have to do. Understand what this will make online businesses have to do in this country. They now become the tax collectors for other States, even though they do not rely on the services in those States, they do not use the roads in those States, they don't get to vote for the Representatives in those States. Taxation without representation, that is what this bill is about. They now have to collect for the rest of the Nation's 9,600 tax jurisdictions of different not only State sales taxes but local and county sales taxes.

I want to use one example of what this is like and what an administrative nightmare this is for businesses. This is 1 page of a 40-page sales tax manual that is an example of what any online business across the Nation could have to face. In New Hampshire, if there is a customer from Illinois who chooses to buy from an online business in New Hampshire—here we are. If the person lives in Grand Prairie, it is a 6.5-percent rate. But if the person is from Colona or Collison, a 6.5-percent rate or if you live in Dow, it is a 7-percent rate.

There are 9,600 different tax jurisdictions across this Nation and the people pushing this bill, the proponents, say: Oh, no problem for these businesses. Just use software. Every business has this software. It is going to be easy as pie.

So when Dow changes their tax rate half a percent, the whole program

changes. Yes, that burden is put on the business. Talk about an administrative nightmare. Do you know why. Because States are in a position where they want to use that as a cash grab to make other States and online businesses do their work of tax collecting for them instead of them doing it themselves. I cannot believe my colleagues are going to go along with this and those who are pushing it.

I think it is especially odd there are Republicans who want to create this kind of complicated tax mess. I hear from my colleagues on this side of the aisle all the time about how we are going to cut through regulations, we are going to make it easier for businesses. A lot of my colleagues on the Republican end are pushing this notion that a business—oh, just let them purchase some software and then let them try to collect for almost 9,600 tax jurisdictions in the Nation. What could possibly go wrong for an online business? Many of them, smaller businesses in this country, are trying to thrive, trying to grow through a difficult time in our country.

I also heard from E&R Laundry and Dry Cleaners, a small business founded in 1921 in Manchester. About 70 percent of E&R's sales are now Internet based. The company's president said he would not have the resources to calculate, collect, and deliver sales taxes for thousands of jurisdictions across the country.

A bakery in my hometown of Nashua echoed that sentiment. Susan Lozier Roberts of Frederick's Pastries—and anybody who has been there, yum. I can understand why people across the country would want to get some Frederick's pastries. Susan said it would create mass confusion, keeping up with all the individual State tax codes.

I heard the same from one of the most prominent maple sugar producers in the State. In New Hampshire, we are a State that prides itself on its maple sugar products. Peter Thomson—his father was the late Gov. Mel Thomson, a wonderful figure in the history of our State—said it would be a burden we just couldn't afford.

Ken Smith, the owner of Maine-ly New Hampshire, said: I physically don't have the manpower or the hours to be able to handle something like this.

Jenn Coffey, another business owner, said: If I had to become a tax collector on top of what I am already trying to do as a startup—we all know how hard it is to start your own business, by the way—she said: I would be out of business.

I also heard widespread concerns about the threat from faraway audits that this legislation would bring. That is the poster board I had up there, with all these tax rates. In every single one of those jurisdictions, if we divide it by county or we divide it by State, when a

business in another State, in New Hampshire, for example—if they are selling to a customer in Illinois, they can then, if their computer program that everyone is saying is so easy doesn't calculate it right, they can be hauled in for an audit in another State where they do not have any physical presence. What do they do? They have to get a lawyer in another State. They have to deal in a court system in another State or with auditors with a department of revenue. Whom do they deal with? Talk about administrative nightmare, to be dragged into another State for potential audits, to have to hire lawyers in other States—what an administrative mess this bill will create.

It is truly shocking to think that people actually want to say this somehow is going to level the playing field or make it more fair, when it puts this great burden on businesses.

Travis Adams, with whaddy.com, based in Nashua, said: One tax audit from another State or jurisdiction would completely crush us.

Ben Baker, an online retailer in Barrington, said: Small businesses like mine just can't handle that kind of accounting burden. If I have to hire a bookkeeper or pay my current offsite accountants significantly more per month to track all this, you can bet my plans to expand my business in the next 6 months are a lot less likely.

Paul Ford, an online dealer in Portsmouth, perhaps summed it best when he said: The last thing we need is legislation like this.

I would also like to mention a comment from Joel Maloy, a friend of mine, a great business owner in New Hampshire, president of Polaris Direct. He said: This is not about making Main Street more competitive. It is about passing new taxes on to consumers. That is consistent with what other business owners have told me from across New Hampshire, and I have certainly also heard it from businesses across the Nation. They know this is not about competitiveness. It is about helping States get more money to spend on programs they cannot afford.

That is what the Wall Street Journal said this week. The paper called the Marketplace Fairness Act an online revenue raid. They said this is a bill—of course, do you know who is pushing this bill? Big business, big retail business. Do you know what it does, according to the Wall Street Journal—and I fully agree with them on this—“... big business and big government are uniting to pursue their mutual interest in sticking it to the little guy.”

“[B]ig business and big government are uniting to pursue their mutual interest in sticking it to the little guy.” Haven't we had enough of that in our Nation? The paper concluded that “the new revenues will merely fund larger government.”

Some of my conservative colleagues have tried to justify their support for this big government bill on the notion that their States will be able to reduce their income or sales tax. I think we all understand there is no requirement in this bill that States have to reduce some other tax burden if they collect taxes in this way. This is just about spending more money.

Let's talk about the Constitution. By imposing collection requirements on businesses that have no physical presence outside their home State, I also fear this is going to trample on existing State sovereignty. Under current Supreme Court precedent, in the absence of an actual sufficient nexus, a State cannot reach beyond its borders to compel out-of-State Internet vendors to collect taxes on a particular transaction. That is the Quill decision.

By usurping and changing the standard, it would undermine an important limitation in the commerce clause, the nexus requirement. So now your nexus with a State is a click; instead of a physical presence in a State. If an online business in New Hampshire has to collect and remit sales taxes for online customers from Massachusetts, what is to prevent Congress from later expanding the commerce clause even further to require New Hampshire brick-and-mortar businesses to collect the Massachusetts tax, because Massachusetts has already tried to do this to New Hampshire. In fact, when I was attorney general of the State, we brought a case to the Massachusetts Supreme Court because there were customers from Massachusetts who came over to buy some tires in New Hampshire and the Massachusetts DRA tried to get New Hampshire businesses to collect that tax.

That is exactly what we are doing with this bill. It actually places an unfair burden on online businesses versus brick-and-mortar businesses that are in that situation that now do not have to collect that. But I worry that will be the next step for businesses in my State of New Hampshire and other States across this Nation that do not have a sales tax.

What about stores that sell through catalogs. Their customers are frequently older and less likely to have transportation or be online. Will catalog vendors also have to collect and remit State sales taxes?

Finally, what about other unintended consequences on consumers, retirees, and investors? That is the type of information we would have talked about in a committee hearing that we did not have on this bill before the Finance Committee. There was a hearing, but there was no markup. A markup is when we try to improve and deal with unintended consequences to a bill.

Could this bill open the door to taxes on financial services or transaction taxes? Some of the financial organizations have raised that issue. In my

home State of New Hampshire, it is a matter of pride that we do not have a sales tax, and this bill tramples on that choice for the State of New Hampshire. That is because we know it gives our retailers, yes, an advantage in a competitive marketplace, but we also know low taxes are the result of low spending. This legislation threatens to trample on retailers in all States, forcing them to become tax collectors for other States—nearly 9,600 tax jurisdictions, as I have mentioned.

I said it before, and I will say it again. This truly is taxation without representation because businesses in New Hampshire or online businesses in other States can now be subject to doing the business of governments in other States, of collecting their taxes, when they don't elect the representatives there, when they don't rely on the roads there or the services there. Here we have it—the ultimate in taxation without representation. I say to my conservative colleagues, why would they want to support such authority given by the Federal Government?

Supporters of this amendment argue that they have created an exemption for small businesses of \$1 million for small sellers, but this amount is not indexed to anything. What about the business that is \$1 million and \$1 in sales? Then they have to do it, and it is going to discourage businesses from growing.

Also, this limit is far lower than the SBA—the Small Business Administration—actually defines a small business.

Even with this exemption, trust me, once this exemption is in place and the States don't get all the revenue they want, they will be back. They will be back before this body to say: We didn't get enough money, so the Senate needs to authorize us further. Get rid of the exemption. We have a right to collect from those businesses as well or have them collect for us as well because that is what it is—requiring them to collect for us.

A broad coalition of groups is opposed to this far-reaching legislation. Let me talk about a few of them.

No. 1, Americans for Tax Reform. Americans for Tax Reform said:

This legislation grants states new tax collection authority without removing equivalent taxing authority elsewhere. Therefore, this legislation can only be viewed as a tax increase.

The Financial Services Roundtable said:

This legislation has the potential for unintended consequences. It's important for Congress to explore all possible outcomes and costs of this proposal, especially the impact on consumers.

A transaction tax on financial services products will hurt retail investors, retired Americans, and small businesses, effectively making it more expensive for them to invest and plan for the long term. Without hearings, these implications and others will not be properly addressed.

Again, the Securities Industry and Financial Markets Association has raised similar concerns, saying that this could lead to a financial transaction tax which will hurt all of us.

TechNet opposes this, saying:

Imposing a new Internet sales tax regime is a tremendously complex issue that should be addressed through regular order, starting in the Senate Finance Committee, and done in a thorough and deliberative manner.

That has not been done here.

We should not rush a proposal that is riddled with holes and, most importantly, does not provide enough protections for small businesses, the back bone of our economy.

Americans for Prosperity opposes this. Americans for Prosperity says:

This bill would not level the playing field; it would burden online retailers in a way that brick-and-mortar stores are not. Complying with the internet sales tax would be a considerable administrative burden for companies, particularly for small businesses.

Freedom Works opposes this as well. Heritage Action for America opposes this. The National Taxpayers Union opposes this. The Competitive Enterprise Union opposes this. Competitive Enterprise Institute opposes this, as well as the Council for Citizens Against Government Waste. These are groups that are committed to low taxes, less government, and free enterprise so we can have a strong economy.

Again, I encourage my colleagues on both sides of the aisle—especially my colleagues on this side of the aisle—to listen to the red flags these groups and several of my other colleagues have raised.

I will conclude by once again restating the serious concerns I have about this legislation. I have concerns about the impact on small business owners in my State and in States across the Nation. I have concerns about the impact on online businesses that have been such an area of growth for this country.

The concerns about the administrative application of this bill—I showed my colleagues all the tax jurisdictions. To put that burden on businesses is absolutely wrong. It is wrong for creating jobs in this country, and it is absolutely wrong to put such an administrative burden on people who are working so hard in starting their businesses and thriving and making sure they grow.

I believe we are opening Pandora's box with this bill, and this shouldn't be done in the manner it has been—without regular order. We are talking about a massive reorganization on how sales taxes are collected in this country. What will be next? What will the States ask us for the authority to tax next? That should be a very big question for our colleagues.

I strongly encourage my colleagues to put the brakes on this bill and to think about the harm this legislation would do to small online retailers

across America. When consumers and online retailers in the States of my colleagues find out what is actually in this bill and they don't understand why their Senators would support an online sales tax bill, I know they will raise many concerns to my colleagues when they have the administrative burden and the nightmare of trying to collect for 9,600 tax jurisdictions in this Nation.

I urge my colleagues to oppose this bill. Thank you.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise today in support of the legislation that will level the playing field for brick-and-mortar retailers in Minnesota and across our Nation. I join my bipartisan group of friends, including Senators DURBIN, ENZI, HEITKAMP, and ALEXANDER, in support of the legislation we are debating this week, the Marketplace Fairness Act. It will simply allow States to help their brick-and-mortar retailers, including the mom-and-pop shops on Main Street, stay competitive in a marketplace where online sales have become a fact of life. This legislation is a commonsense measure that brings our sales tax laws into the 21st century.

In Minnesota the retail industry includes nearly half a million workers—about one in five jobs in our State—and those retailers need to compete on price and on service every single day. But the current sales tax system makes it impossible for them to compete on an even playing field.

Take Michael Norby, who owns Norby's, a department store in downtown Detroit Lakes, MN, whom I met last August. His situation and what I have learned from him explains a lot about why I support this bill. Norby's has been in his family since 1906. Mr. Norby wants to compete with the big guys—with the Amazons and the Overstocks of the world. He said he can compete with anybody just as long as it is on a level playing field. He said: Once you bring those guys onto the same playing field as the rest of us, we will compete with them.

But there is a problem. Mr. Norby described what they see in Norby's every day. We have heard it from other Senators. It is called showrooming. The customers come and check out the merchandise, they get help from a sales associate, then they pull out their smart phones and say: I can get this cheaper online. When Norby's has to collect sales tax and the other guys don't, it makes it impossible to compete. Mr. Norby describes this simply as an issue of fairness. And he is right.

Brick-and-mortar stores such as his should be able to compete on the same terms as online retailers. That is what this bill does, and that is why Mr.

Norby supports the Marketplace Fairness Act. But it is not just about fairness. When Mr. Norby is able to compete on fair terms, he will be able to hire more people. That is what will happen when the Marketplace Fairness Act passes. And what goes for Norby's goes for other businesses around Minnesota. The Marketplace Fairness Act is going to help the local businesses in our communities that provide jobs to our constituents. And when customers shop at local retailers, that money then supports the local community and it stays in that community.

The Marketplace Fairness Act will help our States and our communities in another way. State and local budgets have been hit really hard since the great recession. One thing that has meant is that even though the private sector jobs have grown for the past 37 months, the public sector has shed a tremendous number of essential jobs—teachers, firefighters, police officers. That is why so many Governors across this country support efforts of reform, because it is the right thing to do for their States.

Republican Governors in Alabama, Arizona, South Dakota, Georgia, South Carolina, Idaho, and many other States support the concept of leveling the playing field for small businesses because it brings much needed revenue to their States without creating a new tax. There is no new tax created here. It is simply going to improve compliance under existing laws.

Minnesota has lost an estimated \$397 million in revenue in 2011 alone from taxes owed but not collected on remote sales. I am sure that \$397 million could do a lot for the people of Minnesota, including hiring back some of those teachers and firefighters and police officers, making improvements in infrastructure, in education, and in so many of the things that create prosperity and that affect the middle class.

I have heard from big retailers in Minnesota, such as Best Buy and Target, about how important this issue is, but I have also heard from countless mom-and-pop stores, such as Norby's Department Store. I have spoken with the Minnesota Retailers Association and the Metro Independent Business Alliance. In addition to retailers, I have heard from the League of Minnesota Cities, from mayors across the State, and from our Governor—all who understand what that revenue they are missing can do for our communities.

The Marketplace Fairness Act is bipartisan, and it is a commonsense bill. I urge my colleagues to support this legislation.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent to speak as in morning business as my remarks will not relate to the business at hand.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, first of all, I wish to talk about the bill that is on the floor. I agree with Senator FRANKEN—this is a bill that enjoys bipartisan support. We saw in the budget debate just how broad and how bipartisan that support is. It is the right thing to do. It is the fair thing to do. It is a situation where government no longer decides that one business located in a community that provides the police protection, the sidewalk, and whatever else one might use as one goes into a local store and looks something over, is disadvantaged over a business that is located somewhere else.

Also, there is a fundamental policy of the importance of having laws on the books that are actually enforced. In almost all the States—I think the number is somewhere near 37 or 38 States—this tax is currently due. This tax is supposed to be voluntarily paid, and winking and nodding on not paying this tax creates real concerns. I think in Missouri last year—a State where this tax is supposed to be paid as a use tax—300 people filed that they owed this tax and paid some of that use tax. Now, my absolute certain guess is that more than 300 Missourians received something in the mail at their house that didn't have taxes paid on it when they received it.

So my view would be that we should do one of two things: We should either take all of those laws off the books or determine a way where the laws that States have are actually able to be enforced by those States.

States have a right to decide, no, we don't want to be a part of this compact. We don't want to be a part of it. We don't want this sales tax revenue. We don't want to collect the money that is due on the same product in our State. But they also have the right to say, yes, that is our law, and we need to collect that tax, and we do not want to pick winners and losers.

From the point of view of some of the most conservative leaders in the country, including those who are in government—Al Cardenas, the chairman of the American Conservative Union, says:

When it comes to state sales taxes, it is time to address the area where federally mandated prejudice is most egregious—the policy toward Internet sales, the decades old inequity between online and in-person sales as outdated and unfair.

Governor Mike Pence from Indiana says:

I don't think Congress should be in the business of picking winners and losers. Inaction by Congress today results in a system today that does pick winners and losers.

Another Indiana Governor, Mitch Daniels, said:

Sales taxes that states impose ought to be paid, and paid by everybody equally and collected by everybody in the retail business.

Art Laffer, in a Wall Street Journal article just this week, said:

The principle of levying the lowest possible tax rate on the broadest possible tax base is the way to improve the incentives to work, save and produce—which are necessary to reinvigorate the American economy and cope with the nation's fiscal problems. Properly addressing the problem of e-fairness on the state level is a small, but important step toward achieving this goal.

Art Laffer—President Reagan's adviser on exactly that concept of having a tax that is fairly applied in the broadest possible way—is supportive of this, along with Mitch Daniels and Mike Pence and Al Cardenas and many other conservatives who have looked at this as both a fairness issue and an issue of simply providing a way that States are allowed to enforce their law.

Regulating interstate commerce is one of the principal reasons to have a Constitution and a Federal Government.

ESSENTIAL SERVICES ACT

Mr. President, the other thing I would like to talk about is what happened beginning on Sunday in the country as people tried to travel when approximately 47,000 Federal Aviation Administration employees were furloughed, and furloughed in a way that created needless airport delays nationwide.

The announcement came on the heels of a report that the President has cut other public services, such as the self-guided tours at the White House. I cannot imagine how much the self-guided tours at the White House cost, but I do know it was cut when for almost every school student in America who comes to Washington, one of the things they would like to see is the White House. So I guess there is some immediate pain involved there, just like there has been pain involved at airports since Sunday.

The airline industry was not even told until late last week that this was going to happen. This has been mismanagement, and intentional mismanagement. As late as September 28, the Office of Management and Budget sent out a notice to the entire executive branch of the government that said: Spend your money—this is for the spending year that begins October 1—spend your money like the law will not be obeyed. Suddenly, 6 months into the spending year, the spending caps, the budget caps, the amount of money that had been appropriated beyond that—it is twice as big a problem as it would have been October 1. Then you have to give notice to people that they are going to be furloughed, if that is the option you have taken, and it is a bigger problem than it needed to be.

During his sworn testimony before Congress last week, FAA Administrator Michael Huerta admitted that the agency has the flexibility under current law to transfer up to 2 percent

of funding from one activity to another without congressional action, and also they could ask to transfer up to 5 percent—setting priorities—by asking Congress. It would be 2 percent without even asking Congress and 5 percent by asking Congress that could be transferred.

There was a serious discussion and an amendment offered early this year in the continuing resolution debate to give the agencies the authority they needed to set priorities between now and September 30. But the administration clearly said it did not want to be able to set those priorities.

The idea that any reduction in Federal spending has to create the maximum amount of pain is offensive to me. I think it is offensive to most Americans.

The FAA currently spends \$2.7 billion annually on nonpersonnel costs. The day they started this, saving \$600 million by furloughing employees, they announced \$474 million of new grants for sustainable and livable communities.

I am actually for sustainable and livable communities, but this is a new program. It is a program that I would bet a considerable amount of money that if the Department of Transportation would have come to Congress and said: Could we spend this \$474 million on keeping the airlines and the airports working—the freight that goes all over the country, the people who go all over the country to do business and create jobs—I will bet you Congress would have said: Absolutely, take that \$474 million. Do not announce those new grants that you have not told anybody they have yet and use it to solve this problem, while we work to see if there are better ways to solve this problem.

Last week, I introduced the Essential Services Act as a standalone bill. I introduced that same act, in fact, during the continuing resolution debate. We were able to get a part of it into the continuing resolution for food safety inspectors.

But what the Essential Services Act says is that people who are essential to public health and safety have to show up for work. The basis for that is President Clinton, in 1995, on August 22, issued a letter, an excerpt from which I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, August 22, 1995.

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Alice M. Rivlin Director

SUBJECT: Agency Plans for Operations During Funding Hiatus

OMB Bulletin 80-14, dated August 28, 1980 (and amended by the OMB Director's memo-

randum of November 17, 1981) requires all agencies to maintain contingency plans to deal with a possible appropriations hiatus. The bulletin requires agency plans to be consistent with the January 16, 1981 opinion of the Attorney General on this subject.

The Office of Legal Counsel of the Department of Justice has issued an opinion dated August 16, 1995 that updates the 1981 opinion. A copy of the August 16th opinion is attached. You should review your plans in light of this opinion, make any changes necessary to conform to the opinion, and otherwise ensure your plan is up to date.

Please send a copy of your updated plan to your OMB program examiner no later than September 5, 1995. Any questions should be directed to your program examiner.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGAL COUNSEL,
Washington, DC, August 16, 1995.

MEMORANDUM FOR ALICE RIVLIN DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

From: Walter Dellinger, Assistant Attorney General

Re: Government Operations in the Event of a Lapse in Appropriations

This memorandum responds to your request to the Attorney General for advice regarding the permissible scope of government operations during a lapse in appropriations.

The Constitution provides that "no money shall be drawn from the treasury, but in consequence of appropriations made by law." U.S. Const. art. I, §9, cl. 7. The treasury is further protected through the Antideficiency Act, which among other things prohibits all officers and employees of the federal government from entering into obligations in advance of appropriations and prohibits employing federal personnel except in emergencies, unless otherwise authorized by law. See 31 U.S.C. 1341 *et seq.*

In the early 1980s, Attorney General Civiletti issued two opinions with respect to the implications of the Antideficiency Act. See "Applicability of the Antideficiency Act Upon A Lapse in an Agency's Appropriations," 4A Op. O.L.C. 16 (1980); "Authority for the Continuance of Government Functions During A Temporary Lapse in Appropriations," 5 Op. O.L.C. 1 (1981) (1981 Opinion). The 1981 Opinion has frequently been cited in the ensuing years. Since that opinion was written, the Antideficiency Act has been amended in one respect, and we analyze the effect of that amendment below. The amendment amplified on the emergencies exception for employing federal personnel by providing that "[a]s used in this section, the term 'emergencies involving the safety of human life or the protection of property' does not include ongoing, regular functions of government the suspension of which would not imminently threaten the safety of human life or the protection of property." 31 U.S.C. §1342.

With respect to the effects of this amendment, we continue to adhere to the view expressed to General Counsel Robert Damus of the Office of Management and Budget that "the 1990 amendment to 31 U.S.C. §1342 does not detract from the Attorney General's earlier analyses; if anything, the amendment clarified that the Antideficiency Act's exception for emergencies is narrow and must be applied only when a threat to life or property is imminent." Letter from Walter Dellinger to Robert G. Damus, October 19, 1993. In order to ensure that the clarification of the 1990 amendment is not overlooked, we believe that one aspect of the 1981 Opinion's

description of emergency governmental functions should be modified. Otherwise, the 1981 Opinion continues to be a sound analysis of the legal authorities respecting government operations when Congress has failed to enact regular appropriations bills or a continuing resolution to cover a hiatus between regular appropriations. . . .

Mr. BLUNT. That letter from Alice Rivlin, the Director of OMB, says: Here are the people who have to show up for work if the government shuts down. The government did shut down, we all remember, in 1995, and these people did show up for work.

On April 6, 2011, it appeared we might have another government shutdown, and the Obama administration put out a similar letter based on the same groups of people. These are not hard people to identify, as it turns out. On April 6, 2011, the examples they gave of essential employees who would have to work would be: FAA employees who would keep the air traffic control system open, FEMA disaster operations would continue, Social Security checks would be sent out to beneficiaries, the National Weather Service alerts and forecasts would be maintained, the U.S. Postal Service would continue to collect mail and deliver mail, the Customs and Border Protection activity would continue, and the food safety inspectors would show up.

There is a list. Mr. President, I ask unanimous consent to have this notice from the Obama administration printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

EMAIL GUIDANCE FROM OPM TO AGENCIES
(APRIL 6, 2011)

Shutdown Contingency Planning

The Administration is committed to working out a compromise for funding the remainder of the fiscal year so that we can avoid a costly and disruptive shutdown that would imperil our economic recovery. Yet, the Administration is preparing for all possible outcomes.

In the event of a Government shutdown, Federal departments, agencies, and the District of Columbia are legally prohibited from incurring further financial obligations for those activities that are funded by the annual appropriations that have lapsed—with the exception that an agency may incur those obligations that are necessary to carry out an orderly suspension of operations and to perform certain legally-defined "excepted" activities. Excepted activities include the safety of life and protection of property. (Since the general prohibition on incurring obligations relates to those activities that are funded by the annual appropriations that have lapsed, an agency may continue to carry out activities that are supported by other sources of funding which continue to remain available to the agency, such as existing balances of a multiyear appropriation.) Across the Federal Government, a shutdown would mean that many of the essential services that Americans rely on would be suspended or required to operate at lower levels, and many Federal employees would be furloughed and unable to work.

Below is a snapshot of how many major Federal activities would be affected. This is

not a comprehensive list. For more details, please contact the relevant Federal agency directly.

EXAMPLES OF SERVICES THAT WOULD BE AFFECTED

The Federal Housing Administration (FHA) would not endorse any single-family mortgage loans or have staff available to process and approve new multifamily loans. FHA single-family lending represents a market share of more than 20 percent of overall loan volume (home purchases and re-financing).

No new approvals of SBA-guaranteed loans for business working capital, real estate investment or job creation activities would occur.

National Parks, National Forests, and the Smithsonian Institution would be closed.

Those filing paper tax returns would not receive tax refunds from the IRS, and many taxpayers would be unable to receive service from the IRS to help them meet their tax obligations. For example, 400 walk-in service centers would be closed.

The Mine Safety and Health Administration would not be able to conduct regular safety and health inspections.

Only emergency passport services would be open; normal processing would not.

Department of Commerce grant-making programs for economic development would cease, as would most payments by HUD's Community Development Block Grant program to State and local governments.

USDA would not be able to approve any grants, loans or loan guarantees for its rural housing, utilities, business, and community facilities programs.

Farm loans, farm payment, and enrollment in conservation programs would cease.

Agricultural export credit and other agricultural trade development and monitoring would stop.

The Community Development Financial Institutions Fund would suspend its grants and technical assistance to communities across the country, delaying investments that finance businesses and create jobs in distressed neighborhoods.

Inspections of stock brokers, receipt and publication of corporate financial disclosures, and routine oversight of financial markets by Federal agencies would cease.

Enforcement actions would be postponed in all but a few cases.

Certain FEMA flood mitigation and flood insurance operations would be suspended.

Agricultural export credit activity and other agricultural trade development and monitoring would cease.

Most of the Veterans Benefits Administration customer support services would be suspended.

Most Department of Defense budget planning and preparation would cease; military personnel would not receive paychecks during a funding lapse.

Customer service would be reduced across the federal government.

Department of Justice civil litigation activities, including civil rights enforcement and defensive litigation (where the U.S. government is a defendant), would mostly stop.

Freedom of Information Act (FOIA) processing would cease.

EXAMPLES OF SERVICES THAT WOULD REMAIN OPERATIONAL

The Federal Aviation Administration would keep the air traffic control system open and safe.

FEMA disaster operations would continue.

Social Security checks would be sent to beneficiaries.

National Weather Service alerts and forecasts, as well as volcano and earthquake monitoring by other agencies, would continue.

The U.S. Postal Service would continue mail collection, delivery, and other operations.

Customs and Border Protection activity would continue.

Military operations in Afghanistan, Libya, and Iraq would continue.

NASA satellite missions currently in operation would continue.

SNAP, WIC, and other child nutrition benefits would continue.

Most Federal Student Aid operations would continue.

Core Federal law enforcement, such as the FBI and U.S. Marshals, would continue, as would prison and detention operations.

Medical services for veterans would continue to be available.

FDA monitoring of drug imports would continue.

Meat and poultry inspection would continue.

Treasury's core payment and collection programs would remain operational.

OMB is working diligently with Agencies to finalize operational plans for all possible scenarios, including a Government shutdown. We will continue to make new information available to the media and general public as it is finalized.

Mr. BLUNT. This is not very complicated. All the Essential Services Act says is that the people whom the government said had to show up if there is no money to run the government would also be the people who would be prioritized and would be allowed to show up if there is a 2.5-percent cut. Who can argue with that?

People are told: The weather is really bad today. If you think you have some risk to your person to get to work, do not come in. But these people are told: If you can possibly get to work, get to work. If the food safety inspector does not get there, 500,000 Americans could not work that day if they did not show up at every food safety facility where that one Federal employee has to be there for everybody to work. If the air traffic controller does not get there, and the runways are cleared off and planes can land and planes can take off, that may not happen if the air traffic controller is not there.

This says those people would not be subject to furlough under the new Budget Control Act. They would have the same priority on a day when there is a reduction in the funding for a Department that they had in the day when there was no funding for the Department. If people are told they have to show up when there is no money to run the government, surely those same people need to show up if there is a 2.5-percent reduction.

The definitions set by President Clinton and President Obama in their administrations are fine with me for this purpose. Washington is living outside its means today. Federal spending has skyrocketed 19 percent since 2008. The Federal debt is approaching \$17 trillion. Clearly, we have to do something

about spending, and we can do that without interrupting people's lives. We can do that by prioritizing what the government should do.

Last week, we had Mr. Huerta before the Commerce Committee that Senator ROCKEFELLER chairs and Senator THUNE is the ranking Republican. I think it was on Wednesday. There was no discussion that on Sunday we are going to start furloughs of air traffic controllers.

In the legitimate oversight responsibility of our committee, we are to be told by the FAA Director: Our plans are drawn up. We are about to execute them. I am here to testify before the Congress. I think one of the things I should tell you is that all kinds of flights are going to be delayed on Sunday and Monday because of this plan. It was not mentioned. Plenty of questions, even questions about how you were going to furlough employees, but no answers.

I encourage Americans to visit our Web site: bitly.com/cutwasteful spending. Let's find the things we can cut rather than finding things that you cut—from the White House tours, to vaccines for kids, to air traffic controllers, to border security guards. I hope we will do the right thing. I encourage Senator REID to allow a vote on the Essential Services Act and prioritize the way we spend money.

Back to the start of my remarks, I am a proud cosponsor of the Marketplace Fairness Act. Senator PRYOR and I intend to offer an amendment on that to just clarify current law, that we are not taxing use of the Internet; we are just having a fair tax for products people buy over the Internet.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, I rise in response to my good friend, the Senator from New Hampshire, who obviously feels very passionately about the bill, as do all of us who have worked for years and years to try to create a marketplace that is fair and equitable for so many people in this country, particularly our brick-and-mortar Main Street businesses.

I can certainly appreciate that remote sellers in New Hampshire who have, in fact, enjoyed a nice opportunity to move products into the marketplace free of any burden—unlike a Main Street business with any tax collection burden—that they do not want to lose that advantage they have. In many States that advantage can be quite significant.

I want to give you an example. Today, in our news conference we

heard from a woman named Teresa Miller. Teresa Miller sells pet supplies both in her store and remotely. She operates out of the State of Missouri, and in many of the jurisdictions where she sells pet supplies, the tax rate can be as high as 9.5 percent. She has a trained sales force that listens to customers' concerns about their pets and what their pets need in terms of nutrition.

The customer will walk out of the store, never to return. It is pretty clear those customers are buying those products on the Internet having used the expertise of Ms. Miller's staff.

I would suggest that is exactly the situation that we are trying to address. The Senator from New Hampshire raised a fair number of points which, ironically, can all be responded to and can be addressed by simply reading the bill. The first point I want to make is the point that someone will have to deal with upwards of 9,600 different jurisdictions.

That is not true. In fact, this bill mandates that if you are going to expand your collection obligation to remote sellers, you need to participate as a State in a streamlined process either through the streamlined process that is already set up or you need to look at a bill or some kind of process in your State that will reduce those compliance burdens to simply 46 State jurisdictions.

The other concerns that have been raised—and I want to just take a moment. Sometimes too often we do not actually look at what we are debating. I want to take a moment and talk a little bit about page 3 of the bill. Page 3 provides that in order to qualify, a single entity within the State responsible for all State and local taxes and return processing and audits for remote sales needs to be sourced to the State. There is a single audit requirement and a single State or use tax return.

So these jurisdictions will be limited to simply one within the State. The bill clearly provides that. In discussing the certified software, talking about how that would provide additional burdens, again, understand this bill requires that certified software be provided for free to the remote seller. If the remote seller, in fact, does use the certified software, that certified software then gives them immunity from any future tax liability and audits and gives them basically the ability to say: I did my job. I did my due diligence. I used the software you told us to use. I do not expect that there is going to be an audit that could assess me any additional taxes having used that safe harbor.

The next issue the Senator from New Hampshire raised is the effect of this bill on nexus requirements. It gets a little tricky because in law we have an obligation in this body to regulate interstate commerce. But what we do

not, I believe—and some people may disagree. I believe, as a lawyer who has litigated a lot of cases, this body does not have the authority to determine due process standards under the Constitution. To reiterate, it is clearly stated that nothing in this bill affects State nexus. So when the good Senator from New Hampshire suggests that this will change nexus standards, that is absolutely incorrect.

The final issue I want to touch on is the issue of the financial services tax. I want to make the point that in the bill itself it is clearly limited to imposing a sales and use tax obligation. It clearly states no other tax will be, in fact, affected by this bill. So I think frequently we get into discussions about what if. All of those discussions can be clearly clarified by simply reading the bill. That is what I would suggest. It is 11 pages. It is very straightforward. There has been a lot of work put into this piece of legislation over very many years, and a lot of accommodations, including an accommodation that you are only required to do this if you have \$1 million in remote sales.

I am going to close with the words of Teresa Miller. When someone asked her how she would feel about this, because she also markets on the Internet, she said she would be thrilled to have this obligation because it would mean that her remote sales exceeded \$1 million.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today in strong support of the Marketplace Fairness Act. I would like to thank Chairman ROCKEFELLER. I would like to thank the two major sponsors of this bill, Senator DURBIN and Senator ENZI, who have been working on this for years, and Senator HEITKAMP for her longtime knowledge and leadership on this bill, as well as Senator ALEXANDER.

I am proud to be a cosponsor of this important legislation. It has been very important for years for businesses in Minnesota, both big and small, and across the country, giving them the certainty they need. That is what this bill will do so they can succeed and grow.

I am encouraged to see the Senate coming together in a bipartisan way to create a level playing field for our businesses on Main Street to compete. That is all they want to do. They just want an even playing field to compete. The bipartisan support for the Marketplace Fairness Act is a reminder that when we put politics aside we can get things done, something the Presiding Officer from the State of West Virginia knows about very much.

During the budget debate, 75 Senators came together and we succeeded in passing an amendment that I cosponsored to the budget resolution that

helped outline the broad support for a very simple idea: that all businesses need to play by the same set of rules.

When I go around my own State, as I know Chairman ROCKEFELLER does in his, I hear from small locally owned retailers, and competitive issues are raised all the time. We have small businesses—this gives a sense of what we are talking about—places such as the Uffda Gift Shop in Red Wing, MN. I hope all of you will visit there. I have been there and did Christmas shopping there. There is Mary's Morsels, which is a bakery in Eveleth, MN, on the Iron Range, northern Minnesota, where my dad grew up; Sleepy Eye Floral—I suggest all of you go to Sleepy Eye, MN, at some point in your life. You can then go and buy some flowers at Sleepy Eye Floral. You will find big support for this legislation, the Marketplace Fairness Act.

In my time in the Senate I have been committed to a competitive agenda that promotes long-term economic growth. Part of that agenda includes not only bringing our debt down in a balanced way, promoting exports, making sure that our workforce is trained for the jobs of today, but it also means an even playing field and making sure that all businesses can compete.

That is what America has been built on. I know our businesses in Minnesota want that level playing field. It is time we give it to them. That is exactly what this bill does. It allows brick-and-mortar retailers the ability to compete against out-of-State Internet retailers. States are currently unable to require out-of-State or online-only retailers to collect sales tax. It puts local mom-and-pop shops at a significant disadvantage.

Not only that but this loophole—by the way, this is not about adding a tax. That is why we have such strong bipartisan support. It is only about allowing those taxes to be collected, something most people support. I have to tell you that because these taxes are not being collected, it creates a loophole that is literally draining billions of dollars in lost revenue from State and local governments at a time when they need it for police officers, they need it for firefighters, and when they need it for our schools.

Some \$23 billion last year alone was lost because these laws were not being enforced in an even way. My State lost about \$394 million in 2011 from out-of-State sales taxes that are legally due but not collected. This lost revenue translated into over 7 percent of Minnesota's general sales tax liability in 2011.

In our State, local brick-and-mortar retailers assess sales tax at a rate of 6.875 percent, while their online competitors typically assess no sales tax. That is simply not right. When this happens, city and State governments either have to find revenue from other

sources, such as raising taxes, or they must cut critical services.

Let's also be clear about what the legislation that Senator HEITKAMP has so intelligently pointed out—let's be clear about what the legislation does and does not do. It does not create any taxes or increase existing taxes. It simply gives States the ability to enforce their own sales and use tax laws, which reduces the need to raise taxes.

It also relieves customers of the legal obligation to report to State tax departments the sales taxes they owe. One of the longstanding principles of tax fairness is that taxpayers who engage in similar economic transactions should face the same tax consequences.

Today, that is simply not the case. Minnesota is home to these thriving small businesses, but also to many large businesses that are in retail, such as Target and Best Buy. I have seen with my own eyes people go into Best Buy, spend half an hour with a very eager salesperson who is helping them in any way, looking at dozens of TVs, and then go back outside the store and buy it on the Internet.

That is not how things should work. We have to have fairness. That is why this bill is called the Marketplace Fairness Act. This bill has such strong support from business, such strong support in this Chamber. I am very excited about what is going on. We have been having this debate for over 10 years now. It is one of the first things I heard about when I got to the Senate 6 years ago. It is long past time to get this done.

I yield the floor.

Ms. HEITKAMP. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mr. REID. Madam President, my friend from Oklahoma is on the Senate floor. I would ask if he would be kind enough to wait while I say a few words and withhold offering the consent agreement to allow Senator SCHUMER to speak for 5 minutes. Following Senator SCHUMER, I will offer the consent agreement. Would that be appropriate for the Senator from Oklahoma?

Madam President, the arbitrary spending cuts in the Budget Control Act were designed to be painful—so painful that both parties would come together to find a bipartisan way to reduce the deficit. Thus far, it hasn't worked. We have reduced the debt by doing a number of different things by approximately \$2.5 trillion. We have cooperated in that regard. The deep cuts required by the sequester failed to

bring the Republicans to the negotiating table to find more savings or more revenue.

Even after both the House and the Senate passed budget resolutions, the House Republican leadership has refused to go to conference to work out our differences. Republicans have been telling us for a long time that they want regular order. When we come to regular order, they don't want regular order.

Republicans are afraid to even be seen considering a compromise with Democrats. I speak more strongly, as the Republicans here in the Senate are doing their objection here on going to conference more to protect the House. This applies much more to the House Republicans than it does to the Republicans in the Senate. The Republicans in the House are afraid to be seen considering a compromise with us.

Because Republicans have refused to negotiate a compromise, sequestration kicked in with devastating effect. We are just beginning to feel the impact of these deep cuts. Nationwide, the sequester will cut 750,000 jobs this year alone. More than 70,000 little boys and girls will be kicked off the Head Start Program. Programs funding medical research with Duke University, as I indicated on the floor yesterday, and scores of other programs that do the same and programs that help get homeless veterans off the streets are being decimated. Yesterday I spoke about Meals on Wheels. Meals on Wheels is one of the programs that are so helpful. Homebound seniors receive one meal a day, and it is usually only during the day. These are being significantly hampered. I have spoken about Head Start for young children, but education programs are being hit very hard. These are programs that deal with impoverished children.

We know the sequester is causing massive delays. I am from Las Vegas. I am from Nevada. No place in America is more desperate to have the flights on time than tourist-oriented Las Vegas. It is the same in Reno. These cuts are hurting tourism in Las Vegas and in all of the country.

It is not only the furloughs at the FAA, it is some of the programs I have spoken about and many more. We have seen the dire effects of these arbitrary budget cuts, and we have an obligation to stop them. That is why I am going to ask unanimous consent to take up and pass legislation that would block sequestration until the end of this fiscal year, until the first day of October. This would give us 5 months to sit down at the negotiating table and work out an agreement to reduce the deficit in a balanced way, in a way that doesn't punish the American people and our economy in the meantime.

The legislation I am proposing is simple, and it deserves quick approval. There is no reason to go back, even

though I would agree to it through the Buffett rule.

Let's do some spending cuts, let's do some more cutting.

We tried that. It wouldn't work.

Let's try the flexibility.

That also won't work because we are dealing with the same amount of money.

I hope this simple solution I am offering will be supported by my Republican friends—establishing binding caps on the war spending. The wars are winding down, and currently there is \$650 billion there. And as this bill proposes, the one on which I will ask consent, it will close that loophole and propose more than enough savings to offset the cost of delaying sequestration for 5 months.

Let's put a stop to the furloughs, delays, and a stop to the job losses. Let's put a stop to the devastating cuts to programs that keep our poor children from receiving an equal shot in life. Let's stop senior citizens and homeless veterans, who are the most vulnerable among us, from falling through the cracks. They may not be as transparent as what is happening at our airports, but these are devastating to human beings. Let's do it in a fiscally responsible way and do it now. Then let's get to work finding a broader agreement to strengthen our economy and reduce our long-term deficits.

I yield 5 minutes to my friend the Senator from New York as indicated with the tentative agreement I requested earlier. Then I will resume on the floor to ask for the consent, and my friend from Oklahoma will respond.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I rise in strong support of the proposal by our Democratic leader. We all know that sequestration was a blunt instrument, and now it is beginning to hurt. There is delay after delay at airports throughout the Nation.

This is not only a question of traveler inconvenience. Our economy in all likelihood will lose many more dollars in the next week or two than it costs to furlough the air traffic controllers when businesspeople can't travel, when tourists can't travel. I know my home city of New York is greatly affected. No one stays in the hotels, no one dines in restaurants, and no one attends the shows. This may be repeated in destination after destination throughout the country. If people are so uncertain of air travel that when they show up at the airport, they may wait 1 hour or they may wait 5 hours, they won't go. A good percentage will stop their trips.

So it doesn't make sense to go forward. I think we are in agreement. The problem is, how do we fix it? There aren't many ways to fix it because if you simply say, give flexibility, the Transportation Department has very little flexibility because many of its

funds are off limits. The highway trust fund, for instance, isn't affected by sequestration because those are our nickels and dimes that go into the gas tax per gallon, which wasn't affected by sequestration. An extremely high and disproportionate number of the Transportation Department's expenditures are air traffic controllers themselves.

We have this problem. As Leader REID pointed out, we have other problems—stopping cancer research and cutting back on NIH and NSF, which has always been our seed corn. NIH created a biopharmaceutical industry that is second to none and employs millions of people in your State and mine. NSF research basically created the Internet, which has created millions of jobs and makes the U.S. industry the envy of the world.

So we are cutting our seed corn, the kinds of programs for our homeless veterans, and the kinds of programs for our homebound seniors. The meat-ax approach of sequestration cuts those across the board.

My preference would be to close some tax loopholes to get rid of sequestration. I don't think we should give tax breaks to oil companies. We should not give tax breaks to companies that send jobs overseas. That would be my preference. But we know our friends on the other side of the aisle are against any revenue increases right now, so to put this on the floor immediately would be an exercise in futility.

The leader's plan is the right plan. It is ingenious. We have \$600 billion on the budget that we know we won't spend the vast majority of because no one believes we will have troops in Iraq or Afghanistan 5 years from now. Yet that money is sitting there on our budget and preventing cancer research, air traffic controllers, and money for homeless vets from being used where it was supposed to be.

So the proposal to take a certain amount of money out of the OCO—the overseas contingency operations—which we know we won't spend, makes no sense. Now you say: Well, you know you won't spend it; it is a gimmick.

It is not a gimmick. It is sitting there in the budget occupying space and could be used by these other agencies. And to insist the OCO continue is causing real pain, causing our economy not to grow as quickly, causing vulnerable people to be hurt, and causing research—the seed corn of America—to decline.

Our colleagues on the other side of the aisle are saying that President Obama is to blame for these delays. He has very little choice if we don't change things, and this is a way to change things.

If we want to get rid of these delays, which we all on both sides of the aisle very much desire, I would propose to my colleagues that the solution proposed by the majority leader is the best

way to go given the political necessities on the other side, the desire not to have any revenues—even closing certain tax loopholes.

So I would hope we could come together and vote on this solution. Cutting the OCO has been supported by Republicans. I remember Senator Kyl, a former Senator from Arizona, was advocating this late last year to deal with the doc fix, the DRGs, and other things. The people will come together on this. So I hope we can vote for this proposal, put the air traffic controllers back to work off their furloughs, get rid of these delays, and then come together in a grand agreement in time for the September budget.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST— S. 788

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. 788.

My friends on the other side have had this legislation for a short time, not a long time, but it is not that difficult to understand. I have tried to explain it the best I can.

I ask unanimous consent that the Senate proceed to the consideration of S. 788, the text of which is at the desk, which is a bill to suspend the fiscal year 2013 sequestration and offset that with funds from the Overseas Contingency Operations; that the bill be read three times and passed; and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. COBURN. Madam President, reserving the right to object, and I plan to object, I will take some time to explain why I object.

What is happening in the Senate is phenomenal, and I want the American people to see this. The Federal Government is 89 percent bigger than it was 10 years ago. We just heard the majority leader say flexibility can't work because we are already dealing with the same amount of money—89 percent more than we were 10 years ago.

I didn't vote for the Budget Control Act. I think sequester is a stupid way to cut spending. But I want us to understand exactly what is going on. This is a contrived situation because no effort—zero effort—by the FAA or the Department of Transportation has been made to have any flexibility in terms of how they spend their money. They have made no request for a reprogramming of funds within the FAA. They have over \$500 million unobligated sitting in balances that aren't obligated, so none of this had to happen. This has been a created situation.

I want my colleagues to think for a minute about the number of people

who didn't make it to their aunt's funeral yesterday because of a contrived situation; the number of people who may not get to the birth of a grandchild; the number of business meetings that aren't going to occur because we have created a contrived situation. Our problem is we are continuing to spend money we don't have.

So we have taken FAA, we have put the airlines at risk—and they are, by the way, suing the government because they haven't made a good-faith effort to do it in another way—and we have created a situation where we are going to discomfit and inconvenience hundreds of thousands of American people on a political point because we can't cut any spending in Washington.

Let me outline for my colleagues a moment what the FAA could do. They could save \$105 million by cutting their overhead expenses for consultant supplies and travel by 15 percent. That is one-seventh or one-sixth of all the money they need to keep all their controllers on. They could save \$41 million by eliminating funding the President has already recommended eliminating in terms of programs for airports that are on the national plan of integrated airports. They have already recommended doing that, but they are not doing that. They have the flexibility to do that but they are not doing it. That is another \$41 million.

They can save \$6 million on small community air service—flexible. They could reduce the Airport Improvement Program. They have plenty of flexibility there. That is up to \$926 million. They could do that. They could reduce or eliminate—and they would have to have our help to do this—the Essential Air Service Program where at many airports across this country we are paying a \$1,200 subsidy to fly less than 10 people a day out of an airport less than 90 miles away from a major airport. So to say there is no flexibility, they do not want any flexibility. And the fact is our country is headed toward bankruptcy.

Let me talk about OCO for a minute. It is true OCO money is in the budget, because we thought we were going to have to spend it. But every penny of that money will be borrowed money—borrowed money. So if we weren't going to spend it, we are saying now we are going to go over here and take care of sequestration? A 4-percent cut in the Federal budget—4 percent. It is only 89 percent bigger than it was 10 years ago and we can't find 4 percent within the FAA?

Let me outline a few other things going on at the FAA. They have posted requirements for nonessential employees since sequestration started. They have made no efforts at flexibility. They have made no efforts to do what they could do to keep the most number of controllers working.

This isn't going to happen. We are not going to borrow money anymore

against the future of our kids when in fact we have other ways to do it.

I will make my final point. The President is the CEO of this country. He can make this happen with the least amount of inconvenience for the American people. The question is: Will he or not? Will he or not? Will we play this political shell game with the lives and perhaps the safety and certainly the inconvenience of the traveling public in this country to make the point there is no way we are going to cut any spending out of the Federal Government when it is 89 percent bigger? And, by the way, it is 48 percent bigger under President Obama.

It is a real choice. America is going to get a real choice: Can we in fact respond in a prudent way to run this government in an efficient manner and eliminate low-priority items and put money for items such as NIH in a priority? We can. The question is: Do we have the will to do that?

What we are hearing from the majority leader is: No, we don't want to cut anything. We will take some funny money that doesn't really exist, and if we use it, we are going to borrow, and that will take all the pain away. There won't be any oversight, no streamlining, no priorities made in terms of how we spend money.

Every other American family and business has had to make those decisions. Yet we are refusing to do it. When we asked the President: Do you want the flexibility, he said no. He would veto the bill that gives him the flexibility to put high priorities up here and low priorities down here. That tells me it is all political. It doesn't have anything to do with the FAA; it has to do with creating an event so we won't do what is in the best long-term interests of the country.

With that, I object.

UNANIMOUS CONSENT REQUEST— S. 16

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 19, S. 16, the Inhofe-Toomey bill on flexibility, with an amendment that reflects the current changes for sequestration; that the bill be read three times and passed, as amended, with no intervening action or debate.

The PRESIDING OFFICER. Objection is heard to the prior request.

Is there objection to the following request?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Madam President, earlier this year the Senate voted on dueling responses through the sequestration. Democrats had a balanced plan—half revenues, half spending. Republicans tried giving flexibility with, of course,

no revenues whatsoever. The Senate voted both of these down. We know these plans won't work so there is absolutely no need to repeat what has already failed. So let us try to solve the problem.

I appreciate the mini lecture of my friend from Oklahoma, but it is wrong. It is good to go back and talk about what has happened. When President Bush took office—and I hate to keep bringing this up; his library is going to be dedicated in a few days—he had a surplus over 10 years of \$7 trillion. When he left office, he had a debt of almost \$2 trillion. Why? Was it because government got bigger? Well, it got bigger because we had two wars, paid for with the \$7 trillion that should have been surplus, but it was all borrowed money. All borrowed money.

During the Clinton years, when Bush stepped into office, President Clinton had created 22 million jobs in 8 years. During President Bush's 8 years, we lost 8 million jobs and lost our entire surplus. So of course those two wars and the tax cuts that were unpaid really created some problems.

The Senator from Oklahoma complains about government is larger than it was 2 years ago. Well, I have talked about that. But one thing my friend fails to acknowledge is Simpson-Bowles. By the way, he voted against that—is that right?

Mr. COBURN. I voted for it.

Mr. REID. That is right. You were with Senator DURBIN and voted for that. Most Republicans voted against that. My liberal friend DICK DURBIN voted for that.

The reason I mention that is because Simpson-Bowles wanted to arrive at a savings of \$4 trillion, as I understand it. We have already done \$2½ trillion. It is not as if we haven't done anything.

I would also talk about my friend from Oklahoma. I know he is smart, and I understand that, but just because you are smart doesn't mean you are always right. We have a situation where this country has been driven by the tea party for the last number of years. When I was in school, I studied government and I learned about the anarchists. They were different from the tea party because they were violent. But they were anarchists because they did not believe in government at any level, and they acknowledged that. The tea party kind of hides that. They do not say we are against government, but that is what it amounts to. They are not doing physically destructive things to buildings and people directly, but they are doing everything they can to throw a monkey wrench into any form of government, whether it is local, State, or the Federal Government. That is what it is all about. So anything they can do to throw a monkey wrench into the wheels of government, they are happy doing that. And I am

sorry to say my friend from Oklahoma is helping them, maybe not directly but indirectly, and that is wrong. Government is not inherently bad. Government is inherently good. That is why we have a Constitution, and we direct the activities of this government based upon that Constitution.

We have a situation here that is not good. We have programs being cut all over America. Rather than doing things with a meat cleaver, as my friend from New York said, we should be doing it with a scalpel—doing things that are fine-tuning and working to eliminate these programs.

My friend asks why doesn't the FAA cut other programs? Listen to this: He wants to cut airport improvement programs. These are job creating. They create jobs at airports—runways, terminals. These are programs that create jobs. Essential Air Service may not mean much to him, but we had a program where—I don't know if it was my friend from Oklahoma but some Republican Senator offered an amendment to get rid of Essential Air Service. One of the places they indicated should be cut is Ely, NV. I said okay, too much per passenger, I will go along with that. I could have stopped that but I didn't do it.

We have had this debate previously. Essential Air Service has been whacked on a number of occasions. There are places in America where Essential Air Service is just what it says, it is essential, to give those rural communities the ability to have an airplane come in there once in a while.

The Congressional Budget Office would give us credit—it wouldn't be toward the deficit—to do something for 5 months and take a little money out of Overseas Contingency Operations. We are going to cut money from that. We are not going to spend all that money that has been set aside to take care of the wars in Iraq and Afghanistan.

It is too bad we are right here with competing unanimous consent requests and the American people are going to continue to suffer—whether it is some little kid not able to go to a Head Start Program or some senior citizen who will miss his Meal on Wheels or the other programs—in addition to the devastation that is going to take place at airports.

Mrs. BOXER. Will my friend yield for a question?

Mr. REID. Sure.

Mrs. BOXER. Madam President, I appreciate Senator REID taking the leadership here, and as I understand it—and I want him to confirm it—what he has done is he has suggested the cuts that are hurting so many of our American citizens be restored and he is paying for that. He is not putting it on a credit card. He is paying for it by taking funds from the overseas account because we are winding down wars. Am I correct that what the Senator is doing

is paying a price that equals the amount he is restoring of the sequester?

Mr. REID. That is true.

Mrs. BOXER. And I also want to say to my friend, I understand we are truly suffering in this country. I have examples of people who were turned away from cancer clinics. They can't get their chemotherapy. The Cancer Society—which is not a government entity—has said this is very dangerous.

Is my friend aware that patients are being turned away and not getting the chemotherapy, grants are not being funded? I know he mentioned that. But I think the fact that patients who need chemotherapy who live—some are being denied this. Is my friend aware of that?

Mr. REID. In addition to that, I say to my friend from California, there is research dealing with dread diseases, in addition to cancer, which research is being curtailed.

Mrs. BOXER. I would also say, I wonder if my friend knew—and I take just a city from the Midwest. In Cincinnati, 200 children will be dropped or denied access to Head Start. Anita Wolf, a mother of two special needs children, said she may have to choose which child can remain in Head Start enrichment programs.

I say to my friend, we are here because this is hurting people. This isn't about statistics, and I am very disappointed we can't work together to restore this. How long does my friend restore these cuts?

Mr. REID. Five months.

Mrs. BOXER. I thank the Senator from Nevada for yielding, and I will listen to my colleagues from the other side.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, the reason patients can't get their chemotherapeutic treatments has nothing to do with the budget. It has everything to do with the administration's CMS and payment recognition. I have been working on this issue for 3 months. It has nothing to do with the sequester. It has to do with what the CMS has ruled in terms of appropriate payments.

The majority leader is a wonderful man. He has a different view of what it takes to get our country back in shape. He has actually split with the President this afternoon, because the President said the only way he would, in fact, turn off sequester is with a tax increase, and the only way this can be considered a tax increase is spending money we weren't ever going to spend anyway and acknowledging we are going to charge it to our children. So, in essence, it will be a tax increase—just not on us. It will be on every child.

It doesn't have to be this way. The President could agree for flexibility. His Secretaries could ask for re-

programming authority. But they have not done that. Why have they not done that? Because, in the President's own words, he wants sequester to hurt.

What a position for the CEO—the leader of this country—to say: I want to teach you a lesson. I am not going to use judgment and prioritize and categorize things that are most important and find things that are least important; I am going to reject all attempts at flexibility.

I wish to make one other point. The President keeps saying we have saved \$2.5 trillion. The majority leader just said the same thing. What the American people ought to know is \$1.2 trillion of that "savings" is for increases that were planned that aren't going to happen.

Let me say that again: \$1.2 trillion of the savings is for spending increases that were planned that aren't going to happen.

Everybody who runs a family budget or runs a business knows that is no savings. You didn't save any money that you were going to spend but then didn't spend. It wasn't saved because you never spent it. But it is a wonderful way Washington accounts that is different than the way the rest of us have to live our lives.

So let's go back and review.

We as Republicans agree we ought to fund the most important functions of our government, and we believe there ought to be priorities to that. But we also believe we ought to save the future for our children.

The answer to that problem we found ourselves in—sequestration—is to give the administration the flexibility for making priority choices just like the rest of us do. If they don't want to use it, then they don't want to use it.

But the fact is we will not pass that. The same tools that we would all use ourselves, we will not pass that. Why is it we will not pass that, to order things in priority, to do what is most important first?

I would tell you the conferences and the amount of travel for which the FAA spends are a low priority compared to keeping controllers working. We haven't seen any cut in those programs—none. As a matter of fact, the President's budget recommended taking \$800 million out of the airport improvement program—if you will read his budget. That was the President's recommendation. So now we are really at odds with the President because he says we can save that \$800 million.

It is flabbergasting to think there is absolutely no common sense in Washington and that we will not do the things that are in the best long-term interests for the people of this country. So what we do is we create a situation that is going to tremendously impact our Nation—both the business and the common citizen who is traveling—and we do it for political gain to prove a

point, not because we have to—because we are going to make sequester hurt.

The security the American people want is to know the future is OK. The future isn't OK with us operating the way we are operating. I know government isn't easy and I know it is messy, but there are some absolute truths. The absolute truth is we can't spend our way out of debt and we can't borrow our way out of debt, and we are taking \$38 billion over the next year out of the \$3.7 trillion budget. If we are not capable of doing that, none of us should be here, either party.

What we fail to recognize is what the real risk is for our country; and the risk is that we are running out of time and the ability to continue to borrow in the world. The only reason we look good today is because everybody else looks worse. We are the only rose in the bud vase that is not wilted right now, and that is going to change. When it does, the consequences for our kids, for our families, for our economy, for our GDP is going to totally change.

If we went back to historical interest rates today, when we quit printing money—which we will eventually have to do—it will add another \$650 billion a year to our expenses. It does nothing for anybody.

So this small 4.5 percent that the administration refuses to even work on to make it less painful to the American public shows what kind of trouble we are in.

I am disappointed, as is I know the majority leader, that we can't work out a way to solve this problem. But there are two totally competing philosophies; one ensures a productive, successful America, the other shows an America drowning in debt. There has to be a point in time when we say: Can't we run this government more efficiently, more effectively, and do it in a way that preserves the future for our children?

I yield the floor.

Mr. REID. Madam President, there are a number of people on the floor who have been here for some time, and I thought I would try to add a little order to this.

I think Senator MANCHIN got here first. How much time does the Senator from West Virginia wish to take?

Mr. MANCHIN. I have no more than 15 minutes.

Mr. REID. How much time for the Senator from Alabama?

Mr. SESSIONS. I think 10 minutes would be sufficient.

Mr. REID. And Senator BOXER, 15 minutes, I understand.

Mr. SESSIONS. If I were allowed to go first, I would do 5 minutes.

Mr. REID. We have a deal. I ask unanimous consent that the Senator from Alabama be recognized for 5 minutes, the Senator from California be recognized for 10 minutes, and the Senator from West Virginia for whatever time he needs.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

MR. SESSIONS. Madam President, the proposal of my friend the majority leader—and I know he has a tough job—is how the Nation goes broke, how the Nation loses the confidence of the people we serve.

In August of 2011, this Nation agreed to the Budget Control Act. My friend Senator REID said the Budget Control Act was as good as a budget. It is not, but it has some teeth to it. What it did that is indisputable, it limited the growth in spending.

We said we would raise the debt ceiling \$2.1 trillion immediately, which has already almost been spent—we have run up that much debt since August 2011, another \$2 trillion—but in addition, we would reduce spending over 10 years by \$2.1 trillion.

The sequester involved \$1.1 trillion of that if the committee didn't reach an agreement that would have specified cuts across the board. They are not wise cuts. We shouldn't have done it that way, but it was a reasonable amount of money for sure. So in the Budget Control Act that was passed, spending would have gone up from a flat \$37 trillion over 10 years to \$45 trillion over 10 years instead of going up to \$47 trillion over 10 years. So the growth would be from 37 to 45 and not 37 to 47. That is not a real cut in spending. It is a reduction in the growth in spending.

Now the sequester comes along, and we have proposed many solutions where we could alter these cuts and give flexibility to the cuts so they are not as sharp and as unwise as the sequester called for, so long as the spending stays within that level.

We also agreed—and the President signed it and it was passed by both Houses and Democrats and Republicans and the leader voted for it—it had no tax increases. It was simply an agreement that would reduce spending a little bit over 10 years and that we would raise the debt ceiling by an equal amount. There were no tax increases in that.

Then the President submits a budget, and he wants to do away with the sequester and pay for it with tax increases. That is what the Democratic Senate budget did also. It had increases in taxes and increases in spending and a chunk of that was wiping out the sequester we just agreed to.

We told the American people: Look, we made a little reduction in the growth of spending, American people. Forgive us for raising the debt ceiling. A lot of people didn't want to raise the debt ceiling at all. But we promised we had done something good. We were proud of ourselves.

Before the ink was dry, the President in January submitted his budget on 2012 that wiped out those cuts and

spent more money, and his budget and the Senate Democratic budget this year does the same thing.

How can we possibly ever get spending under control if we don't comply with what we promised?

The majority leader has said: The war costs are coming down in the future. We will just score that as savings and, therefore, we don't have to raise taxes. We will not have the sequester take effect. We will just spend all that money, and we will pretend we saved it by not fighting a war 10 years from now.

Let me tell you what experts have said about this gimmick.

Maya MacGuineas, with the Committee for a Responsible Federal Budget—and they worked very hard in a bipartisan way to deal with these issues—said this: “This is such a glaring gimmick at such a serious moment.”

Robert Bixby of the Concord Coalition out of New Hampshire, a long-time respected bipartisan group, said this: “The mother of all budget gimmicks.”

To pretend we are saving money because we are not spending emergency money on a war that ends, we could still be saving money on World War I at that rate.

Washington Post reporter Lori Montgomery said:

“Counting money not spent on wars that the nation is already planning to end is widely viewed as a budget gimmick.” And it certainly is.

The PRESIDING OFFICER. The Senator has used 5 minutes.

MR. SESSIONS. Madam President, I ask unanimous consent for 1 additional moment.

The PRESIDING OFFICER. Without objection, it is so ordered.

MR. SESSIONS. Basically our colleagues say: We cannot even reduce spending growth, even that much. We cannot stand any of that. We refuse to lay out alternatives to make the cuts less painful. We want them to be as painful as possible so we can attack those and oppose even modest reductions in the growth of spending, and we are going to punish the American people because they dared to reduce the growth of spending.

They basically say, the Government is saying: It is not our fault we have a problem. It is yours, American people. You didn't send enough money. You send more money. You send more money. We refuse to reduce the growth of spending.

I yield the floor and thank Senator COBURN for objecting to the proposal of the majority leader.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I worked with my colleague from Alabama on a lot of issues. We do work together on occasion.

MR. SESSION. We do.

Mrs. BOXER. But on this particular issue we see the world very differently, which is to be respected, and it is with full respect that I say this sequester is not necessary. These across-the-board cuts were put into place to be so difficult and so painful that both parties would come together and come up with a solution. The President has tried and tried. He said to both parties: Why don't we meet in the middle? Let's replace the sequester, these mindless cuts, with other cuts that make sense and are not painful, and the other half with tax reform, doing away with subsidies, tax loopholes such as the billions of dollars a year oil companies have been getting that don't make sense, since they are the most profitable companies probably in the world.

But Republicans' answer to that: We are not going to look at taking away these tax breaks from big companies. We are going to not look at trying to see whether millionaires or billionaires can pay anymore. We want to replace the sequester with more cuts.

I know it is a fast-moving country we live in. Lord knows you have gone through some difficult times in Massachusetts and I thank the Presiding Officer for her leadership. But we do not have that short a memory. We remember this awful recession that almost turned into a depression. We know because it is basic—I am an economics major; it was a long time ago—but there was a basic understanding that when times are tough the government doesn't turn to austerity. The government helps us by saying: You know what, maybe this is a good time to fix those bridges, to build those highways, to do the things we need to do because a great country needs an infrastructure and this is the time to do it—because we need the jobs, too.

We have no partners over there. Now Senator REID comes up with a very sensible plan and here is the plan: For the next 5 months we restore the sequester. We take away those mindless cuts, get us back to normalcy, try to find another solution, a long-term solution, but in the meantime, pay for stopping the sequester by cutting from an overseas war funding account. As we bring home our soldiers from Afghanistan and Iraq, we have an account that can be drawn down. So when our colleagues say Senator REID is raising taxes to do this, he is not raising taxes No. 1. He is cutting spending by taking savings out of this overseas war account.

It makes a lot of sense. The American people want to see the Afghanistan war come to an end. The American people want to see the Iraq war totally completed. We are saying take that money and how about spending it here?

Their answer today, which is so astounding, from Senator COBURN who objected to this very important bill—Senator COBURN said he has the answer. It is called flexibility. What does

that mean? It means all of these cuts, these billions and billions of dollars in cuts, we will then tell the agency: Figure it out. You figure out where to fix it.

For example, in the FAA they have an airport improvement fund. They are saying we do not have to fire these air traffic controllers. Let's not do that. Take the money from the airport improvement fund.

If you know anything about the airport improvement fund, it is not an idle fund. It is a fund that is paid for by taxes that people pay so their airports will be improved, hence it is called the airport improvement fund. Whether it is making sure the runways are safe or making sure the terminals are secure—this is why we have airport improvement funds. You cannot rob Peter to pay Paul.

I want to say to my friend—he left the floor—and he is my friend, Senator COBURN: Flexibility is not the answer. If somebody comes to me, a colleague, and says: Senator BOXER, I left my wallet home and I am starving, can you lend me \$10? And I say flexibility—what flexibility? He left his wallet home. Flexibility does not pay for air traffic controllers. Flexibility does not pay for teachers. Flexibility does not pay for FBI agents. If we ever learned anything from the horror in Boston, it is the unbelievable first responders in addition to the citizens who rushed toward the blast. The people there, the professionals, the doctors who happened to be there—we pay those people.

Earth to the Senate: Not everybody lives off a trust fund.

People need to get paid. Flexibility does not do it. I cannot say, if I get a call from an air traffic controller: Oh, why don't you just volunteer on your day off? He will probably tell me he is going to figure out a way—on his day off that he is forced to have, his furlough—to make some money for his family.

Sometimes I wonder if we are in "Alice in Wonderland" around here. Nothing could be more true than today.

I want you to know that I have people in Los Angeles who are stuck on runways for hours and miss very important functions. How about one of my people in Los Angeles—I have his name. It is not important. He said he missed a funeral on Monday because his incoming flight was delayed. "We had to cancel our whole trip because the funeral is tonight and we are not going to make it."

Flexibility is not the answer. The answer is to restore the money from sequestration. The FAA announced plans to close 149 airport control towers nationwide, including many in my State.

How about people who are getting turned away who need chemotherapy and the American Cancer Society Action Network said that because of se-

questration "funding for cancer research and prevention programs are taking a dangerous hit." Again I say to my Republican friend, this is from the private sector on what is happening around here.

The National Breast and Cervical Cancer Early Detection Program will provide 32,000 fewer breast and cervical cancer screenings this year to women who have no other option for affordable, lifesaving screenings. These are lifesaving screenings. Do you want to tell that woman: Flexibility? That is not the answer. The answer is restore the funds from the sequester.

Head Start, about to lose 70,000 of its 1 million slots for children. Let me tell you, in Cincinnati, 200 children will be dropped or denied access to Head Start.

Anita Wolfe, a mother of two special needs children, said she may have to choose which child can remain in Head Start's enrichment program. This is a bad situation.

In Oakland, the housing authority is losing \$11 million, and expects 800 to 900 fewer families will get housing assistance.

In Indiana Head Start programs in two towns resorted to a lottery system last month to determine which kids could remain in the program.

Riverbend Head Start in Illinois has had to cut its school year by 2 weeks, leaving its staff unemployed and its participating families without childcare for those two weeks.

The Santa Clara County Housing Authority has lost \$21 million in funding and is considering pulling housing assistance vouchers from some of the 17,000 households it serves. Local resident and mother of two Alicia Diaz fears that she may become homeless as a result.

The Sacramento Housing and Redevelopment Agency expects to lose \$13.9 million, affecting housing assistance to 1,700 families.

Many of the 24,000 Los Angeles families relying on Section 8 vouchers could lose all or part of their housing subsidy before the end of this year.

Customs and Border Patrol has furloughed 60,000 agents nationwide and restricted overtime. This is causing delays in cargo processing at the Ports of Hueneme, Long Beach and Los Angeles, which rely heavily on overtime because they are extremely busy ports.

More than 100 dockworkers in Port Hueneme were idled due to delays, and shipments had to wait to be inspected. Every minute of delay costs money for businesses receiving their products late. Customs and Border Patrol estimates that delays could become as long as 5 days.

We are seeing delays in our ports. We are seeing dock workers idled. With these delays, says one of my people, "I have to hire the labor and pay them while I wait for Customs to clear the vessel." It is having an impact on our economy.

Just to finish up, Senator REID took the leadership today. I am so proud to stand with him. He found a place to get the money to put the funds back in and avert the sequester, stop the pain at the airports, stop the pain at the clinics, restore Meals on Wheels to our seniors—all the things I talked about, and he paid for it by going to the war fund that is winding down, and making sure we can fix this problem for 5 months.

It is shocking that my Republican friends would object to this when their constituency is feeling the same pain as the rest of us.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask unanimous consent to speak up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANCHIN. I rise today to speak in support of the Marketplace Fairness Act. I was a cosponsor of this important legislation in the 112th Congress and I am proud to be a cosponsor in the 113th Congress, because this is truly a matter of fairness. The Marketplace Fairness Act will allow local Main Street—we call them brick and mortar, but they are basically businesses, little stores with real people in them, working hard to make a real living. It will provide much-needed financial relief to State budgets that have been cut to the bone in recent years and are facing even more cuts in Federal assistance thanks to what we were just discussing here, the disastrous sequestration with the Draconian cuts.

This bill is not a Washington hand-out to businesses. It is not a special treatment. It is not a new tax. It is leveling the playing field. It is a leveling of the playing field. Every day we do not act to pass the bill is another day we risk another small business closing its doors—not only in West Virginia but all across this country.

There is always a lot of talk in Washington about helping small businesses, and rightly so, because small businesses, as you know in your State, account for more than 60 percent of all the private sector jobs. It is the small businesses, not the large businesses.

The Marketplace Fairness Act is a chance to do more than just talk about it for once. We have a chance to do something to show we care about small businesses. It levels the playing field and gives our Main Street businesses a fighting chance competing with Internet vendors that are not required to collect sales tax.

Let me give an example in a small rural State such as West Virginia. We are expanding, working very hard on the Internet, broadband high speed, trying to get to every little holler, up and down every nook and cranny. We are trying to help the people, and that

is great. But it really puts more pressure on small businesses, because now, with the convenience, people will not travel. They may not go to the store. But if they want the service and they know the price is the same, there is no unfair advantage, there is a level playing field, the small businesses still have a chance. That is all we are asking for.

Business owners in West Virginia tell me all the time how unfair it is to watch their online competitors offer low prices on the exact same products. We have heard a lot of talk about that today. That is called showrooming and that is basically people shopping. They used to go shopping in the old days. They would go to one store and compare and then go to another store and compare and they worked back and forth and figured out where they had the best deal or where they thought they had the best deal with the best service. That does not happen on line.

First of all, in my State they have a 6-percent advantage because our State tax is 6 percent in all our counties, so that is a 6-percent advantage from the get-go, and in these hard economic times price is the driving force.

That is why this bill has so much bipartisan support: 74 votes. Mr. President, you have been here a short period of time, but you are very observant. You know that. You have watched and seen very few times that we have gotten that type of broad bipartisan support on anything, and that is what is refreshing to see. With all of my friends who come from States that do not have the taxes, and friends on both sides—my own colleagues on the Democratic side and Republican side—what I understand, and what I know will happen, is first of all they do not collect the tax of in-State residents. If they buy it on the Internet, they will not collect that tax because they do not have a sales tax. If they say it is unfair because they are collecting it for me in my State, even though someone in West Virginia might buy from a State that doesn't have a sales tax but they have an Internet business, that is not going to cause undue pressure, I don't believe, or unfair competition in any way, shape, or form. They still need to use all the services in my State while selling their product in a State where they don't have a sales tax. They are going to use the roads to deliver that product to the customer in my State, they are going to use the people who have been educated through the school system in my State, and all I am asking for is the fair share: the fairness—we charge our own customers and our own businesses collect for us in our State—for those who are using my State as their business to do the same. I don't think that is unfair. I really don't. I think the majority of businesses don't think that is unfair, and a majority of Americans don't think that is unfair.

This is not a complicated piece of legislation. It is only 11 pages. It is pretty short compared to most of the bills we see around here. Basically, it just does what we said: It allows the States to collect sales tax on out-of-State sales, provided these States streamline their tax codes.

There are some restrictions that come with this. They must either voluntarily adopt the measures in the streamlined sales and use tax law, which 24 States have already done, including my little State of West Virginia—do my colleagues know we were the No. 3 State in the Nation to join in this fairness movement many years ago. And when I was Governor, we worked very hard to work with the other States, and we built up to 24 States that basically were acceptable toward tax code fairness. That is really what it is about. Or a State can meet five mandates. There are five mandates they can meet. They can notify retailers of rate changes, they can create a single organization for collecting sales tax, they can establish a uniform tax base, or they can use destination sourcing for sales tax rates and provide free software and hold harmless protection for retailers.

To simplify, what that means is some States might have different tax codes in different counties. Some counties have different taxes they add on to their State tax or they have a municipal tax, so they are saying there will be 9,600 different tax codes, which is almost impossible. For anyone to participate in this piece of legislation, they have to make a decision on one of those five criteria I just mentioned. That brings the tax code down to 46. It simplifies it. So that argument doesn't hold either, the complication of 9,600 jurisdictions I heard being used by my good friend from New Hampshire.

The beauty is if a State without a sales tax doesn't want to participate, they don't have to. That is the beauty of it. They don't have to. They don't have to participate. They don't have to collect the sales tax from their people, as I said earlier, so they have that option. I know all the arguments against the legislation, but, again, I will say they are just wrong.

Some critics say this is a tax increase. That is wrong. If I am paying 6 percent in West Virginia when I go to a store in Fairmont, Charleston, Huntington, Martinsburg, Greenbrier, or Lewisburg—wherever I go it is the same, 6 percent. The only thing we are saying is if a consumer buys on the Internet, the consumer will be charged the same 6 percent. It is not an increase. It is the same.

I think that makes it pretty simple also. It really does give our little stores, owned by the people who basically are the same people to whom we go to participate, give donations and contributions to the Little League—

how many times do we see an Internet company giving to the Little League in our hometown or contributing to the chamber of commerce in our hometown, giving to any of the different fund drives there might be, such as the volunteer fire department. What we are saying is we have to do everything we can to keep them alive and healthy.

Some critics say online services don't use the local services that are paid for by the sales taxes, and they should be required to declare the sales taxes. That is wrong also, and I think we just talked about that. They also say whatever product a customer orders online—let's say it is a book from Amazon or shoes from Macy's or towels from Target—if it was delivered, it still has to get to the customer. It still has to use the infrastructure the State is responsible to invest into, and that is our sales tax.

Sales taxes, in all States that collect them, go into general revenue. General revenue supports a cadre of things—anything we can imagine—from schools to roads to programs people need to supporting senior citizens. The taxes support every aspect of life in the State.

When we look at the whole overall bill, including the fact that the little stores and online retailers sell identical products and use the same infrastructure to deliver those products, and collecting taxes owed on a purchase at the point of sale, whether they are relying on consumers to pay that tax voluntarily, as some critics have proposed, would mean \$23 billion that is going uncollected. That is just the fairness we are adding to it. Just the fairness. But \$23 billion is needed revenue in States that are having difficult times.

We have heard a lot of people give testimony here today that if their little State gets the amount of money it would get by having a fair, level playing field in their taxes, they could reduce their taxes. Well, that is a good opportunity in these difficult times. If West Virginia could have collected sales tax on out-of-State sales during fiscal year 2012 only—not new taxes, just those already owed to the State—if we took the sales done over the Internet, we could have put \$103 million more in our State's budget—\$103 million more. Our budget is around \$4 billion. That is a good chunk of money.

We could have used it to do a couple of things. Let me give an example of what we could have done. With that extra money from Internet sales, we could have built 412 miles of new roads—412 miles. We could hire 2,000 schoolteachers with that money we didn't receive. We could have built 5 high schools. We could have built 7 middle schools or 10 new elementary schools.

Now, we talk about jobs. We talk about infrastructure. We talk about basically investing back into the State,

that is money we weren't able to do that with, and that would have helped us.

When we talk about the e-commerce growth, if we look at the growth of business being done online versus business being done in retail stores, we will see quite a disparity, and it is going to continue to grow and put more pressure on businesses. We think this is not going to interfere with the Internet sales, and the reason we say that is because of our busy lifestyles. If that is the way a person wants to shop, that is fine. But they just would not be able to say, well, I can save money because I don't have to pay the sales tax. It might make somebody think they might go down to John's Hardware Store. I know them, and they do a heck of a job. They have a fighting chance now. I want to stay in my local community. They have a fighting chance now.

Trust me, we would not put any Internet businesses out of business. That will not happen. In 2000, the U.S. economy supported \$27 billion in e-commerce, which constituted only 9 percent of all retail sales. Over the next 12 years, e-commerce grew tenfold, totaling \$224 billion, which is equal to 7 percent of all retail sales. Seven percent now of all retail sales, 10 years ago, 1 percent. One market analysis projects that online retail sales in the United States will grow by 10 percent annually through 2017—10 percent annually. So when we look at that, from \$224 billion in 2012, that will be over \$370 billion in the next 4 years.

I will just told my colleagues in 2012 what our little State lost and what we could have done with it. Think of all the missed opportunities we are going to have not just in my State but in States all over the Nation.

So just look at how the Internet use has soared in the United States since 2000. Some 240 million Americans are online today compared to half that amount when the century began. So a little over 10 years ago we only had about 120 million. We are going to have full integration of our Internet, which is good. I think it is good. I just want to make sure it is fair, that is all, just fair.

As broadband speeds grow, home and mobile Internet mobile users will spend more time online, and that means more time online shopping. That is fine too. They just will not be able to say: I am going to save 6 percent. They can't say that upfront. That means they are going to shop around a little bit more, and that means we have a chance. If I have a little store in Farmington, WV, where I came from, I have a chance to survive. It gives me a chance. I don't start out in the hole. I don't start out with my hands in my pocket and 6 percent behind to begin with.

Google researchers have found that already 97 percent of Americans look

for local products online. So, clearly, the businesses back home are at a huge disadvantage in competing with online retailers if tax requirements are unequal. This makes sense. State governments are losing billions of dollars in uncollected sales taxes that could build the infrastructure we all need.

I have heard from so many businesses back home in West Virginia, and I can tell my colleagues there is overwhelming support for this legislation, and there has been from day one, since we became one of the first States to enter into this streamlined compact. That was in 2003. It started with three States, up to 24 States now, and we have a pathway for all the States to have equalization.

"I own a small business that encourages local people to support local West Virginian artists." This is what a lady who wrote to me said. She is a small business owner. Her name is Parween Mascari. She says:

I own a small business that encourages people to support local West Virginia artists. Because we sell from a physical storefront, we must collect and remit sales tax from our customers. Online merchants do not currently have to collect or remit a comparable tax on sales they make online. That is not only fundamentally unfair, but seriously impairs our ability to be competitive in the market when we have to charge our customers a tax that they don't have to pay when they shop online.

I wish to commend Senator DURBIN and Senator ENZI and my senior Senator ROCKEFELLER for taking leadership on this important issue and for introducing the Marketplace Fairness Act. I am a proud cosponsor of it because I believe it is fair and good for America. I believe this legislation restores fairness and balance to our tax system and strengthens our businesses and revitalizes our downtowns. It creates jobs and helps States struggling to provide the services their citizens expect.

This measure has broad support in both parties, as we have seen by the votes we have already taken. It is backed not only by mom-and-pop stores and Main Street merchants, but also by giant online retailers such as Amazon. I urge Senators to act without any further delay.

I thank my colleagues and, again, I say this is a matter of fairness. It is a matter that I think restores the fairness in American retail.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, my friend from West Virginia says this bill is important for his State. I understand that, but this is a bill that doesn't work for my State of New Hampshire. His suggestion that if States don't like it they have the option not to participate just doesn't work because the businesses in my State of New Hampshire are going to be affected.

This is a proposal that fundamentally violates State sovereignty. It enables one State to impose the enforcement of its laws on the 49 other States and territories without their approval. This legislation would impose new burdens on small businesses not only in New Hampshire but actually across the country.

I represent a State that does not have a sales tax. There are still some States in this country that don't have sales taxes. So my colleagues can understand why I oppose this measure, because this legislation will hurt small, online, family-owned businesses in New Hampshire—businesses that have no experience collecting sales taxes whatsoever.

The proponents of this legislation have said small businesses will not be affected, thanks to the exemption for businesses with less than \$1 million in revenue. That is just not true. This legislation creates a disincentive for Internet firms to grow and create jobs for American workers. We know that the margins for so many small online retailers are very slim. I will give you an example.

I have heard from a small business owner in Hudson, NH. Hudson is down along the border of Massachusetts. I know the Acting President pro tempore knows it well. This small business owner's business is approaching \$1 million in revenues, and he has about six employees—just six employees.

Now, under the Internet sales tax legislation before us, this company would be considered a large business—revenues over \$1 million—because they are almost there. But if this legislation passes, the company's plans to grow will be in doubt. They are going to be forced to reconsider whether they are going to continue to grow, continue to hire more employees, because this arbitrary threshold creates a real disincentive for them to grow.

Now, e-commerce has been a real boon to small businesses in New Hampshire and across the country. It has helped companies find new markets. It has helped them add new revenues. But for companies looking to grow through online sales, this legislation represents a real ceiling for growth.

That is why I have joined with a number of my colleagues to call on the Senate to rethink this legislation. We need to think through its unintended consequences. Small businesses across the country—not just in non-sales tax States, such as New Hampshire, but small businesses across the country—will see their tax burdens increase. I want to give just a few examples of the new burdens that are going to come with this legislation.

First, as I mentioned, each State has different sales and use taxes, so businesses would need new software to figure out how to collect and remit the right taxes. It is my understanding

that the States, under this legislation, would be responsible for providing that software to the businesses in their State. I think this creates an unfunded mandate, for the State of New Hampshire to have to provide that software for the small businesses in the State that would be affected.

Small businesses would also need to collect personal information from each buyer to make sure they are complying with all State and local sales taxes.

These small businesses would also have to deal with audit and enforcement actions from out of State. In other words, they would have to answer to taxing authorities in places where they have no representation whatsoever. And as States and localities consider new taxes, these small businesses would have no voice in that process because they have no representation in those jurisdictions.

So these are just a few examples of the many unintended consequences this legislation would create.

I intend to join with a number of my colleagues in filing amendments to improve this bill, including ways that we can protect States rights and small businesses. If the State of New Hampshire does not want to participate because we have no sales tax and we do not think our businesses should be forced to collect Massachusetts sales taxes or Maine sales taxes or Vermont sales taxes online, then it seems to me we ought to be able to opt out of this legislation.

The citizens and small businesses in New Hampshire that will be affected by this legislation deserve a full hearing on these issues, and I urge my colleagues to join us in addressing these defects before we pass this bill.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Marketplace Fairness Act. This bill would level the playing field between brick and mortar retailers and their online counterparts by allowing States the right to collect sales taxes on remote Internet purchases.

The current system of collecting online sales taxes puts brick and mortar retailers at a significant disadvantage. Mom-and-pop stores invest in office space, inventory, and hire salespeople in order to provide service to their customers.

Increasingly, those efforts are falling victim to a practice known as show rooming, where potential customers enter the physical store, take up the salesperson's time, then make their purchases at home online at a discount because no sales tax is collected.

I have witnessed this firsthand. Imagine you are in the women's shoe department of a nice retail store. An attentive salesperson spends a considerable amount of time with a potential customer finding the right size, trying several pairs of shoes, and answering the customer's questions.

Then the customer pulls out their phone and orders the same pair of shoes online at a lower price, in effect bilking the salesperson for the time spent with the customer. Some people are brazen about doing this.

Effectively, brick and mortar retailers are providing services to online retailers at no charge.

This bill simply brings State sales and use tax collection into the 21st century. When the Supreme Court first considered the issue of collecting out of State online sales taxes, it was in the early 1990's and there were only a trivial amount of online sales.

The ensuing two decades have brought sweeping changes to the online marketplace and the technology that facilitates online sales tax collection.

Online sales continue to increase relative to conventional retail sales. And applications exist that allow retailers to easily collect taxes on out of State sales.

The Marketplace Fairness Act would level the playing field by doing the following:

Allow States the option to collect remote sales taxes; require States to set up a streamlined tax collection process in order to simplify remittance for online businesses, require States to provide the tax collection software to retailers free of charge, and exempt online retailers with less than \$1 million in remote sales from having to collect and remit online sales taxes.

It is important to note that many States are already moving to collect sales taxes on remote sales. Just last year, California came to an agreement with amazon.com that required the online sales giant to start collecting sales taxes on purchases made in California.

Furthermore, State laws currently require the collection of online sales taxes. However, rather than the retailer being in charge of collection, it is up to individual taxpayers to calculate and remit the sales taxes they owe on online purchases.

It is estimated that only 1.4 percent of Californians actually remit sales taxes from online purchases, a number roughly in line with other States. State and local governments, which rely in part on sales taxes to fund local schools and infrastructure, are increasingly burdened by their inability to collect sales taxes on online purchases that are lawfully owed.

So this is not a new tax. It is not overly burdensome on small businesses. And it accounts for the fact that more and more retail sales will be taking place online.

The Marketplace Fairness Act puts every business on a level playing field and ensures that tax loopholes do not create unfair advantages for certain retailers. It is time that our tax policy reflects fundamental changes in the retail marketplace, and I strongly encourage my colleagues to support this bill.

I thank the Chair.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONVENTION AGAINST TORTURE

Mr. UDALL of Colorado. Mr. President, I rise to recognize an important anniversary—the 25th anniversary of the signing of the Convention Against Torture—and would like to do so in the context of the recent publication of an important report on the U.S. policies and programs put in place following the terrorist attacks of September 11, 2001.

After 9/11, Americans came together and set aside their differences. Those terrible events unified this country in a common desire to bring to justice those responsible and to do whatever was necessary to prevent future attacks.

We have spent over a decade successfully reducing al Qaeda's ranks, and—until last week—doing so without another major attack on U.S. soil. Yet there have been countless mistakes and costs incurred in the pursuit of these goals.

One of these key mistakes is the program that the Central Intelligence Agency initiated after 9/11 to detain and interrogate terrorist subjects. The details of how this program came to be and how it was conducted are outlined in the Senate Intelligence Committee's 6,000-page report on the CIA's detention and interrogation program—based on a documentary review of over 6 million pages of CIA and other records and including 35,000 footnotes. In December I voted with a majority of my colleagues on the committee to report out the study and to send it to the CIA for its review and comments.

I believe that the CIA's detention and interrogation program was severely flawed. It was mismanaged. The “enhanced interrogation techniques” were brutal. And perhaps most importantly, the program did not work. Nonetheless, it was portrayed to the White House, the Department of Justice, the Congress, and the media as a program that

resulted in unique information that "saved lives."

At his confirmation hearing, I urged CIA Director John Brennan to lead in correcting the false public record about the CIA's program and in instituting the necessary reforms to restore the CIA's reputation for integrity and analytical rigor. I firmly believe that the CIA cannot be its best until its leadership faces the serious and grievous mistakes of this program.

Some say that by looking backward, we are focusing on "archaeology" to the exclusion of our national security interests today. I would argue that acknowledging the flaws of this program is essential for the CIA's long-term institutional integrity—as well as for the legitimacy of ongoing sensitive programs. The findings of this report directly relate to how other CIA programs are managed today.

The CIA, the White House, and other agencies continue their review of the committee's report on the CIA's detention and interrogation program, and the Senate Intelligence Committee expects to see an official response soon. But this is not a report I can talk much about or share, since it remains classified.

That is why I am thankful for the release of a report by the Constitution Project's Task Force on Detainee Treatment. The task force was led by former Representative Asa Hutchinson and former representative and retired Ambassador James Jones and made up of former high-ranking officials and experts from across the political spectrum. This was a 2-year effort, based on an examination of available public records as well as interviews with over 100 former detainees, military and intelligence officers, interrogators, and policymakers.

In a news article on the report, Mr. Hutchinson—who served in several roles in the Bush administration, including as undersecretary of the Department of Homeland Security—said that after researching this issue for nearly 2 years, "he had no doubts about what the United States did." He concluded that "it's incredibly important to have an accurate account not just of what happened but of how decisions were made." He added, "The United States has a historic and unique character, and part of that character is that we do not torture."

I couldn't agree more with his sentiments. As one of the task force's contributors, former Ambassador Thomas Pickering, states in a Washington Post opinion piece I will ask to have printed in the RECORD, "Admitting our mistakes is the only legitimate basis on which we can reassure the world that America remains committed to the rule of law and to upholding human rights and democratic values."

I commend the report of the Constitution Project's Task Force to my

colleagues. I also urge the administration to work closely with the Senate Intelligence Committee as it conducts its review of the Committee's report.

In marking the 25th anniversary of President Reagan's signing of the international Convention Against Torture, I remind my colleagues and this administration that the government has an obligation to the American people to face its mistakes transparently, help the public understand the nature of those mistakes, and correct them. Director Brennan and this administration have an important task ahead in this regard.

I ask unanimous consent that the article to which I referred be printed in the RECORD.

There being no objection the material was printed in the RECORD, as follows:

[From the Washington Post, Apr. 16, 2013]

AMERICA MUST ATONE FOR THE TORTURE IT INFLICTED

(By Thomas R. Pickering)

Thomas R. Pickering is a member of the Constitution Project's Task Force on Detainee Treatment. He was undersecretary of state for political affairs from 1997 to 2001 and served as ambassador and representative to the United Nations from 1989 to 1992.

It's never easy in this volatile world to advance America's strategic aims. For more than four decades, in the service of Democratic and Republican presidents, it was often my job to persuade foreign governments to adhere to international law and observe the highest standards of conduct in human rights—including the strict prohibition of torture. A report released Tuesday by an independent task force on detainee treatment (to which I contributed) makes it clear that U.S. officials could have used the same advice.

Unfortunately, the U.S. government's use of torture against suspected terrorist, and its failure to fully acknowledge and condemn it, has made the exercise of diplomacy far more daunting. By authorizing and permitting torture in response to a global terrorist threat, U.S. leaders committed a grave error that has undermined our values, principles and moral stature; eroded our global influence; and placed our soldiers, diplomats and intelligence officers in even greater jeopardy.

It's not just the Bush-Cheney administration that bears responsibility for diminished U.S. standing, although the worst abuses undeniably took place in the years immediately after the Sept. 11, 2001, attacks. The Obama administration also has failed to be as open and accountable on such fundamental questions of law, morality and principle as a great power that widely supports human rights needs to be.

What can be done to mitigate the damage and set this country on a better course? First and foremost, Americans need to confront the truth. Let's stop resorting to euphemisms and call "enhanced interrogation techniques"—including but not limited to waterboarding—what they actually are: torture. Torturing detainees flies in the face of principles and practices established in the founding of our republic, and it violates U.S. law and international treaties to which we are a party. Subjecting detainees to torture, no matter how despicable their alleged

crimes, runs counter to the values embodied in the U.S. Constitution.

Too much information about the abuse of detainees remains hidden from the American people. Specifically, the Obama administration's ongoing concealment of the details about our use of torture has made it impossible for the United States to comply with its legal obligations under the U.N. Convention Against Torture and has contributed to a disturbing level of public support for torturing suspected terrorists.

President Obama should direct relevant officials to declassify as many related documents as possible as quickly as possible—starting with the more than 6 million pages of classified documents that were the basis for the Senate intelligence committee's recent report on the CIA's interrogation program, and the still-secret report itself—so that the American people may finally learn what was done in our name. Admitting our mistakes is the only legitimate basis on which we can reassure the world that America remains committed to the rule of law and to upholding human rights and democratic values.

Second, Congress needs to work with the administration to close the loopholes that allowed torture to occur under a pretense of legality. In 2009, Obama signed an executive order giving interrogators clear instructions about permissible techniques. But future presidents could reverse course with the stroke of a pen—and no public notice.

To ensure that cannot happen, the federal Anti-Torture Statute should be amended to make clear that the deliberate infliction of severe pain and suffering is torture—regardless of the duration of the torment being inflicted. The War Crimes Act should be amended to make clear that cruel, inhuman or degrading treatment of detainees is a federal crime even when it falls short of torture. Instead of being told to rely on secret legal memos or doctors' unethical monitoring of brutal interrogation sessions, interrogators should be given unambiguous orders that all detainees are to be treated in strict compliance with Common Article 3 of the Geneva Conventions, which is the basic provision of international law outlawing torture. And there should be clear, public rules ensuring prompt access to detainees by the International Committee of the Red Cross.

Third, the United States must not transfer detainees to torture in other countries. Such transfers, known as "renditions," have occurred under Presidents Bill Clinton, George W. Bush and Obama—despite the fact that they violate the Convention Against Torture. In part, this is because of a policy of reliance on "diplomatic assurances" from other countries that detainees would not be tortured, despite clear evidence that these assurances were not credible. In part, this is because the United States has refused to acknowledge that the prohibition against transfers to torture is legally binding outside of U.S. territory. Both must change.

Democracy and torture cannot peacefully coexist in the same body politic. Successful human rights diplomacy and torture can't either. Our country and its place in the world—as well as the Americans bravely serving in military, intelligence and diplomatic posts around the globe—deserve nothing less.

ADDITIONAL STATEMENTS

ALASKA RESCUE COORDINATION CENTER

• Mr. BEGICH. Mr. President, I would like to take the time today to congratulate the Alaska Rescue Coordination Center, RCC, for completing their 5,000th mission since July 1, 1994.

The Alaska Rescue Coordination Center has operated in Alaska since 1961, but since July 1, 1994, the RCC has been staffed solely by Alaska Air National Guardsmen under the operational active-duty commander of the 11th Air Force. Since that time, the men and women of the Alaska Air National Guard have kept watch 24 hours a day, seven days a week, coordinating an average of more than five missions a week for nearly 19 years.

The 12 Alaska Air National Guard members who work in the RCC on a rotating schedule all have a background in either rescue operations as a member of the Alaska Air National Guard's 210th, 211th or 212th Rescue Squadrons, or are command and control specialists with experience in rescue control operations.

On March, 27, 2013, the RCC coordinated the Alaska Air National Guard's successful recovery of a pilot who crashed a Super Cub aircraft near the Bering River northeast of Cordova, AK, completing their 5,000th mission.

The RCC relies heavily on the support of other agencies during search-and-rescue missions. Aside from the Alaska Air National Guard and Alaska Army National Guard, during a mission, these agencies can also be called upon: Alaska State Troopers, U.S. Coast Guard District 17, Civil Air Patrol, National Park Service, North Slope Arctic Borough Search and Rescue, Alaska Mountain Rescue, SEADOGS K-9 Search and Rescue Team, Anchorage Nordic Ski Patrol and various other volunteer search groups.

Their busy season follows the weather trends with an increase in search-and-rescue missions toward the end of summer into the fall hunting season. Ask anyone in the rescue business, and you will hear that no two search-and-rescue cases are alike. Throughout the years, there have been many high-profile missions adding up to the 5,000 missions and Alaskans are thankful for their knowledge, dedication, and expertise.

Thank you for allowing me to take a moment to recognize the heroic efforts of the Alaska Rescue Coordination Center and their 5,000 missions.●

TRIBUTE TO ARLENE MULDER

• Mr. KIRK. Mr. President, today I wish to honor Arlington Heights Mayor Arlene Mulder. After 20 years of service to the village as mayor, she is taking a well-deserved retirement.

For 34 years, Mayor Mulder has been a tireless public servant—from park district commissioner to village trustee and eventually mayor. She has served on countless boards and commissions, but the title that I was most grateful for was that of “friend”.

I have known Arlene since the days I was a congressional staffer for Congressman John Porter. Arlene was a “get things done” mayor. It is why she was tapped by both Democrats and Republicans to partner on issues. When I first took office as Congressman for the 10th Congressional District, Arlene quickly became my go-to mayor for a host of issues.

Whenever we wanted to schedule a townhall meeting in the northwest suburbs, Arlene was my first call. I remember during the health care debate we had a townhall meeting at the village building. When hundreds of citizens showed up and it was clear our room would not be large enough to hold everyone, Arlene immediately went into action and helped us have not one townhall meeting, but two back-to-back. Her resourcefulness ensured that we could communicate with twice the number of constituents on a very important issue.

While we Senators may feel as if we have a full workload between constituent and committee meetings, votes and briefings, Arlene's membership in outside organizations is enough to make even the best multitasker dizzy. She has served on more than a dozen outside boards, commissions, and committees, many focused on the importance of transportation. As a member of Metra's board of directors, she became an advocate for thousands of suburban commuters who rely on commuter rail to get to their jobs. As chair of the O'Hare Noise Compatibility Commission, she led efforts to ensure a balance between the economic development role of O'Hare International Airport and the impact on surrounding communities.

But what I will miss most is our time at the Arlington Heights Memorial Day Parade. Each year, we would honor a local veteran with a military award that was earned but never received. It was always a moving day, and while she will not be the mayor at future ceremonies, I know I will see her there for many years to come.

While I am honored to serve as Arlene's Senator, I am more proud that Arlene was my mayor. Her dedication to the village and people of Arlington Heights will not be forgotten. I wish Arlene and her husband Al and their entire family all the best as she begins the next phase of her public service. Arlington Heights and the State of Illinois were lucky to have her. Thank you, Arlene for all that you have done for us.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 6:42 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1246. An act to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 788. A bill to suspend the fiscal year 2013 sequester and establish limits on war-related spending.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. BAUCUS for the Committee on Finance.

*Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND (for herself, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. BOXER, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. LAUTENBERG, Mr. MERKLEY, Mrs. MURRAY, Mr. SANDERS, Mrs. SHAHEEN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 777. A bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities; to the Committee on Armed Services.

By Mr. BURR (for himself and Mr. BEGICH):

S. 778. A bill to authorize the Secretary of Veterans Affairs to issue cards to veterans that identify them as veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURR (for himself, Mr. COBURN, and Mr. THUNE):

S. 779. A bill to amend the Internal Revenue Code of 1986 to provide for reporting and disclosure by State and local public employee retirement pension plans; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. HATCH):

S. 780. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 781. A bill to modify the boundary of Yosemite National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. TOOMEY, and Mr. KING):

S. 782. A bill to amend Public Law 101-377 to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Ms. MURKOWSKI):

S. 783. A bill to amend the Helium Act to improve helium stewardship, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself and Mr. JOHANNES):

S. 784. A bill to expand agricultural opportunities for military veterans, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PAUL:

S. 785. A bill to amend title 5, United States Code, to eliminate the use of official time by Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS:

S. 786. A bill to require agencies to quantify costs associated with proposed economically significant regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS:

S. 787. A bill to require agencies to set forth reasons for determining that a proposed regulatory action is significant; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID:

S. 788. A bill to suspend the fiscal year 2013 sequester and establish limits on war-related spending; read the first time.

By Mr. BAUCUS (for himself, Mr. INHOFE, Mr. BURR, and Mr. TESTER):

S. 789. A bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. McCASKILL (for herself, Mr. PORTMAN, Mr. COATS, Mr. COBURN, Mr. TOOMEY, Mr. VITTER, Mr. FLAKE,

Mr. LEE, and Mr. JOHNSON of Wisconsin):

S. 790. A bill to require the United States International Trade Commission to recommend temporary duty suspensions and reductions to Congress, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Ms. MURKOWSKI):

S. 791. A bill to amend the Federal Election Campaign Act of 1971 and the Internal Revenue Code of 1986 to require the disclosure of contributions and expenditures for independent Federal election-related activity, and for other purposes; to the Committee on Finance.

By Mr. REID (for Mr. LAUTENBERG):

S. 792. A bill to strengthen the enforcement of background checks with respect to the use of explosive materials; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REED (for himself, Mr. ENZI, Mr. MERKLEY, Mr. CRAPO, Mr. JOHNSON of South Dakota, Mr. BARRASSO, Mrs. MURRAY, Mr. COCHRAN, Mr. CARDIN, Mr. WICKER, Mrs. HAGAN, Mr. BLUNT, Mr. DURBIN, Ms. WARREN, Mr. FRANKEN, Mr. COONS, Mr. BAUCUS, Mr. JOHNSON of Wisconsin, Mr. BROWN, Mr. LAUTENBERG, Mr. WARNER, and Ms. LANDRIEU):

S. Res. 105. A resolution designating April 2013 as "Financial Literacy Month"; considered and agreed to.

By Mr. CASEY (for himself and Mr. CHAMBLISS):

S. Res. 106. A resolution commending rehabilitation counselors and supporting the goals and ideals of National Rehabilitation Counselors Appreciation Day; considered and agreed to.

By Mrs. MURRAY (for herself, Ms. AYOTTE, Ms. LANDRIEU, Mr. HELLER, Mr. MANCHIN, Mrs. BOXER, Mr. BAUCUS, Mr. PRYOR, Mrs. HAGAN, Mr. WHITEHOUSE, Mr. CARDIN, Mr. MENENDEZ, Mr. SCHATZ, Mr. WARNER, Ms. MIKULSKI, Mr. SANDERS, Ms. WARREN, Mrs. GILLIBRAND, and Mr. CHAMBLISS):

S. Res. 107. A resolution honoring military children during the National Month of the Military Child; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. Res. 108. A resolution designating April 2013 as "National 9-1-1 Education Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 258

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 258, a bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes.

S. 327

At the request of Mr. BARRASSO, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Arizona

(Mr. FLAKE) were added as cosponsors of S. 327, a bill to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services.

S. 345

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 369

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 369, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 403

At the request of Mr. CASEY, the names of the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Ms. HIRONO), the Senator from North Carolina (Mrs. HAGAN), the Senator from Oregon (Mr. WYDEN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 471

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 471, a bill to amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes.

S. 486

At the request of Mr. BURR, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 486, a bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes.

S. 545

At the request of Ms. MURKOWSKI, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 545, a bill to improve hydropower, and for other purposes.

S. 571

At the request of Mr. KIRK, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 571, a bill to amend the Federal Water

Pollution Control Act to establish a deadline for restricting sewage dumping into the Great Lakes and to fund programs and activities for improving wastewater discharges into the Great Lakes.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 633

At the request of Mr. TESTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 633, a bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes.

S. 635

At the request of Mr. BROWN, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 687

At the request of Mr. MORAN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 695

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 724

At the request of Mr. BLUNT, the names of the Senator from Kansas (Mr. MORAN), the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Mr. BEGICH) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 724, a bill to provide flexibility to agencies on determining what employees are essential personnel in implementing the sequester.

S. 728

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cospon-

sor of S. 728, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 743

At the request of Mr. ENZI, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 751

At the request of Mr. COATS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 751, a bill to amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm.

S. 758

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 758, a bill to establish a comprehensive literacy program.

S. 759

At the request of Mr. CASEY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 759, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 767

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 767, a bill to amend title II of

the Social Security Act to provide for Congressional oversight and approval of totalization agreements.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Ms. MURKOWSKI):

S. 783. A bill to amend the Helium Act to improve helium stewardship, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today Senator MURKOWSKI and I are introducing the Helium Stewardship Act of 2013. This legislation is designed to establish a responsible management strategy for the Federal Helium Reserve that will prevent the disruption of the entire helium supply chain that impacts major parts of the U.S. economy.

Helium is a valuable national resource that is used for a wide range of applications such as a coolant for magnetic resonance imaging machines, semiconductor manufacturing, military aviation, aerospace, and Federal R&D; pressurizing and purging systems; leak detection; welding; and breathing mixtures. Helium uses are diverse. Substitutes are often unavailable. The current global supply is constrained.

The Federal Government has long been in the helium business. In the 1920s, helium was used to float blimps or national defense purposes. Since that time the Federal Government has continued to play a significant role in the production, refining, and storing of helium. This has included establishing a U.S. underground stockpile known as the Federal Helium Reserve located just outside of Amarillo, TX. The Reserve currently supplies 40 percent of the domestic and 30 percent of global helium demand. Eventually, the helium supplies in the Reserve will become too depleted to be used, but for now they provide a critical source of supply.

Current law requires the Federal government to sell off the crude helium remaining in the Federal Helium Reserve in order to repay the U.S. Treasury the \$1.3 billion debt incurred creating it. That debt will be fully repaid this fiscal year. As a result, the helium program will terminate in October absent Congressional action. The result, if Congress does not extend operation of the Reserve, will be significant disruption in sector after sector of economy—

everything from medical imaging to semiconductor manufacturing.

We need to act. It is important that we act now.

Our bottom line goal is to keep the Federal Helium Reserve open, until new sources of supply can be developed, and prevent significant disruptions to a number of critical U.S. industries.

This bipartisan bill has two primary objective; one is to ensure helium market stability for end-users, and to ensure a fair return on this Federal asset to American taxpayers. We believe that it is essential that there be an adequate price discovery mechanism for the sale price of helium to nongovernmental organizations. Our bill would require the Secretary of Interior to establish an auction process to ensure that government prices for helium reflect its value in the marketplace based on an initial auction of 10 percent of supply and increasing that amount by an additional 10 percent a year. But it is also important to keep in mind that the Reserve currently provides major shares of the domestic and global helium supply and we do not want this legislation to disrupt the many industrial and health care activities that are dependent on helium.

I believe this legislation strikes the right balance. The bill provides for an orderly, gradual transition among three phases, resulting in minimal market disruption to end users. It introduces a price discovery mechanism and transparency measures that will increase the taxpayer return and stimulate investment in private-sector sources. It further gives priority to meeting the needs of Federal users at Federal agencies, national laboratories, and universities. This legislation maintains access to crude helium for Federal users to perform the experiments that lead to the discoveries that drive economic growth, while requiring the development of a long-term plan for Federal helium purchases.

Helium may not be the most high profile natural resources, but it is one resource that is central to our economy. This legislation is urgent, critical, and necessary to ensure that we continue on a trajectory for economic growth that protects the jobs of domestic manufacturers and industrial partners as well as Federal users across the Nation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 783

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Helium Stewardship Act of 2013".

SEC. 2. DEFINITIONS.

Section 2 of the Helium Act (50 U.S.C. 167) is amended to read as follows:

"SEC. 2. DEFINITIONS.

"In this Act:

"(1) CLIFFSIDE FIELD.—The term 'Cliffside Field' means the helium storage reservoir in which the Federal Helium Reserve is stored.

"(2) FEDERAL HELIUM PIPELINE.—The term 'Federal Helium Pipeline' means the federally owned pipeline system through which the Federal Helium Reserve may be transported.

"(3) FEDERAL HELIUM RESERVE.—The term 'Federal Helium Reserve' means helium reserves owned by the United States.

"(4) FEDERAL HELIUM SYSTEM.—The term 'Federal Helium System' means—

"(A) the Federal Helium Reserve;

"(B) the Cliffside Field;

"(C) the Federal Helium Pipeline; and

"(D) all other infrastructure owned, leased, or managed under contract by the Secretary for the storage, transportation, withdrawal, purification, or management of helium.

"(5) FEDERAL USER.—The term 'Federal user' means a Federal agency or extramural holder of 1 or more Federal research grants using helium.

"(6) LOW-BTU GAS.—The term 'low-Btu gas' means a fuel gas with a heating value of less than 250 Btu per standard cubic foot measured as the higher heating value resulting from the inclusion of noncombustible gases, including nitrogen, helium, argon, and carbon dioxide.

"(7) PERSON.—The term 'person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, or State or political subdivision.

"(8) PRIORITY PIPELINE ACCESS.—The term 'priority pipeline access' means the first priority of delivery of crude helium under which the Secretary schedules and ensures the delivery of crude helium to a helium refinery through the Federal Helium System.

"(9) QUALIFIED BIDDER.—

"(A) IN GENERAL.—The term 'qualified bidder' means a person the Secretary determines is seeking to purchase helium for their own use, refining, or redelivery to users

"(B) EXCLUSION.—The term 'qualified bidder' does not include a person who was previously determined to be a qualified bidder if the Secretary determines that the person did not meet the requirements of a qualified bidder under this Act.

"(10) QUALIFYING DOMESTIC HELIUM TRANSACTION.—The term 'qualifying domestic helium transaction' means any agreement entered into or renegotiated agreement during the preceding 1-year period in the United States for the purchase or sale of at least 20,000,000 standard cubic feet of crude or pure helium to which any holder of a contract with the Secretary for the acceptance, storage, delivery, or redelivery of crude helium from the Federal Helium System is a party.

"(11) REFINER.—The term 'refiner' means a person with the ability to take delivery of crude helium from the Federal Helium Pipeline and refine the crude helium into pure helium.

"(12) SECRETARY.—The term 'Secretary' means the Secretary of the Interior."

SEC. 3. AUTHORITY OF SECRETARY.

Section 3 of the Helium Act (50 U.S.C. 167a) is amended by adding at the end the following:

"(c) EXTRACTION OF HELIUM FROM DEPOSITS ON FEDERAL LAND.—All amounts received by the Secretary from the sale or disposition of helium on Federal land shall be credited to the Helium Production Fund established under section 6(d)."

SEC. 4. STORAGE, WITHDRAWAL AND TRANSPORTATION.

Section 5 of the Helium Act (50 U.S.C. 167c) is amended to read as follows:

"SEC. 5. STORAGE, WITHDRAWAL AND TRANSPORTATION.

"(a) IN GENERAL.—If the Secretary provides helium storage, withdrawal, or transportation services to any person, the Secretary shall impose a fee on the person that accurately reflects the economic value of those services.

"(b) MINIMUM FEES.—The fees charged under subsection (a) shall be not less than the amount required to reimburse the Secretary for the full costs of providing storage, withdrawal, or transportation services.

"(c) SCHEDULE OF FEES.—Prior to sale or auction under subsection (a), (b), or (c) of section 6, the Secretary shall annually publish a standardized schedule of fees that the Secretary will charge under this section.

"(d) TREATMENT.—All fees received by the Secretary under this section shall be credited to the Helium Production Fund established under section 6(d).

"(e) NEW STORAGE.—In accordance with this section, the Secretary shall allow any person or qualified bidder to which crude helium is sold or auctioned under section 6 to store that helium in the Federal Helium Reserve."

SEC. 5. SALE OF CRUDE HELIUM.

Section 6 of the Helium Act (50 U.S.C. 167d) is amended to read as follows:

"SEC. 6. SALE OF CRUDE HELIUM.

"(a) PHASE A: ALLOCATION TRANSITION.—

"(1) IN GENERAL.—The Secretary shall offer crude helium for sale in such quantities, at such times, at not less than the minimum price established under subsection (b)(7), and under such terms and conditions as the Secretary determines necessary to carry out this subsection with minimum market disruption.

"(2) FEDERAL PURCHASES.—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

"(3) DURATION.—This subsection applies during the period—

"(A) beginning on the date of enactment of the Helium Stewardship Act of 2013; and

"(B) ending on September 30, 2014.

"(b) PHASE B: AUCTION IMPLEMENTATION.—

"(1) IN GENERAL.—The Secretary shall offer crude helium for sale in quantities not subject to auction under paragraph (2), at such times, at not less than the minimum price established under paragraph (7), and under such terms and conditions as the Secretary determines necessary—

"(A) to maximize total recovery of helium from the Federal Helium Reserve over the long term;

"(B) to maximize the total financial return to the taxpayer;

"(C) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

"(D) to give priority to meeting the helium demand of Federal users in the event of any disruption to the Federal Helium Reserve; and

"(E) to carry out this subsection with minimum market disruption.

"(2) AUCTION QUANTITIES.—For the period described in paragraph (4) and consistent with the conditions described in paragraph (8), the Secretary shall annually auction to

any qualified bidder a quantity of crude helium in the Federal Helium Reserve equal to—

“(A) for fiscal year 2015, 10 percent of the total volume of crude helium made available for that fiscal year; and

“(B) for each subsequent fiscal year, a percentage of the total volume of crude helium that is 10 percentage points greater than the percentage available for the previous fiscal year, but not to exceed 100 percent.

“(3) **FEDERAL PURCHASES.**—Federal users may purchase refined helium-with priority pipeline access and at the in-kind price under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

“(4) **DURATION.**—This subsection applies during the period—

“(A) beginning on October 1, 2014; and

“(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

“(5) **SAFETY VALVE.**—The Secretary may adjust the quantities specified in paragraph (2)—

“(A) downward, if the Secretary determines the adjustment necessary—

“(i) to minimize market disruptions that pose a threat to the economic well-being of the United States; and

“(ii) only after submitting a written justification of the adjustment to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives; or

“(B) upward, if the Secretary determines the adjustment necessary to increase participation in crude helium auctions or returns to the taxpayer.

“(6) **AUCTION FORMAT.**—The Secretary shall conduct each auction using a method that maximizes revenue to the Federal Government.

“(7) **PRICES.**—The Secretary shall annually establish, as applicable, sale and minimum auction prices under subsection (a)(1) and paragraphs (1) and (2) using, if applicable and in the following order of priority:

“(A) The sale price of crude helium in auctions held by the Secretary under paragraph (2).

“(B) Price recommendations and disaggregated data from a qualified, independent third party who has no conflict of interest, who shall conduct a confidential survey of qualifying domestic helium transactions.

“(C) The volume-weighted average price of all crude helium and pure helium purchased, sold, or processed by persons in all qualifying domestic helium transactions.

“(D) The volume-weighted average cost of converting gaseous crude helium into pure helium.

“(8) **TERMS AND CONDITIONS.**—

“(A) **IN GENERAL.**—The Secretary shall require all persons that are parties to a contract with the Secretary for the withdrawal, acceptance, storage, transportation, delivery, or redelivery of crude helium to disclose, on a strictly confidential basis—

“(i) the volumes and associated prices in dollars per thousand cubic feet of all crude and pure helium purchased, sold, or processed by persons in qualifying domestic helium transactions;

“(ii) the volumes and associated costs in dollars per thousand cubic feet of converting crude helium into pure helium; and

“(iii) refinery capacity and future capacity estimates.

“(B) **CONDITION.**—As a condition of sale or auction to a refiner under subsection (a)(1) and paragraphs (1) and (2), effective beginning 90 days after the date of enactment of the Helium Stewardship Act of 2013, the refiner shall make excess refining capacity of helium available at commercially reasonable rates to—

“(i) any person prevailing in auctions under paragraph (2); and

“(ii) any person that has acquired crude helium from the Secretary from the Federal Helium Reserve by means other than an auction under paragraph (2) after the date of enactment of the Helium Stewardship Act of 2013.

“(9) **USE OF INFORMATION.**—The Secretary may use the information collected under this Act—

“(A) to approximate crude helium prices; and

“(B) to ensure the recovery of fair value for the taxpayers of the United States from sales of crude helium.

“(10) **PROTECTION OF CONFIDENTIALITY.**—The Secretary shall adopt such administrative policies and procedures as the Secretary considers necessary and reasonable to ensure the confidentiality of information submitted pursuant to this Act.

“(C) **PHASE C: CONTINUED ACCESS FOR FEDERAL USERS.**—

“(1) **IN GENERAL.**—The Secretary shall offer crude helium for sale to Federal users in such quantities, at such times, at not less than the minimum price established under subsection (b)(7), and under such terms and conditions as the Secretary determines necessary to carry out this subsection.

“(2) **FEDERAL PURCHASES.**—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

“(3) **EFFECTIVE DATE.**—This subsection applies beginning on the day after the date described in subsection (b)(4)(B).

“(d) **HELIUM PRODUCTION FUND.**—

“(1) **IN GENERAL.**—All amounts received under this Act, including amounts from the sale or auction of crude helium, shall be credited to the Helium Production Fund, which shall be available without fiscal year limitation for purposes considered necessary by the Secretary to carry out this Act (other than sections 16, 17, and 18), including capital investments in upgrades and maintenance at the Federal Helium System, including—

“(A) well head maintenance at the Cliffside Field;

“(B) capital investments in maintenance and upgrades of facilities that pressurize the Cliffside Field;

“(C) capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, transportation, purification, and sale of crude helium from the Federal Helium Reserve;

“(D) entering into purchase, lease, or other agreements to drill new or uncap existing wells to maximize the recovery of crude helium from the Federal Helium System if the Secretary determines the actions to be cost-effective; and

“(E) any other scheduled or unscheduled maintenance of the Federal Helium System.

“(2) **EXCESS FUNDS.**—Any amounts in the Helium Production Fund described in para-

graph (1) that exceed the amounts that the Secretary determines to be necessary to carry out paragraph (1) shall be deposited in the general fund of the Treasury.

“(e) **MINIMUM QUANTITY.**—The Secretary shall offer for sale or auction during each fiscal year under subsections (a), (b), and (c) a quantity of crude helium that is the lesser of —

“(1) the quantity of crude helium offered for sale by the Secretary during fiscal year 2012; and

“(2) the maximum total production capacity of the Federal Helium System.

“(f) **MAINTENANCE OF HELIUM SUPPLY.**—The Secretary shall minimize disruption in the supply of helium from the Federal Helium System during the transition between phases of helium sales under subsections (a), (b), and (c).”.

SEC. 6. INFORMATION, ASSESSMENT, RESEARCH, AND STRATEGY.

The Helium Act (50 U.S.C. 167 et seq.) is amended—

(1) by repealing section 15 (50 U.S.C. 167m);

(2) by redesignating section 17 (50 U.S.C. 167 note) as section 20; and

(3) by inserting after section 14 (50 U.S.C. 167l) the following:

“SEC. 15. INFORMATION.

“(a) **TRANSPARENCY.**—The Secretary, acting through the Bureau of Land Management, shall make available on the Internet information relating to the Federal Helium System that includes—

“(1) continued publication of an open market and in-kind price;

“(2) aggregated projections of excess refining capacity;

“(3) ownership of helium held in the Federal Helium Reserve;

“(4) the volume of helium delivered to persons through the Federal Helium Pipeline;

“(5) pressure constraints of the Federal Helium Pipeline;

“(6) an estimate of the projected date when 3,000,000,000 standard cubic feet of crude helium will remain in the Federal Helium Reserve and the final phase described in section 6(c) will begin;

“(7) the amount of the fees charged under section 5;

“(8) the scheduling of crude helium deliveries through the Federal Helium Pipeline; and

“(9) other factors that will increase transparency.

“(b) **REPORTING.**—Not later than 90 days after the date of enactment of the Helium Stewardship Act of 2013, to provide the market with appropriate and timely information affecting the helium resource, the Director of the Bureau of Land Management shall establish a timely and public reporting process to provide data that affects the helium industry, including—

“(1) annual maintenance schedules and quarterly updates, that shall include—

“(A) the date and duration of planned shutdowns of the Federal Helium Pipeline;

“(B) the nature of work to be undertaken on the Federal Helium System, whether routine, extended, or extraordinary;

“(C) the anticipated impact of the work on the helium supply;

“(D) the efforts being made to minimize any impact on the supply chain; and

“(E) any concerns regarding maintenance of the Federal Helium Pipeline, including the pressure of the pipeline or deviation from normal operation of the pipeline;

“(2) for each unplanned outage, a description of—

“(A) the beginning of the outage;

“(B) the expected duration of the outage;
 “(C) the nature of the problem;
 “(D) the estimated impact on helium supply;

“(E) a plan to correct problems, including an estimate of the potential timeframe for correction and the likelihood of plan success within the timeframe;

“(F) efforts to minimize negative impacts on the helium supply chain; and

“(G) updates on repair status and the anticipated online date;

“(3) monthly summaries of meetings and communications between the Bureau of Land Management and the Cliffside Refiners Limited Partnership, including a list of participants and an indication of any actions taken as a result of the meetings or communications; and

“(4) current predictions of the lifespan of the Federal Helium System, including how much longer the crude helium supply will be available based on current and forecasted demand and the projected maximum production capacity of the Federal Helium System for the following fiscal year.

“SEC. 16. HELIUM GAS RESOURCE ASSESSMENT.

“(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Helium Stewardship Act of 2013, the Secretary, acting through the Director of the United States Geological Survey, shall—

“(1) in coordination with appropriate heads of State geological surveys—

“(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

“(B) make available the modern seismic and geophysical log data for characterization of the Bush Dome Reservoir;

“(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

“(3) in coordination with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

“(A) an assessment of trends in global demand for helium, including the isotope helium-3;

“(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, commercial, manufacturing, space technologies, cryogenics, and national defense; and

“(C) an inventory of medical, scientific, industrial, commercial, and other uses of helium in the United States, including Federal uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

“(4) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the assessments required under this paragraph.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as are necessary.

“SEC. 17. LOW-BTU GAS SEPARATION AND HELIUM CONSERVATION.

“(a) AUTHORIZATION.—The Secretary of Energy shall support programs of research, development, commercial application, and conservation (including the programs described in subsection (b))—

“(1) to expand the domestic production of low-Btu gas and helium resources;

“(2) to separate and capture helium from natural gas streams; and

“(3) to reduce the venting of helium and helium-bearing low-Btu gas during natural gas exploration and production.

“(b) PROGRAMS.—

“(1) MEMBRANE TECHNOLOGY RESEARCH.—The Secretary of Energy, in consultation with other appropriate agencies, shall support a civilian research program to develop advanced membrane technology that is used in the separation of low-Btu gases, including technologies that remove helium and other constituent gases that lower the Btu content of natural gas.

“(2) HELIUM SEPARATION TECHNOLOGY.—The Secretary of Energy shall support a research program to develop technologies for separating, gathering, and processing helium in low concentrations that occur naturally in geological reservoirs or formations, including—

“(A) low-Btu gas production streams; and

“(B) technologies that minimize the atmospheric venting of helium gas during natural gas production.

“(3) INDUSTRIAL HELIUM PROGRAM.—The Secretary of Energy, working through the Advanced Manufacturing Office of the Department of Energy, shall carry out a research program—

“(A) to develop low-cost technologies and technology systems for recycling, reprocessing, and reusing helium for all medical, scientific, industrial, commercial, aerospace, and other uses of helium in the United States, including Federal uses; and

“(B) to develop industrial gathering technologies to capture helium from other chemical processing, including ammonia processing.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as are necessary.

“SEC. 18. HELIUM-3 SEPARATION.

“(a) INTERAGENCY COOPERATION.—The Secretary shall cooperate with the Secretary of Energy, or a designee, on any assessment or research relating to the extraction and refining of the isotope helium-3 from crude helium at the Federal Helium Reserve or along the Federal Helium Pipeline, including—

“(1) gas analysis;

“(2) infrastructure studies; and

“(3) cooperation with refiners.

“(b) FEASIBILITY STUDY.—The Secretary, in consultation with the Secretary of Energy, or a designee, may carry out a study to assess the feasibility of establishing a facility to separate the isotope helium-3 from crude helium at—

“(1) the Federal Helium Reserve; or

“(2) an existing helium separation or purification facility connected to the Federal Helium Pipeline.

“(c) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2013, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that contains a description of the results of the assessments conducted under this section.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as are necessary.

“SEC. 19. FEDERAL AGENCY HELIUM ACQUISITION STRATEGY.

“Not later than 2 years after the date of enactment of the Helium Stewardship Act of 2013, the Secretary (in consultation with the Secretary of Energy, the Secretary of Defense, the Director of the National Science Foundation, and the Director of the National Institutes of Health) shall submit to Congress a report that provides for Federal users—

“(1) an assessment of the consumption of, and projected demand for, crude and refined helium;

“(2) a description of a 20-year Federal strategy for securing access to crude helium;

“(3) an assessment of the effects of increases in the price of refined helium and methods and policies for mitigating any determined effects; and

“(4) a description of a process for prioritization of uses that accounts for diminished availability of helium supplies that may occur over time.”.

SEC. 7. CONFORMING AMENDMENTS.

(a) Section 4 of the Helium Act (50 U.S.C. 167b) is amended by striking “section 6(f)” each place it appears in subsections (c)(3), (c)(4), and (d)(2) and inserting “section 6(d)”.
 (b) Section 8 of the Helium Act (50 U.S.C. 167f) is repealed.

SEC. 8. EXISTING AGREEMENTS.

This Act and the amendments made by this Act shall not in any manner affect or diminish the rights and obligations of the Secretary of the Interior and private parties under agreements in existence on the date of enactment of this Act, except to the extent that the agreements are renewed or extended after that date.

SEC. 9. REGULATIONS.

The Secretary of the Interior shall promulgate such regulations as are necessary to carry out this Act and the amendments made by this Act, including regulations necessary to prevent unfair acts and practices.

By Mr. BAUCUS (for himself and Mr. JOHANNIS):

S. 784. A bill to expand agricultural opportunities for military veterans, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. BAUCUS. Mr. President, in 1787, Thomas Jefferson wrote a letter to George Washington in which he wrote “Agriculture is our wisest pursuit, because it will in the end contribute most to real wealth, good morals, and happiness.”

Those words remain true for our farmers and ranchers today but they also ring true to for veterans who are returning from service and returning to the land.

Our veteran unemployment rate is shameful, and it really hits home in rural States like Montana where so many folks volunteer for service. I believe we must think outside the box and look for ways to boost jobs for our veterans in everything we do. Which has me turning to the Farm bill.

Today I, with my colleague Senator JOHANNIS, have introduced the Agricultural Opportunities for Military Veterans Act which will help create new opportunities for our veteran populations hoping to become involved in farming and ranching.

With over 45 percent of those who serve in the military coming from rural communities Congress must ensure our returning servicemembers have a variety of resources at their disposal.

My bill will help boost veteran employment through the Farm bill. It would create a veteran preference in programs that make it cheaper and easier to institute best practices in farming and ranching.

The bill also creates a new Military Liaison Office to assist veterans at the U.S. Department of Agriculture and expands outreach programs to help make sure veterans are aware of the resources available to them.

I urge my colleagues to join myself and Senator JOHANNIS in supporting veterans through our programs at the U.S. Department of Agriculture.

By Mr. REID:

S. 788. A bill to suspend the fiscal year 2013 sequester and establish limits on war-related spending; read the first time.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUSPENSION OF THE 2013 SEQUESTER.

Notwithstanding the sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A)), there shall be available for the Federal Government for fiscal year 2013 the amount that would have been made available for the Federal Government for fiscal year 2013 but for sections 251 and 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 and 901a), sections 3001 and 3004 of the Consolidated and Further Continuing Appropriations Act, 2013, and any sequestration order issued by the President.

SEC. 2. AMENDMENT TO OCO ADJUSTMENTS.

Section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following:

“(2) ELIMINATING A BREACH.—

“(A) IN GENERAL.—Each nonexempt account within a category shall be reduced by a dollar amount calculated by multiplying the enacted level of sequesterable budgetary resources in that account at that time by the uniform percentage necessary to eliminate a breach within that category.

“(B) OVERSEAS CONTINGENCIES.—Any amount of budget authority for overseas contingency operations and related activities for fiscal years 2014 through 2016 in excess of the levels set in subsection 251(b)(2)(E) shall be counted in determining whether a breach has occurred in the security category.”; and

(2) in subsection (b)(2)—

(A) in subparagraph (A)(ii), by inserting “for fiscal years 2017 through 2021,” before “the Congress”; and

(B) by inserting at the end the following:

“(E) OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—If, for fiscal years 2014 through 2016, appropriations for discretionary accounts are enacted that Congress designates for Overseas Contingency Operations/Global War on Terrorism in statute on an account by account basis, the adjustment for the fiscal year shall be the total of such appropriations for the fiscal year in discretionary accounts designated as being for Overseas Contingency Operations/Global War on Terrorism, but not to exceed—

“(i) for fiscal year 2014, \$92,289,000,000 in additional new budget authority;

“(ii) for fiscal year 2015, \$37,283,000,000 in additional new budget authority; and

“(iii) for fiscal year 2016, \$37,283,000,000 in additional new budget authority.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 105—DESIGNATING APRIL 2013 AS “FINANCIAL LITERACY MONTH”

Mr. REED (for himself, Mr. ENZI, Mr. MERKLEY, Mr. CRAPO, Mr. JOHNSON of South Dakota, Mr. BARRASSO, Mrs. MURRAY, Mr. COCHRAN, Mr. CARDIN, Mr. WICKER, Mrs. HAGAN, Mr. BLUNT, Mr. DURBIN, Ms. WARREN, Mr. FRANKEN, Mr. COONS, Mr. BAUCUS, Mr. JOHNSON of Wisconsin, Mr. BROWN, Mr. LAUTENBERG, Mr. WARNER, and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 105

Whereas, according to the Federal Deposit Insurance Corporation (referred to in this preamble as the “FDIC”), at least 28.3 percent of households in the United States, or nearly 34,000,000 households with approximately 67,888,000 adults, are unbanked or underbanked and therefore have not had the opportunity to access savings, lending, and other basic financial services;

Whereas, according to the FDIC, approximately 30 percent of banks reported in 2011 that consumers lacked understanding of the financial products and services banks offered;

Whereas, according to the 2012 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling—

(1) approximately 42 percent of, or nearly 98,000,000, adults in the United States gave themselves a grade of C, D, or F on their knowledge of personal finance, and 4 out of every 5 adults admitted that they could benefit from additional advice and answers to everyday financial questions from a professional;

(2) the number of adults in the United States who admit to not paying their bills on time has increased from 28 percent in 2011 to 33 percent, or nearly 77,000,000, in 2012;

(3) only 43 percent of adults in the United States keep close track of their spending, and more than 13,000,000 adults do not know how much they spend on food, housing, and entertainment, and do not monitor their overall spending; and

(4) 2 out of every 5 adults in the United States, or more than 93,000,000, are saving less than they did in 2011, and approximately 39 percent of adults report that they have no non-retirement savings;

Whereas the 2012 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that—

(1) only 14 percent of workers were “very confident” about having enough money for a comfortable retirement, which is a sharp decline in worker confidence from the 27 percent of workers who were “very confident” in 2007; and

(2) approximately 56 percent of workers say they or their spouses have not calculated the amount of money they need to save for retirement;

Whereas, according to a 2012 “Flow of Funds” report by the Board of Governors of the Federal Reserve System, aggregate household debt in the United States was \$12,800,000,000 at the end of the fourth quarter of 2012;

Whereas, according to the Survey of the States 2011: Economic, Personal Finance, and Entrepreneurship Education in Our Nation’s Schools, a biennial report by the Council for Economic Education—

(1) only 22 States require students to take an economics course as a high school graduation requirement;

(2) only 16 States require testing student knowledge of economics; and

(3) only 12 States require students to take a personal finance course either independently or as part of an economics course as a high school graduation requirement;

Whereas, according to the Gallup-Operation HOPE Financial Literacy Index, only 54 percent of students in the United States have money in a bank or credit union account;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of household, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress determined that coordinating Federal financial literacy efforts and formulating a national strategy is important; and

Whereas, in light of that determination, Congress passed the Financial Literacy and Education Improvement Act (20 U.S.C. 9701 et seq.), establishing the Financial Literacy and Education Commission: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2013 as “Financial Literacy Month” to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe Financial Literacy Month with appropriate programs and activities.

SENATE RESOLUTION 106—COM-
MENDING REHABILITATION
COUNSELORS AND SUPPORTING
THE GOALS AND IDEALS OF NA-
TIONAL REHABILITATION COUN-
SELORS APPRECIATION DAY

Mr. CASEY (for himself and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 106

Whereas rehabilitation counselors conduct assessments, provide counseling, support families, and plan and implement rehabilitation programs for individuals in need of rehabilitation;

Whereas the purpose of professional organizations for rehabilitation counseling and education is to promote the improvement of rehabilitation services available to individuals with disabilities through quality education for counselors and rehabilitation research;

Whereas various professional organizations have vigorously advocated up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education, including—

- (1) the National Rehabilitation Association;
- (2) the Rehabilitation Counselors and Educators Association;
- (3) the National Council on Rehabilitation Education;
- (4) the National Rehabilitation Counseling Association;
- (5) the American Rehabilitation Counseling Association;
- (6) the Commission on Rehabilitation Counselor Certification;
- (7) the Council of State Administrators of Vocational Rehabilitation; and
- (8) the Council on Rehabilitation Education;

Whereas, on March 22, 1983, Martha Walker of Kent State University, who was President of the National Council on Rehabilitation Education, testified before the Subcommittee on Select Education of the Committee on Education and Labor of the House of Representatives, and was instrumental in bringing the need for qualified rehabilitation counselors to the attention of Congress;

Whereas the efforts of Martha Walker led to the enactment of laws that require rehabilitation counselors to have proper credentials, in order to provide a higher quality of service to those in need of rehabilitation; and

Whereas March 22 is National Rehabilitation Counselors Appreciation Day: Now, therefore, be it

Resolved, That the Senate—

- (1) commends—

(A) rehabilitation counselors, for the dedication and hard work rehabilitation counselors provide to individuals in need of rehabilitation; and

(B) professional organizations, for the efforts professional organizations have made to assist those who require rehabilitation; and

(2) supports the goals and ideals of National Rehabilitation Counselors Appreciation Day.

SENATE RESOLUTION 107—HON-
ORING MILITARY CHILDREN
DURING THE NATIONAL MONTH
OF THE MILITARY CHILD

Mrs. MURRAY (for herself, Ms. AYOTTE, Ms. LANDRIEU, Mr. HELLER, Mr. MANCHIN, Mrs. BOXER, Mr. BAUCUS, Mr. PRYOR, Mrs. HAGAN, Mr. WHITEHOUSE, Mr. CARDIN, Mr. MENENDEZ, Mr. SCHATZ, Mr. WARNER, Ms. MIKULSKI, Mr. SANDERS, Ms. WARREN, Mrs. GILLIBRAND, and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 107

Whereas more than 2,000,000 men and women are demonstrating their courage and commitment to freedom by serving in the Armed Forces of the United States;

Whereas 43.9 percent of members of the Armed Forces, when deployed away from their permanent duty stations, leave families with children behind;

Whereas no one feels the effect of deployments more than the children of deployed members of the Armed Forces;

Whereas, as of March 2013, 4,802 children had lost a parent serving in Operation Iraqi Freedom and Operation Enduring Freedom;

Whereas the daily struggles and personal sacrifices of children of members of the Armed Forces too often go unnoticed;

Whereas countless children live with a parent who is a member of the Armed Forces and who bears a visible or invisible wound of war;

Whereas the children of members of the Armed Forces are a source of pride and honor to the people of the United States and it is fitting that the United States recognize their contributions and celebrate their spirit;

Whereas the National Month of the Military Child, observed in April each year, recognizes military children for their sacrifices and contributes to demonstrating the unconditional support of the United States for members of the Armed Forces;

Whereas, in addition to programs of the Department of Defense to support military families and military children, various programs and campaigns have been established in the private sector to honor, support, and thank military children by fostering awareness and appreciation for the sacrifices and the challenges they face; and

Whereas a month-long salute to military children will encourage support for those organizations and campaigns established to provide direct support for military children and families: Now, therefore, be it

Resolved, That the Senate—

(1) joins the Secretary of Defense in honoring the children of members of the Armed Forces and recognizes that those children also share in the burden of protecting the United States; and

(2) urges the people of the United States to join with the military community in observing the National Month of the Military Child with appropriate ceremonies and activities that honor, support, and thank military children.

SENATE RESOLUTION 108—DESIG-
NATING APRIL 2013 AS “NA-
TIONAL 9-1-1 EDUCATION MONTH”

Ms. KLOBUCHAR (for herself and Mr. BURR) submitted the following resolu-

tion; which was considered and agreed to:

S. RES. 108

Whereas 9-1-1 is recognized throughout the United States as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities;

Whereas, in 1967, the President's Commission on Law Enforcement and Administration of Justice recommended that a “single number should be established” nationwide for reporting emergency situations, and various Federal Government agencies and governmental officials supported and encouraged the recommendation;

Whereas, in 1968, the American Telephone and Telegraph Company (commonly known as “AT&T”) announced that it would establish the digits 9-1-1 as the emergency code throughout the United States;

Whereas Congress designated 9-1-1 as the national emergency call number in the Wireless Communications and Public Safety Act of 1999 (Public Law 106-81; 113 Stat. 1286);

Whereas section 102 of the ENHANCE 911 Act of 2004 (47 U.S.C. 942 note) declared an enhanced 9-1-1 system to be “a high national priority” and part of “our Nation's homeland security and public safety”;

Whereas it is important that policy makers at all levels of government understand the importance of 9-1-1, how the 9-1-1 system works, and the steps that are needed to modernize the 9-1-1 system;

Whereas the 9-1-1 system is the connection between the eyes and ears of the public and the emergency response system in the United States and is often the first place emergencies of all magnitudes are reported, making 9-1-1 a significant homeland security asset;

Whereas more than 6,000 9-1-1 public safety answering points serve more than 3,000 counties and parishes throughout the United States;

Whereas dispatchers at public safety answering points answer more than 200,000,000 9-1-1 calls each year in the United States;

Whereas a growing number of 9-1-1 calls are made using wireless and Internet Protocol-based communications services;

Whereas a growing segment of the population of the United States, including individuals who are deaf, hard of hearing, or deaf-blind, or have speech disabilities, is increasingly communicating with nontraditional text, video, and instant messaging communications services and expects those services to be able to connect directly to 9-1-1;

Whereas the growth and variety of means of communication, including mobile and Internet Protocol-based systems, impose challenges for accessing 9-1-1 and implementing an enhanced 9-1-1 system and require increased education and awareness about the capabilities of different means of communication;

Whereas numerous other “N-1-1” and 800 number services exist for nonemergency situations, including 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1, poison control centers, and mental health hotlines, and the public needs to be educated on when to use those services in addition to or instead of 9-1-1;

Whereas international visitors and immigrants make up an increasing percentage of the population of the United States each year, and visitors and immigrants may have limited knowledge of the emergency calling system in the United States;

Whereas people of all ages use 9-1-1 and it is critical to educate people on the proper use of 9-1-1;

Whereas senior citizens are highly likely to need to access 9-1-1 and many senior citizens are learning to use new technology;

Whereas thousands of 9-1-1 calls are made every year by children properly trained in the use of 9-1-1, which saves lives and underscores the critical importance of training children early in life about 9-1-1;

Whereas the 9-1-1 system is often misused, including by the placement of prank and nonemergency calls;

Whereas misuse of the 9-1-1 system results in costly and inefficient use of 9-1-1 and emergency response resources and needs to be reduced;

Whereas parents, teachers, and all other caregivers need to play an active role in 9-1-1 education for children, but can do so only after first being educated themselves;

Whereas there are many avenues for 9-1-1 public education, including safety fairs, school presentations, libraries, churches, businesses, public safety answering point tours or open houses, civic organizations, and senior citizen centers;

Whereas children, parents, teachers, and the National Parent Teacher Association make vital contributions to the education of children about the importance of 9-1-1 through targeted outreach efforts to public and private school systems;

Whereas the United States should strive to host at least 1 educational event regarding the proper use of 9-1-1 in every school in the country every year;

Whereas programs to promote proper use of 9-1-1 during National 9-1-1 Education Month could include—

(1) public awareness events, including conferences, media outreach, and training activities for parents, teachers, school administrators, other caregivers, and businesses;

(2) educational events in schools and other appropriate venues; and

(3) production and distribution of information about the 9-1-1 system designed to educate people of all ages on the importance and proper use of 9-1-1; and

Whereas the people of the United States deserve the best education regarding the use of 9-1-1: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2013 as “National 9-1-1 Education Month”; and

(2) urges governmental officials, parents, teachers, school administrators, caregivers, businesses, nonprofit organizations, and the people of the United States to observe the month with appropriate ceremonies, training events, and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 740. Mr. PRYOR (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 740. Mr. PRYOR (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales

and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . EXTENSION OF INTERNET TAX FREEDOM ACT.

(a) IN GENERAL. Section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking “November 1, 2014” and inserting “November 1, 2024”.

(b) GRANDFATHERING OF STATES THAT TAX INTERNET ACCESS.—Section 1104(a)(2)(A) of such Act is amended by striking “November 1, 2014” and inserting “November 1, 2024”.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CLAIRE MCCASKILL, intend to object to proceeding to the nomination of Lt. Gen. Susan J. Helms to be Lieutenant General in the U.S. Air Force, dated April 23, 2013.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 23, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 23, 2013, at 10 a.m. to conduct a hearing entitled “The Consumer Financial Protection Bureau’s Semi-Annual Report to Congress.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 23, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 23, 2013, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate

on April 23, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Antwone Fisher Story as a Case Study for Child Welfare.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Successful Primary Care Programs: Creating the Workforce We Need” on April 23, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 23, 2013, at 9:30 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled “The Border Security, Economic Opportunity, and Immigration Modernization Act, S. 744.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 23, 2013, at 4 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Drone Wars: The Constitutional and Counterterrorism Implications of Targeted Killing.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 23, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on April 23, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on April 23, 2013, at 2:30 p.m. in

room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Challenges and Opportunities for Human Space Exploration."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE,
FISHERIES AND THE COAST GUARD

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on April 23, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Oversight of the President's Fiscal Year 2014 Budget Requests for Coast Guard and NOAA."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Augustus Ilag, an intern for the Finance Committee, be allowed on the Senate floor for the remainder of this calendar year.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that Molly Crawford, who is on detail to the Committee on Commerce, Science, and Transportation, from the Federal Trade Commission, be granted floor privileges for the duration of the consideration of S. 743, the Marketplace Fairness Act of 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT
AGREEMENT—EXECUTIVE SESSION

Mr. DURBIN. I ask unanimous consent that on Wednesday, April 24, at 10:30 a.m., the Senate proceed to executive session to consider Calendar No. 60 and Calendar No. 64; that there be 90 minutes for debate equally divided in the usual form: the time from 10:30 a.m. to 11 a.m. on Calendar No. 60 and the time from 11 a.m. to 12 noon on Calendar No. 64; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed, with 2 minutes for debate equally divided in the usual form between the votes; that the second vote be 10 minutes in length; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be imme-

diately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT
AGREEMENT—H.R. 475

Mr. DURBIN. Mr. President, I ask unanimous consent that if the Senate receives H.R. 475 from the House of Representatives and the bill is identical to the text which is at the desk, then the bill be read three times and the Senate proceed to a vote at a time to be determined by the majority leader, in consultation with the minority leader, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration, en bloc, of the following resolutions, which were submitted earlier today: S. Res. 105, S. Res. 106, S. Res. 107, and S. Res. 108.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. DURBIN. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST
TIME—S. 788

Mr. DURBIN. Mr. President, I understand that S. 788, introduced earlier today by Senator REID, is at the desk, and I ask for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 788) to suspend the fiscal year 2013 sequester and establish limits on war-related spending.

Mr. DURBIN. I now ask for its second reading and object to my own request.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be read for the second time on the next legislative day.

APPOINTMENTS

The ACTING PRESIDENT pro tempore. The Chair announces, on behalf of

the President pro tempore, pursuant to Public Law 110-315, the appointment of the following individuals to be members of the National Advisory Committee on Institutional Quality and Integrity: Senator Bill Armstrong of Colorado, vice Wilfred M. McClay, and Mr. Rick O'Donnell of Texas, vice Bruce Cole.

The Chair announces, on behalf of the Republican leader, pursuant to Public Law 101-509, the reappointment of Thomas Mackey, of Kentucky, to the Advisory Committee on the Records of Congress.

ORDERS FOR WEDNESDAY, APRIL
24, 2013

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, April 24, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled by the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate proceed to executive session, under the previous order; and that when the Senate resumes legislative session, the Senate resume consideration of the motion to proceed to Calendar No. 41, S. 743, the Marketplace Fairness Act, and immediately proceed to vote on adoption of the motion.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, there will be two rollcall votes at noon tomorrow on confirmation of the Kelly and Burwell nominations.

Additional votes in relation to the Marketplace Fairness Act are possible on Wednesday. We have urged all Senators with amendments to bring them forward to the floor in an expedited fashion so we can consider them in a timely way.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 7:01 p.m., adjourned until Wednesday, April 24, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

OVERSEAS PRIVATE INVESTMENT CORPORATION

ROBERTO R. HERENCIA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2015. (REAPPOINTMENT)

DEPARTMENT OF STATE

CARLOS PASCUAL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (ENERGY RESOURCES), VICE JOHN STERN WOLF.

UNITED STATES POSTAL SERVICE

DAVID MICHAEL BENNETT, OF NORTH CAROLINA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2018, VICE THURGOOD MARSHALL, JR., TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

YVETTE ROUBIDEAUX, OF MARYLAND, TO BE DIRECTOR OF THE INDIAN HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE TERM OF FOUR YEARS. (REAPPOINTMENT)

IN THE COAST GUARD

PURSUANT TO SECTION 53(B), TITLE 14, U.S. CODE, THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE DIRECTOR OF THE COAST GUARD RESERVE IN THE GRADE INDICATED:

To be rear admiral

REAR ADM. STEVEN E. DAY, USCGR

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DAVID L. GOLDFEIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DOUGLAS J. ROBB

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. RICHARD J. TORRES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MICHAEL DILLARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DONALD E. JACKSON, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. WILLIAM A. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 U.S.C., SECTION 601:

To be vice admiral

MARK I. FOX

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

MATTHEW J. GERVASIS

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

THOMAS G. BEHLING
GARY D. COFFEY
JAKIE R. DAVIS, JR.
DAVID D. FARR
RAYMOND G. STRAWBRIDGE

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

LATANYA A. ONEAL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ERIC WASHINGTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JEANNE E. PRICER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TIMOTHY E. JOHNSON

ROBERT L. MARK II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MATTHEW R. BUTKIS
HANS HARTWIG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MICHAEL S. DORRIS
JOYCE F. RICHARDSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

PATRICK W. MCNALLY
SCOTT M. MILLER
RON A. STEINER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

RONALD R. SHAW, JR.
ANGELA H. WALKER
KEITH E. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN A. DAUGHETY
DAVID M. HERSCHEL
RICHARD O. TOLLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PAULA D. DUNN
TODD A. MARTIN
JERALD A. ROSTAD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MARY A. GWOREK
CHRISTOPHER P. MURPHY
MATTHEW G. REARDON
LAURA M. SCOTTY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GLENN E. MURRAY
INGRID M. RADER
MARK T. SMITH
VICTOR A. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BRYANT E. HEPSTALL

NORMAN C. OWEN
KIMBERLY J. SCHULZ
ERIC J. SIMON
JOHN F. ZREMBSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DOUGLAS J. BROWN
MATTHEW A. CARR
JOHN M. FREYMAN
WESLEY S. HUEY
JEFFREY S. MCPHERSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL L. DOUGLAS
WILLIAM J. EKBLAD
SEAN R. HERITAGE
JOEY J. JOHNSON
WILLIAM A. LINTZ
DOUGLAS R. SCHEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

EDWARD R. CARROLL
RICHARD F. COLEMAN
NEIL A. DABOUL
WILLIAM S. FEDOR
DAVID J. GLASS
JORGE E. GRACIA
ANDREW MURRAY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOHN S. CRANSTON
BRETT T. FULLERTON
MARK A. IMBLUM
JOHN R. MORRIS
BRENT D. SADLER
SAM J. VALENCIA
WILLIAM C. WHITSITT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

KIM C. BRICHACEK
ROBERT A. DEWS, JR.
STEVEN F. FRILLOUX
WISTAR A. HARDISON
RALITA S. HILDEBRAND
MERY A. S. KATSON
KATHLEEN A. KERRIGAN
CAROL M. KUSHMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ALFRED D. ANDERSON
JAMES D. CRAYCRAFT
JAMES L. HANLEY
LUIS A. HERNANDEZ
EDWARD D. KATZ
CHARLES M. PHILLIP
HUGH RANKIN
JOHN B. VLIET

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS A. HAGOOD, JR.
TIMOTHY R. HALLADAY
LEONARD D. LAFORTEZA
HUAN T. NGUYEN
EUGENE P. OFALLON
EUGENE A. RAMOS
GURPARTAP S. SANDHOO
NICHOLAS H. TAYLOR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

THOMAS C. CECIL
ROBERT D. CROXSON
JOSEPH B. HORNBuckle
ROBERT G. JOHNSON
ANDREW J. MCFARLAND
JAMES M. MUSE
WILLIAM J. PALERMO
TODD D. STLAURENT
KYLE T. TURCO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DON E. CHERAMIE

SCOTT V. CHESBROUGH
JENNIFER K. EAVES
MARK A. GERSCHOFFER
LAURA R. HATCHER
THOMAS M. HENDERSCHIEDT
SEAN P. KELLEY
FREDERICK W. MOSENFELDER
MARA A. MOTHERWAY
CHRISTINA L. SIMINGTON
RALPH R. SMITH III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

HERMAN L. ARCHIBALD
VINCENT A. AUGELLI
EUGENE R. BAILEY
ERIC R. JOHNSON
MATTHEW R. LEAR
BRADLEY F. MAAS
ERIC S. MCCARTNEY
SHAWN P. MURPHY
MARGARET M. SCHULT
ARLENE J. SHOULTS
RAMBERTO A. TORRUCELLA
MATTHEW H. WELSH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

STEVEN A. BEALS
BRUCE A. BEAM, JR.
JOHN J. BELLINO
ELLEN M. CHANG
DAVID J. DACYCZYN
MATTHEW K. DAVENPORT
PATRICIA A. ENRIGHT
KATHLEEN H. HAWK
RICHARD D. KILDOW, JR.
MATTHEW J. LITTLETON
KEVIN J. LOWELL
KIRK T. LUKER
JOHN S. SCHLOTTERER
MARVIN L. SLUSSER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BENITO E. BAYLOSIS
KEVIN R. GALLAGHER
JOHN D. GERKEN
ANDREW S. GIBBONS
CHRISTOPHER J. HANSON
WILLIAM L. HARDMAN
ANDREW P. JOHNSON
DANIEL L. LANNAMANN
PHILIP E. MALONE
HOWARD B. MARKLE
GERALD R. PRENDERGAST
JACK S. RAMSEY, JR.
JOHN P. ROBINSON II
TIMOTHY C. SPICER
MICHAEL E. TAYLOR
KAI O. TORKELSON
GUSTAVO J. VERGARA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JENKS D. BRITT
ANGEL C. CRUZ
GREGORY P. DAVIS
WENDELL S. EAGLE
JAY A. GAGNE
JEFFREY D. GRANT
WAYNE D. GUNTHER
SCOTT V. HANNA
GERALD T. HEYNE
MARK A. HOFMANN
DOUGLAS HOWELL
STEVEN D. HULL
JOHN L. KROUSE
MATTHEW M. MCGONIGLE
ALEXANDER MCGUINNESS
KENNETH MCNEILL
KIMBERLY MILLER
ALBERT M. V. ORGAIN
GREGORY P. REILLY
MICHAEL J. STEFFEN
RICHARD B. THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DANIEL H. ADAMS
JAMES C. ALLEN
ANGUS E. ANDERSON
ROBERT A. ARSENEAULT
JAMES B. BACA
CRAIG E. BARTON
STEVEN J. BLATUS
RANDOLPH W. BORGES III
KEITH A. BRANNER
BOBBY J. BRAY, JR.

CHRISTOPHER P. BRIGGS
KEVIN D. CANTRELL
DEMETRI C. CAPETANOPOULOS
RACHEL E. CLOUSER
GREGORY R. COLLINS
GEOFFREY T. COLPITTS
BETH A. CREIGHTON
CANDACE C. ECKERT
STEPHEN J. ERON
DALE A. EYMANN
DEREK K. FELD
DAVID W. FLANAGAN
THOMAS R. GESELL
BRIAN M. GILK
GREGORY F. GRANIERI
CHARLES E. GRDINA
ERIC T. GUNN
MARK F. HAIGIS
ANDREW S. HAMILTON
JOSEPH A. HANRAHAN
ROBERT P. HARDEGEN
DAVID W. HARROD
MARK E. HECKEL
BRIAN L. HEYM
TIMOTHY E. HIBBETTS
CORDELL D. HONRADO
MICHAEL B. KALINA
MARC S. LEDERER
DAVID LUM
ALASTAIR M. MACGREGOR
MAUREN M. MAGNAN
DEPINILLOS J. MARTINEZ
BRIAN J. MCDEVITT
HUGH J. MCFARLANE
SHAWN M. MCGEHEE
ROB R. MCGREGOR
MARK E. MILIUS
JOHN P. MOONEY, JR.
RICHARD M. NELMS, JR.
CHRISTOPHER M. NERNEY
TIMOTHY F. NOONAN
CHRISTOPHER W. OGDEN
BRIAN K. PAUL
DANA W. PERKINS
SIGURD T. PETERSON
DONALD M. PLUMMER
JOHN F. PRICKETT
JESUS RIVAS
ROBERT C. ROWLAND
MARK J. SAVIN
CURTIS J. SNEDDON
SCOT P. SOMES
KRISTA P. STURBOIS
PATRICK B. TAGLAVORE
JEFFREY D. VANSICLEN
ALBERT C. WEAVER III
KURT E. WEIDMAN
BENJAMIN J. WILLKIE
KENNETH L. WORTHY
STEFAN M. WUSSTIG
JONATHAN D. YOUNG
WILLIAM M. ZACHMAN, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

KEVIN T. AANESTAD
DOUGLAS J. ADAMS
GEORGE R. AGUILAR
CHRISTOPHER D. ALEXANDER
RICHARD B. ALSOP
WAYNE W. ANDERSON, JR.
CHARLES H. ANDREWS
ANTHONY J. ANGLIN
GEORGE R. ARNOLD II
THOMAS D. BARBER
JOHN J. BARRY III
TROY D. BAUDER
JAMES A. BELZ
JEFFREY A. BENNETT II
CHRISTOPHER BERGEN
JAMES M. BILOTTA
MARK J. BOLLONG
CHRISTOPHER J. BOYLE
KEVIN M. BRAND
PATRICK T. BRITT
JAMES E. BROWN
THOMAS R. BUCHANAN
NICHOLIE T. BUFKIN
WILLIAM A. BULLARD III
VORRICE J. BURKS
JOSEPH F. CAHILL III
PAUL F. CAMPAGNA
PAUL A. CARELLI
CURTIS C. CARROLL
CHRISTOPHER J. CASSIDY
CHRISTOPHER J. CAVANAUGH
MAXIMILIAN CLARK
BRETT W. COFFEY
BRAD J. COLLINS
TIMOTHY M. COOPER
ANTHONY P. CORAPI
WILLARD J. COX III
WILLIAM T. COX, JR.
JEFFREY A. CRAIG
MICHAEL A. CRARY
BRETT E. CROZIER
PAUL A. CRUMP
DAVID C. CULPEPPER
SCOTT B. CURTIS
WILLIAM R. DALY

MARK E. DAY
DENNIS A. DEBOBES
BRIEN W. DICKSON
PAUL L. DINIUS
MICHAEL D. DOHERTY
DONALD J. DONEGAN
JOHN W. DOOLITTLE
GEORGE B. DOYON, JR.
JEFFREY J. DRAEGER
CURTIS B. DUNCAN
BRYAN W. DURKEE
DAVID V. EDGARTON
JEFFREY W. EGGERS
STEPHEN S. ERB
JEFFREY N. FARAH
SCOTT T. FARR
RICHARD J. FIELD
BRIAN J. FINMAN
PATRICK V. FOEGE
RONALD A. FOY
THOMAS A. FROSCH
STEPHEN F. FULLER
BRADLEY R. GARBER
JAMES P. GARDNER
JOHN A. GEARHART
BRIAN A. GEBO
MICHAEL J. GIANNETTI
DANIEL J. GILLEN
DARREN W. GLASER
DOUGLAS V. GORDON
MICHAEL J. GRABOWSKI
GUSTAVO GUTIERREZ
KAVON HAKIMZADEH
SEAN P. HALEY
DAVID B. HALLORAN
JASON G. HAMMOND
MATTHEW J. HARRISON
JASPER C. HARTSFIELD
JAMES D. HAWKINS
CHARLES J. HAYDEN III
CHRISTOPHER D. HAYES
STEVEN T. HEJMANOWSKI
GERALD C. HENNESSEY, JR.
JOHN C. HENSEL II
TIMOTHY M. HILL
JOHN C. HOWARD
CORY R. HOWES
PETER W. HUDSON, JR.
THOMAS R. HUERTER
ANTONIO D. HULL
MICHAEL E. HUTCHENS
ADOLFO H. IBARRA
MARK E. JOHNSON
DONALD E. KENNEDY
KEVIN M. KENNEDY
GREGORY R. KERCHER
PATRICK E. KEYES
SCOTT H. KRAFT
PATRICK E. KULAKOWSKI
DOUGLAS W. KUNZMAN
ROBERT T. LACY
MARK A. LAKAMP
GEORGE M. LANDIS III
HUNG B. LE
MARK S. LEAVITT
JEAN M. LEBLANC
FITZHUGH S. LEE
MATTHEW J. LEHMAN
LANCE L. LESHNER
ANDREW C. LYNCH
LEONARD M. LYON
CHRISTOPHER T. MARTIN
TODD R. MARZANO
ROBERT W. MATHEWSON
EDWARD D. MCCABE
JAMES A. MCCALL III
LARRY G. MCCULLEN
RICHARD C. MCDANIEL
SEAN P. MCDERMOTT
JOHN E. MCGUNNIGLE, JR.
DARREN G. MCPHERSON
KEVIN A. MELODY
MARK A. MELSON
ROGER E. MEYER
BRETT W. MIETUS
MICHAEL V. MISIEWICZ
LEIF E. MOLLO
GEOFFREY C. MOORE
KYLE S. MOSES
JOHN B. MOULTON
SHELBY A. MOUNTS
BRETT D. MOYES
SCOTT T. MULVEHILL
DAVID T. MUNDY
DEAN A. MURIANO
BRENDAN J. MURPHY
ROBERT C. MUSE
DANA A. NELSON
EUGENE J. NEMETH
STEPHEN L. NEWLUND
JEFFREY L. OAKLEY
TERRY L. OBERMEYER
FRANK B. OGDEN II
ROBERT N. OLIVIER
VALERIE R. OVERSTREET
DANIEL L. PACKER, JR.
MATTHEW C. PARADISE
ROBERT W. PATRICK, JR.
RODNEY M. PATTON
SIL A. PERRELLA
AARON S. PETERS
CHRISTOPHER T. PETROCK

RICHARD W. PREST
MICHAEL G. QUAN
KEVIN M. QUARDERER
RUSS C. RAINES
ROLANDO RAMIREZ
BENJAMIN G. REYNOLDS
JAMES W. ROBINSON, JR.
JOHN C. RUDELLA
ROME RUIZ
TIMOTHY A. SALTER
MILTON J. SANDS III
WALLACE E. SCHLAUDER
JOHN R. SCHMIDT
EDWARD A. SCHRADER
RICHARD E. SEIF, JR.
HANS E. SHOLLEY
MAXWELL J. SHUMAN
LARRY A. SIDBURY

WARREN E. SISSON
BRIAN L. SITTLOW
CRAIG M. SNYDER
ERIC A. SODERBERG
DAVID S. SOLDOW
JOSEPH M. STAUD
JAY M. STEINGOLD
KENNETH A. STRONG
DANIEL J. SULLIVAN IV
DANIEL D. SUNVOLD
SCOTT A. TAIT
MICHAEL B. TATSCH
MATTHEW D. TERWILLIGER
AARON M. THIEME
JOSEPH C. THOMAS
NICHOLAS R. TILBROOK
RONALD W. TOLAND, JR.
BRENT A. TRICKEL

DEREK A. TRINQUE
TODD D. VANDEGRIFT
DAVID A. VARNER
DENNIS VELEZ
JASON A. VOGT
JEFFREY M. VORCE
JASON D. WARTELL
KIRK A. WEATHERLY
TODD S. WEEKS
ADAM J. WELTER
MICHAEL T. WESTBROOK
ROBERT D. WESTENDORFF
DAVID J. WICKERSHAM
THOMAS R. WILLIAMS II
MICHAEL S. WOSJE
WALTER C. WRYE IV
PAUL D. YOUNG

HOUSE OF REPRESENTATIVES—Tuesday, April 23, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. BENTIVOLIO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 23, 2013.

I hereby appoint the Honorable KERRY BENTIVOLIO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

HONORING THE MARINE CORPS ASSOCIATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, the Marine Corps Association was founded on April 25, 1913, in Guantanamo, Cuba, by marines of the 2nd Provisional Brigade. John A. Lejeune, then a lieutenant colonel, headed the Marine Corps Association's first executive committee.

In a statement signed by members of the committee, Lejeune and his fellow officers declared that the Marine Corps Association would publish the history of the Marine Corps and disseminate "information concerning the aims, purposes and deeds of the Corps, and the interchange of ideas for the betterment and improvement of its officers and men."

The Marine Corps Gazette was introduced in March 1916 as a vehicle used to establish the Marine Corps Association as the professional organization of all marines and to establish a venue to debate issues of importance to the Corps and disseminate military art and science to association members.

In 1976, the Leatherneck Association, publishers of Leatherneck—Magazine of the Marines, merged with the Marine Corps Association in a partnership that has proven beneficial to both organizations.

In 2009, the Marine Corps Association founded the Marine Corps Association Foundation in order to provide more support to professional programs for marines, which include: awards—over 10,600 were provided in 2011 alone—battlefield studies, professional military education forums, and Commanders' Unit Libraries with books from the Commandant's Professional Reading List.

In June 2012, when the Montford Point Marines were being honored with the Congressional Gold Medal, it was the Marine Corps Association Foundation that stepped to the plate and found funding so that each of those historic marines could receive their own replica of the commemorative medal.

In its first year of existence, MCA boasted membership of 91, and today there are over 80,000 members worldwide. The Marine Corps Association and Foundation should be commended for their exemplary work and commitment to Active Duty, Reserve, and wounded marines.

I also note their outstanding efforts in providing our wounded marines with the same programs they provide for Active and Reserve marines. For over 100 years, participation in the Marine Corps Association has supported our Active Duty marines, during peacetime and wartime.

In closing, I want to recognize the centennial anniversary of the Marine Corps Association and its Foundation, and honor the contributions they have made and continue to make to the lives of marines stationed throughout the world.

Mr. Speaker, with that, I'd like to close as I always do. I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform.

I ask God, in His loving arms, to hold the families who've given a child dying in Afghanistan and Iraq.

I ask God to please bless the House and the Senate, that we would do what is right in the eyes of God for God's people today and God's people tomorrow.

And I ask God to please bless the President, that he will do what is right in the eyes of God for God's people today and God's people tomorrow.

And remember the tragedies in Boston and in Texas, Dear God.

I close by saying, God, please, God, please, God, please continue to bless America.

TECHNOLOGY MAY CHANGE, BUT THE CONSTITUTION DOES NOT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, last week Americans across the fruited plain filed their taxes with everyone's favorite government agency—the IRS, or the Internal Revenue Service, as it is called. But the IRS' job is just beginning. Now they will put their police hats on.

Recently, Mr. Speaker, I learned something disturbing that most Americans probably are unaware of. Let's say the IRS decides to snoop around and secretly investigate a citizen named Joe and his taxes. Right now, the government can go to Joe's email provider, demand his email records, and check on his finances that are stored in the cloud, all without Joe's knowledge or consent.

Government agencies have the authority to snoop around through private emails and photos as long as they are 180 days old, no warrant required. How is this possible? Well, it's called the outdated Electronic Communications Privacy Act, ECPA. ECPA was passed back in 1986, the stone age of technology, when most Americans didn't even own a home computer, much less use email or store things in a cloud.

Today we have tweets, g-chats, texts, instagrams, emails and, yes, the cloud. The world of 1986 is gone, and it has been replaced by a world with free, instant, unlimited email storage, high-speed broadband, and cloud computing.

Americans keep many of their most personal possessions online indefinitely: family photographs, schoolwork, sensitive communications, financial records, business plans, personal calendars, and even weekend shopping lists.

In other words, Big Government can force a private company to turn over private information of a citizen, without their consent, without a warrant, and without that person's knowledge. This circumvents the Fourth Amendment's prohibition against unreasonable searches and seizures of Americans' "persons, houses, papers, and personal effects."

Government should get a warrant if it has probable cause to believe a crime

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

is being committed. Technology may have changed, but the Fourth Amendment still applies to the Internet.

The government can't tap our phones without a search warrant. It can't read our mail without a warrant or enter our homes or search our records that we keep in file cabinets. If a person stores information in a bank safety deposit box, the government must get a warrant to go through it.

But ECPA authorizes the government to read emails and social media messages or any property stored in the cloud, without a warrant and without evidence that someone is engaged in criminal activity.

Mr. Speaker, that's an invasion of privacy and an affront to the liberty of every American. Why should the law treat digital data stored in the cloud differently than papers stored in a file cabinet or property in a safety deposit box? It really is no different.

The law must be updated to protect every citizen's right of privacy from the government. Government's unrestricted authority to demand private information stored in the cloud will kill cloud computing by destroying confidence in U.S.-based services and driving businesses to other countries which actually have stronger privacy protections for people who use the cloud. That's what the CEO of Data Foundry, a Texas-based data services provider, has warned. Companies will take their business to other shores that protect personal privacy.

Mr. Speaker, this is the United States. We were founded on the ideals of universal liberty and the right of privacy. That's why Representative ZOE LOFGREN and I have introduced bipartisan legislation to modernize the outdated ECPA. Our bill protects Internet users from intrusive and unwarranted Big Brother surveillance.

The bill requires the government to show probable cause and obtain a search warrant to access electronic communications, just as it would to tap somebody's phone or go through somebody's mail or look in their safety deposit box.

The government would need a warrant to compel service providers to produce documents stored in the cloud and to intercept or demand disclosure of personal location information generated by cell phones.

As technology continues to evolve and improve, Congress must ensure that the Fourth Amendment rights of citizens are protected, even today, with the Internet. The IRS and other government agencies should not be allowed to violate the Fourth Amendment right of privacy. Technology may change, but the Constitution does not.

And that's just the way it is.

□ 1210

NINETY-EIGHTH ANNIVERSARY OF ARMENIAN GENOCIDE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. I rise today in recognition of the Armenian genocide.

Tomorrow, April 24, marks the 98th anniversary of the horrific Armenian genocide that took place approximately between 1915 and 1923. The citations, the history, and the atrocities are well documented. They have been recognized by the European parliament and historians around the world. Sadly, I believe the United States Congress has not gone on record, despite repeated attempts, in recognizing this horrific genocide—the first genocide that took place in the 20th century.

As we all know, history has a way of repeating itself, both for the good and for the bad. While the Armenian genocide was the first in the 20th century that was documented, we all know what took place later with the Holocaust and the attempted genocide of the Jewish people. And today, throughout the 20th century and into the 21st century, we see repeated attempts where genocide has been practiced in Africa and in other parts of the world.

It is not enough simply to condemn those actions, but rather as a people we must come together and acknowledge that there have been very, very difficult and sad times when man's inhumanity to their fellow man has taken place. What has occurred at the Holocaust has been documented in museums here in the United States and in Israel. The attempt to make that similar reflection on the Armenian genocide is still a work in progress.

This week, the Armenian communities throughout America will remind us once again that this injustice to mankind should not only be acknowledged and documented but should never, ever be forgotten. And that's what we will do tomorrow in recognizing the 98th anniversary of this Armenian genocide.

I grew up in a community in the San Joaquin Valley with many wonderful Armenian families. As a young boy, I learned about the history from our neighbors, my friends. And while, sadly, the Turkish Government today is still in denial as to the events that took place between 1915 and 1923, I would hope some day, just as the German Government and others have recognized the fact that there are parts of our history that we would just as soon forget or overlook, we know that if we recognize them, we have greater assurances that they will not repeat themselves.

That's why I rise today to recognize this very sad, sad event that took place in the 20th century. I think we reach out to all the Armenian communities

not only in the United States but throughout the world and stand with them in realizing that their suffering, their pain, and the loss of some 1 million-plus Armenians has been all of our collective loss.

I want to close by saying that tomorrow we recognize the 98th anniversary. We continue to urge our fellow Members of Congress to recognize that we should go on record, in my view, just as we have gone on record on numerous other important events that have taken place in our Nation's history and in world history. I think tomorrow all Americans will stand with our Armenian Americans and Armenians throughout the world in recognizing that, in fact, this genocide did take place; and our thoughts and hearts and prayers go with those who have lost their lives.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

The House returns from a long week-end of meeting with constituents as our Nation continues to process the impact of dramatic explosions in Boston and Texas.

Concerns about budget, taxes, immigration, gun violence, among others, reveal the considerable divisions both in Congress and among the American populace as well.

As opinions and emotions surge loudly and with little indication of easy solution, we take this quiet moment to ask Your blessing upon the Members of this people's House.

Give each Member peace and quiet discernment to work toward common solutions that might ease our divisions and open the way to new hope and confidence that we as a Nation will continue to shine as an example for all the world to emulate.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. FOXX. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Ms. MCCOLLUM) come forward and lead the House in the Pledge of Allegiance.

Ms. MCCOLLUM led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADMINISTRATION'S SEQUESTER IMPLEMENTATION IS SHAMEFUL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Sunday, the Federal Aviation Administration began furloughing air traffic controllers due to the President's sequestration. As a result, American families are set to experience longer security lines, flight delays, and more hardships while traveling.

Yesterday, the White House Press Secretary placed politics over leadership by blaming Congress. Last year, to address the issue, the House acted responsibly by passing two pieces of legislation to replace sequestration. Sadly, the Senate refused to consider our efforts, and the President vowed to veto them.

Once again, the President and his administration chose to act selfishly for political gain by cutting the resources for American passengers rather than reducing costs elsewhere and minimizing sequestration's impact. American families deserve real leadership. The President must start prioritizing the well-being of the American people over petty partisan politics.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SEQUESTRATION

(Ms. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM. Congress should have never passed sequestration.

These reckless cuts are affecting families and communities throughout our Nation and in Indian country. When sequestration was passed, no one thought about how it would disproportionately impact tribal communities. Our Federal Government is failing in its obligation to tribal communities, and sequester has made the problem worse.

Right now, in Minnesota, Native American children are losing tutoring services and access to school counselors because of cuts to Impact Aid. Families that receive health care from the Indian Health Service are not protected from sequestration. The health and, in some cases, even the lives of tribal members are in danger.

This week, the Interior Appropriations Subcommittee will hear from tribal leaders. We will hear how Congress has an obligation and an opportunity to correct this wrong, and Congress must take action.

FEDERAL AVIATION ADMINISTRATION DELAYS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the President's Federal Aviation Administration could use a little help. Faced with the task of trimming its budget only 5 percent—basically, just returning to 2010 spending levels—it has decided to furlough employees and cause flight delays.

How can this be their only option when the FAA's budget has grown almost 110 percent over the past 15 years?

Rather than inflicting unnecessary pain on the American people, President Obama and his FAA should be cutting waste. Within the FAA's budget, there are \$2.7 billion in nonpersonnel costs that should be scrutinized before the President or his Transportation Secretary cry "doomsday" or "delay." Examples include 500 million taxpayer dollars spent by the FAA on consultants, \$143 million on operation costs for the FAA's 46 aircraft, and \$200 million on supplies and travel.

The President's FAA officials have the discretion to reduce such excess and apply savings to the essentials. They should stop punishing the American people with flight delays or threats of shuttered air traffic towers and compromised safety and use the power they have to cut taxpayer-funded waste first.

GOP MUST APPOINT BUDGET CONFEREES

(Mr. POCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POCAN. Congress is now more than 1 week past our legal deadline to produce a final budget for the American people, but this is not due to a lack of activity by either Chamber. In fact, the House has passed a budget, and the Senate has passed a budget; yet there is no movement toward creating a final national budget.

Why? Because Republicans in both the House and the Senate refuse to appoint budget conferees.

Mr. Speaker, the people of Wisconsin and the Nation deserve a Federal budget that reflects our values and that lays out our priorities just like we do in Wisconsin and other States. Without a budget, we cannot respond to emerging needs or cut wasteful programs, and we cannot replace the irresponsible sequester cuts that are hitting our families and communities.

This is unacceptable and it is unnecessary. I am a member of the Budget Committee, and I do not agree with most of what was included in the budget that our committee passed, but I do believe we need to sit down with the Senate and, in an open, transparent process, come to a budget solution.

There is no excuse for inaction. Republicans should immediately appoint budget conferees so we can produce a budget that promotes economic growth and supports our middle class families.

OBAMACARE'S BROKEN PROMISES

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Many of the promises that were made to justify ObamaCare have been broken.

Contrary to what was promised, not everyone will be able to keep their current health coverage; and contrary to what was promised, the average family premium has risen significantly, not dropped. The projected cost to taxpayers has skyrocketed despite assurances it wouldn't add a dime to our deficit. Worse yet, the really sick who can't find health care because of pre-existing conditions are being denied promised help.

Lost coverage, higher premiums, more taxes, and bigger government—that's the reality of ObamaCare. Now one of the Senate's creators of ObamaCare is warning of the impending train wreck coming with the implementation of the health care exchanges next year.

Mr. Speaker, this Congress needs to derail ObamaCare and start making promises we can keep.

□ 1410

NATIONAL PARK WEEK

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, during National Park Week, we celebrate, perhaps, America's best idea and remember that these parks belong to all the people of America.

Since they are part of our national heritage, it is every American's obligation to ensure that we preserve these national treasures for the next generation.

Yosemite is one of the crown jewels of our national park system, and it has a special place in the hearts of Californians, as well as this Californian.

Today, I'm introducing a bill with Senator DIANNE FEINSTEIN that would expand Yosemite National Park to include 1,600 acres that were originally intended to be part of the park. This would restore the park to its original vision and protect its most vulnerable western border.

Our bill has the broad bipartisan support of local government, State officials, and many other groups.

It has been said that there is nothing more American than our national park system.

With this bill, we are restoring this national treasure to its original boundary and showing that we remain dedicated to this truly American idea.

FIXING DEMOCRAT PROBLEMS III:
FAA FLIGHT DELAYS

(Mr. MEADOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEADOWS. Madam Speaker, this administration seems bound and determined to wield their sequester—automatic, across-the-board cuts—like a club in order to drive their political agenda. Their latest move? These politically motivated flight delays being felt by travelers at airports all across America.

The Federal Aviation Administration apparently believes that the only way to implement these cuts is to furlough thousands of traffic controllers, tying up the skyways all across this country. It would appear that they've missed the \$2.7 billion in potential savings that they've chosen to ignore.

Did they really need to spend \$325 million in travel costs, especially when their operation budget has already grown by 109 percent since 1996? These unnecessary flight delays are just the latest proof that this administration is clearly more interested in making a political point than coming up with serious solutions to the problems that our Nation faces.

We need to cut wasteful spending for more efficient, effective government

that would foster a healthier economy and create jobs now.

H.R. 1549: A WIN-WIN FOR
CONSERVATIVES

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Madam Speaker, tomorrow on the floor of this House, we will consider H.R. 1549, the Helping Sick Americans Now Act.

This bill is a win-win for our constituents. It's compassionate towards the most vulnerable.

Unlike other parts of the Affordable Care Act, which only expand broken government-run programs, this program will provide private health insurance to sick Americans.

The bill is fiscally responsible. It reduces the country's deficit while redirecting funds from a slush fund while the administration uses the Prevention and Public Health Fund money to prop up their train wreck of implementation for the Affordable Care Act. Conservatives actually want to use it to help sick Americans.

This bill helps those with preexisting conditions that have no other options and provides a fiscally conservative policy that reduces the deficit.

I urge Members of the House to support and pass H.R. 1549 when it's on the floor tomorrow.

KEYSTONE PIPELINE

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEBER of Texas. It has been 1,677 days, Mr. Speaker, that have passed since we first started discussing the Keystone pipeline, a project that would create—depending on whose numbers you use—2,000 to 20,000 jobs; \$2.05 billion in worker salaries; and \$65 million in local tax revenue.

On Friday, I sent a letter to the State Department demanding action on the Keystone pipeline. The project is in the best interest of all Americans. Up to 83,000 barrels of oil per day could be delivered to gulf coast refineries, which is equal to roughly half of the amount of oil we import from the Middle East.

My question for the President and Secretary Kerry is this: What is the holdup? Seventy percent of Americans want this project because they understand that it is a step closer for this country to energy independence and security.

I hope the President and Secretary Kerry are listening because it is time to build this country.

I'm RANDY WEBER, and I love living in America.

TAX REFORM

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. Mr. Speaker, as we continue to seek answers to the bombings in Boston and pray for the victims and their families, we are working on important issues here in Washington.

This past tax season, American taxpayers spent billions of hours and enormous amounts of money to complete their tax filings. Roughly nine out of 10 Americans relied on paid professionals or commercial software to prepare their tax returns, and small business owners found themselves spending more resources complying with the Tax Code rather than creating jobs. That's why I am committed to making our Tax Code simpler, fairer, and less expensive for America's working families and businesses.

Mr. Speaker, the time is now to act and to create a Tax Code that is easier to navigate and promotes growth to the benefit of individuals, small and large businesses alike, and the U.S. economy as a whole.

This is the year to reform our Tax Code to benefit all Americans in a bipartisan capacity.

MANUFACTURING

(Mr. LONG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LONG. We're a Nation of builders.

We all agree we need to get the Nation's economy growing again in order to create jobs. The manufacturing sector will play an integral role in creating jobs for hardworking Americans.

As a member of the Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade, I look forward to working with my colleagues as we continue our hearing series focused on our Nation's manufacturing sector.

I enjoy highlighting the strong manufacturing base in the Seventh District of Missouri and showcasing the amazing work of businesses in the district.

I'm looking forward to our annual manufacturing tour next month and meeting with the hardworking, tireless Missourians who are the backbone of a strong manufacturing sector in the United States.

I remain hopeful that these opportunities will result in a growing manufacturing base and more jobs for southwest Missouri.

Our Nation needs a strong and robust manufacturing sector which will help create jobs and grow our Nation's economy. I will continue to support that effort and allow our Nation's manufacturing sector to prosper.

PUT AMERICANS' SAFETY FIRST

(Mr. SMITH of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, our hearts are heavy because of the Boston bombings that killed and maimed so many.

We need to wait for all the facts before deciding how the terrorist attack impacts immigration policy. But this much I hope we can agree on: the safety of the American people must come first.

At the least, we should secure our border and bolster interior enforcement before we legalize millions of illegal immigrants in the U.S. To give amnesty to millions without knowing whether some of them want to do us harm is to jeopardize American lives.

We should go slow before making any changes to immigration policy that don't put the interests of Americans first. We owe that to both the victims and the survivors.

APPOINTMENT OF MEMBER TO BRITISH-AMERICAN INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore (Mr. MEADOWS). The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276L, and the order of the House of January 3, 2013, of the following Member on the part of the House to the British-American Interparliamentary Group:

Mr. HOLDING, North Carolina

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 19 minutes p.m.), the House stood in recess.

□ 1629

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 4 o'clock and 29 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

TECHNICAL CORRECTIONS AND IMPROVEMENTS IN TITLE 36, UNITED STATES CODE

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 1067) to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

Sec. 2. Purpose.

Sec. 3. Technical amendments.

SEC. 2. PURPOSE.

The purpose of this Act is to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.

SEC. 3. TECHNICAL AMENDMENTS.

(a) TABLES OF CONTENTS.—

(1) TABLE OF CONTENTS OF THE TITLE.—Title 36, United States Code, is amended in the matter before subtitle I by striking

“Subtitle	Sec.
“I. PATRIOTIC AND NATIONAL OBSERVANCES AND CEREMONIES	101
“II. PATRIOTIC AND NATIONAL ORGANIZATIONS	10101
“III. TREATY OBLIGATION ORGANIZATIONS	300101”

and inserting

“Subtitle I—Patriotic and National Observances and Ceremonies “Part A—Observances and Ceremonies

“Chap.	Sec.
“1. Patriotic and National Observances	101
“3. National Anthem, Motto, Floral Emblem, March, and Tree	301
“5. Presidential Inaugural Ceremonies ..	501
“7. Federal Participation in Carl Garner Federal Lands Cleanup Day	701
“9. Miscellaneous	901

“Part B—United States Government Organizations Involved With Observances and Ceremonies

“21. American Battle Monuments Commission	2101
“23. United States Holocaust Memorial Council	2301
“25. President's Committee on Employment of People With Disabilities ..	2501

“Subtitle II—Patriotic and National Organizations

“Part A—General	
“101. General	10101
“Part B—Organizations	
“201. Agricultural Hall of Fame	20101
“202. Air Force Sergeants Association	20201
“203. American Academy of Arts and Letters	20301
“205. American Chemical Society	20501
“207. American Council of Learned Societies	20701
“209. American Ex-Prisoners of War	20901
“210. American GI Forum of the United States	21001
“211. American Gold Star Mothers, Incorporated	21101
“213. American Historical Association	21301
“215. American Hospital of Paris	21501
“217. The American Legion	21701
“219. The American National Theater and Academy	21901
“221. The American Society of International Law	22101
“223. American Symphony Orchestra League	22301
“225. American War Mothers	22501
“227. AMVETS (American Veterans)	22701
“229. Army and Navy Union of the United States of America	22901
“231. Aviation Hall of Fame	23101
“233 through 299	Reserved

“301. Big Brothers—Big Sisters of America	30101
“303. Blinded Veterans Association	30301
“305. Blue Star Mothers of America, Inc.	30501
“307. Board For Fundamental Education	30701
“309. Boy Scouts of America	30901
“311. Boys & Girls Clubs of America	31101
“313 through 399	Reserved
“401. Catholic War Veterans of the United States of America, Incorporated	40101
“403. Civil Air Patrol	40301
“405. Congressional Medal of Honor Society of the United States of America	40501
“407. Corporation for the Promotion of Rifle Practice and Firearms Safety	40701
“409 through 499	Reserved
“501. Daughters of Union Veterans of the Civil War 1861–1865	50101
“503. Disabled American Veterans	50301
“505 through 599	Reserved
“601. 82nd Airborne Division Association, Incorporated	60101
“603 through 699	Reserved
“701. Fleet Reserve Association	70101
“703. Former Members of Congress	70301
“705. The Foundation of the Federal Bar Association	70501
“707. Frederick Douglass Memorial and Historical Association	70701
“709. Future Farmers of America	70901
“711 through 799	Reserved
“801. General Federation of Women's Clubs	80101
“803. Girl Scouts of the United States of America	80301
“805. Gold Star Wives of America	80501
“807 through 899	Reserved
“901. Help America Vote Foundation	90101
“903 through 999	Reserved
“1001. Italian American War Veterans of the United States	100101
“1003 through 1099	Reserved
“1101. Jewish War Veterans of the United States of America, Incorporated	110101
“1103. Jewish War Veterans, U.S.A., National Memorial, Incorporated	110301
“1105 through 1199	Reserved
“1201. Korean War Veterans Association, Incorporated	120101
“1203 through 1299	Reserved
“1301. Ladies of the Grand Army of the Republic	130101
“1303. Legion of Valor of the United States of America, Incorporated	130301
“1305. Little League Baseball, Incorporated	130501
“1307 through 1399	Reserved
“1401. Marine Corps League	140101
“1403. The Military Chaplains Association of the United States of America	140301
“1404. Military Officers Association of America	140401
“1405. Military Order of the Purple Heart of the United States of America, Incorporated	140501
“1407. Military Order of the World Wars	140701
“1409 through 1499	Reserved
“1501. National Academy of Public Administration	150101
“1503. National Academy of Sciences	150301
“1505. National Conference of State Societies, Washington, District of Columbia	150501
“1507. National Conference on Citizenship	150701
“1509. National Council on Radiation Protection and Measurements	150901
“1511. National Education Association of the United States	151101
“1513. National Fallen Firefighters Foundation	151301
“1515. National Federation of Music Clubs	151501
“1517. National Film Preservation Foundation	151701
“1519. National Fund for Medical Education	151901
“1521. National Mining Hall of Fame and Museum	152101
“1523. National Music Council	152301
“1524. National Recording Preservation Foundation	152401
“1525. National Safety Council	152501
“1527. National Ski Patrol System, Incorporated	152701
“1529. National Society, Daughters of the American Colonists	152901

"1531. The National Society of the Daughters of the American Revolution ...	153101
"1533. National Society of the Sons of the American Revolution	153301
"1535. National Tropical Botanical Garden	153501
"1537. National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic	153701
"1539. The National Yeomen (F)	153901
"1541. Naval Sea Cadet Corps	154101
"1543. Navy Club of the United States of America	154301
"1545. Navy Wives Clubs of America	154501
"1547. Non Commissioned Officers Association of the United States of America, Incorporated	154701
"1549 through 1599	Reserved
"1601 through 1699	Reserved
"1701. Paralyzed Veterans of America	170101
"1703. Pearl Harbor Survivors Association	170301
"1705. Polish Legion of American Veterans, U.S.A.	170501
"1707 through 1799	Reserved
"1801 through 1899	Reserved
"1901. Reserve Officers Association of the United States	190101
"1903. Retired Enlisted Association, Incorporated	190301
"1905 through 1999	Reserved
"2001. Society of American Florists and Ornamental Horticulturists	200101
"2003. Sons of Union Veterans of the Civil War	200301
"2005 through 2099	Reserved
"2101. Theodore Roosevelt Association	210101
"2103. 369th Veterans' Association	210301
"2105 through 2199	Reserved
"2201. United Service Organizations, Incorporated	220101
"2203. United States Capitol Historical Society	220301
"2205. United States Olympic Committee ..	220501
"2207. United States Submarine Veterans of World War II	220701
"2209 through 2299	Reserved
"2301. Veterans of Foreign Wars of the United States	230101
"2303. Veterans of World War I of the United States of America, Incorporated	230301
"2305. Vietnam Veterans of America, Inc. ...	230501
"2307 through 2399	Reserved
"2401. Women's Army Corps Veterans' Association	240101
"2403 through 2499	Reserved
"2501 through 2599	Reserved
"2601 through 2699	Reserved
"2701 through 2799	Reserved

"Subtitle III—Treaty Obligation Organizations

"3001. The American National Red Cross ... 300101".
(2) TABLES OF CONTENTS OF SUBTITLES.— Title 36, United States Code, is further amended as follows:

(A) In the matter before chapter 1, after the heading

"Subtitle I—Patriotic and National Observances and Ceremonies",

strike

"PART A—OBSERVANCES AND CEREMONIES"

and all that follows through

"25. President's Committee on Employment of People With Disabilities .. 2501".

(B) In the matter before chapter 101, after the heading

"Subtitle II—Patriotic and National Organizations",

strike

"PART A—GENERAL"

and all that follows through

"2701. [Reserved] 270101".

(C) In the matter before chapter 3001, after the heading

"Subtitle III—Treaty Obligation Organizations",

strike

"Chapter Sec.

"3001. The American National Red Cross ... 300101".

(b) RESERVED CHAPTERS.— Title 36, United States Code, is further amended as follows:

(1) In the matter before

"CHAPTER 301—BIG BROTHERS—BIG SISTERS OF AMERICA",

insert

"CHAPTERS 233 THROUGH 299—RESERVED".

(2) In the matter before

"CHAPTER 401—CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED",

insert

"CHAPTERS 313 THROUGH 399—RESERVED".

(3) In the matter before

"CHAPTER 501—DAUGHTERS OF UNION VETERANS OF THE CIVIL WAR 1861-1865",

insert

"CHAPTERS 409 THROUGH 499—RESERVED".

(4) In the matter before

"CHAPTER 601—82ND AIRBORNE DIVISION ASSOCIATION, INCORPORATED",

insert

"CHAPTERS 505 THROUGH 599—RESERVED".

(5) In the matter before

"CHAPTER 701—FLEET RESERVE ASSOCIATION",

insert

"CHAPTERS 603 THROUGH 699—RESERVED".

(6) In the matter before

"CHAPTER 801—GENERAL FEDERATION OF WOMEN'S CLUBS",

insert

"CHAPTERS 711 THROUGH 799—RESERVED".

(7) In the matter before

"CHAPTER 1001—ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES",

strike

"CHAPTER 901—[RESERVED]"

and insert (before chapter 901 as renumbered and transferred by subsection (c)(6)(A)).

"CHAPTERS 807 THROUGH 899—RESERVED".

(8) In the matter before

"CHAPTER 1001—ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES"

insert (after chapter 901 as renumbered and transferred by subsection (c)(6)(A))

"CHAPTERS 903 THROUGH 999—RESERVED".

(9) In the matter before

"CHAPTER 1101—JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED",

insert

"CHAPTERS 1003 THROUGH 1099—RESERVED".

(10) In the matter before

"CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED",

insert

"CHAPTERS 1105 THROUGH 1199—RESERVED".

(11) In the matter before

"CHAPTER 1301—LADIES OF THE GRAND ARMY OF THE REPUBLIC",

insert

"CHAPTERS 1203 THROUGH 1299—RESERVED".

(12) In the matter before

"CHAPTER 1401—MARINE CORPS LEAGUE",

insert

"CHAPTERS 1307 THROUGH 1399—RESERVED".

(13) In the matter before

"CHAPTER 1501—NATIONAL ACADEMY OF PUBLIC ADMINISTRATION",

insert

"CHAPTERS 1409 THROUGH 1499—RESERVED".

(14) In the matter before

"CHAPTER 1701—PARALYZED VETERANS OF AMERICA",

strike

"CHAPTER 1601—[RESERVED]"

and insert

"CHAPTERS 1549 THROUGH 1599—RESERVED

"CHAPTERS 1601 THROUGH 1699—RESERVED".

(15) In the matter before

"CHAPTER 1901—RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES",

strike

"CHAPTER 1801—[RESERVED]"

and insert

"CHAPTERS 1707 THROUGH 1799—RESERVED

"CHAPTERS 1801 THROUGH 1899—RESERVED".

(16) In the matter before

"CHAPTER 2001—SOCIETY OF AMERICAN FLORISTS AND ORNAMENTAL HORTICULTURISTS",

insert

"CHAPTERS 1905 THROUGH 1999—RESERVED".

(17) In the matter before

"CHAPTER 2101—THEODORE ROOSEVELT ASSOCIATION",

insert

"CHAPTERS 2005 THROUGH 2099—RESERVED".

(18) In the matter before

"CHAPTER 2201—UNITED SERVICE ORGANIZATIONS, INCORPORATED",

insert

"CHAPTERS 2105 THROUGH 2199—RESERVED".

(19) In the matter before

"CHAPTER 2301—VETERANS OF FOREIGN WARS OF THE UNITED STATES",

insert

"CHAPTERS 2209 THROUGH 2299—RESERVED".

(20) In the matter before

"CHAPTER 2401—WOMEN'S ARMY CORPS VETERANS' ASSOCIATION",

insert

"CHAPTERS 2307 THROUGH 2399—RESERVED".

(21) In the matter before

"Subtitle III—Treaty Obligation Organizations",

strike

"CHAPTER 2501—[RESERVED]"

"CHAPTER 2601—[RESERVED]"

"CHAPTER 2701—[RESERVED]"

and insert

"CHAPTERS 2403 THROUGH 2499—RESERVED"**"CHAPTERS 2501 THROUGH 2599—RESERVED"****"CHAPTERS 2601 THROUGH 2699—RESERVED"****"CHAPTERS 2701 THROUGH 2799—RESERVED"**

(c) OTHER TECHNICAL AMENDMENTS TO TITLE 36.—Title 36, United States Code, is further amended as follows:

(1) NATIONAL ANTHEM, MOTTO, FLORAL EMBLEM, MARCH, AND TREE.—In the heading for chapter 3, strike **"FLORAL EMBLEM MARCH"** and insert **"FLORAL EMBLEM, MARCH"**.

(2) UNITED STATES HOLOCAUST MEMORIAL MUSEUM.—In section 2301(2), strike "section 2306" and insert "section 2304".

(3) CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.—In section 40706(a)—

(A) in the matter before paragraph (1), strike the dash appearing after "the Secretary of the Army" and insert a colon;

(B) in paragraph (1), strike "firearms" and insert "Firearms"; and

(C) in paragraph (3), strike "trophies" and insert "Trophies".

(4) MILITARY OFFICERS ASSOCIATION OF AMERICA.—In section 140402, in the matter before paragraph (1), strike "(a) GENERAL.—The purposes" and insert "The purposes".

(5) NATIONAL FILM PRESERVATION FOUNDATION.—In section 151705(b), in the matter before paragraph (1), strike "the the jurisdiction" and insert "the jurisdiction".

(6) HELP AMERICA VOTE FOUNDATION.—

(A) RENUMBERING AND TRANSFER OF CHAPTER.—Chapter 1526 is renumbered as chapter 901 and transferred so as to appear after

"CHAPTERS 807 THROUGH 899—RESERVED"

(as inserted by subsection (b)(7)).

(B) RENUMBERING OF SECTIONS.—In chapter 901, as renumbered by subparagraph (A), and in the chapter analysis, sections 152601 through 152612 are renumbered as sections 90101 through 90112, respectively.

(C) CONFORMING AMENDMENT.—In section 90109, as renumbered by subparagraph (B), strike "section 152602" and insert "section 90102".

(7) NATIONAL TROPICAL BOTANICAL GARDEN.—At the end of the chapter table of contents for chapter 1535, insert—

"153514. Authorization of appropriations."

(8) NATIONAL YEOMEN (F).—

(A) In the heading for chapter 1539, strike **"YEOMEN F"** and insert **"YEOMEN (F)"**.

(B) In section 153901, strike "Yeomen F" and insert "Yeomen (F)".

(C) In paragraphs (1) and (2) of section 153902, strike "Yeomen (f)" and insert "Yeomen (F)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from California (Ms. BASS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1067 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I rise today to bring before the House H.R. 1067, a bill Ranking Member CONYERS and I introduced to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.

All changes made by this bill are purely technical in nature. This bill was prepared by the Office of the Law Revision Counsel of the House of Representatives as part of its ongoing responsibility to prepare and submit periodically to the Committee on the Judiciary proposed bills to maintain titles of the United States Code that have been enacted into positive law.

H.R. 1067 is an important bill because it ensures that the U.S. Code is up-to-date and usable. For these reasons, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to join Chairman GOODLATTE in supporting H.R. 1067.

This commonsense, noncontroversial bill was authored by the chairman, together with Ranking Member CONYERS as an original cosponsor.

H.R. 1067 simply makes long overdue technical revisions to title 36 of the U.S. Code pertaining to the patriotic and national observances and ceremonies, patriotic and national organizations, and treaty obligation organizations.

This legislation has a history of strong bipartisan support. In the 112th Congress, Chairman SMITH and Ranking Member CONYERS introduced identical legislation that passed the House by a vote of 392-0. Last month, the Judiciary Committee ordered the bill reported favorably by voice vote without amendment on March 14.

H.R. 1067 was prepared by the Office of the Law Revision Counsel as part of its statutory responsibility to draft and submit to the Judiciary Committee a complete compilation, restatement, and revision of the general and permanent laws of the United States.

Among the revisions that H.R. 1067 makes are the following: it replaces the existing abbreviated table of contents for title 36 with a more comprehensive version; it updates the format of chapter headings of reserved chapters; and makes other necessary technical corrections.

This measure is not intended to make any substantial changes to the law.

I thank Chairman GOODLATTE and Ranking Member CONYERS for their

leadership on this legislation, and I urge my colleagues to support H.R. 1067.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I thank the gentlewoman from California for her remarks, and she is correct that this is bipartisan legislation that makes technical but important changes to title 36 of the United States Code.

With that, I urge my colleagues to support it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1067.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NATIONAL PARK SERVICE AND RELATED PROGRAMS ENACTMENT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1068) to enact title 54, United States Code, "National Park Service and Related Programs", as positive law, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1068

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. Purpose; conformity with original intent.
- Sec. 3. Enactment of title 54, United States Code.
- Sec. 4. Conforming amendments.
- Sec. 5. Conforming cross-references.
- Sec. 6. Transitional and savings provisions.
- Sec. 7. Repeals.

SEC. 2. PURPOSE; CONFORMITY WITH ORIGINAL INTENT.

(a) PURPOSE.—The purpose of this Act is to codify certain existing laws relating to the National Park System as title 54, United States Code, "National Park Service and Related Programs".

(b) CONFORMITY WITH ORIGINAL INTENT.—In the codification of laws by this Act, the intent is to conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections, in accordance with section 205(c)(1) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93-554 (2 U.S.C. 285b(1)).

SEC. 3. ENACTMENT OF TITLE 54, UNITED STATES CODE.

Title 54, United States Code, "National Park Service and Related Programs", is enacted as follows:

TITLE 54—NATIONAL PARK SERVICE AND RELATED PROGRAMS

Subtitle I—National Park System

Division A—Establishment and General Administration

Chap.		Sec.
1001.	General Provisions	100101
1003.	Establishment, Directors, and Other Employees	100301
1005.	Areas of National Park System	100501
1007.	Resource Management	100701
1009.	Administration	100901
1011.	Donations	101101
1013.	Employees	101301
1015.	Transportation	101501
1017.	Financial Agreements	101701
1019.	Concessions and Commercial Use Authorizations	101901
1021.	Privileges and Leases	102101
1023.	Programs and Organizations	102301
1025.	Museums	102501
1027.	Law Enforcement and Emergency Assistance	102701
1029.	Land Transfers	102901
1031.	Appropriations and Accounting	103101
1033.	National Military Parks	103301
1035.	through 1047	Reserved
1049.	Miscellaneous	104901

Division B—System Units and Related Areas—Reserved

Subtitle II—Outdoor Recreation Programs

2001.	Coordination of Programs	200101
2003.	Land and Water Conservation Fund	200301
2005.	Urban Park and Recreation Recovery Program	200501

Subtitle III—National Preservation Programs

Division A—Historic Preservation

Subdivision 1—General Provisions

3001.	Policy	300101
3003.	Definitions	300301

Subdivision 2—Historic Preservation Program

3021.	National Register of Historic Places	302101
3023.	State Historic Preservation Programs	302301
3025.	Certification of Local Governments	302501
3027.	Historic Preservation Programs and Authorities for Indian Tribes and Native Hawaiian Organizations	302701
3029.	Grants	302901
3031.	Historic Preservation Fund	303101
3033.	Through 3037	Reserved
3039.	Miscellaneous	303901

Subdivision 3—Advisory Council on Historic Preservation

3041.	Advisory Council on Historic Preservation	304101
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Subdivision 4—Other Organizations and Programs

3051.	Historic Light Station Preservation	305101
3053.	National Center for Preservation Technology and Training	305301
3055.	National Building Museum	305501

Subdivision 5—Federal Agency Historic Preservation Responsibilities

3061.	Program Responsibilities and Authorities	306101
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Subdivision 6—Miscellaneous

3071.	Miscellaneous	307101
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Division B—Organizations and Programs

Subdivision 1—Administered by National Park Service

3081.	American Battlefield Protection Program	308101
3083.	National Underground Railroad Network to Freedom	308301
3085.	National Women's Rights History Project	308501
3087.	National Maritime Heritage	308701
3089.	Save America's Treasures Program	308901

3091.	Commemoration of Former Presidents	309101
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Subdivision 2—Administered Jointly With National Park Service

3111.	Preserve America Program	311101
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Subdivision 3—Administered by Other Than National Park Service

3121.	National Trust for Historic Preservation in the United States	312101
3123.	Commission for the Preservation of America's Heritage Abroad	312301
3125.	Preservation of Historical and Archeological Data	312501

Division C—American Antiquities

3201.	Policy and Administrative Provisions	320101
3203.	Monuments, Ruins, Sites, and Objects of Antiquity	320301

Subtitle I—National Park System

Division A—Establishment and General Administration

Chapter 1001—General Provisions

Sec.	
100101.	Promotion and regulation.
100102.	Definitions.

§ 100101. Promotion and regulation

(a) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall promote and regulate the use of the National Park System by means and measures that conform to the fundamental purpose of the System units, which purpose is to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

(b) DECLARATIONS.—

(1) 1970 DECLARATIONS.—Congress declares that—

(A) the National Park System, which began with establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States and its territories and possessions;

(B) these areas, though distinct in character, are united through their interrelated purposes and resources into one National Park System as cumulative expressions of a single national heritage;

(C) individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one System preserved and managed for the benefit and inspiration of all the people of the United States; and

(D) it is the purpose of this division to include all these areas in the System and to clarify the authorities applicable to the System.

(2) 1978 REAFFIRMATION.—Congress reaffirms, declares, and directs that the promotion and regulation of the various System units shall be consistent with and founded in the purpose established by subsection (a), to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of the System units shall be conducted in light of the high public value and integrity of the System and shall not be exercised in derogation of the values and purposes for which the System units have been established, except as directly and specifically provided by Congress.

§ 100102. Definitions

In this title:

(1) DIRECTOR.—The term “Director” means the Director of the National Park Service.

(2) NATIONAL PARK SYSTEM.—The term “National Park System” means the areas of land and water described in section 100501 of this title.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(4) SERVICE.—The term “Service” means the National Park Service.

(5) SYSTEM.—The term “System” means the National Park System.

(6) SYSTEM UNIT.—The term “System unit” means one of the areas described in section 100501 of this title.

Chapter 1003—Establishment, Directors, and Other Employees

Sec.

100301.	Establishment.
100302.	Directors and other employees.
100303.	Effect on other laws.

§ 100301. Establishment

There is in the Department of the Interior a service called the National Park Service.

§ 100302. Directors and other employees

(a) DIRECTOR.—

(1) APPOINTMENT.—The Service shall be under the charge of a director who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) QUALIFICATIONS.—The Director shall have substantial experience and demonstrated competence in land management and natural or cultural resource conservation.

(3) AUTHORITY.—Under the direction of the Secretary, the Director shall have the supervision, management, and control of System units. In the supervision, management, and control of System units contiguous to national forests the Secretary of Agriculture may cooperate with the Service to such extent as may be requested by the Secretary.

(b) DEPUTY DIRECTORS.—The Director shall select 2 Deputy Directors. One Deputy Director shall have responsibility for Service operations, and the other Deputy Director shall have responsibility for other programs assigned to the Service.

(c) OTHER EMPLOYEES.—The Service shall have such subordinate officers and employees as may be appropriated for by Congress.

§ 100303. Effect on other laws

This chapter and sections 100101(a), 100751(a), 100752, 100753, and 102101 of this title do not affect or modify section 100902(a) of this title.

Chapter 1005—Areas of National Park System

Sec.

100501.	Areas included in System.
100502.	General management plans.
100503.	Five-year strategic plans.
100504.	Study and planning of park, parkway, and recreational-area facilities.
100505.	Periodic review of System.
100506.	Boundary changes to System units.
100507.	Additional areas for System.

§ 100501. Areas included in System

The System shall include any area of land and water administered by the Secretary, acting through the Director, for park, monument, historic, parkway, recreational, or other purposes.

§ 100502. General management plans

General management plans for the preservation and use of each System unit, including areas within the national capital area, shall be prepared and revised in a timely

manner by the Director. On January 1 of each year, the Secretary shall submit to Congress a list indicating the current status of completion or revision of general management plans for each System unit. General management plans for each System unit shall include—

(1) measures for the preservation of the area's resources;

(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems, and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

(3) identification of and implementation commitments for visitor carrying capacities for all areas of the System unit; and

(4) indications of potential modifications to the external boundaries of the System unit, and the reasons for the modifications.

§ 100503. Five-year strategic plans

(a) **STRATEGIC AND PERFORMANCE PLANS.**—Each System unit shall prepare and make available to the public a 5-year strategic plan and an annual performance plan. The plans shall reflect the Service policies, goals, and outcomes represented in the Service-wide strategic plan prepared pursuant to section 306 of title 5.

(b) **ANNUAL BUDGET.**—

(1) **IN GENERAL.**—As a part of the annual performance plan for a System unit prepared pursuant to subsection (a), following receipt of the appropriation for the unit from the Operations of the National Park System account (but not later than January 1 of each year), the superintendent of the System unit shall develop and make available to the public the budget for the current fiscal year for that System unit.

(2) **CONTENTS.**—The budget shall include—

(A) funding allocations for resource preservation (including resource management), visitor services (including maintenance, interpretation, law enforcement, and search and rescue), and administration; and

(B) allocations into each of the categories in subparagraph (A) of all funds retained from fees collected for that year, including special use permits, concession franchise fees, and recreation use and entrance fees.

§ 100504. Study and planning of park, parkway, and recreational-area facilities

(a) **IN GENERAL.**—

(1) **DEFINITION.**—In this subsection, the term “State” means a State, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

(2) **STUDY.**—The Secretary shall cause the Service to make a comprehensive study, other than on land under the jurisdiction of the Secretary of Agriculture, of the public park, parkway, and recreational area programs of the United States, States, and political subdivisions of States and of areas of land throughout the United States that are or may be chiefly valuable as public park, parkway, or recreational areas. A study shall not be made in any State without the consent and approval of the State officials, boards, or departments having jurisdiction over the land. The study shall be such as, in the judgment of the Secretary, will provide data helpful in developing a plan for coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States.

(3) **COOPERATION AND AGREEMENTS WITH OTHER ENTITIES.**—In making the study and to accomplish the purposes of this section, the Secretary, acting through the Director—

(A) shall seek and accept the cooperation and assistance of Federal departments or agencies having jurisdiction of land belonging to the United States; and

(B) may cooperate and make agreements with and seek and accept the assistance of—

(i) other Federal agencies and instrumentalities; and

(ii) States, political subdivisions of States, and agencies and instrumentalities of either of them.

(4) **STATE PLANNING.**—For the purpose of developing coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States, the Secretary may aid States and political subdivisions of States in planning public park, parkway, and recreational areas and in cooperating with one another to accomplish these ends. Aid shall be made available through the Service acting in cooperation with such State agencies or agencies of political subdivisions of States as the Secretary considers best.

(b) **CONSENT OF CONGRESS TO AGREEMENTS BETWEEN STATES.**—The consent of Congress is given to any 2 or more States to negotiate and enter into compacts or agreements with one another with reference to planning, establishing, developing, improving, and maintaining any park, parkway, or recreational area. No compact or agreement shall be effective until approved by the legislatures of the States that are parties to the compact or agreement and by Congress.

§ 100505. Periodic review of System

(a) **AUTHORITY OF SECRETARY TO CONDUCT REVIEW.**—The Secretary shall conduct a systematic and comprehensive review of certain aspects of the System and on a periodic basis (but not less often than every 3 years) submit to the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate a report on the findings of the review, together with recommendations as the Secretary determines to be necessary.

(b) **CONSULTATION.**—In conducting and preparing the report, the Secretary shall consult with appropriate officials of affected Federal, State, and local agencies and national, regional, and local organizations. The consultation shall include holding public hearings that the Secretary determines to be appropriate to provide a full opportunity for public comment.

(c) **CONTENTS OF REPORT.**—The report shall contain the following:

(1) A comprehensive listing of all authorized but unacquired parcels of land within the exterior boundaries of each System unit as of November 28, 1990.

(2) A priority listing of all those unacquired parcels by System unit and for the System as a whole. The list shall describe the acreage and ownership of each parcel, the estimated cost of acquisition for each parcel (subject to any statutory acquisition limitations for the land), and the basis for the estimate.

(3) An analysis and evaluation of the current and future needs of each System unit for resource management, interpretation, construction, operation and maintenance, personnel, and housing, together with an estimate of the costs.

§ 100506. Boundary changes to System units

(a) **CRITERIA FOR EVALUATION.**—The Secretary shall maintain criteria to evaluate any proposed changes to the boundaries of System units, including—

(1) analysis of whether or not an existing boundary provides for the adequate protection and preservation of the natural, historic, cultural, scenic and recreational resources integral to the System unit;

(2) an evaluation of each parcel proposed for addition or deletion to a System unit based on the analysis under paragraph (1); and

(3) an assessment of the impact of potential boundary adjustments taking into consideration the factors in section 100505(c)(3) of this title and the effect of the adjustments on the local communities and surrounding area.

(b) **PROPOSAL OF SECRETARY.**—In proposing a boundary change to a System unit, the Secretary shall—

(1) consult with affected agencies of State and local governments, surrounding communities, affected landowners, and private national, regional, and local organizations;

(2) apply the criteria developed pursuant to subsection (a) and accompany the proposal with a statement reflecting the results of the application of the criteria; and

(3) include with the proposal an estimate of the cost for acquiring any parcels proposed for acquisition, the basis for the estimate, and a statement on the relative priority for the acquisition of each parcel within the priorities for acquisition of other parcels for the System unit and for the System.

(c) **MINOR BOUNDARY CHANGES.**—

(1) **IN GENERAL.**—When the Secretary determines that to do so will contribute to, and is necessary for, the proper preservation, protection, interpretation, or management of a System unit, the Secretary may, following timely notice in writing to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate of the Secretary's intention to do so, and by publication of a revised boundary map or other description in the Federal Register—

(A) make minor changes to the boundary of the System unit, and amounts appropriated from the Fund shall be available for acquisition of any land, water, and interests in land or water added to the System unit by the boundary change subject to such statutory limitations, if any, on methods of acquisition and appropriations thereof as may be specifically applicable to the System unit; and

(B) acquire by donation, purchase with donated funds, transfer from any other Federal agency, or exchange, land, water, or interests in land or water adjacent to the System unit, except that in exercising the Secretary's authority under this subparagraph the Secretary—

(i) shall not alienate property administered as part of the System to acquire land by exchange;

(ii) shall not acquire property without the consent of the owner; and

(iii) may acquire property owned by a State or political subdivision of a State only by donation.

(2) **CONSULTATION.**—Prior to making a determination under this subsection, the Secretary shall consult with the governing body of the county, city, town, or other jurisdiction or jurisdictions having primary taxing authority over the land or interest to be acquired as to the impacts of the proposed action.

(3) **ACTION TO ADVANCE LOCAL PUBLIC AWARENESS.**—The Secretary shall take such steps as the Secretary considers appropriate to advance local public awareness of the proposed action.

(4) **ADMINISTRATION OF ACQUISITIONS.**—Land, water, and interests in land or water acquired in accordance with this subsection shall be administered as part of the System unit to which they are added, subject to the laws and regulations applicable to the System unit.

(5) **WHEN AUTHORITY APPLIES.**—For the purposes of paragraph (1)(A), in all cases except the case of technical boundary changes (resulting from such causes as survey error or changed road alignments), the authority of the Secretary under paragraph (1)(A) shall apply only if each of the following conditions is met:

(A) The sum of the total acreage of the land, water, and interests in land or water to be added to the System unit and the total acreage of the land, water, and interests in land or water to be deleted from the System unit is not more than 5 percent of the total Federal acreage authorized to be included in the System unit and is less than 200 acres.

(B) The acquisition, if any, is not a major Federal action significantly affecting the quality of the human environment, as determined by the Secretary.

(C) The sum of the total appraised value of the land, water, and interests in land or water to be added to the System unit and the total appraised value of the land, water, and interests in land or water to be deleted from the System unit does not exceed \$750,000.

(D) The proposed boundary change is not an element of a more comprehensive boundary change proposal.

(E) The proposed boundary has been subject to a public review and comment period.

(F) The Director obtains written consent for the boundary change from all property owners whose land, water, or interests in land or water, or a portion of whose land, water, or interests in land or water, will be added to or deleted from the System unit by the boundary change.

(G) The land abuts other Federal land administered by the Director.

(6) **ACT OF CONGRESS REQUIRED.**—Minor boundary changes involving only deletions of acreage owned by the Federal Government and administered by the Service may be made only by Act of Congress.

§ 100507. Additional areas for System

(a) **MONITORING AREAS FOR INCLUSION IN SYSTEM.**—The Secretary shall investigate, study, and continually monitor the welfare of areas whose resources exhibit qualities of national significance and that may have potential for inclusion in the System.

(b) **SUBMISSION OF LIST OF AREAS RECOMMENDED FOR STUDY FOR POTENTIAL INCLUSION.**—

(1) **WHEN LIST IS TO BE SUBMITTED.**—At the beginning of each calendar year, with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a list of areas recommended for study for potential inclusion in the System.

(2) **FACTORS TO BE CONSIDERED.**—In developing the list to be submitted under this subsection, the Secretary shall consider—

(A) the areas that have the greatest potential to meet the established criteria of national significance, suitability, and feasibility;

(B) themes, sites, and resources not already adequately represented in the System; and

(C) public petitions and Congressional resolutions.

(3) **ACCOMPANYING SYNOPSIS.**—Accompanying the annual listing of areas shall be a synopsis, for each report previously submitted, of the current and changed condition of the resource integrity of the area and other relevant factors, compiled as a result of continual periodic monitoring and embracing the period since the previous submission or initial report submission one year earlier.

(4) **CONGRESSIONAL AUTHORIZATION REQUIRED.**—No study of the potential of an area for inclusion in the System may be initiated except as provided by specific authorization of an Act of Congress.

(5) **AUTHORITY TO CONDUCT CERTAIN ACTIVITIES NOT LIMITED.**—This section and sections 100901(b), 101702(b) and (c), and 102102 of this title do not limit the authority of the Service to conduct preliminary resource assessments, gather data on potential study areas, provide technical and planning assistance, prepare or process nominations for administrative designations, update previous studies, or complete reconnaissance surveys of individual areas requiring a total expenditure of less than \$25,000.

(6) **STUDY OF RIVERS OR TRAILS NOT AFFECTED.**—This section does not apply to or affect or alter the study of—

(A) any river segment for potential addition to the national wild and scenic rivers system; or

(B) any trail for potential addition to the national trails system.

(c) **STUDY OF AREAS FOR POTENTIAL INCLUSION.**—

(1) **STUDY TO BE COMPLETED WITHIN 3 YEARS.**—The Secretary shall complete the study for each area for potential inclusion in the System within 3 complete fiscal years following the date on which funds are first made available for that purpose.

(2) **OPPORTUNITY FOR PUBLIC INVOLVEMENT REQUIRED.**—Each study under this section shall be prepared with appropriate opportunity for public involvement, including at least one public meeting in the vicinity of the area under study, and after reasonable efforts to notify potentially affected landowners and State and local governments.

(3) **CONSIDERATIONS.**—In conducting the study, the Secretary shall consider whether the area under study—

(A) possesses nationally significant natural or cultural resources and represents one of the most important examples of a particular resource type in the country; and

(B) is a suitable and feasible addition to the System.

(4) **SCOPE OF STUDY.**—Each study—

(A) with regard to the area being studied, shall consider—

(i) the rarity and integrity of the resources;

(ii) the threats to those resources;

(iii) whether similar resources are already protected in the System or in other public or private ownership;

(iv) the public use potential;

(v) the interpretive and educational potential;

(vi) costs associated with acquisition, development, and operation;

(vii) the socioeconomic impacts of any designation;

(viii) the level of local and general public support; and

(ix) whether the area is of appropriate configuration to ensure long-term resource protection and visitor use;

(B) shall consider whether direct Service management or alternative protection by other public agencies or the private sector is appropriate for the area;

(C) shall identify what alternative or combination of alternatives would in the professional judgment of the Director be most effective and efficient in protecting significant resources and providing for public enjoyment; and

(D) may include any other information that the Secretary considers to be relevant.

(5) **COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.**—Each study shall be completed in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(6) **RECOMMENDATION OF PREFERRED MANAGEMENT OPTION.**—The letter transmitting each completed study to Congress shall contain a recommendation regarding the Secretary's preferred management option for the area.

(d) **LIST OF AREAS PREVIOUSLY STUDIED.**—

(1) **SUBMISSION OF LIST.**—At the beginning of each calendar year, with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, in numerical order of priority for addition to the System—

(A) a list of areas that have been previously studied that contain primarily historical resources; and

(B) a list of areas that have been previously studied that contain primarily natural resources.

(2) **CONSIDERATIONS.**—In developing the lists, the Secretary should consider threats to resource values, cost escalation factors, and other factors listed in subsection (c).

(3) **AREAS ELIGIBLE FOR INCLUSION.**—The Secretary should include on the lists only areas for which the supporting data are current and accurate.

(e) **LIST OF AREAS THAT EXHIBIT DANGER OR THREATS TO THE INTEGRITY OF THEIR RESOURCES.**—At the beginning of each fiscal year, the Secretary shall submit to the Speaker of the House of Representatives and the President of the Senate a complete and current list of all areas listed on the Registry of Natural Landmarks, and areas of national significance listed on the National Register of Historic places, that exhibit known or anticipated damage or threats to the integrity of their resources, with notations as to the nature and severity of the damage or threats.

(f) **REPORTS AND LISTINGS PRINTED AS HOUSE DOCUMENTS.**—Each report and annual listing described in this section shall be printed as a House document. If adequate supplies of previously printed identical reports remain available, newly submitted identical reports shall be omitted from printing on receipt by the Speaker of the House of Representatives of a joint letter from the chairman of the Committee on Natural Resources of the House of Representatives and the chairman of the Committee on Energy and Natural Resources of the Senate indicating that to be the case.

(g) **DESIGNATION OF OFFICE.**—The Secretary shall designate a single office to prepare all new area studies and to implement other functions under this section.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **STUDIES OF POTENTIAL NEW SYSTEM UNITS AND MONITORING THE WELFARE OF SYSTEM UNIT RESOURCES.**—To carry out studies for potential new System units and for monitoring the welfare of historical and natural resources referred to in subparagraphs (A) and (B) of subsection (d)(1), there is authorized to be appropriated not more than \$1,000,000 for each fiscal year.

(2) **MONITORING WELFARE AND INTEGRITY OF NATIONAL LANDMARKS.**—To monitor the welfare and integrity of the national landmarks, there is authorized to be appropriated not more than \$1,500,000 for each fiscal year.

(3) **CARRYING OUT SUBSECTIONS (b), (c), and (g).**—To carry out subsections (b), (c), and (g), there is authorized to be appropriated \$2,000,000 for each fiscal year.

Chapter 1007—Resource Management

Subchapter I—System Resource Inventory and Management

Sec.

100701. Protection, interpretation, and research in System.

100702. Research mandate.

100703. Cooperative study units.

100704. Inventory and monitoring program.

100705. Availability of System units for scientific study.

100706. Integration of study results into management decisions.

100707. Confidentiality of information.

Subchapter II—System Unit Resource Protection

100721. Definitions.

100722. Liability.

100723. Actions.

100724. Use of recovered amounts.

100725. Donations.

Subchapter III—Mining Activity Within System Units

100731. Findings and declaration.

100732. Preservation and management of System units by Secretary; promulgation of regulations.

100733. Recordation of mining claims; publication of notice.

100734. Report on finding or notification of potential damage to natural and historical landmarks.

100735. Civil actions for just compensation by mining claim holders.

100736. Acquisition of land by Secretary.

100737. Financial disclosure by officer or employee of Secretary.

Subchapter IV—Administration

100751. Regulations.

100752. Destruction of animals and plant life.

100753. Disposal of timber.

100754. Relinquishment of legislative jurisdiction.

100755. Applicability of other laws.

Subchapter I—System Resource Inventory and Management

§ 100701. Protection, interpretation, and research in System

Recognizing the ever increasing societal pressures being placed upon America's unique natural and cultural resources contained in the System, the Secretary shall continually improve the ability of the Service to provide state-of-the-art management, protection, and interpretation of, and research on, the resources of the System.

§ 100702. Research mandate

The Secretary shall ensure that management of System units is enhanced by the availability and utilization of a broad program of the highest quality science and information.

§ 100703. Cooperative study units

The Secretary shall enter into cooperative agreements with colleges and universities, including land grant schools, in partnership with other Federal and State agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources of the System, or the larger region of which System units are a part.

§ 100704. Inventory and monitoring program

The Secretary shall undertake a program of inventory and monitoring of System resources to establish baseline information and to provide information on the long-term trends in the condition of System resources. The monitoring program shall be developed in cooperation with other Federal monitoring and information collection efforts to ensure a cost-effective approach.

§ 100705. Availability of System units for scientific study

(a) **IN GENERAL.**—The Secretary may solicit, receive, and consider requests from Federal or non-Federal public or private agencies, organizations, individuals, or other entities for the use of any System unit for purposes of scientific study.

(b) **CRITERIA.**—A request for use of a System unit under subsection (a) may be approved only if the Secretary determines that the proposed study—

(1) is consistent with applicable laws and Service management policies; and

(2) will be conducted in a manner that poses no threat to the System unit resources or public enjoyment derived from System unit resources.

(c) **FEE WAIVER.**—The Secretary may waive any System unit admission or recreational use fee in order to facilitate the conduct of scientific study under this section.

(d) **BENEFIT-SHARING ARRANGEMENTS.**—The Secretary may negotiate for and enter into equitable, efficient benefit-sharing arrangements with the research community and private industry.

§ 100706. Integration of study results into management decisions

The Secretary shall take such measures as are necessary to ensure the full and proper utilization of the results of scientific study for System unit management decisions. In each case in which an action undertaken by the Service may cause a significant adverse effect on a System unit resource, the administrative record shall reflect the manner in which System unit resource studies have been considered. The trend in the condition of resources of the System shall be a significant factor in the annual performance evaluation of each superintendent of a System unit.

§ 100707. Confidentiality of information

Information concerning the nature and specific location of a System resource that is endangered, threatened, rare, or commercially valuable, of mineral or paleontological objects within System units, or of objects of cultural patrimony within System units, may be withheld from the public in response to a request under section 552 of title 5 unless the Secretary determines that—

(1) disclosure of the information would further the purposes of the System unit in which the resource or object is located and would not create an unreasonable risk of harm, theft, or destruction of the resource or object, including individual organic or inorganic specimens; and

(2) disclosure is consistent with other laws protecting the resource or object.

Subchapter II—System Unit Resource Protection

§ 100721. Definitions

In this subchapter:

(1) **DAMAGES.**—The term “damages” includes—

(A) compensation for—

(i) the cost of replacing, restoring, or acquiring the equivalent of a System unit resource; and

(ii) the value of any significant loss of use of a System unit resource pending its restoration or replacement or the acquisition of an equivalent resource; or

(i) the value of the System unit resource if the System unit resource cannot be replaced or restored; and

(B) the cost of a damage assessment under section 100723(b) of this title.

(2) **RESPONSE COSTS.**—The term “response costs” means the costs of actions taken by the Secretary to—

(A) prevent or minimize destruction or loss of or injury to a System unit resource;

(B) abate or minimize the imminent risk of the destruction, loss, or injury; or

(C) monitor ongoing effects of incidents causing the destruction, loss, or injury.

(3) **SYSTEM UNIT RESOURCE.**—

(A) **IN GENERAL.**—The term “System unit resource” means any living or non-living resource that is located within the boundaries of a System unit.

(B) **EXCLUSION.**—The term “System unit resource” does not include a resource owned by a non-Federal entity.

§ 100722. Liability

(a) **IN GENERAL.**—Subject to subsection (c), any person that destroys, causes the loss of, or injures any System unit resource is liable to the United States for response costs and damages resulting from the destruction, loss, or injury.

(b) **LIABILITY IN REM.**—Any instrumentality, including a vessel, vehicle, aircraft, or other equipment, that destroys, causes the loss of, or injures any System unit resource shall be liable in rem to the United States for response costs and damages resulting from the destruction, loss, or injury to the same extent as a person is liable under subsection (a).

(c) **DEFENSES.**—A person is not liable under this section if the person establishes that—

(1) the destruction, loss of, or injury to the System unit resource was caused solely by an act of God or an act of war;

(2) the person acted with due care, and the destruction, loss of, or injury to the System unit resource was caused solely by an act or omission of a 3d party, other than an employee or agent of the person; or

(3) the destruction, loss, or injury to the System unit resource was caused by an activity authorized by Federal or State law.

(d) **SCOPE.**—Liability under this section is in addition to any other liability that may arise under Federal or State law.

§ 100723. Actions

(a) **CIVIL ACTION FOR RESPONSE COSTS AND DAMAGES.**—The Attorney General, on request of the Secretary after a finding by the Secretary of destruction, loss, or injury to a System unit resource or a finding that absent the undertaking of a response action, destruction, loss, or injury to a System unit resource would have occurred, may bring a civil action in United States district court against any person or instrumentality that may be liable under section 100722 of this title for response costs and damages. The Secretary shall submit a request for the civil action to the Attorney General whenever a person may be liable or an instrumentality may be liable in rem for those costs and damages under section 100722 of this title.

(b) **RESPONSE ACTIONS AND ASSESSMENT OF DESTRUCTION, LOSS, OR INJURY.**—

(1) **ACTIONS TO PREVENT OR MINIMIZE DESTRUCTION, LOSS, OR INJURY.**—The Secretary shall undertake all necessary actions to—

(A) prevent or minimize the destruction, loss of, or injury to System unit resources; or

(B) minimize the imminent risk of destruction, loss, or injury to System unit resources.

(2) **ASSESSMENT AND MONITORING.**—The Secretary shall assess and monitor destruction, loss, or injury to System unit resources.

§ 100724. Use of recovered amounts

(a) **LIMITATION ON USE.**—Response costs and damages recovered by the Secretary under this subchapter or amounts recovered by the Federal Government under any Federal, State, or local law or regulation or otherwise as a result of destruction, loss of, or injury to any System unit resource shall be available to the Secretary and without further Congressional action may be used only as follows:

(1) **REIMBURSEMENT.**—To reimburse response costs and damage assessments by the Secretary or other Federal agencies as the Secretary considers appropriate.

(2) **RESTORATION AND REPLACEMENT.**—To restore, replace, or acquire the equivalent of System unit resources that were the subject of the action and to monitor and study those System unit resources. The funds may not be used to acquire any land or water, interest in land or water, or right to land or water unless the acquisition is specifically approved in advance in appropriations Acts. The acquisition shall be subject to any limitations contained in the legislation establishing the System unit.

(b) **EXCESS AMOUNTS.**—Any amounts remaining after expenditures pursuant to paragraphs (1) and (2) of subsection (a) shall be deposited in the Treasury.

§ 100725. Donations

The Secretary may accept donations of money or services for expenditure or employment to meet expected, immediate, or ongoing response costs. The donations may be expended or employed at any time after their acceptance, without further Congressional action.

Subchapter III—Mining Activity Within System Units

§ 100731. Findings and declaration

Congress finds and declares that—

(1) the level of technology of mineral exploration and development has changed radically, and continued application of the mining laws of the United States to System units to which the mining laws apply conflicts with the purposes for which the System units were established; and

(2) all mining operations in System units should be conducted so as to prevent or minimize damage to the environment and other resource values.

§ 100732. Preservation and management of System units by Secretary; promulgation of regulations

To preserve for the benefit of present and future generations the pristine beauty of System units, and to further the purposes of section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of this title and the individual organic Acts for the System units, all activities resulting from the exercise of mineral rights on patented or unpatented mining claims within any System unit shall be subject to such regulations prescribed by the Secretary as the Secretary considers necessary or desirable for the preservation and management of the System units.

§ 100733. Recordation of mining claims; publication of notice

All mining claims under the Mining Law of 1872 (30 U.S.C. chapter 2, sections 161 and 162, and chapters 12A and 16) that lie within the

boundaries of System units in existence on September 28, 1976, that were not recorded with the Secretary within one year after September 28, 1976, shall be conclusively presumed to be abandoned and shall be void. The recordation does not render valid any claim that was not valid on September 28, 1976, or that becomes invalid after that date.

§ 100734. Report on finding or notification of potential damage to natural and historical landmarks

When the Secretary finds on the Secretary's own motion or on being notified in writing by an appropriate scientific, historical, or archeological authority that a district, site, building, structure, or object that has been found to be nationally significant in illustrating natural history or the history of the United States and that has been designated as a natural or historic landmark may be irreparably lost or destroyed in whole or in part by any surface mining activity, including exploration for or removal or production of minerals or materials, the Secretary shall notify the person conducting the activity and submit a report on the findings or notification, including the basis for the Secretary's finding that the activity may cause irreparable loss or destruction of a national landmark, to the Advisory Council on Historic Preservation, with a request for advice of the Council as to alternative measures that may be taken by the United States to mitigate or abate the activity.

§ 100735. Civil actions for just compensation by mining claim holders

The holder of any patented or unpatented mining claim subject to this subchapter that believes the holder has suffered a loss by operation of this subchapter, or by orders or regulations issued pursuant to this subchapter, may bring a civil action in United States district court to recover just compensation, which shall be awarded if the court finds that the loss constitutes a taking of property compensable under the Constitution.

§ 100736. Acquisition of land by Secretary

Nothing in this subchapter shall be construed to limit the authority of the Secretary to acquire land and interests in land within the boundary of any System unit. The Secretary shall give prompt and careful consideration to any offer made by the owner of any valid right or other property in Glacier Bay National Monument, Death Valley National Monument, Organ Pipe Cactus National Monument, or Mount McKinley National Park to sell the right or other property if the owner notifies the Secretary that the continued ownership of the right or property is causing, or would result in, undue hardship.

§ 100737. Financial disclosure by officer or employee of Secretary

(a) **WRITTEN STATEMENTS.**—Each officer or employee of the Secretary who—

(1) performs any function or duty under this subchapter, or any Act amended by the Mining in the Parks Act (Public Law 94-429, 90 Stat. 1342) concerning the regulation of mining in the System; and

(2) has any known financial interest—

(A) in any person subject to this subchapter or any Act amended by the Mining in the Parks Act (Public Law 94-429, 90 Stat. 1342); or

(B) in any person who holds a mining claim within the boundary of any System unit; shall annually file with the Secretary a written statement concerning all such interests held by the officer or employee during the

preceding calendar year. The statement shall be available to the public.

(b) **MONITORING AND ENFORCEMENT PROCEDURES.**—The Secretary shall—

(1) define the term “known financial interest” for purposes of subsection (a);

(2) establish the methods by which the requirement to file written statements specified in subsection (a) will be monitored and enforced, including appropriate provisions for the filing by the officers and employees of the statements and the review by the Secretary of the statements; and

(3) submit to Congress on June 1 of each year a report with respect to the disclosures and the actions taken in regard to the disclosures during the preceding calendar year.

(c) **EXEMPTIONS.**—In the rules prescribed under subsection (b), the Secretary may identify specific positions within the Department of the Interior that are of a nonregulatory or nonpolicy-making nature and provide that officers or employees occupying those positions shall be exempt from the requirements of this section.

(d) **CRIMINAL PENALTIES.**—Criminal penalties for a violation of this section are provided by section 1865 of title 18.

Subchapter IV—Administration

§ 100751. Regulations

(a) **IN GENERAL.**—The Secretary shall prescribe such regulations as the Secretary considers necessary or proper for the use and management of System units.

(b) **BOATING AND OTHER ACTIVITIES ON OR RELATING TO WATER.**—The Secretary, under such terms and conditions as the Secretary considers advisable, may prescribe regulations under subsection (a) concerning boating and other activities on or relating to water located within System units, including water subject to the jurisdiction of the United States. Any regulation under this subsection shall be complementary to, and not in derogation of, the authority of the Coast Guard to regulate the use of water subject to the jurisdiction of the United States.

(c) **CRIMINAL PENALTIES.**—Criminal penalties for a violation of a regulation prescribed under this section are provided by section 1865 of title 18.

§ 100752. Destruction of animals and plant life

The Secretary may provide for the destruction of such animals and plant life as may be detrimental to the use of any System unit.

§ 100753. Disposal of timber

The Secretary, on terms and conditions to be fixed by the Secretary, may sell or dispose of timber in cases where, in the judgment of the Secretary, the cutting of timber is required to control attacks of insects or diseases or otherwise conserve the scenery or the natural or historic objects in any System unit.

§ 100754. Relinquishment of legislative jurisdiction

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary may relinquish to a State or a territory (including a possession) of the United States part of the legislative jurisdiction of the United States over System land or interests in land in that State or territory. Relinquishment may be accomplished—

(1) by filing with the chief executive official of the State or territory a notice of relinquishment to take effect on acceptance; or

(2) as the laws of the State or territory may otherwise provide.

(b) **SUBMISSION OF AGREEMENT TO CONGRESS.**—Prior to consummating a relinquishment under subsection (a), the Secretary

shall submit the proposed agreement to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives. The Secretary shall not finalize the agreement until 60 calendar days after the submission has elapsed.

(c) **CONCURRENT LEGISLATIVE JURISDICTION.**—The Secretary shall diligently pursue the consummation of arrangements with each State or territory within which a System unit is located so that insofar as practicable the United States shall exercise concurrent legislative jurisdiction within System units.

§ 100755. Applicability of other laws

(a) **IN GENERAL.**—This section and sections 100501, 100901(d) to (h), 101302(b)(2), 101901(c), and 102711 of this title, and the various authorities relating to the administration and protection of System units, including the provisions of law listed in subsection (b), shall, to the extent that those provisions are not in conflict with any such specific provision, be applicable to System units, and any reference in any of these provisions to a System unit does not limit those provisions to that System unit.

(b) **APPLICABLE PROVISIONS.**—The provisions of law referred to in subsection (a) are—

(1) section 100101(a), chapter 1003, sections 100751(a), 100752, 100753, 101101, 101102, 101511, 102101, 102712, 102901, 104905, and 104906, and chapter 2003 of this title;

(2) the Act of March 4, 1911 (43 U.S.C. 961); and

(3) chapter 3201 of this title.

Chapter 1009—Administration

Sec.

100901. Authority of Secretary to carry out certain activities.

100902. Rights of way for public utilities and power and communication facilities.

100903. Solid waste disposal operations.

100904. Admission and special recreation use fees.

100905. Commercial filming.

100906. Advisory committees.

§ 100901. Authority of Secretary to carry out certain activities

(a) **IN GENERAL.**—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may carry out the activities described in this section.

(b) **SERVICES, RESOURCES, OR WATER CONTRACTS.**—The Secretary may enter into contracts that provide for the sale or lease to persons, States, or political subdivisions of States, of services, resources, or water available within a System unit, as long as the activity does not jeopardize or unduly interfere with the primary natural or historic resource of the System unit, if the person, State, or political subdivision—

(1) provides public accommodations or services within the immediate vicinity of the System unit to individuals visiting the System unit; and

(2) demonstrates to the Secretary that there are no reasonable alternatives by which to acquire or perform the necessary services, resources, or water.

(c) **VEHICULAR AIR CONDITIONING.**—The Secretary may acquire, and have installed, air conditioning units for any Government-owned passenger motor vehicles used by the Service, where assigned duties necessitate long periods in automobiles or in regions of the United States where high temperatures and humidity are common and prolonged.

(d) **UTILITY FACILITIES.**—The Secretary may erect and maintain fire protection facilities, water lines, telephone lines, electric lines, and other utility facilities adjacent to any System unit, where necessary, to provide service in the System unit.

(e) **SUPPLIES AND RENTAL OF EQUIPMENT.**—The Secretary may furnish, on a reimbursement of appropriation basis, supplies, and rent equipment, to persons and agencies that, in cooperation with and subject to the approval of the Secretary, render services or perform functions that facilitate or supplement the activities of the Department of the Interior in the administration of the System. The reimbursements may be credited to the appropriation current at the time reimbursements are received.

(f) **CONTRACTS FOR UTILITY FACILITIES.**—The Secretary may contract, under terms and conditions that the Secretary considers to be in the interest of the Federal Government, for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration and protection of the System, regardless of whether the lines and facilities are located within or outside the System.

(g) **RIGHTS OF WAY NECESSARY TO CONSTRUCT, IMPROVE, AND MAINTAIN ROADS.**—The Secretary may acquire—

(1) rights of way necessary to construct, improve, and maintain roads within the authorized boundaries of any System unit; and

(2) land and interests in land adjacent to the rights of way, when—

(A) considered necessary by the Secretary—

(i) to provide adequate protection of natural features; or

(ii) to avoid traffic and other hazards resulting from private road access connections; or

(B) the acquisition of adjacent residual tracts, which otherwise would remain after acquiring the rights of way, would be in the public interest.

(h) **OPERATION AND MAINTENANCE OF MOTOR AND OTHER EQUIPMENT.**—

(1) **IN GENERAL.**—The Secretary may operate, repair, maintain, and replace motor and other equipment on a reimbursable basis when the equipment is used on Federal projects of the System, chargeable to other appropriations, or on work of other Federal agencies, when requested by the agencies.

(2) **REIMBURSEMENT.**—Reimbursement shall be—

(A) made from appropriations applicable to the work on which the equipment is used at rental rates established by the Secretary, based on actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control; and

(B) credited to appropriations currently available at the time adjustment is effected.

(3) **RENTAL OF EQUIPMENT FOR FIRE CONTROL PURPOSES.**—The Secretary may rent equipment for fire control purposes to State, county, private, or other non-Federal agencies that cooperate with the Secretary in the administration of the System and other areas in fire control. The rental shall be under the terms of written cooperative agreements. The amount collected for the rentals shall be credited to appropriations currently available at the time payment is received.

§ 100902. Rights of way for public utilities and power and communication facilities

(a) **PUBLIC UTILITIES.**—

(1) **IN GENERAL.**—Under regulations the Secretary prescribes, the Secretary may

grant a right of way through a System unit to a citizen, association, or corporation of the United States that intends to use the right of way for—

(A) electrical plants, poles, and lines for the generation and distribution of electrical power;

(B) telephone and telegraph purposes; and

(C) canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits and water plants, dams, and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses.

(2) **EXTENT OF RIGHT OF WAY.**—A right of way under this subsection shall be for—

(A) the ground occupied by the canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or electrical or other works permitted under paragraph (1); and

(B) not more than 50 feet—

(i) on each side of the marginal limits of the ground; or

(ii) on each side of the center line of the pipes and pipe lines, electrical, telegraph, and telephone lines and poles.

(3) **APPROVAL.**—A right of way under this subsection shall be allowed within or through a System unit only on the approval of the Secretary and on a finding that the right of way is not incompatible with the public interest.

(4) **REVOCATION.**—The Secretary may revoke a right of way under this subsection.

(5) **RIGHT, EASEMENT, OR INTEREST NOT CONFERRED.**—A right of way under this subsection does not confer any right, easement, or interest in, to, or over a System unit.

(b) **POWER AND COMMUNICATION FACILITIES.**—

(1) **IN GENERAL.**—Under regulations the Secretary prescribes, the Secretary may grant a right of way over, across, and on through a System unit to a citizen, association, or corporation of the United States that intends to use the right of way for—

(A) electrical poles and lines for the transmission and distribution of electrical power;

(B) poles and lines for communication purposes; and

(C) radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities.

(2) **EXTENT OF RIGHT OF WAY.**—A right of way under this subsection—

(A) shall be for not more than 50 years from the date the right of way is granted; and

(B) for—

(i) lines and poles shall be for 200 feet on each side of the center line of the lines and poles; and

(ii) radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities shall be for not more than 400 feet by 400 feet.

(3) **APPROVAL.**—A right of way under this subsection shall be allowed within or through a System unit only on the approval of the Secretary and on a finding that the right of way is not incompatible with the public interest.

(4) **FORFEITURE AND ANNULMENT.**—The Secretary may forfeit and annul any part of a right of way under this subsection for—

(A) nonuse for a period of 2 years; or

(B) abandonment.

§ 100903. Solid waste disposal operations

(a) **IN GENERAL.**—To protect the air, land, water, and natural and cultural values of the System and the property of the United States in the System, no solid waste disposal

site (including any site for the disposal of domestic or industrial solid waste) may be operated within the boundary of any System unit, other than—

(1) a site that was operating as of September 1, 1984; or

(2) a site used only for disposal of waste generated within that System unit so long as the site will not degrade any of the natural or cultural resources of the System unit.

(b) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section, including reasonable regulations to mitigate the adverse effects of solid waste disposal sites in operation as of September 1, 1984, on property of the United States.

§ 100904. Admission and special recreation use fees

(a) SYSTEM UNITS AT WHICH ENTRANCE FEES OR ADMISSIONS FEES CANNOT BE COLLECTED.—

(1) WITHHOLDING OF AMOUNTS.—Notwithstanding section 107 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105-83, 111 Stat. 1561), the Secretary shall withhold from the special account under section 807(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(a)) 100 percent of the fees and charges collected in connection with any System unit at which entrance fees or admission fees cannot be collected by reason of deed restrictions.

(2) USE OF AMOUNTS.—Amounts withheld under paragraph (1) shall be retained by the Secretary and shall be available, without further appropriation, for expenditure by the Secretary for the System unit with respect to which the amounts were collected for the purposes of enhancing the quality of the visitor experience, protection of resources, repair and maintenance, interpretation, signage, habitat or facility enhancement, resource preservation, annual operation (including fee collection), maintenance, and law enforcement.

(b) ALLOCATION OF FUNDS TO SYSTEM UNITS.—

(1) ALLOCATION OF FUNDS ON BASIS OF NEED.—Ten percent of the funds made available to the Director under subsection (a) in each fiscal year shall be allocated among System units on the basis of need in a manner to be determined by the Director.

(2) ALLOCATION OF FUNDS BASED ON EXPENSES AND BASED ON FEES COLLECTED.—

(A) IN GENERAL.—Forty percent of the funds made available to the Director under subsection (a) in each fiscal year shall be allocated among System units in accordance with subparagraph (B) of this subsection and 50 percent shall be allocated in accordance with subparagraph (C).

(B) ALLOCATION BASED ON EXPENSES.—The amount allocated to each System unit under this paragraph for each fiscal year based on expenses shall be a fraction of the total allocation to all System units under this paragraph. The fraction for each System unit shall be determined by dividing the operating expenses at that System unit during the prior fiscal year by the total operating expenses at all System units during the prior fiscal year.

(C) ALLOCATION BASED ON FEES COLLECTED.—The amount allocated to each System unit under this paragraph for each fiscal year based on fees collected shall be a fraction of the total allocation to all System units under this paragraph. The fraction for each System unit shall be determined by dividing the user fees and admission fees collected under this section at that System unit during the prior fiscal year by the total of

user fees and admission fees collected under this section at all System units during the prior fiscal year.

(3) AVAILABILITY OF AMOUNTS.—Amounts allocated under this subsection to any System unit for any fiscal year and not expended in that fiscal year shall remain available for expenditure at that System unit until expended.

(c) SELLING OF PERMITS.—

(1) AUTHORITY TO SELL PERMITS.—When authorized by the Secretary, volunteers at System units may sell permits and collect fees authorized or established pursuant to this section. The Secretary shall ensure that the volunteers have adequate training regarding—

(A) the sale of permits and the collection of fees;

(B) the purposes and resources of the System units in which they are assigned; and

(C) the provision of assistance and information to visitors to the System unit.

(2) SURETY BOND REQUIRED.—The Secretary shall require a surety bond for any such volunteer performing services under this subsection. Funds available to the Service may be used to cover the cost of the surety bond. The Secretary may enter into arrangements with qualified public or private entities pursuant to which the entities may sell (without cost to the United States) annual admission permits (including Golden Eagle Passports) at any appropriate location. The arrangements shall require each such entity to reimburse the United States for the full amount to be received from the sale of the permits at or before the Secretary delivers the permits to the entity for sale.

(d) CHARGE FOR TRANSPORTATION PROVIDED BY SERVICE FOR VIEWING SYSTEM UNITS.—

(1) CHARGE WHEN TRANSPORTATION PROVIDED.—Where the Service provides transportation to view all or a portion of any System unit, the Director may impose a charge for the service in lieu of an admission fee under this section.

(2) RETENTION OF CHARGE AND USE OF RETAINED AMOUNT.—Notwithstanding any other provision of law, half of the charges imposed under paragraph (1) shall be retained by the System unit at which the service was provided. The remainder shall be deposited in the same manner as receipts from fees collected pursuant to this section. Fifty percent of the amount retained shall be expended only for maintenance of transportation systems at the System unit where the charge was imposed. The remaining 50 percent of the retained amount shall be expended only for activities related to resource protection at those System units.

(e) ADMISSION FEES.—Where the primary public access to a System unit is provided by a concessioner, the Secretary may charge an admission fee at the System unit only to the extent that the total of the fee charged by the concessioner for access to the System unit and the admission fee does not exceed the maximum amount of the admission fee that could otherwise be imposed.

(f) COMMERCIAL TOUR USE FEES.—

(1) ESTABLISHMENT.—In the case of each System unit for which an admission fee is charged under this section, the Secretary shall establish a commercial tour use fee to be imposed on each vehicle entering the System unit for the purpose of providing commercial tour services within the System unit.

(2) AMOUNT.—The Secretary shall establish the amount of fee per entry as follows:

(A) Twenty-five dollars per vehicle with a passenger capacity of 25 individuals or less.

(B) Fifty dollars per vehicle with a passenger capacity of more than 25 individuals.

(3) ADJUSTMENTS.—The Secretary may periodically make reasonable adjustments to the commercial tour use fee imposed under this subsection.

(4) NONAPPLICABILITY.—The commercial tour use fee imposed under this subsection shall not apply to the following:

(A) Any vehicle transporting organized school groups or outings conducted for educational purposes by schools or other bona fide educational institutions.

(B) Any vehicle entering a System unit pursuant to a contract issued under subchapter II of chapter 1019 of this title.

(5) APPLICABILITY.—This subsection shall apply to aircraft entering the airspace of—

(A) Haleakalā Crater, Crater Cabins, the Scientific Research Reserve, Halemau Trail, Kaupo Gap Trail, or any designated tourist viewpoint in Haleakalā National Park or of Grand Canyon National Park; or

(B) any other System unit for the specific purpose of providing commercial tour services if the Secretary determines that the level of the services is equal to or greater than the level at the System units specified in subparagraph (A).

§ 100905. Commercial filming

(a) COMMERCIAL FILMING FEE.—

(1) IN GENERAL.—The Secretary shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects in a System unit. The fee shall provide a fair return to the United States and shall be based on the following criteria:

(A) The number of days the filming activity or similar project takes place in the System unit.

(B) The size of the film crew present in the System unit.

(C) The amount and type of equipment present in the System unit.

(2) OTHER FACTORS.—The Secretary may include other factors in determining an appropriate fee as the Secretary considers necessary.

(b) RECOVERY OF COSTS.—The Secretary shall collect any costs incurred as a result of filming activities or similar projects, including administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

(c) STILL PHOTOGRAPHY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall not require a permit or assess a fee for still photography in a System unit if the photography takes place where members of the public are generally allowed. The Secretary may require a permit, assess a fee, or both, if the photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.

(2) EXCEPTION.—The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props that are not a part of the site's natural or cultural resources or administrative facilities.

(d) PROTECTION OF RESOURCES.—The Secretary shall not permit any filming, still photography or other related activity if the Secretary determines that—

(1) there is a likelihood of resource damage;

(2) there would be an unreasonable disruption of the public's use and enjoyment of the site; or

(3) the activity poses health or safety risks to the public.

(e) USE OF PROCEEDS.—

(1) FEES.—All fees collected under this section shall be available for expenditure by the Secretary, without further appropriation and shall remain available until expended.

(2) COSTS.—All costs recovered under this section shall be available for expenditure by the Secretary, without further appropriation, at the site where the costs are collected and shall remain available until expended.

(f) PROCESSING OF PERMIT APPLICATIONS.—The Secretary shall establish a process to ensure that the Secretary responds in a timely manner to permit applicants for commercial filming, still photography, or other activity.

§ 100906. Advisory committees

(a) ESTABLISHMENT.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may appoint and establish advisory committees in regard to the functions of the Service as the Secretary considers advisable.

(b) CHARTER EXCEPTION ON RENEWAL.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) is waived with respect to any advisory commission or advisory committee established by law in connection with any System unit during the period for which the commission or committee is authorized by law.

(c) SERVICE OF MEMBERS.—Any member of any advisory commission or advisory committee established in connection with any System unit may serve after the expiration of the member's term until a successor is appointed.

(d) COMPENSATION AND TRAVEL EXPENSES.—Members of an advisory committee established under subsection (a) shall receive no compensation for their services as such but shall be allowed necessary travel expenses as authorized by section 5703 of title 5.

Chapter 1011—Donations**Subchapter I—Authority of Secretary**

101101. Authority to accept land, rights-of-way, buildings, other property, and money.

101102. Authority to accept and use funds to consolidate Federal land ownership.

Subchapter II—National Park Foundation

101111. Purpose and establishment of Foundation.

101112. Board.

101113. Gifts, devises, or bequests.

101114. Disposition of property or income.

101115. Corporate succession and powers and duties acting as trustee; personal liability for malfeasance.

101116. Corporate powers.

101117. Authority of Board.

101118. Tax exemptions; contributions toward costs of local government; contributions, gifts, or transfers to or for use of United States.

101119. Liability of United States.

101120. Promotion of local fundraising support.

Subchapter I—Authority of Secretary**§ 101101. Authority to accept land, rights-of-way, buildings, other property, and money**

The Secretary in the administration of the Service may accept—

(1) patented land, rights-of-way over patented land or other land, buildings, or other property within a System unit; and

(2) money that may be donated for the purposes of the System.

§ 101102. Authority to accept and use funds to consolidate Federal land ownership

(a) IN GENERAL.—The Secretary may—

(1) accept and use funds that may be donated in order to consolidate Federal land ownership within the existing boundaries of any System unit; and

(2) encourage the donation of funds for that purpose, subject to the condition that donated funds are to be expended for purposes of this section only if Federal funds in an amount equal to the amount of the donated funds are appropriated for the purposes of this section.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year not more than \$500,000 to match funds that are donated for those purposes.

Subchapter II—National Park Foundation**§ 101111. Purpose and establishment of Foundation**

To encourage private gifts of real and personal property, or any income from, or other interest in, the property, for the benefit of, or in connection with, the Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer those gifts.

§ 101112. Board

(a) MEMBERSHIP.—The National Park Foundation shall consist of a Board having as members the Secretary, the Director, and no fewer than 6 private citizens of the United States appointed by the Secretary.

(b) TERM OF OFFICE AND VACANCIES.—The term of the private citizen members of the Board is 6 years. If a successor is chosen to fill a vacancy occurring prior to the expiration of a term, the successor shall be chosen only for the remainder of that term.

(c) CHAIRMAN AND SECRETARY.—The Secretary shall be the Chairman of the Board and the Director shall be the Secretary of the Board.

(d) BOARD MEMBERSHIP NOT AN OFFICE.—Membership on the Board shall not be an office within the meaning of the statutes of the United States.

(e) QUORUM.—A majority of the members of the Board serving at any time shall constitute a quorum for the transaction of business.

(f) SEAL.—The National Park Foundation shall have an official seal, which shall be judicially noticed.

(g) MEETINGS.—The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

(h) COMPENSATION AND REIMBURSEMENT.—No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as members out of National Park Foundation funds available to the Board for those purposes.

§ 101113. Gifts, devises, or bequests

(a) AUTHORITY TO ACCEPT GIFTS, DEVISES, OR BEQUESTS.—

(1) IN GENERAL.—The National Park Foundation may accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust of real or personal property, or any income from, or other interest in, the gift, devise, or bequest, for the benefit of, or in connection with, the Service, its activities, or its services.

(2) GIFT, DEVISE, OR BEQUEST THAT IS ENCUMBERED, RESTRICTED, OR SUBJECT TO BENE-

FICIAL INTERESTS.—A gift, devise, or bequest may be accepted by the National Park Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Service, its activities, or its services.

(b) WHEN GIFT, DEVISE, OR BEQUEST MAY NOT BE ACCEPTED.—The National Park Foundation may not accept any gift, devise, or bequest that entails any expenditure other than from the resources of the Foundation.

(c) INTEREST IN REAL PROPERTY.—For purposes of this section, an interest in real property includes easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

§ 101114. Disposition of property or income

(a) AUTHORITY TO DISPOSE OR DEAL WITH PROPERTY OR INCOME.—Except as otherwise required by the instrument of transfer, the National Park Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income from the property as the Board may determine.

(b) RESTRICTION.—The National Park Foundation shall not engage in any business or make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation.

(c) USE OF SERVICES AND FACILITIES OF THE DEPARTMENTS OF THE INTERIOR AND JUSTICE.—The National Park Foundation may utilize the services and facilities of the Department of the Interior and the Department of Justice, and the services and facilities may be made available on request to the extent practicable with or without reimbursement. Amounts reimbursed to either Department shall be returned by the Department to the account from which the funds for which the reimbursement is made were drawn and may, without further appropriation, be expended for any purpose for which the account is authorized.

§ 101115. Corporate succession and powers and duties acting as trustee; personal liability for malfeasance

(a) PERPETUAL SUCCESSION.—The National Park Foundation shall have perpetual succession.

(b) POWERS AND DUTIES OF TRUSTEE.—The National Park Foundation shall have all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name.

(c) PERSONAL LIABILITY OF BOARD MEMBERS.—The members of the Board shall not be personally liable, except for malfeasance.

§ 101116. Corporate powers

The National Park Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

§ 101117. Authority of Board

In carrying out this chapter, the Board may—

(1) adopt bylaws and regulations necessary for the administration of its functions; and

(2) contract for any necessary services.

§ 101118. Tax exemptions; contributions toward costs of local government; contributions, gifts, or transfers to or for use of United States

(a) **TAX EXEMPTION.**—The National Park Foundation and any income or property received or owned by it, and all transactions relating to that income or property, shall be exempt from all Federal, State, and local taxation.

(b) **CONTRIBUTIONS IN LIEU OF TAXES.**—The National Park Foundation may—

(1) contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay that government if it were not exempt from taxation by virtue of subsection (a) or by virtue of its being a charitable and nonprofit corporation; and

(2) agree to contribute with respect to property transferred to it and the income derived from the property if the agreement is a condition of the transfer.

(c) **TRANSFERS DEEMED TO BE TO OR FOR THE USE OF UNITED STATES.**—Contributions, gifts, and other transfers made to or for the use of the Foundation shall be deemed to be contributions, gifts, or transfers to or for the use of the United States.

§ 101119. Liability of United States

The United States shall not be liable for any debts, defaults, acts, or omissions of the National Park Foundation.

§ 101120. Promotion of local fundraising support

(a) **PROGRAM.**—The National Park Foundation shall design and implement a comprehensive program to assist and promote philanthropic programs of support at the individual System unit level.

(b) **IMPLEMENTATION.**—The program under subsection (a) shall be implemented to—

(1) assist in the creation of local nonprofit support organizations; and

(2) provide support, national consistency, and management-improving suggestions for local nonprofit support organizations.

(c) **PROGRAM.**—The program under subsection (a)—

(1) shall include the greatest number of System units as is practicable; and

(2) at a minimum shall include—

(A) a standard adaptable organizational design format to establish and sustain responsible management of a local nonprofit support organization for support of a System unit;

(B) standard and legally tenable bylaws and recommended money-handling procedures that can easily be adapted as applied to individual System units; and

(C) a standard training curriculum to orient and expand the operating expertise of personnel employed by local nonprofit support organizations.

(d) **ANNUAL REPORT.**—The National Park Foundation shall report the progress of the program under subsection (a) in the annual report of the Foundation.

(e) **AFFILIATIONS.**—

(1) **CHARTER OR CORPORATE BYLAWS.**—Nothing in this section requires—

(A) a nonprofit support organization or friends group to modify current practices or to affiliate with the National Park Foundation; or

(B) a local nonprofit support organization, established as a result of this section, to be bound through its charter or corporate bylaws to be permanently affiliated with the National Park Foundation.

(2) **ESTABLISHMENT.**—An affiliation with the National Park Foundation shall be es-

tablished only at the discretion of the governing board of a nonprofit organization.

Chapter 1013—Employees

Subchapter I—General Provisions

Sec.

101301. Maintenance management system.

101302. Authority of Secretary to carry out certain activities.

101303. Medical attention for employees.

101304. Personal equipment and property.

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Subchapter II—Service Career Development, Training, and Management

101321. Service employee training.

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101331. Definitions.

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101337. Leasing of seasonal employee quarters.

101338. General leasing provisions.

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101340. Use of funds.

Subchapter I—General Provisions

§ 101301. Maintenance management system

The Service shall implement a maintenance management system in the maintenance and operations programs of the System. The system shall include the following elements:

(1) A workload inventory of assets including detailed information that quantifies for all assets (including buildings, roads, utility systems, and grounds that must be maintained) the characteristics affecting the type of maintenance work performed.

(2) A set of maintenance tasks that describe the maintenance work in each System unit.

(3) A description of work standards including—

(A) frequency of maintenance;

(B) measurable quality standard to which assets should be maintained;

(C) methods for accomplishing work;

(D) required labor, equipment, and material resources; and

(E) expected worker production for each maintenance task.

(4) A work program and performance budget that develops an annual work plan identifying maintenance needs and financial resources to be devoted to each maintenance task.

(5) A work schedule that identifies and prioritizes tasks to be done in a specific time period and specifies required labor resources.

(6) Work orders specifying job authorizations and a record of work accomplished that can be used to record actual labor and material costs.

(7) Reports and special analyses that compare planned versus actual accomplishments and costs and that can be used to evaluate maintenance operations.

§ 101302. Authority of Secretary to carry out certain activities

(a) **IN GENERAL.**—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may carry out the activities described in this section.

(b) **TRANSPORTATION.**—The Secretary may provide transportation of employees located

at an isolated area of the System and to members of their families, if—

(1) the area is not adequately served by commercial transportation; and

(2) the transportation is incidental to official transportation services.

(c) **RECREATION FACILITIES, EQUIPMENT, AND SERVICES.**—The Secretary may provide recreation facilities, equipment, and services for use by employees and their families located at an isolated area of the System.

(d) **FIELD AND SPECIAL PURPOSE EQUIPMENT.**—The Secretary may purchase field and special purpose equipment required by employees for the performance of assigned functions. The purchased equipment shall be regarded and listed as System equipment.

(e) **MEALS AND LODGING.**—The Secretary may provide meals and lodging, as the Secretary considers appropriate, for members of the United States Park Police and other employees of the Service, as the Secretary may designate, serving temporarily on extended special duty in System units. For this purpose the Secretary may use funds appropriated for the expenses of the Department of the Interior.

§ 101303. Medical attention for employees

(a) **IN GENERAL.**—In the administration of the Service, the Secretary may contract for medical attention and service for employees and to make necessary payroll deductions agreed to by the employees for that medical attention and service.

(b) **EMPLOYEES LOCATED AT ISOLATED SITUATIONS.**—The Secretary may provide, out of amounts appropriated for the general expense of the System units, medical attention for employees of the Service located at isolated situations, including—

(1) moving the employees to hospitals or other places where medical assistance is available; and

(2) in case of death, to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment or for burial.

§ 101304. Personal equipment and property

(a) **PURCHASE OF PERSONAL EQUIPMENT AND SUPPLIES.**—The Secretary may purchase personal equipment and supplies for employees of the Service and make deductions for the equipment and supplies from amounts appropriated for salary payments or otherwise due the employees.

(b) **LOST, DAMAGED, OR DESTROYED PROPERTY.**—The Secretary, in the administration of the Service, may reimburse employees and other owners of horses, vehicles, and other equipment lost, damaged, or destroyed while in the custody of the employee or the Department of the Interior, under authorization, contract, or loan, for necessary firefighting, trail, or other official business. Reimbursement shall be made from any available funds in the appropriation to which the hire of the equipment would be properly chargeable.

(c) **EQUIPMENT REQUIRED TO BE FURNISHED BY FIELD EMPLOYEES.**—The Secretary may—

(1) require field employees of the Service to furnish horses, motor and other vehicles, and miscellaneous equipment necessary for the performance of their official work; and

(2) provide, at Federal Government expense, forage, care, and housing for animals, and housing or storage and fuel for vehicles and other equipment required to be furnished.

(d) **HIRE, RENTAL, AND PURCHASE OF PROPERTY.**—The Secretary, under regulations the Secretary may prescribe, may authorize the hire, rental, or purchase of property from

employees of the Service whenever it would promote the public interest to do so.

§ 101305. Travel expenses of System employees and dependents of deceased employees

In the administration of the System, the Secretary may, under regulations the Secretary may prescribe, pay the travel expenses (including the costs of packing, crating, and transporting (including draying) personal property) of—

(1) employees, on permanent change of station of the employees; and

(2) dependents of deceased employees—

(A) to the nearest housing reasonably available that is of a standard not less than that which is vacated, including compensation for not to exceed 60 days rental cost, in the case of an employee who occupied Federal Government housing and whose death requires the housing to be promptly vacated; and

(B) to the nearest port of entry in the conterminous 48 States in the case of an employee whose last permanent station was outside the conterminous 48 States.

Subchapter II—Service Career Development, Training, and Management

§ 101321. Service employee training

The Secretary shall develop a comprehensive training program for employees in all professional careers in the workforce of the Service for the purpose of ensuring that the workforce has available the best up-to-date knowledge, skills, and abilities with which to manage, interpret, and protect the resources of the System.

§ 101322. Management development and training

The Secretary shall maintain a clear plan for management training and development under which career professional Service employees from any appropriate academic field may obtain sufficient training, experience, and advancement opportunity to enable those qualified to move into System unit management positions, including the position of superintendent of a System unit.

Subchapter III—Housing Improvement

§ 101331. Definitions

In this subchapter:

(1) **FIELD EMPLOYEE.**—The term “field employee” means—

(A) an employee of the Service who is exclusively assigned by the Service to perform duties at a field unit, and the members of the employee's family; and

(B) any other individual who is authorized to occupy Federal Government quarters under section 5911 of title 5, and for whom there is no feasible alternative to the provision of Federal Government housing, and the members of the individual's family.

(2) **PRIMARY RESOURCE VALUES.**—The term “primary resource values” means resources that are specifically mentioned in the enabling legislation for that field unit or other resource value recognized under Federal statute.

(3) **QUARTERS.**—The term “quarters” means quarters owned or leased by the Federal Government.

(4) **SEASONAL QUARTERS.**—The term “seasonal quarters” means quarters typically occupied by field employees who are hired on assignments of 6 months or less.

§ 101332. General authority of Secretary

(a) **RENTAL HOUSING.**—To enhance the ability of the Secretary, acting through the Director, to effectively manage System units, the Secretary may where necessary and justified—

(1) make available employee housing, on or off land under the administrative jurisdiction of the Service; and

(2) rent that housing to field employees at rates based on the reasonable value of the housing in accordance with requirements applicable under section 5911 of title 5.

(b) **JOINT DEVELOPMENT AUTHORITY.**—The Secretary may use authorities granted by statute in combination with one another in the furtherance of providing where necessary and justified affordable field employee housing.

(c) **CONSTRUCTION LIMITATIONS ON FEDERAL LAND.**—The Secretary may not utilize any land for the purposes of providing field employee housing under this subchapter that will affect a primary resource value of the area or adversely affect the mission of the Service.

(d) **RENTAL RATES.**—To the extent practicable, the Secretary shall establish rental rates for all quarters occupied by field employees of the Service that are based on the reasonable value of the quarters in accordance with requirements applicable under section 5911 of title 5.

§ 101333. Criteria for providing housing

The Secretary shall maintain criteria under which housing is provided to employees of the Service. The Secretary shall examine the criteria with respect to the circumstances under which the Service requires an employee to occupy Federal Government quarters, so as to provide necessary services or protect Federal Government property or because of a lack of availability of non-Federal housing in a geographic area.

§ 101334. Authorization for housing agreements

The Secretary may, pursuant to the authorities contained in this subchapter and subject to the appropriation of necessary funds in advance, enter into housing agreements with housing entities under which the housing entities may develop, construct, rehabilitate, or manage housing, located on or off public land, for rent to Service employees who meet the housing eligibility criteria developed by the Secretary pursuant to this subchapter.

§ 101335. Housing programs

(a) **JOINT PUBLIC-PRIVATE SECTOR HOUSING PROGRAM.**—

(1) **LEASE-TO-BUILD PROGRAM.**—Subject to the appropriation of necessary funds in advance, the Secretary may lease—

(A) Federal land and interests in land to qualified persons for the construction of field employee quarters for any period not to exceed 50 years; and

(B) developed and undeveloped non-Federal land for providing field employee quarters.

(2) **COMPETITIVE LEASING.**—Each lease under paragraph (1)(A) shall be awarded through the use of publicly advertised, competitively bid, or competitively negotiated contracting procedures.

(3) **TERMS AND CONDITIONS.**—Each lease under paragraph (1)(A)—

(A) shall stipulate whether operation and maintenance of field employee quarters is to be provided by the lessee, field employees, or the Federal Government;

(B) shall require that the construction and rehabilitation of field employee quarters be done in accordance with the requirements of the Service and local applicable building codes and industry standards;

(C) shall contain additional terms and conditions as may be appropriate to protect the Federal interest, including limits on rents that the lessee may charge field employees

for the occupancy of quarters, conditions on maintenance and repairs, and agreements on the provision of charges for utilities and other infrastructure; and

(D) may be granted at less than fair market value if the Secretary determines that the lease will improve the quality and availability of field employee quarters.

(4) **CONTRIBUTIONS BY FEDERAL GOVERNMENT.**—The Secretary may make payments, subject to appropriations, or contributions in kind, in advance or on a continuing basis, to reduce the costs of planning, construction, or rehabilitation of quarters on or off Federal land under a lease under this subsection.

(b) **RENTAL GUARANTEE PROGRAM.**—

(1) **GENERAL AUTHORITY.**—Subject to the appropriation of necessary funds in advance, the Secretary may enter into a lease-to-build arrangement as set forth in subsection (a) with further agreement to guarantee the occupancy of field employee quarters constructed or rehabilitated under the lease. A guarantee made under this paragraph shall be in writing.

(2) **LIMITATIONS ON GUARANTEES.**—

(A) **SPECIFIC GUARANTEES.**—The Secretary may not guarantee—

(i) the occupancy of more than 75 percent of the units constructed or rehabilitated under the lease; and

(ii) at a rental rate that exceeds the rate based on the reasonable value of the housing in accordance with requirements applicable under section 5911 of title 5.

(B) **TOTAL OF OUTSTANDING GUARANTEES.**—Outstanding guarantees shall not be in excess of \$3,000,000.

(3) **AGREEMENT TO RENT TO FEDERAL GOVERNMENT EMPLOYEES.**—A guarantee may be made under this subsection only if the lessee agrees to permit the Secretary to utilize for housing purposes any units for which the guarantee is made.

(4) **OPERATION AND MAINTENANCE.**—A lease shall be void if the lessee fails to maintain a satisfactory level of operation and maintenance.

§ 101336. Contracts for the management of field employee quarters

Subject to the appropriation of necessary funds in advance, the Secretary may enter into contracts of any duration for the management, repair, and maintenance of field employee quarters. The contract shall contain terms and conditions that the Secretary considers necessary or appropriate to protect the interests of the United States and ensure that necessary quarters are available to field employees.

§ 101337. Leasing of seasonal employee quarters

(a) **GENERAL AUTHORITY.**—The Secretary may lease quarters at or near a System unit for use as seasonal quarters for field employees if the Secretary finds that there is a shortage of adequate and affordable seasonal quarters at or near the System unit and that—

(1) the requirement for the seasonal field employee quarters is temporary; or

(2) leasing would be more cost-effective than construction of new seasonal field employee quarters.

(b) **RENT.**—The rent charged to field employees under the lease shall be a rate based on the reasonable value of the quarters in accordance with requirements applicable under section 5911 of title 5.

(c) **UNRECOVERED COSTS.**—The Secretary may pay the unrecovered costs of leasing

seasonal quarters under this section from annual appropriations for the year in which the lease is made.

§ 101338. General leasing provisions

(a) **EXEMPTION FROM LEASING REQUIREMENTS.**—Section 102901 of this title and section 1302 of title 40 shall not apply to leases issued by the Secretary under this section.

(b) **PROCEEDS FROM LEASES.**—The proceeds from any lease under section 101335(a)(1) of this title and any lease under section 101337 of this title shall be retained by the Service and deposited in the special fund established for maintenance and operation of quarters.

§ 101339. Assessment and priority listing

The Secretary shall—

(1) complete a condition assessment for all field employee housing, including the physical condition of the housing and the necessity and suitability of the housing for carrying out the mission of the Service, using existing information; and

(2) develop a Service-wide priority listing, by structure, identifying the units in greatest need for repair, rehabilitation, replacement, or initial construction.

§ 101340. Use of funds

(a) **EXPENDITURE SHALL FOLLOW PRIORITY LISTING.**—Expenditure of any funds authorized and appropriated for new construction, repair, or rehabilitation of housing under this chapter shall follow the housing priority listing established by the Secretary under section 101339 of this title, in sequential order, to the maximum extent practicable.

(b) **NONCONSTRUCTION FUNDS IN ANNUAL BUDGET SUBMITTAL.**—Each fiscal year the President's proposed budget to Congress shall include identification of nonconstruction funds to be spent for Service housing maintenance and operations that are in addition to rental receipts collected.

Chapter 1015—Transportation

Subchapter I—Airports

101501. Airports in or near System units.

Subchapter II—Roads and Trails

101511. Authority of Secretary.

101512. Conveyance to States of roads leading to certain historical areas.

Subchapter III—Public Transportation Programs for System Units

101521. Transportation service and facility programs.

101522. Transportation projects.

101523. Procedures applicable to transportation plans and projects.

101524. Special rule for service contract to provide transportation services.

Subchapter IV—Fees

101531. Fee for use of transportation services.

Subchapter I—Airports

§ 101501. Airports in or near System units

(a) **DEFINITIONS.**—In this section, the terms “airport”, “project”, “project costs”, “public agency”, and “sponsor” have the meanings given the terms in section 47102 of title 49.

(b) **ACQUISITION, OPERATION, AND MAINTENANCE OF AIRPORTS.**—

(1) **AUTHORIZATION.**—The Secretary may plan, acquire, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and protect airports in the continental United States in, or in close proximity to, System units, when the Secretary determines that the airports are necessary to the proper performance of the functions of the Department of the Interior.

(2) **INCLUSION IN NATIONAL PLAN.**—The Secretary shall not acquire, establish, or con-

struct an airport under this section unless the airport is included in the national plan of integrated airport systems formulated by the Secretary of Transportation pursuant to section 47103 of title 49.

(3) **OPERATION AND MAINTENANCE MUST ACCORD WITH STANDARDS AND REGULATIONS OF SECRETARY OF TRANSPORTATION.**—The operation and maintenance of airports under this section shall be in accordance with the standards and regulations prescribed by the Secretary of Transportation.

(c) **AUTHORITY OF SECRETARY.**—

(1) **IN GENERAL.**—To carry out this section, the Secretary may—

(A) acquire necessary land and interests in or over land;

(B) contract for the construction, improvement, operation, and maintenance of airports and incidental facilities;

(C) enter into agreements with other public agencies providing for the construction, operation, or maintenance of airports by those agencies or jointly by the Secretary and those agencies on mutually satisfactory terms; and

(D) enter into other agreements and take other action with respect to the airports as may be necessary to carry out this section.

(2) **CONSENT REQUIRED.**—This section does not authorize the Secretary to acquire any land, or interest in or over land, by purchase, condemnation, grant, or lease, without first obtaining the consent of the Governor of the State, and the consent of the chief executive official of the State political subdivision, in which the land is located.

(d) **AUTHORIZATION TO SPONSOR AIRPORT PROJECTS.**—To carry out this section, the Secretary may—

(1) sponsor projects under subchapter I of chapter 471 of title 49 independently or jointly with other public agencies; and

(2) use, for payment of the sponsor's share of the project costs of those projects, any funds that may be—

(A) contributed or otherwise made available to the Secretary for those purposes; or

(B) appropriated or otherwise specifically authorized for that purpose.

(e) **JURISDICTION OVER AIRPORTS.**—All airports under the jurisdiction of the Secretary, unless otherwise specifically provided by law, shall be operated as public airports, available for public use on fair and reasonable terms and without unjust discrimination.

Subchapter II—Roads and Trails

§ 101511. Authority of Secretary

(a) **ROADS AND TRAILS IN SYSTEM UNITS.**—The Secretary may construct, reconstruct, and improve roads and trails, including bridges, in System units.

(b) **APPROACH ROADS.**—

(1) **IN GENERAL.**—

(A) **DESIGNATION.**—When the Secretary determines it to be in the public interest, the Secretary may designate, as System unit approach roads, roads whose primary value is to carry System unit travel and that lead across land at least 90 percent owned by the Federal Government and that will connect the highways within a System unit with a convenient point on or leading to the National Highway System.

(B) **LIMIT ON LENGTH OF APPROACH ROADS.**—

(1) **IN GENERAL.**—A designated approach road shall not exceed—

(I) 60 miles in length between a System unit gateway and a point on or leading to the nearest convenient National Highway System road; or

(II) 30 miles in length if the approach road is on the National Highway System.

(ii) **COUNTY LIMIT.**—Not to exceed 40 miles of any one approach road shall be designated in any one county.

(C) **SUPPLEMENTARY PART OF SYSTEM UNIT HIGHWAY SYSTEM.**—An approach road designated for a System unit shall be treated as a supplementary part of the highway system of the System unit.

(2) **CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT.**—

(A) **IN GENERAL.**—The Secretary may construct, reconstruct, and improve approach roads designated under paragraph (1) (including bridges) and enter into agreements for the maintenance of the approach roads by State or county authorities or to maintain the approach roads when otherwise necessary.

(B) **ANNUAL ALLOCATION.**—Not more than \$1,500,000 shall be allocated annually for the construction, reconstruction, and improvement of System unit approach roads.

(3) **APPROVAL OF SECRETARY OF AGRICULTURE REQUIRED.**—When an approach road is proposed under this section across or within any national forest, the Secretary shall secure the approval of the Secretary of Agriculture before construction begins.

(c) **AGREEMENT WITH SECRETARY OF TRANSPORTATION.**—Under agreement with the Secretary, the Secretary of Transportation may carry out any provision of this section.

§ 101512. Conveyance to States of roads leading to certain historical areas

(a) **DEFINITION.**—In this section, the term “State” means a State, Puerto Rico, Guam, and the Virgin Islands.

(b) **AUTHORITY OF SECRETARY.**—The Secretary may, subject to conditions as seem proper to the Secretary, convey by proper quitclaim deed to any State, county, municipality, or agency of a State, county, or municipality in which the road is located, all right, title, and interest of the United States in and to any Federal Government owned or controlled road leading to any national cemetery, national military park, national historical park, national battlefield park, or national historic site administered by the Service.

(c) **NOTIFICATION BY STATE, AGENCY, OR MUNICIPALITY.**—Prior to the delivery of any conveyance of a road under this section, the State, county, or municipality to which the conveyance is to be made shall notify the Secretary in writing of its willingness to accept and maintain the road.

(d) **TRANSFER OF JURISDICTION.**—On the execution and delivery of the conveyance of a road under this section, any jurisdiction previously ceded to the United States by a State over the road is retroceded and shall vest in the State in which the road is located.

Subchapter III—Public Transportation Programs for System Units

§ 101521. Transportation service and facility programs

(a) **FORMULATION OF PLANS AND IMPLEMENTATION OF PROJECTS.**—The Secretary may formulate transportation plans and implement transportation projects where feasible pursuant to those plans for System units.

(b) **CONTRACTS, OPERATIONS, AND ACQUISITIONS FOR IMPROVEMENT OF ACCESS TO SYSTEM UNITS.**—

(1) **AUTHORITY OF SECRETARY.**—To carry out subsection (a), the Secretary may—

(A) contract with public or private agencies or carriers to provide transportation services, capital equipment, or facilities to improve access to System units;

(B) operate those services directly in the absence of suitable and adequate agencies or carriers;

(C) acquire, by purchase, lease, or agreement, capital equipment for those services; and

(D) where necessary to carry out this subchapter, acquire, by lease, purchase, donation, exchange, or transfer, land, water, or an interest in land or water that is situated outside the boundary of a System unit.

(2) SPECIFIC PROVISIONS RELATED TO PROPERTY ACQUISITION.—

(A) ADMINISTRATION.—The acquired property shall be administered as part of the System unit.

(B) ACQUISITION OF LAND OR INTERESTS IN LAND OWNED BY STATE OR POLITICAL SUBDIVISION.—Any land or interests in land owned by a State or any of its political subdivisions may be acquired only by donation.

(C) ACQUISITION SUBJECT TO STATUTORY LIMITATIONS.—Any land acquisition shall be subject to any statutory limitations on methods of acquisition and appropriations as may be specifically applicable to the area.

(c) ESTABLISHMENT OF INFORMATION PROGRAMS.—The Secretary shall establish information programs to inform the public of available System unit access opportunities and to promote the use of transportation modes other than personal motor vehicles for access to and travel within the System units.

(d) UNDERTAKING TRANSPORTATION FACILITIES AND SERVICES.—Transportation facilities and services provided pursuant to this subchapter may be undertaken by the Secretary directly or by contract without regard to any requirement of Federal, State, or local law respecting determinations of public convenience and necessity or other similar matters. The Secretary or contractor shall consult with the appropriate State or local public service commission or other body having authority to issue certificates of convenience and necessity. A contractor shall be subject to applicable requirements of that body unless the Secretary determines that the requirements would not be consistent with the purposes and provisions of this subchapter.

(e) CONSTRUCTION OF GRANT OF AUTHORITY RESPECTING OPERATION OF MOTOR VEHICLES EXCEPTED FROM STATUTORY COVERAGE.—No grant of authority in this subchapter shall be deemed to expand the exemption of section 13506(a)(9) of title 49.

§ 101522. Transportation projects

(a) ASSISTANCE OF HEADS OF OTHER FEDERAL DEPARTMENTS AND AGENCIES IN FORMULATION AND IMPLEMENTATION.—To carry out this subchapter, the Secretary of Transportation, the Secretary of Housing and Urban Development, the Secretary of Health and Human Services, the Secretary of Commerce, and the heads of other Federal departments or agencies that the Secretary considers necessary shall assist the Secretary in the formulation and implementation of transportation projects.

(b) COMPILATION OF STATUTES AND PROGRAMS.—The Secretary shall maintain a compilation of Federal statutes and programs providing authority for the planning, funding, or operation of transportation projects that might be utilized by the Secretary to carry out this subchapter.

§ 101523. Procedures applicable to transportation plans and projects

(a) DURING FORMULATION OF PLAN.—The Secretary shall, during the formulation of any transportation plan authorized pursuant to section 101521 of this title—

(1) give public notice of intention to formulate the plan by publication in the Fed-

eral Register and in a newspaper or periodical having general circulation in the vicinity of the affected System unit; and

(2) following the notice, hold a public meeting at a location convenient to the affected System unit.

(b) PRIOR TO IMPLEMENTATION OF PROJECT.—Prior to the implementation of any project developed pursuant to the transportation plan formulated pursuant to subsection (a), the Secretary shall—

(1) establish procedures, including public meetings, to give State and local governments and the public adequate notice and an opportunity to comment on the proposed transportation project; and

(2) when the proposed project would involve an expenditure in excess of \$100,000 in any fiscal year, submit a detailed report to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) WAITING PERIOD.—When a report on a project is required under subsection (b)(2), the Secretary may proceed with the implementation of the project only after 60 days (not counting days on which the Senate or House of Representatives has adjourned for more than 3 consecutive days) have elapsed following submission of the report.

§ 101524. Special rule for service contract to provide transportation services

Notwithstanding any other provision of law, a service contract entered into by the Secretary for the provision solely of transportation services in a System unit shall be not more than 10 years in length, including a base period of 5 years and annual extensions for up to an additional 5 years based on satisfactory performance and approval by the Secretary.

Subchapter IV—Fees

§ 101531. Fee for use of transportation services

Notwithstanding any other provision of law, where the Service or an entity under a service contract, cooperative agreement, or other contractual agreement with the Service provides transportation to all or a portion of any System unit, the Secretary may impose a reasonable and appropriate charge to the public for the use of the transportation services in addition to any admission fee required to be paid. Collection of the transportation and admission fees may occur at the transportation staging area or any other reasonably convenient location determined by the Secretary. The Secretary may enter into agreements, with public or private entities that qualify to the Secretary's satisfaction, to collect the transportation and admission fee. Transportation fees collected pursuant to this section shall be retained by the System unit at which the transportation fee was collected, and the amount retained shall be expended only for costs associated with the transportation systems at the System unit where the charge was imposed.

Chapter 1017—Financial Agreements

Sec.

101701. Challenge cost-share agreement authority.

101702. Cooperative agreements.

101703. Cooperative management agreements.

101704. Reimbursable agreements.

§ 101701. Challenge cost-share agreement authority

(a) DEFINITIONS.—In this section:

(1) CHALLENGE COST-SHARE AGREEMENT.—The term “challenge cost-share agreement”

means any agreement entered into between the Secretary and any cooperator for the purpose of sharing costs or services in carrying out authorized functions and responsibilities of the Secretary with respect to any System unit or System program, any affiliated area, or any designated national scenic trail or national historic trail.

(2) COOPERATOR.—The term “cooperator” means any State or local government, public or private agency, organization, institution, corporation, individual, or other entity.

(b) AUTHORITY TO ENTER INTO CHALLENGE COST-SHARE AGREEMENTS.—The Secretary may negotiate and enter into challenge cost-share agreements with cooperators.

(c) SOURCE OF FEDERAL SHARE.—In carrying out challenge cost-share agreements, the Secretary may provide the Federal funding share from any funds available to the Service.

§ 101702. Cooperative agreements

(a) TRANSFER OF SERVICE APPROPRIATED FUNDS.—A cooperative agreement entered into by the Secretary that involves the transfer of Service appropriated funds to a State, local, or tribal government or other public entity, an educational institution, or a private nonprofit organization to carry out public purposes of a Service program is a cooperative agreement properly entered into under section 6305 of title 31.

(b) COOPERATIVE RESEARCH AND TRAINING PROGRAMS.—

(1) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may—

(A) enter into cooperative agreements with public or private educational institutions, States, and political subdivisions of States to develop adequate, coordinated, cooperative research and training programs concerning the resources of the System; and

(B) pursuant to an agreement, accept from and make available to the cooperator technical and support staff, financial assistance for mutually agreed upon research projects, supplies and equipment, facilities, and administrative services relating to cooperative research units that the Secretary considers appropriate.

(2) EFFECT OF SUBSECTION.—This subsection does not waive any requirements for research projects that are subject to Federal procurement regulations.

(c) SALE OF PRODUCTS AND SERVICES PRODUCED IN THE CONDUCT OF LIVING EXHIBITS AND INTERPRETIVE DEMONSTRATIONS.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may—

(1) sell at fair market value, without regard to the requirements of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, products and services produced in the conduct of living exhibits and interpretive demonstrations in System units;

(2) enter into contracts, including cooperative arrangements, with respect to living exhibits and interpretive demonstrations in System units; and

(3) credit the proceeds from those sales and contracts to the appropriation bearing the cost of the exhibits and demonstrations.

(d) COOPERATIVE AGREEMENTS FOR SYSTEM UNIT NATURAL RESOURCE PROTECTION.—

(1) IN GENERAL.—The Secretary may enter into cooperative agreements with State, local, or tribal governments, other Federal agencies, other public entities, educational

institutions, private nonprofit organizations, or participating private landowners for the purpose of protecting natural resources of System units through collaborative efforts on land inside and outside the System units.

(2) **TERMS AND CONDITIONS.**—A cooperative agreement entered into under paragraph (1) shall provide clear and direct benefits to System unit natural resources and—

(A) provide for—

(i) the preservation, conservation, and restoration of coastal and riparian systems, watersheds, and wetlands;

(ii) preventing, controlling, or eradicating invasive exotic species that are within a System unit or adjacent to a System unit; or

(iii) restoration of natural resources, including native wildlife habitat or ecosystems;

(B) include a statement of purpose demonstrating how the agreement will—

(i) enhance science-based natural resource stewardship at the System unit; and

(ii) benefit the parties to the agreement;

(C) specify any staff required and technical assistance to be provided by the Secretary or other parties to the agreement in support of activities inside and outside the System unit that will—

(i) protect natural resources of the System unit; and

(ii) benefit the parties to the agreement;

(D) identify any materials, supplies, or equipment and any other resources that will be contributed by the parties to the agreement or by other Federal agencies;

(E) describe any financial assistance to be provided by the Secretary or the partners to implement the agreement;

(F) ensure that any expenditure by the Secretary pursuant to the agreement is determined by the Secretary to support the purposes of natural resource stewardship at a System unit; and

(G) include such other terms and conditions as are agreed to by the Secretary and the other parties to the agreement.

(3) **LIMITATIONS.**—The Secretary shall not use any funds associated with an agreement entered into under paragraph (1) for the purposes of land acquisition, regulatory activity, or the development, maintenance, or operation of infrastructure, except for ancillary support facilities that the Secretary determines to be necessary for the completion of projects or activities identified in the agreement.

§ 101703. Cooperative management agreements

(a) **IN GENERAL.**—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may enter into an agreement with a State or local government agency to provide for the cooperative management of the Federal and State or local park areas where a System unit is located adjacent to or near a State or local park area, and cooperative management between the Service and a State or local government agency of a portion of either the System unit or State or local park will allow for more effective and efficient management of the System unit and State or local park. The Secretary may not transfer administration responsibilities for any System unit under this paragraph.

(b) **PROVISION OF GOODS AND SERVICES.**—Under a cooperative management agreement, the Secretary may acquire from and provide to a State or local government agency goods and services to be used by the Secretary and the State or local governmental agency in the cooperative management of land.

(c) **ASSIGNMENT OF EMPLOYEE.**—An assignment arranged by the Secretary under section 3372 of title 5 of a Federal, State, or local employee for work on any Federal, State, or local land or an extension of the assignment may be for any period of time determined by the Secretary and the State or local agency to be mutually beneficial.

§ 101704. Reimbursable agreements

(a) **IN GENERAL.**—In carrying out work under reimbursable agreements with any State, local, or tribal government, the Secretary, without regard to any provision of law or a regulation—

(1) may record obligations against accounts receivable from those governments; and

(2) shall credit amounts received from those governments to the appropriate account.

(b) **WHEN AMOUNTS SHALL BE CREDITED.**—Amounts shall be credited within 90 days of the date of the original request by the Service for payment.

Chapter 1019—Concessions and Commercial Use Authorizations

Subchapter I—Authority of Secretary Sec.

101901. Utility services.

Subchapter II—Commercial Visitor Services

101911. Definitions.

101912. Findings and declaration of policy.

101913. Award of concession contracts.

101914. Term of concession contracts.

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101916. Reasonableness of rates and charges.

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101918. Transfer or conveyance of concession contracts or leasehold surrender interests.

101919. National Park Service Concessions Management Advisory Board.

101920. Contracting for services.

101921. Multiple contracts within a System unit.

101922. Use of nonmonetary consideration in concession contracts.

101923. Recordkeeping requirements.

101924. Promotion of sale of Indian, Alaska Native, Native Samoan, and Native Hawaiian handicrafts.

101925. Commercial use authorizations.

101926. Regulations.

Subchapter I—Authority of Secretary

§ 101901. Utility services.

To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may furnish, on a reimbursement of appropriation basis, all types of utility services to concessioners, contractors, permittees, or other users of the services, within the System. The reimbursements for cost of the services may be credited to the appropriation current at the time reimbursements are received.

Subchapter II—Commercial Visitor Services

§ 101911. Definitions

In this subchapter:

(1) **ADVISORY BOARD.**—The term “Advisory Board” means the National Park Service Concessions Management Advisory Board established under section 101919 of this title.

(2) **PREFERENTIAL RIGHT OF RENEWAL.**—The term “preferential right of renewal” means the right of a concessioner, subject to a determination by the Secretary that the facilities or services authorized by a prior contract continue to be necessary and appropriate within the meaning of section 101912 of this title, to match the terms and condi-

tions of any competing proposal that the Secretary determines to be the best proposal for a proposed new concession contract that authorizes the continuation of the facilities and services provided by the concessioner under its prior contract.

§ 101912. Findings and declaration of policy

(a) **FINDINGS.**—In furtherance of section 100101(a), Congress finds that the preservation and conservation of System unit resources and values requires that public accommodations, facilities, and services that have to be provided within those System units should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that—

(1) visitation will not unduly impair those resources and values; and

(2) development of public accommodations, facilities, and services within System units can best be limited to locations that are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the System units.

(b) **DECLARATION OF POLICY.**—It is the policy of Congress that the development of public accommodations, facilities, and services in System units shall be limited to accommodations, facilities, and services that—

(1) are necessary and appropriate for public use and enjoyment of the System unit in which they are located; and

(2) are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the System unit.

§ 101913. Award of concession contracts

In furtherance of the findings and policy stated in section 101912 of this title, and except as provided by this subchapter or otherwise authorized by law, the Secretary shall utilize concession contracts to authorize a person, corporation, or other entity to provide accommodations, facilities, and services to visitors to System units. Concession contracts shall be awarded as follows:

(1) **COMPETITIVE SELECTION PROCESS.**—Except as otherwise provided in this section, all proposed concession contracts shall be awarded by the Secretary to the person, corporation, or other entity submitting the best proposal, as determined by the Secretary through a competitive selection process. The competitive process shall include simplified procedures for small, individually-owned entities seeking award of a concession contract.

(2) **SOLICITATION OF PROPOSALS.**—Except as otherwise provided in this section, prior to awarding a new concession contract (including renewals or extensions of existing concession contracts) the Secretary—

(A) shall publicly solicit proposals for the concession contract; and

(B) in connection with the solicitation, shall—

(i) prepare a prospectus and publish notice of its availability at least once in local or national newspapers or trade publications, by electronic means, or both, as appropriate; and

(ii) make the prospectus available on request to all interested persons.

(3) **INFORMATION TO BE INCLUDED IN PROSPECTUS.**—The prospectus shall include the following information:

(A) The minimum requirements for the contract as set forth in paragraph (4).

(B) The terms and conditions of any existing concession contract relating to the services and facilities to be provided, including

all fees and other forms of compensation provided to the United States by the concessioner.

(C) Other authorized facilities or services that may be provided in a proposal.

(D) Facilities and services to be provided by the Secretary to the concessioner, including public access, utilities, and buildings.

(E) An estimate of the amount of compensation due an existing concessioner from a new concessioner under the terms of a prior concession contract.

(F) A statement as to the weight to be given to each selection factor identified in the prospectus and the relative importance of those factors in the selection process.

(G) Other information related to the proposed concession operation that is provided to the Secretary pursuant to a concession contract or is otherwise available to the Secretary, as the Secretary determines is necessary to allow for the submission of competitive proposals.

(H) Where applicable, a description of a preferential right to the renewal of the proposed concession contract held by an existing concessioner as set forth in paragraph (7).

(4) CONSIDERATION OF PROPOSALS.—

(A) MINIMUM REQUIREMENTS.—No proposal shall be considered that fails to meet the minimum requirements as determined by the Secretary. The minimum requirements shall include the following:

(i) The minimum acceptable franchise fee or other forms of consideration to the Federal Government.

(ii) Any facilities, services, or capital investment required to be provided by the concessioner.

(iii) Measures necessary to ensure the protection, conservation, and preservation of resources of the System unit.

(B) REJECTION OF PROPOSAL.—The Secretary shall reject any proposal, regardless of the franchise fee offered, if the Secretary determines that—

(i) the person, corporation, or entity is not qualified or is not likely to provide satisfactory service; or

(ii) the proposal is not responsive to the objectives of protecting and preserving resources of the System unit and of providing necessary and appropriate facilities and services to the public at reasonable rates.

(C) ALL PROPOSALS FAIL TO MEET MINIMUM REQUIREMENTS OR ARE REJECTED.—If all proposals submitted to the Secretary fail to meet the minimum requirements or are rejected by the Secretary, the Secretary shall establish new minimum contract requirements and re-initiate the competitive selection process pursuant to this section.

(D) TERMS AND CONDITIONS MATERIALLY AMENDED OR NOT INCORPORATED IN CONTRACT.—The Secretary may not execute a concession contract that materially amends or does not incorporate the proposed terms and conditions of the concession contract as set forth in the applicable prospectus. If proposed material amendments or changes are considered appropriate by the Secretary, the Secretary shall resolicit offers for the concession contract incorporating the material amendments or changes.

(5) SELECTION OF THE BEST PROPOSAL.—

(A) FACTORS IN SELECTION.—In selecting the best proposal, the Secretary shall consider the following principal factors:

(i) The responsiveness of the proposal to the objectives of protecting, conserving, and preserving resources of the System unit and of providing necessary and appropriate facilities and services to the public at reasonable rates.

(ii) The experience and related background of the person, corporation, or entity submitting the proposal, including the past performance and expertise of the person, corporation or entity in providing the same or similar facilities or services.

(iii) The financial capability of the person, corporation, or entity submitting the proposal.

(iv) The proposed franchise fee, except that consideration of revenue to the United States shall be subordinate to the objectives of protecting, conserving, and preserving resources of the System unit and of providing necessary and appropriate facilities to the public at reasonable rates.

(B) SECONDARY FACTORS.—The Secretary may also consider such secondary factors as the Secretary considers appropriate.

(C) DEVELOPMENT OF REGULATIONS.—In developing regulations to implement this subchapter, the Secretary shall consider the extent to which plans for employment of Indians (including Native Alaskans) and involvement of businesses owned by Indians, Indian tribes, or Native Alaskans in the operation of a concession contract should be identified as a factor in the selection of a best proposal under this section.

(6) CONGRESSIONAL NOTIFICATION.—

(A) IN GENERAL.—The Secretary shall submit any proposed concession contract with anticipated annual gross receipts in excess of \$5,000,000 or a duration of more than 10 years to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(B) WAITING PERIOD.—The Secretary shall not award any proposed concession contract to which subparagraph (A) applies until at least 60 days subsequent to the notification of both Committees.

(7) PREFERENTIAL RIGHT OF RENEWAL.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall not grant a concessioner a preferential right to renew a concession contract, or any other form of preference to a concession contract.

(B) EXCEPTION.—The Secretary shall grant a preferential right of renewal to an existing concessioner with respect to proposed renewals of the categories of concession contracts described by paragraph (8), subject to the requirements of that paragraph.

(C) ENTITLEMENT TO AWARD OF NEW CONTRACT.—A concessioner that successfully exercises a preferential right of renewal in accordance with the requirements of this subchapter shall be entitled to award of the proposed new concession contract to which the preference applies.

(8) OUTFITTER AND GUIDE SERVICES AND SMALL CONTRACTS.—

(A) APPLICATION.—Paragraph (7) shall apply only to the following:

(i) Subject to subparagraph (B), concession contracts that solely authorize the provision of specialized backcountry outdoor recreation guide services that require the employment of specially trained and experienced guides to accompany System unit visitors in the backcountry so as to provide a safe and enjoyable experience for visitors who otherwise may not have the skills and equipment to engage in that activity.

(ii) Subject to subparagraph (C), concession contracts with anticipated annual gross receipts under \$500,000.

(B) OUTFITTING AND GUIDE CONCESSIONERS.—

(i) DESCRIPTION.—Outfitting and guide concessioners, where otherwise qualified, include concessioners that provide guided river running, hunting, fishing, horseback, camping, and mountaineering experiences.

(ii) WHEN ENTITLED TO PREFERENTIAL RIGHT.—An outfitting and guide concessioner is entitled to a preferential right of renewal under this subchapter only if—

(I) the contract with the outfitting and guide concessioner does not grant the concessioner any interest, including any leasehold surrender interest or possessory interest, in capital improvements on land owned by the United States within a System unit, other than a capital improvement constructed by a concessioner pursuant to the terms of a concession contract prior to November 13, 1998, or constructed or owned by a concessioner or the concessioner's predecessor before the subject land was incorporated into the System;

(II) the Secretary determines that the concessioner has operated satisfactorily during the term of the contract (including any extension); and

(III) the concessioner has submitted a responsive proposal for a proposed new concession contract that satisfies the minimum requirements established by the Secretary pursuant to paragraph (4).

(C) CONTRACT WITH ESTIMATED GROSS RECEIPTS OF LESS THAN \$500,000.—A concessioner that holds a concession contract that the Secretary estimates will result in gross annual receipts of less than \$500,000 if renewed shall be entitled to a preferential right of renewal under this subchapter if—

(i) the Secretary has determined that the concessioner has operated satisfactorily during the term of the contract (including any extension); and

(ii) the concessioner has submitted a responsive proposal for a proposed new concession contract that satisfies the minimum requirements established by the Secretary pursuant to paragraph (4).

(9) NEW OR ADDITIONAL SERVICES.—The Secretary shall not grant a preferential right to a concessioner to provide new or additional services in a System unit.

(10) AUTHORITY OF SECRETARY NOT LIMITED.—Nothing in this subchapter shall be construed as limiting the authority of the Secretary to determine whether to issue a concession contract or to establish its terms and conditions in furtherance of the policies expressed in this subchapter.

(11) EXCEPTIONS.—Notwithstanding this section, the Secretary may award, without public solicitation, the following:

(A) TEMPORARY CONTRACT.—To avoid interruption of services to the public at a System unit, the Secretary may award a temporary concession contract or an extension of an existing concessions contract for a term not to exceed 3 years, except that prior to making the award, the Secretary shall take all reasonable and appropriate steps to consider alternatives to avoid the interruption.

(B) CONTRACT IN EXTRAORDINARY CIRCUMSTANCES.—The Secretary may award a concession contract in extraordinary circumstances where compelling and equitable considerations require the award of a concession contract to a particular party in the public interest. Award of a concession contract under this subparagraph shall not be made by the Secretary until at least 30 days after—

(i) publication in the Federal Register of notice of the Secretary's intention to award the contract and the reasons for the action; and

(ii) submission of notice to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

§ 101914. Term of concession contracts

A concession contract entered into pursuant to this subchapter shall generally be awarded for a term of 10 years or less. The Secretary may award a contract for a term of up to 20 years if the Secretary determines that the contract terms and conditions, including the required construction of capital improvements, warrant a longer term.

§ 101915. Protection of concessioner investment

(a) DEFINITIONS.—In this section:

(1) CAPITAL IMPROVEMENT.—The term “capital improvement” means a structure, a fixture, or nonremovable equipment provided by a concessioner pursuant to the terms of a concession contract and located on land of the United States within a System unit.

(2) CONSUMER PRICE INDEX.—The term “Consumer Price Index” means—

(A) the “Consumer Price Index—All Urban Consumers” published by the Bureau of Labor Statistics of the Department of Labor; or

(B) if the Index is not published, another regularly published cost-of-living index approximating the Consumer Price Index.

(b) LEASEHOLD SURRENDER INTEREST IN CAPITAL IMPROVEMENTS.—A concessioner that constructs a capital improvement on land owned by the United States within a System unit pursuant to a concession contract shall have a leasehold surrender interest in the capital improvement subject to the following terms and conditions:

(1) IN GENERAL.—A concessioner shall have a leasehold surrender interest in each capital improvement constructed by a concessioner under a concession contract, consisting solely of a right to compensation for the capital improvement to the extent of the value of the concessioner's leasehold surrender interest in the capital improvement.

(2) PLEDGE AS SECURITY.—A leasehold surrender interest may be pledged as security for financing of a capital improvement or the acquisition of a concession contract when approved by the Secretary pursuant to this subchapter.

(3) TRANSFER AND RELINQUISHMENT OR WAIVER OF INTEREST.—A leasehold surrender interest shall be transferred by the concessioner in connection with any transfer of the concession contract and may be relinquished or waived by the concessioner.

(4) LIMIT ON EXTINGUISHING OR TAKING INTEREST.—A leasehold surrender interest shall not be extinguished by the expiration or other termination of a concession contract and may not be taken for public use except on payment of just compensation.

(5) VALUE OF INTEREST.—The value of a leasehold surrender interest in a capital improvement shall be an amount equal to the initial value (construction cost of the capital improvement), increased (or decreased) by the same percentage increase (or decrease) as the percentage increase (or decrease) in the Consumer Price Index, from the date of making the investment in the capital improvement by the concessioner to the date of payment of the value of the leasehold surrender interest, less depreciation of the capital improvement as evidenced by the condition and prospective serviceability in comparison with a new unit of like kind.

(6) VALUE OF INTEREST IN CERTAIN NEW CONCESSION CONTRACTS.—

(A) HOW VALUE IS DETERMINED.—The Secretary may provide, in any new concession contract that the Secretary estimates will have a leasehold surrender interest of more than \$10,000,000, that the value of any lease-

hold surrender interest in a capital improvement shall be based on—

(i) a reduction on an annual basis, in equal portions, over the same number of years as the time period associated with the straight line depreciation of the initial value (construction cost of the capital improvement), as provided by applicable Federal income tax laws and regulations in effect on November 12, 1998; or

(ii) an alternative formula that is consistent with the objectives of this subchapter.

(B) WHEN ALTERNATIVE FORMULA MAY BE USED.—The Secretary may use an alternative formula under subparagraph (A)(ii) only if the Secretary determines, after scrutiny of the financial and other circumstances involved in the particular concession contract (including providing notice in the Federal Register and opportunity for comment), that the alternative formula is, compared to the standard method of determining value provided for in paragraph (5), necessary to provide a fair return to the Federal Government and to foster competition for the new contract by providing a reasonable opportunity to make a profit under the new contract. If no responsive offers are received in response to a solicitation that includes the alternative formula, the concession opportunity shall be resolicited with the leasehold surrender interest value as described in paragraph (5).

(7) INCREASE IN VALUE OF INTEREST.—Where a concessioner, pursuant to the terms of a concession contract, makes a capital improvement to an existing capital improvement in which the concessioner has a leasehold surrender interest, the cost of the additional capital improvement shall be added to the then-current value of the concessioner's leasehold surrender interest.

(c) SPECIAL RULE FOR POSSESSORY INTEREST EXISTING BEFORE NOVEMBER 13, 1998.—

(1) IN GENERAL.—A concessioner that has obtained a possessory interest (as defined pursuant to the Act of October 9, 1965 (known as the National Park Service Concessions Policy Act; Public Law 89-249, 79 Stat. 969), as in effect on November 12, 1998) under the terms of a concession contract entered into before November 13, 1998, shall, on the expiration or termination of the concession contract, be entitled to receive compensation for the possessory interest improvements in the amount and manner as described by the concession contract. Where that possessory interest is not described in the existing concession contract, compensation of possessory interest shall be determined in accordance with the laws in effect on November 12, 1998.

(2) EXISTING CONCESSIONER AWARDED A NEW CONTRACT.—A concessioner awarded a new concession contract to replace an existing concession contract after November 13, 1998, instead of directly receiving the possessory interest compensation, shall have a leasehold surrender interest in its existing possessory interest improvements under the terms of the new concession contract and shall carry over as the initial value of the leasehold surrender interest (instead of construction cost) an amount equal to the value of the existing possessory interest as of the termination date of the previous concession contract. In the event of a dispute between the concessioner and the Secretary as to the value of the possessory interest, the matter shall be resolved through binding arbitration.

(3) NEW CONCESSIONER AWARDED A CONTRACT.—A new concessioner awarded a concession contract and required to pay a prior

concessioner for possessory interest in prior improvements shall have a leasehold surrender interest in the prior improvements. The initial value in the leasehold surrender interest (instead of construction cost) shall be an amount equal to the value of the existing possessory interest as of the termination date of the previous concession contract.

(4) DE NOVO REVIEW OF VALUE DETERMINATION.—If the Secretary, or either party to a value determination proceeding conducted under a Service concession contract issued before November 13, 1998, considers that the value determination decision issued pursuant to the proceeding misinterprets or misapplies relevant contractual requirements or their underlying legal authority, the Secretary or either party may seek, within 180 days after the date of the decision, de novo review of the value determination decision by the United States Court of Federal Claims. The Court of Federal Claims may make an order affirming, vacating, modifying or correcting the determination decision.

(d) TRANSITION TO SUCCESSOR CONCESSIONER.—On expiration or termination of a concession contract entered into after November 13, 1998, a concessioner shall be entitled under the terms of the concession contract to receive from the United States or a successor concessioner the value of any leasehold surrender interest in a capital improvement as of the date of the expiration or termination. A successor concessioner shall have a leasehold surrender interest in the capital improvement under the terms of a new concession contract and the initial value of the leasehold surrender interest in the capital improvement (instead of construction cost) shall be the amount of money the new concessioner is required to pay the prior concessioner for its leasehold surrender interest under the terms of the prior concession contract.

(e) TITLE TO IMPROVEMENTS.—Title to any capital improvement constructed by a concessioner on land owned by the United States in a System unit shall be vested in the United States.

§ 101916. Reasonableness of rates and charges

(a) IN GENERAL.—A concession contract shall permit the concessioner to set reasonable and appropriate rates and charges for facilities, goods, and services provided to the public, subject to approval under subsection (b).

(b) APPROVAL BY SECRETARY REQUIRED.—

(1) FACTORS TO CONSIDER.—A concessioner's rates and charges to the public shall be subject to approval by the Secretary. The approval process utilized by the Secretary shall be as prompt and as unburdensome to the concessioner as possible and shall rely on market forces to establish reasonableness of rates and charges to the maximum extent practicable. The Secretary shall approve rates and charges that the Secretary determines to be reasonable and appropriate. Unless otherwise provided in the concession contract, the reasonableness and appropriateness of rates and charges shall be determined primarily by comparison with those rates and charges for facilities, goods, and services of comparable character under similar conditions, with due consideration to the following factors and other factors deemed relevant by the Secretary:

(A) Length of season.

(B) Peakloads.

(C) Average percentage of occupancy.

(D) Accessibility.

(E) Availability and costs of labor and materials.

(F) Type of patronage.

(2) **RATES AND CHARGES NOT TO EXCEED MARKET RATES AND CHARGES.**—Rates and charges may not exceed the market rates and charges for comparable facilities, goods, and services, after taking into account the factors referred to in paragraph (1).

(c) **IMPLEMENTATION OF RECOMMENDATIONS.**—Not later than 6 months after receiving recommendations from the Advisory Board regarding concessioner rates and charges to the public, the Secretary shall implement the recommendations or report to Congress the reasons for not implementing the recommendations.

§ 101917. Franchise fees

(a) **IN GENERAL.**—A concession contract shall provide for payment to the Federal Government of a franchise fee or other monetary consideration as determined by the Secretary, on consideration of the probable value to the concessioner of the privileges granted by the particular contract involved. Probable value shall be based on a reasonable opportunity for net profit in relation to capital invested and the obligations of the concession contract. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving System units and of providing necessary and appropriate services for visitors at reasonable rates.

(b) **PROVISIONS TO BE SPECIFIED IN CONTRACT.**—The amount of the franchise fee or other monetary consideration paid to the United States for the term of the concession contract shall be specified in the concession contract and may be modified only to reflect extraordinary unanticipated changes from the conditions anticipated as of the effective date of the concession contract. The Secretary shall include in concession contracts with a term of more than 5 years a provision that allows reconsideration of the franchise fee at the request of the Secretary or the concessioner in the event of extraordinary unanticipated changes. The provision shall provide for binding arbitration in the event that the Secretary and the concessioner are unable to agree on an adjustment to the franchise fee in those circumstances.

(c) **SPECIAL ACCOUNT IN TREASURY.**—

(1) **DEPOSIT AND AVAILABILITY.**—All franchise fees (and other monetary consideration) paid to the United States pursuant to concession contracts shall be deposited in a special account established in the Treasury. Twenty percent of the funds deposited in the special account shall be available for expenditure by the Secretary, without further appropriation, to support activities throughout the System regardless of the System unit in which the funds were collected. The funds deposited in the special account shall remain available until expended.

(2) **SUBACCOUNT FOR EACH SYSTEM UNIT.**—There shall be established within the special account a subaccount for each System unit. Each subaccount shall be credited with 80 percent of the franchise fees (and other monetary consideration) collected at a single System unit under concession contracts. The funds credited to the subaccount for a System unit shall be available for expenditure by the Secretary, without further appropriation, for use at the System unit for visitor services and for purposes of funding high-priority and urgently necessary resource management programs and operations. The funds credited to a subaccount shall remain available until expended.

§ 101918. Transfer or conveyance of concession contracts or leasehold surrender interests

(a) **APPROVAL OF SECRETARY.**—No concession contract or leasehold surrender interest may be transferred, assigned, sold, or otherwise conveyed or pledged by a concessioner without prior written notification to, and approval by, the Secretary.

(b) **CONDITIONS.**—The Secretary shall approve a transfer or conveyance described in subsection (a) unless the Secretary finds that—

(1) the individual, corporation, or other entity seeking to acquire a concession contract is not qualified or able to satisfy the terms and conditions of the concession contract;

(2) the transfer or conveyance would have an adverse impact on—

(A) the protection, conservation, or preservation of the resources of the System unit; or

(B) the provision of necessary and appropriate facilities and services to visitors at reasonable rates and charges; and

(3) the terms of the transfer or conveyance are likely, directly or indirectly, to—

(A) reduce the concessioner's opportunity for a reasonable profit over the remaining term of the concession contract;

(B) adversely affect the quality of facilities and services provided by the concessioner; or

(C) result in a need for increased rates and charges to the public to maintain the quality of the facilities and services.

(c) **MODIFICATION OR RENEGOTIATION OF TERMS.**—The terms and conditions of any concession contract under this section shall not be subject to modification or open to renegotiation by the Secretary because of a transfer or conveyance described in subsection (a) unless the transfer or conveyance would have an adverse impact as described in subsection (b)(2).

§ 101919. National Park Service Concessions Management Advisory Board

(a) **ESTABLISHMENT AND PURPOSE.**—There is a National Park Service Concessions Management Advisory Board whose purpose shall be to advise the Secretary and Service on matters relating to management of concessions in the System.

(b) **DUTIES.**—

(1) **ADVICE.**—The Advisory Board shall advise on each of the following:

(A) Policies and procedures intended to ensure that services and facilities provided by concessioners—

(i) are necessary and appropriate;

(ii) meet acceptable standards at reasonable rates with a minimum of impact on System unit resources and values; and

(iii) provide the concessioners with a reasonable opportunity to make a profit.

(B) Ways to make Service concession programs and procedures more cost effective, more process efficient, less burdensome, and timelier.

(2) **RECOMMENDATIONS.**—The Advisory Board shall make recommendations to the Secretary regarding each of the following:

(A) The Service contracting with the private sector to conduct appropriate elements of concession management.

(B) Ways to make the review or approval of concessioner rates and charges to the public more efficient, less burdensome, and timelier.

(C) The nature and scope of products that qualify as Indian, Alaska Native, and Native Hawaiian handicrafts within the meaning of this subchapter.

(D) The allocation of concession fees.

(3) **ANNUAL REPORT.**—The Advisory Board shall provide an annual report on its activi-

ties to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) **ADVISORY BOARD MEMBERSHIP.**—Members of the Advisory Board shall be appointed on a staggered basis by the Secretary for a term not to exceed 4 years and shall serve at the pleasure of the Secretary. The Advisory Board shall be comprised of not more than 7 individuals appointed from among citizens of the United States not in the employment of the Federal Government and not in the employment of or having an interest in a Service concession. Of the 7 members of the Advisory Board—

(1) one member shall be privately employed in the hospitality industry and have both broad knowledge of hotel or food service management and experience in the parks and recreation concession business;

(2) one member shall be privately employed in the tourism industry;

(3) one member shall be privately employed in the accounting industry;

(4) one member shall be privately employed in the outfitting and guide industry;

(5) one member shall be a State government employee with expertise in park concession management;

(6) one member shall be active in promotion of traditional arts and crafts; and

(7) one member shall be active in a non-profit conservation organization involved in parks and recreation programs.

(d) **SERVICE ON ADVISORY BOARD.**—Service of an individual as a member of the Advisory Board shall not be deemed to be service or employment bringing the individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the employment of individuals, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United States. Service as a member of the Advisory Board shall not be deemed service in an appointive or elective position in the Federal Government for purposes of section 8344 of title 5 or other comparable provisions of Federal law.

(e) **TERMINATION.**—The Advisory Board shall continue to exist until December 31, 2009. In all other respects, it shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

§ 101920. Contracting for services

(a) **CONTRACTING AUTHORIZED.**—

(1) **MANAGEMENT ELEMENTS FOR WHICH CONTRACT REQUIRED TO MAXIMUM EXTENT PRACTICABLE.**—To the maximum extent practicable, the Secretary shall contract with private entities to conduct or assist in elements of the management of the Service concession program considered by the Secretary to be suitable for non-Federal performance. Those management elements shall include each of the following:

(A) Health and safety inspections.

(B) Quality control of concession operations and facilities.

(C) Strategic capital planning for concession facilities.

(D) Analysis of rates and charges to the public.

(2) **MANAGEMENT ELEMENTS FOR WHICH CONTRACT ALLOWED.**—The Secretary may also contract with private entities to assist the Secretary with each of the following:

(A) Preparation of the financial aspects of prospectuses for Service concession contracts.

(B) Development of guidelines for a System capital improvement and maintenance program for all concession occupied facilities.

(C) Making recommendations to the Director regarding the conduct of annual audits of concession fee expenditures.

(b) OTHER MANAGEMENT ELEMENTS.—The Secretary shall consider, taking into account the recommendations of the Advisory Board, contracting out other elements of the concessions management program, as appropriate.

(c) AUTHORITY OF SECRETARY NOT DIMINISHED.—Nothing in this section shall diminish the governmental responsibilities and authority of the Secretary to administer concession contracts and activities pursuant to this subchapter and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of this title. The Secretary reserves the right to make the final decision or contract approval on contracting services dealing with the management of the Service concessions program under this section.

§ 101921. Multiple contracts within a System unit

If multiple concession contracts are awarded to authorize concessioners to provide the same or similar outfitting, guiding, river running, or other similar services at the same approximate location or resource within a System unit, the Secretary shall establish a comparable franchise fee structure for those contracts or similar contracts, except that the terms and conditions of any existing concession contract shall not be subject to modification or open to renegotiation by the Secretary because of an award of a new contract at the same approximate location or resource.

§ 101922. Use of nonmonetary consideration in concession contracts

Section 1302 of title 40 shall not apply to concession contracts awarded by the Secretary pursuant to this subchapter.

§ 101923. Recordkeeping requirements

(a) IN GENERAL.—A concessioner and any subcontractor shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of a concession contract have been and are being faithfully performed. The Secretary and any authorized representative of the Secretary shall, for the purpose of audit and examination, have access to those records and to other records of the concessioner or subcontractor pertinent to the concession contract and all terms and conditions of the concession contract.

(b) ACCESS TO RECORDS BY COMPTROLLER GENERAL.—The Comptroller General and any authorized representative of the Comptroller General shall, until the expiration of 5 calendar years after the close of the business year of each concessioner or subcontractor, have access to and the right to examine any pertinent records described in subsection (a) of the concessioner or subcontractor related to the contract involved.

§ 101924. Promotion of sale of Indian, Alaska Native, Native Samoan, and Native Hawaiian handicrafts

(a) IN GENERAL.—Promoting the sale of authentic United States Indian, Alaskan Native, Native Samoan, and Native Hawaiian handicrafts relating to the cultural, historical, and geographic characteristics of System units is encouraged, and the Secretary shall ensure that there is a continuing effort to enhance the handicraft trade where it exists and establish the trade in appropriate areas where the trade does not exist.

(b) EXEMPTION FROM FRANCHISE FEE.—In furtherance of the purposes of subsection (a), the revenue derived from the sale of United States Indian, Alaska Native, Native Samoan, and Native Hawaiian handicrafts shall be exempt from any franchise fee payments under this subchapter.

§ 101925. Commercial use authorizations

(a) IN GENERAL.—To the extent specified in this section, the Secretary, on request, may authorize a private person, corporation, or other entity to provide services to visitors to System units through a commercial use authorization. A commercial use authorization shall not be considered to be a concession contract under this subchapter and no other section of this subchapter shall be applicable to a commercial use authorization except where expressly stated.

(b) CRITERIA FOR ISSUANCE OF COMMERCIAL USE AUTHORIZATIONS.—

(1) REQUIRED DETERMINATIONS.—The authority of this section may be used only to authorize provision of services that the Secretary determines—

(A) will have minimal impact on resources and values of a System unit; and

(B) are consistent with the purpose for which the System unit was established and with all applicable management plans and Service policies and regulations.

(2) ELEMENTS OF COMMERCIAL USE AUTHORIZATION.—The Secretary shall—

(A) require payment of a reasonable fee for issuance of a commercial use authorization, the fees to remain available without further appropriation to be used, at a minimum, to recover associated management and administrative costs;

(B) require that the provision of services under a commercial use authorization be accomplished in a manner consistent to the highest practicable degree with the preservation and conservation of System unit resources and values;

(C) take appropriate steps to limit the liability of the United States arising from the provision of services under a commercial use authorization;

(D) have no authority under this section to issue more commercial use authorizations than are consistent with the preservation and proper management of System unit resources and values; and

(E) shall establish other conditions for issuance of a commercial use authorization that the Secretary determines to be appropriate for the protection of visitors, provision of adequate and appropriate visitor services, and protection and proper management of System unit resources and values.

(c) LIMITATIONS.—Any commercial use authorization shall be limited to—

(1) commercial operations with annual gross receipts of not more than \$25,000 resulting from services originating and provided solely within a System unit pursuant to the commercial use authorization;

(2) the incidental use of resources of the System unit by commercial operations that provide services originating and terminating outside the boundaries of the System unit; or

(3)(A) uses by organized children's camps, outdoor clubs, and nonprofit institutions (including back country use); and

(B) other uses, as the Secretary determines to be appropriate.

(d) NONPROFIT INSTITUTIONS.—Nonprofit institutions are not required to obtain commercial use authorizations unless taxable income is derived by the institution from the authorized use.

(e) PROHIBITION ON CONSTRUCTION.—A commercial use authorization shall not provide

for the construction of any structure, fixture, or improvement on federally-owned land within the boundaries of a System unit.

(f) DURATION.—The term of any commercial use authorization shall not exceed 2 years. No preferential right of renewal or similar provisions for renewal shall be granted by the Secretary.

(g) OTHER CONTRACTS.—A person, corporation, or other entity seeking or obtaining a commercial use authorization shall not be precluded from submitting a proposal for concession contracts.

§ 101926. Regulations

(a) IN GENERAL.—The Secretary shall prescribe regulations appropriate for the implementation of this subchapter.

(b) CONTENTS.—The regulations—

(1) shall include appropriate provisions to ensure that concession services and facilities to be provided in a System unit are not segmented or otherwise split into separate concession contracts for the purposes of seeking to reduce anticipated annual gross receipts of a concession contract below \$500,000; and

(2) shall further define the term "United States Indian, Alaskan Native, and Native Hawaiian handicrafts" for the purposes of this subchapter.

Chapter 1021—Privileges and Leases

Sec.

102101. General provisions.

102102. Authority of Secretary to enter into lease for buildings and associated property.

§ 102101. General provisions

(a) LIMITATION.—

(1) NO LEASE OR GRANT OF A PRIVILEGE THAT INTERFERES WITH FREE ACCESS.—No natural curiosity, wonder, or object of interest shall be leased or granted to anyone on such terms as to interfere with free access by the public to any System unit.

(2) EXCEPTION FOR GRAZING LIVESTOCK.—The Secretary, under such regulations and on such terms as the Secretary may prescribe, may grant the privilege to graze livestock within a System unit when, in the Secretary's judgment, the use is not detrimental to the primary purpose for which the System unit was created. This paragraph does not apply to Yellowstone National Park.

(b) ADVERTISING AND COMPETITIVE BIDS NOT REQUIRED.—The Secretary may grant privileges and enter into leases described in subsection (a), and enter into related contracts with responsible persons, firms, or corporations, without advertising and without securing competitive bids.

(c) ASSIGNMENT OR TRANSFER.—No contract, lease, or privilege described in subsection (a) or (b) that is entered into or granted shall be assigned or transferred by the grantee, lessee, or licensee without the prior written approval of the Secretary.

§ 102102. Authority of Secretary to enter into lease for buildings and associated property

(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, and except as provided in subsection (b) and subject to subsection (c), may enter into a lease with any person or government entity for the use of buildings and associated property administered by the Secretary as part of the System.

(b) PROHIBITED ACTIVITIES.—The Secretary may not use a lease under subsection (a) to authorize the lessee to engage in activities that are subject to authorization by the Secretary through a concession contract, commercial use authorization, or similar instrument.

(c) **USE.**—Buildings and associated property leased under subsection (a)—

(1) shall be used for an activity that is consistent with the purposes established by law for the System unit in which the building is located;

(2) shall not result in degradation of the purposes and values of the System unit; and

(3) shall be compatible with Service programs.

(d) **RENTAL AMOUNTS.**—

(1) **IN GENERAL.**—With respect to a lease under subsection (a)—

(A) payment of fair market value rental shall be required; and

(B) section 1302 of title 40 shall not apply.

(2) **ADJUSTMENT.**—The Secretary may adjust the rental amount as appropriate to take into account any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, or repair and related expenses.

(e) **SPECIAL ACCOUNT.**—

(1) **DEPOSITS.**—Rental payments under a lease under subsection (a) shall be deposited in a special account in the Treasury.

(2) **AVAILABILITY.**—Amounts in the special account shall be available until expended, without further appropriation, for infrastructure needs at System units, including—

(A) facility refurbishment;

(B) repair and replacement;

(C) infrastructure projects associated with System unit resource protection; and

(D) direct maintenance of the leased buildings and associated property.

(3) **ACCOUNTABILITY AND RESULTS.**—The Secretary shall develop procedures for the use of the special account that ensure accountability and demonstrated results consistent with this section and sections 100101(b), 100502, 100507, 100751(b), 100754, 100901(b) and (c), 100906(a) and (d), 101302(b)(1) and (c) to (e), 101306, 101702(b) and (c), 101901, 102701, and 102702 of this title.

(f) **REGULATIONS.**—The Secretary shall prescribe regulations implementing this section that include provisions to encourage and facilitate competition in the leasing process and provide for timely and adequate public comment.

Chapter 1023—Programs and Organizations

Sec.

102301. Volunteers in parks program.

102302. National Capital region arts and cultural affairs.

102303. National Park System Advisory Board.

102304. National Park Service Advisory Council.

§ 102301. Volunteers in parks program

(a) **ESTABLISHMENT.**—The Secretary may recruit, train, and accept, without regard to chapter 51 and subchapter III of chapter 53 of title 5 or regulations prescribed under that chapter or subchapter, the services of individuals without compensation as volunteers for or in aid of interpretive functions or other visitor services or activities in and related to System units and related areas. In accepting those services, the Secretary shall not permit the use of volunteers in hazardous duty or law enforcement work or in policymaking processes, or to displace any employee. The services of individuals whom the Secretary determines are skilled in performing hazardous activities may be accepted.

(b) **INCIDENTAL EXPENSES.**—The Secretary may provide for incidental expenses of volunteers, such as transportation, uniforms, lodging, and subsistence.

(c) **FEDERAL EMPLOYEE STATUS FOR VOLUNTEERS.**—

(1) **EMPLOYMENT STATUS OF VOLUNTEERS.**—Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) **TORT CLAIMS.**—For the purpose of sections 1346(b) and 2401(b) and chapter 171 of title 28, a volunteer under this chapter shall be deemed a Federal employee.

(3) **VOLUNTEERS DEEMED CIVIL EMPLOYEES.**—For the purposes of subchapter I of chapter 81 of title 5, volunteers under this chapter shall be deemed civil employees of the United States within the meaning of the term “employee” as defined in section 8101 of title 5, and subchapter I of chapter 81 of title 5 shall apply.

(4) **COMPENSATION FOR LOSSES AND DAMAGES.**—For the purpose of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this chapter shall be deemed a Federal employee, and section 3721 of title 31 shall apply.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section not more than \$3,500,000 for each fiscal year.

§ 102302. National Capital region arts and cultural affairs

(a) **ESTABLISHMENT.**—There is under the direction of the Service a program to support and enhance artistic and cultural activities in the National Capital region.

(b) **GRANT ELIGIBILITY.**—

(1) **ELIGIBLE ORGANIZATIONS.**—Eligibility for grants shall be limited to organizations—

(A) that are of demonstrated national significance; and

(B) that meet at least 2 of the criteria stated in paragraph (2).

(2) **CRITERIA.**—The criteria referred to in paragraph (1) are the following:

(A) The organization has an annual operating budget in excess of \$1,000,000.

(B) The organization has an annual audience or visitation of at least 200,000 people.

(C) The organization has a paid staff of at least 100 individuals.

(D) The organization is eligible under section 320102(f) of this title.

(3) **ORGANIZATIONS NOT ELIGIBLE.**—Public or private colleges and universities are not eligible for grants under the program under this section.

(c) **USE OF GRANTS.**—Grants awarded under this section may be used to support general operations and maintenance, security, or special projects. No organization may receive a grant in excess of \$500,000 in a single year.

(d) **RESPONSIBILITIES OF DIRECTOR.**—The Director shall—

(1) establish an application process;

(2) appoint a review panel of 5 qualified individuals, at least a majority of whom reside in the National Capital region; and

(3) develop other program guidelines and definitions as required.

(e) **FORD'S THEATER AND WOLF TRAP NATIONAL PARK FOR THE PERFORMING ARTS.**—The contractual amounts required for the support of Ford's Theater and Wolf Trap National Park for the Performing Arts shall be available within the amount provided in this section without regard to any other provision of this section.

§ 102303. National Park System Advisory Board

(a) **DEFINITION.**—In this section, the term “Board” means the National Park System

Advisory Board established under subsection (b).

(b) **ESTABLISHMENT AND PURPOSE.**—There is established a National Park System Advisory Board, whose purpose is to advise the Director on matters relating to the Service, the System, and programs administered by the Service. The Board shall advise the Director on matters submitted to the Board by the Director as well as any other issues identified by the Board.

(c) **MEMBERSHIP.**—

(1) **APPOINTMENT AND TERM OF OFFICE.**—Members of the Board shall be appointed on a staggered term basis by the Secretary for a term not to exceed 4 years and shall serve at the pleasure of the Secretary.

(2) **COMPOSITION.**—The Board shall be composed of no more than 12 persons, appointed from among citizens of the United States having a demonstrated commitment to the mission of the Service. Board members shall be selected to represent various geographic regions, including each of the administrative regions of the Service. At least 6 of the members shall have outstanding expertise in one or more of the following fields: history, archeology, anthropology, historical or landscape architecture, biology, ecology, geology, marine science, or social science. At least 4 of the members shall have outstanding expertise and prior experience in the management of national or State parks or protected areas, or natural or cultural resources management. The remaining members shall have outstanding expertise in one or more of the areas described above or in another professional or scientific discipline, such as financial management, recreation use management, land use planning, or business management, important to the mission of the Service. At least one individual shall be a locally elected official from an area adjacent to a park.

(3) **FIRST MEETING.**—The Board shall hold its 1st meeting no later than 60 days after the date on which all members of the Board who are to be appointed have been appointed.

(4) **VACANCY.**—Any vacancy in the Board shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(5) **COMPENSATION.**—All members of the Board shall be reimbursed for travel and per diem in lieu of subsistence expenses during the performance of duties of the Board while away from home or their regular place of business, in accordance with subchapter I of chapter 57 of title 5. With the exception of travel and per diem, a member of the Board who otherwise is an officer or employee of the United States Government shall serve on the Board without additional compensation.

(d) **DUTIES AND POWERS OF BOARD.**—

(1) **ADOPT RULES.**—The Board may adopt such rules as may be necessary to establish its procedures and to govern the manner of its operations, organization, and personnel.

(2) **ADVICE AND RECOMMENDATIONS.**—The Board shall advise the Secretary on matters relating to the System, to other related areas, and to the administration of chapter 3201 of this title, including matters submitted to it for consideration by the Secretary, but it shall not be required to provide recommendations as to the suitability or desirability of surplus real and related personal property for use as a historic monument. The Board shall also provide recommendations on the designation of national historic landmarks and national natural landmarks. The Board is strongly encouraged to consult with the major scholarly and professional organizations in the appropriate disciplines in making the recommendations.

(3) **ACTIONS ON REQUEST OF DIRECTOR.**—On request of the Director, the Board is authorized to—

(A) hold such hearings and sit and act at such times;

(B) take such testimony;

(C) have such printing and binding done;

(D) enter into such contracts and other arrangements;

(E) make such expenditures; and

(F) take such other actions

as the Board may consider advisable.

(4) **OATHS OR AFFIRMATIONS.**—Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board.

(5) **COMMITTEES AND SUBCOMMITTEES.**—The Board may establish committees or subcommittees. The subcommittees or committees shall be chaired by a voting member of the Board.

(6) **USE OF MAILS.**—The Board may use the United States mails in the same manner and under the same conditions as other departments and agencies in the United States.

(e) **STAFF.**—The Secretary may hire 2 full-time staffers to meet the needs of the Board.

(f) **FEDERAL LAW NOT APPLICABLE TO SERVICE.**—Service as a member of the Board shall not be deemed service or employment bringing the individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties relating to the employment of individuals, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United States. Service as a member or an employee of the Board shall not be deemed service in an appointive or elective position in the Federal Government for purposes of section 8344 of title 5 or comparable provisions of Federal law.

(g) **COOPERATION OF FEDERAL AGENCIES.**—

(1) **INFORMATION.**—The Board may secure directly from any office, department, agency, establishment, or instrumentality of the Federal Government such information as the Board may require for the purpose of this section, and each office, department, agency, establishment, or instrumentality shall furnish, to the extent permitted by law, the information, suggestions, estimates, and statistics directly to the Board, on request made by a member of the Board.

(2) **FACILITIES AND SERVICES.**—On request of the Board, the head of any Federal department, agency, or instrumentality may make any of the facilities and services of the department, agency, or instrumentality available to the Board, on a nonreimbursable basis, to assist the Board in carrying out its duties under this section.

(h) **FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.), with the exception of section 14(b), applies to the Board.

(i) **TERMINATION.**—The Board continues to exist until January 1, 2010.

§ 102304. National Park Service Advisory Council

(a) **DEFINITIONS.**—In this section:

(1) **BOARD.**—The term “Board” means the National Park System Advisory Board established under section 102303 of this title.

(2) **COUNCIL.**—The term “Council” means the National Park Service Advisory Council established under subsection (b).

(b) **ESTABLISHMENT AND PURPOSE.**—There is established a National Park Service Advisory Council that shall provide advice and counsel to the Board.

(c) **MEMBERSHIP.**—

(1) **ELIGIBILITY.**—Membership on the Council shall be limited to individuals whose term on the Board has expired. Those individuals may serve as long as they remain active except that not more than 12 members may serve on the Council at any one time.

(2) **COMPENSATION.**—Members of the Council shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as members.

(d) **VOTING RESTRICTION.**—Members of the Council shall not have a vote on the Board.

Chapter 1025—Museums

Sec.

102501. Purpose.

102502. Definition of museum object.

102503. Authority of Secretary.

102504. Review and approval.

§ 102501. Purpose

The purpose of this chapter is to increase the public benefits from museums established within System units as a means of informing the public concerning the areas and preserving valuable objects and relics relating to the areas.

§ 102502. Definition of museum object

In this chapter:

(1) **IN GENERAL.**—The term “museum object” means an object that—

(A) typically is movable; and

(B) is eligible to be, or is made part of, a museum, library, or archive collection through a formal procedure, such as accessioning.

(2) **INCLUSIONS.**—The term “museum object” includes a prehistoric or historic artifact, work of art, book, document, photograph, or natural history specimen.

§ 102503. Authority of Secretary

(a) **IN GENERAL.**—Notwithstanding other provisions or limitations of law, the Secretary may perform the functions described in this section in the manner that the Secretary considers to be in the public interest.

(b) **DONATIONS AND BEQUESTS.**—The Secretary may accept donations and bequests of money or other personal property, and hold, use, expend, and administer the money or other personal property for purposes of this chapter.

(c) **PURCHASES.**—The Secretary may purchase museum objects and other personal property at prices that the Secretary considers to be reasonable.

(d) **EXCHANGES.**—The Secretary may make exchanges by accepting museum objects and other personal property and by granting in exchange for the museum objects or other personal property museum property under the administrative jurisdiction of the Secretary that no longer is needed or that may be held in duplicate among the museum properties administered by the Secretary. Exchanges shall be consummated on a basis that the Secretary considers to be equitable and in the public interest.

(e) **ACCEPTANCE OF LOANS OF PROPERTY.**—The Secretary may accept the loan of museum objects and other personal property and pay transportation costs incidental to the museum objects or other personal property. Loans shall be accepted on terms and conditions that the Secretary considers necessary.

(f) **LOANS OF PROPERTY.**—The Secretary may loan to responsible public or private organizations, institutions, or agencies, without cost to the United States, such museum objects and other personal property as the Secretary shall consider advisable. Loans shall be made on terms and conditions that the Secretary considers necessary to protect the public interest in those properties.

(g) **TRANSFER OF MUSEUM OBJECTS.**—The Secretary may transfer museum objects that the Secretary determines are no longer needed for museum purposes to qualified Federal agencies, including the Smithsonian Institution, that have programs to preserve and interpret cultural or natural heritage, and accept the transfer of museum objects for the purposes of this chapter from any other Federal agency, without reimbursement. The head of any other Federal agency may transfer, without reimbursement, museum objects directly to the administrative jurisdiction of the Secretary for the purpose of this chapter.

(h) **CONVEYANCE OF MUSEUM OBJECTS.**—The Secretary may convey museum objects that the Secretary determines are no longer needed for museum purposes, without monetary consideration but subject to such terms and conditions as the Secretary considers necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and to non-Federal governmental entities if the Secretary determines that the recipient is dedicated to the preservation and interpretation of natural or cultural heritage and is qualified to manage the property, prior to any conveyance under this subsection and subsection (g).

(i) **DESTRUCTION OF MUSEUM OBJECTS.**—The Secretary may destroy or cause to be destroyed museum objects that the Secretary determines to have no scientific, cultural, historic, educational, esthetic, or monetary value.

§ 102504. Review and approval

The Secretary shall ensure that museum objects are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (g), (h), or (i) of section 102503 of this title, the Secretary shall establish a systematic review and approval process, including consultation with appropriate experts, that meets the highest standards of the museum profession for all actions taken under those subsections.

Chapter 1027—Law Enforcement and Emergency Assistance

Subchapter I—Law Enforcement

Sec.

102701. Law enforcement personnel within System.

102702. Crime prevention assistance.

Subchapter II—Emergency Assistance

102711. Authority of Secretary to use applicable appropriations for the System to render assistance to nearby law enforcement and fire prevention agencies and for related activities outside the System.

102712. Aid to visitors, grantees, permittees, or licensees in emergencies.

Subchapter I—Law Enforcement

§ 102701. Law enforcement personnel within System

(a) **OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF THE INTERIOR.**—

(1) **DESIGNATION AUTHORITY OF SECRETARY.**—The Secretary, pursuant to standards prescribed in regulations by the Secretary, may designate certain officers or employees of the Department of the Interior who shall maintain law and order and protect individuals and property within System units.

(2) **POWERS AND DUTIES OF DESIGNEES.**—In the performance of the duties described in paragraph (1), the designated officers or employees may—

(A) carry firearms;

(B) make arrests without warrant for any offense against the United States committed in the presence of the officer or employee, or for any felony cognizable under the laws of the United States if the officer or employee has reasonable grounds to believe that the individual to be arrested has committed or is committing the felony, provided the arrests occur within the System or the individual to be arrested is fleeing from the System to avoid arrest;

(C) execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law arising out of an offense committed in the System or, where the individual subject to the warrant or process is in the System, in connection with any Federal offense; and

(D) conduct investigations of offenses against the United States committed in the System in the absence of investigation of the offenses by any other Federal law enforcement agency having investigative jurisdiction over the offense committed or with the concurrence of the other agency.

(b) SPECIAL POLICE OFFICERS.—

(1) IN GENERAL.—The Secretary may designate officers and employees of any other Federal agency, or law enforcement personnel of a State or political subdivision of a State, when determined to be economical and in the public interest and with the concurrence of that agency, State, or subdivision, to—

(A) act as special police officers in System units when supplemental law enforcement personnel may be needed; and

(B) exercise the powers and authority provided by subparagraphs (A) to (D) of subsection (a)(2).

(2) COOPERATION WITH STATES AND POLITICAL SUBDIVISIONS.—The Secretary may—

(A) cooperate, within the System, with any State or political subdivision of a State in the enforcement of supervision of the laws or ordinances of that State or subdivision;

(B) mutually waive, in any agreement pursuant to subparagraph (A) and paragraph (1) or pursuant to subparagraphs (A) and (B) of subsection (a)(2) with any State or political subdivision of a State where State law requires the waiver and indemnification, all civil claims against all the other parties to the agreement and, subject to available appropriations, indemnify and save harmless the other parties to the agreement from all claims by third parties for property damage or personal injury, that may arise out of the parties' activities outside their respective jurisdictions under the agreement; and

(C) provide limited reimbursement, to a State or political subdivisions of a State, in accordance with such regulations as the Secretary may prescribe, where the State has ceded concurrent legislative jurisdiction over the affected area of the System, for expenditures incurred in connection with its activities within the System that were rendered pursuant to paragraph (1).

(3) SUPPLEMENTAL AUTHORITY; DELEGATION OF SERVICE LAW ENFORCEMENT RESPONSIBILITIES NOT AUTHORIZED.—Paragraphs (1) and (2) supplement the law enforcement responsibilities of the Service and do not authorize the delegation of law enforcement responsibilities of the Service to State or local governments.

(4) SPECIAL POLICE OFFICERS NOT DEEMED FEDERAL EMPLOYEES.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, a law enforcement officer of a State or political subdivision of

a State designated to act as a special police officer under paragraph (1) shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal benefits.

(B) EXCEPTIONS.—A law enforcement officer of a State or political subdivision of a State, when acting as a special police officer under paragraph (1), is deemed to be—

(i) a Federal employee for purposes of sections 1346(b) and 2401(b) and chapter 171 of title 28; and

(ii) a civil service employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, for purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, and the provisions of subchapter I of chapter 81 of title 5 shall apply.

(c) FEDERAL INVESTIGATIVE JURISDICTION AND STATE CIVIL AND CRIMINAL JURISDICTION NOT PREEMPTED.—This section and sections 100101(b), 100502, 100507, 100751(b), 100754, 100901(b) and (c), 100906(a) and (d), 101302(b)(1) and (c) to (e), 101306, 101702(b) and (c), 101901, 102102, and 102702 of this title shall not be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency other than the Service, and nothing shall be construed or applied to affect any right of a State or political subdivision of a State to exercise civil and criminal jurisdiction within the System.

§ 102702. Crime prevention assistance

(a) RECOMMENDATIONS FOR IMPROVEMENT.—The Secretary shall direct the chief official responsible for law enforcement within the Service to—

(1) compile a list of System units with the highest rates of violent crime;

(2) make recommendations concerning capital improvements, and other measures, needed within the System to reduce the rates of violent crime, including the rate of sexual assault; and

(3) publish the information required by paragraphs (1) and (2) in the Federal Register.

(b) DISTRIBUTION OF FUNDS.—Based on the recommendations and list issued pursuant to subsection (a), the Secretary shall distribute the funds authorized by subsection (d) throughout the System. Priority shall be given to areas with the highest rates of sexual assault.

(c) USE OF FUNDS.—Funds provided under this section may be used—

(1) to increase lighting within or adjacent to System units;

(2) to provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to System units;

(3) to increase security or law enforcement personnel within or adjacent to System units; or

(4) for any other project intended to increase the security and safety of System units.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Violent Crime Reduction Trust Fund not more than \$10,000,000 for the Secretary to take all necessary actions to seek to reduce the incidence of violent crime in the System.

Subchapter II—Emergency Assistance

§ 102711. Authority of Secretary to use applicable appropriations for the System to render assistance to nearby law enforcement and fire prevention agencies and for related activities outside the System

To facilitate the administration of the System, the Secretary may use applicable appropriations for the System to render emergency rescue, firefighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside the System.

§ 102712. Aid to visitors, grantees, permittees, or licensees in emergencies

(a) VISITORS.—The Secretary may aid visitors within a System unit in an emergency, when no other source is available for the procurement of food or supplies, by the sale, at cost, of food or supplies in quantities sufficient to enable the visitors to reach safely a point where food or supplies can be purchased. Receipts from the sales shall be deposited as a refund to the appropriation current at the date of the deposit and shall be available for the purchase of similar food or supplies.

(b) GRANTEES, PERMITTEES, AND LICENSEES.—The Secretary may in an emergency, when no other source is available for the immediate procurement of supplies, materials, or special services, aid grantees, permittees, or licensees conducting operations for the benefit of the public in a System unit by the sale, at cost, including transportation and handling, of supplies, materials, or special services as may be necessary to relieve the emergency and ensure uninterrupted service to the public. Receipts from the sales shall be deposited as a refund to the appropriation current at the date of the deposit and shall be available for expenditure for System unit purposes.

Chapter 1029—Land Transfers

Sec.

102901. Conveyance of property and interests in property in System units or related areas.

§ 102901. Conveyance of property and interests in property in System units or related areas

(a) FREEHOLD AND LEASEHOLD INTERESTS.—With respect to any property acquired by the Secretary within a System unit or related area, except property within national parks or within national monuments of scientific significance, the Secretary may convey a freehold or leasehold interest in the property, subject to such terms and conditions as will ensure the use of the property in a manner that is, in the judgment of the Secretary, consistent with the purpose for which the System unit or related area was authorized by Congress. The Secretary shall convey the interest to the highest bidder, in accordance with such regulations as the Secretary may prescribe. The conveyance shall be at not less than the fair market value of the interest, as determined by the Secretary, except that if the conveyance is proposed within 2 years after the property to be conveyed is acquired by the Secretary, the Secretary shall allow the last owner of record of the property 30 days following the date on which the owner is notified by the Secretary in writing that the property is to be conveyed within which to notify the Secretary that the owner wishes to acquire the interest. On receiving the timely request, the Secretary shall convey the interest to the person, in accordance with such regulations as the Secretary may prescribe, on payment or agreement to pay an amount equal to the highest bid price.

(b) EXCHANGE OF LAND.—

(1) IN GENERAL.—The Secretary may accept title to any non-Federal property or interest in property within a System unit or related area under the Secretary's administration in exchange for any Federally-owned property or interest under the Secretary's jurisdiction that the Secretary determines is suitable for exchange or other disposal and that is located in the same State as the non-Federal property to be acquired.

(2) EXCEPTION.—Timberland subject to harvest under a sustained yield program shall not be exchanged under paragraph (1).

(3) PUBLIC HEARING.—On request of a State or a political subdivision thereof, or of a party in interest, prior to an exchange under this subsection the Secretary shall hold a public hearing in the area where the properties to be exchanged are located.

(4) VALUES OF PROPERTIES EXCHANGED.—The values of the properties exchanged—

(A) shall be approximately equal; or

(B) if they are not approximately equal, shall be equalized by the payment of cash to the grantor from funds appropriated for the acquisition of land for the area, or to the Secretary, as the circumstances require.

(c) PROCEEDS CREDITED TO LAND AND WATER CONSERVATION FUND.—The proceeds received from any conveyance under this section shall be credited to the Land and Water Conservation Fund.

Chapter 1031—Appropriations and Accounting

Sec.

103101. Availability and use of appropriations.

103102. Appropriations authorized and available for certain purposes.

103103. Amounts provided by private entities for utility services.

103104. Recovery of costs associated with special use permits.

§ 103101. Availability and use of appropriations

(a) CREDITS OF RECEIPTS FOR MEALS AND QUARTERS FURNISHED FEDERAL GOVERNMENT EMPLOYEES IN THE FIELD.—Cash collections and payroll deductions made for meals and quarters furnished by the Service to employees of the Federal Government in the field and to cooperating agencies may be credited as a reimbursement to the current appropriation for the administration of the System unit in which the accommodations are furnished.

(b) AVAILABILITY FOR EXPENSE OF RECORDING DONATED LAND.—Appropriations made for the Service shall be available for any expenses incident to the preparation and recording of title evidence covering land to be donated to the United States for administration by the Service.

(c) USE OF FUNDS FOR LAW ENFORCEMENT AND EMERGENCIES.—

(1) IN GENERAL.—Funds, not to exceed \$250,000 per incident, available to the Service may be used, with the approval of the Secretary, to—

(A) maintain law and order in emergency and other unforeseen law enforcement situations; and

(B) conduct emergency search and rescue operations in the System.

(2) REPLENISHMENT OF FUNDS.—If the Secretary expends funds under paragraph (1), the funds shall be replenished by a supplemental appropriation for which the Secretary shall make a request as promptly as possible.

(d) CONTRIBUTION FOR ANNUITY BENEFITS.—

(1) IN GENERAL.—Necessary amounts are appropriated for reimbursement, pursuant to

the Policemen and Firemen's Retirement and Disability Act amendments of 1957 (Public Law 85-157, 71 Stat. 391), to the District of Columbia on a monthly basis for benefit payments by the District of Columbia to United States Park Police annuitants under section 12 of the Policemen and Firemen's Retirement and Disability Act (ch. 433, 39 Stat. 718), to the extent that those payments exceed contributions made by active Park Police members covered under the Policemen and Firemen's Retirement and Disability Act.

(2) NONAVAILABILITY OF APPROPRIATIONS TO THE SERVICE.—Appropriations made to the Service are not available for the purpose of making reimbursements under paragraph (1).

(e) WATERPROOF FOOTWEAR.—Appropriations for the Service that are available for the purchase of equipment may be used for purchase of waterproof footwear, which shall be regarded and listed as System equipment.

§ 103102. Appropriations authorized and available for certain purposes

Appropriations for the Service are authorized and are available for—

(1) administration, protection, improvement, and maintenance of areas, under the jurisdiction of other Federal agencies, that are devoted to recreational use pursuant to cooperative agreements;

(2) necessary local transportation and subsistence in kind of individuals selected for employment or as cooperators, serving without other compensation, while attending fire protection training camps;

(3) administration, protection, maintenance, and improvement of the Chesapeake and Ohio Canal;

(4) educational lectures in or in the vicinity of and with respect to System units, and services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in System units as the Secretary may designate;

(5) travel expenses of employees attending—

(A) Federal Government camps for training in forest fire prevention and suppression;

(B) the Federal Bureau of Investigation National Police Academy; and

(C) Federal, State, or municipal schools for training in building fire prevention and suppression;

(6) investigation and establishment of water rights in accordance with local custom, laws, and decisions of courts, including the acquisition of water rights or of land or interests in land or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public use of System units;

(7) official telephone service in the field in the case of official telephones installed in private houses when authorized under regulations established by the Secretary; and

(8) provision of transportation for children in nearby communities to and from any System unit used in connection with organized recreation and interpretive programs of the Service.

§ 103103. Amounts provided by private entities for utility services

Notwithstanding any other provision of law, amounts provided to the Service by private entities for utility services shall be credited to the appropriate account and remain available until expended.

§ 103104. Recovery of costs associated with special use permits

Notwithstanding any other provision of law, the Service may recover all costs of pro-

viding necessary services associated with special use permits. The reimbursements shall be credited to the appropriation current at that time.

Chapter 1033—National Military Parks

Sec.

103301. Military maneuvers.

103302. Camps for military instruction.

103303. Performance of duties of commissions.

103304. Recovery of land withheld.

103305. Travel expenses incident to study of battlefields.

103306. Studies.

§ 103301. Military maneuvers

To obtain practical benefits of great value to the country from the establishment of national military parks, the parks and their approaches are declared to be national fields for military maneuvers for the Regular Army or Regular Air Force and the National Guard or militia of the States. National military parks shall be opened for those purposes only in the discretion of the Secretary, and under such regulations as the Secretary may prescribe.

§ 103302. Camps for military instruction

(a) ASSEMBLING OF FORCES AND DETAILING OF INSTRUCTORS.—The Secretary of the Army or Secretary of the Air Force, within the limits of appropriations that may be available for that purpose, may assemble in camp at such season of the year and for such period as the Secretary of the Army or Secretary of the Air Force may designate, at the field of military maneuvers, such portions of the military forces of the United States as the Secretary of the Army or Secretary of the Air Force may think best, to receive military instruction there. The Secretary of the Army or Secretary of the Air Force may detail instructors from the Regular Army or Regular Air Force, respectively, for those forces during their exercises.

(b) REGULATIONS.—The Secretary of the Army or Secretary of the Air Force may prescribe regulations governing the assembling of the National Guard or militia of the States on the maneuvering grounds.

§ 103303. Performance of duties of commissions

The duties of commissions in charge of national military parks shall be performed under the direction of the Secretary.

§ 103304. Recovery of land withheld

(a) CIVIL ACTION.—The United States may bring a civil action in the courts of the United States against a person to whom land lying within a national military park has been leased that refuses to give up possession of the land to the United States after the termination of the lease, and after possession has been demanded for the United States by the park superintendent, or against a person retaining possession of land lying within the boundary of a national military park that the person has sold to the United States for park purposes and received payment therefor, after possession of the land has been demanded for the United States by the park superintendent, to recover possession of the land withheld. The civil action shall be brought according to the statutes of the State in which the national military park is situated.

(b) TRESPASS.—A person described in subsection (a) shall be guilty of trespass.

§ 103305. Travel expenses incident to study of battlefields

Mileage of officers of the Army and actual expenses of civilian employees traveling on

duty in connection with the studies, surveys, and field investigations of battlefields shall be paid from the appropriations made to meet expenses for those purposes.

§ 103306. Studies

(a) **STUDY OF BATTLEFIELDS FOR COMMEMORATIVE PURPOSES.**—The Secretary of the Army may make studies and investigations and, where necessary, surveys of all battlefields within the continental limits of the United States on which troops of the United States or of the original 13 colonies have been engaged against a common enemy, with a view to preparing a general plan and such detailed projects as may be required for properly commemorating such battlefields or other adjacent points of historic and military interest.

(b) **INCLUSION OF ESTIMATE OF COST OF PROJECTED SURVEYS IN APPROPRIATION ESTIMATES.**—The Secretary of the Army shall include annually in the Department of the Interior appropriation estimates a list of the battlefields for which surveys or other field investigations are planned for the fiscal year in question, with the estimated cost of making each survey or other field investigation.

(c) **PURCHASE OF REAL ESTATE FOR NATIONAL MILITARY PARK PURPOSES.**—No real estate shall be purchased for national military park purposes by the Federal Government unless a report on the real estate has been made by the Secretary of the Army through the President to Congress under subsection (d).

(d) **REPORT TO CONGRESS.**—The Secretary of the Army, through the President, shall annually submit to Congress a detailed report of progress made under this subchapter, with recommendations for further operations.

Chapters 1035 through 1047—Reserved Chapter 1049—Miscellaneous

Sec.

- 104901. Central warehouses at System units.
- 104902. Services or other accommodations for public.
- 104903. Care, removal, and burial of indigents.
- 104904. Hire of work animals, vehicles, and equipment with or without personal services.
- 104905. Preparation of mats for reproduction of photographs.
- 104906. Protection of right of individuals to bear arms.
- 104907. Limitation on extension or establishment of national parks in Wyoming.

§ 104901. Central warehouses at System units

(a) **AUTHORITY OF SECRETARY.**—The Secretary, in the administration of the System, may maintain central warehouses at System units.

(b) **APPROPRIATIONS.**—

(1) **AVAILABILITY.**—Appropriations made for the administration, protection, maintenance, and improvement of System units shall be available for the purchase of supplies and materials to be kept in central warehouses for distribution at cost, including transportation and handling, to projects under specific appropriations.

(2) **TRANSFERS BETWEEN APPROPRIATIONS.**—

(A) **AUTHORIZATION.**—Transfers between the various appropriations made for System units are authorized for the purpose of charging the cost of supplies and materials, including transportation and handling, drawn from central warehouses maintained under this authority to the particular appropriation benefited.

(B) **AVAILABILITY OF SUPPLIES AND MATERIALS AND TRANSFERS IN SUBSEQUENT**

YEARS.—Supplies and materials that remain at the end of any fiscal year shall be continuously available for issuance during subsequent fiscal years and shall be charged for by transfers of funds between appropriations made for the administration, protection, maintenance, and improvement of System units for the fiscal year then current without decreasing the appropriations made for that fiscal year.

(c) **LIMITATION ON PURCHASE OF SUPPLIES AND MATERIALS.**—Supplies and materials shall not be purchased solely for the purpose of increasing the value of storehouse stock beyond reasonable requirements for any current fiscal year.

§ 104902. Services or other accommodations for public

The Secretary may contract for services or other accommodations provided in System units for the public under contract with the Department of the Interior, as may be required in the administration of the Service, at rates approved by the Secretary for the furnishing of those services or accommodations to the Federal Government and without compliance with section 6101 of title 41.

§ 104903. Care, removal, and burial of indigents

The Secretary may provide, out of amounts appropriated for the general expenses of System units, for the temporary care and removal from a System unit of indigents, and in case of death to provide for their burial in System units not under local jurisdiction for these purposes. This section does not authorize transportation of indigents or deceased for a distance of more than 50 miles from the System unit.

§ 104904. Hire of work animals, vehicles, and equipment with or without personal services

The Secretary may hire, with or without personal services, work animals and animal-drawn and motor-propelled vehicles and equipment at rates to be approved by the Secretary and without compliance with section 6101 of title 41.

§ 104905. Preparation of mats for reproduction of photographs

The Secretary shall prepare mats that may be used for the reproduction in magazines and newspapers of photographs of scenery in a System unit that, in the opinion of the Secretary, would be of interest to the people of the United States and foreign nations. The mats may be furnished, without charge and under regulations the Secretary may prescribe, to the publishers of magazines, newspapers, and any other publications that may carry photographic reproductions.

§ 104906. Protection of right of individuals to bear arms

(a) **FINDINGS.**—Congress finds the following:

(1) The 2d amendment to the Constitution provides that “the right of the people to keep and bear Arms, shall not be infringed”.

(2) Section 2.4(a)(1) of title 36, Code of Federal Regulations, provides that “except as otherwise provided in this section and parts 7 (special regulations) and 13 (Alaska regulations), the following are prohibited: (i) Possessing a weapon, trap or net (ii) Carrying a weapon, trap or net (iii) Using a weapon, trap or net”.

(3) The regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the 2d amendment rights of the individuals while at System units.

(4) The existence of different laws relating to the transportation and possession of fire-

arms at different System units entrapped law-abiding gun owners while at System units.

(5) Although the Bush administration issued new regulations relating to the 2d amendment rights of law-abiding citizens in System units that went into effect on January 9, 2009—

(A) on March 19, 2009, the United States District Court for the District of Columbia granted a preliminary injunction with respect to the implementation and enforcement of the new regulations; and

(B) the new regulations—

(i) are under review by the Obama administration; and

(ii) may be altered.

(6) Congress needs to weigh in on the new regulations to ensure that unelected bureaucrats and judges cannot again override the 2d amendment rights of law-abiding citizens on 83,600,000 acres of System land.

(7) Federal laws should make it clear that the 2d amendment rights of an individual at a System unit should not be infringed.

(b) **PROTECTION OF RIGHT OF INDIVIDUALS TO BEAR ARMS IN SYSTEM UNITS.**—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, in any System unit if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the System unit is located.

§ 104907. Limitation on extension or establishment of national parks in Wyoming

No extension or establishment of national parks in Wyoming may be undertaken except by express authorization of Congress.

Division B—System Units and Related Areas—Reserved

Subtitle II—Outdoor Recreation Programs Chapter 2001—Coordination of Programs

Sec.

- 200101. Findings and declaration of policy.
- 200102. Definitions.
- 200103. Authority of Secretary to carry out certain functions and activities.
- 200104. Consultations of Secretary with administrative officers; execution of administrative responsibilities in conformity with nationwide plan.

§ 200101. Findings and declaration of policy

Congress finds and declares it is desirable—

(1) that all American people of present and future generations be assured adequate outdoor recreation resources; and

(2) for all levels of government and private interests to take prompt and coordinated action to the extent practicable without diminishing or affecting their respective powers and functions to conserve, develop, and utilize those resources for the benefit and enjoyment of the American people.

§ 200102. Definitions

As used in this chapter:

(1) **STATE.**—The term “State”, to the extent practicable, as determined by the Secretary, includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

(2) **UNITED STATES.**—The term “United States”—

(A) includes the District of Columbia; and

(B) to the extent practicable, as determined by the Secretary, includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 200103. Authority of Secretary to carry out certain functions and activities

(a) IN GENERAL.—To carry out this chapter, the Secretary may perform the functions and activities described in this section.

(b) INVENTORY AND EVALUATION.—The Secretary may prepare and maintain a continuing inventory and evaluation of outdoor recreation needs and resources of the United States.

(c) CLASSIFICATION SYSTEM.—The Secretary may prepare a system for classification of outdoor recreation resources to assist in the effective and beneficial use and management of such resources.

(d) RECREATION PLAN.—The Secretary may formulate and maintain a comprehensive nationwide outdoor recreation plan, taking into consideration the plans of the various Federal agencies, States, and their political subdivisions. The plan shall set forth the needs and demands of the public for outdoor recreation and the current and foreseeable availability in the future of outdoor recreation resources to meet those needs. The plan shall identify critical outdoor recreation problems, recommend solutions, and recommend desirable actions to be taken at each level of government and by private interests. The Secretary shall submit the plan to the President for transmittal to Congress. Revisions of the plan shall be similarly transmitted at succeeding 5-year intervals. When a plan or revision is transmitted to the Congress, the Secretary shall transmit copies to the chief executive officials of the States.

(e) TECHNICAL ASSISTANCE AND ADVICE.—The Secretary may provide technical assistance and advice to and cooperate with States, political subdivisions, and private interests, including nonprofit organizations, with respect to outdoor recreation.

(f) INTERSTATE AND REGIONAL COOPERATION.—The Secretary may encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources.

(g) RESEARCH, INFORMATION, AND EDUCATION PROGRAMS AND ACTIVITIES.—The Secretary may—

(1) sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements, and make payments for such purposes without regard to the limitations of section 3324(a) and (b) of title 31 concerning advances of funds when the Secretary considers such action to be in the public interest;

(2) undertake studies and assemble information concerning outdoor recreation, directly or by contract or cooperative agreement, and disseminate the information without regard to section 3204 of title 39; and

(3) cooperate with educational institutions and others to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.

(h) COOPERATION AND COORDINATION WITH FEDERAL AGENCIES.—

(1) IN GENERAL.—The Secretary may—

(A) cooperate with and provide technical assistance to Federal agencies and obtain from them information, data, reports, advice, and assistance that are needed and can reasonably be furnished in carrying out the purposes of this chapter; and

(B) promote coordination of Federal plans and activities generally relating to outdoor recreation.

(2) FUNDING.—An agency furnishing advice or assistance under this paragraph may expend its own funds for those purposes, with

or without reimbursement, as may be agreed to by that agency.

(i) DONATIONS.—The Secretary may accept and use donations of money, property, personal services, or facilities for the purposes of this chapter.

§ 200104. Consultations of Secretary with administrative officers; execution of administrative responsibilities in conformity with nationwide plan

To carry out the policy declared in section 200101 of this title, the heads of Federal agencies having administrative responsibility over activities or resources the conduct or use of which is pertinent to fulfillment of that policy shall, individually or as a group—

(1) consult with and be consulted by the Secretary from time to time both with respect to their conduct of those activities and their use of those resources and with respect to the activities that the Secretary carries on under authority of this chapter that are pertinent to their work; and

(2) carry out that responsibility in general conformance with the nationwide plan authorized under section 200103(d) of this title.

Chapter 2003—Land and Water Conservation Fund

Sec.

200301. Definitions.

200302. Establishment of Land and Water Conservation Fund.

200303. Appropriations for expenditure of Fund amounts.

200304. Statement of estimated requirements.

200305. Financial assistance to States.

200306. Allocation of Fund amounts for Federal purposes.

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§ 200301. Definitions

In this chapter:

(1) FUND.—The term “Fund” means the Land and Water Conservation Fund established under section 200302 of this title.

(2) STATE.—The term “State” means a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 200302. Establishment of Land and Water Conservation Fund

(a) ESTABLISHMENT.—There is established in the Treasury the Land and Water Conservation Fund.

(b) DEPOSITS.—During the period ending September 30, 2015, there shall be deposited in the Fund the following revenues and collections:

(1) All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of the provisions of law set forth in section 572(a) or 574(a) to (c) of title 40 or under authority of any appropriation Act that appropriates an amount, to be derived from proceeds from the transfer of excess property and the disposal of surplus property, for necessary expenses, not otherwise provided for, incident to the utilization and disposal of excess and surplus property) received from any disposal of surplus real property and related personal property under chapter 5 of title 40, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this chapter shall af-

fect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(2) The amounts provided for in section 200310 of this title.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—In addition to the sum of the revenues and collections estimated by the Secretary to be deposited in the Fund pursuant to this section, there are authorized to be appropriated annually to the Fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the Fund not less than \$900,000,000 for each fiscal year through September 30, 2015.

(2) RECEIPTS UNDER OUTER CONTINENTAL SHELF LANDS ACT.—To the extent that amounts appropriated under paragraph (1) are not sufficient to make the total annual income of the Fund equivalent to the amounts provided in paragraph (1), an amount sufficient to cover the remainder shall be credited to the Fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(3) AVAILABILITY OF DEPOSITS.—Notwithstanding section 200303 of this title, money deposited in the Fund under this subsection shall remain in the Fund until appropriated by Congress to carry out this chapter.

§ 200303. Appropriations for expenditure of Fund amounts

Amounts deposited in the Fund shall be available for expenditure for the purposes of this chapter only when appropriated for those purposes. The appropriations may be made without fiscal-year limitation. Amounts made available for obligation or expenditure from the Fund may be obligated or expended only as provided in this chapter.

§ 200304. Statement of estimated requirements

There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the Fund. Not less than 40 percent of such appropriations shall be available for Federal purposes.

§ 200305. Financial assistance to States

(a) AUTHORITY OF SECRETARY TO MAKE PAYMENTS.—The Secretary may provide financial assistance to the States from amounts available for State purposes. Payments may be made to the States by the Secretary as provided in this section, subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this chapter, for outdoor recreation:

(1) Planning.

(2) Acquisition of land, water, or interests in land or water.

(3) Development.

(b) APPORTIONMENT AMONG STATES.—Amounts appropriated and available for State purposes for each fiscal year shall be apportioned among the States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) Forty percent of the 1st \$225,000,000; 30 percent of the next \$275,000,000; and 20 percent of all additional appropriations shall be apportioned equally among the States.

(2) At any time, the remaining appropriation shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in the Secretary's judgment will best accomplish the purposes of this chapter.

The determination of need shall include consideration of—

(A) the proportion that the population of each State bears to the total population of the United States;

(B) the use of outdoor recreation resources of each State by persons from outside the State; and

(C) the Federal resources and programs in each State.

(3) The total allocation to a State under paragraphs (1) and (2) shall not exceed 10 percent of the total amount allocated to all of the States in any one year.

(4) The Secretary shall notify each State of its apportionments. The amounts shall be available for payment to the State for planning, acquisition, or development projects as prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which the notification is given and for 2 fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) without regard to the 10 percent limitation to an individual State specified in this subsection.

(5) For the purposes of paragraph (1), the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands shall be deemed to be one State, and shall receive shares of the apportionment in proportion to their populations.

(c) MATCHING REQUIREMENTS.—Payments to any State shall cover not more than 50 percent of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with funds or services as shall be satisfactory to the Secretary.

(d) COMPREHENSIVE STATE PLAN.—

(1) REQUIRED FOR CONSIDERATION OF FINANCIAL ASSISTANCE.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this chapter. No plan shall be approved unless the chief executive official of the State certifies that ample opportunity for public participation in plan development and revision has been accorded. The Secretary shall develop, in consultation with others, criteria for public participation, which criteria shall constitute the basis for the certification by the chief executive official. The plan shall contain—

(A) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this chapter;

(B) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;

(C) a program for the implementation of the plan; and

(D) other necessary information, as determined by the Secretary.

(2) FACTORS TO BE CONSIDERED.—The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Secretary of Housing and Urban Development, any statewide outdoor recreation plan prepared for purposes of this part shall be based on the same population, growth, and other pertinent factors

as are used in formulating plans financed by the Secretary of Housing and Urban Development.

(3) PROVISION OF ASSISTANCE WHEN PLAN NOT OTHERWISE AVAILABLE OR TO MAINTAIN PLAN.—The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when the plan is not otherwise available or for the maintenance of the plan.

(4) WETLANDS.—A comprehensive statewide outdoor recreation plan shall specifically address wetlands within the State as an important outdoor recreation resource as a prerequisite to approval, except that a revised comprehensive statewide outdoor recreation plan shall not be required by the Secretary, if a State submits, and the Secretary, acting through the Director, approves, as a part of and as an addendum to the existing comprehensive statewide outdoor recreation plan, a wetlands priority plan developed in consultation with the State agency with responsibility for fish and wildlife resources and consistent with the national wetlands priority conservation plan developed under section 301 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3921) or, if the national plan has not been completed, consistent with the provisions of that section.

(e) PROJECTS FOR LAND AND WATER ACQUISITION AND DEVELOPMENT OF BASIC OUTDOOR RECREATION FACILITIES.—

(1) IN GENERAL.—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the types of projects described in paragraphs (2) and (3), or combinations of those projects, if the projects are in accordance with the State comprehensive plan.

(2) ACQUISITION OF LAND OR WATER.—

(A) IN GENERAL.—Under paragraph (1), the Secretary may provide financial assistance for a project for the acquisition of land, water, or an interest in land or water, or a wetland area or an interest in a wetland area, as identified in the wetlands provisions of the comprehensive plan (other than land, water, or an interest in land or water acquired from the United States for less than fair market value), but not including incidental costs relating to acquisition.

(B) RETENTION OF RIGHT OF USE AND OCCUPANCY.—When a State provides that the owner of a single-family residence may, at the owner's option, elect to retain a right of use and occupancy for not less than 6 months after the date of acquisition of the residence and the owner elects to retain such a right—

(i) the owner shall be deemed to have waived any benefits under sections 203 to 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4623 to 4626); and

(ii) for the purposes of those sections the owner shall not be deemed to be a displaced person as defined in section 101 of that Act (42 U.S.C. 4601).

(3) DEVELOPMENT OF BASIC OUTDOOR RECREATION FACILITIES.—Under paragraph (1), the Secretary may provide financial assistance for a project for development of basic outdoor recreation facilities to serve the general public, including the development of Federal land under lease to States for terms of 25 years or more. No assistance shall be available under this chapter to enclose or shelter a facility normally used for an outdoor recreation activity, but the Secretary may permit local funding, not to exceed 10 percent of the total amount allocated to a State in any one year, to be used for construction of a sheltered facility for a swim-

ming pool or ice skating rink in an area where the Secretary determines that the construction is justified by the severity of climatic conditions and the increased public use made possible by the construction.

(f) PAYMENTS.—

(1) CRITERIA FOR MAKING PAYMENTS.—The Secretary may make a payment to a State only for a planning, acquisition, or development project that is approved by the Secretary. The Secretary shall not make a payment for or on account of any project with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance shall be given under any other Federal program or activity for or on account of any project with respect to which the assistance has been given or promised under this chapter. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of a project. The approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State has the ability and intention to finance its share of the cost of all of the projects, and to operate and maintain by acceptable standards, at State expense, the properties or facilities acquired or developed for public outdoor recreation use.

(2) PAYMENT RECIPIENTS.—Payments for all projects shall be made by the Secretary to the chief executive official of the State or to a State official or agency designated by the chief executive official or by State law having authority and responsibility to accept and to administer funds paid under this section for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

(3) CONVERSION TO OTHER THAN PUBLIC OUTDOOR RECREATION USE.—No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation use. The Secretary shall approve a conversion only if the Secretary finds it to be in accordance with the then-existing comprehensive statewide outdoor recreation plan and only on such conditions as the Secretary considers necessary to ensure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location. Wetland areas and interests therein as identified in the wetlands provisions of the comprehensive plan and proposed to be acquired as suitable replacement property within the same State that is otherwise acceptable to the Secretary, acting through the Director, shall be deemed to be of reasonably equivalent usefulness with the property proposed for conversion.

(4) REPORTS AND ACCOUNTING PROCEDURES.—No payment shall be made to any State until the State has agreed to—

(A) provide such reports to the Secretary in such form and containing such information as may be reasonably necessary to enable the Secretary to perform the Secretary's duties under this chapter; and

(B) provide such fiscal control and fund accounting procedures as may be necessary to ensure proper disbursement and accounting for Federal funds paid to the State under this chapter.

(g) RECORDS.—A recipient of assistance under this chapter shall keep such records as the Secretary shall prescribe, including records that fully disclose—

(1) the amount and the disposition by the recipient of the proceeds of the assistance;

(2) the total cost of the project or undertaking in connection with which the assistance is given or used; and

(3) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(h) **ACCESS TO RECORDS.**—The Secretary, and the Comptroller General, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any records of the recipient that are pertinent to assistance received under this chapter.

(i) **PROHIBITION OF DISCRIMINATION.**—With respect to property acquired or developed with assistance from the Fund, discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

(j) **COORDINATION WITH FEDERAL AGENCIES.**—To ensure consistency in policies and actions under this chapter with other related Federal programs and activities and to ensure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities—

(1) the President may issue such regulations with respect thereto as the President considers desirable; and

(2) the assistance may be provided only in accordance with the regulations.

(k) **CAPITAL IMPROVEMENT AND OTHER PROJECTS TO REDUCE CRIME.**—

(1) **AVAILABILITY AND PURPOSE OF FUNDS.**—In addition to assistance for planning projects, and in addition to the projects identified in subsection (e), and from amounts appropriated out of the Violent Crime Reduction Trust Fund, the Secretary may provide financial assistance to the States, not to exceed \$15,000,000, for projects or combinations thereof for the purpose of making capital improvements and other measures to increase safety in urban parks and recreation areas, including funds to—

(A) increase lighting within or adjacent to public parks and recreation areas;

(B) provide emergency telephone lines to contact law enforcement or security personnel in areas within or adjacent to public parks and recreation areas;

(C) increase security personnel within or adjacent to public parks and recreation areas; and

(D) fund any other project intended to increase the security and safety of public parks and recreation areas.

(2) **ELIGIBILITY.**—In addition to the requirements for project approval imposed by this section, eligibility for assistance under this subsection shall depend on a showing of need. In providing funds under this subsection, the Secretary shall give priority to projects proposed for urban parks and recreation areas with the highest rates of crime and, in particular, to urban parks and recreation areas with the highest rates of sexual assault.

(3) **FEDERAL SHARE.**—Notwithstanding subsection (c), the Secretary may provide 70 percent improvement grants for projects undertaken by a State for the purposes described in this subsection.

§ 200306. Allocation of Fund amounts for Federal purposes

(a) **ALLOWABLE PURPOSES AND SUBPURPOSES.**—

(1) **IN GENERAL.**—Amounts appropriated from the Fund for Federal purposes shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President for the purposes and subpurposes stated in this subsection.

(2) **ACQUISITION OF LAND, WATER, OR AN INTEREST IN LAND OR WATER.**—

(A) **SYSTEM UNITS AND RECREATION AREAS ADMINISTERED FOR RECREATION PURPOSES.**—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water within the exterior boundary of—

(i) a System unit authorized or established; and

(ii) an area authorized to be administered by the Secretary for outdoor recreation purposes.

(B) **NATIONAL FOREST SYSTEM.**—

(i) **IN GENERAL.**—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water within inholdings within—

(I) wilderness areas of the National Forest System; and

(II) other areas of national forests as the boundaries of those forests existed on January 1, 1965, or purchase units approved by the National Forest Reservation Commission subsequent to January 1, 1965, all of which other areas are primarily of value for outdoor recreation purposes.

(ii) **ADJACENT LAND.**—Land outside but adjacent to an existing national forest boundary, not to exceed 3,000 acres in the case of any one forest, that would comprise an integral part of a forest recreational management area may also be acquired with amounts appropriated from the Fund.

(iii) **LIMITATION.**—Except for areas specifically authorized by Act of Congress, not more than 15 percent of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

(C) **ENDANGERED SPECIES AND THREATENED SPECIES; FISH AND WILDLIFE REFUGE AREAS; NATIONAL WILDLIFE REFUGE SYSTEM.**—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water for—

(i) endangered species and threatened species authorized under section 5(a) of the Endangered Species Act of 1973 (16 U.S.C. 1534(a));

(ii) areas authorized by section 2 of the Refuge Recreation Act (16 U.S.C. 460k-1);

(iii) national wildlife refuge areas under section 7(a)(4) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(a)(4)) and wetlands acquired under section 304 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3922); and

(iv) any area authorized for the National Wildlife Refuge System by specific Acts.

(3) **PAYMENT AS OFFSET OF CAPITAL COSTS.**—Amounts shall be allotted for payment into miscellaneous receipts of the Treasury as a partial offset for capital costs, if any, of Federal water development projects authorized to be constructed by or pursuant to an Act of Congress that are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

(4) **AVAILABILITY OF APPROPRIATIONS.**—Appropriations allotted for the acquisition of land, water, or an interest in land or water as set forth under subparagraphs (A) and (B) of paragraph (2) shall be available for those acquisitions notwithstanding any statutory ceiling on the appropriations contained in any other provision of law enacted prior to January 4, 1977, or, in the case of national recreation areas, prior to January 15, 1979,

except that for any such area expenditures shall not exceed a statutory ceiling during any one fiscal year by 10 percent of the ceiling or \$1,000,000, whichever is greater.

(b) **ACQUISITION RESTRICTIONS.**—Appropriations from the Fund pursuant to this section shall not be used for acquisition unless the acquisition is otherwise authorized by law. Appropriations from the Fund may be used for preacquisition work where authorization is imminent and where substantial monetary savings could be realized.

§ 200307. Availability of Fund amounts for publicity purposes

(a) **IN GENERAL.**—Amounts derived from the sources listed in section 200302 of this title shall not be available for publicity purposes.

(b) **EXCEPTION FOR TEMPORARY SIGNING.**—In a case where significant acquisition or development is initiated, appropriate standardized temporary signing shall be located on or near the affected site, to the extent feasible, so as to indicate the action taken is a product of funding made available through the Fund. The signing may indicate the percentage amounts and dollar amounts financed by Federal and non-Federal funds, and that the source of the funding includes amounts derived from Outer Continental Shelf receipts. The Secretary shall prescribe standards and guidelines for the usage of the signing to ensure consistency of design and application.

§ 200308. Contracts for acquisition of land and water

Not more than \$30,000,000 of the amount authorized to be appropriated from the Fund by section 200303 of this title may be obligated by contract during each fiscal year for the acquisition of land, water, or interest in land or water within areas specified in section 200306(a)(2) of this title. The contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary. The contract shall be a contractual obligation of the United States and shall be liquidated with money appropriated from the Fund specifically for liquidation of that contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless the acquisition is otherwise authorized by Federal law.

§ 200309. Contracts for options to acquire land and water in System

The Secretary may enter into contracts for options to acquire land, water, or interests in land or water within the exterior boundaries of any area the acquisition of which is authorized by law for inclusion in the System. The minimum period of any such option shall be 2 years, and any sums expended for the purchase of an option shall be credited to the purchase price of the area. Not more than \$500,000 of the sum authorized to be appropriated from the Fund by section 200303 of this title may be expended by the Secretary in any one fiscal year for the options.

§ 200310. Transfers to and from Fund

(a) **MOTORBOAT FUEL TAXES.**—There shall be set aside in the Fund the amounts specified in section 9503(c)(3)(B) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(B)).

(b) **REFUNDS OF TAXES.**—There shall be paid from time to time from the Fund into the general fund of the Treasury amounts estimated by the Secretary of the Treasury as equivalent to—

(1) the amounts paid before October 1, 2017, under section 6421 of the Internal Revenue Code of 1986 (26 U.S.C. 6421) with respect to gasoline used after December 31, 1964, in motorboats, on the basis of claims filed for periods ending before October 1, 2016; and

(2) 80 percent of the floor stocks refunds made before October 1, 2017, under section 6412(a)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 6412(a)(1)) with respect to gasoline to be used in motorboats.

Chapter 2005—Urban Park and Recreation Recovery Program

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§ 200501. Definitions

In this chapter:

(1) AT-RISK YOUTH RECREATION GRANT.—

(A) IN GENERAL.—The term “at-risk youth recreation grant” means a grant in a neighborhood or community with a high prevalence of crime, particularly violent crime or crime committed by youthful offenders.

(B) INCLUSIONS.—The term “at-risk youth recreation grant” includes—

- (i) a rehabilitation grant;
- (ii) an innovation grant; and
- (iii) a matching grant for continuing program support for a program of demonstrated value or success in providing constructive alternatives to youth at risk for engaging in criminal behavior, including a grant for operating, or coordinating, a recreation program or service.

(C) ADDITIONAL USES OF REHABILITATION GRANT.—In addition to the purposes specified in paragraph (8), a rehabilitation grant that serves as an at-risk youth recreation grant may be used for the provision of lighting, emergency phones, or any other capital improvement that will improve the security of an urban park.

(2) GENERAL PURPOSE LOCAL GOVERNMENT.—The term “general purpose local government” means—

(A) a city, county, town, township, village, or other general purpose political subdivision of a State; and

(B) the District of Columbia.

(3) INNOVATION GRANT.—The term “innovation grant” means a matching grant to a local government to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost-effective ways to augment park and recreation opportunities at the neighborhood level and to address common problems related to facility operations and improved delivery of recreation service, not including routine operation and maintenance activities.

(4) MAINTENANCE.—The term “maintenance” means all commonly accepted practices necessary to keep recreation areas and facilities operating in a state of good repair and to protect them from deterioration resulting from normal wear and tear.

(5) PRIVATE, NONPROFIT AGENCY.—The term “private, nonprofit agency” means a community-based, nonprofit organization, corporation, or association organized for purposes of providing recreational, conservation, and educational services directly to urban residents on a neighborhood or communitywide basis through voluntary donations, voluntary labor, or public or private grants.

(6) RECOVERY ACTION PROGRAM GRANT.—

(A) IN GENERAL.—The term “recovery action program grant” means a matching grant to a local government for development of local park and recreation recovery action programs to meet the requirements of this chapter.

(B) USE.—A recovery action program grant shall be used for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to—

- (i) encourage public definition of goals; and
- (ii) develop priorities and strategies for overall recreation system recovery.

(7) RECREATION AREA OR FACILITY.—The term “recreation area or facility” means an indoor or outdoor park, building, site, or other facility that is dedicated to recreation purposes and administered by a public or private nonprofit agency to serve the recreation needs of community residents. Emphasis shall be on public facilities readily accessible to residential neighborhoods, including multiple-use community centers that have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities.

(8) REHABILITATION GRANT.—The term “rehabilitation grant” means a matching capital grant to a local government for rebuilding, remodeling, expanding, or developing an existing outdoor or indoor recreation area or facility, including improvements in park landscapes, buildings, and support facilities, but excluding routine maintenance and upkeep activities.

(9) SPECIAL PURPOSE LOCAL GOVERNMENT.—

(A) IN GENERAL.—The term “special purpose local government” means a local or regional special district, public-purpose corporation, or other limited political subdivision of a State.

(B) INCLUSIONS.—The term “special purpose local government” includes—

- (i) a park authority;
- (ii) a park, conservation, water, or sanitary district; and
- (iii) a school district.

(10) STATE.—The term “State” means a State, an instrumentality of a State approved by the Governor of the State, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 200502. Federal assistance

(a) ELIGIBILITY DETERMINED BY SECRETARY.—Eligibility of general purpose local governments for assistance under this chapter shall be based on need as determined by the Secretary. The Secretary shall publish in the Federal Register a list of local governments eligible to participate in this program, to be accompanied by a discussion of criteria used in determining eligibility. Criteria shall be based on factors that the Secretary determines are related to deteriorated recreational facilities or systems and physical and economic distress.

(b) ADDITIONAL ELIGIBLE GENERAL PURPOSE LOCAL GOVERNMENTS.—In addition to eligible local governments established in accordance with subsection (a), the Secretary may establish eligibility, in accord with the findings and purpose of the Urban Park and Recreation Recovery Act of 1978 (Public Law 95–625, 92 Stat. 3538), of other general purpose local governments in metropolitan statistical areas as defined by the Director of the Office of Management and Budget.

(c) PRIORITY CRITERIA FOR PROJECT SELECTION AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall establish priority criteria for project selection and approval that consider such factors as—

(A) population;

(B) condition of existing recreation areas and facilities;

(C) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority and low- and moderate-income residents;

(D) public participation in determining rehabilitation or development needs;

(E) the extent to which a project supports or complements target activities undertaken as part of a local government’s overall community development and urban revitalization program;

(F) the extent to which a proposed project would provide—

(i) employment opportunities for minorities, youth, and low- and moderate-income residents in the project neighborhood;

(ii) for participation of neighborhood, nonprofit, or tenant organizations in the proposed rehabilitation activity or in subsequent maintenance, staffing, or supervision of recreation areas and facilities; or

(iii) both; and

(G) the amount of State and private support for a project as evidenced by commitments of non-Federal resources to project construction or operation.

(2) AT-RISK YOUTH RECREATION GRANTS.—For at-risk youth recreation grants, the Secretary shall give a priority to each of the following criteria:

(A) Programs that are targeted to youth who are at the greatest risk of becoming involved in violence and crime.

(B) Programs that teach important values and life skills, including teamwork, respect, leadership, and self-esteem.

(C) Programs that offer tutoring, remedial education, mentoring, and counseling in addition to recreation opportunities.

(D) Programs that offer services during late night or other nonschool hours.

(E) Programs that demonstrate collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental entities, including the private sector and community and nonprofit organizations.

(F) Programs that leverage public or private recreation investments in the form of services, materials, or cash.

(G) Programs that show the greatest potential of being continued with non-Federal funds or that can serve as models for other communities.

(d) LIMITATION OF FUNDS.—Grants to discretionary applicants under subsection (b) may not be more than 15 percent of the total amount of funds appropriated under this chapter for rehabilitation grants, innovation grants, and recovery action program grants.

§ 200503. Rehabilitation grants and innovation grants

(a) MATCHING GRANTS.—The Secretary may provide 70 percent matching rehabilitation grants and innovation grants directly to eligible general purpose local governments on the Secretary’s approval of applications for the grants by the chief executive officials of those governments.

(b) SPECIAL CONSIDERATIONS.—An innovation grant should be closely tied to goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 200504(c)(2) of this title.

(c) TRANSFER.—If consistent with an approved application, a grant recipient may transfer a rehabilitation grant or innovation grant in whole or in part to an independent special purpose local government, private

nonprofit agency, or county or regional park authority if the assisted recreation area or facility owned or managed by the transferee offers recreation opportunities to the general population within the jurisdictional boundaries of the grant recipient.

(d) **PAYMENTS.**—Payments may be made only for a rehabilitation project or innovation project that has been approved by the Secretary. Payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of the project, except that the Secretary, when appropriate, may make advance payments on an approved rehabilitation project or innovation project in an amount not to exceed 20 percent of the total project cost.

(e) **MODIFICATION OF PROJECT.**—The Secretary may authorize modification of an approved project only when a grant recipient adequately demonstrates that the modification is necessary because of circumstances not foreseeable at the time at which the project was proposed.

§ 200504. Recovery action programs

(a) **EVIDENCE OF LOCAL COMMITMENT TO ONGOING PROGRAMS.**—As a requirement for project approval, local governments applying for assistance under this chapter shall submit to the Secretary evidence of their commitments to ongoing planning, rehabilitation, service, operation, and maintenance programs for their park and recreation systems. These commitments will be expressed in local park and recreation recovery action programs that maximize coordination of all community resources, including other federally supported urban development and recreation programs. During an initial interim period to be established by regulations under this chapter, this requirement may be satisfied by local government submissions of preliminary action programs that briefly define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit the applicant to a scheduled program development process. Following this interim period, all local applicants shall submit to the Secretary, as a condition of eligibility, a 5-year action program for park and recreation recovery that satisfactorily demonstrates—

(1) systematic identification of recovery objectives, priorities, and implementation strategies;

(2) adequate planning for rehabilitation of specific recreation areas and facilities, including projections of the cost of proposed projects;

(3) the capacity and commitment to ensure that facilities provided or improved under this chapter shall continue to be adequately maintained, protected, staffed, and supervised;

(4) the intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(5) the relationship of the park and recreation recovery program to overall community development and urban revitalization efforts.

(b) **CONTINUING PLANNING PROCESS.**—Where appropriate, the Secretary may encourage local governments to meet action program requirements through a continuing planning process that includes periodic improvements and updates in action program submissions to eliminate identified gaps in program information and policy development.

(c) **SPECIAL CONSIDERATIONS.**—Action programs shall address, but are not limited to—

(1) rehabilitation of existing recreational areas and facilities, including—

(A) general systemwide renovation;

(B) special rehabilitation requirements for recreational areas and facilities in areas of high population concentration and economic distress; and

(C) restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance; and

(2) local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including—

(A) recycling of abandoned schools and other public buildings for recreational purposes;

(B) multiple use of operating educational and other public buildings, purchase of recreation services on a contractual basis;

(C) use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents;

(D) integration of recovery program with federally assisted projects to maximize recreational opportunities through conversion of abandoned railroad and highway rights of way, waterfront, and other redevelopment efforts and such other federally assisted projects as may be appropriate;

(E) conversion of recreation use of street space, derelict land, and other public land not now designated for neighborhood recreational use; and

(F) use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

(d) **PUBLICATION IN FEDERAL REGISTER.**—The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(e) **ELIGIBILITY FOR AT-RISK YOUTH RECREATION GRANTS.**—To be eligible to receive at-risk youth recreation grants a local government shall amend its 5-year action program to incorporate the goal of reducing crime and juvenile delinquency and to provide a description of the implementation strategies to achieve this goal. The plan shall also address how the local government is coordinating its recreation programs with crime prevention efforts of law enforcement, juvenile corrections, and youth social service agencies.

(f) **MATCHING RECOVERY ACTION PROGRAM GRANTS.**—The Secretary may provide up to 50 percent matching recovery action program grants to eligible local governments for program development and planning specifically to meet the objectives of this chapter.

§ 200505. State action

(a) **ADDITIONAL MATCH.**—The Secretary may increase rehabilitation grants or innovation grants authorized in section 200503 of this title by providing an additional match equal to the total match provided by a State of up to 15 percent of total project costs. The Federal matching amount shall not exceed 85 percent of total project cost.

(b) **ADEQUATE IMPLEMENTATION OF LOCAL RECOVERY PLANS.**—The Secretary shall encourage States to assist the Secretary in ensuring—

(1) that local recovery plans and programs are adequately implemented by cooperating

with the Secretary in monitoring local park and recreation recovery plans and programs; and

(2) consistency of the plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

§ 200506. Non-Federal share of project costs

(a) **SOURCES.**—

(1) **ALLOWABLE SOURCES.**—The non-Federal share of project costs assisted under this chapter may be derived from general or special purpose State or local revenues, State categorical grants, special appropriations by State legislatures, donations of land, buildings, or building materials, and in-kind construction, technical, and planning services. Reasonable local costs of recovery action program development to meet the requirements of section 200504(a) of this title may be used as part of the local match only when the local government has not received a recovery action program grant.

(2) **NON-ALLOWABLE SOURCES.**—No amount from the Land and Water Conservation Fund or from any other Federal grant program other than the community development block grant programs shall be used to match Federal grants under this program.

(b) **ENCOURAGEMENT OF STATES AND PRIVATE INTERESTS.**—The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project costs.

§ 200507. Conversion of recreation property

No property improved or developed with assistance under this chapter shall, without the approval of the Secretary, be converted to other than public recreation uses. The Secretary shall approve such a conversion only if the Secretary finds it to be in accord with the then-current local park and recreation recovery action program and only on such conditions as the Secretary considers necessary to ensure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

§ 200508. Coordination of program

The Secretary shall—

(1) coordinate the urban park and recreation recovery program with the total urban recovery effort and cooperate to the fullest extent possible with other Federal agencies and with State agencies that administer programs and policies affecting urban areas, including programs in housing, urban development, natural resources management, employment, transportation, community services, and voluntary action;

(2) encourage maximum coordination of the program between State agencies and local applicants; and

(3) require that local applicants include provisions for participation of community and neighborhood residents and for public-private coordination in recovery planning and project selection.

§ 200509. Recordkeeping

(a) **IN GENERAL.**—A recipient of assistance under this chapter shall keep such records as the Secretary shall prescribe, including—

(1) records that disclose—

(A) the amount and disposition of project undertakings in connection with which assistance under this chapter is given or used; and

(B) the amount and nature of the portion of the cost of the project or undertaking that is supplied by other sources; and

(2) such other records as will facilitate an effective audit.

(b) ACCESS.—The Secretary and the Comptroller General shall have access for the purpose of audit and examination to any records of the recipient that are pertinent to assistance received under this chapter.

§ 200510. Inapplicability of matching provisions

Amounts authorized for Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands are not subject to the matching provisions of this chapter, and may be subject only to such conditions, reports, plans, and agreements, if any, as the Secretary may determine.

§ 200511. Funding limitations

(a) LIMITATION OF FUNDS.—The amount of grants made under this chapter for projects in any one State for any fiscal year shall not be more than 15 percent of the amount made available for grants to all of the States for that fiscal year.

(b) RECOVERY ACTION PROGRAM GRANTS.—Not more than 3 percent of the amount made available for grants under this chapter for a fiscal year shall be used for recovery action program grants.

(c) INNOVATION GRANTS.—Not more than 10 percent of the amount made available for grants under this chapter for a fiscal year shall be used for innovation grants.

(d) PROGRAM SUPPORT.—Not more than 25 percent of the amount made available under this chapter to any local government shall be used for program support.

(e) NO LAND ACQUISITION.—No funds made available under this chapter shall be used for the acquisition of land or an interest in land.

Subtitle III—National Preservation Programs

Division A—Historic Preservation

Subdivision 1—General Provisions

Chapter 3001—Policy

Sec.

300101. Policy.

§ 300101. Policy

It is the policy of the Federal Government, in cooperation with other nations and in partnership with States, local governments, Indian tribes, Native Hawaiian organizations, and private organizations and individuals, to—

(1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our historic property can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;

(2) provide leadership in the preservation of the historic property of the United States and of the international community of nations and in the administration of the national preservation program;

(3) administer federally owned, administered, or controlled historic property in a spirit of stewardship for the inspiration and benefit of present and future generations;

(4) contribute to the preservation of non-federally owned historic property and give maximum encouragement to organizations and individuals undertaking preservation by private means;

(5) encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and

(6) assist State and local governments, Indian tribes and Native Hawaiian organizations, and the National Trust to expand and accelerate their historic preservation programs and activities.

Chapter 3003—Definitions

Sec.

300301. Agency.
300302. Certified local government.
300303. Council.
300304. Cultural park.
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§ 300301. Agency

In this division, the term “agency” has the meaning given the term in section 551 of title 5.

§ 300302. Certified local government

In this division, the term “certified local government” means a local government whose local historic preservation program is certified pursuant to chapter 3025 of this title.

§ 300303. Council

In this division, the term “Council” means the Advisory Council on Historic Preservation established by section 304101 of this title.

§ 300304. Cultural park

In this division, the term “cultural park” means a definable area that—

(A) is distinguished by historic property, prehistoric property, and land related to that property; and

(B) constitutes an interpretive, educational, and recreational resource for the public at large.

§ 300305. Historic conservation district

In this division, the term “historic conservation district” means an area that contains—

(1) historic property;

(2) buildings having similar or related architectural characteristics;

(3) cultural cohesiveness; or

(4) any combination of features described in paragraphs (1) to (3).

§ 300306. Historic Preservation Fund

In this division, the term “Historic Preservation Fund” means the Historic Preservation Fund established under section 303101 of this title.

§ 300307. Historic preservation review commission

In this division, the term “historic preservation review commission” means a board, council, commission, or other similar collegial body—

(1) that is established by State or local legislation as provided in section 302503(a)(2) of this title; and

(2) the members of which are appointed by the chief elected official of a jurisdiction (unless State or local law provides for appointment by another official) from among—

(A) professionals in the disciplines of architecture, history, architectural history, planning, prehistoric and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape archi-

ture, or related disciplines, to the extent that those professionals are available in the community; and

(B) other individuals who have demonstrated special interest, experience, or knowledge in history, architecture, or related disciplines and will provide for an adequate and qualified commission.

§ 300308. Historic property

In this division, the term “historic property” means any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register, including artifacts, records, and material remains relating to the district, site, building, structure, or object.

§ 300309. Indian tribe

In this division, the term “Indian tribe” means an Indian tribe, band, nation, or other organized group or community, including a Native village, Regional Corporation or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

§ 300310. Local government

In this division, the term “local government” means a city, county, township, municipality, or borough, or any other general purpose political subdivision of any State.

§ 300311. National Register

In this division, the term “National Register” means the National Register of Historic Places maintained under chapter 3021 of this title.

§ 300312. National Trust

In this division, the term “National Trust” means the National Trust for Historic Preservation in the United States established under section 312102 of this title.

§ 300313. Native Hawaiian

In this division, the term “Native Hawaiian” means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes Hawaii.

§ 300314. Native Hawaiian organization

(a) IN GENERAL.—In this division, the term “Native Hawaiian organization” means any organization that—

(1) serves and represents the interests of Native Hawaiians;

(2) has as a primary and stated purpose the provision of services to Native Hawaiians; and

(3) has demonstrated expertise in aspects of historic preservation that are culturally significant to Native Hawaiians.

(b) INCLUSIONS.—In this division, the term “Native Hawaiian organization” includes the Office of Hawaiian Affairs of Hawaii and Hui Malama I Na Kupuna O Hawai'i Nei, an organization incorporated under the laws of the State of Hawaii.

§ 300315. Preservation or historic preservation

In this division, the term “preservation” or “historic preservation” includes—

(1) identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, and conservation;

(2) education and training regarding the foregoing activities; or

(3) any combination of the foregoing activities.

§ 300316. Secretary

In this division, the term “Secretary” means the Secretary acting through the Director.

§ 300317. State

In this division, the term “State” means—

- (1) a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands; and
- (2) the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

§ 300318. State historic preservation review board

In this division, the term “State historic preservation review board” means a board, council, commission, or other similar collegial body established as provided in section 302301(2) of this title—

(1) the members of which are appointed by the State Historic Preservation Officer (unless otherwise provided for by State law);

(2) a majority of the members of which are professionals qualified in history, prehistoric and historic archeology, architectural history, architecture, folklore, cultural anthropology, curation, conservation, landscape architecture, and related disciplines; and

(3) that has the authority to—

(A) review National Register nominations and appeals from nominations;

(B) review appropriate documentation submitted in conjunction with the Historic Preservation Fund;

(C) provide general advice and guidance to the State Historic Preservation Officer; and

(D) perform such other duties as may be appropriate.

§ 300319. Tribal land

In this division, the term “tribal land” means—

(1) all land within the exterior boundaries of any Indian reservation; and

(2) all dependent Indian communities.

§ 300320. Undertaking

In this division, the term “undertaking” means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including—

(1) those carried out by or on behalf of the Federal agency;

(2) those carried out with Federal financial assistance;

(3) those requiring a Federal permit, license, or approval; and

(4) those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

§ 300321. World Heritage Convention

In this division, the term “World Heritage Convention” means the Convention concerning the Protection of the World Cultural and Natural Heritage, done at Paris November 23, 1972 (27 UST 37).

Subdivision 2—Historic Preservation Program

Chapter 3021—National Register of Historic Places

Sec.

302101. Maintenance by Secretary.

302102. Inclusion of properties on National Register.

302103. Criteria and regulations relating to National Register, National Historic Landmarks, and World Heritage List.

302104. Nominations for inclusion on National Register.

302105. Owner participation in nomination process.

302106. Retention of name.

302107. Regulations.

302108. Review of threats to historic property.

§ 302101. Maintenance by Secretary

The Secretary may expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

§ 302102. Inclusion of properties on National Register

(a) IN GENERAL.—A property that meets the criteria for National Historic Landmarks established pursuant to section 302103 of this title shall be designated as a National Historic Landmark and included on the National Register, subject to the requirements of section 302107 of this title.

(b) HISTORIC PROPERTY ON NATIONAL REGISTER ON DECEMBER 12, 1980.—All historic property included on the National Register on December 12, 1980, shall be deemed to be included on the National Register as of their initial listing for purposes of this division.

(c) HISTORIC PROPERTY LISTED IN FEDERAL REGISTER OF FEBRUARY 6, 1979, OR PRIOR TO DECEMBER 12, 1980, AS NATIONAL HISTORIC LANDMARKS.—All historic property listed in the Federal Register of February 6, 1979, or prior to December 12, 1980, as National Historic Landmarks are declared by Congress to be National Historic Landmarks of national historic significance as of their initial listing in the Federal Register for purposes of this division and chapter 3201 of this title, except that in the case of a National Historic Landmark district for which no boundaries had been established as of December 12, 1980, boundaries shall first be published in the Federal Register.

§ 302103. Criteria and regulations relating to National Register, National Historic Landmarks, and World Heritage List

The Secretary, in consultation with national historical and archeological associations, shall—

(1) establish criteria for properties to be included on the National Register and criteria for National Historic Landmarks; and

(2) promulgate regulations for—

(A) nominating properties for inclusion on, and removal from, the National Register and the recommendation of properties by certified local governments;

(B) designating properties as National Historic Landmarks and removing that designation;

(C) considering appeals from recommendations, nominations, removals, and designations (or any failure or refusal by a nominating authority to nominate or designate);

(D) nominating historic property for inclusion in the World Heritage List in accordance with the World Heritage Convention;

(E) making determinations of eligibility of properties for inclusion on the National Register; and

(F) notifying the owner of a property, any appropriate local governments, and the general public, when the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.

§ 302104. Nominations for inclusion on National Register

(a) NOMINATION BY STATE.—Subject to the requirements of section 302107 of this title, any State that is carrying out a program approved under chapter 3023 shall nominate to

the Secretary property that meets the criteria promulgated under section 302103 of this title for inclusion on the National Register. Subject to section 302107 of this title, any property nominated under this subsection or under section 306102 of this title shall be included on the National Register on the date that is 45 days after receipt by the Secretary of the nomination and the necessary documentation, unless the Secretary disapproves the nomination within the 45-day period or unless an appeal is filed under subsection (c).

(b) NOMINATION BY PERSON OR LOCAL GOVERNMENT.—Subject to the requirements of section 302107 of this title, the Secretary may accept a nomination directly from any person or local government for inclusion of a property on the National Register only if the property is located in a State where there is no program approved under chapter 3023 of this title. The Secretary may include on the National Register any property for which such a nomination is made if the Secretary determines that the property is eligible in accordance with the regulations promulgated under section 302103 of this title. The determination shall be made within 90 days from the date of the nomination unless the nomination is appealed under subsection (c).

(c) APPEAL.—Any person or local government may appeal to the Secretary—

(1) a nomination of any property for inclusion on the National Register; and

(2) the failure of a nominating authority to nominate a property in accordance with this chapter.

§ 302105. Owner participation in nomination process

(a) REGULATIONS.—The Secretary shall promulgate regulations requiring that before any property may be included on the National Register or designated as a National Historic Landmark, the owner of the property, or a majority of the owners of the individual properties within a district in the case of a historic district, shall be given the opportunity (including a reasonable period of time) to concur in, or object to, the nomination of the property for inclusion or designation. The regulations shall include provisions to carry out this section in the case of multiple ownership of a single property.

(b) WHEN PROPERTY SHALL NOT BE INCLUDED ON NATIONAL REGISTER OR DESIGNATED AS NATIONAL HISTORIC LANDMARK.—If the owner of any privately owned property, or a majority of the owners of privately owned properties within the district in the case of a historic district, object to inclusion or designation, the property shall not be included on the National Register or designated as a National Historic Landmark until the objection is withdrawn.

(c) REVIEW BY SECRETARY.—The Secretary shall review the nomination of the property when an objection has been made and shall determine whether or not the property is eligible for inclusion or designation. If the Secretary determines that the property is eligible for inclusion or designation, the Secretary shall inform the Advisory Council on Historic Preservation, the appropriate State Historic Preservation Officer, the appropriate chief elected local official, and the owner or owners of the property of the Secretary's determination.

§ 302106. Retention of name

Notwithstanding section 43(c) of the Act of July 5, 1946 (known as the Trademark Act of 1946) (15 U.S.C. 1125(c)), buildings and structures on or eligible for inclusion on the National Register (either individually or as

part of a historic district), or designated as an individual landmark or as a contributing building in a historic district by a unit of State or local government, may retain the name historically associated with the building or structure.

§ 302107. Regulations

The Secretary shall promulgate regulations—

(1) ensuring that significant prehistoric and historic artifacts, and associated records, subject to subchapter I of chapter 3061, chapter 3125, or the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) are deposited in an institution with adequate long-term curatorial capabilities;

(2) establishing a uniform process and standards for documenting historic property by public agencies and private parties for purposes of incorporation into, or complementing, the national historical architectural and engineering records in the Library of Congress; and

(3) certifying local governments, in accordance with sections 302502 and 302503 of this title, and for the transfer of funds pursuant to section 302902(c)(4) of this title.

§ 302108. Review of threats to historic property

At least once every 4 years, the Secretary, in consultation with the Council and with State Historic Preservation Officers, shall review significant threats to historic property to—

(1) determine the kinds of historic property that may be threatened;

(2) ascertain the causes of the threats; and

(3) develop and submit to the President and Congress recommendations for appropriate action.

Chapter 3023—State Historic Preservation Programs

Sec.

302301. Regulations.

302302. Program evaluation.

302303. Responsibilities of State Historic Preservation Officer.

302304. Contracts and cooperative agreements.

§ 302301. Regulations

The Secretary, in consultation with the National Conference of State Historic Preservation Officers and the National Trust, shall promulgate regulations for State Historic Preservation Programs. The regulations shall provide that a State program submitted to the Secretary under this chapter shall be approved by the Secretary if the Secretary determines that the program provides for—

(1) the designation and appointment by the chief elected official of the State of a State Historic Preservation Officer to administer the program in accordance with section 302303 of this title and for the employment or appointment by the officer of such professionally qualified staff as may be necessary for those purposes;

(2) an adequate and qualified State historic preservation review board designated by the State Historic Preservation Officer unless otherwise provided for by State law; and

(3) adequate public participation in the State Historic Preservation Program, including the process of recommending properties for nomination to the National Register.

§ 302302. Program evaluation

(a) WHEN EVALUATION SHOULD OCCUR.—Periodically, but not less than every 4 years after the approval of any State program

under section 302301 of this title, the Secretary, in consultation with the Council on the appropriate provisions of this division, and in cooperation with the State Historic Preservation Officer, shall evaluate the program to determine whether it is consistent with this division.

(b) DISAPPROVAL OF PROGRAM.—If, at any time, the Secretary determines that a major aspect of a State program is not consistent with this division, the Secretary shall disapprove the program and suspend in whole or in part any contracts or cooperative agreements with the State and the State Historic Preservation Officer under this division, until the program is consistent with this division, unless the Secretary determines that the program will be made consistent with this division within a reasonable period of time.

(c) OVERSIGHT.—The Secretary, in consultation with State Historic Preservation Officers, shall establish oversight methods to ensure State program consistency and quality without imposing undue review burdens on State Historic Preservation Officers.

(d) STATE FISCAL AUDIT AND MANAGEMENT SYSTEM.—

(1) SUBSTITUTION FOR COMPARABLE FEDERAL SYSTEMS.—At the discretion of the Secretary, a State system of fiscal audit and management may be substituted for comparable Federal systems so long as the State system—

(A) establishes and maintains substantially similar accountability standards; and

(B) provides for independent professional peer review.

(2) FISCAL AUDITS AND REVIEW BY SECRETARY.—The Secretary—

(A) may conduct periodic fiscal audits of State programs approved under this subdivision as needed; and

(B) shall ensure that the programs meet applicable accountability standards.

§ 302303. Responsibilities of State Historic Preservation Officer

(a) IN GENERAL.—It shall be the responsibility of the State Historic Preservation Officer to administer the State Historic Preservation Program.

(b) PARTICULAR RESPONSIBILITIES.—It shall be the responsibility of the State Historic Preservation Officer to—

(1) in cooperation with Federal and State agencies, local governments, and private organizations and individuals, direct and conduct a comprehensive statewide survey of historic property and maintain inventories of the property;

(2) identify and nominate eligible property to the National Register and otherwise administer applications for listing historic property on the National Register;

(3) prepare and implement a comprehensive statewide historic preservation plan;

(4) administer the State program of Federal assistance for historic preservation within the State;

(5) advise and assist, as appropriate, Federal and State agencies and local governments in carrying out their historic preservation responsibilities;

(6) cooperate with the Secretary, the Council, other Federal and State agencies, local governments, and private organizations and individuals to ensure that historic property is taken into consideration at all levels of planning and development;

(7) provide public information, education, and training and technical assistance in historic preservation;

(8) cooperate with local governments in the development of local historic preservation

programs and assist local governments in becoming certified pursuant to chapter 3025;

(9) consult with appropriate Federal agencies in accordance with this division on—

(A) Federal undertakings that may affect historic property; and

(B) the content and sufficiency of any plans developed to protect, manage, or reduce or mitigate harm to that property; and

(10) advise and assist in the evaluation of proposals for rehabilitation projects that may qualify for Federal assistance.

§ 302304. Contracts and cooperative agreements

(a) STATE.—A State may carry out all or any part of its responsibilities under this chapter by contract or cooperative agreement with a qualified nonprofit organization or educational institution.

(b) SECRETARY.—

(1) IN GENERAL.—

(A) AUTHORITY TO ASSIST SECRETARY.—Subject to paragraphs (3) and (4), the Secretary may enter into contracts or cooperative agreements with a State Historic Preservation Officer for any State authorizing the Officer to assist the Secretary in carrying out one or more of the following responsibilities within that State:

(i) Identification and preservation of historic property.

(ii) Determination of the eligibility of property for listing on the National Register.

(iii) Preparation of nominations for inclusion on the National Register.

(iv) Maintenance of historical and archaeological data bases.

(v) Evaluation of eligibility for Federal preservation incentives.

(B) AUTHORITY TO MAINTAIN NATIONAL REGISTER.—Nothing in subparagraph (A) shall be construed to provide that any State Historic Preservation Officer or any other person other than the Secretary shall have the authority to maintain the National Register for properties in any State.

(2) REQUIREMENTS.—The Secretary may enter into a contract or cooperative agreement under paragraph (1) only if—

(A) the State Historic Preservation Officer has requested the additional responsibility;

(B) the Secretary has approved the State historic preservation program pursuant to sections 302301 and 302302 of this title;

(C) the State Historic Preservation Officer agrees to carry out the additional responsibility in a timely and efficient manner acceptable to the Secretary and the Secretary determines that the Officer is fully capable of carrying out the responsibility in that manner;

(D) the State Historic Preservation Officer agrees to permit the Secretary to review and revise, as appropriate in the discretion of the Secretary, decisions made by the Officer pursuant to the contract or cooperative agreement; and

(E) the Secretary and the State Historic Preservation Officer agree on the terms of additional financial assistance to the State, if there is to be any, for the costs of carrying out that responsibility.

(3) ESTABLISH CONDITIONS AND CRITERIA.—For each significant program area under the Secretary's authority, the Secretary shall establish specific conditions and criteria essential for the assumption by a State Historic Preservation Officer of the Secretary's duties in each of those programs.

(4) PRESERVATION PROGRAMS AND ACTIVITIES NOT DIMINISHED.—Nothing in this chapter shall have the effect of diminishing the preservation programs and activities of the Service.

Chapter 3025—Certification of Local Governments

- Sec.
 302501. Definitions.
 302502. Certification as part of State program.
 302503. Requirements for certification.
 302504. Participation of certified local governments in National Register nominations.
 302505. Eligibility and responsibility of certified local government.

§ 302501. Definitions

In this chapter:

(1) **DESIGNATION.**—The term “designation” means the identification and registration of property for protection that meets criteria established by a State or locality for significant historic property within the jurisdiction of a local government.

(2) **PROTECTION.**—The term “protection” means protection by means of a local review process under State or local law for proposed demolition of, changes to, or other action that may affect historic property designated pursuant to this chapter.

§ 302502. Certification as part of State program

Any State program approved under this subdivision shall provide a mechanism for the certification by the State Historic Preservation Officer of local governments to carry out the purposes of this division and provide for the transfer, in accordance with section 302902(c)(4) of this title, of a portion of the grants received by the States under this division, to those local governments.

§ 302503. Requirements for certification

(a) **APPROVED STATE PROGRAM.**—Any local government shall be certified to participate under this section if the applicable State Historic Preservation Officer, and the Secretary, certify that the local government—

(1) enforces appropriate State or local legislation for the designation and protection of historic property;

(2) has established an adequate and qualified historic preservation review commission by State or local legislation;

(3) maintains a system for the survey and inventory of historic property that furthers the purposes of chapter 3023;

(4) provides for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register; and

(5) satisfactorily performs the responsibilities delegated to it under this division.

(b) **NO APPROVED STATE PROGRAM.**—Where there is no State program approved under sections 302301 and 302302 of this title, a local government may be certified by the Secretary if the Secretary determines that the local government meets the requirements of subsection (a). The Secretary may make grants to the local government certified under this subsection for purposes of this subdivision.

§ 302504. Participation of certified local governments in National Register nominations

(a) **NOTICE.**—Before a property within the jurisdiction of a certified local government may be considered by a State to be nominated to the Secretary for inclusion on the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official, and the local historic preservation commission.

(b) **REPORT.**—The local historic preservation commission, after reasonable opportunity for public comment, shall prepare a

report as to whether the property, in the Commission's opinion, meets the criteria of the National Register. Within 60 days of notice from the State Historic Preservation Officer, the chief local elected official shall transmit the report of the commission and the recommendation of the local official to the State Historic Preservation Officer.

(c) **RECOMMENDATION.**—

(1) **PROPERTY NOMINATED TO NATIONAL REGISTER.**—Except as provided in paragraph (2), after receipt of the report and recommendation, or if no report and recommendation are received within 60 days, the State shall make the nomination pursuant to section 302104 of this title. The State may expedite the process with the concurrence of the certified local government.

(2) **PROPERTY NOT NOMINATED TO NATIONAL REGISTER.**—If both the commission and the chief local elected official recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no further action, unless, within 30 days of the receipt of the recommendation by the State Historic Preservation Officer, an appeal is filed with the State. If an appeal is filed, the State shall follow the procedures for making a nomination pursuant to section 302104 of this title. Any report and recommendations made under this section shall be included with any nomination submitted by the State to the Secretary.

§ 302505. Eligibility and responsibility of certified local government

Any local government—

(1) that is certified under this chapter shall be eligible for funds under section 302902(c)(4) of this title; and

(2) that is certified, or making efforts to become certified, under this chapter shall carry out any responsibilities delegated to it in accordance with such terms and conditions as the Secretary considers necessary or advisable.

Chapter 3027—Historic Preservation Programs and Authorities for Indian Tribes and Native Hawaiian Organizations

Sec.

302701. Program to assist Indian tribes in preserving historic property.
 302702. Indian tribe to assume functions of State Historic Preservation Officer.
 302703. Apportionment of grant funds.
 302704. Contracts and cooperative agreements.
 302705. Agreement for review under tribal historic preservation regulations.
 302706. Eligibility for inclusion on National Register.

§ 302701. Program to assist Indian tribes in preserving historic property

(a) **ESTABLISHMENT OF PROGRAM.**—The Secretary shall establish a program and promulgate regulations to assist Indian tribes in preserving their historic property.

(b) **COMMUNICATION AND COOPERATION.**—The Secretary shall foster communication and cooperation between Indian tribes and State Historic Preservation Officers in the administration of the national historic preservation program to—

(1) ensure that all types of historic property and all public interests in historic property are given due consideration; and

(2) encourage coordination among Indian tribes, State Historic Preservation Officers, and Federal agencies in historic preservation planning and in the identification, evaluation, protection, and interpretation of historic property.

(c) **TRIBAL VALUES.**—The program under subsection (a) shall be developed in a manner to ensure that tribal values are taken into account to the extent feasible. The Secretary may waive or modify requirements of this subdivision to conform to the cultural setting of tribal heritage preservation goals and objectives.

(d) **SCOPE OF TRIBAL PROGRAMS.**—The tribal programs implemented by specific tribal organizations may vary in scope, as determined by each Indian tribe's chief governing authority.

(e) **CONSULTATION.**—The Secretary shall consult with Indian tribes, other Federal agencies, State Historic Preservations Officers, and other interested parties concerning the program under subsection (a).

§ 302702. Indian tribe to assume functions of State Historic Preservation Officer

An Indian tribe may assume all or any part of the functions of a State Historic Preservation Officer in accordance with sections 302302 and 302303 of this title, with respect to tribal land, as those responsibilities may be modified for tribal programs through regulations issued by the Secretary, if—

(1) the Indian tribe's chief governing authority so requests;

(2) the Indian tribe designates a tribal preservation official to administer the tribal historic preservation program, through appointment by the Indian tribe's chief governing authority or as a tribal ordinance may otherwise provide;

(3) the tribal preservation official provides the Secretary with a plan describing how the functions the tribal preservation official proposes to assume will be carried out;

(4) the Secretary determines, after consulting with the Indian tribe, the appropriate State Historic Preservation Officer, the Council (if the Indian tribe proposes to assume the functions of the State Historic Preservation Officer with respect to review of undertakings under section 306108 of this title), and other Indian tribes, if any, whose tribal or aboriginal land may be affected by conduct of the tribal preservation program, that—

(A) the tribal preservation program is fully capable of carrying out the functions specified in the plan provided under paragraph (3);

(B) the plan defines the remaining responsibilities of the Secretary and the State Historic Preservation Officer; and

(C) the plan provides, with respect to properties neither owned by a member of the Indian tribe nor held in trust by the Secretary for the benefit of the Indian tribe, at the request of the owner of the properties, that the State Historic Preservation Officer, in addition to the tribal preservation official, may exercise the historic preservation responsibilities in accordance with sections 302302 and 302303 of this title; and

(5) based on satisfaction of the conditions stated in paragraphs (1), (2), (3), and (4), the Secretary approves the plan.

§ 302703. Apportionment of grant funds

In consultation with interested Indian tribes, other Native American organizations, and affected State Historic Preservation Officers, the Secretary shall establish and implement procedures for carrying out section 302902(c)(1)(A) of this title with respect to tribal programs that assume responsibilities under section 302702 of this title.

§ 302704. Contracts and cooperative agreements

At the request of an Indian tribe whose preservation program has been approved to

assume functions and responsibilities pursuant to section 302702 of this title, the Secretary shall enter into a contract or cooperative agreement with the Indian tribe permitting the assumption by the Indian tribe of any part of the responsibilities described in section 302304(b) of this title on tribal land, if—

(1) the Secretary and the Indian tribe agree on additional financial assistance, if any, to the Indian tribe for the costs of carrying out those authorities;

(2) the Secretary finds that the tribal historic preservation program has been demonstrated to be sufficient to carry out the contract or cooperative agreement and this division; and

(3) the contract or cooperative agreement specifies the continuing responsibilities of the Secretary or of the appropriate State Historic Preservation Officers and provides for appropriate participation by—

(A) the Indian tribe's traditional cultural authorities;

(B) representatives of other Indian tribes whose traditional land is under the jurisdiction of the Indian tribe assuming responsibilities; and

(C) the interested public.

§ 302705. Agreement for review under tribal historic preservation regulations

The Council may enter into an agreement with an Indian tribe to permit undertakings on tribal land to be reviewed under tribal historic preservation regulations in place of review under regulations promulgated by the Council to govern compliance with section 306108 of this title, if the Council, after consultation with the Indian tribe and appropriate State Historic Preservation Officers, determines that the tribal preservation regulations will afford historic property consideration equivalent to that afforded by the Council's regulations.

§ 302706. Eligibility for inclusion on National Register

(a) IN GENERAL.—Property of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization may be determined to be eligible for inclusion on the National Register.

(b) CONSULTATION.—In carrying out its responsibilities under section 306108 of this title, a Federal agency shall consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to property described in subsection (a).

(c) HAWAII.—In carrying out responsibilities under section 302303 of this title, the State Historic Preservation Officer for Hawaii shall—

(1) consult with Native Hawaiian organizations in assessing the cultural significance of any property in determining whether to nominate the property to the National Register;

(2) consult with Native Hawaiian organizations in developing the cultural component of a preservation program or plan for the property; and

(3) enter into a memorandum of understanding or agreement with Native Hawaiian organizations for the assessment of the cultural significance of a property in determining whether to nominate the property to the National Register and to carry out the cultural component of the preservation program or plan.

Chapter 3029—Grants

Sec.

302901. Awarding of grants and availability of grant funds.

302902. Grants to States.

302903. Grants to National Trust.

302904. Direct grants for the preservation of properties included on National Register.

302905. Religious property.

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302907. Grants to Indian tribes and Native Hawaiian organizations.

302908. Grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

302909. Prohibited use of grant amounts.

302910. Recordkeeping.

§ 302901. Awarding of grants and availability of grant funds

(a) IN GENERAL.—No grant may be made under this division unless application for the grant is submitted to the Secretary in accordance with regulations and procedures prescribed by the Secretary.

(b) GRANT NOT TREATED AS TAXABLE INCOME.—No grant made pursuant to this division shall be treated as taxable income for purposes of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(c) AVAILABILITY.—The Secretary shall make funding available to individual States and the National Trust as soon as practicable after execution of a grant agreement. For purposes of administration, grants to individual States and the National Trust each shall be deemed to be one grant and shall be administered by the Service as one grant.

§ 302902. Grants to States

(a) IN GENERAL.—The Secretary shall administer a program of matching grants to the States for the purposes of carrying out this division.

(b) CONDITIONS.—

(1) In general.—No grant may be made under this division—

(A) unless the application is in accordance with the comprehensive statewide historic preservation plan that has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to chapter 2003 of this title;

(B) unless the grantee has agreed to make reports, in such form and containing such information, as the Secretary may from time to time require;

(C) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; or

(D) until the grantee has complied with such further terms and conditions as the Secretary may consider necessary or advisable.

(2) WAIVER.—The Secretary may waive the requirements of subparagraphs (A) and (C) of paragraph (1) for any grant under this division to the National Trust.

(3) AMOUNT LIMITATION.—

(A) IN GENERAL.—No grant may be made under this division for more than 60 percent of the aggregate costs of carrying out projects and programs under the administrative control of the State Historic Preservation Officer as specified in section 302303 of this title in any one fiscal year.

(B) SOURCE OF STATE SHARE OF COSTS.—Except as permitted by other law, the State share of the costs referred to in subparagraph (A) shall be contributed by non-Federal sources.

(4) RESTRICTION ON USE OF REAL PROPERTY TO MEET NON-FEDERAL SHARE OF COST OF PROJECT.—No State shall be permitted to utilize the value of real property obtained before October 15, 1966, in meeting the non-Federal share of the cost of a project for which a grant is made under this division.

(c) APPORTIONMENT OF GRANT AMOUNTS

(1) BASES FOR APPORTIONMENT.—The amounts appropriated and made available for grants to the States—

(A) for the purposes of this division shall be apportioned among the States by the Secretary on the basis of needs as determined by the Secretary; and

(B) for projects and programs under this division for each fiscal year shall be apportioned among the States as the Secretary determines to be appropriate.

(2) NOTIFICATION.—The Secretary shall notify each State of its apportionment under paragraph (1)(B) within 30 days after the date of enactment of legislation appropriating funds under this division.

(3) REAPPORTIONMENT.—Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which the notification is given or during the 2 fiscal years after that fiscal year shall be reapportioned by the Secretary in accordance with paragraph (1)(B). The Secretary shall analyze and revise as necessary the method of apportionment. The method and any revision shall be published by the Secretary in the Federal Register.

(4) TRANSFER OF FUNDS TO CERTIFIED LOCAL GOVERNMENTS.—Not less than 10 percent of the annual apportionment distributed by the Secretary to each State for the purposes of carrying out this division shall be transferred by the State, pursuant to the requirements of this division, to certified local governments for historic preservation projects or programs of the certified local governments. In any year in which the total annual apportionment to the States exceeds \$65,000,000, 50 percent of the excess shall also be transferred by the States to certified local governments.

(5) GUIDELINES FOR USE AND DISTRIBUTION OF FUNDS TO CERTIFIED LOCAL GOVERNMENTS.—The Secretary shall establish guidelines for the use and distribution of funds under paragraph (4) to ensure that no certified local government receives a disproportionate share of the funds available, and may include a maximum or minimum limitation on the amount of funds distributed to any single certified local government. The guidelines shall not limit the ability of any State to distribute more than 10 percent of its annual apportionment under paragraph (4), nor shall the Secretary require any State to exceed the 10 percent minimum distribution to certified local governments.

(d) ADMINISTRATIVE COSTS.—The total direct and indirect administrative costs charged for carrying out State projects and programs shall not exceed 25 percent of the aggregate costs (except in the case of a grant to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau).

§ 302903. Grants to National Trust

(a) SECRETARY OF THE INTERIOR.—The Secretary may administer grants to the National Trust consistent with the purposes of its charter and this division.

(b) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—The Secretary of Housing and Urban Development may make grants to the National Trust, on terms and conditions and in amounts (not exceeding \$90,000 with respect to any one structure) as the Secretary

of Housing and Urban Development considers appropriate, to cover the costs incurred by the National Trust in renovating or restoring structures that the National Trust considers to be of historic or architectural value and that the National Trust has accepted and will maintain (after the renovation or restoration) for historic purposes.

§ 302904. Direct grants for the preservation of properties included on National Register

(a) ADMINISTRATION OF PROGRAM.—The Secretary shall administer a program of direct grants for the preservation of properties included on the National Register.

(b) AVAILABLE AMOUNT.—Funds to support the program annually shall not exceed 10 percent of the amount appropriated annually for the Historic Preservation Fund.

(c) USES OF GRANTS.—

(1) IN GENERAL.—Grants under this section may be made by the Secretary, in consultation with the appropriate State Historic Preservation Officer—

(A) for the preservation of—

(i) National Historic Landmarks that are threatened with demolition or impairment; and

(ii) historic property of World Heritage significance;

(B) for demonstration projects that will provide information concerning professional methods and techniques having application to historic property;

(C) for the training and development of skilled labor in trades and crafts, and in analysis and curation, relating to historic preservation; and

(D) to assist individuals or small businesses within any historic district included on the National Register to remain within the district.

(2) LIMIT ON CERTAIN GRANTS.—A grant may be made under subparagraph (A) or (D) of paragraph (1) only to the extent that the project cannot be carried out in as effective a manner through the use of an insured loan under section 303901 of this title.

§ 302905. Religious property

(a) IN GENERAL.—Grants may be made under this chapter for the preservation, stabilization, restoration, or rehabilitation of religious property listed on the National Register if the purpose of the grant—

(1) is secular;

(2) does not promote religion; and

(3) seeks to protect qualities that are historically significant.

(b) EFFECT OF SECTION.—Nothing in this section shall be construed to authorize the use of any funds made available under this subdivision for the acquisition of any religious property listed on the National Register.

§ 302906. Grants and loans to Indian tribes and nonprofit organizations representing ethnic or minority groups

The Secretary may, in consultation with the appropriate State Historic Preservation Officer, make grants or loans or both under this subdivision to Indian tribes and to nonprofit organizations representing ethnic or minority groups for the preservation of their cultural heritage.

§ 302907. Grants to Indian tribes and Native Hawaiian organizations

The Secretary shall administer a program of direct grants to Indian tribes and Native Hawaiian organizations for the purpose of carrying out this division as it pertains to Indian tribes and Native Hawaiian organizations. Matching fund requirements may be modified. Federal funds available to an In-

dian tribe or Native Hawaiian organization may be used as matching funds for the purposes of the Indian tribe's or Native Hawaiian organization's conducting its responsibilities pursuant to this subdivision.

§ 302908. Grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau

(a) IN GENERAL.—As part of the program of matching grant assistance from the Historic Preservation Fund to States, the Secretary shall administer a program of direct grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau in furtherance of the Compact of Free Association between the United States and the Federated States of Micronesia and the Marshall Islands, approved by the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq., 2001 et seq.), and the Compact of Free Association between the United States and Palau, approved by the Joint Resolution entitled "Joint Resolution to approve the 'Compact of Free Association' between the United States and Government of Palau, and for other purposes" (48 U.S.C. 1931 et seq.) or any successor enactment.

(b) GOAL OF PROGRAM.—The goal of the program shall be to establish historic and cultural preservation programs that meet the unique needs of each of those nations so that at the termination of the compacts the programs shall be firmly established.

(c) BASIS OF ALLOCATING AMOUNTS.—The amounts to be made available under this subsection shall be allocated by the Secretary on the basis of needs as determined by the Secretary.

(d) WAIVERS AND MODIFICATIONS.—The Secretary may waive or modify the requirements of this subdivision to conform to the cultural setting of those nations. Matching funds may be waived or modified.

§ 302909. Prohibited use of grant amounts

No part of any grant made under this subdivision shall be used to compensate any person intervening in any proceeding under this division.

§ 302910. Recordkeeping

A recipient of assistance under this division shall keep—

(1) such records as the Secretary shall prescribe, including records that fully disclose—

(A) the disposition by the recipient of the proceeds of the assistance;

(B) the total cost of the project or undertaking in connection with which the assistance is given or used; and

(C) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources; and

(2) such other records as will facilitate an effective audit.

Chapter 3031—Historic Preservation Fund

Sec.

303101. Establishment.

303102. Content.

303103. Use and availability.

§ 303101. Establishment

To carry out this division (except chapter 3041) and chapter 3121, there is established in the Treasury the Historic Preservation Fund.

§ 303102. Contents

For each of fiscal years 2012 to 2015, \$150,000,000 shall be deposited in the Historic Preservation Fund from revenues due and payable to the United States under section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), section 7433(b) of title 10, or both, notwithstanding any provision of law

that those proceeds shall be credited to miscellaneous receipts of the Treasury.

§ 303103. Use and availability

Amounts in the Historic Preservation Fund shall be used only to carry out this division and shall be available for expenditure only when appropriated by Congress. Any amount not appropriated shall remain available in the Historic Preservation Fund until appropriated for those purposes. Appropriations made pursuant to this section may be made without fiscal year limitation.

Chapters 3033 Through 3037—Reserved

Chapter 3039—Miscellaneous

Sec.

303901. Loan insurance program for preservation of property included on National Register.

303902. Training in, and dissemination of information concerning, professional methods and techniques for preservation of historic property.

303903. Preservation education and training program.

§ 303901. Loan insurance program for preservation of property included on National Register

(a) ESTABLISHMENT.—The Secretary shall establish and maintain a program by which the Secretary may, on application of a private lender, insure loans (including loans made in accordance with a mortgage) made by the lender to finance any project for the preservation of a property included on the National Register.

(b) LOAN QUALIFICATIONS.—A loan may be insured under this section if—

(1) the loan is made by a private lender approved by the Secretary as financially sound and able to service the loan properly;

(2) the amount of the loan, and interest rate charged with respect to the loan, do not exceed the amount and rate established by the Secretary by regulation;

(3) the Secretary has consulted the appropriate State Historic Preservation Officer concerning the preservation of the historic property;

(4) the Secretary has determined that the loan is adequately secured and there is reasonable assurance of repayment;

(5) the repayment period of the loan does not exceed the lesser of 40 years or the expected life of the asset financed;

(6) the amount insured with respect to the loan does not exceed 90 percent of the loss sustained by the lender with respect to the loan; and

(7) the loan, the borrower, and the historic property to be preserved meet such other terms and conditions as may be prescribed by the Secretary by regulation, especially terms and conditions relating to the nature and quality of the preservation work.

(c) CONSULTATION.—The Secretary shall consult with the Secretary of the Treasury regarding the interest rate of loans insured under this section.

(d) LIMITATION ON AMOUNT OF UNPAID PRINCIPAL BALANCE OF LOANS.—The aggregate unpaid principal balance of loans insured under this section may not exceed the amount that has been deposited in the Historic Preservation Fund but which has not been appropriated for any purpose.

(e) INSURANCE CONTRACTS.—Any contract of insurance executed by the Secretary under this section may be assignable, shall be an obligation supported by the full faith and credit of the United States, and shall be incontestable except for fraud or misrepresentation of which the holder had actual knowledge at the time it became a holder.

(f) **CONDITIONS AND METHODS OF PAYMENT AS RESULT OF LOSS.**—The Secretary shall specify, by regulation and in each contract entered into under this section, the conditions and method of payment to a private lender as a result of losses incurred by the lender on any loan insured under this section.

(g) **PROTECTION OF FINANCIAL INTERESTS OF FEDERAL GOVERNMENT.**—In entering into any contract to insure a loan under this section, the Secretary shall take steps to ensure adequate protection of the financial interests of the Federal Government. The Secretary may—

(1) in connection with any foreclosure proceeding, obtain, on behalf of the Federal Government, the historic property securing a loan insured under this section; and

(2) operate or lease the historic property for such period as may be necessary to protect the interest of the Federal Government and to carry out subsection (h).

(h) **CONVEYANCE TO GOVERNMENTAL OR NON-GOVERNMENTAL ENTITY OF PROPERTY ACQUIRED BY FORECLOSURE.**—

(1) **ATTEMPT TO CONVEY TO ENSURE PROPERTY'S PRESERVATION AND USE.**—In any case in which historic property is obtained pursuant to subsection (g), the Secretary shall attempt to convey the property to any governmental or nongovernmental entity under conditions that will ensure the property's continued preservation and use. If, after a reasonable time, the Secretary, in consultation with the Council, determines that there is no feasible and prudent means to convey the property and to ensure its continued preservation and use, the Secretary may convey the property at the fair market value of its interest in the property to any entity without restriction.

(2) **DISPOSITION OF FUNDS.**—Any funds obtained by the Secretary in connection with the conveyance of any historic property pursuant to paragraph (1) shall be deposited in the Historic Preservation Fund and shall remain available in the Historic Preservation Fund until appropriated by Congress to carry out this division.

(i) **ASSESSMENT OF FEES IN CONNECTION WITH INSURING LOANS.**—The Secretary may assess appropriate and reasonable fees in connection with insuring loans under this section. The fees shall be deposited in the Historic Preservation Fund and shall remain available in the Historic Preservation Fund until appropriated by Congress to carry out this division.

(j) **TREATMENT OF LOANS AS NON-FEDERAL FUNDS.**—Notwithstanding any other provision of law, any loan insured under this section shall be treated as non-Federal funds for the purposes of satisfying any requirement of any other provision of law under which Federal funds to be used for any project or activity are conditioned on the use of non-Federal funds by the recipient for payment of any portion of the costs of the project or activity.

(k) **INELIGIBILITY OF DEBT OBLIGATION FOR PURCHASE OR COMMITMENT TO PURCHASE BY, OR SALE OR ISSUANCE TO, FEDERAL FINANCING BANK.**—No debt obligation that is made or committed to be made, or that is insured or committed to be insured, by the Secretary under this section shall be eligible for purchase by, or commitment to purchase by, or sale or issuance to, the Federal Financing Bank.

§ 303902. Training in, and dissemination of information concerning, professional methods and techniques for preservation of historic property

The Secretary shall develop and make available to Federal agencies, State and local governments, private organizations and individuals, and other nations and international organizations pursuant to the World Heritage Convention, training in, and information concerning, professional methods and techniques for the preservation of historic property and for the administration of the historic preservation program at the Federal, State, and local level. The Secretary shall also develop mechanisms to provide information concerning historic preservation to the general public including students.

§ 303903. Preservation education and training program

The Secretary, in consultation with the Council and other appropriate Federal, tribal, Native Hawaiian, and non-Federal organizations, shall develop and implement a comprehensive preservation education and training program. The program shall include—

(1) standards and increased preservation training opportunities for Federal workers involved in preservation-related functions;

(2) preservation training opportunities for other Federal, State, tribal and local government workers, and students;

(3) technical or financial assistance, or both, to historically black colleges and universities, to tribal colleges, and to colleges with a high enrollment of Native Americans or Native Hawaiians, to establish preservation training and degree programs; and

(4) where appropriate, coordination with the National Center for Preservation Technology and Training of—

(A) distribution of information on preservation technologies;

(B) provision of training and skill development in trades, crafts, and disciplines related to historic preservation in Federal training and development programs; and

(C) support for research, analysis, conservation, curation, interpretation, and display related to preservation.

Subdivision 3—Advisory Council on Historic Preservation

Chapter 3041—Advisory Council on Historic Preservation

Sec.

304101. Establishment; vacancies.

304102. Duties of Council.

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304106. International Centre for the Study of the Preservation and Restoration of Cultural Property.

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304110. Report by Secretary to Council.

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§ 304101. Establishment; vacancies

(a) **ESTABLISHMENT.**—There is established as an independent agency of the United

States Government an Advisory Council on Historic Preservation, which shall be composed of the following members:

(1) A Chairman appointed by the President selected from the general public.

(2) The Secretary.

(3) The Architect of the Capitol.

(4) The Secretary of Agriculture and the heads of 7 other agencies of the United States (other than the Department of the Interior), the activities of which affect historic preservation, designated by the President.

(5) One Governor appointed by the President.

(6) One mayor appointed by the President.

(7) The President of the National Conference of State Historic Preservation Officers.

(8) The Chairman of the National Trust.

(9) Four experts in the field of historic preservation appointed by the President from architecture, history, archeology, and other appropriate disciplines.

(10) Three members from the general public, appointed by the President.

(11) One member of an Indian tribe or Native Hawaiian organization who represents the interests of the Indian tribe or Native Hawaiian organization of which he or she is a member, appointed by the President.

(b) **DESIGNATION OF SUBSTITUTES.**—Each member of the Council specified in paragraphs (2) to (5), (7), and (8) of subsection (a) may designate another officer of the department, agency, or organization to serve on the Council instead of the member, except that, in the case of paragraphs (2) and (4), no officer other than an Assistant Secretary or an officer having major department-wide or agency-wide responsibilities may be designated.

(c) **TERM OF OFFICE.**—Each member of the Council appointed under paragraphs (1) and (9) to (11) of subsection (a) shall serve for a term of 4 years from the expiration of the term of the member's predecessor. The members appointed under paragraphs (5) and (6) shall serve for the term of their elected office but not in excess of 4 years. An appointed member may not serve more than 2 terms. An appointed member whose term has expired shall serve until that member's successor has been appointed.

(d) **VACANCIES.**—A vacancy in the Council shall not affect its powers, but shall be filled, not later than 60 days after the vacancy commences, in the same manner as the original appointment (and for the balance of the unexpired term).

(e) **DESIGNATION OF VICE CHAIRMAN.**—The President shall designate a Vice Chairman from the members appointed under paragraph (5), (6), (9), or (10) of subsection (a). The Vice Chairman may act in place of the Chairman during the absence or disability of the Chairman or when the office is vacant.

(f) **QUORUM.**—Twelve members of the Council shall constitute a quorum.

§ 304102. Duties of Council

(a) **DUTIES.**—The Council shall—

(1) advise the President and Congress on matters relating to historic preservation, recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation, and advise on the dissemination of information pertaining to those activities;

(2) encourage, in cooperation with the National Trust and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as—

(A) the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments; and

(B) the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation;

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation;

(6) review the policies and programs of Federal agencies and recommend to Federal agencies methods to improve the effectiveness, coordination, and consistency of those policies and programs with the policies and programs carried out under this division; and

(7) inform and educate Federal agencies, State and local governments, Indian tribes, other nations and international organizations and private groups and individuals as to the Council's authorized activities.

(b) **ANNUAL REPORT.**—The Council annually shall submit to the President a comprehensive report of its activities and the results of its studies and shall from time to time submit additional and special reports as it deems advisable. Each report shall propose legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations and shall provide the Council's assessment of current and emerging problems in the field of historic preservation and an evaluation of the effectiveness of the programs of Federal agencies, State and local governments, and the private sector in carrying out this division.

§ 304103. Cooperation between Council and instrumentalities of executive branch of Federal Government

The Council may secure directly from any Federal agency information, suggestions, estimates, and statistics for the purpose of this chapter. Each Federal agency may furnish information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

§ 304104. Compensation of members of Council

The members of the Council specified in paragraphs (2), (3), and (4) of section 304101(a) of this title shall serve without additional compensation. The other members of the Council shall receive \$100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

§ 304105. Administration

(a) **EXECUTIVE DIRECTOR.**—There shall be an Executive Director of the Council who shall be appointed by the Chairman with the concurrence of the Council in the competitive service at a rate within the General Schedule, in the competitive service at a rate that may exceed the rate prescribed for the highest rate established for grade 15 of the General Schedule under section 5332 of title 5, or in the Senior Executive Service under section 3393 of title 5. The Executive Director shall report directly to the Council and perform such functions and duties as the Council may prescribe.

(b) **GENERAL COUNSEL AND APPOINTMENT OF OTHER ATTORNEYS.**—

(1) **GENERAL COUNSEL.**—The Council shall have a General Counsel, who shall be ap-

pointed by the Executive Director. The General Counsel shall report directly to the Executive Director and serve as the Council's legal advisor.

(2) **APPOINTMENT OF OTHER ATTORNEYS.**—The Executive Director shall appoint other attorneys as may be necessary to—

(A) assist the General Counsel;

(B) represent the Council in court when appropriate, including enforcement of agreements with Federal agencies to which the Council is a party;

(C) assist the Department of Justice in handling litigation concerning the Council in court; and

(D) perform such other legal duties and functions as the Executive Director and the Council may direct.

(c) **APPOINTMENT AND COMPENSATION OF OFFICERS AND EMPLOYEES.**—The Executive Director of the Council may appoint and fix the compensation of officers and employees in the competitive service who are necessary to perform the functions of the Council at rates not to exceed that prescribed for the highest rate for grade 15 of the General Schedule under section 5332 of title 5. The Executive Director, with the concurrence of the Chairman, may appoint and fix the compensation of not to exceed 5 employees in the competitive service at rates that exceed that prescribed for the highest rate established for grade 15 of the General Schedule under section 5332 of title 5 or in the Senior Executive Service under section 3393 of title 5.

(d) **APPOINTMENT AND COMPENSATION OF ADDITIONAL PERSONNEL.**—The Executive Director may appoint and fix the compensation of such additional personnel as may be necessary to carry out the Council's duties, without regard to the civil service laws and chapter 51 and subchapter III of chapter 53 of title 5.

(e) **EXPERT AND CONSULTANT SERVICES.**—The Executive Director may procure expert and consultant services in accordance with section 3109 of title 5.

(f) **FINANCIAL AND ADMINISTRATIVE SERVICES.**—

(1) **SERVICES TO BE PROVIDED BY SECRETARY, AGENCY, OR PRIVATE ENTITY.**—Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Secretary or, at the discretion of the Council, another agency or private entity that reaches an agreement with the Council, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed on by the Chairman of the Council and the head of the agency or the authorized representative of the private entity that will provide the services.

(2) **FEDERAL AGENCY REGULATIONS RELATING TO COLLECTION APPLY.**—When a Federal agency affords those services, the regulations of that agency under section 5514(b) of title 5 for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of that agency under sections 1513(d) and 1514 of title 31 for the administrative control of funds shall apply to appropriations of the Council. The Council shall not be required to prescribe those regulations.

(g) **FUNDS, PERSONNEL, FACILITIES, AND SERVICES.**—

(1) **PROVIDED BY FEDERAL AGENCY.**—Any Federal agency may provide the Council, with or without reimbursement as may be agreed on by the Chairman and the agency,

with such funds, personnel, facilities, and services under its jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that the funds, personnel, facilities, and services are requested by the Council and are otherwise available for that purpose. Any funds provided to the Council pursuant to this subsection shall be obligated by the end of the fiscal year following the fiscal year in which the funds are received by the Council.

(2) **OBTAINING ADDITIONAL PROPERTY, FACILITIES, AND SERVICES AND RECEIVING DONATIONS OF MONEY.**—To the extent of available appropriations, the Council may obtain by purchase, rental, donation, or otherwise additional property, facilities, and services as may be needed to carry out its duties and may receive donations of money for that purpose. The Executive Director may accept, hold, use, expend, and administer the property, facilities, services, and money for the purposes of this division.

(h) **RIGHTS, BENEFITS, AND PRIVILEGES OF TRANSFERRED EMPLOYEES.**—Any employee in the competitive service of the United States transferred to the Council under section 207 of the National Historic Preservation Act (Public Law 89-665) retains all the rights, benefits, and privileges pertaining to the competitive service held prior to the transfer.

(i) **EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.**—The Council is exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

(j) **PROVISIONS THAT GOVERN OPERATIONS OF COUNCIL.**—Subchapter II of chapter 5 and chapter 7 of title 5 shall govern the operations of the Council.

§ 304106. International Centre for the Study of the Preservation and Restoration of Cultural Property

(a) **AUTHORIZATION OF PARTICIPATION.**—The participation of the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property is authorized.

(b) **OFFICIAL DELEGATION.**—The Council shall recommend to the Secretary of State, after consultation with the Smithsonian Institution and other public and private organizations concerned with the technical problems of preservation, the members of the official delegation that will participate in the activities of the International Centre for the Study of the Preservation and Restoration of Cultural Property on behalf of the United States. The Secretary of State shall appoint the members of the official delegation from the persons recommended to the Secretary of State by the Council.

§ 304107. Transmittal of legislative recommendations, testimony, or comments to any officer or agency of the United States prior to submission to Congress

No officer or agency of the United States shall have any authority to require the Council to submit its legislative recommendations, or testimony, or comments on legislation to any officer or agency of the United States for approval, comments, or review, prior to the submission of the recommendations, testimony, or comments to Congress. When the Council voluntarily seeks to obtain the comments or review of any officer or agency of the United States, the Council shall include a description of the actions in its legislative recommendations, testimony, or comments on legislation that it transmits to Congress.

§ 304108. Regulations, procedures, and guidelines

(a) **IN GENERAL.**—The Council may promulgate regulations as it considers necessary to

govern the implementation of section 306108 of this title in its entirety.

(b) **PARTICIPATION BY LOCAL GOVERNMENTS.**—The Council shall by regulation establish such procedures as may be necessary to provide for participation by local governments in proceedings and other actions taken by the Council with respect to undertakings referred to in section 306108 of this title that affect the local governments.

(c) **EXEMPTION FOR FEDERAL PROGRAMS OR UNDERTAKINGS.**—The Council, with the concurrence of the Secretary, shall promulgate regulations or guidelines, as appropriate, under which Federal programs or undertakings may be exempted from any or all of the requirements of this division when the exemption is determined to be consistent with the purposes of this division, taking into consideration the magnitude of the exempted undertaking or program and the likelihood of impairment of historic property.

§ 304109. Budget submission

(a) **TIME AND MANNER OF SUBMISSION.**—The Council shall submit its budget annually as a related agency of the Department of the Interior.

(b) **TRANSMITTAL OF COPIES TO CONGRESSIONAL COMMITTEES.**—Whenever the Council submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit copies of that estimate or request to the Committee on Natural Resources and Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources and Committee on Appropriations of the Senate.

§ 304110. Report by Secretary to Council

To assist the Council in discharging its responsibilities under this division, the Secretary at the request of the Chairman shall provide a report to the Council detailing the significance of any historic property, describing the effects of any proposed undertaking on the affected property, and recommending measures to avoid, minimize, or mitigate adverse effects.

§ 304111. Reimbursements from State and local agencies

Subject to applicable conflict of interest laws, the Council may receive reimbursements from State and local agencies and others pursuant to agreements executed in furtherance of this division.

§ 304112. Effectiveness of Federal grant and assistance programs

(a) **COOPERATIVE AGREEMENTS.**—The Council may enter into a cooperative agreement with any Federal agency that administers a grant or assistance program for the purpose of improving the effectiveness of the administration of the program in meeting the purposes and policies of this division. The cooperative agreement may include provisions that modify the selection criteria for a grant or assistance program to further the purposes of this division or that allow the Council to participate in the selection of recipients, if those provisions are not inconsistent with the grant or assistance program's statutory authorization and purpose.

(b) **REVIEW OF GRANT AND ASSISTANCE PROGRAMS.**—The Council may—

(1) review the operation of any Federal grant or assistance program to evaluate the effectiveness of the program in meeting the purposes and policies of this division;

(2) make recommendations to the head of any Federal agency that administers the program to further the consistency of the

program with the purposes and policies of this division and to improve its effectiveness in carrying out those purposes and policies; and

(3) make recommendations to the President and Congress regarding the effectiveness of Federal grant and assistance programs in meeting the purposes and policies of this division, including recommendations with regard to appropriate funding levels.

Subdivision 4—Other Organizations and Programs

Chapter 3051—Historic Light Station Preservation

Sec.

305101. Definitions.

305102. Duties of Secretary in providing a national historic light station program.

305103. Selection of eligible entity and conveyance of historic light stations.

305104. Terms of conveyance.

305105. Description of property.

305106. Historic light station sales.

§ 305101. Definitions

In this chapter:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of General Services.

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) any department or agency of the Federal Government; or

(B) any department or agency of the State in which a historic light station is located, the local government of the community in which a historic light station is located, a nonprofit corporation, an educational agency, or a community development organization that—

(i) has agreed to comply with the conditions set forth in section 305104 of this title and to have the conditions recorded with the deed of title to the historic light station; and

(ii) is financially able to maintain the historic light station in accordance with the conditions set forth in section 305104 of this title.

(3) **FEDERAL AID TO NAVIGATION.**—

(A) **IN GENERAL.**—The term “Federal aid to navigation” means any device, operated and maintained by the United States, external to a vessel or aircraft, intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation.

(B) **INCLUSIONS.**—The term “Federal aid to navigation” includes a light, lens, lantern, antenna, sound signal, camera, sensor, piece of electronic navigation equipment, power source, or other piece of equipment associated with a device described in subparagraph (A).

(4) **HISTORIC LIGHT STATION.**—The term “historic light station” includes the light tower, lighthouse, keeper's dwelling, garages, storage sheds, oil house, fog signal building, boat house, barn, pump house, tramhouse support structures, piers, walkways, underlying and appurtenant land and related real property and improvements associated with a historic light station that is a historic property.

§ 305102. Duties of Secretary in providing a national historic light station program

To provide a national historic light station program, the Secretary shall—

(1) collect and disseminate information concerning historic light stations;

(2) foster educational programs relating to the history, practice, and contribution to society of historic light stations;

(3) sponsor or conduct research and study into the history of light stations;

(4) maintain a listing of historic light stations; and

(5) assess the effectiveness of the program established by this chapter regarding the conveyance of historic light stations.

§ 305103. Selection of eligible entity and conveyance of historic light stations

(a) **PROCESS AND POLICIES.**—The Secretary and the Administrator shall maintain a process and policies for identifying, and selecting, an eligible entity to which a historic light station could be conveyed for education, park, recreation, cultural, or historic preservation purposes, and to monitor the use of the light station by the eligible entity.

(b) **APPLICATION REVIEW.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) review all applications for the conveyance of a historic light station, when the agency with administrative jurisdiction over the historic light station has determined the property to be excess property (as that term is defined in section 102 of title 40); and

(B) forward to the Administrator a single approved application for the conveyance of the historic light station.

(2) **CONSULTATION.**—When selecting an eligible entity, the Secretary shall consult with the State Historic Preservation Officer of the State in which the historic light station is located.

(c) **CONVEYANCE OR SALE OF HISTORIC LIGHT STATIONS.**—

(1) **CONVEYANCE BY ADMINISTRATOR.**—Except as provided in paragraph (2), after the Secretary's selection of an eligible entity, the Administrator shall convey, by quitclaim deed, without consideration, all right, title, and interest of the United States in and to a historic light station, subject to the conditions set forth in section 305104 of this title. The conveyance of a historic light station under this chapter shall not be subject to the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) or section 416(d) of the Coast Guard Authorization Act of 1998 (Public Law 105-383, 14 U.S.C. 93 note).

(2) **HISTORIC LIGHT STATION LOCATED WITHIN A SYSTEM UNIT OR A REFUGE WITHIN NATIONAL WILDLIFE REFUGE SYSTEM.**—

(A) **APPROVAL OF SECRETARY REQUIRED.**—A historic light station located within the exterior boundaries of a System unit or a refuge within the National Wildlife Refuge System shall be conveyed or sold only with the approval of the Secretary.

(B) **CONDITIONS OF CONVEYANCE.**—If the Secretary approves the conveyance of a historic light station described in subparagraph (A), the conveyance shall be subject to the conditions set forth in section 305104 of this title and any other terms or conditions that the Secretary considers necessary to protect the resources of the System unit or wildlife refuge.

(C) **CONDITIONS OF SALE.**—If the Secretary approves the sale of a historic light station described in subparagraph (A), the sale shall be subject to the conditions set forth in paragraphs (1) to (4) and (8) of subsection (a), and subsection (b), of section 305104 of this title and any other terms or conditions that the Secretary considers necessary to protect the resources of the System unit or wildlife refuge.

(D) **COOPERATIVE AGREEMENTS.**—The Secretary is encouraged to enter into cooperative agreements with appropriate eligible entities with respect to historic light stations described in subparagraph (A), as provided in

this division, to the extent that the cooperative agreements are consistent with the Secretary's responsibilities to manage and administer the System unit or wildlife refuge.

§ 305104. Terms of conveyance

(a) IN GENERAL.—The conveyance of a historic light station shall be made subject to any conditions, including the reservation of easements and other rights on behalf of the United States, that the Administrator considers necessary to ensure that—

(1) the Federal aids to navigation located at the historic light station in operation on the date of conveyance remain the personal property of the United States and continue to be operated and maintained by the United States for as long as needed for navigational purposes;

(2) there is reserved to the United States the right to remove, replace, or install any Federal aid to navigation located at the historic light station as may be necessary for navigational purposes;

(3) the eligible entity to which the historic light station is conveyed shall not interfere or allow interference in any manner with any Federal aid to navigation or hinder activities required for the operation and maintenance of any Federal aid to navigation without the express written permission of the head of the agency responsible for maintaining the Federal aid to navigation;

(4)(A) the eligible entity to which the historic light station is conveyed shall, at its own cost and expense, use and maintain the historic light station in accordance with this division, the Secretary of the Interior's Standards for the Treatment of Historic Properties contained in part 68 of title 36, Code of Federal Regulations, and other applicable laws; and

(B) any proposed changes to the historic light station shall be reviewed and approved by the Secretary in consultation with the State Historic Preservation Officer of the State in which the historic light station is located, for consistency with section 800.5(a)(2)(vii) of title 36, Code of Federal Regulations and the Secretary's Standards for Rehabilitation contained in section 67.7 of title 36, Code of Federal Regulations;

(5) the eligible entity to which the historic light station is conveyed shall make the historic light station available for education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions;

(6) the eligible entity to which the historic light station is conveyed shall not sell, convey, assign, exchange, or encumber the historic light station, any part of the historic light station, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including any lens or lantern, unless the sale, conveyance, assignment, exchange, or encumbrance is approved by the Secretary;

(7) the eligible entity to which the historic light station is conveyed shall not conduct any commercial activity at the historic light station, at any part of the historic light station, or in connection with any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, in any manner, unless the commercial activity is approved by the Secretary; and

(8) the United States shall have the right, at any time, to enter the historic light station without notice, for purposes of operating, maintaining, and inspecting any aid to navigation and for the purpose of ensuring

compliance with this section, to the extent that it is not possible to provide advance notice.

(b) MAINTENANCE OF AID TO NAVIGATION.—Any eligible entity to which a historic light station is conveyed shall not be required to maintain any Federal aid to navigation associated with a historic light station, except any private aid to navigation permitted to the eligible entity under section 83 of title 14.

(c) REVERSION.—In addition to any term or condition established pursuant to this section, the conveyance of a historic light station shall include a condition that the historic light station, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including any lens or lantern, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

(1) the historic light station, any part of the historic light station, or any associated historic artifact ceases to be available for education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions that shall be set forth in the eligible entity's application;

(2) the historic light station or any part of the historic light station ceases to be maintained in a manner that ensures its present or future use as a site for a Federal aid to navigation;

(3) the historic light station, any part of the historic light station, or any associated historic artifact ceases to be maintained in compliance with this division, the Secretary of the Interior's Standards for the Treatment of Historic Properties contained in part 68 of title 36, Code of Federal Regulations, and other applicable laws;

(4) the eligible entity to which the historic light station is conveyed sells, conveys, assigns, exchanges, or encumbers the historic light station, any part of the historic light fixture, or any associated historic artifact, without approval of the Secretary;

(5) the eligible entity to which the historic light station is conveyed conducts any commercial activity at the historic light station, at any part of the historic light station, or in conjunction with any associated historic artifact, without approval of the Secretary; or

(6) at least 30 days before the reversion, the Administrator provides written notice to the owner that the historic light station or any part of the historic light station is needed for national security purposes.

(d) LIGHT STATIONS ORIGINALLY CONVEYED UNDER OTHER AUTHORITY.—On receiving notice of an executed or intended conveyance by an owner that received from the Federal Government under authority other than this division a historic light station in which the United States retains a reversionary or other interest and that is conveying it to another person by sale, gift, or any other manner, the Secretary shall review the terms of the executed or proposed conveyance to ensure that any new owner is capable of or is complying with any and all conditions of the original conveyance. The Secretary may require the parties to the conveyance and relevant Federal agencies to provide information as is necessary to complete the review. If the Secretary determines that the new owner has not complied or is unable to comply with those conditions, the Secretary shall immediately advise the Administrator, who shall invoke any reversionary interest or take other action as may be necessary to protect the interests of the United States.

§ 305105. Description of property

(a) IN GENERAL.—The Administrator shall prepare the legal description of any historic light station conveyed under this chapter. The Administrator, in consultation with the Secretary of Homeland Security and the Secretary, may retain all right, title, and interest of the United States in and to any historical artifact, including any lens or lantern, that is associated with the historic light station and located at the historic light station at the time of conveyance. Wherever possible, the historical artifacts should be used in interpreting the historic light station. In cases where there is no method for preserving lenses and other artifacts and equipment in situ, priority should be given to preservation or museum entities most closely associated with the historic light station, if they meet loan requirements.

(b) ARTIFACTS.—Artifacts associated with, but not located at, a historic light station at the time of conveyance shall remain the property of the United States under the administrative control of the Secretary of Homeland Security.

(c) COVENANTS.—All conditions placed with the quitclaim deed of title to the historic light station shall be construed as covenants running with the land.

(d) SUBMERGED LAND.—No submerged land shall be conveyed under this chapter.

§ 305106. Historic light station sales

(a) IN GENERAL.—

(1) WHEN SALE MAY OCCUR.—If no applicant is approved for the conveyance of a historic light station pursuant to sections 305101 through 305105 of this title, the historic light station shall be offered for sale.

(2) TERMS OF SALE.—Terms of the sales—

(A) shall be developed by the Administrator; and

(B) shall be consistent with the requirements of paragraphs (1) to (4) and (8) of subsection (a), and subsection (b), of section 305104 of this title.

(3) COVENANTS TO BE INCLUDED IN CONVEYANCE DOCUMENTS.—Conveyance documents shall include all necessary covenants to protect the historical integrity of the historic light station and ensure that any Federal aid to navigation located at the historic light station is operated and maintained by the United States for as long as needed for that purpose.

(b) NET SALE PROCEEDS.—

(1) DISPOSITION AND USE OF FUNDS.—Net sale proceeds from the disposal of a historic light station—

(A) located on public domain land shall be transferred to the National Maritime Heritage Grants Program established under chapter 3087 in the Department of the Interior; and

(B) under the administrative control of the Secretary of Homeland Security—

(i) shall be credited to the Coast Guard's Operating Expenses appropriation account; and

(ii) shall be available for obligation and expenditure for the maintenance of light stations remaining under the administrative control of the Secretary of Homeland Security.

(2) AVAILABILITY OF FUNDS.—The funds referred to in paragraph (1)(B) shall remain available until expended and shall be available in addition to funds available in the Coast Guard's Operating Expense appropriation for that purpose.

Chapter 3053—National Center for Preservation Technology and Training
Sec.

- 305301. Definitions.
- 305302. National Center for Preservation Technology and Training.
- 305303. Preservation Technology and Training Board.
- 305304. Preservation grants.
- 305305. General provisions.
- 305306. Service preservation centers and offices.

§ 305301. Definitions

In this chapter:

(1) **BOARD.**—The term “Board” means the Preservation Technology and Training Board established pursuant to section 305303 of this title.

(2) **CENTER.**—The term “Center” means the National Center for Preservation Technology and Training established pursuant to section 305302 of this title.

§ 305302. National Center for Preservation Technology and Training

(a) **ESTABLISHMENT.**—There is established within the Department of the Interior a National Center for Preservation Technology and Training. The Center shall be located at Northwestern State University of Louisiana in Natchitoches, Louisiana.

(b) **PURPOSES.**—The purposes of the Center shall be to—

(1) develop and distribute preservation and conservation skills and technologies for the identification, evaluation, conservation, and interpretation of historic property;

(2) develop and facilitate training for Federal, State, and local resource preservation professionals, cultural resource managers, maintenance personnel, and others working in the preservation field;

(3) take steps to apply preservation technology benefits from ongoing research by other agencies and institutions;

(4) facilitate the transfer of preservation technology among Federal agencies, State and local governments, universities, international organizations, and the private sector; and

(5) cooperate with related international organizations including the International Council on Monuments and Sites, the International Center for the Study of Preservation and Restoration of Cultural Property, and the International Council on Museums.

(c) **PROGRAMS.**—The purposes shall be carried out through research, professional training, technical assistance, and programs for public awareness, and through a program of grants established under section 305304 of this title.

(d) **EXECUTIVE DIRECTOR.**—The Center shall be headed by an Executive Director with demonstrated expertise in historic preservation appointed by the Secretary with advice of the Board.

(e) **ASSISTANCE FROM SECRETARY.**—The Secretary shall provide the Center assistance in obtaining such personnel, equipment, and facilities as may be needed by the Center to carry out its activities.

§ 305303. Preservation Technology and Training Board

(a) **ESTABLISHMENT.**—There is established a Preservation Technology and Training Board.

(b) **DUTIES.**—The Board shall—

(1) provide leadership, policy advice, and professional oversight to the Center;

(2) advise the Secretary on priorities and the allocation of grants among the activities of the Center; and

(3) submit an annual report to the President and Congress.

(c) **MEMBERSHIP.**—The Board shall be comprised of—

(1) the Secretary;

(2) 6 members appointed by the Secretary, who shall represent appropriate Federal, State, and local agencies, State and local historic preservation commissions, and other public and international organizations; and

(3) 6 members appointed by the Secretary on the basis of outstanding professional qualifications, who represent major organizations in the fields of archeology, architecture, conservation, curation, engineering, history, historic preservation, landscape architecture, planning, or preservation education.

§ 305304. Preservation grants

(a) **IN GENERAL.**—The Secretary, in consultation with the Board, shall provide preservation technology and training grants to eligible applicants with a demonstrated institutional capability and commitment to the purposes of the Center, in order to ensure an effective and efficient system of research, information distribution, and skills training in all the related historic preservation fields.

(b) **GRANT REQUIREMENTS.**—

(1) **ALLOCATION.**—Grants provided under this section shall be allocated in such a fashion as to reflect the diversity of the historic preservation fields and shall be geographically distributed.

(2) **LIMIT ON AMOUNT A RECIPIENT MAY RECEIVE.**—No grant recipient may receive more than 10 percent of the grants allocated under this section within any year.

(3) **LIMIT ON ADMINISTRATIVE COSTS.**—The total administrative costs, direct and indirect, charged for carrying out grants under this section may not exceed 25 percent of the aggregate costs.

(c) **ELIGIBLE APPLICANTS.**—Eligible applicants may include—

(1) Federal and non-Federal laboratories;

(2) accredited museums;

(3) universities;

(4) nonprofit organizations;

(5) System units and offices and Cooperative Park Study Units of the System;

(6) State Historic Preservation Offices;

(7) tribal preservation offices; and

(8) Native Hawaiian organizations.

(d) **STANDARDS AND METHODS.**—Grants shall be awarded in accordance with accepted professional standards and methods, including peer review of projects.

§ 305305. General provisions

(a) **ACCEPTANCE OF GRANTS AND TRANSFERS.**—The Center may accept—

(1) grants and donations from private individuals, groups, organizations, corporations, foundations, and other entities; and

(2) transfers of funds from other Federal agencies.

(b) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—Subject to appropriations, the Center may enter into contracts and cooperative agreements with Federal, State, local, and tribal governments, Native Hawaiian organizations, educational institutions, and other public entities to carry out the Center's responsibilities under this chapter.

(c) **ADDITIONAL FUNDS.**—Funds appropriated for the Center shall be in addition to funds appropriated for Service programs, centers, and offices in existence on October 30, 1992.

§ 305306. Service preservation centers and offices

To improve the use of existing Service resources, the Secretary shall fully utilize and further develop the Service preservation (including conservation) centers and regional offices. The Secretary shall improve the coordination of the centers and offices within

the Service, and shall, where appropriate, coordinate their activities with the Center and with other appropriate parties.

Chapter 3055—National Building Museum

Sec.

305501. Definitions.

305502. Cooperative agreement to operate museum.

305503. Activities and functions.

305504. Matching grants to Committee.

305505. Annual report.

§ 305501. Definitions

In this chapter:

(1) **BUILDING ARTS.**—The term “building arts” includes all practical and scholarly aspects of prehistoric, historic, and contemporary architecture, archeology, construction, building technology and skills, landscape architecture, preservation and conservation, building and construction, engineering, urban and community design and renewal, city and regional planning, and related professions, skills, trades, and crafts.

(2) **COMMITTEE.**—The term “Committee” means the Committee for a National Museum of the Building Arts, Incorporated, a nonprofit corporation organized and existing under the laws of the District of Columbia, or its successor.

§ 305502. Cooperative agreement to operate museum

To provide a national center to commemorate and encourage the building arts and to preserve and maintain a nationally significant building that exemplifies the great achievements of the building arts in the United States, the Secretary and the Administrator of General Services shall enter into a cooperative agreement with the Committee for the operation of a National Building Museum in the Federal building located in the block bounded by Fourth Street, Fifth Street, F Street, and G Street, Northwest in Washington, District of Columbia. The cooperative agreement shall include provisions that—

(1) make the site available to the Committee without charge;

(2) provide, subject to available appropriations, such maintenance, security, information, janitorial, and other services as may be necessary to ensure the preservation and operation of the site; and

(3) prescribe reasonable terms and conditions by which the Committee can fulfill its responsibilities under this division.

§ 305503. Activities and functions

The National Building Museum shall—

(1) collect and disseminate information concerning the building arts, including the establishment of a national reference center for current and historic documents, publications, and research relating to the building arts;

(2) foster educational programs relating to the history, practice, and contribution to society of the building arts, including promotion of imaginative educational approaches to enhance understanding and appreciation of all facets of the building arts;

(3) publicly display temporary and permanent exhibits illustrating, interpreting and demonstrating the building arts;

(4) sponsor or conduct research and study into the history of the building arts and their role in shaping our civilization; and

(5) encourage contributions to the building arts.

§ 305504. Matching grants to Committee

The Secretary shall provide matching grants to the Committee for its programs related to historic preservation. The Committee shall match the grants in such a manner and with such funds and services as shall

be satisfactory to the Secretary, except that not more than \$500,000 may be provided to the Committee in any one fiscal year.

§ 305505. Annual report

The Committee shall submit an annual report to the Secretary and the Administrator of General Services concerning its activities under this chapter and shall provide the Secretary and the Administrator of General Services with such other information as the Secretary may consider necessary or advisable.

Subdivision 5—Federal Agency Historic Preservation Responsibilities

Chapter 3061—Program Responsibilities and Authorities

Subchapter I—In General

- 306101. Assumption of responsibility for preservation of historic property.
- 306102. Preservation program.
- 306103. Recordation of historic property prior to alteration or demolition.
- 306104. Agency Preservation Officer.
- 306105. Agency programs and projects.
- 306106. Review of plans of transferees of surplus federally owned historic property.
- 306107. Planning and actions to minimize harm to National Historic Landmarks.
- 306108. Effect of undertaking on historic property.
- 306109. Costs of preservation as eligible project costs.
- 306110. Annual preservation awards program.
- 306111. Environmental impact statement.
- 306112. Waiver of provisions in event of natural disaster or imminent threat to national security.
- 306113. Anticipatory demolition.
- 306114. Documentation of decisions respecting undertakings.

Subchapter II—Lease, Exchange, or Management of Historic Property

- 306121. Lease or exchange.
- 306122. Contracts for management of historic property.

Subchapter III—Protection and Preservation of Resources

- 306131. Standards and guidelines.

Subchapter I—In General

§ 306101. Assumption of responsibility for preservation of historic property

(a) IN GENERAL.—

(1) **AGENCY HEAD RESPONSIBILITY.**—The head of each Federal agency shall assume responsibility for the preservation of historic property that is owned or controlled by the agency.

(2) **USE OF AVAILABLE HISTORIC PROPERTY.**—Prior to acquiring, constructing, or leasing a building for purposes of carrying out agency responsibilities, a Federal agency shall use, to the maximum extent feasible, historic property available to the agency, in accordance with Executive Order No. 13006 (40 U.S.C. 3306 note).

(3) **NECESSARY PRESERVATION.**—Each Federal agency shall undertake, consistent with the preservation of historic property, the mission of the agency, and the professional standards established pursuant to subsection (c), any preservation as may be necessary to carry out this chapter.

(b) **GUIDELINES FOR FEDERAL AGENCY RESPONSIBILITY FOR AGENCY-OWNED HISTORIC PROPERTY.**—In consultation with the Council, the Secretary shall promulgate guide-

lines for Federal agency responsibilities under this subchapter (except section 306108).

(c) **PROFESSIONAL STANDARDS FOR PRESERVATION OF FEDERALLY OWNED OR CONTROLLED HISTORIC PROPERTY.**—The Secretary shall establish, in consultation with the Secretary of Agriculture, the Secretary of Defense, the Smithsonian Institution, and the Administrator of General Services, professional standards for the preservation of historic property in Federal ownership or control.

§ 306102. Preservation program

(a) **ESTABLISHMENT.**—Each Federal agency shall establish (except for programs or undertakings exempted pursuant to section 304108(c) of this title), in consultation with the Secretary, a preservation program for the identification, evaluation, and nomination to the National Register, and protection, of historic property.

(b) **REQUIREMENTS.**—The program shall ensure that—

(1) historic property under the jurisdiction or control of the agency is identified, evaluated, and nominated to the National Register;

(2) historic property under the jurisdiction or control of the agency is managed and maintained in a way that considers the preservation of their historic, archeological, architectural, and cultural values in compliance with section 306108 of this title and gives special consideration to the preservation of those values in the case of property designated as having national significance;

(3) the preservation of property not under the jurisdiction or control of the agency but potentially affected by agency actions is given full consideration in planning;

(4) the agency's preservation-related activities are carried out in consultation with other Federal, State, and local agencies, Indian tribes, Native Hawaiian organizations carrying out historic preservation planning activities, and the private sector; and

(5) the agency's procedures for compliance with section 306108 of this title—

(A) are consistent with regulations promulgated by the Council pursuant to section 304108(a) and (b) of this title;

(B) provide a process for the identification and evaluation of historic property for listing on the National Register and the development and implementation of agreements, in consultation with State Historic Preservation Officers, local governments, Indian tribes, Native Hawaiian organizations, and the interested public, as appropriate, regarding the means by which adverse effects on historic property will be considered; and

(C) provide for the disposition of Native American cultural items from Federal or tribal land in a manner consistent with section 3(c) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(c)).

§ 306103. Recordation of historic property prior to alteration or demolition

Each Federal agency shall initiate measures to ensure that where, as a result of Federal action or assistance carried out by the agency, a historic property is to be substantially altered or demolished—

(1) timely steps are taken to make or have made appropriate records; and

(2) the records are deposited, in accordance with section 302107 of this title, in the Library of Congress or with such other appropriate agency as the Secretary may designate, for future use and reference.

§ 306104. Agency Preservation Officer

The head of each Federal agency (except an agency that is exempted under section

304108(c) of this title) shall designate a qualified official as the agency's Preservation Officer who shall be responsible for coordinating the agency's activities under this division. Each Preservation Officer may, to be considered qualified, satisfactorily complete an appropriate training program established by the Secretary under section 306101(c) of this title.

§ 306105. Agency programs and projects

Consistent with the agency's missions and mandates, each Federal agency shall carry out agency programs and projects (including those under which any Federal assistance is provided or any Federal license, permit, or other approval is required) in accordance with the purposes of this division and give consideration to programs and projects that will further the purposes of this division.

§ 306106. Review of plans of transferees of surplus federally owned historic property

The Secretary shall review and approve the plans of transferees of surplus federally owned historic property not later than 90 days after receipt of the plans to ensure that the prehistorical, historical, architectural, or culturally significant values will be preserved or enhanced.

§ 306107. Planning and actions to minimize harm to National Historic Landmarks

Prior to the approval of any Federal undertaking that may directly and adversely affect any National Historic Landmark, the head of the responsible Federal agency shall to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to the landmark. The head of the Federal agency shall afford the Council a reasonable opportunity to comment with regard to the undertaking.

§ 306108. Effect of undertaking on historic property

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, shall take into account the effect of the undertaking on any historic property. The head of the Federal agency shall afford the Council a reasonable opportunity to comment with regard to the undertaking.

§ 306109. Costs of preservation as eligible project costs

A Federal agency may include the costs of preservation activities of the agency under this division as eligible project costs in all undertakings of the agency or assisted by the agency. The eligible project costs may include amounts paid by a Federal agency to a State to be used in carrying out the preservation responsibilities of the Federal agency under this division, and reasonable costs may be charged to Federal licensees and permittees as a condition to the issuance of the license or permit.

§ 306110. Annual preservation awards program

The Secretary shall establish an annual preservation awards program under which the Secretary may make monetary awards in amounts of not to exceed \$1,000 and provide citations for special achievement to officers and employees of Federal, State, and certified local governments in recognition of their outstanding contributions to the preservation of historic property. The program

may include the issuance of annual awards by the President to any citizen of the United States recommended for the award by the Secretary.

§ 306111. Environmental impact statement

Nothing in this division shall be construed to—

(1) require the preparation of an environmental impact statement where the statement would not otherwise be required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) provide any exemption from any requirement respecting the preparation of an environmental impact statement under that Act.

§ 306112. Waiver of provisions in event of natural disaster or imminent threat to national security

The Secretary shall promulgate regulations under which the requirements of this subchapter (except section 306108) may be waived in whole or in part in the event of a major natural disaster or an imminent threat to national security.

§ 306113. Anticipatory demolition

Each Federal agency shall ensure that the agency will not grant a loan, loan guarantee, permit, license, or other assistance to an applicant that, with intent to avoid the requirements of section 306108 of this title, has intentionally significantly adversely affected a historic property to which the grant would relate, or having legal power to prevent it, has allowed the significant adverse effect to occur, unless the agency, after consultation with the Council, determines that circumstances justify granting the assistance despite the adverse effect created or permitted by the applicant.

§ 306114. Documentation of decisions respecting undertakings

With respect to any undertaking subject to section 306108 of this title that adversely affects any historic property for which a Federal agency has not entered into an agreement pursuant to regulations issued by the Council, the head of the agency shall document any decision made pursuant to section 306108 of this title. The head of the agency may not delegate the responsibility to document a decision pursuant to this section. Where an agreement pursuant to regulations issued by the Council has been executed with respect to an undertaking, the agreement shall govern the undertaking and all of its parts.

Subchapter II—Lease, Exchange, or Management of Historic Property

§ 306121. Lease or exchange

(a) **AUTHORITY TO LEASE OR EXCHANGE.**—Notwithstanding any other provision of law, each Federal agency, after consultation with the Council—

(1) shall, to the extent practicable, establish and implement alternatives (including adaptive use) for historic property that is not needed for current or projected agency purposes; and

(2) may lease historic property owned by the agency to any person or organization, or exchange any property owned by the agency with comparable historic property, if the agency head determines that the lease or exchange will adequately ensure the preservation of the historic property.

(b) **PROCEEDS OF LEASE.**—Notwithstanding any other provision of law, the proceeds of a lease under subsection (a) may be retained by the agency entering into the lease and used to defray the costs of administration, maintenance, repair, and related expenses

incurred by the agency with respect to that property or other property that is on the National Register that is owned by, or are under the jurisdiction or control of, the agency. Any surplus proceeds from the leases shall be deposited in the Treasury at the end of the 2d fiscal year following the fiscal year in which the proceeds are received.

§ 306122. Contracts for management of historic property

The head of any Federal agency having responsibility for the management of any historic property may, after consultation with the Council, enter into a contract for the management of the property. The contract shall contain terms and conditions that the head of the agency considers necessary or appropriate to protect the interests of the United States and ensure adequate preservation of the historic property.

Subchapter III—Protection and Preservation of Resources

§ 306131. Standards and guidelines

(a) **STANDARDS.**—

(1) **IN GENERAL.**—Each Federal agency that is responsible for the protection of historic property (including archeological property) pursuant to this division or any other law shall ensure that—

(A) all actions taken by employees or contractors of the agency meet professional standards under regulations developed by the Secretary in consultation with the Council, other affected agencies, and the appropriate professional societies of archeology, architecture, conservation, history, landscape architecture, and planning;

(B) agency personnel or contractors responsible for historic property meet qualification standards established by the Office of Personnel Management in consultation with the Secretary and appropriate professional societies of archeology, architecture, conservation, curation, history, landscape architecture, and planning; and

(C) records and other data, including data produced by historical research and archeological surveys and excavations, are permanently maintained in appropriate databases and made available to potential users pursuant to such regulations as the Secretary shall promulgate.

(2) **CONSIDERATIONS.**—The standards referred to in paragraph (1)(B) shall consider the particular skills and expertise needed for the preservation of historic property and shall be equivalent requirements for the disciplines involved.

(3) **REVISION.**—The Office of Management and Budget shall revise qualification standards for the disciplines involved.

(b) **GUIDELINES.**—To promote the preservation of historic property eligible for listing on the National Register, the Secretary shall, in consultation with the Council, promulgate guidelines to ensure that Federal, State, and tribal historic preservation programs subject to this division include plans to—

(1) provide information to the owners of historic property (including architectural, curatorial, and archeological property) with demonstrated or likely research significance, about the need for protection of the historic property, and the available means of protection;

(2) encourage owners to preserve historic property intact and in place and offer the owners of historic property information on the tax and grant assistance available for the donation of the historic property or of a preservation easement of the historic property;

(3) encourage the protection of Native American cultural items (within the meaning of section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001)) and of property of religious or cultural importance to Indian tribes, Native Hawaiian organizations, or other Native American groups; and

(4) encourage owners that are undertaking archeological excavations to—

(A) conduct excavations and analyses that meet standards for federally-sponsored excavations established by the Secretary;

(B) donate or lend artifacts of research significance to an appropriate research institution;

(C) allow access to artifacts for research purposes; and

(D) prior to excavating or disposing of a Native American cultural item in which an Indian tribe or Native Hawaiian organization may have an interest under subparagraph (B) or (C) of section 3(a)(2) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(a)(2)(B), (C)), give notice to and consult with the Indian tribe or Native Hawaiian organization.

Subdivision 6—Miscellaneous Chapter 3071—Miscellaneous

Sec.

- 307101. World Heritage Convention.
- 307102. Effective date of regulations.
- 307103. Access to information.
- 307104. Inapplicability of division to White House, Supreme Court building, or United States Capitol.
- 307105. Attorney's fees and costs to prevailing parties in civil actions.
- 307106. Authorization for expenditure of appropriated funds.
- 307107. Donations and bequests of money, personal property, and less than fee interests in historic property.
- 307108. Privately donated funds.

§ 307101. World Heritage Convention

(a) **AUTHORITY OF SECRETARY.**—In carrying out this section, the Secretary of the Interior may act directly or through an appropriate officer in the Department of the Interior.

(b) **PARTICIPATION BY UNITED STATES.**—The Secretary shall direct and coordinate participation by the United States in the World Heritage Convention in cooperation with the Secretary of State, the Smithsonian Institution, and the Council. Whenever possible, expenditures incurred in carrying out activities in cooperation with other nations and international organizations shall be paid for in such excess currency of the country or area where the expense is incurred as may be available to the United States.

(c) **NOMINATION OF PROPERTY TO WORLD HERITAGE COMMITTEE.**—The Secretary shall periodically nominate property that the Secretary determines is of international significance to the World Heritage Committee on behalf of the United States. No property may be nominated unless it has previously been determined to be of national significance. Each nomination shall include evidence of such legal protections as may be necessary to ensure preservation of the property and its environment (including restrictive covenants, easements, or other forms of protection). Before making any nomination, the Secretary shall notify the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(d) **NOMINATION OF NON-FEDERAL PROPERTY TO WORLD HERITAGE COMMITTEE REQUIRES**

WRITTEN CONCURRENCE OF OWNER.—No non-Federal property may be nominated by the Secretary to the World Heritage Committee for inclusion on the World Heritage List unless the owner of the property concurs in the nomination in writing.

(e) CONSIDERATION OF UNDERTAKING ON PROPERTY.—Prior to the approval of any undertaking outside the United States that may directly and adversely affect a property that is on the World Heritage List or on the applicable country's equivalent of the National Register, the head of a Federal agency having direct or indirect jurisdiction over the undertaking shall take into account the effect of the undertaking on the property for purposes of avoiding or mitigating any adverse effect.

§ 307102. Effective date of regulations

(a) PUBLICATION IN FEDERAL REGISTER.—No final regulation of the Secretary shall become effective prior to the expiration of 30 calendar days after it is published in the Federal Register during which either or both Houses of Congress are in session.

(b) DISAPPROVAL OF REGULATION BY RESOLUTION OF CONGRESS.—The regulation shall not become effective if, within 90 calendar days of continuous session of Congress after the date of promulgation, both Houses of Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows: "That Congress disapproves the regulation promulgated by the Secretary dealing with the matter of _____, which regulation was transmitted to Congress on _____," the blank spaces in the resolution being appropriately filled.

(c) FAILURE OF CONGRESS TO ADOPT RESOLUTION OF DISAPPROVAL OF REGULATION.—If at the end of 60 calendar days of continuous session of Congress after the date of promulgation of a regulation, no committee of either House of Congress has reported or been discharged from further consideration of a concurrent resolution disapproving the regulation, and neither House has adopted such a resolution, the regulation may go into effect immediately. If, within the 60 calendar days, a committee has reported or been discharged from further consideration of such a resolution, the regulation may go into effect not sooner than 90 calendar days of continuous session of Congress after its promulgation unless disapproved as provided for.

(d) SESSIONS OF CONGRESS.—For purposes of this section—

(1) continuity of session is broken only by an adjournment sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of 60 and 90 calendar days of continuous session of Congress.

(e) CONGRESSIONAL INACTION OR REJECTION OF RESOLUTION OF DISAPPROVAL NOT DEEMED APPROVAL OF REGULATION.—Congressional inaction on or rejection of a resolution of disapproval shall not be deemed an expression of approval of the regulation.

§ 307103. Access to information

(a) AUTHORITY TO WITHHOLD FROM DISCLOSURE.—The head of a Federal agency, or other public official receiving grant assistance pursuant to this division, after consultation with the Secretary, shall withhold from disclosure to the public information about the location, character, or ownership of a historic property if the Secretary and the agency determine that disclosure may—

- (1) cause a significant invasion of privacy;
- (2) risk harm to the historic property; or
- (3) impede the use of a traditional religious site by practitioners.

(b) ACCESS DETERMINATION.—When the head of a Federal agency or other public official determines that information should be withheld from the public pursuant to subsection (a), the Secretary, in consultation with the Federal agency head or official, shall determine who may have access to the information for the purpose of carrying out this division.

(c) CONSULTATION WITH COUNCIL.—When information described in subsection (a) has been developed in the course of an agency's compliance with section 306107 or 306108 of this title, the Secretary shall consult with the Council in reaching determinations under subsections (a) and (b).

§ 307104. Inapplicability of division to White House, Supreme Court building, or United States Capitol

Nothing in this division applies to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

§ 307105. Attorney's fees and costs to prevailing parties in civil actions

In any civil action brought in any United States district court by any interested person to enforce this division, if the person substantially prevails in the action, the court may award attorney's fees, expert witness fees, and other costs of participating in the civil action, as the court considers reasonable.

§ 307106. Authorization for expenditure of appropriated funds

Where appropriate, each Federal agency may expend funds appropriated for its authorized programs for the purposes of activities carried out pursuant to this division, except to the extent that appropriations legislation expressly provides otherwise.

§ 307107. Donations and bequests of money, personal property, and less than fee interests in historic property

(a) MONEY AND PERSONAL PROPERTY.—The Secretary may accept donations and bequests of money and personal property for the purposes of this division and shall hold, use, expend, and administer the money and personal property for those purposes.

(b) LESS THAN FEE INTEREST IN HISTORIC PROPERTY.—The Secretary may accept gifts or donations of less than fee interests in any historic property where the acceptance of an interest will facilitate the conservation or preservation of the historic property. Nothing in this section or in any provision of this division shall be construed to affect or impair any other authority of the Secretary under other provision of law to accept or acquire any property for conservation or preservation or for any other purpose.

§ 307108. Privately donated funds

(a) PROJECTS FOR WHICH FUNDS MAY BE USED.—In furtherance of the purposes of this division, the Secretary may accept the donation of funds that may be expended by the Secretary for projects to acquire, restore, preserve, or recover data from any property included on the National Register, as long as the project is owned by a State, any unit of local government, or any nonprofit entity.

(b) CONSIDERATION OF FACTORS RESPECTING EXPENDITURE OF FUNDS.—

(1) IN GENERAL.—In expending the funds, the Secretary shall give due consideration to—

- (A) the national significance of the project;
- (B) its historical value to the community;
- (C) the imminence of its destruction or loss; and

(D) the expressed intentions of the donor.

(2) FUNDS AVAILABLE WITHOUT REGARD TO MATCHING REQUIREMENTS.—Funds expended under this subsection shall be made available without regard to the matching requirements established by sections 302901 and 302902(b) of this title, but the recipient of the funds shall be permitted to utilize them to match any grants from the Historic Preservation Fund.

(c) TRANSFER OF UNOBLIGATED FUNDS.—The Secretary may transfer unobligated funds previously donated to the Secretary for the purposes of the Service, with the consent of the donor, and any funds so transferred shall be used or expended in accordance with this division.

Division B—Organizations and Programs Subdivision 1—Administered by National Park Service

Chapter 3081—American Battlefield Protection Program

Sec.

308101. Definition.

308102. Preservation assistance.

308103. Battlefield acquisition grant program.

§ 308101. Definition

In this chapter, the term "Secretary" means the Secretary, acting through the American Battlefield Protection Program.

§ 308102. Preservation assistance

(a) IN GENERAL.—Using the established national historic preservation program to the extent practicable, the Secretary shall encourage, support, assist, recognize, and work in partnership with citizens, Federal, State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations in identifying, researching, evaluating, interpreting, and protecting historic battlefields and associated sites on a national, State, and local level.

(b) FINANCIAL ASSISTANCE.—To carry out subsection (a), the Secretary may use a cooperative agreement, grant, contract, or other generally adopted means of providing financial assistance.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,000,000 for each fiscal year, to remain available until expended.

§ 308103. Battlefield acquisition grant program

(a) DEFINITION.—In this section, the term "eligible site" means a site—

(1) that is not within the exterior boundaries of a System unit; and

(2) that is identified in the document entitled "Report on the Nation's Civil War Battlefields", prepared by the Civil War Sites Advisory Commission, and dated July 1993.

(b) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to State and local governments to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

(c) NONPROFIT PARTNERS.—A State or local government may acquire an interest in an eligible site using a grant under this section in partnership with a nonprofit organization.

(d) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this section shall be not less than 50 percent.

(e) LIMITATION ON LAND USE.—An interest in an eligible site acquired under this section shall be subject to section 200305(f)(3) of this title.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide grants under this section \$10,000,000 for each of fiscal years 2012 and 2013.

Chapter 3083—National Underground Railroad Network to Freedom

Sec.

308301. Definition.

308302. Program.

308303. Preservation and interpretation of Underground Railroad history, historic sites, and structures.

308304. Authorization of appropriations.

§ 308301. Definition

In this chapter, the term “national network” means the National Underground Railroad Network to Freedom established under section 308302 of this title.

§ 308302. Program

(a) ESTABLISHMENT; RESPONSIBILITIES OF SECRETARY.—The Secretary shall establish in the Service the National Underground Railroad Network to Freedom. Under the national network, the Secretary shall—

(1) produce and disseminate appropriate educational materials, such as handbooks, maps, interpretive guides, or electronic information;

(2) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c); and

(3) create and adopt an official, uniform symbol or device for the national network and issue regulations for its use.

(b) ELEMENTS.—The national network shall encompass the following elements:

(1) All System units and programs of the Service determined by the Secretary to pertain to the Underground Railroad.

(2) Other Federal, State, local, and privately owned properties pertaining to the Underground Railroad that have a verifiable connection to the Underground Railroad and that are included on, or determined by the Secretary to be eligible for inclusion on, the National Register of Historic Places.

(3) Other governmental and nongovernmental facilities and programs of an educational, research, or interpretive nature that are directly related to the Underground Railroad.

(c) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—To achieve the purposes of this chapter and to ensure effective coordination of the Federal and non-Federal elements of the national network with System units and programs of the Service, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance—

(1) to the heads of other Federal agencies, States, localities, regional governmental bodies, and private entities; and

(2) in cooperation with the Secretary of State, to the governments of Canada, Mexico, and any appropriate country in the Caribbean.

§ 308303. Preservation and interpretation of Underground Railroad history, historic sites, and structures

(a) AUTHORITY TO MAKE GRANTS.—The Secretary may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;

(2) the Secretary shall have the right of access at reasonable times to the public portions of the property for interpretive and other purposes; and

(3) conversion, use, or disposal of the property for purposes contrary to the purposes of this chapter, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this chapter.

(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement if the Secretary determines that an extreme emergency exists or that a waiver is in the public interest to ensure the preservation of historically significant resources.

§ 308304. Authorization of appropriations

(a) AMOUNTS.—There is authorized to be appropriated to carry out this chapter \$2,500,000 for each fiscal year, of which—

(1) \$2,000,000 shall be used to carry out section 308302 of this title; and

(2) \$500,000 shall be used to carry out section 308303 of this title.

(b) LIMITATION.—No amount may be appropriated for the purposes of this chapter except to the Secretary for carrying out the responsibilities of the Secretary as set forth in this chapter.

Chapter 3085—National Women's Rights History Project

Sec.

308501. National women's rights history project national registry.

308502. National women's rights history project partnerships network.

§ 308501. National women's rights history project national registry

(a) IN GENERAL.—The Secretary may make annual grants to State historic preservation offices for not more than 5 years to assist the State historic preservation offices in surveying, evaluating, and nominating to the National Register of Historic Places women's rights history properties.

(b) ELIGIBILITY.—In making grants under subsection (a), the Secretary shall give priority to grants relating to properties associated with the multiple facets of the women's rights movement, such as politics, economics, education, religion, and social and family rights.

(c) UPDATES.—The Secretary shall ensure that the National Register travel itinerary website entitled “Places Where Women Made History” is updated to contain—

(1) the results of the inventory conducted under subsection (a); and

(2) any links to websites related to places on the inventory.

(d) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity carried out using any assistance made available under this section shall be 50 percent.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000 for each of fiscal years 2012 and 2013.

§ 308502. National women's rights history project partnerships network

(a) GRANTS.—The Secretary may make matching grants and give technical assist-

ance for development of a network of governmental and nongovernmental entities (referred to in this section as the “network”), the purpose of which is to provide interpretive and educational program development of national women's rights history, including historic preservation.

(b) MANAGEMENT OF NETWORK.—

(1) IN GENERAL.—Through a competitive process, the Secretary shall designate a nongovernmental managing entity to manage the network.

(2) COORDINATION.—The nongovernmental managing entity designated under paragraph (1) shall work in partnership with the Director and State historic preservation offices to coordinate operation of the network.

(c) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The Federal share of the cost of any activity carried out using any assistance made available under this section shall be 50 percent.

(2) STATE HISTORIC PRESERVATION OFFICES.—Matching grants for historic preservation specific to the network may be made available through State historic preservation offices.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000 for each of fiscal years 2012 and 2013.

Chapter 3087—National Maritime Heritage

Sec.

308701. Policy.

308702. Definitions.

308703. National Maritime Heritage Grants Program.

308704. Funding.

308705. Designation of America's National Maritime Museum.

308706. Regulations.

308707. Applicability of other authorities.

§ 308701. Policy

It shall be the policy of the Federal Government, in partnership with the States and local governments and private organizations and individuals, to—

(1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our historic maritime resources can exist in productive harmony;

(2) provide leadership in the preservation of the historic maritime resources of the United States;

(3) contribute to the preservation of historic maritime resources and give maximum encouragement to organizations and individuals undertaking preservation by private means; and

(4) assist State and local governments to expand their maritime historic preservation programs and activities.

§ 308702. Definitions

In this chapter:

(1) NATIONAL TRUST.—The term “National Trust” means the National Trust for Historic Preservation in the United States established under section 312102 of this title.

(2) PRIVATE NONPROFIT ORGANIZATION.—The term “private nonprofit organization” means any person that is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)) and described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).

(3) PROGRAM.—The term “Program” means the National Maritime Heritage Grants Program established under section 308703(a) of this title.

(4) STATE HISTORIC PRESERVATION OFFICER.—The term “State Historic Preservation Officer” means a State Historic Preservation

Officer appointed pursuant to section 302301(1) of this title by the chief executive official of a State having a State Historic Preservation Program approved by the Secretary under that section.

§ 308703. National Maritime Heritage Grants Program

(a) **ESTABLISHMENT.**—There is established in the Department of the Interior the National Maritime Heritage Grants Program, to foster in the American public a greater awareness and appreciation of the role of maritime endeavors in our Nation's history and culture. The Program shall consist of—

(1) annual grants to the National Trust for subgrants administered by the National Trust for maritime heritage education projects under subsection (b); and

(2) grants to State Historic Preservation Officers for maritime heritage preservation projects carried out or administered by those Officers under subsection (c).

(b) **GRANTS FOR MARITIME HERITAGE EDUCATION PROJECTS.**—

(1) **GRANTS TO NATIONAL TRUST.**—The Secretary, subject to paragraph (2), and the availability of amounts for that purpose under section 308704(b)(1)(A) of this title, shall make an annual grant to the National Trust for maritime heritage education projects.

(2) **USE OF GRANTS.**—Amounts received by the National Trust as an annual grant under this subsection shall be used to make subgrants to State and local governments and private nonprofit organizations to carry out education projects that have been approved by the Secretary under subsection (f) and that consist of—

(A) assistance to any maritime museum or historical society for—

(i) existing and new educational programs, exhibits, educational activities, conservation, and interpretation of artifacts and collections;

(ii) minor improvements to educational and museum facilities; and

(iii) other similar activities;

(B) activities designed to encourage the preservation of traditional maritime skills, including—

(i) building and operation of vessels of all sizes and types for educational purposes;

(ii) special skills such as wood carving, sail making, and rigging;

(iii) traditional maritime art forms; and

(iv) sail training;

(C) other educational activities relating to historic maritime resources, including—

(i) maritime educational waterborne-experience programs in historic vessels or vessel reproductions;

(ii) maritime archeological field schools; and

(iii) educational programs on other aspects of maritime history;

(D) heritage programs focusing on maritime historic resources, including maritime heritage trails and corridors; or

(E) the construction and use of reproductions of historic maritime resources for educational purposes, if a historic maritime resource no longer exists or would be damaged or consumed through direct use.

(c) **GRANTS FOR MARITIME HERITAGE PRESERVATION PROJECTS.**—

(1) **GRANTS TO STATE HISTORIC PRESERVATION OFFICERS.**—The Secretary, acting through the National Maritime Initiative of the Service and subject to paragraph (2), and the availability of amounts for that purpose under section 308704(b)(1)(B) of this title, shall make grants to State Historic Preservation Officers for maritime heritage preservation projects.

(2) **USE OF GRANTS.**—Amounts received by a State Historic Preservation Officer as a grant under this subsection shall be used by the Officer to carry out, or to make subgrants to local governments and private nonprofit organizations to carry out, projects that have been approved by the Secretary under subsection (f) for the preservation of historic maritime resources through—

(A) identification of historic maritime resources, including underwater archeological sites;

(B) acquisition of historic maritime resources for the purposes of preservation;

(C) repair, restoration, stabilization, maintenance, or other capital improvements to historic maritime resources, in accordance with standards prescribed by the Secretary; and

(D) research, recording (through drawings, photographs, or otherwise), planning (through feasibility studies, architectural and engineering services, or otherwise), and other services carried out as part of a preservation program for historic maritime resources.

(d) **CRITERIA FOR DIRECT GRANT AND SUBGRANT ELIGIBILITY.**—To qualify for a subgrant from the National Trust under subsection (b), or a direct grant to or a subgrant from a State Historic Preservation Officer under subsection (c), a person shall—

(1) demonstrate that the project for which the direct grant or subgrant will be used has the potential for reaching a broad audience with an effective educational program based on American maritime history, technology, or the role of maritime endeavors in American culture;

(2) match the amount of the direct grant or subgrant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or donated services fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the direct grant or subgrant;

(B) the total cost of the project for which the direct grant or subgrant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds;

(4) provide access to the Secretary for the purposes of any required audit and examination of any records of the person; and

(5) be a unit of State or local government, or a private nonprofit organization.

(e) **PROCEDURES, TERMS, AND CONDITIONS.**—

(1) **APPLICATION PROCEDURES.**—An application for a subgrant under subsection (b), or a direct grant or subgrant under subsection (c), shall be submitted under procedures prescribed by the Secretary.

(2) **TERMS AND CONDITIONS.**—A person may not receive a subgrant under subsection (b), or a direct grant or subgrant under subsection (c), unless the person agrees to assume, after completion of the project for which the direct grant or subgrant is awarded, the total cost of the continued maintenance, repair, and administration of any property for which the subgrant will be used in a manner satisfactory to the Secretary.

(f) **ALLOCATION OF, AND LIMITATION ON, GRANT FUNDING.**—

(1) **ALLOCATION.**—To the extent feasible, the Secretary shall ensure that the amount made available under subsection (b) for maritime heritage education projects is equal to the amount made available under subsection (c) for maritime heritage preservation projects.

(2) **LIMITATION.**—The amount provided by the Secretary in a fiscal year as grants under this section for projects relating to historic maritime resources owned or operated by the Federal Government shall not exceed 40 percent of the total amount available for the fiscal year for grants under this section.

(g) **PUBLICATION OF DIRECT GRANT AND SUBGRANT INFORMATION.**—The Secretary shall publish annually in the Federal Register and otherwise as the Secretary considers appropriate—

(1) a solicitation of applications for direct grants and subgrants under this section;

(2) a list of priorities for the making of those direct grants and subgrants;

(3) a single deadline for the submission of applications for those direct grants and subgrants; and

(4) other relevant information.

(h) **DIRECT GRANT AND SUBGRANT ADMINISTRATION.**—

(1) **RESPONSIBILITY.**—

(A) **NATIONAL TRUST.**—The National Trust is responsible for administering subgrants for maritime heritage education projects under subsection (b).

(B) **SECRETARY.**—The Secretary is responsible for administering direct grants for maritime heritage preservation projects under subsection (c).

(C) **STATE HISTORIC PRESERVATION OFFICERS.**—State Historic Preservation Officers are responsible for administering subgrants for maritime heritage preservation projects under subsection (c).

(2) **ACTIONS.**—The appropriate responsible party under paragraph (1) shall administer direct grants or subgrants by—

(A) publicizing the Program to prospective grantees, subgrantees, and the public at large, in cooperation with the Service, the Maritime Administration, and other appropriate government agencies and private institutions;

(B) answering inquiries from the public, including providing information on the Program as requested;

(C) distributing direct grant and subgrant applications;

(D) receiving direct grant and subgrant applications and ensuring their completeness;

(E) keeping records of all direct grant and subgrant awards and expenditures of funds;

(F) monitoring progress of projects carried out with direct grants and subgrants; and

(G) providing to the Secretary such progress reports as may be required by the Secretary.

(i) **ASSISTANCE OF MARITIME PRESERVATION ORGANIZATIONS.**—The Secretary, the National Trust, and the State Historic Preservation Officers may, individually or jointly, enter into cooperative agreements with any private nonprofit organization with appropriate expertise in maritime preservation issues, or other qualified maritime preservation organizations, to assist in the administration of the Program.

(j) **REPORT TO CONGRESS.**—The Secretary shall submit to Congress an annual report on the Program, including—

(1) a description of each project funded under the Program in the period covered by the report;

(2) the results or accomplishments of each such project; and

(3) recommended priorities for achieving the policy set forth in section 308701 of this title.

§ 308704. Funding

(a) **AVAILABILITY OF FUNDS FROM SALE AND SCRAPPING OF OBSOLETE VESSELS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the amount of funds

credited in a fiscal year to the Vessel Operations Revolving Fund established by section 50301(a) of title 46 that is attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that are scrapped or sold under section 57102, 57103, or 57104 of title 46 shall be available until expended as follows:

(A) Fifty percent shall be available to the Administrator of the Maritime Administration for such acquisition, maintenance, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet as is authorized under other Federal law.

(B) Twenty five percent shall be available to the Administrator of the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of State maritime academies or the United States Merchant Marine Academy for facility and training ship maintenance, repair, and modernization, and for the purchase of simulators and fuel.

(C) The remainder shall be available—

(i) to the Secretary to carry out the Program, as provided in subsection (b); or

(ii) if otherwise determined by the Administrator of the Maritime Administration, for use in the preservation and presentation to the public of maritime heritage property of the Maritime Administration.

(2) **APPLICABILITY.**—Paragraph (1) does not apply to amounts credited to the Vessel Operations Revolving Fund before July 1, 1994.

(b) **USE OF AMOUNTS FOR PROGRAM.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), of amounts available each fiscal year for the Program under subsection (a)(1)(C)—

(A) one half shall be used for grants under section 308703(b) of this title; and

(B) one half shall be used for grants under section 308703(c) of this title.

(2) **ADMINISTRATIVE EXPENSES.**—

(A) **IN GENERAL.**—Not more than 15 percent or \$500,000, whichever is less, of the amount available for the Program under subsection (a)(1)(C) for a fiscal year may be used for expenses of administering the Program.

(B) **ALLOCATION.**—Of the amount available under subparagraph (A) for a fiscal year—

(i) one half shall be allocated to the National Trust for expenses incurred in administering grants under section 308703(b) of this title; and

(ii) one half shall be allocated as appropriate by the Secretary to the Service and participating State Historic Preservation Officers.

(c) **DISPOSAL OF VESSELS.**—

(1) **REQUIREMENT.**—The Secretary of Transportation shall dispose (by sale or by purchase of disposal services) of all vessels described in paragraph (2)—

(A) in accordance with a priority system for disposing of vessels, as determined by the Secretary, that shall include provisions requiring the Maritime Administration to—

(i) dispose of all deteriorated high priority ships that are available for disposal within 12 months of their designation as available for disposal; and

(ii) give priority to the disposition of those vessels that pose the most significant danger to the environment or cost the most to maintain;

(B) in the manner that provides the best value to the Federal Government, except in any case in which obtaining the best value would require towing a vessel and the towing poses a serious threat to the environment; and

(C) in accordance with the plan of the Department of Transportation for disposal of those vessels and requirements under sections 57102 to 57104 of title 46.

(2) **DESCRIPTION OF VESSELS.**—The vessels referred to in paragraph (1) are the vessels in the National Defense Reserve Fleet after July 1, 1994, that—

(A) are not assigned to the Ready Reserve Force component of the National Defense Reserve Fleet; and

(B) are not specifically authorized or required by statute to be used for a particular purpose.

(d) **TREATMENT OF AVAILABLE AMOUNTS.**—Amounts available under this section shall not be considered in any determination of the amounts available to the Department of the Interior.

§ 308705. Designation of America's National Maritime Museum

(a) **IN GENERAL.**—America's National Maritime Museum shall be composed of the museums designated by law to be museums of America's National Maritime Museum on the basis that the museums—

(1) house a collection of maritime artifacts clearly representing the Nation's maritime heritage; and

(2) provide outreach programs to educate the public about the Nation's maritime heritage.

(b) **INITIAL DESIGNATION.**—The following museums (meeting the criteria specified in subsection (a)) are designated as museums of America's National Maritime Museum:

(1) The Mariners' Museum, located at 100 Museum Drive, Newport News, Virginia.

(2) The South Street Seaport Museum, located at 207 Front Street, New York, New York.

(c) **FUTURE DESIGNATION OF OTHER MUSEUMS NOT PRECLUDED.**—The designation of the museums referred to in subsection (b) as museums of America's National Maritime Museum does not preclude the designation by law of any other museum that meets the criteria specified in subsection (a) as a museum of America's National Maritime Museum.

(d) **REFERENCE TO MUSEUMS.**—Any reference in any law, map, regulation, document, paper, or other record of the United States to a museum designated by law to be a museum of America's National Maritime Museum shall be deemed to be a reference to that museum as a museum of America's National Maritime Museum.

§ 308706. Regulations

The Secretary, after consultation with the National Trust, the National Conference of State Historic Preservation Officers, and appropriate members of the maritime heritage community, shall prescribe appropriate guidelines, procedures, and regulations to carry out the chapter, including direct grant and subgrant priorities, the method of solicitation and review of direct grant and subgrant proposals, criteria for review of direct grant and subgrant proposals, administrative requirements, reporting and record-keeping requirements, and any other requirements the Secretary considers appropriate.

§ 308707. Applicability of other authorities

The authorities contained in this chapter shall be in addition to, and shall not be construed to supersede or modify those contained in division A of this subtitle.

Chapter 3089—Save America's Treasures Program

Sec.

308901. Definitions.

308902. Establishment.

308903. Grants.

308904. Guidelines and regulations.

308905. Authorization of appropriations.

§ 308901. Definitions

In this chapter:

(1) **COLLECTION.**—The term “collection” means a collection of intellectual and cultural artifacts, including documents, sculpture, and works of art.

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means a Federal entity, State, local, or tribal government, educational institution, or nonprofit organization.

(3) **HISTORIC PROPERTY.**—The term “historic property” has the meaning given the term in section 300308 of this title.

(4) **NATIONALLY SIGNIFICANT.**—The term “nationally significant”, in reference to a collection or historic property, means a collection or historic property that meets the applicable criteria for national significance, in accordance with regulations promulgated by the Secretary pursuant to section 302103 of this title.

(5) **PROGRAM.**—The term “program” means the Save America's Treasures Program established under section 308902(a) of this title.

(6) **SECRETARY.**—The term “Secretary” means the Secretary, acting through the Director.

§ 308902. Establishment

(a) **IN GENERAL.**—There is established in the Department of the Interior the Save America's Treasures Program.

(b) **PARTICIPANTS.**—In consultation and partnership with the National Endowment for the Arts, the National Endowment for the Humanities, the Institute of Museum and Library Services, the National Trust for Historic Preservation in the United States, the National Conference of State Historic Preservation Officers, the National Association of Tribal Historic Preservation Officers, and the President's Committee on the Arts and the Humanities, the Secretary shall use the amounts made available under section 308905 of this title to provide grants to eligible entities for projects to preserve nationally significant collections and historic property.

§ 308903. Grants

(a) **DETERMINATION OF GRANTS.**—Of the amounts made available for grants under section 308905 of this title, not less than 50 percent shall be made available for grants for projects to preserve collections and historic property, to be distributed through a competitive grant process administered by the Secretary, subject to the selection criteria established under subsection (d).

(b) **APPLICATION FOR GRANTS.**—To be considered for a grant under the program an eligible entity shall submit to the Secretary an application containing such information as the Secretary may require.

(c) **COLLECTIONS AND HISTORIC PROPERTY ELIGIBLE FOR GRANTS.**—

(1) **IN GENERAL.**—A collection or historic property shall be provided a grant under the program only if the Secretary determines that the collection or historic property is—

(A) nationally significant; and

(B) threatened or endangered.

(2) **ELIGIBLE COLLECTIONS.**—A determination by the Secretary regarding the national significance of a collection under paragraph (1)(A) shall be made in consultation with the organizations described in section 308902(b) of this title, as appropriate.

(3) **ELIGIBLE HISTORIC PROPERTY.**—To be eligible for a grant under the program, a historic property shall, as of the date of the grant application—

(A) be listed on the National Register of Historic Places at the national level of significance; or

(B) be designated as a National Historic Landmark.

(d) **SELECTION CRITERIA.**—

(1) **IN GENERAL.**—The Secretary shall not provide a grant under this chapter to a project for a collection or historic property unless the project—

(A) eliminates or substantially mitigates the threat of destruction or deterioration of the collection or historic property;

(B) has a clear public benefit; and

(C) is able to be completed on schedule and within the budget described in the grant application.

(2) **PREFERENCE.**—In providing grants under this chapter, the Secretary may give preference to projects that carry out the purposes of both the program and the Preserve America Program.

(3) **LIMITATION.**—In providing grants under this chapter, the Secretary shall provide only one grant to each project selected for a grant.

(e) **CONSULTATION AND NOTIFICATION BY SECRETARY.**—(1) **CONSULTATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall consult with the organizations described in section 308902(b) of this title in preparing the list of projects to be provided grants for a fiscal year under the program.

(B) **LIMITATION.**—If an organization described in section 308902(b) of this title has submitted an application for a grant under the program, the organization shall be recused by the Secretary from the consultation requirements under subparagraph (A) and section 308902(b) of this title.

(2) **NOTIFICATION.**—Not later than 30 days before the date on which the Secretary provides grants for a fiscal year under the program, the Secretary shall submit to the Committee on Energy and Natural Resources and Committee on Appropriations of the House of Representatives a list of any eligible projects that are to be provided grants under the program for the fiscal year.

(f) **COST-SHARING REQUIREMENT.**—

(1) **IN GENERAL.**—The non-Federal share of the cost of carrying out a project provided a grant under this chapter shall be not less than 50 percent of the total cost of the project.

(2) **FORM OF NON-FEDERAL SHARE.**—The non-Federal share required under paragraph (1) shall be in the form of—

(A) cash; or

(B) donated supplies or related services, the value of which shall be determined by the Secretary.

(3) **REQUIREMENT.**—The Secretary shall ensure that each applicant for a grant has the capacity and a feasible plan for securing the non-Federal share for an eligible project required under paragraph (1) before a grant is provided to the eligible project under the program.

§ 308904. Guidelines and regulations

The Secretary shall develop any guidelines and prescribe any regulations that the Secretary determines to be necessary to carry out this chapter.

§ 308905. Authorization of appropriations

There is authorized to be appropriated to carry out this chapter \$50,000,000 for each fiscal year, to remain available until expended.

Chapter 3091—Commemoration of Former Presidents**Sec.**

309101. Sites and structures that commemorate former Presidents.

§ 309101. Sites and structures that commemorate former Presidents

(a) **SURVEY.**—The Secretary may conduct a survey of sites that the Secretary considers exhibit qualities most appropriate for the commemoration of each former President. The survey may—

(1) include sites associated with the deeds, leadership, or lifework of a former President; and

(2) identify sites or structures historically unrelated to a former President but that may be suitable as a memorial to honor that President.

(b) **REPORTS.**—The Secretary shall, from time to time, prepare and transmit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate reports on individual sites and structures identified in a survey under subsection (a), together with the Secretary's recommendation as to whether the site or structure is suitable for establishment as a national historic site or national memorial to commemorate a former President. Each report shall include pertinent information with respect to the need for acquisition of land and interests in land, the development of facilities, and the operation and maintenance of the site or structure and the estimated cost of the operation and maintenance.

(c) **ESTABLISHMENT AS NATIONAL HISTORIC SITE.**—If during the 6-month period following the transmittal of a report pursuant to subsection (b) neither Committee has by vote of a majority of its members disapproved a recommendation of the Secretary that a site or structure is suitable for establishment as a national historic site, the Secretary may by appropriate order establish the site or structure as a national historic site, including the land and interests in land identified in the report accompanying the recommendation of the Secretary.

(d) **ACQUISITION OF LAND AND INTERESTS IN LAND.**—The Secretary may acquire the land and interests in land by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

(e) **EFFECT OF SECTION.**—Nothing in this section shall be construed as diminishing the authority of the Secretary under chapter 3201 of this title or as authorizing the Secretary to establish any national memorial, creation of which is expressly reserved to Congress.

Subdivision 2—Administered Jointly With National Park Service**Chapter 3111—Preserve America Program****Sec.**

311101. Definitions.

311102. Establishment.

311103. Designation of Preserve America Communities.

311104. Regulations.

311105. Authorization of appropriations.

§ 311101. Definitions

In this chapter:

(1) **COUNCIL.**—The term “Council” means the Advisory Council on Historic Preservation.

(2) **HERITAGE TOURISM.**—The term “heritage tourism” means the conduct of activities to attract and accommodate visitors to a site or area based on the unique or special aspects of the history, landscape (including trail systems), and culture of the site or area.

(3) **PROGRAM.**—The term “program” means the Preserve America Program established under section 311102(a).

§ 311102. Establishment

(a) **IN GENERAL.**—There is established in the Department of the Interior the Preserve

America Program, under which the Secretary, in partnership with the Council, may provide competitive grants to States, local governments (including local governments in the process of applying for designation as Preserve America Communities under section 311103 of this title, Indian tribes, communities designated as Preserve America Communities under section 311103 of this title, State historic preservation offices, and tribal historic preservation offices to support preservation efforts through heritage tourism, education, and historic preservation planning activities.

(b) **ELIGIBLE PROJECTS.**—

(1) **IN GENERAL.**—The following projects shall be eligible for a grant under this chapter:

(A) A project for the conduct of—

(i) research on, and documentation of, the history of a community; and

(ii) surveys of the historic resources of a community.

(B) An education and interpretation project that conveys the history of a community or site.

(C) A planning project (other than building rehabilitation) that advances economic development using heritage tourism and historic preservation.

(D) A training project that provides opportunities for professional development in areas that would aid a community in using and promoting its historic resources.

(E) A project to support heritage tourism in a Preserve America Community designated under section 311103 of this title.

(F) Other nonconstruction projects that identify or promote historic properties or provide for the education of the public about historic properties that are consistent with the purposes of this chapter.

(2) **LIMITATION.**—In providing grants under this chapter, the Secretary shall provide only one grant to each eligible project selected for a grant.

(c) **PREFERENCE.**—In providing grants under this chapter, the Secretary may give preference to projects that carry out the purposes of both the program and the Save America's Treasures Program.

(d) **CONSULTATION AND NOTIFICATION.**—

(1) **CONSULTATION.**—The Secretary shall consult with the Council in preparing the list of projects to be provided grants for a fiscal year under the program.

(2) **NOTIFICATION.**—Not later than 30 days before the date on which the Secretary provides grants for a fiscal year under the program, the Secretary shall submit to the Committee on Energy and Natural Resources and Committee on Appropriations of the Senate and the Committee on Natural Resources and Committee on Appropriations of the House of Representatives a list of any eligible projects that are to be provided grants under the program for the fiscal year.

(e) **COST-SHARING REQUIREMENT.**—

(1) **IN GENERAL.**—The non-Federal share of the cost of carrying out a project provided a grant under this chapter shall be not less than 50 percent of the total cost of the project.

(2) **FORM OF NON-FEDERAL SHARE.**—The non-Federal share required under paragraph (1) shall be in the form of—

(A) cash; or

(B) donated supplies and related services, the value of which shall be determined by the Secretary.

(3) **REQUIREMENT.**—The Secretary shall ensure that each applicant for a grant has the capacity to secure, and a feasible plan for securing, the non-Federal share for an eligible

project required under paragraph (1) before a grant is provided to the eligible project under the program.

§ 311103. Designation of Preserve America Communities

(a) APPLICATION.—To be considered for designation as a Preserve America Community, a community, tribal area, or neighborhood shall submit to the Council an application containing such information as the Council may require.

(b) CRITERIA.—To be designated as a Preserve America Community under the program, a community, tribal area, or neighborhood that submits an application under subsection (a) shall, as determined by the Council, in consultation with the Secretary, meet criteria required by the Council and, in addition, consider—

(1) protection and celebration of the heritage of the community, tribal area, or neighborhood;

(2) use of the historic assets of the community, tribal area, or neighborhood for economic development and community revitalization; and

(3) encouragement of people to experience and appreciate local historic resources through education and heritage tourism programs.

(c) LOCAL GOVERNMENTS PREVIOUSLY CERTIFIED FOR HISTORIC PRESERVATION ACTIVITIES.—The Council shall establish an expedited process for Preserve America Community designation for local governments previously certified for historic preservation activities under section 302502 of this title.

(d) GUIDELINES.—The Council, in consultation with the Secretary, shall establish any guidelines that are necessary to carry out this section.

§ 311104. Regulations

The Secretary shall develop any guidelines and issue any regulations that the Secretary determines to be necessary to carry out this chapter.

§ 311105. Authorization of appropriations

There is authorized to be appropriated to carry out this chapter \$25,000,000 for each fiscal year, to remain available until expended.

Subdivision 3—Administered by Other Than National Park Service

Chapter 3121—National Trust for Historic Preservation in the United States

Sec.

312101. Definitions.

312102. Establishment and purposes.

312103. Principal office.

312104. Board of trustees.

312105. Powers.

312106. Consultation with National Park System Advisory Board.

§ 312101. Definitions

In this chapter:

(1) BOARD.—The term “Board” means the board of trustees of the National Trust.

(2) NATIONAL TRUST.—The term “National Trust” means the National Trust for Historic Preservation in the United States established under section 312102 of this title.

§ 312102. Establishment and purposes

(a) ESTABLISHMENT.—To further the policy enunciated in chapter 3201 of this title, and to facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest, there is established a charitable, educational, and non-profit corporation to be known as the National Trust for Historic Preservation in the United States.

(b) PURPOSES.—The purposes of the National Trust shall be to—

(1) receive donations of sites, buildings, and objects significant in American history and culture;

(2) preserve and administer the sites, buildings, and objects for public benefit;

(3) accept, hold, and administer gifts of money, securities, or other property of any character for the purpose of carrying out the preservation program; and

(4) execute other functions vested in the National Trust by this chapter.

§ 312103. Principal office

The National Trust shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident of the District of Columbia. The National Trust may establish offices in other places as it may consider necessary or appropriate in the conduct of its business.

§ 312104. Board of trustees

(a) MEMBERSHIP.—The affairs of the National Trust shall be under the general direction of a board of trustees composed as follows:

(1) The Attorney General, the Secretary, and the Director of the National Gallery of Art, ex officio.

(2) Not fewer than 6 general trustees who shall be citizens of the United States.

(b) DESIGNATION OF ANOTHER OFFICER.—The Attorney General and the Secretary, when it appears desirable in the interest of the conduct of the business of the Board and to such extent as they consider it advisable, may, by written notice to the National Trust, designate any officer of their respective departments to act for them in the discharge of their duties as a member of the Board.

(c) GENERAL TRUSTEES.—

(1) NUMBER AND SELECTION.—The number of general trustees shall be fixed by the Board and shall be chosen by the members of the National Trust from its members at any regular meeting of the National Trust.

(2) TERM OF OFFICE.—The respective terms of office of the general trustees shall be as prescribed by the Board but in no case shall exceed a period of 5 years from the date of election.

(3) SUCCESSOR.—A successor to a general trustee shall be chosen in the same manner and shall have a term expiring 5 years from the date of the expiration of the term for which the predecessor was chosen, except that a successor chosen to fill a vacancy occurring prior to the expiration of a term shall be chosen only for the remainder of that term.

(d) CHAIRMAN.—The chairman of the Board shall be elected by a majority vote of the members of the Board.

(e) COMPENSATION AND REIMBURSEMENT.—No compensation shall be paid to the members of the Board for their services as such members, but they shall be reimbursed for travel and actual expenses necessarily incurred by them in attending board meetings and performing other official duties on behalf of the National Trust at the direction of the Board.

§ 312105. Powers

(a) IN GENERAL.—To the extent necessary to enable it to carry out the functions vested in it by this chapter, the National Trust has the general powers described in this section.

(b) SUCCESSION.—The National Trust has succession until dissolved by Act of Congress, in which event title to the property of the National Trust, both real and personal, shall, insofar as consistent with existing contractual obligations and subject to all other legally enforceable claims or demands

by or against the National Trust, pass to and become vested in the United States.

(c) SUE AND BE SUED.—The National Trust may sue and be sued in its corporate name.

(d) CORPORATE SEAL.—The National Trust may adopt, alter, and use a corporate seal that shall be judicially noticed.

(e) CONSTITUTION, BYLAWS, AND REGULATIONS.—The National Trust may adopt a constitution and prescribe such bylaws and regulations, not inconsistent with the laws of the United States or of any State, as it considers necessary for the administration of its functions under this chapter, including among other matters, bylaws and regulations governing visitation to historic properties, administration of corporate funds, and the organization and procedure of the Board.

(f) PERSONAL PROPERTY.—The National Trust may accept, hold, and administer gifts and bequests of money, securities, or other personal property of any character, absolutely or in trust, for the purposes for which the National Trust is created. Unless otherwise restricted by the terms of a gift or bequest, the National Trust may sell, exchange, or otherwise dispose of, and invest or reinvest in investments as it may determine from time to time, the moneys, securities, or other property given or bequeathed to it. The principal of corporate funds and the income from those funds and all other revenues received by the National Trust from any source shall be placed in such depositories as the National Trust shall determine and shall be subject to expenditure by the National Trust for its corporate purposes.

(g) REAL PROPERTY.—The National Trust may acquire by gift, devise, purchase, or otherwise, absolutely or in trust, and hold and, unless otherwise restricted by the terms of the gift or devise, encumber, convey, or otherwise dispose of, any real property, or any estate or interest in real property (except property within the exterior boundaries of a System unit), as may be necessary and proper in carrying into effect the purposes of the National Trust.

(h) CONTRACTS AND COOPERATIVE AGREEMENTS RESPECTING PROTECTION, PRESERVATION, MAINTENANCE, OR OPERATION.—The National Trust may contract and make cooperative agreements with Federal, State, or local agencies, corporations, associations, or individuals, under terms and conditions that the National Trust considers advisable, respecting the protection, preservation, maintenance, or operation of any historic site, building, object, or property used in connection with the site, building, object, or property for public use, regardless of whether the National Trust has acquired title to the property, or any interest in the property.

(i) ENTER INTO CONTRACTS AND EXECUTE INSTRUMENTS.—The National Trust may enter into contracts generally and execute all instruments necessary or appropriate to carry out its corporate purposes, including concession contracts, leases, or permits for the use of land, buildings, or other property considered desirable either to accommodate the public or to facilitate administration.

(j) OFFICERS, AGENTS, AND EMPLOYEES.—The National Trust may appoint and prescribe the duties of officers, agents, and employees as may be necessary to carry out its functions, and fix and pay compensation to them for their services as the National Trust may determine.

(k) LAWFUL ACTS.—The National Trust may generally do any and all lawful acts necessary or appropriate to carry out the purposes for which the National Trust is created.

§ 312106. Consultation with National Park System Advisory Board

In carrying out its functions under this chapter, the National Trust may consult with the National Park System Advisory Board on matters relating to the selection of sites, buildings, and objects to be preserved and protected pursuant to this chapter.

Chapter 3123—Commission for the Preservation of America's Heritage Abroad

Sec.

312301. Definition.

312302. Declaration of national interest.

312303. Establishment.

312304. Duties and powers; administrative support.

312305. Reports.

§ 312301. Definition

In this chapter, the term "Commission" means the Commission for the Preservation of America's Heritage Abroad established under section 312303 of this title.

§ 312302. Declaration of national interest

Because the fabric of a society is strengthened by visible reminders of the historical roots of the society, it is in the national interest to encourage the preservation and protection of the cemeteries, monuments, and historic buildings associated with the foreign heritage of United States citizens.

§ 312303. Establishment

(a) ESTABLISHMENT.—There is established a commission to be known as the Commission for the Preservation of America's Heritage Abroad.

(b) MEMBERSHIP.—The Commission shall consist of 21 members appointed by the President, 7 of whom shall be appointed after consultation with the Speaker of the House of Representatives and 7 of whom shall be appointed after consultation with the President pro tempore of the Senate.

(c) TERM.—

(1) IN GENERAL.—Except as provided in paragraph (2), a member of the Commission shall be appointed for a term of 3 years.

(2) VACANCY.—A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the member's predecessor was appointed.

(3) MEMBER UNTIL SUCCESSOR APPOINTED.—A member may retain membership on the Commission until the member's successor has been appointed.

(d) CHAIRMAN.—The President shall designate the Chairman of the Commission from among its members.

(e) MEETINGS.—The Commission shall meet at least once every 6 months.

(f) COMPENSATION AND EXPENSES.—

(1) COMPENSATION.—Members of the Commission shall receive no pay on account of their service on the Commission.

(2) EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as individuals employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

§ 312304. Duties and powers; administrative support

(a) DUTIES.—The Commission shall—

(1) identify and publish a list of cemeteries, monuments, and historic buildings located abroad that are associated with the foreign heritage of United States citizens from eastern and central Europe, particularly cemeteries, monuments, and buildings that are in danger of deterioration or destruction;

(2) encourage the preservation and protection of those cemeteries, monuments, and historic buildings by obtaining, in cooperation with the Secretary of State, assurances from foreign governments that the cemeteries, monuments, and buildings will be preserved and protected; and

(3) prepare and disseminate reports on the condition of, and the progress toward preserving and protecting, those cemeteries, monuments, and historic buildings.

(b) POWERS.—

(1) HOLD HEARINGS, REQUEST ATTENDANCE, TAKE TESTIMONY, AND RECEIVE EVIDENCE.—The Commission or any member it authorizes may, for the purposes of carrying out this chapter, hold such hearings, sit and act at such times and places, request such attendance, take such testimony, and receive such evidence, as the Commission considers appropriate.

(2) APPOINT PERSONNEL AND FIX PAY.—The Commission may appoint such personnel (subject to the provisions of title 5 governing appointments in the competitive service) and may fix the pay of such personnel (subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5), as the Commission considers desirable.

(3) PROCURE TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay then in effect under section 5376 of title 5.

(4) DETAIL PERSONNEL TO COMMISSION.—On request of the Commission, the head of any Federal department or agency, including the Secretary of State, may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this chapter.

(5) SECURE INFORMATION.—The Commission may secure directly from any department or agency of the United States, including the Department of State, any information necessary to enable it to carry out this chapter. On the request of the Chairman of the Commission, the head of the department or agency shall furnish the information to the Commission.

(6) GIFTS OR DONATIONS.—The Commission may accept, use, and dispose of gifts or donations of money or property.

(7) USE OF MAILS.—The Commission may use the United States mails in the same manner and on the same conditions as other departments and agencies of the United States.

(c) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support services as the Commission may request.

§ 312305. Reports

As soon as practicable after the end of each fiscal year, the Commission shall transmit to the President a report that includes—

(1) a detailed statement of the activities and accomplishments of the Commission during the fiscal year; and

(2) any recommendations of the Commission for legislation and administrative actions.

Chapter 3125—Preservation of Historical and Archeological Data

Sec.

312501. Definition.

312502. Threat of irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data by Federal construction projects.

312503. Survey and recovery by Secretary.

312504. Progress reports by Secretary on surveys and work undertaken as result of surveys.

312505. Notice of dam construction.

312506. Administration.

312507. Assistance to Secretary by Federal agencies responsible for construction projects.

312508. Costs for identification, surveys, evaluation, and data recovery with respect to historic property.

§ 312501. Definition

In this chapter, the term "State" includes a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 312502. Threat of irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data by Federal construction projects

(a) ACTIVITY OF FEDERAL AGENCY.—

(1) NOTIFICATION OF SECRETARY.—When any Federal agency finds, or is notified, in writing, by an appropriate historical or archeological authority, that its activities in connection with any Federal construction project or federally licensed project, activity, or program may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data, the agency shall notify the Secretary, in writing, and shall provide the Secretary with appropriate information concerning the project, program, or activity.

(2) RECOVERY, PROTECTION, AND PRESERVATION OF DATA.—The agency—

(A) may request the Secretary to undertake the recovery, protection, and preservation of the data (including preliminary survey, or other investigation as needed, and analysis and publication of the reports resulting from the investigation); or

(B) may, with funds appropriated for the project, program, or activity, undertake those activities.

(3) AVAILABILITY OF REPORTS.—Copies of reports of any investigations made pursuant to this section shall be submitted to the Secretary, who shall make them available to the public for inspection and review.

(b) ACTIVITY OF PRIVATE PERSON, ASSOCIATION, OR PUBLIC ENTITY.—

(1) RECOVERY BY SECRETARY.—When any Federal agency provides financial assistance by loan, grant, or otherwise to any private person, association, or public entity, the Secretary, if the Secretary determines that significant scientific, prehistorical, historical, or archeological data might be irrevocably lost or destroyed, may, with funds appropriated expressly for this purpose—

(A) conduct, with the consent of all persons, associations, or public entities having a legal interest in the property, a survey of the affected site; and

(B) undertake the recovery, protection, and preservation of the data (including analysis and publication).

(2) COMPENSATION.—The Secretary shall, unless otherwise agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or any nonfederally owned land.

§ 312503. Survey and recovery by Secretary

(a) IN GENERAL.—The Secretary, on notification, in writing, by any Federal or State agency or appropriate historical or archeological authority that scientific, pre-historical, historical, or archeological data are being or may be irrevocably lost or destroyed by any Federal or federally assisted or licensed project, activity, or program, shall, if the Secretary determines that the data are significant and are being or may be irrevocably lost or destroyed and after reasonable notice to the agency responsible for funding or licensing the project, activity, or program—

(1) conduct or cause to be conducted a survey and other investigation of the areas that are or may be affected; and

(2) recover and preserve the data (including analysis and publication) that, in the opinion of the Secretary, are not being, but should be, recovered and preserved in the public interest.

(b) WHEN SURVEY OR RECOVERY NOT REQUIRED.—No survey or recovery work shall be required pursuant to this section that, in the determination of the head of the responsible agency, would impede Federal or federally assisted or licensed projects or activities undertaken in connection with any emergency, including projects or activities undertaken in anticipation of, or as a result of, a natural disaster.

(c) INITIATION OF SURVEY.—The Secretary shall initiate the survey or recovery effort within—

(1) 60 days after notification pursuant to subsection (a); or

(2) such time as may be agreed on with the head of the agency responsible for funding or licensing the project, activity, or program in all other cases.

(d) COMPENSATION BY SECRETARY.—The Secretary shall, unless otherwise agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or non-federally owned land.

§ 312504. Progress reports by Secretary on surveys and work undertaken as result of surveys

(a) PROGRESS REPORTS TO FUNDING OR LICENSING AGENCY.—The Secretary shall keep the agency responsible for funding or licensing the project notified at all times of the progress of any survey made under this chapter or of any work undertaken as a result of a survey, in order that there will be as little disruption or delay as possible in the carrying out of the functions of the agency. The survey and recovery programs shall terminate at a time agreed on by the Secretary and the head of the agency unless extended by agreement.

(b) DISPOSITION OF RELICS AND SPECIMENS.—The Secretary shall consult with any interested Federal and State agencies, educational and scientific organizations, private institutions, and qualified individuals, with a view to determining the ownership of, and the most appropriate repository for, any relics and specimens recovered as a result of any work performed as provided for in this section.

(c) COORDINATION OF ACTIVITIES.—The Secretary shall coordinate all Federal survey and recovery activities authorized under this chapter.

§ 312505. Notice of dam construction

(a) IN GENERAL.—Before any Federal agency undertakes the construction of a dam, or issues a license to any private individual or

corporation for the construction of a dam, it shall give written notice to the Secretary setting forth the site of the proposed dam and the approximate area to be flooded and otherwise changed if construction is undertaken.

(b) DAMS WITH CERTAIN DETENTION CAPACITY OR RESERVOIR.—With respect to any flood water retarding dam that provides fewer than 5,000 acre-feet of detention capacity, and with respect to any other type of dam that creates a reservoir of fewer than 40 surface acres, this section shall apply only when the constructing agency, in its preliminary surveys, finds or is presented with evidence that historical or archeological materials exist or may be present in the proposed reservoir area.

§ 312506. Administration

In the administration of this chapter, the Secretary may—

(1) enter into contracts or make cooperative agreements with any Federal or State agency, educational or scientific organization, or institution, corporation, association, or qualified individual;

(2) obtain the services of experts and consultants or organizations of experts and consultants in accordance with section 3109 of title 5; and

(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporation or transferred to the Secretary by any Federal agency.

§ 312507. Assistance to Secretary by Federal agencies responsible for construction projects

(a) ASSISTANCE OF FEDERAL AGENCIES.—To carry out this chapter, any Federal agency responsible for a construction project may assist the Secretary or may transfer to the Secretary funds as may be agreed on, but not more than 1 percent of the total amount authorized to be appropriated for the project, except that the 1 percent limitation under this section shall not apply if the cost of the project is \$50,000 or less. The costs of the survey, recovery, analysis, and publication shall be deemed nonreimbursable project costs.

(b) AVAILABILITY OF APPROPRIATIONS.—Amounts appropriated for purposes of this section shall remain available until expended.

§ 312508. Costs for identification, surveys, evaluation, and data recovery with respect to historic property

Notwithstanding section 312507(a) of this title or any other provision of law—

(1) identification, surveys, and evaluation carried out with respect to historic property within project areas may be treated for purposes of any law or rule of law as planning costs of the project and not as costs of mitigation;

(2) reasonable costs for identification, surveys, evaluation, and data recovery carried out with respect to historic property within project areas may be charged to Federal licensees and permittees as a condition to the issuance of the license or permit; and

(3) Federal agencies, with the concurrence of the Secretary and after notification of the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, may waive, in appropriate cases, the 1 percent limitation under section 312507(a) of this title.

Division C—American Antiquities**Chapter 3201—Policy and Administrative Provisions**

Sec.

320101. Declaration of national policy.

320102. Powers and duties of Secretary.

320103. Cooperation with governmental and private agencies and individuals.

320104. Jurisdiction of States in acquired land.

320105. Criminal penalties.

320106. Limitation on obligation or expenditure of appropriated amounts.

§ 320101. Declaration of national policy

It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

§ 320102. Powers and duties of Secretary

(a) IN GENERAL.—The Secretary, acting through the Director, for the purpose of effectuating the policy expressed in section 320101 of this title, has the powers and shall perform the duties set out in this section.

(b) PRESERVATION OF DATA.—The Secretary shall secure, collate, and preserve drawings, plans, photographs, and other data of historic and archeologic sites, buildings, and objects.

(c) SURVEY.—The Secretary shall make a survey of historic and archeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

(d) INVESTIGATIONS AND RESEARCHES.—The Secretary shall make necessary investigations and researches in the United States relating to particular sites, buildings, and objects to obtain accurate historical and archeological facts and information concerning the sites, buildings, and objects.

(e) ACQUISITION OF PROPERTY.—The Secretary may, for the purpose of this chapter, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate in property, title to any real property to be satisfactory to the Secretary. Property that is owned by any religious or educational institution or that is owned or administered for the benefit of the public shall not be acquired without the consent of the owner. No property shall be acquired or contract or agreement for the acquisition of the property made that will obligate the general fund of the Treasury for the payment of the property, unless Congress has appropriated money that is available for that purpose.

(f) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary may contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where considered advisable, to protect, preserve, maintain, or operate any historic or archeologic building, site, or object, or property used in connection with the building, site, or object, for public use, regardless whether the title to the building, site, object, or property is in the United States. No contract or cooperative agreement shall be made or entered into that will obligate the general fund of the Treasury unless or until Congress has appropriated money for that purpose.

(g) PROTECTION OF SITES, BUILDINGS, OBJECTS, AND PROPERTY.—The Secretary shall restore, reconstruct, rehabilitate, preserve, and maintain historic or prehistoric sites, buildings, objects, and property of national historical or archeological significance and where considered desirable establish and maintain museums in connection with the sites, buildings, objects, and property.

(h) **TABLETS TO MARK OR COMMEMORATE PLACES AND EVENTS.**—The Secretary shall erect and maintain tablets to mark or commemorate historic or prehistoric places and events of national historical or archeological significance.

(i) **OPERATION FOR BENEFIT OF PUBLIC.**—The Secretary may operate and manage historic and archeologic sites, buildings, and property acquired under this chapter together with land and subordinate buildings for the benefit of the public and may charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration. The Secretary may grant those concessions, leases, or permits and enter into contracts relating to the contracts, leases, or permits with responsible persons, firms, or corporations without advertising and without securing competitive bids.

(j) **CORPORATION TO CARRY OUT DUTIES.**—When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archeologic site, building, or property donated to the United States through the Service, the Secretary may cause the restoration, reconstruction, operation, or maintenance to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

(k) **EDUCATIONAL PROGRAM AND SERVICE.**—The Secretary shall develop an educational program and service for the purpose of making available to the public information pertaining to American historic and archeologic sites, buildings, and properties of national significance. Reasonable charges may be made for the dissemination of any such information.

(l) **ACTIONS AND REGULATIONS NECESSARY TO CARRY OUT CHAPTER.**—The Secretary shall perform any and all acts and make regulations not inconsistent with this chapter that may be necessary and proper to carry out this chapter.

§ 320103. Cooperation with governmental and private agencies and individuals

(a) **AUTHORIZATION OF SECRETARY.**—The Secretary may cooperate with and may seek and accept the assistance of any Federal, State, or local agency, educational or scientific institution, patriotic association, or individual.

(b) **TECHNICAL ADVISORY COMMITTEES.**—When the Secretary considers it necessary, the Secretary may establish technical advisory committees to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or other structure.

(c) **EMPLOYMENT OF ASSISTANCE.**—The Secretary may employ professional and technical assistance and establish service as may be required to accomplish the purposes of this chapter and for which money may be appropriated by Congress or made available by gifts for those purposes.

§ 320104. Jurisdiction of States in acquired land

Nothing in this chapter shall be held to deprive any State, or political subdivision of a State, of its civil and criminal jurisdiction in and over land acquired by the United States under this chapter.

§ 320105. Criminal penalties

Criminal penalties for a violation of a regulation authorized by this chapter are provided by section 1866 of title 18.

§ 320106. Limitation on obligation or expenditure of appropriated amounts

Notwithstanding any other provision of law, no funds appropriated or otherwise made available to the Secretary to carry out subsection (f) or (g) of section 320102 of this title may be obligated or expended—

(1) unless the appropriation of the funds has been specifically authorized by law enacted on or after October 30, 1992; or

(2) in excess of the amount prescribed by law enacted on or after October 30, 1992.

Chapter 3203—Monuments, Ruins, Sites, and Objects of Antiquity

Sec.

320301. National monuments.

320302. Permits.

320303. Regulations.

§ 320301. National monuments

(a) **PRESIDENTIAL DECLARATION.**—The President may, in the President's discretion, declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated on land owned or controlled by the Federal Government to be national monuments.

(b) **RESERVATION OF LAND.**—The President may reserve parcels of land as a part of the national monuments. The limits of the parcels shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.

(c) **RELINQUISHMENT TO FEDERAL GOVERNMENT.**—When an object is situated on a parcel covered by a bona fide unperfected claim or held in private ownership, the parcel, or so much of the parcel as may be necessary for the proper care and management of the object, may be relinquished to the Federal Government and the Secretary may accept the relinquishment of the parcel on behalf of the Federal Government.

(d) **LIMITATION ON EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN WYOMING.**—No extension or establishment of national monuments in Wyoming may be undertaken except by express authorization of Congress.

§ 320302. Permits

(a) **AUTHORITY TO GRANT PERMIT.**—The Secretary, the Secretary of Agriculture, or the Secretary of the Army may grant a permit for the examination of ruins, the excavation of archeological sites, and the gathering of objects of antiquity on land under their respective jurisdictions to an institution that the Secretary concerned considers properly qualified to conduct the examination, excavation, or gathering, subject to such regulations as the Secretary concerned may prescribe.

(b) **PURPOSE OF EXAMINATION, EXCAVATION, OR GATHERING.**—A permit may be granted only if—

(1) the examination, excavation, or gathering is undertaken for the benefit of a reputable museum, university, college, or other recognized scientific or educational institution, with a view to increasing the knowledge of the objects; and

(2) the gathering shall be made for permanent preservation in a public museum.

§ 320303. Regulations

The Secretary, the Secretary of Agriculture, and the Secretary of the Army shall make and publish uniform regulations for the purpose of carrying out this chapter.

SEC. 4. CONFORMING AMENDMENTS.

(a) **TITLE 18.**—

(1) **IN GENERAL.**—Chapter 91 of title 18, United States Code, is amended by adding at the end the following:

“§ 1865. National Park Service

“(a) **VIOLATION OF REGULATIONS RELATING TO USE AND MANAGEMENT OF NATIONAL PARK SYSTEM UNITS.**—A person that violates any regulation authorized by section 100751(a) of title 54 shall be imprisoned not more than 6 months, fined under this title, or both, and be adjudged to pay all cost of the proceedings.

“(b) **FINANCIAL DISCLOSURE BY OFFICERS OR EMPLOYEES PERFORMING FUNCTIONS OR DUTIES UNDER SUBCHAPTER III OF CHAPTER 1007 OF TITLE 54.**—An officer or employee of the Department of the Interior who is subject to, and knowingly violates, section 100737 of title 54 or any regulation prescribed under that section shall be imprisoned not more than one year, fined under this title, or both.

“(c) **OFFENSES RELATING TO STRUCTURES AND VEGETATION.**—A person that willfully destroys, mutilates, defaces, injures, or removes any monument, statue, marker, guidepost, or other structure, or that willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within a national military park shall be imprisoned not less than 15 days nor more than one year, fined under this title but not less than \$10 for each monument, statue, marker, guidepost, or other structure, tree, shrub, or plant that is destroyed, defaced, injured, cut, or removed, or both.

“(d) **TRESPASSING IN A NATIONAL MILITARY PARK TO HUNT OR SHOOT.**—An individual who trespasses in a national military park to hunt or shoot, or hunts game of any kind in a national military park with a gun or dog, or sets a trap or net or other device in a national military park to hunt or catch game of any kind, shall be imprisoned not less than 5 nor more than 30 days, fined under this title, or both.

“§ 1866. Historic, archeologic, or prehistoric items and antiquities

“(a) **VIOLATION OF REGULATIONS AUTHORIZED BY CHAPTER 3201 OF TITLE 54.**—A person that violates any of the regulations authorized by chapter 3201 of title 54 shall be fined under this title and be adjudged to pay all cost of the proceedings.

“(b) **APPROPRIATION OF, INJURY TO, OR DESTRUCTION OF HISTORIC OR PREHISTORIC RUIN OR MONUMENT OR OBJECT OF ANTIQUITY.**—A person that appropriates, excavates, injures, or destroys any historic or prehistoric ruin or monument or any other object of antiquity that is situated on land owned or controlled by the Federal Government without the permission of the head of the Federal agency having jurisdiction over the land on which the object is situated, shall be imprisoned not more than 90 days, fined under this title, or both.”.

(2) **TABLE OF CONTENTS.**—The table of contents of chapter 91 of title 18, United States Code, is amended by adding at the end the following:

“1865. National Park Service.

“1866. Historic, archeologic, or prehistoric items and antiquities.”.

(b) **TITLE 28.**—

(1) **IN GENERAL.**—Part VI of title 28, United States Code, is amended by adding at the end the following:

“CHAPTER 190—MISCELLANEOUS

“Sec.

“5001. Civil action for death or personal injury in a place subject to exclusive jurisdiction of United States.

“§ 5001. Civil action for death or personal injury in a place subject to exclusive jurisdiction of United States

“(a) DEATH.—In the case of the death of an individual by the neglect or wrongful act of another in a place subject to the exclusive jurisdiction of the United States within a State, a right of action shall exist as though the place were under the jurisdiction of the State in which the place is located.

“(b) PERSONAL INJURY.—In a civil action brought to recover on account of an injury sustained in a place described in subsection (a), the rights of the parties shall be governed by the law of the State in which the place is located.”.

(2) TABLE OF CONTENTS.—The table of contents of part VI of title 28, United States Code, is amended by adding at the end the following:

“190. Miscellaneous 5001”.

(c) ACT OF MAY 26, 2000.—Section 1 of Public Law 106-206 (114 Stat. 314) is amended to read as follows:

“section 1. commercial filming.

“(a) COMMERCIAL FILMING FEE.—

“(1) IN GENERAL.—The Secretary of the Interior or the Secretary of Agriculture (hereafter individually referred to as the ‘Secretary’ with respect to land (except land in a System unit as defined in section 100102 of title 54, United States Code) under their respective jurisdictions) shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects on Federal land administered by the Secretary. The fee shall provide a fair return to the United States and shall be based on the following criteria:

“(A) The number of days the filming activity or similar project takes place on Federal land under the Secretary’s jurisdiction.

“(B) The size of the film crew present on Federal land under the Secretary’s jurisdiction.

“(C) The amount and type of equipment present.

“(2) OTHER FACTORS.—The Secretary may include other factors in determining an appropriate fee as the Secretary considers necessary.

“(b) RECOVERY OF COSTS.—The Secretary shall collect any costs incurred as a result of filming activities or similar project, including administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

“(c) STILL PHOTOGRAPHY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall not require a permit nor assess a fee for still photography on land administered by the Secretary if such photography takes place where members of the public are generally allowed. The Secretary may require a permit, fee, or both, if such photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.

“(2) EXCEPTION.—The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props which are not a part of the site’s natural or cultural resources or administrative facilities.

“(d) PROTECTION OF RESOURCES.—The Secretary shall not permit any filming, still photography or other related activity if the Secretary determines that—

“(1) there is a likelihood of resource damage;

“(2) there would be an unreasonable disruption of the public’s use and enjoyment of the site; or

“(3) the activity poses health or safety risks to the public.

“(e) USE OF PROCEEDS.—

“(1) FEES.—All fees collected under this section shall be available for expenditure by the Secretary, without further appropriation and shall remain available until expended.

“(2) COSTS.—All costs recovered under this section shall be available for expenditure by the Secretary, without further appropriation, at the site where the costs are collected and shall remain available until expended.

“(f) PROCESSING OF PERMIT APPLICATIONS.—The Secretary shall establish a process to ensure that the Secretary responds in a timely manner to permit applicants for commercial filming, still photography, or other activity.”.

(d) PUBLIC LAW 111-24.—Section 512 of Public Law 111-24 (123 Stat. 1764) is amended to read as follows:

“SEC. 512. PROTECTION OF RIGHT OF INDIVIDUALS TO BEAR ARMS

“(a) CONGRESSIONAL FINDINGS.—Congress finds the following:

“(1) The 2d amendment to the Constitution provides that ‘the right of the people to keep and bear Arms, shall not be infringed’.

“(2) Section 27.42 of title 50, Code of Federal Regulations, provides that, except in special circumstances, citizens of the United States may not ‘possess, use, or transport firearms on national wildlife refuges’ of the United States Fish and Wildlife Service.

“(3) The regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the 2d amendment rights of the individuals while at units of the National Wildlife Refuge System.

“(4) The existence of different laws relating to the transportation and possession of firearms at different units of the National Wildlife Refuge System entrapped law-abiding gun owners while at units of the National Wildlife Refuge System.

“(5) Although the Bush administration issued new regulations relating to the 2d amendment rights of law-abiding citizens in units of the National Wildlife Refuge System that went into effect on January 9, 2009—

“(A) on March 19, 2009, the United States District Court for the District of Columbia granted a preliminary injunction with respect to the implementation and enforcement of the new regulations; and

“(B) the new regulations—

“(i) are under review by the Obama administration; and

“(ii) may be altered.

“(6) Congress needs to weigh in on the new regulations to ensure that unelected bureaucrats and judges cannot again override the 2d amendment rights of law-abiding citizens on 90,790,000 acres of land under the jurisdiction of the United States Fish and Wildlife Service.

“(7) Federal laws should make it clear that the 2d amendment rights of an individual at a unit of the National Wildlife Refuge System should not be infringed.

“(b) PROTECTION OF RIGHT OF INDIVIDUALS TO BEAR ARMS IN UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, in any unit of the National Wildlife Refuge System if—

“(1) the individual is not otherwise prohibited by law from possessing the firearm; and

“(2) the possession of the firearm is in compliance with the law of the State in which the unit of the National Wildlife Refuge System is located.”.

SEC. 5. CONFORMING CROSS-REFERENCES.

(a) TITLE 7, UNITED STATES CODE.—Section 32(e) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(e)) is amended by striking “the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)” and substituting “chapter 2003 of title 54, United States Code”.

(b) TITLE 10, UNITED STATES CODE.—Section 2684(c)(1) of title 10, United States Code, is amended by striking “section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a))” and substituting “section 2023.01 of title 54”.

(c) TITLE 15, UNITED STATES CODE.—Section 1072(a)(3)(D) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720(a)(3)(D)) is amended by striking “the National Historic Preservation Act (16 U.S.C. 470 et seq.)” and substituting “chapter 2003 of title 54, United States Code”.

(d) TITLE 16, UNITED STATES CODE.—

(1) Section 6 of Public Law 89-72 (16 U.S.C. 460l-17) is amended—

(A) in subsection (a), by striking “subsection 5(d) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)” and substituting “section 200305(d) of title 54, United States Code”; and

(B) in subsection (g), by striking “Subsection 6(a)(2) of the Land and Water Development Fund Act of 1965 (78 Stat. 897)” and substituting “section 200306(a)(3) of title 54, United States Code”.

(2) Section 8 of Public Law 90-540 (16 U.S.C. 460v-7) is amended by striking “section 6 of the Act of September 3, 1964 (78 Stat. 897, 903)” and substituting “section 200306 of title 54, United States Code”.

(3) Section 7(c) of the Springs Mountain National Recreation Area Act (16 U.S.C. 460hh-5(c)) is amended by striking “section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-9)” and substituting “section 100506 of title 54, United States Code”.

(4) Section 5(b) of Public Law 103-64 (16 U.S.C. 460iii-4(b)) is amended by striking “section 7(a) of the Land and Water Conservation Fund Act of 1964 (16 U.S.C. 460l-9(a))” and substituting “section 200306(a) of title 54, United States Code”.

(5) Section 702(a) of the Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn-122(a)) is amended by striking “section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-5)” and substituting “section 200302 of title 54, United States Code”.

(6) Section 4 of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470cc) is amended—

(A) in subsection (h)—

(i) in paragraph (1), by striking “the Act of June 8, 1906 (16 U.S.C. 431-433)” and substituting “chapter 3203 of title 54, United States Code”; and

(ii) in paragraph (2), by striking “the Act of June 8, 1906” each place it appears and substituting “chapter 3203 of title 54, United States Code”; and

(B) in subsection (i), by striking “section 106 of the Act of October 15, 1966 (80 Stat. 917, 16 U.S.C. 470f)” and substituting “section 306108 of title 54, United States Code”.

(7) Section 5 of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470dd) is amended by striking “the Act of June 27, 1960 (16 U.S.C. 469-469c) or the Act of June 8, 1906 (16 U.S.C. 431-433)” and substituting “chapter 3125 or chapter 3203 of title 54, United States Code”.

(8) Section 9(a)(2) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470hh(a)(2)) is amended by striking “the Act

of June 27, 1960 (16 U.S.C. 469–469c)” and substituting “chapter 3125 of title 54, United States Code”.

(9) Section 6311(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 470aaa–10(1)) is amended by striking “Public Law 94–429 (commonly known as the ‘Mining in the Parks Act’ (16 U.S.C. 1901 et seq.))” and substituting “subchapter 3 of chapter 1007 of title 54, United States Code”.

(10) Section 502(h)(1)(B) of the National Parks and Recreation Act of 1998 (16 U.S.C. 471i(h)(1)(B)) is amended by striking “the Land and Water Conservation Fund Act” and substituting “chapter 2003 of title 54, United States Code”.

(11) Section 339(f)(4)(H) of the Department of the Interior and Related Agencies Appropriations Act, 2000 (Public Law 106–113, div. B, §1000(a)(3), title III, 16 U.S.C. 528 note), is amended by striking “Section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–6a)” and substituting “Section 100904 of title 54, United States Code”.

(12) Section 6(d) of the Alaska Land Status Technical Corrections Act of 1992 (Public Law 102–415, 16 U.S.C. 539 note) is amended by striking “section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9)” and substituting “section 100506 of title 54, United States Code”.

(13) Section 2(b) of the Greer Spring Acquisition and Protection Act of 1991 (Public Law 102–220, 16 U.S.C. 539h note) is amended by striking “section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9)” and substituting “section 100506 of title 54, United States Code”.

(14) Section 606 of the Interstate 90 Land Exchange Act of 1998 (Public Law 105–277, div. A, §101(e), title VI, 16 U.S.C. 539k note) is amended—

(A) in subsection (a)(3), by striking “section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9)” and substituting “section 100506 of title 54, United States Code”;

(B) in subsection (b)(2), by striking “the National Historic Preservation Act” and substituting “division A of subtitle III of title 54, United States Code”; and

(C) in subsection (g)(1), by striking “the National Historic Preservation Act” and substituting “division A of subtitle III of title 54, United States Code”.

(15) Section 6 of Public Law 93–535 (16 U.S.C. 541e) is amended by striking “clause 7(a)(1) of the Act of September 3, 1964 (78 Stat. 903), as amended” and substituting “section 200306(a)(2) of title 54, United States Code”.

(16) Section 14(e)(3)(D)(iii) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544(e)(3)(D)(iii)) is amended by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 through 11)” and substituting “chapter 2003 of title 54, United States Code”.

(17) Section 16(a)(1) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544n(a)(1)) is amended by striking “the Land and Water Conservation Fund (16 U.S.C. 4601–4 and following)” and substituting “chapter 2003 of title 54, United States Code”.

(18) Section 3(b) of the Saint Helena Island National Scenic Area Act (16 U.S.C. 546a(b)) is amended by striking “section 8 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9)” and substituting “section 100506 of title 54, United States Code”.

(19) Section 6(a) of the Act of June 22, 1948 (known as the Thyse-Blatnik Act) (16 U.S.C. 577h(a)) is amended by striking “the Land and Water Conservation Fund Act (78 Stat.

897), as amended” and substituting “chapter 2003 of title 54, United States Code”.

(20) Section 104(f) of the Valles Caldera Preservation Act (16 U.S.C. 688v–2(f)) is amended by striking “section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9)” and substituting “section 100506 of title 54, United States Code”.

(21) Section 4(a)(3) of the Wilderness Act (16 U.S.C. 1133(a)(3)) is amended—

(A) by striking “the Act of August 25, 1916” and substituting “section 100101(b)(1), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code”; and

(B) by striking “the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.; section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.)” and substituting “section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and chapters 3201 and 3203 of title 54, United States Code”.

(22) Section 5 of Public Law 90–454 (16 U.S.C. 1225) is amended by striking “the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)” and substituting “chapter 2003 of title 54, United States Code”.

(23) Section 7(h)(1) of the National Trails System Act (16 U.S.C. 1246(h)(1)) is amended by striking “the Volunteers in the Parks Act of 1969” and substituting “section 102301 of title 54, United States Code”.

(24) Section 8(a) of the National Trails System Act (16 U.S.C. 1247(a)) is amended—

(A) by striking “the Land and Water Conservation Fund Act” and substituting “chapter 2003 of title 54, United States Code”; and

(B) by striking “the Act of October 15, 1966 (80 Stat. 915), as amended” and substituting “division A of subtitle III of title 54, United States Code”; and

(C) by striking “the Act of May 28, 1963 (77 Stat. 49)” and substituting “chapter 2003 of title 54, United States Code”.

(25) Section 9(e)(3) of the National Trails System Act (16 U.S.C. 1248 (e)(3)) is amended by striking “section 2 of the Land and Water Conservation Fund Act of 1965” and substituting “section 200302 of title 54, United States Code”.

(26) Section 10(a)(1) of the National Trails System Act (16 U.S.C. 1249(a)(1)) is amended by striking “the Land and Water Conservation Fund Act (78 Stat. 897), as amended” and substituting “chapter 2003 of title 54, United States Code”.

(27) Section 11(a)(2) of the National Trails System Act (16 U.S.C. 1250(a)(2)) is amended—

(A) by striking “the Volunteers in the Parks Act of 1969” and substituting “section 102301 of title 54, United States Code”; and

(B) by striking “section 6 of the Land and Water Conservation Fund Act of 1965” and substituting “200305 of title 54, United States Code”.

(28) Section 12(4) of the National Trails System Act (16 U.S.C. 1251(4)) is amended by striking “the Land and Water Conservation Fund Act of 1965” and substituting “chapter 2003 of title 54, United States Code”.

(29) Section 2(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1273(a)) is amended by striking “the Land and Water Conservation Act of 1965” and substituting “chapter 2003 of title 54, United States Code”.

(30) Section 7(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(d)) is amended by striking “the Land and Water Conservation Fund Act of 1965” and substituting “chapter 2003 of title 54, United States Code”.

(31) Section 11 of the Wild and Scenic Rivers Act (16 U.S.C. 1282) is amended—

(A) in subsection (a), by striking “the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)” and substituting “chapter 2003 of title 54, United States Code”; and

(B) in subsection (b)(2)—

(i) in subparagraph (A), by striking “the Volunteers in the Parks Act of 1969” and substituting “section 102301 of title 54, United States Code”; and

(ii) in subparagraph (B), by striking “the Land and Water Conservation Fund Act of 1965” and substituting “chapter 2003 of title 54, United States Code”.

(32) Section 5(b) of the Endangered Species Act of 1973 (16 U.S.C. 1534(b)) is amended by striking “the Land and Water Conservation Fund Act of 1965, as amended” and substituting “chapter 2003 of title 54, United States Code”.

(33) Section 815(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3125(4)) is amended—

(A) by striking “the National Park Service Organic Act (39 Stat. 535, 16 U.S.C. 1, 2, 3, 4)” and substituting “section 100101(b)(1), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code”; and

(B) by adding “or such title” after “such Acts”.

(34) Section 6(a)(6)(C) of the Coastal Barrier Act of 1968 (16 U.S.C. 3505(a)(6)(C)) is amended by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 through 11)” and substituting “chapter 2003 of title 54, United States Code”.

(35) Section 11 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3710) is amended by striking “Public Law 90–209 (16 U.S.C. 19e et seq.)” and substituting “subchapter II of chapter 1011 of title 54, United States Code”.

(36) Section 805(f)(1) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(f)(1)) is amended—

(A) by striking “(16 U.S.C. 4601–6a)”;

(B) by striking “; 16 U.S.C. 5991–5995”.

(37) Section 813 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812) is amended—

(A) in subsection (A), by striking “(16 U.S.C. 4601–6a et seq.)”;

(B) in subsection (b), by striking “; 16 U.S.C. 4601–6a”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “; 16 U.S.C. 5982”; and

(ii) in paragraph (2), by striking “; 16 U.S.C. 5991–5995”; and

(D) in subsection (e)—

(i) in paragraph (1), by striking “(16 U.S.C. 4601–6a(i)(1))”;

(ii) in paragraph (2), by striking “; 16 U.S.C. 5991–5995”; and

(iii) in paragraph (3), by striking “; 16 U.S.C. 4601–6a”.

(e) TITLE 20, UNITED STATES CODE.—

(1) Section 2 of the Act of August 15, 1949 (20 U.S.C. 78a) is amended by striking “the Act of June 8, 1906 (16 U.S.C. 432, 433)” and substituting “section 1866(b) of title 18, United States Code, and sections 320302 and 320303 of title 54, United States Code”.

(2) Section 1517(a)(3) of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act (20 U.S.C. 4424(a)(3)) is amended by striking “the National Historic Preservation Act (16 U.S.C. 470 et seq.)” and substituting “division A of subtitle III of title 54, United States Code”.

(3) Section 7202(13)(E) of the Native Hawaiian Education Act (20 U.S.C. 7512(13)(D)) is amended by striking “the National Historic Preservation Act (16 U.S.C. 470 et seq.)” and

substituting “division A of subtitle III of title 54, United States Code”.

(f) TITLE 23, UNITED STATES CODE.—

(1) Section 103(c)(5) of title 23, United States Code, is amended—

(A) in subparagraph (B)(i), by striking “section 106 of the National Historic Preservation Act (16 U.S.C. 470f)” and substituting “section 306108 of title 54”; and

(B) in subparagraph (C), by striking “section 106 of the National Historic Preservation Act (16 U.S.C. 470f)” and substituting “section 306108 of title 54”.

(2) Section 138(b)(2)(A) of title 23, United States Code, is amended by striking “section 106 of the National Historic Preservation Act (16 U.S.C. 470f)” and substituting “section 306108 of title 54”.

(3) Section 206 of title 23, United States Code, is amended—

(A) in subsection (d)(1)(B), by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.)” and substituting “chapter 2003 of title 54”; and

(B) in subsection (d)(2)(D)(ii), by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.)” and substituting “chapter 2003 of title 54”; and

(C) in subsection (h)(3), by striking “section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8(f)(3))” and substituting “section 200305(f)(3) of title 54”.

(g) TITLE 25, UNITED STATES CODE.—Section 509(a) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa–8(a)) is amended by striking “the National Historic Preservation Act (16 U.S.C. 470et seq.)” and substituting “division A of subtitle III of title 54, United States Code”.

(h) TITLE 26, UNITED STATES CODE.—Section 9503(c)(3)(A)(i) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(A)(i)) is amended by striking “title I of the Land and Water Conservation Fund Act of 1965” and substituting “chapter 2003 of title 54”.

(i) TITLE 36, UNITED STATES CODE.—Section 153513(a)(1) of title 36, United States Code, is amended by striking “the Act of August 25, 1916 (16 U.S.C. 1 et seq.) (known as the National Park Service Organic Act)” and substituting “section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code”.

(j) TITLE 40, UNITED STATES CODE.—

(1) Section 549(c)(3)(B)(ix) of title 40, United States code, is amended—

(A) by striking “section 308(e)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(e)(2))” and substituting “section 305101(4) of title 54”; and

(B) by striking “subsection (b) of that section” and substituting “section 305103 of title 54”.

(2) Section 550(h)(1)(B) of title 40, United States Code, is amended by striking “section 3 of the Act of August 21, 1935 (16 U.S.C. 463) (known as the Historic Sites, Buildings, and Antiquities Act)” and substituting “section 102303 of title 54”.

(3) Section 1303(c) of title 40, United States Code, is amended by striking “the Act of August 21, 1935 (16 U.S.C. 461 et seq.) (known as the Historic Sites, Buildings, and Antiquities Act)” and substituting “chapter 3201 of title 54”.

(4) Section 1314(a)(2)(A)(ii) of title 40, United States Code, is amended by striking “the Act of August 25, 1916 (16 U.S.C. 1, 2, 3, 4) (known as the National Park Service Organic Act)” and substituting “section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54”.

(5) Section 3303(c) of title 40, United States Code, is amended by striking “title II of the

National Historic Preservation Act (16 U.S.C. 4701 et seq.)” and substituting “section 304101 of title 54”.

(6) Section 3306(a)(4) of title 40, United States Code, is amended by striking “section 101 of the National Historic Preservation Act (16 U.S.C. 470a)” and substituting “chapter 3021 of title 54”.

(7) Section 14507(a)(1)(A)(ii) of title 40, United States Code, is amended by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.)” and substituting “chapter 2003 of title 54”.

(k) TITLE 42, UNITED STATES CODE.—

(1) Section 303(2) of the Water Resources Planning Act (42 U.S.C. 1962c–2(2)) is amended by striking “the Land and Water Conservation Fund Act of 1965” and substituting “chapter 2003 of title 54, United States Code”.

(2) Section 208(2) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3338(2)) is amended by striking “section 5(e) of the Land and Water Conservation Fund Act of 1965” and substituting “section 200305(e) of title 54, United States Code”.

(3) Section 5(c) of the Department of Housing and Urban Development Act (42 U.S.C. 3534(c)) is amended by striking “the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)” and substituting “chapter 2003 of title 54, United States Code”.

(4) Section 121 of the Housing and Community Development Act of 1974 (42 U.S.C. 5320) is amended—

(A) by amending subsection (a) to read as follows:

“(a) With respect to applications for assistance under section 5318 of this title, the Secretary of the Interior, after consulting with the Secretary, shall prescribe and implement regulations concerning projects funded under section 5318 of this title and their relationship with division A of subtitle III and chapter 3125 of title 54, United States Code.”; and

(B) in subsection (c), by striking “section 106 of the Act referred to in subsection (a)(1)” and substituting “section 306108 of title 54, United States Code”.

(5) Section 504(c)(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12204(c)(2)) is amended by striking “the National Historic Preservation Act (16 U.S.C. 470 et seq.)” and substituting “division A of subtitle III of title 54, United States Code”.

(6) Section 999H(c)(2) of the Energy Policy Act of 2005 Energy Research, Development, Demonstration, and Commercial Application Act of 2005 (42 U.S.C. 16378(c)(2)) is amended—

(A) in subparagraph (B), by striking “section 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5(c))” and substituting “section 200302(c) of title 54, United States Code”; and

(B) in subparagraph (C), by striking “section 108 of the National Historic Preservation Act (16 U.S.C. 470h)” and substituting “chapter 3031 of title 54, United States Code”.

(l) TITLE 43, UNITED STATES CODE.—

(1) The second paragraph under the heading “ADMINISTRATIVE PROVISIONS” under the heading “BUREAU OF RECLAMATION” (43 U.S.C. 377b) is amended by striking “the Acts of August 21, 1935 (16 U.S.C. 461–467) and June 27 1960 (16 U.S.C. 469)” and substituting “chapters 3125 and 3201 of title 54, United States Code”.

(2) Section 105 of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432, div. C, title I, 43 U.S.C. 1331 note) is amended—

(A) in subsection (a)(2)(B)—

(i) by striking “section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8)” and substituting “section 200305 of title 54, United States Code”; and

(ii) by striking “section 2 of that Act (16 U.S.C. 4601–5)” and substituting “section 200302 of that title”; and

(B) in subsection (e)(3)(B), by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.)” and substituting “chapter 2003 of title 54, United States Code”.

(3) Section 1401(b) of the Omnibus Budget Reconciliation Act of 1981 (43 U.S.C. 1457a(b)) is amended—

(A) by striking “the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4602)” and substituting “chapter 2003 of title 54, United States Code”; and

(B) by striking “the National Historic Preservation Act of 1966 (80 Stat. 915; 16 U.S.C. 470)” and substituting “division A of subtitle III of title 54, United States Code”; and

(C) by striking “the Urban Park and Recreation Recovery Act of 1978 (92 Stat. 3538; 16 U.S.C. 2501, et seq.)” and substituting “chapter 2005 of title 54, United States Code”.

(4) The paragraph under the heading “NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND” under the heading “UNITED STATES FISH AND WILDLIFE SERVICE” in Public Law 103–138 (43 U.S.C. 1474b–1) is omitted by striking “the Act of July 27, 1990 (Public Law 101–337)” and substituting “subchapter II of chapter 1007 of title 54, United States Code”.

(5) Section 7(e)(3) of the Colorado River Floodway Protection Act (43 U.S.C. 1600e(e)(3)) is amended by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 through 11)” and substituting “chapter 2003 of title 54, United States Code”.

(6) Section 202(c)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(9)) is amended by striking “the Act of September 3, 1964 (78 Stat. 897), as amended” and substituting “chapter 2003 of title 54, United States Code”.

(7) Section 204(j) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714(j)) is amended by striking “the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 431–433)” and substituting “chapter 3203 of title 54, United States Code”.

(8) Section 201(d)(3)(E) of the Consolidated Natural Resources Act of 2008 (43 U.S.C. 1786(d)(3)(E)) is amended by striking “the National Historic Preservation Act (16 U.S.C. 470 et seq.)” and substituting “division A of subtitle III of title 54, United States Code”.

(9) Section 206 of the Federal Land Transportation Facilitation Act (43 U.S.C. 2305) is amended—

(A) in subsection (e), by striking “the Land and Water Conservation Fund Act (16 U.S.C. 4601–4 et seq.)” and substituting “chapter 2003 of title 54, United States Code”; and

(B) in subsection (f)(2), by striking “section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–6)” and substituting “section 200303 of title 54, United States Code”.

(m) TITLE 45, UNITED STATES CODE.—

(1) Section 1168(a) of the Omnibus Budget Reconciliation Act of 1981 (45 U.S.C. 1111(a)) is amended by striking “the National Historic Preservation Act” and substituting “division A of subtitle III of title 54, United States Code”.

(2) Section 613(a) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1212(a)) is

amended by striking “the National Historic Preservation Act (16 U.S.C. 470 et seq.)” and substituting “division A of subtitle III of title 54, United States Code”.

(n) TITLE 46, UNITED STATES CODE.—Section 13102(b)(2) of title 46, United States Code, is amended by striking “the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–460–11)” and substituting “chapter 2003 of title 54, United States Code.”

(o) TITLE 48, UNITED STATES CODE.—

(1) Section 105(l) of Public Law 99–239 (known as the Compact of Free Association Amendments Act of 2003) (48 U.S.C. 1905(l)) is amended by striking “the National Historic Preservation Act (80 Stat. 915; 16 U.S.C. 470–470t)” and substituting “division A of subtitle III of title 54, United States Code”.

(2) Section 105(j) of Public Law 108–188 (known as the Compact of Free Association Act of 1985) (48 U.S.C. 1921(d)) is amended by striking “the National Historic Preservation Act (80 Stat. 915; 16 U.S.C. 470–470t)” and substituting “division A of subtitle III of title 54, United States Code”.

(p) TITLE 49, UNITED STATES CODE.—Section 303(d)(2) of title 49, United States Code, is amended by striking “section 106 of the

National Historic Preservation Act (16 U.S.C. 470f)” and substituting “section 306108 of title 54, United States Code”.

SEC. 6. TRANSITIONAL AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) SOURCE PROVISION.—The term “source provision” means a provision of law that is replaced by a title 54 provision.

(2) TITLE 54 PROVISION.—The term “title 54 provision” means a provision of title 54, United States Code, that is enacted by section 3.

(b) CUTOFF DATE.—The title 54 provisions replace certain provisions of law enacted on or before January 15, 2013. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 54 provision. If a law enacted after that date is otherwise inconsistent with a title 54 provision or a provision of this Act, that law supersedes the title 54 provision or provision of this Act to the extent of the inconsistency.

(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a

title 54 provision is deemed to have been enacted on the date of enactment of the source provision that the title 54 provision replaces.

(d) REFERENCES TO TITLE 54 PROVISIONS.—A reference to a title 54 provision is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 54 provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 54 provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 54 provision.

SEC. 7. REPEALS.

The following provisions of law are repealed, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before the date of enactment of this Act:

Schedule of Laws Repealed

Act	Section	United States Code Former Classification
Act of February 15, 1901 (ch. 372 relating to System units) .....	.....	16 U.S.C. 79.
Act of June 8, 1906 (ch. 3060)	1	16 U.S.C. 433.
	2	16 U.S.C. 431.
	3	16 U.S.C. 432.
	4	16 U.S.C. 432.
Act of March 4, 1911 (ch. 238 (4th and last paragraphs (relating to System units) under heading “IMPROVEMENT OF THE NATIONAL FOREST” under heading “FOREST SERVICE”) ...	.....	16 U.S.C. 5.
Act of August 25, 1916 (ch. 408)	1	16 U.S.C. 1.
	2	16 U.S.C. 2.
	3	16 U.S.C. 3.
	4	16 U.S.C. 4.
Act of June 12, 1917 (ch. 27)	1 (21st undesignated paragraph under heading “NATIONAL PARKS”).	16 U.S.C. 452.
Act of June 5, 1920 (ch. 235)	1 (2d undesignated paragraph under heading “NATIONAL PARKS”).	16 U.S.C. 6.
Act of May 24, 1922 (ch. 199)	(1st sentence in 9th undesignated paragraph under heading “NATIONAL PARKS”).	16 U.S.C. 452.
Act of April 9, 1924 (ch. 86)	1	16 U.S.C. 8.
	4	16 U.S.C. 8a.
	5	16 U.S.C. 8b.
	6	16 U.S.C. 8c.
Act of May 10, 1926 (ch. 277)	1 (28th undesignated paragraph under heading “NATIONAL PARKS”).	16 U.S.C. 456.
	1 (last undesignated paragraph under heading “NATIONAL PARKS”).	16 U.S.C. 11.
Act of June 11, 1926 (ch. 555)	1	16 U.S.C. 455.
	2	16 U.S.C. 455a.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	3	16 U.S.C. 455b.
	4	16 U.S.C. 455c.
Act of July 3, 1926 (ch. 792)	1	16 U.S.C. 12.
	2	16 U.S.C. 13.
Act of February 1, 1928 (ch. 15) .....	.....	16 U.S.C. 457.
Act of March 7, 1928 (ch. 137)	1 (28th undesignated paragraph under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 15.
Act of March 8, 1928 (ch. 152) .....	.....	16 U.S.C. 458.
Act of April 18, 1930 (ch. 187) .....	.....	16 U.S.C. 16.
Act of May 26, 1930 (ch. 324)	1	16 U.S.C. 17.
	3	16 U.S.C. 17b.
	4	16 U.S.C. 17c.
	5	16 U.S.C. 17d.
	6	16 U.S.C. 17e.
	7	16 U.S.C. 17f.
	8	16 U.S.C. 17g.
	9	16 U.S.C. 17h.
	10	16 U.S.C. 17i.
	11	16 U.S.C. 17j.
Act of March 4, 1931 (ch. 522)	title I (proviso in last undesignated paragraph under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 9a.
Act of March 2, 1933 (ch. 180)	1	16 U.S.C. 9a.
Act of May 9, 1935 (ch. 101)	1 (34th undesignated paragraph under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 14b, 456a.
Act of August 21, 1935 (ch. 593)	1	16 U.S.C. 461.
	2	16 U.S.C. 462.
	3	16 U.S.C. 463.
	4	16 U.S.C. 464.
	5	16 U.S.C. 465.
	6	16 U.S.C. 466.
	7	16 U.S.C. 467.
Act of June 23, 1936 (ch. 735)	1	16 U.S.C. 17k.
	2	16 U.S.C. 17l.
	3	16 U.S.C. 17m.
	4	16 U.S.C. 17n.
Act of May 10, 1939 (ch. 119)	1 (41st undesignated paragraph under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 14a.
Act of June 18, 1940 (ch. 395)	1 (proviso in 3d undesignated paragraph under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 17j–1.
Act of August 27, 1940 (ch. 690)	1	16 U.S.C. 458a.
Act of June 28, 1941 (ch. 259)	1 (41st undesignated paragraph under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 14c.
Act of August 7, 1946 (ch. 788)	(b) through (g)	16 U.S.C. 17j–2(b) through (g).

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	(i), (j)	16 U.S.C. 17j–2(i), (j).
Act of June 3, 1948 (ch. 401)	1	16 U.S.C. 8e.
	2	16 U.S.C. 8f.
Act of October 26, 1949 (ch. 755)	1	16 U.S.C. 468.
	2	16 U.S.C. 468a.
	3	16 U.S.C. 468b.
	4	16 U.S.C. 468c.
	5	16 U.S.C. 468d.
Act of March 18, 1950 (ch. 72)	1	16 U.S.C. 7a.
	2	16 U.S.C. 7b.
	3	16 U.S.C. 7c.
	4	16 U.S.C. 7d.
	5	16 U.S.C. 7e.
Act of September 14, 1950 (ch. 950)	1 (last sentence proviso relating to national monuments).	16 U.S.C. 431a.
	1 (last sentence proviso relating to national parks).	16 U.S.C. 451a.
Act of August 8, 1953 (ch. 384)	1 (less (3))	16 U.S.C. 1b (less (3)).
	2	16 U.S.C. 1c.
	3	16 U.S.C. 1d.
Act of August 31, 1954 (ch. 1163)		16 U.S.C. 452a.
Act of July 1, 1955 (ch. 259)	1	16 U.S.C. 18f.
	2	16 U.S.C. 18f–2.
	3	16 U.S.C. 18f–3.
Public Law 86–523	2	16 U.S.C. 469a.
	3	16 U.S.C. 469a–1.
	4	16 U.S.C. 469a–2.
	5	16 U.S.C. 469a–3.
	6	16 U.S.C. 469b.
	7	16 U.S.C. 469c.
	8	16 U.S.C. 469c–1.
Public Law 87–608		16 U.S.C. 3b.
Public Law 88–29	1	16 U.S.C. 460l.
	2	16 U.S.C. 460l–1.
	3	16 U.S.C. 460l–2.
	4	16 U.S.C. 460l–3.
Land and Water Conservation Fund Act of 1965 (Pub. L. 88–578)	title I, §2	16 U.S.C. 460l–5.
	title I, §3	16 U.S.C. 460l–6.
	title I, §4(i)(1)(C)	16 U.S.C. 460l–6a(i)(1)(C).
	title I, §4(j) through (n)	16 U.S.C. 460l–6a(j) through (n).
	title I, §5	16 U.S.C. 460l–7.
	title I, §6	16 U.S.C. 460l–8.
	title I, §7	16 U.S.C. 460l–9.
	title I, §8	16 U.S.C. 460l–10.
	title I, §9	16 U.S.C. 460l–10a.
	title I, §10	16 U.S.C. 460l–10b.
	title I, §11	16 U.S.C. 460l–10c.
	title I, §12	16 U.S.C. 460l–10d.
	title I, §13	16 U.S.C. 460l–10e.
	title II, §201	16 U.S.C. 460l–11.
National Historic Preservation Act (Pub. L. 89–665)	2	16 U.S.C. 470–1.
	101	16 U.S.C. 470a.
	102	16 U.S.C. 470b.
	103	16 U.S.C. 470c.
	104	16 U.S.C. 470d.
	105	16 U.S.C. 470e.
	106	16 U.S.C. 470f.
	107	16 U.S.C. 470g.
	108	16 U.S.C. 470h.
	109	16 U.S.C. 470h–1.
	110	16 U.S.C. 470h–2.
	111	16 U.S.C. 470h–3.
	112	16 U.S.C. 470h–4.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	113	16 U.S.C. 470h-5.
	201	16 U.S.C. 470i.
	202	16 U.S.C. 470j.
	203	16 U.S.C. 470k.
	204	16 U.S.C. 470l.
	205	16 U.S.C. 470m.
	206	16 U.S.C. 470n.
	207	16 U.S.C. 470o.
	208	16 U.S.C. 470p.
	209	16 U.S.C. 470q.
	210	16 U.S.C. 470r.
	211	16 U.S.C. 470s.
	212	16 U.S.C. 470t.
	213	16 U.S.C. 470u.
	214	16 U.S.C. 470v.
	215	16 U.S.C. 470v-1.
	216	16 U.S.C. 470v-2.
	301	16 U.S.C. 470w.
	302	16 U.S.C. 470w-1.
	303	16 U.S.C. 470w-2.
	304	16 U.S.C. 470w-3.
	305	16 U.S.C. 470w-4.
	306	16 U.S.C. 470w-5.
	307	16 U.S.C. 470w-6.
	308	16 U.S.C. 470w-7.
	309	16 U.S.C. 470w-8.
	401	16 U.S.C. 470x.
	402	16 U.S.C. 470x-1.
	403	16 U.S.C. 470x-2.
	404	16 U.S.C. 470x-3.
	405	16 U.S.C. 470x-4.
	406	16 U.S.C. 470x-5.
	407	16 U.S.C. 470x-6.
Demonstration Cities and Metropolitan Development Act of 1966 (Pub. L. 89-754)	603	16 U.S.C. 470b-1.
Public Law 90-209	1	16 U.S.C. 19e.
	2	16 U.S.C. 19f.
	3	16 U.S.C. 19g.
	4	16 U.S.C. 19h.
	5	16 U.S.C. 19i.
	6	16 U.S.C. 19j.
	7	16 U.S.C. 19k.
	8	16 U.S.C. 19l.
	9	16 U.S.C. 19m.
	10	16 U.S.C. 19n.
	11	16 U.S.C. 19o.
Public Law 90-401	5	16 U.S.C. 460l-22.
Volunteers in the Parks Act of 1969 (Pub. L. 91-357)	1	16 U.S.C. 18g.
	2	16 U.S.C. 18h.
	3	16 U.S.C. 18i.
	4	16 U.S.C. 18j.
Public Law 91-383	1	16 U.S.C. 1a-1.
	3	16 U.S.C. 1a-2.
	6	16 U.S.C. 1a-3.
	7	16 U.S.C. 1a-4.
	8	16 U.S.C. 1a-5.
	10	16 U.S.C. 1a-6.
	12	16 U.S.C. 1a-7.
	13	16 U.S.C. 1a-7a.
Public Law 94-429	1	16 U.S.C. 1901.
	2	16 U.S.C. 1902.
	4	16 U.S.C. 1903.
	5	16 U.S.C. 1904.
	6	16 U.S.C. 1905.
	7	16 U.S.C. 1906.
	8	16 U.S.C. 1907.
	9	16 U.S.C. 1908.
	10	16 U.S.C. 1909.
	11	16 U.S.C. 1910.
	12	16 U.S.C. 1911.
	13	16 U.S.C. 1912.
Public Law 95-344	title III, § 302	16 U.S.C. 2302.
	title III, § 303	16 U.S.C. 2303.
	title III, § 304	16 U.S.C. 2304.
	title III, § 305	16 U.S.C. 2305.
	title III, § 306	16 U.S.C. 2306.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
Urban Park and Recreation Recovery Act of 1978 (Pub. L. 95-625)	title X, § 1004 title X, § 1005 title X, § 1006 title X, § 1007 title X, § 1008 title X, § 1009 title X, § 1010 title X, § 1011 title X, § 1012 title X, § 1013 title X, § 1014 title X, § 1015	16 U.S.C. 2503. 16 U.S.C. 2304. 16 U.S.C. 2305. 16 U.S.C. 2306. 16 U.S.C. 2307. 16 U.S.C. 2308. 16 U.S.C. 2309. 16 U.S.C. 2310. 16 U.S.C. 2311. 16 U.S.C. 2312. 16 U.S.C. 2313. 16 U.S.C. 2314.
Public Law 96-199	title I, § 120	16 U.S.C. 467b.
National Historic Preservation Act Amendments of 1980 (Pub. L. 96-515)	208 401 402	16 U.S.C. 469c-2. 16 U.S.C. 470a-1. 16 U.S.C. 470a-2.
Public Law. 98-473	title I, § 101(c) [title I, § 100].	16 U.S.C. 1e.
Public Law 98-540	4(a)	16 U.S.C. 1a-8(a).
International Security and Development Cooperation Act of 1985 (Pub. L. 99-83)	1303	16 U.S.C. 469j.
Public Law 101-337	1 2 3 4 5	19jj. 19jj-1. 19jj-2. 19jj-3. 19jj-4.
Public Law 101-628	title XII, § 1213 title XII, § 1214 title XII, § 1215 title XII, § 1216 title XII, § 1217	16 U.S.C. 1a-9. 16 U.S.C. 1a-10. 16 U.S.C. 1a-11. 16 U.S.C. 1a-12. 16 U.S.C. 1a-13.
Department of the Interior and Related Agencies Appropriations Act, 1993 (Pub. L. 102-381)	title I (1st proviso in paragraph under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 14d.
Public Law 102-525	title III, § 301	16 U.S.C. 1a-14.
Department of the Interior and Related Agencies Appropriations Act, 1994 (Pub. L. 103-138)	title I (3d proviso in paragraph under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 3a.
National Maritime Heritage Act of 1994 (Pub. L. 103-451)	3 4 5 6 7 8 9	16 U.S.C. 5402. 16 U.S.C. 5403. 16 U.S.C. 5404. 16 U.S.C. 5405. 16 U.S.C. 5406. 16 U.S.C. 5407. 16 U.S.C. 5408.
Omnibus Consolidated Appropriations Act, 1997 (Pub. L. 104-208)	div. A, title I, § 101(d) [title I (3d undesignated paragraph under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”)].	16 U.S.C. 1g.
Omnibus Parks and Public Lands Management Act of 1996 (Pub. L. 104-333)	div. I, title VI, § 604	16 U.S.C. 469k.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	div. I, title VIII, § 814(a)(2) through (19). div. I, title VIII, § 814(g)	16 U.S.C. 170(2) through (19). 16 U.S.C. 1f.
National Underground Railroad Network to Freedom Act of 1998 (Pub. L. 105-203)	3 4 5	16 U.S.C. 469f-1. 16 U.S.C. 469f-2. 16 U.S.C. 469f-3.
Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Pub. L. 105-261)	div. A, title X, § 1068	16 U.S.C. 5409.
National Parks Omnibus Management Act of 1998 (Pub. L. 105-391)	2 101 102 103 104 201 202 203 204 205 206 207 402 403 404 405 406 407 408 409 410 411 412 413 414 416 417 418 501 801	16 U.S.C. 5901. 16 U.S.C. 5911. 16 U.S.C. 5912. 16 U.S.C. 5913. 16 U.S.C. 5914. 16 U.S.C. 5931. 16 U.S.C. 5932. 16 U.S.C. 5933. 16 U.S.C. 5934. 16 U.S.C. 5935. 16 U.S.C. 5936. 16 U.S.C. 5937. 16 U.S.C. 5951. 16 U.S.C. 5952. 16 U.S.C. 5953. 16 U.S.C. 5954. 16 U.S.C. 5955. 16 U.S.C. 5956. 16 U.S.C. 5957. 16 U.S.C. 5958. 16 U.S.C. 5959. 16 U.S.C. 5960. 16 U.S.C. 5961. 16 U.S.C. 5962. 16 U.S.C. 5963. 16 U.S.C. 5964. 16 U.S.C. 5965. 16 U.S.C. 5966. 16 U.S.C. 5981. 16 U.S.C. 6011.
Public Law 106-206	1 (relating to National Park System).	16 U.S.C. 460f-6d (relating to National Park System).
Department of the Interior and Related Agencies Appropriations Act, 2002 (Pub. L. 107-63)	title I (paragraph under heading “CONTRIBUTION FOR ANNUITY BENEFITS” under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 14e.
Consolidated Appropriations Resolution, 2003 (Pub. L. 108-7)	div. F, title I (words before proviso in last undesignated paragraph under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”). div. F, title I (proviso in last undesignated paragraph under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 1h. 16 U.S.C. 1i.
Consolidated Appropriations Act of 2008 (Pub. L. 110-161)	div. F, title I (1st paragraph under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”).	16 U.S.C. 5954 note.
Consolidated Natural Resources Act of 2008 (Pub. L. 110-229)	title III, subtitle A, § 301.	16 U.S.C. 1j.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
Omnibus Public Land Management Act of 2009 (Pub. L. 111-11)	title VII, subtitle B, § 711(b), title VII, subtitle B, § 711(c), title VII, subtitle D, § 7301(b), (c), title VII, subtitle D, § 7302(b) through (f), title VII, subtitle D, § 7303.	16 U.S.C. 469m(b). 16 U.S.C. 469m(c). 16 U.S.C. 469k-1(b), (c). 16 U.S.C. 469n(b) through (f). 16 U.S.C. 469o.
Credit Card Accountability Responsibility and Disclosure Act of 2009 (Pub. L. 111-24)	title V, § 512 (relating to National Park System).	16 U.S.C. 1a-7b (relating to National Park System).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from California (Ms. BASS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1068 currently under consideration, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume and rise to bring before the House H.R. 1068, a bill to enact title 54, United States Code, "National Park Service and Related Programs", as positive law.

Until now, laws relating to the organization and management of the National Park System have been clarified as part of title 16—not in one distinct place but, rather, dispersed throughout the title. Over time, these code clarifications have become very cumbersome to use.

Ranking Member CONYERS and I introduced this bill to organize all of the provisions relating to the National Park System and restate them as a new positive law title of the United States Code.

The new positive law provisions replace the existing provisions which are repealed by the bill. All changes made by this bill are purely technical in nature. This bill was prepared by the Office of the Law Revision Counsel of the House of Representatives as part of its ongoing responsibility to prepare and submit periodically to the Committee on the Judiciary, one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States.

The bill was prepared in accordance with the statutory standard for codification legislation, which is that the restatement shall conform to the understood policy, intent, and purpose of

Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections.

H.R. 1068 will ensure that the U.S. Code is accurate, up-to-date, and usable. For these reasons, I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to join Chairman GOODLATTE in supporting H.R. 1068, as amended.

Chairman GOODLATTE and Ranking Member CONYERS introduced this commonsense, noncontroversial bill that enjoys strong bipartisan support.

This legislation was drafted by the Office of the Law Revision Counsel as part of its ongoing statutory responsibility to prepare and submit to the Judiciary Committee a complete compilation, restatement, and revision of the general and permanent laws of the United States.

H.R. 1068 concerns the National Park System, which is managed by the National Park Service. As many of us know, numerous laws relating to these entities have been enacted since the mid-19th century. These laws include, for example, the Historic Sites, Buildings, and Antiquities Act, the National Historic Preservation Act, and other provisions intended to protect and preserve sites that document our Nation's history.

These laws have been codified in scattered sections of title 16 of the United States Code. In addition, as laws relating to the National Park System were amended and new laws enacted pertaining to these provisions, the code classifications have become cumbersome to use.

H.R. 1068 is not intended to make any significant changes in the law. As is typical with the codification process, a number of minor revisions are made, including the reorganization of the sections into a more coherent overall structure.

This measure collects provisions relating to the establishment and administration of the National Park System, outdoor recreation programs that the Secretary of the Interior administers,

and the responsibility of the Secretary to preserve historic sites, buildings, objects, and antiquities—all of which are currently found in various places throughout title 16 of the United States Code—and restates these provisions as a new positive law title of the code.

□ 1640

On March 14, 2013, the Judiciary Committee ordered H.R. 1068 favorably reported by voice vote. The amended version of the bill that we are considering on the floor today is essentially the same as the version reported by the committee except that it makes minor typographical corrections.

I commend the chairman and ranking member for their leadership on this bill. I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I want to thank the gentlewoman from California, Congresswoman BASS, for her support in helping us move this legislation through the House today. It is a technical correction, but an important improvement to our United States Code; and I urge my colleagues to support it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1068, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 41 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: H.R. 1067, by the yeas and nays; H.R. 1068, by the yeas and nays; approval of the Journal, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

TECHNICAL CORRECTIONS AND IMPROVEMENTS IN TITLE 36,
UNITED STATES CODE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1067) to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 118]

YEAS—409

Aderholt	Brooks (IN)	Cohen
Alexander	Broun (GA)	Cole
Amash	Brown (FL)	Collins (GA)
Amodei	Brownley (CA)	Collins (NY)
Andrews	Buchanan	Conaway
Bachmann	Bucshon	Connolly
Bachus	Burgess	Conyers
Barber	Bustos	Cook
Barletta	Butterfield	Cooper
Barr	Calvert	Costa
Barrow (GA)	Camp	Cotton
Barton	Campbell	Courtney
Bass	Cantor	Crawford
Beatty	Capito	Crenshaw
Becerra	Capps	Crowley
Benishek	Capuano	Cuellar
Bentivolio	Cárdenas	Cummings
Bera (CA)	Carney	Daines
Bilirakis	Carson (IN)	Davis (CA)
Bishop (GA)	Carter	Davis, Danny
Bishop (NY)	Cartwright	Davis, Rodney
Bishop (UT)	Cassidy	DeFazio
Black	Castor (FL)	DeGette
Blackburn	Castro (TX)	Delaney
Blumenauer	Chabot	DeLauro
Bonamici	Chaffetz	DeBene
Bonner	Chu	Denham
Boustany	Cicilline	Dent
Brady (PA)	Clay	DeSantis
Brady (TX)	Cleaver	DesJarlais
Braley (IA)	Clyburn	Deutch
Bridenstine	Coble	Diaz-Balart
Brooks (AL)	Coffman	Dingell

Doggett	Kildee	Perlmutter
Doyle	Kilmer	Perry
Duckworth	Kind	Peters (CA)
Duffy	King (IA)	Peters (MI)
Duncan (SC)	King (NY)	Peterson
Duncan (TN)	Kingston	Petri
Edwards	Kinzinger (IL)	Pingree (ME)
Ellison	Kirkpatrick	Pittenger
Ellmers	Kline	Pitts
Enyart	Kuster	Pocan
Eshoo	Labrador	Poe (TX)
Esty	LaMalfa	Pompeo
Farenthold	Lamborn	Posey
Farr	Lance	Price (GA)
Fattah	Langevin	Price (NC)
Fincher	Lankford	Quigley
Fitzpatrick	Larsen (WA)	Radel
Fleischmann	Larson (CT)	Rahall
Fleming	Latham	Rangel
Flores	Latta	Reed
Forbes	Lee (CA)	Reichert
Fortenberry	Levin	Renacci
Foster	Lewis	Ribble
Fox	Lipinski	Rice (SC)
Frankel (FL)	LoBiondo	Rigell
Franks (AZ)	Loeb	Roby
Frelinghuysen	Lofgren	Roe (TN)
Fudge	Long	Rogers (AL)
Gabbard	Lowenthal	Rogers (KY)
Gallego	Lowe	Rogers (MI)
Garamendi	Lucas	Rokita
Garcia	Luetkemeyer	Rooney
Gardner	Lujan Grisham	Ros-Lehtinen
Garrett	(NM)	Roskam
Gerlach	Lujan, Ben Ray	Ross
Gibbs	(NM)	Rothfus
Gibson	Lummis	Roybal-Allard
Gingrey (GA)	Maffei	Royce
Gohmert	Maloney,	Ruiz
Goodlatte	Carolyn	Runyan
Gosar	Maloney, Sean	Ruppersberger
Gowdy	Marchant	Ryan (OH)
Granger	Marino	Ryan (WI)
Graves (GA)	Massie	Salmon
Graves (MO)	Matheson	Sánchez, Linda
Grayson	Matsui	T.
Green, Al	McCarthy (CA)	Sanchez, Loretta
Green, Gene	McCarthy (NY)	Sarbanes
Griffin (AR)	McCaul	Scalise
Griffith (VA)	McClintock	Schakowsky
Grimm	McCollum	Schiff
Guthrie	McDermott	Schneider
Hahn	McGovern	Schrad
Hall	McHenry	Schwartz
Hanabusa	McIntyre	Schweikert
Hanna	McKeon	Scott (VA)
Harper	McKinley	Scott, Austin
Harris	McMorris	Scott, David
Hartzler	Rodgers	Sensenbrenner
Hastings (FL)	McNerney	Serrano
Hastings (WA)	Meadows	Sessions
Heck (NV)	Meehan	Sewell (AL)
Heck (WA)	Meeks	Shea-Porter
Hensarling	Meng	Sherman
Herrera Beutler	Messer	Shimkus
Higgins	Mica	Shuster
Himes	Michaud	Sinema
Holding	Miller (FL)	Slaughter
Holt	Miller (MI)	Smith (NJ)
Honda	Miller, Gary	Smith (TX)
Horsford	Moore	Smith (WA)
Hoyer	Moran	Southerland
Hudson	Mullin	Speier
Huelskamp	Mulvaney	Stewart
Huffman	Murphy (FL)	Stivers
Huizenga (MI)	Murphy (PA)	Stockman
Hultgren	Nader	Stutzman
Hunter	Napolitano	Swalwell (CA)
Hurt	Neal	Takano
Israel	Negrete McLeod	Terry
Issa	Neugebauer	Thompson (CA)
Jackson Lee	Noem	Thompson (MS)
Jeffries	Nolan	Thompson (PA)
Jenkins	Nugent	Thornberry
Johnson (GA)	Nunes	Tiberi
Johnson (OH)	Nunnelee	Titus
Johnson, E. B.	O'Rourke	Tonko
Johnson, Sam	Owens	Tsongas
Jones	Palazzo	Turner
Jordan	Pallone	Upton
Joyce	Pascrell	Valadao
Kaptur	Pastor (AZ)	Van Hollen
Keating	Paulsen	Vargas
Kelly (IL)	Payne	Veasey
Kelly (PA)	Pearce	Vela
Kennedy	Pelosi	Velázquez

Visclosky	Waxman	Wittman
Wagner	Weber (TX)	Wolf
Walberg	Webster (FL)	Womack
Walden	Welch	Woodall
Walorski	Wenstrup	Yarmuth
Walz	Westmoreland	Yoho
Wasserman	Whitfield	Young (AK)
Schultz	Williams	Young (IN)
Waters	Wilson (FL)	
Watt	Wilson (SC)	

NOT VOTING—23

Clarke	Markey	Simpson
Cramer	Miller, George	Sires
Culberson	Olson	Smith (NE)
Engel	Polis	Tierney
Grijalva	Richmond	Tipton
Gutierrez	Rohrabacher	Yoder
Hinojosa	Rush	Young (FL)
Lynch	Schock	

□ 1900

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL PARK SERVICE AND
RELATED PROGRAMS ENACTMENT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1068) to enact title 54, United States Code, "National Park Service and Related Programs", as positive law, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 119]

YEAS—409

Aderholt	Brooks (AL)	Coble
Alexander	Brooks (IN)	Coffman
Amash	Broun (GA)	Cohen
Amodei	Brown (FL)	Cole
Andrews	Brownley (CA)	Collins (GA)
Bachmann	Buchanan	Collins (NY)
Bachus	Bucshon	Conaway
Barber	Burgess	Connolly
Barletta	Bustos	Conyers
Barr	Butterfield	Cook
Barrow (GA)	Calvert	Cooper
Barton	Camp	Costa
Bass	Campbell	Cotton
Beatty	Cantor	Courtney
Becerra	Capito	Crawford
Benishek	Capps	Crenshaw
Bentivolio	Capuano	Crowley
Bera (CA)	Cárdenas	Cuellar
Bilirakis	Carney	Culberson
Bishop (GA)	Carson (IN)	Cummings
Bishop (NY)	Carter	Daines
Bishop (UT)	Cartwright	Davis (CA)
Black	Cassidy	Davis, Danny
Blackburn	Castor (FL)	Davis, Rodney
Blumenauer	Castro (TX)	DeFazio
Bonamici	Chabot	DeGette
Bonner	Chaffetz	Delaney
Boustany	Chu	DeLauro
Brady (PA)	Cicilline	DeBene
Brady (TX)	Clay	Denham
Braley (IA)	Cleaver	Dent
Bridenstine	Clyburn	DeSantis

DesJarlais	Keating	Paulsen	Veasey	Waters	Wilson (SC)	Foster	Lujan Grisham	Roybal-Allard
Deutch	Kelly (IL)	Payne	Vela	Watt	Wittman	Frankel (FL)	(NM)	Royce
Diaz-Balart	Kelly (PA)	Pearce	Velazquez	Waxman	Wolf	Franks (AZ)	Luján, Ben Ray	Ruiz
Dingell	Kennedy	Pelosi	Visclosky	Weber (TX)	Womack	Frelinghuysen	(NM)	Runyan
Doggett	Kildee	Perlmutter	Wagner	Webster (FL)	Woodall	Fudge	Maloney,	Ruppersberger
Doyle	Kilmer	Peters (CA)	Walberg	Welch	Yarmuth	Gabbard	Carolyn	Ryan (WI)
Duckworth	Kind	Peters (MI)	Walden	Wenstrup	Yoho	Gallego	Maloney, Sean	Scalise
Duffy	King (IA)	Peterson	Walorski	Westmoreland	Young (AK)	Garamendi	Marino	Schiff
Duncan (SC)	King (NY)	Petri	Walz	Whitfield	Young (IN)	Gibbs	Massie	Schneider
Duncan (TN)	Kingston	Pingree (ME)	Wasserman	Wilson (FL)		Gingrey (GA)	Matsui	Schrader
Edwards	Kinzinger (IL)	Pittenger	Schultz			Goodlatte	McCarthy (CA)	Schwartz
Ellison	Kirkpatrick	Pitts				Gosar	McCarthy (NY)	Schweikert
Ellmers	Kline	Pocan				Granger	McCaul	Scott (VA)
Enyart	Kuster	Poe (TX)	Clarke	Miller, George	Simpson	Grayson	McClintock	Scott, Austin
Eshoo	Labrador	Pompeo	Cramer	Olson	Sires	Green, Al	McHenry	Scott, David
Esty	LaMalfa	Posey	Engel	Perry	Smith (NE)	Griffith (VA)	McIntyre	Sensenbrenner
Farenthold	Lamborn	Price (GA)	Grijalva	Polis	Tierney	Grimm	McKeon	Serrano
Farr	Lance	Price (NC)	Gutierrez	Richmond	Tipton	Guthrie	McKinley	Sessions
Fattah	Langevin	Quigley	Hinojosa	Rohrabacher	Yoder	Hahn	McMorris	Sewell (AL)
Fincher	Lankford	Radel	Lynch	Rush	Young (FL)	Hall	Rodgers	Shea-Porter
Fitzpatrick	Larsen (WA)	Rahall	Markey	Schock		Hanabusa	McNerney	Sherman
Fleischmann	Larson (CT)	Rangel				Harper	Meadows	Shimkus
Fleming	Latham	Reed				Harris	Meehan	Sinema
Flores	Latta	Reichert				Hastings (WA)	Meeks	Smith (NJ)
Forbes	Lee (CA)	Renacci				Heck (WA)	Messer	Smith (TX)
Fortenberry	Levin	Ribble				Hensarling	Mica	Smith (WA)
Foster	Lewis	Rice (SC)				Higgins	Michaud	Speier
Fox	Lipinski	Rigell				Himes	Miller (MI)	Stewart
Frankel (FL)	LoBiondo	Roby				Holt	Miller, Gary	Stockman
Franks (AZ)	Loeb	Roe (TN)				Horsford	Moran	Stutzman
Frelinghuysen	Lofgren	Rogers (AL)				Huffman	Mullin	Swalwell (CA)
Fudge	Long	Rogers (KY)				Hultgren	Mulvaney	Takano
Gabbard	Lowenthal	Rogers (MI)				Hunter	Murphy (FL)	Thornberry
Gallego	Lowe	Rokita				Hurt	Murphy (PA)	Titus
Garamendi	Lucas	Rooney				Issa	Nadler	Tonko
Garcia	Luetkemeyer	Ros-Lehtinen				Jackson Lee	Napolitano	Tsongas
Gardner	Lujan Grisham	Roskam				Jeffries	Neugebauer	Upton
Garrett	(NM)	Ross				Johnson (GA)	Noem	Van Hollen
Gerlach	Luján, Ben Ray	Rothfus				Johnson, E. B.	Nugent	Vargas
Gibbs	(NM)	Roybal-Allard				Johnson, Sam	Nunes	Vela
Gibson	Lummis	Royce				Kaptur	Nunnelee	Wagner
Gingrey (GA)	Maffei	Ruiz				Kelly (IL)	O'Rourke	Walden
Gohmert	Maloney,	Runyan				Kelly (PA)	Palazzo	Walorski
Goodlatte	Carolyn	Ruppersberger				Kennedy	Pascrell	Walz
Gosar	Maloney, Sean	Ryan (OH)				Kildee	Payne	Wasserman
Gowdy	Marchant	Ryan (WI)				King (IA)	Pelosi	Schultz
Granger	Marino	Salmon				King (NY)	Perlmutter	Petri
Graves (GA)	Massie	Sánchez, Linda				Kingston	Tierney	Pitts
Graves (MO)	Matheson	T.				Kline	Pocan	Waxman
Grayson	Matsui	Sanchez, Loretta				Kuster	Pompeo	Weber (TX)
Green, Al	McCarthy (CA)	Sanabes				Labrador	Posey	Webster (FL)
Green, Gene	McCarthy (NY)	Scalise				LaMalfa	Price (NC)	Welch
Griffin (AR)	McCaul	Schakowsky				Lamborn	Quigley	Wenstrup
Griffith (VA)	McClintock	Schiff				Langevin	Rangel	Westmoreland
Grimm	McCollum	Schneider				Lankford	Rice (SC)	Whitfield
Guthrie	McDermott	Schrader				Larsen (WA)	Roby	Williams
Hahn	McGovern	Schwartz				Latta	Rogers (AL)	Wilson (FL)
Hall	McHenry	Schweikert				Levin	Rogers (KY)	Wilson (SC)
Hanabusa	McIntyre	Scott (VA)				Lipinski	Rogers (MI)	Wittman
Hanna	McKeon	Scott, Austin				Loeb	Rokita	Wolf
Harper	McKinley	Scott, David				Long	Rooney	Womack
Harris	McMorris	Sensenbrenner				Lowenthal	Ros-Lehtinen	Yarmuth
Hartzler	Rodgers	Serrano				Lowe	Roskam	Yoho
Hastings (FL)	McNerney	Sessions				Lucas	Ross	Young (AK)
Hastings (WA)	Meadows	Sewell (AL)				Luetkemeyer	Rothfus	Young (IN)
Heck (NV)	Meehan	Shea-Porter						
Heck (WA)	Meeks	Sherman						
Hensarling	Meng	Shimkus						
Herrera Beutler	Messer	Shuster						
Higgins	Mica	Sinema						
Himes	Michaud	Slaughter						
Holding	Miller (FL)	Smith (NJ)						
Holt	Miller (MI)	Smith (TX)						
Honda	Miller, Gary	Smith (WA)						
Horsford	Moore	Southerland						
Hoyer	Moran	Speier						
Hudson	Mullin	Stewart						
Huelskamp	Mulvaney	Stivers						
Huffman	Murphy (FL)	Stockman						
Huizenga (MI)	Murphy (PA)	Stutzman						
Hultgren	Nadler	Swalwell (CA)						
Hunter	Napolitano	Takano						
Hurt	Neal	Terry						
Israel	Negrete McLeod	Thompson (CA)						
Issa	Neugebauer	Thompson (MS)						
Jackson Lee	Noem	Thompson (PA)						
Jeffries	Nolan	Thornberry						
Jenkins	Nugent	Tiberi						
Johnson (GA)	Nunes	Titus						
Johnson (OH)	Nunnelee	Tonko						
Johnson, E. B.	O'Rourke	Tsongas						
Johnson, Sam	Owens	Turner						
Jones	Palazzo	Upton						
Jordan	Pallone	Valadao						
Joyce	Pascrell	Van Hollen						
Kaptur	Pastor (AZ)	Vargas						

NOT VOTING—23

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOMACK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 285, nays 118, answered “present” 1, not voting 28, as follows:

[Roll No. 120]

YEAS—285

Aderholt	Buchanan	Crenshaw
Alexander	Bucshon	Cuellar
Amodei	Bustos	Culberson
Bachmann	Butterfield	Cummings
Bachus	Calvert	Daines
Barber	Camp	Davis (CA)
Barletta	Campbell	Davis, Danny
Barr	Cantor	DeGette
Barrow (GA)	Capito	DeLauro
Barton	Capps	DelBene
Bass	Cardenas	Dent
Beatty	Carney	DesJarlais
Becerra	Carson (IN)	Deutch
Bentivolio	Carter	Diaz-Balart
Bera (CA)	Cartwright	Dingell
Bilirakis	Cassidy	Doggett
Bishop (GA)	Castro (TX)	Duncan (SC)
Bishop (UT)	Chabot	Duncan (TN)
Black	Ciilline	Edwards
Blackburn	Clay	Ellison
Blumenauer	Cleaver	Ellmers
Bonamici	Clyburn	Enyart
Bonner	Coble	Eshoo
Boustany	Cole	Esty
Brady (TX)	Collins (NY)	Farenthold
Braley (IA)	Conaway	Farr
Bridenstine	Connolly	Fattah
Brooks (AL)	Conyers	Fleischmann
Brooks (IN)	Cook	Fleming
Brown (FL)	Cooper	Forbes
Brownley (CA)	Crawford	Fortenberry

NAYS—118

Flores	Jordan
Fox	Joyce
Garcia	Keating
Gardner	Kilmer
Garrett	Kind
Gerlach	Kinzinger (IL)
Gibson	Lance
Gowdy	Larson (CT)
Graves (GA)	Latham
Graves (MO)	Lee (CA)
Green, Gene	Lewis
Griffin (AR)	LoBiondo
Hanna	Maffei
Hartzler	Marchant
Hastings (FL)	Matheson
Heck (NV)	McDermott
Herrera Beutler	McGovern
Holding	Meng
Honda	Miller (FL)
Hoyer	Moore
Hudson	Neal
Huelskamp	Negrete McLeod
Huizenga (MI)	Nolan
Israel	Pallone
Jenkins	Pastor (AZ)
Johnson (OH)	Paulsen
Jones	Pearce

Perry	Rigell	Terry
Peters (CA)	Roe (TN)	Thompson (CA)
Peters (MI)	Ryan (OH)	Thompson (MS)
Peterson	Salmon	Thompson (PA)
Pittenger	Sánchez, Linda	Tiberi
Poe (TX)	T.	Turner
Price (GA)	Sanchez, Loretta	Valadao
Radel	Sarbanes	Veasey
Rahall	Schakowsky	Velázquez
Reed	Shuster	Visclosky
Reichert	Slaughter	Walberg
Renacci	Southerland	Woodall
Ribble	Stivers	

ANSWERED "PRESENT"—1

Owens

NOT VOTING—28

Clarke	Lynch	Schock
Cramer	Markey	Simpson
Delaney	McCollum	Sires
Engel	Miller, George	Smith (NE)
Gohmert	Olson	Tierney
Grijalva	Pingree (ME)	Tipton
Gutierrez	Pollis	Yoder
Hinojosa	Richmond	Young (FL)
Kirkpatrick	Rohrabacher	
Lummis	Rush	

□ 1916

So the Journal was approved.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1588

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. ENGEL) be removed as a cosponsor from H.R. 1588, the Medicare Drug Savings Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

HONORING THE WOMEN'S FUND OF
MIAMI-DADE AND NATIONAL
MISSING CHILDREN'S DAY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the tireless efforts of the Women's Fund of Miami-Dade, a nonprofit organization based in the district I so proudly represent.

Over the last 20 years, this inspiring organization has been committed to creating programs and initiatives through which all girls and women can prosper and become leaders in our community and, indeed, our Nation.

Additionally, the Women's Fund of Miami-Dade is devoted to fostering awareness about sexually exploited children through its grantee partner, the Kristi House, an organization dedicated to helping children and families recover from abuse and to bring to justice those who violate them.

Each year we set aside May 25 as a day when we reflect on sexually exploited and missing children and renew our efforts to make child protection a national priority.

I thank the Women's Fund of Miami-Dade for its work to eradicate the sex-

ual exploitation of children and to break the cycle of abuse through direct prevention and therapy and by spreading awareness of the damage inflicted upon innocent children.

It is through the actions of compassionate members of our community, like the Women's Fund and Kristi House, that will stop these injustices against the most vulnerable of our society, our children.

SAFE CLIMATE CAUCUS

(Mr. BEN RAY LUJÁN of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, at a time when our communities are dealing with the impact of climate change, cuts from the sequester will negatively impact our long-term efforts to combat this challenge.

Energy conservation is a vital component of reducing carbon emissions. Weatherization programs and the Energy Star program have been instrumental in reducing consumption. In 2011, Energy Star helped Americans reduce emissions by the equivalent of 41 million vehicles; and, during these tough times, it cut utility bills by \$23 billion.

As a result of the sequester, further progress on these programs is at risk. Research and development in clean-energy technologies are essential to reducing our dependence on oil and cutting emissions.

Sequestration's funding reductions threaten to slow developments in solar and advanced battery technology. Sadly, my Republican colleagues have been reluctant to even debate further action to address climate change.

That is one more reason why we cannot afford to sit by and do nothing while sequestration reduces the effectiveness of the programs we already have in place that are part of the climate change solution.

□ 1920

HELPING SICK AMERICANS NOW
ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, despite blocked attempts to fully repeal the so-called Affordable Care Act, this law is doomed to collapse under the weight of its own flawed design. Just last week, Democratic Senator MAX BAUCUS of Montana, a key architect of the Affordable Care Act, referred to the administration's signature health care law as a looming "train wreck." Another promise that was used to force passage of

the President's health law was broken in February, when the administration's Centers for Medicare & Medicaid Services announced that it would stop enrolling people with preexisting conditions due to funding constraints.

This week, the House will vote on the Helping Sick Americans Now Act, which would extend access to those with preexisting conditions. The coverage would be funded by eliminating the Prevention and Public Health Fund, a program under ObamaCare identified as rife with mismanagement and taxpayer abuse.

While full repeal would have been less costly and painful, the gradual failure of the Affordable Care Act is inflicting significant pain on families, businesses, and our economy. Don't take my word. Just listen to the Senator from Montana. His recent remarks aren't far off the mark.

HOMELAND SECURITY ISSUES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Reflecting on the events of last week, I want to speak about some very important homeland security issues.

I want to publicly thank the outstanding law enforcement, FBI, and others who worked on the tragedy of 9/11, as we proceed as Members of Congress to further investigate how not to allow an incident like that to happen again.

But the one point I want to make very clearly and that has been said over and over by Members and certainly by leaders of the administration: this does not and should not stop comprehensive immigration reform. We should proceed with regular order because you need to know who's in this country.

Also, I offer my deepest sympathy to those in West, Texas, but make the point that we have to have a nexus between chemical plants and those who hold those kinds of hazardous materials. As well, we need a mechanism of reporting to the U.S. Department of Homeland Security a security plan and a process to avoid events such as the horrific tragedy that occurred. I will soon be introducing such legislation, and I certainly believe that it is our role to intervene and to secure the homeland.

RECOGNIZING NATIONAL AUTISM
AWARENESS MONTH

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, April is National Autism Awareness Month. Autism affects the lives of 2 million Americans. It's the fastest-growing developmental disability, in terms of new cases.

In my home State of Minnesota, 1 in every 67 children is diagnosed with autism. Minnesota is also home to some great institutions like the Holland Center and the Minnesota Autism Center, which serve Minnesota families with educational and rehabilitation services for children with autism. Minnesota health care professionals are also on the front lines in the search to discover the cause of the high rate of autism among Minnesota's Somali population.

While there's currently no medical detection or cure for autism, this disorder is treatable. Studies show that the early diagnosis and intervention can lead to significantly improved outcomes.

Mr. Speaker, I was a cosponsor of the Combating Autism Reauthorization Act last Congress, and we must continue the fight and the effort to ensure those with autism get the attention and care they need.

ARMENIAN GENOCIDE

(Mr. SARBANES asked and was given permission to address the House for 1 minute.)

Mr. SARBANES. Mr. Speaker, today I rise to honor the memory of the innocent men, women, and children who perished in 1915 during the Armenian genocide.

Each year, the United States Congress has the opportunity to stand on the side of justice and recognize the Armenian genocide. Such action would fortify America's moral standing in the family of nations and send a strong message to our NATO ally, Turkey, that it must examine the dark chapters of its past and the discriminatory impulses of its present.

Turkey has repeatedly thwarted efforts by Congress and successive administrations to recognize the Armenian genocide by threatening all manner of retaliation should recognition be accorded. I submit that we do no favors to Turkey by acquiescing in its cynical campaign.

As we approach the 100th anniversary of the Armenian genocide in 2015, it is time for the United States to formally recognize this tragic chapter in world history and to bring some measure of peace and healing to those of Armenian descent.

CITY OF FREMONT RECOGNIZED FOR NATIONAL MAKE A DIFFERENCE DAY COMPETITION

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. This Thursday, the city of Fremont will be one of three cities nationwide to be recognized with the City Award as part of the Make a Difference Day competition.

The Make a Difference Day competition is a national day of volunteering held each year on the third Saturday of October. Fremont has participated in this competition for the past 10 years. Last year alone, 1,300 residents in Fremont participated in 76 projects across the city to clean up and improve our streets and make our community much, much better.

On Thursday, Fremont residents Suzanne Shenfil, Debra Watanuki, and Christine Beitsch will be presented with the award on behalf of the city of Fremont. Fremont will also be awarded \$10,000 to benefit the Fremont Family Resource Center, which offers many services such as child care information, adult information and employment services, and educational programs.

I am proud of Fremont and all of the participants in Make a Difference Day for their inspirational work to improve our neighborhoods. Together, each individual contribution builds a stronger and more sustainable community for everyone's future.

LARGER TRUCKS

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTWRIGHT. I rise today in favor of protecting our infrastructure, keeping our roads safe, and reducing emissions. There are serious safety, infrastructure, and environmental concerns involved with allowing even bigger and heavier tractor-trailers on our roadways than are currently allowed. Trucking accidents cause too many deaths, and the 3,373 victims in 2011 alone were disproportionately people who were driving in cars caught in these heavy truck crashes.

These oversized trucks also inflict disproportionate damage on our roads, and especially on our national bridge system. They impose a significant cost on the rest of us to pay for these repairs. Plus, allowing larger and heavier trucks would divert freight away from our rails and onto our highways, increasing congestion and emissions at a time when we are working hard to reduce both.

RECOGNIZING CATHEDRAL HIGH SCHOOL

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to recognize the extraordinary students, parents, and faculty of Cathedral High School in El Paso, Texas.

Yesterday, I had the privilege of meeting with many of Cathedral's best and brightest, along with their principal, Brother Nick Gonzalez, and Chief Justice Richard Barajas, who leads the Center for Advanced Studies. What Ca-

thedral's students have achieved under their watch is truly incredible.

This year, a record six graduating seniors have been designated as Gates Millennium Scholars and five others were finalists for this prestigious award that provides scholarships to outstanding minority students. Two others will be attending service academies.

Overall, 98 percent of the graduating class of 115 has been accepted to college, and 32 seniors will be graduating with a degree from El Paso Community College in addition to their Cathedral diploma.

Cathedral is representative of our vibrant binational community in El Paso. Over 85 percent of the student body is of Hispanic origin, with students from El Paso, Ciudad Juarez, and southern New Mexico. The school's rigorous curriculum emphasizes social justice and community service, so graduates are not just model students, they are also preparing to become model citizens.

I am proud to represent Cathedral High School and expect great things from all the students I had the privilege of meeting yesterday.

□ 1930

MAKE IT IN AMERICA: MANUFACTURING MATTERS

The SPEAKER pro tempore (Mr. WILLIAMS). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, it's good to be back here for another week of work. We certainly have work to do. Out across this Nation there are a lot of people that are still unemployed, and it's time for Congress to take this extremely important task and to get it done.

We've been talking here on the floor for a long time about how we can create jobs in America. The Make It in America agenda that my Democratic colleagues and I have put forth over the last 2½ years is an extensive number of bills designed to bring jobs back to the United States. And we need them.

An article that appeared in the newspapers this last day or so talked about this. This is Paul Krugman talking about the long-term unemployment that we now have here in the United States. He cites that for the last 5 years we've been in a crisis. Unemployment remains elevated, with almost 12 million Americans out of work. But the real striking and huge number is in another category, and that's the long-term unemployment: 4.6 million Americans have been unemployed for more than 6 months, and more than 3 million

have been jobless for more than a year. The programs that my Democratic colleagues and I have offered over the last 2½ years would have gone directly to that problem.

He argues that when you have this long-term unemployment, you create a problem that these men and women are not likely to ever get back into the workforce, citing several statistics that are found around the Nation. But we can do something about that, and the Make It in America agenda is exactly what we ought to be working on.

Before I go into the specifics of that agenda, I'd like to cover one other issue. This is seen in a report from the International Monetary Fund that they just came out with in the last couple of days warning the United States to be very careful about continued reductions in our budget. They argue that the austerity program that the United States has actually been on for the last 2 years—now, remember, immediately after President Obama became President the United States took on a stimulus program, an enormous stimulus program of a little over \$700 billion. That actually created the start of the rebirth of the American economy, but it only lasted for a year, a year and a half.

Then we undertook, at the behest of my Republican colleagues, an austerity program, one that involved seriously reducing the Federal budget. Over the decades, beginning in 2011, we will see a nearly \$2 trillion reduction in Federal expenditures in the 10-year period. That is what austerity is all about.

Today, if you were trying to get on an airplane somewhere in the United States, you were beginning to see yet one more effect of austerity, and that is the air traffic controllers going on furlough, so that 1 day out of 10 air traffic controllers will not be working, meaning that there will be a shortage. Some say, well, they should have moved the money around and they could have done it some other way, but that's not the way the austerity program is in the United States, and that's not the way the sequestration law is written.

Sequestration is across-the-board cuts, expenditure item by expenditure item, with no—or very little—authority to shift money from one lower priority to a higher priority. Therefore, today, the air traffic controllers, some were not working. There was a general slowdown of air traffic across the United States resulting in some of my colleagues not getting to work today to vote on the three bills that we had up here on the floor just a few moments ago.

In any case, the IMF warns: U.S. austerity will slow growth. This was a warning that was issued to the United States. It was also issued earlier to the United Kingdom, who have been on a very serious austerity budget for the

last 3 years. The result is that the United Kingdom has actually seen a shrinking in their economy, as has most of Europe. Austerity did not work in Europe as an effort to deal with the downturn of the economy and the Great Recession, and it certainly is not working here.

We need to create jobs in the United States. A rational economic strategy would say that when you have a general decline in the economy caused by a lack of consumer spending, then it is time for the government to step in and to provide support for the economy. We can do that in a way that actually is an investment strategy. This is where I would like to take this conversation.

Instead of talking about austerity and cut, cut, cut at the Federal level to deal with the deficit—an issue that, indeed, we must deal with, but that's a long-term issue that we have to get about—but we have a short-term crisis right now with employment and the lack of demand here in the United States.

So, what do we do about it? Well, first of all, we end sequestration; give a rational way for the government agencies to address the \$85 billion of cuts that are taking place in the next 6 months—better yet, to put that off into the future. Let those cuts occur in the years 4, 5, 6, 7, out in the future rather than right now, when what we ought to be doing is increasing the government expenditure on key investments, like keeping the airplanes in the sky, like keeping the men and women who are at my Air Force base in Travis, continuing to provide the support that the Air Force needs in moving men and equipment out of Afghanistan, and shifting those budget cuts off to the future. I hope that happens. I have asked my colleagues, and certainly the President has asked for this to happen. We'll see if my colleagues here are ready to do that.

So, what do we do in the meantime? It's about investments, those kind of Federal Government expenditures that actually will create immediate jobs as well as long-term economic growth. There are several, and I'll go through them very, very quickly.

First, education. The most important investment that any economy will make, any society will make is the investment in education. And it's not just K-12; it's the higher education system, a doctorate education, as well as the retraining of those long-term unemployed who need to be prepared for the jobs of today and tomorrow, not the jobs of yesterday. So that's the education.

The second piece of it is research. It's the foundation of future economic growth. You need to have a robust research program if you intend for your economy to stay ahead. Fortunately, America has had such an agenda for a long time. However, the sequestration

cuts—for example, \$45 million out of research at the University of California-Davis in just the next 6 months—that means layoffs, layoffs of technicians and others who are involved in those research programs. And it means that those research efforts will not come to fruition in the near future. They will be delayed, and the benefit of them will not be seen for some time.

Some of this is real jobs right away. For example, some of that research has to do with bioherbicides and biopesticides. These are naturally occurring organisms that occur somewhere in the environment. They are discovered, they are brought back to the laboratory and grown and become a bioherbicide or a biopesticide. Research in that area is clearly going to be delayed as a result of sequestration. So let's delay the sequestration, put it off in the future years so that we can grow the economy today.

The third element of economic growth is in the area of infrastructure. You have to have infrastructure. This is about moving Americans across our landscape. This is about our ports, our highways, our airports, and other critical elements in the transportation infrastructure.

□ 1940

We know that we are woefully behind on meeting the infrastructure needs. Probably eight out of 10 bridges in the United States are deficient. We know that our highways are filled with potholes and don't measure up to the standards that we would want, simply for the protection of our automobiles' suspension systems. We know that there is far more to infrastructure than just highways and ports and airports.

For example, the Mississippi River is flooding. So what is the status of levees in the United States? Well, the status of levees in the United States is not good. In my district, I have more than 1,200 miles of levees, and many of them are insufficient to protect the people who live on the land side of the levees, the farms and the cities.

One of the most dangerous cities in the United States is Sacramento, California. It ranks number two after New Orleans. We need to have that levee repaired, yet the Army Corps of Engineers is taking a \$250 million cut in its levee budget and in the projects that it does in deepening the ports and maintaining the ports. It makes no sense that at a time when we know there is severe flooding, even to this day along the Mississippi, that we would take \$250 million out of the Army Corps of Engineers budget. But that's precisely what is happening with sequestration.

Infrastructure goes beyond that. I'm going to come back to infrastructure in a few moments, but I see I'm joined by one of my colleagues.

I'll just rapidly finish with the other two elements in a program for building the American economy.

The final two elements are manufacturing. You have to make things. I'll come back and talk about that in a few moments. And the final element is you must change. The economy is changing, people have to change with the economy, our education system, our infrastructure. All of these require that we are willing to change.

Now, my colleague from the great State of Ohio, please, share with us your thoughts on sequestration, jobs and what we can do here in the United States to put people back to work.

Mr. RYAN of Ohio. I thank the gentleman.

In line with what you were talking about on the infrastructure piece, I think it's important that we take a look at what investments need to be made in the country. We're living, unfortunately, in a narrative in the country where everything that the government invests in is a waste of money, according to some people here in the United States Capitol. No investment that the government could make could possibly be a good one. So we are forced into a discussion of either you're a socialist and the bureaucrats should be CEO of the company or nothing.

What the Democrats are trying to articulate is for us to reestablish the formula that led to the great economic expansion here in the United States. We had figured it out. We figured it out. In just a few hundred years throughout the industrial revolution this new country figured out how to make investments, how to protect intellectual property, how to protect private property, and how to make investments in certain things that were going to yield dividends down the line, that were going to help business and workers alike all at the same time.

And that formula was invest in infrastructure—invest in roads, invest in bridges, invest in ports, invest in the airports, invest in the research, invest in the space program, invest in military research that eventually would spin out into the world. We had the formula. Invest in our workforce, public schools, universities, GI bill. A pretty simple formula. This is not brain surgery we're talking about here, but it worked. And this little country that was fairly small and really insignificant at one point became the industrial powerhouse of the entire world because of that genius of public-private investments.

And, of course, the private sector came in and made big investments. Of course, they did. That's what they do. But our job here, in some instances, is to get out of the way. And we're all in agreement there that, of course, the government can get too much in the way, and we've got to streamline government. The Tax Code is too complicated. It needs to be simplified.

We can do all that without having to disinvest or eat the seed corn that is

the future economy of the United States of America. And why I love to join my friend here from California is because every time he comes to the floor, he's talking about how do we make investments today that are going to pay us dividends down the line.

And when you talk about infrastructure, you're talking about making investments that are going to put, for the most part, building-trades workers to work, who make a decent salary, a good salary, good benefits, good health care. And then they go out. You have a road built or a bridge built, and the painters and the ironworkers and all these projects, sheet metal workers, they all come and they build and they all got some money in their pocket. Then they go down the street and they go to Home Depot and they spend some money there. They buy a house or add a room or put a pool in or they invest. They send their kids to college, and the whole thing keeps going. That's what we're talking about here.

Mr. GARAMENDI. Mr. RYAN, your lesson on American history is right on. We often hear some of our colleagues talk about the Founding Fathers—the Founding Fathers wouldn't do it this way, they wouldn't do it that way, or they would.

It's very interesting that George Washington on becoming President, the first President, went to Alexander Hamilton, his Treasury Secretary, and asked Mr. Hamilton to develop a strategy to grow the American economy. Alexander Hamilton came back with a report 3 or 4 months later, laid out about a dozen different elements, and in that report that Alexander Hamilton brought to President Washington was the genius of what you just described. He said, the Federal Government should provide for infrastructure investment. He didn't call it infrastructure. The Federal Government should build canals, ports, and roads. He also said, the Federal Government should buy American-made products to encourage manufacturing in America. So this is not new.

Your recitation of American history down through the line actually began with our very first President, laying out the partnership, the public-private partnership, the Federal Government playing a key role in those investments that create economic growth.

Mr. RYAN of Ohio. Right. And if you look, comparatively speaking, now to what China is doing, what India is doing—granted they're developing countries—but they're spending 7 or 8 percent of their GDP on infrastructure projects. Here in the United States we're spending maybe 2.

I know we are not a developing country; but we do have major investments to make in our cities, in our rural areas, whether you're talking about combined sewer systems, whether you're talking about waterlines,

whether you're talking about dealing with the septic systems in rural areas, whether you're talking about bridges. I think in Trumbull County, where I live, I think we have 60-some bridges that are deemed not adequate.

Mr. GARAMENDI. Unsafe.

Mr. RYAN of Ohio. Unsafe. In one county in Ohio, and there's 88 counties.

And we have high unemployment, much higher than any of us would want. And, yes, we have problems; but the Federal Government is getting money at 1 percent. And I know my friends—and I'm on the Budget Committee and we talk a lot about deficits and everything else—I know a lot of people would say we can't borrow our way out of this. And what I'm saying—my argument that I'm making—and I don't want to attribute anybody else to this—is that we've got major billion-dollar, hundreds of billion dollars—probably the Society of Engineers says a couple trillion dollars' worth of infrastructure needs over the next decade or so—why wouldn't we invest in these projects? And they say, well, you've got to borrow the money. We're going to borrow the money at 1 percent, maybe a little higher, depending on the day of the week.

□ 1950

That project that we can do today is going to be a certain price. It's going to be \$100, say. What's that project going to be like in 5 or 10 years? It's going to be that much more expensive. Labor is going to be more expensive. Energy costs are going to be more expensive. The raw materials are going to be more expensive. Cement is going to be more expensive. Steel and brick are going to be more expensive. Go right down the line. Everything is going to be more expensive. And part of the problem with the Treasury is we don't have enough people working, paying taxes into the Treasury.

So, to me, you get a twofor, and it's not like the project doesn't need to get done. This is not "make work." This is something that needs to get done.

Mr. GARAMENDI. Let me give you an example.

The American Public Works Association—these are people with the sanitation systems, the water systems and the like—estimate that 25 percent of all of the fresh-treated water in our municipal water systems is lost to leakage, and they estimate, together with the EPA, that we need to spend over \$300 billion immediately to deal with sanitation systems in the United States that are inadequate and \$335 billion in drinking water so that we have clean, available drinking water.

One more point here: for every billion dollars we spend, you put 28,000 people to work immediately. Those are the engineers, the draftsmen, the architects, the men and women who are operating the equipment, who are back-filling

the ditches, laying the pipe. And if we use another strategy that we've developed on the Democratic side called Make It in America—if you use our taxpayer money to buy American-made equipment—then in your district, the steel mills begin once again to produce American-made steel, and all of the pipe and other equipment that's needed can be produced in America, using our money.

I love your example of the 1 percent. There have been Democratic proposals—and in fact, the President talked about it here in his state of the Union—about creating an infrastructure bank. If you take that 10-year or 15-year money that the government can borrow at a percent to, maybe, a percent and a half and put it in an infrastructure bank and then loan it to those cities and municipalities and counties and others that need to build these systems—well, let's say we borrowed a percent and a half and that you loaned it out at 1.6 percent—that's enough to pay that back. We circulate that money in our economy, we use that money to buy American-made products, and we get this economy moving.

It's there for us. We can do this if only we'd put our minds to it. Set aside for a moment the deficit issue. I said for a moment, not forever. We know we have to deal with the deficit, but you cannot solve that deficit unless you have Americans working, and we can put Americans back to work.

Mr. RYAN of Ohio. And, I believe, unleash a new economy. I mean, we are strangling the economy right now because we're not making those kinds of investments.

Again, when you look at our competitors—because I'm from northeast Ohio. We play a lot of football, and there's a scoreboard. America is not going to win every game, but we'd better be in a position in which, in the global economic competition, we are competitive, and we know what makes us competitive.

I'm not saying it's all about making money. A lot of this stuff that we're talking about is quality of life. We won't get into health care and preventative maintenance or anything like that, but we have human beings in Virginia and in major towns who are stuck in traffic for 2 hours in a commute in and out of a city. We're not investing in the high-speed rail, which would be another job creator and good for the environment and a new industry, and it would help develop and spread new technologies.

So we are not leading right now. We have status quo. I hate to say this, but we have a lot of people who want it to be that way. They want the Congress to be dysfunctional because they don't necessarily like government. You don't have to be enamored with government, but you do have to recognize that there is a role to be played here.

If you play sports and if you read the newspaper and watch the football team, you think it's the quarterback, it's the wide receiver, it's the running backs—it's the skill position people—who get all the press, but none of that works. Let's say that those people are the private sector, that they're the CEOs that we worship. Well, within that team there are linemen, and there are blockers and tacklers and linebackers, people who are in the guts of the game, on the front lines, making it happen so that this other stuff can happen.

The infrastructure is the blocking and tackling. It doesn't make the headlines, but it does what needs to be done in order for all of the other stuff to work.

Mr. GARAMENDI. You reminded me of my college football career at the University of California, Berkeley, where I was an offensive guard and a defensive tackle, blocking and tackling.

Mr. RYAN of Ohio. So this resonates with you, yes.

Mr. GARAMENDI. Oh, it resonated with me just fine—along with a lot of bumps and bruises and cuts and the like.

But this is the public-private partnership. This is the role of our government to make these critical investments in education, in research. In fact, one of the Make It in America agenda items is the extension of the research tax credit—a permanent or at least a long extension of it.

Representative CARNEY has introduced House Resolution 905, which would extend that. We have been extending it 1 year at a time, but that doesn't give the businesses the opportunity to plan on a long extension or on a long period of time for research. For example, I was at Genentech in my district. They have a major biopharmaceutical program there—the biggest biopharmaceutical plant in the world. They conduct a lot of research, but the start-stop of the research and the development tax credit makes it difficult for them to plan long into the future. So this piece of legislation, part of the Make It in America agenda, does that extension and gives this certainty to businesses.

We also have the infrastructure bank being reintroduced by our colleagues here on the Democratic side. This is one of about two-dozen bills that the Democrats have introduced for the purposes of moving the economy by bringing the manufacturing back home. We also have the Patriot Corporations of America Act, by Representative SCHAKOWSKY from Chicago, that rewards companies when they bring the jobs back home. Previously and even today, American corporations can take a tax break for shipping jobs offshore. They don't get a tax break when they bring those jobs back home. We want to reverse that.

There is a series of bills. I call the attention of Congress to these bills, the Make It in America agenda, so that we can once again Make It in America, not only make things in America, but Americans can make it—infrastructure, a critical element of this.

Mr. RYAN of Ohio. When you look at manufacturing, which the R&D component leads to partnerships with, you have two problems. One is it's year to year, so you can't plan your long term, as you said. But at the same time, the budgets for the National Science Foundation and the National Institutes of Health have been inconsistent as well. Those are things that we need to ramp up. Those aren't huge money items, but those yield a lot of value.

So extend the R&D tax credit; beef up the National Science Foundation; beef up the National Institutes of Health; beef up the research in the Department of Energy. Public-private partnerships. Lay that groundwork for the private sector. Help the private sector.

We had a group of CEOs in last week who were in the semiconductor industry. They talked about the same thing, and they talked about the public-private partnerships and how that's needed for us to maintain our competitiveness here. These are good-paying jobs in upstate New York and other places, and these are the kinds of investments that we need to make. Again, we've got to get out of this mentality that every single thing that the government does is bad. There are some things, and it's the public-private partnerships that are going to ultimately lead the way for us.

Mr. GARAMENDI. Alexander Hamilton and George Washington had it correct: the American Government working with the private sector can make the difference.

When we talk about infrastructure, we have an opportunity this year, Congress and the President, to make a huge impact on American jobs. We are going to rewrite, in this session, the Surface Transportation Act for America.

□ 2000

Mr. RAHALL and I have authored a bill that we hope becomes part of that Surface Transportation Act, that simply says: as we spend the taxpayers' money—this is money that is collected from the gasoline and the diesel excise tax—that that money be spent on American-made steel, concrete, bridges, buses, trains, whatever.

It can work.

One quick example. In the stimulus bill, there was an opportunity for Amtrak to buy new locomotives, about half a billion dollars to be spent on these new locomotives. In that section of the law, one sentence was added that said, These must be 100 percent American-made. Nobody was making locomotives in America before that, but

Siemens, a German corporation, one of the biggest manufacturers in the world, said, Oh, half a billion dollars? We can make locomotives. In America? Sure.

In Sacramento, California, they opened a manufacturing plant. There are probably somewhere between 200 and 300 people working there today manufacturing 100 percent American-made locomotives. And on May 13, 3 years after they began this process, the first 100 percent American-made locomotive in probably more than a century rolls onto the tracks of America.

We can do this.

Mr. RAHALL's bill, H.R. 949, will provide that opportunity, American-made, using American taxpayer money. I also have another bill that does the same for solar and wind projects.

We can do these things; we just need to put our mind to it and get past this business of austerity. We cannot solve this problem of American jobs with an austerity budget. We've seen it fail in Europe, and we see it failing here in the United States as the long-term unemployment continues to harm 4.5 million Americans that have been out of work for more than 6 months and another 3 million that have been out of work for more than a year. We need an investment strategy, a Make It in America strategy, an investment strategy in those things that create long-term economic growth.

Mr. RYAN, I thank you very much for joining us this evening. If you'd like to wrap, and then I'll wrap, and then we'll call it a night.

Mr. RYAN of Ohio. I'd just add, lastly, that to me it's about exciting the country and getting the country excited about what the future of America is all about. Tax cuts for the top 1 percent of the people and austerity for the rest is not a vision for an exciting America that young people want to come into.

The private sector is going to be a huge part of this, but there are things that we need to start doing here. Whatever the percentage is that the government's role is in investments, I don't know what that number is, but we're not doing it, and there's no aspirational vision to excite young people to say, Man, we're going to the Moon, or we're going to go energy independent, or we're going to have high-speed rail that's going to connect the entire country.

I think the President has desperately tried to provide that vision, only to be pulled down to the depths by some of the folks here who I think have a completely different agenda, and that agenda doesn't align with the America that was built over the past century or so.

Mr. GARAMENDI. Mr. RYAN, I thank you so very much for joining us this evening.

We're still the strongest, best country in the world. There's no other place

like America. And if we begin acting like we can and are a strong, robust, building, growing, dynamic country instead of being weak and pulling ourselves back and saying, Oh, we can't do it; we can't do it—no, we can do it. We can build. We can invest.

Every time we invest a dollar in infrastructure, we put Americans back to work and we give them an opportunity to take care of their family, to stay in their home, to provide for their children's education. When we do that, we create the foundation for future economic growth, whether it's education or research or building the infrastructure and making it in America. As we do these things, this agenda is the American agenda, the one that created this country.

As you so well said when you opened here: It's the American history. It's there before us. We can do it. We must do it. We owe it to the American people.

Mr. RYAN, thank you.

Mr. Speaker, I yield back the balance of my time.

MAKING LIFE WORK FOR AMERICAN FAMILIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Alabama (Mrs. ROBY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. ROBY. Mr. Speaker, it is a privilege to be on the floor tonight for the next few minutes, and I hopefully will have some other colleagues joining me here in a few minutes. Tonight is about making life work for American families.

What are we doing on behalf of the American people here in the House of Representatives to make life a little bit easier for working families, working moms and dads? And let me just say that there are things across the board, whether it's health care issues, energy, reducing the deficit and the debt for Margaret and George, my two kids, and future generations, all of those things add up and matter.

I want to talk for just a few minutes about one proposal that I have in front of the House of Representatives that's going to come up for a vote here after we return from our district workweek. But before I do that, I want to tell you, Mr. Speaker, tonight, that we're going to do something a little bit different in an effort to engage individuals in their interest about making life work for American families.

I just want to say, Mr. Speaker, that if someone wants to know more about what we're talking about tonight, the hash tag on Twitter is "#makinglifework." We want to hear from the people that we represent, Mr. Speaker, throughout our time on the floor tonight. So I would just say to

you again, Mr. Speaker, that any individual that would like to know more about what we're talking about or would like to engage in a conversation, it's "#makinglifework."

Before I introduce my colleagues or get engaged in this conversation, I want to very briefly talk about the Working Families Flexibility Act of 2013, which is a bill designed to do just what we're talking about tonight, and that's make life work, make life a little bit easier for working moms and dads.

I'm a working mom, and my husband and I, every week, sit down and figure out what the plan is. We have an almost 8-year-old and a 4-year-old, and we certainly understand the pulls on the American family in balancing the workweek and our home life and supporting our children.

Mr. Speaker, there are a lot of families out there right now that would like choice in the workplace, hourly-wage employees that would like the choice in the private sector to exercise compensatory time—that's paid time off in lieu of cash wages. Right now, under current law, under the Fair Labor Standards Act, public employers can offer to their employees that option. In 1985, the Fair Labor Standards Act was amended to allow that. Private sector employees can't.

So, again, as a working mom who understands the pulls on family—maybe that T-ball game at 4 o'clock on a Thursday afternoon or the PTA meeting that's at 9 o'clock in the morning when my daughter's class is the one leading the charge on the entertainment for the PTA meeting—if I'm an hourly-wage employee and I want to exchange paid overtime for paid time off, I cannot legally, under the law, do that with my employer.

□ 2010

This amendment to the Fair Labor Standards Act allows for the private sector to do what the public sector is already doing. Now, some of the opponents of this bill say that the big bad employer would use this to coerce employees into taking comp time rather than overtime pay. That is unlawful. The same protections that are in place currently under the Fair Labor Standards Act are the same protections that exist under our amendment preventing intimidation, coercion, and discrimination by the employer on the employee. And the most important thing about this bill is that it is voluntary. The employee is the only person who can opt to exercise this option if the employer chooses to offer it.

We know that this is not necessarily an option in every line of work. For example, if there's a manufacturer with 10 employees who actually make a product, if you pull one person off the line, they can't make the product, so it may not be a fit. But for those that

want to, this amendment allows for that individual to say to their employer: I would like to enter into a voluntary written agreement with you to use compensatory time, to bank up to 160 hours within a 12-month period of compensatory time because time is more valuable than money to me.

And the greatest protection in this bill is if, in fact, that employee determines at any time that this isn't working, I'm not using my compensatory time or I can't find a time that works with my employer that fits, the time that I want to take off, that employee, Mr. Speaker, that employee can say: I want to cash out my compensatory bank time. So let's say they have 60 hours. They can cash out, and within 30 days their employer has to pay them time-and-a-half overtime for that banked accrual of comp time.

This bill makes sense. This bill is about helping working families. This bill is about allowing that mom and dad that are balancing T-ball games and PTA meetings as well as caring for their elderly parents. This bill is about getting military families ready to have one spouse deploy, to have the flexibility to do what they need to do. This is one example about how we are making life work for American families.

This bill doesn't solve our debt or deficit problem. I'm the first to admit that. But what this bill does is it eases some of the hardships on our moms and dads in the workforce, and I'm really thrilled to be the current author of this bill. It has a long history. I'm excited about taking it to the floor in 2 weeks.

Again, Mr. Speaker, for those who want to know more about tonight's discussion, the hash tag is #makinglifework. We want to hear from all Americans that are affected by any of these issues and look forward to addressing those throughout tonight's hour.

I want to let you know, joining me today I have the gentlelady from Washington, JAIME HERRERA BEUTLER, as well as the gentleman from Colorado, CORY GARDNER, and at this point, to my colleagues, I'd like to open this up.

CORY, I know that you currently serve on the Energy and Commerce Committee, and I know you have a couple of topics that you want to talk about, but let's talk about making life work for American families when it comes to energy.

Mr. GARDNER. I thank you for your leadership on this issue tonight, and I thank you for appealing to the American people so we can hear from them so that we can have conversations with people who are struggling to make ends meet, people who are finding innovations to make our economy work, to find those things that are going to lead our country forward. It is a great opportunity and privilege to be here with you talking about ideas from the Working Families Flexibility Act that

you mentioned that you're working so hard on—I am a proud cosponsor of that bill—but also ways that we are going to find solutions for people across this country who are raising families, trying to pay for college, trying to pay the energy bill for the month, and I think we in Congress have an incredible opportunity to get government out of the way and let America work, to unleash the innovators and the entrepreneurs around this great Nation.

Over the past couple of years, we've held dozens of town meetings, whether they're in southeastern Colorado, northeastern Colorado, the Denver metro area, the new parts of my district, talking to families who are struggling to make ends meet, people who have had to pick up a second job just to try to pay the bills.

As we talk about making life work—and I believe you said the hash tag was #makinglifework—I would love to hear from you, Mr. Speaker, and people around the country on what really does make life work for them and how we can help be a part of these solutions.

So, as a member of the Energy and Commerce Committee from a district in eastern Colorado, I have been working on policies like energy to make sure that energy continues to be an affordable option for families, an affordable commodity, whether it's manufacturing, whether it's simply going home after work to turn the heat on during a cold winter.

I drove this morning from Yuma, Colorado, all of the way to Denver. It usually takes about 2 hours. This morning it took about 4 hours thanks to another big snowstorm. Here we are late April, and the heat is on, and what we're doing to make energy affordable so families can afford that, so that families in the middle of summer can afford to run their air conditioner and drive to the family baseball game. It is about creating opportunities for families.

We have an incredible energy renaissance in this country, a revolution, really, when you're talking about energy.

In eastern Colorado, we have seen new technologies that can produce American resources that must and have to be a part of an all-American energy plan, an all-American energy plan that will rely not on somebody thousands of miles away from us, not on somebody overseas, but right in our own backyard—our neighbors, maybe other family members, people in our communities who can produce the energy that we use each and every moment of our lives to better the lives of our families, to create the next product that will ignite an entire economy. But we can't do that unless we have an affordable energy policy. That's why an all-American energy plan is so important, and that's why it's an absolute

and fundamental key to making life work for so many people across this country—what we can do with natural gas, a clean burning fuel developed and extracted right in Colorado, what we can do to use the oil, the wind power, the solar power that we are utilizing in Colorado to make life work for families.

And how does life work? I think we're all facing that each and every day. I have two kids, struggling to get from place to place, trying to make sure, whether it's our daughter's schoolwork, whether it's our son, trying to teach him how to ride the tricycle. He's young enough, we're trying to teach him that. But we all struggle each and every day, how we are, indeed, going to make life work. And part of it is energy, what we can do to create a policy in this country that will develop a cheap, abundant, affordable policy that allows businesses to grow. It's an exciting future that we face, knowing that we can do that right here in our own backyards.

Mrs. ROBY. Right. I can tell you as the mom of two kids as well, every week when I get on a plane to come back to Washington, there is a lot of planning that goes into it. I put the gas in my car; I go to the grocery store; and when it comes to energy, I can watch energy prices affect the cost of food.

One of the things that I do every week just to ease some of the juggle in our lives is I try on the weekends to cook a few things. I love to cook, and I try to make life a little bit easier by having a few things in the refrigerator already made that I do over the weekend. So usually my grocery store visit is on Saturday and Sunday. I tell folks that sometimes it can amount to a town hall. You get in the produce section and you have great conversations with your constituents.

But I can see what the gentleman from Colorado is saying as the price of milk goes up. If gas prices are increasing, then the cost of food is affected.

□ 2020

I can tell you, and your wife would say the same, thanks for helping us in your role on Energy and Commerce.

Ms. HERRERA BEUTLER. I'm glad you mentioned that because I too believe that we need to be about the business of the American people and helping them make life work, which means helping them in their day-to-day activities, not making it harder for folks to survive.

I'm from southwest Washington; and in our neck of the woods, we have a lot of working-class families who, like CORY mentioned, are struggling to make ends meet. We all know people who have been or are unemployed, where both parents, one or both parents are out of work, or one or both parents are trying to work.

People are working two jobs; and still they're working longer and harder, but not getting paid more for it. So folks are draining their 401(k)s to make their mortgage payments. This is the climate in which we find ourselves, and that's why it is so, so, so important, like the gentleman from Colorado said, that we employ an all-American energy strategy.

And the irony is we can do it here and now. There's no reason to wait, which is why I also have joined the gentleman. We are on the House Energy Action Team, or the HEAT Team, which is a group of like-minded Members who believe we need that all-American energy approach, and we need it now.

You spoke to some natural gas issues. I'll tell you, in my neck of the woods, in the great Northwest, we get a majority of our energy from clean, renewable hydropower. And the best thing about this clean, renewable hydropower is it's inexpensive compared with most other forms of energy, especially renewable energy. So not only is it carbonless and it's clean, but it's inexpensive, and it is constantly renewed in our backyard.

I wanted to point some of these things out because I don't believe hydropower always gets its due, especially among the renewables, but just as a base load energy source in the Nation.

Hydropower is America's largest source of renewable energy. It's American energy. It's produced in America. The jobs that go into producing it are American jobs, and it's utilized here in America. It makes up 65.9 percent of all renewable energy in the United States, and it provides more than 30 million homes in the U.S. with inexpensive power.

Hydro is clean. It avoids nearly 2 million metric tons of carbon emissions every year. This is a tremendous opportunity for us.

It's not only important for families. It does keep our energy bills low and affordable. But it's important for manufacturing. We have, in southwest Washington, in my area, in Camas, and in Vancouver, a growing tech sector. We've traditionally been known for our forests and our beautiful Doug fir stands, but we are also now becoming known for our silicon forest. We're manufacturing chips.

One of the reasons some of the large chip manufacturers have come to southwest Washington, as opposed to India or China, is because of the inexpensive energy, because of the hydropower. We need to not only protect it, but promote it as part of the all-of-the-above energy approach which, again, is all-American energy.

Another area when we're talking about—I mentioned clean types of renewables, biomass. Woody biomass is a by-product of the timber that we have

in the Great Northwest. It's another area where we can produce carbonless or low-form energy. And it's in our backyard. We have an abundant source. It's an American energy source.

Another by-product of timber manufacturing is black liquor. And it's not liquor that you drink; it's liquor that can go into helping produce energy.

These are the types of ideas and solutions that are going to make energy affordable for the average American family. These are the types of solutions that cause us, rather than to put onerous rules and regulations on—oh, I could name a few that cause our energy to spike up and cause Americans to pay more—these are the types of solutions that actually meet the environmental standards, but also reduce the cost of the average power bill.

I don't know about you—you could probably speak to this, MARTHA—but, man, our energy bills have gone through the roof, and there's no reason when we've got American energy right here in our backyard.

Mrs. ROBY. Sure. And I can reiterate all of the points that the gentlelady from Washington makes. And you're right. These are all things that contribute to making life work for American families.

I just want to say, Mr. Speaker, as we're having this conversation, I'm getting information from folks that want to make life work. And, Mr. Speaker, I want to remind all of us in this room that we remain committed to cutting spending and reducing the deficit and getting our debt under control. This conversation really all encompasses just that.

Margaret and George and all of the families represented in this room tonight, they're the ones that we want to get this under control for because, Mr. Speaker, we want this country to be great for them as it has been for all of us.

But, at the same time, there are things that fall under Federal jurisdiction that we can be doing to ease the burden on American working moms and dads; and that's the things that we're talking about tonight, the Working Family and Flexibility Act of 2013, energy solutions that are out there.

We're going to talk about health care and tax reform. We're joined by Mr. YOUNG from Indiana. Thank you for coming. Please join the conversation.

Mr. YOUNG of Indiana. It's great to be with the gentlelady, and thank you so much for having me.

Does the gentlelady yield here? I know we've got less formal procedures under way.

Mrs. ROBY. We don't have to yield. You can just talk.

Mr. YOUNG of Indiana. Okay. Well, great. This is the great American family room, if you will, where we're sitting around and having a family conversation, the people's conversation, about making life work.

And I would absolutely agree, there are a lot of dimensions to this topic. We've got to get our spending under control. Republicans have put forward a bold budget to make that happen, bring our budget into balance within just 10 years.

We need to stop imposing overly costly, overly burdensome regulations on American families, American businesses and so on.

We, of course, need to take a look at our energy policy and open up this bounty of resources here in this country; and there's a whole variety of different ones. My colleague from Washington, the gentlelady, just spoke to some in her region.

Of course, in my region, coal remains a viable and important resource; but we're finding increasingly that my constituents in Indiana's Ninth District are enjoying the benefits of natural gas, and very affordable natural gas.

We happen to have oil and gas resources in this country, by some reckoning, that are larger than Iran, Iraq, and Saudi Arabia combined. This will make the United States of America a net energy exporter within just 10 years. So that is a blessing that, once again, Republicans are leading with respect to harnessing these resources we have.

Of course, our human resources are another thing that we could touch on. But, really, my point of emphasis, since I'm on the Ways and Means Committee, this evening is going to be tax reform.

We just finished getting through yet another tax day, and I'm sure my colleagues heard from their constituents just how convoluted and complicated and frustrating and unfair this Tax Code can be to working families.

I was struck by—there's this notion of tax freedom day that some of our colleagues and certainly our constituents are aware of. This is when we, as hardworking taxpayers, stop paying the Federal Government and can start working for ourselves. And it fell on April 18 this year; 3½ months into the year is when our taxpayers stop paying the Federal Government and can start working for themselves and their families. That suggests to me that we need to work on all fronts to grow this economy more and also to lighten the burden of taxation wherever possible.

Tax simplification is something I'll get into in a little bit, and that's part of our overall tax reform effort.

But with that, I'll yield to my good friend from Colorado. Perhaps you have other thoughts on taxation or other things that are related to our making-life-work theme tonight.

Mr. GARDNER. I thank the gentleman from Indiana for coming and joining us on the floor tonight.

Mr. Speaker, as we said, there are people across the country who are joining the conversation about making life

work. They're sending tweets with #makinglifework. In fact, we're hearing from people who are indeed talking about tax reform on this very issue, talking about what it means to work under a Tax Code that can be pro-job creation, that can actually lift the burden on American families by creating a fairer, flatter system.

And so whether you're a small business who's just getting started, or you're a small business that's been around for a while, the fact is the more the burden that you pay from the government, whether it's a higher income tax, or you're a subchapter S, and you're paying at the individual level, that's less money that you get to spend investing into job creation, into expanding your employees, the number of people you have working for you, the salaries that you can provide for them, the insurance, the benefits that you can provide.

□ 2030

And so, really, tonight's discussion about making life work is what we're doing to create a fair system that looks out for everyone and that looks out for people who are making minimum wage so that they won't be making minimum wage for long. They'll actually be getting a pay increase because their business is growing, because their salaries are able to go higher, because they're more successful in developing a product and manufacturing. And so a Tax Code that is pro-growth. Pro-growth economics can lead to that. And I know you're in a great position to lead that discussion.

Mrs. ROBY. I want to say to both gentlemen, what we're talking about tonight is kitchen table stuff. Americans all across this country sit down across the table from their loved one and they balance their budgets. Why do we hold the Federal Government to any standard other than that?

We're addicted to spending. We are on an unsustainable path for the next generation. Tax reform, energy, and removing burdens on the working families are all such important concepts to making life work for American families.

We're joined by another colleague. I just want to introduce our newly elected Member of the House of Representatives joining us in the 113th Congress, Mrs. ANN WAGNER, the gentlelady from Missouri. Please join us in this conversation and offer your perspective.

Mrs. WAGNER. I'd be pleased to. Thanks so much for sponsoring this Special Order and talking about making life better and for working Americans across this country.

I'm a proud freshman Member of the 113th Congress, and we were elected to tackle the big problems. There is no bigger problem facing our country right now than getting hardworking Americans back to work with the skills they need during this tough economy.

Today, the Federal Government currently operates more than 50 different job training programs, many of which are duplicative, at a cost of some \$18 billion annually to taxpayers. With nearly 20 million Americans unemployed or underemployed, it's time to cut through the red tape and start training individuals with the skills they need to find high-paying middle class jobs. That's why this House in the 113th Congress passed the SKILLS Act. It streamlines 35 overlapping job training programs, including many that were identified by the nonpartisan Government Accountability Office, and eliminates unnecessary red tape so that State and local resources go directly to help those that are actually seeking jobs.

According to a report released by my home community, St. Louis, by the community colleges there, 76 percent of employers found that workers lacked the proper training to contribute right away. And the most in-demand certificates for job openings, believe it or not, were for registered nurses. I think it's time that we start investing in nurses, medical assistants, manufacturing technicians, and computer support specialist jobs, and stop wasting billions and billions of dollars every year on ineffective government programs that do little to train individuals with the skills they need to succeed.

I believe it is past time for the Senate to take up this SKILLS Act, to do its job and pass commonsense legislation that puts America back to work, #makinglifework.

Mrs. ROBY. That's great. I serve on the Education and Workforce Committee. Of course, that bill was reported out, as well as the Working Families Flexibility Act. Again, kitchen table stuff. We've got to balance our budget. Everybody here tonight voted in favor of a budget that would balance in 10 years. We understand that that's the key.

We're about to enter into a district work week, and I'd love for the gentlelady from Washington to speak on this because you always have great examples of this, too, but we're all about to get on the plane or get in our cars and go home for the week. And we're going to be with our small business owners and with our employees. Quite frankly, the employers, yes, they provide the jobs. The employees, we need to spend a little bit more time talking about those moms and dads sitting at the table, making it work. And they are the ones who are suffering at the hand of these duplicative programs that are sucking up precious taxpayer dollars that—at the end of the day we can be doing a much more efficient job of helping American families and making life work.

Ms. HERRERA BEUTLER. Absolutely. Here's the thing that's frus-

trating to me and frustrating to every American. They look at Congress and they think okay, we're sending, as we all were reminded recently, hundreds of thousands of dollars from each community, millions of dollars from each community, here to Washington, D.C., and they expect us to do something effective with that money or—here's a novel concept—send it back.

The gentlelady from Alabama mentioned the fact that for the first time this House Republican Congress voted on a budget that balances within a decade. It shouldn't be novel, but it is. Every family that's watching us right now is saying, You guys are patting yourselves on the back for that? We do that ever year. Every State legislature does it every year. But it was novel to do it here.

And here's the interesting thing. When members of our caucus got to sit down with the President a month or so ago and ask him about his budget that he released to the American people, his budget doesn't balance. Ever. And we know why this is important. It's because balancing the budget will help us grow jobs. Balancing the budget will help American families grow and thrive and prosper. It's going to help businesses in southwest Washington and throughout this country grow and hire more people.

We know that a bloated government that then keeps coming back to everybody's back pocket and says, I want a little bit more of this, you're my piggy bank—we know that that kills jobs, which is why it's pretty simple. We need to do what every family is doing, every kitchen table conversation: balance our budgets so more jobs can grow and America can thrive.

Mr. GARDNER. I think making life work boils down to what you're talking about, which is the issue of fairness. What's happening to our families, our businesses, our neighbors as the debt grows, as taxes grow. The fact is it is absolutely unfair to pass on so many unanswered problems to the next generation, to pass on \$52,000 worth of debt to our kids and our 18-month-old son or a 9-year-old daughter. It's unfair to them and to future generations.

Ms. HERRERA BEUTLER. Unfair. As Republicans, we do often look at posterity. We're talking about the next generation. And we should. But I will argue that it's actually unfair to today's generation, to the 67-year-old who just retired with the private-sector job and has a 401(k). The inflation that's coming from this debt is going to hit him and his wife, who were savers. It's unfair to the teacher in a public school classroom when the Federal Government makes promises it cannot keep. It overspends, overspends, and then it's going to cut her hours, add to her class sizes.

All we have to do is look at Greece or Cyprus. It can happen—and it will happen—if we don't get this under control now.

Mrs. ROBY. Let's talk about one other thing, and I'm sorry to open another door, but I think it's important because of what you heard on airplanes today, about the sequester and what's going on in defense spending. Can we talk just a minute about our military families?

You're talking about making life work. The people that we have a direct charge to make life work for are those who sacrifice on behalf of all of our freedoms and their families—our military men and women.

I'm going to circle back to the bill, the Working Families Flexibility Act of 2013. Think about that military mom or dad that's getting ready to deploy and they're an hourly wage employee, and they don't have, under the current law, the option to exercise compensatory time. Yet their spouse is about to leave for a 1-year deployment to Afghanistan, and they've got to get their house in order. They've got to have flexibility to handle life outside of their job, whether it's their children or their aging parents, while their spouse is deployed.

Let's talk about making sure that those men and women, as they're deployed, have everything that they need to accomplish the mission that we've given them. And yet through the sequester we know that we are going to have a smaller force. And our commanders say not less capable but we're going to have to make some really tough decisions about where we are in the world and what we can do with our capabilities.

And I'll just tell you, all you have to do is go to the military installation closest to your home and look into the eyes of that spouse whose family member is currently deployed in harm's way, and it will change our outlook, as it should.

□ 2040

Making life work for military families, making life work for Margaret and George, my kids, and yours, that's what we're talking about tonight.

Mr. Speaker, I want to just remind that we are, throughout this discussion, looking on Twitter, #makinglifework, taking input, Mr. Speaker, from our constituents as we have this conversation.

I yield to the gentleman from Indiana.

Mr. YOUNG of Indiana. Well, you said so many things that really strike a chord with me. And I know, based on my consultations and visits with my constituents, they certainly do. One is the importance of funding the essential functions of government. I mean, we are the party of smart government. We've put forward specific proposals in

order to rationalize different departments, make things run more efficiently, ensure we get more bang for our buck in every department of government, and avoid the duplication and wastefulness that so alienates so many of our constituents.

There's nothing we can do that would more undermine the credibility of government as an institution—and the Federal Government in particular—than to waste money and to spend it in areas where our constituents don't want us to spend it. So our national defense is essential. That benefits working families on a daily basis. It certainly benefits our military families, but really benefits all of us. That's something we have to be very careful with as we approach these different fiscal challenges. So I applaud my colleague for her leadership in this area.

Mrs. ROBY. All you have to do is pull out your copy of the Constitution, and what does it say? Our charge as Members of Congress is to provide for a strong national defense. If we're not taking care of those men and women in uniform who have fought and died for the very freedoms that allow for us to stand in this room today and talk about making life work, if we don't have enough respect for that, to do our job in Congress and set priorities when it comes to wasteful spending on behalf of them, then we all need to take a long, hard look at ourselves in the mirror.

Mr. YOUNG of Indiana. You know, my constituents, and yours too, they don't mind paying taxes if they get the sense that we're spending those taxes on the essential functions of government and we're spending absolutely no more than required. They also wouldn't mind paying their fair share of taxes if in fact complying with the Tax Code were a simple exercise and one that seemed by most Americans to be a fair exercise.

Having just passed tax day here, I'll share a couple of semi-humorous comments about what the American family could do instead of filing taxes, if they had taken all those 13 hours on average per American family and instead been able to use that for themselves.

An average American family, instead of filling out their Tax Code, could have watched the entire "Harry Potter" movie series twice, and they'd still have time for two "Hunger Games" movies. Or they could have watched all six "Star Wars" movies three times. Or they could have lost weight if that's where they want to spend their time. If the time was spent in a spinning class, the average American, we're told, could lose 14 pounds per man and 11.8 pounds per woman, respectively. They could fly between Hong Kong and New York three times. This just illustrates how darn painful complying with this convoluted, complicated, and unfair Tax Code can be.

I like to say that our Tax Code in a way makes those who sit down at the kitchen table and actually do their own taxes—most people actually have to hire a tax preparer or buy tax software these days—but it makes the average American feel like either a crook on one hand or a sucker on the other.

So consider the case of John and Jane. John and Jane are neighbors; they make the exact same amount in personal income. But John decides he's going to itemize his deductions and he takes several credits—he's sort of aggressive when he's filing his taxes. Jane, on the other hand, she takes a standard deduction and fairly limited credits. Now, John is left feeling like a crook. He might feel like he's run afoul of the law. He did his best to follow it, but he might be left to feel like a crook as a result of the whole tax exercise. Jane, on the other hand, knows that John ends up paying far less in taxes even though he makes the same amount, so Jane feels kind of like a sucker. What sort of code makes you feel like either a crook or a sucker?

We have to stop this nonsense, simplify the Code, and reduce the rates in the process to make us more competitive vis a vis our international competitors. That's what we're doing in the Ways and Means Committee, and I invite our Democrat colleagues to help. I actually see a lot of room for common ground here, and I hope that they will join us in this exercise.

Mrs. ROBY. To the gentleman from Indiana, we appreciate the hard work that you're doing on the Ways and Means Committee. All of us here look forward to helping making life work for American families through a simpler, flatter, fairer Tax Code that does just that.

Ms. HERRERA BEUTLER. And not making them feel like crooks and suckers, right? I mean, that's part of what we're here to talk about tonight. I think the gentlelady may have some comments on that.

Mrs. WAGNER. Absolutely. We're all reminded, with tax day having just passed, that we do need a Tax Code that is fairer, that is simpler, that we don't have to hire accountants and lawyers and go through thousands of pages of code in order to comply with the law.

We must remain competitive in society. We must cut through the red tape. Whether it's lowering tax rates for hardworking Americans and businesses and job creators or whether it has to do with cutting through overregulation—which is running rampant through our government—we've got to do things that cut waste and not workers. That's why making life work for Americans is so very important.

Balancing our budget, living within our means, I will tell you every family, every hardworking middle class family in the Second District is working hard

to figure out how to make those tennis shoes last another 6 months. The dishwasher may be broken; but you know what, they'll wash them in the sink until they've got the money to pay for it.

There are private sector job creators, there are working families everywhere, there are State governments that are living within their budget, living within their means. It's time that the Federal Government balances their budget and lives within their means. Only the House budget balances within a 10-year period of time and cuts the kind of waste that needs to be cut instead of cutting workers and making sure that the American Dream is available for all Americans.

Ms. HERRERA BEUTLER. I think this is one of the challenges we're facing is all Americans are looking at Congress saying why is it that we're sending all this money to Washington, D.C. Why are we having to live within our means and the Federal Government doesn't. In fact, what they see is the Federal Government cutting direct services, whether it's to military families, whether it's services in airports, whether it's security at parks. They're not cutting fat.

See, this is what's frustrating to me; the IRS operates a 24/7 satellite TV studio in their building. Across the street from the IRS, the EPA operates its own 24/7 satellite studio to the tune of \$4 million a year. Rather than maybe combine those two or share that one studio and save the taxpayer dollars, it seems like the administration is cutting those services that Americans expect and have already paid for. It's really time that the Federal Government learn to live within its means because it's going to help us grow jobs.

Mrs. ROBY. I just want to remind you, Mr. Speaker, that tonight we are grateful to be on the floor talking about making life work. Mr. Speaker, one of the ways that we're doing that tonight is engaging our constituents through #makinglifework. We want to hear, as we continue through this discussion, from the people from Missouri's Second District or Alabama's Second District or the other districts represented in this room, Mr. Speaker. We want to hear from those folks as we continue this conversation tonight about how to make life work on behalf of Americans.

As I've talked about on several occasions tonight, the Working Families Flexibility Act, which will be on the floor for a vote in 2 weeks, is about a voluntary agreement between an employer and an employee, only at the option of the employee, in the private sector—which is currently not legal, and the private sector removing this regulation so that employee has the opportunity to say, you know what, time is more precious than money. As a working mother with two small kids,

I get that. I get that and I can relate to that.

This bill is about allowing in the private sector that employer and that employee to come to an agreement and that employee exercising their right to say I'd rather have comp time, paid time off, than overtime payments and cash payments.

□ 2050

So we're talking about not just through tax reform or energy or health care—all of these things that have been discussed tonight—we're talking about how do we make life just a little bit easier for hardworking tax-paying Americans? They sit around their kitchen tables, balance their budgets, live within their means, and the Federal Government, quite frankly, doesn't do that, and we should be held to that same standard.

Mr. GARDNER. One of the things that I hear constantly from people around my district and around the country about Making Life Work is, what we are doing to get credit to businesses who are hoping to expand and the challenges that they may face. I just, in fact, heard this through some comments on #makinglifework, people responding to the conversation that we were having, worried about credit issues, worried about what's happened to their small businesses.

I've introduced legislation that would create a small business savings account to make sure that we can incentivize people to save money and to put it directly into job creation so that they will be able to save and have some benefit for that savings by actually not paying a tax on the gain when they invest it into a savings account or some other kind of savings or investment vehicle. But it's a way to save money and put it directly into job creation.

Other people have contacted us about regulations. You mentioned regulations. And I think it goes back again to that very issue of fairness, of what we are doing to look out for people who don't have a voice and to look out—

Mr. YOUNG of Indiana. Sorry for interrupting there, but you struck a chord when you said "regulations."

We know what the American people want. They want fewer hassles, fewer burdens, fewer mandates from on high. They want more flexibility, more walking around cash, they want more choices, they want more hope for themselves and their children and grandchildren.

With respect to regulatory reform, this impacts daily lives in a very big way. We typically hear about it in the context of how it's going to hurt your corporations or sometimes your small businesses. I happen to represent a district with a lot of rural areas in it. Not a week goes by that I don't hear a farmer complaining about some of the regulations in the pipe.

We've had recent attempts by our Federal Government to try and regulate milk spills like oil spills, and to regulate the dust that comes across fields in rural areas.

Mrs. ROBY. My farmers in Alabama are very, very familiar with all those regulations. We've worked hard through the Committee on Agriculture to do all that we can to remove that heavy hand of the Federal Government. Our farmers just want to farm.

Let me tell you, when we talk about national security, the day that our farmers in the United States of America can't feed, not just the world, but can't feed America, do you want to talk about a national security interest? Those are great examples of how we can remove those regulatory burdens.

Mr. YOUNG of Indiana. And how we can make life work for our regular American families, our American workers, and even our companies, because, after all, this is where most of my constituents are employed—sometimes large companies, sometimes small companies.

With respect to regulations, we have tried a Whack-A-Mole approach going back a number of years here, where we do our best with respect to oversight. Sometimes we do better than others. And we try to prevent certain executive departments from actually implementing a given regulation, or we change the law so that the regulation can't move forward. That's hard to do.

But I think we need to be thinking ambitiously here about changing the entire regulatory system. I introduced earlier this year a bill that was originally authored by Geoff Davis, a Republican from Kentucky, called the REINS Act. What the REINS Act does is it establishes a \$100 million threshold. So every time, say, the EPA or OSHA puts forward a rule or regulation that is determined will have \$100 million or more in economic impact on our multitrillion-dollar economy, that rule or regulation has to go before Congress for an up-or-down vote.

Now, what effect would this have? Of course, this would slow down the regulatory process, which is good. Washington needs to deliberate before it acts, right? We can still regulate. There's a role for smart regulation, but we need to deliberate before we act.

But, perhaps, most importantly, in the end, if we pass the REINS Act, this would allow our constituents to blame us for these painful and costly regulations, rather than unelected, unaccountable bureaucrats. We want to be accountable.

Mrs. WAGNER. Absolutely. And I will tell you, it puts the job back in the people's House—we, the people. This is not governance by fiat. We were sent here by our districts across the country to pass commonsense legislation and to get the government off the

backs and out of the way of hard-working Americans across this country. And, truthfully, the overregulation, the overburden, on business and industry is passed along to everyone across America. Every worker, every family is paying the cost of this over-regulatory burden. Whether it's the debt and deficit, whether it's tax reform, whether it's flexibility for families, whether it's living within our means, I'm finished with mortgaging our children's future.

And I agree with the gentlewoman from Washington. I'm tired of mortgaging today. It's not just about the future, it's about mortgaging what's happening right now.

Mr. GARDNER. I'm hearing from people who just want more independence, they want more say over their own lives. This isn't a top-down government approach, this is a bottom-up people approach, what we can do with technology to make sure that we're allowing innovation to occur and economies to grow.

Mrs. ROBY. We've sat on this floor for the past couple of years, and glad to have our new colleague join us tonight, but we've all given examples, and one of my favorite examples, although it's not funny, it's real, is the owner of a construction company that came to one of my NFIB roundtable discussions back in my district during a district workweek. Let me just give you this as an example. He said, The regulator drives by my job site and there was a ladder propped up against the eave. Let's say the guy stood to make an \$800 profit off of this construction job. His workers have been going up and down the ladder all day safely. And the regulator on his way home from his job slows down, because it happened to be on his street, and he says, That ladder does not meet regulation. This guy gets slapped with like an \$8,000 fine on a job that he only stood to make an \$800 profit on. That is not making life work.

This administration and our colleagues in the Senate have got to wake up to what we're doing strangling small businesses. But, again, it's not just about the employer. I think we've got to remember and remind ourselves that it's not just about the employer that creates the jobs. We get that and we applaud that. We want to make it as easy for people to create jobs as we can in this country because that's innovation and that's what this country is about, but it's also about that hard-working employee. And we've got to remember that clearing this regulatory environment, it helps that American family, it helps that American family when they're sitting around their dinner table and they're trying to make life work.

Again, real quick, we've got a few more minutes, I just want to remind, Mr. Speaker, tonight, we are hoping to

receive input from our constituents at #makinglifework. Throughout our conversation tonight we've been hearing from folks that have been reminding us of issues that are important to them. And I think this is, Mr. Speaker, a very unique opportunity to have this conversation.

Mrs. WAGNER. We thank the gentle lady from Alabama for putting the Special Order together, for really caring about all Americans and about what's important to them, as you said, sitting around the kitchen table. It's about making life work. And at the end of the day, that's what government ought to be doing—getting out of the way, off their backs, working for the people, not against them.

Mr. GARDNER. And I hope that tonight's conversation will continue; that it's not just an hour before the House of Representatives. But this is a conversation that people will be able to talk about and continue. And that the feedback that they provide through #makinglifework will continue to come to us to talk about ways and ideas that we can truly move this country forward.

And so, Mr. Speaker, thank you for the opportunity to do this as we talk about these ideas. We've mentioned several of them here as feedback has rolled in from around the country.

Mrs. ROBY. One of the things we haven't really spent time on—and the gentle lady from Washington wants to talk about—is health care and things that we are doing to make sure that American families have the access. I think we can all agree that we want health care to be more affordable and more accessible by all Americans, but as we move closer and closer to the full implementation of ObamaCare in 2014, we're finding that that doesn't work.

□ 2100

Ms. HERRERA BEUTLER. We're starting to hear from some of the folks we serve in our districts and in our States that folks with serious pre-existing conditions are being turned away from a high-risk pool that was promised.

Mrs. ROBY. Didn't the President, himself, promise that those individuals would receive that care?

Ms. HERRERA BEUTLER. It was the promise. I mean, that was part of the big promotion of the health care bill that the President passed: that, if we do this, no one will ever be turned away with a preexisting condition. Yet today, right now, people with serious preexisting conditions are being told, basically, by the Obama administration, sorry, we didn't plan for you.

Mr. YOUNG of Indiana. I understand that the money that Republicans would propose to spend to address this issue within the Obama structure is money the administration would instead like to spend for advertising—ad-

vertising the exchanges, advertising how the Affordable Care Act is actually going to work.

Mrs. WAGNER. And this is key. This is about the Helping Sick Americans Now Act.

Mr. YOUNG of Indiana. That's right.

Mrs. WAGNER. There are tens of thousands of Americans who have been turned away who are suffering and sick and ill with preexisting conditions, and I hope we're going to address this tomorrow.

Do you know what we're going to do?

We are going to defund this preventative care act—this slush fund in the Affordable Care Act—that has been going for everything from paths and bike paths and advertising campaigns and spaying and neutering dogs. Instead, we're going to defund it. We're going to pay down about \$8 billion on the deficit, and we're going to move money into these high-risk pools, which are run by the States, that are going to actually take care of sick Americans.

Mrs. ROBY. We look forward to that debate in the next 2 days.

We are closing in on the end of our hour, but we have just been joined by the gentleman from Arkansas (Mr. GRIFFIN). As you know, tonight, we are talking about this #makinglifework for American families.

So I want you to jump in, but we do have, just as a reminder, about 2 minutes tops.

Mr. YOUNG of Indiana. This looks like a welcome addition. Before he steps to the microphone there, he's going to tell us where all the money is going, how bad our debt is, and maybe how that's crowding out future investment in our children and grandchildren.

Is that right, Tim?

Mr. GRIFFIN of Arkansas. I appreciate that transition. Thank you very much.

What I'm concerned about is because we haven't gotten our fiscal house in order, we are not able to invest in a lot of things, like medical research and roads and education, the way we need to in order to be prepared for the future. I've got a 3-year-old and a 5-year-old, and I want their America to be as good as the one that I grew up in. To do that, we have to invest in these things.

So I call this the "PAC-MAN problem" because nearly two-thirds of our Federal budget is on autopilot. It's mandatory spending. Medicare, Medicaid, Social Security, and interest make up that mandatory spending; and this is money that's basically spent without congressional approval because it's written into the law. Unless we save and strengthen those programs represented by the yellow here, then they're going to go bankrupt; and they're going to crowd out the investments that we need to make that will help families and help grow our economy. Basically, PAC-MAN eventually

will swallow all the investments up; and when it does, all the spending for medical research, scientific development, and all of these other things will go away. So we've got to get that under control for our families.

Mrs. ROBY. We do. I thank the gentleman from Arkansas. I know you ran over here to join us tonight. I thank all of those States and districts that are represented here tonight.

Mr. Speaker, I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1549, HELPING SICK AMERICANS NOW ACT

Mr. BURGESS (during the Special Order of Mrs. ROBY), from the Committee on Rules, submitted a privileged report (Rept. No. 113-46) on the resolution (H. Res. 175) providing for consideration of the bill (H.R. 1549) to amend Public Law 111-148 to transfer fiscal year 2013 through fiscal year 2016 funds from the Prevention and Public Health Fund to carry out the temporary high risk health insurance pool program for individuals with pre-existing conditions, and to extend access to such program to such individuals who have had creditable coverage during the 6 months prior to application for coverage through such program, which was referred to the House Calendar and ordered to be printed.

RADICAL ISLAM AND THE "T" WORD

The SPEAKER pro tempore (Mr. YOH). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

I must say how proud I am of the Members of Congress from the class that came in 2 years ago and of those who are coming in now. It's an honor to serve with folks who care so much about the country and where we're going; but to know where we're going, it's important to know where we've been.

Of course, over the last week or so, we have endured terrible heartache because it wasn't just Boston that was attacked, and it wasn't just the little town of West, Texas, that lost so many people. *E pluribus unum*—"out of many, one." When tragedy strikes, we come together as one people to mourn. That has been true in the past. That's why it's so heartbreaking when Americans note that some gloat when other Americans are killed. Thank goodness it's such a rare thing. But with the tragedies in Boston and with the horror of the explosion and fire down in West, down in BILL FLORES' district, we will continue to pray for those who are en-

during such suffering, for those who have lost loved ones. There is no easy way to lose a loved one. Everyone in America has either lost a loved one or will; and when it happens, it allows you to empathize and sympathize so much more easily with those who have lost loved ones. So we grieve; we mourn.

An important after-tragedy aspect for those who are in government is to make sure that we figure out exactly what went wrong so that Americans are spared this tragedy in the future. A former Secretary of State once asked in the aftermath of a tragedy, which she was overseeing in the department, what difference does it make? Having had Embassies attacked before—and yet this consulate in Benghazi was not adequately protected—it raises very serious issues, and the answer should be very clear when the question is: What difference does it make?

It makes a difference in not having to console those who have lost and mourned with those who have lost and consoled and help those who are trying to heal. It means all of that suffering doesn't happen if we find the mistakes and make sure they are not replicated in the future.

It was difficult—and it continues to be difficult—to get information out of the State Department, out of Homeland Security in having questioned the Secretary of Homeland Security myself and finding that she couldn't even answer how many members of the Muslim Brotherhood were part of her closest advisory council, the Homeland Security Advisory Council, or what backgrounds people had that would indicate ties to the Muslim Brotherhood within her Countering Violent Extremism Working Group. It's called the Countering Violent Extremism Working Group because, heaven forbid, we should offend anyone who is trying to kill us and wants to destroy our way of life.

It's also interesting as we dig into the situation—I mean, I've been hammered in the last week and accused of being an intolerant racist simply because people did not know the facts when they leveled such allegations, but I don't expect any apologies as they find out the truth that, yes, there have been radical Islamists who have been known to have changed their Islamic surnames to Hispanic-sounding names and to have falsified their identification documents so they would appear to be Hispanic and then make their way across our southern border.

□ 2110

There is nothing racist in that. In fact, it actually can be construed as a compliment because these people knew that radical Islamists were not wanted in this country and that in this country most of us are greatly appreciative of the heritage that Hispanics bring.

As I've said many times, I think something that has been a

foundational part of making America great has been, generally speaking—with a hat tipped to atheists and all the other religions in America—traditionally there was a faith in God, there was a devotion to family and there was a hard work ethic. And generally speaking, that's what I see more than any other things in the Hispanic culture. I'm hoping that culture will help revive those aspects in our American culture. So it's certainly not intended as a snub, and, in fact, it is just stating a fact. This is something that's occurred. But it's always apparently a fun game for liberals to preach about tolerance and then be the most intolerant people in the country when it comes to conservatives or conservative Christians.

Jesus told us 2,000 years ago, You'll suffer for my sake. I didn't suffer as a Christian growing up, but some are all too willing to oblige nowadays to make sure that Christians do suffer, that they are persecuted, that they are condemned for their religious beliefs; and they go after Christians in a way that they would never seek to condemn even radical Islamists.

But I hope that out of the disaster and the heartbreak and the harm and damage that came not just to Boston, Massachusetts, but to a central heartbeat of America and Boston, which is such an important and integral part of America—we all got hit on 9/11. We got hit as Americans when our consulate was hit and four Americans were killed in Libya. We got hit when rebels took the weapons that this administration helped provide and killed Americans in Algeria.

We all take a hit when there are mistakes in judgment, mistakes in judgment like helping bomb Qadhafi, even though this administration had agreements with him. He was providing intel on radical Islamic terrorists. Well, that source is gone now. And this administration, despite being warned by many of us that, Look, we know there are al Qaeda that are actually embedded in the revolutionaries; don't help until we know who we're helping, but this administration made clear it didn't need congressional approval and it did not need congressional authority. It had been asked to help by the Organization of Islamic Council and by NATO. So forget what all the elected Representatives of Texas and all 49 other States and all of the territories think, I'll just do what I want.

I am proud to count Michael Mukasey as a friend. I had tremendous respect for him as a judge back when he presided over many trials, but particularly the trial of the Blind Sheikh after the attempted bombing of the World Trade Center in 1993. He did a great job, and the prosecutors did great jobs. Andrew McCarthy should ever have the thanks and the acclaim he deserves instead of the condemnation he

often gets. When you're around Andrew McCarthy and Michael Mukasey, no matter what your IQ is, the average is quite high.

As a former attorney general, former Federal judge, Michael Mukasey said in his article that was printed April 21 by *The Wall Street Journal*—there are so many fantastic points that need to be brought out. These are Michael Mukasey's words. He said:

If your concern about the threat posed by the Tsarnaev brothers is limited to assuring that they will never be in a position to repeat their grisly acts, rest easy.

The elder, Tamerlan—apparently named for the 14th-century Muslim conqueror famous for building pyramids of his victims' skulls to commemorate his triumphs over infidels—is dead. The younger, Dzhokhar, will stand trial when his wounds heal, in a proceeding where the most likely uncertainty will be the penalty. No doubt there will be some legal swordplay over his interrogation by the FBI's High-Value Interrogation Group without receiving Miranda warnings. But the only downside for the government in that duel is that his statements may not be used against him at trial. This is not much of a risk when you consider the other available evidence, including photo images of him at the scene of the bombings and his own reported confession to the victim whose car he helped hijack during last week's terror in Boston.

But if your concern is over the larger threat that inheres in who the Tsarnaev brothers were and are, what they did, and what they represent, then worry—a lot.

For starters, you can worry about how the High-Value Interrogation Group, or HIG, will do its work. That unit was finally put in place by the FBI after so-called “underwear bomber” named Umar Farouk Abdulmutallab tried to blow up the airplane in which he was traveling as it flew over Detroit on Christmas Day in 2009 and was advised of his Miranda rights. The CIA interrogation program that might have handled the interview had by then been dismantled by President Obama.

At the behest of such Muslim Brotherhood-affiliated groups as the Council on American Islamic Relations and the Islamic Society of North America and other self-proclaimed spokesmen for American Muslims, the FBI has bowdlerized its training materials to exclude references to militant Islamism. Does this delicacy infect the FBI's interrogation group as well?

Will we see another performance like the Army's after-action report following Major Nidal Hasan's rampage at Fort Hood in November 2009, preceded by his shout “allahu akhbar”—a report that spoke nothing of militant Islam but referred to the incident as “workplace violence”? If tone is set at the top, recall that the Army chief of staff at the time said the most tragic result of Fort Hood would be if it interfered with the Army's diversity program.

Presumably, the investigation into the Boston terror attack will include inquiry into not only the immediate circumstances of the crimes but also who funded Tamerlan Tsarnaev's months-long sojourn abroad in 2012 and his comfortable lifestyle. Did he have a support network? What training did he, and perhaps his younger brother, receive in the use of weapons? Where did the elder of the two learn to make the suicide vest he reportedly wore? The investigation should include, as well, a deep dive into Tamerlan's

radicalization, the Islamist references in the brothers' social media communications, and the jihadist Web sites they visited.

Will the investigation probe as well the FBI's own questioning of Tamerlan 2 years ago at the behest of an unspecified foreign government, presumably Russia, over his involvement with jihadist Web sites and other activities? Tamerlan Tsarnaev is the fifth person since 9/11 who has participated in terror attacks after questioning by the FBI. He was preceded by Nidal Hasan; drone casualty Anwar al-Awlaki; Abdulhakim Mujahid Muhammad—born Carlos Leon Bledsoe—who murdered an Army recruit in Little Rock in June 2009; and David Coleman Headley, who provided intelligence to the perpetrators of the Mumbai massacre in 2008. That doesn't count Abdulmutallab, who was the subject of warnings to the CIA that he was a potential terrorist.

□ 2120

If the intelligence yielded by the FBI's investigation is of value, will that value be compromised when this trial is held, as it most certainly will be, in a civilian court? Dzhokhar Tsarnaev's lawyers, as they have every right to do, will seek to discover the intelligence and use it to fashion a case in mitigation if nothing else, to show that his late brother was the dominant conspirator who had access to resources and people.

There is also cause for concern that this was obviously a suicide operation—not in the direct way of a bomber who kills all of his victims and himself at the same time by blowing himself up, but in the way of someone who conducts a spree, holding the stage for as long as possible, before he is cut down in a blaze of what he believes is glory. Here, think Mumbai.

Until now, it has been widely accepted in law enforcement circles that such an attack in the U.S. was less likely because of the difficulty organizers would have in marshaling the spiritual support to keep the would-be suicide focused on the task. That analysis went out the window when the Tsarnaevs followed up the bombing of the marathon by murdering a police officer in his car, an act certain to precipitate the violent confrontation that followed.

It has been apparent that with al Qaeda unable to mount elaborate attacks like the one it carried out on 9/11, other Islamists have stepped in with smaller and less intricate crimes, but crimes that are nonetheless meant to send a terrorist message. These include Faisal Shahzad, who failed to detonate a device in Times Square in 2010, and would-be subway bomber Najibullah Zazi and his confederates.

Is this, as former CIA Director Michael Hayden put it, the new normal?

There is also cause for concern in the President's reluctance, soon after the Boston bombing, even to use the “t” word—terrorism—in his vague musing on Friday about some unspecified agenda of the perpetrators, when by then there was no mystery: the agenda was jihad.

For 5 years we have heard, principally from those who wield executive power, of a claimed need to make fundamental changes in this country, to change the world's—particularly the Muslim world's—perception of us, to press the “reset” button. We have heard not a word from those sources suggesting any need to understand and confront a totalitarian ideology that has existed since at least the founding of the Muslim Brotherhood in the 1920s.

The ideology has regarded the United States as its principal adversary since the

late 1940s, when a Brotherhood principal, Sayid Qutb, visited this country and was aghast at what he saw as its decadence. The first World Trade Center bombing in 1993, al Qaeda attacks on American embassies in Kenya and Tanzania in 1998, and on the USS *Cole* in 2000, the 9/11 attacks, and those in the dozen years since were all fueled by Islamist hatred for the U.S. and its values.

There are Muslim organizations in this country, such as the American Islamic Forum for Democracy, headed by Dr. Zuhdi Jasser, that speak out bravely against the totalitarian ideology. They receive no shout-out at Presidential speeches; no outreach is extended to them.

One of the Tsarnaev brothers is dead; the other might as well be. But if that is the limit of our concern, there will be others.

Michael MuKasey is a great, patriotic American, a brilliant American.

And now, we have those who have told us that we must pass gun control legislation that they, most of them, even acknowledge would not have affected the horror at Sandy Hook at all. But they say you must pass gun control legislation for the benefit, in the memory of Sandy Hook, utilizing that horrible murder spree to try to justify their political agenda.

My first question is: Will the legislation you're proposing, would it have changed the outcome at Sandy Hook or Colorado or any of the mass murders? When the proponents say no, it wouldn't have changed Sandy Hook at all, then the next question is: All right, what other legislation do you have, something that might make a difference? Don't bring things that won't make a difference other than to further your political agenda. Let's do something to change what has happened in the past so it won't happen in the future.

So now we're told: Oh, gee, you should not use the Boston bombing as a wake-up call to make sure that we look more closely at people coming in who might want to harm us. The FBI got a heads-up from Russia, for heaven's sake, and I understand that they would have viewed the Russians' complaint and their information with a jaundiced eye because they'd say: Well, they don't care for the Chechens anyway. But they got a heads-up. And we've already seen, and I can't go into what was classified—it shouldn't have been; it shouldn't be classified—but all of the documents that have been purged from the FBI training materials because we had heard and read and found out from people involved in the FBI that they're eliminating words.

I had a chart up here that explained, under the 9/11 report, the words “Islam” and “jihad” and “radical.” These were words used commonly in the 9/11 report. But since then, since we had a new President and new regime and new Justice Department under Attorney General Eric Holder, and since the FBI had partnered with CAIR, one of the two known, as the Federal Court in Dallas and in the Fifth Circuit Court

of Appeals had said, the two largest Muslim Brotherhood front organizations, CAIR, the Council of American-Islamic Relations, and ISNA, the Islamic Society in North America, those are the two largest front organizations for Muslim Brotherhood, and this administration had embraced them and responds to them regularly and has the president of ISNA to the White House and even to the State Department and gets his input on things of importance.

So we have Muslim Brotherhood front organization members leading, guiding, directing this administration. They kept telling the President apparently, from what we've seen, because certainly that's what the President and Secretary of State Clinton said, hey, they don't dislike the administration, don't watch them burn the President in effigy, no, they love him, but it's just they're mad about a video. Or they're mad about perceptions of the U.S. They love our President.

Well, read the polls overseas and you'll find out that's not the case.

But for those who say: Look, the lesson from Boston ought to be that we need to rush through at least 11 million—some think it may be as high as 20 million—people who are in this country legally—or illegally and make them legal as quickly as possible because that will allow us a complete and thorough report on these people, but I would only submit, if the FBI is still using the purged lexicon where they can't talk about jihad or can't talk about all of the things that were removed from their training manuals and FBI agents were told they can't use anymore, how do you go question a proponent of killing Americans, a proponent of radical murderer jihad without talking about jihad, without talking about the words that radical Islamists use?

That must have been quite an interrogation of the now-deceased Tamerlan since they couldn't use the words that would have told him what he really believed in. And now, FBI agents who are so overworked they couldn't even do a proper investigation of a guy after Russia gives them a heads-up and gives them information, and now the solution, we're told, is to bring in 11 million more, rush them by the FBI, and then we'll know whether they're terrorists? You think?

□ 2130

Or are we going to come down here and repeatedly have to express truthfully and honestly how our heart breaks for Americans that were killed because we never learned our lesson, because we had people that thought, what difference does it make?

America deserves better. We have a pledge that we take to protect this country, this blessed country, from all enemies, foreign and domestic; and I hope and pray we'll begin to better live up to that oath.

At the same time as I pray and mourn for those who've lost, who are suffering, it is my prayer that God Almighty will wrap His protective hands around this country, and that this country will give the Good Lord reason to do so.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GEORGE MILLER of California (at the request of Ms. PELOSI) for today and the balance of the week on account of medical surgery.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1246. An act to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 24, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1190. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General John R. Allen, United States Marine Corps, and his advancement on the retired list in the grade of general; to the Committee on Armed Services.

1191. A letter from the Secretary, Department of Health and Human Services, transmitting a report on Health Plan Value Methodology; to the Committee on Energy and Commerce.

1192. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform — Mobility Fund [WC Docket No.: 10-90] [GN Docket No.: 09-51] [WC

Docket No.: 07-135] [WC Docket No.: 05-337] [CC Docket No.: 01-92] [CC Docket No.: 96-45] [WC Docket No.: 03-109] [WT Docket No.: 10-208] received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1193. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Final Safety Evaluation for Boiling Water Reactors Owners' Group Topical Report BWROG-TP-11-023, Revision 0, November 2011, "Linear Elastic Fracture Mechanics Evaluation of General Electric Boiling Water Reactor Water Level Instrument Nozzles for Pressure-Temperature Curve Evaluations" (TAC NO. ME7650) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1194. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-11, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1195. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-10, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1196. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform [Docket No.: 120403246-2657-01] (RIN: 0694-AF65) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1197. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-10) activities report; to the Committee on Foreign Affairs.

1198. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals through the 1st Quarter of Fiscal Year 2013", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

1199. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1200. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's 2012 Freedom of Information Act Litigation and Compliance Report, pursuant to 5 U.S.C. 552(e)(6); to the Committee on Oversight and Government Reform.

1201. A letter from the Acting Director, Peace Corps, transmitting a copy of the Peace Corps' Fiscal Year 2012 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

1202. A letter from the Secretary, Railroad Retirement Board, transmitting the Board's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and

Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1203. A letter from the EEO Director, Securities and Exchange Commission, transmitting the Commission's annual report for FY 2012 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1204. A letter from the Administrator, Small Business Administration, transmitting the Administration's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1205. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting the Court's report on the activities of the Family Court during 2012; to the Committee on Oversight and Government Reform.

1206. A letter from the Assistant Secretary, Indian Affairs, Department of the Interior, transmitting notice that the Department proposes to restore funds to the Delaware Tribe of Indians; to the Committee on Natural Resources.

1207. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting copy of the Office of Victims of Crime (OVC) International Terrorism Victim Expense Reimbursement (ITVERP) Report to Congress for the reporting periods September 2009-August 2010 and September 2010-August 2011; to the Committee on the Judiciary.

1208. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the 2012 annual report on the STOP Violence Against Women Formula Grant Program; to the Committee on the Judiciary.

1209. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2013 Naval Air Station Key West Air Spectacular, Boca Chica Channel; Boca Chica, FL [Docket No.: USCG-2013-0077] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1210. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Havasu Triathlon; Lake Havasu City, AZ [Docket No.: USCG-2013-0023] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1211. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; BWRC Southwest Showdown 2, Parker, AZ [Docket No.: USCG-2013-0058] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1212. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; 2013 International Rolex Regatta; St. Thomas Harbor; St. Thomas, U.S. Virgin Islands [Docket Number: USCG-2012-1079] (RIN: 1625-AA08) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1213. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Desert Storm Shootout; Lake Havasu, Lake Havasu City, AZ [Docket No.: USCG-2013-0005] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1214. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; New River Raft Race, New River; Fort Lauderdale, FL [Docket No.: USCG-2013-0047] (RIN: 1625-AA08) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1215. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Elizabeth River, Eastern Branch, Norfolk, VA [Docket No.: USCG-2012-0357] (RIN: 1625-AA09) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1216. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; SFPD Training safety zone; San Francisco Bay, San Francisco, CA [Docket No.: USCG-2013-0148] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1217. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2013 Lauderdale Air Show, Atlantic Ocean; Fort Lauderdale, FL [Docket No.: USCG-2012-1073] (RIN: 1625-AA08) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1218. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Spanish Navy School Ship San Sebastian El Cano Escort; Bahia de San Juan; San Juan, PR [Docket No.: USCG-2013-0166] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1219. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Stuart Sailfish Regatta, Indian River; Stuart, FL [Docket No.: USCG-2012-0150] (RIN: 1625-AA08) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1220. A letter from the Senior Vice President, Government Relations, Tennessee Valley Authority, transmitting the Statistical Summary for Fiscal Year 2012; to the Committee on Transportation and Infrastructure.

1221. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Basis Reporting by Securities Brokers and Basis Determination for Debt Instruments and Options; Reporting for Premium [TD 9616] (RIN: 1545-BK05; RIN: 1545-BL47) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 175. Resolution providing for consideration of the bill (H.R. 1549) to amend Public Law 111-148 to transfer fiscal year 2013 through fiscal year 2016 funds from the Prevention and Public Health fund to carry out the temporary high risk health insurance pool program for individuals with pre-existing conditions, and to extend access to such program to such individuals who have had creditable coverage during the 6 months prior to application for coverage though such program (Rept. 113-46). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISSA (for himself and Ms. LOFGREN):

H.R. 1663. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Mr. ENGEL:

H.R. 1664. A bill to amend title 23, United States Code, to reduce injuries and deaths caused by cell phone use and texting while driving, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL:

H.R. 1665. A bill to amend title 23, United States Code, to withhold highway funds from States that do not have in effect laws requiring the use of ignition interlock devices to prevent repeat intoxicated driving, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CLEAVER (for himself and Mr. BACHUS):

H.R. 1666. A bill to create a patient-centered quality of care initiative for seriously ill patients through the establishment of a stakeholder strategic summit, quality of life education and awareness initiative, health care workforce training, an advisory committee, and palliative care focused research, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself, Mr. THOMPSON of California, and Mr. HUFFMAN):

H.R. 1667. A bill to prevent the escapement of genetically altered salmon in the United States, and for other purposes; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ (for herself, Mr. RANGEL, Mr. SERRANO, and Mr. JEFFRIES):

H.R. 1668. A bill to increase the number of tenant-based rental assistance vouchers made available for low-income families displaced by Hurricane Sandy; to the Committee on Financial Services, and in addition to the Committees on Appropriations, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. RANGEL, Mr. SERRANO, and Mr. JEFFRIES):

H.R. 1669. A bill to require large public housing agencies to develop disaster response and relief plans to guide and prepare staff and residents of such agencies, the local community, and Federal, State, and local governments for disasters affecting public housing projects; to the Committee on Financial Services.

By Ms. VELÁZQUEZ (for herself, Mr. RANGEL, Mr. SERRANO, and Mr. JEFFRIES):

H.R. 1670. A bill to improve the implementation and oversight for the program under section 3 of the Housing and Urban Development Act of 1968 for training and hiring requirements for public housing, Indian housing assistance, and housing and community development programs; to the Committee on Financial Services.

By Mr. SWALWELL of California (for himself, Ms. BASS, Mr. BECERRA, Mr. BERA of California, Ms. BROWNLEY of California, Mr. CALVERT, Mr. CAMPBELL, Mrs. CAPPS, Mr. CÁRDENAS, Ms. CHU, Mr. COOK, Mr. COSTA, Mrs. DAVIS of California, Mr. DENHAM, Ms. ESHOO, Mr. FARR, Mr. GARAMENDI, Ms. HAHN, Mr. HONDA, Mr. HUFFMAN, Mr. HUNTER, Mr. ISSA, Mr. LAMALFA, Ms. LEE of California, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. McKEON, Mrs. NEGRETE MCLEOD, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Mr. GARY G. MILLER of California, Mrs. NAPOLITANO, Mr. NUNES, Ms. PELOSI, Mr. PETERS of California, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUIZ, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SÁNCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of California, Mr. VALADAO, Mr. VARGAS, Ms. WATERS, and Mr. WAXMAN):

H.R. 1671. A bill to designate the facility of the United States Postal Service located at 6937 Village Parkway in Dublin, California, as the "James 'Jim' Kohnen Post Office"; to the Committee on Oversight and Government Reform.

By Mr. DAINES (for himself and Mr. BISHOP of Utah):

H.R. 1672. A bill to withdraw and reserve certain public lands administered by the Bureau of Land Management for exclusive military use as part of the Limestone Hills Training Area, Montana, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY of California:

H.R. 1673. A bill to provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Navy for inclusion in Naval Air Weapons Station China Lake, California, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 1674. A bill to amend the Internal Revenue Code of 1986 to deny the refundable por-

tion of the child tax credit to individuals who are not authorized to be employed in the United States and to terminate the use of certifying acceptance agents to facilitate the application process for ITINs; to the Committee on Ways and Means.

By Mr. CASSIDY (for himself, Mrs. BLACKBURN, Mr. HECK of Nevada, Mr. HARRIS, Mrs. BLACK, Mr. BURGESS, Mr. TERRY, Mr. WESTMORELAND, Mr. BROUN of Georgia, Mr. LANCE, and Mr. DESJARLAIS):

H.R. 1675. A bill to amend the Internal Revenue Code of 1986 to permit health plans without a deductible for prenatal, labor and delivery, and postpartum care to be treated as high deductible plans with respect to health savings accounts; to the Committee on Ways and Means.

By Mr. COOK (for himself and Mr. McKEON):

H.R. 1676. A bill to designate the Johnson Valley National Off-Highway Vehicle Recreation Area in San Bernardino County, California, to authorize limited military use of the area, to provide for the transfer of the Southern Study Area to the administrative jurisdiction of the Secretary of the Navy for inclusion in the Marine Corps Air Ground Combat Center Twentynine Palms, and by recreational users, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTA (for himself, Mr. HONDA, Ms. LEE of California, Ms. CHU, Mr. SCHIFF, Mr. CÁRDENAS, Mr. HUFFMAN, Mr. LOWENTHAL, and Mr. CARTWRIGHT):

H.R. 1677. A bill to modify the boundary of Yosemite National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. CUMMINGS (for himself, Mr. RIGELL, Mr. RAHALL, Mr. GARAMENDI, Mr. LARSEN of Washington, Ms. PINGREE of Maine, Mr. LAMALFA, Mr. POCAN, Mr. GRIMM, and Mr. YOUNG of Alaska):

H.R. 1678. A bill to amend title 46, United States Code, to reinstate provisions requiring that a percentage of aid provided by the Secretary of Agriculture or the Commodity Credit Corporation in the form of certain agricultural commodities or their products must be transported on commercial vessels of the United States, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALDOMAEGA:

H.R. 1679. A bill to amend the Expedited Funds Availability Act to clarify the application of that Act to American Samoa; to the Committee on Financial Services.

By Mr. GRIJALVA:

H.R. 1680. A bill to render all enrolled members of the Tohono O'odham Nation citizens of the United States as of the date of their enrollment and to recognize the valid membership credential of the Tohono O'odham Nation as the legal equivalent of a certificate of citizenship or a State-issued birth certificate for all Federal purposes; to the Committee on the Judiciary.

By Mr. HIGGINS:

H.R. 1681. A bill to amend the Federal Election Campaign Act of 1971 to provide for lim-

itations on expenditures in elections for the House of Representatives; to the Committee on House Administration.

By Ms. LOFGREN (for herself, Mr. CONNOLLY, Mrs. DAVIS of California, Mr. WOLF, Ms. LORETTA SÁNCHEZ of California, and Mr. SHERMAN):

H.R. 1682. A bill to prohibit the designation of Vietnam under title V of the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1683. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Natural Resources.

By Mrs. LUMMIS:

H.R. 1684. A bill to convey certain property to the State of Wyoming to consolidate the historic Ranch A, and for other purposes; to the Committee on Natural Resources.

By Ms. MATSUI (for herself, Mr. WAXMAN, Ms. ESHOO, Ms. DEGETTE, Ms. LOFGREN, Mr. DOYLE, Mr. BEN RAY LUJÁN of New Mexico, Ms. SCHAKOWSKY, and Mr. BUTTERFIELD):

H.R. 1685. A bill to amend the Communications Act of 1934 to reform and modernize the Universal Service Fund Lifeline Assistance Program; to the Committee on Energy and Commerce.

By Mr. MORAN (for himself, Ms. NORTON, Mr. BLUMENAUER, and Mr. GARAMENDI):

H.R. 1686. A bill to amend the Internal Revenue Code of 1986 to impose a retail tax on disposable carryout bags, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself and Mr. SIRE):

H.R. 1687. A bill to provide for the imposition of sanctions with respect to foreign persons responsible for or complicit in ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of ALBA countries, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER:

H.R. 1688. A bill to prohibit contracting with the enemy; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER:

H.R. 1689. A bill to prohibit certain real property from being named after a sitting Member of Congress; to the Committee on Transportation and Infrastructure.

By Mr. VARGAS (for himself, Mr. LAMALFA, Mrs. NAPOLITANO, Mr. ENYART, Ms. BASS, Mr. LOWENTHAL, Mr. RUSH, Mr. CÁRDENAS, Mrs. DAVIS of California, Mr. HONDA, Ms. JACKSON LEE, Mrs. NEGRETE MCLEOD, Mr. GUTIERREZ, Mr. POE of Texas, Mr. TAKANO, and Mr. PETERS of California):

H.R. 1690. A bill to amend title 18, United States Code, to remove knowledge of age as an element of the offense for the sex trafficking of children or by force, fraud, or coercion; to the Committee on the Judiciary.

By Mr. VARGAS:

H.R. 1691. A bill to provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Navy for inclusion in the Chocolate Mountain Aerial Gunnery Range, California, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of Arizona (for himself, Mr. COSTA, Mr. ROYCE, Mr. GOSAR, Mr. SCHWEIKERT, Mr. SALMON, Mr. JONES, Mr. CHABOT, Mr. MEADOWS, Mr. NUNNELEE, Mr. CRAMER, Mr. BENTIVOLIO, Mr. FLEMING, and Mr. YODER):

H.J. Res. 40. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. SALMON (for himself, Mr. SCHWEIKERT, Mr. RICE of South Carolina, Mr. DESANTIS, Mr. BRIDENSTINE, and Mr. PITTENGER):

H.J. Res. 41. A joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. CRENSHAW (for himself and Mr. MEEKS):

H. Con. Res. 35. Concurrent resolution supporting the goals and ideals of World Malaria Day; to the Committee on Foreign Affairs.

By Mr. HINOJOSA (for himself, Mr. STIVERS, Ms. SEWELL of Alabama, Mr. CARTWRIGHT, and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Res. 172. A resolution supporting the goals and ideals of "Financial Literacy Month"; to the Committee on Oversight and Government Reform.

By Mr. GARDNER (for himself and Mr. CRAMER):

H. Res. 173. A resolution expressing the sense of the House of Representatives that, in order to make commonsense reforms under sequestration, Federal employees should be encouraged to suggest ways to make more sensible or more efficient budget reductions within their employing department or agency, knowing that they are protected under the whistleblower protection laws; to the Committee on Oversight and Government Reform.

By Mr. VAN HOLLEN (for himself, Ms. PELOSI, Mr. CLYBURN, Mr. HOYER, Mr. BECERRA, Mr. CROWLEY, Mr. ISRAEL, Ms. DELAUNO, Mr. ANDREWS, Ms. SCHWARTZ, Mr. YARMUTH, Mr. PASCRELL, Mr. RYAN of Ohio, Ms. MOORE, Ms. CASTOR of Florida, Mr. McDERMOTT, Ms. LEE of California, Mr. CICILLINE, Mr. JEFFRIES, Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HUFFMAN, Mr. CÁRDENAS, Mr. BLUMENAUER, Mr. SCHRADER, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. DOGGETT, Ms. VELÁZQUEZ, Mr. BUTTERFIELD, Ms. ESHOO, Mr. TONKO, Mr. FOSTER, Mr. LEVIN, Mr. LANGEVIN, Mr. GALLEGO, Mr. LEWIS, Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of

Georgia, Mrs. LOWEY, Mr. CONYERS, Ms. FUDGE, Ms. MENG, Mr. LOWENTHAL, Mr. WELCH, Ms. ROYBAL-ALLARD, Mr. KIND, Ms. KAPTUR, Ms. LINDA T. SÁNCHEZ of California, Ms. DELBENE, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Ms. TSONGAS, Mr. COOPER, Mrs. CHRISTENSEN, Mr. DINGELL, Mr. HINOJOSA, Ms. SLAUGHTER, Mr. DANNY K. DAVIS of Illinois, Mr. ENYART, Ms. BORDALLO, Mr. SMITH of Washington, Mr. KILDEE, Mr. HONDA, Mr. CARNEY, Mr. WAXMAN, Ms. DEGETTE, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. CUELLAR, and Mr. RUSH):

H. Res. 174. A resolution expressing the sense of the House of Representatives that the Speaker should immediately request a conference and appoint conferees to complete work on a fiscal year 2014 budget resolution with the Senate; to the Committee on the Budget.

By Mr. MARKEY (for himself, Mr. NEAL, Mr. LYNCH, Mr. CAPUANO, Mr. MCGOVERN, Ms. TSONGAS, Mr. KEATING, Mr. TIERNEY, and Mr. KENNEDY):

H. Res. 176. A resolution commending the heroism, courage, and sacrifice of Sean Collier, an officer in the Massachusetts Institute of Technology Police Department, Martin Richard, an 8-year-old resident of Dorchester, Massachusetts, Krystle Campbell, Lu Lingzi, a student at Boston University, and all the victims who are recovering from injuries caused by the attacks in Boston, Massachusetts, including Richard Donohue, Jr., an officer in the Massachusetts Bay Transportation Authority Transit Police Department; to the Committee on the Judiciary.

By Mr. ROSKAM (for himself and Mr. LIPINSKI):

H. Res. 177. A resolution urging the Palestinian Authority and President Mahmoud Abbas to clarify a presidential succession plan, expand political freedom in the West Bank, and take preventative measures to limit the possibility of a Hamas takeover in the West Bank; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

5. The SPEAKER presented a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 2 memorializing the Congress to propose an amendment to the Constitution relative to unfunded Federal mandates and programs with limited Federal funding periods; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ISSA:

H.R. 1663.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8 of the Constitution which says, "To promote the

Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

By Mr. ENGEL:

H.R. 1664.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. ENGEL:

H.R. 1665.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. CLEAVER:

H.R. 1666.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution, Article I, Section 8, Clause 1.

By Mr. YOUNG of Alaska:

H.R. 1667.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. VELÁZQUEZ:

H.R. 1668.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . ."

By Ms. VELÁZQUEZ:

H.R. 1669.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . ."

By Ms. VELÁZQUEZ:

H.R. 1670.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . ."

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. SWALWELL of California:

H.R. 1671.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

clause 7 of section 8 of article I of the Constitution

By Mr. DAINES:

H.R. 1672.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States

By Mr. MCCARTHY of California:

H.R. 1673.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

By Mr. BILIRAKIS:

H.R. 1674.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress To lay and collect Taxes, Duties, Imposts and Excises as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CASSIDY:

H.R. 1675.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. COOK:

H.R. 1676.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3:

The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;

By Mr. COSTA:

H.R. 1677.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the United States Constitution.

By Mr. CUMMINGS:

H.R. 1678.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and

Article 1, Section 8, Clause 14: to make Rules for the Government and Regulation of the land and naval Forces

By Mr. FALEOMAVAEGA:

H.R. 1679.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GRIJALVA:

H.R. 1680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. HIGGINS:

H.R. 1681.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

By Ms. LOFGREN:

H.R. 1682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 1, 3

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1683.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mrs. LUMMIS:

H.R. 1684.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to

prejudice any claims of the United States, or of any particular state."

By Ms. MATSUI:

H.R. 1685.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. MORAN:

H.R. 1686.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article 1, Section 8 of the United States Constitution, which provides that the Congress shall have Power:

"To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States."

"To regulate Commerce . . . among the several States, and with the Indian Tribes," and

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. ROS-LEHTINEN:

H.R. 1687.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. SHEA-PORTER:

H.R. 1688.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TURNER:

H.R. 1689.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7 of the Constitution of the United States which states: "No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." This provision establishes the authority of Congress to appropriate funds, and place limitations and conditions on the use of those funds.

By Mr. VARGAS:

H.R. 1690.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests in the power of Congress:

(1) to regulate commerce with foreign nations, and among the several states, and with the Indian tribes, as enumerated in Article 1, Section 8, Clause 3 of the U.S. Constitution;

(2) to make all laws necessary and proper for executing powers vested by the Constitution in the Government of the United States, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. VARGAS:

H.R. 1691.

Congress has the power to enact this legislation pursuant to the following:

(1) to provide and maintain a navy, as enumerated in Article I, Section 8, Clause 13 of the U.S. Constitution;

(2) to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, as enumerated in Article IV, Section 3, Clause 2 of the U.S. Constitution.

By Mr. FRANKS of Arizona:

H.J. Res. 40.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . ."

By Mr. SALMON:

H.J. Res. 41.

Congress has the power to enact this legislation pursuant to the following:

Article V:

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. KLINE.

H.R. 38: Mr. CULBERSON.

H.R. 96: Mr. MORAN and Mr. VAN HOLLEN.

H.R. 124: Mr. VAN HOLLEN, Mr. COLE, Mr. GRIMM, Mr. HOLT, Mr. PRICE of North Carolina, Mr. CALVERT, Mr. LOEBACK, Mr. BUTTERFIELD, Mr. SIMPSON, Mr. WALZ, Mr. ELLISON, Mr. LIPINSKI, and Mr. MCINTYRE.

H.R. 129: Ms. GABBARD and Ms. SINEMA.

H.R. 139: Ms. DEGETTE and Ms. DUCKWORTH.

H.R. 164: Mr. LANKFORD and Ms. SINEMA.

H.R. 176: Mr. BUCHANAN.

H.R. 262: Ms. MCCOLLUM.

H.R. 301: Ms. ZOE LOFGREN.

H.R. 303: Ms. EDWARDS and Ms. ESTY.

H.R. 335: Ms. SHEA-PORTER.

H.R. 351: Mr. HUIZENGA of Michigan, Mr. ROTHFUS, and Mr. KING of New York.

H.R. 360: Mr. CASSIDY, Mr. NUNNELEE, Mr. REICHERT, Mr. SCALISE, and Ms. JENKINS.

H.R. 494: Ms. JENKINS, Mr. GRIFFIN of Arkansas, Ms. CLARKE, Mr. BENTIVOLIO, Mr. WALDEN, Mr. BARR, Mr. HINOJOSA, Mr. WELCH, Mr. OWENS, Mr. BARLETTA, Mr. TERRY, Mr. VARGAS, Mr. KEATING, Mr. TONKO, and Mr. TIPTON.

H.R. 495: Mr. MEADOWS, Mr. SMITH of Washington, Ms. ESHOO, Mr. RICHMOND, Mr. MICHAUD, Mr. CONNOLLY, Mr. HASTINGS of Florida, Mr. BUTTERFIELD, Mr. HIMES, and Mr. GARDNER.

H.R. 508: Mr. TONKO and Ms. ROS-LEHTINEN.

H.R. 523: Mr. RICE of South Carolina.

H.R. 556: Mr. GRIFFIN of Arkansas and Mr. HUIZENGA of Michigan.

H.R. 569: Ms. ZOE LOFGREN.

H.R. 570: Ms. ZOE LOFGREN.

H.R. 578: Mr. BRIDENSTINE.

H.R. 621: Mr. RADEL.

H.R. 627: Mr. GARDNER, Ms. DEGETTE, Mrs.

KIRKPATRICK, Mr. PRICE of North Carolina, Mr. PETERS of Michigan, Mr. HOLDING, and Mr. MICHAUD.

H.R. 630: Mr. McDERMOTT, Mr. ENGEL, Ms. SPEIER, Mr. JEFFRIES, Mr. WALZ, and Ms. LINDA T. SANCHEZ of California.

H.R. 632: Mr. HINOJOSA, Mr. GRIJALVA, and Mr. POMPEO.

H.R. 655: Mr. RYAN of Ohio and Mrs. BEATTY.

H.R. 657: Mr. LAMALFA.

H.R. 671: Mr. MORAN, Mr. RYAN of Ohio, Mr. SIREN, and Mr. BRALEY of Iowa.

H.R. 684: Mr. VEASEY, Mr. JOYCE, Ms. WILSON of Florida, Ms. SINEMA, Mr. LOWENTHAL, Mr. CICILLINE, Mr. BARTON, and Mr. HUFFMAN.

H.R. 685: Ms. ROS-LEHTINEN, Mr. MCCLINTOCK, and Mr. BISHOP of Utah.

H.R. 693: Mr. COLLINS of Georgia, Mr. COOPER, and Mr. YOUNG of Indiana.

H.R. 698: Mr. PAYNE.

H.R. 724: Mr. OLSON.

H.R. 730: Mr. TIBERI.

H.R. 732 Mr. BRIDENSTINE and Mr. WOLF.

H.R. 739: Mr. RIGELL and Mr. MORAN.

H.R. 755: Mr. LAMALFA, Mr. HONDA, Mr. O'ROURKE, Ms. HAHN, and Mr. LATTA.

H.R. 763: Mr. GOWDY, Mr. BONNER, Mr. PRICE of Georgia, Mr. BUCHANAN, Mrs. NOEM, Mr. CRAWFORD, Mrs. McMORRIS RODGERS, Mr. WALDEN, Mr. DeSANTIS, and Mrs. ELLMERS.

H.R. 769: Ms. FRANKEL of Florida, Mr. PIERLUISI, Mr. MCINTYRE, and Mr. HUFFMAN.

H.R. 786: Mr. DeFAZIO.

H.R. 792: Ms. JENKINS and Mr. LONG.

H.R. 797: Mr. QUIGLEY, Mr. TIBERI, and Mr. FITZPATRICK.

H.R. 847: Mr. THOMPSON of California, Mr. SEAN PATRICK MALONEY of New York, Mr. MICHAUD, and Mr. RANGEL.

H.R. 850: Mr. FATTAH, Mr. FOSTER, Mr. RYAN of Wisconsin, Mr. GERLACH, Mr. NADLER, Mr. BOUSTANY, and Mr. CÁRDENAS.

H.R. 851: Mr. DOYLE.

H.R. 855: Ms. WILSON of Florida.

H.R. 863: Ms. ROYBAL-ALLARD.

H.R. 893: Mr. KINZINGER of Illinois.

H.R. 924: Mr. HUFFMAN, Mrs. CAPPS, and Mr. SIRES.

H.R. 938: Mr. PETRI, Mr. STEWART, Mr. JOHNSON of Ohio, Mr. FOSTER, Mr. GERLACH, Mr. LARSEN of Washington, Mr. RICE of South Carolina, Mr. HORSFORD, Mr. BARBER, Ms. JENKINS, Mr. BONNER, and Mr. FRELINGHUYSEN.

H.R. 940: Mr. WITTMAN, Mr. WOLF, Mr. HOLDING, Mr. MESSER, and Mr. ALEXANDER.

H.R. 949: Mr. DOYLE.

H.R. 961: Mr. ENGEL, Ms. SPEIER, Mr. JEFFRIES, Mr. WALZ, Ms. LINDA T. SÁNCHEZ of California, Mr. HUFFMAN, Ms. CHU, Ms. BASS, and Ms. LORETTA SÁNCHEZ of California.

H.R. 962: Ms. DeGETTE.

H.R. 990: Mr. CAPUANO and Mr. HINOJOSA.

H.R. 1020: Mr. KIND, Mr. THOMPSON of California, Mr. SAM JOHNSON of Texas, and Mrs. BLACKBURN.

H.R. 1026: Mr. TIPTON, Mr. MULLIN, Mr. LANKFORD, and Mr. MCCAUL.

H.R. 1029: Mr. SCOTT of Virginia, Mr. PETERSON, Mrs. NAPOLITANO, Mr. ENYART, and Ms. LEE of California.

H.R. 1030: Mr. SCOTT of Virginia.

H.R. 1038: Mr. GARDNER, Ms. LINDA T. SÁNCHEZ of California, Mr. HUFFMAN, and Ms. BROWN of Florida.

H.R. 1093: Mr. RANGEL, Mr. ANDREWS, Mr. PAYNE, Ms. FRANKEL of Florida, Mr. GRAYSON, Mr. PITTINGER, Mr. JONES, Mr. GENE GREEN of Texas, Ms. DUCKWORTH, Mr. PETERS of Michigan, Mrs. NAPOLITANO, Ms. GABBARD, and Ms. WASSERMAN SCHULTZ.

H.R. 1094: Mr. SMITH of New Jersey, Ms. CASTOR of Florida, Ms. SINEMA, and Mr. ELLISON.

H.R. 1130: Mr. KINZINGER of Illinois.

H.R. 1146: Mr. DUNCAN of Tennessee.

H.R. 1149: Mr. ADERHOLT.

H.R. 1151: Mrs. NAPOLITANO, Ms. SPEIER, Mr. JONES, Mr. TURNER, and Ms. HANABUSA.

H.R. 1155: Mr. COFFMAN, Mr. HECK of Washington, Mr. BUCSHON, and Mr. MICHAUD.

H.R. 1172: Mr. WESTMORELAND.

H.R. 1240: Mr. MATHESON and Mr. MICHAUD.

H.R. 1243: Mr. CICILLINE.

H.R. 1248: Mr. HOLDING.

H.R. 1249: Mr. HARRIS and Mr. MCKEON.

H.R. 1250: Mr. MCKINLEY, Mr. MARINO, Mr. MCKEON, Ms. SLAUGHTER, and Mr. BARROW of Georgia.

H.R. 1255: Mr. JONES.

H.R. 1288: Mr. ISSA, Ms. LEE of California, and Ms. BASS.

H.R. 1289: Mr. LANGEVIN, Mrs. NAPOLITANO, Mr. GRIJALVA, and Mr. KENNEDY.

H.R. 1292: Mr. STOCKMAN and Mr. POE of Texas.

H.R. 1304: Mr. MEADOWS.

H.R. 1311: Mr. STOCKMAN, Mr. MULLIN, Mr. RODNEY DAVIS of Illinois, Mr. COLLINS of New York, Mr. STEWART, Mr. MEADOWS, Mr. DELANEY, Mr. SWALWELL of California, Mr. HOLDING, and Mr. MCHENRY.

H.R. 1317: Ms. NORTON.

H.R. 1323: Ms. SHEA-PORTER.

H.R. 1330: Mrs. BEATTY, Mr. HONDA, and Mr. RUSH.

H.R. 1333: Mr. MORAN.

H.R. 1384: Mr. RANGEL, Ms. BORDALLO, Mr. MORAN, and Mr. DINGELL.

H.R. 1396: Mr. VARGAS.

H.R. 1406: Mr. PEARCE, Mr. GOHMERT, and Mr. FLEMING.

H.R. 1413: Mr. GARAMENDI.

H.R. 1414: Ms. SHEA-PORTER, Mr. MCDERMOTT, Ms. SCHWARTZ, and Mr. FARR.

H.R. 1416: Mr. PITTINGER, Mr. CHAFFETZ, Mr. HUDSON, Mr. MICHAUD, Mr. NUGENT, and Ms. FRANKEL of Florida.

H.R. 1423: Mr. MATHESON.

H.R. 1424: Ms. KUSTER, Mrs. DAVIS of California, Mr. ISRAEL, Mr. HOLT, and Mr. CARTWRIGHT.

H.R. 1425: Ms. HANABUSA.

H.R. 1429: Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Ms. TSONGAS, Ms. LINDA T. SÁNCHEZ of California, Mr. HIGGINS, and Mr. RANGEL.

H.R. 1446: Mr. MCCAUL and Mr. CRAMER.

H.R. 1448: Mr. LANKFORD.

H.R. 1481: Mr. LARSEN of Washington, Mr. LANGEVIN, Mr. ANDREWS, and Ms. LORETTA SÁNCHEZ of California.

H.R. 1482: Mr. MARINO.

H.R. 1496: Mr. WOODALL.

H.R. 1502: Mr. LAMALFA.

H.R. 1505: Mr. MILLER of Florida.

H.R. 1518: Mr. HANNA, Ms. BORDALLO, Ms. BROWNLEY of California, Mr. BUCHANAN, Mr. HUFFMAN, and Mr. KINZINGER of Illinois.

H.R. 1528: Mr. KINZINGER of Illinois, Mr. LAMALFA, Mr. JOHNSON of Georgia, and Mr. HARPER.

H.R. 1550: Mr. PETERS of Michigan.

H.R. 1551: Mr. TIBERI, Mrs. WAGNER, Mr. PERLMUTTER, Mr. GRIFFIN of Arkansas, Mr. FARENTHOLD, Mr. STIVERS, and Mr. KINZINGER of Illinois.

H.R. 1578: Ms. ESHOO.

H.R. 1588: Mr. CONYERS.

H.R. 1594: Mr. JONES.

H.R. 1595: Mr. NOLAN, Mr. HONDA, Mr. MAFFEI, Mrs. KIRKPATRICK, Ms. SINEMA, and Ms. KUSTER.

H.R. 1598: Mr. POCAN, Mr. ISSA, and Mr. BENISHEK.

H.R. 1620: Mr. JONES and Mr. CARSON of Indiana.

H.R. 1622: Mrs. CAROLYN B. MALONEY of New York and Mr. HASTINGS of Florida.

H.R. 1623: Mr. BARBER.

H.R. 1652: Mr. DELANEY, Mr. MURPHY of Florida, Mr. NOLAN, Mr. DOYLE, Ms. SEWELL of Alabama, Mrs. LOWEY, Mr. SCOTT of Virginia, Mr. CÁRDENAS, Ms. BASS, Mr. DINGELL, Mr. COSTA, and Mr. SABLAN.

H.J. Res. 34: Mr. FARR and Mrs. KIRKPATRICK.

H. Con. Res. 3: Mr. MICHAUD.

H. Con. Res. 4: Ms. LOFGREN and Mr. SCHIFF.

H. Con. Res. 27: Mrs. LOWEY.

H. Res. 30: Mrs. CAPPS, Ms. LINDA T. SÁNCHEZ of California, Mr. PETERSON, and Ms. BASS.

H. Res. 36: Mr. ALEXANDER, Mr. GRIFFITH of Virginia, Mr. SAM JOHNSON of Texas, Mr. NEUGEBAUER, Mr. RIBBLE, and Mr. GOSAR.

H. Res. 90: Mr. BEN RAY LUJÁN of New Mexico, Ms. ESTY, Ms. CLARKE, Mr. WAXMAN, Ms. MENG, Mr. JEFFRIES, Mr. LOWENTHAL, Mr. FOSTER, Mr. DINGELL, and Mr. YARMUTH.

H. Res. 106: Mrs. HARTZLER, Mr. STUTZMAN, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. WALBERG, Mr. HARPER, Mr. ROE of Tennessee, Mr. HUELSKAMP, Mr. STOCKMAN, Mr. BENTIVOLIO, Mr. JORDAN, and Mr. MEADOWS.

H. Res. 112: Mr. HASTINGS of Florida, Mr. GARDNER, Mr. NOLAN, Mr. SALMON, Mr. MCDERMOTT, Ms. BROWNLEY of California, and Mr. RANGEL.

H. Res. 134: Mr. KINZINGER of Illinois.

H. Res. 135: Mr. SMITH of Washington, Mr. WEBER of Texas, Mr. CONNOLLY, Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Mr. TIERNEY, Ms. SCHAKOWSKY, Mr. MCDERMOTT, Mr. GENE GREEN of Texas, Mr. SIRES, Mr. MEEKS, and Mr. PETRI.

H. Res. 144: Mr. JONES.

H. Res. 147: Mr. KINGSTON.

H. Res. 155: Mr. JOHNSON of Georgia and Ms. NORTON.

H. Res. 156: Mrs. BACHMANN, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. DeFAZIO, Mr. ENYART, and Ms. LINDA T. SÁNCHEZ of California.

H. Res. 167: Mr. ELLISON and Mr. TERRY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1588: Mr. ENGEL.

EXTENSIONS OF REMARKS

IN RECOGNITION OF WORLD WAR II VETERANS LT. LARRY CRANDELL, COL. JAMES PATILLO, STAFF SGT. JACK PATTERSON AND LT. BOB SCOTT

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mrs. CAPPS. Mr. Speaker, today I rise to recognize World War II Veterans Lt. Larry Crandell, Col. James Patillo, Staff Sgt. Jack Patterson and Lt. Bob Scott from the 24th Congressional District.

Last week, these veterans were recognized for their service to our country at the luncheon and symposium "70 Years On . . . Celebrating the 'Bomber Boys' of World War II" presented in collaboration by the Pierre Claeysens Veterans Museum and the Channel City Club & Committee on Foreign Relations in Santa Barbara, California.

The stories these men shared at this event are an important contribution to our country's rich oral history and will serve to edify younger generations in our local community and across the nation. Their narratives are critical in creating a bond of gratitude and respect between the Greatest Generation and its descendants.

I join my Central Coast neighbors and colleagues in recognizing these exemplary individuals. These men and their stories of service are esteemed and cherished by the members of our community.

I extend my deepest gratitude to them for their willingness to share their experiences and for their service and sacrifice on behalf of our country.

IN SPECIAL RECOGNITION OF NIKOLAS WOLFORD ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Nikolas Wolford of Van Wert, Ohio has accepted an offer of appointment to the United States Military Academy in West Point, New York.

Nikolas' offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2017. Attending one of our Nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education,

while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Nikolas brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Van Wert High School in Van Wert, Ohio, Nikolas was on the Honor Roll and earned Academic Letters and Scholar Athlete awards each of his 4 years.

Throughout high school, Nikolas was a member of his school's football and basketball teams and earned varsity letters in both sports. He was also captain of the football team his senior year. In addition, Nikolas was a member of the German Club, Beta Club and Fellowship of Christian Athletes. I am confident that Nikolas will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Nikolas Wolford on the acceptance of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Nikolas will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING JUDITH FRAZIER-THOMPSON

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. HOYER. Mr. Speaker, I rise today to recognize the long and influential career of Judith Frazier-Thompson as she retires after 45 years of Federal service, with 40 of those years spent at the Congressional Research Service.

Judith was born and raised in Washington, D.C., and graduated from Eastern High School in 1967. While in high school, she began her service to the local government working part-time for the District of Columbia Recreation Department. While an undergraduate at Howard University, Judith worked part-time for the Library of Congress, variously as an order clerk, deck attendant and issue desk assistant. During that time she met and came to know the author Alex Haley, who frequently used the Library of Congress for research. After graduating from Howard University in 1973, she accepted a full-time position working for the Congressional Research Service, where she has worked ever since. Judith began pursuing a Masters Degree from the University of Maryland at College Park while rising through the ranks at the Library of Congress, where she was accepted into the CRS Crossover Program.

During her tenure in the Congressional Research Service, Judith has worked closely with

the House of Representatives, assisting Members and staff with all manner of tasks. She has worked on the Government and Law Team of the Congressional Research Division, helping various organizations perform research on such issues as voting rights, and campaign finance reform. Through her years of dedication, Judith has been recognized for her work with many awards, including numerous Library of Congress Special Achievement Awards, and a Congressional Research Employees Association Presidential Certificate of Merit.

Judith plans to retire from her current position as a liaison between the CRS and the House of Representatives on May 3, 2013, and hopes to spend more time with her husband golfing and traveling.

I am honored to pay tribute today to Judith Frazier-Thompson and her long and distinguished career in service to his great Nation. She will be greatly missed on Capitol Hill, and I join in wishing her the best in her retirement.

PROTECTING ACCESS TO HIGH QUALITY AND COST EFFECTIVE HEALTHCARE SERVICES

HON. MARK E. AMODEI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. AMODEI. Mr. Speaker, true healthcare reform will lower costs, improve care, provide greater patient choice, and increase access to care for all Americans. Congress missed an opportunity in 2010 to achieve these goals in the extensive legislation enacted by Democrats. As a result, we must go back to the drawing board and consider real options to address the rising costs in our healthcare system. As we pursue these goals, we should look to solutions that have already been effective in reducing costs and meeting the needs of patients.

Skilled home healthcare is one example of the type of effective care that Congress should protect. In 1972, the U.S. Department of Veterans Affairs established the Home Based Primary Care Program (HBPC) in order to meet the needs of its growing population of chronically ill veterans. This program established a novel and creative model of care for the VA's growing population of chronically ill Veterans—providing skilled and high quality care to these patients, and promoting their independence by providing this care to patients in their own homes.

The results of this program have been remarkable. Studies show that this program has provided high quality care and resulted in great satisfaction among patients. What is truly impressive, though, is that this program resulted in a substantial reduction in nursing home stays and hospitalizations for its program participants. The HBPC has achieved a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

62 percent reduction in inpatient hospital days and an 88 percent reduction in nursing home days, achieving a 24 percent REDUCTION IN TOTAL COSTS.

I am not aware of any reform to our healthcare system or to Medicare that has ever achieved similar results. We must reform the Medicare program because it is not solvent in its current form, and will reach insolvency by 2024. As we consider reform to the Medicare program, I believe that we should be incentivizing cost-effective and high quality services that show results. I urge my colleagues to look to the success of the HBPC at the Veterans Administration as a possible model for how Medicare can provide high quality care and lower costs.

Forty years of data from the HBPC program proves that many medical treatments that were once offered only in a hospital or a physician's office are now being safely, effectively, and much more cost-efficiently provided in patients' homes. These services are typically less expensive, more convenient, and as effective as care provided in a hospital or skilled nursing facility. The success of the Home Based Primary Care program at the VA is evidence that skilled home healthcare not only is good for seniors, but also good for taxpayers. Mr. Speaker, skilled home healthcare is an asset that we need to fully utilize in order to further reduce costs in our Nation's healthcare system. As Congress works to improve our healthcare delivery system, we should avoid changes to the Medicare program that would limit patient access to proven and cost effective services like skilled home healthcare.

RECOGNIZING THE 50TH ANNIVERSARY OF THE SAN LUIS OBISPO COUNTY COMMUNITY COLLEGE DISTRICT'S CUESTA COLLEGE

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mrs. CAPPS. Mr. Speaker, today I rise to commemorate the 50th Anniversary of the San Luis Obispo County Community College District's Cuesta College.

On April 16, 1963, the San Luis Obispo Community College District was established by local voters to serve the residents of the Central Coast. Its first classes were provided in 1964, and it became a fully operational campus and was given the name Cuesta College in 1965. Ground was broken for Cuesta's first permanent buildings in 1970, and since that time, the San Luis Obispo campus has flourished into a high-quality, well-equipped and dynamic institution of higher learning.

Cuesta College expanded to include a North County Campus in Paso Robles in 1998 and now offers off-campus evening instruction at its South County Center in Arroyo Grande. In addition to its academic course offerings, Cuesta provides technical, vocational, and continuing education programs to better serve a variety of students throughout the county. Cuesta College now serves more than 11,000 students among all its campuses.

Cuesta College is a source of great pride for San Luis Obispo County and the entire Cen-

tral Coast. I commend its faculty, administration and other teaching staff for their commitment to excellence and dedication to the students they serve.

Today, I congratulate Cuesta on 50 successful years in providing high-quality educational resources to Central Coast students. I am honored to represent such an esteemed institution and look forward to seeing the important and innovative resources Cuesta will continue to provide to our local students in the years to come.

HONORING GRADUATING HIGH SCHOOL SENIORS FOR THEIR DECISION TO SERVE THE UNITED STATES OF AMERICA AS A MEMBER OF THE ARMED FORCES

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor 117 high school seniors and members of the JROTC from the Treasure Coast and Palm Beaches for their commendable decision to enlist in the United States Armed Forces. Of these 117 enlistees, 71 are Army enlistees, 12 are Navy enlistees, 21 are Marine Corps enlistees, and 13 are Air Force enlistees. These young men and women have shown bravery and courage in their dedication to defend our country. It is important they know that they have the full support of the United States House of Representatives and the American people. It is the dedication of these individuals which reminds us that though diverse problems may lie ahead, the United States remains a shining example of strength and freedom in an often divided world.

The service of these young men and women must not go unrecognized. I want to personally thank these 117 local graduating seniors for their selflessness and commitment to our Nation by naming them here today: Charles Ballard, Joshua Blair, Colin Cervinsky, Kyle Crouch, Tyler Stone, Christopher Wentz, Johan Yardan, Frank Fuggetta, Mikayla Sulzer, Rodrigo Chong, Ricardo Ortega, Cory Dougherty, Joseph Evens, Robert Oliver, Kalib Perkins, Nathan White, Romahd Holman, Oscar Caceres, Cody Clendenin, Vanessa Dorrington, Miranda Egan, Samuel Hsu, Troy Macmillan, Kyleb Schenck, Anthony Tate, Michael Vanderburg, Tyler Wahl, Holsinger Kauffman, Alexander Lugo, Kyle Noel, Colton Picazio, Thomas Burns, Kyle Hale, Christien Lashinsky, John Sawtell, Andrew Schwier, Brittany Block, Irving Cintron, Randy Fernandez, Kevin Gama, Michell Holsinger, Michael Masters, Nicholas Morris, Delgado Ojeda, Anthony Rodriguez, Venezya Synakorn, Ronald Ferriera, Antoinette Johnson, Dyonn Lawrence, Delvaughn Marshall, Christian Prados, Traveon Stewart, Victoria Faulkner, Amanda Parsons, Scarlet Maldonado, Hayde Mickley, Cody Ehrland, Justin Thomas, Sergio Duque, Dominic Gardner, Yesenia Munoz, Audrey Wila, Lion Rojo, Meaghan Parish, Aaron Humyn, Brian Borgman, Joseph Riggio, Helena Thompson, Jairo Herrera, Nathan Smith, Shawn Gaines,

Taphawah Thompson, Carlos Cabrera, Andres Chajud, Bradley Harpster, Matthew Cancino, Richard Jean Baptiste, Austin Mena, Matthew Cancino, Dany Salazar, Austin Sullivan, Juan Pepper, Julian Vazquez, Issac Velasquez, Matthew Colson, Kelsey Canapary, Connor John O'Donnell, Bryan Keoskie, Joseph Mazza, Anthony Armeli, Jamie Miller, Elena Jovanov, Shamsiddine El-Nil, Daniel Rubino, Deanne Collins, Yoshpal Harrow, Andrew Mills, Justin Kaufman, James Dixon, Cadlyne Dunhill, David Quintero, Dontrail Durden, Zachary Mccourt, Francisco Bacilio, Shivon Brijnath, Christopher Lopresti, Marcos Pinon, Zachary Porter, Breyer Bullock, Luis Damian, Katrina Williams, Shaklia Housen, Alex Slusher, Aaliyah Jackson, Ameen Sardar, Jason Audette, and Henry Paulk III. All will be recognized on May 9th at the Our Community Salutes event in Palm Beach Gardens.

These young men and women have shown bravery and courage in their dedication to defend our country. It is important they know that they have the full support of the United States House of Representatives and the American people. It is the dedication of these individuals which reminds us that though diverse problems may lie ahead, the United States remains a shining example of strength and freedom in an often divided world.

Mr. Speaker, we owe a debt of gratitude to each and every one of them and to all who defend our freedom by serving in the United States Armed Forces. It is my honor to recognize these young leaders here today.

HONORING THE SERVICE OF HUGH M. FLANAGAN

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. COSTA. Mr. Speaker, I rise today to honor Judge Hugh Michael Flanagan who will retire from the Merced County Superior Court after thirteen years of service. His service and dedication to the people of central California is to be commended.

Judge Flanagan was raised in Fortville, Indiana where he completed his grammar and high school education. He received his Bachelor's degree in Engineering from Purdue University and his Master's degree in Engineering from Michigan State University. Judge Flanagan is also a graduate with distinction from the U.S. Naval War College in Newport, Rhode Island.

While in the United States Navy, Judge Flanagan worked as a Senior Systems Engineer with the Deep Submarine Rescue Vehicle Program and the Omega Navigation System. He completed his career with the United States Navy as a Captain, JAGC, USNR. Following his service in the military, Judge Flanagan earned his law degree from Loyola Law School in Los Angeles. He worked as a lawyer for five years in Los Angeles before opening his private practice law firm in Merced in 1975, which he maintained for 25 years. He was elected to the Merced County Superior Court in 2000, where he was able to continue his lifelong tradition of public service.

Being an active member of his community is something of utmost importance to Judge Flanagan. He is a Past President of the Merced County Bar Association and the Merced Rotary Club and has been active in numerous other civic organizations and fundraising activities. His invaluable service to our community illustrates his helpful nature and commitment to the betterment of Merced County.

In 1962, Judge Flanagan married his beautiful wife, Norma Colegrove Flanagan in Champaign, Illinois. Together, they have four grown, married sons and six grandchildren.

Mr. Speaker, I ask that my colleagues join me in honoring Judge Hugh Michael Flanagan for his efforts and dedication to the Superior Court of California and the County of Merced. He exemplifies the best of what our nation has to offer and his dedication to justice is truly admirable.

TRASH REDUCTION ACT OF 2013

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. MORAN. Mr. Speaker, our 315 million American citizens throw away nearly 496 billion pounds of trash each year, a staggering amount by any analysis. And a sizable contribution is from disposable items, including plastic and paper bags. That's why today, one day after Earth Day, I am introducing the "Trash Reduction Act of 2013" along with my colleagues Representatives ELEANOR HOLMES NORTON, EARL BLUMENAUER and JOHN GARAMENDI.

The legislation is modeled after the District of Columbia's "bag tax." Five cents would be levied on each disposable paper or plastic bag. Revenue from the tax would support the Land and Water Conservation Fund.

Just how bad is the trash problem? According to the U.S. EPA, the average American throws away about 4.4 pounds of trash each day or 1,600 pounds per year. That's nearly 248 million tons of American garbage each year. To put that in perspective, it's enough trash to fill a football-field-sized hole over 93 miles deep. Or create a similar-sized stack of garbage that reaches low earth orbit. This amount of trash could cover the state of Texas two and a half times or fill enough trash trucks to form a line to the moon.

We consume an estimated 12 million barrels of oil and copious amounts of natural gas annually to make plastic bags that are used once or twice, then tossed into the garbage. The U.S. International Trade Commission reported in 2009 that 102 billion plastic bags were used in the U.S. Much of the oil and natural gas used in those bags comes from foreign countries and it's all non-renewable. Once it's used for plastic bags and thrown away, that energy is gone forever.

Disposable paper bags are no better. In 1999, 14 million trees were cut to produce the 10 billion paper grocery bags used by Americans that year alone. Paper and paperboard products made up 28.5 percent of the municipal waste discarded in 2010—more than any

other type of refuse measured by tonnage. According to the Environmental Paper Network, the pulp and paper industry is the fourth largest emitter of greenhouse gases among manufacturing industries, contributing 9 percent of total manufacturing-related carbon dioxide emissions. Most of energy use comes from powering paper mills.

There is no doubt that disposable retail plastic and paper bags are bad for the environment. Both paper and plastic bags consume valuable natural resources, generate profuse waste, and pollute the environment. They keep us dependent on nonrenewable resources like foreign oil and impose burdens that Americans bear in the form of higher garbage costs, visual blight, and the destruction of wildlife. Millions of animals are entangled in or ingest plastic waste. That same waste leaches toxins into the ground and our drinking water.

While recycling efforts should be applauded, recycling rates are dismally low. Only between one and three percent of all plastic bags are recycled, with a slightly higher ten to 15 percent paper-bag-recycling rate. Plus, the recycling process uses energy, water, and generates additional greenhouse gasses.

But we can do something about this gargantuan garbage nightmare. We can reduce the number of bags we use with market-based incentives. Requiring shoppers to internalize the costs of disposable bags has been shown to dramatically reduce their use and substantially increase reusable bag utilization. For example, after placing a fee on plastic bags, Ireland reportedly reduced consumption by 90 percent. China, after banning the use of ultra-thin plastic bags, is estimated to have eliminated 40 billion bags in the first year.

Critics have called this a regressive tax that falls on poor communities. This is simply untrue. Wealthy Americans consume substantially more resources and disposable shopping bags than the poor. Additionally, Americans of all incomes can purchase or be given a reusable bag and avoid this fee altogether. Plus, this fee is good for business. Business will be able to recoup their investment of time and effort through a tax credit and profits from reusable bag sales.

One need look no further than the District of Columbia to measure success. In 2009 the District imposed a five-cent tax on plastic bags that led to spectacular reductions in disposable bag use. The number of plastic bags dropped from the 2009 monthly average of 22.5 million to just 3 million per month by the end of 2010. River cleanup volunteers reported over a 60 percent decrease in the volume of plastic bags they collected during cleanup activities—and this was only three months after the fee took effect.

D.C. businesses approve of the fee as well. 78 percent of businesses interviewed report either a positive or neutral impact on their business. People keep shopping and keep buying. 58 percent of D.C. business owners say the law has not affected their sales. And it's those dire predictions of falling sales that were used to scare business owners into opposing the fee. It's one of the many false predictions of bag-fee opponents like the American Chemistry Council.

The public and many elected officials are not always in sync with what we need to do

to improve this great country. High-pressure lobbying by powerful chemical interests sometimes stops us from doing what's right. While we can be proud of our environmental achievements and landmark laws, we need to do more to reduce our mountains of trash madness. Nothing is more fitting for this year's Earth Day celebration than helping reduce garbage.

This small disposable bag charge helps people understand that paper and plastic bags are not without cost. They impact the environment, support foreign dictators, and make Everest's of trash. Our bill begins to shift America away from its current disposable culture back to a simpler time when Americans understood the value of reusing what they bought.

IN HONOR OF THE SIXTH GRADE CLASS OF LAUREL SPRINGS SCHOOL

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to recognize the efforts of the sixth grade class of Laurel Springs School. These students took it upon themselves to honor the centennial of their hometown by writing and performing in a historical play last week.

The sixth graders involved with putting on the play to honor the history of their town are Olivia Baldino, Kejsi Bocaj, William Brandley, Elizabeth Brown, Joelle Burns, Craig Caruso, Alijah Caul, Hannah Crane, Gabrielle Daniels, Joseph DeBlasio, Madison Dempsey, Leya Erdman, John Fox, Samantha Gross, Zachary Knight, Briana Lucha, Rachel Mai, Jarred Matchett, Joshua Matchett, Hannah McLaughlin, Stephen McLaughlin, Matthew Michielli, Riley Molway, Minas Nicoludis, Anthony Nocito, Briana Novoa, Cain Pipitone, Dominic Rattell, Melanie Schmidt, Alexandra Simber, Gian Sinfuego, Taylor Swan, Christopher Thatcher, Daniel Trantas, Sophia Troilo, and William Waer. The director is Mrs. Lucinda Garvey and the scenes were all hand-painted by Mrs. Kristen Laurenzi and Mrs. Pam Laurenzi.

The students from the class also interviewed Mr. Rich Zimmerman, a longtime resident of Laurel Springs. After gathering information about the town, they wrote their play based on Mr. Zimmerman's knowledge. These exceptional students were very excited to celebrate Laurel Spring's history and to sing happy birthday to the town after the play. The class' efforts to commemorate their town exemplify a strong dedication to learning and an outstanding commitment to their community. I urge them to continue to practice civic engagement and academic curiosity as they grow older.

IN RECOGNITION OF THE 300TH ANNIVERSARY OF FATHER JUNIPERO SERRA'S BIRTH

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mrs. CAPPS. Mr. Speaker, today I rise to commemorate the 300th anniversary of Father Junipero Serra's birth.

Father Serra was born in Petra, Mallorca, Spain in 1713. After studying theology and being ordained to the Catholic priesthood, Serra left his beloved homeland in Mallorca and journeyed across continents and oceans in order to reach the New World.

Upon Serra's arrival on the West Coast of North America in 1769, he began founding a chain of missions that would eventually stretch from San Diego in the south to Solano in the north. This chain of 21 missions has developed into some of the central cities and towns of modern day California.

In what is now my Congressional district, Father Serra founded Mission San Luis Obispo de Tolosa. Since its establishment in 1772, this small Spanish outpost has grown into the beautiful city of San Luis Obispo.

Today, Father Serra's legacy is still present in San Luis Obispo and throughout California. The cultural and spiritual heritage of Serra continues as an enduring, living tradition and has shaped various aspects of Californian life up to the present day. Indeed, a statue of Father Serra now stands in the United States Capitol's Statuary Hall in Washington, DC, attesting to his profound influence in the shaping of American history.

This week, Palma de Mallorca, Spain will host a festival commemorating the occasion titled "300 años de Junip Serra (300 Years of Junipero Serra)." I send my best wishes for a wonderful celebration as Spain recognizes Father Serra's significant contribution to American and Spanish history and reflects on his cultural and spiritual legacy.

IN HONOR OF KELLOGG MIDDLE SCHOOL FOR THEIR 50TH ANNIVERSARY

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. WALZ. Mr. Speaker, I rise today to pay tribute to Kellogg Middle School in Rochester, Minnesota.

Named after the Honorable Frank Kellogg, a citizen of Rochester who served as Secretary of State under President Coolidge, Kellogg Middle School celebrates its 50th year of existence in 2013.

As a social studies teacher at Mankato West, I know how important it is to develop our next generation of leaders. The shared dedication of teachers, staff, and parents at Kellogg Middle School has produced grade-A education for the past half-century and will continue to nurture students for years to come.

Secretary Kellogg devoted his life to the cause of peace and was awarded the Nobel Peace Prize in 1929. Kellogg Middle School carries on his legacy by teaching students to work together so everyone can achieve their full potential. That's a lesson for us all.

Over the last half century, the Frank B. Kellogg Middle School has instilled its proud tradition of education and excellence into their students today. The Kellogg Middle School is the oldest middle school in Rochester, and remains to this day the choice for students, parents, and teachers alike.

Just as Secretary Kellogg serves as an inspiration for southern Minnesotans, I am confident that Kellogg Middle School provides its graduates with the skills they need to succeed and maybe even one day win a Nobel Prize.

Mr. Speaker, please join me in honoring Kellogg Middle School for its 50 years of service to the students of Rochester.

CELEBRATING THE ESTABLISHMENT OF FT. SHERMAN TOWNSHIP

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. HALL. Mr. Speaker, I rise to celebrate the establishment of Ft. Sherman Township, a community of about 200 people, and to applaud the efforts of Titus County Historical Preservation Society, Titus County Historical Commission, Bob Sandlin State Park, and Texas Parks and Wildlife Department in working together to protect and preserve the location and rich history of Ft. Sherman.

Established in 1838, Ft. Sherman was the first community in southwest Titus County. It was built by Captain William Stout and members of the Red River Mounted Rangers, who are now considered to be early Texas Rangers. Ft. Sherman was named in honor of Colonel Sidney Sherman, the Commander of the Left Wing of the Republic of Texas Army at the Battle of San Jacinto. Ft. Sherman's namesake famously originated the Battle Cry, "Remember the Alamo!"

The Fort served many purposes during its early years, functioning as a refuge for families against Indian attacks and a resting place for early Texas Ranger units from 1838–1841, a voting place for several elections between 1842 and 1846, and a military waypoint during the War with Mexico in 1846.

Today, I am pleased to join the Titus County Historical Preservation Society and Titus County Historical Commission in honoring the early Texas families and military units for their self-reliance, independence, and role in Ft. Sherman's history. Yesterday, these organizations' efforts to have the Titus Commissioners Court approve a resolution were rewarded, and Saturday, June 8, 2013 has been declared "Fort Sherman Day."

I join my constituents of Titus County in celebrating Historic Ft. Sherman and its founding nearly 175 years ago, and I ask my colleagues to join me in celebrating Titus County's historical preservation efforts of Ft. Sherman.

IN HONOR OF THE DELAWARE COUNTY VETERANS MEMORIAL

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. MEEHAN. Mr. Speaker, I rise to recognize the Delaware County Veterans Memorial in my home state of Pennsylvania and the tremendous work done by Memorial's Board of Directors and its founding member, Claude de Botton and his daughter, Nicole de Botton Robinson, to make their vision a reality. The memorial, opening to the public next month, is a fitting tribute to the veterans of Delaware County. Engraved in the memorial's columns are the names of the Delaware County men and women who gave their lives in defense of American liberty. Our nation owes a debt of gratitude to its veterans that can never be repaid, but the Delaware County Veterans' Memorial will honor our veterans and ensure their sacrifices will always be remembered by future generations of Delaware County families.

THE IMPORTANCE OF A U.S.-MOROCCAN RELATIONSHIP

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. DIAZ-BALART. Mr. Speaker, I rise today to reflect on the importance of U.S.-Morocco bilateral relations—a friendship that has strongly endured for over 225 years because of shared interests and mutual respect. At a time when recent reports suggest that the relationship has come under some strain, we must remember that our relationship with Morocco is more important than ever and it will not be jeopardized. The Maghreb and Sahel are increasingly threatened by instability and insecurity emanating from the terrorist groups operating in Northern Mali and elsewhere, the United States' relationships with key allies in the region becomes all the more important. U.S.-Morocco relations remain strong, based on a shared commitment to promoting peace, security, and human rights throughout North Africa and the wider Middle East. The U.S. must continue to recognize the importance of this relationship—and strengthen it—as it works to combat terrorism and promote regional cooperation throughout the region.

As a stable, democratizing, and steadfast ally, Morocco has made important achievements over the last decade on issues ranging from security and counterterrorism to economic development, political and social reforms, advancement of human rights, and cross-cultural tolerance and respect. There has always been strong bipartisan support for a strong U.S.-Morocco bilateral relationship in the U.S. Congress and we must continue to support these developments and work with Morocco to address our common interests and shared values concerning the most important issues in the Middle East and North Africa. We have been strong partners, friends, and allies for more than 225 years. That is a unique

history that has solidified our strong relations with Morocco since the origins of our nation and one which will certainly endure and strengthen in the future because of the importance both countries place on our partnership.

COMMENDING THE BULLITT FOUNDATION UPON COMPLETION OF THE "GREENEST OFFICE BUILDING ON THE PLANET"

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. McDERMOTT. Mr. Speaker, I would like to commend Denis Hayes and the Bullitt Foundation for developing the world's most environmentally-friendly and self-sustaining buildings right here in Seattle. The Bullitt Center represents a deep commitment to environmental stewardship and redefines our ideas about sustainable development in dense urban areas. By creating the greenest office building on the planet, you have provided the world an example leading the way to our future. The building is an inspiration and represents a milestone in our efforts to leave a smaller carbon footprint for future generations.

Each aspect of the Bullitt Center was meticulously planned and evaluated with its striking technical aspects. From its rainwater cistern and photovoltaic panels to its energy transparency and 250 year life span, the Bullitt Center is and will remain a marked departure from what has been previously achieved in large-scale architecture.

Your vision reveals the environmental innovation that can be attained and the completion of this building draws attention to the viability for such projects. The Bullitt Foundation's pledge to construct a complex with so many far-reaching goals in sustainability reflects its hard work, determination and resolve.

The development of the Bullitt Center stands as an example for Seattle, the United States and beyond as a viable solution to our continued efforts to go green and commit to furthered environmentally sound projects. Through your dedication, conviction and perseverance to establish such a groundbreaking commercial workspace you have set a new standard of achievement for environmental sustainability.

HONORING THE LIFE OF EUGENE S. "GENE" CUNY

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. HALL. Mr. Speaker, I rise today to honor the life of Eugene S. "Gene" Cuny Jr., who passed away on February 13, 2013. Gene was a very dear friend of mine, and he was blessed with an exciting life that allowed him to work a variety of fascinating jobs with interesting people. I know he will be missed by all who knew him.

Gene was born in Houston, TX. From an early age, he demonstrated leadership and a

strong work ethic. As a youth, Gene achieved the rank of Eagle Scout. After high school, he attended the University of Houston, where he received a bachelor's degree and graduated with Honors. Upon graduation, he received a scholarship to Colorado State University where he studied theater.

He married his beautiful wife, Charlotte Walser, and they moved to New York City where Gene performed in the Broadway production of "The Pirate," featuring actress Lynn Fontanne, in 1942. He also worked as the stage manager at Radio City Music Hall, and studied drama at Yale University as a Rockefeller Foundation fellow. He then went on to teach speech and English at New Haven Junior College in Connecticut.

Following his education and career in theater, Gene returned to Houston, where he worked for an advertisement agency writing copy for radio commercials and soap operas. Cuny went on to work as a general manager for radio stations in Louisiana, and after moving to Dallas in 1951, worked for KRLD-TV (now KDFW). He held the responsibilities of program director, national sales manager, and director of community affairs before he retired after 35 years. He also produced the Dallas press club's Gridiron Show, a spoof on news events, for many years.

In addition to his successful career, Gene was also an active leader in his community. He was a press club board member, leader of the Dallas Advertising League, and president of the downtown Dallas Exchange Club. He was also a 32nd degree Knight Commander of Court of Honour Mason, a Dallas leader of the Scottish Rite, and a Rotarian, volunteering as a court-appointed special advocate for neglected or abused children. Gene also helped deliver Meals on Wheels all the way into his 90's.

Gene is also preceded in death by his son Fred, who lost his life when he became deeply involved in international relief work. Fred was the leader of one of the most successful refugee assistance programs in recent decades, working abroad to help literally millions of refugees, whether in Africa, Southeast Asia, Kurdistan, Bosnia, or in Chechnya. Many think Fred was murdered during his effort to support Chechens in their resistance to a Russian attack. His body was never found. Gene is also survived by his wife Charlotte; their sons Chris, Phillip, and Eugene III; as well as eight grandchildren and six great-grandchildren.

Gene's verve for life and compassion for others are qualities we should all strive toward. I ask those here today to join me in honoring Eugene S. "Gene" Cuny.

HONORING LUIS DIAZ

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. HAHN. Mr. Speaker, I rise to honor Luis "Louie" Diaz, a distinguished labor organizer and community leader, who is receiving the renowned South County "San Foley" 2013 Labor Leader of the Year Award. Raised in San Pedro, Louie at a young age was ex-

posed to the hardworking environment of this port community. Louie became a member of Teamsters Local 692, representing Marine Terminal Operators, and held the positions of Organizer, Business Agent, and Recording Secretary. In 2001, he was elected Vice President of Local 692. He currently serves as Vice President for Local 848.

For the last 23 years, Louie has continued to support his union brothers and sisters by serving as a member of the Board of the Teamsters Hispanic Caucus California Chapter, the National Hispanic Caucus, and the Maritime Trades Department, Southern California Ports Council. He is also the Coordinator of the Los Angeles/Long Beach Harbor Labor Coalition, which conducts one of the largest Labor Day parade and barbecue in the nation.

Louie's exemplary service to his fellow community and union members has earned him this distinct honor. I am proud to recognize such an accomplished leader.

IN SPECIAL RECOGNITION OF SARA PISARSKI ON HER OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MERCHANT MARINE ACADEMY

HON. ROBERT E. LATTI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTI. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Sara Pisarski of Bowling Green, Ohio has been offered an appointment to the United States Merchant Marine Academy in Kings Point, New York.

Sara's offer of appointment poises her to attend the United States Merchant Marine Academy this fall with the incoming Class of 2017. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Sara brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Bowling Green Senior High School in Bowling Green, Ohio, Sara was on the Honor Roll and was a member of the National Honor Society and the National Society of High School Scholars.

Throughout high school, Sara was a member of her school's basketball team and earned a varsity letter. In addition, Sara was a section leader in the marching band and the symphonic band and was the Lt. Governor of Ohio's Division 1 District Key Club. I am confident that Sara will carry the lessons of her student and athletic leadership to the Merchant Marine Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Sara Pisarski on the offer of her appointment to the United States Merchant Marine Academy. Our service academies offer the finest military training and education available. I am positive that Sara will

excel during her career at the Merchant Marine Academy, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the Nation.

IN HONOR OF RICHARD DONOHUE

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. MARKEY. Mr. Speaker, in the early morning of Friday, April 19, 2013, after a week of searching for suspects in the Boston Marathon bombings, and just hours after an MIT officer had been assassinated, Massachusetts law enforcement spotted and engaged the two brothers who were accused of committing the bombings.

The officers who exchanged fire with the two brothers were met with heavy resistance by the suspects. 200 or more rounds of ammunition are reported to have been fired on the corner of Dexter and Laurel Streets in Wintertown, Massachusetts, in my district. The bombers also hurled explosives at the officers, turning a city street into a battlefield.

One officer of the MBTA police force, Richard Donohue, Jr., was struck in the leg during the firefight. He likely did not know then, but his academy classmate and friend, Sean Collier of the MIT police force, was the officer felled by the bombing suspects hours earlier.

Officer Donohue of Woburn in my congressional district raced to help his fellow officers—not a surprise for an officer known as an avid runner and a dedicated public servant. His family notes that his great-great-grandfather even won the Boston Marathon, where Officer Donohue started his week working a shift at this iconic race.

Officer Donohue is currently still in critical condition at Mount Auburn Hospital. His family has been at his side, and a Massachusetts family of citizens remains forever in his debt for putting his life on the line to keep us safe.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,787,451,118,147.32. We've added \$6,160,574,069,234.24 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING WAYNE BROWN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Mr. Wayne Brown,

Superintendent of the Stanislaus Union School District, who is retiring after many years of outstanding service to our community.

Mr. Brown is highly accomplished in the field of education. He worked with staff to raise Stanislaus Union School District's API average to 800, in addition to initiating a full-day Kindergarten program. He developed a long-range Facility Master Plan that included running and successfully passing a bond campaign to include a comprehensive renovation/modernization of Prescott Junior High School. Wayne helped enhance significant technology infrastructure district-wide and pilot "blended" online and interactive programs in both GATE and in an innovative, full-day Independent Study Program. He supported the development of a Performing and Fine Arts Charter School in Monterey County and an Arts and Technology Academy in Stanislaus Union School District. He had the honor of being the Principal of a California Distinguished School and Superintendent of another, Mary Lou Dieterich Elementary. By using the "Caught in the Middle" concepts, he helped plan and collaboratively transition a junior high school into a progressive middle school in Monterey County. He is also a Program Quality Review and WASC Accreditation Trainer, and he is credited with creating the highly successful Middle Schools Consortium in Monterey County.

Wayne Brown has dedicated 37 years of his life to the education community. He was a teacher for 11 years, served the same amount of time as a principal at K-6, 6-8 and 9-12 levels, and 15 years as Superintendent. He served as one of the few consolidated superintendents in California with two separate districts and two school boards at one time. He also served as a Teacher Supervisor and part-time professor for Chapman College, Monterey Campus. After working in Monterey County for 31 years, he tired of temperate weather, magnificent vistas, sunny coast and world class golf courses and relocated to the Central Valley.

Mr. Brown is married to Cathy, who is a special education teacher with Patterson Unified School District; and together, they have four children. He was the first family member to attend college; and now, he officially has the lowest undergraduate GPA of any of the six members in his family.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to education and the Stanislaus County community by Superintendent Wayne Brown and hereby wish him continued success in his retirement.

IN SPECIAL RECOGNITION OF CALEB LIPSCOMB ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an out-

standing young man from Ohio's Fifth Congressional District. I am happy to announce that Caleb Lipscomb of Perrysburg, Ohio, has been offered an appointment to attend the United States Naval Academy in Annapolis, Maryland.

Caleb's offer of appointment poises him to attend the United States Naval Academy this fall with the incoming Class of 2017. Attending one of our Nation's military academies is an invaluable experience that offers a world-class education while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Caleb brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Perrysburg High School, in Perrysburg, Ohio, Caleb was on the High Honor Roll and was a member of the National Honor Society.

Throughout high school, Caleb was a member of his school's wrestling and football teams and earned varsity letters in both sports. In addition, Caleb participated in several mission trips in Ohio and West Virginia and served as Master Counselor for Demolay International. I am confident that Caleb will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Caleb Lipscomb on the acceptance of his appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that Caleb will excel during his career at the Naval Academy and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING THE LIFE OF RUBY MOORE

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. HALL. Mr. Speaker, I rise today to honor the life of Ruby Moore, who passed away on April 10, 2013. Ruby was a wonderful, kind woman, and a very dear friend of mine. I know she will be greatly missed by her family and by all those who knew her.

Ruby Thomas was born on February 21, 1920 in Bonham, TX. She was married to Choice Moore on December 27, 1950. Ruby worked for 20 plus years as a dental assistant for the Sam Rayburn Medical Veterans Center, and also served on the Fannin Bank Board, on which her husband was a founding member. For 28 years while Choice served as Fannin County Judge, Ruby served as the first lady of Fannin County. She was also a member of the Texas Society of County Judges Wives, and a member of the Windom Book Club and the First Baptist Church of Windom.

I served as County Judge of Rockwall County when Choice served as such in Fannin County. Our wives were friends—both beautiful, kind, and supportive—and as first ladies of our counties they graced the many meetings of the Texas County Judges and Commissioners Association held throughout the

254 counties in Texas. During the time we served, our Congressman, Speaker Sam Rayburn, befriended us and our counties. I have never known a finer judge, and will always remember his mate, the beautiful Ruby Thomas Moore.

Ruby is preceded in her death by her husband, her parents, and three brothers and a sister. Her absence will be felt throughout the community, but her service will not be forgotten. As we adjourn today, let us do so in honor of the life of Ruby Moore.

HONORING SAM E. ROACH FOR HIS
DEDICATED SERVICE TO COLLIN
COLLEGE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor my personal friend and esteemed community leader, Mr. Sam E. Roach on his lasting impact on the educational community in Collin County. For the past 21 years, Sam Roach has faithfully served on the Collin College Board of Trustees where he acted as chairman for three terms. Under his leadership, Collin College has experienced historic expansion with an increase in enrollment of nearly 32,000 students each year. He was instrumental in developing the core values and mission statement for the college while simultaneously creating a new master plan for expansion. During his service, he also helped to launch the university pre-admission program as well as work to secure the largest gift from an individual donor in Collin College history. Needless to say, Sam Roach has been a powerful force and an influential leader in education and our community as a whole.

In addition to his incredible accomplishments as chairman of the Board of Trustees, Mr. Roach chaired Board committees for Budget & Finance, Campus Facilities & Construction, and served as the Board's representative for Frisco TIF #2. Not only has he tirelessly committed his hard work and time to the college, he also has consistently and generously donated his finances to endowed scholarships for students, giving more students an opportunity of a bright future.

Mr. Roach's commitment to education has not just been for the past 21 years, but has been a lifetime of dedication. As a Frisco native, he graduated valedictorian of Frisco High School and continued on to receive an engineering degree from The University of Texas at Austin. Later, he became president of the Frisco Independent School District Board, chair of the Frisco Economic Development Corporation, and a member of the Frisco Chamber of Commerce. Words simply cannot express Mr. Roach's incredible impact and influence. Not only does he possess great vision, but he possesses great commitment. He sees the potential in America's youth today and actively empowers them. He encourages the growth of young minds, the exploration of new ideas by providing the resources for students to accomplish their goals. More than just a dedicated

board member, he is an advocate for students to become the people they aspire to be.

Thank you, Mr. Sam E. Roach, for your tireless efforts on behalf of the students of Collin County. Although your presence on the Board of Collin College will be dearly missed, your legacy lives on. It is a pleasure to know you and call you my friend. I wish you the very best in the years to come. God bless you.

IN MEMORY OF SEAN COLLIER

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. MARKEY. Mr. Speaker, in the seconds, hours, and days following the Boston Marathon bombings, Massachusetts and the nation witnessed the courage, dedication, and sacrifice of law enforcement officers and other first responders.

One officer, Sean Collier of Wilmington, Massachusetts, gave his life, the ultimate sacrifice, during this ordeal. Sean was an outstanding officer of the MIT police force on his way to a position on the Somerville police force.

Officer Collier was on his regular shift, protecting the students at MIT, when he was assassinated by two twisted individuals as Officer Collier sat in his police cruiser.

We mourn his loss, along with his family, the MIT community, Massachusetts, and Americans everywhere.

Officer Collier was known by his family, friends, and co-workers as a generous, kind, and dedicated individual and officer. His friends say he was always armed with a sense of humor, and his roommate who trained with him at the academy said his only fault was that he was too brave.

Officer Collier represents the best of Massachusetts and of law enforcement. We honor his memory and know that his life of service and sacrifice will never be forgotten by Massachusetts or the nation.

PERSONAL EXPLANATION

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. CHU. Mr. Speaker, on Thursday, April 18, I was unavoidably detained due to a meeting with constituents from my district. Had I been present on the House floor, I would have voted "aye" on rollcall No. 116, the motion to recommit H.R. 624, the Cyber Intelligence Sharing and Protection Act, to the House Permanent Select Committee on Intelligence.

HONORING THE LIFE OF REV.

HERMAN C. MCCRAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to pay tribute to the life of the Rev.

Herman C. McCray, who died on April 16, 2013, at the age of 72. Rev. McCray was a resident of Riviera Beach, Florida and a 1959 graduate of Roosevelt High School. He was a civil rights leader and founder of McCray's Backyard BBQ. Additionally, he was a veteran of the United States Air Force, and an assistant pastor at Greater Bethel Primitive Baptist Church in Riviera Beach.

Education was very important to Rev. McCray. He worked very hard to try to prevent the closing of Roosevelt High School in 1970, when it became a Middle School.

Rev. McCray will be remembered by his friends and family as "a good talker and a good listener," and someone who "wanted everyone treated equally." Furthermore, in 2010, the bridge on Congress Avenue that connects Riviera Beach to West Palm Beach was dedicated in his honor.

Mr. Speaker, Rev. McCray was truly loved by his family and friends. He is survived by his wife, Lillian, a retired schoolteacher, his sons, Derrick McCray, Sr., Demetrius McCray and Herman McCray III and a sister, Cynthia Morrow.

He is somebody who loved his community, and fought all of his life for the betterment of humanity. Rev. McCray was a great friend to me, and will be dearly missed.

HONORING DR. JOHN WELTY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. COSTA. Mr. Speaker, I rise today along with my colleague Mr. NUNES to recognize Dr. John Welty as he is honored for his nearly 22 years of service as President at California State University, Fresno (Fresno State). His hard work and dedication on behalf of the students, staff, and faculty must be commended.

John Welty grew up on a small farm in North Central Illinois. From a young age, his parents always stressed the importance of education and literacy. Tragically, when John was only ten years old, his father passed away. As the eldest of six children, he strived to make his father and the rest of his family proud, so his studies became a top priority.

In 1965, John became the first person in his family to graduate from college with a bachelor's in Social Science from Western Illinois University, Macomb. John continued his education at Michigan State University by obtaining his master's in College Student Personnel Services, and in 1974, Mr. Welty became Dr. Welty when he graduated from Indiana University, Bloomington, with a doctorate in Administration of Higher Education.

Prior to his tenure at Fresno State, Dr. Welty held several other positions in university administration. He was an Admissions Counselor at Michigan State University and Assistant Vice President for Student Affairs at Southwest State University. Dr. Welty also served at the State University of New York as Director of Residences, Associate Dean for Student Affairs, and Assistant Professor of Counseling and Student Development. Additionally, he served as Vice President for Student and University Affairs at the Indiana University of Pennsylvania, and subsequently

served as the President for seven years. Dr. Welty's many years of experience and expertise prepared him well to serve as President at Fresno State.

To say that Dr. Welty made a difference around the Fresno State campus is a vast understatement. With the help of faculty and staff, he truly changed Fresno State for the better, and we must express our gratitude for all of his efforts. In the last 22 years, Dr. Welty has increased enrollment, and each year reduced the number of students that drop out. The university currently offers 62 bachelor degrees, 45 master degrees, and three doctoral subject areas. Students from all over the nation are drawn to Fresno State for a number of reasons, including the Smittcamp Family Honors College within the university, an honors programs created with Dr. Welty at the helm.

Dr. Welty's leadership ensured that students of all cultures and socio-economic backgrounds knew that there was a place for them at Fresno State—by doing this he served as a catalyst for the success of our Valley and the enrichment of the university environment. Two-thirds of the students enrolled at Fresno State will be the first in their family to graduate from college. Furthermore, Women's athletics and women's intercollegiate sports program have grown and flourished under Dr. Welty's time as university president. His legacy at Fresno State will live on for years to come because of his commitment to student success.

Additionally, several institutes and centers at Fresno State have been created during Dr. Welty's tenure, including the Lyles Center for Innovation and Entrepreneurship, the Central Valley Educational Leadership Institute, the Central Valley Health Policy Institute, and the Maddy Institute. These centers provide students with imperative resources and knowledge in their respective fields.

With Dr. Welty and dedicated staff at the helm, the university received private gifts totaling more than \$360 million which supported innovative programs, scholarships, faculty chairs, and research facilities. The Campaign for Fresno State surpassed its goal and raised \$214.2 million to help offset declining state resources.

In addition to all of his successes at Fresno State, Dr. Welty has accomplished many feats within the California State University, CSU, System, and he has served in various capacities to help in educational improvements nationwide. He is the former chair of the Western Association of Schools and Colleges senior accrediting commission, and former chair of the American Association of State Colleges and Universities board.

Dr. Welty has previously served on advisory groups to the United State Departments of Agriculture and Education, and formerly chaired the Renaissance Group, a national organization of universities dedicated to improved teacher education programs. Dr. Welty is also the current Chair of the Cal State Online Advisory Board, as well as the CSU Gender Equity Monitoring Committee. Furthermore, he has worked diligently on a nationwide effort to reduce substance abuse and improve prevention on college campuses.

Mr. Speaker, I ask my colleagues to join Mr. NUNES and myself in recognizing Dr. John

Welty for his great service and commitment to Fresno State and its surrounding community. As a Fresno State alumnus, I am extremely proud of the accomplishments that have been made under Dr. Welty's guidance, and I thank him for his many contributions toward improving California State University, Fresno.

CONGRATULATING THE TELACU EDUCATION FOUNDATION ON THEIR 30TH ANNIVERSARY

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate the TELACU Education Foundation, a non-profit organization based in my 40th Congressional District, on the celebration of their 30th anniversary.

TELACU, which stands for The East Los Angeles Community Union, is a pioneer in empowering and revitalizing communities in our great state of California and throughout our nation. In response to crisis-level dropout rates for Latino students in college, TELACU created the TELACU Education Foundation 25 years ago. Working in partnership with a vast network of colleges, universities, corporations and individuals, the TELACU Education Foundation has awarded millions of dollars in scholarships to thousands of deserving students.

As the centerpiece of the foundation, the TELACU Scholarship Program annually provides scholarships to 500 college and graduate students who are the first in their families to access higher education. Realizing that financial resources alone cannot fully meet these students' needs, the program provides the scholars with comprehensive academic and career guidance to ensure that all of them graduate.

The foundation also serves an additional 1,600 middle and high school students, nursing school students, and veterans. Through comprehensive educational programs, these scholars are not only inspired to pursue higher education, but are also equipped to meet the rigorous expectations of college. As a result, 100 percent of TELACU's high school students earn their high school diploma and continue on to pursue post-secondary education and 100 percent of the TELACU college students graduate.

TELACU scholars are recruited from the poorest neighborhoods of Southern California, Chicago, Texas, and New York. In many of these neighborhoods, young African Americans and Latinos are more likely to have been arrested by their 18th birthday than to graduate high school. Yet TELACU scholars have proven year after year—no matter where you were born, the color of your skin, or what language you speak at home—if you study and work hard, you can become anything you want to be in our great United States of America.

And hard work and study are exactly what TELACU scholars do. Scholars like Irma Gorrocino have utilized the benefits of the TELACU Education Foundation scholarship and the resources provided. She has served

on the dean's list for two consecutive semesters while managing to work full-time and tending to the needs of her father, who was recently diagnosed with multiple myeloma. She is also an outstanding intern in my district office in California.

Mr. Speaker, on the occasion of the TELACU Education Foundation's 30th Anniversary, I ask my colleagues to please join me in recognizing David and Priscilla Lizárraga for their exemplary leadership and commendable efforts to empower our young people and our communities, and wish them and the TELACU Education Foundation many years of continued success ahead. I also thank Irma and all of the TELACU scholars for their hard work and contributions to our community.

IN SPECIAL RECOGNITION OF JOSEPH PRITTS ON HIS OFFERS OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY AND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Joseph Pritts of Cygnet, Ohio has been offered appointments to the United States Military Academy in West Point, New York and the United States Air Force Academy in Colorado Springs, Colorado. Joseph has accepted the offer to attend the United States Military Academy in West Point, New York.

Joseph's offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2017. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Joseph brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Elmwood High School in Bloomdale, Ohio, Joseph was on the Honor Roll and was President of the National Honor Society his senior year.

Throughout high school, Joseph was active in gymnastics and his school's track and field and golf teams and earning varsity letters for each sport. In addition, Joseph was Secretary of Student Council and a member of the Spanish Club. I am confident that Joseph will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Joseph Pritts on the acceptance of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Joseph will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING 11 RESIDENTS OF
BROWARD COUNTY SELECTED
FOR THE BROWARD SENIOR
HALL OF FAME

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. DEUTCH. Mr. Speaker, I rise today in honor of 11 outstanding seniors from my district that have been selected to be part of the Broward Senior Hall of Fame. Through the generous donation of their time and resources, these exemplary seniors have displayed a level of commitment to public service that can be admired by all.

The Aging and Disability Resource Center of Broward County offers this annual distinction to seniors who have dedicated themselves to improving their community in South Florida. From ordinary citizens and businesspeople to public servants and advocates, they have gone above and beyond to serve both the elderly and those in need. The amount of time, money, and effort these individuals have expended for the betterment of their community is truly admirable and exhibits a level of passion worthy of recognition.

Congratulations to Judge Arthur Birken, Florida Representative Gwyndolen Clarke-Reed, Josephine D'Espies, Pauline Grant, William Giroux, Sandra Harris, Dr. Robert Levy, June and John McCarthy, John Primeau, and Margaret Reilly on their election to the 2013 Senior Hall of Fame. I hope that by honoring them they can continue to inspire South Floridians to live by their example.

HONORING THE 100TH ANNIVERSARY
OF THE TRANE COMPANY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. McCOLLUM. Mr. Speaker, today I rise to pay tribute to the 100th anniversary of the Trane Company. Trane is an innovative global leader in the area of heating and air conditioning systems and employs over 29,000 in over 400 locations, including 300 employees in White Bear Lake, Minnesota.

A true American success story, Trane was started by Norwegian immigrant, James Trane. After working some time as a plumber and steamfitter, James opened a plumbing shop in 1885 in La Crosse, Wisconsin. He drew inspiration from the cold winters and invented a new low-pressure heating system named the Trane Vapor Heating System. His son Reuben was born the next year. Following Reuben's completion of a degree in mechanical engineering in 1910, father and son went into business together in 1913 and incorporated the Trane Company. Reuben Trane's invention of the convactor radiator in 1923 is what cemented Trane as an innovator and paved the way for the company's success in the years to come.

As many are aware, Midwest summers can be as hot as our winters are cold. Therefore,

it was fitting that in 1931, the Trane Company pioneered air conditioning technology to give people relief from the blistering summer heat. The company further revolutionized the concept of air conditioning in large buildings with the 1938 launch of the Turbovac, the first hermetic, centrifugal refrigeration machine. This model paved the way for the CenTraVac®, a revolutionary technology which has become the industry standard for large commercial air conditioning systems and the most energy efficient of its kind. Trane continued to grow with the acquisition of Sentinel Electronics in the 1970s, entering into the building automation and management field. This allowed the company to be the first to offer integrated controls for all their products. In 1984, Trane was able to acquire General Electric's Central Air Conditioning Division and continue its success into the area of residential air conditioning.

Trane's 100 years of groundbreaking work has not only generated quality heat and cooling systems, but created a brand that is renowned for superior quality and excellent customer service. Trane is equally committed to pursuing energy efficiency and has been recognized by the U.S. Environmental Protection Agency as the "Best of the Best" in commercial air conditioning systems.

Mr. Speaker, many people both inside and outside the industry are aware of the Trane company motto, "It's hard to stop a Trane." In honor of the thousands of employees who have built Trane from a small family plumbing company to a century old global leader in high efficiency and innovative technology in the heating and cooling industry, I am pleased to submit this statement.

HONORING DR. JOHN HALVERSON

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Dr. John Halverson, Superintendent of the Sylvan Union School District, who is retiring after many years of outstanding service to our community.

Dr. Halverson began his teaching career in Bangor, California, in 1977, after serving his country in the United States Army. In 1980, he was promoted to Superintendent/Principal at Bangor Union Elementary School District—a position he held for 5 years. In 1985, he moved to Jackson, California, and was appointed as Assistant Superintendent, Educational Services at Amador County Unified School District in 1988. In 1994, he was appointed Superintendent of the Nevada City School District. Dr. Halverson came to Stanislaus County in 2003, where he will be concluding his career at Sylvan Union School District after 10 years as Superintendent.

Dr. John Halverson was integral in the implementation of middle schools for Amador County Unified School District. He was also behind the establishment of the 1994 Charter in Nevada City—the School of the Arts. He oversaw construction of three new schools in the Sylvan Union School District and was at the helm of seeing the 2006 passage of Meas-

ure A, a school bond for modernizing projects. For the last 24 years, Dr. Halverson has overseen fiscal stability in three school districts as Superintendent.

Over the years, Dr. Halverson has been recognized with many awards including 1997 Nevada County Charter Superintendent of the Year and 2001 Nevada County Administrator of the Year. In 2013, the Stanislaus County Chapter of the California Teachers Association recognized him with a CTA School Bell Award. In addition, he volunteers with many organizations including the Boys and Girls Club of Modesto, Amador County Arts Council, 49er Breakfast Rotary Club, and the Nevada City Chamber of Commerce.

Mr. Speaker, please join me in honoring and commending Dr. John Halverson, Sylvan Union School District Superintendent, for his numerous years of selfless service to the betterment of our community.

HONORING THE EASTERN IOWA
HONOR FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LOEBSACK. Mr. Speaker, today, over eighty Iowa World War II and Korean War veterans will travel to our nation's capital. Accompanied by volunteer guardians, they will visit the monuments that were built in their honor.

For many, today will be the first time they will see the National World War II Memorial and the Korean War Veterans Memorial. I am deeply honored to join them for their visit to the National World War II Memorial to personally thank these heroes for their service to our nation and to pay tribute to the incredible sacrifice that they made for our country.

We owe these heroes a debt of gratitude. As a reminder of the service and sacrifice of the Greatest Generation, I am proud to have a piece of marble in my office from the quarry that was used to build the World War II Memorial. Our World War II and Korean War veterans rose to defend not just our nation, but the freedoms, democracy, and values that make our country the greatest nation on earth. They did so as one people and one country. Their sacrifices and determination in the face of great threats to our way of life are both humbling and inspiring.

The sheer magnitude of what the Greatest Generation accomplished, not just in war but in the peace that followed, continues to inspire us today. Their generation and our country did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, the Greatest Generation defended and then rebuilt our nation to make it even stronger. Their patriotism, service, and sacrifice not only defined their generation—they stand as a testament to the fortitude of our nation and the American people. Their legacy endures today.

I am tremendously proud to welcome the Eastern Iowa Honor Flight and Iowa's veterans of the Second World War and the Korean War to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

**RAYANNA ANDERSON AND THE
SMALL BUSINESS AND TECHNOLOGY
DEVELOPMENT CENTER**

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize and honor Rayanna Anderson for her service as Director of the Small Business and Technology Development Center, SBTDC, at Missouri State University.

Throughout her tenure as the SBTDC director at Missouri State University, Rayanna and her staff have consulted with over 605 small businesses and helped business owners obtain over \$54 million in financing and investments. Their efforts towards helping small businesses have had a profound economic impact for Southwest Missouri. In 2009 alone, the SBTDC helped 170 local small businesses retain or create over 1,500 jobs while boosting sales by over \$21 million.

To recognize these achievements, the U.S. Small Business Administration recently awarded the SBTDC at Missouri State University its Region VII Small Business Development Center Excellence and Innovation Award, an honor that this center certainly merits.

SBTDC programs fulfill a vital role in our economy by fostering small business growth, which provides most jobs in America. The start-up and growth of small businesses is a crucial component of our economy's success because roughly 60 percent of all jobs in America are provided by small businesses. They are also a key source of innovation and creation, measures that further enhance economic growth. For people who are new to business, assistance with funding or receiving sound advice can be invaluable in making a business succeed.

The SBTDC at Missouri State University plays an important role for Southwest Missouri businesses, and Rayanna Anderson's leadership has been outstanding. I am proud of her, her staff, and of the center's accomplishments, and I urge my colleagues to join me in recognizing her for her outstanding efforts.

PERSONAL EXPLANATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. HOLDING. Mr. Speaker, from April 16, 2013, through April 18, 2013, I missed rollcall vote numbers 106–117 as I was in London as part of the official delegation representing the U.S. House of Representatives at the funeral of Baroness Margaret Thatcher.

Had I been present, I would have voted as follows:

Rollcall No. 106: "yea" (On Motion to Suspend the Rules and Pass, as Amended—Federal Information Security Amendments Act of 2013); rollcall No. 107: "yea" (On Motion to Suspend the Rules and Pass, as Amended—Cybersecurity Enhancement Act of 2013); rollcall No. 108: "yea" (On Motion to Suspend the Rules and Pass, as Amended—Advancing America's Networking and Information Technology Research and Development Act of 2013); rollcall No. 109: "yea" (On Agreeing to the Resolution—Providing for consideration of H.R. 624, the Cyber Intelligence Sharing and Protection Act); rollcall No. 110: "yea" (On Agreeing to the Amendment Rogers of Michigan Amendment No. 1); rollcall No. 111: "yea" (On Agreeing to the Amendment Connolly of Virginia Amendment No. 2); rollcall No. 112: "yea" (On Agreeing to the Amendment Langevin of Rhode Island Amendment No. 4); rollcall No. 113: "yea" (On Agreeing to the Amendment Sinema of Arizona Amendment No. 7); rollcall No. 114: "yea" (On Agreeing to the Amendment LaMalfa of California Amendment No. 9); rollcall No. 115: "yea" (On Agreeing to the Amendment McCaul of Texas Amendment); rollcall No. 116: "nay" (On Motion to Recommit with Instructions—Cyber Intelligence Sharing and Protection Act); rollcall No. 117: "yea" (On Passage—Cyber Intelligence Sharing and Protection Act).

**IN SPECIAL RECOGNITION OF
RYAN ROTH ON HIS OFFER OF
APPOINTMENT TO ATTEND THE
UNITED STATES MILITARY
ACADEMY**

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Ryan Roth of Perrysburg, Ohio has been offered an appointment to attend the United States Military Academy in West Point, New York.

Ryan's offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2017. Attending one of our Nation's military academies is an invaluable experience that offers a world-class education while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Ryan brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Perrysburg High School, in Perrysburg, Ohio, Ryan was on the High Honor Roll and was a member of the National Honor Society.

Throughout high school, Ryan was a member of his school's wrestling and football teams and earned varsity letters in both sports. During Ryan's senior year, he was the team captain of the wrestling team and a student council representative. I am confident that Ryan will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Ryan Roth on the acceptance of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Ryan will excel during his career at the Military Academy and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

TRIBUTE TO ROYDA KIMBALL

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. COFFMAN. Mr. Speaker, I am honored to pay tribute to Royda Kimball, as she retires as the Chief Assignable for the Colorado State Senate, after 33 years of dedicated public service to the State of Colorado.

Royda served under six Colorado governors, starting with John Vanderhoof in 1974 and finishing with John Hickenlooper in 2012. She worked with nine Senate presidents, from Fred Anderson to Brandon Schaffer. She has helped, cajoled, and tutored literally hundreds of Colorado state senators, including me.

Royda was a tireless and dedicated state worker. In March of 2003, she suffered a heart attack and was back at work in a week. In March of 2004, she was diagnosed with cancer, underwent surgery, and was back on the job nine days later.

Royda Kimball exemplifies what it means to be a true public servant. Colorado citizens—not just elected state officials—benefited from her expertise and her professionalism. She kept the wheels of the Colorado State Senate moving for a third of a century. She is truly irreplaceable and her dedicated service will not be forgotten. She will be missed by many at the State Capitol, but we are fortunate to still have her on hand as a dear friend.

**IN RECOGNITION OF TOMMY
LEONARD**

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. KEATING. Mr. Speaker, I rise today to congratulate Mr. Tommy Leonard on receiving the esteemed Heritage Award from the Falmouth Historical Society. The award commemorates Mr. Leonard's 40 years as a community leader through his athletic and charitable endeavors.

Falmouth's famous Great American Road Race was born from Mr. Leonard's love of running and community. The original idea for Falmouth's marquee event came to Mr. Leonard in 1972 when he was working as a bartender. As a long-time runner and unabashed fan of the sport, Mr. Leonard was enthralled by the efforts of Frank Shorter, the first American to win the Olympic Marathon in over 60 years. On that day in 1972, Mr. Shorter's historic effort in the Munich Olympics inspired Mr.

Leonard to create a new tradition on Cape Cod. With assistance from Falmouth's track coach, John Carroll, and its recreation director, Rich Sherman, Mr. Leonard organized the town's first summer road race in 1973. Interest in the race grew, attracting such stars as "Boston" Billy Rodgers in 1974 and Frank Shorter himself in 1975. Today, Falmouth is considered one of the top races in the country and featured over 10,000 runners in 2011.

Mr. Leonard continued to organize Falmouth's annual race, while shepherding kindred events in Nantucket, Holyoke, and Westfield, Massachusetts. The 20-time Boston Marathon participant is renowned for his generous spirit, tirelessly working to bring joy or aid to others. As a bartender at the beloved Eliot Lounge in Boston, Mr. Leonard maintained an emergency fund to assist members of the community in need. In 1991, he co-founded the annual Falmouth Walk, which raised \$28,000 for local charities in 2011 alone. Each November, Mr. Leonard has sought to honor his fellow veterans by commemorating the Marine Corps' birthday with a reception at his restaurant. Over the years, Mr. Leonard has dedicated himself to countless charitable causes.

Mr. Speaker, I am proud to honor Mr. Tommy Leonard for his outstanding contributions to the Commonwealth of Massachusetts. His passion has made a lasting impact on the Falmouth community, forging bonds between residents and attracting visitors from across the globe. I ask that you join me in thanking Mr. Leonard for a lifetime of service and advocacy.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. CLARKE. Mr. Speaker, I was unavoidably detained in my district and missed the votes on Monday, April 15, 2013.

Had I been present, I would have voted "yea" on rollcall No. 103, H.R. 1162—GAO Improvement Act, "yea" on rollcall No. 104, H.R. 882—The Contracting and Tax Accountability Act of 2013 and "no" on rollcall No. 105, H.R. 249—Federal Employee Tax Accountability Act.

TRIBUTE TO THE TIBBITS OPERA HOUSE

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. WALBERG. Mr. Speaker, I rise today to honor the Tibbits Opera House in Coldwater, Michigan, a cultural icon in my district that has excelled in arts and entertainment for 130 years. Having recently completed a stunning restoration of the building's facade, the community will be holding a celebration this weekend to dedicate the restoration and tell the story of the people that preserved it.

Built in 1882, Tibbits is the second oldest operating theater in Michigan. The 499 seat venue operates year round, enriching the area with professional and community theater programs, community events, concerts and youth theater productions. Strategically located on the primary thoroughfare between Chicago and Detroit, it has hosted many notable performers and acts over the years, ranging from P.T. Barnum and John Philip Sousa to Mickey Rooney and Jeff Daniels. From early vaudeville performances to a spell as a movie house, Tibbits has served as the cultural center of the area.

As early as the 1950s, locals recognized the need to safeguard this treasure for future generations and formed a group committed to the preservation of the theater. After falling into disrepair and facing the threat of demolition, a group raised funds to pay off owed taxes. Further updates and improvements have taken place over the years, the most impressive being the authentic restoration of the building's facade. Using photographic and field evidence, craftsmen meticulously restored the theater to its original French Second Empire design using locally selected materials. The effort has certainly paid off, earning a 2013 Governor's Award for Historic Preservation. But even more important than the accolades, the project ignited an enthusiasm among the residents, businesses and other area organizations, who gave of their time and finances to support the restoration. The renewed sense of pride displayed by the community has been apparent, and I'm heartened by their appreciation for the past and hard work to ensure its preservation for future generations.

Today, Tibbits Opera House continues to be a landmark that has drawn visitors to Coldwater for many generations and I suspect, Mr. Speaker, will continue to do so. With an annual attendance of nearly 30,000, there is rarely an evening when the stage is not in use. I commend my colleagues to take a trip to Coldwater if ever possible and enjoy a show, and I look forward to joining the Tibbits community at this weekend's festivities to celebrate this testament to preservation.

IN SPECIAL RECOGNITION OF JAMES SMITH ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that James Smith of Walbridge, Ohio has been offered an appointment to the United States Naval Academy at Annapolis, Maryland.

James' offer of appointment poises him to attend the United States Naval Academy this fall with the incoming midshipmen Class of 2017. Attending one of our Nation's military academies not only offers the opportunity to serve our country but also guarantees a world-

class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

James brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending St. Francis De Sales High School in Toledo, Ohio, James was on the President's List, recognized as a Student of Excellence, and was a member of the National Honor Society.

Throughout high school, James was a member of his school's wrestling and crew teams and earned varsity letters in both sports. In addition, James participated in the 2012 Model United Nations and the 4.5 Poverty Immersion Experience. I am confident that James will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating James Smith on the acceptance of his appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that James will excel during his career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING ROBERT EARL HOLDING

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. SIMPSON. Mr. Speaker, I wanted to take a moment today to recognize and honor Robert Earl Holding, a man who throughout his life influenced Idaho and the West significantly. He was a veteran, a civil engineer, a businessman, a husband of 64 years, and a father of three. He passed away on April 19th, at age 86, after a long and rewarding life.

Among his many accomplishments, Earl Holding turned a struggling motel into a hugely successful chain of ski resorts and hotels, and owned Sinclair Oil Corporation. He acquired Idaho's Sun Valley Resort, and turned it into a world-class destination and a pillar in Idaho. He also was a key figure in attracting the 2002 Winter Olympics to Salt Lake City. Most of all, however, he loved the West.

Perhaps his most positive impact in Idaho began in 1977 when he bought the Sun Valley ski resort in central Idaho. He invested millions of dollars into Sun Valley, making it one of the most famous ski resorts in the United States. Today Sun Valley remains one of the most popular destinations in Idaho and a first-class resort for all seasons.

Mr. Holding is a true example of the American dream, rising from the hardships of the Great Depression to become one of the most successful business people in the world. Although we have lost a famous entrepreneur, a family man, and an American, we won't forget Robert Earl Holding, nor his many contributions to Idaho and the West.

HONORING DR. ROBERT PRICE

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Dr. Robert Price, Superintendent of the Empire Union School District, who is retiring after many years of outstanding service to our community.

Dr. Price began his teaching career in Turlock in 1973. In November of 1981, he received his first administrative assignment as Assistant Principal at Monte Vista Middle School in Tracy. In July of 1982, he was appointed Principal of Monte Vista Middle School; and in 1987, he was appointed Assistant Superintendent for Instructional Services in Tracy and served as Interim Superintendent for one year. Dr. Price is concluding his career at Empire Union School District after 20 years as Superintendent.

Dr. Robert Price is a veteran in the integration of technology into the educational process. He is a founding TICAL Cadre member and has presented on technology issues for ACSA, The California League of Middle Schools, CSBA, and the National Middle School Association. He is a past President of the California League of Middle Schools and has received numerous awards, including the 2008 Ferd Kiesel Award from ACSA, their highest statewide recognition. Dr. Price and his district were featured in the American Executive—July 2010 issue as one of 30 school districts in the nation thriving during tough fiscal times.

He has been married to Sally for 37 years. Bob and Sally have two children, Geoffrey, 31, and Caitlin, 29. Geoffrey is a sound engineer living in San Francisco, and Caitlin is a graduate Ph.D. student at U.C. Berkeley.

Mr. Speaker, please join me in honoring and commending Dr. Robert Price, Empire Union School District Superintendent, for his numerous years of selfless service to the betterment of our community.

IN MEMORY OF KRYSTLE CAMPBELL

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. MARKEY. Mr. Speaker, Krystle Campbell, a resident of Arlington and graduate of Medford High School, lost her life at the Boston Marathon finish line doing what she loved to do: support other people. She was 29 years old, just a few weeks from her 30th birthday, with a lifetime of helping more people ahead of her.

Krystle's annual pilgrimage to the marathon finish represented who she was, says her family. When people needed support, Krystle was there. When her grandmother needed help following surgery, Krystle moved in with her for two years to help her recover.

Krystle's smile, hard work, and constant happy demeanor is what her family and

friends will miss. But most of all, they will miss what she was always known for: being there when you needed her, being a joyful, active participant in the lives of her family and friends.

In our grief, we know that Krystle is still there, still cheering all of us on, still there in our hearts. Today we honor her memory and the joy she brought to so many lives.

IN SPECIAL RECOGNITION OF
JARED KOBYSLSKI ON HIS OFFERS OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY AND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Jared Kobylski of Bowling Green, Ohio has been offered appointments to the United States Military Academy in West Point, New York and the United States Air Force Academy in Colorado Springs, Colorado. Jared has accepted the offer to attend the United States Military Academy in West Point, New York.

Jared's offer of appointment poises him to attend the United States Military Academy this fall with the incoming Class of 2017. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Jared brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Bowling Green Senior High School in Bowling Green, Ohio, Jared was on the Honor Roll and was a member of the National Honor Society.

Throughout high school, Jared was a member of his school's cross country and track and field teams and earned varsity letters in both sports. In addition, Jared was a Senior Patrol Guide and a member of the Royal Rangers. I am confident that Jared will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Jared Kobylski on the acceptance of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Jared will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

THE OCCASION OF THE DEDICATION OF GABRIEL ZIMMERMAN ROOM

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise to honor the legacy of Gabriel "Gabe" Zimmerman, a young man devoted to community service, and the great democratic principles upon which our government stands.

Gabriel Zimmerman was murdered on January 8, 2011, struck down in the prime of life at the young age of 31. He was one of several persons killed or wounded during the mass shooting in Arizona that so seriously injured our colleague, former U.S. Congresswoman Gabby Giffords. Gabe Zimmerman is the first congressional staffer to be killed in the line of duty.

As the Community Outreach Director for Congresswoman Giffords, Gabe organized the "Congress at Your Corner," at a supermarket in Tucson, Arizona, where the mass shooting took place.

Colleagues remember him as someone who would go out of his way to help people in trouble, who attentively listened to the concerns of constituents, and who had a real gift for working with people.

I rise today not only to commemorate Gabe Zimmerman but to speak out against the scourge of gun violence our nation faces.

We have all been shaken by tragic events in recent days and years involving gun violence.

Whether these events occurred in Newtown, Connecticut; Aurora, Colorado; Tucson, Arizona; or on the streets of Chicago, gun violence is a critical issue that we need to effectively address immediately. Urban, suburban, or rural—no region or community is immune to danger of gun violence.

While the nation's attention has often been drawn toward some of the more high-profile events, the broader statistics are disturbing, demonstrating a real need to address how we protect our nation's children from gun violence. Consider these facts:

Every 30 minutes, a child or teenager in America dies or is injured by a gun.

Every 3 hours and 15 minutes, a child or teenager loses their life to a firearm.

In 2010, 82 children under 5 years of age lost their lives due to guns.

To put that in perspective, 58 law enforcement officers died in the line of duty that year.

In light of recent tragedies, the American people are demanding action. One thing we can do immediately to reduce the incidence of gun violence is to pass H.R. 65, the Child Gun Safety and Gun Access Prevention Act of 2013, legislation I introduced to protect our nation's children from gun violence and accidents.

H.R. 65 will prohibit persons under the age of 21 from possessing semiautomatic assault weapons or large capacity magazines.

Moreover, H.R. 65 increases penalties on individuals who knowingly transfer a handgun, ammunition, semiautomatic assault weapon, or large capacity ammunition feeding device to a person under age 21.

In addition, H.R. 65 will also prohibit importers, manufacturers, and dealers from transferring firearms without providing the purchaser with a gun storage or safety device.

Finally, H.R. 65 authorizes the U.S. Attorney General to provide grants to enable local law enforcement agencies to develop and sponsor gun safety classes for parents and children.

These provisions, and others, can go a long way toward making our homes, schools, and streets safer for children across this country.

Mr. Speaker, we may not be able to prevent every gun-related tragedy from occurring in the future, but we have a responsibility to implement reasonable standards that will prevent the loss of innocent lives.

CELEBRATING THE LIFE OF
STEPHEN COATS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to celebrate the life of Stephen Coats, a great friend, tremendous leader, and tireless champion for working people throughout the world.

Throughout his life, Stephen was driven by his unwavering commitment to social justice. From his years as political advocacy director for Bread for the World, where he fought global poverty, to his work at the US/Guatemala Education Project (US/GLEP) in the 1990s, where he worked to insert language to protect worker rights, Stephen's work emphasized our common humanity and international solidarity.

After US/GLEP broadened to become the U.S. Labor Education in the Americas Project (USLEAP), Stephen served as Executive Director, working to protect the rights of working people across Latin America. His work has been enormously influential on U.S. policy toward Guatemala, Colombia, Honduras, and Mexico. He gave workers throughout Latin America a voice in Washington. By bringing delegations of workers to Congress, most recently a representative from Colombia who came to my office, he presented a powerful and personal call for justice, putting a human face on the need for action.

Stephen touched many lives through his work for worker justice, including mine. He recognized the dignity of work and the need to provide fair and respectful treatment for working men and women throughout the world, but particularly in Central America. He called on all of us to care for each other and to commit ourselves to improving the lives of people who we may never meet but who deserve our attention. Stephen was a real leader but, more importantly, he made leaders of others.

We are still reeling from Stephen's loss—but we are also even more committed to following his legacy. My heart and my prayers go out to his loving wife, Kim, herself a faithful champion of working families, his sons Eric and Benjamin, and to the rest of his family and his multitude of friends.

HONORING MANUEL LOPEZ

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Mr. Manuel Lopez, San Joaquin County Administrator, who retired after more than 25 years of outstanding service to our county.

Manuel was born in Pacoima (Los Angeles County) and was raised in Selma (Fresno County). After graduating from Selma high school, Manuel joined the Air Force for four years. Immediately after he was discharged, he worked for the California Department of Water Resources but left the job to attend Fresno City College on the G.I. Bill, where he subsequently earned a Civil Engineering degree from Fresno State. While attending Fresno State, he was involved with a group of students associated with the Fresno area "War on Poverty" and was a member of the student chapter of the American Society of Civil Engineers. Manuel's first professional job was with Tulare County, and then the City of Fresno, where he ultimately became the Deputy City Engineer.

Shortly after he started working at the City of Fresno, Manuel, together with several friends, started The Del Rey Y's Men Club in Del Rey, California—a branch of the National YMCA. The Club mentored boys from 12 to 18 years of age on how to act responsibly and how to be involved in the community.

Manuel and his wife, Sylvia, moved to Ripon in San Joaquin County in 1985, when he was appointed the Assistant Public Works Director. He concurrently served as the Interim City of Lathrop Engineer, when the City was formed in 1989. From 1991 to 1998, he served on the City of Ripon Economic Development Committee, twice as Chairman. In 1999, he served as President of the Sacramento Chapter of the American Public Works Association. Subsequently, in March 2000, Manuel was appointed the County Public Works Director. Just as he started to enjoy that role, in July 2001, the Board of Supervisors appointed him as the interim County Administrator and appointed him on a permanent basis in November. His nearly 12 years in this position is longer than any of his predecessors.

Over the years, Manuel has been recognized for serving on the following associations and organizations: American Public Works Association, where he served as the Sacramento Chapter President in 1999; County Engineer's Association of California (CEAC); County Administrative Officers Association of California (CAOAC); Ripon Economic Development Committee, where he served as Chairman in 1993; San Joaquin Engineer's Council; Chairman San Joaquin March of Dimes Fund Drive; and the San Joaquin County Historical Society.

Manuel and Sylvia have been married for 38 years and have four adult children and seven grandchildren.

Mr. Speaker, please join me in honoring and commending San Joaquin County Administrator Mr. Manuel Lopez after numerous years of selfless service to the betterment of our community.

IN SPECIAL RECOGNITION OF NATHAN DOWNS ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MERCHANT MARINE ACADEMY

HON. ROBERT E. LATTI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTI. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Nathan Downs of Bowling Green, Ohio, has been offered an appointment to the United States Merchant Marine Academy in Kings Point, New York.

Nathan's offer of appointment poises him to attend the United States Merchant Marine Academy this fall with the incoming Class of 2017. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Nathan brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Otsego High School in Tontogany, Ohio, Nathan was president of the Student Council and vice-president of Otsego's chapter of the National Honor Society.

Throughout high school, Nathan was a member of his school's football, basketball, and baseball teams; earned varsity letters in those sports, as well as being nominated team captain for the baseball and football teams. In addition, Nathan volunteered his time to his community by volunteering for youth sport camps. I am confident that Nathan will carry the lessons of his student and athletic leadership to the Merchant Marine Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Nathan Downs on the offer of his appointment to the United States Merchant Marine Academy. Our service academies offer the finest military training and education available. I am positive that Nathan will excel during his career at the Merchant Marine Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

IN RECOGNITION OF MAGGIE MORGAN BEING AWARDED THE TAYLOR MEDAL

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Miss Maggie Morgan, who on April 11th received a Taylor Medal from the University of Mississippi.

Maggie is the daughter of Dr. and Mrs. Gary H. Morgan. She attended The Donoho School in Anniston, Alabama. After graduating in

2009, she went on to attend the University of Mississippi, and this May, she will graduate as an Honors Scholar with a Bachelor of Science Degree in Forensic Chemistry.

During her time at the University of Mississippi, Maggie has set a standard of excellence in her academics. The Taylor Medal, which she was awarded, is the highest academic honor awarded by the University of Mississippi. To be eligible for this award, a student must have a grade point average of 3.9 or higher and exhibit exceptional scholarship in one field of study combined with superior academic work in all other subjects.

Upon her graduation from the University of Mississippi, Maggie plans to attend the University of Alabama School of Medicine.

Mr. Speaker, please join me in congratulating Maggie on her academic achievements and wishing her luck in all of her future endeavors.

SPRINGFIELD HISTORY MUSEUM ON THE SQUARE

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize Springfield Missouri's "History Museum on the Square."

The new History Museum on the Square encompasses several historic buildings that are being renovated to offer the community state-of-the-art exhibits in over 55,000 square feet, including the historic Fox Theatre. The museum houses a collection of over 100,000 artifacts, including 40,000 historic photographs.

The artifacts and exhibits showcase Springfield's prominent past, which includes the Battle of Wilson's Creek, a shootout in the town square involving Wild Bill Hickok, and the development of Route 66 through the heart of the city.

The new exhibit that opens on April 28 features "Woodruff's Dream: The Mother Road through Springfield—The Route 66 Exhibit," which explores the impact of Route 66 on the Springfield community and will feature never-before-seen items and photographs.

The Museum on the Square is a great way to restore and transform the beautiful historic buildings throughout the square. By offering these new interactive exhibits, the museum has created an exciting way for visitors to explore Springfield's past.

I want to congratulate the Museum for its creative efforts, and I urge my colleagues to join me.

HONORING NAN SCHNEIDER

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. HAHN. Mr. Speaker, I rise to honor the memory and legacy of Nan Schneider, who passed away on Monday, April 15, 2013 in her hometown of Westchester. Nan was born on

November 6, 1950 in Minneapolis, Minnesota to Shel and Pris Siegel. Nan was a loving and witty woman that could put a smile on any face. In order to practice medicine, her father moved his family to California. Through a mutual friend, Nan met the love of her life, Denny, on a blind date. It was love at first sight. They had two wonderful children, Beth and Aaron.

Nan was a woman who saw the beauty in everything and translated it into art. She was also an advocate for education. She volunteered to make Westchester Neighborhood School the best private school in the area. She also spent twenty years volunteering within Los Angeles Unified School District (LAUSD) at Westchester High in order to, as she said, "fix things." Her attitude said it all: she would always tell her husband, "I'm not going to ask permission to make it right. If the District doesn't like it they'll call me and tell me to stop." That same passion and drive carried her into Los Angeles politics.

Nan and Denny were no strangers to the concerns of Los Angeles. For 18 years, they fought the expansion of the Los Angeles International Airport into their community. As my colleagues from Los Angeles will testify, Nan and Denny were a force to be reckoned with. Nan also volunteered often for my father, Los Angeles County Supervisor Kenneth Hahn.

I was privileged to have called Nan a friend and I will always have fond memories. Her legacy will always be remembered in Los Angeles and in my heart. Nan Schneider is survived by her husband, Denny, her sister, Linda (Bob), her children, Beth (Jeff), and Aaron (Julie), and her grandchildren, Lily and Penny, for whom she cared so much. She will be missed by her friends and loved ones.

IN HONOR OF MR. STEPHEN STRASSLER, CELEBRATING 40 YEARS OF EXCELLENT SERVICE TO NEW JERSEY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to honor Mr. Stephen Strassler, a business owner in New Jersey. His firm, Reviva Labs has been a successful job creator in New Jersey's first district for 40 years.

Reviva Labs has been giving back to the South Jersey community for 40 years by providing health and skin care to men and women from around the world. As part of his commitment to community service, Mr. Strassler has generously donated skin care protection aids to a variety of organizations, including the U.S. military. Mr. Strassler sent Vitamin E sticks to Iraq, so our brave men and women could protect their eyes and lips in the harsh environment.

Mr. Speaker, the commitment to community service of Mr. Stephen Strassler should not go unrecognized. I join all of South Jersey in expressing our profound gratitude and thanks for Mr. Strassler as he prepares to celebrate the 40th anniversary of his outstanding firm, Reviva Labs.

DOMINICAN MEDICAL ASSOCIATION SIXTEEN YEAR ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. RANGEL. Mr. Speaker today I stand to recognize the 16th anniversary of The Dominican Medical Association. An organization dedicated to providing information on disease prevention, education, and counseling to New York City communities.

The Dominican Medical Association or DMA was founded on April 26, 1997, by a group of physicians from the Dominican Republic. Their mission has been to educate communities on health issues and to assist newly arrived physicians from abroad in obtaining jobs in their respected fields, providing them with the tools needed to pass the medical boards, and integrating them into the local medical community.

Last year was one of multiple accomplishments for the Dominican Medical Association. In line with its mission a total of 1119 people were served through health fairs, medical conferences, forums, symposiums, and trainings. The vast majority served through the DMA are Hispanics living throughout all of New York's boroughs.

Information and knowledge on health is vital. My beloved village of Harlem and many areas of my district are predominately inhabited by minorities who have been affected by many health concerns that are the direct result of lack of knowledge on preventative care. Obesity is just an example of one of the diseases that has plagued our communities but it is an epidemic that can be * * *

PERSONAL EXPLANATION

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. McGOVERN. Mr. Speaker, due to the recent tragic events in Massachusetts, I was absent for a series of five votes on April 18, 2013. Should I have been present, I would have voted yes on rollcall vote 113; yes on vote 114; yes on vote 115; and yes on vote 116. I share many of the concerns about privacy raised by a number of my colleagues during that debate, and I would have opposed rollcall vote 117, final passage of H.R. 624, the Cyber Intelligence Sharing and Protection Act.

A SPECIAL TRIBUTE TO THE OTTAWA-GLANDORF TITANS

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. LATTA. Mr. Speaker, it is with a great deal of pride that I rise to pay a very special tribute to an outstanding high school basketball team in Ohio's Fifth Congressional District. The young men of the Ottawa-Glandorf

High School boys basketball team have represented their school ably on their way to achieving the Division III State Boys Basketball Title.

In their effort to surpass all other teams in the Division III State Basketball Playoffs, the Ottawa-Glandorf Titans overcame the challenges posed by intense competition.

In pursuing the State Championship, the Ottawa-Glandorf Titans defeated the Versailles Tigers to win their third state basketball championship and make their sixth appearance at the state basketball tournament. In winning the Division III Boys Basketball State Championship, the members of this very special team have shown that their sport requires an individual effort for a team result. As a direct consequence of their hard work and dedication on and off the court, their accomplishment is truly outstanding.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to the Ottawa-Glandorf High School boys basketball team. On behalf of the people of the Fifth District of Ohio, I am proud to recognize this great achievement.

IN SUPPORT OF AN AMENDMENT
TO THE EXPEDITED FUNDS
AVAILABILITY ACT TO CLARIFY
THE APPLICATION OF THAT ACT
TO AMERICAN SAMOA

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, I submit for introduction this legislation to amend the Expedited Funds Availability Act, more commonly known as Regulation CC, to clarify the application of Regulation CC to American Samoa. Enacted in 1987, Regulation CC standardized hold periods on deposits made to commercial banks. It also excluded American Samoa from the definitions of "State" and "United States." Banks in American Samoa were deemed "Pacific Island banks," and checks drawn on Pacific Island banks were thereafter called "Pacific Island checks."

A crucial distinction between State banks and checks and Pacific Island banks and checks lies in the "hold time" permitted by Regulation CC. For example, State banks must release funds from deposited checks immediately for in-state checks, and shortly thereafter for out-of-state checks. Pacific Island banks, however, can hold checks for an undetermined amount of time before releasing funds for access or use. Another distinction permits a delay in the return of Pacific Island checks that are overdrawn. However, State checks that are overdrawn must be returned "in an expeditious manner."

Due to these distinctions, the people of American Samoa are subject to excessive hold times on funds that should be available in short order. This places a significant financial burden on my constituents. The legislation I have introduced today will amend Regulation CC to include American Samoa within the definition of "State" and "United States." As a result, banks in my district will be required to

treat local patrons with the same level of services offered in the rest of the states and other territories.

In anticipation that this bill will be referred to the House Committee on Financial Services, I look forward to working closely with Chairman JEB HENSARLING and Ranking Member MAXINE WATERS to ensure that American Samoa is included within the provisions of Regulation CC.

HONORING ADELFA CALLEJO

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize a leader in my community and esteemed civil rights lawyer, Adelfa Callejo.

On Friday, April 12, Adelfa Callejo was given a most deserving honor when the Dallas Independent School District, DISD, dedicated an elementary school bearing her name. At the dedication, Adelfa Callejo, now 89 years old, stood up from her wheelchair and proclaimed, "Only through education will we make the world a better place than when we found it." Throughout her life, Adelfa Callejo has improved the lives of countless individuals in my community through her life of good deeds and public service.

Adelfa Callejo was the first Hispanic woman to graduate from Southern Methodist University, SMU, Dedman School of Law. She has been in private practice in Dallas for more than 45 years. Working full-time during the day, Adelfa Callejo attended night school and graduated in 1961. Adelfa Callejo, an advocate for civil rights, has pursued community causes throughout her life and has won many awards for her years of service in the community and legal profession.

Mr. Speaker, Adelfa Callejo is an exceptional community leader and deserving of recognition for her contributions to society. Our country is a better one because of Adelfa Callejo.

INTRODUCTION OF LEGISLATION
TO AMEND THE INTERNAL REVENUE
CODE OF 1986 TO DENY
THE REFUNDABLE PORTION OF
THE CHILD TAX CREDIT TO INDIVIDUALS
WHO ARE NOT AUTHORIZED TO BE
EMPLOYED IN THE UNITED STATES AND
TO TERMINATE THE USE OF CERTIFYING
ACCEPTANCE AGENTS TO FACILITATE
THE APPLICATION PROCESS FOR ITINS

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. BILIRAKIS. Mr. Speaker, today I introduced legislation to prevent illegal immigrants from claiming the refundable portion of the child tax credit. The refundable child tax credit provides cash payment to low-income families

who pay no income tax. The program was intended to be an additional cash benefit for families who receive the earned-income tax credit. While administered through the tax code, it is a means-tested welfare expenditure. Since Social Security numbers are issued only to those who have the legal right to work in the United States, illegal immigrants use Individual Taxpayer Identification Numbers (ITINs), which are issued by the IRS regardless of legal status. ITINs allow a person to file a tax return and thus claim the tax credit. The Internal Revenue Service's (IRS's) Certifying Agent Program, which allows a person to apply for an ITIN on behalf of an individual with no verification of their immigration status, has compounded the abuse of ITINs for fraudulent tax claims. With no verification of a person's status on their tax return or at the issuance of an ITIN, the system has a significant fault, which allows taxpayer dollars to go to those who are not eligible.

The Treasury Department's Inspector General for Tax Administration (TIGTA) has reported that illegal immigrants claimed \$4.2 billion through this child tax credit in 2010. With the federal government borrowing heavily to finance deficits of nearly \$1 trillion, we need to ensure federal benefits are only going to law-abiding citizens.

We must take steps to solve this waste of taxpayer money by ending this gap in the tax code. If enacted, this legislation would require those claiming the tax credit to list their social security number or other proof of lawful immigration status on their tax return. It would also require the IRS to verify the proper documentation before issuing ITINs. The TIGTA has estimated this legislation would reduce federal spending by \$8.4 billion over two years.

At a time when the federal government is operating under significant deficits, we must ensure scarce taxpayer dollars are used responsibly. Allowing them to go to those who are in this country illegally is grossly irresponsible. This simple and common sense measure will ensure better accountability to all taxpayers, while also saving money.

In short, this legislation will ensure this welfare program is only available to its intended recipients, ensuring those who follow the law can continue to receive this assistance. I look forward to working with my colleagues to move this legislation through Congress.

THE 369TH INFANTRY REGIMENT
100 YEAR ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 23, 2013

Mr. RANGEL. Mr. Speaker, today I rise to honor the 369th Infantry Regiment on their 100th anniversary. Constituted in June of 1913, this regiment was the first African American Regiment to serve with the American Expeditionary Force during World War I.

The U.S. Army's 369th Infantry Regiment, popularly known as the "Harlem Hellfighters," was the best known African American unit of World War I. Federalized in 1917, it prepared

for service in Europe and arrived in Brest in December. The next month, the regiment became part of the 93rd Division and continued its training, now under French instructors. In March, the regiment finally received its Federal designation and was reorganized and re-equipped according to the French model. That summer, the 369th was integrated into the French 161st Division and began combat operations.

While African American valor usually went unrecognized, well over one hundred members of the regiment received American and/or French medals, including the first two Americans—Corporal Henry Johnson and Private Needham Roberts—to be awarded the coveted French Croix de Guerre.

Spending over six months in combat, perhaps the longest of any American unit in the war, the 369th suffered approximately fifteen

hundred casualties but received only nine hundred replacements. Unit histories claimed they were the first unit to cross the Rhine earning the epithet “Hell Fighters” from their enemies. After considerable effort by Colonel Hayward, the 369th was welcomed home with a parade in February 1919 and reabsorbed into the National Guard. More than one million people witnessed the triumphant parade from Lower Manhattan, up Fifth Avenue to my beloved village of Harlem. The marching band led the troops, and as they turned off 110th Street onto Lenox Avenue the band began to play. Today the lineage and tradition is carried on by the 369th Transportation Battalion, which has since become the 369th Corps Support Battalion. The Harlem Hellfighters continue to serve at home and overseas.

This year we honor a group of men whose selflessness and valor propelled them to pro-

tect and serve the very country that left them a perpetually marginalized group of American society. A group of men who fought to defend this country whose dream of freedom was ironically and unremorsefully built on the backs of their ancestors with no avail even as their sons fought for that same ideal decades later. The history of the Harlem Hellfighters is one of dedication and profound spirituality that reminds us that the efforts we make today has everything to do with the world we create for our future.

Mr. Speaker, I ask that you and my distinguished colleagues stand together to recognize such an historic day as our nation marks the 100th year of the 369th Infantry Regiment's dedication to this country. A Celebration of their remarkable service to this country and of the spirit and unwavering strength they displayed throughout.

HOUSE OF REPRESENTATIVES—Wednesday, April 24, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 24, 2013.

I hereby appoint the Honorable RODNEY L. DAVIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

BORDER NEVER SECURED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. SMITH) for 5 minutes.

Mr. SMITH of Texas. Mr. Speaker, the Senate immigration bill never secures the border. It plans to mostly secure the “high-risk sectors,” which are less than half the border. And there is no guarantee that this will happen since there are no deadlines.

In fact, if the high-risk sectors are not secured after 5 years, a commission is established to make recommendations. “Make recommendations” sure doesn’t sound like a secure border to me.

And there is the entry-exit system to deter those who overstay their visas—about 40 percent of all illegal immigrants. But it only applies to airports and seaports, not land checkpoints where most of the crossings occur. Again, there are no deadlines.

So it’s amnesty for millions in 6 months and border security later, if ever.

IN MEMORY OF THOSE LOST IN THE ARMENIAN GENOCIDE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, I would like to say the following in Armenian to my Armenian friends:

Sireli hai paraganneres, hos yev ashkharee chors goghmereh. Aysor, Haiots Tseghasbahnootian inisoonoot erort daretitseen oreh, khoskes googhem tsezi Neriguyatsusichneroo Don ambiyonen, tser medzhahreh loon lezvov.

Lezoo muh vorov anonk gardahaideyeen irents hooyserreh, gyankeh, yeraznerreh, yev sereh hazar inuh hairoor dasnuhinkee naxortogh darineron.

Osmanyen Guysrutian daradzkin, dasnyag hazaravornor chartehvetsan.

Tsezi guh khoseem lezvovuh ayn yerexaneroon voronk aganadess yeghan irents hayreru spanootyan.

Hazaravor geener pernaparvetsan.

Tsezi guh khoseem lezvovuh anonts toosdreroun, voronk koot gugherseyeen toork vosdiganneren.

Tsezi guh khoseem lezvovuh ayn yerekaneroon, voronk gateel muh choor gugherseyeen.

Tsezi guh khoseem lezvovuh ayn myreroun, voronk mahatsahn irents noradzeenneruh irents keergeroon mech.

Tsezi guh khoseem lezvovuh ayn verabroghneroun, voronk Amereega yegan azadootyooneth vaylelu yev nor gyank muh usguselloo hamar.

Kuhreteh meg tareh eever, toorkia goorana tsaghasbanootyooneh. Toorkiah goozeh, vor ashkharuh morna ays maseen.

Tsezi guh khoseem lezvovuh anonts, voronk ayleves chegan. Anonk mezmeh guh khentren heeshell zeerenk. Anonts tsaynerreh dagaveen guh lesveen.

Yes ays nahadagneren voyeveh megoon hednortuh chem, sagayn tsezi guh khoseem irents keghetseeg lezvov, vorovhedeve aysor, polores hai enk!

Tsezi guh khoseem ays vayren, Nerguyatsusichneroo Don ambiyonen vorovhedeve Amerigatsi joghovurteh meeshd jagaden yez kachootyamp nayadz eh polor sarsapneroun oo zanonk gochadz eh irents poon anoonov.

Guh sbasem ayn orvan, yerp ir ghegavarnereh yeves noonyuh beedee unnen. Vorovhedeve yes vuhsdah em, vor ayt oruh beedee kah. Guh sbasem vor chooshanah, vorbesi verabroghneruh luhsen anor tsentseeh tsignuh.

Asdvadz mer tsignuh luhseh.

(English translation of the above statement is as follows:)

To my Armenian friends: Today, on the 98th anniversary of the genocide day, I speak to you in the language of your grandparents and your great grandparents—the language they used to speak of their hopes, their dreams, their loves in the years before 1915.

By the time it was over in 1923, more than 1.5 million Armenians—men, women and children—were dead. It was the first genocide of the 20th Century.

I speak to you in the language of the mothers who died with their babies in their arms.

Throughout the Ottoman Empire, tens of thousands were killed outright. Others were force marched through desert heat as the Ottoman government sought to destroy a people.

I speak to you in the language of the children begging for a drop of water.

Women were raped by the thousands.

I speak to you in the language of the girls begging the gendarmes for mercy.

A nation was scattered around the world. To the Middle East, to Europe and to America.

I speak to you in the language of the survivors who came to America for freedom and made a new life.

For almost a century, Turkey has denied the genocide. In the face of overwhelming evidence—much of it from American diplomats and journalists—Ankara has denied that the genocide ever happened. They want the world to forget.

I speak to you in the language of those who were lost. Their voices drift across the decades—begging us to not forget them, no matter how hard some people try.

I am not Armenian, but I speak to you in your language because on this day we are all Armenian. For many years I have sat with you and listened—to the stories of those who were lost in the genocide and those who survived.

I speak to you in their language and yours to thank you for sharing your history with me and to pledge again that I will not stop fighting until the United States lives up to its principles by honoring and commemorating the Armenian Genocide.

And because I know that day will come. May it come soon, so the last of the survivors may hear its awesome sound.

May God hear our voices.

PENN STATE UNIVERSITY 11TH ANNUAL EQUINE SCIENCE SHOWCASE AND QUARTER HORSE SALE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this coming weekend, I

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

will have the opportunity and the honor to attend Penn State University's 11th Annual Equine Science Showcase and Quarter Horse Sale.

As a land-grant university, horses of various breeds have always been a part of Penn State's Department of Dairy and Animal Science. As machinery replaced the draft horse, Penn State started the move towards the lighter horse types. Today, PSU focuses on the quarter horse for its diverse abilities, from working stock to show and recreation. Quarter horses are estimated to generate more than \$10.5 billion in economic output nationally.

This Saturday, 21 quarter horses will go on the auction block at Penn State's popular Equine Science Showcase and Quarter Horse Sale. The auction has grown with support from students and people in the equine industry, from 70 in the first auction to almost 500 last year.

Mr. Speaker, I want to congratulate the 2013 sale's participating Penn State students, student co-managers Jordy Hudson and Melissa Wise, and instructor of equine sciences and horse farm coordinator Brian Egan.

SEQUESTRATION'S EFFECTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, 7 weeks on, Americans have already begun to feel the effects of the Republican policy of sequestration.

Sequestration defies common sense and is irresponsible. It is happening because the Tea Party faction of the Republican Party is hell-bent on cutting spending, no matter what the consequences, no matter how irrationally it is done, and no matter how adverse the consequences of these cuts.

These arbitrary, across-the-board cuts to Federal programs without regard to our priorities was never meant to be a solution, but rather, a deterrent to Congress failing to reach one.

□ 1010

Since coming into effect on March 1, Americans are seeing why sequestration is not a policy we should follow or continue. This week, the FAA began furloughs for 47,000 employees. I've talked to the Secretary and I've talked to the Deputy Assistant Secretary. They do not have an option under the policies that this Congress has adopted. Thirteen thousand air traffic controllers are among those 47,000.

Already, delays of up to 2 hours at major airports are disrupting travel, which impacts business and produces major headaches for American families trying to get to where they need to go. Some flights have been diverted because the air traffic control system is being overwhelmed with limited personnel.

In addition to its effects on the FAA, sequestration is also placing a heavy burden on small business. According to an article in *Politico* on April 16—just a few days ago—small businesses are being hit the hardest by sequestration's cuts. The Small Business Administration is being forced to cut \$16.7 million in loan subsidies; those are guarantees. That means \$16.7 million in loans—capital—not available to small businesses. At the same time, the article goes on to report as many as 956,000 small business jobs could be at risk from sequestration as employers lay off their workers in anticipation of further cuts.

We ought to abandon this stupid policy.

Also at stake are critical research programs in medicine and science research that fuel American innovation and advance lifesaving treatments. They're at risk because of sequestration. Cuts to the National Institutes of Health are already leading to a reduction in research grants, including tens of millions of dollars that will halt innovative genomics and cancer research at some of America's top universities, including Harvard, Penn, and Johns Hopkins in my State. And the National Science Foundation will have to award 1,000 fewer grants this year to researchers who are helping keep America on top of technology and innovation. How irrational.

This is a stupid, harmful, future-hurting, and America-undercutting policy. It must be changed.

Sequestration is also reducing our military readiness and putting civilian defense employees at risk of being furloughed and, more to the point, putting at risk our own national security. Communities in my district across Maryland and throughout the country whose economies depend on a strong military are going to be hard hit.

But the good news is there is an alternative. Congress has the power to end sequestration by reaching a big and balanced solution to deficits that can replace these irrational cuts. But to do so, Democrats and Republicans will have to work together in a bipartisan way. We ought to go to conference on the budget, adopt a fiscally responsible and balanced plan, and eliminate the sequester for this year and the 8 years to come.

We offered an alternative to sequester four times in the last month, and four times we were not given the opportunity to have it voted upon on this floor. This was supposed to be open and transparent, and we would consider alternatives. We did not. But I believe we can do it. Our economy, our ability to create jobs, and the success of our country in the decade ahead is dependent on our jettisoning these irrational cuts we call sequestration.

Too many jobs, lives, and livelihoods are at stake for Congress to engage in

partisan games. As the weeks and months continue without turning sequestration off, its effects will only get worse.

Let's act now. Let's act together. Let's act in a bipartisan way before our people and our businesses feel the full effects of this irrational and senseless sequestration policy. Let's work together to achieve the big, balanced solution the American people deserve from their Congress and that we owe to our country.

I will submit an article for the RECORD written by our colleague, Representative DAVID PRICE of North Carolina, entitled: "Lawmakers' sequestration double-talk."

[From the Charlotte Observer, Apr. 23, 2013]

LAWMAKERS' SEQUESTRATION DOUBLE-TALK

(By U.S. Rep. David E. Price)

Double-talk is never in short supply in Washington. But as the axe of "sequestration"—the across-the-board spending cuts triggered by Congress' failure to pass a long-term budget plan—begins to fall, self-contradiction and hypocrisy have reached heights unusual even for the Capitol.

Indeed, many of the same Congress members who welcomed sequestration as a way to force the president to cut spending are now protesting loudly when their pet programs feel the pain. Members who voted for the package that Speaker John Boehner said included "90 percent" of what Republicans wanted now claim that sequestration does not need to hurt very much and accuse the president of imposing cuts for political effect.

The reality is that sequestration was designed to cut both deeply and indiscriminately. Although it barely touches the two main deficit drivers—tax expenditures and entitlement spending—it was supposed to be sufficiently draconian and unacceptable to force action on those fronts, to compel agreement on a comprehensive budget plan along the lines of the 2010 Bowles-Simpson Commission proposal or the budget agreements that produced four years of surpluses under President Bill Clinton.

Congress failed to produce such a plan, however, because Republicans refused to consider increasing revenues or closing special-interest loopholes. Today's Republicans value their anti-tax ideology far more than the defense cuts that were supposed to drive them to the bargaining table. As sequestration approached, more and more of them said, "Bring it on."

Now that the cuts are coming, members are scrambling, sometimes to apply Band-Aids, sometimes to insist that the president spare programs they favor. One day there is an outcry about reduced meat inspections, on another an insistence that tuition benefits for military personnel be restored, on another that air-traffic controllers be kept on duty in little-used airports. The latest uproar started two days ago. Federal Aviation Administration furloughs of air traffic controllers at large airports kicked in, delaying flights across the country—at Charlotte Douglas International Airport 31.2 percent of flights were delayed. My North Carolina colleague, Rep. Renee Ellmers, recently introduced a bill to reverse Medicare cuts for cancer treatment, calling the cuts an "unintended consequence" of sequestration. In fact, the 2 percent cuts were an intended and easily anticipated consequence of sequestration.

Congress has now passed appropriations bills for the remainder of 2013, locking in place the sequestration spending levels. Scattered provisions mitigate specific sequestration impacts, but the result often is to shift the cuts to equally important areas that aren't in the news at the moment. Fort Bragg, adjacent to my district, now faces a furlough of civilian employees and a 34 percent cut in its operating budget. And sequestration comes on top of \$1 trillion in cuts to domestic programs already adopted. Together, these cuts have driven major disease research off a cliff—fewer than 10 percent of proposals to fund heart disease, cancer and diabetes research are being funded—and slowed road and bridge construction to a snail's pace.

I want to mitigate the harm as much as any member of Congress. But damage control is not a viable budget policy. Sequestration is a self-inflicted wound, unworthy of those who profess to govern. It is hypocritical and misleading, having imposed indiscriminate cuts on the administration, to pretend that the president can fix the problems with a flick of the wrist.

The remedy lies in a comprehensive budget agreement that puts revenues and all categories of spending on the table. The president's budget reflects such an approach, going beyond the comfort zone of many of his political allies. A similar offer was spurned by Speaker Boehner and House Republicans in December, and sequestration ensued. It is a failure of historic proportions and it must be reversed.

BAY COUNTY CENTENNIAL

The SPEAKER pro tempore (Mr. STOCKMAN). The Chair recognizes the gentleman from Florida (Mr. SOUTHERLAND) for 5 minutes.

Mr. SOUTHERLAND. Mr. Speaker, I rise today to honor the place that I am proud to call home, Bay County, Florida.

One hundred years ago today, Bay County was established by act of the Florida Legislature, igniting a century of growth and opportunity for a close-knit community that still cherishes its rich history and traditions.

Bay County is located in the heart of northwest Florida, overlooking 41 miles of sugar-white sand beaches along the gulf coast's emerald green waters. With an additional 270 square miles occupied by pristine lakes, springs, streams, and the magnificent St. Andrews Bay, Bay County has become a national destination for tourists, families, fishermen, boaters, and water sports enthusiasts.

While Bay County's beaches and diverse inland areas attract over 8 million visitors each year, it is its people who live and work there that give this place a unique spirit. A small community of little more than 11,000 people in 1920, Bay County now embodies the drive of a diverse and growing population, totaling more than 170,000 people.

Bay County's workforce is among the best educated and most highly prepared in northwest Florida, with institutions of higher learning that rival

any in the region. Its economic engine is fueled not by tourism alone, but also by thriving small businesses, nationally recognized companies, major manufacturers, and one of the newer airports in the United States. And, as the home of Tyndall Air Force Base, Naval Support Activity Panama City, and more than 22,000 veterans, Bay County enjoys a rich military history.

On this day, April 24, 2013, the day of Bay County's centennial, I am proud to join my friends, neighbors, my family, and local and county officials from Panama City, Panama City Beach, Lynn Haven, Springfield, Parker, Callaway, Mexico Beach, and the unincorporated areas of our county to celebrate our past and our bright future as we work hard to make Bay County a better place to live, work, and play.

SUDAN PEACE, SECURITY, AND ACCOUNTABILITY ACT OF 2013

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, 10 years ago, crimes by the Government of Sudan against its own people in Darfur were just beginning. The world witnessed the burning of villages, poisoning of water, murder, rape, brutal assault, and the deliberate forced displacement of entire villages by violence. In 2004, these acts were characterized by the U.S. Government and Congress as genocide.

For the past 6 years, the International Criminal Court has indicted and issued arrest warrants for Sudan's high officials, military commanders, and militia proxies for multiple counts of war crimes and crimes against humanity. In 2009 and 2010, President Omar al-Bashir himself was indicted by the ICC for war crimes, crimes against humanity, and genocide.

International movements in support of the people of Darfur arose around the world, including a broad coalition here in the United States of religious, labor, peace, human rights, and student organizations calling for an end to the genocide in Darfur.

Between 2004 and 2007, Congress passed a series of bills limiting U.S. aid to Sudan and applying sanctions against Sudan for its atrocities in Darfur.

□ 1020

In 2007, I visited refugee camps in eastern Chad filled with hundreds of thousands of men, women, and children who had fled the violence in Darfur. Each has a personal story of horror and violence. While I was there, the janjaweed crossed the border and attacked two villages inside Chad, displacing thousands of people in the desolate landscape and brutal heat of Sahel in the dry season. I witnessed

with admiration the emergency response mobilized within hours by U.N. and international humanitarian agencies and NGOs to provide these newly homeless and traumatized people with water, food, shelter, immunizations, and medical care.

I will never forget those people, those children. And I will never forget the caring of highly professional humanitarian aid workers who provided lifesaving support to these refugees under difficult and dangerous conditions.

Khartoum continues its brutal campaign in Darfur, and there is no end in sight. Eric Reeves, who 10 years ago bravely brought to the world some of the very first photo and video images of the scorched-earth campaign taking place in Darfur, continues to document ongoing atrocities in the region. The primary targets continue to be civilians from African tribal groups surviving tenuously in the chaotic region. Eric is now on the faculty of Smith College in Northampton, Massachusetts, and I am very proud to be his Representative in Congress.

Today, the violence and abuses of Darfur have expanded across Sudan. This February, the U.N. reported that over 1.5 million people have been displaced or severely affected because of the violence in Darfur, Abyei, South Kordofan, and Blue Nile, including some 90,000 to 100,000 people newly displaced in Darfur.

For over 3 years, the Sudanese Government has carried out aerial bombing and a scorched-earth campaign against civilians in the states of South Kordofan and Blue Nile under the pretext of battling armed insurgencies that operate in the area. The government continues to deny the World Food Programme and other humanitarian and religious organizations access to South Kordofan and Blue Nile to help the thousands in desperate need of food and basic care. The U.N. High Commissioner for Human Rights has stated that abuses by the Government of Sudan in these States may constitute war crimes and crimes against humanity.

Mr. Speaker, there comes a time when we have to say enough is enough. That is why Congressmen FRANK WOLF, MIKE CAPUANO, and I are reintroducing today the Sudan Peace, Security, and Accountability Act.

Khartoum's abuse of its own people is nationwide, and this bill focuses on Sudan as a whole. It requires a U.S. comprehensive strategy to end serious human rights violations in all of Sudan. It would provide genuine accountability for persons who have committed or assisted in serious human rights abuses. The bill supports the aspirations of the Sudanese people for peace and democratic reform. It encourages other governments and individuals to end support and aid to the

Government of Sudan. And it reinvigorates genuinely comprehensive and sustainable peace efforts to end Sudan's multiple crises.

We must send a clear message to Khartoum that the time for change is now, that these abuses must stop, and that peace and genuine participation in the future of Sudan are rights that belong to all of the people of Sudan, no matter their race, ethnic or tribal background, religion, or political affiliation.

I urge all of my colleagues to join us on this legislation. It is past time to put an end to the pain, suffering, and genocide taking place in Sudan. It is time to support peace, security, and accountability.

SUDAN PEACE, SECURITY, AND ACCOUNTABILITY ACT OF 2013

SUMMARY OF LEGISLATION

Purpose: The "Sudan Peace, Security and Accountability Act of 2013" would create a comprehensive U.S. strategy to end serious human rights violations in Sudan, provide genuine accountability for persons who have committed or assisted in serious human rights violations, support Sudanese aspiration for democratic reforms, encourage other governments and persons to end support of and assistance to the government of Sudan, and to reinvigorate genuinely comprehensive and sustainable peace efforts that can end Sudan's multiple crises.

Background: 2013 marks ten years from the start of crimes in Darfur that the U.S. government found to constitute genocide. Previous legislation was passed to address the genocide in Darfur, but abuses have continued and expanded to other areas of Sudan. Aerial bombardment of civilian areas of South Kordofan and Blue Nile states and continued blocking of humanitarian relief by the Government of Sudan has led to over 900,000 Sudanese in need of humanitarian aid. Violence and aid restrictions also remain in Darfur where some 130,000 people have been newly displaced in the first months of 2013 alone. Reports by the UN and independent monitors have documented ongoing abuses by the Government of Sudan and those it supports that "may constitute war crimes and crimes against humanity".

HIGHLIGHTS OF LEGISLATION:

Requires the Administration and all relevant agencies to work together and create a comprehensive strategic plan to end serious human rights violations, provide genuine accountability for crimes committed in Darfur and other parts of Sudan, support the path for democratic transformation, and create peace throughout all of Sudan;

Demands free and unfettered access for international humanitarian aid and, absent such agreement, requires the Administration to seek other mechanisms to mitigate the effects of lack of such humanitarian aid;

Promotes free and transparent democratic reform in Sudan, including exploring technical support and funding for civil society and others seeking sustainable democratic change;

Increases engagement with other stakeholders with influence in Sudan;

Creates a broad-reaching sanctions regime to target any government or individuals whose support assists the Sudanese government in committing serious human rights violations or who fail to execute international arrest warrants against Sudanese officials;

Seeks more effective enforcement of existing sanctions including adequate resources and personnel and extends to all of Sudan existing sanctions regimes included in prior enacted legislation that were specific only for "Darfur"; and

Provides genuine accountability for crimes committed in Darfur and encourages other countries to expand international accountability efforts to include crimes committed in other regions in Sudan.

[From Reuters, Apr. 12, 2013]

SOME 50,000 FLEE SUDAN INTO CHAD AFTER DARFUR CLASHES

N'DJAMENA.—Some 50,000 Sudanese have fled into southeastern Chad in the past week following fresh tribal conflict in the restive Darfur region, U.N. and Chadian officials said on Friday.

Melissa Fleming, a spokeswoman for the U.N. High Commission for Refugees, said the fighting had spread as each side received reinforcements from tribal allies and had become more violent, with entire villages being razed.

A total of 74,000 refugees had fled to Chad in the past two months, she said.

"People are arriving wounded and telling us their houses are destroyed and their villages completely burned down, with many people killed," she told a news conference in Geneva.

The refugees have fled to an arid area along the Chad, Sudan and Central African Republic border.

"The area they are arriving in is very remote. They left with nothing: there is no water, no food. They are sleeping under trees," Fleming said, adding there was a risk of disease.

General Moussa Haroun Tirgo, the governor of the Sila region of southeastern Chad where the refugees have fled, told Reuters that about 52 wounded had arrived since Thursday.

"The situation is worrying given that the zone does not have enough medical infrastructure," Tirgo said. "We're evaluating the needs with the help of NGOs but the situation is very serious."

Conflict has ravaged Sudan's western Darfur region since 2003 when mainly non-Arab rebels took up arms against the Arab-led government, accusing it of politically and economically marginalizing the region.

Violence has subsided from its peak in 2003 and 2004, but a surge has forced more than 130,000 people to flee their homes this year, according to the United Nations.

OUR NATION'S MISSILE DEFENSE ISN'T A BARGAINING CHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. TURNER) for 5 minutes.

Mr. TURNER. Mr. Speaker, once again, President Obama and his administration have offered up America's missile defense shield as a bargaining chip. Just the other week, Secretary of State John Kerry flew to China and offered to remove our recently added defenses in the Pacific to encourage them to counter the increasingly belligerent tone and actions by North Korea.

This is the same failed strategy that the administration offered up to the Russians in exchange for them engaging with Iran. If it failed to work then, how could it possibly work now?

At a time when our missile defense system is the only defense that we have to the threat from North Korea and the emerging threats from Iran, I am greatly concerned that our Nation's missile defense strategy is languishing. The end result is increased risk to the United States, increased cost to the taxpayer, and needless alienation of our allies.

Our enemies around the world have sought nuclear weapons and missile technology, yet the Obama administration has consistently reduced missile defense funding, abandoned previous Bush administration strategies that sought to respond to these emerging threats, and has compromised the implementation of current missile defense programs. Meanwhile, they have sought elusive Russian, and now Chinese, approval of the right of the United States to defend itself.

Most recently, the administration has abandoned its own missile defense strategy, known as the "phased adaptive approach," in favor of a stopgap measure of finally placing the additional ground-based missiles in Alaska that they had previously canceled. I welcome the administration finally completing the missile field which it has attempted to close. Although, this reveals that they have no plan to reasonably respond to the real and foreseeable threats from North Korea and Iran.

This announcement leaves the United States without an articulated missile defense strategy. This deficiency is compounded by the effects of the administration's clumsy handling of our relationship with our NATO allies. The abrupt cancellation of the Bush administration missile defense commitments, coupled with the announcement of the abandonment of the President's phased adaptive approach, have left our allies to stand alone in the face of domestic criticism and Russian opposition.

Our relationship with the Polish Government has yet to fully recover, and I am concerned that this administration may repeat the same relationship-straining affront with our Romanian allies. The President and his administration must address the damage done to our relationships with our NATO allies as a result of their failed missile defense strategies.

In addition, I am concerned that the administration fails to recognize the significance of the emerging threats from North Korea and Iran which places the United States at risk. The administration should inform Congress of the effects of the abandoned and failed Obama administration phased adaptive approach and of their plan to complete the Bush administration's Alaska missile defense strategy.

Further, since completion of the Alaska missile field alone is insufficient for the full protection of the United States, I am calling upon the

administration to support the site selection and completion of a United States east coast missile field to complement the Alaska site.

The world is not becoming a safer place. Offering to weaken our defenses in hopes of irrational nations suspending their weapons programs is not an effective strategy to protect the United States. Simply put, these offers are of greater benefit to our adversaries than to the protection of the American people. They are to the detriment of the American people.

THE PASSING OF HELEN L. DOHERTY APRIL 17, 2013

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. This month, the San Gabriel Valley lost a wonderful leader, the Native American community lost a true champion, and I lost a dear friend. Helen Doherty wore many hats throughout her years of public service, but one thing remained constant among them all: she fought to make life better for those around her. All people were her family; all children were her children.

Helen's actions were always guided by the needs of younger generations. An educator at heart, she spent four decades in public school classrooms. She taught where she was needed most—where the value of a lesson learned would have the greatest impact—places like the Bridges Community Day School, where she worked with young people who had worn out their welcome in the traditional school system through expulsion, drug use, or family problems. None of that mattered to Helen. What mattered was helping kids build a brighter future for themselves, one new lesson at a time.

But being an educator meant more to Helen than teaching in schools. It meant being a good colleague as well. She was a devoted member of the California Teachers Association and won their California Teacher in Politics award.

Helen's compassion for others led her to speak out and fight for those in need. Much of her activism was rooted in who she was as a member of the Cherokee Nation. She had personal insights into the needs of Native American communities, and she fought tirelessly to have them addressed. By the time she was in college at UCLA, she had personally felt the pains of intolerance directed at her and her heritage.

□ 1030

Determined to change the wrong she faced, Helen boarded a bus and rode clear across the country to hear Martin Luther King deliver his "I Have a Dream" speech. That dream was her dream. His message was her message, and she fulfilled it each and every day for the rest of her life.

Helen worked side by side with the Gabrielino Tribe to help them gain recognition and joined the Morongo Nation in promoting human rights. She took those challenges and struggles that are unique to reservation life and raised awareness for solutions.

Her efforts helped ensure those facing difficult conditions on reservation land had the education to build a brighter future. She held workshops on tribal lands to help people develop the skills needed to improve their quality of life, and she worked hard to ensure that textbooks in California accurately reflected the true history of the Native people. As her advocacy led to public service, Helen was a founder and chair of the Native American Caucus for the California Democratic Party—one of the first Native American caucuses for a State party.

Helen left us not long ago, but her impact lives on. The lives she touched are forever changed for the better as are the communities she fought to empower. Her life's work provides an inspiration for all of us. So, today, I bid farewell to a friend, a mentor, and a true role model to so many.

And I say thank you for all that you've done for us, Helen Doherty.

UKRAINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I rise today to commend the recent actions taken by the President of the Ukraine, Mr. Yanukovych.

On April 7, President Yanukovych pardoned former Interior Minister Lutsenko, former Environmental Minister Filipchuk, and four others. These pardons demonstrate Ukraine's desire to integrate democratic policies and reform their justice system as the expanding Eastern European nation continues its transition towards democracy.

This action is a concrete step in the right direction for President Yanukovych's administration, but there remains much to be done in order for Ukraine's judicial system to be considered in line with Western standards. This would include an end to all political persecutions; and, today, I reiterate my call for the release of Ms. Yulia Tymoshenko, the former Prime Minister.

I have long been a supporter of our Nation's ability to assist new, emerging democracies as they develop the pillars for building successful and lasting governments. I am encouraged by these recent steps and hope that Ukraine continues on its path towards full European integration. The United States Government welcomes President Yanukovych's decision to pardon Mr. Lutsenko and Mr. Filipchuk and hopes that such actions signal an end

to the political persecution of other opposition figures.

KEEP YOSEMITE TOURIST- FRIENDLY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. I rise today in strong opposition to a proposal by the National Park Service to remove longstanding tourist facilities from Yosemite National Park, including bicycle and raft rentals, snack facilities, gift shops, horseback riding, the ice skating rink at Curry Village, tennis courts and swimming pools, the art center, and the historic stone Sugar Pine Bridge.

These facilities date back generations and provide visitors with a wide range of amenities to enhance their stay at and their enjoyment of this world-renowned national park. To add insult to insanity, all of this comes with a quarter-billion-dollar price tag to American taxpayers.

Mr. Speaker, Yosemite belongs to the American people, and the Park Service's job is to welcome them and accommodate them when they visit their park, not to restrict and harass them. Indeed, Yosemite was set aside nearly 150 years ago by legislation signed by Abraham Lincoln specifically for "the public use, resort and recreation for all time." This proposal fundamentally changes the entire purpose for which Yosemite was set aside in the first place.

Tourists don't go where they're not welcomed. Yosemite competes with thousands of vacation destinations; and the more inconvenient and unpleasant Park managers make it for Yosemite visitors, the fewer visitors they're going to have. Now, that might be convenient to them, but it will devastate the economy of all of the surrounding communities whose economies depend upon tourism.

The Park Service is attempting to justify this as a court-ordered response to the Wild and Scenic Rivers Act. This is disingenuous. The settlement agreement they refer to simply requires that a plan be adopted consistent with current law. It does not mandate such radical changes in longstanding visitor services and amenities.

Former Congressman Tony Coelho, who authored the act that designated the Merced under provisions of the Wild and Scenic Rivers Act, has just released a strong letter condemning the proposal, saying in no uncertain terms:

The Wild and Scenic Rivers Act was never intended to apply to the Merced River within Yosemite National Park at all. The Merced River within Yosemite National Park is protected and regulated by the National Park Service and has never needed an overlay of

inconsistent and confusing regulation. The Merced River in Yosemite Valley has been recreational for almost 150 years. Yosemite Valley has never been wilderness. Any plan which proceeds should not change any infrastructure or ban any activities traditionally carried on in Yosemite Valley.

Indeed, when Mr. Coelho authored the legislation designating the Merced as "wild and scenic," these tourist facilities already existed, and nowhere in the bill's findings is there any mention of an intention to force their closure or to override Park policies. In fact, many of the facilities slated for removal are not even on the Merced River and do not in any way impede or affect its flow.

The officials of the National Park Service are clearly not required to take these actions. It's becoming increasingly apparent that they want to take them and that they intend to take them despite widespread public opposition from all but the most radical elements of the environmental left. Indeed, when 13 members of the California congressional delegation, including liberal Democrats and conservative Republicans alike, asked for an extension of the public comment period, the Park Service grudgingly extended it by only 12 days.

It is obvious that Park officials have already made up their minds and are merely walking through the formalities. I believe that this matter and related issues of public access cry out for a congressional investigation.

In the meantime, if members of the public want to protest the elimination of many of Yosemite Valley's tourist amenities and iconic landmarks, their time is running out. My Web site, at mccintock.house.gov, provides guidance on how people can protest this action, and I strongly urge them to do so.

THE MAJORITY'S DEFLATING AGENDA

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. CROWLEY) for 5 minutes.

Mr. CROWLEY. Mr. Speaker, the 113th Congress has been in session for over 100 days; and so far, the majority has attacked worker protections, slashed important job-training programs, and has created one manufactured fiscal cliff after another.

This is the last week before yet another recess, but there is still no proposal to help Americans get back to work. Instead, we have another attack on the Affordable Care Act. Plus, we have on the floor today the Responsible Helium Administration and Stewardship Act. I, in fact, had a balloon, Mr. Speaker, that I would have liked to have had on my wrist as I gave this speech this morning, but I was told it would not be appropriate—and maybe not.

But helium? Helium? Really?

I hate to burst the majority's bubble, but Democrats and Republicans actually agree on this bill. There was no need to take up a full day of our time to debate the bill. We could have considered it under the expedited procedures and saved time for proposals that created jobs instead of balloons. With leadership like this, it's no wonder the American people are feeling discouraged and deflated.

Helium? Helium.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 40 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Archbishop Oshagan Cholyan, Armenian Apostolic Church of America, New York, New York, offered the following prayer:

In the name of the Father and of the Son and of the Holy Spirit. Amen.

Almighty God, we seek Your holy guidance in all our endeavors, especially in the deliberations of our leaders in this noble body, because strong and wise leadership is essential for the well-being of nations.

Today, we are mindful of another April 24—98 years ago, the beginning of the genocide of the Armenians in the Ottoman Empire, the first genocide among so many that followed in the 20th century.

We beseech You, O Lord, to bless this land of America and its people. Empower them to continue serving Your goodness as they did when they sheltered the remnants of the Armenian nation.

Give Your children wisdom, love, and compassion that they may live and prosper with the gifts of Your Spirit—justice, truth, freedom, and righteousness. Your name will be praised forever and ever.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's pro-

ceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. VALADAO) come forward and lead the House in the Pledge of Allegiance.

Mr. VALADAO led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING ARCHBISHOP OSHAGAN CHOLYAN

The SPEAKER. Without objection, the gentleman from Rhode Island (Mr. CICILLINE) is recognized for 1 minute.

There was no objection.

Mr. CICILLINE. Mr. Speaker, as the Representative for Rhode Island's First Congressional District, which is home to many Armenian American families, I am honored to rise today in order to thank His Eminence, Archbishop Oshagan Cholyan, for offering our opening prayer and for recognizing the 98th anniversary of the start of the Armenian genocide.

A native of Aleppo, Syria, Archbishop Cholyan was first ordained into the priesthood in 1967. He attended the American University of Beirut where he majored in history and later received two master's degrees from the Princeton Theological Seminary. Since 1998, Archbishop Cholyan has served as the prelate of the Eastern Prelacy of the Armenian Apostolic Church of America and has focused his efforts on strengthening local faith communities under his jurisdiction.

On behalf of the Armenian community in my home State of Rhode Island, I am honored to welcome the archbishop here today and to join him in remembering the victims of the Armenian genocide—the systematic extermination of Armenians living under the Ottoman Empire in the early 20th century.

I join members of the Congressional Caucus on Armenian Issues in urging that our government finally recognize the Armenian genocide as a historical fact.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

THE CANCER DRUG COVERAGE PARITY ACT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, America's biomedical research industry is the envy of the world, but the health insurance model is not keeping pace with the science. For cancer patients, this means that smart drugs purchased at a pharmacy and self-administered orally are dramatically more expensive than traditional chemotherapy administered at a hospital or at a clinic.

This makes no sense. That is why I have joined with a broad coalition of the cancer community to reintroduce the Cancer Drug Coverage Parity Act. This bill would require health insurance coverage for smart drugs and injectable treatments at the same rate. Ensuring that parity coverage exists would both increase access to life-saving treatments and improve the quality of life for cancer patients.

Mr. Speaker, a cancer patient should never be denied the most effective cancer treatment because of cost. We must make sure that coverage for cancer treatments keeps pace with the promising new therapies as they become available.

THE OBAMA ADMINISTRATION'S FAILURE TO STOP TERRORISM IN THE UNITED STATES

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. I rise today to express grave doubts about the Obama administration's counterterrorism policies and programs. Counterterrorism is often shrouded in secrecy—as it should be. So let us judge by the results.

In barely 4 years in office, five jihadists have reached their targets in the United States under Barack Obama: the Boston Marathon Bomber, the Underwear Bomber, the Times Square Bomber, the Fort Hood shooter, and, in my own State, the Little Rock recruiting office shooter.

In over 7 years after 9/11, under George W. Bush, how many terrorists reached their targets in the United States? Zero.

We need to ask: Why is the Obama administration failing in its mission to stop terrorism before it reaches its targets in the United States?

CURBING GUN VIOLENCE IN AMERICA

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, it was President John F. Kennedy who famously said, "Do not pray for easy lives. Pray to be stronger men."

Last week, some members of the United States Senate took the easy way out when they voted down the most basic measures to curb gun violence in America.

Today, I ask my friends and colleagues in this body, Democrats and Republicans alike, to pray for the courage to stand with the American people and to refuse to accept the profound failure of the United States Senate. For the parents of those children lost in Newtown and for the families of the nearly 86 Americans who die of gunshot wounds every day, there are no easy days.

Doing what's right, like stopping criminals from buying weapons online and cracking down on illegal gun trafficking, will not cost anyone a vote at the ballot box, for the American people know that these measures don't threaten the Second Amendment; they only protect the rights of all Americans to life, liberty, and the pursuit of happiness.

Mr. Speaker, too many lives have been lost, and too many lives are on the line not to get something done.

98TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

(Mr. VALADAO asked and was given permission to address the House for 1 minute.)

Mr. VALADAO. Mr. Speaker, I rise today on the 98th anniversary of the initiation of the Armenian genocide in order to commemorate a moment in history inflicting wounds still fresh for many constituents in my congressional district.

From 1915 to 1923, the Ottoman Empire engaged in the systematic and organized deportation and extermination of over 2 million Armenians from their homeland. Although exact records were not kept, it is estimated that nearly 1.5 million Armenian men, women, and children were killed and that many were permanently displaced or forced to flee. These horrific events have become known today as the Armenian genocide.

Many of those able to flee emigrated to the United States and settled in California. Today, their families continue to grow, thrive, and pass along their cultural heritage into their adopted communities. However, the sense of loss as a result of these horrific acts runs deep as many Armenian Americans personally know a friend or a family member who was unable to escape the genocide.

Despite the horrors of this time and broad international consensus that these events are rightly identified as "genocide," the foreign policy of the United States refuses to acknowledge what so many already know to be true. Today, let us recognize and remember the 2 million Armenians whose lives were lost or forever changed by these tragic events.

□ 1210

IMMIGRATION REFORM

(Mr. VARGAS asked and was given permission to address the House for 1 minute.)

Mr. VARGAS. Mr. Speaker, I rise in support of comprehensive immigration reform, and I especially want to thank the faith communities. In particular, I want to thank the evangelical churches that were here last week.

There were over 300 either pastors or members of their church here, and I would like to read some of the things they had to say from the Christian Post. Over 300 evangelicals representing 25 States gathered in the Nation's Capitol Wednesday for worship, prayer, and meeting with Members of Congress in an effort to bring about comprehensive immigration reform.

"We're here to say that immigration reform has strong evangelical support," said the Reverend Gabriel Salguero.

There were a number of very important pastors here along with Dr. Richard Land, pastor and also a member of the Southern Baptist Convention.

Pastor Kenton Beshore writes this, describing how ministries and the church have worked with children in his community who are living without a parent due to immigration laws that have broken apart their families: "This has to change."

The pastor is correct—this has to change.

I want to thank all the faith communities. They are united to make sure that we have a comprehensive immigration reform that reflects our values, and I'd like to thank them.

ENSURING THE SAFETY OF THE MEN AND WOMEN WHO SERVE US

(Mr. ISSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISSA. Mr. Speaker, the House just recently released a five-separate committee report requested by the Speaker of the House on the aftermath of Benghazi. It tells the American people a story that needs to be told and has not yet been completed. The story is that we did not protect our people in Benghazi.

The Embassy asked for more security. Secretary Clinton cabled back, "No," in April of 2012. On the very day, September 11, that the Ambassador was killed along with three of his colleagues, he said:

It is not a question of if, but when this attack will come.

Today, Congress has not yet seen a plan that ensures this will never happen again. The safety of our men and women all over the world in the State Department and other agencies needs to be assured.

Mr. Speaker, the House needs to address this in a way that we can have confidence that people who serve us abroad will be properly protected.

STUDENT LOAN RELIEF ACT

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, 1 year ago tomorrow marks the anniversary of the Federal Reserve Board reporting that student loan debt exceeded \$1 trillion. What that means for the average student loan borrower in America is a debt level of \$27,000. That's just the average. Many students graduate, sadly, with debt levels of six figures.

Despite the fact that we have that looming burden on middle class families all across the country, in 67 days the Stafford student loan program interest rate will double from 3.4 percent to 6.8 percent, adding even further interest debt to students unless Congress acts.

Mr. Speaker, I've introduced H.R. 1595, the Student Loan Relief Act, with my colleague in the Senate, Senator JACK REED—we have 95 cosponsors in the House—which will extend the lower rate for 2 years and give this House time to come up with a comprehensive solution for higher education access and affordability, which, again, extends back to giving students better information for when they enter college and helping those who graduated in terms of allowing them to refinance.

It is time, however, to pass the extension of the lower rate. Let's not go backwards. Let's help middle class families all across America.

BUDGET CONFEREES

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. It's core to our job, Mr. Speaker, to pass a responsible budget. That's job number one. A budget tells us how we're going to be stewards of the taxpayer resources.

One of my first acts in Congress was to cosponsor the No Budget, No Pay Act. We now have a budget that the House has passed; we have a different budget that the Senate has passed; and the President has submitted his budget. It is now time for us to go to conference.

Mr. Speaker, I ask you to appoint conferees so we can get a real budget and start moving this country forward. That is core to our job. We must produce a budget in order to start addressing our debt and deficit and making sure that the public understands what our priorities are.

Mr. Speaker, now's the time to act. I ask that you appoint conferees, and let's get this country moving forward.

JOBS, JOBS, JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's now been 843 days since I arrived in Congress, and the Republican leadership has not allowed a single vote on serious legislation to address our unemployment crisis.

At the current rate of job growth, we will not get to pre-recession unemployment levels until after 2020. This means another decade of people losing their health care, losing their homes, and losing their dignity.

Where is the outrage?

Congress is delaying America's recovery and making their plight worse by pursuing destructive policies like the sequester instead of productive policies like the President's American Jobs Act.

The American Jobs Act deserves a vote.

Mr. Speaker, the American people are looking to you to address the only deficit that matters right now: our jobs deficit. It's time for a vote on a serious jobs bill.

Our mantra here in Congress should be: jobs, jobs, jobs.

THE VIRGIN ISLANDS AND THE KENTUCKY DERBY

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, 2 weeks ago I came to the floor to congratulate Virgin Islands jockey Kevin Krigger on his Santa Anita win and qualifying for the Kentucky Derby. Kevin will be riding Goldencents co-owned by Rick Pitino and trained by Doug O'Neill.

Since then, another Virgin Islands jockey, Victor Lebron, riding Frac Daddy, co-owned by Carter Stewart and Ken Schlenker and trained by Ken McPeck, has also qualified.

They are making history, and the entire Virgin Islands is gearing up to cheer wildly for them on May 4 as they make a "Run for the Roses."

Another Virgin Islander, Gareem Nicholas, is an assistant trainer for Derby-bound horse It's My Lucky Day.

As a person who grew up in a horse racing family and who has always followed the sport, I could not be prouder than to see my young men riding and training in such a prestigious event, and I hope to be there to witness it.

Although there have been many people who have had a role in the success of the young Crucian jockeys who began their career on the Randall Doc James Racetrack in my home island of St. Croix, I again congratulate their parents Averill Simmonds and Albert Krigger, Jr., and Reina and Victor Lebron, Sr. The name Julio Felix also

stands out as a mentor of theirs and many other young Virgin Island jockeys.

I wish both jockeys luck in their maiden runs at the Kentucky Derby, but they and Nicholas are already winners to me and in the eyes of their fellow Virgin Islanders.

GMO LABELING

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I rise today to highlight an issue that's very important to me, to my constituents in Hawaii, as well as to people all across the country.

I've long been a supporter of requiring labeling for food containing genetically engineered, or GE, products. Food is a basic necessity in our everyday lives, and people have a right to know what's in the food we're eating.

Today I'm joining a strong coalition, led by Senator BOXER and Congressman DEFAZIO, to introduce the Genetically Engineered Food Right-to-Know Act, which requires labeling of GE foods.

The Food and Drug Administration already requires labeling of more than 3,000 ingredients, additives, and processes, but it has resisted labels for GE foods. Changing this outdated policy would simply add GE foods to that robust list, which would not be cost prohibitive for companies or consumers.

More than 1.5 million Americans have filed comments with the FDA urging it to label GE foods, while surveys show more than 90 percent of people also support it.

Our legislation puts consumers first and empowers them to make informed choices for themselves and their families.

□ 1220

HARMFUL EFFECTS OF SEQUESTRATION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it has now been more than 7 weeks since the sequestration cuts were enacted, and we are in new and unprecedented territory. Furlough notices have already been sent to thousands of Federal employees and contractors, and many services are beginning to slow. While many of the worst consequences of the sequester have not yet been realized, the truth is that the wheels have been set in motion, and we are on a course that will have real impacts for millions of Americans.

As a result of employee furloughs, more than 1,200 flights were delayed yesterday because 1,500 air traffic controllers were laid off the job. Because

of the Republican majority's refusal to address the effects of sequester sensibly, the FAA estimates that a third of the passengers will face delays during the furloughs, with up to 6,700 flights arriving late at more than a dozen major airports each day.

Beyond crippling our government's ability to provide critical services, the Republican sequestration plan is slowing the economic growth that our country so desperately needs.

In short, Republicans are putting the ability of our government to fully perform basic government functions that we need to keep us safe at risk.

We need to work on an approach that will fix sequestration while reducing our deficit sensibly.

We need to come to a compromise that will prevent these indiscriminate cuts, and keep our economy on track and growing.

ADDRESSING GUN VIOLENCE

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, over 100,000 victims of gun violence last year, many of them children. What has this House done to prevent other children from being added to this tragic tally? Nothing, Mr. Speaker. Absolutely nothing.

Ninety percent of Americans support effective background checks—90 percent. So when does this Chamber, the people's House, work for the 10 percent? Opponents have said that background checks will not stop every incidence of gun violence. Well, true. They would, unfortunately, not stop all future acts of gun violence, anymore than other laws stop all illegal behavior—but it would stop some. It would save the lives of some of our children. It would be all of us saying we have a moral duty to ensure that those purchasing handguns are not an established threat to our families, and it would be the start of a comprehensive approach to protecting our families.

Congress plays politics on so many issues. Let's not play politics with the lives of so many innocent Americans.

APPOINT BUDGET CONFEREES

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, my constituents and the American people deserve a budget. One of our principal duties in Congress is to pass a budget. Yet Congress has already missed the legal deadline this year because the Republican leadership has not yet appointed conferees to continue budget deliberations.

Yesterday, I joined many of my colleagues in signing a resolution calling on the GOP leadership to appoint conferees to a conference committee to

continue working on the fiscal year 2014 budget.

After years of calling for regular order and for the Senate to pass a budget, which they did in March, I now find it ironic that Republicans are dragging their feet and stalling budget negotiations by refusing to appoint conferees.

We certainly have differences of opinion regarding budget priorities, Mr. Speaker; but that's no excuse for continued dysfunction and delay.

I ask you to appoint conferees today, and let's work to find a bipartisan compromise on a budget. Democrats stand ready to act to pass a budget that grows our economy, creates jobs, strengthens the middle class, and replaces the reckless, across-the-board sequester cuts.

UNIVERSAL BACKGROUND CHECKS

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, I would like to read into the RECORD a letter that I received today from a 7-year-old in my district:

Dear Congresswoman Kuster. My name is Noah Dutille. I am a second grader at Plymouth Elementary School. I am hoping that you will help make sure no other kids are hurt by guns. Thank you for your service. Sincerely, Noah.

In my district, 90 percent of my constituents support universal background checks, including 75 percent of those who are members of the National Rifle Association. Mr. Speaker, 6.5 million guns sold each year in the United States are sold by unlicensed private sellers, including online and gun show sales, and 40-50 percent of all gun sales have no criminal background check. In fact, a recent national survey of inmates revealed that 80 percent of those who used a handgun in a crime acquired it through a private transfer.

Mr. Speaker, on behalf of Noah and all of the families in my district, I ask that we schedule a vote to keep our families safe.

BUDGET CONFERENCE COMMITTEE

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, repeatedly, Republicans have reprimanded Senate Democrats, claiming budget negotiations have stalled because the Senate has failed to pass a budget. Now, Senate Democrats have done their part. Republican leaders in the House must do the same by convening a conference committee to resolve our budget differences openly and honestly. That is a procedure that the Congress has always followed. That is regular order.

The best interests of the American people shouldn't have to sit on the

back burner any longer. Unemployment remains too high, wages are stagnant, and sequestration is taking its toll. We need to address our country's challenges and create jobs, reduce the deficit, and strengthen our middle class while creating ladders of opportunity for those to climb into the middle class.

These are our top priorities. Sometimes these priorities get lost in the shuffle of partisan bickering. I urge Republican leadership to follow regular order and create a conference committee now.

COMPREHENSIVE IMMIGRATION REFORM

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, opponents of comprehensive immigration reform will do anything to stop progress in today's world. Now they're using the terrorist attacks in Boston to somehow draw some connection between those events and the problems that really plague our immigration system. There is no connection, but problems still remain.

We still have to secure our borders. We still have to make sure that employers are only employing legal Americans. We still have 11 million undocumented people in this country. We don't know why they're here or who they are. We still need seasonal workers for many economic activities. We still need highly skilled workers—engineers and technicians—some of whom have been trained here but cannot work here. We still have people overstaying their visas, and we still have the problem that we need to increase the flow of immigration to stimulate our economy.

Delaying immigration reform will only weaken our economy and make us less safe. It is much better that we know everyone who is in our country, why they're here, and make sure they're paying taxes and contributing to American society. We need to pass immigration reform now.

GLOBAL CLIMATE CHANGE

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, earlier this month, I and 19 of my colleagues wrote to the Energy and Commerce Committee urging them to engage us in a debate on the House floor as to what our national policy should be in response to climate change. That request has been met with silence, but that's a more preferable response than the 53 votes that the House undertook during the last session to block the Obama administration from using its

existing authority to address climate change.

In fact, for the year 2012, when this House voted to overturn a scientific finding that, in fact, climate change was occurring, we experienced the warmest year on record. More than half of this Nation's counties were declared Federal disaster areas, due mostly to drought, but also to extreme weather events. We experienced the second worst year of extreme weather events. In fact, Hurricane Sandy cost the Federal Government more than \$65 billion and took the lives of 147 Americans, and we experienced the third worst year for wildland fires; more than 9 million acres were burned.

These severe temperatures and extreme weather events we are experiencing all fit the predictive pattern of global climate change. Our failure to take action dooms future generations to ever more powerful and destructive weather events, altered coastlines, more devastating droughts and wildland fires, and greater food scarcity. It's time to take action on climate change.

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NATIONAL BASEBALL HALL OF FAME COMMEMORATIVE COIN ACT AMENDMENT

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1071) to specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SIZE OF PRECIOUS-METAL BLANKS.

Section 3(a) of the National Baseball Hall of Fame Commemorative Coin Act (Public Law 112-152) is amended—

(1) in paragraph (1)(B), by striking “have” and inserting “be struck on a planchet having a”; and

(2) in paragraph (2)(B), by striking “have a” and inserting “be struck on a planchet having a”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentle-

woman from Alabama (Ms. SEWELL) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 1071.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1071, introduced by our colleague from New York (Mr. HANNA), along with Mr. DOYLE and Mr. GIBSON, two other Representatives from the State of New York.

This is a two-line amendment of the most technical sort. It amends the National Baseball Hall of Fame Commemorative Coin Act, sponsored by Mr. HANNA and Mr. DOYLE, and passed last year by this Congress. The legislation calls for the Mint to strike and issue next year's coins in commemoration of the Hall of Fame's 75th anniversary.

The coin will be domed, Mr. Speaker, the first of that kind ever done by the Mint. As they did the technical work of preparing to produce the coin, the Mint discovered that using a standard coin blank and stamping the center part into a dome drew the edges of the coin inward a few thousandths of an inch; not a big deal, but enough to be out of spec with the finished size of the coin designated in the legislation.

To avoid making a coin not in compliance with the law, or having to purchase expensive custom coin blanks, this bill simply eliminates the requirement for the finished size and specification that the coins be struck on standard commemorative coin blanks. The result will be a less expensive coin and less work for the Mint.

This is truly a technical amendment, Mr. Speaker. I urge its quick passage.

With that, I reserve the balance of my time.

Ms. SEWELL of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1071. The bill corrects the specification of the precious metal blanks to be used by the U.S. Mint in making the National Baseball Hall of Fame coins which Congress authorized last term. This correction will result in a cost savings, permitting the U.S. Mint to implement the design specifications using standard-sized blanks and produce the coins by January 2014, the required deadline.

Last Congress, I voted in favor of minting the National Baseball Hall of Fame commemorative coin. Proceeds from the coin will go to the National

Baseball Hall of Fame in Cooperstown, New York, to help fulfill its mission of preserving history, honoring excellence, and connecting generations through the rich history of our national pastime.

One of the most popular exhibits at the Hall of Fame is that of Jackie Robinson, who broke the color barrier in 1947, bringing his amazing skills from the Negro League to win Rookie of the Year his first year. He led the Brooklyn Dodgers to 6 pennants in 10 seasons, including their own World Series in 1955. He was the 1949 National League Most Valuable Player. Jackie Robinson was elected to the Hall of Fame in 1962, after his phenomenal career. Most importantly, he showed tremendous grace and poise as he integrated the major leagues and served as an inspiration to so many of us in generations to come. The number he wore—42—as a Brooklyn Dodger has been retired in his honor, and no other ball player can wear that number again.

Baseball is also a wonderful pastime in my own district of Birmingham, Alabama, where we have a minor league team, the Birmingham Barons, and enjoy the baseball.

I ask for passage of H.R. 1071 and urge my colleagues to approve this bill.

I reserve the balance of my time.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HANNA), who is the sponsor of this legislation.

Mr. HANNA. I thank the chairman emeritus for yielding and for his strong support of the National Baseball Hall of Fame commemorative coin bill.

Mr. Speaker, the United States Mint is working hard to produce spectacular coins next year honoring the National Baseball Hall of Fame's 75th anniversary.

As called for in the legislation I authored in last year's Congress, the coin will be unique in the history of the Mint. It will be domed, with the back of the coin depicting stitches that appear on a major league baseball.

In doing the production work, the Mint discovered that the work to make the coin domed would make the finished coin slightly smaller than the standard finished commemorative coin. I am pleased the Mint has brought this to our attention and asked that we do a technical amendment to allow them to use standard coin blanks, instead of having to secure expensive custom ones.

Since all production costs of commemorative coins are passed on to the consumer, this will keep the cost of these coins down for baseball fans around the world who want to commemorate 75 years of collecting, displaying, and honoring our national pastime.

Mr. Speaker, this is a good bill that actually saves money and effort, and I urge its immediate passage.

Ms. SEWELL of Alabama. Mr. Speaker, I yield back the balance of my time.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. I thank the gentleman for yielding. And it's a great privilege to rise today in support of this bill.

I'm proud to represent Cooperstown in upstate New York, home of the Baseball Hall of Fame. Baseball, America's pastime, is something that unites us and I think also something that engenders hope throughout our country, the feeling that we all have in April, the possibility that our team could go all the way and win the World Series, something, indeed, that unites us.

A coin is a fitting way to honor the Hall of Fame and also help our efforts for tourism in central New York. And this bill and this coin are able to do all that at no cost to the taxpayer.

I might also say that this competition where we now have children from across the country that are involved in this competition to provide the best design is, I think, going to kindle even more support for baseball. And so I urge my colleagues to support the bill.

I thank Mr. HANNA for his leadership and the chairman for the opportunity to speak this morning in support of it.

Mr. BACHUS. Mr. Speaker, I want to commend my New York colleagues for bringing this bill. Obviously, those of us who visited Cooperstown, it's a wonderful place, and I can really think of no better way to start the celebration of the 75th anniversary than to go view the film, "42," about Jackie Robinson.

□ 1240

Baseball has a rich history. It has a history, as with other sports, of bringing people together, putting aside their personal, emotional, or ideological differences. It is a wonderful movie and a lesson for all of us.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 1071.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AWARDING CONGRESSIONAL GOLD MEDAL TO ADDIE MAE COLLINS, DENISE McNAIR, CAROLE ROBERTSON, AND CYNTHIA WESLEY

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 360) to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years

ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress Finds the following:

(1) September 15, 2013 will mark 50 years since the lives of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley were suddenly taken by a bomb planted in the Sixteenth Street Baptist Church in Birmingham, Alabama.

(2) The senseless and premature death of these 4 little Black girls sparked "The Movement that Changed the World."

(3) On that tragic Sunday in September of 1963, the world took notice of the violence inflicted in the struggle for equal rights.

(4) The fact that 4 innocent children lost their lives as they prepared for Sunday School shook the world's conscience.

(5) This tragedy galvanized the Civil Rights Movement and sparked a surge of momentum that helped secure the passage of the Civil Rights Act of 1964 and later the Voting Rights Act of 1965 by President Lyndon B. Johnson.

(6) Justice was delayed for these 4 little Black girls and their families until 2002, 39 years after the bombing, when the last of the 4 Klansmen responsible for the bombing was charged and convicted of the crime.

(7) The 4 little Black girls are emblematic of so many who have lost their lives for the cause of freedom and equality, including Virgil Ware and James Johnny Robinson who were children also killed within hours of the 1963 church bombing.

(8) The legacy that these 4 little Black girls left will live on in the minds and hearts of us all for generations to come.

(9) Their extraordinary sacrifice sparked real and lasting change as Congress began to aggressively pass legislation that ensured equality.

(10) Sixteenth Street Baptist Church remains a powerful symbol of the movement for civil and human rights and will host the 50th anniversary ceremony on Sunday, September 15, 2013.

(11) It is befitting that Congress bestow the highest civilian honor, the Congressional Gold Medal, in 2013 to the 4 little Black girls, Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, posthumously in recognition of the 50th commemoration of the historical significance of the bombing of the Sixteenth Street Baptist Church.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of Congress, of a gold medal of appropriate design to commemorate the lives of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) AWARD OF MEDAL.—Following the award of the gold medal described in subsection (a), the medal shall be given to the Birmingham Civil Rights Institute in Birmingham, AL, where it shall be available for display or temporary loan to be displayed elsewhere, as appropriate.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medal, including labor, materials, dies, use of machinery, and overhead expenses, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentleman from Alabama (Ms. SEWELL) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, it's an honor to manage this bill and to have worked with my colleague and the sponsor of this legislation, Congresswoman TERRI SEWELL, who is the driving force behind this legislation. She's worked tirelessly to bring this bill to the floor, and it has come to the floor with bipartisan support. Through her work, and those of many Members on both sides, including the Alabama delegation, we're proud that this bill has 296 Members as co-sponsors.

The bill, as the title reflects, posthumously awards a Congressional Gold Medal that recognizes these four little African American girls. Their pictures are on the floor of the House. You can see their very tender age. Their lives were cut short by a bombing of the Sixteenth Street Baptist Church in Birmingham on September 15, 1953. Many trace this decisive and heinous act to an impetus for a passage of the historical Civil Rights Act of 1964. There was a national revulsion caused by the deaths of these innocent lives, the calculated bombing in a place of worship. It was, indeed, a sad day for the entire country.

It can correctly be said that 50 years ago my hometown found itself the epicenter of the civil rights movement. The images of conflicts and violence from Birmingham that flickered nationally on what were still predominantly black-and-white TV screens shocked the conscience of the Nation and, I believe, most citizens of Alabama.

During the recent Faith and Politics Congressional Civil Rights Pilgrimage to Alabama, a large bipartisan delegation of Members viewed some of the historic sites in Birmingham. We were led on the pilgrimage by my friend and Congresswoman SEWELL's friend, Congressman JOHN LEWIS, who, from personal experience, spoke authoritatively about those years. As we know, he was beaten many times himself.

The Sixteenth Street Baptist Church is still a vibrant place of worship. Just a few months ago, we stood in a moment of silence in remembrance of the haunting act of evil that occurred there a half century ago.

Churchgoers gathered peacefully on that beautiful fall morning, as they faithfully did every Sunday, to praise, pray, and worship. In fact, 26 children were making their way to the downstairs assembly room to prepare for a sermon, entitled, "The Love That Forgives," when the bomb went off. The four little girls, whose pictures are on the floor of the House—Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley—were almost instantly killed.

Looking at those faces now, they speak as strongly to me on the House floor today as they did to newspaper readers and television viewers at the time of the bombing. As a Congress and a country, our eyes were opened and we were shocked enough to finally pass civil rights legislation affirming that the rights and protections of the U.S. Constitution do not depend on what color your skin happens to be.

The civil rights struggle was long and hard, filled with both sorrow and joy. There's a special place in history and in our hearts for all of those who were killed and injured in Birmingham.

I reserve the balance of my time.

Ms. SEWELL of Alabama. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, it is a pleasure to join my colleague, SPENCER BACHUS, as we begin consideration of our bill, H.R. 360. I am proud to have had the entire Alabama delegation, Representatives BONNER, ADERHOLT, ROGERS, ROBY, and BROOKS, as well as Alabama natives Representatives LEWIS and BISHOP, join me as original cosponsors on this legislation. I am also thankful for the leadership of both parties, Speaker BOEHNER, Leader PELOSI, Majority Leader CANTOR, Whips HOYER and MCCARTHY, as well as Financial Services Committee Chairman HENSARLING and Ranking Member WATERS, for their

support and leadership. I also want to thank the more than 296 Members of Congress who cosponsored this bill.

H.R. 360 requests that Congress bestow its highest civilian honor, the Congressional Gold Medal, to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, who tragically lost their lives during the bombing of the Sixteenth Street Baptist Church in 1963. These beautiful girls never got a chance to live out their promise, but their lives were not in vain. As Dr. King said at their funeral, "They are the martyred heroines of a holy crusade for freedom and human dignity."

At 10:23 on Sunday, September 15, 1963, amid high racial tensions, a bomb went off in the Sixteenth Street Baptist Church as people gathered to worship for Sunday. The explosion killed four little girls who were in the basement bathroom preparing to return for Sunday school. Twenty-two people were injured by the blast, including the younger sister of Addie Mae Collins, Sarah, who survived but lost her eye.

The senseless deaths of four little girls shocked the Nation and became a galvanizing force for the passage of the Civil Rights Act of 1964. But, Mr. Speaker, justice was long delayed because it wasn't until 37 years later, on May 18, 2000, that all four Ku Klux Klan members who planted the bomb were finally brought to justice for their crimes.

These innocent girls lost their lives much too young. Addie Mae Collins, 14, was a reserved and sweet little girl. She liked for people to be at peace around her, they said.

Denise McNair, 11 years old, was a loving and friendly child who already exhibited a take-charge and generous spirit, helping others as she went along the way.

Carole Robertson, 14, was a vivacious young girl who was an avid reader and played the clarinet in the band.

Cynthia Wesley, 14, was an honor student who enjoyed playing the saxophone in her school band. That fateful Sunday was going to be her first day serving as an usher in church.

Although there are many individuals and events of the civil rights movement that rightfully are worthy of recognition, the selection of the four little girls was emblematic of so many who sacrificed and lost their lives for the cause of freedom.

□ 1250

Medgar Evers, Emmett Till, Jimmy Lee Jackson, as well as Virgil Ware and James Johnny Robinson—who was also killed within hours of the 1963 bombing—they were all martyrs for justice whom we should never forget. It was their blood which was shed for the bounty that so many of us now enjoy.

While we recognize that this medal cannot in any way replace the lives

lost nor the injuries suffered as a result of the horrific bombing, I hope this medal serves as a powerful reminder of the importance of the many sacrifices made and the great achievements obtained so that this Nation could live up to its ideals of equality and justice for all.

This Nation should never forget those who marched, those who prayed and died in the pursuit of civil rights and social change. It is my sincere hope that their families will receive this highest civilian honor in the humble spirit in which it was intended.

I am delighted today to be joined by the sisters of Denise McNair and Carole Robertson, and the president of the Birmingham Civil Rights Institute, who are all in the gallery as witnesses to this debate today.

Mr. Speaker, I want to urge my colleagues to vote in favor of this legislation in honoring the lives of these four girls as we pay tribute to their families and recognize the enormous progress that we as a Nation have obtained.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SEWELL of Alabama. Mr. Speaker, I yield myself 1 additional minute.

This recognition is long overdue, and I am grateful to this body for its consideration during this 50th anniversary year.

Dr. King offered the best rationale for granting this Gold Medal in the eulogy that he made at their funerals. He poignantly acknowledged:

History has proven over and over again that unmerited suffering is redemptive. The innocent blood of these girls may well have served as a redemptive force that will bring new light to this dark city. The Holy Scripture says, "A little child shall lead them." The death of these little children may lead our whole Southland from the low road of man's inhumanity to man to the high road of peace and brotherhood.

I urge my colleagues to support this Gold Medal bill so that this country can finally recognize the redemptive force that the deaths of these four girls made in bringing light to a dark Nation.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded that it is not in order to draw to the attention of the House occupants in the gallery.

Mr. BACHUS. Mr. Speaker, I now yield 2 minutes to my friend, the gentleman from Illinois (Mr. SCHOCK).

Mr. SCHOCK. Mr. Speaker, in March, I had the honor to join my friends from Alabama in traveling to Birmingham as part of the 13th annual Congressional Civil Rights Pilgrimage. I was joined by my esteemed colleague, Congressman JOHN LEWIS of Georgia, who led the delegation to numerous landmarks that defined the civil rights movement at the time, including the tragedy that occurred at the Sixteenth Street Baptist Church.

The legislation we are considering today comes 50 years after the senseless death of four young girls when a bomb exploded in their church one Sunday morning in September of 1963.

Less than a month before this bombing, Dr. Martin Luther King, Jr., stood on the steps of the Lincoln Memorial—not far from where I stand today in the House Chamber—and declared that he dreamed of a day where all people could coexist and thrive together in peace and justice. The echo of his call for peaceful protest was still fresh in the mind of millions when it was replaced by the violent explosion at the Sixteenth Street Baptist Church, which injured dozens and killed the four innocent girls. Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley did not live to see Dr. King's dream realized, but their tragic deaths catalyzed the civil rights movement and produced a backlash against these unthinkable acts of violence across the country.

As we have seen in recent tragedies, acts of violence often produce the opposite outcome than that desired by the perpetrators. Less than 1 year after the bomb went off at the church, the Civil Rights Act passed out of this very Chamber and became law in 1964. A year later, in 1965, this Chamber passed and put into law the Voting Rights Act.

Today, the House continues to act. The legislation before us awards the Congressional Gold Medal—which is the highest civilian honor given by Congress—to the four girls whose sacrifice advanced the march of freedom in this country. Their memory is rightly recognized by those who love justice, and it is befitting that we should honor them with the highest recognition.

I am proud to support this legislation and urge my colleagues to do the same.

Ms. SEWELL of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from California (Ms. WATERS).

Ms. WATERS. I rise today in support of H.R. 360.

The bill posthumously honors the lives of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley who were tragically lost 50 years ago in the bombing of the Sixteenth Street Baptist Church in Birmingham, Alabama. The horror of this senseless act of violence stunned the Nation and served as a catalyst for the civil rights movement.

I would like to thank my colleagues on the Financial Services Committee, especially Congresswoman TERRI SEWELL and Chairman Emeritus SPENCER BACHUS, for their work to ensure that these girls receive our highest civilian honor as we commemorate the 50th anniversary of their deaths.

The Sixteenth Street Baptist Church was not an accidental bombing target for the perpetrators. Rather, members of the Ku Klux Klan deliberately tar-

geted the church, designing their attack to strike fear into the hearts of those seeking equal rights. The church was a known sanctuary for civil rights leaders, including Dr. Martin Luther King, the Southern Christian Leadership Conference, and the Congress on Racial Equality which had become involved in a campaign to register African Americans to vote in Alabama.

On that fateful morning of September 13, 1963, roughly 1 month after the March on Washington, the girls went to Sunday school to hear a sermon entitled "The Love that Forgives" when the bomb exploded, killing them and injuring many others. The bombers had hidden under a set of cinder block steps on the side of the church, tunneled under the basement, and placed a bundle of dynamite under what turned out to be the girls restroom.

The cruelty and violence of this act shocked the Nation and drew international attention to the violent struggle for civil rights, inspiring a wave of legislative action in Congress. By 1964, Congress had passed the Civil Rights Act, a landmark achievement in the fight to outlaw discrimination. By 1965, Congress had passed the Voting Rights Act, which aimed to eliminate voting restrictions that unjustly disenfranchised qualified voters.

I thank you, Ms. SEWELL, for your leadership on this issue and helping this Nation to remember what took place on that day.

Mr. BACHUS. Mr. Speaker, I now yield 1 minute to the distinguished majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I'm honored to stand before the House today in support of this award to honor Addie Mae Collins, Cynthia Wesley, Carole Robertson, and Denise McNair by awarding them the Congressional Gold Medal.

The 50th anniversary of the attack on the Sixteenth Street Baptist Church in Birmingham is a strong reminder of how many people fought and died in the civil rights movement so that this country could live up to its founding ideals of equality and opportunity.

On a recent trip to Selma, Alabama, I had the opportunity to stand shoulder to shoulder with Congressman JOHN LEWIS and other civil rights heroes who stood on the front lines and fought to change America for the better. We must never forget the hardships they confronted and sacrifices they made.

While reflecting on such moments in our history, and by honoring those who come before us, I look forward to continuing to focus on ways in which we all can stand together once again and continue to solve our Nation's problems and move forward in unison.

I would like to thank Congresswoman SEWELL, Congressman BACHUS, and the rest of the Alabama delegation for their hard work on this matter and bringing it forward.

Ms. SEWELL of Alabama. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. CLYBURN), my mentor and a great leader.

Mr. CLYBURN. Mr. Speaker, I rise in strong support of H.R. 360. This timely legislation will provide for the posthumous awarding of the Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley. These four precious girls were killed in the bombing of the Sixteenth Street Baptist Church in Birmingham, Alabama, 50 years ago this year.

□ 1300

1963 was a pivotal year in the struggle for civil rights in our Nation. It marked 100 years after the Emancipation Proclamation and was the year of Martin Luther King, Jr.'s, stirring "Letter from Birmingham City Jail," which sounded the call for nonviolent civil disobedience to counter oppression in the Jim Crow South. In that letter, Dr. King famously proclaimed:

Injustice anywhere is a threat to justice everywhere.

Mr. Speaker, as a veteran of those efforts, I know that the struggle for justice, empowerment, and equal opportunity for all continues to this day.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SEWELL of Alabama. I yield the gentleman an additional 30 seconds.

Mr. CLYBURN. I want to thank my colleague, Representative TERRI SEWELL, for her leadership in this outstanding effort. Representative SEWELL has quickly made her mark in this institution for her tireless devotion to duty and her thoughtful approach to legislating. I am proud to join her in this effort and urge all of my colleagues to support this legislation.

Mr. BACHUS. Mr. Speaker, I now yield 1 minute to the gentleman from Alabama (Mr. BONNER).

Mr. BONNER. Mr. Speaker, this is the right thing to do at the right time and for the right reasons. Hopefully, in some small way, this legislation will bring some form of closure to a cowardly act, one so outrageous that it became a turning point in the passage of the historic Civil Rights Act of 1964.

On behalf of the people of Alabama, I want to say a special thank you to our colleague, Congresswoman TERRI SEWELL, as well as the dean of our delegation, Congressman SPENCER BACHUS, for their example of working together hand in hand to bring this very appropriate bill to the floor for consideration and for a vote.

While nothing that we do here will ever replace the loss of these four innocent young girls, especially to their families and to their loved ones who have lived with a void in their hearts for the last 50 years, may this action today ensure that their spirit lives on forever.

With that, I urge the adoption of this bill.

Ms. SEWELL of Alabama. Mr. Speaker, I yield 1 minute to the distinguished leader of the Democratic Party, the gentlelady from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank our distinguished colleague, Congresswoman SEWELL, for yielding.

As you can see, there are many of us who are very eager. Our distinguished Democratic whip, Mr. HOYER, and I have had the privilege—he, more than I—to travel to Alabama with JOHN LEWIS. And thank you this morning for informing the Members that that's a transformative experience. Anybody who travels there and sees what happened in the lifetime of many of us here, and certainly in the lifetime of everyone's parents here, in our very own country cannot help but be moved. So I'm pleased to be joining you, Congresswoman SEWELL, Mr. BONNER, Mr. BACHUS, Mr. HOYER, Mr. BISHOP, and other colleagues in coming to the floor.

Mr. Speaker, as we are all acknowledging, 50 years ago, on a Sunday morning, four precious little girls walked into the Sixteenth Street Baptist Church in Birmingham, Alabama, the same day they did every week.

These four little girls were there for Sunday school. They were not civil rights activists; they were not agitators or advocates. They had simply come to church to learn, to pray, to be with their friends and classmates. When you visit there, you see they didn't really have a chance. They were in such close quarters when they went down those steps and the rest.

These four little girls did not enter the church seeking to become symbols of the struggle of equality; yet, in a moment of brutal, horrific, unspeakable tragedy, they would become icons of a movement for justice. The names Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley remain seared in the hearts and minds of us today as painful reminders of a dark moment in our history.

For their families, for their friends, for their loved ones, their loss in a bombing at the Sixteenth Street Baptist Church would change their world forever. Yet even at that time of great change across our country, little did we know that their deaths would change our world forever too.

Among the many milestones of the civil rights movement, September 15, 1963, may be bestowed with some of the greatest pain and anguish. But it was on that day, as this resolution states:

The world took notice of the violence inflicted in the struggle for equal rights.

It was that day that stirred the conscience of our Nation, galvanized the forces of justice, and spurred the momentum to pass the Civil Rights Act and the Voting Rights Act—landmark steps in righting the wrongs in our country's past.

It was on that day that the Sixteenth Street Baptist Church became a symbol in the cause of human rights and human dignity, from the streets of Birmingham to communities nationwide. It was that day that once again reinforced what Dr. Martin Luther King, Jr., just weeks earlier, called the "fierce urgency of now."

These four girls made the ultimate sacrifice in the battle for civil rights, joining too many fellow Americans in paying for freedom with their lives.

This weekend, I will join the Southern Poverty Law Center to rename and rededicate the Civil Rights Memorial in Montgomery, Alabama. This memorial is a tribute to 40 individuals killed during the struggle. It is a place to remember the fallen, to take heed of their message, to deepen our understanding, and to renew our commitment to equal rights under the law.

They were four small little children going to church—four students, four daughters, four members of a tight-knit community in Birmingham. Four lives ended too soon; four victims to the forces of hatred and prejudice, racism, and injustice. Their senseless and premature deaths ignited the fires of progress and fanned the flames of equality.

I thank the gentlelady, one of our new, not brand-new, but newer Members of Congress, for coming here and joining with colleagues Mr. BACHUS, Mr. BONNER, certainly JOHN LEWIS, and Members of Congress not representing Alabama, but from Alabama. As the resolution that she presents declares, the legacy that these four little Black girls left will live in the minds and hearts of all for generations to come.

To honor that legacy, to cherish their memories, to inscribe their names once more in the pages of history, it is only fitting to bestow our highest civilian honor, the highest honor that Congress can bestow on a civilian, the Congressional Gold Medal, on these four Americans. That will be a glorious day in the Capitol when we all come together under the rotunda, under the dome of the Capitol, to remember them. I hope that is a comfort to their families. They gave so much. So much sprang from that, and we will always remember.

Mr. BACHUS. Mr. Speaker, I now yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I rise today to join my colleagues, as mentioned, in support of H.R. 360, and to honor the memory of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, who lost their lives at the Sixteenth Street Baptist Church in Birmingham.

What we do here today honors these four innocent young girls, whose lives were sacrificed in an act of hatred and of violence. And no doubt their deaths, as has been mentioned, marked a sig-

nificant turning point in the civil rights movement of the 1960s.

As Congressman BACHUS mentioned in his opening remarks, these four young girls, who ranged in age from 11 to 14, were walking into the basement of the Sixteenth Street Baptist Church to hear a sermon that was ironically entitled, "The Love That Forgives." Though they could not have known at the time, these four little girls changed the course of history for our Nation. Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley's young lives were cut short on September 15, 1963, but their legacy still lives on today, especially with what we do here, by the Congressional Medal of Honor, which is America's highest civilian honor.

□ 1310

I want to thank my colleague Ms. SEWELL for her leadership on this bill, and I am a proud supporter of H.R. 360. I also thank Mr. BACHUS for this time to speak on the legislation.

Ms. SEWELL of Alabama. Mr. Speaker, I now yield 2 minutes to the distinguished Democratic whip, my dear friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank Congresswoman SEWELL for her leadership and for yielding this time, and I thank my good friend SPENCER BACHUS for his leadership as well, and I congratulate him and his family for the courage they showed at a time of great stress that this Gold Medal reflects.

Mr. Speaker, the recognition for the victims of this terrible tragedy that befell our whole country on September 15, 1963, is absolutely appropriate, and it is an opportunity for us to say once again the respect we have for these young girls, the respect we have for their families. I say "our whole country" because a wound opened in the soul of America that day from a heinous act of racism and terror.

Those who set a bomb inside the Sixteenth Street Baptist Church that Sunday did so because they believed in a Nation where not all are created equal, where not all are entitled to life and liberty. On that day, many Americans who had turned away with indifference could no longer look away.

Since that day, we have forcefully declared to future generations that America will not be that Nation that looks away. In America, we strive to protect our children from hurt and harm no matter the color of their skin, their faith, their national origin. We hold fast to the values and memory of these four little girls who were killed that day, not the twisted, warped, hateful ideals of their killers.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BACHUS. I yield the gentleman an additional 2 minutes.

Mr. HOYER. Their names have been mentioned but warrant re-mentioning:

Addie Mae Collins, Cynthia Wesley, Carole Robertson, and Denise McNair—four of God's children, four beautiful assets of America.

If you go down into the basement of the church, you see their pictures, you see the memorial—and your heart cries. They were brutally murdered while attending Sunday school, as the leader, SPENCER BACHUS, and as TERRI SEWELL have related.

My colleagues, let us honor their lives and their faith in the face of the evil of segregation and prejudice and hate. Let us remember the words of Dr. Martin Luther King, Jr., from the funeral of three of those four little girls. He said this:

They have something to say to each of us in their death. Their death says to us that we must work passionately and unrelentingly for the realization of the American Dream.

That fight began with the Declaration of Independence: that we hold these truths to be self-evident, that all men—and, surely, Jefferson meant mankind, women as well—are endowed by God, not by the Constitution and not by our votes on this floor, with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

These four little girls had those robbed that day. Let us recommit ourselves. Let us recommit ourselves to that proposition and to unrelentingly and courageously ensure that that dream, that that promise is fulfilled for all of the little children of this Nation and for all the adults as well.

Let us pass this bill, Mr. Speaker, and send a message that we will never, ever forget their memory.

The SPEAKER pro tempore. The gentlewoman from Alabama has 5½ minutes remaining. The gentleman from Alabama has 10½ minutes remaining.

Mr. BACHUS. Mr. Speaker, I would like to acknowledge and thank Mr. HOYER for his recognition of my father's role, of our family's. I am very proud of my father and the courage he showed.

At this time, I yield 2½ minutes to the esteemed chairman of the Financial Services Committee, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

I rise in strong support of H.R. 360 to posthumously bestow Congress' highest civilian honor to Addie Mae Collins, Cynthia Wesley, Carole Robertson, and Denise McNair.

I also want to commend my two colleagues on the Financial Services Committee—Ms. SEWELL and our chairman emeritus, Mr. BACHUS, both from Alabama—for bringing this bill before the House.

Mr. Speaker, I was a mere child when these innocents were murdered. I am no longer a child, but I'm the father of two small children—a 9-year-old and an

11-year-old. I cannot imagine the unspeakable horror of knowing that my children were in church and that one of the great acts of evil known in our Nation's history could be perpetrated upon them.

That act 50 years ago jarred millions in our Nation to the realization that racial prejudice and hatred had just manifested itself in pure, unimaginable evil. Within a year, this body had passed the 1964 Civil Rights Act.

In his eulogy for these four little girls, Dr. Martin Luther King, Jr., said:

These children—unoffending, innocent and beautiful—were the victims of one of the most vicious, heinous crimes ever perpetrated against humanity. Yet, they died nobly. They are the martyred heroines of a holy crusade for freedom and human dignity.

I certainly cannot add to the words of this great American hero, martyred himself.

I will just end by saying, Mr. Speaker, it is a good and right thing that this body honor these innocent children martyrs, that we never forget, that we always confront evil, and although our Nation was founded on noble principles, we must never cease the work of making America a more perfect Union. With the passage of this bill, I think we do one small act to do that.

Ms. SEWELL of Alabama. Mr. Speaker, I yield 1 minute to the dean of the House, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I commend the sponsors of this legislation, and I urge the adoption of the bill.

It is appropriate that we should honor these four young girls who gave so much to the cause of civil rights. They gave their lives.

Just before this event, we had passed the Civil Rights Act of 1957. Immediately thereafter, we passed legislation, cosponsored by the gentleman from Tennessee (Mr. Loser) and me, which made it a crime to travel in interstate commerce for the purpose of destroying buildings or churches. Shortly thereafter, outraged by the events that took place on this awful day, the Congress passed the '64 and then the '65 Civil Rights Acts.

□ 1320

These four beautiful children contributed in a most meaningful way to those events which caused the legislation to become law, and they saw to it that we honor their doings today with enactment of this legislation.

I rise in support of H.R. 360, legislation to award a Congressional Gold Medal to four brave little girls who tragically lost their lives 50 years ago in the bombing of the Sixteenth Street Baptist Church in Birmingham, Alabama.

I want to thank the gentlewoman from Alabama, Congresswoman SEWELL, for bringing the attention of Congress to this fateful incident that helped transform the history of our nation and for giving the victims of this attack

the recognition for which they are long overdue.

I remember the day of this tragic incident, and my thoughts and prayers continue to be with the families of the victims of this senseless act of violence.

The Sixteenth Street Baptist Church bombing changed the nature of the conversation in Congress, which had stagnated in the 1950s and early 1960s.

With the strong leadership of Dr. Martin Luther King, Jr., and other leaders in civil society, those four little girls did not die in vain.

The Birmingham bombing galvanized the nation and gave real urgency to the Civil Rights movement, which culminated in the signing of the Civil Rights Act of 1964 less than a year later, and the Voting Rights Act of 1965 after that.

I was proud to stand with President Lyndon Johnson as he signed the Civil Rights Act of 1964 because nothing is more important than ensuring that the rights enshrined in our Constitution are granted to everyone in our society.

In many respects, the movement that was sparked by this tragic bombing 50 years ago continues today. We must continue to make every effort to rid our nation of discrimination of any kind.

Our work today goes beyond voting rights or the right to own property. The battle we must focus on now is one of social justice.

Americans of all walks of life deserve to be treated fairly and decently, whether it's in the workplace, in our businesses, or in political discourse.

As we reflect on this tragedy, let us not forget Dr. King's wise words, which he penned from a Birmingham Jail 50 years ago this month.

He said, "Injustice anywhere is a threat to justice everywhere."

Mr. BACHUS. Mr. Speaker, I now yield 1½ minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), who has visited the Sixteenth Street Baptist Church with us, and I thank him for doing that.

Mr. FITZPATRICK. I thank my friend from Alabama (Mr. BACHUS).

Mr. Speaker, I rise also to urge passage in support of the bill as we commemorate the Sixteenth Street Baptist Church bombing in Birmingham.

It was a Sunday morning. It was September 15, 1963. And I think it's appropriate that we mention their names again: Addie Mae Collins, Cynthia Wesley, Carole Robertson, and Denise McNair.

They were entering their church before the 11 a.m. service when a bomb detonated on the church's east side, and the explosion killed all four young girls and maimed dozens of the parishioners there.

The bombing of that church gave further momentum in the struggle to end segregation and helped to spur support for the passage of the landmark Civil Rights Act right here in this Chamber.

Last month, many of us were honored to commemorate that event and another event that served as a catalyst

for action in the civil rights movement. I also joined Members of Congress in the annual pilgrimage across the Edmund Pettus Bridge in Selma, Alabama, the event that marked the beating of peaceful voting civil rights marchers, known as Bloody Sunday, on March 7, 1965. And the pilgrimage was meaningful, as other Members of Congress and I reflected together on how far we've come as a country.

Bloody Sunday and the Sixteenth Street Baptist Church bombing remind us of the long and difficult struggle to end segregation; and it is immensely important, Mr. Speaker, that we commemorate these moments and these four little girls, that they led to the advancement of civil rights for the African American community and for our entire country.

Again, I urge passage of the bill.

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that 4 minutes of my time be given to Ms. SEWELL to manage, and I reserve the balance of my time. I do that in acknowledgement of her fine work on this legislation and those of her colleagues who visited the church.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Ms. SEWELL of Alabama. Mr. Speaker, I want to thank the gentleman from Alabama. It has been a pleasure to not only represent Jefferson County with him, but to serve in this body with him. And I thank you for yielding me that time.

I now yield 2 minutes to the distinguished gentleman from Georgia (Mr. LEWIS); and while he may represent Georgia, we claim him as Alabama's native.

Mr. LEWIS. Mr. Speaker, I want to thank my friends, Congresswoman SEWELL and Congressman BACHUS.

It is true that I grew up in Alabama, and I represent Georgia, but Alabama is in my blood.

I want to thank the two of you for bringing this resolution forward to honor these four beautiful little girls killed by a bomb while attending Sunday school on September 15, 1963, at the Sixteenth Street Baptist church.

On that Sunday, when I heard about the bombing that morning, I traveled to the city of Birmingham and stood outside of the church with my friend and my coworker, Julian Bond. We stood and we looked at the church. Later, I had an opportunity to attend the funeral of three of the little girls.

That bombing took place 18 days after Martin Luther King, Jr., had stood here in Washington and said: "I have a dream, a dream deeply rooted in the American Dream."

That was a sad day. It tore out the essence of our hearts. But we didn't give up. We didn't become bitter. We didn't become hostile. We continued.

Because of what happened in Birmingham, it inspired us to go to Selma to fight for the right to vote.

I think we're doing the right thing today by honoring these four little girls. They must be looked upon as those who gave their very lives, gave their blood to help redeem the soul of America and move us closer to a beloved community.

I wonder sometimes why, what, and how. We're a different country and we're a better country because they gave their all.

Ms. SEWELL of Alabama. Mr. Speaker, I yield 1½ minutes to another native of Alabama who happens to represent Georgia, the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. I thank the gentlelady for yielding.

Alabama named me, but Georgia claimed me.

I remember vividly the Sunday of the bombing as a young boy in Mobile, Alabama. I'm reminded of the words of James Weldon Johnson:

Stony the road we trod,
Bitter the chastening rod,
Felt in the days when hope unborn had died;

Yet with a steady beat,
Have not our weary feet,
Come to the place for which our fathers sighed?

We have come over a way that with tears have been watered,

We have come, treading our path through the blood of the slaughtered,
Out from the gloomy past,
Till now we stand at last,
Where the white gleam of our bright star is cast.

Addie Mae Collins, Denise McNair, Carole Robertson, Cynthia Wesley: four little girls are bright stars in the constellation shining down now as beacons of light for freedom and justice.

So today, 50 years after the senseless bombing in Birmingham, it's altogether fitting and proper that we should look back and commemorate the significance of the sacrifice of these young girls, these four young lives.

Truly, it was a turning point; and the murder of these youngsters, whose only crime was going to the bathroom in church, sparked a Nation not only to mourn the death of innocence, but to act to quell the turmoil and to move us toward freedom.

I'm happy to join my colleagues, Congresswoman SEWELL, Congressman BACHUS, and all of the colleagues here in this House, to appropriately pass legislation to award the Congressional Gold Medal to these four young martyrs in the fight for freedom.

Ms. SEWELL of Alabama. Mr. Speaker, I yield 1½ minutes to the former chair of the Congressional Black Caucus, the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, I say congratulations to Ms. SEWELL and Mr. BACHUS.

I had returned home from a movie. If we went to church, we had the opportunity to do other things; and I went on to church, and so my parents allowed me to go to the movies.

When my sisters and I walked back into the house, our mother was in the living room with some friends and they were crying. We didn't know what happened, and she said that they had killed some little black girls down in Birmingham.

I had no idea that I would eventually become deeply involved in the Southern Christian Leadership Conference, and I realized later that the reason for the bombing of the Sixteenth Street Baptist Church is that it had been the headquarters, the meeting place of the Southern Christian Leadership Conference led by Martin Luther King, Jr.; the vice president, Ralph David Abernathy, and my father in the ministry, who wrote to me, "I am your Paul; you are my solace." And there was also Reverend Fred Shuttlesworth, who says he taught me how to preach.

□ 1330

They met there, and that was reason enough to blow up that building and kill these little girls, innocent little girls.

I was pleased in 1979 when Richard Arrington was elected mayor of Birmingham. And I remember thinking Fred Shuttlesworth had coined the term "Bombingham" because his own home was blown to bits; and on the day Richard Arrington, a Black man, was elected mayor, I said, "It is no longer Bombingham; it is now Birmingham."

Ms. SEWELL, congratulations to you. This should be done, it is being done, and it furthers the way of that name from "Bombingham" to "Birmingham."

Mr. BACHUS. Mr. Speaker, I yield myself 1 minute.

What we need to fully realize is that the civil rights victories were achieved with the guiding principle of nonviolence. There are many regions and nations of the world that have been trapped in endless cycles of ethnic and political violence across multiple generations that have torn the fabric of their societies and families. We always like to think that could never happen here. It did not happen during the civil rights movement because of the principle of nonviolence.

I journeyed, at JOHN LEWIS' invitation, to India where we retraced the steps of Martin Luther King as he retraced the journey of Ghandi. Dr. King took his own religious convictions, affirmed and strengthened by those of Ghandi, and brought back a powerful nonviolent movement which overcame police dogs, water hoses, brutal beatings, bombs, bullets, and acts of violence in a nonviolent way. And love carried the day against hate. That was a proud moment for our country, and it is a model as we go forward.

We in America have the right to petition our government in a peaceful way. Let us use that example and that tradition.

With that, Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentlewoman from Alabama to manage as she sees fit and give her the right to close, which I think should be her honor.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Alabama?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Alabama controls the remaining 5 minutes.

Ms. SEWELL. I again thank the gentleman from Alabama. It is indeed an honor to be able to manage the floor with you on this bill and cosponsor it with you, and I thank you for your generosity.

At this time I yield 1½ minutes to the distinguished gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, often we are taught in the Christian Baptist and African American tradition, which is paraphrasing the words of the Bible, give honor unto those upon whom honor is due. For that reason, I can give tribute to the two Members of Congress without reservation for recognizing the importance, both Congresswoman SEWELL and Congressman BACHUS, for giving honor to those families who languished for over 50 years and wondered did anybody care. We thank Congresswoman SEWELL for her great leadership and Congressman BACHUS for joining and exuding the kind of partnership, the spirit of his family tradition against all adversity, saying I want to join and to speak of nonviolence.

I rise today with great enthusiasm for H.R. 360 and say to the family members, the sisters, the friends of Addie Mae Collins, Carole Robertson, Cynthia Wesley, and Denise McNair, it has been too long.

And so we rise today to be able to make amends for justice that had not been served because of the callousness and indifference, sometimes of criminal collusion, and many times the lack of enforcement of devastation against coloreds, Blacks, Negroes, and African Americans. There was an era that we look sadly upon; but now today, in the spirit of Dr. King's message of non-violence, we are able to say yes, profoundly yes.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SEWELL. I yield an additional 30 seconds to the gentlelady.

Ms. JACKSON LEE. I thank the gentlelady for her kindness.

We are able to now say profoundly to these girls' relatives that we honor the children who lost their future. We honor them by saying to their families, We care for you. And in the words of John F. Kennedy:

We are confronted primarily with a moral issue. It is as old as the Scriptures, and it is as clear as the American Constitution—justice delayed is sometimes justice denied.

But as Martin Luther King said in the Birmingham jail: "Go wherever injustice is."

Today on the floor of the House, we will remedy injustice. I'm delighted to be a supporter and cosponsor of this great resolution.

Ms. SEWELL of Alabama. I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to thank the gentlewoman from Alabama for yielding me this time. I want to commend her for her leadership and commend the leadership of Representative BACHUS from Alabama.

I remember that day vividly as a young activist at the time. We thought it was unbelievable that this kind of tragedy could take place. But I think it reminds all of us that yesterday is yesterday. We look forward to tomorrow, and I again commend the gentlewoman from Alabama and Mr. BACHUS for reminding us of that time and what can happen when we join hands together.

And so I thank you both.

Ms. SEWELL of Alabama. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I think many times people wonder why so often we go back and give homage to our past. It's because we still suffer the damages of the past. And we don't forget the families that have given up so much just for us to be able to vote. And we still struggle for that vote. We still struggle for the right to vote, but we must continue. And I want to say to these families, and I know some of them personally, how much we appreciate the fact that they have been loyal to the cause, loyal to this country, loyal to our military, and stand strong today. And so I want to thank you very much for giving honor. I thank my colleague.

Ms. SEWELL of Alabama. Mr. Speaker, I want to conclude by thanking all of my colleagues, especially my colleagues from Alabama, and all of my colleagues who have participated in today's debate. It is indeed an honor and a privilege for me, a native of Selma, Alabama, a 30-year member of Brown Chapel AME Church, to have the humble honor to be a sponsor of this bill.

I know that I drink deep from wells that I didn't dig, my whole generation does. It is a long time overdue, but I just want to say humbly, Thank you, and I urge all of my colleagues to support H.R. 360. And again, I thank the gentleman from Alabama (Mr. BACHUS). It has been an honor to serve with you and to share this time with you.

I yield back the balance of my time.

Mr. BACHUS. Mr. Speaker, it is important to remember that the 4 men suspected of the bombing, Bobby Frank Cherry, Herman Cash, Thomas Blanton, and Robert Chambliss, were not immediately prosecuted because authorities believed it impossible to obtain a conviction in the heated racial climate of the mid-1960s. Alabama Attorney General Bill Baxley successfully prosecuted Robert Chambliss 13 years after the bombing. After the indictment and conviction of Robert Chambliss the bombing investigation was closed. The investigation was reopened in 1995 due to the efforts of Federal Bureau of Investigation Special Agent Rob Langford and local African-American leaders. In 2001 and 2002 a joint Federal and State task force, under the supervision of United States Attorney Douglas Jones and Alabama Attorney General William Pryor, successfully prosecuted Thomas Blanton and Bobby Frank Cherry with the assistance of State and local law enforcement personnel. We in Alabama and the Nation Owe a Debt of Gratitude for the tireless efforts of then Attorney General Bill Baxley, FBI Special Agent Rob Langford, Local African-American leaders, United States Attorney Douglas Jones, and Alabama Attorney General William Pryor as well as those state and local law enforcement personnel who brought these perpetrators to justice.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise as a supporter of today's legislation that would award a Congressional Gold Medal to commemorate the lives of Addie Mae Collins, Denise McNair, Carole Robinson and Cynthia Wesley.

This year we commemorate the 50th anniversary of the atrocious bombing of the 16th Street Baptist Church in Birmingham, Alabama that killed these four little girls on their way to Sunday School. While nothing can bring these innocent victims back, today we honor their legacy with this bill to award them Congressional Gold Medals.

Earlier this year I attended the anniversary of Freedom March in Selma. It was a moving experience. The stories of the struggle for civil rights remind us to continue to fight for the rights and freedoms of all Americans. Today we take another step forward by honoring these four innocent girls who lost their lives on that fateful day, 50 years ago.

Ms. JACKSON LEE. Mr. Speaker, I rise today with a sense of indignation, sadness, and deep and abiding pride in the memory of four little girls from Alabama who were callously murdered by the bomb of a homegrown terrorist.

Addie Mae Collins, Carole Robinson, Cynthia Wesley and Denise McNair did not get a chance to celebrate any more birthdays, run through the fields of Alabama, go to the prom, dance at a wedding, or simply grow up and enjoy life as Americans.

As was reflected in the prayer given last week in this Chamber by world-renowned soul and gospel singer Yolanda Adams we have been taught to embrace God's grace and mercy, and for those who will listen, to stand in the sunlight of joy as one looks toward the hopefulness of the future, while standing tall as a Black woman in the memory of my four little girls, your girls—these little girls were America's children, and bore the brunt of a

very ugly side during a very nasty, ugly, vicious, cruel, and inexorably painful era in the history of the United States.

Mr. Speaker, on August 27, 1963, at the March on Washington, the Reverend Dr. Martin Luther King, Jr., delivered the speech that both challenged and inspired a nation. "I have a dream," he said, that "one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers."

Nineteen days later, on September 15, 1963, the nation learned that there was still a long path to travel before it realized Dr. King's dream. For on that day 50 years ago, the nation was shocked—and the City of Birmingham was rocked—by an explosion at the 16th Street Baptist Church that severely damaged the church, injured 22 people, and claimed the lives of four beautiful and innocent little girls: Addie Mae Collins, Carole Robinson, Cynthia Wesley and Denise McNair.

But the horror and heartbreak of that tragedy galvanized a nation to act. Less than two years later, the nation responded to one of the worst and cowardly acts of hatred with two great acts of justice that have changed America for the better and still stand today as monuments to what can be achieved when challenged to live up to the true meaning of its creed.

The Civil Rights Act of 1964 and the Voting Rights Act of 1965 are a part of the legacy of Addie Mae Collins, Carole Robinson, Cynthia Wesley and Denise McNair.

Today we celebrate their lives—lives cut down as they should have been learning to bake cakes, play hopscotch, and learn the violin, instead they were murdered in a place which should have been a safe haven, a sanctuary. The death of the four girls drew national attention to the fight for civil rights and is credited with creating a surge of momentum for the civil rights movement.

It is also important that we pass on the lessons learned through this deep tragedy so that we do not repeat it. Little girls and little boys around this great nation should hold hands and walk together regardless of race, color, religion, or creed.

This bill simply directs the Speaker of the House and the president pro tempore of the Senate to arrange for the posthumous award of a Congressional Gold Medal to commemorate the lives of Addie Mae Collins, Denise McNair, Carole Robinson and Cynthia Wesley in recognition of the historical significance of the bombing of the 16th Street Baptist Church. But this bill is more than that. It is a reckoning.

This legislation, which I am proud to co-sponsor and strongly support, is intended to complete some of the nation's most important unfinished business. And that is to address one of the most depraved acts of violence against school-aged girls belonging to a racial group which was vulnerable, politically powerless, and innocent, and against those persons who risked life and limb to help them secure the rights promised in the Declaration of Independence and made real in the Constitution.

The Congressional Gold Medal recognizing the 50th Anniversary of 16th Street Baptist Church bombing is long overdue. I thank my CBC colleague who hails from Alabama, Congresswoman TERRI SEWELL of Birmingham,

who sponsored this legislation, and Senator RICHARD SHELBY of Alabama, who leads the Senate effort for this special recognition as America comes to terms with its rich and often painful history.

Mr. Speaker, in 1989 the Civil Rights Memorial was dedicated in Montgomery, Alabama, the birthplace of the modern Civil Rights Movement. The Memorial honors the lives and memories of 40 civil rights martyrs who gave their lives in the struggle for justice and equality. But we know that many more people lost their lives to racial violence during that era. In honoring the four little girls of Birmingham today, let us resolve to remain steadfast in the quest to obtain justice for these other heroes.

Mr. Speaker, fifty years later we have made much progress from the dark days of Birmingham. In those days there simply was no justice for African Americans because the criminal justice system—from the police, to the prosecutors, to the juries, and to the judges—was perverted by racial bigotry.

Inspired by the sacrifice of four little girls in Birmingham, Americans of good will and of all races and creeds, worked to hasten the day when all would be treated equally before the law and every person would be judged by the content of their character.

It is, of course, fitting and proper that H.R. 360 bears the names of Addie Mae Collins, Carole Robinson, Cynthia Wesley and Denise McNair. Although forever linked together in history, we must not forget that each of them was an individual. Each had her own hopes and dreams for the future. Sadly, they were robbed of that future by the cowardly act of persons motivated by racial hatred. But in sacrificing their futures, Addie Mae Collins, Carole Robinson, Cynthia Wesley, and Denise McNair helped to transform America into a place where little girls and little boys today can know that their dreams can come true and their futures will be bright and that racial hatred is no longer an insuperable barrier to realizing the American Dream.

Mr. Speaker, nearly 50 years ago, on June 11, 1963, President John F. Kennedy addressed the nation from the Oval Office on the state of race relations and civil rights in America. In his historic speech to the nation President Kennedy said:

We are confronted primarily with a moral issue. It is as old as the scriptures and is as clear as the American Constitution. . . .

[T]his Nation, for all its hopes and all its boasts, will not be fully free until all its citizens are free.

H.R. 360 is intended to help bring justice to those whom justice has been delayed for more than two generations. In doing so, this legislation will help this Nation fulfill its hopes and justify its boast that in America all persons live in freedom.

And Mr. Speaker, let us also remember young Virgil Lamar Ware, a thirteen-year-old black boy who was killed by segregationists while riding on the handlebars of his brother's bicycle. His killers had just attended a segregationist rally held in the aftermath of the Sixteenth Street Baptist Church bombing.

It is a sad but unfortunately not uncommon occurrence that it is innocent children who suffer when adults give in to hate. But as the scriptures teach us, unearned suffering is re-

deemptive. And the blood of the innocents—Addie Mae Collins, Carole Robinson, Cynthia Wesley and Denise McNair—helped to redeem our country and make it better.

I urge all Members to join me in supporting this fitting tribute to their heroism and sacrifice by voting to pass H.R. 360.

Mr. AL GREEN of Texas. Mr. Speaker, I stand in solidarity with my colleagues in the commemoration of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church in Birmingham, Alabama. On that Sunday morning of September 15, 1963, twenty-two people were wounded and four young African American girls, Addie Mae Collins, Cynthia Wesley, Carole Robertson, as well as Denise McNair lost their lives in an act of racial hatred.

The Sixteenth Street Baptist Church was a prime target because of its landmark status in the Civil Rights Movement, having hosted civil rights leaders, including Dr. Martin Luther King, Jr. However, these individuals, who sought to strike fear in the hearts of those fighting for civil and human rights, undoubtedly failed. The bombing of these innocent individuals seeking to find solace in their spiritual faith redoubled the ardor of those fighting against racial prejudice and for equality.

Having been born into segregation, I know the sting of invidious discrimination. Nevertheless, it is heartening to see that all these years later we have made much positive progress toward equality as evidenced by the election of President Barack Obama and my own election to Congress. Notwithstanding the many strides toward freedom, the righteous struggle against hatred in all its forms continues. Let us today reaffirm our abiding commitment for human and civil rights for all.

In closing, Mr. Speaker, I wholeheartedly endorse and support H.R. 360, which posthumously awards a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th commemoration of the bombing of the Sixteenth Street Baptist Church.

Mr. ROTHFUS. Mr. Speaker, I want to commend my colleagues from Alabama, Ms. SEWELL and Mr. BACHUS for their work on H.R. 360. I was pleased to support awarding the Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley in commemoration of the 1963 bombing of the Sixteenth Street Baptist Church. Bestowing this honor is a fitting tribute to these young girls who are martyrs in the cause for freedom and justice. May we never forget the sacrifice of these young girls and their families and the impact it had on the United States civil rights movement.

□ 1340

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 360, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. SEWELL of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 1549, HELPING SICK AMERICANS NOW ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 175 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 175

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1549) to amend Public Law 111-148 to transfer fiscal year 2013 through fiscal year 2016 funds from the Prevention and Public Health Fund to carry out the temporary high risk health insurance pool program for individuals with preexisting conditions, and to extend access to such program to such individuals who have had creditable coverage during the 6 months prior to application for coverage through such program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-8. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

House Resolution 175 provides for a structured rule for consideration of H.R. 1549. The rule provides for 1 hour of general debate equally divided by the chair and the ranking member of the Committee on Energy and Commerce.

The rule makes in order two amendments, one Republican, one Democratic, with 10 minutes of debate for each. Further, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, I rise today in support of the rule and the underlying bill. The underlying legislation is a needed piece of relief for the hundreds of thousands of Americans who were promised by their President that they would be covered under the Affordable Care Act's Preexisting Condition Insurance Plan and then were told, as of February 1 of this year, Sorry, we're closed. This is one of the many promises the President made that he has failed to uphold.

In response to the President's failed promise, Chairman JOE PITTS introduced H.R. 1549, the Helping Sick Americans Act, to continue to provide insurance for those Americans who are most in need of immediate care. And to pay to give those most vulnerable patients insurance and care, we use the Prevention and Public Health Fund, an allocation of money that should be going to help patients, but it's instead being used for administrative costs to set up the exchanges that won't be online for some time now and for glossy brochures to extol their virtues. The money could be used to help people now, and that's why Republicans are here today.

The Affordable Care Act created the new Preexisting Condition Insurance Plan, which was, arguably, duplicative of actions taken by 35 States prior to 2010 that were operating risk pools, that were operating re-insurance programs and served over 200,000 Americans.

It has been shown that State-based programs play an important role in lowering costs across markets and then providing coverage options for those

with preexisting conditions. In some States, those plans merged with the Federal plan into an existing high-risk pool. In other States, like Texas, the Federal plan operates in parallel to the State's pool.

But whether the States merged their pools, adopted a State-administered preexisting plan, or whether the Federal preexisting plan is the only option, this program is the only answer for those who have found themselves unable to purchase insurance on their own because of a medical condition.

Shortly after the passage of the Patient Protection and Affordable Care Act, the chief actuary for the Centers for Medicare & Medicaid Services estimated that the creation of this program would result in roughly 375,000 gaining coverage in 2010. However, to date, only 107,000 individuals were enrolled in the program as of January 1 of this year.

On February 15 of this year, the Centers for Medicare & Medicaid Services announced to States that the agency was suspending enrollment in the Preexisting Condition Insurance Program. Very little was said of the fact that this program was intended to help individuals with preexisting conditions through the 1st of January of 2014.

Despite lower than expected enrollment, the Centers for Medicare & Medicaid Services announced that it will no longer enroll new individuals in the program, and it will bar States from accepting new applications because of their financial constraints.

According to a report from The Washington Post:

Tens of thousands of Americans who cannot get health insurance because of preexisting medical problems will be blocked from the program that was actually designed to help them.

On March 5, along with Republican leadership and the leadership from the Energy and Commerce Committee, we wrote to the President. We let him know that this was not right. We let him know that, while we may have designed the preexisting pool differently, Republicans have supported risk pools, and that he could easily use funds from other accounts in the Affordable Care Act like the Prevention and Public Health Fund. But so far, the response to our letter from the President is zero.

I support prevention activities. As a doctor, I know it's better to keep a person well than to treat an illness; and to anyone across the aisle, we've demonstrated this in the past. If we want to modernize government programs where they have fallen behind private insurers and employers in avoiding disease and getting people more involved in their health care, we're here to talk.

□ 1350

But the prevention fund has been used in a haphazard way, with no unified vision and in many ways that are

quite questionable, with the mere hope, with the mere aspiration that 10 years from now we can look back and think that we've made a difference. But it's really something I cannot support when we are \$17 trillion in debt and sick Americans are being turned away from an insurance coverage that they were promised by the President.

As a physician, ensuring those with preexisting conditions have access to quality and affordable health insurance is a priority. As much as I believe that the Affordable Care Act stretched the bounds of constitutionality—and I still do—I was concerned that if the Supreme Court had invalidated the law last summer, those who were in this new Federal preexisting pool would have had the rug pulled out from under them and they could have been barred from merging into their States' pool because of the previously provided coverage.

That's why, to ensure that that did not happen, I was prepared to answer that challenge, had it arisen, by introducing legislation prior to the Court's decision to provide States with the financial backing to decide how best to provide coverage for this population through some type of risk pool, reinsurance, or other innovative method.

I will also note that unlike many of the complaints that the Preexisting Condition Insurance Program has faced, that bill, as well as the bill that we are considering today, did not require those with preexisting conditions to jump through hoops or to remain uninsured for 6 months before being eligible for coverage. On the other hand, instead of making sick Americans a priority, the administration is telling them to just give us 10 more months. Well, what a striking comparison.

There are always stories of those who have done the right thing and insured themselves and then, for whatever reason—falling on bad luck or hard times—have fallen out of the system, usually because of a job loss, they get a medical diagnosis, and when their employment status changes, they find themselves forever locked out of coverage. Those were the stories that people thought of when they did say they wanted something done about this issue.

I might add that when the Affordable Care Act was passed, the administration and congressional Democrats vastly oversold this concept. We were told time and again there were 8 to 12 to 15 million people wandering the country with some type of preexisting condition that were excluded from coverage. It's interesting that now, here we are 3 years later, spending \$5 billion and they've enrolled a hundred thousand people in the program. But it's a hundred thousand people with a very compelling story.

We were told by the American people they wanted us to fix this problem,

they didn't want us to screw up the rest of the country's health care, and they wanted some help on cost. But, unfortunately, we failed on every one of those counts.

Since the administration has cut off enrollment, how many people have signed into or aged into the 6-month exclusion that would otherwise be able to sign up? The fact is we don't know. But we had a hearing 4 weeks ago where we heard from some of these people. They do have compelling stories. How many were awaiting coverage but are now told, especially in States where the Federal preexisting program is the only option, you just wait until 2014. So do the best you can with what you've got between now and then.

I will admit that many of the current State-based programs are underfunded and lacking the ability to meet their needs. It is costly to deal with this population of patients. I was prepared in the bill that I offered last summer to authorize \$30 billion to provide coverage. House Republicans supported \$25 billion in our substitute to the Affordable Care Act back in November of 2009.

H.R. 1549 will redirect \$3.5 billion from the Prevention and Public Health Fund and then eliminate the fund in 2016. The Congressional Budget Office estimates that, unlike the authors of the Affordable Care Act, we have provided enough funding to meet the needs of the program through the end of the year, while ultimately reducing the deficit. Furthermore, once the "train wreck" of failed implementation occurs, the amendment that Mr. PITTS plans to offer would provide an escape valve for Americans with a preexisting condition by providing States with a block grant to fund State high-risk pools.

The majority is serious about funding these programs and dealing with the issue, and those costs are a drop in the bucket as to what the Affordable Care Act will cost our country in the future. But those efforts recognize that for those who do need insurance and are truly uninsurable in the market, it will be costly but we will make the decisions that set our priorities straight.

Where the President's response was to tell the people tough luck, not to prepare for needing more money or transfer funds out of other parts of the Affordable Care Act or to look for efficiencies or mismanagement in the preexisting condition program or even approach Congress for funding, dead silence from the administration. Well, here Republicans will lead and ensure that we help sick Americans now.

I reserve the balance of my time.

Ms. SLAUGHTER. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

We begin this week the way we've begun every week since January: spinning our wheels.

As we speak, sequestration is hitting communities across our country. Flight delays have started, Head Start programs are turning away children, and unemployment benefits are being curtailed. Despite the calls from me and all my Democratic colleagues to stop the sequestration, the majority refuses to act. In fact, the ranking member of the Budget Committee, Representative VAN HOLLEN, has come four times to the Rules Committee with an amendment that would repeal sequestration, but the majority has rejected it every single time.

The majority has also left the job of passing a budget unfinished. With budgets passed by both the Senate and the House, it is now time to finish the job, and for the majority that constantly calls for regular order and concerns itself with no Senate budget, they now refuse to appoint the conferees. And they must, if we're going to get the budget.

Instead of taking meaningful action on these two important issues, the majority is proposing a bill that is nothing more than a political gimmick. As everyone knows, there's no chance that the Senate will consider this bill. Even if it did, the President's senior advisers have stated that they will recommend the President veto the bill.

In the short history of the 113th Congress, I have been repeatedly dismayed that the leadership of this Chamber has refused to bring forth meaningful legislation that has any chance of becoming law; and today is a telling example of the majority's failure to lead.

In news reports earlier this morning, we were told that today's bill, dubbed by reporters as "CantorCare," may even be pulled before it gets a vote. One Member of the majority was purported to say that today's bill does nothing but shift money from a program he doesn't support to another program he doesn't support. And, indeed, given the fact that not a single Republican voted for the Affordable Care Act, it seems incongruous to me that they are now here today with great bleeding-heart concerns about the people with previous conditions that keep them from being insured.

So given the multiple reports of dissent within the majority, I have to ask, If no one supports this bill, then what are we doing this afternoon except, as I pointed out earlier, what we do every week? Even if we continue to move forward on the bill, it is already clear the legislation is solely designed for political gain. For while the majority claims that they want to strengthen the Affordable Care Act, their intent is clear: they want to repeal the law.

Last week, Health and Human Services Secretary Kathleen Sebelius testified before the Senate Finance Committee where she was criticized by GOP Senators for using her legal authority to fund the implementation of the Affordable Care Act. As Secretary

Sebelius replied in her testimony, Congress' failure to pass a budget has forced her to take the independent action, which she's allowed to do, in order to fund the implementation of the Affordable Care Act. It's as simple as that. In the face of an unproductive Congress, Secretary Sebelius has done everything she can to provide the life-saving health care to the American people.

While reporting on Secretary Sebelius' testimony, Washington Post columnist Ezra Klein explained the majority's approach towards the Affordable Health Care Act. In part, Mr. Klein wrote:

"Insofar as the Republican Party has a strategy on ObamaCare, it goes like this: The law needs to be implemented. The GOP can try and keep the implementation from being done effectively, in part, by refusing to authorize the needed funds," as they did in this case. I think it was \$1.5 billion.

"Then they can capitalize on the problems they create to weaken the law, or at least weaken Democrats up for reelection in 2014. In other words, step one: create problems for ObamaCare. Step two: blame ObamaCare care for the problems. Step three: political profit."

The legislation before us is little more than a continuation of these games.

□ 1400

If the majority were making a serious attempt to expand health care coverage, they wouldn't be funding their proposal with money from a different program in the Affordable Care Act. Specifically, the majority wouldn't be removing \$4 billion from the Prevention and Public Health Fund. This is a fund that is already helping States research ways to reduce instances of cancer, obesity, and heart disease.

Preventive health measures are vital to reducing the cost of health care in the United States because we know it is always cheaper to prevent disease than to treat it. In an age where more than 33 percent of our population is overweight or obese, when heart disease is the number one cause of death and the number of diabetes cases continue to grow, including children, gutting our Nation's only Federal preventive health program is not a responsible budget decision; it is simply an underhanded attack to dismantle the Affordable Care Act one program at a time.

Finally, the majority's newfound concern for people who are uninsured because of preexisting conditions might be more believable if they had allowed one of the numerous commonsense amendments presented to the Rules Committee to come to the floor. Among the amendments were responsible proposals to cover Americans with preexisting conditions by ending

tax breaks for Big Oil, ending subsidies for owners of corporate jets, increasing taxes on cigarettes—a preventive health measure in its own right. Proposals like these would expand health care to those who need it while protecting the preventive health measures included in the Affordable Care Act. It is truly unfortunate that, in yet another restrictive process executed by the majority, these amendments were denied a vote on the House floor.

The majority and the press have made it clear that today's bill is not a serious effort, but a political gimmick that has no chance of becoming law. I urge my colleagues to vote "no" on today's rule and the underlying legislation, and I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. I rise today in support of the rule, H.R. 1549, the Helping Sick Americans Now Act, and the Pitts amendment.

President Obama's health care law is a train wreck. We learn more every day about its failures. H.R. 1549 addresses a problem with the law's provision for those with preexisting conditions. The bill takes millions of dollars that the administration intends to spend on advertising its failed law and instead helps some of the sickest Americans get health insurance. Not only that, the bill will also end the ObamaCare slush fund and reduce the deficit.

H.R. 1549 is a win on all fronts. We should applaud Chairman JOE PITTS and Congresswoman ANN WAGNER for bringing this commonsense solution forward.

I urge my colleagues to support the rule and the bill.

Ms. SLAUGHTER. Mr. Speaker, we will be doing, as I said, a previous question amendment to this rule to hold a vote on the Put America Back to Work Act, and I would like to yield now 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. I thank the gentlelady, the ranking member of the Rules Committee, for yielding.

I rise in opposition to the underlying bill and in opposition to this rule and for a "no" vote on the previous question so that we can substitute Mr. CONNOLLY's bill for this bill, which will mean we will substitute something that will grow jobs from something that will waste time, not because those with preexisting conditions aren't worthy of our consideration—and, in fact, were considered in the Affordable Care Act and will have, as of January 2014, some real protections, not just high-risk protections, some real protections for them and their families.

The previous speaker said "this train wreck." This train wreck has already benefited millions of people: millions of

seniors, millions of women, millions of people with preexisting conditions, millions of students, millions of young people who couldn't get insurance but can stay on their family's policy, millions of people who didn't have their benefits capped. Millions of people have already benefited.

The Republican Party continues to oppose. They want to see this bill be a train wreck and are doing everything in their power to destroy the tracks, everything in their power to make sure it doesn't work, make sure that hundreds of millions—yes, hundreds of millions—of Americans won't be benefited by bringing down cost and making insurance available to millions of people.

Just like the little boy who took the lives of his two parents complained to the court, "Give me mercy because I'm an orphan," they are destroying the tracks that have been constructed to give Americans health care assurance.

Now, let me say, if we vote against this previous question, we will have an opportunity to consider Mr. CONNOLLY's bill. That bill will be consistent with the Make It In America agenda—job creation, not wasting time.

We're going to do a bill on Thursday and Friday that we could do in 10 minutes—totally noncontroversial; it's about helium. We're going to take 2 days to do that bill; it could be done in 10 minutes. We are spinning our wheels, as the gentlelady suggested.

One bill that will be something that we can do for America and jobs as part of the Make It In America agenda is H.R. 535, the Put America Back to Work Now Act, sponsored by my friend from Virginia (Mr. CONNOLLY). It would permanently extend the Build America Bonds program to help State and local governments leverage private capital to finance infrastructure projects—jobs.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The time of the gentleman has expired.

Ms. SLAUGHTER. I yield 1 additional minute to the gentleman from Maryland.

Mr. HOYER. Build America Bonds have been strongly supported by mayors, city managers, county legislators, and State officials from both parties—a bipartisan support for this bill. At the local level, it is a bipartisan solution that we know works because these bonds were used effectively in 2009 and 2010 before they expired.

When it comes to making investments in our Nation's infrastructure, we should be able to support local governments that want to attract manufacturing and invest in making their communities safer, cleaner, and more secure.

By the way, if we create these jobs, the probability is these people who get these jobs will have health insurance and will be served, as the doctor would like, as I would like—hopefully.

But let us not continue to waste time on a bill that we know has a deeply divided Republican Party—as we're going to see on this vote, I'm sure—and will not get through the Senate and will not be signed by the President. We're just wasting our time here—political messages.

By the way, you've garbled your message pretty badly, as I understand from Club for Growth and Heritage Foundation and FreedomWorks.

So vote against the previous question. Vote for building America and growing jobs.

Mr. BURGESS. I yield myself 1 minute.

You know, on the subject of wasting time, it was 6 or 7 weeks ago that Chairman PRTS sent a letter to the President saying: What are you proposing to do about this? This was not something that was in the plan. You promised something that was different. What are we to tell people who are now calling our committee and asking us how you're going to respond to this?

The President chose not to respond to that letter—it's been 6 or 7 weeks—but, boy, it didn't take him 24 hours to turn around a Statement of Administration Policy that said they would veto this bill should it pass the House. That's another reason for me to be for it.

But, look, in this Statement of Administration Policy, it says: The Affordable Care Act forces most insurance companies to play by the rules. Well, I think this House has an opportunity today to say to the administration: Play by the rules.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from Nevada (Mr. HORSFORD), a member of the Committee on Natural Resources.

Mr. HORSFORD. I thank the ranking member for your hard work on these issues, and I stand before this House to ask that all Members reject this rule.

I had an amendment, which was not approved, which is germane to H.R. 1549 and follows CutGo and would have prevented defunding of the Prevention and Public Health Fund. Unfortunately, the Rules Committee rejected this amendment in order to keep this bill purely about political posturing.

My constituents sent me here to work together to solve problems, not to relitigate legislation which has been adopted by Congress, approved by the President, upheld by the Supreme Court, and the American people support.

□ 1410

The Prevention and Public Health Fund, among other things, helps reduce minority population health disparities and supports health care for chronic and costly conditions such as diabetes, heart disease, and cancer. There are

medically underserved communities in my district and across the country that need better access to care.

My amendment would prevent siphoning of resources needed to reduce health disparities among minority populations. During the 112th Congress, the House voted repeatedly to cut this very program. Now the Rules Committee has rejected my amendment.

I urge my colleagues to vote "no" on the rule. We need an open process, not more political gamesmanship that hurts the American people who need access to quality health care.

Mr. BURGESS. Madam Speaker, I yield myself 1 minute.

It takes me back to when the Affordable Care Act passed this House and the tumultuous time in March of 2010. I had 18 amendments in the Rules Committee the night before that. The ranking member may remember that. None of those amendments were made in order. Look, if that's the yardstick by which we're going to measure, we've got a long way to go.

But I need to respond to something that was said by the minority whip. He referenced the Appalachian train wreck. These are not my words. These are words that were used by a senior Democratic committee chairman about this bill. And then just today, breaking news, I'm handed an article from Politico, another senior Democrat, chairman of the Health Committee over on the Senate side, is putting a hold on the administrator for the Centers for Medicare & Medicaid Services nomination.

And why is that hold being placed? An aide said that the Senator objected because CMS was using Prevention and Public Health Funds to pay for the health law implementation; the very reason we're here today.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my dear friend from New York, the ranking member of the Rules Committee.

Madam Speaker, I urge my colleague to oppose the previous question so we can bring up a proven jobs bill for consideration, rather than rehash the same old critiques for the 36th time on the Affordable Care Act.

Just last week, the head of the Federal Reserve Bank of Boston warned that if job creation doesn't pick up soon, we run the risk of long-term unemployment becoming a structural rather than cyclical problem within our economy. Despite more than 6 million new jobs being created in the last 4 years, the lingering effects of the Great Recession continue to be a drag on the labor market. Unemployment in the construction sector, particularly, is nearly double the national rate, with hiring down 2 million from its peak in 2006.

I have introduced the Put America Back to Work Act, H.R. 535, which would permanently reauthorize the successful Build America Bonds program at a more revenue-neutral rate. In just 2 years, that program, Madam Speaker, supported \$181 billion in community infrastructure projects in every State of the Union and created thousands of new jobs. Every dollar of Federal investment leveraged \$41 in private sector funds to help our State and local governments recover and construct the needed infrastructure throughout the country. Local governments issued more than \$275 million in new bonds, with one of the largest projects completing a missing segment of a cross-county parkway in my district that now links major employment centers.

Reauthorizing Build America Bonds is part of the President's Rebuild America Partnership initiative, and it is part of the Make It In America agenda put forth by STENY HOYER, our minority whip. More important, it has the strong support of investors, local governments, State governments, and construction companies throughout the United States. Build America Bonds helped provide 36 percent of all municipal bond sales back in 2009–2010 when, literally, municipal bonds had stopped being issued.

Madam Speaker, I ask my colleagues to join me in opposing the previous question so we can bring up H.R. 535. Let's do something for America, its localities, its States, its crumbling infrastructure. These investments reap large and long-term returns. Look at the interstate highway system, a gift that keeps on giving 65 years later.

Defeating the previous question will allow us to come together finally on a bipartisan basis and do something for our country. Build America Bonds is an idea whose time has arrived.

Mr. BURGESS. Madam Speaker, I yield myself 1 minute.

There's nothing that has been more damaging to job creation in this country than the first 2 years of the first Obama term. During that time, with vast majorities in both the House and the Senate, the anti-employment, the outright hostility to the productive sector of American society, was palpable. People responded to that in very predictable ways, so they hunkered down.

And then you come throw the wet blanket of the Affordable Care Act. What did that do to job creation? It killed it in this country, and it is killing it today.

If you want job creation in this country, you will provide some stability, some sanity, to allow those people who are still in that hunkered-down mentality that they've been in since the first Obama administration was sworn in, allow them a chance for real economic recovery. That's why it's important to

divert those funds from the Prevention and Public Health Fund, help those people with preexisting conditions, and, yes, we may get some sanity out of the administration on the implementation of the health care law if we do that.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentlelady from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentlelady for yielding me time.

Madam Speaker, I rise in strong support of defeating the previous question. Putting people back to work is our number one priority.

Mr. CONNOLLY's bill, which is part of the Make It In America agenda, will strengthen our economy by creating jobs and spurring innovation throughout the American manufacturing sector.

One area where we must assert world leadership is in clean energy technologies. This is why I have introduced the Clean Energy Technology Manufacturing and Export Assistance Act, legislation that is part of the Make It In America agenda. This bill will help clean energy technology companies access the world market and ensure these companies have the resources they need to export their products. Let's face it, the clean energy technology industry is growing rapidly. New jobs will be created, if not here, then in places like China and Germany.

In my home district of Sacramento, we have over 200 clean energy companies, the majority of which are small businesses. Clean World Partners is a local company that is converting everyday items like food and waste into energy. Allergy Systems manufactures fuel cell power systems. These small business owners want to expand their manufacturing operations and export their clean energy technologies to foreign markets, but they need our help, and they need it now.

I urge my colleagues to defeat the previous question and immediately take up the Connolly bill, which is part of the Make It In America agenda, to show the American public we are serious about investing in our economy.

Mr. BURGESS. Madam Speaker, I yield myself 1 minute.

The last Congress we had this debate over and over again, which obviously culminated with the significant findings in our Committee on Energy and Commerce on what happened with the energy company called Solyndra. The moneys that were pushed out the door by the Department of Energy in the first 4 years of the Obama administration, those moneys were poorly spent and unwisely invested. And what did we get for that investment? More debt.

Here we are faced with a condition in the Prevention Fund where these dollars are going to be pushed out the door hiring navigators. Remember,

part of the Affordable Care Act was to absolutely remove insurance agents and brokers from the environment, and now we're going to populate the environment with these navigators that are going to help sell people health insurance, and they're going to be paid for out of the Department of Health and Human Services with the prevention fund. It doesn't sound like prevention to me. I think we ought to prevent that from happening.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. I thank the gentlelady from New York for yielding.

Madam Speaker, I rise in opposition to the previous question.

When I came to the Congress 4 months ago, I didn't really anticipate that we would be arguing over legislation that was passed 3 years ago. My colleagues on the other side of the aisle think it's 2010. They are spending all of their time debating bills from years past.

ObamaCare was passed by the House, passed by the Senate, and signed by the President. That means it's the law. That didn't stop conservatives. They have tried to amend, gut, defund, investigate, and sue ObamaCare into oblivion. And they failed because Americans support progress and reform.

□ 1420

But ObamaCare seems to be on their messaging calendar this week, so we're stuck with it until Friday. But what happened to last week's Republican message or to even last month's messaging?

Just ask yourself: Isn't it odd that the Republicans aren't saying that we need to pass a budget anymore?

Earlier this year, the House majority was going on and on about the need to pass a budget. For months, my colleagues asked: Why hasn't the Senate passed a budget? Why hasn't the Senate passed a budget?

Guess what? The Senate passed a budget.

So why is the House majority refusing to go to conference?

I'm sure Senator REID gets some amusement from calling Speaker BOEHNER's bluff and watching the Republican caucus squirm, but this back-and-forth is a waste of time.

Let's get past debates from 3 years ago and get on with our work. Our time is precious. The House should appoint conferees and pass a final budget and get on with addressing the real crisis our Nation faces—jobs.

Mr. BURGESS. I yield myself 1 minute.

Since the gentleman wasn't here in the spring of 2010 when the Affordable Care Act passed, he probably didn't hear the utterance of the then-Speaker

of the House, NANCY PELOSI, who famously, from that chair, stood up and said, "We've got to pass this law to find out what's in it."

Here we are a little over 3 years later, and we're still finding out what's in it. Yes, the law is the law—the law has passed; the law is signed—but what has happened since that time is this torrent of regulations that has come out of the Department of Health and Human Services, the Department of the Treasury, the Office of Personnel Management—all of those Federal agencies charged with implementing this failed product. Now, we can argue all we want about settled law being settled law, but rulemaking is going on even as we speak. New rules are coming out. New rules are being promulgated.

Look at the Essential Health Benefit Rule. Why did the administration hide the ball on that one until 2 days after election day? Because they were afraid of what the public's response would be when they saw what that rule actually said. It turns out that most of the Nation's Governors said, We don't want any part of this.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as it takes me to read this message. It needs to be answered, and I want everybody in America to listen up. You've been told it's a job-killing bill and that it has caused all this grief. Let me say:

Since the passage of the Affordable Care Act, the United States has added more than 6 million private sector jobs. The health care industry alone, which many opponents of the law predicted would face job-killing new regulation, has added more than 750,000 jobs.

I now yield 2 minutes to the gentlewoman from California (Ms. HAHN).

Ms. HAHN. Madam Speaker, I rise in support of defeating the previous question so that the House may bring up Representative CONNOLLY's Put America Back to Work Act as part of the Make It In America legislative package.

Make It In America is a comprehensive jobs plan that aims to reinvigorate our ailing manufacturing sector and bring innovation and high-skilled, high-wage jobs back to the United States, and it invests in training the skilled workforce needed to support manufacturing in the 21st century.

We have an infrastructure crisis in this country, Madam Speaker, which is why I introduced the Bridges to Jobs Act as part of the Make It In America package.

Do you know there are about 70,000 bridges that have been classified as "structurally deficient" in our country? Leaving these bridges in their current state of disrepair poses a grave threat not only to our safety but also to our economy. This act provides each State with \$10 million in grants to put Americans back to work by repairing our crumbling bridges. Not only will

this legislation put Americans back to work and bolster our ailing economy, it will also ensure the safety of the millions who use these bridges each and every day.

I urge my colleagues to support this crucial investment in our workforce, our economy, and our safety. Let's defeat the previous question so we can bring this bill back up.

Mr. BURGESS. I yield myself 1 minute.

I think it's important for Members of this body to understand one of the things we're talking about today. It's section 4002 of the Patient Protection and Affordable Care Act. In my copy, it's found on page 466. This delineates the outline of the Prevention and Public Health Fund.

Section A: The purpose is to establish a Prevention and Public Health Fund.

That all sounds good. It's to be administered through the Office of the Secretary to provide for the expanded and sustained national investment in the maintaining of public health. All good as it sounds.

Then the funding section. The funding section is important because it's unlike other sections of law. Yes, it started small with literally a half billion dollars in fiscal year 2010. It escalated from there, and by next year, this fund will be up to \$2 billion a year. That's self-replenishing in perpetuity. That's until the Earth cools another time or the Second Coming. It's \$2 billion a year forever.

Now, the use of the fund is the next section. That is telling because there is broad authority for the Secretary of Health and Human Services to transfer these dollars to other areas she wants. That is what leads to the problem. That is what leads to the difficulty with this section.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, may I inquire if my colleague has more requests for time? I have none, and I am prepared to close.

Mr. BURGESS. I will go as long as the gentlelady wants, but I guess I have no more speakers other than myself.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

First, at the end of my remarks I will insert in the RECORD the Democratic amendments that were disallowed last night from the Rules Committee.

In closing, Madam Speaker, we've heard a lot today, but I think probably one of the most important things for America to know—because you hear constantly how many jobs this bill is going to be killing—is the fact that we have produced 6 million new jobs, 750,000 in health care alone.

So the most important thing we can do for Americans with preexisting conditions, which is the subject today, and

for every American seeking quality and affordable health care is to support the full implementation of the Affordable Care Act. Unfortunately, the proposal put forward by the majority today is an attempt to dismantle a crucial part of that important law.

SUMMARY OF DEMOCRATIC AMENDMENTS NOT MADE IN ORDER BY THE RULES COMMITTEE FOR H.R. 1549—HELPING SICK AMERICANS NOW ACT

(SUMMARIES DERIVED FROM INFORMATION PROVIDED BY SPONSORS)

LISTED IN ALPHABETICAL ORDER—PREPARED APRIL 24, 2013

Amendment #4

Sponsor: Capps (CA)

Description: Removes the public health and prevention trust fund as a pay-for and instead pays for the bill by ending the section 199 domestic manufacturing deduction for oil and gas production.

Amendment #5

Sponsor: Green, Gene (TX)

Description: Makes the same changes to the PCIP program that the underlying bill does, but is paid for by requiring a minimum term and a remainder interest greater than zero for new Grantor Retained Annuity Trusts (GRATs)

Amendment #10

Sponsor: Horsford, Steven (NV)

Description: Requires the HHS Secretary to transfer all of the monies in the Fund for the next four fiscal years to the PCIP program except those monies from the fund that are used for reducing health disparities among minority populations.

Amendment #1

Sponsor: Pallone (NJ)

Description: Makes the same changes to the PCIP program that the underlying bill does, but is paid for through a 4 cent per pack increase in the tax on cigarettes.

Amendment #2

Sponsor: Pallone (NJ)

Description: Makes the same changes to the PCIP program that the underlying bill does, but is paid for by continuing the solvency of the Oil Spill Liability Trust Fund by increasing the per-barrel amount that oil companies are required to pay into the fund by four cents.

Amendment #3

Sponsor: Schakowsky (IL)

Description: Extends funding for reopening enrollment under the Preexisting Condition Insurance Program (PCIP)

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote "no" and defeat the previous question, and I urge a "no" vote on the rule.

I yield back the balance of my time.

Mr. BURGESS. I yield myself the balance of my time.

Madam Speaker, as the gentlelady mentioned, we've heard a lot today.

I think I've said over and over again how I, unequivocally, oppose the Af-

fordable Care Act and would like to see it forever dismantled and thrown on the dustbin of history. Guilty as charged. That is what I would like to see, but that's actually not what we're talking about today.

We're here today to talk about the President's promise to help people with preexisting conditions obtain health insurance, and it has been one of the few areas of agreement between Republicans and Democrats over the last several years. House Republicans have urged the President to work with us on a solution to this issue, but all we've heard from the White House has been silence. So, today, we are offering a solution:

The bill transfers funds from an unnecessary slush fund and, instead, prioritizes the Nation's most sick and vulnerable who have been denied coverage and who have been the victims of the Affordable Care Act's broken promises. This bill does not provide more money to government health care programs, but instead it helps those who are in desperate need have access to privately run health insurance. Instead of continuing to use the Prevention and Public Health Fund to prop up the Affordable Care Act's flailing exchanges, we would use the money allocated for public health to actually help sick Americans.

If we do not act, the administration will continue to spend this money on heaven knows what: neutering programs, pickle ball—whatever the heck that is—and programs that are rife with potential for fraud and abuse to support their own failing implementation plans. Instead of further increasing this Nation's \$17 trillion deficit, we can pass this bill that will provide health care to the sick and will reduce the deficit at the same time.

In the end, it's not about the money. It's about America's patients. The President should be embarrassed. His political bait-and-switch is not working. Instead of putting the care of the sick first, you tell them, Sorry, Sister, we're closed. Come back in 10 months.

Ten months, a week, a day may be the amount of time some of these patients have to get treatment or else face the consequences of the progression of their illnesses.

□ 1430

America's doctors and hospitals will be there, and they'll always be there. But why deny them the means to get their services paid for with insurance coverage?

Mr. President, your health bill fails this country, and, most importantly, you have failed the thousands of sick Americans who can't get health coverage because you think implementing the health care law is more important than taking care of the people who you promised to take care of.

So today we can end the use of the slush fund and use it to actually help

people. A vote for this bill is a vote to help sick Americans now.

Madam Speaker, I urge my colleagues to support the rule and support the passage of H.R. 1549.

Ms. JACKSON LEE. Madam Speaker, I rise in opposition to the rule on H.R. 1549, the so-called "Helping Sick Americans Act."

This ill-conceived and misguided legislation takes funds from the Prevention and Public Health Fund to increase financing of the Pre-Existing Condition Insurance Program, PCIP. This sounds laudable but the facts are that this bill hurts an important program that our nation needs. The rule for the bill does not address the problems with this legislation.

Cutting funding from public health funds is a risky move. We know from countless studies that money invested in public health is a solid investment. It improves the lives of thousands of Americans, especially our most vulnerable members: the elderly, the young, the sick, the disabled and the poor.

In March 2010, Congress passed and President Obama signed the historic health reform law, the Patient Protection and Affordable Care Act. In addition to extending life-saving health insurance coverage to 31 million by 2019, the law includes a suite of provisions that have the potential to substantially reform our nation's health care system.

One of these provisions is the establishment of the Prevention and Public Health Fund. This is the nation's first dedicated mandatory federal funding stream for public health and prevention activities.

The Prevention Fund was created to increase the nation's investment in prevention in order to improve health outcomes and decrease health care costs.

In the first two years of its existence, 2010 and 2011, the Fund provided \$1.25 billion for critical programs that prevent tobacco use, decrease HIV rates, increase physical activity and healthy eating, increase immunization rates, and many other activities.

States and communities across the nation are already implementing and benefiting from these programs.

Public health is an essential component of the U.S. health system: its infrastructure and prevention-based programs wrap around clinical health systems to improve population health and reduce health care costs.

Local health departments work with a wide range of community partners to create conditions and policies that help people make healthy choices, such as avoiding tobacco use, becoming more physically active, and eating healthier foods. All these proactive measures contribute to the prevention of chronic diseases and associated risk factors like obesity and smoking.

For all of these reasons, I urge my colleagues to join me in opposing this rule.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 175 OFFERED BY
MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consider-

ation of the bill (H.R. 535) to amend the Internal Revenue Code of 1986 to permanently extend the Build America Bonds program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 535.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same re-

sult may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. With that, Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 175, if ordered, and motion to suspend the rules on H.R. 360.

The vote was taken by electronic device, and there were—yeas 228, nays 192, not voting 12, as follows:

[Roll No. 121]

YEAS—228

Aderholt	Campbell	Ellmers
Alexander	Cantor	Farenthold
Amash	Capito	Fincher
Amodei	Carter	Fitzpatrick
Bachmann	Cassidy	Fleischmann
Bachus	Chabot	Fleming
Barletta	Chaffetz	Forbes
Barr	Coble	Fortenberry
Barton	Coffman	Fox
Benishek	Cole	Franks (AZ)
Bentivolio	Collins (GA)	Frelinghuysen
Billirakis	Collins (NY)	Gardner
Bishop (UT)	Conaway	Garrett
Black	Cotton	Gerlach
Blackburn	Cramer	Gibbs
Bonner	Crawford	Gibson
Boustany	Crenshaw	Gingrey (GA)
Brady (TX)	Daines	Gohmert
Bridenstine	Davis, Rodney	Goodlatte
Brooks (AL)	Denham	Gosar
Brooks (IN)	Dent	Gowdy
Broun (GA)	DeSantis	Granger
Buchanan	DesJarlais	Graves (GA)
Bucshon	Diaz-Balart	Graves (MO)
Burgess	Duffy	Griffin (AR)
Calvert	Duncan (SC)	Griffith (VA)
Camp	Duncan (TN)	Grimm

Guthrie	McKeon	Royce	Napolitano	Ruiz	Speier	Kinzinger (IL)	Olson	Shimkus
Hall	McKinley	Runyan	Neal	Ruppersberger	Swalwell (CA)	Kline	Palazzo	Shuster
Hanna	McMorris	Ryan (WI)	Negrete McLeod	Rush	Takano	Labrador	Paulsen	Simpson
Harper	Rodgers	Salmon	Nolan	Ryan (OH)	Thompson (CA)	LaMalfa	Pearce	Smith (NJ)
Harris	Meadows	Scalise	O'Rourke	Sánchez, Linda	Thompson (MS)	Lamborn	Perry	Smith (TX)
Hartzler	Meehan	Schock	Owens	T.	Titus	Lance	Petri	Southerland
Hastings (WA)	Messer	Schweikert	Pallone	Sanchez, Loretta	Tonko	Lankford	Pittenger	Stewart
Heck (NV)	Mica	Scott, Austin	Pascarell	Sarbanes	Tsongas	Latham	Pitts	Stivers
Hensarling	Miller (FL)	Sensenbrenner	Pastor (AZ)	Schakowsky	Van Hollen	Latta	Poe (TX)	Stockman
Herrera Beutler	Miller (MI)	Sessions	Payne	Schiff	Vargas	LoBiondo	Pompeo	Stutzman
Holding	Miller, Gary	Shimkus	Pelosi	Schneider	Vela	Long	Posey	Terry
Hudson	Mullin	Shuster	Perlmutter	Schrader	Velázquez	Lucas	Price (GA)	Thompson (PA)
Huelskamp	Mulvaney	Peters (CA)	Peters (CA)	Schwartz	Visclosky	Radel	Rachel	Thornberry
Huizenga (MI)	Murphy (PA)	Peters (MI)	Peterson	Scott (VA)	Walz	Lummis	Reed	Tiberi
Hultgren	Neugebauer	Pingree (ME)	Pocan	Scott, David	Wasserman	Marchant	Reichert	Tipton
Hunter	Noem	Smith (TX)	Price (NC)	Serrano	Schultz	Marino	Renacci	Turner
Hurt	Nugent	Southerland	Quigley	Sewell (AL)	Watt	Massie	Ribble	Upton
Issa	Nunes	Stewart	Rahall	Shea-Porter	Waters	McCarthy (CA)	Rice (SC)	Valadao
Jenkins	Nunnelee	Stivers	Rangel	Sherman	Waxman	McCaul	Rigell	Wagner
Johnson (OH)	Olson	Stockman	Richmond	Sinema	Welch	McClintock	Roby	Walberg
Johnson, Sam	Palazzo	Stutzman	Roybal-Allard	Sires	Wilson (FL)	McHenry	Roe (TN)	Walden
Jones	Paulsen	Terry		Slaughter	Yarmuth	McKeon	Rogers (AL)	Walorski
Jordan	Pearce	Thompson (PA)		Smith (WA)		McKinley	Rogers (KY)	Weber (TX)
Joyce	Perry	Thornberry				McMorris	Rogers (MI)	Webster (FL)
Kelly (PA)	Petri	Tiberi				Rodgers	Rohrabacher	Wenstrup
King (IA)	Pittenger	Tipton	Cook	Hinojosa	Polis	Meadows	Rokita	Westmoreland
King (NY)	Pitts	Turner	Culberson	Lynch	Smith (NE)	Meehan	Rooney	Whitfield
Kingston	Poe (TX)	Upton	Dingell	Markey	Tierney	Messer	Ros-Lehtinen	Williams
Kinzinger (IL)	Pompeo	Valadao	Flores	Miller, George	Veasey	Mica	Ross	Wilson (SC)
Kline	Posey	Wagner				Miller (FL)	Rothfus	Wittman
Labrador	Price (GA)	Walberg				Miller (MI)	Wolf	
LaMalfa	Radel	Walden				Miller, Gary	Wolfe	
Lamborn	Reed	Walorski				Mullin	Womack	
Lance	Reichert	Weber (TX)				Mulvaney	Woodall	
Lankford	Renacci	Webster (FL)				Murphy (PA)	Yoder	
Latham	Ribble	Wenstrup				Neugebauer	Yoho	
Latta	Rice (SC)	Westmoreland				Noem	Young (AK)	
LoBiondo	Rigell	Whitfield				Nugent	Young (FL)	
Long	Roby	Williams				Nunes	Young (IN)	
Lucas	Roe (TN)	Wilson (SC)				Nunnelee		
Luetkemeyer	Rogers (AL)	Wittman						
Lummis	Rogers (KY)	Wolf						
Marchant	Rogers (MI)	Womack						
Marino	Rohrabacher	Woodall						
Massie	Rokita	Yoder						
Matheson	Rooney	Yoho						
McCarthy (CA)	Ros-Lehtinen	Young (AK)						
McCaul	Roskam	Young (FL)						
McClintock	Ross	Young (IN)						
McHenry	Rothfus							

Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires

Slaughter
Smith (WA)
Speler
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas

Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)

NOT VOTING—18

Bass
Carter
Cook
Culberson
Dingell
Flores

Hinojosa
Lynch
Markey
Meng
Miller, George
Polis

Rangel
Roybal-Allard
Smith (NE)
Tierney
Veasey
Yarmuth

□ 1505

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AWARDING CONGRESSIONAL GOLD MEDAL TO ADDIE MAE COLLINS, DENISE MCNAIR, CAROLE ROBERTSON, AND CYNTHIA WESLEY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 360) to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 12, as follows:

[Roll No. 123]

YEAS—420

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Beckerra
Benishke
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn

Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps

Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway

Connolly
Conyers
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins

Himes
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
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Larsen (WA)
Larson (CT)
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Lee (CA)
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Lewis
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lummis
Maffei
Maloney
Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica

Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarella
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions

Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)

Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walz
Wasserman
Schultz

Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Cook
Dingell
Flores
Hinojosa

Lynch
Markey
Miller, George
Polis

Smith (NE)
Tierney
Veasey
Walorski

□ 1514

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. COOK. Madam Speaker, on rollcall No. 121 on the ordering of the previous question for H. Res. 175, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted "aye."

On rollcall No. 122 on adoption of H. Res. 175, the rule providing for consideration of H.R. 1549, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted "aye."

On rollcall No. 123 on final passage of H.R. 360, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted "aye."

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, MAY 8, 2013, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HER EXCELLENCY PARK GEUN-HYE, PRESIDENT OF THE REPUBLIC OF KOREA

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, May 8, 2013, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in Joint Meeting Her Excellency Park Geun-hye, President of the Republic of Korea.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

CONGRESSIONAL GOLD MEDAL
LEGISLATION IN HONOR OF VIC-
TIMS OF SIXTEENTH STREET
BAPTIST CHURCH BOMBING
PASSES UNANIMOUSLY

(Ms. SEWELL asked and was given permission to address the House for 1 minute.)

Ms. SEWELL. Madam Speaker, today I just want to thank this body for passing this profound Congressional Gold Medal in honor of the four little girls who lost their lives in the bombing of the Sixteenth Street Baptist Church. I just want to acknowledge my sincere appreciation to the leadership of both parties in getting this Congressional Gold Medal on the floor.

We have in our presence two sisters of two of the deceased four little girls. I think I speak on behalf of the whole State of Alabama and our Alabama delegation when I say a profound thank you for this body. I know that everyone here is mighty appreciative of the sacrifices that their families have made in order for our great Nation to live up to its true ideals of justice and equality for all, and I think that it's befitting if we all stand and clap.

A unanimous vote is truly a victory for all of us.

TAX CODE LIBERATION DAY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, the case for tax reform was never made more clear when Americans recently struggled to fill out their increasingly complicated income tax forms. What we really need now is Tax Code Liberation Day.

Our convoluted Tax Code has become a major obstacle to individual freedom, which must be removed as soon as possible. It prevents small businesses from hiring more workers in what is now a nearly dead economic recovery.

The burden of preparing your taxes is now nearly as onerous as actually paying for the taxes. It takes 13 hours for the average American to prepare his or her taxes. The Tax Code remains almost 4 million words, many of which are incomprehensible.

We must all work together to free small businesses and individuals of the most complex regulation of them all—the Federal Income Tax Code.

KERMIT GOSNELL MURDER TRIAL

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, I rise today, along with several of my pro-life colleagues, to bring attention to the ongoing trial of Kermit Gosnell,

an abortionist from Philadelphia. Gosnell is accused of murdering, in the third degree, a woman who died during an abortion at his clinic, and first degree murder of four infants who survived abortions and were born alive, only to have their spinal cords severed by a pair of scissors.

In the words of the grand jury report:

Gosnell had a simple solution for unwanted babies: he killed them. He didn't call it that. He called it "ensuring fetal demise."

I'm horrified by the lack of respect this doctor has for human life, and I'm appalled by the minimal media coverage of the Gosnell trial. I'm hopeful that the disturbing images revealed by this trial will raise awareness of the gruesome practices of the abortion industry and help to prevent the tragic ending of human life that occurs every day at abortion clinics across this country.

HELPING SICK AMERICANS NOW
ACT

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Mr. Speaker, I rise today in strong support of the Helping Sick Americans Now Act.

I cosponsored this legislation because it addresses something that is particularly important to Republicans and Democrats alike: providing care for those who need it most.

I strongly opposed ObamaCare and have supported the efforts to repeal it; however, it's the law of the land. In it, the President and Congress made a promise to help Americans with pre-existing conditions. The President has broken this promise when he consciously cut off access to the program dealing with preexisting conditions and left tens of thousands of Americans with nowhere to turn for their health care. To many Americans, this is typical of Washington: empty gestures and broken promises. This has to stop.

We have a chance to help people get the care they were promised by taking money from a wasteful slush fund. I intend to uphold the promise the President once made and now has broken. I urge my colleagues to do the same and vote for this commonsense legislation.

□ 1520

HELPING SICK AMERICANS NOW
ACT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, the House will begin discussing in the next day the legislation called Helping Sick Americans Now Act, and I would only offer a counter to that that it seems a sick way to try and help those who are in need.

This bill will deplete the healthy preventive care funding that impacts the Centers for Disease Control, that impacts the federally qualified health clinics that are all throughout our community, and it only provides funding for the sickest of Americans up until December 2013. Why don't we encourage the Governors, like Governor Perry of Texas, to accept expanded Medicaid to help heal 6 million and provide health care for 6 million uninsured in Texas, the highest number of uninsured in any State.

This is a temporary fix that is not necessary. We have the Affordable Care Act that is being implemented; and, as we speak, millions of Americans are being covered. This is the wrong way, misdirected, and I might say it is a sick way of trying to help the sickest of Americans.

I oppose the bill.

NATIONAL DRUG CONTROL STRAT-
EGY—MESSAGE FROM THE
PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 113-20)

The SPEAKER pro tempore (Mr. BARR) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committees on Energy and Commerce, Education and the Workforce, Veterans' Affairs, Armed Services, the Judiciary, Natural Resources, Financial Services, Homeland Security, Oversight and Government Reform, Ways and Means, Foreign Affairs, Transportation and Infrastructure, and Intelligence (Permanent Select) and ordered to be printed:

To the Congress of the United States:

I am please to transmit the 2013 *National Drug Control Strategy*, my Administration's blueprint for reducing drug use and its consequences in the United States. As detailed in the pages that follow, my Administration remains committed to a balanced public health and public safety approach to drug policy. This approach is based on science, not ideology—and scientific research suggests that we have made real progress.

The rate of current cocaine use in the United States has dropped by 50 percent since 2006, and methamphetamine use has declined by one-third. New data released this year suggest that we are turning a corner in our efforts to address the epidemic of prescription drug abuse, with the number of people abusing prescription drugs decreasing by nearly 13 percent—from 7 million in 2010 to 6.1 million in 2011. And the number of Americans reporting that they drove after using illicit drugs also dropped by 12 percent between 2010 and 2011.

While this progress is encouraging, we must sustain our commitment to

preventing drug use before it starts—the most cost-effective way to address the drug problem. The importance of prevention is becoming ever more apparent. Despite positive trends in other areas, we continue to see elevated rates of marijuana use among young people, likely driven by declines in perceptions of risk. We must continue to get the facts out about the health risks of drug use and support the positive influences in young people's lives that help them avoid risky behaviors.

The *Strategy* that follows presents a sophisticated approach to a complicated problem, encompassing prevention, early intervention, treatment, recovery support, criminal justice reform, effective law enforcement, and international cooperation.

I look forward to working with the Congress and stakeholders at all levels in advancing this 21st century approach to drug policy.

BARACK OBAMA.
THE WHITE HOUSE, April 24, 2013.

HELPING SICK AMERICANS NOW ACT

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, I wanted to begin our discussion with H.R. 1549, which will be up tomorrow, Helping Sick Americans Now Act.

I am not supporting this bill because the bill's proposals are counterintuitive to the anticipated outcome of the Prevention and Public Health Fund. This legislation strips 4 years of funding from the prevention fund to pay for a very short extension of a new enrollment in the preexisting condition insurance plan.

Further, the bill insists on a partisan offset that effectively eliminates the Prevention and Public Health Fund through 2016 to, instead, reopen the Federal High-Risk Pool Program provided by the Affordable Care Act through the end of the year.

While I support reopening the high-risk pool, I cannot support how this bill goes about creating the funding.

ENERGY INDEPENDENCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Ohio (Mr. JOHNSON) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. JOHNSON of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHNSON of Ohio. Mr. Speaker, it's good to be in the people's House this afternoon to talk about a topic that is of utmost concern to the American people—energy. What does it mean for America? We all put gas in our cars, we all heat and cool our homes, businesses across this country power their manufacturing processes. So what does energy mean for today and for the future of our country?

I'm proud to be a member of the House Energy Action Team because we understand the critical role that domestic-energy production plays not only today, but in the future of our country. Let me give an example of why this is so important.

I remember one of the very first memorable events that occurred in March of 2011 in my first term. We were addressed here in this Chamber by the Prime Minister of Australia. And in her remarks she commented, she said: "I remember being a young girl, sitting on the floor of my living room, watching Neil Armstrong and Buzz Aldrin land on the Moon." She went on to talk about how America and Australia had stood side by side, how America had actually stood in front of and protected Australia during some of the darkest days of World War II in the Pacific.

□ 1530

At the end of her speech, she said, "Back when I was a little girl and when I saw that Moon landing, I thought to myself, wow, those Americans can do anything." She wrapped up her comments by saying, "Today, as Prime Minister of Australia, with a lot of experience under my belt, I still believe that Americans can do anything."

When you stop and think about the Moon landing—and I know you're going to say, Well, what does that have to do with energy? I'm getting to that. President Kennedy gave us a vision of putting a man on the Moon in 10 years. We didn't make it in 10 years. We made it in less than 10 years. The reason that we did was that every fabric of our society bought into the idea—academic institutions, the scientific community. Industries cropped up overnight. Millions of jobs were created. Young people lined up to get into academic programs in which they could major in degrees that would prepare them for careers in space exploration.

At the end of the day—actually, we're not at the end of the day—we're still benefiting from the innovation and the technological advance that came out of that era. It was a time when America's imagination was captivated by what many thought was impossible and by what the rest of the world didn't really think we could do. You look at what has happened since we started that journey—at all of the technological innovations that have

occurred: cell phones, flat-screen TVs, GPS, even arthroscopic surgery. We had to learn to perform medical procedures on space travelers in a way that was noninvasive, and medical experts began to think about "how do we do that in outer space?" So we learned how to dream, and that goal to put a man on the Moon captivated America's imagination.

I want you to think for a second about what would happen if America once again embarked on a journey of that magnitude. I believe a journey to become energy independent and secure in America is just such a journey that we could embark on. A vision of energy independence and security would not only captivate the imagination of the American people but it would put America back to work at a time when our economy is in such desperate need of private-sector economic growth. Imagine what would happen if we had a national energy vision that sounded something like this:

We're going to go after the vast volumes of oil and natural gas that we have. In many experts' opinions, we've got more of it than anyone else has in the world. We're going to expand our nuclear footprint because nuclear energy is one of the safest, most reliable forms of energy on the planet. We brought that to the world, and we know how to do it. We're going to continue to mine coal, and we're going to learn how to use it environmentally soundly because we've got enough coal to fuel our energy needs for generations yet to come.

We're even going to embrace alternative forms of energy—biofuels, wind and solar. Now, they're not going to meet our heavy lifting energy needs for the foreseeable future, but there is a role that they play in our overall energy profile. We're going to back that up with action with the regulatory community and tell the regulators at the EPA and the Department of the Interior and at the Army Corps of Engineers: effective today, you start being partners in progress with America's energy industries. Rather than being the department of "no," learn how to find a way forward. If a particular project or if a particular technology presents concerns, then let's address those concerns, but "no" should not be the final answer.

We've learned through the lessons of putting a man on the Moon that, when Americans are allowed to dream, when they're allowed to innovate, when they're allowed to compete, there is nothing that we can't solve.

Why is energy independence and security so important? First of all, it's important because of national security. Right now, today, we are beholden to some countries that don't like us very much for our energy resources. Why do we want to continue to do that when we have the resources right here at home to be able to solve that problem?

In order to captivate the imagination of the American people, we've got to help the American people understand why this is so important to them. We talk about energy in terms of very important projects like the Keystone XL pipeline of which the President, himself, said that the environmental concerns were overexaggerated, so let's get the project approved.

Yet we talk about it in technical terms—pipelines, hydraulic fracturing, oil rigs, nuclear reactors, uranium enrichment. What does all of that mean to American taxpayers—to working Americans who are just struggling day in and day out to make ends meet?

Here is what it means:

Take a manufacturing process, the manufacturing of cereal, Pop-Tarts—you name it, whatever our children consume today. When domestic energy costs are reduced, those manufacturing costs to produce those goods are also reduced. When the price of diesel fuel goes down and when the cost of the transportation to transport those goods from the manufacturers to the grocery stores goes down, those savings are passed on in the costs of the products to the consumers. When working mothers and single moms and single dads who are trying to make ends meet—who are trying to figure out how they're going to put kids through college, how they're going to buy the next pair of tennis shoes—are balancing the checkbooks and when they see that their energy costs to heat and to cool their homes are going down and that they're paying less to fill up their cars to go back and forth to work, that translates into economic confidence to do the kinds of things that we were able to do during that remarkable period of putting a man on the Moon.

Today, we've got a lot of naysayers out there who simply don't understand how important this is, this idea of energy independence and security to the American people, and they're trying to frighten the American people.

Hydraulic fracturing, my goodness. We've been doing hydraulic fracturing in America for over 60 years, over a million such operations. A former EPA administrator, herself, acknowledged there has not been a single incident in which hydraulic fracturing has contaminated the water table. Yet the EPA is working hard to try and insert itself into a process that many, many States are already doing and are already doing very well. Take, for example, the State of Ohio where I come from. Literally, my district sits on top of the Marcellus and the Utica shales, one of the world's largest reservoirs of oil and natural gas.

□ 1540

The State of Ohio has been regulating the oil and gas industry since 1965. We're among those States that have done a lot of hydraulic fracturing,

and yet again there is not one proven instance where that process has contaminated drinking water, yet you've got those that sit on the sidelines and try to frighten homeowners, try to frighten those people that live in Appalachian Ohio that their water is going to be contaminated. It's not. It's a proven process.

And just over the last 5 years, we've developed technology called horizontal hydraulic fracturing, where we can go down a mile and then go out horizontally another mile, sometimes more, and have much more of that vital resource of oil and natural gas flowing to the surface, resources that are going to move America one step closer to energy independence and security.

Mr. Speaker, we've got an opportunity to put America back in charge of our economic destiny and an energy vision that is a real all-of-the-above energy vision for this country. It's what America needs.

At this time, I'd like to yield time to my colleague from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Folks in South Carolina are concerned about where we are with energy in this country. Energy independence is something that's on the minds of folks back home.

You know, I drive a diesel truck, and the gentleman from Ohio was talking about diesel fuel just recently. When I was at the fuel pump recently fueling my truck with diesel fuel, I was paying about \$3.85 a gallon. It dawned on me, as I watched the 18-wheelers roll by coming from the pumps where they filled up, that if we were able to really achieve American energy independence and we were able to lower the cost at the pump for America's truckers and all of America's families—but I use trucking as an example. If we could truly lower the cost of diesel fuel for America's truckers by just \$1, if we could produce enough American energy resources to lower diesel fuel from that \$3.85 a gallon that I was paying down to \$2.85 a gallon—those 18-wheelers that were rolling by I believe had 400-gallon diesel tanks.

Think about that, America. Think about if that truck or that trucking company was able to save \$400 per fill-up for that 18-wheeler, and think about the number of trucks you pass on America's interstates and highway systems. If we could save that, think about the trickle-down effect that that would have for consumer products.

We're not just talking about gasoline and diesel fuel. The American hydrocarbons that are produced when they're refined, they're refined into a lot of different products. And I would ask folks to research what a barrel of hydrocarbon or fossil fuel, oil, when you put that under extreme pressure, the heat created, how it separates out and all

the different products that come from a barrel of oil. It's an amazing component that God has given us.

In South Carolina, we understand that the Nation can achieve American energy independence; but we also understand that if we can't have American energy independence, why not an all-American energy strategy where we work with our neighbors to the north, our largest and best trading partner, the Canadians, or we work with the Mexicans and the folks to the south with a transboundary agreement; allow that area where the boundary between Mexico and the United States is, that we can drill in that area and we have an agreement for revenue sharing on the oil produced there.

But let's go back to our neighbors in the north, our largest and best trading partner. The former speaker of the house from South Carolina, David Wilkins, was Ambassador to Canada under the Bush administration. I spent a lot of time with Speaker Wilkins, Ambassador Wilkins, and we talked about Canada and we talked about the oil sands. This was before the Keystone XL pipeline.

But let's focus on the Keystone XL pipeline to bring that Canadian oil to American refineries that are sitting there with the capacity to refine that Canadian oil. What do I mean by capacity? It's idle capacity. It's capacity that could be utilized to refine American resources or Canadian resources coming down to those refineries, refining that into the products that we enjoy as America.

That's why the Keystone XL pipeline is so important. Let's put Americans to work. We hear a lot about job creation and putting Americans to work. Well, this truly would. Mr. Speaker, this Keystone XL pipeline would put Americans to work in those refineries, refining that oil into all the chemicals and gasoline products and everything that we use out of a barrel of hydrocarbons or a barrel of oil. The Keystone pipeline is something that should happen in this country.

The opponents on the other side say: Well, that oil is just going to flow from Canada. It's going to flow through the United States. It's going to go to our refineries. But those contracts have been let, and that oil and those gasoline products are going to be used in other markets. It will not do anything to affect the price at the pump here.

That's what the other side says.

Here's a simple economic example:

It's supply and demand. Global demand is high right now, and the supply is low. The supply is low for a lot of reasons: the OPEC cartel and other things. Policies, moratoriums, and other things from this administration keep global supply down.

Let's assume that the oil from Canada does flow through the United States, refined at our refineries, and

does flow out of this country. So what? That increased supply will meet the increased demand. And by meeting that demand, that will drive the price down, not only for Americans, but for everyone across the globe.

It's the right thing to do to put Americans to work to refine that oil into those products at American refineries. It's true job creation.

While we're on the subject of job creation, Mr. Speaker, and the gentleman that's heading up the House Energy Action Team, which is focused on an all-American energy strategy and American energy independence, while we're talking about job creation, let's talk about my State of South Carolina.

We've been excluded in the next 5-year plan, the plan that would allow offshore drilling off our coast on the Outer Continental Shelf. Right now, folks, the whole Atlantic shelf is off limits to drilling, with the exception of a very proactive State of Virginia, which has been able to include Virginia's offshore area in the next 5-year plan. We'll see if that comes to fruition.

But South Carolina is sitting there saying, with a lot of the other Atlantic States, We believe we have some resources off our coast. We believe there's natural gas off the coast of South Carolina. Let's allow South Carolina's offshore area to be included in the next 5-year plan.

What does that mean? Does that mean we're going to rush right out there and punch a hole in the Earth and start producing? Maybe; maybe not. What it does mean is that it allows that exploration. It allows those energy companies to say: You know what? That area is going to be opened up. We haven't explored out there in 30 years. It was 30-year-old technology when we went out there before. Let's go out there with new technology. Let's find out what sort of resources might be off the coast of South Carolina on the Outer Continental Shelf of the Atlantic seaboard. Let's go out there. Let's find out what might be there, and let's start producing that.

You know what happens when we do start producing? I just ask you to drive down to Louisiana and get on Highway 90 from Lafayette down to New Iberia and down to Houma and Thibodaux and those areas. You get on that four-lane highway, Mr. JOHNSON, and you ride down that highway, on both sides of the four-lane highway, business after business after business after business after business—and I could go on and on. These are businesses that aren't out there actually doing the drilling because those lease sales were to ExxonMobil or Halliburton or some of those companies. These are the service companies that are servicing offshore drilling.

Think about this for a minute. Think about the guys that are using the

barges and the offshore boats that carry the service boats that are taking the drilling mud and the casing and the piping and the diesel fuel for the generators and the food and the personnel and everything else that goes offshore out to the platform. Then think about this: they're companies on shore. They're running trucks up and down the road that need truck repair; they need body repair. We need pipe welders and pipe fitters.

Like I said, business after business after business there in Louisiana is helping the offshore industry.

□ 1550

And South Carolina is sitting there going, Well, you know what? If we allowed drilling offshore and we allowed this to happen on the Outer Continental Shelf, then maybe those businesses would come to South Carolina—the service boats, the drilling mud, the providers of the onshore pipe fitters and pipe boilers. And you know what? Those guys have to eat. And so they fill up the local restaurants and they shop at the local Piggly Wiggly. And guess what. They give to the United Way and they give to the local church, and it's a trickle-down economy when you've got people working and you've got people creating businesses and providing income to an economy.

When we think about an all-American, energy-independent energy structure, we need to think about all of the jobs that are created through that American energy independence; and it's not just the guys that are doing the offshore drilling, and it's not just the guys that are doing the hydraulic fracturing here. That is a tremendous component, and it's working in Pennsylvania, and should be working in southern New York. It's working in Ohio. It's producing resources.

When we talk about energy, we focus a lot right now on North Dakota. North Dakota, my gosh, it's a microcosm of what we could be in this country if we truly pursued an American energy policy. North Dakota, 3 percent unemployment or less. Some say it's a negative unemployment. I say, when you get off an airplane in North Dakota, they give you a job whether you need one or not. You talk about a lack of housing; they don't have housing for people coming up there to take the jobs. If you need a job in America and you're willing to travel to North Dakota, you can go up and get \$70,000 a year driving a water truck. Jobs are created.

North Dakota, a microcosm of what we could be in this country if we truly pursued an all-American energy policy, and that includes hydraulic fracturing. That includes drilling on Federal land that is currently off-limits to energy exploration, energy production, but it's also off-limits to wind and solar. Federal land that you own—America. The

American taxpayers own this Federal land, and it ought to be utilized to the maximum benefit for American taxpayers.

Folks, we can reduce our fuel prices at the pump. We can reduce your prices for electricity at home, and that's through an American energy policy that's truly all of the above.

And so I appreciate the gentleman from Ohio leading this leadership hour, giving me an opportunity to speak about something that I am very passionate about, and that is an all-American energy policy that produces resources here, lessens our dependence on the Middle East, lessens our dependence on the OPEC cartel, truly trades with our neighbors to the north and the south, and approaches true independence.

Mr. JOHNSON of Ohio. I thank my colleague from South Carolina, and at this time I yield to our chairman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Madam Speaker, I thank the gentleman from Ohio for yielding me time.

As chairman of the Science, Space, and Technology Committee, I would like to focus my remarks on the role of science and technology in Republicans' all-of-the-above energy strategy.

The Science Committee has oversight responsibility in two relevant areas. The committee oversees \$8.5 billion of the Department of Energy's research and development funding.

If we want to ensure that Americans have access to the affordable and reliable energy they need, we must strengthen DOE scientific research programs and EPA scientific integrity principles. And that is what we intend to do this Congress.

As part of this process, the Science Committee expects to reauthorize the America COMPETES Act. A central component of that legislation is \$5 billion to the Department of Energy Office of Science, which maintains world-class research facilities through the National Laboratories. The office also supports innovative research that will help transform how we produce and consume energy.

We will also pursue energy legislation that improves prioritization and management of specific programs, from energy efficiency and renewable energy to nuclear, coal, oil, and natural gas.

The Science Committee recently received testimony that highlighted the massive costs and duplication of Federal subsidies for alternate forms of energy. The administration should not pick winners and give subsidies to favored companies that promote uncompetitive technologies. This too often leads to waste and bankruptcy, as we witnessed with Solyndra and other companies. Instead, we should focus our resources on research and development that will produce technologies that will enable alternative energy

sources to become economically competitive without the need for subsidies.

Finally, we need to fix the EPA, which continues to levy numerous regulations that burden employers. Under the Obama administration, the EPA has aggressively sought to regulate nearly every aspect of the energy industry. It implements rules that burden employers and kill jobs. Insulting the taxpayers who fund the EPA, the administration refuses to release the scientific data upon which these burdensome regulations are based. This is entirely inconsistent with the President's stated commitment to lead the most open and transparent administration in history. The committee will continue to work to ensure that the EPA lives up to the President's transparency standard. The American people deserve to know all the facts, particularly since EPA regulations on the energy sector have a direct impact on their daily lives.

For example, the EPA has opposed a technological innovation that provides good-paying jobs for many Americans. The fracking revolution is changing the nature of American energy production. Hundreds of communities directly benefit from the economic turnaround due to energy production made possible by the fracking technology. These locations range from North Dakota to Pennsylvania to Texas. These States' household income growth and low unemployment is a direct result of revolutionary technology developments combined with sound energy policy and oversight at the State level.

Madam Speaker, on the Science Committee, we aim to ensure that Americans reap the benefits of this current energy technology revolution, and the Science Committee will do its part.

Mr. JOHNSON of Ohio. Madam Speaker, may I inquire how much time we have remaining?

The SPEAKER pro tempore (Mrs. BLACK). The gentleman has 31 minutes remaining.

Mr. JOHNSON of Ohio. Madam Speaker, at this time I would like to yield to my colleague from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. Thank you so much for yielding as we talk about the importance of American energy independence and using all of our fuels and all of the above. I know that we all want to use all of the above, but there are a lot of people who want to put regulations so strict on coal that you can't use it anymore.

I hold up for you tonight the commemorative scissors that I used to cut the ribbon, along with a number of other people, at the Dominion Resources power plant in Virginia City, Virginia. And it wasn't 10 years ago; it wasn't 5 years ago. It was last September.

That plant would not be able to be built today if the regulations proposed

by the EPA are actually adopted. Those would be the regulations relating to greenhouse gases, including carbon dioxide.

When that plant was opened, they were so proud, and rightfully so. They had spent a lot of money, and they had the best technology available—the best technology available in the world—one of the cleanest plants ever opened to create electric power at a reasonable cost using the natural resources that God gave the United States of America, to use our coal supply in an appropriate, efficient manner.

Now, everybody says coal is dirty and we shouldn't use it; but we can use it in clean ways, like they're doing in the Dominion plant. I would also point out to you that as we send jobs away, are we really making any progress?

I note from one of the reports we've gotten from the Energy and Commerce Committee that at one point in time not too long ago the United Mine Workers estimated that job losses with the EPA targeting coal units due to utility MACT and tighter greenhouse gas standards could cost us more than 50,000 direct jobs in the coal, utility, and rail industries; and indirectly, a figure costing us jobs of more than 250,000 jobs lost.

That doesn't make a lot of sense because what we're doing is we're making it impossible to use our coal, where we, in fact, have the largest reserves of anyplace in the world. We are the Saudi Arabia of coal, and we don't want to use it, but many of the other nations of the world, including China, do want to use coal, and they are using coal. What's interesting about that is, when you look at that, looking at a report from the Sustainable Use of Coal and Pollution Control Policy in China, dated 2009—and this was a group of folks looking at what they can do to continue to use coal in China; it's an international group trying to figure out what to do—they point out that, in China, the fraction of power capacity with unit scale smaller than 100 megawatts is 24.8 percent in 2007, while it is only 7 percent in the U.S. in 2007. The average coal consumption per unit powered electricity supply in China is 11 percent higher than that of Japan.

□ 1600

So what we're looking at is a situation where they're using more coal to produce the same power than we are, by about 24.8 percent for them and 7 percent in the United States. And when you get down to the pollution, you're looking at 30 percent to 150 percent higher than that in the United States.

Further, they go on to talk about the boilers, related to the maximum achievable control technology in boilers. And it says normally the thermal efficiency for boilers is between 72 and 80 percent, which is close to the design level of developed countries.

But, in reality, most of the actual thermal efficiencies are between 60 to 65 percent, which means they're 10 to 15 percent lower than the identified thermal efficiencies of boilers, which means, in effect, they're 30 to 40 percent less efficient, 30 to 50 percent less efficient than boilers in most of the developed countries.

So here's what we're doing, folks. We're taking the jobs from the United States; we're sending them over to China and other countries like India and so forth. They're producing the electricity to produce the goods that we used to produce in the United States. They're doing it less efficiently; they're creating more pollution. And, as a NASA study showed, it takes 10 days to get from the middle of the Gobi Desert, for that air to transport across the Pacific, 10 days from the middle of the Gobi Desert in China to the Eastern Shore of Virginia.

Folks, we have to be careful with the policies we make here. We all want clean air. We all want clean water. But we also want jobs, and we have to recognize the United States cannot solve this problem by itself. We must solve it with others working with us; and when they're not willing to start down that path and to make a good-faith effort, we have to recognize that we should be as efficient as we can be.

But we shouldn't be killing American jobs based on American energy when we know we can do it better and have less pollution than they can do it in other parts of the world.

Mr. JOHNSON of Ohio. I thank my colleague. I yield some time now to our colleague from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Madam Speaker, I rise today to point out that affordable American-made energy is the key to economic growth, economic development, and bringing this country out of the grips of the tough economic types that we're in.

I'm blessed to represent south Texas. The district I represent covers some land that's part of the Eagle Ford Shale. There's a big oil and gas play going on there.

You know, it's not just the oilmen that are doing well. It's the restaurateurs that are doing well. I've never seen so many brand-new white pickup trucks. Some of this Texas oil and gas money is helping out the folks in Detroit: General Motors, Dodge, Ford. Some of these guys are even buying the Toyota trucks made in San Antonio, Texas.

It's an economic boom where we're actually struggling to find people to work. You can go to work in a fast-food restaurant for \$15 because they're competing with the oil and gas industry.

And you know what else is happening?

The low-cost natural gas that's abundantly available, they're saying 100

years' supply in Texas is creating new factories for manufacturing. In Corpus Christi alone, we've got two different steel mills coming in and using that gas to fire their plant. We're looking at a new plastics facility coming in.

And numerous other industries throughout the entire Texas coast, and even further inland, are realizing that affordable, American-made energy makes the United States competitive again. Even with the higher wages that we pay our employees in countries like China, with our low-cost energy, we can beat that.

Natural gas in the United States, especially in south Texas, we're in the \$4 range. If you were to buy that same natural gas and have it in Japan, it's \$18. We've got a huge opportunity here. We've got a huge economic advantage.

House Republicans, myself included, we support an all-of-the-above energy, and the technology is going to come. We're going to get the technology for wind. We're going to get the technology for solar. We're going to get the storage technology in batteries.

All that stuff Chairman SMITH was talking about that's going on with the Department of Energy and the Science and Technology Committee, those technologies are coming. But as we've seen with things like Solyndra and the tax credit that goes to wind farms, they're not economical today.

We have low-cost fossil fuel that will bridge us until those technologies are ready for prime time and ready to go. We need to take advantage of it. We need to open up the infrastructure with things like the Keystone pipeline. We need to open up Federal land so we can charge a royalty to the oil and gas companies for producing that on Federal land. That will bring money into the Federal budget that we could use for a wide variety of things: lowering the deficit, repairing our decaying infrastructure needs.

We need to be a country of "yes" to all-of-the-above energy, and it will solve our economic crisis, and we will have a better life for every single American.

Mr. JOHNSON of Ohio. I thank the gentleman. At this time, we'll go to my colleague from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Madam Speaker, I rise today to recognize the importance of natural gas production to America's energy security.

Natural gas production is a critical part of a new economy, a new economy where energy costs are lower. In fact, there have been several articles lately that talk about manufacturing plants in Europe moving to the United States because of lower energy costs, because of the lower cost of manufacturing products using low-cost natural gas.

And, also, recent studies have shown that our greenhouse gases in the United States are lower because of more natural gas use.

My home State of Arkansas is an energy-rich State, and the Fayetteville shale play has helped fuel our State's economy. It's one of the biggest deposits of natural gas in the United States. It spans approximately 4,000 square miles. It's estimated to contain up to 20 trillion cubic feet of natural gas. It's considered one of the most productive shale plays in the country.

But what does that mean for everyday Americans? What does it mean, what has it meant for Arkansans?

Well, natural gas production is providing high-paying jobs for folks in my State and my district. According to the University of Arkansas, the average annual pay in the oil and gas extraction industry was \$74,000 in 2010. That's good pay. That's money that pays for food on the table, for a kid's education. That's twice the average pay of all industry in the State of Arkansas.

Further, the Fayetteville shale play supports over 20,000 jobs. It's added \$12 billion to Arkansas' economy since 2008. That impacts families.

Across the country, though, you've heard some detractors. These individuals have spread exaggerations, in some case, falsehoods about the environmental impacts of natural gas extraction through fracking.

And I want to point out that President Obama's own U.S. Geological Survey recently produced an important report that highlights the safety of natural gas production in Arkansas. Now, you're probably not hearing a lot about it, but it's an important study that was done in conjunction with Duke University and the University of Arkansas.

In January of this year, they published a study entitled "Shallow Groundwater Quality and Geochemistry in the Fayetteville Shale Gas Production Area."

What's the point of this study? The point of this study is that they tested groundwater, and they found that what's going on in the Fayetteville shale is environmentally safe.

The yearlong study examined the water quality of 127 shallow wells in the Fayetteville shale play. The report concluded there's no indication of systemic regional effects on shallow groundwater. This supports the understanding that natural gas production is safe for our environment and communities.

And as the father of two young children, I recognize the importance of ensuring that our air's clean and that our water's clean.

We must always seek to ensure that energy development is undertaken responsibly, but this report is an inconvenient truth for many out there who oppose fracking, which has given us so much natural gas and a competitive advantage.

Mr. Speaker, we must support the continuation of environmentally sound natural gas production in the United

States to ensure our energy independence and further decrease our reliance on foreign sources of energy. It is absolutely critical to grow our economy so that families across the country can put food on the table and pursue happiness in this great country.

Mr. JOHNSON of Ohio. I thank my friend.

Mr. Speaker, may I inquire about how much time we have remaining.

The SPEAKER pro tempore. The gentleman has 28 minutes remaining.

□ 1610

Mr. JOHNSON of Ohio. I would like to now yield to my colleague from Texas (Mr. OLSON).

Mr. OLSON. I thank my colleague from the Buckeye State. Ohio has always been a coal State. Now, with the Utica Shale plate, it's an oil and gas State.

Mr. Speaker, the HEAT Team is back for the 113th Congress. I'm proud to be joining the HEAT Team—the House Energy Action Team—as we talk about a dream: American energy independence. As part of that goal, I'll be talking this afternoon about power generation and grid reliability.

In Texas, bigger is always better. Texas got bigger than any State in the last 10 years. We did it for simple reasons: no state income tax; a right to work State; commonsense regulations; and cheap, reliable energy. To sustain that growth, we need five new large power plants in the next 2 to 3 years. It could be a matter of life and death. If we have a power crisis such as the heat wave like we had in August of 2011, when the entire State was over 100 degrees for all 31 days of that month, if that happens again, in the next 1 or 2 years, power may go out over the State, with rolling brownouts, rolling blackouts. That could be life and death for the elderly, the young, the poor.

The Obama administration's obstacles to fossil fuels is our greatest challenge. Radical environmentalists have killed two new, large power plants. One is the Las Brisas power plant near Corpus Christi, and the second is the White Stallion Power Plant, a coal plant, near Bay City, where we have two nuclear reactors. Las Brisas was like coal. It used petroleum coke to refine that to make it energy. Now we'll export that energy source overseas.

We need options to make sure that mothballed power plants can come back on line if we need them in a crisis. But as we've seen in the past, these power plants run the risk of being sued for exceeding their environmental limitations from the EPA. I have reintroduced a bill, H.R. 271, in this Congress. It passed in the last Congress unanimously in the Energy and Commerce Committee, of which I'm a member. It passed unanimously on this floor last Congress. It's coming back in committee sometime in the next couple of weeks.

By passing this bill, we send a simple message: if the person or entity that runs the power grid tells you to keep that power plant up and running, and you exceed the EPA limitations, you cannot be held liable for exceeding the limitations when some government agency has told you to keep the power plant up and running. That's common sense.

I thank my colleague. I'm glad to be here because we have a chance again to make our country energy independent.

Mr. JOHNSON of Ohio. I yield now to my colleague from California (Mr. VALADAO).

Mr. VALADAO. In addition to our rich agricultural land, California's San Joaquin Valley is also blessed with an abundance of oil, natural gas, and renewable energy sources. These resources should be utilized to create jobs, lower energy costs for American families, and reduce our Nation's dependency on foreign energy. Instead, misguided public policy and overreaching Federal regulations have cost the Central Valley thousands of jobs and increased the price at the pump for all Americans.

Over the last several years, there have been dramatic changes in the energy policy of the United States. And as result, energy prices have significantly increased. Cap-and-trade legislation failed to pass the House in 2009. However, Washington bureaucrats have already implemented several parts of cap-and-trade through erroneous EPA regulations. These regulations put limitations on carbon emissions, diminishing oil and gas production in my district.

Since 1976, the number of environmental regulations in the Code of Federal Regulations has increased 25-fold. Regulations developed and enforced by the Environmental Protection Agency have had a devastating effect on energy production in the Central Valley as the EPA and other members of the Federal environmental bureaucracy continue to wage war on energy producers, costing California thousands of high-quality, good-paying jobs. By taking advantage of the natural resources in California, we can provide Americans with quality jobs, restore our economy, and reduce the struggle families face every day due to high energy costs.

The most efficient path toward reducing our dependence on foreign oil and lowering energy costs is an all-of-the-above approach that includes conventional sources of energy as well as renewable energy sources such as hydro, solar, and wind power. My district is home to a growing number of wind and solar farms. Developing market-based energy sources will help the United States meet its energy independence goals. However, in order to meet our country's energy demand, we must rely on a mix of traditional means while we continue to develop al-

ternative energy solutions for the future.

Promoting energy production from California's Monterey Shale, located directly under my district, could bring in 2.8 million jobs and raise an additional \$25 billion in new revenues by the end of the decade. This would not only strengthen the local economy but the State's economy as a whole.

Natural gas is a safe and responsible energy source with high economic output. In 2010, over 22,750 jobs were created in California alone. Studies show that natural gas production will save each American household approximately \$926 per year between 2012 and 2015. Hydroelectric power accounts for 63 percent of the clean power in this country and 8 percent of total electricity. Expanding hydropower production would further increase our energy independence from foreign countries. The Central Valley has the available workforce to construct and operate hydropower facilities throughout the Sierra Nevadas, which would not only produce energy to be used by the entire country but also provide the Central Valley with the ability to store a clean, reliable water supply.

My home State of California, and the entire United States, has been blessed with abundant conventional and renewable energy sources. Our constituents should not have to make tough decisions regarding their daily energy consumption when our Nation has the ability to produce enough energy to meet their needs. They should be able to water their yards, cool their homes in the summer, and drive their children to school without facing expensive energy bills and high prices at the pump.

Mr. GARDNER. I thank the gentleman from California for his comments today and would point out that in just a little bit we're going to hear from one of the sponsors of a hydropower bill that will make a significant difference in this State. And something that we ought to be doing more of is taking advantage of that clean, renewable energy resource.

I would yield such time as he may consume to the gentleman from Mississippi, ALAN NUNNELEE.

Mr. NUNNELEE. I want to thank the gentleman from Colorado for yielding.

America has been blessed with an abundance of natural resources. Because of private-sector innovations, we've seen a boom in energy development both on private lands and on State lands. Sadly, due to the Obama administration's extreme environmental agenda, in these same years we've seen a decline of energy recovery off of Federal lands. The most prominent example of President Obama's prioritizing his radical environmental base over American energy development is the continued failure to approve the Keystone XL pipeline.

It's a sad commentary on the state of leadership in the modern-day Demo-

cratic Party compared with the record of men like President Kennedy. President Kennedy set out bold goals and then laid out ways of achieving those goals. He came to this very Chamber and challenged the elected representatives that before the decade is out, America would land a man on the Moon and return him safely back to Earth. America achieved President Kennedy's goals.

□ 1620

Now, given our resources from our friendly neighbors to the north, given American innovation, we should echo the challenge of President Kennedy. We should make it the goal of this generation that before this decade is out we become North American energy secure.

Now, there are vastly different undertakings between landing a man on the Moon and becoming energy secure, but the spirit required to achieve success in those areas is the same. The only thing standing between America and energy security for the future is an executive branch that's run by environmental extremists that are beholden to the wealthy liberal environmentalists.

Now, residents of Billionaires' Row in San Francisco can afford to indulge in fantasies of an economy run on windmills and solar panels. Meanwhile, men and women in Mississippi that are struggling to get to work know that it continues to break the better part of a \$100 bill to fill their car up with gas.

We, as elected officials who serve the people in need of affordable energy and a thriving economy, must deal with that reality. That's why I support an all-of-the-above approach. It does include renewable energy; but it also includes recovering American fossil fuels like oil, natural gas, recovering American coal that we can now burn cleanly without damaging the environment, and expanding nuclear energy, including small modular nuclear reactors used in the production of electricity. If we do that, America can be energy secure.

Mr. GARDNER. I thank the gentleman from Mississippi.

I now yield to the gentleman from Colorado (Mr. TIPTON), who has been a sponsor of hydropower legislation to make this country stronger in terms of energy security.

Mr. TIPTON. I thank my colleague from Colorado for the time.

Mr. Speaker, we have a very simple question before us as Americans: When we're looking at young families struggling to be able to pay bills, senior citizens on fixed incomes wondering how they're going to be able to make that next payment to be able to heat their homes, or cool them as summer approaches, is it an appropriate time for this Nation to seek what Jimmy Carter, in this very Chamber in 1976, challenged this country to do—to be able to achieve energy sufficiency? The answer can only be "yes."

The time is now for this Nation to be able to act. We see Americans struggling to be able to pay those bills. We're seeing Americans right now that are worried about being able to hold on to their jobs. This is an opportunity to be able to put Americans back to work and to be able to achieve that true energy self-sufficiency in this Nation. And it can be all-of-the-above.

In this last year, we passed a bill that I presented, planning for America's energy future, that enumerated that all-of-the-above strategy—wind, solar, hydroelectric energy, as well as coal, gas, our natural resources, to be able to develop them right here in America, to put our people back to work, and to be able to create that energy certainty.

When we look at this worldscape in which we currently live, the threats that are there, it is appropriate for this Nation to truly achieve energy self-sufficiency.

Through the bill that we just passed through the House of Representatives that my colleague noted, in the State of Colorado, through the ditches, the pipelines that have been built by the Bureau of Reclamation, we can generate as much electricity just in the State of Colorado as the Glen Canyon dam with small hydroelectric units. It can be that all-of-the-above strategy, but we also need to increase the production of our traditional fuel sources as well.

The time is appropriate. We have the resources and we have the technology to be able to do that. The question yet to be answered is: Will we rise to be able to actually meet that challenge?

As Americans, let us be committed to developing American energy on American soil, to be able to create American jobs, put Americans back to work, and to be able to create our own energy certainty at this time. The future of this country, the future for our children rely on those commonsense solutions. We're going to be putting them forward in this House. We're calling the American people and the Senate and the President to join us in that effort.

Mr. GARDNER. I thank the gentleman from Colorado.

May I inquire of the Speaker how much time I have remaining.

The SPEAKER pro tempore (Mr. BENTIVOLIO). The gentleman from Colorado has 3 minutes remaining.

Mr. GARDNER. I yield to the gentleman from New York (Mr. REED), the chair of the Natural Gas and Manufacturing Caucus.

Mr. REED. I so appreciate the gentleman yielding time, my good friend from Colorado.

Mr. Speaker, I join this conversation tonight coming at it from a perspective of being the chair of the Natural Gas Caucus and cochair of the Manufacturing Caucus here in Washington,

D.C., caucuses that have cochaIRS on a bipartisan basis, where we're working together to try to figure out how we can become energy independent, but more importantly, Mr. Speaker, what this issue represents for the average American family.

What this represents, when we are developing domestic energy sources such as the natural gas boom across America that's coming out of our shale formations and our tight sands formation when it comes to oil, what this represents to manufacturing is it puts American manufacturers in a competitive position so that they can invest in manufacturing facilities here on American soil.

So what does that mean? What that means to every man, woman, and child out there in America right now is that we are sitting on the precipice of a manufacturing renaissance in America. This competitive edge that we are getting from developing our natural gas and oil resources here in America means that we're going to build plants. They're going to be putting people back to work for today and tomorrow and for generations to come.

We need to build things in America. That's what this represents. We have a report from PricewaterhouseCoopers: by 2025, we are talking 1 million manufacturing jobs.

There should be no dispute in this Chamber to join hands to make sure we develop the energy resource in a safe and responsible manner, but develop it for the sake of creating those jobs that put food on people's tables, put a roof over their heads, and take care of families for generations to come.

I appreciate my good friend from Colorado yielding the time to me today. I just have to say, American energy means Americans' national security, and it means American prosperity for Americans of today and tomorrow.

Mr. GARDNER. I thank the gentleman from New York.

Mr. Speaker, the other night when I was driving home from a meeting in one of my rural counties—it was about 8 o'clock, 9 o'clock at night, it was dark outside—I drove by a field of windmills. At nighttime, you can see that red light flashing across 100 wind turbines, and then of course the natural gas development that's taking place right next to it. So, Mr. Speaker, this Nation has an opportunity for energy security. It's not next year; it's now.

I thank my colleagues for joining this debate on American energy today and look forward to continued conversations throughout this year.

Mr. Speaker, I yield back the balance of my time.

Mr. DAINES. Mr. Speaker, thank you, Mr. JOHNSON for leading tonight's leadership hour on American energy. This is an issue of great importance to the people of Montana, and I'm glad we're having this discussion tonight.

1678. That's how many days it's been since the application to build the Keystone XL pipeline was filed.

It took Canada seven months to approve the pipeline. President Obama has taken over four and a half years.

Study after study has shown that not only is the pipeline safe—but it said to be the most advanced, state-of-the art pipeline ever constructed.

And the benefits of constructing this pipeline go beyond just transporting oil.

Earlier this month, I was in Glasgow, Montana visiting NorVal Electric Co-op. Members of the co-op told me that they are going to be supplying electricity to pump stations for the KXL, allowing them to spread their cost burdens and hold rates steady for customers.

If Obama does not approve the Keystone pipeline, their customers will see upwards of a 40 percent increase in their utility rates over the next ten years.

This is a great example of how this will impact everyday Americans.

It will create thousands of jobs—at least 800 in my home state of Montana alone.

And the president still can't make a decision.

Last month, the U.S. State Department issued its Supplemental Environmental Impact Statement for the Keystone XL Presidential Permit application, which confirmed what we already knew.

The Keystone XL Pipeline will have no significant impacts on the environment.

In fact, this is the fourth environmental review of the Keystone Pipeline—with a final report still to come.

Let me be clear—this project means jobs.

This project could directly create more than 800 good-paying jobs in Montana—and thousands more across the nation.

It means coming one step closer to North American energy independence. The Keystone XL would be able to move up to 830,000 barrels of oil per day. That's about half the amount that the U.S. presently imports from the Middle East.

And of the oil moved each day, 100,000 barrels will come from the Bakken formation, which spreads across Montana and North Dakota.

This isn't about politics—Republicans and Democrats alike support the pipeline.

This is about our nation's security. This is about lowering energy costs for American families. This is about American jobs.

After four and a half years of waiting on President Obama to approve the Keystone XL pipeline, enough is enough.

The American people deserve action on this job-creating project, not more of President Obama's delays.

That's why today, the House Natural Resources Committee voted to advance the Northern Route Approval Act.

This bill makes it possible for the pipeline to be constructed in its entirety by removing the need for a presidential permit for the northern portion of the Keystone XL pipeline.

With this approval, we are one step closer to getting this pipeline approved.

The construction of the Keystone XL pipeline means hundreds of good-paying jobs created for Montanans, it means millions of dollars injected into our economy, and it even

means lower utility rates for Montanans—we can't afford to wait any longer.

Enough is enough. It's been 1678 days.

As a member of the House Energy Action Team, I urge President Obama to approve the Keystone XL Pipeline. And, if he won't act, we will.

REREFERRAL OF H.R. 763, REPEALING ANNUAL FEE ON HEALTH INSURANCE PROVIDERS

Mr. GARDNER. Mr. Speaker, I ask unanimous consent that H.R. 763 be referred to the Committee on Ways and Means and, in addition, to the Committee on Energy and Commerce.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

KERMIT GOSNELL

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. Mr. Speaker, I stand here today outraged and deeply saddened by the heartbreaking story of the abortion doctor, Kermit Gosnell. This is the man currently on trial for the murder of eight people, seven of whom were newborns who were killed after surviving late-term botched abortions in his "house of horror" clinic.

But Gosnell didn't act alone. He had a host of silent co-conspirators who referred women to his practice knowing full well of the horrors that went on behind those closed doors. Meanwhile, the State boards gave Gosnell a free pass for 17 years by failing to inspect his clinic.

When asked about Gosnell's crime, our President tells us he has no comment. Where is your outrage, Mr. President? Are you too busy preparing your remarks for tomorrow night's Planned Parenthood fundraising gala?

My heart breaks that our country has reached a point where we are all not outraged by a practice that ends a beating heart and takes the lives of our most vulnerable in our society. May God forgive us.

□ 1630

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from New York (Mr. JEFFRIES) for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it's an honor and a privilege to have the opportunity to stand here once again and to anchor the Congressional Black Caucus Special Order with my distinguished colleague from the Silver State, STEVEN HORSFORD.

For the next 60 minutes, members from the Congressional Black Caucus will speak directly to the American people about the importance of investing in the education of our children and of our young people as a matter of utmost importance for the future prosperity of this great country.

I've got the honor and the privilege of representing the 8th Congressional District, which includes parts of Queens, and it is largely anchored in neighborhoods in Brooklyn. And 100 years ago this month, in April of 1913, Ebbets Field opened for the first time. Ebbets Field, as the movie "42" has illustrated, is the baseball stadium where, on April 15 of 1947, Jackie Robinson broke the color barrier in America's pastime and became the first African American to participate in a Major League Baseball game.

Now, we know that prior to that moment, African Americans, solely on the basis of their color, were prohibited from playing Major League Baseball. And so you had individuals like "Cool Papa" Bell and Josh Gibson, any number of individuals who were stellar at their craft amongst the best who have ever played, confined to the Negro leagues, unable to ever get onto a Major League Baseball field because of the color of their skin.

That all changed on April 15, 1947, when Jackie Robinson broke the color barrier. And I think that holds an important point for us, what Jackie Robinson illustrated: that if you get an opportunity to get on the field of play, folks who otherwise have been excluded from the mainstream can demonstrate that they will perform just as well, if not better, than everyone else.

And in the context of education in the United States of America, we confront a situation where you have one group of children in this country who've got a first-rate education, and then you've got another group of children who are confined to a broken public school system that has failed them, that has inadequately prepared them for the opportunities that otherwise would be available in life.

We don't have necessarily, the literature has begun to show, an achievement gap that relates to capacity or ability. Yes, based on different performance measures, Black children and White children and Latino children score differently in various areas of proficiency, but the literature has begun to show that's not really an achievement gap. It's really an opportunity gap.

And what Jackie Robinson demonstrated, I think, for all of America to

see is that, if you just give our children the same opportunities available to others through the educational system—give them the same bat, give them the same glove, give them the same cleats, allow them to perform on the same fields of human endeavor—that they can perform just as well, if not better, than everyone else.

And if you give them that opportunity, if you give all American children opportunity, it's good for them, but it's good for the community and it's good for the Nation. It lifts everyone's productivity in a manner that will benefit America. That is why the CBC believes that investing in education is the appropriate and a meaningful and the right way to go, given what we confront in our country at this moment.

We've been joined by several distinguished members of the CBC. Let me first yield to my co-anchor, the distinguished gentleman from Nevada, Representative STEVEN HORSFORD.

Mr. HORSFORD. To my colleague and dear friend, the Representative from the 8th Congressional District of New York, it's good to join you for this hour of power to talk directly to our constituents and the American people about the priorities that we're focused on here in the United States House of Representatives and that we hope our colleagues on the other side will join with us to advance.

Today, we bring to the focus of this body the need to invest in opportunity through education. A pathway to a college education is a pathway into the middle class. And as a panel that was just convened, moderated by Wade Henderson, entitled, "For Each and Every Child," they indicated that, while a post-high school education is not an economic cure-all, it does provide a steppingstone to a good job and stable wages.

Now, every parent should be able to count on a good education for his or her children. As a father of three young children, I'm very focused on what my children need in the opportunities to advance in their lives and to be successful, as every parent is focused on, but, unfortunately, it is not always the case.

We need to refocus the conversation on educational opportunity, as my colleague, Mr. JEFFRIES, just indicated, and making sure that our children's future is not determined by a ZIP Code. Our schools should not be structured like a lottery system where some luck out and others strike out—to continue with your analogy, Mr. JEFFRIES.

Poor kids who are exceptional should be the norm, not the exception to the rule. They deserve the resources they need to be successful; and that's what we, on behalf of the Congressional Black Caucus, are bringing forward here today.

In order to fix what's wrong right now, we need to change the way we

think about our schools, because it's not simply schools that teach our students; it's actually the entire community. It is a community effort.

In 2011, 78 percent of high school graduates from high-income families enrolled in college. The shares for middle- and low-income families were 63 and 55 percent, respectfully. We have to work to close this gap and open a pathway to college for all students.

Now, today, we will hear from our colleagues who share with this need to invest in education. We would like to talk about the particular issue that's affecting our Black men and boys in education. We want to focus on the need to grow more science and math majors. We know we need to invest in pre-K, and we want to outline our priorities as they compare to the Republican budget that's been offered by the other side.

And so as we enter into this hour of power to talk about education, I hope that we can cover these topics and others, and I look forward to this discussion.

Mr. JEFFRIES. Mr. Speaker, let me now yield to a great fighter for education and for social and economic justice here in the Congress and in this Nation, the distinguished gentleman from North Carolina (Mr. BUTTERFIELD).

□ 1640

Mr. BUTTERFIELD. Let me thank you, Mr. JEFFRIES, for yielding me this time, and thank you for your leadership here in the House of Representatives.

Since you have arrived here in the House, you have just done extraordinary work. You've taken the time to come to this floor and to educate and inform the masses of our people about the great, important issues facing our Nation. So I want to thank you for all of your work.

I also thank Mr. HORSFORD, the other gentleman who has taken the time to convene this special hour of presentations. I want to thank you for all of the work that you do. You are both freshmen, but you have the personalities and the abilities of someone who has been in this body for many years, so thank you very much.

The Congressional Black Caucus this evening has chosen to talk about the important subject of education. I am a strong supporter—a proponent—of strong public education. Mr. Speaker, there is no investment that we can make as a country that is more important than investing in children and investing in their education and in their higher education.

Regrettably, there are some people in this body who think otherwise. They may say that they don't think otherwise, but their actions demonstrate every day that they do not have a strong commitment to supporting our

educational system in this country. There are even some Members of this Chamber who, regrettably, have said from time to time that they want to defund and eliminate the U.S. Department of Education. They feel that the educational responsibility of government belongs to the States and not to the Federal Government. That is so unfortunate, but I want to encourage all of us who serve in this body to work together and stay together and to try to promote public education in every way that we can.

Now, Mr. JEFFRIES, I cannot speak about the State of New York with any authority or about the borough of Brooklyn—I know you do that very well in that you've been there for many years—but I can speak to my home State of North Carolina.

We have a demonstrated record of commitment and excellence in public education, both at the elementary and high school levels, as well as at the college level. We started way back in 1868 when our constitution was enacted. In the State constitution, we made sure that there was a provision that guaranteed a public education for every child in our State. Ensuring that our students have access to quality education has long been a principle of my State and of those that I associate with. So I have firsthand knowledge of our educational system. I know about the dedicated educators that we have in North Carolina, and I want to just encourage them and thank them for their service, and I urge them to keep on doing what they're doing.

Mr. Speaker, I came from a family of educators. My mother was a classroom teacher. She taught school for 48 long years. Many people want to know how a single person could be in the classroom for that long, but my response is that, during those days, you did not need a college degree in order to be a classroom teacher—only a passionate commitment and a high school diploma.

I understand the importance of education, but even the most devoted and capable educators must have the resources to provide our children with quality education. We now face a defining moment for future generations of Americans in which some Republicans want to fix this budget by cutting funding for our students in schools. At the same time, we continue to be outpaced by other countries that continue to increase their educational investments.

In this country, the world's most prosperous Nation, 25 percent of our children do not graduate from high school. More than 90 million adults have inadequate literacy skills. The numbers are even more startling for low-income children and African American children, many of whom live in my district. Less than 8 percent of students in advanced placement math or

science courses are African American. Fewer than half of African American students graduate from high school on time, and that must change.

Despite these statistics, data show that investments in educational programs like Title I and IDEA and Race to the Top and Head Start and TRIO are instrumental in preparing our students to compete globally, but draconian cuts through sequestration have rolled back discretionary Education Department funding below the 2004 level and have gutted many of those programs.

My State will lose \$25 million in funding for primary and secondary education this year; 38,000 fewer students will be served in my State; and 350 education jobs will be in danger. The Ronald McNair TRIO program for doctoral students from disadvantaged backgrounds, which was cut at Elizabeth City State University, is just one example. Many State legislatures, including that of my State, are cutting State education budgets at the same time. We must find ways to address our fiscal challenges without placing the burden on our children and our teachers.

While our goal must be to ultimately reauthorize the ESEA and the Higher Education Act, there are many ways we can help right now. We must preserve the maximum Pell Grant and keep interest rates on student loans low to enable low-income students to attend college. We must sustain funding for Race to the Top grants. In North Carolina, those grants have developed stronger curriculum in math and science, and they are working. They have strengthened teacher training and improved early childhood education.

Finally—and I will close—we must also protect other STEM funding streams through funding for NSF and NIH, which support innovative research in my district at Duke University, East Carolina University, Elizabeth City State University, and at my alma mater of North Carolina Central University. We must also support bills like H.R. 595, the Veterans Education Equity Act, which I introduced to resolve an inequity in existing law that unintentionally allots more education funds to veterans who are enrolled in private colleges than those in public institutions.

The bottom line, Mr. Speaker, is that education must be a priority. We must seize every opportunity to increase support for public education and not decrease it. Public education should be off-limits to budget cuts.

Mr. JEFFRIES. I thank the gentleman from North Carolina for his extremely insightful comments and for his leadership on this issue.

We have also been joined by another dynamic member of the freshman class, who has taken the Capitol by

storm with her intelligence and elegance. We are thankful for her leadership. Let me yield to the distinguished gentlelady from Ohio, Representative JOYCE BEATTY.

Mrs. BEATTY. I would like to join my other colleagues in thanking my freshman class members Mr. JEFFRIES and Mr. HORSFORD for leading the Congressional Black Caucus' discussion on this critical issue.

I rise today to be an advocate for improving access to quality education for minority students and to discuss the government's role in breaking down economic barriers for educational opportunity.

You see, I know firsthand how important government assistance is for opportunity and quality education. I know that it makes a difference because, when my brother and I entered college—first-generation college graduates in our family—we realized early on that we needed to do something with public education: it was government funding; it was access to a quality education; but more importantly, it was folks like Congressmen JEFFRIES and HORSFORD making a difference in our lives. But now we see there is still a significant number of hurdles that prevent many Americans from obtaining a quality education. Financial literacy, access to financial aid, quality education all play a critical role and must be a part of this national discussion.

I'm from the great State of Ohio. Last year, Ohio ranked seventh in the country for student debt, with the average student carrying \$28,683 in debt. I also know that the growing student loan is a burden in this country and makes it more difficult for families to achieve future financial security. If left unaddressed, it will affect us negatively over our broader economy. Currently, there are approximately 37 million student loan borrowers with outstanding student loans. These statistics threaten access to quality education and must be addressed.

One way to improve access to quality education, as I hope you will hear repeatedly tonight, is through the Pell Grant. Again, I know firsthand because, you see, when I was going to college, the Pell Grant in the early years was called the Basic Educational Opportunity Grant. There is that word again.

□ 1650

By receiving that, it gave me that opportunity that propelled me. And now, my sisters who follow me are all educators. My mother, like Congressman BUTTERFIELD's mother, served many years, until she retired, going into public schools as a reading specialist assistant where she helped so many children understand the quality of that education and how reading and speaking would make a difference.

So you see, Pell Grants have been the cornerstone in the lives of many minorities seeking higher education and have provided more than \$4 billion to African American college students each year. Without the Pell Grant program, hundreds of thousands of minority students would not be able to afford to go to college.

I've also had the experience of working as a leader in a 4-year institution in our great State, the largest single campus university in this country, Ohio State University. I am proud to say that they are strong advocates for us making sure that we continue to put dollars into the Pell Grant so children of all races, ethnicity and color will be able to have that quality education.

That is why the escalating cost of education acutely affects students of all colors and their access to a quality education.

Last year, African Americans received just 7 percent of STEM-related bachelor's degrees, 4 percent of master's degrees and only 2 percent of doctorates. American colleges and universities are poised to produce about 3 million science, engineer, technology and math STEM majors over the next decade. However, there has only been a 2 percent to 3 percent increase of African Americans in STEM professions over the past year.

So, you see, we come tonight to ask this body, this Congress to be supportive of making sure that children, and especially minority children, African American children, be able to be our Jackie Robinsons, as we have today with our two leaders who stand here today as our Jackie Robinsons of scholarship.

With that, I thank you for allowing me the opportunity to come today.

Mr. JEFFRIES. I thank the distinguished Congresswoman from Ohio.

I note the connection to Ohio State University that we share in my family. My brother is a professor of history at Ohio State's great institution. Your contribution to opening up opportunities for people of color and all students at such a great public university is noted.

It is important, I think, for this institution to take a look at several of the issues that you've raised, Congresswoman, that Representative HORSFORD and I will shortly explore.

The debt situation is particularly troublesome, and I'm going to ask the gentleman from Nevada if he would make a few observations in connection to what Representative BEATTY noted is a student-loan problem that we have here in America.

Now, the interesting thing is that during the 110-plus days that we all as freshmen have been in this Chamber, we've heard a lot of talk about the moral imperative of dealing with the debt situation that we confront in America. And every time we're about

to hit the debt ceiling, there are some in this Chamber who have said that we should perhaps default to send a message that some in this country apparently are reckless with their spending habits.

Now, parenthetically, this is, of course, a complete mischaracterization of what the debt ceiling actually represents. It's not a forward-looking vehicle designed to give the President the opportunity to spend more. It's a backward-looking vehicle designed to allow this administration, or any administration, to pay bills that this Congress has already incurred.

But whenever we talk about the debt, my friends on the other side of the aisle raise it as a moral imperative. I think the fact that we've got student loan debt in America that now exceeds, as the chart illustrates, more than \$1 trillion is really what imperils future generations in this country. You've got young people saddled with, on average, in excess of \$25,000 per person in debt facing a tough job market, with the inability often to find employment in their field of endeavor, to start a family, to purchase a home, the things that traditionally have been associated with pursuit of the American Dream.

The prescription that has been put forth by the other side, as it relates to how to alleviate this debt connected to students, is very different than the one that, I think, we on this side of the aisle have chosen to offer.

Let me now yield to the gentleman from Nevada if he might elaborate on our CBC vision for how to deal with the student loan problem or the education of young people in America.

Mr. HORSFORD. I say thank you to my colleague from New York.

Before I elaborate further, let me say that first you have to understand that there is a problem in order to address the problem. I think far too often some of our colleagues on the other side fail to recognize the fact that so many families who are struggling to help their students obtain a college degree are having to do so through student loans and rely greatly on Pell Grants for that assistance. Maybe it's because they don't have that same experience that they don't understand why these are important.

This is what the House Republican budget would mean for those very programs that you're talking about. First, the Republican budget freezes the maximum Pell Grant for the next 10 years, even though Congress already enacted and paid for mandatory annual inflationary increases in 2010. With this one step, they slash higher education funding by \$83 billion.

The House Republican budget allows the interest rate on need-based student loans to double this summer.

The House Republican budget eliminates the income-based repayment program, which provides that Federal student loan borrowers can cap their loan

payments at 15 percent, going down to 10 percent in 2014 of their discretionary income each year.

The reason that this is so important is because of constituents like the ones I spoke to on Sunday in my district. We were talking about the immigration issue. But as we were discussing that, many of them came to me and said, Well, you know what? I've had to borrow \$30,000, \$40,000, \$50,000 in student loans to acquire this degree, and I'm now working in the field I'm in, but unfortunately it's taking \$1,000, \$1,500, \$2,000 a month of my income to pay back those student loans.

At the very time these families are struggling to do that, the Republican budget proposes to slash it further. Not only does it slash support for individuals and families who rely on student loans, as I said, they also freeze the maximum Pell Grant, which so many low-income families and students desperately depend on.

This is a real issue, and it's a real difference. That is why we are here today to bring attention to the differences between the two sides. I hope that as we move forward, we can find common ground.

Mr. Speaker, I want to say something, because sometimes I know when we talk about the needs of educating Black children, that people will say, What about other communities? My answer to that is that if we can help improve the education for Black children in America, we will improve education for all children in America, whether they be Latino or White or Asian.

□ 1700

And so that is why we need to have an investment in education in America, not to defund, not to slash, not to reduce or not to freeze funding, but to invest in the very things that we know work and that will improve the successes for young people to succeed in life.

Mr. JEFFRIES. I thank the gentleman from the Silver State for those very astute observations. As Representative HORSFORD has pointed out, a budget essentially is a choice and a pathway forward that people in this Chamber are making decisions on based on what they see as best for America. And the Republican budget that was passed by this House, as Representative HORSFORD has indicated, in total would cut \$168 billion in spending on higher education. That's a value choice, to walk away from young people in America, young people who already are being saddled with in excess of \$1 trillion in debt in total.

Now, what else does that budget do? Well, it says that we're going to take the top tax rate, which is 39.6 for millionaires and billionaires, the wealthiest and the well off, and we want to slash that tax rate down to 25 percent.

So we're going to cut education spending for, among other reasons, to cut further the taxes paid by the wealthy and the well off in this country. That is a choice that is bad for America. It's bad for the middle class. It's bad for working families, and it's bad for our future.

We have been joined by the distinguished gentleman from Virginia, an expert in all matters pertaining to the budget in this Congress, among other things. Representative BOBBY SCOTT is an expert on the CBC budget, in the budgets that have come out of this House of Representatives, and it is my honor and privilege to now yield to him.

Mr. SCOTT of Virginia. I thank the gentleman for yielding and thank him for his leadership on this issue and many other issues that he's been working on while we've been serving on the Judiciary Committee together.

Mr. Speaker, I rise today to talk about an issue that is important to our society, and that is access to higher education. Our Nation's economic competitiveness depends on our ability to educate our next generation. We compete with nations all over the world for business, and our competitive advantage is in our education.

We're not going to compete on low wages. There are people who'll work for much lower wages than we'll work for in the United States, and so we're not going to win the battle of a race to the bottom on wages.

We're not going to win the battle by requiring workers to work near their coworkers. If you can work across the hall from your coworkers, if you have a computer, a modem, a fax machine, a cell phone, if you can work across the hall, you can work across the globe. So there's no urgency to have people located here in the United States.

And if you can manufacture goods anywhere in the world, you can have them delivered anywhere else in the world, so you don't have to be there to be close to your customers. There used to be a time where if you wanted to build a manufacturing plant, to get financing it had to be here in the United States. Now we have worldwide banking. You can build that plant anywhere in the world.

The reason businesses want to locate in the United States is because they know they can get a well trained and well-educated workforce, and we need to make sure that we don't fall behind because that is our economic competitive advantage.

We know that neighborhoods rely on education because those neighborhoods that have high investment in education are much less likely to suffer from crime and pay for social services.

We know that individuals benefit from education. There's an old adage that the more you learn, the more you earn. The kind of job that you can get

in America today in our high-tech, information-based economy depends on the education that you get. In fact, according to the Department of Labor, 90 percent of the fastest growing, best-paying jobs in the United States will require at least some education past the high school level. Not necessarily a 4-year college, maybe community college or career education, but some education past the high school level.

And while the benefits of getting an education are important and well known, how to get that education is becoming a challenge. People have to pay for that education. Many people apply for financial aid. That includes scholarships, loans, grants, and also the well known Pell Grant. The Pell Grant provides up to \$5,500 a year for an education. Unfortunately for many students, although the Pell Grant used to cover the cost of tuition, rarely does it provide tuition today. In fact, the College Board suggested the average cost of tuition is over \$10,000. Many public colleges charge as much as \$22,000, so a student has to come up with as much as \$15,000 over the Pell Grant to be able to afford tuition and room and board.

In most circumstances, students can obtain student loans to cover the difference. It is also critical that students know what they're getting into when they take on student loans because these are not grants. These are loans that have to be paid back with interest.

We've been helping students with these loans. In fact, when we passed the Affordable Care Act a couple of years ago, we included \$1.5 billion to strengthen the income-based repayment program that currently allows students to cap their monthly student loan payments to 15 percent of their discretionary income. We need to do more.

The College Cost Reduction and Access Act, which was signed in 2007, included a reduction in interest on student loans from 6.8 percent down to 3.4 percent. That expired last year but we extended it, and we need to extend it again and even make it permanent so that the loan interest rate doesn't go up again.

There is other legislation spending. Congresswoman KAREN BASS has a 10/10 program that will allow payments to be made of 10 percent of your discretionary income for 10 years, and the rest can be written off. There are other things that are pending.

But Mr. Speaker, we need to make sure that every student that studies and is prepared for college has that opportunity. We need to make sure that no student is discouraged from enhancing their education because they don't believe they can afford it. We need to do what we can for student loans, increasing Pell Grants, and making those opportunities real. Our Nation depends

on it. Our neighborhoods depend on it, and our next generation depends on it. I thank the gentleman for yielding.

Mr. JEFFRIES. I thank Representative SCOTT. We both sit on the Judiciary Committee, and in the context of our service on the Judiciary Committee, we will be presented with an opportunity to deal with the issue of comprehensive immigration reform. Already two hearings have been held on this matter.

One of the issues that has consistently come up is the need to increase the number of H-1B visas for highly skilled immigrants in the STEM field—science, technology, engineering and mathematics.

□ 1710

The technology-and-innovation economy and sector in this country have taken off, and there are actually opportunities. Some estimate approximately 20 percent of the workforce has openings in the technology-and-innovation sector that many would like to see filled by opening up the opportunities for highly skilled immigrants. It's an approach that I think shares bipartisan support.

But, simultaneously, many of us believe that, as a country, we must also invest in STEM education for our children and our young people to make sure that, moving forward, they have the opportunity to develop careers in the STEM fields in a manner that will benefit themselves, their families, their communities and, by extension, the country.

And so before I yield to the distinguished gentleman from New Jersey, I believe that Representative HORSFORD had an observation or two to make in the area of the need to invest in STEM education.

Mr. HORSFORD. Thank you, Representative JEFFRIES. And you provided the clear nexus.

While the Congressional Black Caucus, working with our colleagues from the Hispanic Caucus and the Asian Pacific Islander Caucus, supports comprehensive immigration reform, including provisions that allow the best and the brightest from around the country to immigrate to the United States and to contribute to making our country great, we also believe that there should be investment here in the United States to educate those of us here for these careers in the 21st century.

Colleges and universities in our country will produce 3 million STEM majors in the next 10 years. Still, according to a 2012 report by the President's Council of Advisors on Science and Technology, our economy will demand more students graduating with STEM degrees than we are currently providing.

So what can we do?

We need to increase funding in STEM education and follow the lead of many

of our Historically Black Colleges and Universities and Hispanic-serving institutions which are producing a greater share of students with STEM degrees.

Among HBCUs, currently, they produce about 19 percent of all STEM bachelor degrees, 38 percent of which are in the biological sciences, 31 percent in math, 35 percent in computer science, 34 percent in the physical sciences, and 22 percent in engineering.

Now, the Obama administration has requested more investment for STEM teachers and additional funds to expand effective models of teacher preparation to help train 10,000 STEM educators per year. That's what the President's budget proposes. Those are the same priorities, they are the right priorities, and they're the priorities that the Congressional Black Caucus agrees need to be supported by this Congress.

We need to invest in teachers that will train students for jobs in the 21st century. But let me be clear: you can't expect students to graduate with degrees in science, mathematics, engineering, and technology if we're not doing more to invest in pre-K and to help students start with a strong foundation. And that's why the President has a historic level of investment in his budget for early childhood education and pre-K.

We enroll most kids in this country at 5 or 6 years old. We should be starting them earlier; 50 years of research tell us that critical development and learning happen before the age of five. When schooling starts at kindergarten or first grade, it denies these young people chances to make the most of this critical period.

Fundamentally reforming our education system begins with high-quality pre-kindergarten programs. In my opinion, pre-kindergarten is an antidote for the achievement gap. In cases where our kindergarten teachers are getting kids who've had, in some cases, 2 years of early education, they're seeing that the achievement gap has stopped or been narrowed. That's why we need to invest in programs like Head Start so that we don't have to play catch-up later or deny these young, bright minds the opportunities to go into the fields of the 21st century.

So, Mr. Speaker, this is an and/also strategy, not an either/or. We believe that we can invest in both early childhood education, K-12 education and higher education, not cut, slash or deny these opportunities to America's children. These are our priorities, and it's what we'll continue to fight for for all of America's children.

Mr. JEFFRIES. Thank you, Representative HORSFORD. And as was noted earlier, the CBC believes that there are children all across America, in many inner-city communities, certainly in the neighborhoods that I represent back home in Brooklyn and places like Bedford-Stuyvesant and

east New York and parts of Coney Island, where the public school system has failed them for decades, generation after generation after generation subjected to a broken public school system, from a very early point, all the way through high school.

And unless we invest in turning these broken systems around, we're essentially at risk of dooming young people to life sentences of disadvantage and despair. That's why the CBC supports the President's proposal in his budget to invest an additional \$75 billion over a 10-year period, as Representative HORSFORD indicated, in early childhood education to make sure that we give every American child the opportunity to be successful by putting them on an even plane with those who get the benefit of a first-rate public or private school education.

I want to yield to the distinguished gentleman from New Jersey, another dynamic member of the freshman class, Representative DONALD PAYNE, Jr., who was a leader on education issues prior to arriving in the Congress, and he's continued to demonstrate leadership in this area and in other areas moving forward.

Mr. PAYNE. Mr. Speaker, I want to thank my colleagues, Congressman HORSFORD of Nevada and Congressman JEFFRIES of New York, for anchoring tonight's CBC Special Order on improving access to quality education.

The recession, the economy, violence and gun control, the security of our Nation, these are the pressing issues being debated across this great Nation today. However, efforts to address the issues are being undermined by our Nation's educational deficit.

John F. Kennedy said that "our progress as a Nation can be no swifter than our progress in education. The human mind is our fundamental resource."

True to this statement are struggles that we face as a Nation because of our divestment in our human mind and potential. In the past, the U.S. led the world in several categories, including college graduates and innovation. Unfortunately, there has been a rapid decline in our ranking in these areas that directly correlates to the strength of this Nation.

Among these things, the U.S. has dropped considerably in academic rankings, compared to other developed nations. About 33 percent of our Nation's fourth-grade students are proficient readers. Nearly 7,000 students drop out of high school daily, and about a third of first-year American college students are required to take at least one remedial course.

Globally, our rankings have fallen of our students in reading to 14th; in science, to 17th; and in mathematics, to 25th. Despite these daunting statistics, the U.S. continues to lead the world in competitiveness, patents,

media, mobile and research universities. But imagine the leadership that we could hold in the world if we strengthened our investment in education.

Our Nation continues to be at a loss due to the untapped potential of our students, especially students of color and low income.

□ 1720

For this particular population, the statistics are even more daunting, but the potential is greater as well. Forty-two percent of Black students attend schools that are under-resourced and performing poorly. Twenty-eight percent of core academic teachers at high-minority schools lack the appropriate certification. Black children, especially boys, are more likely to be classified and placed in special education than their white counterparts. Black and Hispanic males constitute 82 percent of the youth in special education programs. Black boys are 2.5 times less likely to be enrolled in talented and gifted programs, even if their prior achievement reflects the ability to succeed.

Yet despite these demoralizing facts, despite the failure of the American education system to properly educate these students, nearly 3 million college students in America are African American. And only 13 percent of the U.S. population, Black students represent 15 percent of the college student population.

Currently, these are beating the odds; but imagine how we could develop and succeed as a Nation if we changed the odds for these students and closed the opportunity gap. What if we strengthened our education system and allowed all children to reach their full potential? What if we fostered an environment of innovation and leadership for this Nation's outcomes in all communities equally?

We have long held the solutions to address these issues, but they aren't coordinated or connected. We have the potential to reach new heights as a Nation, but it requires a stronger education system as well as effective solutions and resources to change the odds for our children in the most distressed communities.

I will be introducing the Promise Neighborhoods Act soon to do just that. The Promise Neighborhoods initiative represents an unprecedented effort to work across silos and develop a comprehensive cradle-to-career pipeline for children in distressed neighborhoods to holistically address barriers to success. The Promise Neighborhoods Act would foster continued collaboration on the local level to build similar pipelines in communities across this country.

The pipeline of tightly woven, comprehensive support for children emphasized in the Promise Neighborhoods Act would provide, among other things:

- prenatal education and support for expecting parents;

- high-quality early childhood education opportunities, including full-day, full-year kindergarten and pre-kindergarten;

- high-quality schools that successfully leverage out-of-school time and community engagement;

- support for the transition to elementary school, between elementary school and middle school, and from middle school to high school;

- meaningful family engagement and capacity-building;

- college and career readiness activities, including college counseling, subsidized employment opportunities, and early college programs;

- neighborhood-based support for college-age students from the neighborhood.

This model engages the community to collaborate and end fragmented delivery of programs to develop a pipeline for programs with demonstrated success. This model aims to eliminate the opportunity gap for low-income children and children of color and set a new standard for education and success in this country.

Though not realized, our Nation holds a great deal of underdeveloped potential, and it lies within our human capital. Investing in education will strengthen our Nation as a whole and position us to once again lead the world. Education is the single investment that can unequivocally develop our economy and strengthen our future.

Mr. JEFFRIES. I want to thank the distinguished gentleman from New Jersey for his very astute observations.

Mr. Speaker, how much time is remaining on this Special Order?

The SPEAKER pro tempore. The gentleman has approximately 5 minutes remaining.

Mr. JEFFRIES. Thank you very much, Mr. Speaker.

Again, I thank the Representative from New Jersey for making it clear that all children in this country deserve the opportunity to be part of a pipeline toward progress and prosperity, even though some, unfortunately, have been subjected to circumstances that often lead to a pipeline from the schoolhouse to the jailhouse. That's not how things should be anywhere in America. And that's why we believe a robust investment in education is the right way to go in this country.

I'm going to ask the distinguished gentleman from the Silver State for his observations on this chart. The chart illustrates that education pays. If you invest in education, increase the level of degree of attainment, what it does is increase the capacity for Americans to earn a better living.

And so, for example, for Americans who have less than a high school di-

ploma, their average weekly earning is \$451. But someone with a high school diploma earns, on average, \$638 per week. And someone with a bachelor's degree earns, on average, \$1,053 per week. If you give an American an advanced degree, their average earnings per week increase to in excess of \$1,600.

Investing in education pays for the American people.

I yield to my distinguished colleague from Nevada.

Mr. HORSFORD. Just to elaborate further on this point, education attainment is an economic imperative. Not only is it the investment in the individual that proves great dividends and a return on investment, but the failure to invest, based on the bottom line in red, for someone with less than a high school diploma the likelihood of them being unemployed is 14 percent. For those with a high school diploma who are unemployed, it's 9.4 percent. If you have a bachelor's degree, the unemployment rate drops in half, to 4.9 percent. And if you have a professional degree, the unemployment rate is 2.4 percent.

So the correlation is clear that with education attainment come economic prosperity, opportunity, and a return on investment that is good for that individual, their ability to provide for themselves and their family, and for our entire country.

And so, Mr. Speaker, when we talk about investment, we're not talking about investments in programs or systems. We're talking about investments in people. When we talk about Head Start, we're talking about 3- and 4-year-old children. When we talk about title I funding, we're talking about schools and children that are identified as having low-income needs and the disadvantaged. When we talk about funding for IDEA, the Individuals with Disabilities Education Act, we're talking about individuals. And the more that we can invest in the individuals in America, the greater return we will have in the productivity of that individual, their family, the community they live in. And that will make for a stronger America for all of us. That is what we are aspiring to accomplish in this 113th Congress.

We want to work with our colleagues on the other side. Where they can meet us in the middle to find solutions to make these investments, we look forward to working with them. But one thing we will not do is to slash, defund, or freeze the investment of the American children and the American family.

Mr. JEFFRIES. I thank the gentleman from Nevada. We will not, as he indicated, support any budget that balances itself on the backs of children or young people or college students in America. Unfortunately, that is the budget that has been put forth by my colleagues on the other side of the aisle. We support a balanced approach

to dealing with the economic problems that we have in this country that involves the investment in education. That is what we stand for. That's what is good for America.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it has been over 60 years since the Supreme Court's decision in *Brown v. Board of Education* desegregated our schools. Yet an achievement and opportunity gap remains among our minority and low-income students.

As Members of Congress who represent communities of color, the purpose of today's special order is to highlight an economic and social crisis America faces if this problem is not confronted and significant measures are not taken. Particularly, we must focus our efforts on closing the gap in the STEM disciplines. As the First Female and First African American Ranking Member of the House Science, Space and Technology Committee, this is an issue that is very serious to me and has been one of the pillars of my legislative agenda in the United States Congress for over 20 years.

Ensuring minorities are proficient in STEM is more than just a question of equity. We have a vast, untapped pool of talent in America, and this pool is continuing to grow. It is estimated that, by 2050, 52 percent of the U.S. population will be from underrepresented minority groups. Our "Nation's Report Card," by the National Assessments of Educational Progress, shows that students from underrepresented minorities are falling behind in math and science as early as 4th grade.

At the Post Secondary level, even though students from underrepresented minorities made up about 33 percent of the college age population in 2009, they only made up: 19 percent of students who received an undergraduate STEM degree; Less than 9 percent of students enrolled in science and engineering graduate programs, and; Barely 8 percent of students who received PhDs in STEM fields. Frankly, all of these numbers are much too low.

I also must underscore the important role that community colleges play in providing to STEM degrees for minority students. 50 percent of African Americans, 55 percent of Hispanics, and 64 percent of Native Americans who hold bachelor's or master's degrees in science or engineering attended a community college at some point. We cannot afford to ignore the role of community colleges.

We have to drastically increase the number of African American students from these groups receiving degrees in STEM disciplines, or we will undoubtedly relinquish our global leadership in innovation and job creation. We know school administrators, teachers, community leaders, public-private partnerships and parents all play a critical role in addressing this issue. No one person or organization can do it alone. We must all work together to leverage our respective strengths and resources to tackle this challenge.

For example, the corporate community was highly involved supporting a bill I co-authored, the America COMPETES Act. As many of you are aware, I recently introduced the STEM Opportunities Act of 2013 this March. The

STEM Opportunities Act of 2013 will help address many of the challenges faced by women and underrepresented minorities pursuing science, technology, engineering, and mathematics (STEM) research careers by:

Requiring the National Science Foundation (NSF) to collect more comprehensive demographic data on the recipients of federal research awards and on STEM faculty at U.S. universities (while protecting individuals' privacy); Promoting data-driven research on the participation and trajectories of women and underrepresented minorities in STEM so that policy makers can design more effective policies and practices to reduce barriers; And developing, through the Office of Science and Technology Policy (OSTP), consistent federal policies, such as no-cost extensions and flexibility in timing for the initiation of the award, for recipients of federal research awards who have caregiving responsibilities, including care for a newborn or newly adopted child and care for an immediate family member who is sick.

We're all in this together, and working together I know we can achieve great success.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 527, RESPONSIBLE HELIUM ADMINISTRATION AND STEWARDSHIP ACT

Mr. BISHOP of Utah (during the Special Order of Mr. JEFFRIES), from the Committee on Rules, submitted a privileged report (Rept. No. 113-47) on the resolution (H. Res. 178) providing for consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1730

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it's my privilege to be recognized to address you here on the floor of the House of Representatives.

I've listened to the dialogue over the last, oh, 30 to 60 minutes and I'm a little bit surprised that some of the advocates for the comprehensive immigration reform bill wouldn't simply look at the impact on a lot of their friends and neighbors. We see the highest unemployment in the African American community. That's the direct competition that comes in if they grant amnesty on the Senate side. I ask the gentleman to reconsider that. The best thing that would be would be more jobs for people that are here that are Americans.

I see the gentleman from Texas has arrived. Generally, there is a pretty good narrative that comes forth from the gentleman from the Beaumont area, so I would be very pleased to yield to the gentleman from Texas (Mr. POE).

PROFESSOR RICHARD FALK IS IN FANTASY LAND

Mr. POE of Texas. I thank the gentleman from Iowa for yielding some time. I want to address the House on a different issue tonight, but I do appreciate the time and letting me be off the subject that he was going to, and will, talk about momentarily.

Mr. Speaker, as you know, there are people in Boston—and really around the world, and in the United States especially—trying to recover from the terrorist attack that took place in Boston. The Richard family laid their 8-year-old boy to rest, as did other families. As a father of 4 and a grandfather of 10, no parent or grandparent ever wants to see a child die in their youth, especially being murdered the way this young lad was.

But meanwhile, in the halls of academia, Richard Falk, a professor and an official with the United Nations Human Rights Council, he blamed the terrorist attack on what he claims is American global domination—and on the country of Israel, of all things. What an absurd comment for this so-called "intellectual" to make. The vile comments come only 2 years after he personally was reprimanded by the United Nations for promoting fantasy-like 9/11 conspiracy theories.

Mr. Speaker, why is Richard Falks still employed by the United Nations Human Rights Council?

Can someone please explain why the United States also continues to be the largest funder of the United Nations, which gives radical wingbats like Falk a platform to spew their hate and anti-American rhetoric? I don't think the United States should be bankrolling the United Nations Human Rights Council. Let them find somebody else to foot the bill for this international institute of ingratitude.

It's time for the elitist, uninformed like Mr. Falk to go, and it's certainly time for the United States to stop funding the Human Rights Council. We don't need to pay people like Professor Falk to hate America. People like him will do it for free.

Meanwhile, let's try the Boston terrorists for their crimes against America; hold them accountable for murder. And don't try to blame America for the murder of America's children. Blame the killers.

And that's just the way it is.

Mr. KING of Iowa. I thank the gentleman from Texas for his message. It's one that I hope, Mr. Speaker, is well heard across America: You don't have to pay them to hate us. They hate us for free. They hate us for our ideology and for our success, for all of those reasons.

Mr. Speaker, I came here to the floor tonight to talk about the immigration issue here in the United States Congress, primarily that has emerged in the United States Senate out of the Gang of Eight.

We know that there are some of these policies that are being worked through in meetings behind closed doors in the House of Representatives. They seem to admit to those meetings, but they're not very public and we don't know very much about what they're talking about. I just get nervous when I see bills written in secret.

The Gang of Eight wrote their bill in secret and popped it out last week or so, a little more, and we began to look through 844 pages. Surprise. Well, shortly after the bill was dropped, then the chairman of the Judiciary Committee in the Senate calls hearings and begins to do the fastest process that they can legitimately get done to try to move an immigration amnesty bill out of the Senate before it gets so many holes poked in it that it sinks of its own weight.

I take you back, Mr. Speaker, to: How did we get here? What was the scenario? What's the path of immigration? I will go through the fast-forward version, backing this up to 1986.

In 1986, it became a political issue that we had too many people in the United States illegally. There was an effort made to resolve the issue and the effort was this:

Part of the people in the argument said they wanted better border security and they wanted better immigration enforcement. The other side of the argument said we've got to do something to legalize people that are here that—I don't know if they used the language then if they were in the shadows or not. Those two arguments came together here in this Congress. And with Ronald Reagan sitting in the White House, he received significant pressure from the people around him that urged him to sign the 1986 Amnesty Act. Now, that was one of only two times that Ronald Reagan let me down in 8 years. But he accepted the arguments that the only way to get agreement on enforcement and to be able to respect and restore the rule of law was to make the people that were here illegally legal. The tradeoff was amnesty in exchange for enforcement.

So, Mr. Speaker, the projection originally was 800,000 people in this country illegally that would get instantaneous legalization status, and then that number of course grew to 1 million. Roughly, that was the projected amount at the time that the bill was debated in Congress. We know that, instead, there wasn't 1 million people. It was 3 million people that ended up receiving amnesty from the deliberations in this Congress, the tug-of-war that came together, and it's a product of compromise. I would point out that com-

promise isn't always a good thing. This would be one of those examples.

The compromise was, in exchange for the promise of future enforcement, Ronald Reagan would sign the bill to instantaneously start the process to legalize the people that were illegally in the United States. Sounds familiar. Well, he signed the bill in '86. What we got was instantaneous legalization of the people that were here—triple the number that was projected—and the effort to get law enforcement was undermined continually. It was undermined in a number of ways: through litigation, through lack of will. As it ground forward, the respect for the rule of law, especially with regard to immigration law, diminished in each year.

As we've seen, the enforcement of our immigration laws has diminished in each administration, from Ronald Reagan through Bush 41, to Bill Clinton, to Bush 43, and now to Barack Obama. That's the path that has taken place.

Just a year ago, the debate was: Would Congress pass the DREAM Act, the DREAM Act being the legislation that I'll say the chief advocate for it in the Senate has been Senator DURBIN of Illinois. He has identified with it more than anyone else. But the DREAM Act is: those kids that came here, say, before their 18th birthday—and that goes up and down to 16, or on up to a little older than that. Those that came here when they were relatively young, maybe due to no fault of their own—theoretically, someone who was born 5 minutes before in a foreign country that was brought in by their parents as a little baby would get a legal status. And, by the way, in-State tuition discounts so they can go to college, get legal status, and be able to work in the country.

In other words, it was amnesty for those young people who presumably came into this country not of their own will or perhaps not of their own knowledge that it was against the law to enter the United States illegally, or those that might have been brought into the country under a visa of one kind or another, overstayed their visa and didn't have a legal status anymore. In any case, the younger people given a path to a legal status and a legal green card here in the United States, that's the DREAM Act.

A year ago, Mr. Speaker, it was not something that could pass the United States Congress. They long wanted to get the DREAM Act passed, but they could not because we stood on the rule of law and we said we are not going to reward people who break the law with, let's just say, a de facto scholarship to a university—and in California, it would be a free ride. I made the argument that how can you legalize people that are here illegally, refuse to enforce the law, the clear directive of the law, and have people sitting in a class-

room in, say, California with a free ride while someone who has lost their husband or wife in battle in Iraq or Afghanistan, who finds themselves the sole breadwinner for their family, wants to go to California—I'll use as the example—and have to pay out-of-State tuition in a California institution, who is a widow or a widower of someone who has given their life for our country, they're sitting there next to someone who is in the United States illegally that gets a free ride because they've been declared a California resident.

□ 1740

I could never reconcile the huge inequity, the injustice of that idea, and neither could a majority of Americans or a majority of the United States Congress. That's why the DREAM Act wasn't passed. Just a year ago that couldn't be done.

The President said on March 28 of 2010, when he was speaking to a high school group here in the Washington, DC area, they asked him: Why don't you just pass the DREAM Act by executive order, implement that? And the President's answer was: No, I don't have the constitutional authority to do so. That is a legislative branch activity. And he said: You're smart, you're educated, you know that in the three branches of government Congress' job is to pass the laws, my job as President, the head of the executive branch, is to carry those laws out and see to it that they are enacted and enforced, and the judicial branch is to rule on their constitutionality to tell us what the laws are understood to mean.

That was the description that the President gave March 28, 2010. He said he didn't have the authority to implement a DREAM Act by executive authority. Congress wouldn't pass it a year ago; the President said he couldn't do such a thing constitutionally, March 28, 2010. And here we've come so far that in June or July—and I don't have those dates in front of me, nor committed to memory, Mr. Speaker—the President went back on his own advice, word, oath of office and counsel when they issued an executive memorandum.

He held a press conference at the White House within a couple hours of the executive memorandum and said: We are going to legalize all of these people that are here within these age groups that fit the definition of the DREAM Act—an executive edict, not exactly an executive order, because it was only a memorandum between the Department of Homeland Security that they put out—and that they would follow this guideline. They created four classes of people that were defined by age and by status, but four separate classes of people created in this memorandum.

And the President manufactured a work permit out of thin air, Mr. Speaker, just simply made it up. All of the visas that exist in law, of course, are a product of Congress. And it's our exclusive authority to define immigration law. It's the President's job to enforce the laws that are on the books.

Now, the previous President had the opportunity to veto immigration law. It's all signed into law and it is the law of the land. The Constitution is the supreme law of the land. The President violated the Constitution and his own definition of congressional executive and judicial authority when he issued this executive memorandum that granted this legal status under the DREAM Act principles. That happened, I would say, June or July of last year.

Now we've come a quantum leap. As we go forward, we put together a meeting and organized the effort to take the President to court on that issue. You cannot have a President that's going to legislate by executive edict. But he did do that; and that case, Mr. Speaker, has worked its way through the courts. And I'm here to announce in the CONGRESSIONAL RECORD the results.

The name of the case is *Crane v. Napolitano*. This references the lead plaintiff as Christopher Crane, who is the president of the ICE union, the Immigration and Customs Enforcement union. He has been a stellar individual on this. He stood boldly and strongly, and he's taken the threats and the buffeting that comes from all sides of this argument. He's testified before Congress. He has stood at a press conference and asked to be recognized to ask questions of Senators over on the Senate side. And he has flawlessly walked his way down through this thing by standing for the rule of law and for the Constitution and his own oath to uphold the law, as we have taken that oath here in this Congress to uphold the Constitution.

This decision that came down yesterday from a Federal District Court in Houston in the case of *Crane v. Napolitano*, there were 10 points that were made in this litigation, Mr. Speaker. Nine of the 10, the judge found clearly down on the side of those who support the Constitution and the rule of law and rejected the executive branch's argument that they had prosecutorial discretion to decide who to prosecute and who not to prosecute.

Time after time the judge wrote: When Congress writes in statute the word "shall," shall means shall. It doesn't mean may; it means shall. That means that when an ICE officer picks someone up and identifies them as likely to be in violation of immigration laws, they shall be placed in deportation proceedings. That's a "shall" that's in the law that was upheld by the Court yesterday in their decision on this multiple-page decision. So nine of the 10 components of the argument,

several of which I made early on after that issuing of the executive edict last year, nine of 10 were upheld.

The 10th argument was one that the President sent it back to the executive branch and said: your argument is so illogical and baseless and convoluted and tied to footnotes, go back and rewrite your argument. But the implication or the tone of that is once that's rewritten, he's probably going to find it. I guess I don't want to put words in a judge's mouth. I'm optimistic about how that final component of the ruling will be.

In any case, it's almost a 100 percent resounding decision that says: Barack Obama and his appointees cannot write immigration law out of thin air. They can't do so by executive memorandum, they cannot do so by edict, they cannot do so by executive order. Congress writes immigration laws, Mr. Speaker, and the President's job is to take care that those laws be faithfully executed. He has not done that. He's defied his own oath of office. The Federal Court has ruled on the side of article I, legislative branch of Congress. We will see the impact of this decision.

I think, Mr. Speaker, that now it's time for the Gang of Eight to reassess as a result of this lawsuit. It's time for the open-border advocates in this Congress to reassess as a result of this lawsuit. They had concluded, the people on my side of the aisle, Mr. Speaker, appear to have concluded that Republicans didn't win the elections they anticipated winning last November. On the morning after the election, some of our otherwise wise folks on our side of the aisle concluded that Mitt Romney would have been President-elect if he just hadn't said two words, "self-deport," and so now there has to be an effort to try to, let's say, start the conversation with select groups of people across the country that would require that amnesty be passed to "start the conversation."

Mr. Speaker, I would urge all of those to reassess the situation and think about this. They were seeking to conform to the President's edict on his DREAM Act life. They were seeking to adjust U.S. law under the premise that the President refused to enforce existing law, and the only way that we could get law enforcement would be to conform to the President's wishes and rewrite the law and conform it to the President's political agenda.

I thought from the beginning it was a ludicrous position to take, to accept an idea that the President can, first, write a law by executive edict; and, second, Congress has to conform. Now, I've seen it happen and participated in it in this Congress, Mr. Speaker, when we have a piece of legislation and it finds its way over to the Supreme Court and the Supreme Court comes down with a ruling, and then Congress takes a look at the language of that Supreme

Court's ruling, and we will bring a piece of legislation to conform with a directive from the Supreme Court. I think that's an appropriate thing for us to do, provided we agree with the Supreme Court's decision and it's clear, logical legal analysis. When we have done that, I've agreed.

An example would be the language on partial-birth abortion that banned it. The first time it went to the Supreme Court, the Supreme Court ruled that the definition of "partial-birth abortion" was too vague. So we went back and fine-tuned that language, passed it out of the Judiciary Committee, passed it out of the House and the Senate, President Bush signed it, and it was upheld when it found its way back again before the Supreme Court.

□ 1750

That's okay, and it's an appropriate and proper thing for this Congress to do—to conform our legislation to a Supreme Court decision when it's a proper one. But when the President defies the law and the policy established by the United States Congress and makes up his own as he goes along by executive edict and press conference and for Congress to accept the idea that the President of the United States directs us, either implied or literally, to conform the law to the President's wishes, I would remind all of those people who happen to think that, Mr. Speaker, that we each have our own franchise.

Our oath is to uphold the Constitution. It's not to conform to the President's whims or wishes. It's to represent the best decisions for this country and to represent the people in the districts that we represent. We owe them our best judgment and our best effort, but we don't owe anybody an obligation to conform to the President's wishes, will, or whim. That has to only conform with our best judgment, individual best judgment, collectively measured here in this Congress—House and Senate.

So I think that a Congress that would be willing to give up its legislative authority and let that power go over to the executive branch by conforming the idea of amnesty that the President has brought forward in his edict I think our Founding Fathers did not imagine. They did not imagine that this branch of government would be so willing to give up this power. Our Founding Fathers imagined that each branch of government would jealously guard the power that's granted it within the Constitution in the three separate branches of government. They expected that Congress would assert its authority in competition with and in a static tension with the President and with the courts. The courts, by the way, were designed to be the weakest of the three branches of government. That's a longer discussion.

The Gang of Eight, though, brought their bill out. What is it, Mr. Speaker? It is this:

It is amnesty first. It instantaneously legalizes everybody that's in the country illegally with a few tiny, little exceptions, and that's if we run across them randomly and if they happen to have committed a felony or three misdemeanors. Other than that, it instantaneously legalizes everybody who's here illegally whether they committed a crime of illegally crossing the border or whether they overstayed their visa or whether they committed the crime of document fraud. Those kinds of things are just simply not enforced by this administration. They are treating immigration law as if it's a secondary crime.

An example of that would be, if you've got States that say that you can't pull somebody over for not wearing their seatbelt, but if they're speeding and if it happens to be they're not wearing their seatbelt, you can write the ticket for that. That's kind of the equivalent of what's going on here.

The President essentially issued this edict that, if somebody is guilty of a felony and if they're unlawfully in the United States, then we will go ahead and deport them; but otherwise they would get similar treatment as, oh, let's say, the President's aunt, who was adjudicated for deportation and who lived in the country illegally for years after that. Finally, she surfaced again, and they granted her asylum status. If they'd sent her back to Kenya, she would have apparently been subject to kidnap and ransom, so they gave her asylum. I guess it's an undecided case with the President's Uncle Omar, who was picked up for drunken driving. He had already been adjudicated for deportation. We would know if he were anywhere other than still in the United States of America.

The law didn't apply to the President's relations, and I guess in order to conform with that, the President would like to exempt everybody from the same law that his family has been exempted from. I disagree. Congress writes the laws, and the President's job is to carry them out.

In this Gang of Eight's legislation, it's instantaneous amnesty for almost everybody, and that is breathtaking in the magnitude of it. They say 11 million. I say 11 million, 12 million, more likely 20 million. Here is what I would guarantee you, Mr. Speaker: if they move legislation out of the Senate and if it does come to the House, along the way, if any of us introduce an amendment that would cap the legalization number at their estimated number, they will never support such an amendment because they know it's a lot more than 11 million people. It's instantaneous amnesty for 11 to 20-or-more million people, but that's not good enough for them.

They also had to write into the bill that, if you have previously been deported and if you find yourself waking up in a country that you're legal to live in, we still send an invitation through this bill that you should apply to come back into the United States because we really didn't mean it, Mr. Speaker. We didn't really mean it, the idea that people were deported for violating immigration law. If they'd like to reapply, unless they have a felony conviction or three misdemeanor convictions, they're going to give them a path to come back to the United States. So this isn't just amnesty for those who are here now. This is amnesty for those who have been sent home as well—an absolute open-door policy.

And the trade off is—what?—amnesty first for the promise of enforcement. It's the same thing that came along in 1986 and multiple times since then—amnesty for the promise of enforcement.

The promise of enforcement is that Janet Napolitano is to produce within 5 years a plan to get 90 percent operational control of the critical sectors of the border that she designates, the 90 percent of those that we see, of course, because you can't count those that you can't see. So they want to be able to catch 90 percent of those that you can see. We don't know if they're going to turn their eyes the other way, but here is what I know: we are never going to see the enforcement side of this. It's amnesty first, a promise of enforcement second. That has never worked.

If they were serious, they would go to work and secure the border, shut off the jobs magnet, restore the respect for the rule of law. We would know in this country if there were respect for the rule of law restored, and at that point, I'm ready to sit down and talk. I'm ready to have that conversation but not absent the reestablishment of the rule of law, and that means border control, serious border control. We've got the resources to do it, Mr. Speaker. It's not that we don't have it.

We're spending over \$6 million a mile on the southern border. You can build a four-lane interstate across Iowa cornfields for \$4 million a mile. You can buy the right-of-way; you can engineer it; you can design it; you can do the archaeological and the environmental; you can grade it; you can put the drainage in; you can pave it; you can paint it; you can shoulder it; you can seed it; and you can put fences on it—all of that for \$4 million a mile through Iowa cornfields. You cannot convince me that we couldn't take about a third of that \$6 million a mile and in a few years build the finest, most sophisticated barrier along our southern border.

We can take some lessons from the Israelis, for example, who get a 99.9

percent efficiency rate at their border barrier. They do that because their lives depend on it. So do ours in a lot of ways, Mr. Speaker. It's not that hard to build infrastructure and add to that infrastructure the sensory devices so that we can actually get the warning signals when people do get across such a barrier. We can do all of that. We can do it with the resources that we have. We can do it well up into the 90-some percentile of efficiency with the money that we have, and we can shut off the jobs magnet.

All we need to do is pass the New IDEA Act, IDEA, the Illegal Deduction Elimination Act. It clarifies that wages and benefits paid to illegals are not tax deductible. It lets the IRS come in. Under their normal auditing process, they would run the employees through E-Verify. When they'd run the employees through E-Verify, then we would give the employer safe harbor if they'd use E-Verify. That's a nice, comforting thing. Each employer would want to have that. If the IRS concludes that you've knowingly, willingly, or neglectfully been employing illegals, they would rule that wages and benefits paid to them are not a business expense. That means, out of your Schedule C, that money comes out and goes over into the gross receipts again and shows up in the bottom line as taxable income, and your \$10-an-hour illegal employee turns into a \$16-an-hour illegal employee, and it becomes a prudent business decision on the part of the employer to use E-Verify to clean up his workforce.

So there are two simple things, Mr. Speaker:

We can provide that border security with the resources that we have by adding infrastructure, by adding and utilizing technology in addition to—and I have not said 2,000 miles of border fence—a fence, a wall and a fence. We just build it according to the directives of the Secure Fence Act and keep building it until they stop going around the end. We shut off the jobs magnet and restore the rule of law. Then let's have a conversation, Mr. Speaker; but until then, I'm going to stand on defending the rule of law.

Mr. Speaker, I yield back the balance of my time.

□ 1800

AMERICA'S DEBT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Indiana (Mr. ROKITA) for 30 minutes.

Mr. ROKITA. Mr. Speaker, I rise today to talk about the most important issue of our time in this country, and really the world.

We are nearly \$17 trillion in debt and \$100 trillion in debt in unfunded promises to our children and grandchildren

that they stand to inherit if we fail to act. This is an issue that my colleagues and I on the Budget Committee take very seriously, and I know that most Members of this body take very seriously.

To that end, we view our role as not only legislators, but educators. And in our great State of Indiana, I talk about this issue almost in a nauseating fashion to some, but I think it's very important that we as people, as Americans, Mr. Speaker, understand what the situation really is because at the end of the day, I am very optimistic that when given the facts, the people of this country, as President Reagan observed several years ago, will right the ship, will do the right thing. We'll start to live within our means again, and they will take control of the situation.

I don't think ultimately, Mr. Speaker, that the reform that is needed to solve this problem will actually start or come from this floor or the floor of our colleagues that we have on the other side of the rotunda. The reform and the solution to this problem will come from Main Street, will come from the farm fields and the businesses and the kitchen tables of the great patriots across this land.

So it's in that vein, Mr. Speaker, that I want to make a presentation here on the floor of the House. I also make this presentation because of the current situation that we're in with regard to our budgeting process.

As I speak with you here on the floor tonight, Mr. Speaker, we have a budget that passed the House of Representatives, we have a budget that passed the United States Senate, and after 2 months of being late, as it has been nearly every year that this current President has been in office, we finally have a budget from our President.

The main difference—well, there are several differences—but the main difference I want to point out tonight between these budgets is that the budget that came out of this House is the only one that balances. Why is that important? It's important because if you never present and pass a budget that balances—and let me remind you that a balanced approach isn't a balanced budget. Someone's opinion of a balanced approach, like our President's, doesn't mean that the budget balances, no matter how many times he or House Democrats say that.

The reason it's so important that a budget balances is because it shows your intent; it shows your intent to finally start paying off the debt. Because like everyone knows, you can't possibly start paying nearly \$17 trillion in debt until you get to a balanced budget so that you have a surplus, hopefully, and then, in fact, use that surplus to pay down the debt.

So if you present and pass a budget that never balances, you intend by what you're saying and doing there to

never pay off the debt. And I would submit that when you do that, you can't call it debt any more because what you're doing is stealing. You're stealing from future Americans. You're stealing from the children of tomorrow, children that don't exist yet and therefore have no voice in the matter because they can't vote. What an easy target they are.

So when you pass and you vote for budgets that never balance, that's what you're doing, you're stealing. Let's call it what it is, Mr. Speaker.

Now, I want to be clear, this isn't a partisan set of remarks because it's not a partisan issue. In fact, it's very bipartisan, and this chart here shows that.

Going from beyond Kennedy—but I just started tracking from President Kennedy on—every one of our presidents, who represented both parties since the 1960s, have accrued increasing levels of debt. Even Mr. Clinton, with the help of this Republican House who had technically balanced budgets, I think, four times in his 8 years, still overall ran up a very slight debt.

I want to be clear that our debt problems did not start on January 20, 2009, with the inauguration of President Obama. But as this chart also shows, our debt problems have been increasingly and drastically exacerbated since that time, and we need to get this under control.

Let's take a look at exactly how much we're borrowing and what's causing this debt. And I'm grateful tonight for the help of my staff member, Zach Zagar, who is on the floor with me to help get me through these slides a little bit quicker.

We are borrowing 31 cents of every dollar the Federal Government is spending. Now, I'll admit to you, Mr. Speaker, that has actually improved. When I started making this presentation about a year and a half ago, 2 years ago, we were borrowing 42 cents of every dollar we spend. But thanks to some good revenue forecasts and especially leadership right here in the House of Representatives, we've already been able to make some sensible cuts and rein in spending that has decreased some of that spending. But again, until we stop borrowing, we cannot begin to start paying down this debt: 31 cents of every dollar, Mr. Speaker.

Let's also be honest. We've been in debt before as a country, and the question then arises, why should we worry so much now. Well, we should worry now. Let me explain why we should worry by going back to the last time that this country was in this kind of debt, when our debt level, if you include the Social Security trust fund, reached nearly and over 100 percent of gross domestic product. That time was right at the end of World War II.

So what makes our situation so different now than the last time we were

in so much debt? Well, number one, the cause of our debt back at the end of World War II was much different than now. The cause of our debt back then was, in fact, the war, and it was a one-time event. One way or another, even back then, we knew it was going to end. If it ended well for us, if we won, which we did, we would have a good economy coming out of that war, we would become creditor to the world and we would begin paying down that debt. In fact, that's exactly what happened. If we had lost World War II, I guess it wouldn't really matter how much debt we had because we would all be speaking perhaps a different language. This country might not even exist.

The drivers of our debt today, however, have absolutely no intention of ending as they currently stand. I'll get to that in a little bit. The drivers of our debt today are the social entitlement programs and the interest that we continually owe ourselves and other countries.

The second difference between the last time that we had this level of debt and now is who we owe this debt to. Back then, during World War II, we owed the debt to ourselves, nearly 100 percent. Remember the war bond posters, Mr. Speaker? Remember when Americans stood up, bought those bonds and we financed World War II?

□ 1810

Increasingly, as this chart shows, our debt is owed to other countries, the largest of which right now is China. It's getting to the point where the debt we owe to other countries is nearly half our total debt. So we increasingly have creditors who, by definition, don't have our best interests at heart, not like we did as individual Americans buying those war bonds, and that's a problem. It's such a problem that it has become a national security issue, and that needs to be addressed as well.

Think about this, Mr. Speaker: with the interest that we pay China alone on the credit they issue to us by buying our Treasury bonds, et cetera, China with that interest payment every week can buy three new joint strike fighters if we let them, if those were in production. They can finance their military operations just on the money we give them. And in this increasingly complex world, changing every day, new threats, new risks, that is a particularly vulnerable place to be, and we are doing it to ourselves because of our refusal to balance budgets and otherwise live within our means, to put more on our plates now at the expense of our national security and at the expense of the children of tomorrow, people who don't exist yet and therefore have no voice in the matter.

I have to tell you, it is hard for me even as a Budget Committee member to visualize what \$17 trillion really looks like, what it means; and I certainly can't understand or visualize

what I said earlier about the \$100 trillion that's on the way, specifically over the next 50 to 75 years, representing the promises that we've made under the social entitlement programs. That's what's coming. In fact, our country will be bankrupt, I'm sure, and we'll be off the world's reserve currency long before we reach the \$100 trillion, but it's coming and it's real.

So what I like to do is take actual budget numbers and break off eight zeros from them so I get them in a more manageable fashion. The President has said, I've heard him reference the Federal Government as some kind of Federal family. Well, I don't know if I'd take it that far, but let's assume for purposes of this debt discussion that the Federal Government acted as a family. Here's what our Federal budget picture looks like.

Our annual family income, \$25,000. Those are the tax receipts, the revenue we get from the people of this country, their property that we confiscate to run the Federal Government, some of it necessary, most of it increasingly not necessary. Our annual family spending, \$36,000. That is eight zeroes lopped off, a rounded real number, leaving us an annual debt that we have to put onto one family credit card of \$11,000.

So we're a family. We're making \$25,000. We're spending \$36,000, a deficit of \$11,000. It goes on a credit card, the one family credit card that already has a balance of \$168,000. Future purchases on that credit card, the promises that we made to the wife and the kids over the years, if they were to be put on that credit card now, \$1 million.

But wait a minute. Remember I said borrowing has gone down. We're spending a little less. We have this drastic, incoherent, ham-fisted—whatever the adjectives we're hearing lately—sequester that simply cut 2 percent out of Federal spending. Gee, cutting 2 percent out of Federal spending, can you imagine what the other 98 percent of government does if all this stuff is supposed to happen on just 2 percent? Anyway, we save some money. In this example, it would come out to \$310.

Now I will give the microphone, I will yield to any gentleman or gentlewoman, Member of the House, here tonight that wants to get up here and defend this and defend these numbers. I didn't think so.

That's all right, Mr. Speaker. I will note for the record that there are very few Members here.

My next chart, this is what your Federal Government spends its money on. Now, I took the liberty of taking two pieces of the pie and pulling them out. The reason I did that was because I want everyone to understand that when we vote for budgets, the line items we vote on really only represent those two pieces of the Federal spending pie. So our votes every year when

we pass a budget only concern spending, quite honestly, on those two pieces. That's non-defense discretionary and defense discretionary. That's why we call it discretionary, because we actually have discretion on dialing up defense or dialing it down, or some of the non-defense programs, like the 167 agencies or so that are under the discretionary budget. That would be the Department of Energy, Department of Education, and all of the ones in between.

But if you look at this, Mr. Speaker, most of the pie is mandatory spending, meaning it doesn't really come through the normal budget process because it can't, because these were promises that were made in the underlying law. They cannot be changed unless you change the underlying law. I can't, as Representative ROKITA, decide how much Americans who qualify for Social Security will get in their Social Security check. The law sets that out. I don't get to decide in a budget document what services you get under Medicare. That's set in the underlying law. Medicaid, the same way.

Of course, interest is a contractual agreement. We agree to pay interest to our bondholders. That can't be changed. And then a smorgasbord of other mandatory spending rounds out what really is over two-thirds of our spending. So two-thirds of your Federal spending is on autopilot. It's not adjusted year to year. It's not as simple as just cutting or lowering budget figures. If we're going to get out of debt, in order to lower this debt, we have to reform the underlying causes of our debt, and that's our social entitlement programs.

Now, about this time, many Members are about to get up and claim 30 minutes in response on behalf of their constituents who say, Wait, I paid into those social entitlement programs. That's not the government's money; that's my money. Week after week, out of my paycheck, money went into Medicare and money went into the Social Security account, for example. I paid in; therefore, I get out.

I want to acknowledge here on the floor of the House of Representatives that that is true. You have paid in. We have paid in. We continue to pay in. But it's not the whole truth, as this chart indicates. You see on average, if you made \$71,000 a year, you and your spouse through your working lives, you will have paid in—and this is an example for Medicare—about 35 percent of what you're getting; 35 percent of what you're getting. And that 65 percent difference, quite honestly, is paid for by the children of tomorrow, almost all of it. Again, they don't have any voice in the matter because they don't exist yet.

So the moral question that we have as a country is: How much more does a future generation have to pay so we

can have more on our plate now? And when you have budgets that do not balance, you are happy to say, when you vote for budgets that don't balance, you are happy to say that we're letting them pay the load. And that's different. That's the first time, this is the first time in American history as I know it, that we have basically said, We don't care. We don't care that our future generations, that the next generation, will be worse off than us at our very expense. But that's exactly what we are doing when we don't pass balanced budgets.

Like I mentioned earlier about the \$100 trillion example, it's not just the current debt load that we carry; it's what's coming. And that's what is depicted by the red line here that you notice is going nearly vertical.

□ 1820

It's on a trajectory that we may not be able to arrest, that we might not be able to bend back down again if we don't get ahold of it now.

This is what happens when 10,000 people a day retire into programs that go unreformed. And that's a problem. That's a big problem. And that's why it's so important to get ahold of this problem now, to make these reforms now, before we turn into Greece. And in our case, when that happens, it will be a lot worse, not just for us but for the entire world.

These figures do not lie. By the way, most of these figures that I present tonight don't come from TODD ROKITA's office. They come from the Budget Committee. The good Democratic members of the Budget Committee don't disagree with the numbers. I imagine there's disagreement, and we have seen disagreement certainly on the committee about how to solve the problems that the data present. I am increasingly shocked and awed to hear Members on the other side say that there really isn't a problem with the data, with the issue that the data present, but nonetheless the data is the data and the data does not lie.

There have been offered some false solutions, I would say, to our problem of this debt. I would quickly like to dispel some of them, and I'd like a point of order asking the Speaker how many more minutes I have.

The SPEAKER pro tempore. The gentleman has 8 minutes remaining.

Mr. ROKITA. Thank you, Mr. Speaker.

The first false solution: We need more tax revenue; we're not taxing ourselves enough, and only if we tax more, especially from the, quote-unquote, rich—those who haven't paid their fair share, quote-unquote—we'd solve this debt problem.

Let me address that for a minute. This is one of the slides that doesn't come from the Budget Committee; it comes from the IRS. I have no reason

to dispute it. I saw it in *The Wall Street Journal* a couple of years ago. The bars represent where the money in this country is, the taxable revenue, where people's property is, and it's divided along income groups. If you look at the far right of this chart, you'll see that the furthest right bars represent Americans who have taxable revenue of anywhere from \$1 million to \$10 million. And the largest, the highest bars, where the middle is, represent Americans who have taxable revenue of anywhere from \$75,000 to \$500,000 a year. The point of this slide is, you can take all the millionaires' money if you wanted, really make them pay their fair share, take a hundred percent of what they earn, and you'll have to assume two things: that they would continue producing, which of course they wouldn't, and you'd have to assume that they would continue living in the country, which I assume they wouldn't. Look at the mass exodus going on in France now with a 75 percent marginal tax rate.

But let's assume for the sake of discussion that you take a hundred percent of what they earn. You're not going to get enough revenue to pay off the debt. There are not enough Oprah Winfreys—or when I'm in Lafayette I like to say Purdue football coaches—to pay off this debt. If people are saying, like our President, that more revenue is needed to pay off the debt, they're coming for the middle class. They're coming for where the property is, where the money is, and that's in people who make anywhere from \$50,000, \$75,000, to \$500,000.

The next slide reflects another false solution: let's just get rid of all that foreign aid. And I'm the first to say we've really got to examine who we give foreign aid to. I would say this, also: we don't give foreign aid necessarily to other countries so that they can thank us. We do it because there's a strategic reason to do it, like our national security, but let's assume we cut out all foreign aid. You're only addressing about 2 percent of our Federal spending. This is not something that you can solve the debt problem with.

Some say let's cut out defense. I will also be the first to say, there is tremendous waste, fraud and abuse in the military, so much that they can't even be audited, not because there's a statute preventing it; they are so big and so sloppy and so leaderless in this fashion that they cannot get themselves to an audit table, and that is wrong. We should be maximizing every dollar we can to our warfighters who protect us, and we're not doing that now.

But, Mr. Speaker, having said that, defense—if we had no defense, if we had no military—would only be a 20 percent cut in our overall spending. Not enough to balance the budget. Not enough to solve this debt problem.

We have several solutions to this, starting with the House Republican

budget: reform Medicare, reform Medicaid, reform Social Security, not cut people who are in or on these programs right now because we don't have to. We have the luxury if we act now to reform these programs now, Mr. Speaker. You can go to rokita.house.gov to learn more. Only if you were born in 1958 or after are we offering a restructured program so that it's around for you, so that it's around for all Americans, future generations, and so that we don't have to hurt the people that are on them now.

I'm out of time, Mr. Speaker, to go through all those right now. I'd like to come back at some point and pick up that discussion.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COOK (at the request of Mr. CANTOR) for today on account of a death in the family.

Mr. FLORES (at the request of Mr. CANTOR) for today and the balance of the week on account of attending memorial services and funerals for the victims of the fertilizer plant explosion in West, Texas on April 17.

ADJOURNMENT

Mr. ROKITA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 25, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1222. A letter from the Management Analyst, Department of Agriculture, transmitting the Department's final rule — Fees for Official Inspection and Official Weighing Services Under the United States Grain Standards Act (USGSA) (RIN: 0580-AB13) received April 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1223. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Noninsured Crop Disaster Assistance Program (RIN: 0560-AI06) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1224. A letter from the Acting Principal Deputy, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William K. Rew, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1225. A letter from the Acting Principal Deputy, Department of Defense, transmit-

ting National Guard and Reserve Equipment Report (NGRER) for Fiscal Year 2014; to the Committee on Armed Services.

1226. A letter from the Assistant Secretary of the Navy, Department of Defense, transmitting the Department's annual report listing all repairs and maintenance performed on any covered Navy vessel in any shipyard outside the United States or Guam during the preceding fiscal year; to the Committee on Armed Services.

1227. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Hong Kong pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1228. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mongolia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1229. A letter from the Acting Director, Office of Management and Budget, transmitting a report on discretionary appropriations legislation within seven calendar days of enactment; to the Committee on the Budget.

1230. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Charge Filing Procedures for Natural Gas Pipelines [Docket No.: RM12-14-000; Order No. 776] received April 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1231. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Enforcement Guidance Memorandum 13-002, Enforcement Discretion Not to Cite Violations Involving the Use of the New American Society of Mechanical Engineers (ASME) Certification Marks Instead of ASME Code Symbol Stamps, While Rule-making Chances Are Being Developed received April 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1232. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of the United Kingdom (Transmittal No. 01-13) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1233. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting notice that the Deputy Secretary has issued the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office; to the Committee on Foreign Affairs.

1234. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Foreign Affairs.

1235. A letter from the Executive Director, Access Board, transmitting the Board's annual report for FY 2012 prepared in accordance with Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1236. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting FY 2014 Congressional Budget Justification/FY 2012 Annual Performance Report; to the Committee on Oversight and Government Reform.

1237. A letter from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting the Agency's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1238. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's report for fiscal year 2012 on the amount of acquisitions from entities that manufacture articles, materials, or supplies outside of the United States; to the Committee on Oversight and Government Reform.

1239. A letter from the Director, Office of Self-Governance, Department of the Interior, transmitting a copy of the Amendment No. 4 to the 2010-2014 Multi-Year Funding Agreement entered into between the Department of Interior and the Cooper River Native Association; to the Committee on Natural Resources.

1240. A letter from the General Council, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule — Registry for Attorneys and Representatives [Docket No.: EOIR 138F; A.G. Order No.: 3377-2013] (RIN: 1125-AA39) received April 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1241. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Methylone Into Schedule I [Docket No.: DEA-357] received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1242. A letter from the Attorney General, Department of Justice, transmitting notification that the Department has determined not to file a petition for a writ of certiorari in *R.J. Reynolds V. Food & Drug Administration*, No. 11-5332 (D.C. Cir.); to the Committee on the Judiciary.

1243. A letter from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule — Forwarding of Asylum Applications to the Department of State [EOIR Docket No.: 173; AG Order No. 3375-2013] (RIN: 1125-AA65) received April 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1244. A letter from the Secretary, Judicial Conference of the United States, transmitting the Conference's Article III and bankruptcy judgeships recommendations and corresponding draft legislation for the 113th Congress; to the Committee on the Judiciary.

1245. A letter from the Secretary, Judicial Conference of the United States, transmitting proposed legislation "Criminal Judicial Procedure, Administration, and Technical Amendments Act of 2013"; to the Committee on the Judiciary.

1246. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Green River, Small-house, KY and Black River,

Jonesboro, LA [Docket No.: USCG-2013-0041] (RIN: 1625-AA09) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1247. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Patriot Challenge Kayak Race, Ashley River; Charleston, SC [Docket No.: USCG-2013-0030] (RIN: 1625-AA08) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1248. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Seafair Blue Angels Air Show Performance, Seattle, WA [Docket Number: USCG-2012-0903] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1249. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; BWRC Spring Classic, Parker, AZ [Docket No.: USCG-2013-0074] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1250. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Sabine River, near Ruliff, LA [Docket No.: USCG-2012-1065] (RIN: 1625-AA09) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1251. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V XIANG YUN KOU and MODU NOBLE DISCOVERER; Resurrection Bay, Seward, AK [Docket No.: USCG-2013-0128] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1252. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Patrick's Day Fireworks; Manitowoc River, Manitowoc, WI [Docket No.: USCG-2013-0116] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1253. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone [Docket No.: USCG-2013-0020] (RIN: 1625-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1254. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Great Lakes Pilotage Rates-2013 Annual Review and Adjustment [Docket No.: USCG-2012-0409] (RIN: 1625-AB89) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1255. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Charleston Race Week, Charleston Harbor; Charleston, SC [Docket No.: USCG-2013-0081] (RIN: 1625-AA08) received April 18, 2013, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1256. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Beginning of Construction for Purposes of the Renewable Electricity Production Tax Credit and Energy Investment Tax Credit [Notice: 2013-29] received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1257. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Biodiesel and Alternative Fuels; Claims for 2012; Excise Tax [Notice 2013-26] received April 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1258. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 911(d)(4)—2012 Update received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1259. A letter from the Secretary, Department of Health and Human Services, transmitting Medicare-Medicaid Coordination Office Fiscal Year 2012 Report to Congress; jointly to the Committees on Energy and Commerce and Ways and Means.

1260. A letter from the Secretary, Department of Health and Human Services, transmitting "Finalizing Medicare Rules under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act 2003 (MMA) for Calendar Year (CY) 2012", pursuant to 42 U.S.C. 1395hh(a) Public Law 108-173, section 902(a)(1); jointly to the Committees on Ways and Means and Energy and Commerce.

1261. A letter from the Inspector General, Railroad Retirement Board, transmitting fiscal year 2014 Congressional Justification of Budget for the Office of the Inspector General; jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Rules. House Resolution 178. Resolution providing for consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes (Rept. 113-47). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN (for himself, Mr. WOLF, Mr. CAPUANO, Mr. MCCAUL, Ms. LEE of California, Mr. SCHOCK, Ms. BASS, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Mr. SHERMAN, Mr. GRIJALVA, Ms. EDWARDS, Mr. CLAY, Ms. MOORE, Mrs. CAROLYN B. MALONEY of New York, Mr. CONYERS, Mr. DEFAZIO, Mr. CARSON of Indiana, Mr. CICILLINE, Mr.

JOHNSON of Georgia, Ms. MCCOLLUM, Mr. MICHAUD, Mr. RUSH, Mr. MORAN, Mr. MARKEY, Mr. MCINTYRE, Mr. POLIS, and Mr. WELCH):

H.R. 1692. A bill to require the development of a comprehensive strategy to end serious human rights violations in Sudan, to create incentives for governments and persons to end support of and assistance to the Government of Sudan, to reinvigorate genuinely comprehensive peace efforts in Sudan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas (for himself, Mr. CRAWFORD, and Mr. WOMACK):

H.R. 1693. A bill to provide an exemption for community banks from the application of Basel III capital standards; to the Committee on Financial Services.

By Mr. ELLISON (for himself, Mr. PAULSEN, and Mr. DUFFY):

H.R. 1694. A bill to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes; to the Committee on Financial Services.

By Mr. SCOTT of Virginia (for himself, Mr. MASSIE, Mr. CONYERS, Ms. BASS, Mr. COHEN, Mr. RICHMOND, and Mr. JOHNSON of Georgia):

H.R. 1695. A bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. WELCH, Mr. THOMPSON of California, Mr. GIBSON, Mr. GARDNER, and Mr. BLUMENAUER):

H.R. 1696. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Ways and Means.

By Mr. LUETKEMEYER (for himself and Mrs. KIRKPATRICK):

H.R. 1697. A bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas (for himself and Mr. BARTON):

H.R. 1698. A bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children's Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEFAZIO (for himself, Mr. POLIS, Ms. GABBARD, Ms. PINGREE of Maine, Mr. WELCH, Mr. YOUNG of Alaska, Mr. GEORGE MILLER of California, Ms. SLAUGHTER, Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Mr. MORAN, Mr. CICILLINE, Mr. McDERMOTT, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. HUFFMAN, Ms. LEE of California, Ms. SPEIER, Mrs. NAPOLITANO, Mr. NADLER, Mr. CONNOLLY, Ms. NORTON, and Ms. KUSTER):

H.R. 1699. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that genetically engineered food and foods that contains genetically engineered ingredients be labeled accordingly; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Mrs. LOWEY, and Mr. PAYNE):

H.R. 1700. A bill to require the President to issue guidance on Federal response to a large-scale nuclear disaster; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas:

H.R. 1701. A bill to prohibit the Secretary of Health and Human Services replacing ICD-9 with ICD-10 in implementing the HIPAA code set standards; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARBER (for himself and Mr. THORNBERRY):

H.R. 1702. A bill to amend title 38, United States Code, to make permanent the authority of the Secretary of Veterans Affairs to transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care; to the Committee on Veterans' Affairs.

By Mr. BOUSTANY (for himself, Mrs. BLACKBURN, Mr. GINGREY of Georgia, and Mr. TIBERI):

H.R. 1703. A bill to amend title XIX of the Social Security Act to permit States to reduce the amount of home equity that is exempted for purposes of determining eligibility for long-term care assistance under Medicaid and to eliminate the State Medicaid maintenance of effort requirement established under Public Law 111-148 with respect to eligibility standards to obtain Medicaid assistance for long-term care services; to the Committee on Energy and Commerce.

By Mr. BRALEY of Iowa:

H.R. 1704. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for start-up expenditures for business for 2013 and 2014; to the Committee on Ways and Means.

By Mr. BURGESS (for himself and Mr. COTTON):

H.R. 1705. A bill to amend title 10, United States Code, to provide for certain forms of physical therapy under the TRICARE program; to the Committee on Armed Services.

By Mr. CUMMINGS (for himself, Ms. WATERS, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. WAXMAN, Mr. TIERNEY, Ms. LOFGREN, and Ms. SCHAKOWSKY):

H.R. 1706. A bill to establish an Independent Monitor to maintain oversight of the settlement by mortgage servicing companies that were subject to enforcement actions for unsafe and unsound practices related to residential mortgage loan servicing and foreclosure processing, and for other purposes; to the Committee on Financial Services.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. SHIMKUS, Mr. ENYART, Mr. KINZINGER of Illinois, Mr. SCHOCK, Mr. DANNY K. DAVIS of Illinois, Mr. FOSTER, Mrs. BUSTOS, Mr. SCHNEIDER, Mr. GUTIERREZ, Mr. HULTGREN, Mr. QUIGLEY, Ms. SCHAKOWSKY, Mr. RUSH, Mr. LIPINSKI, Ms. KELLY of Illinois, Ms. DUCKWORTH, and Mr. ROSKAM):

H.R. 1707. A bill to designate the facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, as the "James R. Burgess Jr. Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. JENKINS (for herself, Mr. CROWLEY, Mr. CLEAVER, Mr. ROSKAM, Mr. FRANKS of Arizona, Mr. MULVANEY, Mr. SMITH of Nebraska, Mr. CONAWAY, Mr. GIBBS, Mr. POLIS, Mr. CHABOT, Mr. WESTMORELAND, Mr. MEEKS, Mr. TURNER, Mr. CRAMER, Mr. MORAN, Ms. BROWN of Florida, Mr. HUIZENGA of Michigan, Mr. MATHE-SON, Mr. WALBERG, Mr. SCHRADER, Ms. BONAMICI, Ms. DELBENE, Mr. SCHOCK, Mr. BLUMENAUER, Mr. PAULSEN, Mr. AUSTIN SCOTT of Georgia, Mr. GRIFFIN of Arkansas, and Mr. LONG):

H.R. 1708. A bill to suspend temporarily the duty on certain footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 1709. A bill to authorize the Attorney General to award grants to eligible entities to prevent or alleviate community violence by providing education, mentoring, and counseling services to children, adolescents, teachers, families, and community leaders on the principles and practice of non-violence; to the Committee on Education and the Workforce.

By Mr. LEWIS:

H.R. 1710. A bill to authorize the Gandhi-King Scholarly Exchange Initiative focusing on peace and nonviolence in global conflict resolution, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BEN RAY LUJAN of New Mexico:

H.R. 1711. A bill to make funds available to the Department of Energy National Laboratories for the Federal share of cooperative research and development agreements that support maturing Laboratory technology and transferring it to the private sector, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. MCNERNEY (for himself, Ms. MATSUI, Mr. COSTA, Mr. HONDA, and Mr. JOHNSON of Georgia):

H.R. 1712. A bill to prevent foreclosure of home mortgages and provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. MURPHY of Pennsylvania (for himself, Mr. HECK of Nevada, Mr. MEEHAN, and Mr. GERLACH):

H.R. 1713. A bill to establish a procedure to safeguard the surpluses of the Social Security and Medicare hospital insurance trust funds; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS of California (for himself, Ms. WILSON of Florida, Mr. CÁRDENAS, Ms. LINDA T. SÁNCHEZ of California, Mr. LOWENTHAL, Ms. MENG, Mr. DEUTCH, Mr. VARGAS, Mr. RANGEL, Mrs. DAVIS of California, Mr. CONYERS, Mrs. NAPOLITANO, and Ms. SINEMA):

H.R. 1714. A bill to direct the Secretary of Veterans Affairs and the Secretary of Housing and Urban Development to establish a grant pilot program to provide housing to elderly homeless veterans; to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS of Michigan (for himself, Mr. GARDNER, Mr. CARNEY, and Mr. POLIS):

H.R. 1715. A bill to establish procedures for the expedited consideration by Congress of the recommendations set forth in the Cuts, Consolidations, and Savings report prepared by the Office of Management and Budget; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETRI (for himself and Mr. POLIS):

H.R. 1716. A bill to simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encourage responsible borrowing, and save money for taxpayers; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. LARSON of Connecticut, Mr. THOMPSON of Pennsylvania, Mr. BRALEY of Iowa, Mr. ROE of Tennessee, Mr. RYAN of Ohio, Mr. TIBERI, Mr. LOEBSACK, Mr. JOYCE, Mr. MCKINLEY, Mrs. CAPITO, Mr. DESJARLAIS, Mrs. BLACKBURN, Mr. BARLETTA, Mr. GRIMM, Mr. AUSTIN SCOTT of Georgia, Mr. HARPER, Mr. MARINO, Mr. CRENSHAW, Mr. KING of New York, Mr. JOHNSON of Ohio, Mr. FORTENBERRY, Mr. CHABOT, Mr. POSEY, Mr. LANKFORD, and Mr. NUNNELEE):

H.R. 1717. A bill to amend title XVIII of the Social Security Act to establish a market pricing program for durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) under part B of the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER:

H.R. 1718. A bill to amend title 18, United States Code, and title 39, United States Code, to provide the United States Postal Service the authority to mail wine and beer, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Mr. RYAN of Ohio, and Mr. TIBERI):

H.R. 1719. A bill to amend title 31, United States Code, to save the American taxpayers money by immediately altering the metallic composition of the one-cent, five-cent, dime, and quarter dollar coins, and for other purposes; to the Committee on Financial Services.

By Mr. WELCH (for himself, Mr. GIBSON, Ms. PINGREE of Maine, and Mr. DESJARLAIS):

H.R. 1720. A bill to conduct a pilot program in support of efforts to increase the amount of purchases of local fresh fruits and vegetables for schools and service institutions by giving certain States the option of receiving a grant from the Secretary of Agriculture for that purpose instead of obtaining commodities under Department of Agriculture programs; to the Committee on Education and

the Workforce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS:

H. Res. 179. A resolution recognizing "International Jazz Day"; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCGOVERN:

H.R. 1692.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—and Article I, Section 8, Clause 3

By Mr. GRIFFIN of Arkansas:

H.R. 1693.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ELLISON:

H.R. 1694.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 3.

By Mr. SCOTT of Virginia:

H.R. 1695.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. POE of Texas:

H.R. 1696.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LUETKEMEYER:

H.R. 1697.
Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common Defense and general welfare of the United States, as enumerated in Article I, Section 8, Clause 1. Thus, Congress has the authority not only to increase taxes, but also, to reduce taxes to promote the general welfare of the United States of America and her citizens. Additionally, Congress has the Constitutional authority to regulate commerce among the States and with Indian Tribes, as enumerated in Article I, Section 8, Clause 3.

By Mr. GENE GREEN of Texas:

H.R. 1698.
Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1

Article 1, section 8, clause 3

Article 1, section 8, clause 18

By Mr. DEFAZIO:

H.R. 1699.
Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. ENGEL:

H.R. 1700.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1;
Article I, Section 8, Clause 1;
Article I, Section 8, Clause 3; and
Article I, Section 8, Clause 18.

By Mr. POE of Texas:

H.R. 1701.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of Article I of the Constitution which states that Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. BARBER:

H.R. 1702.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.

Article I, Section 8, Clause 13

To provide and maintain a Navy.

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

Article I, Section 8, Clause 18

To make all laws which shall be necessary and proper for the carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. BOUSTANY:

H.R. 1703.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18

By Mr. BRALEY of Iowa:

H.R. 1704.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BURGESS:

H.R. 1705.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section 8, Clause 3: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes" as well as Article 1, Section 8, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. CUMMINGS:

H.R. 1706.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (provide for the common Defence and general Welfare of the United States)

Article 1, Section 8, Clause 3 (To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes)

By Mr. RODNEY DAVIS of Illinois:

H.R. 1707.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Ms. JENKINS:

H.R. 1708.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

And

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. LEWIS:

H.R. 1709.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 1710.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1711.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. MCNERNEY:

H.R. 1712.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution

By Mr. MURPHY of Pennsylvania:

H.R. 1713.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. PETERS of California:

H.R. 1714.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. PETERS of Michigan:

H.R. 1715.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2

Article I, Section 9, Clause 7

Article I, Section 8, Clause 1

By Mr. PETRI:

H.R. 1716.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. PRICE of Georgia:

H.R. 1717.

Congress has the power to enact this legislation pursuant to the following:

Current law has created a health care program called Medicare that is operated by the federal government. This bill would improve

the efficiency and fairness of the operation of parts of that program, especially the purchase of goods and services, while affecting interstate commerce, which Congress has the power to regulate under Article I, Section 8, Clause 3.

By Ms. SPEIER:

H.R. 1718.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. STIVERS:

H.R. 1719.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—"To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures"

By Mr. WELCH:

H.R. 1720.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof . . .

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 38: Mr. BENISHEK and Mr. JOHNSON of Ohio.

H.R. 96: Mr. YARMUTH.

H.R. 149: Mr. BARLETTA.

H.R. 184: Mr. HONDA.

H.R. 207: Mr. POMPEO.

H.R. 274: Ms. DEGETTE and Mrs. KIRKPATRICK.

H.R. 292: Ms. SLAUGHTER, Mr. HINOJOSA, and Mr. JOHNSON of Georgia.

H.R. 324: Mr. VARGAS, Ms. SHEA-PORTER, Mr. CRAMER, and Mr. DAINES.

H.R. 362: Mr. JOHNSON of Georgia.

H.R. 363: Mr. JOHNSON of Georgia.

H.R. 376: Ms. LORETTA SANCHEZ of California.

H.R. 377: Mr. MCINTYRE.

H.R. 411: Mr. WELCH.

H.R. 419: Mr. FALCOMA and Mr. KEATING.

H.R. 474: Mr. HONDA.

H.R. 498: Mr. MARCHANT, Mr. GRAYSON, Mr. PAYNE, and Mr. VISCLOSKEY.

H.R. 508: Mr. KIND and Mr. MULVANEY.

H.R. 519: Ms. DELBENE, Mr. NEAL, Mr. ELLISON, Mr. CROWLEY, Mr. WALZ, Mr. CUMMINGS, and Ms. EDWARDS.

H.R. 520: Mr. HORSFORD.

H.R. 543: Mr. BARBER, Mr. HUFFMAN, and Mrs. NOEM.

H.R. 578: Mr. LATTI.

H.R. 580: Mr. YOUNG of Indiana and Mr. COFFMAN.

H.R. 594: Ms. CLARKE.

H.R. 596: Mr. COOPER and Mr. WITTMAN.

H.R. 627: Mr. COBLE, Mr. SERRANO, Mr. MCHEENRY, Mr. YOUNG of Indiana, Mr. NUNES, Mr. ROGERS of Michigan, Mr. NUGENT, Mr. BURGESS, Mr. SAM JOHNSON of Texas, Mrs. BROOKS of Indiana, Mr. CLEAVER, Mr. BOSTANY, Mr. BEN RAY LUJÁN of New Mexico, Mr. ALEXANDER, Mr. LIPINSKI, Mr. BARBER, and Mr. RUSH.

H.R. 630: Mr. JOYCE, Ms. BASS, Mr. CARSON of Indiana, and Mr. HECK of Washington.

H.R. 647: Ms. MOORE, Ms. SCHAKOWSKY, Mr. RUPPERSBERGER, and Mr. HULTGREN.

H.R. 655: Mr. TIBERI.

H.R. 657: Mr. STEWART.

H.R. 661: Ms. JACKSON LEE.

H.R. 664: Mr. GRIMM and Mrs. MCCARTHY of New York.

H.R. 684: Mr. COOPER and Mr. SCOTT of Virginia.

H.R. 693: Mr. ROE of Tennessee.

H.R. 705: Mr. ROONEY, Mr. GOHMERT, and Mr. MURPHY of Pennsylvania.

H.R. 719: Mr. NOLAN.

H.R. 721: Mr. KLINE.

H.R. 755: Ms. LOFGREN.

H.R. 783: Ms. NORTON.

H.R. 792: Mr. ROGERS of Michigan and Mr. DAINES.

H.R. 807: Mr. LANKFORD, Mrs. WALORSKI, and Mr. NUNNELEE.

H.R. 842: Mr. KIND.

H.R. 850: Mr. BRADY of Texas, Ms. DELBENE, and Mr. SMITH of Washington.

H.R. 911: Mr. SIMPSON.

H.R. 916: Mr. PETRI.

H.R. 929: Ms. WILSON of Florida.

H.R. 938: Mr. GARRETT and Ms. FUDGE.

H.R. 940: Mr. GOHMERT.

H.R. 942: Mr. CONNOLLY, Mr. CONYERS, Mr. MORAN, Mr. LATHAM, Mr. ENYART, Mr. TIBERI, Ms. SLAUGHTER, Ms. MOORE, Ms. DUCKWORTH, Ms. TITUS, Mr. JOHNSON of Georgia, Ms. WILSON of Florida, Mrs. MCMORRIS RODGERS, Mr. LANGEVIN, Ms. NORTON, Mr. NOLAN, Mr. MCKEON, Mr. BRALEY of Iowa, and Mr. RUNYAN.

H.R. 961: Mr. LARSEN of Washington, Mr. MCNERNEY, Mr. SCHIFF, Ms. TITUS, Mr. KING of New York, Ms. LEE of California, and Mr. PERLMUTTER.

H.R. 979: Mrs. BLACKBURN.

H.R. 983: Mr. SENSENBRENNER, Mr. FARENTHOLD, and Mr. CONNOLLY.

H.R. 984: Mr. SWALWELL of California.

H.R. 988: Mr. MICHAUD.

H.R. 1000: Ms. JACKSON LEE, Mr. GUTIERREZ, Mr. CARSON of Indiana, and Mr. COHEN.

H.R. 1010: Mr. DELANEY, Mr. ISRAEL, Mr. HOYER, and Mr. CARSON of Indiana.

H.R. 1014: Mr. DENT.

H.R. 1020: Mr. HANNA, Ms. JENKINS, and Mr. TIBERI.

H.R. 1026: Mr. POMPEO and Mr. FARENTHOLD.

H.R. 1093: Mr. BENISHEK.

H.R. 1151: Mr. MULLIN and Mr. DAINES.

H.R. 1154: Mr. CUMMINGS.

H.R. 1175: Mr. CUMMINGS.

H.R. 1180: Mr. OWENS, Mr. SERRANO, Mr. LATHAM, Mr. HANNA, and Mr. TONKO.

H.R. 1201: Mr. PETERS of California and Mr. CARSON of Indiana.

H.R. 1213: Mr. GRIJALVA.

H.R. 1215: Mr. HUFFMAN.

H.R. 1245: Mr. VELA, Mr. ISRAEL, and Ms. WILSON of Florida.

H.R. 1250: Mrs. KIRKPATRICK.

H.R. 1290: Mr. WITTMAN.

H.R. 1304: Mr. GOHMERT, Mr. OLSON, and Mr. FRANKS of Arizona.

H.R. 1313: Mr. RODNEY DAVIS of Illinois, Mr. FRANKS of Arizona, Mr. DESJARLAIS, and Mr. GOHMERT.

H.R. 1318: Mrs. NAPOLITANO and Ms. DEGETTE.

H.R. 1334: Mr. PAYNE.

H.R. 1340: Ms. ROYBAL-ALLARD, Mr. CARSON of Indiana, Ms. SCHAKOWSKY, and Mr. COHEN.

H.R. 1345: Mr. POE of Texas and Mr. MEADOWS.

H.R. 1346: Mr. CONYERS.

H.R. 1417: Mrs. BROOKS of Indiana, Mr. FARENTHOLD, and Mr. KINZINGER of Illinois.

H.R. 1418: Ms. FRANKEL of Florida and Ms. CHU.

H.R. 1421: Mr. PETERS of California and Mr. CICILLINE.

H.R. 1428: Mr. LEVIN and Mr. PAYNE.

H.R. 1432: Mr. ROONEY, Mr. GRIJALVA, Mr. COFFMAN, Mr. DOGGETT, Mrs. CHRISTENSEN, and Mr. REED.

H.R. 1500: Mr. CARSON of Indiana.

H.R. 1507: Mr. WALZ, Mr. CARSON of Indiana, Mr. MICHAUD, Ms. PINGREE of Maine, Mr. GENE GREEN of Texas, Mr. SARBANES, Mr. LOEBSACK, Mr. DAVID SCOTT of Georgia, Mr. CICILLINE, Mr. PAYNE, Mr. BISHOP of Georgia, Mr. WELCH, Mr. KEATING, and Mr. MCGOVERN.

H.R. 1518: Mr. CAMPBELL, Mr. DEFazio, Mr. KING of New York, Ms. SCHWARTZ, Mr. PAYNE, and Mrs. NOEM.

H.R. 1523: Mr. BENISHEK, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Ms. NORTON.

H.R. 1528: Mr. ROGERS of Alabama, Mr. WELCH, and Mr. HUELSKAMP.

H.R. 1578: Mr. ENGEL.

H.R. 1579: Ms. LOFGREN.

H.R. 1587: Mr. FARENTHOLD and Mr. JOHNSON of Ohio.

H.R. 1589: Mr. SCHRADER.

H.R. 1590: Mr. ISRAEL.

H.R. 1593: Ms. BROWNLEY of California, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DEUTCH, Mr. LOEBSACK, Mrs. LOWEY, Mr. McDERMOTT, Mr. MICHAUD, Mr. PALLONE, Mr. PASTOR of Arizona, Mr. RUSH, Ms. LINDA T. SANCHEZ of California, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. WAXMAN, Mr. CÁRDENAS, Mrs. NEGRETE MCLEOD, Mr. LOWENTHAL, Ms. KUSTER, Ms. MENG, and Mr. SWALWELL of California.

H.R. 1595: Mr. KEATING, Ms. CHU, Ms. SPEIER, Mr. SIRES, Mr. DEUTCH, Mr. ISRAEL, Mr. GARAMENDI, Ms. WASSERMAN SCHULTZ, and Mr. PERLMUTTER.

H.R. 1613: Mr. RADEL and Mr. BROWN of Georgia.

H.R. 1617: Ms. JACKSON LEE, Ms. NORTON, and Ms. WATERS.

H.R. 1621: Mr. BISHOP of Georgia, Ms. SCHAKOWSKY, Mr. PAYNE, and Mr. CARSON of Indiana.

H.R. 1622: Mr. AL GREEN of Texas.

H.R. 1626: Mr. SCHWEIKERT, Mr. STIVERS, and Mrs. BACHMANN.

H.R. 1628: Mr. CRAMER, Mr. MCCLINTOCK, Mr. JONES, Mr. DUNCAN of South Carolina, and Mr. WESTMORELAND.

H.R. 1638: Mr. MASSIE, Mr. LABRADOR, and Mr. POSEY.

H.R. 1642: Mr. CARSON of Indiana.

H.R. 1643: Mr. CARSON of Indiana.

H.R. 1652: Mr. BECERRA and Mr. TIERNEY.

H.J. Res. 24: Mr. TIPTON.

H.J. Res. 28: Mr. MARINO.

H. Con. Res. 23: Mr. BARR.

H. Con. Res. 33: Ms. SINEMA.

H. Con. Res. 34: Ms. DELAURO.

H. Res. 36: Mr. YOUNG of Alaska and Mr. LANCE.

H. Res. 72: Mr. SESSIONS.

H. Res. 89: Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. STOCKMAN, Mr. CARTER, Mr. GRIJALVA, Mr. GRAVES of Missouri, Mr. RADEL, Mr. GARRETT, Mr. GINGREY of Georgia, Mr. YOUNG of Alaska, and Ms. NORTON.

H. Res. 108: Mr. SERRANO.

H. Res. 154: Mr. CÁRDENAS and Mr. HUFFMAN.

H. Res. 160: Mr. MCKINLEY.

H. Res. 173: Mr. CRAWFORD, Mr. SHUSTER, Mr. BUCSHON, Mr. LAMALFA, Mr. GOHMERT, Mrs. BLACKBURN, and Mr. MCKINLEY.

H. Res. 174: Ms. JACKSON LEE, Mr. RANGEL, Ms. WATERS, Mr. GARAMENDI, Mr. PRICE of North Carolina, Mr. SCOTT of Virginia, Ms. BASS, Ms. MATSUI, Mr. DEUTCH, Ms. SCHAKOWSKY, Ms. EDWARDS, Ms. FRANKEL of Florida, Mrs. CAPPS, Mr. WATT, Mrs. DAVIS of California, Mr. HECK of Washington, Mr. BARBER, Ms. HAHN, Mr. COURTNEY, Mr. TAKANO, Mr. PALLONE, Mr. MCGOVERN, Mr. SCHIFF, Mr. BERA of California, Mr. CONNOLLY, Ms. BONAMICI, Mr. CARSON of Indiana, Mr. VEASEY, Mr. MICHAUD, Ms. BROWNLEY of California, Mr. HORSFORD, Mr. ENGEL, Mr. GENE GREEN of Texas, Mr. BEN RAY LUJÁN of New Mexico, Mr. NOLAN, Ms. MCCOLLUM, Mr. LIPINSKI, Mr. KILMER, Ms. ESTY, and Mr. POLIS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative PITTS, or a designee, to H.R. 1549, the “Helping Sick Americans Now Act,” does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Wednesday, April 24, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, our Heavenly Father, who of Your great mercy promised to supply all our needs, confirm and strengthen us in all goodness and bring us into the joy of abundant living.

Today, give our Senators the gifts of wisdom and understanding, of knowledge and judgment, so that those held captive will enjoy again the freedom and the peace of Your providential love. Help us to show our gratitude to You with words and actions of affirmation. Tune our minds to the frequency of Your spirit as we dedicate this day to serve You.

Lord, we ask You to bless our Capitol Police who risk their lives for freedom each day.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 24, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ACKNOWLEDGING THE CAPITOL POLICE

Mr. REID. Mr. President, I appreciate very much the Chaplain's prayer, but I especially want to recognize the last line or two of his prayer today where he indicated that he wanted a special blessing on the Capitol Police. I am happy the Sergeant at Arms was here when that prayer was being given, because the Chaplain is right. Every day the Capitol Police protect us; that is, Senators and staff, but also the millions of visitors who come to this massive complex every year. We see them standing there at guard, watching the doors. We need to do that because a few years ago we had some madman crash through the House side and kill some police officers.

We see that things have gotten more difficult since then. We have people standing with automatic weapons. We have bomb squads. We have dogs that work with us so well. We have people who are on bicycles. But with the appropriations process coming soon,—I hope—we have to make sure we supply the Capitol Police with the tools and materials and equipment they need to continue doing their job.

Is it inconvenient for people coming here, and for us on occasion? The answer is yes. But they are doing that for us, for the people who come to this complex. I want to acknowledge the good Chaplain. I appreciate his remarks on behalf of the people who protect us here every day.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in morning business until 10:30. Republicans will control the first half, the majority the final half. Following morning business, the Senate will proceed to executive session to consider the nomination of Jane Kelly to be United States Circuit Judge for the Eighth Circuit and the nomination of Sylvia Burwell to be Director of the Office of Management and Budget.

At noon there will be up to three rollcall votes: confirmation of Kelly and Burwell and adoption of the motion to proceed to the Marketplace Fairness Act.

MEASURE PLACED ON THE CALENDAR—S. 788

Mr. REID. Mr. President, S. 788 is due for its second reading.

The PRESIDING OFFICER (Mr. MANCHIN.) The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 788) to suspend the fiscal year 2013 sequester and establish limits on war-related spending.

Mr. REID. Mr. President, I would object to any further proceedings with respect to this bill at this time.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

MARKETPLACE FAIRNESS ACT

Mr. REID. Mr. President, I had a number of meetings yesterday with Democratic and Republican proponents of the Marketplace Fairness Act. This is a piece of legislation that is overwhelmingly supported by Democrats and Republicans. I appreciate the remarks of the Presiding Officer yesterday on behalf of this legislation.

Succinctly, what this legislation would do is level the playing field between online sellers and brick-and-mortar retailers. As everyone knows, we have had a lot of problems with the economy. But in Nevada we have been hit very hard. We led the Nation for 20 years with a vibrant economy. In the last 4 or 5 years it has been difficult. We are doing better now but we are not doing great. For lack of a better description, I was going to say it breaks my heart. I am not sure that is proper. But I feel very badly when I drive in Reno or Las Vegas and see these little strip malls with "for lease" signs. They would not be for lease if they had the ability to compete with these online sellers.

As indicated yesterday on a number of occasions in presentations I heard made, people come to the retailers who pay money for brick and mortar. They will find a pair of shoes, they will find a coat they like, or whatever else, and they immediately walk out of there and go online and do not pay the sales tax. That prevents that business from succeeding.

The reason I mention this today, we could finish this legislation today, on Wednesday, and move on to the other bipartisan legislation. We have a small number of Senators who are holding this up, stalling. This has 50 Democratic votes and at least 25 Republican votes. I know many of my Republican colleagues want to attend—and I think that is appropriate; I wish I could—the opening of the Bush Library in Texas. Unfortunately, there are Senators who are playing procedural games that are going to prevent that from happening. I do not say this often. There is no chance they can prevail. We have three

States basically holding up this legislation. For people to talk, you are coercing us to do something. We are coercing those States to do nothing. Zero. Nothing. We are just trying to make the playing field level.

So I want everyone to understand, just a handful of Senators is preventing us from doing our work. We are going to finish this legislation this week. I know this sounds like me crying wolf, but this may be the time the wolf is really coming.

We have a bipartisan bill we have to move to next work period. It is the WRDA, Water Resources Development Act, supported by one of the most liberal Members of this Senate, BARBARA BOXER, and one of the most conservative Members, Senator VITTER. They have worked out a bill. It has been reported out of their committee. It is on the calendar right now. We are going to move to that.

In addition to that, we have another bipartisan bill in the wings coming out, the agriculture bill. We need to complete those bills next work period, because we have to get to immigration. So everyone understand, this is not crying wolf. We are going to finish this bill.

I spoke yesterday to Senator ENZI who has worked on this bill for 11 years. I spoke to my good friend—and certainly MIKE ENZI is my good friend; I do not mean to choose favorites here—LAMAR ALEXANDER. They both said we have got to finish this bill this week. We are going to do that. When I have requests from DICK DURBIN and my Republican friends to move forward on this bill, we are going to move forward on it. If we have to be here Friday and Saturday, I am telling everybody we are going to finish this bill.

We have a 3-week work period next time. We have to jam in WRDA and hopefully the ag bill so we can move before July 4 and finish the immigration bill which is going to take up quite a bit of time. We have too much to do when we return from our in-State work period.

I have a lot to do. I have a conference. I am going to do some things there with ERIC CANTOR. We do not do things together very often, but we are going to talk about some issues people want to talk about. I want to be able to do that. It is not here in Washington. If I have to put that off, it would be a shame for me and ERIC CANTOR, and I think the people putting on the conference. But if that is what it takes, that is what it takes. I want to go home. So we are going to finish this bill.

I am going to read an editorial from one of the world's leading newspapers. It says, "Budget Cuts, Minus the Inconvenience." Headline: Republicans encourage a sequester affecting the poor, but they are furious about travel delays.

Here is what it says. I am not editorializing, I am just telling you what they put in this newspaper editorial today.

On Monday, after the sequester cuts forced the Federal Aviation Administration to begin furloughs for air traffic controllers, delays began to build up at airports around the country. Travelers had to wait, but nothing delayed Republicans from scurrying away from all responsibility. Speaker John Boehner started using the Twitter hashtag #ObamaFlightDelays, the latest effort in his party's campaign to blame all the pain of the sequester on the Obama administration while claiming all the credit for its effect on reducing the deficit.

"Why is President Obama unnecessarily delaying your flight?" Eric Cantor, the House majority leader, wrote in a message on Twitter. If the President wanted to, Republicans said, he could easily cut somewhere else and spare travelers any inconvenience.

As it happens, the sequester law is clear in requiring the F.A.A. and most other agencies to cut their programs by an even amount. That law was foisted on the public after Republicans demanded spending cuts in exchange for raising the debt ceiling in 2012. Since then, the party has rejected every offer to replace the sequester with a more sensible mix of cuts and revenue increases. Mr. Boehner is so proud of that strategy that he recently congratulated his party for sticking with the sequester and standing up to the president's demand for tax increases.

But drastic cuts in spending carry a heavy price. Republicans certainly don't want voters they care about—including business travelers and those who can afford to fly on vacation—to feel it. They continue to claim that the \$85 billion in this year's sequester can be covered by eliminating waste, fraud, consultants, and the inevitable grant to some obscure science or art project. And of course to programs for the poor.

You don't see any Republican hashtags blaming the president for cutting housing vouchers to 140,000 low-income families, which has begun. These vouchers are given by cities to families on the brink of homelessness, and about half of them go to families with children.

There aren't any tweets about the 70,000 Head Start slots about to be eliminated, which is forcing some school districts to distribute these valuable services by lottery.

This is not the editorial. The Presiding Officer's colleague, Senator ROCKEFELLER—a wealthy man with this great name—as a young man went to West Virginia and fell in love with the poor because he was a VISTA volunteer, and he never left. He is now here in the Senate.

Let's get to the editorial. I am sorry about that.

Continuing:

Or about the cuts to Vista [Volunteers in Service to America], which is hurting the program that performs antipoverty work in many States. Or the 11 percent cut in unemployment benefits for millions of jobless workers.

The voiceless people who are the most affected by these cuts can't afford high-priced lobbyists to get them an exception to the sequester, the way that the agriculture lobby was able to fend off a furlough to meat inspectors, which might have disrupted beef and poultry operations. And what was cut in

order to keep those inspectors on the job? About \$25 million from a program to provide free school breakfasts.

As bad as the sequester was, it was being made worse by these special-interest demands for exceptions, as well as politically motivated attempts to deflect the responsibility for pain.

The maneuvering shows the futility of trying to reduce the deficit with crude and arbitrary cuts. Both Senate Democrats and the White House have proposed budget plans that replace the sequester with a much better mix of spending cuts and revenue increases.

On Tuesday, the Senate majority leader, Harry Reid, proposed replacing the sequester for 5 months with unspent money from the wars in Iraq and Afghanistan.

This is what one of America's major newspapers said today that millions of people will have the opportunity to read.

The sequester was designed as a tool to bring Democrats and Republicans together to reduce the deficit in a responsible way. By now we can all see that didn't work, and we can see that sequester's costs far outweigh the savings.

As indicated in this editorial, these across-the-board cuts would cost, this year, 750,000 jobs—three-quarters of a million jobs. They will cost us investments in education that keep America competitive. They will cost millions of seniors, children, veterans, and needy families the safety net that keeps them from descending into poverty.

Most of the headlines are focused on the hours the sequester has cost travelers in airports across the Nation. The frustration and the economic effects of those delays should not be minimized.

The sequester could also cost this country, and humankind, a cure for AIDS, Parkinson's disease, or cancer. These arbitrary cuts have decimated funding for medical researchers seeking cures for diabetes, epilepsy, and hundreds of other dangerous and debilitating diseases.

The National Institutes of Health has delayed or halted vital scientific projects and reduced the number of grants it awards to research scientists. Thousands of research scientists will lose their jobs in the next few months. Research projects that can't go on without adequate staffing will be cancelled altogether. Ohio State University, which is known for more than a good football and basketball team, is also one of the premier research centers in America. Grants for cancer research and infectious disease control have been axed. They are over. At the University of Cincinnati, which is at the forefront in research on strokes—a leading cause of death in the United States—scientists are bracing for some more cuts. Vanderbilt University and the University of Kentucky are accepting fewer science graduate students because of funding reductions. At Wright State University, scientists researching pregnancy-related disorders, such

as preeclampsia, will lose their jobs. Boston University has laid off lab scientists, and research laboratories in San Francisco have instituted hiring freezes and delayed the launch of important studies. Grants to some of Harvard University's most successful research scientists were not renewed because of the sequester.

The research I have talked about today—and these are only a few of them—saves lives and saves misery. These scientists are looking for the next successful treatment for Alzheimer's or the next drug to treat high cholesterol. They might never get the chance to complete their groundbreaking work or make their lifesaving discoveries because of these shortsighted cuts.

We have seen the devastating impacts of these arbitrary budget cuts. Now it is time to stop them.

Be prepared, everybody—the House is now working on another bill because we have the debt ceiling coming soon. They are working on another bill to make it even more painful for the American people.

Last night I introduced a bill that would roll back the sequester for the rest of the year, and just like the editorial indicated, it is something we should do. The bill would give Democrats and Republicans time to sit down at the negotiating table and work out an agreement to reduce the deficit in a balanced way. It wouldn't add a penny to the deficit. It would use the savings from winding down the wars in Afghanistan and Iraq to prevent cuts that will harm our national security and our economy.

Before the Republicans dismiss these savings, they should recall that 235 Republicans voted to use these funds to pay for the Ryan Republican budget. They didn't consider it a gimmick when it served their own purposes.

We can stop the flight delays and the pink slips. We can stop the devastating cuts to programs that protect low-income children, homebound seniors, and homeless veterans. We can stop the cuts to crucial medical research. But Democrats can't do it without Republicans' help.

Republicans overwhelmingly voted for these painful, arbitrary cuts, and Republicans bear responsibility for their consequences. Remember, these cuts came about because of the debt ceiling they refused to move on until these devastating cuts came about, and Republicans bear responsibility for the consequences, from travel delays to cuts to vital programs. Now Republicans must accept that they have an obligation to cooperate with us to help stop these Draconian cuts and mitigate the consequences.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, I ask unanimous consent that the leader time not

count against the hour that is set aside for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

SEQUESTRATION

Mr. MCCONNELL. Mr. President, something really remarkable happened in the Senate last night. It was sort of late in the day, so for those who missed it, here is a little recap.

Late yesterday afternoon the majority leader handed us a hastily crafted bill and then asked if we could pass it before anybody had seen it. Apparently, someone on the other side realized they had no good explanation for why they hadn't prevented the delays we have seen at airports across the country this week, so they threw together a bill in a feeble attempt to cover for it. It is pretty embarrassing.

It actually proposes to replace the President's sequester cuts with what is known around here as OCO. I know this isn't something that will be familiar to most viewers, so let me borrow an explanation provided by Senator Joe Lieberman in a letter he signed with Dr. COBURN last year. Here is what Senator Lieberman said about OCO:

The funds allocated for OCO or "war savings" are not real, and every member of Congress knows this. The funds specified for Overseas Contingency Operations in future budgets are mere estimates of what our nation's wars cost may be in the future. And since it is likely that future OCO costs will be significantly less than the placeholders in the Congressional Budget Office's estimates, it is the height of fiscal irresponsibility to treat the difference between the assumed and actual OCO costs as a "savings" to be spent on other programs.

Let me read that last part again.

It is the height of fiscal irresponsibility to treat the difference between the assumed and actual OCO costs as a "savings" to be spent on other programs.

This is from the man who was once the Democratic nominee to be Vice President.

There is bipartisan consensus that this thing we call OCO is a fiscally irresponsible gimmick. The director of the Concord Coalition has called it "the mother of all . . . gimmicks." The president of the Committee for a Responsible Federal Budget called it a "glaring gimmick." Whether OCO is the mother of all gimmicks or just a glaring one, everybody other than the majority leader evidently agrees on one thing: It is the height of fiscal irresponsibility.

Now, just as important as what the majority leader's proposal is, however, is what it isn't. It isn't a tax increase. That is actually news. The majority

leader is clearly ditching the President on this issue. As you may recall, the President has said he would only consider replacing the sequester with a tax hike. Whatever you want to say about OCO, it is not a tax hike—it is borrowed money that will have to be repaid later.

Still, it doesn't punish small businesses the way the President's proposals would. So this is, in a sense, big news. It represents a significant break from the President's favored approach on this issue.

As I said yesterday, the President rejected the flexibility we proposed on the sequester for obvious political reasons. He wanted these cuts to be as painful as possible for folks across the country and to provide an excuse to raise taxes to turn them off. Well, it is simply not working. Even his own party is starting to abandon him on this issue.

The broader point is this: Even without the flexibility we propose, he already has the flexibility he needs to make these cuts less painful. He has it right now. He should exercise it.

I also think we should all acknowledge that there is now a bipartisan agreement that tax hikes won't be a replacement for the sequester. The real solution, as I said, is for the administration to accept the additional flexibility we would like to give them to make these cuts in a smarter way and to get rid of wasteful spending first.

Surely, in the \$3.6 trillion we are spending this year, we could find a way to reduce the spending we promised the American people we would reduce a year and a half ago when the Budget Control Act was passed and do that in a sensible way. This is what we have consistently said. There is more flexibility in the law right now. We would be happy to give the President even more to achieve the cuts we promised the American people we would achieve.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Remember, Congressman RYAN, when he came up with one of these budgets, used these overseas contingency funds to balance his budget.

Let's not even worry about that for purposes of this conversation, the overseas contingency fund. Let's just talk about the war in Afghanistan. What my friend is saying is that it is OK to borrow money for the war in Afghanistan but not to use that same money to reduce pains being felt all over America today.

Even Joe Scarborough on "Morning Joe," a former Republican Congressman from Florida, said today that he can't believe that the pain is being felt all over America today and no one is concerned about the war in Afghanistan.

Does anyone think we are going to be fighting a war in Afghanistan 5 years

from now, 10 years from now? That is the money people are trying to protect. I hope not. For the sake of my children and grandchildren, I hope we are not still fighting in Afghanistan 5 or 10 years from now.

We are asking to take a few dollars of the \$650 billion that is there—billion dollars—to relieve the pain we are feeling now for 5 months. That is it.

I think it is really unfair that it would be so easy to turn the sequester around and allow us to do something for a long term to take care of this issue, but, no, the Republicans like the pain.

One Republican Senator who came here last night said: Well, why don't we take the money from the construction fund for airports?

Those create jobs.

He said: Why don't we take it from essential air services?

That dog has been here and fought lots of times. That has been stripped bare.

As I indicated in my opening statement, this is supposed to be fair and equal. You can't jimmy things around. It is the same amount of money. The Republicans say: Well, it is the same amount of money, but give more pain to somebody else than the other; just balance it out. The pain is too severe; it can't be balanced out.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Ms. HEITKAMP). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with equal time divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Indiana.

FAA SEQUESTRATION DELAYS

Mr. COATS. Madam President, I rise as a member of both the Senate Appropriations Committee on Transportation and as a member of the Senate Commerce Committee to discuss what I believe is a shocking display of mismanagement and incompetence by the leadership of the Department of Transportation and the Federal Aviation Administration.

The Federal Aviation Administration says the sequester will result in as many as 6,700 delays per day. To put this in context, on the worst weather day in 2012, we had 2,900 flight delays. So the FAA's projected 6,700 delays per day would more than double the worst day in 2012.

To me, this is disturbing evidence of the lack of planning on the part of both the Department of Transportation and the FAA, leading up to what we all knew was going to take place—in fact, since the law was signed by the President. We have known for 1 year this may happen. The President signed it into law, and we are now many months down the line and suddenly the FAA came along just a few days ago and said: Oh, we just need to let you know, by the way, we are going to implement this part of the sequestration.

This across-the-board furlough is especially surprising given the previous announcements their guiding principle when implementing sequestration would be to enact a plan that "maintains safety and minimizes the impact to the highest number of travelers." Announcing 3 days or so before they implement this plan that potentially results in as many as 6,700 delays per day minimizes the impact of the highest number of travelers?

This is disingenuous. It is mismanagement at its worst. It is incompetence at its worst. It is a failure to do what every agency has been required to do; that is, plan for this. Now that it has been in law for several months, there is no excuse for simply saying: Oh, we didn't have time to put this in place, so this is what we are going to do.

I voted against sequestration because it treats every Federal program on an equal basis regardless of its necessity, its effectiveness, or whether it is an essential function of the Federal Government.

Clearly, keeping our skies safe and getting our passengers from point A to point B is an essential function. We need those air traffic controllers. The plan that was put forth by the FAA flies in the face of their own judgment and their own statements in terms of what they needed to do.

Instead of furloughing 47,000 employees and causing significant delays for travelers, they should have been seeking reductions elsewhere. We tried to give these essential agencies additional flexibility necessary to do so. Unfortunately, the President did not support that effort, and the majority party in the Senate did not support that effort. Therefore, they have no reason to point their fingers over here and say: Oh, sequestration is so terrible. We never should have been in this position in the first place.

The FAA, for the record, could have considered cutting back on the \$541 million it spends on consultants—in other words, those who have been hired to work at the FAA because the FAA can't do the job themselves, so they need to spend \$541 million to hire outside consultants—and the \$2.7 billion it spends on non-personnel costs. But instead of looking at how to better manage their own administration, they

turned to furloughing up to 10 percent of the air traffic controllers, creating up to 6,700 delays per day on the traveling public.

Then they say they haven't had time to work this out. Haven't had time? They have had months' worth of time since the law was signed. How about the time people now wasted standing at airports for 3 and 4 hours waiting to board their plane and the overall disruption this causes? And this is in good weather. That in itself is a lame excuse the FAA has put forward.

I did not vote for the sequestration, as I said before. I thought it was an inadequate way to deal with the necessary need to cut spending here. But the Federal Government says: We would like to do that, but we can't afford to do that right now and still focus on the essential services and give them the opportunity to manage that. Clearly, the FAA and the Department of Transportation have not managed this well at all. This is incompetence.

As I mentioned, Congress was only informed just days ahead of the time of these furloughs. This decision kicked in to the surprise of the airlines and to the surprise of Congress. But clearly what we have learned, despite 1 year of advance warning and refusals to analyze all possible alternatives to minimize impacts to the traveling public—and it is hard to come to any other conclusion—is this is a politically motivated decision to inflict as much pain on Americans as possible in an effort to make the case that sequestration never should have taken place in the first place; that a 4-percent across-the-board cut to the FAA budget is simply something they can't manage. In other words, we would have asked the FAA to do what they did in 2010 with the money that was allocated to them, but they can't do that now. This is 2012–2013 and they need this extra money and they need these hundreds of billions of dollars to continue to hire consultants. They don't want to be asked to make the kinds of decisions every business in this country has had to make over the last 4 or 5 years during the malaise of economic growth following the recession that has taken place. We shouldn't ask them to do what every family has had to do? Their thinking is: We are the Federal Government. How dare you impose a 4-percent cut on what we do. We need to increase that every year because we need to keep hiring more and paying more consultants. We are not capable of managing.

It is shocking. I hope the President understands if he wants effective, efficient government, he is going to have to hire effective, efficient management. He is going to have to give them the instructions to do what every business in America has had to do during this difficult economy and slow economic growth.

I think we should take a very close look at the kinds of decisions that have been made at the Department of Transportation, the lack of competent management, and the mismanagement of taxpayer money. This administration needs to step up to the plate and be accountable. The President, as I said, created and signed into law the sequestration policy. His administration has known for more than 12 months this policy was imminent and they have done nothing to prepare for it effectively.

Our country is a long way from getting our spending under control, so it is time the administration stops looking for excuses and starts managing its budget effectively.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized. Mr. HOEVEN, I thank the Chair.

(The remarks of Mr. HOEVEN pertaining to the introduction of S. 794 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, what is in the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business.

IMMIGRATION

Mr. LEAHY. Madam President, I will be speaking shortly on matters of immigration. I just wanted to report to the Senate that since February the Senate Judiciary Committee has held six hearings on immigration. We concluded the last one yesterday with the testimony of Secretary Janet Napolitano.

In all, we have had dozens of hearings on immigration in the last couple of years, but these six were especially important for the Senate and for our work in the Judiciary Committee. Tomorrow we will put the immigration bill on the Judiciary Committee's agenda.

Under our normal practice, I have consulted with the ranking member. We both agree. The bill would be held over until the first Thursday we come back from our early May recess. This actually works well because it will give all members of the committee, and those Senators not on the committee, more time to read it.

Once we start marking up the bill and voting on it in committee, it would be my intention to not go Thursday to Thursday, which is normal committee procedure, but to hold markups several days a week. I am told that people do not intend to delay this immigration

bill for the sake of delay, and I hope that is so. This is too important an issue.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, to go back, earlier this morning I spoke of the immigration hearings we have held in the Judiciary Committee and how important they are, not only to the Senate but to the country.

It was an extraordinary series of hearings. Forty-two witnesses spoke about the need for meaningful immigration reform. I believe there is a chance to have real immigration reform this year, the kind of reform that our great and wonderful country deserves. This is a country where every one of us is a child, grandchild, or great grandchild of immigrants; a country where a large percentage of the major Fortune 500 companies were started by immigrants.

We heard from "Dreamers" and farmers, business people, religious leaders, economists, government officials, practitioners, law enforcement advocates, and others. We heard from those opposed to comprehensive immigration reform, and we heard from those who support it.

Since the bipartisan legislation was introduced a week ago, we held 3 days of hearings with live testimony from 26 witnesses. I have accommodated many member requests. I worked with ranking member CHUCK GRASSLEY to ensure that all viewpoints were heard. In fact, no witness he suggested was denied the opportunity to appear and testify. I think we all realize—whether Republican or Democrat—no matter how we may vote, we should have a clear record.

I asked Secretary Napolitano to return to testify, again, even though she just did so in February. She was scheduled last week. But with the horrific circumstances in Boston, of course we all understood why she had to cancel that appearance. She came yesterday and answered every single question asked of her.

As I said earlier, when we meet tomorrow the right will be exercised under our committee rules to hold over the immigration reform bill for a week. I have discussed this with Senator GRASSLEY, and I think we both agree that this is a wise thing to do, to hold it over and give people that extra time to read the bill. Next week is a recess week, so we will be able to turn to marking up the legislation in May. By that point, the bill will have been pub-

licly available for three weeks before we vote on any aspect of it or consider any amendments offered to it. Everybody will have had a chance to see it. We live-streamed all the hearings. All of this is on the Judiciary Committee Web site.

The legislative proposal we are examining is a result of the significant work on a bipartisan compromise. I do not want to see comprehensive immigration reform fall victim to entrenched or partisan opposition even though it may well exist. In the course of my hearings I quoted my dear friend of many years, Ted Kennedy, one of the lions in this body. In the summer of 2007, he and I had worked very closely with former President George W. Bush to pass comprehensive immigration legislation. But that immigration reform was being blocked in the Senate. He spoke of our disappointment. He said:

But we are in this struggle for the long haul. Today's defeat will not stand. As we continue the battle, we will have ample inspiration in the lives of the immigrants all around us.

From Jamestown, to the Pilgrims, to the Irish, to today's workers, people have come to this country in search of opportunity. They have sought nothing more than a chance to work hard and bring a better life to themselves and their families. They come to our country with their hearts and minds full of hope.

I urge all Senators to consider the recent testimony of Jose Antonio Vargas, Gaby Pacheco, and the families who can be made more secure by enacting comprehensive immigration reform.

The dysfunction in our current immigration system affects all of us. I hope that our history and our decency can inspire us finally to take action to reform our immigration laws. I know this is something my maternal grandparents, who were so proud to come to this country, speaking a different language, beginning a business, raising a family, seeing their grandson become a Member of the Senate, I know that is the way they would feel.

I know my wife's parents, who came to this country speaking a different language, having their children here in the United States and having stood with Marcelle and me and my parents when I was sworn into the Senate, and then watching these children and grandchildren, understand what a wonderful country this is.

We are a great and good country. But we are also a country that becomes greater and better because of the diversity brought to our shores. That is true from the beginning of this country to today. Let's make it possible.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF JANE KELLY TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT

NOMINATION OF SYLVIA MATHEWS BURWELL TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nomination of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit.

The legislative clerk read the nomination of Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget.

The PRESIDING OFFICER. Under the previous order, there will be 90 minutes for debate equally divided in the usual form. The time from 10:30 to 11 o'clock a.m. shall be for debate on Calendar No. 60, and the time from 11:30 a.m. until 12 noon shall be for debate on Calendar No. 64.

The Senator from Vermont.

Mr. LEAHY. Madam President, just last month Senate Republicans filibustered the nomination of Caitlin Halligan to fill a vacancy on the D.C. Circuit that arose when Chief Justice Roberts left the D.C. Circuit to join the Supreme Court 8 years ago. Caitlin Halligan is a woman who is extraordinarily well-qualified and amongst the most qualified judicial nominees I have seen from any administration. The smearing of her distinguished record of service was deeply disappointing.

Senate Republicans blocked an up-or-down vote on her confirmation with multiple filibusters of her nomination and procedural objections that required her to be nominated five times over the last 3 years. To do so they turned upside down the standard they had used and urged upon the Senate for nominees of Republican Presidents. In those days they proclaimed that everything President Bush's controversial nominees had done in their legal careers should be viewed as merely legal representation of clients. They abandoned that standard with the Halligan nomination and contorted her legal representation of the State of New York into what they contended was judicial activism. It was not just disappointing but fundamentally unfair to a public servant and well qualified nominee.

Also disconcerting were the comments and tweets by Republican Senators after their filibuster in which they gloated about payback. That, too, is wrong. It does our Nation and our Federal judiciary no good when they

place their desire to engage in partisan tit-for-tat over the needs of the American people. I rejected that approach while moving to confirm 100 of President Bush's judicial nominees in just 17 months in 2001 and 2002.

Had Caitlin Halligan received an up-or-down vote, I am certain she would have been confirmed and been an outstanding judge on the United States Court of Appeals for the District of Columbia Circuit. Instead, all Senate Republicans but one supported the filibuster and refused to vote up or down on this highly-qualified woman to fill a needed judgeship on the D.C. Circuit. Now that Senate Republicans have during the last 4 years filibustered more of President Obama's moderate judicial nominees than were filibustered during President Bush's entire 8 years—67 percent more—I urge them to cease their practice of sacrificing outstanding judges based on their misguided sense of partisan payback.

Regrettably, however, Senator Republicans are expanding their efforts through a "wholesale filibuster" of nominations to the D.C. Circuit by introducing a legislative proposal to strip three judgeships from the D.C. Circuit. I am tempted to suggest that they amend their bill to make it effective whenever the next Republican President is elected. I say that to point out that they had no concerns with supporting President Bush's four Senate-confirmed nominees to the D.C. Circuit. Those nominees filled the very vacancies for the ninth, tenth, and even the eleventh judgeship on the court that Senate Republicans are demanding be eliminated now that President Obama has been reelected by the American people. The target of this legislation seems apparent when its sponsors emphasize that it is designed to take effect immediately and acknowledge that "[h]istorically, legislation introduced in the Senate altering the number of judgeships has most often postponed enactment until the beginning of the next President's term" but that their legislation "does not do this." It is just another of their concerted efforts to block this President from appointing judges to the D.C. Circuit.

In its April 5, 2013 letter, the Judicial Conference of the United States, chaired by Chief Justice John Roberts, sent us recommendations "based on our current caseload needs." They did not recommend stripping judgeships from the D.C. Circuit but state that they should continue at 11. Four are currently vacant. According to the Administrative Office of U.S. Courts, the caseload per active judge for the D.C. Circuit has actually increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the eleventh seat on the D.C. Circuit. When the Senate confirmed Thomas Griffith—President Bush's

nominee to the eleventh seat in 2005—the confirmation resulted in there being approximately 119 pending cases per active D.C. Circuit judge. There are currently 188 pending cases for each active judge on the D.C. Circuit, more than 50 percent higher.

Senate Republicans also seek to misuse caseload numbers. The D.C. Circuit Court of Appeals is often considered "the second most important court in the land" because of its special jurisdiction and because of the important and complex cases that it decides. The Court reviews complicated decisions and rulemaking of many Federal agencies, and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. These cases make incredible demands on the time of the judges serving on this Court. It is misleading to cite statistics or contend that hard-working judges have a light or easy workload. All cases are not the same and many of the hardest, most complex and most time-consuming cases in the Nation end up at the D.C. Circuit.

Today's nominee is fortunate to be from Iowa and nominated to a vacancy on the Eighth Circuit Court of Appeals. I fully support confirming her and commend Senator HARKIN for recommending her to the President and Senator GRASSLEY for also supporting her confirmation. The confirmation to fill a vacancy on the Eighth Circuit also demonstrates that the caseload argument that Senate Republicans sought to use as justification for their unfair filibuster of Caitlin Halligan was one of convenience rather than conviction. With the confirmation today, the Eighth Circuit will have the lowest number of pending appeals per active judge of any circuit in the country. Yes, lower than the D.C. Circuit. The sponsors of the partisan bill directed as a wholesale filibuster of the D.C. Circuit do not propose the Eighth Circuit, which covers Iowa, Missouri, Arkansas, Minnesota, Nebraska, North Dakota and South Dakota, be stripped of any judgeships.

Although they unnecessarily delayed the confirmation from last year to this year of Judge Bacharach of Oklahoma to the Tenth Circuit, Senate Republicans all voted in favor of confirming him. They did not object, vote against, filibuster or seek to strip that circuit of judgeships even though its caseload per judge is 139, well below that of the D.C. Circuit.

This Iowa nominee has also proven the exception to the practice of Republicans of holding up confirmations of circuit nominees with no reason for months. The Senate is being allowed to proceed to her confirmation barely a month after it was reported by the Judiciary Committee. I would like to think that this signals a new willingness to abandon their delaying tactics

but fear that it is an exception. To expedite this nomination meant skipping over a number of nominees, including some who have been waiting since last year for the Senate to vote on their confirmations.

President Obama's other circuit court nominees have faced filibusters and unprecedented levels of obstruction. Senate Republicans used to insist that the filibustering of judicial nominations was unconstitutional. The Constitution has not changed, but as soon as President Obama was elected they reversed course and filibustered President Obama's very first judicial nomination. Judge David Hamilton of Indiana was a widely-respected 15-year veteran of the Federal bench nominated to the Seventh Circuit and was supported by Senator Dick Lugar, the longest-serving Republican in the Senate. They delayed his confirmation for 7 months. Senate Republicans then proceeded to obstruct and delay just about every circuit court nominee of this President, filibustering 10 of them. They delayed confirmation of Judge Patty Shwartz of New Jersey to the Third Circuit for 13 months. They delayed confirmation of Judge Richard Taranto to the Federal Circuit for 12 months. They delayed confirmation of Judge Albert Diaz of North Carolina to the Fourth Circuit for 11 months. They delayed confirmation of Judge Jane Stranch of Tennessee to the Sixth Circuit and Judge William Kayatta to the First Circuit for 10 months. They delayed confirmation of Judge Robert Bacharach of Oklahoma to the Tenth Circuit for 8 months. They delayed confirmation of Judge Ray Lohier of New York to the Second Circuit for seven months. They delayed confirmation of Judge Scott Matheson of Utah to the Tenth Circuit and Judge James Wynn, Jr. of North Carolina to the Fourth Circuit for 6 months. They delayed confirmation of Judge Andre Davis of Maryland to the Fourth Circuit, Judge Henry Floyd of South Carolina to the Fourth Circuit, Judge Stephanie Thacker of West Virginia to the Fourth Circuit, and Judge Jacqueline Nguyen of California to the Ninth Circuit for 5 months. They delayed confirmation of Judge Adalberto Jordan of Florida to the Eleventh Circuit, Judge Beverly Martin of Georgia to the Eleventh Circuit, Judge Mary Murguia of Arizona to the Ninth Circuit, Judge Bernice Donald of Tennessee to the Sixth Circuit, Judge Barbara Keenan of Virginia to the Fourth Circuit, Judge Thomas Vanaskie of Pennsylvania to the Third Circuit, Judge Joseph Greenaway of New Jersey to the Third Circuit, Judge Denny Chin of New York to the Second Circuit, and Judge Chris Droney of Connecticut to the Second Circuit for 4 months. They delayed confirmation of Judge Paul Watford of California to the Ninth Circuit, Judge Andrew Hurwitz of Arizona to the Ninth Circuit, Judge

Morgan Christen of Alaska to the Ninth Circuit, Judge Stephen Higginson of Louisiana to the Fifth Circuit, Judge Gerard Lynch of New York to the Second Circuit, Judge Susan Carney of Connecticut to the Second Circuit, and Judge Kathleen O'Malley of Ohio to the Federal Circuit for 3 months.

The nonpartisan Congressional Research Service has reported that the median time circuit nominees have had to wait before a Senate vote has skyrocketed from 18 days for President Bush's nominees to 132 days for President Obama's. This is the result of Republican obstruction. So while it is good that they have allowed this vote on Jane Kelly from Iowa, if it proves an exception rather than a change in their tactics of obstruction, we will recognize it for what it is. Senate Republicans have a long way to go to match the record of cooperation on consensus nominees that Senate Democrats established during the Bush administration.

Delay has been most extensive with respect to circuit court nominees but not limited to them. Consensus district court nominees are also being needlessly delayed. During President Bush's first term alone, 57 district nominees were confirmed within just 1 week of being reported. By contrast, during his first 4 years only two of President Obama's district nominees have been confirmed within a week of being reported by the Committee.

Just before the Thanksgiving recess in 2009, when Senator SESSIONS of Alabama was the ranking Republican on the Judiciary Committee, we were able to get Republican agreement to confirm Judge Abdul Kallon, a nominee from Alabama, and Judge Christina Reiss, our Chief Judge for the Federal District Court for the District of Vermont. They had their hearing on November 4, were voted on by the Judiciary Committee two weeks later on November 19, and were confirmed by the Senate on November 21. They were not stalled on the Senate Executive Calendar without a vote for weeks and months. They were confirmed two days after the vote by the Judiciary Committee. That should be the standard we follow, not the exception. It should not take being from the ranking Republican's home State to be promptly confirmed as a noncontroversial judicial nominee.

The obstruction of President Obama's nominees by Senate Republicans has contributed to the damagingly high level of judicial vacancies that has persisted for over 4 years. Persistent vacancies force fewer judges to take on growing caseloads, and make it harder for Americans to have access to speedy justice. While Senate Republicans delayed and obstructed, the number of judicial vacancies remained historically high and it has become

more difficult for our courts to provide speedy, quality justice for the American people. There are today 83 judicial vacancies across the country. By way of contrast, that is nearly double the number of vacancies that existed at this point in the Bush administration. The circuit and district judges that we have been able to confirm over the last four years fall 20 short of the total for this point in President Bush's second term.

There should be no doubt that these delays, and the vacancies they prolong, have a real impact on the American people. Last week, the president of the American Bar Association wrote in *The Hill* that:

Real costs are often borne by businesses whose viability relies on the timely resolution of commercial disputes, by defendants who lose jobs and sometimes family ties while languishing behind bars awaiting trial, and, ultimately, the public that expects courts to deliver on the promise of justice for all. Our economy depends on courts to enforce contracts, protect property and determine liability. Judicial vacancies increase caseloads per judge, creating delays that jeopardize the ability of courts to expeditiously deliver judgments. Delay translates into costs for litigants. Delay results in uncertainty that discourages growth and investment.

She concluded that "vacancies are potential job-killers." I ask unanimous consent that this article be printed in the *RECORD* at the conclusion of my remarks.

Today the Senate will vote on the nomination of Jane Kelly to the U.S. Court of Appeals for the Eighth Circuit. She has a distinguished career in the Federal Defender's Office, first as an assistant federal public defender and then as a supervising attorney. In addition to working in the Federal Defender's Office, Jane Kelly has also served as a visiting instructor at the University of Illinois College of Law and taught at the University of Iowa College of Law. After law school, she served as a law clerk to two Federal judges: the Honorable Donald J. Porter of the U.S. District Court for the District of South Dakota and the Honorable David R. Hansen of the U.S. Court of Appeals for the Eighth Circuit. Jane Kelly was reported unanimously by the Judiciary Committee one month ago. I am especially pleased that her nomination is not being blocked the way Senate Republicans blocked the nomination of Bonnie Campell, the former Attorney General of Iowa and first head of the Justice Department's Violence Against Women Office. In part because that nomination was blocked, Jane Kelly will be just the second woman ever to serve on the Eighth Circuit.

After today's vote, a dozen judicial nominees remain pending on the Executive Calendar, including four who could and should have been confirmed last year. Like Jane Kelly, they deserve swift consideration and an up-or-down vote.

Finally, over the last several months, I have continued to speak out about the damaging effects of sequestration on our Federal courts and our system of justice. The harmful effects continue. As a result of sequestration, Federal prosecutors and Federal public defenders continue to be furloughed. In a column dated April 18, 2013, distinguished Federal Judges Paul Friedman and Reggie Walton from the United States District Court for the District of Columbia spoke out against the harmful impact of sequestration. They wrote:

[S]equestration poses an existential threat to the right of indigent defendants to have publicly funded legal representation—a right that the Supreme Court recognized 50 years ago in its landmark decision in *Gideon v. Wainwright*. . . .

[T]he effect of sequestration on the courts severely threatens the rights guaranteed by the Sixth Amendment to those accused of crimes and, in the process, threatens our federal judiciary's reputation as one of the world's premier legal systems. This is a price we cannot afford to pay.

I ask unanimous consent that this column be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Hill, Apr. 17, 2013]

PRESIDENT AND CONGRESS MUST ACT TO FILL
JUDICIAL VACANCIES
(By Laurel Bellows)

The judicial appointment process has been broken for two decades. Through the first two centuries of our republic, the Senate was renowned as the world's greatest deliberative body, the home of lawmakers and statespeople who understood not only the impact of soaring rhetoric but also the value of collaboration and compromise. Senators assiduously exercised their authority to provide advice and consent on judicial nominations. The judicial appointment process was divisive at times, but presidents and senators have historically recognized that stonewalling judicial nominees undermines the independence of the judiciary as a co-equal branch of government. With 86 (one in 10) vacancies on our federal bench and with 37 vacant judgeships qualifying as judicial emergencies, the time for collaboration and compromise is now.

Successive presidents and Senate majority and minority leaders have pointed at each other and claimed with exasperation that their political opponents are responsible for stalling judicial nominees. Neither side is willing to end a process that has degenerated into Beltway gridlock. There are many losers in this stalemate. One is the judicial nominee, whose law practice and family suffer during the extended limbo of the pending nomination. Real costs are often borne by businesses whose viability relies on the timely resolution of commercial disputes, by defendants who lose jobs and sometimes family ties while languishing behind bars awaiting trial, and, ultimately, the public that expects courts to deliver on the promise of justice for all. Our economy depends on courts to enforce contracts, protect property and determine liability. Judicial vacancies increase caseloads per judge, creating delays that jeopardize the ability of courts to expe-

ditiously deliver judgments. Delay translates into costs for litigants. Delay results in uncertainty that discourages growth and investment. With 60 percent more judicial vacancies at present than in January 2009 and pending civil cases in U.S. District Courts 7 percent higher than in 2005, vacancies are potential job-killers.

The U.S. District Court for the Northern District of Georgia has had one open judge's position for more than 1,500 days and another for more than 1,100 days. Federal courts in Arizona, North Carolina, Texas and Wisconsin have similarly long-lived vacancies. In the U.S. District Court for the Central District of California, a venue that recently considered a \$1 billion case, a seat on the Ninth Circuit U.S. Court of Appeals has been open for more than 3,000 days, since 2004.

Vacancies affect our criminal justice system. Major crimes like terrorism, bank robbery and kidnapping are tried in federal courts that are understaffed. Plus, the number of defendants pending in criminal cases before U.S. district courts has increased 33 percent since 2003. The constitutional rights of defendants to a speedy trial are not waived because senators cannot agree on judges. To meet those constitutional obligations, criminal trials receive precedence over civil matters, further adding to the civil backlog. Exacerbating slowdowns caused by vacancies, the courts have announced that sequestration will require staff furloughs. Some courts will not accept civil filings on certain days.

Progress can be made with small steps and collaborative leadership. As a first step, Democrats and Republicans should schedule up-or-down floor votes for those 13 nominees favorably reported out of the Senate Judiciary Committee with little or no opposition.

Second, the 11 nominees who were pending on the floor when the 112th Congress adjourned should be fast-tracked. These women and men nominees already have endured the laborious review process and Judiciary Committee approval. The technicality of adjournment should not stall their consideration.

Next, the Senate majority and minority leaders should agree to prioritize filling judicial emergencies and shorten the period of time between nomination and votes. A nominee for Majority Leader HARRY REID's home state of Nevada has waited more than 200 days without a floor vote. Minority Leader MITCH MCCONNELL's home state has fared even worse. A seat has been vacant in the Western District of Kentucky for more than 500 days.

Finally, the White House should offer a nominee for every open seat on the bench. The many vacancies and anticipated vacancies warrant making judicial vacancies a priority this year. Additional nominations from President Obama will emphasize the responsibility of the Senate to end decades of escalating retaliation against qualified judicial nominees.

Bellows is president of the American Bar Association.

[From the Washington Post, Apr. 18, 2013]
PUBLIC DEFENDERS OFFICES SHOULDN'T
SUFFER UNDER SEQUESTRATION

(By Paul L. Friedman and Reggie B. Walton)

Paul L. Friedman and Reggie B. Walton are federal judges on the U.S. District Court for the District of Columbia.

Generally, federal judges should not become embroiled in political disputes. But we feel compelled to speak out because sequestration poses an existential threat to the

right of indigent defendants to have publicly funded legal representation—a right that the Supreme Court recognized 50 years ago in its landmark decision in *Gideon v. Wainwright*.

Before becoming judges, we served as federal prosecutors and as defense lawyers. As the former, we vigorously pursued the prosecution of individuals accused of violating the law. And upon securing convictions, we aggressively sought incarceration when the circumstances warranted. Our ethical obligation as prosecutors was not only to secure convictions but also to ensure that the results we obtained were just. Confidence in the justice of an outcome—especially when the accused loses his or her freedom—is maximized only if the defendant has had competent legal representation.

Our adversarial system works best with competent lawyers on both sides. In federal court in the District of Columbia, where we serve as judges, 90 percent of criminal defendants cannot afford to pay for lawyers. Of those defendants, 60 percent are represented by attorneys employed by the Office of the Federal Public Defender for the District of Columbia; the others are represented by private attorneys approved by the court, provided training by the federal public defender and paid from public funds under the Criminal Justice Act. Because of the demanding selection criteria for defense attorneys, the caliber of representation provided to indigent defendants in D.C. federal courts is outstanding. So when a person represented by one of these attorneys is convicted in our courtrooms, we can impose sentences with a high degree of confidence that the defendant's best arguments and defenses were explored or presented.

Sequestration has the potential to alter this reality. Federal public defender offices throughout the country stand to have their already tight budgets reduced significantly. The District's office is poised to furlough each of its lawyers for at least 15 days before the end of the fiscal year on Sept. 30. Also impaired will be its ability to assist private attorneys appointed to represent indigent defendants. Already, we judges are seeing court dates pushed back because lawyers at the federal public defender's office and the U.S. attorney's office are being furloughed.

Lawyers in the federal public defender's office in the District—public servants who earn much less than their private-sector counterparts—must also endure a roughly 12 percent reduction in salary. (The furloughs and salary cuts were poised to be worse, but the executive committee of the Judicial Conference announced efforts this week to help make up the shortfall.) "It's tremendously demoralizing, even for people who are used to fighting against extraordinary odds," noted one federal public defender.

This all seems a heavy price, given that cutting the judiciary's budget will do little to redress the country's economic crisis. The federal courts' budget nationwide comprises only 0.2 percent, or about \$7 billion, of the \$3.7 trillion federal budget, and funding of federal public defenders and Criminal Justice Act attorneys must come from that small share.

"Lawyers in criminal cases are necessities, not luxuries," the Supreme Court said 50 years ago in *Gideon*. A federal public defender in Ohio echoed the sentiment this month: "These are not luxury services that we're providing. These are constitutionally mandated services, and because they're mandated, someone has to do it." When it comes to the constitutional right to the effective assistance of counsel, can we really say, "We don't have the money"?

Alexander Hamilton observed in the Federalist Papers that unlike the legislative branch, which “not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated,” and the executive branch, which “not only dispenses the honors, but holds the sword of the community,” the judiciary “is beyond comparison the weakest of the three departments of power.” Because it has “neither force nor will, but merely judgment,” Hamilton explained, the judicial branch depends on the other branches to fulfill its constitutional mandate.

Particularly as concerns grow about wrongful convictions, it is distressing to see resources so dramatically diminished for those who protect the rights of the poor in the criminal justice system. And the judiciary is virtually powerless to do anything about it. We appreciate that the country’s fiscal problems must be addressed. But the effect of sequestration on the courts severely threatens the rights guaranteed by the Sixth Amendment to those accused of crimes and, in the process, threatens our federal judiciary’s reputation as one of the world’s premier legal systems. This is a price we cannot afford to pay.

Mr. GRASSLEY. Madam President, I come to the floor to speak about the nomination of Jane Kelly. I compliment the chairman for speaking on immigration. I am not going to speak on immigration today, probably, but I hope to be able to speak several times before the bill actually gets to the floor of the Senate, to inform my colleagues about my point of view on the whole issue of immigration. But I can say generally that we all know the immigration system is broken and legislation has to pass. I hope we can get something that has broad bipartisan agreement. Already the product before us is a product of bipartisanship because four Democrats and four Republicans have submitted a proposal for our committee to consider.

I rise today, as I have said, in support of the nomination of Jane Kelly to be U.S. Circuit Judge for the Eighth Circuit. The nominee before us today, Ms. Kelly, presently serves as an assistant public defender for the Federal Public Defender’s Office for the Northern District of Iowa. She does that work in the Cedar Rapids office.

She is well regarded in my home State of Iowa, so I am pleased to support Senator HARKIN’s recommendation that he made to the President, and subsequently the President’s nomination of Ms. Kelly.

She received her BA *summa cum laude* from Duke University in 1987. After spending a few months in New Zealand as a Fulbright scholar, she went on to Harvard Law School, graduated there *cum laude*, earning her J.D. degree in 1991.

Upon graduation, she served as a law clerk, first for Judge Donald J. Porter, U.S. District Court, South Dakota, and then for Judge David R. Hansen of the Eighth Circuit. Judge Hansen sent us a letter in support of Ms. Kelly. Before I quote from it, I have confidence in

Judge Hansen’s words because he was a person I suggested to Republican Presidents, both for district judge and then his long tenure on the Eighth Circuit, and he has been a friend of mine as well.

This is what now-retired Judge Hansen said in support of Ms. Kelly: “She is a forthright woman of high integrity and honest character.”

Then he went on to say she has an “exceptionally keen intellect.”

Then Judge Hansen concludes by saying: “She will be a welcome addition to the Court if confirmed.”

I have no doubt that she will be confirmed.

Beginning in 1994, she has served as an assistant Federal public defender in the Northern District of Iowa. She handled criminal matters for indigent defendants, has been responsible for trying a wide range of crimes. She became the supervising attorney in that Cedar Rapids office starting in 1999.

Ms. Kelly is active in the bar and in district court matters. She presently serves on the Criminal Justice Act Panel Selection Committee, the blue-ribbon panel for criminal cases. She also serves on the Facilities Security Committee of the district court.

In 2004, her peers honored her with the John Adams Award from the Iowa Association of Criminal Defense Lawyers and Drake University Law School. She was unanimously chosen for this award, which recognizes individuals who show a commitment to the constitutional rights of criminal defendants.

The American Bar Association’s Standing Committee on the Federal Judiciary gave her a unanimous “qualified” rating.

I congratulate Ms. Kelly on her accomplishments and wish her well in her duties. I am pleased to support her confirmation and urge my colleagues to join me.

This brings us to a point where, as of today, prior to this supposed approval of Ms. Kelly, we have a record in the Senate of approving 185 judges throughout the 4½ years of this Presidency, and the Senate has only rejected 2. That would be a .989 batting average for the President of the United States with his nominees here in the Senate.

As I stated last week, a .989 batting average is a record any President would be thrilled with. Yet this President, without justification, complains about obstruction and delay.

Today’s confirmation is the 14th so far this year including 5 Circuit Judges and 9 District Judges.

Let me put that in perspective for my colleagues. At this point in the second term of the Bush presidency, only one judicial nomination had been confirmed. A comparative record of 14–1 is nothing to cry about.

As I said, this is the fifth nominee to be confirmed as a Circuit Judge this

year, and the 35th overall. Over 76 percent of his Circuit nominees have been confirmed. President Clinton ended up at 73 percent; President Bush at 71 percent. So President Obama is doing better than the previous two Presidents.

So again, this President and Senate Democrats should have no complaints on the judicial confirmation process. The fact of the matter is that President Obama is doing quite well.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mr. DURBIN. Madam President, this morning our Democratic leader, Senator REID, and the Republican leader, Senator MCCONNELL, came to the floor and talked about sequestration. Sequestration had an overwhelmingly bipartisan vote of 74 to 26. What it said was if Congress, on a bipartisan basis, could not reach an agreement on budget reduction, then automatic spending cuts would go into place.

Unfortunately, we did not reach that agreement. The spending cuts, known as sequestration, went into place, and for the last month or so there has been speculation as to whether anybody would notice.

People are starting to notice because across this country changes are taking place. For example, the Federal Aviation Administration has been asked to cut about 5 percent from their operating budget, such as salaries for employees. Because it is being done in a 6-month period, it turns out to be a 10-percent cut.

What that means, for example, is one of the largest groups of employees in the FAA, the air traffic controllers, is going to go without pay 1 day out of every 10 working days. So with fewer air traffic controllers on the job and fewer people able to direct flights, we have noticed this week that flights are starting to slow down across the country. The FAA estimates that some 6,800 flights a day will be delayed. We have already started feeling that because air traffic controllers are being laid off due to the sequestration plan.

Putting that into perspective, on the worst day of last year, because of weather, 3,000 flights were delayed. Now, on a regular daily basis more than twice that number will be delayed because of the reduction in force of air traffic controllers due to the sequestration passed by Congress.

Senators are coming to the floor and looking for relief from that. Some on the other side are arguing if the Secretary of Transportation just had the

power to pick and choose within his Department, he might be able to avoid these layoffs. I don't know if that is true, but I will say that making these cuts at the end of a fiscal year is going to create hardship in a lot of different departments and agencies.

I heard one of my colleagues from Indiana come to the floor and say families face this all the time, and they have to make cutbacks. That is true. I have had that happen with my own family. They also want to make certain, if they can, to get through tough periods without cutting into the essentials of life, such as prescription drugs, paying the mortgage, and paying the utility bills. We need to make this a thoughtful effort to avoid sequestration.

The Democratic leader, Senator REID, has proposed that we, in fact, defer this sequestration through the remainder of this fiscal year, until October 1. To make up the costs, he uses the overseas contingency fund. This was a fund created to pay for our wars overseas, and thank goodness Iraq has been closed down as an act of war and Afghanistan is in the process. So there will be a surplus of money in this fund—some \$600 billion—that otherwise had been anticipated to be spent.

What the majority leader suggested is that we take a small part of that and use it so we can avoid the impact of sequestration and go back to business as usual for the remainder of this year.

I happen to think sequestration is not a good policy. We need a better approach and more thoughtful approach, and this will give us a chance. We can take the funds that otherwise would be spent overseas—on a war that, thank goodness, will not be there—and instead use them at home to avoid some hardships which have just been described.

So now we hear from the Republican side that they don't think this is a viable alternative. They question whether there is an overseas contingency account. The irony is that Congressman PAUL RYAN, chairman of the House Budget Committee, included the same money in his Republican budget. Senator MCCONNELL, who was critical of it today, said back in April 2011:

Today, the Chairman of the House Budget Committee, Congressman PAUL RYAN, is releasing a serious and detailed plan for getting our nation's fiscal house in order.

That serious plan, I might remind Senator MCCONNELL, included just the funding that Senator REID is asking for. So we are not asking for something the Republicans have not already stood up and embraced. Instead, we are saying let's deal with the national challenges and national emergencies and let's deal with them with the money that would otherwise be spent overseas.

MARKETPLACE FAIRNESS ACT

After we have finished the vote on the judge, I am hoping this important issue will leave us in a position to move to proceed to the underlying bill, the Marketplace Fairness Act. This is a bill that Senator ENZI of Wyoming and I have introduced in an effort to bring some equity and fairness when it comes to the collection of sales tax.

Currently, in the United States, Internet retailers are not required by law to collect sales tax from sales in States that have a sales tax, and that is about 45 or 46 States. The Supreme Court told us 20 years ago if remote sales—catalog sales and Internet sales—are to collect sales tax, Congress has to pass the law to do it. That is what this is. We have been waiting 20 years. In the meantime, it has created some serious problems.

First, Internet retailers have an advantage over the brick-and-mortar businesses in communities. They have an advantage because the Internet retailers don't collect sales tax, so there is an automatic discount on whatever the State sales tax might be—6, 8, 9, or 10 percent. This has caused many of the stores on Main Street and in shopping malls to face competition that is unfair and sometimes forces them into closing their businesses.

We are trying to level the playing field and say: If you sell into a State such as Illinois, you will collect our sales tax on the sales to Illinoisans buying your products, period.

The debate has come up over the States which have no sales tax. Let me make it clear: There is nothing in the Marketplace Fairness bill which will impose any new Federal tax or any sales tax beyond what is currently in the law in every State in the union.

If a State, such as Oregon, Montana, New Hampshire, Delaware, even Alaska, has no State sales tax, this bill will not change it. The residents of those States will not be compelled to pay a sales tax either over the counter or over the Internet. If a retailer that happens to be located in one of those States sells into a State with a sales tax, we will provide, free of charge, the software for them to collect the sales tax and remit it to the State where the purchase was made.

There have been arguments that this is too complicated; that there are 9,000 different taxing districts. I just have to say that with software available today, what we are suggesting is something that is easily done without great cost. In fact, in this bill we are requiring the States to provide software to the Internet retailers free of charge so they can collect the sales tax as it is charged on each Internet purchase.

There have been suggestions by some that we ought to carve out some States; that we ought to say this new law will apply to some States but not to other States. The States and their

businesses have to volunteer to collect a sales tax for another State.

I cannot accept that. It is worse than the current situation.

In the current situation, the store on Main Street is competing with an Internet retailer that doesn't collect a sales tax. This carve-out approach would say not only will we discriminate against those shops on Main Street, other Internet retailers which are not in the State that is carved out have to collect sales tax, but those in the carve-out State don't. So it makes for an even more inequitable situation. I could not accept it.

I might say the Presiding Officer, who has quite a history on this issue, having been one of the parties to the Quill Supreme Court decision, also made the point that we ought to take care; the standard we set for the collection of sales tax is likely to be used in the next trade negotiation with a country that is trying to establish their rules when it comes to competition on Internet commerce.

So if the collection of sales tax is required across the board in America, the same can be asked in our trade agreements with other countries. If we don't do that, we run the risk that the carve-out becomes the exception that makes the rule in the next trade agreement, which is something that would be totally unfair to American companies.

So that is where we stand. What I said yesterday, I will repeat now. At noon today we will move to proceed to this bill. I have urged my colleagues to come forward with amendments if they have them. If they don't, that is fine. But if they do, bring them forward. Let's not delay this issue.

We are in the last week before a recess. Members have plans back in their States for the weekend, and we want to make sure they can keep those plans. Those Members who have an amendment to this bill should step forward with their suggestions immediately after the vote on the motion to proceed.

Members should bring their amendments to the Senate floor. Don't wait. It is important that we do this on a regular basis so we can debate those amendments which need to be debated and vote on them, which is almost how a Senate is supposed to do it. That is what we face.

I urge those who are holding back their amendments and want to wait until Thursday or Friday—if anybody does that, we are likely to be here beyond Thursday and Friday, and that is not fair to our colleagues. If anybody has a good amendment—or any amendment for that matter—bring it to the floor.

Senator ENZI, Senator ALEXANDER, Senator HEITKAMP, and I will work to try to find a way to accommodate amendments that are consistent with the bill—or at least debate them and

have a vote on them if they are not. I think that is the best thing we can do. As I said, I think that is why we were elected—to debate these issues, resolve them, and vote.

So this is a fair warning to everyone. There are no excuses left. This bill has been on the calendar and available for amendment since last week, which gave everyone plenty of time to craft their amendment. Bring it to the floor immediately after the vote on the motion to proceed, and let's get down to business. Let's do what we were elected to do and pass this bill—or at least vote on this bill, and I hope pass it—before we break for this recess.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I ask unanimous consent to address the Senate for up to 5 minutes on the marketplace fairness legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Madam President, before he leaves the floor, I would like to thank the distinguished majority whip for his leadership. I also want to thank Senator ENZI, Senator ALEXANDER, and the Presiding Officer for their leadership on what is an important issue to my State, and really to every State.

The marketplace fairness bill is a good idea whose time has finally come. We have been waiting 20 years since the court decision to give direction to our States so they can collect the retail sales tax upon which many of them finance most—if not all in some cases—of their governmental operations. This is not a new tax. It is not a different tax. It is not a tax we are applying to anybody. It is a mechanism for the collection of a tax that has been owed for over 20 years by people making retail purchases in our States from people who sell out of State.

I commend the leadership on the legislation, the way it is drawn. I hope everybody will bring their amendments to the floor, if they have any. I don't know that there is any need for them. I hope we can send a clear message to the House and to our States that we are prepared to let our local governments and our State governments collect the tax that is owed to them and has been owed to them.

The Governor of my State, Nathan Deal, last year led a major tax reform package that passed with only one dissenting vote in our legislature. It reformed taxes on utilities for manufacturing to attract businesses to our State. It reformed our income tax code and it reformed a lot of our taxes, but it also passed legislation consistent with the Marketplace Fairness Act so we can finally collect a tax that has been owed for a long time in our State.

As a real estate guy, as someone who used to lease retail space in shopping centers and on corners in the cities and counties in our State, I know what it

has meant to retailers. What has happened is, in many cases, they become showrooms and servicing agents for an offsite seller. Customers in our community will go to the retail store, look at the products, go home and go on the Internet, buy the product on the Internet, and if something goes wrong with it, they will go back to the store and try to get it fixed. But the State never gets the sales tax on that sale because it was an Internet sale made by someone offsite.

Secondly, it has put pressure on the rest of the tax system. Think about this. If a local community gets most of its revenue from a local special purpose sales tax and all of a sudden that tax goes down, not because people aren't paying it but because it is not being collected, what happens? The pressure on the ad valorem tax goes up. So the retailer, who is already burdened with losing business because of Internet sales, becomes further burdened because they have more pressure from the ad valorem tax they pay for the space they lease and occupy. So it has had a compounding effect.

Also, we are famous in Washington for what is known as unfunded mandates to local government, whether it is IDEA in education or whatever it might be. It is time we gave our local governments the chance for a mandate to collect a tax that is owed to them.

Lastly, for my State of Georgia, we have a 4-percent sales and use tax that goes to our State. We have special purpose local option sales taxes that are referendum taxes levied by local communities to finance school construction and other opportunities. We have a Metropolitan Rapid Transit Authority in Atlanta which in 1974 was seeded with a referendum that passed a 1-cent tax in Fulton and DeKalb Counties for the financing of the beginning of that subway system. It is not fair to deny those States and those entities the ability to collect a tax that is owed. It is only right, after 20 years of getting direction from the appellate courts as to what to do, that this Senate and this Congress and our country say to our States we are going to give a mandate for States to collect the taxes owed to them. We are going to take the pressure off the local retailers. We are going to level the playing field. We are not adding a tax to anyone; we are adding opportunity to everyone.

I commend Senator DURBIN, the Presiding Officer, Senator ALEXANDER, and Senator ENZI for their tireless leadership. I urge all Members of the Senate to do what we did on the motion to proceed and what we did on the amendment on the budget. Let's give an overwhelming ratification of the Marketplace Fairness Act.

Mr. CARPER. Madam President, would the Senator yield for a moment?

Mr. ISAKSON. Absolutely.

Mr. CARPER. Madam President, I wish to join with the Senator from

Georgia. There are issues we disagree on, but this is a subject we agree on—another one we agree on.

I was privileged to be the Governor of Delaware for 8 years, and now I have served with the Senator from Georgia and other colleagues for the last 12 years. Delaware is one of those States that doesn't have a sales tax. I think most of these States that don't have a sales tax are not supportive of this bill. I am. Either I am out of step or maybe not.

We have all these signs when people come into a State that say "Welcome to," whether it is Georgia or Delaware or North Dakota. We had a sign that said, "Welcome to Delaware, the Small Wonder, the First State" and they all had the name of the Governor. When I became Governor, I said why don't we take down the name of the Governor and put something else up, and what we put up is "Home of Tax-Free Shopping." That is what we put up: "Home of Tax-Free Shopping."

In our little State, we have borders with New Jersey to the east and Pennsylvania to the north and Maryland to the west. They have sales tax. A lot of people in those States come to Delaware to shop, to buy things, and help to fuel our economy, our retail economy, and to help fuel our tourism economy as well. When people say to me: As a former Governor and a Senator from a State that doesn't have a sales tax, why do you support this bill, one, I think it is an equity issue. The brick-and-mortar merchants are there collecting the sales tax in those 45 or so States that have a sales tax to help support the community, help to support the government and the services that are provided locally in States across America. Then we have folks who are selling things over the Internet to people who live in those States without collecting the sales tax, without being part of the solution.

The other thing—and the Senator from Georgia knows as well as I do—the brick-and-mortar merchants have people come into their stores pretty regularly, and they ask the merchants: How would you like to help support the Little League? How would you like to help support the Boy Scouts and Girl Scouts? How would you like to support this festival or this function? They get asked about those things all the time—and they do. Meanwhile, the folks they are competing with—the Internet sales—they are not supporting those kinds of activities. So there is an equity question here.

For me, why I see value in this—a guy who comes from a State who doesn't have a sales tax—is this: I want more people from other States, including the three around us, to come and buy things in my State. If they can buy things over the Internet and not pay a sales tax, then why would they come to Delaware? But if they have to pay a

sales tax that is going to be collected by the Internet provider selling to people in those States with sales taxes, they might come to Delaware and shop.

Mr. ISAKSON. Madam President, I appreciate the leadership of the distinguished former Governor. Knowing him as well as I do, he is a States rights advocate and this is a States rights issue and we are here to protect the rights of our States.

Mr. CARPER. It sure is a States rights issue. I would be remiss if I didn't say this. I know my colleague has to leave. But in my first term as Governor, I had never heard of MIKE ENZI. Who is this MIKE ENZI guy? It turns out he is a great guy. He is one of our colleagues and a former mayor of Gillette, WY, and he has been pushing this as a Senator forever. Mike Leavitt, who succeeded me as chairman of the NGA, has been pushing this forever, a former Governor of Utah. So I give a shout out to both of them for their leadership. If we don't give up, sometimes we can get stuff done, and MIKE ENZI doesn't give up and I know the Senator from Georgia doesn't. So I thank my friend.

NOMINATION OF SYLVIA MATHEWS BURWELL

Madam President, I would like to speak a bit, if I may, on the nomination of Sylvia Mathews Burwell, whose nomination as the Director of the Office of Management and Budget has come through our Committee on Homeland Security and Governmental Affairs as well as through the Budget Committee. Her nomination was reported out unanimously by voice vote a week or so ago by our committee and unanimously on the same day by the Budget Committee.

The nomination comes at a critical time not just for this administration but I think at a critical time for our country. We are wrestling with this large budget deficit. We know there are management challenges. When a person says OMB, it stands for the Office of Management and Budget, and whoever is confirmed to serve in this position is expected to oversee a great group of people, a good team that will focus on budget issues. The issues include how do we continue to rein in our budget deficit and bring it back to a more sustainable fiscal position for us, also what do we need to do on the management side to help hasten that day.

We have across the Federal Government in this administration, and we had it in the last Bush administration as well, something I call executive branch Swiss cheese. We have too many senior positions in this administration; we had a number of them in the last administration but not to the extent we have them in this administration. We have too many positions that are going wanting. In some cases, the administration has not vetted, nominated, and submitted names to us; in some cases, we are not moving them

very quickly once they have, so there is a shared responsibility. The administration—in this case, we haven't had a confirmed Director of OMB for about 1 year, since Jack Lew left to become Chief of Staff, who is now Secretary of the Treasury. We have gone about 1 year without a Senate-confirmed OMB Director. That is not good. Jeff Zients, who has been the Deputy Director and who has basically been responsible for being Acting Director; also, if you will, the "m" in OMB, the Management Deputy for OMB. We haven't had anybody running it for a while, which these are the regulations since Cass Sunstein left, who was very good at it.

So the senior leadership team at OMB pretty much has been Jeff Zients, and we are grateful to him for taking on all this responsibility. But he may have other things he wants to do with his life and we need to put somebody in place to head up OMB and to surround that person with a first-rate team and I pledge to do that.

I wish to say to my colleagues, Democratic and Republican in the Senate, on our Committee on Homeland Security and Governmental Affairs, on the Budget Committee, just a big thank-you for getting this nomination, once we had it in hand, to move it quickly, hearings, through the vetting, staff interviews, and to bring that nomination to the floor. Thanks to the leadership, Democratic and Republican, for helping to make that possible.

Who is this person whom the President has nominated? She used to be a Mathews, with one "t"—a Mathews with one "t." She is now Sylvia Mathews Burwell. She is a pretty remarkable person for someone who was raised and grew up in Hinton, WV, where I lived when I was 4 years old. I was born in Beckley, WV, not far from where Sylvia grew up. I said to her at our confirmation hearing: What is the likelihood that the President would nominate as the Director of OMB, one of the most powerful positions in any administration, a gal who was born in Hinton, WV, on the New River, close to the Bluestone Dam where I learned to fish as a little boy and she would be before our committee at a hearing chaired by a guy who used to live in Hinton, WV, when he was a 4-year-old kid? Pretty amazing. But she is extraordinary, as the Presiding Officer knows.

Sylvia Burwell grew up in West Virginia. She didn't go off to some fancy private school in another State. She went to Hinton High School. She played on the girls' basketball team there. I was kidding her at her confirmation hearing, and I asked her: What was the mascot? She said: We were the Bobcats. So she is a Bobcat. There were at the confirmation hearing a number of her colleagues from Hinton, who were fellow Bobcats and played on the basketball team with

her—just a great celebration. She is a real person. She is just a real person. She has wonderful interpersonal skills.

When the President nominated her, I found out she used to work in the Clinton administration. But I asked her after high school what did she do. I like to say she couldn't get into Delaware or North Dakota University, she had to go to Harvard. From there, she became a Rhodes Scholar over in England. She came back and did some work on the Clinton-Gore campaign, I think, in 1992 and ended up working for the administration. What did she do? She was Chief of Staff to Bob Rubin, one of the leaders of the economic development team in the Clinton administration. She was a Deputy to Chief of Staff Erskine Bowles, Deputy Chief of Staff, and I think for the last year or two of the Clinton administration she was Deputy OMB Director and she had a pretty good experience there. She finished there and ended up working for McKinsey & Company, one of the top management consulting firms in the world. She helped stand up the Bill and Melinda Gates Foundation and more recently has helped to run the Wal-Mart Foundation. What great credentials.

I called Erskine Bowles when I found out she worked for and with him, and I said: Tell me about this Sylvia Burwell, who has been nominated to head up the OMB. Here is what he told me. He told me a truly great story. He said: Here is the setting. We are in the Oval Office with the President. Bob Rubin, Sylvia Mathews at the time—for a while—and Erskine, and the President is having a conversation with Bob Rubin, asking him some questions. And Erskine notices Sylvia, who is Rubin's Chief of Staff, slips him a note and Rubin looks at the note, and he answers the President's questions to great effect and very brilliant responses. The President is oohing and aahing at how good that response was, and Erskine says: Mr. President, I have broken the code here on Rubin. He is not that smart. It is Sylvia. She gave him the note to answer the question. If I had Sylvia working for me, people might think I am as smart as they think Rubin is.

Well, she ended up working with Erskine as the Deputy Chief of Staff.

I also talked to Bruce Reed about her. Bruce was President Clinton's former domestic policy adviser. He and I worked with a bunch of other people on welfare reform. He is a great guy. He is Vice President BIDEN's Chief of Staff today. I asked him to tell me some more about Sylvia.

One of the other things I sensed from both of them is this: She is a real person. She is a good person. We have all heard the term "good guy." I do not know how you say that about a woman—if they are a "good gal" or whatever—but if she were a man, you

would say “a really good guy.” She has a great personality. People like her. Around here, that is actually pretty helpful. The other thing they said is that she is incredibly bright and able to juggle a whole lot of things at the same time.

Somehow along the way, she has gotten married to a lucky guy named Stephen. She said she is lucky too. They have these two young kids, and somehow they have managed to keep all the balls in the air and raise a family while having these careers.

But I asked Erskine and Bruce, what is she really like? Great, just a really good person, with good values. I have talked to her about her values, including the one that involves faith, and it is just the kind of thing you are encouraged to hear. She is very bright.

The other thing they said about her is this: She has a great ability to get things done. We all know people who are a good guy or gal, people who are arguably bright, but they are not able to get things done. Well, we need somebody in this position who is able to lead a team that gets things done. We have a huge deficit, about \$800 billion. It is coming down, but it is still too big. We have all kinds of GAO issues that they raise to us on their High Risk List—the things that are problematic because we waste money on ineffective spending. GAO, most recently, has given us a whole big report on duplication in the Federal Government. There is a huge to-do list. And part of it is our jurisdiction in our Committee on Homeland Security and Governmental Affairs. That is an obligation and responsibility we share with the administration and with other branches of our government. But we need somebody who is very good at multitasking and who can get things done. And I think if we help put the right team around here, they will get a lot done and we will do this together.

I will close, if I could, with this: I have never met her parents. Obviously, I think she has at least one sibling. But, boy, when I asked her how she turned out this way, Sylvia really gives the credit to her parents. I think most of us probably do if we have had success in life, although we had a great witness before the Finance Committee at yesterday’s hearing—Antwone Fisher, a sort of self-made, up-from-the-roots, amazing, successful guy. You never would have imagined he would have enjoyed the success he has, coming up through the foster care system in his home State.

But she gives a lot of credit to her parents. Obviously, they are doing something right at Hinton High School and maybe even at Harvard and over in Oxford, England. But she has had good mentors. She is a very humble person—a very humble person. She is the real deal, and we are lucky she is willing to take this on.

I commend the President for nominating her. I want to thank her husband and her family for their willingness to share her. I hope she gets a unanimous vote here today. She ought to.

COMMENDING THE PRESIDENT

The other thing I want to say, if I could, is this: The President took some folks out for dinner last night. I do not know if our Presiding Officer was one of them. My guess is she was. I will talk to her later about what they had and how it went. But I commend the President for reaching out to Republicans and Democrats, Senators and Representatives. It is the kind of thing you have to do. It is the kind of thing you have to do if you want to get things done. As President, you have a million people pulling on you—300 million people pulling on you—and folks from around the world pulling on you, and it is hard to focus on building and rebuilding relationships here. It is absolutely necessary.

I was talking with ANGUS KING the other day. ANGUS—now our colleague here in the Senate, a great addition—used to be Governor of Maine. We were comparing notes as to his role as Governor of Maine and mine as Governor of Delaware, how we worked with the legislature. I am sure you could find people who were in the legislature when I was Governor who said: Thank God he is gone. But we actually worked pretty well together.

One of the keys—not my idea but an idea that started with, I think, Pete du Pont, when he was Governor a number of years ago; also done by Mike Castle as Governor and Ruth Ann Minner as Governor and by me in between Governor Castle and Governor Minner—every Tuesday when the legislature was in session in Delaware—every Tuesday; they are usually in session on Tuesdays, Wednesdays, and Thursdays most weeks between January and June—I would host a lunch with the legislative leadership of the house and the senate, Democrats and Republicans from the house and the senate. Occasionally, we had somebody in from my administration, my staff. We would have lunch together. Sometimes we would talk about issues; sometimes we would talk about sports or whatever else was the topic of the day. We always had lunch together, and we did it week after week, month after month, year after year. You get to know people and you develop a sense of trust, and in many cases you kind of like each other.

One of the keys to our success in Delaware is we sort of like each other, Democrats and Republicans. We work together, and we govern from the center.

ANGUS had a similar story, only they did not do lunch together with the legislative leadership. They did breakfast together in Maine. He did it every

week, every month, every year for the 8 years or so he was Governor.

The President is doing something like that. He is doing like a DC version of that now. It is just great, and I urge him to keep it up.

DEFICIT REDUCTION

I will close with this: My colleague, the Presiding Officer, has heard me say this before. The President has heard me say this a few times as well, probably more than he wants to remember. But I think there are three things—if we are really serious about deficit reduction—three things we need to do.

I would mention, the first one of those is—go back to the Clinton administration. Erskine Bowles, the Chief of Staff, whom Sylvia helped, and others, put together, with Republican help in the House and Senate—it was then a Republican House and Senate in those years—they put together a deficit reduction plan. It was 50 percent revenues; it was 50 percent spending. They put together a balanced budget plan that led—for the first time since 1968, we ended up not with one balanced budget, not two, not three, but four balanced budgets in the last 4 years of the Clinton administration. It was 50 percent deficit reduction on the spending side and 50 percent on the revenue side.

For those 4 years, if you look at Federal revenue as a percentage of GDP, it ranged anywhere from 19.5 percent to 20.5 percent. That was the range—19.5 percent to 20.5 percent Federal revenues as a percentage of GDP—but the average was about 20 percent.

Look at last year. We had a big budget deficit. Federal revenues as a percentage of GDP were right around 16 percent. I think spending as a percentage of GDP last year was around 23 percent or so. But that gap between 16 percent in revenues as a percentage of GDP and spending at about 23 percent—and spending is coming down and the revenues are going to go up under the fiscal cliff deal, but we will still have a deficit—a substantial deficit, by historical standards—so we need to do something more.

The something more we need to do is, No. 2—after we address revenues, get them up closer to the historic mark of about 20 percent, where we were in the Clinton administration, 20 percent of revenues as a percentage of GDP, the second thing we need to do is entitlement reform.

I will use the President’s words, and I think he has been courageous because not everybody in our party agrees with him on this. We need to reform the entitlement programs in ways that save money, do not savage old people or poor people, and preserve these programs for the long haul.

I remember I spoke to—it was back at Ohio State, where I did my undergrad as a Navy ROTC midshipman a million years ago—it was

back a month or so ago, and I had a chance to talk to 400 fraternity brothers from different States, including the Presiding Officer's State, who were there for a weekend conference, a leadership conference. I talked to them about leadership. I also talked to them about making tough decisions and how we use our values to make these tough decisions.

I asked the 400 guys from across those eight States: How many of you think you will someday receive a Social Security check?

Not one hand went up.

I asked: How many of you think someday you might be eligible for Medicare when you are 65?

Not one hand went up.

My sons who are 23 and 24, they do not think they will. I want to make sure they do. I will predict that they will need it. I want to make sure that for our sons, our daughters, our grandsons, our granddaughters, our nieces, and our nephews, those programs are going to be there for them.

The President gets that. And we understand we cannot just keep doing business as usual. We are going to run out of money in the Medicare trust fund by—when?—2024, and we will start to run out of money—our inability to pay Social Security checks fully—by about 2030 or so. So we need to do something differently, and we need to be smart to do it so we do not hurt the least of these—the least of these—in our society. I think we can be that smart.

So first, we need some revenues. Second, we need entitlement reform that is true to Matthew 25: the least of these, looking out for the least of these. And the third thing—and this is where we have focused in our Committee on Homeland Security and Governmental Affairs, as the Presiding Officer knows—we have put together more than a dozen Democrats and Republicans in this committee who are—“rabid” is probably the wrong word, but I will use it—rabid about waste, rabid—r-a-b-i-d—about waste. What we believe—as I do—is that everything we do as human beings, we can do better. I think that is true of all of us. It is true of Federal programs. Everything we do, we can do better.

The challenge for us is to leverage from one committee, working with our colleagues here in the Senate and the House; working with GAO, the Government Accountability Office; working with OMB, the Office of Management and Budget; working with the inspectors general across the Federal Government; working with outside groups, such as Citizens Against Government Waste, and with other groups; with David Walker, a former Comptroller General; and just a bunch of folks, to say this is like an all-hands-on-deck deal and a shared responsibility as well. To the extent we have the ability

to work with all those partners I just mentioned, we will get more done and we will leverage the effectiveness of our committee, but most importantly, we will actually continue to reduce the budget deficit.

The three things, in closing: We need some additional revenues. We need to do it in a smart way. We need to reform the entitlement programs in ways that do not savage old people and poor people and would save these programs for the future. And we need to look in every nook and cranny of the Federal Government to say: How do we get a better result for less money? Find out what works and do more of that. Find out what does not work and do less of that. Look wherever we are duplicating responsibilities and activities and see how we can maybe do less of that.

So there you have it, Madam President. I do not usually get to talk this long, but I am wound up today, very excited about this nomination, as the Presiding Officer can tell. Sylvia Mathews Burwell has the potential of being a terrific OMB Director. One of the keys to doing that is we have to get her confirmed today, and I think we will. Then we have to move promptly.

The President has to give us a good name. I think he has given us one good name to be part of her team, if she is confirmed. But the President needs to send us somebody not just for Deputy OMB Director, not just to be deputy at OMB for management, not just to be the person—the new Cass Sunstein, whose job it will be to work the regulation side, but all of the above. When we get good names, we have an obligation to vet them quickly and promptly and, if they are good people with the best credentials, get them confirmed and in place so they can go do their job because with an \$800-some-billion deficit, we have work to do and need a good leadership team to do that.

Madam President, I do not see anybody standing around to chew up the rest of this time, which is probably a good thing. I think it signals that maybe we will get a good vote on this nomination.

I am pleased to put in a good word for Sylvia and say to her husband and family, thanks for sharing her, and to her parents, thanks for raising her.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANCHIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Madam President, I rise to urge the Senate to confirm the nomination of Sylvia Mathews Burwell to be Director of the Office of Management and Budget. I do so with great

pride because Sylvia Burwell is from my home State of West Virginia. I have been dear friends with her family for a long time.

Her parents have been community leaders in Hinton, WV, for over half a century. Her father Dr. William Mathews is a longtime optometrist, and her mother the Honorable Cleo Mathews previously served as the mayor of Hinton, as well as in a number of other public service positions. I worked with Sylvia for many years as mayor when I was Governor of the State—she was quite competent—including 8 years on the State Board of Education when she served as president of the board of education.

If you want to know Sylvia, you should look at her small hometown of Hinton, WV, and the surrounding Summers County that she grew up in because that is her grounding. It is pure Americana, a one-time railroad boom town, woven into the mountains of Appalachia. The downtown historic district, 200 buildings, including churches, storefronts, and private residences, is an architectural gem of American Gothic, Classical, Victorian and Greek Revival styles. It is a movie just waiting to happen.

Hinton is the ideal example of smalltown West Virginia and probably smalltown America. It only has 2,600 residents. That is a pretty large town for West Virginia and probably North Dakota. It is nestled into a lush green valley on the banks of the New River, surrounded by the towering, majestic mountains and forests of Summers County, one of the most beautiful counties in West Virginia.

New River is one of the oldest rivers in the world. It flows south to north, which may be due to the fact that it was formed long before the Appalachian Mountains.

This is the special place Sylvia Mathews Burwell calls home, a showcase for the best of West Virginia and America, the beauty, the outdoors, and the people are warm and welcoming. Sylvia is humble, hardworking, has spent most of her life helping hard-working families everywhere achieve the American dream her Greek immigrant grandparents found in this country.

She went off to Harvard, was a Rhodes Scholar, and has traveled the world over. But she has never lost touch with her West Virginia roots and the ties that bind us together. No matter where she is, 1 day each week like clockwork, Sylvia is on the phone with the two best friends she made in the first grade in Hinton. Think about it. That is who we are. That is the heart and soul of West Virginia, friends and family.

But make no mistake, I am supporting Sylvia's nomination not because she is from West Virginia, which makes it all that much sweeter, but because she embodies the best of our

State and our country. In West Virginia, we judge people by their deeds as much as their words, and Sylvia has already accomplished so much in her life, the public service and philanthropy she has been involved with.

Sylvia Mathews Burwell is an exceptional choice to lead the Office of Management and Budget, especially in the aftermath of sequestration, which is what we are going through now, and which so many of our colleagues detailed on the Senate floor this past week. We are still discussing it.

I say that because Sylvia served as the Deputy Director of the Office of Management and Budget, which now she will become Director of, from 1998 to 2001, which was our last era—think about the last time of fiscal responsibility, when balanced deficit reduction gave us balanced Federal budgets.

The fiscal plan she and Erskine Bowles, whom she worked with, put together, had we followed it to this day and not changed, would have erased our national debt completely by now. Can you believe that. We would have been totally out of debt as a nation if we had followed the plan that was put forward back in 1996, 1997, 1998, and followed through after 2001.

Sylvia was a key part of the Clinton White House team which reached across the aisle, negotiated those balanced budgets with a Republican Congress. If we look closely at the numbers, we can see what an accomplishment it was to fix our finances in the 1990s. Prior to 1993, when Sylvia joined the Clinton administration, the United States had failed to balance its budget for 23 years—23 years.

By 1992, spending had risen to historic highs—I think we all know that story—and revenues had reached near historic lows. We know that one too. That is exactly the dilemma we are in right now, compared to the size of the economy. In 1992, the Federal budget deficit topped out at \$290 billion. I think we are close to \$17 trillion in debt right now.

By the time Sylvia left the Clinton White House and went to the Office of Management and Budget in 1998 as a Deputy, the wheels were in motion of sustainable balanced budgets for years to come. She put these wheels on. Spending had shrunk drastically and revenues were soaring to historic highs, thanks to a thriving U.S. economy and reasonable tax policy that ensured both corporations and wealthy individuals paid their fair share.

The PRESIDING OFFICER. The time for the majority has expired.

Mr. MANCHIN. I ask unanimous consent to speak for up to 5 minutes. At that time, I wish to be able to turn it over to the Senator from Iowa.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. In 1998, Sylvia's last year in the White House and the first

year at OMB, the Federal budget had a \$69.3 billion surplus, the first surplus in a generation. Sylvia has been out of government for the last 12 years. But I am confident she will bring a fresh perspective to the fiscal debate we will be having over the next few years.

After serving in high-profile leadership positions, she has been well balanced, and she has been with the Bill and Melinda Gates Foundation. She has been their top person. I would hope all my colleagues on the Republican side and my colleagues on the Democratic side will look at Sylvia as part of America, part of this great country, a product of who we are. She will do a great job because she has a track record of already doing it. With that, I would encourage all my colleagues to please vote in support of Sylvia Mathews Burwell.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I was honored to recommend to the President that he nominate Jane Kelly to serve as a judge on the U.S. Court of Appeals for the Eighth Circuit. Today I encourage my colleagues to vote for her confirmation, which will be the first vote at noon.

Let me begin by thanking Senator LEAHY and his staff for their hard work in advancing Ms. Kelly's nomination in such a timely manner. I also thank my senior colleague from Iowa, Senator GRASSLEY, for his invaluable support and assistance. For all the years we have served together, Senator GRASSLEY and I have cooperated in a spirit of good will on judicial nominations in our State. I am grateful that tradition has continued.

Jane Kelly possesses all the qualifications necessary to assume the responsibilities of a Federal appellate judge. Before recommending Ms. Kelly to the President, I reviewed a very strong field of candidates for this position. She stood out as a person of truly outstanding intellect and character, with a reputation as an extremely talented lawyer with a deep sense of compassion and fairness. Not surprisingly, she enjoys wide bipartisan support from the Iowa legal community.

Judge Michael Melloy, who was nominated by President George W. Bush, and whose seat on the Eighth Circuit Ms. Kelly is nominated to fill, said Ms. Kelly "is very intelligent and thoughtful."

Judge David Hansen, who was President George H.W. Bush's nominee to serve on the Eighth Circuit and for whom Ms. Kelly clerked, said: "She is a forthright woman of high integrity and of honest character" who "will be a welcome addition to the court."

I might also point out for the record that both of those nominees under Republican Presidents I was proud to support, under the leadership of Senator GRASSLEY.

Federal District Court Judge Stephanie Rose remembered Ms. Kelly "has a great blend of personality, skills and common sense to make a great lawyer and judge."

The American Bar Association gave her a unanimous "qualified" rating. Ms. Kelly is a credit to all of us who have chosen to be in public service. She earned her bachelor's degree *summa cum laude* from Duke, served as a Fulbright Scholar, and received her J.D. *cum laude* from Harvard Law School. After law school she was a law clerk to Judge Donald Porter of the District Court of South Dakota and to Judge David Hansen on the Iowa Eighth Circuit. She could easily have commanded a big salary with a top law firm, but instead for over 20 years she has opted for public service and long hours as a Federal public defender. We are fortunate she seeks to continue her public service to Iowa and our Nation by serving as a Federal judge.

Let me conclude with two additional notes about Ms. Kelly's nomination. First, if confirmed, Ms. Kelly will only be the second female judge in the history of the Eighth Circuit Court of Appeals, a court established in 1891. While 56 men have sat on that court, to date there has only been one woman, Diana Murphy of Minnesota. President Obama has nominated approximately 100 former prosecutors to the Federal bench, including one I recommended, former U.S. attorney Stephanie Rose, to the Southern District of Iowa. Among recent Presidents that is the highest percentage of former prosecutors to be nominated to the Federal bench. These are all outstanding attorneys and dedicated public servants.

As Judge Melloy recently noted with respect to Ms. Kelly: "It will be good to have someone from the public defender realm on the bench."

Ms. Kelly has served for more than 20 years in the Federal defender's office, where she has argued hundreds of cases on behalf of indigent clients. She has fought tirelessly to ensure that the rights of all are protected, and she has worked to give meaning to the phrase above the Supreme Court, "Equal Justice Under Law." This is a critically important perspective that she will bring to the court.

As an aside, it strikes me as especially fitting that Ms. Kelly, a career public defender, has been nominated for the Federal bench this year as we observe the 50th anniversary of *Gideon v. Wainwright*. As we all know, that landmark decision recognized that every person accused of a crime, no matter how poor, is guaranteed the right to counsel. At its core, *Gideon* is the promise of justice for all, including our most vulnerable citizens. This is an ideal to which Ms. Kelly has dedicated her entire legal career.

Jane Kelly is superbly qualified to serve as the U.S. Court of Appeals

judge for the Eighth Circuit. I urge all of my colleagues to support her nomination and confirmation.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I want to share a few remarks on the nomination of Sylvia Mathews Burwell to be the Director of the Office of Management and Budget. I suspect she will be confirmed momentarily. She was raised in a small town in West Virginia and seems to have some good West Virginia values. She is smart, able, and has a winning personality for sure.

This is, perhaps, properly utilized, the toughest, most important job in the U.S. Government. The primary responsibility of OMB is to assist the President in overseeing the preparation of the budget, but also to help formulate spending plans to deal with agency programs, policies, and positions in setting funding priorities to make tough choices that are necessary to keep our financial house in order. It is a tough position.

We could have elected a President such as Governor Romney, who was a manager, a tough, proven executive. That was his strength. President Obama's strength is in message, traveling the country and advocating his positions, leaving it even more critically important than normal, it would seem to me, to have a very strong Office of Management and Budget leader. Ms. Burwell certainly seems to have the integrity to do the job.

I am worried about her lack of experience. She served as the president of the Global Development Program at the Bill & Melinda Gates Foundation. She served as the head of the Walmart Charitable Foundation, she served in the Office of Management and Budget for a time—Chief of Staff, I believe, to the Secretary of Treasury—and at the National Economic Council. Her most recent experience has not been in directly trying to rein in a government that is out of control.

The Web site of OMB says as part of its mission:

It reports directly to the President and helps a wide range of executive departments and agencies across the Federal Government to implement the commitments and priorities of the President.

It is a big job.

I would say that in failing to nominate someone like a proven executive, a proven Governor, or a former Cabinet member who can look these Cabinet members in the eye and say: No, Secretary, this is not going to be within

our budget; this isn't within our plans—you are going to have to see if you can do this. We have a nominee who will really have to rise to the occasion to be able to defend common sense and spending because our Cabinet people get ideas and visions. They want to do all kinds of things, particularly in this administration. Sometimes you have to say: We don't have the money. We would like to do that, but we do not have the money.

The President's budget that OMB is required to produce and that he has submitted so far has not been impressive. That is an understatement. They have not exemplified the leadership and management that we would expect in a President.

For instance, the 2013 budget, the one that was introduced last year, increased spending by \$1.5 trillion above the Budget Control Act spending levels to which we all agreed. That is not good.

The President signed the Budget Control Act. It limited spending from increasing from \$37 trillion at current law baseline. He was going to \$47 trillion. The Budget Control Act reduced the increase to just \$45 trillion instead of going up to \$47 trillion. It imposed the 2012 budget limits. Yet the President's budget proposed a deficit of \$2.7 trillion above the agreed-upon baseline, so we had a good number of problems with that budget. Of course, the budget, those two budgets, failed in the Senate 99 to 0 and 97 to 0. It got not a single vote, and it didn't get a single vote in the House because it's an irresponsible budget. Ms. Burwell will be replacing the OMB Director who put together those budgets.

I see my colleague and able chair of the Budget Committee here. I thought I would have 10 minutes. What is the agreement at this point?

The PRESIDING OFFICER. All time expires in 30 seconds, all time remaining under Republican control.

Mr. SESSIONS. The Republican time has expired.

I will say I intend to support Ms. Burwell's nomination. We will give her a chance. I hope she will rise to the occasion. I think she has the ability. She certainly is a delightful person with whom to meet.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I would ask unanimous consent to speak for 5 minutes on the nomination of Sylvia Mathews Burwell.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I thank Senator SESSIONS, and I rise today to speak in support of Sylvia Mathews Burwell, whose nomination to be the next Director of the Office of Management and Budget was approved

last week with strong bipartisan support by our Senate Budget Committee.

As we all know, our country does face serious fiscal and economic challenges we have to work together to address. The American people are looking to us to end this constant artificial crisis and political brinkmanship that is threatening our fragile economic recovery. They want us to come together around fair solutions that work for our middle class, help the economy grow, and tackle our deficit and debt fairly and responsibly. It is time we stop governing from crisis to crisis and return stability and regular order to our budget process.

That is why I am so pleased we have such an exceptional and qualified nominee in Sylvia Burwell to lead OMB. I know she is the right person to come into this leadership role at this important time for our country. She is no stranger to OMB or to tackling important fiscal issues.

In the 1990s, she was a critical part of President Clinton's economic team. She served as Deputy Director of the Office of Management and Budget, Deputy Chief of Staff to the President, and Chief of Staff to the Secretary of the Treasury. In those roles, she worked very closely with Jack Lew, Erskine Bowles, Robert Rubin, and the rest of President Clinton's economic team to help produce three out of four budget surpluses in a row. During her tenure, our government took a fair, credible, and sustainable approach to our Federal budget. That gave businesses the confidence to hire new workers and invest in their growth.

Her leadership and hard work in the 1990s helped to create broad-based economic growth that worked for the middle class and turned our debt and deficit problems around. Sylvia's firsthand experience creating a balanced and responsible approach to deficit reduction makes her uniquely qualified to lead OMB at this important time for our country.

Since the 1990s, Sylvia has dedicated her life to helping people all over the world. As the president of the Global Development Program and the chief operating officer at the Gates Foundation, she worked to improve the lives of millions across the globe. Under her leadership, the foundation invested in important programs to help combat poverty and produce clean water and improve literacy, and provides emergency relief to those who need it the most.

Most recently, as president of the Wal-Mart Foundation, she led the Foundation's charitable giving and focused on critical issues such as hunger relief and women's economic empowerment.

Not only do Sylvia's achievements in the foundation of philanthropy worlds demonstrate her vast experience managing large global budgets, but they

also speak volumes of her values and demonstrate her deep lifelong commitment to serving others.

Sylvia grew up understanding the value of hard work and public service. Her parents have been community leaders in West Virginia for over half a century. Her father is a long-time optometrist and her mother, the Honorable Cleo Mathews, served as the mayor of her hometown of Hinton, and later served on the West Virginia State Board of Education for a decade. As my colleague Senator MANCHIN said when he introduced her to our Budget Committee, it is easy to see public service is a part of Sylvia's DNA.

As the Director of OMB, Sylvia will help set our Nation's priorities and make tough decisions about our Federal spending. So I am glad Sylvia knows budgets are about more than abstract numbers and partisan back and forth. As a second generation Greek American, Sylvia understands the importance of the promise of American opportunity. She knows budgets are a reflection of our values and our priorities, and they are about families across the country whose lives and futures are impacted by the decisions we make.

Not only is Sylvia an expert on domestic economic policy and a dedicated public servant, she has a demonstrated track record of working across the aisle to get things done. During her time in Washington in the 1990s, she reached across the aisle and negotiated the balanced and fair budgets with Republicans in Congress. She knows working to find common ground is the key to solving our fiscal challenge—a point made clear by her during her confirmation hearing in front of our Senate Budget Committee this month.

So I am pleased her nomination passed our committee on a voice vote with strong bipartisan approval. Republicans, including Senator SESSIONS, who here on the floor praised Sylvia as someone who is, by all accounts, well-liked and an able leader committed to public service.

Madam President, I support this nomination, I urge my colleagues to vote yes, and I yield back the remainder of my time.

Mr. MCCAIN. Mr. President, today I come to the floor to speak in support of the nomination of Mrs. Sylvia Mathews Burwell, to be Director of the Office of Management and Budget, OMB. Her previous experience as Deputy Director of OMB during the Clinton administration, as well as her work with the Bill and Melinda Gates Foundation and her current position as president of the Walmart Foundation in my opinion, make her well qualified to be the Director of OMB.

With our country now facing a \$16.8 trillion dollar debt, which is more than \$53,000 per person, the Director of OMB is perhaps the toughest job in Wash-

ington, and I am confident that Mrs. Burwell is up for the challenge. In addition to the unsustainable debt, \$85 billion in draconian, across-the-board sequestration cuts to defense and non-defense programs in fiscal year 2013 have now started to hollow out our military. I hope to work with Mrs. Burwell to remedy these cuts that are devastating to our national security.

Although Mrs. Burwell and I will not always agree on how we tackle our country's urgent fiscal challenges, I am confident that she will commit to finding bipartisan solutions to these real problems. Solutions that will provide greater program efficiency and transparency and will put our country back on a path of fiscal stability so that future generations will not be forced to pay for the irresponsible spending decisions we continue to make here in Congress. Again, I am pleased that the President put forth such a qualified nominee, and I look forward to working with her.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit?

Mr. SESSIONS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Dakota (Mr. HOEVEN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 108 Ex.]
YEAS—96

Alexander	Coons	Inhofe
Ayotte	Corker	Isakson
Baldwin	Cornyn	Johanns
Barrasso	Crapo	Johnson (SD)
Baucus	Cruz	Johnson (WI)
Begich	Donnelly	Kaine
Bennet	Durbin	King
Blumenthal	Enzi	Kirk
Blunt	Feinstein	Klobuchar
Boozman	Fischer	Landrieu
Boxer	Flake	Leahy
Brown	Franken	Lee
Burr	Gillibrand	Levin
Cantwell	Graham	Manchin
Cardin	Grassley	McCain
Carper	Hagan	McCaskill
Casey	Harkin	McConnell
Chambliss	Hatch	Menendez
Coats	Heinrich	Merkley
Coburn	Heitkamp	Mikulski
Cochran	Heller	Moran
Collins	Hirono	Murkowski

Murphy	Rockefeller	Tester
Murray	Rubio	Thune
Nelson	Sanders	Toomey
Paul	Schatz	Udall (CO)
Portman	Schumer	Udall (NM)
Pryor	Scott	Vitter
Reed	Sessions	Warner
Reid	Shaheen	Whitehouse
Risch	Shelby	Wicker
Roberts	Stabenow	Wyden

NOT VOTING—4

Cowan	Lautenberg
Hoeben	Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes, equally divided, prior to a vote on the Burwell nomination.

Who yields time?

Mr. REID. I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget?

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAPO).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 109 Ex.]

YEAS—96

Alexander	Fischer	McConnell
Ayotte	Flake	Menendez
Baldwin	Franken	Merkley
Barrasso	Gillibrand	Mikulski
Baucus	Graham	Moran
Begich	Grassley	Murkowski
Bennet	Hagan	Murphy
Blumenthal	Harkin	Murray
Blunt	Hatch	Nelson
Boozman	Heinrich	Paul
Boxer	Heitkamp	Portman
Brown	Heller	Pryor
Burr	Hirono	Reed
Cantwell	Hoeben	Reid
Cardin	Inhofe	Risch
Carper	Isakson	Roberts
Casey	Johanns	Rockefeller
Chambliss	Johnson (SD)	Rubio
Coats	Johnson (WI)	Sanders
Coburn	Kaine	Schatz
Cochran	King	Schumer
Collins	Kirk	Scott
Coons	Klobuchar	Sessions
Corker	Landrieu	Shaheen
Cornyn	Leahy	Shelby
Cruz	Lee	Stabenow
Donnelly	Levin	Tester
Durbin	Manchin	Thune
Enzi	McCain	Toomey
Feinstein	McCaskill	Udall (CO)

Udall (NM)
Vitter

Warner
Whitehouse
Wyden

McCain
McCaskill
Menendez
Mikulski
Moran
Murphy
Murray
Nelson
Portman

Pryor
Reed
Reid
Risch
Rockefeller
Sanders
Schatz
Schumer
Sessions

Shelby
Stabenow
Thune
Udall (CO)
Udall (NM)
Warner
Whitehouse
Wicker

NOT VOTING—4

Cowan
Crapo

Lautenberg
Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The majority leader is recognized.

Mr. REID. Madam President, I ask unanimous consent that the next vote be 10 minutes in duration.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARKETPLACE FAIRNESS ACT OF 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 743, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the question is on the adoption of the motion to proceed to S. 743.

Mrs. SHAHEEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 74, nays 23, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—74

Alexander
Baldwin
Barrasso
Begich
Bennet
Blumenthal
Blunt
Boozman
Boxer
Brown
Burr
Cantwell
Cardin
Carper
Casey
Chambliss

Coats
Cochran
Collins
Coons
Corker
Crapo
Donnelly
Durbin
Enzi
Feinstein
Fischer
Flake
Franken
Gillibrand
Graham
Hagan

Harkin
Heinrich
Heitkamp
Hirono
Hoeven
Isakson
Johanns
Johnson (SD)
Johnson (WI)
Kaine
King
Klobuchar
Landrieu
Leahy
Levin
Manchin

NAYS—23

Ayotte
Baucus
Coburn
Cornyn
Cruz
Grassley
Hatch
Heller

Inhofe
Kirk
Lee
McConnell
Merkley
Murkowski
Paul
Roberts

Rubio
Scott
Shaheen
Tester
Toomey
Vitter
Wyden

NOT VOTING—3

Cowan

Lautenberg

Warren

The motion was agreed to.

CHANGE OF VOTE

Mr. PAUL. On rollcall vote No. 110, I voted "aye." It was my intention to vote "nay." Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

VOTE EXPLANATION

• Mr. COWAN. Madam President, I was necessarily absent from votes during today's session. Had I been present for the votes, I would have supported the nominations of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit and Sylvia Mathews Burwell, of West Virginia, to be Director of the Office of Management and Budget. I would have also supported the motion to proceed to S. 743, the Marketplace Fairness Act. •

MARKETPLACE FAIRNESS ACT OF 2013

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 741

Mr. REID. Madam President, on behalf of Senators ENZI, DURBIN, and others, I have an amendment at the desk and I ask the clerk to report.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. ENZI, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP, proposes an amendment numbered 741.

The amendment is as follows:

Beginning on page 2, line 10, strike "if the Streamlined" and all that follows through page 11, line 5, and insert the following: if any changes to the Streamlined Sales and Use Tax Agreement made after the date of the enactment of this Act are not in conflict

with the minimum simplification requirements in subsection (b)(2). A State may exercise authority under this Act beginning 180 days after the State publishes notice of the State's intent to exercise the authority under this Act, but no earlier than the first day of the calendar quarter that is at least 180 days after the date of the enactment of this Act.

(b) ALTERNATIVE.—A State that is not a Member State under the Streamlined Sales and Use Tax Agreement is authorized notwithstanding any other provision of law to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if the State adopts and implements the minimum simplification requirements in paragraph (2). Such authority shall commence beginning no earlier than the first day of the calendar quarter that is at least 6 months after the date that the State—

(1) enacts legislation to exercise the authority granted by this Act—

(A) specifying the tax or taxes to which such authority and the minimum simplification requirements in paragraph (2) shall apply; and

(B) specifying the products and services otherwise subject to the tax or taxes identified by the State under subparagraph (A) to which the authority of this Act shall not apply; and

(2) implements each of the following minimum simplification requirements:

(A) Provide—

(i) a single entity within the State responsible for all State and local sales and use tax administration, return processing, and audits for remote sales sourced to the State;

(ii) a single audit of a remote seller for all State and local taxing jurisdictions within that State; and

(iii) a single sales and use tax return to be used by remote sellers to be filed with the single entity responsible for tax administration.

A State may not require a remote seller to file sales and use tax returns any more frequently than returns are required for nonremote sellers or impose requirements on remote sellers that the State does not impose on nonremote sellers with respect to the collection of sales and use taxes under this Act. No local jurisdiction may require a remote seller to submit a sales and use tax return or to collect sales and use taxes other than as provided by this paragraph.

(B) Provide a uniform sales and use tax base among the State and the local taxing jurisdictions within the State pursuant to paragraph (1).

(C) Source all remote sales in compliance with the sourcing definition set forth in section 4(7).

(D) Provide—

(i) information indicating the taxability of products and services along with any product and service exemptions from sales and use tax in the State and a rates and boundary database;

(ii) software free of charge for remote sellers that calculates sales and use taxes due on each transaction at the time the transaction is completed, that files sales and use tax returns, and that is updated to reflect rate changes as described in subparagraph (H); and

(iii) certification procedures for persons to be approved as certified software providers. For purposes of clause (iii), the software provided by certified software providers shall be

capable of calculating and filing sales and use taxes in all States qualified under this Act.

(E) Relieve remote sellers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of an error or omission made by a certified software provider.

(F) Relieve certified software providers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of misleading or inaccurate information provided by a remote seller.

(G) Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of incorrect information or software provided by the State.

(H) Provide remote sellers and certified software providers with 90 days notice of a rate change by the State or any locality in the State and update the information described in subparagraph (D)(i) accordingly and relieve any remote seller or certified software provider from liability for collecting sales and use taxes at the immediately preceding effective rate during the 90-day notice period if the required notice is not provided.

(c) **SMALL SELLER EXCEPTION.**—A State is authorized to require a remote seller to collect sales and use taxes under this Act only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding \$1,000,000. For purposes of determining whether the threshold in this section is met, the gross annual receipts from remote sales of 2 or more persons shall be aggregated if—

(1) such persons are related to the remote seller within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986; or

(2) such persons have 1 or more ownership relationships and such relationships were designed with a principal purpose of avoiding the application of these rules.

SEC. 3. LIMITATIONS.

(a) **IN GENERAL.**—Nothing in this Act shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes;

(2) affecting the application of such taxes; or

(3) enlarging or reducing State authority to impose such taxes.

(b) **NO EFFECT ON NEXUS.**—This Act shall not be construed to create any nexus or alter the standards for determining nexus between a person and a State or locality.

(c) **NO EFFECT ON SELLER CHOICE.**—Nothing in this Act shall be construed to deny the ability of a remote seller to deploy and utilize a certified software provider of the seller's choice.

(d) **LICENSING AND REGULATORY REQUIREMENTS.**—Nothing in this Act shall be construed as permitting or prohibiting a State from—

(1) licensing or regulating any person;

(2) requiring any person to qualify to transact intrastate business;

(3) subjecting any person to State or local taxes not related to the sale of products or services; or

(4) exercising authority over matters of interstate commerce.

(e) **NO NEW TAXES.**—Nothing in this Act shall be construed as encouraging a State to impose sales and use taxes on any products or services not subject to taxation prior to the date of the enactment of this Act.

(f) **NO EFFECT ON INTRASTATE SALES.**—The provisions of this Act shall apply only to remote sales and shall not apply to intrastate sales or intrastate sourcing rules. States granted authority under section 2(a) shall comply with all intrastate provisions of the Streamlined Sales and Use Tax Agreement.

(g) **NO EFFECT ON MOBILE TELECOMMUNICATIONS SOURCING ACT.**—Nothing in this Act shall be construed as altering in any manner or preempting the Mobile Telecommunications Sourcing Act (4 U.S.C. 116–126).

SEC. 4. DEFINITIONS AND SPECIAL RULES.

In this Act:

(1) **CERTIFIED SOFTWARE PROVIDER.**—The term “certified software provider” means a person that—

(A) provides software to remote sellers to facilitate State and local sales and use tax compliance pursuant to section 2(b)(2)(D)(ii); and

(B) is certified by a State to so provide such software.

(2) **LOCALITY; LOCAL.**—The terms “locality” and “local” refer to any political subdivision of a State.

(3) **MEMBER STATE.**—The term “Member State”—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include any associate member under the Streamlined Sales and Use Tax Agreement.

(4) **PERSON.**—The term “person” means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or other legal entity, and a State or local government.

(5) **REMOTE SALE.**—The term “remote sale” means a sale into a State, as determined under the sourcing rules under paragraph (7), in which the seller would not legally be required to pay, collect, or remit State or local sales and use taxes unless provided by this Act.

(6) **REMOTE SELLER.**—The term “remote seller” means a person that makes remote sales in the State.

(7) **SOURCED.**—For purposes of a State granted authority under section 2(b), the location to which a remote sale is sourced refers to the location where the product or service sold is received by the purchaser, based on the location indicated by instructions for delivery that the purchaser furnishes to the seller. When no delivery location is specified, the remote sale is sourced to the customer's address that is either known to the seller or, if not known, obtained by the seller during the consummation of the transaction, including the address of the customer's payment instrument if no other address is available. If an address is unknown and a billing address cannot be obtained, the remote sale is sourced to the address of the seller from which the remote sale was made. A State granted authority under section 2(a) shall comply with the sourcing provisions of the Streamlined Sales and Use Tax Agreement.

(8) **STATE.**—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States,

and any tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Harry Reid, Richard J. Durbin, Heidi Heitkamp, Martin Heinrich, Amy Klobuchar, Al Franken, Sherrod Brown, Brian Schatz, Benjamin L. Cardin, Angus S. King, Jr., Richard Blumenthal, Sheldon Whitehouse, John D. Rockefeller IV, Joe Manchin III, Thomas R. Carper, Tom Harkin, Patrick J. Leahy.

Mr. REID. I ask unanimous consent that the reading of the names be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I now ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I now ask unanimous consent that Senator DONNELLY be recognized for up to 20 minutes to give his maiden speech, and he will proceed as in morning business. Following his speech, I ask unanimous consent that Senator DURBIN, the manager of the bill, be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Indiana.

AN OPPORTUNITY AGENDA

Mr. DONNELLY. Madam President, one of the best parts about this job is getting the chance to talk to Hoosiers here in Washington, back home in Indiana, and, on those special occasions, a chance to see our Hoosiers when they are serving our country overseas.

When I was visiting our servicemembers in Afghanistan in Khost Province in July 2009, I asked our Indiana National Guard members if there was one thing I could do for them, what would that be? I expected them to tell me about safety vests or about new trucks. They said, JOE, we have this handled here. What we need more than anything is a chance to have a job when we get home. We owe our servicemembers that opportunity.

From Hoosiers serving our Nation in Afghanistan and around the world to the communities of Vincennes and Madison and Plymouth and Gary, the message is the same everywhere. It is about jobs, and the chance to go to

work and take care of your family. So how do we take the Hoosier commonsense approach, focus on jobs and create the conditions needed for our people and our businesses to succeed?

I propose an opportunity agenda. Government doesn't create jobs; businesses create jobs. So let's create the opportunities, help put the conditions in place for our businesses in Indiana and around the country to be able to create more jobs, put the programs in place for all of the American people to be ready to hit the ground running on day one. Because if we don't have a job, nothing else works. We can talk about health care, we can talk about climate change, we can talk about any other issue, but if we don't have the chance to go to work and earn a living and take care of our family, nothing else works.

That is why earlier this month I conducted a series of roundtable meetings in eight different Hoosier communities trying to get ideas from Hoosier businesses, community leaders, and educators, asking one simple question: How can we help our entrepreneurs, our small business owners, the men and women who go to work every day, how can we help them create more jobs? So in creating an opportunity agenda built on Hoosier common sense, I heard loudly and clearly: The place to start is with education and with training.

In every community I went to, I heard about the skills gap: jobs that are currently going unfilled—opportunities that are there for the taking but we have to have workers who have the skills our employers need. Getting a job is a two-way street. Both Hoosier companies and Hoosier workers have responsibilities. We can't expect a good job and good pay if we don't bring some skills to the table.

I heard from a welding trainer in Gary, IN, from an IT company in Noblesville, and from rural health care providers in Terre Haute, IN, and the message was the same, and it resonates across the board and across the State: Employers need more skilled workers. Good skills equal good jobs.

That is why I helped introduce the bipartisan AMERICA Works Act, which modifies Federal training programs to place a priority on those programs and those certifications demanded by today's businesses and today's industries.

The improvements in this bill are a benefit for both workers and employers. Workers would know the time they spend training is more likely to lead to a good job. For employers, they will be more likely to hire people they know have the training they need to be productive the moment they walk in the door.

We also have to make sure our businesses do not get overwhelmed by regulations. In Fort Wayne I heard about businesses dealing with too many regulations that don't make any sense for

their particular industry. It is time to get rid of the bureaucratic mess and to keep what works. Regulations should be like the umpire on the field: Make sure everyone is playing by the rules, make sure the rules are common sense, and then stay in the background. Regulations should protect the health and safety of our families and our workers while not creating unnecessary burdens for our business owners.

Further, the regulatory system should give businesses the certainty they need to plan for the future and the ability to compete with anyone anywhere in the world.

We need to go all-in on American energy. This helps our businesses, helps our families, and helps national security. I was in Lawrenceburg, IN, a beautiful town right along the Ohio River. When I was there, I heard of one of the companies located there, a trucking company, that is trying to turn their fleet into a natural gas fleet. They are interested in making that transition, but the front-end costs are high and the infrastructure isn't in place yet. So developing American energy sources makes sense for American business, makes sense for our families, and makes sense for national security.

Let's keep more of our hard-earned dollars in Indiana—or in Wisconsin, the home State of the Presiding Officer—by investing in homegrown energy including solar, coal, wind, oil, natural gas, biodiesel, ethanol, nuclear.

We are blessed with an abundance of energy right here in America. It makes us stronger, creates jobs, reduces our debt, and gives us a chance to make our Nation safer.

I support projects such as the Keystone Pipeline because it creates jobs, puts people to work, and has significant bipartisan support. That is an example of a commonsense investment in domestic energy that both sides of the aisle can support.

These are just a few of the ideas I have gotten from people who are creating jobs, running businesses, meeting payroll, employing our neighbors, and growing our businesses all across Indiana.

There is a whole lot more wisdom in Washington, IN, than there is in Washington, DC. A big reason for this is because Hoosiers, as many Americans, are focused on just getting things done, working together. It is not about partisanship, and it is not about politics. In Indiana it is about common sense and trying to solve the problem. It is about an opportunity agenda that creates jobs for hard-working people and a good life for their families. That is what it is all about.

Here is what I am about: taking the best ideas from both parties, both sides of this Chamber, and getting things done—starting with jobs. As Hoosiers, we do not care if you are a Democrat; we do not care if you are a Republican;

we care if you are ready to go to work on what matters most.

We make decisions based on what is best for our families. We take pride in making the checkbook balance and making tough choices necessary to make that possible. We expect the same from our government. Keep taxes low, cut waste, and do not throw more money at the problem. Just try to solve the problem.

Hoosiers are hard working. We do not want a free lunch; all we want is a fair shake. We believe respect is earned through the sweat and the hard work we put in every single day. We do not expect to receive anything we have not earned.

Hoosier common sense tells us that our families are all better off when we have stronger communities and more opportunities for businesses and workers. We take care of our brothers and sisters in need, not with a handout but by providing them with the opportunity to work hard and to build a better life.

We have a proud tradition of Senators from Indiana who have embodied these principles of Hoosier common sense: from Senator Lugar's decades of leadership in matters of commonsense foreign policy, his leadership in saving over 100,000 Hoosier auto jobs, and his constant efforts on behalf of Indiana's farmers, from Lake Michigan to the Ohio River; to Senator Birch Bayh's tireless efforts to expanding voting rights and equality for women through his efforts on title IX; to Senator and Vice President Dan Quayle's bipartisan efforts to pass job training legislation; to Senator Evan Bayh flexing his independence and his passion to get our fiscal house in order; and to my current colleague, Senator DAN COATS, in his efforts to keep our Nation safe.

The people of Indiana expect their leaders to put Hoosier common sense ahead of partisanship. We expect our Senators not to be the loudest people in the building but the hardest working people in the building, and in my case to make my job about making sure I am looking out for their jobs.

I am honored to be here in this Chamber working every day—not because I work for anybody here; I work for everyone back home. That is my mission, that is my job, and I am incredibly privileged to do that.

God bless Indiana. God bless the United States.

Madam President, I yield back.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, let me congratulate my colleague from my neighboring State of Indiana, Senator DONNELLY, on his first speech on the floor of the Senate. I can tell you, as a downstater in Illinois, I can identify with so many things he said about his State and his pride in his State and his feelings about his responsibility as the new Senator from the Hoosier State.

I thank him so much for that comment and look forward to working with him for many years to come as we represent adjoining States.

AMENDMENT NO. 745 TO AMENDMENT NO. 741

Madam President, I have an amendment at the desk and ask that it be called up.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 745 to amendment No. 741.

Mr. DURBIN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. DURBIN. Madam President, I would like to explain where we stand on the pending legislation. This is a bill which has been introduced by Senators ENZI, ALEXANDER, HEITKAMP, and myself. It is S. 743. Pending now on this bill is the managers' amendment, which we have crafted, and a second-degree amendment, which is a slight technical change.

The reason we are at this stage is because we are looking for colleagues to come forward if they have amendments to this bill. We would like to entertain those amendments. We hope they are germane and relevant amendments and not far afield from the important subject matter before us. But I made this announcement yesterday, again this morning, and I make it now: Any Member of the Senate who is interested in amending the bill, please come to the floor with your amendment. Senator ENZI and I will be happy to work with you if we can accept it. If we cannot, we will at least give an opportunity for debate and a vote.

We want to finish this bill this week. We are going to stay until we finish it, so the sooner Members get serious about their amendments the more likely it is we will be able to leave this week.

So that is the state of play on S. 743. I have spoken to the substance of this bill several times, but I see some Members on the floor seeking recognition. At this point I yield.

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Mr. HARKIN and Mr. SANDERS pertaining to the submission of S. Con. Res. 15 are printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, before I yield the floor to the Senator from Arkansas, I would like to again make the point I made earlier.

Pending before the Senate is S. 743. This is the Marketplace Fairness Act cosponsored by myself, Senator ENZI, Senator HEITKAMP, Senator ALEXANDER, and others. This matter is now pending before the Senate, and we are asking all Members with amendments to please bring them to the floor. I know the Senator from Arkansas has heard that call, and that is why he is here. We want to move this forward and have an active debate on this issue. We are asking our colleagues not to put it off. If we want to wrap this up in a timely fashion, we need their cooperation. So I urge all offices, if you have an amendment, please come to the floor and discuss it with Senator ENZI and me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. I wish to talk about amendment No. 740, which is an amendment I am offering with the Senator from Missouri, Mr. BLUNT. We understand there will be an objection to this. I will not ask unanimous consent to call it up at this moment. Hopefully, one of our colleagues will arrive in a minute to do that.

Let me say first that I am for the Marketplace Fairness Act. I am a cosponsor. I believe it is the right thing to do. It is an issue I have been working on since my time more than 10 years ago in the attorney general's office in the State of Arkansas when we were trying to set up a multistate compact about how to collect sales tax on the Internet. This is taxes on Internet sales on the Internet.

What I am talking about today, the Pryor-Blunt amendment, is different. We are talking about amendment No. 740, which is sometimes confused with it, but basically amendment No. 740 deals with the Internet Tax Freedom Act—sometimes called ITFA, of all things—but nonetheless, basically it does just a few things.

First, it makes it clear that online retailers will not begin to have to pay additional tax just for doing business online. So the way this works is that right now States and cities, counties, et cetera, are prohibited from taxing Internet service. We are not talking about sales tax, we are talking about Internet service, the Internet service itself. This is a moratorium that has been around for a long time. Amendment No. 740 is the amendment that would extend this for 10 years.

This is a clean extension. Basically, there are some States that have been grandfathered under the current moratorium. They will continue to be grandfathered. We do not cover things such as voice, audio, video. That is a separate issue. We are talking about just the Internet itself.

This also does not have any negative impact on the Universal Service Fund, 9-1-1, e911, and other fees like those.

Those are separate. We have crafted this very carefully to do just a straight and clean 10-year extension.

We understand there will be an objection to this. Before we hear that objection, I yield the floor for my colleague from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Let me quickly yield to my friend from Oklahoma for a unanimous consent request.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask that at the conclusion of the remarks by the Senators from Arkansas and Missouri, that I be recognized as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Missouri.

Mr. BLUNT. As my good friend from Arkansas said and for the benefit of the Senator from Oregon, we haven't made a request yet for this amendment to be moved to the front of the line to be debated, but we are here to say that we would like to have this amendment on this bill. We are both supporters of the Marketplace Fairness Act for reasons that I hope we have well established, and I think people, including Members of the Senate, are beginning to understand that it is a fairness principle.

But what this amendment does, recognizing the importance of online commerce, that it has grown dramatically since 1998 when this amendment first became part of the law, the Internet Tax Freedom Act—and in 1988, it said that you wouldn't tax the Internet itself for use of the Internet. Unless we act, this law will expire in 2014. This would be a 10-year extension that would simply say that we would continue to ensure that people's access to Internet services is tax free.

To be clear, the underlying bill we are considering, the Marketplace Fairness Act, doesn't create a new tax. It doesn't tax consumers' use of the Internet, and Senator PRYOR and I both would oppose taxing use of the Internet at this point. But this simply adds to the fair tax collection processes that will be available to States under the Marketplace Fairness Act by extending current law to ensure without any question that this is not about taxing the Internet.

In fact, this amendment would extend for a decade the almost 15-year prohibition on taxing the Internet, the one that goes back to 1998.

So I support the Marketplace Fairness Act. I believe this bill would be even better if it clarified for the next decade that we continue to maintain the view the Congress and the Federal Government has had on the Internet since the Internet first emerged as an avenue of commerce and would not allow for the taxing of the Internet and prevents those taxes from being collected.

I yield for my friend from Arkansas. The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I wish to ask the Senator from Arkansas if he would yield for a question through the Chair.

Mr. PRYOR. Be glad to, Madam President.

Mr. DURBIN. Madam President, pending before us is S. 743, the Marketplace Fairness Act, and this legislation would require Internet retailers selling into States with sales taxes to collect the sales tax. The Senator from Arkansas and the Senator from Missouri have offered a different piece of legislation relating to the Internet. I would like to ask the Senator from Arkansas if he would please clarify a few things.

First, is there any tax imposed by this Marketplace Fairness Act on the use of the Internet?

Mr. PRYOR. No, there is no tax in this amendment. Amendment 740, in fact, extends the moratorium on taxing the Internet.

Mr. DURBIN. I am asking before your amendment is adopted. The underlying bill has no tax on access to the Internet.

Mr. PRYOR. That is correct.

Mr. DURBIN. So the Senator is suggesting the extension of protecting America's right to access the Internet from being taxed; is that correct?

Mr. PRYOR. That is correct.

Mr. DURBIN. So for those who would come to the floor and argue somehow this bill is going to inhibit or restrain Americans in the use of the Internet, it does not, and the Pryor-Blunt amendment, which is being offered, extends for 10 years this prohibition against taxing access to the Internet.

I ask the Senator from Arkansas: The last time this was considered, does the Senator know when and what the disposition of that matter was?

Mr. PRYOR. I am not familiar with the history of that. Would the Senator from Illinois know that?

Mr. DURBIN. My impression—and I could be mistaken—is it was adopted by voice vote. The amendment the Senator is offering giving a 7-year protection against taxes for using the Internet was adopted by voice vote. It was clearly unanimous—at least there were no objections—on a bipartisan basis.

So what is being offered by the Senators from Arkansas and Missouri, on behalf of Internet users all over the United States to protect them from being taxed on this measure, is over and above anything in this bill but is consistent with policy we have lived with for 15 years, if I am not mistaken. I think the Senator from Missouri mentioned it was 15 years. From my point of view, this is a friendly amendment, it is an amendment which is good for America, it protects our access to the Internet, and it does not jeopardize—does not jeopardize—the underlying legislation.

In fact, if I am not mistaken, the two sponsors are cosponsors or at least have supported the underlying Marketplace Fairness Act.

I thank the Senator from Arkansas for yielding for those questions.

Mr. PRYOR. I see my colleague from Oregon is here, and he has a long history with this legislation and other legislation similar to it. Let me make one final point before I try to set aside the current amendment and bring up 740 to make it pending.

My final point is this: The Internet has been an amazing success story. It is unbelievable how successful it has been, how diverse, and how robust. But we think of it as ubiquitous. The truth is, it is not. In the United States, 80 percent of American households have access to the Internet, but only 65 percent take it. So only 65 percent of people in this country actually utilize the Internet and take Internet service.

I am afraid if we do add a tax, if the State and local governments add a tax, it will make it less affordable. A lot of people do not take Internet service because they cannot afford it. So I am afraid if we allow State and local governments to tax access to the Internet—tax the service itself—then we will see that effort hurt even more.

I ask unanimous consent to set aside the pending amendment and call up amendment No. 740 to make it pending.

The PRESIDING OFFICER (Mr. HEINRICH). Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I do this to have a colloquy with my friend from Arkansas. I want him to understand that I have stayed off the floor of this body for well over 1 day for the sole purpose of trying to see if we can bring both sides together on this issue. I think that is important, and I have already acknowledged I am willing to look at how we could bring both sides together, recognizing the Quill decision.

As I have already said, I have looked at compacts between States and things of this nature, and I have made repeated offers to the advocates of this bill, offering specifics on paper, and essentially nothing is offered in return other than: We have the votes and we are going to coerce you, as Oregonians, to go along with this.

What I wish to do just for a moment is explain why I have to object. I think the Senator knows I authored the Internet tax freedom bill in the Senate back in 1998, and I did it because I thought it was important to have the defense shield against potentially thousands of taxing jurisdictions singling out the Internet for these kinds of taxes. Regrettably, the underlying bill is going to be a targeted strike on the Internet. It is not going to be a de-

fense shield. It would, as it stands today, serve as an amendment that would undercut what we sought to do back in 1998.

As the original author here, I am looking forward to working with the Senator under any circumstance to reauthorize a law that I think has worked. All the law says is you have to do offline what you do online. If we boil it down, it is a nondiscrimination law. This comes up the next year, and the Commerce and Finance Committees both have interests in this. We have always worked cooperatively in these areas. I remember our experience together on nanotechnology.

So I just have to say I am going to have to object at this time, but I am very interested in working with my colleague, with Senator DURBIN, and Senator BLUNT, who was just here, to come up with an arrangement that goes to the heart of this question; that is, should States such as Oregon be coerced, required to collect these online taxes for States that are thousands of miles away. The refrain throughout this whole discussion has been this is a States rights bill.

I respect that, but what it translates into is folks say they are for States rights if they think the State is right and the State is willing to go along with this particular approach that has come out of Washington, DC, which is they would be coerced into collecting these sales taxes for jurisdictions from thousands of miles away. In some cases—New Hampshire and other places have been making this point as well—it would be discriminatory because the online sector would be subjected to requirements that were not required of brick-and-mortar retailers. Again, this undermines our vision for the tech sector, which has been about bricks and clicks. We want both the brick-and-mortar retailers and the online people to do well. I know the Senator from Arkansas agrees with that as well.

So I haven't said anything on the floor of this body on a matter my constituents feel very strongly about for going on 2 days, until just now, solely for purposes of working with my friend from Arkansas and the distinguished leader from Illinois, Senator DURBIN, and I will continue to do that. But at the end of the day, States rights, to some extent, has to have an element of voluntariness. If States rights has no element of voluntary judgments by States, it is pretty hard to say a State has any rights. The State truly is going to be coerced when we have reached the point, as I would characterize it, where we are going to say in Washington, DC, we believe in States rights if we think the State is right and they are going to go along with the approach we have dictated.

In my part of the world, to show the irony of this situation, Washington State has a sales tax. Oregon does not

have a sales tax. There are differential tax considerations in both jurisdictions, and we often make agreements in terms of how we do business. So we have shown it is possible to deal with this issue, and I want my colleague from Arkansas and my friend from Illinois to know I am willing to set aside absolutely everything and work around the clock to see if we can find some common ground, with my theory being it is hard to say it is a States rights approach if a State is unable to have any element in the process with respect to its own judgment, its voluntary judgment, about what it wants to do.

So I object at this time.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I am disappointed. I am disappointed because I know this was a good-faith effort on behalf of the Senators from Arkansas and Missouri to make certain Americans across the board wouldn't have to pay a tax to use the Internet. That has been policy for 15 years. We just had an opportunity to extend it for 10 more years and there was an objection by the Senator from Oregon.

I know in his heart of hearts he didn't want to object because I know his commitment to the Internet and what a difference it has made in this country. Here is the problem he faces and the reason he objected, if I can try to interpret what he just said. There are five States in America with no sales tax—five States. No State sales tax in Alaska, Oregon—the home State of the Senator—Montana, New Hampshire, and Delaware. No sales tax. That means, because that State has decided there will be no sales tax, the people living in that State who make a purchase at a store pay no sales tax—visitors as well, no sales tax. Those who buy things over the Internet in that State don't pay a sales tax either. That is the State's decision. We don't change that a bit. If this underlying bill passes, that will continue.

There is no coercion—which the Senator from Oregon uses as his term—on the State of Oregon to impose any sales tax on their citizens, on the people buying in their State. It is their State right to decide. What this bill does impact is the Internet retailer in Oregon selling products in the State of Illinois. When Nike or Columbia sell products in the State of Illinois, the Supreme Court told us Congress has to decide, if they sell a product in the State of Illinois to an Illinois consumer, do they have to collect the Illinois sales tax. That is what the bill says. That is all it says.

So at the end of the day, here is the question: If you are Nike and you are located in Oregon and you decide to do Internet sales—which I believe they do—but you also decide to have Nike shops available—and we have seen

them in malls—what is the law going to be? You know what the law is going to be if you are Nike and you want to come and open a shop in a mall near Chicago—you play by the rules of Chicago and Illinois.

If we require certain filings with our government, if we require you pay certain property taxes, if we require you collect certain sales taxes—rules of the road: If you want to do business in Illinois, you play by Illinois rules. The same thing holds true if I want to open a business in Oregon; I play by Oregon rules.

Now the question: If you don't physically locate in Illinois but sell into Illinois, do you still have to play by Illinois rules? That is what this bill says. That is not coercion.

Nike can decide they don't want to sell in Illinois because they don't want to collect the sales tax in Illinois. That is their business decision. Let it be. But if they want to come and use the customers of Illinois to make a profit, all we are saying to them is: Collect the sales tax. Why? Because their competitors in Illinois—the families who have opened the shops and the stores—are collecting sales tax every day from their customers. They are finding people who are showrooming, walking into the running shoe store, trying on all the shoes, and saying, Just great, let me write something down here, see you later, and then going to the Internet and buying those shoes over the Internet without paying the sales tax. What happens to the store they used to try on the shoes? Eventually, they lose business and sometimes they go out of business.

We are trying to level the playing field. No coercion. Oregon, make up your own laws for your own citizens and people who do business there. We don't change a word of it. But if you want to do business in another State, we are asking that you collect the sales tax of that State. In fact, we provide the software free for you to do it.

I am sorry the Senator from Oregon objected to the Internet freedom bill offered by the Senators from Arkansas and Missouri. It is a good one. It is one we would have liked to have seen part of this discussion. I hope before this conversation and debate end that we get a chance to reconsider.

Mr. INHOFE. Mr. President, point of order.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, by unanimous consent, I was to be recognized after the conclusion of the remarks of the Senators from Missouri and Arkansas. I wish to ask when that would be, because this is going on and on.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to pose a question to my colleague from Oklahoma.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, if I would be able to engage the Senator from Oklahoma, with his leave, I could take about 5 minutes or so—no more—to respond to the points Senator DURBIN has made. That would be the end of my time, and I believe the Senator from Oklahoma would be next.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Mr. President, I do not object to that, but I would ask the Senator from Arkansas if he has any objection to that. I want to be sure to get in the queue sometime here.

Mr. WYDEN. Mr. President, very briefly to respond to comments made by my friend from Illinois, this legislation has nothing to do with Nike. Nike of course is a very large company and has stores and trucks and a physical presence all over the United States. They pay taxes because of that physical presence under the Quill decision. So the comments by my colleague from Illinois are very unfortunate, because they misstate what this debate is all about.

This debate is about the little guy.

Later on this afternoon, Senator MERKLEY and I are going to come to the floor of the Senate and actually read accounts from small businesses here in our State. They are people who don't have a physical presence all over the country, and they are scratching their heads this afternoon and they are saying to themselves, How in the world are we possibly going to be able to comply with this, because in a difficult economy, we are barely able to make ends meet. We are going to have to go out and spend time and money and staff figuring out how to do this.

That is what this is about. Are we going to take something like our current policy—which is the defensive shield against discriminatory treatment from these tech-based online businesses—and turn it into a targeted strike on them, which this legislation does, or are we going to work together, which is what I have tried to do pretty much nonstop since Monday, to see if we can find some kind of common ground? Part of the challenge is we have to get some equity even in terms of the amendments, because it looks as though one side is getting to offer theirs and another side may be foreclosed.

I am going to continue to try to reach out to colleagues on both sides of this debate. But I appreciate very much the courtesy of my friend from Oklahoma, because I had to clarify that this amendment is about the small, innovation-oriented businesses that we think are the future and the center of this debate since it got going. I thank my colleague from Oklahoma for his courtesy.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, my good friend from Pennsylvania, Senator TOOMEY, and I had an amendment that we put forth several weeks ago back in the time when we did not know for sure whether sequestration was going to become a reality. We have some comments to make about that.

I will be yielding to the Senator from Pennsylvania in a moment, but I first want to make an observation here, that anytime a bureaucracy is forced to cut, they will find the one thing the people of America want most and that is what they will cut. There is no better example of this than the FAA. I went around with them for quite some time on the pilots bill of rights last summer. We were able to get something done. But I know they are a very powerful agency. There is no question about that.

To give you an example of that, the FAA began furloughing traffic controllers—and others too—on April 21. This is what is interesting, and you have to pay attention to this. The cuts that were going to come to the FAA through sequestration amounted to 5 percent of the FAA's budget to bring it down to 2010 levels.

The FAA operations budget has grown by 109 percent since 1996. That has more than doubled since 1996.

On April 22, the first day after furlough took effect, over 400 flights were cancelled and nearly 7,000 flights were delayed. That, my good friends, is a way of making people miserable to bring them around to their way of thinking that somehow there is not enough fat in a bureaucracy that has more than doubled in the last 15 years that they have to take these drastic steps. The FAA has the flexibility to reduce the costs, but they have not attempted to do that.

As I said, very clearly, in 1996, the FAA's operating budget was \$4.6 billion. In 2012, the operation budget was \$9.7 billion. I don't know off the top of my head of another bureaucracy that has grown that much in that period of time. The FAA operations budget has increased by \$5.1 billion over 14 years. That is 109 percent.

The furloughs of the air traffic controllers are expected to save only \$200 million. I wish I had a chart here to show you what a small percentage that \$200 million is of the increase of \$5.1 billion over 14 years. I think it is very important that we talk about that in light of some of the things we are trying to do with sequestration. That was the FAA.

Unfortunately, it is our defense system that has been taking all the hits. Here we have the defense at 18 percent of the budget and they are taking 50 percent of the hits. This is after the President through his programs has knocked down spending levels by \$487 billion over this 10-year period, and sequestration would be another \$½ tril-

lion—which in the mind and the statements of the Secretary of the Defense at that time, Secretary Panetta, would be devastating, to use his words. So that is where we are right now.

When the majority leader last night introduced an amendment that would transfer the overseas contingency operations funds from the fiscal years of 2014, 2015, and 2016 to offset the sequester impacts in the current year, I think this is not implementable because he uses future appropriations to offset current year spending. It is also dangerous to continue to hollow out our military.

A couple days ago I talked about how we are comparable today in the hollow force we are approaching to what we were in the 1970s and the 1990s. Now it could actually be worse. In one of the hearings we had, one of the chiefs of the military made the statement that this would not be just as bad—it would be worse.

That is what we are faced with right now. I think we need to look very carefully and make sure we do not allow our warfighters—every time you cut their money out of the OCO account, that increases risk. Increasing risk increases lives lost. That is how serious this is.

Now back to our amendment we put together some time ago. This was back before March 1, which was when the realization appeared that sequestration was going to be a reality, and it was this: If the whole purpose of sequestration is to save money out of the budget, and if you come along with something that says: We will live with the top line that is dictated by sequestration but we would ask that the chiefs of the services be allowed to make those decisions as to where the cuts would be. I had occasion to call all five service chiefs, and it has been reaffirmed in the last 2 weeks by them in public hearings that if they could take this top line that would be so devastating to their service—and this was the Army, Navy, Marines, and Air Force. If they could determine where some of that was, would it be less devastating, No. 1? No. 2, would you be able to do it? The answer was yes and yes.

I think the Senator from Pennsylvania and I had a very good idea, and we are here today to talk about that.

With that, I yield for my friend from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I want to thank the Senator from Oklahoma for his leadership and work, and say a few words, and then I am going to make a unanimous consent request in this regard—but first a little bit of context here.

This Federal Government has doubled in size in the last 12 years. Total spending is up 100 percent in a little

over a decade. What the sequester amounts to is 2.5 percent of this gigantic bloated government. But it is actually less than that in a very meaningful way, because the 2.5 percent we referred to—the sequestration, this cut—is a reduction in the permission to spend. We call it budget authority. What it is is permission for the government to spend money. It actually takes a while for the government to get around to spending the money that is authorized in any given year. So the actual reduction in spending, the real reduction in cash that will go out the door in this fiscal year if the sequester goes into effect is a little over 1 percent, about 1.25 percent. That is what we are talking about.

Our friends on the other side of the aisle say, This is impossible; you can't do it; it will be devastating. They predicted all kinds of calamity if a government that has grown by 100 percent has to find 1 percent to trim over the next 6 months.

Here is another point we ought to keep in mind. If the cuts and sequester hold, if we achieve the savings that were signed into law, that were voted on by both Chambers, and that the President of the United States agreed to by virtue of his signature—if we do, then total spending this year will still be greater than last year. And we are told that is somehow a Draconian austerity program.

What we are talking about is a modest reduction in the rate at which this Federal Government grows. That is all we are talking about here. And we are told that is not possible; there is no way you can do it.

That is simply not true. One of the things that is maddening to me is the administration—and the President is responsible for this. They are willfully choosing to make the cuts in the most disruptive way they can, because they have got so much invested in this idea that we can't cut any spending. Because they predicted such dire consequences and such disaster, they can't very well allow reasonable and manageable cuts to take place which would be easily attained. So we have this extremely irresponsible set of cuts that are completely unnecessary.

Let me zero in a little bit on the FAA budget itself. The sequester is in effect now. If it holds—if it is fully implemented—the FAA budget will, as a result, be larger than the President asked for in his budget submission.

Does anybody think when the President submitted his budget request he was intending to shut down air traffic control operations? I can assure you he didn't tell us that at the time.

The fact is there are plenty of places where we can achieve this savings. The administration knew this day was coming for over 1 year. There has been plenty of time to plan for this and to prioritize.

The Senator from Oklahoma points to the huge growth in the FAA's budget. That is wildly disproportionate to any growth in flights. There are plenty of opportunities to achieve the savings, as evidenced by the fact that the President never asked for all this money.

Let me give a few examples of places where the President, within the FAA budget, could be tightening belts so we don't have to furlough air traffic controllers.

For instance, the FAA spends \$540 million a year on consultants. That is nice. I am not sure all of that is as important as keeping planes flying in the air. The FAA operates a fleet of 46 aircraft. That costs \$143 million a year—very nice indeed. Probably not as important as making sure planes are coming and going from La Guardia and Kennedy and Newark and Philadelphia and Pittsburgh and across the country. The FAA budget includes \$1 billion more in grants for airport improvements. I am a pilot. I fly in and out of lots of airports and it is great when a nice little airport has a new taxiway, terrific, but is it truly as important as keeping our air traffic controllers there on the job? These are the kinds of tradeoffs we ought to be making.

My Republican colleagues and I have been offering a wide range of solutions. Senator BLUNT had the idea that maybe we ought to treat Federal workers, in this context, the context of the sequestration, the same way we do in other emergencies and designate essential workers. That makes some sense to me. I think that would make a lot of sense. JERRY MORAN has another idea for how we could address this.

Senator INHOFE and I introduced a bill before the sequester went into effect. What we said was let's give the President the maximum flexibility—right? The reason they say they have to lay off or furlough air traffic controllers is because they do not have any choice, the law requires it—except they did not want the change in the law which would have given them the choice. Senator INHOFE and I had a bill that would give the administration complete flexibility.

I say this because I pointed to a number of areas in the FAA's budget where I think they could find the savings, avoid furloughing air traffic controllers, but under the approach Senator INHOFE and I suggested, they would not be limited to finding the savings within the FAA budget; they could look anywhere in the government for the lowest priority spending, the most wasteful spending, the least necessary spending or perhaps redundancy and duplication.

I will give just another few examples. The GAO has discovered that throughout the Federal Government we have 47 different job training programs. Does anyone truly think we need 47 of these and that by consolidating them maybe we could save some overhead, some ad-

ministrative costs? Maybe some of them don't work so well.

How about the fact that we have 94 different green building programs—94 programs—679 renewable energy programs. This is all over government because we have never bothered to scrub this and come up with the savings we could have achieved.

Senator COBURN from Oklahoma has offered all kinds of ideas, Senator LEE from Utah. There are all kinds of places we can save. The fact is, especially in a government that has grown this big, we absolutely can find the little, tiny savings that are required in the sequester so we do not have to do it in a disruptive way.

UNANIMOUS CONSENT REQUEST—S. 799

That is why I ask unanimous consent that the Senate proceed to the immediate consideration of S. 799. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I listened to the Senator from Pennsylvania. I have heard his arguments. I know he is convinced of his arguments.

There are several things he did not mention. The sequestration we are currently going through was a bipartisan decision. Both parties agreed to do it. In fact, the leadership on the Republican side and the leadership on our side voted for it. It was to be the outcome if we did not reach an agreement on the budget, and we did not. So now we are in sequestration.

When he suggests it is only 1 percent of government spending, I would add a couple of facts. We have exempted a long category of Federal spending so it will not be subject to these cuts. For example, we have said we will not cut the pay for our military 1 penny, so we exempted that part. When we take all the exemptions out, it is not 1 percent of our budget. For the agencies affected, it is closer to 5 percent on an annual basis. Since there are only 6 months left in the year, it turns out to be closer to 10 percent that they have to cut to make the cuts for the remainder of the year, so 1 percent does not quite tell the whole story.

Also, in terms of the number of people working for the Federal Government, the largest increase in Federal employment in the last 10 years has been in the Department of Defense. Why would that be? Two wars, that is why. When they talk about the increased number of people working for the Federal Government, don't overlook the fact of the Department of Defense effort and our effort to make sure the men and women in uniform were

safe and came home safe. So when they talk about that increase, that is part of it.

Here is what we have suggested. Instead of just shifting the furniture around in the room, let us avoid what we are facing. We are facing the reality of 6,800 flights a day in America being delayed because air traffic controllers are being furloughed 1 out of every 10 days. We should avoid that—if not just for convenience, certainly for safety. I agree.

When it comes to cutting 70,000 children, little kids, out of the Head Start Program, let's agree we should not be doing that. We get one chance at those kids to have a good education and a good life. Don't blow it because of a sequestration problem.

Shall we cut \$1.8 billion out of the National Institutes of Health medical research money? \$1.8 billion? No. This Senator believes that is stupid—short-sighted and stupid. If we don't put money into medical research, we are not thinking. America leads the world in medical research. The sequestration should not put us further behind.

What I am going to make a unanimous consent request to do is use the overseas operations contingency account, an account set aside for future war which we will not need because this President is bringing our troops home from Afghanistan as he did in Iraq.

I will object to the consent request of the Senator from Pennsylvania and I will make my own after that. I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—S. 788

Mr. DURBIN. I ask unanimous consent the Senate proceed to consideration of Calendar No. 64, S. 788, a bill to suspend the fiscal year 2013 sequestration and offset with funds from overseas contingency operations; that the bill be read three times and passed, the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, I would like to explain what this amounts to. Let's be very clear. There is no money in the overseas contingency operation fund. This is barely an accounting device. Do you know what this really is? The proposal is that we do away with the sequester and we thereby spend more money and we just pretend it is offset. But the fact is, some time ago, this administration made a decision about the level of our involvement in Afghanistan that had nothing to do with this sequester. That has nothing to do with the sequester. The fact that we are no longer at war there does not allow us to spend money we do not have.

Let me give an analogy. I could come down to the Senate floor and suggest I

think it should be the policy of the United States that we absolutely not invade Canada and we not have a war with Canada. Imagine the money we could save if we do not go to war with Canada.

So, with all that savings, let's go out and spend it because we have this terrific savings. This proposal is absolutely no more meaningful than if I were to make that suggestion, which obviously everyone understands is ridiculous.

So I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Illinois.

Mr. DURBIN. Mr. President, I just want to make one postscript. When PAUL RYAN, the Republican candidate for Vice President and the chairman of the House Republican Budget Committee, wrote his 2011 budget, he included the very fund which the Senator from Pennsylvania refers to as the Canadian invasion fund. So it was a good idea when PAUL RYAN had to write a budget. It is a bad idea when we are trying to avoid the pain of sequestration.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I also agree we should not invade Canada. I live right near there. It would be terrible.

What we are hearing and what we have heard now for a number of months is a discussion about deficit reduction, about how we proceed and how we address the fact that this country has a \$16.6 trillion national debt. That is a serious issue.

I think as we contemplate how we address this issue, we have to put it into a broader context as to what is going on in the United States. What is the best way forward in terms of deficit reduction at a time when the United States has by far the most unequal distribution of wealth and income of any major country on Earth. In other words, we cannot talk about how we proceed with deficit reduction, we cannot say it is OK to cut Social Security or Medicare or Medicaid or nutrition programs when the middle class of this country is disappearing, poverty is extremely high, while at the same time the wealthiest people and the largest corporations are doing phenomenally well. Any serious discussion about deficit reduction has to include those issues.

Let me bore you for a moment with some interesting statistics. This, in fact, came out just yesterday from the Pew Research Center. What they said is that all the new wealth generated in this country from 2009 to 2011 went to the top 7 percent of the American households. All the new wealth went to the top 7 percent of American households, while the bottom 93 percent of Americans saw a net reduction in their wealth.

The Pew Research Center found that from 2009 to 2011, the mean net worth of American households in the top 7 percent rose by 28 percent, while the mean net worth of the bottom 93 percent of American households went down by 4 percent; in other words, the people on top are doing very well, everybody else is not doing well.

Over this same time period, the top 7 percent of American households saw their wealth increase by a combined \$5.6 trillion—the top 7 percent, \$5.7 trillion in wealth increase; the bottom 93 percent saw a wealth decline of \$600 billion. That is what the Pew Research Center reported just yesterday.

Today, when we talk about distribution of wealth and income, the wealthiest 400 individuals in this country own more wealth than the bottom half of America. Four hundred people have more wealth than the bottom 150 million Americans. Today, one family, the Walton family—owners of Walmart—own more wealth than the bottom 40 percent of the American people; one family has more wealth than the bottom 40 percent.

Today—and this is truly a remarkable fact which of course we do not talk about too much—the top 1 percent of Americans own 38 percent of all financial wealth. Let's guess what the bottom 60 percent of the American people own. The top 1 percent own 38 percent of the wealth. The bottom 60 percent own 2.3 percent of the wealth in America. That is a rather remarkable and disturbing fact.

Today, as Warren Buffett has pointed out, the 400 richest Americans are now worth a recordbreaking \$1.7 trillion, more than five times what we were worth just two decades ago. Meanwhile, according to a June 2012 study from the Federal Reserve, median net worth for middle-class families dropped by nearly 40 percent from 2007 to 2010. That is the equivalent of wiping out 18 years of savings for the average middle-class family.

That is distribution of wealth. That is incredibly unequal, incredibly unfair, and getting worse and worse. That is something we might want to keep in mind when we talk about how we do deficit reduction.

Then when we talk about distribution of income, what we earned last year, that is even worse than distribution of wealth, as bad as that is. If you can believe it, the last study we have seen on this subject—this is quite amazing—showed that from 2009 to 2011, all the new income created during that time period went to the top 1 percent while the bottom 99 percent actually saw a decline in their income. All the new income created in that time period, 2009 to 2011, went to the top 1 percent. Real unemployment today is not 7.6 percent, it is 13.8 percent if we count those people who have given up looking for work and those people who

are working part-time. The youth unemployment rate is just horrendous, and it is even higher than the general average.

Very interestingly, a new poll came out by Gallup that was done just a few days ago—April 17, 2013. I find the results of that poll very remarkable. This poll deals with an issue that very few people in Congress are even prepared to talk about, let alone act upon.

Here is what the poll from April 17, 2013—this week—said: About 6 in 10 Americans—about 60 percent—believe money and wealth should be more evenly distributed among a larger percentage of the people in the United States, while only one-third of Americans think the current distribution is fair.

So when my friends want to cut programs for the middle class and give tax breaks to the rich, they should understand that about 60 percent of the American people already believe that we have an unfair distribution of wealth in America. What is even more interesting, according to this Gallup poll from a few days ago—and they do this poll every year—is that a record-breaking 52 percent of the American people believe “that our government,” i.e., the Congress, “should redistribute wealth by heavy taxes on the rich.” Again, that is 52 percent of the American people who believe that.

How many Members of the Congress get up and come close to reflecting what a majority of the American people want? The American people know that the middle class is collapsing. They know poverty is unacceptably high. They know the wealthy and large corporations are doing extraordinarily well, and they want us to do something about it. But around here, forget doing something about it. We cannot even talk about what the American people want us to do.

The American people are frustrated with Congress for a whole lot of reasons, and certainly at the top of the list is how we are ignoring the economic reality facing the middle class of this country and the growing wealth and income inequality. They want us to do something about it, and I think it is high time we did.

So instead of cutting programs for the middle class, they are giving more tax breaks for those people who don't need it. Maybe we should do what the American people want and ask the wealthy and large corporations to start paying their fair share of taxes and protect working families.

Interestingly enough, we hear from the wealthiest people in this country and from their organizations. What we hear from them is not: Hey, we are doing really well. We know this country has a whole lot of problems, and we are prepared to pitch in; we are prepared to help out with deficit reduction. By the way, for those who are on

Wall Street, remember that it was the American people who bailed out Wall Street. Instead of hearing how they are prepared to reciprocate now in America's time of need, unfortunately what we are hearing is quite the contrary.

Lloyd Blankfein is the CEO of Goldman Sachs, and this is what he said on November 19, 2012, to CBS:

You're going to have to undoubtedly do something to lower people's expectations—the entitlements and what people think that they're going to get, because they're not going to get it.

Blankfein and his friends at the Business Roundtable recently came out with a report. Now, the Business Roundtable is the organization representing the CEOs of the largest corporations. All of them make millions of dollars a year in salary or benefits. All of them have very generous retirement benefits. Some of them are worth hundreds of millions of dollars.

These people, the Business Roundtable, which consists of Wall Street and other large corporations that are doing phenomenally well, came forward and said to Congress: You should raise the eligibility age for Social Security and Medicare to 70 and cut Social Security COLAs by adopting the so-called chained CPI. The wealthiest people are doing phenomenally well, Wall Street gets bailed out by working families all over this country, and then these guys come back to Congress and say: Raise the retirement age for Social Security and Medicare to 70 years of age.

Needless to say, my views are a little bit different than Mr. Blankfein's or the Business Roundtable. I believe the way to do deficit reduction is not by punishing people who are already hurting and struggling to keep their heads above water. We don't punish the sick, the kids, the elderly, or disabled veterans. We need to ask those people who are doing very well to start paying their fair share of taxes.

Now I will talk about what I think we should be doing and why we should be doing it. In 1952, 32 percent of all of the revenue generated in this country came from large corporations—about one-third of all the revenue. Today just 9 percent of Federal revenue comes from corporate America. In 2011, corporations paid just 12 percent of their profits in taxes. That is the lowest percentage since 1972.

In 2005—the last figures we have—one out of four corporations paid no Federal income taxes at all even though they collected over \$1 trillion in revenue during that 1-year period.

In 2011, corporate revenue as a percentage of GDP was just 1.2 percent lower than any other major country in the OECD, including Britain, Germany, France, Japan, Canada, and many other countries. Each and every year corporations and the wealthy are avoiding more than \$100 billion in U.S.

taxes by sheltering their incomes in the Cayman Islands, Bermuda, and other offshore tax havens.

So the point is: How do we do deficit reduction? Do we say to an elderly woman in the State of Vermont who is trying get by on \$14,000 or \$15,000 a year that we are going to cut her Social Security?

Do we say to a disabled vet: Thank you for your service and your sacrifice for this country, we are sorry you lost your legs, but we are going to have to cut your benefits?

Do we say to a struggling low-income family trying to survive on one or another nutrition program: Sorry, but you may have to go hungry and not get dinner on Wednesday?

Do we say to working people who have lost their jobs: We are going to have to cut your unemployment compensation which will make it almost impossible for your family to survive?

Is that our approach or do we go to corporate America, which is enjoying recordbreaking profits?

One out of four corporations pays nothing in taxes. Do we say to them: You know what, it is time you helped us with deficit reduction.

I hear a lot of my Republican friends and the President talking about how we need tax reform, but we are going to do it deficit neutral. No, I beg to differ. We do need tax reform. We do need to end the absurdity of losing huge amounts of money because of the tax havens in the Cayman Islands and Bermuda and elsewhere, but we also have to raise revenue when we do tax reform. It is not simply lowering tax rates.

I will give some examples about how absurd the current situation is and why—before we cut Social Security and before we attack programs that the middle class and working families of this country depend upon—we have to end these absurd loopholes corporate America is enjoying.

I have just a few examples. Bank of America is one of the financial institutions that was bailed out by the American people when their recklessness and greed almost resulted in the collapse of our financial system. In 2010, Bank of America set up more than 200 subsidiaries in the Cayman Islands, which, of course, has a zero percent tax rate to avoid paying U.S. taxes. Bank of America set up 200 subsidiaries in the Cayman Islands. In 2010, not only did Bank of America pay nothing in Federal income taxes, but it received a rebate from the IRS worth \$1.9 billion that year. Bank of America paid nothing in taxes.

In 2010, JPMorgan Chase operated 83 subsidiaries incorporated in offshore tax havens to avoid paying \$4.9 billion in U.S. taxes. They avoided paying \$4.9 billion.

Goldman Sachs is one of the largest institutions in the country. In 2010,

Goldman Sachs operated 39 subsidiaries and offshore tax havens to avoid an estimated \$3.3 billion in U.S. taxes.

Citigroup, which is another financial institution that was bailed out by the taxpayers of this country, has paid no Federal income taxes for the last 5 years. That is not bad. Many people who are out there watching this are saying: That is pretty good. How did they avoid paying income taxes when they are one of the largest corporations in America for a 5-year period? That is pretty good.

During the last 5 years General Electric made \$81 billion in profit, which is not too shabby. Not only has General Electric avoided paying Federal income taxes during these years, it received a tax rebate of \$3 billion from the IRS. GE has at least 14 offshore subsidiaries in Bermuda, Singapore, and Luxembourg for the purpose of avoiding U.S. income taxes.

Does anyone still want to know why the American people are cynical about what is going on in Washington? Does anyone want to know why the Congress of the United States has an extremely low level of support or favorability? It is because the American people know they are getting ripped off. They are working 50 or 60 hours a week, and they are paying their taxes. General Electric makes \$81 billion, and over the last 5 years they have paid nothing in taxes. Does anybody vaguely think that is fair?

We have some people who say: We want to do tax reform, but we want to make it revenue neutral. We don't want any new income in order to help us with deficit reduction. Let's cut Social Security, Medicare, Medicaid, education, but, no, we cannot get new revenue from large corporations.

During the last 5 years Verizon made over \$48 billion in profits. Not only has Verizon avoided paying Federal income taxes during those years, it received a \$535 million rebate from the IRS—not too bad.

From 2008 through 2010, not only did Honeywell avoid paying Federal income taxes, it received a \$34 million tax refund from the IRS.

Merck is a pharmaceutical company. In 2009 not only did Merck pay no Federal income taxes, it received a \$55 million tax refund from the IRS. On and on it goes: Corning, Boeing, Microsoft, Caterpillar, Cisco, Dow Chemical. I have example after example of large profitable corporations where CEOs make millions and millions of dollars, and they say to the American people: We support cuts in programs for you—Social Security, Medicare, Medicaid, you name it—but don't ask us to pay more in taxes.

This Senate has a decision to make: Do we occasionally—I am not asking for much—stand up to the lobbyists, campaign contributors, and big money interests and ask the large corporations and the wealthy who are doing

phenomenally well to help us with deficit reduction or do we continue to stick it to the working families and the middle class of this country? That is the challenge and the issue we face. I hope we have the courage to do the right thing.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I ask unanimous consent to speak in morning business for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL CHALLENGES

Mr. KING. Mr. President, I rise today with some humility because I rise in the footsteps of one of Maine's greatest Senators, Olympia Snowe. I am fortunate enough to succeed her in this seat. In the midst of the campaign a year or so ago, I also realized I was not only succeeding Olympia Snowe but George Mitchell and Ed Muskie, who are two of the greatest legislators of the 20th century. So it is with some trepidation to be standing on the shoulders of those great Members of this body.

Most speeches we hear in this Chamber are on a topic of the day—taxation, gun control, fairness of the marketplace—but I think in order to understand the issues we are debating, the issues coming before us on a continuous basis, we have to have some context. We have to look back to the history of this body and the history of the country.

My favorite quote from Mark Twain—and there are lots of them, but my favorite is: History doesn't always repeat itself, but it usually rhymes. And in this case I believe that is true.

Let's start with a very basic question: Why do we have government at all? Why are we here? Why do we have this grand edifice? Why do we have the rules and laws and this panoply of the Constitution?

Well, it is all about human nature. Unfortunately, part of human nature is conflict. Often it is conflict that is resolved by violence. Hobbes, the British philosopher, said: "Life is nasty, brutish, and short."

A few years ago, Bill Moyers, whom I believe is one of the wisest living Americans, spoke at the graduation of one of my sons. I was at the graduation because I wanted to see what \$100,000 looked like all in one place at one time. Now it would be \$200,000. But Moyers had a very profound observation, and he talked about the propensity of people to be mean to each other, to resolve disputes by violence. He used a phrase that has stayed with me, and I think it is very profound: "Civilization," Moyers said, "is an unnatural act." Civilization is an unnatural act. It takes work to maintain civilization from one generation to the next. The world around us today gives us evidence of this. All one has to do is open

the paper: North Korea, the Middle East, and, Lord help us, the Boston Marathon or two little boys in a sandbox with one truck. Conflict is part of our human nature.

So the basic function, the basic necessity that brings forth any government throughout history is to provide security to our citizens, internal and external, and, of course, the Constitution says this in the Preamble: to "ensure domestic tranquility"—that is Al Capone—and "provide for the common defense"—that is Hitler or al-Qaida. But, then, the paradox is once we create a government, we are handing over power to other people, and there is always the danger the government itself will become abusive, and that has been true throughout human history.

The ancient Latin quote is, "Who will guard the guardians?" Governments are about power—power we give up in order for governments to serve us. But, again, human nature raises its head. Lord Acton, the 19th century British philosopher, again had a very profound observation: "Power corrupts, and absolute power corrupts absolutely." That is true of all people in all times and in all places. Power corrupts and absolute power corrupts absolutely.

So these two questions—why have a government and how do we control the government once we create it—encompasses all one needs to know about political science. Our Constitution is the best answer ever provided to these two questions. It is the best answer, and the Framers knew exactly what they were doing.

Madison, in the 51st Federalist—and I have to apologize to my female Senator friends because Madison only talked in terms of men, but when we hear "men," we think "men and women." He meant that, he just didn't say it. But in the 51st Federalist, here is what he said: "If men were angels, no government would be necessary." We wouldn't need it. Then he said:

If angels were to govern men, neither external nor internal controls on the government would be necessary, either. In framing a government which is to be administered by men over men, however, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place, oblige it to control itself.

That is the whole deal. That is what the Constitution is all about. How did it do it? I think the best analogy for the U.S. Constitution is the homely Vegemetic. Remember Billy Mays: It slices, it dices, it purees. The Constitution is the Vegemetic of power. It slices and dices. It lays it out. It divides it between the people and the government, between the Federal Government and the States and the localities, and within the branches of the Federal Government. Power is separated, and that was the theory of the Framers; that this division of power—ambition combating ambition—was the

structural solution to the danger of the government abusing its own people.

Then, finally, they weren't satisfied, and in the ratification of the Constitution was adopted the Bill of Rights. The Bill of Rights is nothing more than a sphere of protection around each of us as individuals that says even if the government follows all these arcane rules and all these Rube Goldberg procedures and a law comes out at the other end, if it violates free speech, it is no good. If it violates the right to bear arms, it isn't valid. If it violates people's right to be secure in their persons and possessions, it is off limits. So the Bill of Rights is the last sword, shield, and buckler that protects us from an abusive government.

The tension between effective government and controlling government has never been resolved in this society. Many of the arguments we are having now about gun control, the Federal budget, financial regulation, health care, climate change, and environmental policy are all manifestations of this age-old debate we keep having.

What I think is amazing is that the arguments and even the rhetoric—the words themselves—always seem to be about the same. On the Federalist side, we always hear about the necessity of national solutions to national problems, universal principles, appeals to fairness. On the other side, we hear allegations of tyranny, nullification, references to Jefferson's famous quote, that "occasionally the tree of Liberty must be watered with the blood of Patriots and Tyrants." The 10th amendment, States rights, and hints of secession, the rhetoric is the same. In fact, the current divisions in this Congress between traditional Democrats and a Republican Party largely driven by the anti-Federalist sentiments of the tea party is at least the 10th time this same issue has arisen in American history.

The American Revolution itself, No. 1, was a populist revolt against concentrated power far away. Second, the drafting of the Constitution arose out of the weaknesses of the Articles of Confederation. Many of us—all of us—sort of feel this government has been what it is forever. For 7 or 8 years, between the end of the Revolution and the drafting of the Constitution, we were governed by something called the Articles of Confederation, which was too weak. It didn't concentrate power enough, and that gave rise to the Constitutional Convention in 1787.

Then, the ratification of the Constitution and the Bill of Rights was itself a manifestation of this argument—the argument that the wonderful terms "Federalist" and "anti-Federalist" describe the division in the country which we are fighting over to this day. I think of HARRY REID and DICK DURBIN as Hamilton and Adams and MCCONNELL and CORNYN as the

pre-1803 Jefferson and Madison. I say pre-1803 because Jefferson was the apostle of States rights, but he became President and somehow found in the Constitution the heretofore unknown right to buy Louisiana. We are glad he did.

The Alien and Sedition Acts of 1800, which were the PATRIOT Act of the day, passed by President John Adams to get at what they thought were seditious activities in the country. Jefferson, when he was Vice President, secretly wrote a resolution for the Kentucky legislature saying that the Alien and Sedition Acts were null and void in Kentucky and were a violation of the constitutional principles.

The tariff of 1828, known as the Tariff of Abominations, was a tariff that protected northern manufacturers, but it prejudiced the South and, lo and behold, South Carolina wanted to nullify it and, in fact, in 1832 voted to do so. The nullification crisis of 1832 was only averted by the election of Andrew Jackson and a compromise tariff that was passed in 1834.

That is five times already.

This is an interesting one. The fugitive slave laws in 1850 were passed by the Federal Government and it says if a slave escaped into your State, even if it was a free State, your legal enforcement community had to cooperate and return the slave to its master. The Supreme Court of the State of Wisconsin in 1854 declared that law unconstitutional, void, and of null effect in the State of Wisconsin. Again, it was the tension between the power of the Federal Government to remedy national problems and the rights of the States and the people to make their own decisions.

Of course, tragically, the most dramatic manifestation of this was the Civil War, but the Civil War itself was about this very question. Wrapped up in States rights and slavery, it was a question of what are the powers of the Federal Government and what are the powers reserved to the States and to the people. We all know the tragedy of that event and what happened.

I think one of the most interesting results of the Civil War is a change in English usage of the term "United States." Prior to the Civil War, people in the United States referred to the United States as a plural noun: the United States are; they are. The United States, they are doing this or that. In other words, they referred to themselves as a collective, as a group of States. After the Civil War, the usage which we have until today is that the United States is a singular noun, one country: It is. That is an amazing development. There was no law passed, but that showed how the people's view of what their country was all about changed.

In the early part of the last century, the New Deal and the two crises of de-

pression and war—particularly the Great Depression—the issue then was fought out in the Supreme Court, and the U.S. Supreme Court at first said the New Deal laws were unconstitutional. They went too far. The commerce clause wouldn't stretch that far. Then, of course, there was a lot of politics and discussion. The case went back—I believe it was the "sick chicken" case—and the Supreme Court said: Well, maybe the commerce clause does stretch that far. Historians refer to that as "the switch in time that saved nine."

The civil rights movement was happening as I was growing up, and States rights was the rhetoric again. What are the powers that we have in this city versus the communities and the States.

Here we are, No. 10: The tea party and the urge to shrink government. The resistance to the Affordable Care Act. I was always surprised that summer when people were getting red in the face about a health care bill. It wasn't the health care bill; it was the perception that Washington was somehow taking over something that should have been left to them.

Gun control is a classic example which we were debating last week, and the irony and the difficulty of gun control is the problem is largely local and particularly in urban areas, but the solution is national because the guns being misused in urban areas come from all over the country. That is why, in my opinion, we need national legislation; at a minimum background checks and trafficking regulation. Regulation itself is an expression of governmental power, and it is resisted in many parts of the country.

Budgets—finally, budgets. I shouldn't say finally. My wife says I say "finally" too much and it gets people's hopes up. Budgets. A budget fundamentally reflects policy. It fundamentally reflects what we believe about ourselves and about the government. The budget passed by the House—the so-called Ryan budget—is a classic political document. I don't mean that in a negative sense. It espouses a philosophy of what this government should be. It is one more step in this discussion.

I do not believe the Ryan budget is about debt and deficits. It is about shrinking government. That is what the policy is: to reduce the size of the government to a place where it is much smaller.

Federal spending is not out of control. Nondefense discretionary spending today is the lowest it has been in 50 years. Defense is about the same. What is out of control is all of our spending on health care. That is what is driving the Federal deficit. It is not about debt and deficits, it is about shrinking government.

So where does this leave us? An interesting history lesson.

I hope something more.

First, I think it provides us with a way of understanding what separates us. If we understand what is going on here in this Chamber, I think it helps us.

Second, I think it is important, for me anyway, to believe there is no right answer to this question. There is no right answer. It cannot be all one or the other. Neither side has exactly the right response. We should not be an uncontrolled, central government, and we should not be a government that is so dispersed that we cannot do anything. The tension is hard-wired into our system, but I think it helps us find balanced policy.

We need a national government—we need a strong national government—for the same reasons as in 1789: to solve national problems, problems that cannot be solved at the local level either because of the scope of the problem itself—global terrorism: I am sorry, the Brunswick Police Department cannot deal with all the terrorism—or because piecemeal solutions will not work. Environmental protection has to be done locally, but it also has to be done nationally. Air moves. Polluted water moves.

Or immigration. It has to be a national solution.

I am sorry, but strangling government in the bathtub is even less feasible today than it was in 1789.

Gridlock, which is, if you think about it, gridlock is total victory for the anti-Federalists. Gridlock is not the answer. The Framers knew the government had to work. It may be slow and cumbersome, but, ultimately, it had to be functional. Madison recognized this, and so did the preamble: "to form a more perfect Union"—"a more perfect Union"—than that which had been formed by the Articles of Confederation.

On the other hand, on the other side of this argument, though, Federal solutions all the time are not the answer either.

There is a grave danger that we all face because our job here is making laws; and the problem is, if the only tool you have is a hammer, every problem looks like a nail. If the only tool we have is laws, then we are inclined to try to solve every problem. I believe States rights are important. I think States have an important role to play in our system, and I think they are the best places to solve a lot of the issues that are facing our country.

One of them is education. I remember sitting at home and watching the debate between George W. Bush and Al Gore in 2000, and they were arguing what size the classroom should be and how big the school should be, and I turned to my wife Mary and said: These guys think they are running for superintendent of schools.

This is not a Federal issue. The Federal Government has a responsibility

in education: to fund, to do research, and to help, but not to guide.

Overreaching regulation, in my view, is a problem. I believe in structural solutions. I was not a Member of this body, but had I been, I suspect I would have opposed Dodd-Frank and supported the restoration of the Glass-Steagall Act. I think that is a structural solution because regulatory solutions always end up being burdensome.

A friend of mine in Maine sent me a picture of him sitting next to a stack of this high of regulations at a community bank as a result of Dodd-Frank that they are going to have to abide by. This is a community bank. Bangor Savings Bank did not cause the financial crisis of 2008, yet they are having to bear the burden of these regulations, which are expensive, which are drying up credit for their customers, and which I do not believe are going to contribute to a solution.

Another point on this, on the anti-Federalist side, is that deficits do matter. Deficits do matter. We cannot continue to burden our children with the costs of government.

In a hypercompetitive world, it seems to me that every tax dollar counts and every regulation must be smart and minimally intrusive. This is a new world we are in. We are competing not just with companies around this country but with companies all over the world, and they want our jobs.

Understanding these differences and this age-old argument, we have to understand that we cannot be enthralled to this debate. We cannot be locked into it. But we do have national challenges. They have to be met with national solutions. Challenges such as cyber threats, research, infrastructure, gun crime, terrorism—and, Boston, by the way, is an example of coordination between levels of government that I think worked very effectively.

Our failure to act is a disservice to those who built what we have inherited. Calls to cut government spending are fine, but they must be matched with specifics. You cannot just talk about government spending and not talk about FAA towers or our intelligence community or our defense capability.

We have to understand that each generation must meet its own challenges and redefine this question with its eyes open to practical effects, without blinders on of absolutism or ideology.

As I look back on history, the great accomplishments of the body, the great accomplishments of this government, have rarely if ever been victories for one side or the other. Instead, they have been based upon hard-fought battles and grudging compromise, recognition of national needs along with local interests, and a willingness to honor our most basic charge: to form a more perfect union.

I hope in a small way to contribute to this, to contribute to the search for

solutions that are practical and effective. I am caucusing with the Democrats, but I agree with ENZI and ALEXANDER on the Marketplace Fairness Act. I agree with ENZI and ALEXANDER on the Marketplace Fairness Act, but with BLUMENTHAL and KAINE on guns. I agree with BLUMENTHAL and KAINE on guns, but I agree with COBURN on duplication and regulation. And I agree with COBURN on duplication and regulation, but I agree with MURRAY on the budget.

We face serious challenges—defense, budget, and constantly changing circumstances. We live in a time of accelerated change.

Almost exactly 150 years ago, our greatest President sent a message to Congress in the midst of the greatest crisis this country has ever faced. His message was about change and about how to deal with change and was to try to shake Congress out of the lethargy of politics as usual because we were in the midst of the Civil War.

I cannot argue that the crises we face today collectively or individually equal the Civil War, but they are pretty serious. I have been in hearings in the last 2 weeks in the Intelligence Committee and the Armed Services Committee, and every single one of the top professionals in both defense and intelligence have said this is the most dangerous and complicated period they have experienced in their 35, 40, or 50 years in this business. So we are facing some serious challenges.

I want to share with you what I believe is the most profound observation about how we deal with change that I have ever encountered. December 2, 1862, President Lincoln sent the message, and here is how it ended. Here is what Abraham Lincoln said:

The dogmas of the quiet past, are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise—with the occasion. As our case is new, so we must think anew, and act anew.

And here is the key line:

We must disenthral ourselves, and then we shall save our country.

We must disenthral ourselves, think in new and different ways, and then we shall save our country.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING SENATOR KING

Mr. DURBIN. Mr. President, let me salute my colleague from Maine for an extraordinary maiden speech on the floor of the Senate. It was a great lesson in history, and those of us who continue to study history realize he has an

insight into this Nation which we all should hear and share. I thank him for being here and for sharing his thoughts with us, and particularly for being part of the solution to America's challenge.

As I said to him when I went up to him, you will never get in trouble with me if you quote somebody from Illinois; he quoted Abraham Lincoln, and did it in an extraordinary way.

So I thank him and commend him for his fine statement.

Pending on the floor is the Marketplace Fairness Act. It is a bill which has been before this body now for almost a week. It is 11 pages long. It is not a new concept. Members have had ample time to review it. We have had three successive votes on the issue—on the budget resolution, on cloture on the motion to proceed, and on the motion to proceed—and the outcome of those votes were 75, 74, and 75. That is an extraordinary majority in this Chamber and indicates a willingness to tackle this problem and pass this bill.

I have invited my colleagues, as has Senator ENZI, to come to the floor. If you have something you wish to offer to this bill, bring the amendment to us. It is not that we are going to accept every amendment, but that is not what the process is about. Some of these amendments will be offered for a vote, as they should be, and debated.

So far, there has only been one amendment that has actually been offered on the floor, and it was objected to by the Senator from Oregon, Mr. WYDEN. The amendment Senator WYDEN objected to was called the Internet Freedom Act, and it basically said we would renew our 15-year commitment that we will not tax Americans for access to the Internet. I think that is good policy, the Internet Freedom Act. So I invited Senator PRYOR to offer that on the underlying bill, and it was objected to by the Senator from Oregon. Make no mistake, the Marketplace Fairness Act that Senator ENZI and I and Senator ALEXANDER and Senator HEITKAMP bring to the floor is not at war with the Internet at all. We value it. It is an important part of our economy, an important part of our lives. We support the notion of Internet freedom from taxes.

What we are trying to achieve, though, is the appropriate role for the Internet when it comes to retail sales. The Marketplace Fairness Act levels the playing field between businesses on Main Street or in shopping malls and businesses on the Internet. It says, if the business in Chicago, IL, on Michigan Avenue has to collect sales tax on sales over the counter, then Internet retail sales into the State of Illinois face the same sales tax. That is it. It is not that complicated. No Federal tax, no new tax; only the collection of existing State sales taxes. That is all we are asking for.

Our opposition comes from several quarters, but primarily from no-sales-

tax States such as Oregon, Montana, New Hampshire. Those Senators from those States where they pay no sales tax whatsoever would not even require their Internet sellers to collect sales tax on sales made in other States.

At the end of the day, if Marketplace Fairness passes, the citizens of Oregon will not pay 1 penny in sales tax more they pay now, nor will the citizens in Montana, New Hampshire, Delaware, or Alaska. The State law prevails. We do not change it at all. But to suggest you could sit in Oregon as an Internet retailer and sell into our States at a disadvantage to the local businesses and not collect sales taxes is unfair.

What we are trying to achieve here is fairness and balance. We have obviously the major retailers across America supporting this, but more. We have units of government that are now not receiving the sales tax receipts from Internet sales they could. Of course, we have others interested—developers, Realtors, labor unions, business groups. It is the most amazing coalition backing the Marketplace Fairness bill.

Senator ENZI and I urge every Senator with an amendment to this bill, come to the floor now. Do not wait until tomorrow, and certainly do not wait until Friday. We want to bring up those amendments. I hope those opposing this bill will not continue to object to them, as the Senator from Oregon did earlier. But if you have an amendment, please bring it to the floor. Members get squirmy on Thursday night and Friday morning. They want to get back home. I understand that. But if you want to reach that deadline and do it in the appropriate, timely way, please bring all amendments to the floor now. We urge our colleagues to do that.

I yield the floor.

Mr. ENZI. Mr. President, I want to congratulate the Senator from Maine on his speech. It was a tremendous history lesson. I have enjoyed getting to know him a little bit since he got here. I had quite an interesting surprise yesterday. He came to my office and he brought an American flag, all framed. The way he got it, there was a desk his great-aunt had. The desk was probably made in the 1860s. But behind one of the drawers they found this flag. It was a flag with 44 stars. Wyoming was the 44th State. So he presented this framed flag to me. Incidentally, that was only the flag of the United States for a 6-year period. Then some other States came in and we added them. It has an interesting arrangement of stars on it too, because the 44 stars do not fit in a nice even pattern unless you did four rows with 11 in a row. That changes the dimensions of the flag considerably.

I appreciate his consideration on that. I appreciate the consideration he has given to pieces of legislation that I have seen him work on. We do not agree on all of those pieces of legisla-

tion, but it is nice to have the concern and the thought and the process for getting things done that he brings to the Senate. That is very nice.

I too want to encourage my colleagues if they have amendments to bring them down. That is what we say this process is about. This is an amendment process on the floor, which everybody has asked for. We are doing it. So we need the amendments. A number of people have talked to me about different parts they had a potential concern about. I hope we solved their concern by actually looking at the wording in the bill. This is not a very difficult bill to read. Sometimes we do ones that are a couple of thousand pages. This one is 11 pages. I do not think there is anybody who will not be capable of reading the bill. Unlike most of the bills, this is in pretty normal language, rather than some of the conforming language that sometimes results around here.

I think most of the problems retailers should have with this have been taken care of. One that the nonsales-tax States talk about, and the Senator from Illinois, Mr. DURBIN, also mentioned, the people in those States still will not pay a sales tax. But if you happen to be one of the people selling into other States, and you sell a tremendous volume into other States, then under this bill you will be expected to collect and remit the sales tax, as any retailer in the States that have sales tax.

There is an exemption. The Senator from Oregon, Mr. WYDEN, asked us to have a compromise. That is why we have the exemption in there. It is a compromise. We started with it in the Senate as being a \$500,000 exemption. The House folks convinced us—as I mentioned, this is a bipartisan, Republican and Democrat, bicameral, House and Senate effort. The House convinced us that \$1 million was a more reasonable figure, and they gave some good reasons for it. Now \$1 million would give any small businessman quite a few years, perhaps—I hope it is a short period of time, but it should give them quite an amount of time before they had to adjust to this, because they have to sell \$1 million on line in a year before they have to start collecting the tax the next year.

In a State where there is a sales tax and the people are selling in the brick-and-mortar store which we are trying to help out with this bill, they collect from every person from the first dime of sales. So we have given a little bit of a break to particularly the nontax States, and to those working on line that are small businesses to continue this effort to grow the Internet.

Of course, we are hoping a lot of our businesses in our States will get to that million-dollar mark. But here is the status on the million-dollar mark. We are told that if we reduced that to

\$150,000 it would only affect less than one-quarter of 1 percent of the businesses in the United States—not very many. They are starting to be a relatively big business when they are doing \$1 million on line. This does not count their in-store sales. This is just their on-line sales. So I hope the other States that have had some difficulty with that will realize that is a pretty liberal mark we have gone to.

Of course, I know a lot of people are getting a lot of correspondence from eBay. eBay, in the 12 years I have been working on this bill, has consistently opposed it, even though they appeared almost up to the time we were ready to do the bill to be in agreement with some of the things that were in the bill.

Incidentally, that is when we had a considerably bigger bill. It was about 80 pages long. This one we changed. The main difference is now there are States rights, which there should have always been. That is the way it is in the Constitution. This is a States rights bill. That reduces the length of it considerably.

The million-dollar proposal is to give people time to adjust and collect. Incidentally, there is kind of a phase-in in this. Some people say, why don't we have kind of a phase-in? Well, we have 90 days. We agreed to do 6 months so people could gear up for it.

Besides that 6 months, the States are going to have to provide free software to be able to do the tax, so that when they put in a ZIP Code for where they are sending the product, they will automatically know the tax. They talk about 9,600 tax jurisdictions. Well, in this there are only 46 different tax jurisdictions. Nevertheless, they put in that ZIP Code and they will know what the tax is and have no liability whatsoever because that falls on the people who provided them with this free software. This makes a huge difference to States, counties, and municipalities.

I used to be a mayor. I was a mayor of a town that tripled in size during the 8 years I was mayor. Had it not been for sales tax, we would have been broke. I checked around to see how much towns and municipalities rely on the sales tax for their source of revenue. I was shocked. About the minimum that I run into is 30 percent. There are quite a few more than I ever thought that rely on sales tax for 70 percent of what they do.

So what does a municipality do with its money? Well, let's see, a lot of them have schools they have to take care of, they have law enforcement they have to take care of, they have firefighters they have to take care of, some of them have ambulances. So it is all of the first responders essentially they have to take care of.

If you are in the northern States, as I was, you have to do it for snow removal. People are really particular

about snow removal. Incidentally, Wyoming is still having a little bit of winter. Let's see, today is Wednesday, so that is typically our spring. We have a lot of snow, even in April. That is when most of our moisture comes. We get snow in January too, but that is a real dry snow. In fact, we are such a dry climate that I often tell people that even our rain is only 80 percent moisture. Of course, a lot of it gets sucked up by the air as it falls. A long rainstorm in Wyoming might be 5 minutes. We get a total of 13 inches a year. So we rely on that snow. But if you are a mayor and it snows, you have a major problem, because people expect to be able to get around. I found out that if you plow it to the center, then they cannot make left-hand turns. If it is left on the ground very long and that freezes, then you really have a problem getting it up. If you plow it to the sides, you block in people's driveways and people's cars. That usually upsets them too.

I remember when I was mayor, every once in a while I would get a call from a disgruntled citizen who would complain that I just plowed their driveway back in after they had gotten it open. They wanted to know what I was going to do about it. I would tell them to give me a few minutes. I would get in my car, which always had a snow shovel in the trunk. I would go to their house and start digging it out. Usually when they noticed me, they came running out and said: Oh, no, we did not intend for you to do that. I said: Well, everybody else is doing snow removal. I never got two calls on that. But that is another use for sales tax money. There are many more.

All of the charities in a town usually go to the city council. They say, we have this valuable project. We need some money. Anybody who says they cannot fight city hall probably never tried. A lot of those requests are granted.

But if the sales tax continues to shrink—that is what is happening with it now, State sales tax, county sales tax, local sales tax is all shrinking. If that continues to shrink, they are going to have to start cutting back on things they do. Of course, probably some of the charity things will be some of the first ones to go. It is always hard to tell what the net effect will be. But if they do not have any ability to increase the revenues they have—and most of the towns in Wyoming do not have a chance to increase the taxes they receive. Property taxes are limited by very specific sorts of things, such as how much you can levy for the cemetery, and how much you can levy for a library, and how much you can levy for fire. Those things do not begin to cover the cost of the service that is rendered.

So to the people who are protecting the Internet, I would say it is pretty

hard to flush your toilet on the Internet. Sometimes those utilities come into play with these things too. Those taxes are very important to almost all of the communities across the United States, in 46 States. The other four do not have a sales tax.

One of the things people have said is, if they get this extra sales tax, why don't they bring down some of the taxes they currently have? Some of the States and some of the municipalities and counties will do that. I have had several of them tell me that if we could get a little bit more in sales tax, we would do that.

But let me tell you a little problem we have in the Federal Government. We are out of money, so we are cutting back. And one of the ways we cut back was through the sequester.

The way some of that is worded, some of these things are considered tax expenditures. For instance, the Federal Government promised to pay a property tax in lieu of real taxes. In other words, the municipality does not tax them, the county does not tax them. But the Federal Government says: Yes, we own property. If you can sell that property at a private sale, the private entity would have to pay property tax on that. So it is only fair that the Federal Government pays taxes in lieu of taxes. They have been doing that for a number of years.

The value of the properties, of course, has gone up considerably, particularly in cities where there are Federal buildings, but also in the forests. I have people who know the value went up because they are able to lease some cabin land in national forests. Their payments have more than doubled in the last 3 years. That is a 100-percent increase. I guess this year it is even a more dramatic increase. But the Federal Government, while it is charging more for the property, is not paying more in property taxes, which would be the normal thing. This year, they are taking 5.3 percent out of every bit of that tax. Of course, I say to people: Wouldn't it be nice if when you file your Federal income taxes you could have taken 5.3 percent out of there? It is sort of the same thing. It is what the government said they would pay in taxes.

There are a number of reasons these sales taxes are extremely important and getting more important. If you had Federal mineral royalties, you lost 5.3 percent of that too. That is because the States collect—half the money from the minerals in the State are supposed to be for the State and half are supposed to be for the Federal Government. The half the Federal Government received they considered to be revenue. The half that is supposed to stay with the States or go back to the States is considered a tax expenditure. Again, it was hit by 5.3 percent.

One of the reasons this is 5.3 percent this year in the sequester instead of 2.3

percent—which is what it was across the board for the .3 percent—is we don't have any months left to revise those expenditures, but these are one-time payments. The time for condensing them has not expired, so at the most it should have been 2.3 percent. That is a different problem that I will handle in a different bill. I am hoping people will not try to gum this up with a whole bunch of nongermane or irrelevant motions. If we stick to relevant ones where we are really trying to improve this bill, I am in favor of it. If we are trying to do some other peripheral ones, in light of the tremendous support this bill has, I am hoping people will stick to the bill and try to perfect it. We can have votes on that.

I see my friend from Tennessee is here.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORCKER. I wish to thank the Senator from Wyoming for his outstanding leadership on this issue. I know it is something he has worked on for a long time, and finally we have it on the floor for debate.

I am a strong supporter of the Marketplace Fairness Act. I thank all involved on both sides of the aisle for getting it to this place. As the Senator just mentioned, I do hope we will have an amendment process soon which will allow people to improve the bill as the will of the body sees fit.

I come from a State, the State of Tennessee, where we have no income tax. We generate funding for education and health care through a sales tax. That is the way our citizens like it.

What we found in the State over time is that more and more sales are coming into Tennessee residents over the Internet. In many cases what is happening is people are going into the brick-and-mortar stores that are all part of the fabric of our community. They are going into brick-and-mortar stores where people have made investments in land, buildings, roofs, and operation. They go in and try on goods, see how it looks, and then they order it on the Internet.

Obviously, those sales proceeds, the sales tax that normally would come with that, are therefore bypassed. What we have done over time because of the tremendous success, which I am thankful for, of the Internet is, there is actually a system that has been created to get around State laws that exist all around our country. This bill has nothing to do with imposing any kind of new tax or revenue generator. This law allows States that already have laws on the books to carry out their implementation.

Again, our citizens have no income tax. If the country and if society continues as is and sales tax continues to erode because of Internet sales coming

in from other places, what eventually could happen in our State is we will have to move to an income tax.

Our citizens like it the way it is. I am glad this legislation is where it is. I hope it is going to become law because I believe it is something that creates fairness, if you will, in the marketplace so all of those who are creating and selling goods in the State of Tennessee and other places are treated exactly the same.

I have heard some arguments from my friends in the financial community talking about this opening the door to some kind of financial transaction tax. I deal with a lot of these individuals. I am on the Banking Committee, and we discuss a lot of issues relative to financial institutions and transactions. I know of no reason anybody should have any fear of that.

There is nothing in this bill that creates a different arrangement within State or local governments that allows them to do something different than they already are doing. I don't know of any precedent that has been set in State and local governments as it relates to transactions regarding financial activities. I don't know of anything in this bill that should cause people fear of that occurring down the road.

Typically, when a piece of legislation such as comes up, we have all kinds of groups who come forward to try to poke holes in it. Some of them, by the way, are legitimate. Hopefully, the amendment process we have will help address some of the issues people may be concerned about.

A lot of times there is just fear generated to keep anything that may exist from changing. I hope when we have a debate, when we actually begin having amendments on this issue, what we will do is stick to the substance, as was mentioned, and that we will try to improve this bill in a meaningful way.

As it sits, again, I wish to thank the Senator from Wyoming. I wish to thank the senior Senator from Tennessee, LAMAR ALEXANDER, whom I know has worked very closely with the Senator. I am an original cosponsor of this bill. I think it is an issue whose time has come. I hope the Senate will pass this piece of legislation after our debate concludes. I hope the House of Representatives will do the same.

To me, this is about fairness, fairness in the marketplace so those people who are involved in sales transactions, whether they are brick and mortar or whether they are Internet and being shipped out of someone's garage or shipped from a warehouse, I hope we will achieve a balance that is appropriate for our country and fair to all those involved.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. I thank the Senator from Tennessee for his comments. He is very

involved in the Banking Committee. He understands the transaction taxes that they are talking about, and I appreciate his learned opinion on that.

Mine comes from section 3, called "Limitations," and in general it says: Nothing in this act should be construed as subjecting a seller or any other person to franchise, income, occupation, or any other types of taxes other than sales and use taxes.

I hope we stick to that and make sure it just says "sales and use taxes." I have worked on this for 12 years, so it is tough enough to extend it beyond that. I know there are lots of things people would like and to open this up.

I appreciate the one amendment that was presented but was objected to, which was an amendment which would have continued to ensure—we already have a provision that says you cannot tax the Internet. You cannot tax the Internet. They wanted to extend that another 10 years, and it doesn't expire for another couple of years.

I thank the Senator for all of the effort he has gone to on this bill and all the ways he has helped us. I appreciate his plea for people to come forward with their amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I would further ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, we have had a long-standing problem in the enforcement of immigration laws in the United States. The Secretary of Homeland Security, Secretary Napolitano, has regularly and sophisticatedly issued policy directives that have adversely impacted the ability of law enforcement officers to do the job that is required of them by law. It has caused quite a bit of a problem.

The ICE officers association, the union, voted a couple of years ago unanimously no confidence in John Morton, the Director of that agency. He should already have been removed, in my opinion. In addition, morale, according to a government survey in the ICE officers department, is one of the very lowest in the government.

I asked Secretary Napolitano in 2011 had she met with these officers and discussed the problems. The answer was no. I asked her Tuesday, yesterday, had she met with them. She said no.

I raised the point that these ICE officers are not complaining about pay, not complaining about working condi-

tions, and not complaining about things that often enter into employment disputes. What they are saying is that the Secretary and Mr. Morton are denying them the right to follow the law of the United States, denying them the right to enforce the law they are required to enforce, and they charged that they are refused the right to carry out plain directives from the Congress that said under certain circumstances they shall commence, for example, removal proceedings against someone. The Secretary just says: No, we are not going to do that anymore.

Well, here is a very unusual development, I would suggest. I started out as a young Federal prosecutor in 1977, and I have never heard of this occurring. The ICE officers sued Secretary Napolitano and Mr. Morton, and they raised the suggestion they were placed in an untenable position where the law required them to do one thing and they were told by their superiors to do something contrary to law. The case was heard in Federal Court.

In the hearing yesterday, I raised this with the Secretary. And my friend, the chairman of the Judiciary Committee, Senator LEAHY, laughed. He said: Well, a lot of people file lawsuits, but it is another thing to win one of these lawsuits.

That is true. It is unusual to see some of these lawsuits that are filed actually reach a situation in which Federal officials are directed to do something. But it appears that is exactly what the Federal judge did yesterday. He said the Secretary doesn't have the ability to direct agents not to do what Congress has explicitly required them to do. They have a right to have certain policies and procedures—although those are pretty dangerous as it is because setting prosecutorial guidelines and procedures can create a circumstance in which effective law enforcement is neutered. But to go forward and actually dictate that mandated statutory requirements not be enforced, this Federal judge suggested, was not acceptable.

One ICE agent testified at the hearing that agents have witnessed large numbers of criminal aliens in jails telling each other how to evade immigration laws because word has gotten around that ICE agents are required to take their verbal claims at face value. If they say they have been here and came here as a child, that must be taken at face value, without verification, and ICE agents must then release them instead of putting them on a path to removal.

Another officer, Chris Crane, the president of the 7,600-member association, testified in court the administration's policies put officers in the untenable position of releasing illegal aliens from custody who have been identified as a result of their criminal behavior simply because word has gotten around

they do not have to be deported if they claim to qualify for the President's administrative amnesty.

It is a remarkable development, that a Federal judge has concluded that law enforcement officers in America are being directed not to follow plain law.

With regard to the proposed legislation produced by the Gang of 8 that is going to be brought up tomorrow in the Judiciary Committee. It has hardly been read yet, but we know that law greatly expands the discretion given to the Secretary of Homeland Security. In many different places it gives the Secretary the power to do that and waive some of what would appear to be plain policy goals of the act, at least according to the people who sponsored it.

This has far-reaching implications for the debate on the reform of immigration. The bill gives the Secretary an unprecedented amount of discretion and waiver authority. By some estimates, there are over 200 mentions in this nearly 900-page bill of giving more power to the Secretary. Five times in the bill it affirms the Secretary's "unreviewable discretion" to waive or alter provisions of the legislation as she sees fit. In fact, the bill essentially codifies the flawed policies that are now being challenged in this lawsuit. It gives statutory power to the Secretary to do what she has been doing.

Indeed, illegal immigrants apprehended after the new law goes into effect would not enter deportation proceedings. Instead, the Secretary "shall provide the alien with a reasonable opportunity to file an application" for provisional legal status provided the immigrant "appears prima facie eligible, to the satisfaction of the Secretary." The bill emphasizes that it is not designed to "require the Secretary to commence removal proceedings" against any illegal immigrant.

We have a Secretary of Homeland Security who is issuing policies that require sworn law officers not to enforce actions specifically required by congressional law. A Federal judge just yesterday found that is not proper, and stated in effect the Secretary is not above the law, which I think most Americans would certainly agree with. Now we have a proposed new law that would give more authority to the Secretary to continue to waive policies in the future and would grant the Secretary additional discretion in many areas.

This is the problem, colleagues: Congress tells America we are going to give legal status—amnesty—immediately to some 11 million people who have entered the country illegally. By definition, that is to whom this applies. And we say: Trust us, we are going to have the toughest laws you have ever heard of in the future. Well, first, these laws aren't that tough. Secondly, it provides multiple waiver authorities to the Secretary of Homeland

Security, and this Secretary has proven she is not willing to have the laws of this country enforced. She has even been sued by her own law enforcement officers, who have just won at least an initial victory in a lawsuit in Federal Court.

This is a dramatic example of the problems I have been hearing from Federal law officers. They need to be respected and affirmed in their duties. On a daily basis they are out confronting people who are in this country unlawfully and violating various laws. They are trying to remove them from the country, as we have always done—and as every country does when people violate their laws—and they have been undermined in that. Their morale has plummeted, and the Secretary hasn't even talked to them.

I will tell you who else hasn't talked to them—the people who wrote this bill. Chris Crane, the head of the association, wrote, called, publicly asked for the opportunity to participate in these discussions and at least tell them what the real world is like. But, no, they had the chamber of commerce, they had the agriculture people, they had certain union officials, they had La Raza. They have all been meeting and talking but not the people out there struggling every day trying to make sure we have a lawful system.

That is what the American people are asking for. The American people are not angry at people who want to come to America. We believe in immigration. We are going to see immigration continue. No one is suggesting that is going to end. But the American people are upset with their politicians and their government leaders who say one thing, promise one thing, and do the exact opposite. They have been promising for 30 years that we are going to have a lawful system of immigration. It hasn't occurred.

We passed a law to have 700 miles of fencing, and everybody applauded—some of them grudgingly. Yet only 30 miles of a double fencing, as required by law, has ever been built.

Twenty years ago there was a law mandating an effective entry-exit visa system. Some of the foreign terrorists came in on 9/11 under the visa system. Forty percent of the people here illegally, it now appears, come to this country through the visa system. It hasn't been fixed yet, but we continue to promise we will do it sometime. Even this bill, as I look at it, won't close the gaps in the entry-exit visa system. It will not fix that problem.

So I think the American people are pleading with Congress to do the right thing, to actually make sure we have a system that serves the national interest and is fair. No system is fair if people who do the right thing have to wait and wait and wait and people who do the wrong thing get rewarded. That is so obvious as to be unmistakable.

So I look forward to going forward with a discussion of what we can do to improve this system. We certainly need improvement. I certainly respect my colleagues who worked on it. I think their hearts are right. I know their hearts are right. We can do some good things. But I do believe the American people are right to be dubious. The American people are right to watch this very carefully, and they should not affirm another one of these situations in which a promise occurs, such as an immediate grant of legality, with a vague promise of enforcement in the future. This court case is dramatic proof that enforcement has not been happening.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I would like to say a few words about the pending bill before us.

This bill will hurt small businesses not just in Montana, New Hampshire, and Oregon—non-sales tax States—but all across the country. The bill will let one State go after businesses in another State. This bill could give any State the right to make businesses across the country collect sales taxes for that State when selling products online. Therefore, businesses could be forced to spend their time and money collecting taxes for States across the country with no benefit to them.

I am repeating that this bill has not been through regular order. The Finance Committee has not had a chance to improve this bill or address the many unanswered questions about its provisions. The floor of the Senate is no place to try to improve upon the bill and make the bill work.

Years of work have been put into the issue of State sales taxes, and I commend Senators DURBIN and ENZI for it. Unfortunately, that work is not reflected in the bill on the floor today.

For years, the concept of allowing States to require out-of-State sellers to collect sales taxes on their behalf was done through a compact known as the Streamlined Sales and Use Tax Agreement.

After over a decade of work on streamlining, only 24 States adopted the required simplification measures. The remaining States refused to join the compact. Why? Because they didn't want to meet the requirements for simplification.

To break the logjam, Senator ENZI introduced the Marketplace Fairness Act in November of 2011. This new bill is nothing like the streamline bill. They are totally different bills with different legislation.

This new bill says a State can require out-of-State sellers to collect sales taxes on their behalf simply by meeting six or so simplification requirements. But these simplification requirements were ones chosen that the

States could easily or already meet. They are window dressing.

First, the bill says a State must provide software free of charge that calculates sales taxes due. What that means to the business owner is 45 different pieces of software. What kind of software is it going to be? Could it be a single Microsoft Excel file buried deep in a State's Web site? How would a business make this software workable? The bill does not say.

Let's say a business thinks the software provided by a State isn't good enough—that it isn't workable. Now this business will be forced to go to court in that State and prove the State didn't meet the simplification requirements. What kind of fees—not to mention time—is that going to take? A business will have to purchase software or services from a private company to collect sales taxes owed for multiple States. This won't be free. Businesses will also have to pay for the ongoing service of collecting and filing taxes.

Second, one of the most confusing issues a business ever faces with State tax issues is whether it has what is called nexus. In tax jargon, that means sufficient connection to the State. If the business has nexus, it has to collect sales taxes on sales into the State right now—whether or not this pending legislation is passed. This bill does nothing to solve the confusion on nexus. Even if it passes, businesses will still grapple with the issue of whether they have nexus in other States.

Why does this matter? This matters because the bill sets up rules only for those out-of-State sellers with no nexus—termed the remote sellers. Does this sound complicated? It is. It is very complicated.

This bill creates one set of rules for sellers that have nexus prior to the Marketplace Fairness Act, and another set of rules for remote sellers. What does the small business owner do who isn't sure where his business falls—into one category or the other? If you get it wrong, that business may be exposed to additional penalties.

Third, even if the business is clearly a remote seller, the so-called simplification requirements are in no way simple. Streamline—that is the other legislation that was worked out between about 24 States—was book length. Here, instead, we have a bill that is only 11 pages.

The bill's sponsors have thoroughly compromised with 100 different factions on this, and what they came up with may look simple on the outside but is total chaos underneath. Remember, too, a business still could be forced to file sales tax returns in 50 different jurisdictions. Some of these returns are due monthly. A business will be subject to all those different jurisdictions' definitions of what is or is not taxable. It varies by State. In addition, small businesses will be exposed to audit, col-

lection, and enforcement by 50 different States.

This bill carves out businesses with less than \$1 million in remote sales. That threshold is too low. Retailers have notoriously low profit margins, and small businesses can easily surpass that threshold with sales. In committee we could actually look at data to see what makes sense. We could bring experts in to talk about what a real small seller exception should look like, rather than arbitrarily picking a number.

I know Senator DURBIN has invited Senators to come down to the floor and offer amendments. Other Senators are offering amendments on different State tax issues, such as the Internet Freedom Act. But the floor is not the right place to mark up a complicated statute, let alone tack additional legislation onto the bill. This bill needs to be reviewed in a comprehensive and thoughtful manner through regular order.

I repeat: This bill is not thought through. It is bad for Montana, and it is bad for small businesses all across our country, and not just nonsales-tax States.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Texas is recognized.

SEQUESTERATION

Mr. CORNYN. Mr. President, amid complaints from the White House about the FAA furloughs, we need to keep at least one thing in mind: The sequester was President Obama's idea in the first place. His administration created it; he signed it into law on August 2, 2011; and he knew the date it would go into effect. And yet, as the deadline approached, earlier this year the President and his administration traveled the country to stir up anxiety, concern, and fear over the imposition of the sequester, warning that the sky would fall like a modern-day Chicken Little.

It has been almost 2 months since the sequester took effect, and the administration's claims that the sky would fall have each proven to be false.

First, we had the Secretary of Education Arne Duncan claiming the school teachers were already getting pink slips. But that wasn't true.

Then President Obama declared that U.S. Capitol janitors were getting a pay cut. But on further examination, that proved not to be true.

Customs and Border Protection initially told their employees—including border agents—that they might be furloughed. However, a month into the sequester, Customs and Border Protection walked back that claim and decided to make better use of departmental resources.

The Director of the National Park Service said the sequester might lead to cancellation of Washington, DC's cherry blossom festival. But as all the

visitors who flocked to DC can tell you, the festival went on as planned, and Washington's Metro reported one of its highest ridership days in its history.

With all of these bogus claims, it seems the administration is desperate to prove it wasn't crying wolf after all.

For example, we are learning that the Federal Aviation Administration is now deliberately engineering flight delays—deliberately engineering flight delays, just as families gear up for their summer travel. It is a bizarre, almost surreal experience. All across America, businesses work hard to take care of their customers because they know their livelihood depends on their ability to satisfy their customers' needs. But when it comes to the administration and the Federal Government, the FAA and this White House are deliberately trying to make it harder on their customers—the people who use the airways and fly airplanes.

Last week the head of the FAA acknowledged that, like other government institutions, his agency has the discretion to fund high-priority projects—over low-priority projects not a particularly remarkable statement in and of itself. But we know now that instead of using that discretion, the FAA has announced it plans to furlough employees for the remainder of the budgetary year, potentially leading to flight delays all across this country.

The FAA's Director claims he has used all the flexibility allowed to him under the law—even though his agency spends \$541 million on consultants, \$179 million on travel, and \$134 million on office supplies.

By comparison, the sequester cuts the FAA budget by \$637 million—less than 4 percent of the agency's 2012 budget. I don't know any business in America that can't manage a 4-percent cut in their income. But the FAA apparently can't, without disrupting the air-traveling public, inconveniencing them, and even creating a hardship which is completely unnecessary.

We have already seen the FAA exercise discretion to one small extent, and that is by delaying the closure of air traffic control towers until June 15, after announcing as many as three previous final dates for implementation.

Much like the proposed tower closures, this recent round of furloughs is being driven not by the necessity of budget cuts but by political calculations and sheer incompetence, along with the administration's desire to apparently maximize the pain on American taxpayers because of their refusal to take our fiscal health seriously. It boggles the mind.

We have offered legislation that would give the President and this administration the necessary flexibility to administer the cuts imposed by the sequester—which the President, again, knew was coming since he signed it into law on August 2, 2011. But our

friends across the aisle blocked that legislation, which would give the FAA and the executive branch discretion, and the President's administration sent out a statement of administration policy saying that if we passed it, he would veto it.

This morning I joined with Senator HOEVEN, our colleague from North Dakota, to cosponsor bipartisan legislation that would direct the FAA to eliminate the flight delays it has imposed on air travelers. In order to meet this directive, the bill would give the Secretary of Transportation the additional authority to transfer funds within the Department's existing budget. This legislation represents just one of the many proposals that are designed to ensure that the sequester is not used as an excuse to endanger public safety and security, or inconvenience or create hardships for the air-traveling public.

Unfortunately, between the cancellation of the White House tours and now the FAA furloughs, the administration has repeatedly shown it is more interested in finding ways to inconvenience the American people than it is in looking for real solutions to our fiscal problems.

The American people, it would seem obvious, deserve more and better from their government. I urge the FAA, No. 1, to take another look at its budget, take a look at those piles of money that might be available to move around to help avoid the furloughs and avoid the inconvenience and disruption to the public or, 2, to use the flexibility that we would be glad to give the FAA, if it needs additional authority, to make commonsense decisions.

We don't need another round of scare tactics. We need a serious conversation about our country's priorities, and a budget that reflects them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I thank the Senator from Texas for his comments.

There is definitely a problem. We had people miss votes on Monday night because the supposed furlough that the air traffic controllers had to have in effect delayed some planes for more than 1½ hours. I looked at some of the numbers, and I don't think that had to happen. Even within areas, there is enough flexibility to do better things.

I noticed some of the sequester things in Wyoming that came out and made calls about them, and found out that people actually could change within their own budgets some things they were concerned with and make sure it didn't affect the customer.

That is just good management.

One of the things was closing down some of the visitors centers in Yellowstone and Grand Teton. They are not open yet because at this time we are

just getting the snow cleared out. I called and asked about keeping them open and they said we don't have enough personnel.

You have a gift shop there. That is a profit center. You are supposed to be making money on that.

They said the money goes to the general fund.

I said: Where do you think your money comes from?

The gift shop should operate, and if they have a problem with personnel, all they have to do is the person who runs the gift shop opens the door, does their day's sales, and in the evening as they are ready to leave, I hope they would look up and down the street and see if another customer was coming, but if they were not, go ahead and lock the door and leave. That is just good business. That is the way they could operate. It is my understanding those gift shops and visitors centers will now be opened.

There are ways that could be handled. To go back to the bill—

Mr. DURBIN. Will the Senator yield for a question?

Mr. ENZI. I yield the floor.

Mr. DURBIN. I would like to engage the Senator in a dialog, if I can, through the Chair.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DURBIN. The Senator from Wyoming and the Senator from Tennessee and I, along with the Senator from North Dakota, have brought this measure to the floor and invited our colleagues to file amendments. We are starting to get a response. I can give this general report, kind of general observation, because we have to decide how to move forward.

So far there are about 13 amendments that have been suggested to us. I would say, off the top of my head, six or seven of those I would move to table if they are brought to the floor because they all amend the Internal Revenue Code. They change Federal taxation. Our bill does not change Federal taxation, and we run into a procedural problem, known as a blue-slip problem, if we amend the Internal Revenue Code in the Senate and send that measure over to the House.

So I urge, and I hope my colleagues will join me, colleagues who want to change the estate tax, gift tax, whatever it may be, please save that for another day. If they bring it to the floor, if we end up voting before cloture, I will suggest we table those so we do not go to the merits of any of those suggestions but simply say that is not part of this bill.

There are two or three amendments, one is a managers' amendment, one is a technical amendment on our side. As you can see, we are starting to get past the halfway point of the amendments currently filed. Then there are a handful, five or six amendments from Sen-

ators from no sales tax States, and some of them are fairly predictable as to what they want. One is a carve-out amendment which says don't let the law apply to our States. I think we are going to have to face that question at some point and so be it. Let's have a vote on this and move forward.

But I am still going to join my colleagues urging everyone with an amendment, please bring them forward. Let's get an understanding of what we are going to do next. Those who have already delivered the amendments, thank you. I am sorry the Internet freedom amendment offered by the Senators from Arkansas and Missouri was objected to by the Senator from Oregon because I think it would have been a good addition to this bill.

But I yield to my colleagues and ask for their thoughts, where we stand at this moment.

Mr. ENZI. Mr. President, I appreciate that question. One of the reasons there is difficulty, there is the blue-slip problem with the House, but also we have the section on limitations in this bill that appears on page 7. There are only 11 pages in this bill so it ought to be fairly easy for people to look through it and see what is included and what is not included. We have pretty much limited this—not pretty much, we definitely limit this to sales and use taxes. When they put other peripheral things in there, then they are opening the bill to go into a lot of different things. So I hope that would not happen.

Of course, there was some question earlier in one of the speeches by the Senator from Montana about the real difficulties of being able to administer this. Again, there are only 11 pages in the bill. Page 4 covers software, free of charge for remote sellers, that calculates the sales and use tax on that transaction due at the time it is completed. It also has to provide a way to file the sales and use tax returns, and it has to be updated for any rate changes that there happen to be.

The responsibility is all on the State to provide the software. I think the provisions that are in there pretty well specify how carefully that has to be done. If it is not, there is no liability on the remote seller. So I think we have covered that.

Yes, it will be difficult to do that software, but that is part of the provision in here. It can be done. This is a day, as the Senator from Tennessee points out, that we can put in a ZIP Code and find out what our sales tax is going to be. That is what this program is calling for. I think I have that right. I rely on the Senator from Tennessee to answer that question more specifically.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. I thank the Senators from Illinois and Wyoming for their comments. Basically, the Senator

from Illinois has said the bill is ready to be amended. It is here for that purpose. We encourage our colleagues to bring amendments if they have them.

We could have started the amendments on Monday if the opponents had agreed to that. But we were forced, through Senate procedure, to go through Monday and Tuesday and most of today in order to deal with the filibuster. But we are about to be ready to vote on amendments.

It was unfortunate; some people have said in a misleading way that this taxes the Internet. Of course, it does not. There is a Federal law against taxing the Internet. The Senator from Arkansas attempted to extend that ban on taxing the Internet for 10 years and one of the opponents to our legislation blocked that. He blocked even having a vote on that. That is unfortunate.

It is ironic that the Senator from Montana would object to the fact that this is an 11-page bill. I don't want to relitigate some of the other bills we have passed around here, but there was a big hue and cry when Senators got a 2,700-page bill that dealt with health care and it was complicated and hard to read. We have gone in a different direction. We have an 11-page bill that is the result of work that has gone on since 2001 by the Senator from Wyoming, that was introduced in 2011 in substantially this form, on which there was a full hearing in the Commerce Committee in 2012 and a partial hearing in the Finance Committee in 2012. It has been introduced with exactly these 11 pages since February of this year. So everybody can read it. It is not complicated. It is plain and simple. It is about States rights. I think it is good that we have an uncomplicated 11-page bill we all can read and we have had plenty of time to read it.

Of course, we would have preferred to have it reported by the Finance Committee, but they would not report it. So the only choice we had was to bring it to the floor. Now it is open for amendment so I hope we will do that.

The only other point is it was said there is no benefit to an out-of-State seller from, say, selling into Tennessee, if someone from Wyoming is selling into Tennessee. Of course there is a benefit. We are buying that business's goods. All we want to be able to do is to have the right to say: Mr. Wyoming, if you want to sell into Tennessee, you are going to play by the same rules the Tennessee businesses have to play by. That is all we want to do. The equal protection clause of the Constitution guarantees we cannot do anything worse to you. But if you want to sell to us, you do what we do.

We think that is fair and we think that not allowing States to consider that is forcing States to play "Mother May I" with Members of Congress about matters which should be within their own sovereign jurisdiction and

keeping States from doing what they think is fair.

I thank Senators DURBIN and ENZI for their leadership.

Mr. ENZI. Mr. President, I suggest the absence a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I think for the next half hour Senator MERKLEY and I are going to have the opportunity to outline specifically how this affects small businesses in the real world. That has always been our concern. One of the proponents of the bill earlier today talked about big businesses and big businesses getting a free ride. That is not what this debate is all about if you are from Oregon or Montana or New Hampshire. What you are concerned about are your small businesses.

These are innovators. They are people without lobbies and political action committees. They are small businesses. Someday they would like to be big, but they are trying to compete in a nationwide marketplace and they are overwhelmingly in opposition to this bill and for understandable reasons.

They hear this is all about States rights and then they actually look at what this bill does and this bill coerces them to collect taxes for, in effect, thousands of jurisdictions around the country.

It has been my interest, and I want to repeat it, to work out a compromise on this issue. Our side has put down on paper a number of proposals that we think ought to be the basis for trying to work out a position that would allow, from our standpoint, at least some semblance of a right for a State to make its own judgments and not be coerced into just going along with a piece of legislation that forces our small businesses to collect these taxes for everybody else. The way I have compared it, whenever the proponents of the bill say they are for States rights, what I have said is they are for States rights if they think the State is right.

I am going to now read some examples because my colleagues have said they want to hear specific instances. Here is what we heard from the Oregon Nurserymen. These are not big businesses. These are not businesses with 500 people. These are businesses with five, seven or eight employees. Senator MERKLEY and I are very proud of our Oregon nurseries. They produce an extraordinarily high-quality product, ranked one, two or three in every category of nursery products.

The reality is those are products that are being sought out by Americans in

every nook and cranny of the Nation. That is how free markets are supposed to work. The seller of high-quality goods wins sales over those supplying lower quality goods.

What this bill is going to do, as outlined by the small businesses Senator MERKLEY and I represent, the Oregon Association of Nurserymen, this bill is going to add substantial costs to Oregon retailers and make it more difficult for them to compete with lower quality sellers in other parts of the country.

Here is a letter, and I will quote from it, from the Oregon Nurserymen. They are the growers and sellers of plants and trees. They are the prototypical small business and the backbone of our economy. This is a quote:

It is my view that this legislation would force small businesses to spend precious time generating endless sales reports for government instead of tending to customers, selling plants and trees, and creating traded sector jobs. Oregon growers are far away from their markets and we need to look to knock down barriers to sales of our green goods.

There are fewer than five people at these firms. Here is another quote from a small business:

Let's call the bill what it is—a transaction tax. As the legislation stands now, the bill will impact the marketplace—to the detriment of the small business and their ability to conduct commerce. Congress taxes things it wants to go away.

That is what these nurserymen, whom Senator MERKLEY and I represent, are saying about this bill. They are saying the way they read this—where they would have to collect taxes for people in thousands of jurisdictions across the country—is that it is the motivation of Congress trying to make these businesses go away.

Let me just say categorically, I have known Senator DURBIN and Senator ENZI for a long time. They are not interested in an Oregon business going away or anybody else's business going away. That is not their intent. Regrettably, that is the effect. I just outlined how a small businessperson describes the nature of free markets.

We are very proud of what we do in the nursery industry in Oregon. We like the fact that we are selling high-quality goods, and we are winning those sales over those supplying lower quality goods. However, I know this is going to add substantial costs to Oregon retailers, and in their own words they have said this would put them at a disadvantage in tough global competition.

I also want to say this—particularly since the Senator from Illinois is here—because I hope it indicates my desire to try to work something out for purposes of passing this bill. I made an enormous concession for purposes of an agreement. This bill clearly gives a foreign retailer a leg up over an Oregon retailer or Montana retailer or anybody else because it doesn't apply to those foreign retailers.

One of my and Senator MERKLEY's constituents, Fire Mountain Gems—located in Grants Pass, OR—is competing in a tough global market. And what is going to happen is this bill—because it will not affect their foreign competition—is going to cause them to spend time and money that their foreign competitors would not have to do. They sell all over the country in scores of jurisdictions. This bill gives a big advantage to foreign retailers because it does nothing to, in effect, level the playing field between the small merchants and the businesses that Senator MERKLEY and I represent and their foreign competitors.

For the purpose of a good-faith effort, we have made a concession to try to work this out. At this time I am not pressing to have that flaw, which is an enormous flaw. It gives a significant advantage to foreign retailers over American business.

I see the distinguished President of the Senate here, and he has been so eloquent in standing up for the rights of American businesses. We have a feature in this bill that actually gives a huge windfall to the foreign retailers at the expense of American business.

I am not asking for that to be corrected in this legislation, even though I think it is enormous discrimination against American business. The Senator from Wyoming and I both serve on the Finance Committee. I chair the Finance Subcommittee on Global Competitiveness. It is awfully hard to be globally competitive if we give an advantage to foreign retailers. But in the interest of trying to work this out, I said we will not insist on that being addressed in this bill. We will have to come back to the Finance Committee and look at that.

So what our side has said is—Senator MERKLEY, the Senators from New Hampshire, the Senators from Montana—just give us the opportunity to be able to tell our constituents: You are not going to have this pushed down your throat. You are not going to be coerced into collecting these sales taxes from thousands of jurisdictions around the country.

I don't see how we can have States rights if a State loses its ability to make any judgments at all about areas where it wants to make its own priorities. Its priorities are being determined right here in Washington, DC, with this legislation with respect to the collection of sales taxes. Those priorities are being made here.

When Oregon small businesses are being coerced by State governments located thousands of miles from Oregon's borders, I think that is too much. I think adding a layer of bureaucracy to the large and growing national marketplace fostered by the Net in the way this does attacks our most competitive small businesses.

I also want to highlight—because the only amendment I have objected to so

far today has been the one with respect to the Internet Tax Freedom Act that I authored back in 1998 in the Senate—the reason I had to object is the text of this legislation directly undercuts the Internet Tax Freedom act, and I will be specific.

The law we wrote prohibits discriminatory taxes on electronic commerce. It is section 1101 of the Internet tax bill. It prohibits discriminatory taxes on electronic commerce. Under the text of the bill, in effect they could require an Internet company in one of these States, such as New Hampshire, to collect sales taxes for the Massachusetts government. However, if somebody drives from Massachusetts to another one of these States, such as New Hampshire, the brick-and-mortar store doesn't have to pump the perspective customer for all kinds of information about where they are from or where they are going and the like.

So the reason—with great reluctance—I had to object to adding this legislation to this bill that I am the original author of in the Senate is because this bill in its current form directly undercuts the essence of the Internet Tax Freedom legislation.

At this time I will yield to my colleague, Senator MERKLEY. I just want to make a special note that Senator MERKLEY has made a whole host of important contributions in the Senate, and I have been especially pleased he has been a persistent advocate for small business. I know the Senator from Illinois brought up big businesses in Oregon. The grief we have here is what this is going to mean to those small businesses, those nurserymen—the Oregon Association of Nurserymen—with 5, 8, or 10 people. Those are the people for whom Senator MERKLEY and I are advocating.

I am happy to yield the rest of my time to Senator MERKLEY.

Mr. MERKLEY. Mr. President, how much time remains?

The PRESIDING OFFICER. There is no time agreement.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, I compliment the senior Senator from Oregon who has come to this floor and very clearly laid out what is felt in the heart of Oregonians across our State, and that is this bill tells Oregonians they have to be the collection agents for folks from 45 other States and hundreds of local jurisdictions. This is not just an expense mandate, it is an offensive intrusion into the rights of the citizens of our State.

In that regard, I want to just engage in a few questions and thoughts with my colleague from Oregon and try to highlight some of the concerns and issues we have.

I ask through the Chair the senior Senator from Oregon: As he reads this bill, does he see in it any compensation for the time and effort that the busi-

nesses in Oregon will have to spend collecting the tax for hundreds of jurisdictions across this country?

Mr. WYDEN. I really don't. I know the sponsors of the legislation keep talking about how this is not going to be a burden, for example, to the businesses my colleague advocates for, and that there is going to be software, computers, and technology. I think my colleague's question is pivotal.

There is a little bit of interesting history I think my friend from Wyoming knows more about than anyone else. For years there has been an effort at the State level to try to remove some of the hassles and the costs that my colleague has talked about. I think the official name—and my colleague probably knows this—is the State streamlined sales tax project or something along those lines.

If it were so simple, and if this was something that didn't have the kind of costs for small businesses that my colleague is so concerned about, I think we would have already seen it put into effect by the proponents of the bill.

The reason we are on the Senate floor talking about it—and talking about Oregon businesses being forced to do this against their will—is that it is not without costs, it is not without hassle, and the technology and all of the marvels of software and computers that we have heard about for the proponents is not there. They have not been able to do it through that kind of approach—which is essentially voluntary—so now they are on the Senate floor to force States such as Oregon to do it.

Mr. MERKLEY. The Senator makes a great point. If States have not voluntarily entered into compacts where they get to collect their own sales tax for other States where it is a mutually beneficial relationship, then it is very strange to have to be compelled—even those 45 States that have sales tax obviously were not so excited about forming such a structure. They also seem determined to pull into this involuntary structure States that find the sales tax abhorrent. If they find a tax abhorrent—and just a little bit of background there. I believe our State has voted nine times on a sales tax. Largely the vote has been on heavy majorities defeating it. Many of those votes are 70 to 30.

Some of those reasons for that is because it is an extremely regressive tax. Another reason is that it is an expensive tax to collect; therefore, it is much less efficient and much more government waste.

Now we have all these Senators who are champions of government waste not only forcing an extension of their own State's wasteful tax system, but imposing it upon the small businesses of Oregon. Then we come to a whole series of concerns that any small business is going to have in this situation.

A small business is told they must participate, and basically anything beyond a single-person shop is pulled into this bill. Then they are subjected to—I think it is over 800 tax jurisdictions—having to call them and say: We are not sure you gave us the right amount.

Is there anything in this bill that says those hundreds of tax jurisdictions out there cannot call and basically challenge whether they have the right amount of money?

Mr. WYDEN. The Senator is right that certainly those jurisdictions could challenge Oregon. It goes to the question, again, of how the systems are not in place, so let's just force Oregon to do it even though the systems have not been available. There are actually more than 9,000 separate taxing jurisdictions.

What we have been told by the proponents of the bill is that they are going to get this down to a smaller number of systems than 9,000. Again, that is why it ought to be possible—if the Senator from Illinois and the Senator from Wyoming will negotiate with us—to work something out.

We have given them on paper several proposals to try to find some common ground where our constituents—folks in Oregon especially, but they are in New Hampshire and Montana and other States that have made their own judgments—would have the ability to shape some of our own decisions. As my colleague knows, Washington State has a sales tax. We don't have a sales tax. So our region alone shows that if we could allow States to come together and make their own voluntary judgments, it is pretty clear that folks in Washington believe they made some of the right decisions for their economy and individuals and we have made our own. The fact that a State with a sales tax and a State without a sales tax coexist—and quite peaceably—right next to each other is a pretty good argument why Senator DURBIN and Senator ENZI should work with us to have some kind of a voluntary situation.

Mr. MERKLEY. Mr. President, I think about the small businesses that would be subject to so many jurisdictions that they now have a tax relationship with and the responsibility to collect for and the possibility of having to basically call them and say: Well, you didn't do it right; you didn't use the right amount or the right software or this or that.

I can't imagine any small business wanting to be exposed to, as my colleague pointed out, 9,000—and even if it is consolidated into 800, that is still a lot of people to deal with. If we have to deal with five or six, that is overwhelming. But then the question becomes whether those States have the power to audit the Oregon small businesses as collectors of a tax, just as they might audit any other group that was collecting sales tax for their State.

Mr. WYDEN. Again, it sure looks as though those are going to be the kinds of burdens our States—the ones without a sales tax—are going to be subjected to.

The proponents say: That is not going to happen. There is going to magically be all of this software and all of this technology, so if anybody wants to come back and look later, this is not going to be hard to respond to.

I just know, looking at all of the businesses that have been in touch with us—including A to Z Wineworks, for example. We have clothing stores, such as Queen Bee, a quintessential small business that is employing eight skilled staff members who all help to bring the designs to life at the Hive on North Williams Street in Portland. The Senator and I know them. Their goods are locally crafted in Portland. Rebecca Percy there said she—I will quote her:

Building, running, and maintaining a Web site is expensive and complicated enough. I can't imagine having to include the additional infrastructure of charging and paying sales taxes to States outside of Oregon.

These are real businesses with six, eight people who, when they hear that they are going to have to pay, that they are going to run the risk of having these kinds of audits and the like, and that maybe there is going to be software and computers for them to take care of it, they say: You have to be kidding. We can't put our business at risk on the promise of that kind of hope and a Washington promise.

Mr. MERKLEY. Well, I appreciate the Senator expanding on that.

On page 6 of this bill, there is a line that starts out very promising: "Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection and remittance . . ." Well, that sounds OK. That sounds as though you are not subject to an audit. But then it goes on to say, only from basically an error in the software provided by the State. In other words, if a mistake is made, a business owner is subject to all of the same things as if their efforts were inside the State of New York, and that means subject to the State organizations inside the government of New York, that means audits, that means fees. It could include court actions.

So we are talking about, as the Senator put it, 9,000 jurisdictions that now can make life completely unmanageable. It would only take 2 or 3 to make it unmanageable, but 9,000 can make it unmanageable for a small business in Oregon.

Now, my colleague from Illinois has said it is OK for small business because we put in an exemption for selling \$1 million online. That is no kind of an exemption at all. Let me explain. Let's say a small business is selling \$1 million online and they have a 5-percent

margin. That means they are making \$50,000 a year. After they basically recognize that a person is working for themselves—they have no benefits separate from that—that is a very modest, middle income. That is one person. So this has an exemption for only a business of one—a modestly successful business of one—which means every other business in the State that is engaged online is subject to this provision.

So while others may feel comfortable telling their home State small businesses—and this would include those in the 45 sales tax States—that they are subject to audits and fees and court action from 9,000 other entities, I am certainly not comfortable telling the small businesses of Oregon they are going to be facing this type of incredible bureaucracy created by some of the folks who come to the floor and say they are all about small business.

Now, they want small businesses to be audited and fee'd and asked to turn up in some other State for a hearing. That is an outrageous attack on small business, not to mention our States that do not have a sales tax. It is an outrageous overplay attacking States rights.

Mr. WYDEN. Mr. President, I couldn't say it any better than Senator MERKLEY. I think he has characterized what this legislation is all about better than anybody I have heard on the floor of the Senate.

I have been in this debate for quite a while here. It is about coercion. It is about putting those small businesses Senator MERKLEY is talking about through sort of the equivalent of bureaucratic water torture. I have explained how the text of it in its present form directly violates the prohibition in the Internet Tax Freedom Act of discriminatory taxes.

Again, to the sponsors of the legislation, I wish to repeat that I and Senator MERKLEY and Senator SHAHEEN, Senator AYOTTE, the two Montana Senators—we have put down on paper—on paper, I say to my colleagues—specific offers to try to work this out. Senator MERKLEY and I understand the votes that have been cast. We can count. That is part of how one gets to be a Senator. But the Senator from Illinois has not responded in writing to any of the offers we made.

We would like to walk through this process and find a way to have some opportunity to tell our constituents—particularly the ones Senator MERKLEY correctly identified as being small and going through all of these bureaucratic water torture drills—that they are going to be able to shape their own future.

Washington has a sales tax. Oregon doesn't. The Senator from Illinois keeps talking about how Oregon is going to be some huge haven if we get an opportunity to initiate a voluntary

compact. That hasn't happened today. When we have one State and another that are borders—as my colleagues know, we are very close. We have kept the peace. We can work out these approaches.

To have Senator MERKLEY and I concede on the major point, which is the provision that gives a foreign retailer a leg up in this bill—which I think is a very serious defect, and I think a lot of Senators who vote for this bill, when they see that it is going to be a huge advantage for foreign retailers, they are going to have some real misgivings about that—we gave that up for purposes of this. We have made concessions. We can't even get an offer in writing about something to negotiate that would incorporate a way to protect our States from the kinds of features Senator MERKLEY has correctly described.

I especially appreciate him going through the specifics, as he always does. Senator MERKLEY cited the fact that this legislation has a provision to basically compensate people for errors, which suggests to me that they think there are going to be a bunch of errors and the reason they think so is because they are right, as my friend from Wyoming knows, because they sought in the effort to try to sort this out during the streamlined sales tax discussions that have gone on for so many years.

I wish to yield to Senator MERKLEY for the last word. It is a pleasure to partner with Senator MERKLEY on so many issues, and he has described it today as well as anyone has in this discussion. I thank Senator MERKLEY for all of his leadership, and I yield to him for closing it up, as our small businesses in Oregon, such as the Oregon Association of Nurserymen, have been talking to us about.

Mr. MERKLEY. I thank my senior Senator for his championing and his leadership and his longtime defense of the Internet as a place of fair transactions for small businesses and large, as a tax-free zone. I hope this Chamber is not engaging in a course that is going to change that dramatically, as it seems so intent on doing at this moment.

I am very struck by the correct point my colleague made about foreign companies. Here we have a company in Canada that is not subject to this bill. We have a company in Mexico that is not subject to this bill. For that matter, we have a company in Nigeria or anywhere else in the world not subject to this bill. So when American businesses say we should maintain a level playing field to keep business in America, allow us to play on a level playing field, they are certainly hoping we won't pass something such as this that gives such an enormous advantage to other nations.

I must say that constituents have been weighing in on this issue. I don't

think it would surprise anyone to know that they don't like it. Ninety-eight percent are writing in to us to say: We don't like it. We don't like the idea of other States auditing our businesses. We don't like being asked to be a tax collection agency for another State.

Oregon is not asking anyone else to do that unless they have a State-to-State compact, which is exactly the way this could have been done and should have been done but hasn't been done because the States couldn't agree, even though they were sales tax States. That tells us quite a lot.

They don't like the idea of being subject to bureaucrats or the potential for legal action where they might have to travel to another State, and they don't like the idea that there is absolutely no compensation for the enormous imposition this bill places on the small businesses of Oregon. That is quite a lot not to like. So, of course, it is 98 percent against this bill.

I thought I would read one such letter:

Please do not support the Marketplace Fairness Act. It is not fair to businesses like mine that other States could tax my Oregon-based company. The voters of Oregon have continually voted down sales taxes as a method of collecting revenue within our State. It should not be imposed on us by other States. If these States have problems with their collection, they should figure it out with the help of their local populace . . .

My company is an Internet retailer and we are able to compete and create jobs on a level playing field.

The dynamics of this fight will have consequences for mid-sized retailers like mine, especially companies based in Oregon. Big retailers are fighting to limit our ability to compete with them. Their goals are to have local footprints and employees across the country in major metropolitan markets. They should pay those local taxes and fees where they are a burden. Companies like mine, that have not chosen to be in that model, should not.

Please continue to support the Internet's free market. Please protect Oregon business and maybe even create some new opportunities.

That is what we should be doing in the U.S. Senate—creating new opportunities for Oregon small businesses to succeed in this tough economy. That is what this business owner in Oregon believes, and I will repeat that sentence since the writer made that point: That is what we should be doing in the U.S. Senate—creating new opportunities for Oregon small businesses to succeed in this tough economy. But that is the opposite of what we are doing here. Maybe that is why Oregonians are overwhelmingly opposed to this bill.

I think it is clear that there are some ideas for which, if someone passionately believes in them, they are willing to try them out, they are willing to develop a pilot project before they impose it on the entire Nation.

Certainly out of the 45 States, since so many have come to the floor representing their States passionately,

saying this should be done, why don't they have a pilot project among their States and demonstrate that this is not going to be a burden in which there are audits and fees and court appearances and phone calls from the some 9,600 jurisdictions my senior colleague has pointed out? Why don't they demonstrate that first before they decide to run an attack on the success of small businesses in the State of Oregon and, for that matter, across this Nation? How about that? That is a fair proposal. Run a pilot project.

If you love this idea so much, do it among yourselves and demonstrate it and bring the report back to this Chamber for further conversation. But the idea of coercing my citizens of the State of Oregon to do your work, with enormous imposition and uncertainty, when they are trying to succeed as small businesses—and when small businesses are the power of creating jobs in this country—that is wrong.

So for those who speak about the heavy hand of government, those who speak about the power of small businesses, those who speak about bureaucracy and imposition, then live your words in action and kill this vicious attack on small businesses across this Nation.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I understand the passion of my colleagues from Oregon. Oregon is one of five States with no sales tax. I know they have voted down a sales tax by statewide referendum repeatedly, by margins of 2 to 1, I am told. So it is clear they have a passionate feeling about no sales tax in Oregon.

Here is the good news. The bill Senator ENZI and I have introduced and want to pass in the Senate will not impose one penny of sales tax obligation on anyone living in Oregon. Whether they are purchasing over the counter or they are purchasing over the Internet—not one penny of sales tax liability. Their States rights are protected. Their passion against sales tax is honored. And the same is true in Alaska, Montana, New Hampshire, and Delaware—all the other no-sales-tax States.

But this is what it really gets down to. This is not about the people in Oregon paying a sales tax. It is about the businesses—the Internet businesses in Oregon that want to sell into other States and not collect the sales tax owed to that State. That is it. We are not forcing them to sell in Illinois or Wyoming. That is a business decision they are making. We are just saying: If you sell, collect the sales tax required by Illinois law, Wyoming law, Connecticut law. That is what it comes down to.

Why is it important? It is important because businesses in our State—small

businesses—are competing with Internet retailers that get an automatic discount when they do not collect the sales tax.

I listened to the explanation given by one of my friends from Oregon here, and he said that I am defying the natural forces of the free market system, where good-quality goods are chosen over lower quality goods. Well, I cannot argue about the pine trees that are grown in Oregon because I do not know if they are better than the pine trees grown in Washington or some other place. But we are dealing in many instances here with identical goods—the Nike running shoes that you can buy at Chris Koos' sporting goods store in Normal, IL, or buy over the Internet with no sales tax. It is not a question of good quality versus bad quality; it is a question of sales tax or no sales tax.

So what the Oregonians have suggested to us is what they consider to be a perfect solution: Remove any requirement for their Internet retailers to collect sales tax from anybody. Therefore, there would be no Federal mandate.

Well, let me remind them, there is no Federal tax in this bill. There is no new tax in this bill—State, local, or Federal. All we are asking for is the basics. If Oregonians want to sell in an adjoining State such as California, they will collect the sales tax owed to California and pay it back.

Then I listened to them describe how onerous this would be. Right now, eBay, which is no friend of this bill, offers a service available to businesses that they can buy that will tell them the exact sales tax to be collected based on your ZIP Code and address, and that service costs—listen to this onerous cost—\$15 a month. It is \$15 a month. If you want to go to the highest Cadillac version, it is \$140 a month—less than \$2,000 a year.

Incidentally, in our bill we require the States that are asking for the collection of sales tax to provide, free of charge, software to every Internet retailer so they can collect this without any expense to their business.

This is not onerous. It is not unfair. It is just basic leveling of the playing field.

I want to yield the floor to my friend from Wyoming, my cosponsor of this measure.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, Senator BROWN was here earlier, and I had wanted to be able to speak briefly. So if, when I finish my remarks, he is here, I ask unanimous consent that he be recognized to speak.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ENZI. I want to talk about what we have just heard here and an implication that we are not champions of small business.

I was in small business. I had shoe stores, retail shoe stores, so that is why I know some of these problems. I know about the people coming in, trying on the shoes, getting exactly what fits, having all of the service of looking through all of the styles and that sort of thing, and then leaving and making a purchase on the Internet.

Talking to other retailers now, that is not the biggest irritation. They buy it on the Internet, the product has a problem—and every product has the potential of having some problem—and they bring it back to the store where they got the free service, where they did not buy the shoe, and they ask for it to be replaced. I hope people can see the inequity in that.

But we are not talking about the small business like the shoe store I had. We are talking about small businesses that are selling online and are doing over \$1 million a year in sales. I do not think people would consider that to be a really small business—\$1 million in sales. If they are doing \$1 million in sales, you can pretty much guarantee that they are automated. They are automated in their manufacturing, they are automated in their sales. That means they have a computer. Not many businesses today function without a computer. If they have a computer, you would be amazed at some of the things those computers will do.

I go back to Wyoming almost every weekend, and I visit businesses. I visit businesses so they can tell me what kinds of problems the Federal Government is causing for them. I am amazed at the automation they have. I am amazed at what they are able to do. And most of it is because of computers. Now we are saying—and I think computers kind of started out on that coast—that computers just do not have the capability to do these kinds of things. To be able to figure a sales tax? All you have to have is a ZIP Code, and it eliminates the 9,600 jurisdictions we are talking about here. That computer can figure that sales tax, and at the end of the month, that same computer will have kept track of all of this stuff, and it will do the reports that are necessary electronically. It can probably do that with about five or six key taps, maybe less than that. I am sure they could actually be set to send the report on the last day of the month at a specific hour. That is how computers work.

So an argument that this cannot be done—I do not think anybody will buy that. And the States would not be willing to provide those programs free of charge and then put in the protections from liabilities and errors if they were not sure they could do it. The reason they put in those protections for the retailer is because they are sure it can be done.

I was fascinated by the audits. If they are using that computer program,

how could they vary from what they actually take in to actually sell? The program takes it in, the program holds it, and the program sends it out with the report. There is not a lot of room for error.

Then they say they are going to be running around auditing those firms. They are going to audit the firm that looks as if it is shipping everything everywhere and not reporting at all. That is what accountants do. They figure out the high risk. They are not going to go in and look for pennies here and there. They go in and look for enough to at least cover the cost of the audit. If you are not doing probably 10 or 20 times the value of the audit, you are not going to be hired to do many of them.

So those that are complying, using the program, they are not going to have any problem.

But this exempts all the businesses that are doing less than \$1 million online in a given year. Until you do \$1 million online in a given year, you are exempt from it.

I would imagine that a lot of those nurseries do not hit the million-dollar mark. They would like to hit the million-dollar mark, and I would like them to hit the million-dollar mark, and if they got to that million-dollar mark, I think they would be so overjoyed, they would say: I am automating on the computer. I will be happy to do it because maybe I can sell \$2 million worth of sales if that is the case.

Now, comments on the streamlined sales tax. My State was one of the first ones to get into it. So was South Dakota, so were Nebraska and another 20, 21 States besides those. The comment was that you cannot streamline this. What kind of incentive has there been for them to streamline it more? The purpose of the compact is to streamline it more, but at the moment they are having to protect their sales within their State to make sure they are not losing the revenues they were already counting on.

They knew there was this little Supreme Court case that is now 20 years old that challenged us to fix it. That is what we are trying to do here—fix it. If that fix goes in, I am betting that a lot more States will join the streamlined sales tax and it will streamline more than what we envisioned. But even if they do not, there are requirements in here that keep it uniform enough. And with the computers, we can show examples of how people already do this sort of thing on the computer. That should take care of a lot of their problems.

I yield the floor under the previous order for Senator BROWN.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator ENZI, the senior Senator from

Wyoming, for his good work on this legislation and for his always courteous demeanor.

Mr. President, I ask unanimous consent to speak as in morning business for up to 8 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WORKING FAMILIES TAX RELIEF ACT

Mr. BROWN. Mr. President, this week Senator DURBIN and I are introducing the Working Families Tax Relief Act with a majority of my Democratic colleagues on the Senate Finance Committee.

For a number of years, one area of bipartisan agreement in Washington has been on the need for comprehensive tax reform. Tax reform can clear the Code of wasteful carve-outs and special interest loopholes.

Senator ENZI was part of a bipartisan meeting that the Finance Committee is wont to do, sitting around a table talking about these issues, just last week.

We understand that comprehensive tax reform can place American companies on an even footing with foreign competitors. It can reduce the deficit. It can provide a shot in the arm to economic competitiveness and growth. On that there is agreement.

What comprehensive reform should not do—and there is general agreement on this also—is undermine the earned-income tax credit and the child tax credit. These credits are the single most effective incentive to increase low-income parents participating in the workforce and reward work and promote family formation—all goals which we, I believe, all seek. That is why support for these programs in the past has been broad-based and bipartisan.

President Reagan and former Representative Jack Kemp—the former running mate of Senator Dole in a Presidential election—were champions of the modern earned-income tax credit. When it was expanded in 1986, President Reagan said it is “the best anti-poverty, the best pro-family, the best job creation measure to come out of Congress.” He was right.

In Ohio some 1 million households received the EITC—the earned-income tax credit—and 665,000 households received the CTC—the child tax credit—on average in the 3 years of 2009, 2010, and 2011.

That is why this week Senator DURBIN and I, along with most of our Democratic colleagues, are introducing the Working Families Tax Relief Act. Our bill would make permanent the 2009 levels for the earned-income tax credit and the child tax credit. It would index the child tax credit for inflation. It would allow workers without children to access the full earned-income tax credit. It would reduce the full earned-income tax credit access age to

21. It would simplify the filing process to reduce fraud because there is some acknowledged fraud in this program, as there is throughout the tax system. And I have pledged to many of my colleagues on both sides of the aisle, as this bill moves forward, to work to reduce that fraud.

The Recovery Act of 4 years ago expanded access and refundability for both the EITC and CTC. It was meant to respond to the great recession but also to ensure the country's finest antipoverty programs keep up with the times. Making these credits permanent at the current level is critical to fighting poverty.

In 2011, the EITC and CTC lifted 10 million people, including 5 million children, out of poverty. The EITC has helped nearly half a million single mothers enter the workforce. These credits do not just reward work, they provide lifelong benefits to children. We know from studies that it improves health outcomes, it increases earning potential for children in low-income families, because those families pulled out of poverty can give advantages to those children that pay off later in life they could not give to those children in those families if their incomes were below the poverty line.

Expectant mothers who receive the EITC are more likely to receive prenatal care. These are not opinions; they are fact. Newborns are more likely to experience birth indicators, such as low weight and premature birth. Behind all of these statistics are real people, people whose lives and opportunities are improved because of these credits.

Let me share a story. Michelle Eddy, a Cleveland native, is a single mother who works hard to support her two daughters. One is 9, the younger is 4. This year the Neighborhood Housing Services of Greater Cleveland helped Ms. Eddy prepare her tax return. She was able to use the credits she received from Earned Income Tax Credit and Child Tax Credit to pay for school supplies, uniforms, and daycare for her two daughters.

She has worked in a retail store as a shift manager for 5 years. She recently, though, started a new job as a restaurant server so she can spend evenings and weekends with her daughters. Without EITC, without CTC, she would almost certainly have to work a second job to make ends meet, leaving her children at home without her far too often. The EITC and the CTC are not what make Michele Eddy a good mother, but they enable her to be there with her children when they need her most.

Right now, some 30 percent of children under the age of 3 are in families with too little earnings to qualify for full CTC. Even worse, nearly 13 percent of children under 3 are in families with no earnings, and as such get into CTC

or EITC. We know the Child Tax Credit is not indexed for inflation. By the end of the decade another 1 million children will be forced to grow up in poverty.

The CTC needs to be more robust. We need to reform the Tax Code now. I am very hopeful that Senator BAUCUS in his last year and a half in the Senate, with Ranking Member HATCH and leaders from that committee such as Senator WYDEN and Senator ENZI and others, can reform the Tax Code, can put measures in place to prevent fraud.

As we introduce the Working Families Tax Relief Act, I remain hopeful our colleagues across the aisle will work with us to make these credits a part of tax reform.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I have enjoyed the discussion on the Marketplace Fairness Act. It is nice to have a good debate and I am looking forward to voting on amendments that are here.

I wish to address two or three points that have been made during the debate. The first is about what we call here regular order. What we mean by that is that the bill was introduced, it goes to a committee, and the committee reports it to the floor, and we bring it up on the floor, and we have a debate and then we vote on it. We want to see more of that around here.

Well, the problem with this bill is that the Finance Committee would not act on it. Let's be straightforward about it. This bill has been around a long time. The Finance Committee chairman is the only one who can schedule a hearing and cause it to be acted on. He did not want to do that, despite the fact that we asked him to do it. So as a result, the majority leader used a procedure that brings the bill to the floor.

To underscore that, let me ask unanimous consent to have printed in the RECORD a timeline for the Marketplace Fairness Act. It details the steps we have taken since 2001.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARKETPLACE FAIRNESS TIMELINE 107TH CONGRESS (2001–2002)

S. 512, Internet Tax Moratorium and Equity Act, Senator Byron Dorgan—introduced 3/9/2001, Referred to: Senate Finance, Finance Committee hearing—8/1/2001.

S. 1542, Internet Tax Moratorium and Equity Act, Senator Michael Enzi—introduced 10/11/2001, Referred to: Senate Commerce.

S. 1567, Internet Tax Moratorium and Equity Act, Senator Michael Enzi—introduced 10/18/2001, Referred to: Senate Commerce.

Senate Amdt. #2156 to H.R. 1552, Motion to table amendment was agreed to—57 to 43 on 11/15/2001.

108TH CONGRESS (2003–2004)

S. 1736, Streamlined Sales and Use Tax Act, Senator Michael Enzi—introduced 10/15/2003, Referred to: Senate Finance.

109TH CONGRESS (2005–2006)

S. 2152, Sales Tax Fairness and Simplification Act, Senator Michael Enzi—introduced 12/20/2005, Referred to: Senate Finance.

S. 2153, Streamlined Sales Tax Simplification Act, Senator Byron Dorgan—introduced 12/20/2005, Referred to: Senate Finance.

Senate Finance Subcommittee on International Trade hearing on sales tax fairness and other state/local tax issues—7/25/2006.

110TH CONGRESS (2007–2008)

S. 34, Sales Tax Fairness and Simplification Act, Senator Michael Enzi—introduced 5/22/2007, Referred to: Senate Finance.

Senate Commerce Committee hearing on “Communications, Federalism, and Taxation” where it was discussed—5/23/2007.

111TH CONGRESS (2009–2010)

No bill introduced.

112TH CONGRESS (2011–2012)

S. 1452, the Main Street Fairness Act, Senator Dick Durbin—introduced 7/29/2011, Referred to: Senate Finance.

S. 1832, the Marketplace Fairness Act, Senator Michael Enzi—introduced 11/9/2011, Referred to: Senate Finance.

11/30/2011—House Judiciary Committee hearing on “Constitutional Limitations on States’ Authority to Collect Sales Taxes in E-Commerce.”

1/31/2012—Official letter signed by 12 bipartisan Senators requesting Finance Committee hearing on S. 1832.

2/1/2012—Letter sent by 208 national, state and local organizations and companies requesting a hearing on S. 1832, the Marketplace Fairness Act.

4/25/2012—Senate Finance Committee hearing on state and local tax issues, including S. 1832, the Marketplace Fairness Act.

7/11/2012—S. Amdt. 2495, the Marketplace Fairness Act, filed to the Small Business Jobs and Tax Relief Act.

7/25/2012—Official letter signed by 16 bipartisan Senators requesting a Finance Committee markup on S. 1832, the Marketplace Fairness Act.

7/24/2012—House Judiciary Committee hearing on H.R. 3189, the Marketplace Fairness Equity Act of 2011.

8/1/2012—Senate Commerce Committee hearing on “Marketplace Fairness: Leveling the Playing Field for Small Business.”

11/29/2012—S. Amdt. 3223, the Marketplace Fairness Act, filed to the National Defense Authorizations Act. Amendment was blocked from getting a vote.

113TH CONGRESS (2013–2014)

S. 336, The Marketplace Fairness Act, Senator Michael Enzi—introduced 2/14/2013, Referred to: Senate Finance.

2/14/2013—Official letter signed by 16 bipartisan Senators requesting Finance Committee hearing on S. 336, the Marketplace Fairness Act.

3/21/2013—S. Amdt. 578 (Enzi 2nd Degree S. Amdt. #656)—Deficit Neutral Reserve Fund enabling Congress to pass the Marketplace Fairness Act. Senate Record Vote #62—Enzi Amendment agreed to 75 to 24.

Mr. ALEXANDER. To summarize some of these steps, this began in the 107th Congress in 2001. Now Senator ENZI started even before that, I think, with Senator Dorgan. They introduced the Internet Tax Moratorium and Equity Act in 2000 and 2001. Then in 2003, the Streamlined Sales and Use Tax Act was introduced by Senator ENZI. That is 10 years ago.

Then again in 2005 and 2006 Senator ENZI and Senator Dorgan. Then again

in 2007 and 2008, Senator ENZI. In the 111th Congress no bill was introduced. But now we are getting to a little more recent history. Last Congress, 2011 and 2012, Senator DURBIN introduced the Main Street Fairness Act. Senator ENZI joined him in that. It was referred to the Senate Finance Committee.

So for all of that time, the Finance Committee has had an opportunity to work on this legislation in the way they thought it should be. There were hearings in the Senate Commerce Committee in August of 2012 on essentially the same 11-page bill that has been introduced here today and that we are acting on.

There was a partial hearing in the Senate Finance Committee during that year. But that was all. Then, in this year, in February, on Valentine’s Day, Senator ENZI introduced the Marketplace Fairness Act we are debating here, this 11-page bill. There was a letter from 16 Senators, Republicans and Democrats, asking the Finance Committee to hold a hearing and to deal with it. But it has not.

I respect the decision of the chairman to be opposed to the bill and not to hold a hearing and not to report the bill to the floor. But if he does that, then I would suggest he should respect the right of the majority leader to bring the bill to the floor and allow the Senate to debate it.

As far as the regular order goes, a week should be long enough to consider this bill, which has been in one form or another around since 2001. We could have begun debating amendments on Monday. That is when the bill came to the floor. But the opponents filibustered it. This was not a Republican or a Democratic filibuster, it was both sides, from opponents. And what that deprived us of was an opportunity to vote and debate amendments on Monday and Tuesday.

Then we had another vote. So we have now had three votes, one during the budget session, one on cloture on the motion to proceed, and then one on the motion to proceed itself. We have gotten 74, 75 votes each time. It is a majority of the Democratic Senators, it is a majority of the Republican Senators. This does not happen all the time, that we have such strong majorities on each side of the aisle, saying in three successive votes of 74 and 75 votes: We favor an important piece of legislation.

I would hope the better course would be to come to some agreement that we can take the amendments we have here from Democrats and from Republicans, bring them up, table them, vote on them, debate them, and act on this and bring this to a conclusion this week.

Then there is substantial support in the House of Representatives for this. The bill could then go to the House. The House could do whatever the House wishes. There could be a con-

ference and we could get a result. Every attempt has been made by the sponsors of this legislation since 2001 to bring this through the regular order, which means take it through the committee. The opponents of the idea have chosen first in the Finance Committee to not allow there to be a markup of the bill, and then on the floor to not allow us to debate amendments.

For example, some people say this legislation taxes the Internet. Of course, that is 100 percent wrong, because there is a Federal law banning State taxation of the Internet. Senator PRYOR of Arkansas sought to extend that ban for 10 more years today. The opponents of the bill objected even to a vote on taxing the Internet. This is very disappointing. That is the information about the timeline I wanted to put in.

Here is some more information that I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, February 14, 2013.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, Dirksen Senate Office Building, Washington, DC.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN BAUCUS AND RANKING MEMBER HATCH: We urge the Finance Committee to markup the Marketplace Fairness Act of 2013 at the earliest date possible. This bipartisan legislation would allow States to collect the sales and use taxes on remote sales that are already owed under State law.

Since the 1992 Supreme Court decision, *Quill Corporation v. North Dakota*, States have been unable to collect the sales and use taxes owed on sales by out-of-state catalog and online sellers. Congress has been debating solutions to assist States for more than a decade, and some States have been forced to take action on their own, leading to greater confusion and further distorting the marketplace.

Today, 18 bipartisan Senators introduced the Marketplace Fairness Act of 2013, which would give States the right to decide for themselves whether to collect—or not to collect—sales and use taxes on all remote sales. Congressional action is necessary because the ruling stated that the thousands of different state and local sales tax rules are too complicated and onerous to require businesses to collect sales taxes unless they have a physical presence (store, warehouse, etc.) in the state.

Today, if an out-of-state retailer refuses to collect sales and use taxes, the burden is on the consumer to report the tax on an annual income tax return or a separate state tax form. However, most consumers are unaware of this legal requirement and very few comply with the law. Across the country, states and local governments are losing billions in tax revenue that is legally owed. On average, States depend on sales and use taxes for 20 percent of their annual revenue. According to the National Conference of State Legislatures, this sales tax loophole will cost states and local governments over \$23 billion in avoided taxes this year alone. At a time

when State budgets are under increasing pressure, Congress should give States the ability to ensure compliance with their own laws.

The Quill decision also put millions of local retailers at a competitive disadvantage by exempting remote retailers from tax collection responsibility. The "physical presence" standard means that local retailers in our communities are required to collect sales taxes, while online and catalog retailers selling in the same state are not required to collect any of these taxes. In effect, this tax loophole subsidizes some taxpayers at the expense of others and some businesses over others.

State and local governments, retailers, and taxation experts from across the country are urging Congress to pass the Marketplace Fairness Act of 2013 because it gives states the right to decide what works best for their local governments, residents, and businesses. Given the fiscal constraints all levels of government are facing, we should allow states to enforce their own tax laws.

The Finance Committee held a hearing last Congress titled, "Tax Reform: What It Means for State and Local Tax and Fiscal Policy," on April 25, 2012, which highlighted the growing demand to close this particular loophole. Two witnesses, Kim Rueben and Sanford Zinman, expressed the need for better federal policies to allow the collection of sales and use taxes from online sales. In fact, Dr. Rueben called passing legislation similar to the Marketplace Fairness Act of 2013 a "no-brainer." We appreciate your willingness to address this issue and would request an additional forum to further discuss the impacts of this legislation on the U.S. economy.

The Finance Committee is in the best position to address the collection of sales and use taxes on remote sales. We urge the Committee to hold a markup on the Marketplace Fairness Act of 2013 at the earliest date possible. Thank you, in advance, for your consideration of this request.

Sincerely,

Senator Michael B. Enzi; Senator Dick Durbin; Senator Lamar Alexander; Senator Heidi Heitkamp; Senator John Boozman; Senator Tim Johnson; Senator Roy Blunt; Senator Jack Reed; Senator Bob Corker; Senator Sheldon Whitehouse; Senator Amy Klobucher; Senator Al Franken; Senator Ben Cardin; Senator Dianne Feinstein; Senator Mary Landrieu; Senator Joe Manchin.

U.S. SENATE,

Washington, DC, January 31, 2012.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, Dirksen Senate Office Building, Washington, DC.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN BAUCUS AND RANKING MEMBER HATCH: We urge the Finance Committee to hold a hearing on The Marketplace Fairness Act (S. 1832), bipartisan legislation to allow States to collect sales and use taxes on remote sales that are already owed under State law. For the past 20 years, States have been prohibited from enforcing their own sales and use tax laws on sales by out-of-state, catalog and online sellers due to the 1992 Supreme Court decision *Quill Corporation v. North Dakota*. Congress has been debating solutions for more than a decade, and some States have been forced to take action

on their own leading to greater confusion and further distorting the marketplace.

On November 9, 2011, five Democrats and five Republicans introduced The Marketplace Fairness Act, which would give states the right to decide for themselves whether to collect—or not to collect—sales and use taxes on all remote sales. Congressional action is necessary because the ruling stated that the thousands of different state and local sales tax rules were too complicated and onerous to require businesses to collect sales taxes unless they have a physical presence in the state.

Today, if an out-of-state retailer refuses to collect sales and use taxes, the burden is on the consumer to report the tax on an annual income tax return or a separate state tax form. However, most consumers are unaware of this legal requirement and very few comply with the law. Consumers can be audited and charged with penalties for failing to pay sales and use taxes.

Across the country, states and local governments are losing billions in tax revenue already owed. On average, States depend on sales and use taxes for 20% of their annual revenue. According to the National Conference of State Legislatures, this sales tax loophole will cost states and local governments \$23 billion in avoided taxes this year alone. At a time when State budgets are under increasing pressure, Congress should give States the ability to enforce their own laws.

The Quill decision also put millions of local retailers at a competitive disadvantage by exempting remote retailers from tax collection responsibility. Local retailers in our communities are required to collect sales taxes, while online and catalog retailers selling in the same state are not required to collect any of these taxes. This creates a tax loophole that subsidizes some taxpayers at the expense of others and some businesses over others.

State and local governments, retailers, and taxation experts from across the country are urging Congress to pass The Marketplace Fairness Act because it gives states the right to decide what works best for their local governments, residents, and businesses. Given our fiscal constraints, we should allow states to enforce their own tax laws and make sure that state and local governments and businesses are not left behind in tax reform discussions. The House Judiciary Committee's hearing on this single issue on November 30, 2011, demonstrated the growing demand to close this loophole, and your committee would provide the best public forum for an open debate in the Senate on the merits of this important policy issue.

The Finance Committee is in the best position to shape the discussion on state and local taxation this year, particularly on sales and use taxes on remote sales. We urge the Committee to hold a hearing on the implications of The Marketplace Fairness Act at the earliest date possible. Thank you in advance for your consideration of this request.

Sincerely,

Michael B. Enzi, Lamar Alexander; John Boozman; Roy Blunt; Bob Corker; Jeff Bingaman; Richard Durbin; Tim Johnson; Jack Reed; Sheldon Whitehouse; Mark Pryor; Ben Cardin.

Mr. ALEXANDER. These are letters from Senators to the leaders of the Finance Committee. The first letter is dated January 31, 2012, last year, at the beginning of the year. It was from five Democrats and five Republicans who

introduced the Marketplace Fairness Act. It asks for a hearing, asks for the committee to act. That is the first letter.

The next letter came this year, on February 14, from 16 Senators, both parties, to the Finance Committee, asking the Finance Committee to act on the Marketplace Fairness Act.

Then there is a letter to the leaders of the Finance Committee from the National Governors Association, signed by the Democratic Governor of Washington and the Republican Governor of Tennessee, asking the Finance Committee, on behalf of the States, to consider this legislation and act on it. The Finance Committee elected not to do that.

This information will be part of the RECORD.

Finally, there is also a letter dated April 22 of this year from the National Governors Association urging Senators REID and MCCONNELL to pass this legislation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS

ASSOCIATION,

Washington, DC, December 11, 2012.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, U.S. Senate,
Washington, DC.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, U.S.
Senate, Washington, DC.

DEAR CHAIRMAN BAUCUS AND SENATOR HATCH: Never before has the need for legislation to grant states the authority to collect sales taxes on remote sales been greater. The continued disparity between online retailers and Main Street businesses is shuttering stores and undermining state budgets. Congress has the opportunity to level the playing field for all retailers this year by passing S. 1832, the "Marketplace Fairness Act."

Years ago, the Supreme Court ruled that state sales tax laws were too complex to require out-of-state sellers to collect sales taxes on catalog sales. As a result, states are unable to collect more than \$23 billion in sales taxes owed annually from remote sales made through catalogs over the Internet. It also creates an artificial price disparity between goods bought from the corner store and those bought online. It is in essence an unwarranted yet growing subsidy to Internet sellers at the expense of brick and mortar stores.

Failure to act now will only exacerbate state losses and harm local businesses that are losing sales to online sellers. According to a leading Internet analytics firm, 2012 holiday online sales are up 14 percent from last year. (Wall Street Journal, Real-Time Economics, Dec. 5, 2012.) Cyber Monday was the heaviest online spending day on record at \$1.47 billion. The firm attributes the growth to broad strength in the e-commerce sector and the fact that more than half of those who use the Internet have already made an online purchase this holiday season.

The Marketplace Fairness Act restores fairness by providing states the authority to collect if they are willing to simplify their tax systems to make it easier to do business. It also provides protection to truly small

businesses in your state through a small business exception. This common sense approach will allow states to collect taxes they are owed, help businesses comply with different state laws, and provide fair competition between retailers that will benefit consumers and protect jobs. Furthermore, passage of the bill will serve as the equivalent of a \$23 billion stimulus to state and local governments helping to speed recovery and grow the economy.

Best of all, the Marketplace Fairness Act will accomplish these goals without raising taxes or increasing the federal debt.

We understand that you would prefer to take up the Marketplace Fairness Act next year in the context of wide-ranging, comprehensive tax reform. Frankly, our Main Street businesses and states cannot afford to wait. This is our best chance to pass this important legislation and we urge your support for enacting S. 1832 this year.

Sincerely,

GOVERNOR CHRIS GREGOIRE,
Washington.

GOVERNOR BILL HASLAM,
Tennessee.

NATIONAL GOVERNORS
ASSOCIATION,
Washington, DC, April 22, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. MITCH MCCONNELL
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID AND SENATOR MCCONNELL: On behalf of the National Governors Association (NGA), we urge the Senate to pass S. 743, known as the Marketplace Fairness Act (MFA), as soon as possible.

Just last month, during Senate consideration of its FY14 budget resolution, the Senate voted 75-24, in support of the MFA. This overwhelming, bipartisan vote stands in stark contrast to those who oppose this common-sense legislation.

Never before has the need for legislation to grant states the authority to collect sales taxes on remote sales been greater. The continued disparity between online retailers and Main Street businesses is shuttering stores and undermining state budgets. The Senate has the opportunity now to level the playing field with 21st Century rules for all retailers.

Opponents call this legislation a new tax. Of course, this is not a new tax, nor is it a tax on the Internet or on business. It is merely a means of collecting taxes owed on the sale of goods and services over the Internet.

From the viewpoint of the states, if a company is doing business, selling goods and soliciting customers in their state, that company should have to play by that state's rules. If a state has a sales tax on specific goods, then everybody selling those goods there should have to collect and remit it. This philosophy is not only fair, it also promotes competition, which is good for consumers, good for tax equity, and good for business by leveling the playing field and creating certainty—all accomplished without affecting the federal budget.

NGA urges the Senate to take decisive bipartisan action and pass S. 743.

Sincerely,

GOVERNOR TOM CORBETT,
Chair, Economic Development and Commerce Committee.

GOVERNOR STEVEN
BESHEAR,

Vice Chair, Economic
Development and
Commerce Committee.

Mr. ALEXANDER. Now, finally, I ask unanimous consent to have printed in the RECORD the names of the Governors and former Governors who support this legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Robert Bentley, R-Alabama; Bob McDonnell, R-Virginia; Chris Christie, R-New Jersey; Nikki Haley, R-South Carolina; Brian Sandoval, R-Nevada; Terry Branstad, R-Iowa; Dennis Daugaard, R-South Dakota; Paul LePage, R-Maine; Tom Corbett, R-Pennsylvania; Mike Pence, R-Indiana; Bill Haslam, R-Tennessee; Rick Snyder, R-Michigan; C.L. "Butch" Otter, R-Idaho; Jan Brewer, R-Arizona; Bobby Jindal, R-Louisiana; Rick Scott, R-Florida; Nathan Deal, R-Georgia.

Lincoln Chafee, I-Rhode Island.

Steven Beshear, D-Kentucky; Neil Ambercrombie, D-Hawaii; Mike Bebee, D-Arkansas; Jerry Brown, D-California; Mark Dayton, D-Minnesota; John Hickenlooper, D-Colorado; Martin O'Malley, D-Maryland; Dannel Malloy, D-Connecticut; Jay Nixon, D-Missouri; Deval Patrick, D-Massachusetts; Patt Quinn, D-Illinois; Earl Ray Tomblin, D-West Virginia.

FORMER GOVERNORS

Mitch Daniels, R-Indiana; Jeb Bush, R-Florida; Christine Gregoire, D-Washington.

Mr. ALEXANDER. I do that with a little bit of obvious bias as a former Governor. I think it is important that the country know what the Governors think, because the legislation we are talking about today is a States rights bill. It is an 11-page bill. It is a very simple, straightforward bill. It simply says that Tennessee, Alabama, Virginia, New Jersey, any State, has the right to decide for itself whether it wants to collect taxes that are already owed from some of the people who owe the taxes or all of the people who owe the taxes. That is it. That is it. That is all it does.

The Governors who supported it are the Governor of Alabama, Virginia, New Jersey, South Carolina, Nevada, Iowa, South Dakota, Maine, Pennsylvania, Indiana, Tennessee, Michigan, Governor Otter of Idaho, Arizona, Louisiana, Florida, Georgia, Rhode Island, Kentucky, Hawaii.

I just read a bunch of Republican Governors. Now I am into the Democrats: Kentucky, Hawaii, Arkansas, California, Minnesota, Colorado, Maryland, Connecticut, Missouri, Massachusetts, Illinois and West Virginia. The former Governors include Mitch Daniels, Jeb Bush, and the former Democratic Governor of Washington.

Here we have a bill on the floor that we have voted on three times already that has a majority of the Democratic Senators and a majority of the Republican Senators, and 75 votes three times—74 one time, 75 twice. The bill also has the support of a long list of

Republican Governors—actually more Republican than Democratic Governors. Yet we have got some people in Washington who say, we do not trust the States to make these decisions. I wonder if these people have ever read the Constitution of the United States? I wonder if they know what the 10th Amendment says? This was a very important part of the creation of this country.

Sovereign States had reserved to them their powers. They didn't expect to come to Washington and play "Mother May I" to a bunch of Senators and Congressmen who fly here on airplanes and think they are smarter than they were when they left Nashville, Memphis or wherever their hometown is. The purpose of this bill is to leave within the States the responsibility for making decisions.

Some people up here think they know best. Maybe they do, maybe they don't. Tennessee doesn't have an income tax. I would like for every State not to have an income tax, but I am not going to impose that from Washington just because I am a Senator.

Tennessee has a right-to-work law. I would like for every State to have a right-to-work law, but I am not going to impose that from Washington. States have the right to be right, States have the right to be wrong, and Washington has no business telling sovereign States what its tax structure ought to be. Washington certainly has no business standing in the way of States stopping discrimination against taxpayers and businesses because that is exactly what we are doing if we don't act.

We are perpetuating discrimination. Most conservatives I know don't like picking and choosing between winners and losers.

They don't like treating one taxpayer one way and one in a similar situation another way, one business one way and another one another way. That is exactly what we are doing if we don't act.

We are discriminating against the shoe store in Wyoming, against the boot store in Nashville, and against the small store in Maryville, TN. We are saying collect the tax when you sell something, but if your competitor from outside your State sells it, he or she does not have to. That is discrimination.

That is why the leading conservatives such as the chairman of the American Conservative Union, William Buckley, before he died; and Art Laffer, the economist who helped President Reagan develop his ideas; and the Governors such as Mitch Daniels, Jeb Bush, Chris Christie, and Bill Haslam, that is why these conservatives say they support the bill.

We are not even deciding whether States will collect taxes from out-of-State sellers. We are just saying States

have the right to do it. Of course they have the right to do it.

That is why I am including this list of Governors. I think it is part of our job as Senators to respect the sovereign States from where we come, to respect the rights of the States to not think that just because we are in Washington we know better. Most Tennesseans don't like that.

I know when I was Governor nothing used to make me madder than a bunch of legislators coming up with some bright idea in Washington, passing it, turning it into a law, holding a press conference, taking the credit for it, and then sending the bill to me. The next thing you know they would be home making a speech at the Lincoln Day Dinner or Jefferson Day Dinner, if they were a Democrat, about local control. Well, it is about local control.

The idea that people in Washington would say we don't trust the States to make decisions about how to spend money, look at our record. We are running up trillion-dollar deficits every year, borrowing 26 cents out of every \$1 we spend.

I come from a State that has no State debt on roads. It has to balance the budget every year. It has a AAA bond rating. I would trust Governor Haslam, Lieutenant Governor Ramsey, the Speaker of the House, and the Republican legislature a lot more than I do the Senate and Congress to make decisions about tax dollars.

I think I know pretty well what they will do if they have power to do it. I suspect they will say they are not going to pick and choose winners and losers. I know they are going to say that because the Governor and Lieutenant Governor told me. I expect what they will say is this will bring in more revenue so we will lower our tax rate because we will start collecting money from all the people who owe it instead of some of the people who owe it.

It is correct that some Governors have already said that. We were told today that in Ohio they have already said if this bill passes, they will collect money from everybody who owes it and then they will lower their income taxes.

Art Laffer said in his column in the Wall Street Journal: That is precisely what we ought to do to stimulate growth. He said: If we are going to have a tax, the best tax, said Mr. Laffer, is a tax that covers the largest number of people at the lowest possible rate.

If that is the case, what we are perpetuating within action is the worst kind of tax, which is the tax that States are allowed to tax a smaller range of people at a higher rate. This permits them to tax all the people who are in a similarly situated place at a lower rate, if that is what they choose to do.

The arrogance of those in Washington who would say they don't trust

the States to make those decisions, they need to go back to seventh grade, read the U.S. Constitution and learn a little American history about where this country came from.

I am very proud of this Senate for, on this important issue led by Senator DURBIN and Senator ENZI, coming up with 75 and 74 votes 3 consecutive times to say we believe in a two-word principle on this 11-page bill, States rights or 10th Amendment, that we will recognize the power of States to make their own decisions.

If we don't act, all these claims about what happened to the 9,600 jurisdictions will come true. Some Governor—I know I would do it if I were still there—the Senate didn't act on this, the Congress didn't act, I would go right back to the Supreme Court. I would bet that 20 years after the Quill case that Senator HEITKAMP brought, back before there was an Internet, when the Court then said that requiring out-of-State sellers to collect the tax was burdensome, they would look at the Internet.

Those Justices know they can find out the weather in their hometowns by putting in the ZIP Code and putting in the name of the town. They know that an out-of-State seller could figure out the sales tax from the ZIP Code of the buyer. They know that.

I will predict that they would hold it is not an undue burden, and then all the out-of-State sellers really would have 9,600 jurisdictions to deal with. We are simplifying, and we are creating something that will work. We are following a process that is well tried. There are a great many out-of-State catalog sellers and online sellers that today do exactly what the instate sellers do. They collect the sales tax. They do it through the ZIP Code over the Internet. We are saying everybody should do that except those who sell less than \$1 million a year. They don't have to do anything under this law.

According to many economists, that takes 99 percent of the online sellers out of the effect of this bill. We have tried to bring this through regular order. We are down here trying right now. We have received substantial support. There have been hearings. There has been a lot of work in the House, and there is broad support from the Governors. I am hopeful we will move forward tomorrow, finish this legislation, send it to the House, and take a step toward recognizing the Constitutional framework of our country by honoring the sovereign States rights to make decisions for themselves and stopping this attitude of requiring Governors and legislators to come to Washington and play "Mother May I" with responsibilities that ought to be clearly the responsibility of States.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I don't think it will take this long, but I ask unanimous consent to speak as in morning business for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I come to the floor again to address climate change, particularly today the change that carbon pollution is wreaking in our oceans.

Water temperatures are increasing, sea level is rising, ocean water is growing more acidic, and powerful storms are becoming more frequent and more intense. It is time to wake up to the threat to our oceans and coasts posed by carbon pollution.

The rate at which carbon is now being dumped into the atmosphere and absorbed by our oceans is unprecedented. NOAA estimates almost 1 million tons of the carbon dioxide we dump into the atmosphere is absorbed into the oceans every hour—1 million tons every hour. We know with scientific certainty that carbon pollution causes the ocean to become more acidic. Indeed, we measure that carbon pollution has caused the global pH of the upper ocean to increase nearly 30 percent—by some measures nearly 40 percent—since preindustrial times.

In Rhode Island, the Ocean State, coastal activities define our heritage, our culture, and also our economy. Our coastal waters are spawning grounds, nurseries and shelters for fish and shellfish, which we enjoy and from which we profit. Our shores and coastal ponds are barriers that protect our coastal communities from ocean storms and that naturally improve water quality. Our oceans and coasts make coastal States such as ours who we are.

We will continue to take advantage of the ocean's bounty, as we should. We will trade, we will fish, and we will sail. We will dispose of waste, we will extract fuel and harness the wind. We will work our oceans. Navies and cruise ships, sailboats and supertankers will plow their surface. We cannot undo this part of our relationship with the sea. What we can change is what we do in return. If we use our best science and judgment to plan for the uses of our oceans, we will continue to reap the value they provide.

Carbon-driven changes to our planet will continue and will accelerate. The faster you are driving, the better your headlights need to be. Our headlights in this area are scientific research and

planning. As we move ever faster into this uncharted territory, our headlights had better be working to preserve the valuable ecosystems upon which our communities and economies rely.

The National Ocean Policy, signed by President Obama in 2010, provides a commonsense framework for sensible research and planning and public-private cooperation, as we face the significant challenges bearing down on our oceans and coasts—on both our ecosystems and our industries.

Last week, the White House released the National Ocean Policy Implementation Plan, a blueprint for effective management of our oceans and the Great Lakes. It is not easy to balance the competing needs of commerce, conservation, culture, and recreation. More than 20 Federal agencies oversee our marine industries, governing everything from fisheries to oil and gas leasing. The implementation plan takes this on and moves us toward better and more collaborative management of ocean resources.

The implementation plan gathered the thoughts of a wide range of key stakeholders: maritime and energy industries, conservation and recreation interests, academic experts, and Federal, State, local, and tribal governments. The plan supports economic growth by streamlining permitting and approval processes, by improving mapping and ocean observing, and by providing greater access to data and information. The plan lays out specific actions and timelines to protect and restore coastal wetlands and reefs and to prevent economic losses and job losses due to degraded shores and degraded waters.

Our coasts need immediate attention, so the plan could not come too soon. It states:

Our nation lost nearly 60,000 acres of coastal wetlands each year between 1998 and 2004. . . . Habitats are being altered by invasive species that threaten native aquatic life and cost billions of dollars per year in natural and infrastructure damage.

The implementation process the administration is pursuing is all about local needs and concerns. So the National Ocean Policy establishes voluntary regional planning bodies. Local people can get together, layer together the relevant data, and promote greater and more responsible use of their region's ocean resources.

In New England, we have seen the value of this cooperative ocean planning. Rhode Island's Ocean Special Area Management Plan—a special area management plan is called a SAMP in the trade—has made ecosystem restoration and industry interests advance simultaneously. I recently spent time at the Northeast Regional Planning Body meeting in Rhode Island and I know our region is excited to move forward with a regional process.

So let's look at some of the practical results when you get the information and the affected people in the room together. In Rhode Island, the wind energy industry, with its vast potential for manufacturing and maintenance jobs, is rapidly developing wind farms off of our coasts. Thanks to the groundwork that was laid by the Rhode Island SAMP, wind developers moved fairly smoothly through the regulatory thicket and they have avoided interference with marine highways, critical fisheries, habitats, and naval training ranges.

There is actually quite a good report I commend to all my colleagues on the ocean SAMP published by the Rhode Island Ocean Special Area Management Plan. It is a practitioner's guide, and it is a very effective document that shows how well this worked.

In this process, local people were listened to and they were heard. When the Federal Bureau of Ocean Energy Management announced this wind energy area here off of the Rhode Island coast, there was an area named Coxes Ledge, and the fishermen were concerned. The floor of the ocean at Coxes Ledge made it particularly rich fishing grounds and they didn't want it interfered with by having that area put up for wind farm development. Sure enough, when the map came out, the curve of Coxes Ledge is going right through the middle of the wind farm area, protected for the fishermen. They were listened to and they were heard.

So much of this is simple common sense. In Massachusetts, the endangered North Atlantic right whale, a population of about 450 of them, feeds in the waters just off of Boston. The whale strikes between shipping and the right whales were becoming a problem. And because the right whale is endangered, it was becoming a real risk for shipping going in and out of Boston Harbor. So they found data that showed where the whale strikes were likely to be and they mapped that data. When they mapped the data, they saw if they moved the shipping channel out of Boston Harbor up a little bit they could come through an area that was largely safe from whale strikes. The cost to the industry was somewhere between 9 and 22 minutes of extra transit time—virtually nothing—while the number of whale strikes has dropped significantly.

Here is another example from outside of Delaware. The green sort of neon-colored dots here track the signals coming off cargo ships going in and out of Delaware Bay. As you can see, there is a pretty solid track coming out of Delaware Bay right through here. When Delaware first proposed its wind energy areas, they proposed these light green blocks as wind energy areas. This one, as we can see here, was planned right on top of the main shipping channel heading southeast out of Delaware Bay.

Critics say these kinds of efforts to get the data and the people in the room together “zone” the ocean. That is just plain factually wrong. The policy brings together people who use our ocean. In this case, the case of Delaware Bay, simply putting everybody in the room allowed the wind energy areas to be modified to avoid the conflict. So the southeastern area comes out and the turbine areas are beside it and the problem has been solved. That is not zoning, that is what military officers would call situational awareness; what the military would call deconfliction. What it really is is common sense.

As Nancy Sutley, the Chair of the White House Council on Environmental Quality, said:

With increasing demands on our ocean, we must improve how we work together, share information, and plan smartly to grow our economy, keep our ocean healthy and enjoy the highest benefits from our ocean resources, now and in the future.

Our ocean and coastal economy is important. Shoreline counties in this country generate 41 percent of our gross domestic product. In 2010, 2.8 million jobs were supported by maritime economic activities; commercial ports supported 13 million jobs; energy and minerals production supported almost three-fourths of a million jobs. But all of this activity creates opportunities for conflict.

The National Ocean Policy Implementation Plan is a blueprint to resolve those wasteful conflicts, to “deconflict” intelligently, and to streamline efforts across the Federal Government to keep our oceans and our ocean economy thriving. And it lets each region go forward at its own pace.

Michael Keyworth, recent head of our Rhode Island Marine Trades Association, helped develop the Rhode Island Ocean Special Area Management Plan, SAMP, said this:

The National Ocean Policy Implementation Plan will enable regions like New England to move ahead with this smart ocean planning by engaging people like me, who live and work on the water every day, while not forcing planning on other regions that do not currently want to engage in the process.

Climate change is upon us, and its effects will only accelerate as we continue to spew megatons of carbon into our atmosphere. Changes are occurring fast in the oceans. That fact makes it all the more important that Congress remain vigilant and that we put our full support behind the commonsense framework of the national ocean policy.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROTECTING SOCIAL SECURITY

Mr. WHITEHOUSE. Mr. President, last month, the Senate approved a budget that included a blueprint for balanced and responsible deficit reduction. That budget was skillfully managed by our Budget Committee chairman, Senator MURRAY. It would complete the deficit reduction needed to stabilize our Nation's finances with a mix of smart spending cuts and revenue from closing wasteful tax loopholes. Top economists agree we need about \$4 trillion of deficit reduction to make our finances sustainable, and our budget gets us there. Together with the deficit reduction enacted last Congress, the Senate budget would reduce the deficit by \$4.3 trillion through a nearly 2-to-1 mix of spending cuts and revenue.

House Republicans took a very different approach with their budget, making only cuts—drastic cuts—to education, law enforcement, medical research, and even ending Medicare as we know it for future retirees. The House budget derives its deficit reduction from cuts that primarily hurt low-income and middle-class Americans, while refusing to touch a single tax giveaway to wealthy and well-connected special interests. Senate Democrats took a middle course; House Republicans produced an extremist tea party wish list.

In his own budget plan, President Obama included some smart provisions such as investments in infrastructure and the Buffett rule for tax fairness. I respect the President's outreach to a compromise with Republicans, but I cannot support the cuts to Social Security benefits in his plan. It is simply wrong to place the burden of deficit reduction on seniors and the disabled. Social Security—one of the fundamental pillars of the American middle class—has not contributed and will not contribute to our deficits. Social Security is fully funded by its participants through payroll taxes and cannot by law add to the deficit.

Under current payroll tax levels, Social Security will have the funds to pay 100 percent of benefits until 2033. It is true we do need to make some adjustments to ensure that full benefits can be paid beyond that date, but that task has nothing to do with deficit reduction. Even if Congress did nothing before 2033, the projected shortfall would force automatic benefit cuts, not deficit spending.

I do look forward to working with Senators of both parties to ensure that Social Security remains fully solvent for generations to come, but that discussion does not belong in the unrelated debate on our Nation's budget deficits.

The Social Security cuts the President has proposed are not just in the

wrong discussion, they are wrong themselves. To reflect inflation, Social Security recipients each year get cost-of-living adjustments, what we call COLAs. The President's proposal changes the formula used to make that determination, shifting to something called the chained Consumer Price Index or chained CPI. It sounds innocuous, but make no mistake, it is a benefit cut cloaked in technical jargon.

The argument for a chained CPI is that it is a more accurate measure of inflation—that it takes into account real-world decisions consumers make to modify their buying habits as prices fluctuate. As the price of apples goes up, we buy more bananas, so the overall effect on our budget is moderated. The result is lower annual cost-of-living adjustments—about 0.3 percent each year. But let's take a look at how seniors fare under the existing COLA structure.

In 2010 and 2011, seniors received no cost-of-living adjustment whatsoever—0.0 percent in 2010, 0.0 percent in 2011. But according to the existing consumer price formula used by government accountants, prices didn't rise enough to justify COLAs. That is what the COLA formula says. But in real life, what did it look like?

According to the Bureau of Labor Statistics, seniors saw food prices rise 1.5 percent in 2010, medical costs increase 3.3 percent, and they saw their gas and home heating oil go up by more than 13 percent each, and the COLA covered zero percent.

The next year, 2011, these costs increased again. Food prices jumped 4.5 percent, medical care jumped 3.5 percent, gasoline jumped 9.9 percent, and fuel oil jumped 14.3 percent, and again the COLA for seniors was zero.

So 2010 and 2011 add together; they are not included in one another. So food and beverage is a total of 6 percent, plus, allowing for compounding, 6.8 percent for medical care, 23.7 percent for gasoline, and 27.8 percent for fuel oil—all with a COLA of zero percent.

The numbers show what Rhode Island seniors know: The problem with the Social Security COLA is that it is too low, that it doesn't meet the real costs seniors experience in real life.

Why does this happen? The existing cost-of-living formula considers prices across the whole economy, including products seniors are not so likely to buy, such as flat-screen TVs and smart phones and sporting equipment. Their prices may have fallen, but seniors don't benefit much from those lower prices.

The problem is that the current system fails to account for seniors' true costs in these areas. So my position is that we should move on to a more accurate formula for seniors, one that focuses on food, medicine and heating oil and gas and the other things seniors

actually buy. I have been proud to support legislation to change the Social Security COLA formula to one that is geared more toward seniors, and I will continue to fight for the adoption of that new formula.

Chained CPI takes us in the opposite direction. It assumes consumers will alter the types of goods they buy as prices rise. But seniors on fixed incomes have little ability to shift their buying habits away from these basic expenses, things such as food, medical care, gasoline, and fuel oil. It is hard to shift away from those. The lower COLAs that chained CPI would produce will only cut into seniors' already tight budgets, and force seniors to bear the burden of reducing deficits that Social Security had no part in creating. A 0.3-percent reduction each year might sound small, but over time the power of compound interest makes those benefit cuts significant.

For people currently nearing retirement, these cuts would amount to annual benefit reductions of \$658 by the time they reach age 75, \$1,147 by the time they reach age 85, and \$1,622 by the time they reach age 95. That same power of compounding makes these cuts even larger for future generations of seniors. Perhaps \$658 or \$1,622 doesn't sound like much money to some folks around here, but to a senior in Rhode Island living on Social Security, that is real money.

After getting no COLA for 2 years in a row, Bethany, a senior from Smithfield, RI, wrote to me:

My health is not the best and it's not easy trying to survive on my Social Security and the increasing prices of gas, food, etc. and co-pays for medical. . . . The COLA calculation for Social Security doesn't work. We need an increase yearly to stay even with rising premiums and everyday expenses. Please continue to fight for Social Security and Medicare.

Deanne from Coventry, RI, wrote to me in February:

I am 68 years old and retired. I cannot work even part time because of severe Arthritis. My son lives with me who is permanently disabled due to an accident when he was 9 years old. He is now 44 years old. We just make ends meet with Social Security as we have no other income. We wear sweat shirts and pants to bed and coats in the house during the winter because we can't pay the high prices of oil. If Social Security gets cut, I don't know how we will make it. I have worked all my adult life until the last two years. I NEED my Social Security. . . . In the face of ever-increasing prices for health care, home heating, prescription drugs and grocery bills, asking seniors to give up more and more of their Social Security benefit as they age when every dollar counts is just plain wrong.

These are real-life experiences of people who are the kind of folks chained CPI would affect. Yes, we need to make additional sacrifices to complete the job of deficit reduction; no, those burdens should not fall on our elderly and disabled constituents. Our deficits

come from unnecessary Bush-era tax cuts that virtually exclusively benefited the wealthy, they come from a decade of wars we didn't pay for, and they come from the worst economic crisis since the Great Depression. They have nothing to do with Social Security, so don't take it out on the seniors.

As the Senate budget shows, we can complete the task of stabilizing our Nation's finances in smart ways, in fair ways, in balanced ways, in ways that don't put the burden on those who can least afford it.

When I ran for this office, I pledged to the people of Rhode Island that I would oppose cuts to Social Security, and I will keep that promise.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONGRATULATING THE STILLER FAMILY FOUNDATION

Mr. LEAHY. Mr. President, I rise today to congratulate Bob and Christine Stiller and their Stiller Family Foundation for receiving the Most Outstanding Foundation Award of 2013 from the Association of Fundraising Professionals.

The Most Outstanding Foundation award is given annually to honor a foundation that demonstrates outstanding commitment through financial support, innovation, encouragement, and motivation of others to take leadership roles in philanthropy and community involvement.

Previous recipients of this prestigious award include the John D. and Catherine T. MacArthur Foundation, the Susan G. Komen Breast Cancer Foundation, the Alfred P. Sloan Foundation, and the John S. and James L. Knight Foundation, among many others.

The Stiller Family Foundation has benefited youth centers, arts organizations, urban renewal projects, and education institutions throughout Vermont. The foundation recently announced a major grant to create the

Robert P. Stiller School of Business at the Champlain College of Vermont and established a permanent endowment for the study of appreciative inquiry at the school.

My wife Marcelle and I have known Bob and Christine a long time. As life-long philanthropists, they have made a positive impact in communities around the globe through their pointed leadership, innovative ideas, and generous funding. It is hard to mention all of their many achievements. As founder of the highly successful Green Mountain Coffee Roasters, Bob continues to promote sustainable business practices through environmental and fair trade initiatives all over the world. And Christine has been a strong advocate for Champlain College's Single Parents Program, which offers single parents the opportunity to break generational cycles of poverty by helping them fund a college education. Vermont is a better place because of all the work done by Bob and Christine Stiller.

I request unanimous consent that this article from the Burlington Free Press be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Apr. 12, 2013]

STILLER FAMILY FOUNDATION RECEIVES NATIONAL RECOGNITION

The Association of Fundraising Professionals recently honored Green Mountain Coffee Roasters Founder Bob Stiller and his wife Christine and their Stiller Family Foundation with the Most Outstanding Foundation Award of 2013.

The award was made at the Association's international conference in San Diego on April 6.

The Most Outstanding Foundation award is given annually to honor a foundation that demonstrates outstanding commitment through financial support, innovation, encouragement and motivation of others to take leadership roles in philanthropy and national, international and/or community involvement.

The award dates back to 1989, and has previously been given to the John D. and Catherine T. MacArthur Foundation, the David and Lucile Packard Foundation, the Susan G. Komen Breast Cancer Foundation, the Alfred P. Sloan Foundation and the John S. and James L. Knight Foundation, among others.

The Stiller Foundation's initiatives are primarily focused on people and communities in Vermont and Florida. The Stillers have a home in Palm Beach. In Vermont, the Foundation supports local organizations and institutions including King Street Youth Center, Burlington City Arts, ReBuild Waterbury and Champlain College.

Champlain College in Burlington has been one of the largest beneficiaries of the Foundation, which recently granted the college \$10 million for the creation of the Robert P. Stiller School of Business and establishment of a permanent endowment to promote programs in Appreciative Inquiry and other positive psychology-based management approaches.

OBSERVING ARMENIAN GENOCIDE REMEMBRANCE DAY

Mr. LEVIN. Mr. President, 98 years ago today, the Ottoman Empire in Turkey launched one of the most horrific episodes in human history. The detention and eventual execution of hundreds of members of Turkey's ethnic Armenian minority launched a genocidal campaign of deportation and starvation in which more than 1.5 million people ultimately perished.

We mark Armenian Genocide Remembrance Day, first, because those who perished deserve to be remembered, but we also do so as a reminder: a reminder of the horrible violence that ethnic hatred can inflame; a reminder that too often, governments have employed those hatreds and passions; and a reminder that the world's silence in the face of one such episode of atrocity can embolden others who would seek to emulate it. It is often noted that Adolph Hitler, in justifying his invasion of Poland in 1939, told his commanders: "Who, after all, speaks today of the annihilation of the Armenians?" Silence in the face of governments that abuse and oppress their people simply enables the perpetrators of violence and injustice.

I join the many members of the Armenian-American community and Armenians around the world in the hope that the Government of the Republic of Turkey which we should remember played no role in the Armenian genocide can work together with the Government of Armenia to heal the divisions that remain nearly a century after this dark episode. That should include an honest and forthright dialogue about the nature of the events and the impact that it has had which is still with us today. Already, the governments of these two nations have negotiated an agreement to open the border between them, an agreement that includes a pledge to establish an independent commission of historians to review and come to a common understanding of the events of a century ago. I am hopeful that this agreement can be ratified and implemented.

It is also worth remembering that Turkey, a vital U.S. ally, is playing an enormously important role in confronting a more recent atrocity: the death of thousands of Syrian civilians at the hands of a dictatorial government seeking to hold on to power at any cost. More than 75,000 Syrians have died in this strife, and more than 1 million of them are refugees. Many of those refugees have sought shelter in Turkey. I have joined with Senator MCCAIN and others in calling for our government to explore additional ways of supporting the Syrian people and of supporting the efforts of Turkey and other nations to protect Syria's people. That call is motivated, in part, by the memory of historic episodes in which the community of nations has failed to act when confronted by such evil.

Our remembrance of the Armenian genocide makes it incumbent upon us to bear witness to this and other modern atrocities against human and civil rights. By our refusal to remain silent in the face of today's violence and injustice, we honor the victims of the Armenian genocide and other atrocities against decency and humanity.

Mrs. BOXER. Mr. President, I rise today to recognize the 98th anniversary of the Armenian genocide.

In 1948, the General Assembly of the United Nations passed the Convention on the Prevention and Punishment of the Crime of Genocide based in part on the horrific crimes perpetrated by the Ottoman Empire against the Armenian people in the early 20th Century.

Between 1915 and 1923, more than 1.5 million Armenians were marched to their deaths in the deserts of the Middle East, murdered in concentration camps, drowned at sea, and forced to endure horrific acts of brutality at the hands of the Ottoman Empire.

Yet, in the 65 years that have passed since the Convention was adopted, successive U.S. administrations have refused to call the deliberate massacre of the Armenians by its rightful name genocide.

For many years, I have urged both Democratic and Republican administrations to finally acknowledge the truth. I do so again today. It is long past time for our government to acknowledge, once and for all, that the Armenian genocide is a widely documented fact supported by an overwhelming body of historical evidence.

In fact, the Armenian genocide along with the Holocaust is one of the most studied cases of genocide in history. Tragically, Adolf Hitler even used the Ottoman Empire's action against the Armenians to justify the extermination of the Jews in the Holocaust, saying in 1939, "Who, after all, speaks today of the annihilation of the Armenians?"

A number of sovereign nations, ranging from Argentina to France, as well as 43 out of 50 U.S. States have recognized what happened to the Armenians as genocide. Yet successive U.S. administrations continue only to refer to the Armenian genocide as an annihilation, massacre, or murder.

The entire Armenian community and the descendants of the victims of the Armenian genocide continue to suffer prolonged pain each and every day that goes by without full acknowledgement by the United States.

I hope that this is the year that we finally right this terrible wrong because the United States cannot and does not turn a blind eye to atrocities around the globe. In fact, the United States is often the first to speak out in the face of violence and unspeakable suffering and to urge other countries to respond. But sadly, our Nation is on the wrong side of history when it comes to the Armenian genocide.

So this April 24, as we pause to remember the victims and to celebrate the many contributions Armenian Americans have made to our great country, I hope that the United States will finally and firmly stand on the right side of history and officially condemn the crimes of 1915 to 1923 by their appropriate name.

ADDITIONAL STATEMENTS

PLYMOUTH, NEW HAMPSHIRE

• Ms. AYOTTE. Mr. President, I rise today in honor of Plymouth, NH—a town in Grafton County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this historic event.

Plymouth was built at the convergence of the Pemigewasset and Baker rivers amid the beautiful White Mountains.

Plymouth was granted a charter by Gov. Benning Wentworth in 1763 and incorporated later that same year. It is named after the original Plymouth Colony in Massachusetts.

The population has grown to include over 7,000 residents. The patriotism and commitment of the people of Plymouth is reflected in part by their record of service in defense of our Nation.

Some of Plymouth's most notable residents include U.S. Senator and Congressman Henry W. Blair, Pulitzer Prize-winning authors Robert Frost and John Cheever, as well as Harl Pease. Mr. Pease was a World War II pilot and recipient of the Congressional Medal of Honor.

New Hampshire native, and then attorney, Daniel Webster, who went on to become one of the Senate's great orators, tried and lost his first criminal case in the Plymouth Courthouse.

Based in Plymouth, the Draper and Maynard Sporting Goods Company sold directly to the Boston Red Sox. Many early players would make the journey to Plymouth and select their equipment for the upcoming season.

Plymouth Normal School was founded in 1871 and became the State's first teachers college. This institution would subsequently become the Plymouth Teachers College, Plymouth State College, and is known today as Plymouth State University.

Plymouth is a place that has contributed much to the life and spirit of the State of New Hampshire. I am pleased to extend my warm regards to the people of Plymouth as they celebrate the town's 250th anniversary.●

WARREN, NEW HAMPSHIRE

• Ms. AYOTTE. Mr. President, today I wish to honor Warren, NH—a town in Grafton County that is celebrating the 250th anniversary of its founding. I am

proud to join citizens across the Granite State in recognizing this historic event. This area, drained by the Baker River and built in the shadow of Mount Moosilauke, exemplifies the beauty of the surrounding White Mountain National Forest.

Warren was granted a charter by Governor Benning Wentworth in 1763 and incorporated by Governor John Wentworth in 1770. The town derives its name from British Admiral Sir Peter Warren and was first settled by Joseph Patch and John Page.

Since that time, the population has grown to include over 900 residents. The patriotism and commitment of the people of Warren are reflected in part by their service in most of America's major conflicts, with over 60 serving in World War II alone.

Warren's most notable landmark is a Redstone Ballistic Missile, dedicated in honor of Warren's favorite son, Senator Norris Cotton. Senator Cotton represented New Hampshire in Washington, D.C., for almost 30 years, including 8 years as a Congressman and over 20 as a Senator. The Federal building in Manchester and the Comprehensive Cancer Center at Dartmouth-Hitchcock Hospital, both bear his name.

Another notable resident of Warren was Ira Morse. Mr. Morse was a successful shoe retailer who traveled the world hunting big-game and collecting cultural artifacts. In 1928, Ira Morse opened his collection to the public and established the Morse Museum.

Located in the village of Glencliff is the historic Glencliff Home. This facility first provided relief and treatment for urban workers suffering from breathing impairment. Although its mission has changed, the home is still in operation and is currently administered by the New Hampshire Department of Health and Human Services.

Warren is a place that has contributed much to the life and spirit of the State of New Hampshire. I am pleased to extend my warm regards to the people of Warren as they celebrate the town's 250th anniversary.●

WELLSPRING REVIVAL MINISTRIES

• Mr. BEGICH. Mr. President, today I would like to recognize the 15th anniversary of the founding of Wellspring Revival Ministries in Fairbanks, AK. In 1998, Michael and Linda Setterberg recognized the need for more youth activities in the Fairbanks area and set out to do something about it. In 1999, the Setterbergs opened Joel's Place, a place for young people who needed somewhere to belong.

It began with a weekly youth group meeting but it grew to be something much bigger. Today, relying on volunteers, grants and charitable contributions, Joel's Place is open 6 days a

week with a concert hall, a café, a garden, and sports activities including the only indoor skate park in Alaska. Joel's Place works with local school counselors and is a National Safe Place, offering shelter and counseling.

Part of the success of Joel's Place is due to partnerships with other local nonprofits and national foundations, as well as State and local governments. Federal grants from the U.S. Department of Agriculture provide support for the organization's Summer Food Service Program and Child and Adult Care Food Program, which ensures that low-income children receive nutritious meals.

The power to keep the program going comes from the passion and devotion of the founders of Joel's Place, the professionals who run it, the board of directors who oversee the organization and the volunteers who give their time. I give my congratulations to the people who make Joel's Place go, and I look forward to hearing about their continued success.●

TRIBUTE TO LOREN DUKE ABDALLA

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the military service of Loren Duke Abdalla, the great grandson of Yankton Sioux Tribe Chief Running Bull. Loren Duke Abdalla, a native South Dakotan, fought valiantly as part of the U.S. Marine Corps in World War II.

Loren Duke Abdalla, or "Duke" as he was known by his fellow Marines, began his service to this Nation when he enlisted in the Marine Corps in 1943 at the age of 18. He completed his basic training at Camp Elliot in San Diego, CA, where he was trained as a rifleman and machine gunner.

On September 15, 1944, Duke displayed his bravery at the Battle of Peleliu in the Pacific. In the struggle, three of his comrades were struck down next to him, but Duke still carried on, despite injuries, through the 6-day battle. At the end, Duke survived as one of only 29 Marines left standing in his Battalion. Shrapnel left holes in both of his legs, yet instead of returning home, he recovered in only a few months on the Island of Guadalcanal and returned to Pavuvu Island. He received a Purple Heart and was promoted to Corporal, and became squad leader of the 3rd Squad, 1st Platoon, A Company.

Duke returned to combat and quickly became a hero once again in the Battle of Okinawa. On May 5, 1945, he rescued 2nd squadron leader, Cpl John Brady, throwing him over his shoulder and carrying him to safety under heavy fire. Duke immediately returned to the battle where he began neutralizing machine gun nests leading up a ridge along with his 12-person squadron.

When he reached the fourth nest, he realized he was alone. With his comrades killed or wounded, he forged on to take out the last two nests by himself and reached the top of the ridge. In taking the ridge, he allowed the First Marine Division to advance. Although many of his comrades were honored for their bravery on that day, Duke was not recognized for his action.

Duke ended his service with an honorable discharge on February 28, 1947, ending 4 years of selfless sacrifice for our nation that will not soon be forgotten. At the battles of Okinawa and Peleliu, some of the bloodiest battles in the Pacific Theater, Loren Duke Abdalla proved time and again his courage, perseverance and ability to sacrifice, preventing many potential casualties. I ask my colleagues to join me in recognizing Corporal Loren Duke Abdalla for his exemplary service and dedication to our Nation.●

TRIBUTE TO GENE MURPHY

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to pay tribute to a tireless and inspirational advocate for veterans across this Nation. Gene Murphy is retiring as adjutant of the South Dakota chapter of the Disabled American Veterans (DAV), just the latest in a number of State and national veterans organizational posts he has served with distinction over the years.

Gene served in the United States Army in Vietnam. Just 30 days before he was scheduled to return home to the United States, Gene was paralyzed by two gunshots to his right side. He holds the Purple Heart and the Bronze Star with V Device.

Shortly after his return to the States, Gene became a lifetime member of the Disabled American Veterans, embarking on a 45-year career of serving the Nation's veterans and their families. Gene has shown tireless advocacy and a strong commitment to ensuring veterans receive the care and attention to their issues that they deserve and were promised.

Gene has been actively involved with the DAV at both the State and national level. From 1987–1988 he served as the DAV National Commander. In 1984, he was selected as the Nation's Outstanding Disabled Veteran of the Year. Gene served 20 years on the South Dakota Veterans Commission. He is a member of the Paralyzed Veterans of America, Military Order of The Purple Heart, Veterans of Foreign Wars, and the South Dakota Veterans Council. In 1979, he was named South Dakota's Handicapped Citizen of the Year.

Gene has been a steadfast advocate for veterans, whether the issues included improving health care services, conditions and access to care within the Department of Veterans Affairs; expediting consideration and decisions

on claims for benefits; or shining the spotlight on the unique health care needs of veterans exposed to Agent Orange, who suffer from post-traumatic stress disorder, or who were victims of traumatic brain injuries. Countless veterans in South Dakota have been able to make it to their VA appointments because of the DAV's transportation network and Gene's efforts in this area. Gene has brought awareness and education to elected officials and the general public on veterans mental health issues. He is keenly aware that military service impacts family members of veterans as well and has been an advocate on their behalf, too. Gene has also been instrumental in working to get the American Veterans' Disabled for Life Memorial built in Washington, DC, serving on the foundation's board of directors and as the treasurer of the Disabled Veterans' LIFE Memorial Foundation, Inc.

The native South Dakotan has been hawkish on budget issues facing the VA, making sure that the voices of veterans—young and old—are heard. Any effort to minimize, decrease or eliminate services to veterans would meet a stern challenge from Gene Murphy. He is aware of the financial impacts of increased copayments on indigent veterans. He remains steadfastly passionate that veterans, no matter what category or priority they are placed in, receive the full faith and commitment of their government when it comes to care and benefits.

I have always been impressed by Gene's passion and commitment to veterans, their families and their issues—whether it be a widow seeking benefits, a veteran seeking consideration of their overdue claim, or an era of veterans seeking compensation due to chemical exposure in a war zone. I have always valued and appreciated Gene's input on the plethora of issues impacting veterans. During my early years in Congress, Gene was very helpful in providing me with a better understanding of the many important issues facing veterans and their families, and I have relied upon Gene's insight on such issues throughout my congressional career. Gene never sugar-coats his requests or his statements; it is always done with candor and frankness. Nobody can second-guess Gene Murphy's passion for veterans.

Although Gene's term as adjutant of the South Dakota Disabled American Veterans is scheduled to end with the South Dakota DAV's State convention, and there are rumors that Gene may be stepping back from his consistently full plate of activities on behalf of South Dakota's and the Nation's veterans, I cannot believe that Gene's voice will be silent. I hope he will continue to provide me with advice and counsel on veterans issues.

I commend the lifetime of work by Gene Murphy on behalf of the Nation's

veterans. I congratulate him on his numerous awards and the leadership roles he has held and taken for veterans over the past many decades. Veterans and their families have a true advocate in Gene Murphy and are better off today because of him. I commend his work with the DAV and other veterans organizations and wish Gene and his wife Eldine well in his retirement.●

2013 NATIONAL DRUG CONTROL STRATEGY—PM 8

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am pleased to transmit the 2013 National Drug Control Strategy, my Administration's blueprint for reducing drug use and its consequences in the United States. As detailed in the pages that follow, my Administration remains committed to a balanced public health and public safety approach to drug policy. This approach is based on science, not ideology—and scientific research suggests that we have made real progress.

The rate of current cocaine use in the United States has dropped by 50 percent since 2006, and methamphetamine use has declined by one-third. New data released this year suggest that we are turning a corner in our efforts to address the epidemic of prescription drug abuse, with the number of people abusing prescription drugs decreasing by nearly 13 percent—from 7 million in 2010 to 6.1 million in 2011. And the number of Americans reporting that they drove after using illicit drugs also dropped by 12 percent between 2010 and 2011.

While this progress is encouraging, we must sustain our commitment to preventing drug use before it starts—the most cost-effective way to address the drug problem. The importance of prevention is becoming ever more apparent. Despite positive trends in other areas, we continue to see elevated rates of marijuana use among young people, likely driven by declines in perceptions of risk. We must continue to get the facts out about the health risks of drug use and support the positive influences in young people's lives that help them avoid risky behaviors.

The Strategy that follows presents a sophisticated approach to a complicated problem, encompassing prevention, early intervention, treatment, recovery support, criminal justice reform, effective law enforcement, and international cooperation.

I look forward to working with the Congress and stakeholders at all levels in advancing this 21st century approach to drug policy.

BARACK OBAMA.
THE WHITE HOUSE, April 24, 2013.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) announced that on today, April 24, 2013, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 1246. An act to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

At 2:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1067. An act to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.

H.R. 1068. An act to enact title 54, United States Code, "National Park Service and Related Programs", as positive law.

The message also announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2013, the Speaker appoints the following Member of the House of Representatives to the British-American Inter-parliamentary Group: Mr. Holding of North Carolina.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1067. An act to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements; to the Committee on the Judiciary.

H.R. 1068. An act to enact title 54, United States Code, "National Park Service and Related Programs", as positive law; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 788. A bill to suspend the fiscal year 2013 sequester and establish limits on war-related spending.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 799. A bill to provide for a sequester replacement.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-1290. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Methyl Jasmonate; Exemption from the Requirement of a Tolerance" (FRL No. 9382-6) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1291. A communication from the Management Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fees for Official Inspection and Official Weighing Services Under the United States Grain Standards Act" (RIN0580-AB13) received in the Office of the President of the Senate on April 16, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1292. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propiconazole; Pesticide Tolerances" (FRL No. 9381-8) received in the Office of the President of the Senate on April 17, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1293. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to Department of Defense intending to continue to expand the role of women in the Army and Marine Corps; to the Committee on Armed Services.

EC-1294. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, (3) reports relative to vacancies in the Department of Defense, received in the Office of the President of the Senate on April 16, 2013; to the Committee on Armed Services.

EC-1295. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to providing support for a national Boy Scout Jamboree; to the Committee on Armed Services.

EC-1296. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Driving Technological Surprise: DARPA's Mission in a Changing World"; to the Committee on Armed Services.

EC-1297. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Iran-Related Multilateral Sanctions Regime Efforts" covering the period August 17, 2012 to February 16, 2013; to the Committee on Armed Services.

EC-1298. A communication from the Acting Principal Deputy Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the National Guard and Reserve Equipment Report (NGRER) for fiscal year 2014; to the Committee on Armed Services.

EC-1299. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to Existing Validated End-User Authorizations: CSMC Technologies Corporation in the People's Republic of China (PRC)" (RIN0694-AF90) received in the Office of the President of the Senate on April 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1300. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbojet Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1006)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1301. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1167)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1302. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations: Initial Implementation of Export Control Form" (RIN0694-AF65) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1303. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Reliability Standard for Transmission Vegetation Management" (RIN1902-AE58) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Energy and Natural Resources.

EC-1304. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Annual Charge Filing Procedures for Natural Gas Pipelines" (Docket No. RM12-14-000) received in the Office of the President of the Senate on April 16, 2013; to the Committee on Energy and Natural Resources.

EC-1305. A communication from the Acting Assistant Administrator, Office of Water, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Great Lakes Restoration Initiative Fiscal Year 2011 Report to Congress and the President"; to the Committee on Environment and Public Works.

EC-1306. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Enforcement Guidance Memorandum 13-002, . . . Being Developed" (EGM 13-002) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1307. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Safety Evaluation for Boiling Water Reactor . . . Curve Evaluation" received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1308. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air

Quality Implementation Plans; Charlotte, Raleigh/Durham and Winston Salem Carbon Monoxide Limited Maintenance Plan" (FRL No. 9802-8) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1309. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans for Tennessee: Revisions to Volatile Organic Compound Definition" (FRL No. 9802-9) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1310. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware, State Board Requirements" (FRL No. 9803-3) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1311. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Small Container Exemption from VOC Coating Rules" (FRL No. 9790-4) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1312. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "EPAAR Clause for Printing" (FRL No. 9800-6) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1313. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; The 2002 Base Year Emissions Inventory for the West Virginia Portion of the Steubenville-Weirton, OH-WV Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard" (FRL No. 9803-2) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1314. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designation of Areas for Air Quality Planning Purposes; State of Nevada; Total Suspended Particulate" (FRL No. 9802-6) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Environment and Public Works.

EC-1315. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District" (FRL No. 9799-3) received in the Office of the President of the Senate on April 17, 2013; to the Committee on Environment and Public Works.

EC-1316. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Particulate Matter Air Quality Standards" (FRL No. 9804-6) received in the Office of the President of the Senate on April 17, 2013; to the Committee on Environment and Public Works.

EC-1317. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of trans 1-chloro-3,3,3-trifluoroprop-1-ene [Solstice 1233zd(E)]" (FRL No. 9800-8) received in the Office of the President of the Senate on April 17, 2013; to the Committee on Environment and Public Works.

EC-1318. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Consumer Products and AIM Rules" (FRL No. 9786-2) received in the Office of the President of the Senate on April 17, 2013; to the Committee on Environment and Public Works.

EC-1319. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Supplemental Determination for Renewable Fuels Produced Under the Final RFS2 Program From Grain Sorghum; Correction" (FRL No. 9803-6) received in the Office of the President of the Senate on April 17, 2013; to the Committee on Environment and Public Works.

EC-1320. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's Annual Performance Report for fiscal year 2012; to the Committee on Finance.

EC-1321. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's Affordable Care Act fiscal year 2012 report; to the Committee on Finance.

EC-1322. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2012"; to the Committee on Finance.

EC-1323. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Beginning of Construction for Purposes of the Renewable Electricity Production Tax Credit and Energy Investment Tax Credit" (Notice 2013-29) received in the Office of the President of the Senate on April 18, 2013; to the Committee on Finance.

EC-1324. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Basis Reporting by Securities Brokers and Basis Determination for Debt Instruments and Options; Reporting for Premium" ((RIN1545-BK05) (TD 9616)) received in the Office of the President of the Senate on April 18, 2013; to the Committee on Finance.

EC-1325. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report

on the Child Support Enforcement Program for fiscal year 2010; to the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself, Mr. CORKER, Mr. UDALL of New Mexico, and Mr. RUBIO):

S. 793. A bill to support revitalization and reform of the Organization of American States, and for other purposes; to the Committee on Foreign Relations.

By Mr. HOEVEN (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. BEGICH, Ms. AYOTTE, Mrs. SHAHEEN, Mr. PORTMAN, Mr. RISCH, Mr. COATS, Mr. CHAMBLISS, Mr. LEE, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. MANCHIN, Mr. ALEXANDER, Mr. MCCAIN, Mr. TOOMEY, Mr. ENZI, Mr. KIRK, Mr. BARRASSO, Mr. MCCONNELL, Mr. COBURN, Mr. SCOTT, Mr. INHOFE, Mr. GRASSLEY, Mr. HEINRICH, Mr. ROBERTS, Mr. CRAPO, Mr. JOHNSON of Wisconsin, Mr. JOHANNIS, Mr. PAUL, Mr. COCHRAN, Mrs. FISCHER, Mr. SESSIONS, Mr. WICKER, Mr. BLUNT, Mr. BOOZMAN, Mr. RUBIO, and Mr. HATCH):

S. 794. A bill to prevent an increase in flight delays and cancellations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS (for himself, Mr. MORAN, Ms. STABENOW, and Ms. MURKOWSKI):

S. 795. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 796. A bill to designate the facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, as the "James R. Burgess Jr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for Mr. LAUTENBERG (for himself and Mr. MENENDEZ)):

S. 797. A bill to extend the authorization for the Coastal Heritage Trail in the State of New Jersey; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself, Mr. VITTER, Mr. KIRK, and Mr. SESSIONS):

S. 798. A bill to address equity capital requirements for financial institutions, bank holding companies, subsidiaries, and affiliates, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE (for himself and Mr. TOOMEY):

S. 799. A bill to provide for a sequester replacement; read the first time.

By Mr. CORNYN:

S. 800. A bill to require the Secretary of Veterans Affairs to ensure that the South Texas Department of Veterans Affairs Health Care Center at Harlingen, located in Harlingen, Texas, includes a full-service inpatient health care facility of the Department of Veterans Affairs, to redesignate such center, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. BENNET, Mr. BROWN, Mr. JOHANNIS, and Mr. HARKIN):

S. 801. A bill to amend the Federal Crop Insurance Act to provide for crop production on native sod; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. HAGAN (for herself, Mr. CRAPO, Mr. CARPER, Mr. VITTER, Mr. COONS, Mr. RISCH, Ms. HEITKAMP, Mr. INHOFE, Mrs. MCCASKILL, Mr. DONNELLY, Mr. PRYOR, Ms. LANDRIEU, and Mr. CHAMBLISS):

S. 802. A bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Environment and Public Works.

By Mr. REID (for Mr. LAUTENBERG (for himself, Mrs. GILLIBRAND, and Mr. BLUMENTHAL)):

S. 803. A bill to provide enhanced disaster unemployment assistance to States affected by Hurricane Sandy and Tropical Storm Sandy of 2012, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself and Mr. BENNET):

S. 804. A bill to streamline and address overlap in the Federal workforce investment system, steer Federal training dollars toward skills needed by industry, establish incentives for accountability through a Pay for Performance pilot program, and provide new access to the National Directory of New Hires, to measure performance and better connect the unemployed to jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Mr. HARKIN, and Mrs. MURRAY):

S. 805. A bill to improve compliance with mine and occupational safety and health laws, and empower workers to raise safety concerns, prevent future mine and other workplace tragedies, and establish rights of families of victims of workplace accidents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROBERTS (for himself, Ms. STABENOW, Mr. CASEY, and Mr. BROWN):

S. 806. A bill to amend part B of title XVIII of the Social Security Act to exclude customary prompt pay discounts from manufacturers to wholesalers from the average sales price for drugs and biologicals under Medicare; to the Committee on Finance.

By Mrs. MCCASKILL:

S. 807. A bill to require that Federal regulations use plain writing that is clear, concise, and well-organized, and follows other best practices appropriate to the subject or field and intended audience; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MCCASKILL:

S. 808. A bill to establish the Office of the Inspector General of the Senate; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. BEGICH, Mr. TESTER, Mr. SANDERS, Mr. MERKLEY, Mr. SCHATZ, and Mr. HEINRICH):

S. 809. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that genetically engineered food and foods that contain genetically engineered ingredients be labeled accordingly; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TOOMEY (for himself, Mr. CASEY, and Mr. MCCONNELL):

S. Res. 109. A resolution expressing the sense of the Senate that the United States should leave no member of the Armed Forces unaccounted for during the drawdown of forces in Afghanistan; to the Committee on Armed Services.

By Mr. COBURN (for himself and Mr. UDALL of Colorado):

S. Res. 110. A resolution to prevent the creation of duplicative and overlapping Federal programs; to the Committee on Rules and Administration.

By Mr. REID (for Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mr. THUNE, and Mr. BLUNT)):

S. Res. 111. A resolution supporting the goals and ideals of National Safe Digging Month; considered and agreed to.

By Mr. WICKER (for himself, Mr. REID,

Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. Res. 112. A resolution commending employees of the Senate Post Office, employees of the Sergeant at Arms of the Senate, members of the Capitol Police, and members of the Capitol Hill community for their courage and professionalism following the biochemical attack against the Senate on April 16, 2013; considered and agreed to.

By Mr. KAINE (for himself and Ms. COLLINS):

S. Res. 113. A resolution designating April 23, 2013 as "National Adopt a Library Day"; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 114. A resolution to authorize testimony, documents, and representations in United States v. Renzi, et al; considered and agreed to.

By Mr. HARKIN (for himself, Mr. WHITEHOUSE, Mr. SANDERS, Ms. WARREN, Ms. MIKULSKI, Mr. BROWN, Mr. LAUTENBERG, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mrs. HAGAN, Mr. SCHATZ, Mr. MERKLEY, Mr. REED, and Mr. BEGICH):

S. Con. Res. 15. A concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 323

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 375

At the request of Mr. TESTER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 445

At the request of Mr. FRANKEN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 445, a bill to improve security at State and local courthouses.

S. 624

At the request of Mr. BURR, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 624, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers.

S. 689

At the request of Mr. HARKIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 690

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 690, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 710

At the request of Mr. WARNER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 710, a bill to provide exemptions from municipal advisor registration requirements.

S. 724

At the request of Mr. BLUNT, the names of the Senator from Indiana (Mr. COATS), the Senator from Kansas (Mr. ROBERTS) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 724, a bill to provide flexibility to agencies on determining what employees are essential personnel in implementing the sequester.

S. 725

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 725, a bill to provide a taxpayer bill of rights for small businesses.

S. 728

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 728, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 733

At the request of Mr. ALEXANDER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 733, a bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

S. 749

At the request of Mr. CASEY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 754

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 754, a bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops.

S. 774

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. 774, a bill to require the Comptroller General of the United States to submit a report to Congress on the effectiveness of the Federal Communications Commission's universal service reforms.

S. 777

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 777, a bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 790

At the request of Mrs. McCASKILL, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Idaho (Mr. RISCH), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mrs. FISCHER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 790, a bill to require the United States International Trade Commission to recommend temporary duty suspensions and reductions to Congress, and for other purposes.

S.J. RES. 13

At the request of Mr. WARNER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S.J. Res. 13, a joint resolution amending title 36, United States Code, to designate July 26 as United States Intelligence Professionals Day.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Rhode Island (Mr. REED) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

AMENDMENT NO. 740

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 740 intended to be proposed to S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOEVEN (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. BEGICH, Ms. AYOTTE, Mrs. SHAHEEN, Mr. PORTMAN, Mr. RISCH, Mr. COATS, Mr. CHAMBLISS, Mr. LEE, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. MANCHIN, Mr. ALEXANDER, Mr. MCCAIN, Mr. TOOMEY, Mr. ENZI, Mr. KIRK, Mr. BARRASSO, Mr. MCCONNELL, Mr. COBURN, Mr. SCOTT, Mr. INHOFE, Mr. GRASSLEY, Mr. HEINRICH, Mr. ROBERTS, Mr. CRAPO, Mr. JOHNSON of Wisconsin, Mr. JOHANNIS, Mr. PAUL, Mr. COCHRAN, Mrs. FISCHER, Mr. SESSIONS, Mr. WICKER, Mr. BLUNT, Mr. BOOZMAN, Mr. RUBIO, and Mr. HATCH):

S. 794. A bill to prevent an increase in flight delays and cancellations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. HOEVEN. Mr. President, I rise this morning to introduce legislation.

The legislation is entitled the “Dependable Air Service Act.” It is a very simple, straightforward solution to the issue of the furloughs of air traffic controllers, and I would like to take just a few minutes to describe it.

This is bipartisan legislation. I would like to start out by thanking my cosponsors. The lead cosponsor is Senator AMY KLOBUCHAR of Minnesota, but other cosponsors are Senator JOHN CORNYN of Texas, Senator ROB PORTMAN of Ohio, Senator KELLY AYOTTE, Senator RISCH of Idaho, and also Senator JEAN SHAHEEN of New Hampshire. As one can see, it is bipartisan legislation. These are original cosponsors on the bill with me, and we will have more, as we are talking to others.

As I said, this is a very simple, straightforward solution to the issue we face of delays in our airports across the country because of the furloughs to air traffic controllers. What the bill does is to say to the Administrator of the FAA—the Federal Aviation Administration, Administrator Huerta—that he can use dollars within his budget, move them around as he needs to move them around, and that is what he needs to do—to move dollars around within his budget so he does not have to take \$206 million out of the salary line of the air traffic controllers. He can then decide what reductions he can make in those salaries and what level of furloughs he can make to air traffic controllers but still maintain air service on an on-time basis, so we have dependable on-time air service across this country for our citizens.

Further, it provides that if for any reason the FAA Administrator, within his budget, cannot fully accomplish that, then the Secretary of Transportation, Mr. LaHood, can work with him to utilize funds within the budget of the Department of Transportation. It provides the authority, quite simply, to move the dollars around within the budget of the DOT—Department of Transportation—and gives the Secretary that authority to make sure they do not furlough more air traffic controllers than are needed to keep our air flights on time, to keep service, of course, safe and dependable so the traveling public can be assured their flights are going to be on time.

The FAA has announced they are furloughing about 1,500 air traffic controllers, which is about 10 percent of their total air traffic controller workforce. They are doing this to save \$206 million of the roughly \$630 million to \$640 million the FAA is reducing under sequestration. They have the authority to move 2 percent of their operating budget without congressional approval, and they have the authority to move up to 5 percent of their operational budget around with congressional approval, which means coming to the Appropriations Committee and getting approval

to move up to that 5 percent. But FAA Administrator Huerta has said that is not a sufficient amount to make the adjustments he needs to make within the FAA budget to address the furlough issue.

So what this bill does, quite simply, is it says: Look, you can move the dollars as you need to within your budget. You have the flexibility and the authority to do that. Do that. And if for any reason that isn’t sufficient, then Secretary LaHood can backstop that through the Department of Transportation dollars.

To put this into perspective, the total budget for the Department of Transportation is \$72 billion—\$72 billion—and the total cuts throughout DOT, which includes the FAA, under sequestration is about \$1 billion—\$1 billion. The FAA is taking \$637 million of that reduction. Of course, the real issue we are dealing with in terms of flight delays is that about \$206 million comes out of the air traffic controller salary line. So what we are saying is: Look, make some reductions, find some economies, do what you can within the air traffic controller line, just as you are doing across the budget. We should all be doing that because the Federal Government has a huge deficit. We have a huge debt. We have to find ways to reduce spending. So we are all in this together and we have to find sensible, commonsense ways to minimize the impact to the public. We have to, with that approach, find savings. So find the savings you can in terms of how many air traffic controllers you can truly furlough and then move the dollars you have to in order to be sure we do not impact the traveling public.

Again, this is a bipartisan bill. This is a simple—straightforward solution to the issue, and we need to do it. We need to do it.

On Monday, reports were there were 1,200 flights delayed across the country. At airports in New York, in Dallas, and in Los Angeles, some of those flights were up to several hours. What the FAA has indicated is that up to 6,700 flights a day out of the roughly 23,000-plus flights a day may be delayed because of these air traffic controller furloughs. There is no reason for that. So I want the public to know we are putting forth a simple, straightforward bipartisan solution that still saves the dollars we need to save but gives the simple, straightforward flexibility that is necessary—both within FAA and DOT, if necessary—to make the adjustments, to make sure those flights are on time for the traveling public.

I called Secretary LaHood yesterday. I said: What do you think? He said: I think that will work fine. Great. Let’s work together. Let’s do it.

We talked to the airlines association. We talked to the FAA Administrator and said: What do you think? The air traffic controllers union: What do you

think? They all seemed to say: Commonsense, simple, straightforward. Let’s do it.

Let’s make sure we solve problems for the American public. They need to know that not only are their flights safe, they need to know they are dependable. They need to know when they show up at the airport that airplane is going to leave when they expect it to leave. It is important for our families, it is important for our businesses, it is important for the economy of this country, and it is easily solved. So let’s do it.

I ask my colleagues to join me in this legislation.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 796. A bill to designate the facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, as the “James R. Burgess Jr. Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, today along with my colleague Senator MARK KIRK, I introduced a bill to name the United States Postal Service facility at 302 East Green Street in Champaign, Illinois, as the James R. Burgess Jr. Post Office Building.

I am proud to introduce this measure to honor Mr. Burgess, an accomplished Illinois war veteran and public servant. Mr. Burgess served his country honorably in World War II and after. At age 29, he led one of six companies in the 761st Tank Battalion, the first African-American armored unit to enter battle in World War II. The 761st served under General George Patton. After the war, he remained in the military, serving in Army intelligence. As part of his training, Mr. Burgess attended both German and Russian language school. He retired from the Army in 1962 with a “top secret” clearance.

After his military career, Mr. Burgess moved his wife and two sons to Champaign where he earned a law degree from the University of Illinois. After moving to Chicago for a time, the family eventually returned to Champaign where Mr. Burgess worked for the Champaign County State’s Attorney. In 1972, he was elected to the post himself. He became the first and, to this day, the only African American elected to county-wide office in Champaign County.

In 1977, President Jimmy Carter appointed Mr. Burgess to be United States Attorney for what was then the Eastern District of Illinois. He held that position until 1982. Mr. Burgess passed away in 1997.

I look forward to working with my colleagues in the House and Senate to complete the effort long-undertaken by his loving son, Steve, and family to honor this worthy Illinoisan and patriotic American.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 796

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JAMES R. BURGESS JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, shall be known and designated as the “James R. Burgess Jr. Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “James R. Burgess Jr. Post Office Building”.

By Mr. CORNYN:

S. 800. A bill to require the Secretary of Veterans Affairs to ensure that the South Texas Department of Veterans Affairs Health Care Center at Harlingen, located in Harlingen, Texas, includes a full-service inpatient health care facility of the Department of Veterans Affairs, to redesignate such center, and for other purposes; to the Committee on Veterans' Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 800

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Treto Garza Far South Texas Veterans Inpatient Care Act of 2013”.

SEC. 2. INPATIENT HEALTH CARE FACILITY AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY IN HARLINGEN, TEXAS.

(a) FINDINGS.—Congress makes the following findings:

(1) The current and future health care needs of veterans residing in Far South Texas are not being fully met by the Department of Veterans Affairs.

(2) According to recent census data, more than 108,000 veterans reside in Far South Texas.

(3) Travel times for veterans from the Valley Coastal Bend area from their homes to the nearest Department of Veterans Affairs hospital for acute inpatient health care can exceed six hours.

(4) Even with the significant travel times, veterans from Far South Texas demonstrate a high demand for health care services from the Department of Veterans Affairs.

(5) Ongoing overseas deployments of members of the Armed Forces from Texas, including members of the Armed Forces on active duty, members of the Texas National Guard, and members of the other reserve components of the Armed Forces, will continue to increase demand for medical services provided by the Department of Veterans Affairs.

(6) The Department of Veterans Affairs employs an annual Strategic Capital Invest-

ment Planning process to “enable the VA to continually adapt to changes in demographics, medical and information technology, and health care delivery”, which results in the development of a multi-year investment plan that determines where gaps in services exist or are projected and develops an appropriate solution to meet those gaps.

(7) According to the Department of Veterans Affairs, final approval of the Strategic Capital Investment Planning priority list serves as the “building block” of the annual budget request for the Department.

(8) Arturo “Treto” Garza, a veteran who served in the Marine Corps, rose to the rank of Sergeant, and served two tours in the Vietnam War, passed away on October 3, 2012.

(9) Treto Garza, who was also a former co-chairman of the Veterans Alliance of the Rio Grande Valley, tirelessly fought to improve health care services for veterans in the Rio Grande Valley, with his efforts successfully leading to the creation of the South Texas VA Health Care Center at Harlingen, located in Harlingen, Texas.

(b) REDESIGNATION OF SOUTH TEXAS DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE CENTER.—

(1) IN GENERAL.—The South Texas Department of Veterans Affairs Health Care Center at Harlingen, located in Harlingen, Texas, is redesignated as the “Treto Garza South Texas Department of Veterans Affairs Health Care Center”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the medical facility of the Department of Veterans Affairs referred to in paragraph (1) shall be deemed to be a reference to the “Treto Garza South Texas Department of Veterans Affairs Health Care Center”.

(c) REQUIREMENT OF FULL-SERVICE INPATIENT FACILITY.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the Treto Garza South Texas Department of Veterans Affairs Health Care Center includes a full-service inpatient health care facility of the Department and shall modify the existing facility as necessary to meet that requirement.

(2) PLAN TO EXPAND FACILITY CAPABILITIES.—The Secretary shall include in the annual Strategic Capital Investment Plan of the Department a project to expand the capabilities of the Treto Garza South Texas Department of Veterans Affairs Health Care Center by adding the following:

(A) Inpatient capability for 50 beds with appropriate administrative, clinical, diagnostic, and ancillary services needed for support.

(B) An urgent care center.

(C) The capability to provide a full range of services to meet the needs of women veterans.

(d) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing a plan to implement the requirements in subsection (c), including an estimate of the cost of required actions and the time necessary for the completion of those actions.

(e) FAR SOUTH TEXAS DEFINED.—In this section, the term “Far South Texas” means the following counties in Texas: Aransas, Bee, Brooks, Calhoun, Cameron, DeWitt, Dimmit, Duval, Goliad, Hidalgo, Jackson, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces,

Refugio, San Patricio, Starr, Victoria, Webb, Willacy, Zapata.

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Mr. HARKIN, and Mrs. MURRAY):

S. 805. A bill to improve compliance with mine and occupational safety and health laws, and empower workers to raise safety concerns, prevent future mine and other workplace tragedies, and establish rights of families of victims of workplace accidents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, I rise today to discuss mine safety, a critical issue to my state and the tens of thousands of miners across the Nation.

Earlier this month we observed the third anniversary of the Upper Big Branch mine disaster which killed twenty nine of our Nation's miners. That disaster, the most deadly in decades, shocked the country and made us realize that we must aggressively and continually seek to make mining safer and we cannot rest—because no number of deaths or accidents is acceptable.

In the past 3 years we have seen some positive steps in our Nation's mine safety efforts.

As part of the Dodd-Frank bill we required publicly-traded mining companies to report safety information to their shareholders through their public filings with the Securities and Exchange Commission.

Congress provided additional funds, \$22 million, for MSHA and the Federal Mine Safety and Health Review Commission to reduce the appeals backlog, enforce mine safety laws and investigate the Upper Big Branch Disaster.

MSHA has also pursued increased enforcement actions through their impact inspections that target violations at unsafe mines with poor compliance history or specific safety concerns. As of March 2013, the Administration had conducted 579 impact inspections, resulting in 10,036 citations, 946 orders, and 43 safeguards.

The administration has finalized rules to improve the broken “Pattern of Violations” process to better pursue repeat offenders.

While we have had these improvements we also know that 97 miners have died on the job since this tragedy. That is 97 new grieving families. That is unacceptable to me, and I think to most people.

So it is clear that we must do more.

That is why today I am reintroducing my comprehensive mine safety legislation the Robert C. Byrd Mine and Workplace Safety and Health Act of 2013. We do incredibly important things in this bill including.

We give MSHA expanded authority to subpoena documents and testimony.

Currently, MSHA does not have the authority to subpoena documents or testimony from operators outside the context of a formal, public hearing. MSHA should have this authority in the context of investigations and inspections as well as public hearings.

We provide for an independent investigation of the most serious accidents. The bill creates an independent panel, comprised of a team of independent experts, to investigate the actions of both the operator and MSHA for serious accidents, including any accident involving three or more deaths.

We strengthen whistleblower protections for miners who speak out about unsafe conditions. This bill will require one hour annually of "miner's rights training" to inform workers of the law's protections, give miners an express right to refuse unsafe work, expand the time limit for filing a complaint about retaliation from 60 to 180 days, and authorize punitive damages and criminal penalties for retaliation against workers who raise safety concerns.

We increase maximum penalties. Currently, criminal violations of mine safety laws are a misdemeanor for a first offense. To provide a strong deterrent for such serious misconduct, the penalties for knowing violations of safety standards will be raised to the felony level, including providing felony penalties for miners, operators, and government officials who knowingly provide advance notice of inspections.

We also increase civil penalties for making unsafe ventilation changes and violating mandatory health or safety standards for rock dusting or failing to keep the records required. These are areas of particular concern that were highlighted by investigations conducted by the Mine Safety and Health Administration, the United Mine Workers of America, and the Governor's Independent Investigation.

We limit Miners' Exposure to Black Lung Disease. This debilitating disease is on the rise among a new generation of coal miners. Specifically, the provision would require that MSHA issue a rule within 6 months, a rule that is long overdue, to lower exposure levels to respirable dust which would provide the maximum feasible protection that is achievable through environmental controls. It would also require that MSHA reexamine the incidence of black lung disease every 5 years and, unless there is a decline in black lung, update the regulations again. More than 70 percent of the victims tested at Upper Big Branch were determined to have signs of black lung disease.

We improve Federal and State Coordination to Combat Safety Violations. The Governor's Independent Investigation Panel recommended that Federal and State agencies immediately work together to address safety problems at mines right after they are

found out, and this provision would strongly encourage such actions.

I want to be very clear that I will not give up on fighting for the safety and health of our Nation's miners. Health and safety are issues that people shouldn't have to compromise on. I will continue this fight for West Virginia's miners and it is my hope that more of my colleagues will join me in these efforts.

Mr. HARKIN. Mr. President, I strongly support the Robert C. Byrd Mine and Workplace Safety Act. This bill brings the Nation's mine health and safety laws up to date, gives mine safety officials the ability to effectively investigate and shut down habitually dangerous mines, and holds mine operators accountable for putting their workers in unnecessary danger.

It has been over 3 years since April 5, 2010, when a massive explosion ripped through Massey Energy's Upper Big Branch Mine in West Virginia, tragically killing 29 miners. As the son of a coal miner, I continue to feel these losses very deeply, on a very personal level. My heart goes out to the family and coworkers of every worker who is killed or injured on the job. Too many of these tragedies are preventable, and we should not rest until the day comes when no hard-working American has to sacrifice his or her life for a paycheck.

The Upper Big Branch catastrophe spurred numerous investigations, and the resulting reports have yielded insight into specific ways that the government can act to improve the health and safety of our Nation's miners. Under the leadership of Joe Main, the Mine and Safety Health Administration has already taken many such important steps. One of their bold new safety initiatives that flowed from the Upper Big Branch explosion was to overhaul the "pattern of violations" process, which targets the worst actors in the mining industry. The pattern of violations regulation addresses a root cause of the Upper Big Branch disaster by strengthening worker protections at mines where operators are repeatedly and flagrantly disregarding safety rules. It is a substantial step forward that will help address the problems at our most dangerous mines before disaster strikes. And MSHA has made similar progress on other recommendations stemming from the Upper Big Branch disaster. Indeed, according to a March 31, 2013, report from the Labor Department's Office of Inspector General, MSHA has already implemented or is on track to timely address all of the 100 recommendations with deadlines from the investigative teams that studied the Upper Big Branch explosion.

I applaud these efforts wholeheartedly, and I am pleased to mark our Nation's progress in mine safety reform. On-the-job deaths of miners reached a record low in 2012 of 35. But

35 deaths means 35 brothers, sons, uncles, and fathers were stolen away from their families last year—a number that is still far too high. Catastrophes like the Upper Big Branch explosion make it clear that our work here is unfinished.

To prevent yet another disaster and more unnecessary deaths, Congress must do its part. It is time for the Senate to take action and ensure that a disaster like the Upper Big Branch explosion will never happen again. We need to strengthen the oversight system for the most dangerous mines, fortify penalties for operators who willfully put miners at risk, and make sure miners are protected if they raise safety concerns. And that is why I strongly support the Robert C. Byrd Mine and Workplace Safety Act of 2013. This bill is an important step in making good on an obligation we have to health and safety of our courageous miners and their families.

This bill stands for some fundamental principles I believe are shared by all Americans.

We believe that every American deserves to go to work without fearing for his or her life.

We believe that responsible businesses that put safety first shouldn't have to compete with businesses that prioritize a quick buck over the safety of their employees.

We believe that employers who put workers' lives at risk should face serious consequences that will force them to change their ways.

We believe that companies shouldn't be able to hide behind high priced lawyers and convoluted corporate structures to avoid being held accountable for their actions.

We believe that the critical agencies charged with protecting workers' lives should have all the tools they need to get the job done.

We believe that whistleblowers are the first line of defense in safe workplaces and deserve strong protection from discrimination and retaliation.

The Robert C. Byrd Mine and Workplace Safety Act of 2013 reflects these core principles and includes effective policies to achieve them. Its passage would be a major step forward for workplace safety.

This legislation also makes common sense reforms to the Occupational Safety and Health Act, OSHA, which has not been significantly updated since it was passed over 40 years ago. For example, whistleblower protections under the OSH Act are toothless and unfairly tilted against workers who risk their career to protect the public welfare. This bill makes essential changes to ensure that workers are protected, including lengthening OSHA's 30-day statute of limitation for whistleblowers, providing for reinstatement while the legal process unfolds for cases with an initial finding of

merit and giving the worker the right to file their own claim in court if the government does not investigate the claim in a timely manner.

The bill also strengthens criminal and civil penalties that, at present, are too weak to protect workers. Under current law, an employer may be charged—at most—with a misdemeanor when a willful violation of OSHA leads to a worker's death. Under the Robert C. Byrd Mine and Workplace Safety Act of 2013, felony charges are available for an employer's repeated and willful violations of OSHA that result in a worker's death or serious injury. The bill also updates OSHA civil penalties—which have been unchanged since 1990—and sets a minimum penalty of \$50,000 for a worker's death caused by a willful violation.

In addition to toughening sanctions for employers who needlessly expose their employees to risk, the bill makes sure that the government is responsive to workers when investigating charges. It guarantees victims the right to meet with the person investigating the claim, to be notified of and receive copies of reports or citations issued in the investigation, and to be notified of and have the right to appear at proceedings related to their case. Victims of retaliation should not suffer the double indignity of being ignored by government officials charged with protecting them.

I hope that my colleagues on both sides of the aisle will support the Robert C. Byrd Mine and Workplace Safety Act of 2013. This important bill would take a tremendous step forward for mine safety and could ultimately save the lives of thousands of hard-working Americans.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 109—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SHOULD LEAVE NO MEMBER OF THE ARMED FORCES UNACCOUNTED FOR DURING THE DRAWDOWN OF FORCES IN AFGHANISTAN

Mr. TOOMEY (for himself, Mr. CASEY, and Mr. MCCONNELL) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 109

Whereas the United States is a country of great honor and integrity;

Whereas the United States has made a sacred promise to members of the Armed Forces who are deployed overseas in defense of this country that their sacrifice and service will never be forgotten; and

Whereas the United States can never thank the proud members of the Armed Forces enough for what they do for this country on a daily basis: Now, therefore, be it

Resolved, That the Senate—

(1) believes that abandoning the search efforts for members of the Armed Forces who are missing or captured in the line of duty now or in the future is unacceptable;

(2) believes that the United States has a responsibility to keep the promises made to members of the Armed Forces who risk their lives on a daily basis on behalf of the people of the United States;

(3) supports the United States Soldier's Creed and the Warrior Ethos, which state that "I will never leave a fallen comrade"; and

(4) believes that, while the United States continues to transition leadership roles in combat operations in Afghanistan to the people of Afghanistan, the United States must continue to fulfill these important promises to any member of the Armed Forces who is in a missing status or captured as a result of service in Afghanistan now or in the future.

SENATE RESOLUTION 110—TO PREVENT THE CREATION OF DUPLICATIVE AND OVERLAPPING FEDERAL PROGRAMS

Mr. COBURN (for himself and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Rules and Administration:

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Preventing Duplicative and Overlapping Government Programs Resolution".

SEC. 2. REPORTED LEGISLATION.

Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking "and (b)" and inserting "(b), and (c)";

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

"(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

"(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

"(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist."

SEC. 3. CONSIDERATION OF LEGISLATION.

Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

"6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

"(b) The analysis and explanation required by this subparagraph shall contain—

"(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

"(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

"(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

"(1) a significant disruption to Senate facilities or to the availability of the Internet; or

"(2) an emergency as determined by the leaders."

SENATE RESOLUTION 111—SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. REID (for Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mr. THUNE, and Mr. BLUNT)) submitted the following resolution; which was considered and agreed to:

S. RES. 111

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State "One Call" systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated "811" as the nationwide "One Call" number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas "One Call" has helped reduce the number of digging damages caused by failure to call before digging from 48 percent in 2004 to 26 percent in 2011;

Whereas the 1,600 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national "Call Before You Dig" campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines;

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 affirmed and expanded the "One Call" program by eliminating the exemptions from notifying "One Call" centers before digging that were formerly given to local and State government agencies and their contractors; and

Whereas the Common Ground Alliance has designated April as "National Safe Digging Month" to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national "Call Before You Dig" number:

Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

**SENATE RESOLUTION 112—COM-
MENDING EMPLOYEES OF THE
SENATE POST OFFICE, EMPLOY-
EES OF THE SERGEANT AT
ARMS OF THE SENATE, MEM-
BERS OF THE CAPITOL POLICE,
AND MEMBERS OF THE CAPITOL
HILL COMMUNITY FOR THEIR
COURAGE AND PROFES-
SIONALISM FOLLOWING THE BIO-
CHEMICAL ATTACK AGAINST
THE SENATE ON APRIL 16, 2013**

Mr. WICKER (for himself, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 112

Whereas approximately 30,000 legislative branch employees work in the United States

Capitol Complex, including approximately 6,200 employees of the Senate, 11,500 employees of the House of Representatives, and 12,800 employees of other entities;

Whereas the Sergeant at Arms of the Senate implemented enhanced mail screening procedures following the opening of a letter containing anthrax spores that was delivered to the Senate on October 15, 2001;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, serve as the first line of defense of the Senate against biochemical threats delivered through the mail;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, successfully intercepted an envelope that tested positive for the deadly poison ricin on April 16, 2013;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, immediately implemented emergency protocols and contacted the Capitol Police and medical emergency response teams; and

Whereas the Capitol Police, other law enforcement agencies, and medical professionals responded expeditiously to the mail screening facility in Landover, Maryland, and performed their duties with courage and professionalism in spite of the threat of toxic exposure: Now, therefore, be it

Resolved, That the Senate—

(1) commends employees of the Senate Post Office, employees of the Sergeant at Arms of the Senate, members of the Capitol Police, and members of the Capitol Hill community for their courage, professionalism, and dedication to serving the public in response to the biochemical attack against the Senate on April 16, 2013;

(2) recognizes the congressional leadership, congressional employees, the Capitol Police, and the Office of the Attending Physician for establishing effective screening methods and response plans that prevented injury and death within the United States Capitol Complex; and

(3) requests that the President recognize the courage and professionalism of the employees of the Senate Post Office, employees of the Sergeant at Arms of the Senate, members of the Capitol Police, and members of the Capitol Hill community for their steadfast service to the public in defiance of those who seek to disrupt the constitutional duties of the legislative branch.

**SENATE RESOLUTION 113—DESIG-
NATING APRIL 23, 2013 AS "NA-
TIONAL ADOPT A LIBRARY DAY"**

Mr. KAINE (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 113

Whereas libraries are an essential part of the communities and the national education system of the United States;

Whereas the availability of books and services provided by libraries are vital to the happiness, livelihood, and prosperity of the families and communities of the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to use books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas libraries in the United States depend on the generous donations and support

of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools and libraries across the United States to extend the joy of reading to millions of people in the United States and to prevent used books from being thrown away;

Whereas libraries in the United States have provided valuable resources to people who are affected by the economic crisis by encouraging continued education and job training;

Whereas libraries are increasingly being used as a resource for people seeking the tools and information necessary to enter or reenter the workforce; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as "Adopt a Library Day": Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2013 as "National Adopt a Library Day";

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges all people of the United States who own unused books to donate the books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe National Adopt A Library Day with appropriate ceremonies and activities.

**SENATE RESOLUTION 114—TO AU-
THORIZE TESTIMONY, DOCU-
MENTS, AND REPRESENTATIONS
IN UNITED STATES V. RENZI, ET
AL**

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 114

Whereas, in the case of United States v. Renzi, et al., Case No. 08-212, pending in Arizona Federal district court, the prosecution and defense have requested the production of documents and employee testimony from the offices of Senator John McCain and former Senator Jon Kyl;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Office of Senator John McCain and the former Office of Senator Jon Kyl are authorized to produce relevant documents and employee testimony in the case of United States v. Renzi, et al., except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of the offices of Senators McCain and Kyl

in connection with the production of evidence authorized in section one of this resolution.

SENATE CONCURRENT RESOLUTION 15—EXPRESSING THE SENSE OF CONGRESS THAT THE CHAINED CONSUMER PRICE INDEX SHOULD NOT BE USED TO CALCULATE COST-OF-LIVING ADJUSTMENTS FOR SOCIAL SECURITY OR VETERANS BENEFITS, OR TO INCREASE THE TAX BURDEN ON LOW- AND MIDDLE-INCOME TAXPAYERS

Mr. HARKIN (for himself, Mr. WHITEHOUSE, Mr. SANDERS, Ms. WARREN, Ms. MIKULSKI, Mr. BROWN, Mr. LAUTENBERG, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mrs. HAGAN, Mr. SCHATZ, Mr. MERKLEY, Mr. REED, and Mr. BEGICH) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 15

Whereas the Social Security program was established more than 77 years before the date of agreement to this resolution and has provided economic security to generations of Americans through benefits earned based on contributions made over the lifetime of the worker;

Whereas the Social Security program continues to provide modest benefits, averaging approximately \$1,156 per month, to more than 57,000,000 individuals, including 37,000,000 retired workers in March 2013;

Whereas the Social Security program has no borrowing authority, has accumulated assets of \$2,700,000,000,000, and, therefore, does not contribute to the Federal budget deficit;

Whereas the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund projects that the Trust Fund can pay full benefits through 2032;

Whereas the Social Security program is designed to ensure that benefits keep pace with inflation through cost-of-living adjustments (referred to in this preamble as "COLAs") that are based upon the measured changes in prices of goods and services purchased by consumers that is currently published by the Bureau of Labor Statistics as the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W);

Whereas the Bureau of Labor Statistics publishes a supplemental measure of inflation, the Chained Consumer Price Index for all Urban Consumers (C-CPI-U), or "Chained CPI", which adjusts for projected changes in consumer behavior resulting from price fluctuations known as the "substitution effect";

Whereas the substitution effect occurs when consumers buy more goods and services with prices that are rising slower than average and fewer goods and services with prices that are rising faster than average;

Whereas studies indicate that typical Social Security beneficiaries spend a significantly higher percentage of their budget than other consumers on health care, health care prices have increased at higher than average rates, and consumers, including seniors, may not be able to substitute health care easily;

Whereas the current COLAs, based on the CPI-W, fail to reflect that Social Security beneficiaries spend more of their income proportionally on expenses such as health care as compared to a regular wage earner, and

therefore underestimate increases in the cost of living of Social Security beneficiaries;

Whereas the Congressional Budget Office has estimated that using the Chained CPI to calculate Social Security COLAs would reduce Social Security benefits by 0.25 percent per year, resulting in a reduction in outlays of \$127,000,000,000 over the first decade;

Whereas reductions in Social Security benefits from using the Chained CPI to calculate Social Security COLAs would continue to compound over time, and the AARP Public Policy Institute estimates that the reductions would grow to 3 percent after 10 years and 8.5 percent after 30 years;

Whereas Social Security Works estimates that using the Chained CPI to calculate Social Security COLAs would reduce annual Social Security benefits of the average earner by \$658 at age 75, \$1,147 at age 85, and \$1,622 at age 95;

Whereas reductions in Social Security benefits would harm some of the most vulnerable populations in the United States;

Whereas adopting the Chained CPI would cause tax brackets and the standard deduction to rise more slowly, disproportionately raising the tax burden on low- and middle-income taxpayers;

Mr. HARKIN. Mr. President, I come to the floor today along with my colleague from Vermont to introduce a concurrent resolution expressing the sense of Congress that the so-called chained CPI should not be used for the purpose of calculating Social Security benefits or benefits for disabled veterans.

As we work to reduce the deficit in a balanced and responsible manner, many have discussed changing the measure of inflation used to calculate the cost-of-living allowances to a measure of inflation called the chained CPI.

Now, some claim that the chained CPI is a more accurate measure of inflation because it takes into account the fact that consumers may change their spending behavior and substitute items with lower priced increases for items with higher priced increases. As a result of this feature, the chained CPI results in a lower measure of inflation.

All of this may seem very technical, but the impact of requiring Social Security or veterans disability COLAs—cost-of-living adjustments—to be based on the chained CPI is anything but technical. It will have real and negative impacts on our seniors and those who become disabled as a result of service in the Armed Forces. In fact, the most adversely impacted would be the oldest and the poorest. I do not think anything could be more unfair or inappropriate or unnecessary.

As this first chart shows, the chained CPI is a real cut in Social Security benefits. According to Social Security Works, this policy would reduce annual Social Security benefits for the average worker at age 75 by \$658 a year, by age 85 by \$1,147 a year, and by age 95 by \$1,622 a year. Over on this side of the chart we see the cumulative cut; in other words, what would happen over

the years. From age 65 to 75 people would lose about \$4,600, by age 85 they would lose \$13,900, and by age 95 they would lose \$28,000.

I think a couple things this chart shows is that people are penalized for living longer—the longer they live, the more they are penalized.

Now, one might say: Well, \$658 a year by the time you are age 75, that does not sound like a lot. Yes, not to some of us, not to us with our incomes. Look at the kind of retirement programs we have. If you are in the upper quintile, of course, that does not seem like much. But, again, if we look at a second chart I have, we will see who really kind of gets hurt, and it is the poorer you are.

Let's put it this way: Let's say you are 65, and your total income is less than \$12,554 a year. That puts you below the poverty line. The total amount of your income that comes from Social Security is 84.3 percent. Well, you might think, if you are making less than that, wouldn't all your money come from Social Security? Well, the answer is yes, but—and I question people about this—if you are making that little amount of money, and you are over 65, you are probably working at some part-time job. Maybe you are baby-sitting, maybe you are cleaning houses, maybe you are a greeter at a store. You are probably doing something to add to your income, but it would only amount to about 16 percent. Most of it comes from Social Security.

We can see from this chart, even after you get up to \$20,000 a year, it is about the same. About 84 percent of your money comes from Social Security. So if you take a cut in Social Security, and you are lower income, that is where you get whacked the most.

Of course, when you get up here to the fifth quintile, you are making more than \$57,957 a year. Only 17 percent of your income comes from Social Security. So you say, well, if you took \$600-some a year from that, yes, you can probably afford it. But even if you look at up to \$57,000 a year in the fourth quintile, almost half—43.5 percent—of your total income comes from Social Security. So even if you are making \$30,000, \$35,000 a year, after age 65 half of your income comes from Social Security.

So, again, when you start making these kinds of cuts in the chained CPI, you might say: Well, it is only \$658 a year. For someone in the lower quintiles, that is like a month's worth of food, perhaps 6 weeks' worth of food. Tell me that does not have an effect. Of course it has an effect.

If you are in the upper income, you probably do not have that much to worry about. That is why the pernicious effect of chained CPI is that the longer you live, the more you are penalized; and the lower your income,

the bigger whack you are taking out of your total income. So, again, as people get older, they are more likely to have depleted all their sources of retirement income, assuming they have any to begin with.

So a couple of facts I think are pertinent: First, today only one in five Americans has a defined benefit pension that will last until the day they die—one in five. When I first came to Congress it was one in two. One out of every two Americans had a defined benefit pension that would last them until the day they died. Now it is one in five, and it is getting less all the time.

Second—and this startles a lot of people—50 percent of the American populace have less than \$10,000 in savings—less than \$10,000. One out of every two Americans has less than \$10,000 in savings. Well, you can see, if you have that when you retire, that is going to be gone pretty soon, so then you are going to rely, again, strictly on Social Security.

So when you put those two facts together—four out of five have no pension, and half have less than \$10,000 in savings—then you see that soon after you retire, the only thing you have left is Social Security.

So it is already hard enough now for millions of people hoping to retire, but then you put chained CPI in there, and you really are hitting the oldest and the poorest.

So, again, I know people are saying: Well, we have to do something to save Social Security for those in the future. Well, I agree with that. That is why whenever I see an honest assessment of Social Security for the future, an honest assessment that says Social Security cannot continue to exist as it is, well, I agree with that—as it is. But then there are two approaches. Do you whack the benefits or do you increase the revenues that come into Social Security?

Two different approaches. You do not have to cut the benefits. In fact, I would say that by talking about chained CPI, the signal you are sending to the younger generation is: Well, maybe when you get there we will whack it some more.

A lot of young people are saying, I do not know if Social Security is going to be there for me when I get that age. When they hear people talking about chained CPI and cutting this, they are right to be worried whether we are going to keep our promise to this next generation that we will have a Social Security system they can rely on and count on.

So what is to be done? Well, last year I introduced legislation that would basically extend the life of the Social Security trust fund to 2050 and give a \$65-a-month increase to every Social Security recipient, and yet extend the life of it for over 18 more years.

How do we do that? Very simply. We raise the wage cap for people who pay into Social Security from \$113,000 a year, which it is now. Over 10 years we raise it and do away with it after 10 years.

There is another approach too. The National Academy of Social Insurance, NASI, did a poll earlier this year. They asked: Would you be willing to go from 6.2 percent paying into Social Security to 7.2 percent, a 1-percent increase over 20 years, if that would help secure Social Security? Seventy percent of Republicans and Democrats said yes. Over 20 years, a 1-percent increase, that is nothing.

But if you were to take that and raise the wage cap, you could increase Social Security payments by \$65 a month and secure Social Security for up to 75 years. It seems to me if you want to send a message to the young people about the sanctity and stability of Social Security, you would say that rather than we are going to cut, we are going to have this so-called chained CPI.

As I said, I know it sounds technical. But it is not technical at all. I once likened chained CPI to an anchor chain. If you are standing on the boat and the anchor chain gets around your ankle and someone throws the anchor overboard, where are you going? You are going down. That is what chained CPI does. The older you get, the more you get hit on. The poorer you are, the more you get hit.

So, again, this idea that we have got to somehow cut benefits, have this chained CPI in order to save Social Security is wrong. It is wrong. There are other ways of doing it that would be widely, broadly supported by the American people. Go out and ask any group, ask any group of seniors, do you think we ought to raise the wage cap so someone who is making \$500,000 a year pays in at the same rate as someone who is making \$50,000 a year? Well, of course. That is not the case now. You make \$50,000 a year, you pay into Social Security on every dime you make. If you make \$500,000 a year, you are only paying in on the first about 20 cents of every dollar you make. After that you do not pay into Social Security.

I think the average American would say, that is not fair. What is good for someone making \$100,000 a year ought to be the same for someone making \$1 million a year. So there are other ways of securing Social Security. This chained CPI sends the wrong message to young people. It exacerbates the concern young people have, is Social Security going to be there when I retire?

I always tell them: Do you believe the U.S. Government will exist when you retire? They say: Well, yes. I say: If that is the case, Social Security will be there, because it is backed by the

full faith and credit of the U.S. Government.

What are we supposed to do? Are we supposed to cut that full faith and credit, and tell the young people, it will be there but we may take cuts here and there may be cuts there? What is a young person to think? Am I going to have what I think I am going to be able to have and count on Social Security?

This is a trust. My friend from Vermont is always talking about this is a trust fund. It is a trust. It does not add to the deficit. Think about the word trust. Social Security trust fund. You have got to be able to trust it. Young people need to be able to trust it, that it will be there for them. The best way to undermine that is to go to this chained CPI.

With that, I yield to my good friend who knows this issue better than just about anybody I know and who has fought so hard on behalf of Social Security and keeping that trust fund and keeping the trust in Social Security.

I yield the floor to Senator SANDERS.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I want to thank my colleague Senator HARKIN not only for his fight for seniors and disabled vets on this issue but for his long career in fighting for those people who often do not have a voice here in Washington. The time has come for the Senate to send a very loud and clear message to the American people. It is the message Senator HARKIN has just articulated, that is, we are not going to balance the budget on the backs of the elderly, on the backs of disabled veterans, on the backs of those people who are already, in the midst of this terrible recession, hurting so much.

As chairman of the Senate Veterans Affairs Committee, let me make it very clear that I will do everything I can to make sure we are not balancing the budget on the backs of disabled veterans, men and women who have lost their arms, their legs, and their eyesight defending this country. That is morally unacceptable.

The chained CPI—and this is an important point to make. Sometimes you hear the crescendo inside the beltway, and all of the lobbyists talking: This is the right way to go. But as Senator HARKIN mentioned, go across America, from Iowa to Vermont, California to Maine, the American people are saying in poll after poll: No, do not cut Social Security. Do not cut benefits for disabled vets.

The organizations that represent tens of millions of people are saying the same thing. The American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Iraq and Afghanistan Veterans of America, the Gold Star Wives, the Disabled American Veterans, they are on record—and I have submitted their testimony into

the CONGRESSIONAL RECORD—they are in opposition to this chained CPI.

But it is not just veterans organizations. The chained CPI is opposed by every major senior citizens group in this country—the AARP, the National Committee to Preserve Social Security and Medicare, the Alliance of Retired Americans, and other groups. The chained CPI is opposed by every major trade union in America, including the AFL-CIO. The chained CPI is opposed by every major disability group in the country. It is opposed by the National Organization for Women because they understand that cutting Social Security impacts women more than it does men.

Maybe once in a while the Senate might want to listen to ordinary Americans, people who do not have well-paid lobbyists, people who do not own the local newspapers, and do what is right for the American people. There are some who believe that lowering cost-of-living adjustments, COLAs, through the adoption of a so-called chained CPI would be a minor tweak in benefits, hardly worth discussing.

But let's be clear. For millions of disabled veterans and seniors living on fixed incomes, the chained CPI is not a minor tweak. It is a significant benefit cut that will make it harder for permanently disabled veterans and the elderly to feed their families, heat their homes, pay for their prescription drugs, and make ends meet. This misguided proposal must be vigorously opposed.

What I find truly disturbing is that folks such as Treasury Secretary Jack Lew and my Republican colleagues who refer to the chained CPI as “a more accurate measure of inflation.” That is their argument.

Senator HARKIN, when I speak to seniors in Vermont and I tell them there are some people in Washington who think the current COLAs are too generous, do you know what invariably happens? They start laughing. They should laugh. Two out of the last 4 years they got zero. I think the last COLA was 1.7 percent. There are some in Washington who think that is too generous.

I ask unanimous consent to have printed in the RECORD a statement from 250 Ph.D. economists and 50 social insurance experts who wrote:

No empirical basis for reducing the Social Security COLA.

No empirical basis.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ECONOMIST AND SOCIAL INSURANCE EXPERT
STATEMENT ON SOCIAL SECURITY COLA
NO EMPIRICAL BASIS FOR REDUCING THE SOCIAL
SECURITY COLA

November 20, 2012—250 Ph.D. economists and more than 50 social insurance experts with doctorates in related fields oppose proposals to reduce the Social Security cost-of-

living adjustment by tying it to an index (the chained CPI-U) that does not reflect the spending patterns of beneficiaries.

As economists and social insurance experts, we agree that the annual Social Security cost-of-living adjustment (COLA) should be based on the most accurate measure possible of the impact of inflation on beneficiaries. For this reason, we oppose proposals to reduce the Social Security COLA by tying it to a chained consumer price index that does not directly measure the actual expenditures of beneficiaries. Such a move would lower the COLA by an estimated 0.3 percentage points per year, translating into a 3 percent benefit cut after 10 years and a 6 percent cut after 20 years. The oldest beneficiaries, who are often the poorest beneficiaries, and persons receiving disability benefits for more than 20 years would see even larger cuts over time.

Arguments in favor of reducing the COLA are premised on the assumption that the current COLA overcorrects for inflation. However, it is just as likely that the current COLA fails to keep up with rising costs confronting elderly and disabled beneficiaries. For historical reasons, the current COLA is based on a consumer price index for workers, excluding retirees and other Social Security recipients who are not in the labor force. It and other indices based on the spending patterns of workers or the general population likely understate the impact of cost increases faced by Social Security beneficiaries because seniors and disabled people spend a greater share of their incomes on out-of-pocket medical expenses than do other consumers, and health costs have risen faster than overall inflation in recent decades.

A chained price index is supposed to more fully reflect the ability of consumers to substitute cheaper goods and services in response to price changes. Whether or not such substitution preserves consumers' standards of living, different consumers have varying ability to make such adjustments. Since elderly and disabled people spend a greater share of their incomes on necessities such as health care, rent, and utilities, and since this population is also less mobile, a chained COLA based on the spending patterns of workers or the general population may overestimate the ability of Social Security beneficiaries to take advantage of cheaper substitutes.

The actual spending patterns of Social Security beneficiaries have not been comprehensively studied. However, an experimental index computed by the Bureau of Labor Statistics suggests that the current COLA may not keep up with seniors' costs of living. Until direct evidence is gathered, there is no empirical basis for reducing the Social Security COLA, which could exacerbate, rather than correct, an existing problem.

MR. SANDERS. This is what these 250 economists write:

As economists and social insurance experts, we agree that the annual Social Security cost of living adjustment should be based on the most accurate measure possible of the impact of inflation on beneficiaries. For this reason, we oppose proposals to reduce the Social Security COLA by tying it to a chained consumer price index. Arguments in favor of reducing the COLA are premised on the assumption that current COLA overcorrects for infla-

tion. However, it is just as likely that the current COLA fails to keep up with rising costs confronting elderly and disabled beneficiaries.

The reason for that is pretty clear. If you are a senior citizen or disabled vet, the likelihood is you are not buying iPads or flat-screen TVs or other types of things such as that. What are you buying? You are buying health care, you are buying prescription drugs, you are trying to heat your home. For seniors' purchasing habits, in many ways inflation has been higher, not lower, than general inflation. Senator HARKIN made reference to this.

Let's be very clear. There are millions and millions of seniors who are economically struggling, struggling to keep their heads above water to buy the prescription drugs they need, to pay for the health care costs they need, to keep their homes warm in States such as Vermont or Iowa in the winter.

Nearly one-quarter of seniors depend on Social Security benefits for 100 percent of their income. Two-thirds depend on Social Security for a majority of their income. We are talking, and I hear from the White House and elsewhere, they are going to protect the poorest of the poor. Well, to my mind, when someone in Vermont is trying to get by on \$15,000 a year, that person needs protection. Anyone who thinks that is a lot of money clearly does not have any sense of what is going on in the real world.

According to the Social Security Administration, under the administration's chained CPI proposal, average 65-year-old retirees would lose \$658 a year in Social Security benefits by their 75th birthday, a cumulative loss of over \$4,500. Once again, I understand that people here go for lunch, take a few friends out, you can spend \$600. But for senior citizens struggling on \$14,000 or \$15,000 a year, \$658 dollars is a lot of money and means the loss, if you do not have that money, of a very basic need.

For veterans, if we go in the route of the chained CPI, disability benefits for veterans at age 30, they would have their benefits reduced by \$1,425 a year; at age 45, \$2,300 a year; at age 55, \$3,200 a year; at age 65, benefits for surviving spouses, the wives who lost their husbands in Iraq and Afghanistan, and their kids would also be cut.

I think as a Senate, as a Congress, we should take a deep, deep breath, if we think we should be balancing the budget on those people who have already given so much to this country.

Let me conclude by again making the point Senator HARKIN so ably made. Many of us want to make sure Social Security is strong not just for the next 20 years in which it can pay out all benefits but for the next 75 years. The way to do that is not to cut benefits;

the way to do that is exactly as Senator HARKIN and I and many other people have suggested—that is, understanding that there is something absurd when somebody who makes \$5 million a year contributes the same exact amount of money into the Social Security trust fund as somebody who makes \$113,000 a year.

There are different ways to approach that issue, but by lifting the cap—and do it one way or the other—we can make Social Security solvent for the next 75 years for our kids and for our grandchildren.

The last point—and Senator HARKIN has been a leader on this issue—pointing out about how many Americans have lost their pensions. We are probably in worse shape than at any time in modern history for the average person to go into retirement. Social Security is and has been the pillar for those people. They have lost their pensions, and their 401(k)s have also been troubled. Social Security has been there for the last 75-plus years in good times and bad times. It paid out every nickel owed to every eligible American.

People are nervous about their retirements. Let's stand united and say we are not going to cut Social Security benefits for seniors or disabled vets. There are other ways to go forward and make sure Social Security is strong for the next 75 years.

I yield to the Senator from Iowa.

Mr. HARKIN. Would the Senator yield for a question?

First of all, I thank my colleague from Vermont for being a strong voice on this issue and on so many issues that affect the elderly and especially our veterans. The Senator is the chair of that committee.

I am always curious as to why it is that so many of the dark suits here in Washington are always after Social Security. I don't say there is some ill spirit there, although I will say I think the Senator might agree that there are some who would like to privatize Social Security. We know that. They have said that in the past—or partially privatize it.

It seems to me that so many people who get involved in this think it is just a little nick.

I saw a cartoon of a barber cutting somebody's hair. They had this huge ball of hair, and they were snipping just a couple of little hairs off and saying: That is all we are doing with chained CPI.

They think it is such a small thing. It always occurred to me that those people making the decisions, the dark suits, those are all people who probably have good pensions, good retirement systems. They are never going to want for anything. Yet somehow they just think, well, \$658 bucks—that is not a big deal, up to 75. But, as the Senator pointed out, \$658 in 1 year to someone whose income is \$15,000—that could be

a month's worth of food, 6 weeks' worth of food.

Mr. SANDERS. That is right.

Mr. HARKIN. That is a big whack. I would ask the Senator, again, if he has any thoughts—

Mr. SANDERS. I do.

Mr. HARKIN. On why is it that we can't listen to people and come up with another approach on this rather than this chained CPI?

Mr. SANDERS. That is a very important question, and let me answer it in several ways. First thought: let's be clear, we have some colleagues in the House and Senate who believe not just that you should privatize Social Security, not just that you should cut Social Security, they believe the concept of government assistance in terms of retirement or government programs in terms of health care, they believe they are unconstitutional. They don't believe the government should be there. If you are elderly and you have no health care, sorry, you are on your own. That is No. 1.

There is a philosophical belief on the part of some that what government does should be very limited and that we should not be there to make sure that when the elderly people reach retirement age, they have security.

The second point is about the consistently—and this has gone on for years—the long-term opposition to Social Security. Does the Senator know what it is about? It is because Social Security has worked so well. If you hold the belief that the government is terrible, the government is awful, and the government can't do anything, and if there is a program that for 77 years has paid every nickel owed to every eligible American, has very modest administrative costs, and is very popular among the American people, and you don't believe in government, that is a bad thing. They have to start cutting it and doing away with it.

The third point I would make—again, no secret here—is that we have a significant deficit, and we have choices to make as to how we deal with the deficit.

When we lose \$100 billion every single year because corporations stash their money in the Cayman Islands and in other tax havens, maybe we might want to ask them to start paying their fair share of taxes rather than cutting Social Security. But we have colleagues who are much more interested in the well-being and the profits of large corporations than they are in the needs of seniors.

Those are some of my answers.

Mr. HARKIN. I have a couple of thoughts. I would say to my friend from Vermont, to those who say it is unconstitutional to do those things, I wonder if they ever read the preamble to the Constitution, which is, by the way, part of the Constitution of the United States?

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare.

That is part of the Constitution of the United States.

Mr. SANDERS. Of course.

Mr. HARKIN. How we do that obviously can vary from time to time, generation to generation, but the idea that we are here to promote the general welfare as a Federal Government is clearly in the Constitution of the United States.

Secondly, the Senator pointed out the idea that Social Security—that this is really a trust fund. People pay into it, and they take out. Now, it has had its problems.

But I ask the Senator, if unemployment today were down to less than 5 percent—say, 4 percent—what would the Social Security trust fund look like?

Mr. SANDERS. It would be much larger than it is right now because more people would be paying into it.

Mr. HARKIN. So the 2033 date—if we make no changes, they say Social Security will pay 100 percent out up until 2033. But if, in fact, we reduce unemployment to less than 5 percent, the Trust Fund will be able to pay full benefits for a longer period of time.

Mr. SANDERS. That is right. I think the point has to be made—and I see Senator DURBIN on the floor as well, and he has made this point—that we can argue about how we go forward on Social Security, but we should be clear: Social Security hasn't contributed a nickel to the deficit because it is funded by the independent payroll tax.

So it is a reasonable question as to how we make Social Security solvent for 75 years rather than just the next 20 years. That is a good debate. The Senator and I have similar ideas on how we should tackle that issue. But it should not be considered as part of the deficit reduction effort. And it disturbs me very much because the administration has acknowledged that reality and we have heard them over the years say: Yes, we want to deal with Social Security but not part of deficit reduction. It bothers me that they have now injected Social Security into the deficit reduction debate.

Mr. HARKIN. There is one last thing I would say. The Senator mentioned that we have a deficit. We do. We have to address it. We all agree with that. The Senator pointed out that the offshore haven businesses are not paying their fair share of taxes.

I would like to ask Senator SANDERS one other question. Isn't it a fact—well, the estimates vary; \$1 trillion is not stretching the truth—to say that the war in Iraq cost us somewhere close to \$1 trillion?

Mr. SANDERS. I would say that most estimates suggest that. If you look at

both Iraq and Afghanistan, it may be three times that number.

Mr. HARKIN. I don't know, but I have seen estimates up to \$1 trillion for Iraq only. That was all borrowed money, so that has to be paid back.

Mr. SANDERS. Yes.

Mr. HARKIN. So are we going to make the elderly, the poor, the students, and the veterans pay for that?

Mr. SANDERS. I would say the Senator makes a very good point. And I often point out to my Republican friends that I think you are looking at yourself and me as some of the major deficit hawks.

Our friends today who want to cut Social Security in the name of deficit reduction apparently didn't have a problem with the deficit when they went to war in Iraq and Afghanistan without paying for those wars and when they gave huge tax breaks to the wealthiest people in this country without offsetting those tax breaks.

The Senator's point is very well taken.

Mr. HARKIN. I thank the Senator.

Mr. SANDERS. I yield the floor.

AMENDMENTS SUBMITTED AND PROPOSED

SA 741. Mr. REID (for Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP)) proposed an amendment to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

SA 742. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 743. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 744. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 745. Mr. DURBIN proposed an amendment to amendment SA 741 proposed by Mr. REID (for Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP)) to the bill S. 743, supra.

SA 746. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 747. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 748. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 749. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 750. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 751. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 752. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 753. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 754. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 755. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 756. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 757. Mrs. SHAHEEN (for herself, Mr. WYDEN, Mr. BAUCUS, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 758. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 759. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 760. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 761. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 762. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 763. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 764. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 765. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 766. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 767. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 768. Mr. LEE (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 769. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 770. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 741. Mr. REID (for Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP)) proposed an

amendment to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; as follows:

Beginning on page 2, line 10, strike "if the Streamlined" and all that follows through page 11, line 5, and insert the following:

if any changes to the Streamlined Sales and Use Tax Agreement made after the date of the enactment of this Act are not in conflict with the minimum simplification requirements in subsection (b)(2). A State may exercise authority under this Act beginning 180 days after the State publishes notice of the State's intent to exercise the authority under this Act, but no earlier than the first day of the calendar quarter that is at least 180 days after the date of the enactment of this Act.

(b) ALTERNATIVE.—A State that is not a Member State under the Streamlined Sales and Use Tax Agreement is authorized notwithstanding any other provision of law to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if the State adopts and implements the minimum simplification requirements in paragraph (2). Such authority shall commence beginning no earlier than the first day of the calendar quarter that is at least 6 months after the date that the State—

(1) enacts legislation to exercise the authority granted by this Act—

(A) specifying the tax or taxes to which such authority and the minimum simplification requirements in paragraph (2) shall apply; and

(B) specifying the products and services otherwise subject to the tax or taxes identified by the State under subparagraph (A) to which the authority of this Act shall not apply; and

(2) implements each of the following minimum simplification requirements:

(A) Provide—

(i) a single entity within the State responsible for all State and local sales and use tax administration, return processing, and audits for remote sales sourced to the State;

(ii) a single audit of a remote seller for all State and local taxing jurisdictions within that State; and

(iii) a single sales and use tax return to be used by remote sellers to be filed with the single entity responsible for tax administration.

A State may not require a remote seller to file sales and use tax returns any more frequently than returns are required for nonremote sellers or impose requirements on remote sellers that the State does not impose on nonremote sellers with respect to the collection of sales and use taxes under this Act. No local jurisdiction may require a remote seller to submit a sales and use tax return or to collect sales and use taxes other than as provided by this paragraph.

(B) Provide a uniform sales and use tax base among the State and the local taxing jurisdictions within the State pursuant to paragraph (1).

(C) Source all remote sales in compliance with the sourcing definition set forth in section 4(7).

(D) Provide—

(i) information indicating the taxability of products and services along with any product and service exemptions from sales and use tax in the State and a rates and boundary database;

(ii) software free of charge for remote sellers that calculates sales and use taxes due on each transaction at the time the transaction is completed, that files sales and use tax returns, and that is updated to reflect rate changes as described in subparagraph (H); and

(iii) certification procedures for persons to be approved as certified software providers. For purposes of clause (iii), the software provided by certified software providers shall be capable of calculating and filing sales and use taxes in all States qualified under this Act.

(E) Relieve remote sellers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of an error or omission made by a certified software provider.

(F) Relieve certified software providers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of misleading or inaccurate information provided by a remote seller.

(G) Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of incorrect information or software provided by the State.

(H) Provide remote sellers and certified software providers with 90 days notice of a rate change by the State or any locality in the State and update the information described in subparagraph (D)(i) accordingly and relieve any remote seller or certified software provider from liability for collecting sales and use taxes at the immediately preceding effective rate during the 90-day notice period if the required notice is not provided.

(c) **SMALL SELLER EXCEPTION.**—A State is authorized to require a remote seller to collect sales and use taxes under this Act only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding \$1,000,000. For purposes of determining whether the threshold in this section is met, the gross annual receipts from remote sales of 2 or more persons shall be aggregated if—

(1) such persons are related to the remote seller within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986; or

(2) such persons have 1 or more ownership relationships and such relationships were designed with a principal purpose of avoiding the application of these rules.

SEC. 3. LIMITATIONS.

(a) **IN GENERAL.**—Nothing in this Act shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes;

(2) affecting the application of such taxes; or

(3) enlarging or reducing State authority to impose such taxes.

(b) **NO EFFECT ON NEXUS.**—This Act shall not be construed to create any nexus or alter the standards for determining nexus between a person and a State or locality.

(c) **NO EFFECT ON SELLER CHOICE.**—Nothing in this Act shall be construed to deny the ability of a remote seller to deploy and utilize a certified software provider of the seller's choice.

(d) **LICENSING AND REGULATORY REQUIREMENTS.**—Nothing in this Act shall be construed as permitting or prohibiting a State from—

(1) licensing or regulating any person;

(2) requiring any person to qualify to transact intrastate business;

(3) subjecting any person to State or local taxes not related to the sale of products or services; or

(4) exercising authority over matters of interstate commerce.

(e) **NO NEW TAXES.**—Nothing in this Act shall be construed as encouraging a State to impose sales and use taxes on any products or services not subject to taxation prior to the date of the enactment of this Act.

(f) **NO EFFECT ON INTRASTATE SALES.**—The provisions of this Act shall apply only to remote sales and shall not apply to intrastate sales or intrastate sourcing rules. States granted authority under section 2(a) shall comply with all intrastate provisions of the Streamlined Sales and Use Tax Agreement.

(g) **NO EFFECT ON MOBILE TELECOMMUNICATIONS SOURCING ACT.**—Nothing in this Act shall be construed as altering in any manner or preempting the Mobile Telecommunications Sourcing Act (4 U.S.C. 116–126).

SEC. 4. DEFINITIONS AND SPECIAL RULES.

In this Act:

(1) **CERTIFIED SOFTWARE PROVIDER.**—The term “certified software provider” means a person that—

(A) provides software to remote sellers to facilitate State and local sales and use tax compliance pursuant to section 2(b)(2)(D)(i); and

(B) is certified by a State to so provide such software.

(2) **LOCALITY; LOCAL.**—The terms “locality” and “local” refer to any political subdivision of a State.

(3) **MEMBER STATE.**—The term “Member State”—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include any associate member under the Streamlined Sales and Use Tax Agreement.

(4) **PERSON.**—The term “person” means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or other legal entity, and a State or local government.

(5) **REMOTE SALE.**—The term “remote sale” means a sale into a State, as determined under the sourcing rules under paragraph (7), in which the seller would not legally be required to pay, collect, or remit State or local sales and use taxes unless provided by this Act.

(6) **REMOTE SELLER.**—The term “remote seller” means a person that makes remote sales in the State.

(7) **SOURCED.**—For purposes of a State granted authority under section 2(b), the location to which a remote sale is sourced refers to the location where the product or service sold is received by the purchaser, based on the location indicated by instructions for delivery that the purchaser furnishes to the seller. When no delivery location is specified, the remote sale is sourced to the customer's address that is either known to the seller or, if not known, obtained by the seller during the consummation of the transaction, including the address of the customer's payment instrument if no other address is available. If an address is unknown and a billing address cannot be obtained, the remote sale is sourced to the address of the seller from which the remote sale was made. A State granted authority under section 2(a) shall comply with the sourcing provisions of the Streamlined Sales and Use Tax Agreement.

(8) **STATE.**—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, and any tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

SA 742. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) **EXCEPTION FOR REMOTE SELLERS INCORPORATED IN STATES THAT DO NOT HAVE SALES TAX.**—A State is not authorized to require a remote seller to collect sales and use taxes under this Act if the remote seller is incorporated in a State that does not collect sales and use taxes with respect to products and services sold in such State.

SA 743. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, beginning on line 12, strike “A State” and all that follows through line 17 and insert the following:

A State may exercise authority under this subsection—

(1) in the case of a State which has adopted or ratified the Streamlined Sales and Use Tax Agreement after December 31, 2010, beginning 90 days after the State publishes notice of the State's intent to exercise the authority under this Act, but no earlier than the first calendar quarter that is at least 90 days after the date of the enactment of this Act; and

(2) in the case of a State which has adopted or ratified the Streamlined Sales and Use Tax Agreement before January 1, 2011, beginning after the date the State enacts legislation to exercise the authority granted under this Act, but no earlier than the first calendar quarter that is at least 90 days after the date of the enactment of this Act.

SA 744. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ LIMITATION ON INITIAL COLLECTION OF SALES AND USE TAXES FROM REMOTE SALES.

Notwithstanding the last sentence of section 2(a) or the second sentence of section 2(b), a State may not begin to exercise the authority under this Act—

(1) before the date that is 1 year after the date of the enactment of this Act; and

(2) during the period beginning on October 1 and ending on December 31 of any calendar year.

SA 745. Mr. DURBIN proposed an amendment to amendment SA 741 proposed by Mr. REID (for Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP)) to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 746. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) COMPENSATION FOR COMPLIANCE COSTS.—

(1) IN GENERAL.—In the case of a non-sales tax state remote seller that collects and remits sales and use taxes to a State pursuant to the authority granted under this Act, such State shall fully reimburse the seller for any costs or expenses related to the collection and remittance of such taxes (as determined pursuant to paragraph (2)).

(2) DETERMINATION OF REIMBURSEMENT RATE.—For purposes of this subsection, the rate and method of reimbursement shall be determined by the Secretary of the Treasury, pursuant to such criteria as are determined appropriate by the Secretary.

(3) DEFINITION.—For purposes of this subsection, the term “non-sales tax state remote seller” means a remote seller that is headquartered in and has a majority of its full-time employees located in a State that does not maintain a statewide sales tax or equivalent use tax.

SA 747. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. DEDUCTION FOR COSTS OF COMPLIANCE.
(a) IN GENERAL.—Part VI of subchapter B of chapter 1 is amended by adding at the end the following new section:

“SEC. 199A. DEDUCTION FOR COSTS OF COMPLIANCE UNDER THE MARKETPLACE FAIRNESS ACT.

“(a) IN GENERAL.—If a non-sales tax state remote seller (as defined in subsection (b)) elects the application of this section, such seller shall be allowed a deduction for the taxable year equal to 1 percent of annual gross receipts.

“(b) DEFINITION.—The term ‘non-sales tax state remote seller’ means a remote seller (as defined in section 4(6) of the Marketplace Fairness Act of 2013) that is headquartered in and has a majority of its full-time employees located in a State that does not maintain a statewide sales tax or equivalent use tax.

“(c) DENIAL OF DOUBLE BENEFIT.—In the case of a non-sales tax state remote seller

that elects application of this section, no deduction shall be allowed for any expense related to the collection and remittance of sales and use taxes pursuant to the requirements of the Marketplace Fairness Act of 2013 for which a deduction is allowed to the seller under any other provision of this chapter.”.

(b) CLERICAL AMENDMENTS.—The table of sections for part VI of subchapter B of chapter 1 is amended by adding at the end the following new item:

“Sec. 199A. Deduction of costs of compliance.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SA 748. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 6, strike line 18 and all that follows through page 7, line 8, and insert the following:

(c) SMALL SELLER EXCEPTION.—

(1) IN GENERAL.—A State is authorized to require a remote seller to collect sales and use taxes under this Act only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding the applicable amount (as determined under paragraph (2)). For purposes of determining whether the applicable amount in this subsection is met—

(A) the sales of all persons related within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986 shall be aggregated; or

(B) persons with 1 or more ownership relationships shall also be aggregated if such relationships were designed with a principal purpose of avoiding the application of these rules.

(2) APPLICABLE AMOUNT.—For purposes of paragraph (1), the applicable amount for the preceding calendar year shall be equal to—

- (A) for 2012 and 2013, \$5,000,000;
- (B) for 2014, \$4,000,000;
- (C) for 2015, \$3,000,000; and
- (D) for 2016, \$2,000,000.

SA 749. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, line 22, strike “\$1,000,000” and insert “\$10,000,000”.

SA 750. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PROPERLY REDUCING OVEREXEMPTIONS FOR SPORTS ACT.

(a) IN GENERAL.—This section may be cited as the “Properly Reducing Overexemptions for Sports Act” or the “PRO Sports Act”.

(b) FINDINGS.—Congress makes the following findings:

(1) The National Football League (NFL), National Hockey League (NHL), PGA Tour, and Ladies Professional Golf Association (LPGA) each have league offices that are registered with the Internal Revenue Service as non-profit organizations under section 501(c)(6) of the Internal Revenue Code of 1986.

(2) League-wide operations of the NFL, NHL, PGA Tour, and LPGA generate an estimated \$13 billion in annual revenue, and these businesses are unmistakably organized for profit and to promote their brands.

(3) Separate from their subsidiaries, the nonprofit league offices of the NFL, NHL, PGA Tour, and LPGA had annual gross receipts of \$184.3 million, \$89.1 million, \$1.4 billion, and \$73.7 million in 2010, respectively, for a combined total of over \$1.7 billion, according to each organization's publicly available Form 990 filed with the Internal Revenue Service.

(4) According to the Internal Revenue Service, section 501(c)(6) of the Internal Revenue Code of 1986 is for groups looking to promote a “common business interest and not to engage in a regular business of a kind ordinarily carried on for profit”.

(5) According to the Internal Revenue Service, businesses that conduct operations for profit on a “cooperative basis” should not qualify for tax-exempt treatment under section 501(c)(6) of the Internal Revenue Code of 1986.

(c) ELIMINATION OF SPECIFIC EXEMPTION FOR PROFESSIONAL FOOTBALL LEAGUES.—Paragraph (6) of section 501(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking “, or professional football leagues (whether or not administering a pension fund for football players)”, and

(2) by inserting “or” after “real-estate boards,”.

(d) SPECIAL RULES RELATING TO PROFESSIONAL SPORTS LEAGUES.—Section 501 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subsection (s) as subsection (t), and

(2) by inserting after subsection (r) the following new subsection:

“(s) SPECIAL RULES RELATING TO PROFESSIONAL SPORTS LEAGUES.—No organization or entity shall be treated as described in subsection (c)(6) if such organization or entity—

“(1) is a professional sports league, organization, or association, a substantial activity of which is to foster national or international professional sports competitions (including by managing league business affairs, officiating or providing referees, coordinating schedules, managing sponsorships or broadcast sales, operating loan programs for competition facilities, or overseeing player conduct) and

“(2) has annual gross receipts in excess of \$10,000,000.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SA 751. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ REPORT ON THE ABUSE OF TAX-EXEMPT STATUS BY CHARITABLE ORGANIZATIONS.

Not later than 120 days after the date of the enactment of this Act, the Secretary of

Treasury, or the Secretary's delegate, shall submit to Congress a report on organizations that are described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of the Internal Revenue Code of 1986. Such report shall include information on the following:

(1) The number of such organizations at the time of the report and the number of organizations 10 years prior to that time.

(2) The number of such organizations that have had the exemption from tax under section 501(a) of the Internal Revenue Code of 1986 revoked in each year after 2007.

(3) The number and nature of allegations of problems made to the Internal Revenue Service with respect to such organizations that were founded by prominent athletes, and a description of any actions taken by the Internal Revenue Service in response to any such allegations.

(4) A description of the challenges to the Internal Revenue Service in overseeing such organizations.

(5) The number of criminal investigations of such organizations conducted by the Internal Revenue Service during the period beginning in 2010 and ending on the date the report is submitted.

(6) An explanation of any problems the Internal Revenue Service has had with United States Attorneys in prosecuting any criminal violations by such organizations.

SA 752. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. ELIMINATION OF DEDUCTIONS FOR MILLIONAIRES AND BILLIONAIRES.

(a) NO MORTGAGE INTEREST DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—Section 163(h)(4) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(G) NO DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—No deduction shall be allowed by reason of paragraph (2)(D) for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.”

(b) NO RENTAL EXPENSE DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—Section 212 of the Internal Revenue Code of 1986 is amended by adding at the end the following new flush sentence:

“Paragraph (2) shall not apply for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.”

(c) NO GAMBLING LOSS DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—Section 165(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “In the case of a taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for the taxable year, the preceding sentence shall not apply for any taxable year.”

(d) NO DISCHARGE OF INDEBTEDNESS DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—Section 108 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) NO DEDUCTION FOR MILLIONAIRES AND BILLIONAIRES.—No exclusion shall be allowed by reason of this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.”

(e) NO ELECTRIC PLUG-IN VEHICLE TAX CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—Section 30D(f) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(8) NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—No credit described in subsection (c)(2) shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.”

(f) NO HOUSEHOLD AND DEPENDENT CARE CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—Section 21 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—No credit shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.”

(g) NO RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—Section 25D(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(9) NO CREDIT FOR MILLIONAIRES AND BILLIONAIRES.—No credit shall be allowed under this section for any taxable year with respect to any taxpayer with an adjusted gross income equal to or greater than \$1,000,000 for such taxable year.”

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

SA 753. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INELIGIBILITY OF PERSONS HAVING SERIOUSLY DELINQUENT TAX DEBTS FOR FEDERAL EMPLOYMENT.

(a) IN GENERAL.—Chapter 73 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER VIII—INELIGIBILITY OF PERSONS HAVING SERIOUSLY DELINQUENT TAX DEBTS FOR FEDERAL EMPLOYMENT

“§ 7381. Ineligibility of persons having seriously delinquent tax debts for Federal employment

“(a) DEFINITIONS.—For purposes of this section—

“(1) the term ‘seriously delinquent tax debt’ means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

“(A) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

“(B) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending; and

“(2) the term ‘Federal employee’ means—

“(A) an employee, as defined by section 2105; and

“(B) an employee of the United States Postal Service or of the Postal Regulatory Commission.

“(b) INELIGIBILITY FOR FEDERAL EMPLOYMENT.—An individual who has a seriously delinquent tax debt shall be ineligible to be appointed, or to continue serving, as a Federal employee.

“(c) REGULATIONS.—The Office of Personnel Management shall, for purposes of carrying out this section with respect to the executive branch, prescribe any regulations which the Office considers necessary.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 73 of title 5, United States Code, is amended by adding at the end the following:

“SUBCHAPTER VIII—INELIGIBILITY OF PERSONS HAVING SERIOUSLY DELINQUENT TAX DEBTS FOR FEDERAL EMPLOYMENT

“7381. Ineligibility of persons having seriously delinquent tax debts for Federal employment.”

SA 754. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 11, strike lines 18 through 23 and insert the following

SEC. _____. TERMINATION OF AUTHORITY.

No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced in such State after the date that is 5 years after the date of the enactment of this Act.

SEC. _____. REQUIREMENT FOR 3-YEAR STATUTE OF LIMITATIONS.

No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) of section 2 unless such State adopts and implements a requirement providing that no proceeding in court may begin for any failure by a remote seller to collect or remit sales and use taxes under the authority of this Act after the date that is 3 years after the date on which such tax was required to be remitted.

SEC. _____. STUDY ON COSTS OF COMPLIANCE.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on—

(1) the costs incurred by remote sellers in complying with any requirements imposed by States pursuant to the authority granted under this Act; and

(2) whether, and under what circumstances, the authority granted under this Act allows States to impose taxes on financial transactions or contributions to retirement savings vehicles.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall report to the Committee on Finance of the Senate and the Committee on the Judiciary of the House of Representatives on the results of the study conducted under subsection (a).

SEC. _____. EXCEPTION FOR DIGITAL GOODS.

(a) IN GENERAL.—The authority granted under section 2 shall not apply to remote sales of digital goods.

(b) DIGITAL GOODS.—For purposes of this section, the term “digital good” means any good or product that is delivered or transferred electronically, including software, information maintained in digital format, digital audio-visual works, digital audio works, and digital books.

SEC. ____ . REQUIREMENT FOR REMOTE SELLER COMPENSATION.

(a) IN GENERAL.—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) of section 2 unless such State adopts and implements a requirement providing a remote seller compensation for the collection and remission of sales and use taxes in an amount not less than the applicable percentage of the amount of such taxes collected by the remote seller.

(b) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the applicable percentage is—

(1) for any tax collected during the period of beginning on the date the State first exercises the authority under this Act and ending on the date that is 2 years after such date, 10 percent;

(2) for any tax collected during the period beginning on the first day after the period described in paragraph (1) ends and ending on the date that is 2 years after such date, 8 percent;

(3) for any tax collected during the period beginning on the first day after the period described in paragraph (2) ends and ending on the date that is 1 year after such date, 6 percent; and

(4) for any tax collected after the period described in paragraph (3) ends, 0 percent.

SEC. ____ . INCREASE AND INFLATION ADJUSTMENT TO THRESHOLD FOR SMALL SELLER EXCEPTION.

(a) INCREASE IN THRESHOLD.—Section 2(c) shall be applied by substituting “\$10,000,000” for “\$1,000,000”.

(b) INFLATION ADJUSTMENT.—

(1) IN GENERAL.—In the case of a calendar year beginning after 2013, the \$10,000,000 amount under subsection (a) shall be increased by an amount equal to—

(A) such dollar amount, multiplied by

(B) the cost-of-living adjustment determined under section 1(f)(3) of the Internal Revenue Code of 1986 for the calendar year, determined by substituting “calendar year 2012” for “calendar year 1992” in subparagraph (B) thereof.

(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of \$10,000, such amount shall be rounded to the next lowest multiple of \$10,000.

SA 755. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. ____ . REDUCTION IN CORPORATE TAX RATE.

(a) IN GENERAL.—Subsection (b) of section 11 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) AMOUNT OF TAX.—The amount of tax imposed by subsection (a) shall be the sum of—

“(1) 15 percent of so much of the taxable income as does not exceed \$50,000, and

“(2) 25 percent of so much of the taxable income as exceeds \$50,000.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 756. Mr. PAUL submitted an amendment intended to be proposed by

him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. ____ . REPEAL OF ESTATE AND GIFT TAXES.

(a) IN GENERAL.—Subtitle B of the Internal Revenue Code of 1986 is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by paragraph (1) shall apply to the estates of decedents dying, and gifts and generation-skipping transfers made, after December 31, 2013.

SA 757. Mrs. SHAHEEN (for herself, Mr. WYDEN, Mr. BAUCUS, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(c) LIMITATION.—

(1) IN GENERAL.—The authority granted under subsections (a) and (b) shall not apply with respect to any remote seller that is not a qualifying remote seller.

(2) QUALIFYING REMOTE SELLER.—For purposes of this subsection—

(A) IN GENERAL.—The term “qualifying remote seller” means—

(i) any remote seller that meets the ownership requirements of subparagraph (B); or

(ii) any remote seller the majority of domestic employees of which are primarily employed at a location in a participating State.

(B) OWNERSHIP REQUIREMENTS.—A remote seller meets the ownership requirements of this subparagraph if—

(i) in the case of a remote seller that is a publicly traded corporation, more than 50 percent of the covered employees (as defined in section 162(m)(3)) of the Internal Revenue Code of 1986) of such corporation reside in participating States;

(ii) in the case of a remote seller that is a corporation (other than a publicly traded corporation), more than 50 percent of the stock (by vote or value) of such corporation is held by individuals residing in participating States;

(iii) in the case of a remote seller that is a partnership, more than 50 percent of the profits interests or capital interests in such partnership is held by individuals residing in participating States; and

(iv) in the case of any other remote seller, more than 50 percent of the beneficial interests in the entity is held by individuals residing in participating States.

(C) ATTRIBUTION RULES.—For purposes of subparagraph (B), the rules of section 318(a) of the Internal Revenue Code of 1986 shall apply.

(D) AGGREGATION RULES.—For purposes of this paragraph, all persons treated as a single employer under subsection (a) or (b) of section 52 of the Internal Revenue Code of 1986 or subsection (m) or (o) of section 414 of such Code shall be treated as one person.

(3) PARTICIPATING STATE.—The term “participating State” means—

(A) a Member State under the Streamlined Sales and Use Tax Agreement which has exercised authority under subsection (a); or

(B) a State that—

(i) is not a Member State under the Streamlined Sales and Use Tax Agreement; and

(ii) has met the requirements of paragraphs (1) and (2) of subsection (b) for exercising the authority granted under such subsection.

SA 758. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 9, insert “A State may not require a remote seller to transfer any data that such State requests for an audit unless a State in which the remote seller is located first authorizes such transfer.” after “paragraph.”.

SA 759. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) ADDITIONAL REQUIREMENT TO REDUCE INCOME OR BUSINESS TAXES.—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) unless such State has enacted into law a requirement that the revenue collected by such State from income or business taxes be reduced by the amount of any revenue collected and remitted to such State by reason of the authority granted under such subsections.

SA 760. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) EXEMPTION FOR BUSINESSES AFFECTED BY THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.—A State is not authorized to require a remote seller to collect sales and use taxes under this Act if the remote seller submits to the Secretary of the Treasury certification, under penalty of perjury, that, as a result of the Patient Protection and Affordable Care Act (Public Law 11-148), the remote seller—

(1) is subject to higher health care premiums for its employees; or

(2) is unable to hire new employees.

SA 761. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . PROHIBITION ON TAXPAYER BAILOUTS TO STATES EXERCISING AUTHORITY UNDER THIS ACT.

Notwithstanding any other provision of law, no Federal funds may be used to purchase or guarantee obligations of, issue lines

of credit to, provide direct or indirect access to any financing provided by the United States Government to, or provide direct or indirect grants and aid to, any State government, municipal government, local government, or county government that has exercised authority under this Act and which, on or after the date of enactment of this Act, has defaulted on its obligations, is at risk of defaulting, or is likely to default, absent such assistance from the United States Government.

SA 762. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. PUBLIC REFERENDUM REQUIREMENT.

A State shall not be authorized under this Act to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State unless the citizens of the State in which the remote seller is located have voted, by a referendum or other means under the laws of such State, to approve the exercise of such authority.

SA 763. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . PROHIBITION ON COLLECTION OF PERSONALIZED DATA BY FEDERAL AGENCIES.

A Federal agency shall not collect or otherwise maintain any record that contains personalized data and is generated in connection with the collection and remittance of sales and use taxes from remote sellers under the authority granted under this Act.

SA 764. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLE II—DIGITAL GOODS AND SERVICES TAX FAIRNESS

SEC. 201. SHORT TITLE.

This title may be cited as the "Digital Goods and Services Tax Fairness Act of 2013".

SEC. 202. MULTIPLE AND DISCRIMINATORY TAXES PROHIBITED.

No State or local jurisdiction shall impose multiple or discriminatory taxes on the sale or use of a digital good or a digital service.

SEC. 203. SOURCING LIMITATION.

Subject to section 206(a), taxes on the sale of a digital good or a digital service may only be imposed by a State or local jurisdiction whose territorial limits encompass the customer tax address.

SEC. 204. CUSTOMER TAX ADDRESS.

(a) SELLER OBLIGATION.—

(1) IN GENERAL.—Subject to subsection (e)(2), a seller shall be responsible for obtaining and maintaining in the ordinary course of business the customer tax address with re-

spect to the sale of a digital good or a digital service, and shall be responsible for collecting and remitting the correct amount of tax for the State and local jurisdictions whose territorial limits encompass the customer tax address if the State has the authority to require such collection and remittance by the seller.

(2) CERTAIN TRANSACTIONS.—When a customer tax address is not a business location of the seller under clause (i) of section 207(2)(A)—

(A) if the sale is a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (iii), (iv), and (v) of section 207(2)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 207(2)(A); and

(B) if the sale is not a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (ii), (iii), (iv), and (v) of section 207(2)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 207(2)(A).

(b) RELIANCE ON CUSTOMER-PROVIDED INFORMATION.—A seller that relies in good faith on information provided by a customer to determine a customer tax address shall not be held liable for any additional tax based on a different determination of that customer tax address by a State or local jurisdiction or court of competent jurisdiction, except if and until binding notice is given as provided in subsection (c).

(c) ADDRESS CORRECTION.—If a State or local jurisdiction is authorized under State law to administer a tax, and the jurisdiction determines that the customer tax address determined by a seller is not the customer tax address that would have been determined under section 207(2)(A) if the seller had the additional information provided by the State or local jurisdiction, then the jurisdiction may give binding notice to the seller to correct the customer tax address on a prospective basis, effective not less than 45 days after the date of such notice, if—

(1) when the determination is made by a local jurisdiction, such local jurisdiction obtains the consent of all affected local jurisdictions within the State before giving such notice of determination; and

(2) before the State or local jurisdiction gives such notice of determination, the customer is given an opportunity to demonstrate in accordance with applicable State or local tax administrative procedures that the address used is the customer tax address.

(d) COORDINATION WITH SOURCING OF MOBILE TELECOMMUNICATIONS SERVICE.—

(1) IN GENERAL.—If—

(A) a digital good or a digital service is sold to a customer by a home service provider of mobile telecommunications service that is subject to being sourced under section 117 of title 4, United States Code, or the charges for a digital good or a digital service are billed to the customer by such a home service provider; and

(B) the digital good or digital service is delivered, transferred, or provided electronically by means of mobile telecommunications service that is deemed to be provided by such home service provider under section 117 of such title,

then the home service provider and, if different, the seller of the digital good or digital service, may presume that the customer's place of primary use for such mobile telecommunications service is the customer

tax address described in section 207(2)(B) with respect to the sale of such digital good or digital service.

(2) DEFINITIONS.—For purposes of this subsection, the terms "home service provider", "mobile telecommunications service", and "place of primary use" have the same meanings as in section 124 of title 4, United States Code.

(e) MULTIPLE LOCATIONS.—

(1) IN GENERAL.—If a digital good or a digital service is sold to a customer and available for use by the customer in multiple locations simultaneously, the seller may determine the customer tax addresses using a reasonable and consistent method based on the addresses of use as provided by the customer and determined in agreement with the customer at the time of sale.

(2) DIRECT CUSTOMER PAYMENT.—

(A) ESTABLISHMENT OF DIRECT PAYMENT PROCEDURES.—Each State and local jurisdiction shall provide reasonable procedures that permit the direct payment by a qualified customer, as determined under procedures established by the State or local jurisdiction, of taxes that are on the sale of digital goods and digital services to multiple locations of the customer and that would, absent such procedures, be required or permitted by law to be collected from the customer by the seller.

(B) EFFECT OF CUSTOMER COMPLIANCE WITH DIRECT PAYMENT PROCEDURES.—When a qualified customer elects to pay tax directly under the procedures established under subparagraph (A), the seller shall—

(i) have no obligation to obtain the multiple customer tax addresses under subsection (a); and

(ii) not be liable for such tax, provided the seller follows the State and local procedures and maintains appropriate documentation in its books and records.

SEC. 205. TREATMENT OF BUNDLED TRANSACTIONS AND DIGITAL CODES.

(a) BUNDLED TRANSACTION.—If a charge for a distinct and identifiable digital good or a digital service is aggregated with and not separately stated from one or more charges for other distinct and identifiable goods or services, which may include other digital goods or digital services, and any part of the aggregation is subject to taxation, then the entire aggregation may be subject to taxation, except to the extent that the seller can identify, by reasonable and verifiable standards, one or more charges for the nontaxable goods or services from its books and records kept in the ordinary course of business.

(b) DIGITAL CODE.—The tax treatment of the sale of a digital code shall be the same as the tax treatment of the sale of the digital good or digital service to which the digital code relates.

(c) RULE OF CONSTRUCTION.—The sale of a digital code shall be considered the sale transaction for purposes of this title.

SEC. 206. NO INFERENCE.

(a) CUSTOMER LIABILITY.—Subject to the prohibition provided in section 202, nothing in this title modifies, impairs, supersedes, or authorizes the modification, impairment, or supersession of any law allowing a State or local jurisdiction to impose tax on and collect tax directly from a customer based upon use of a digital good or digital service in such State.

(b) NON-TAX MATTERS.—This title shall not be construed to apply in, or to affect, any non-tax regulatory matter or other context.

(c) STATE TAX MATTERS.—The definitions contained in this title are intended to be

used with respect to interpreting this title. Nothing in this title shall prohibit a State or local jurisdiction from adopting different nomenclature to enforce the provisions set forth in this title.

SEC. 207. DEFINITIONS.

In this title, the following definitions shall apply:

(1) **CUSTOMER.**—The term “customer” means a person that purchases a digital good, digital service, or digital code.

(2) **CUSTOMER TAX ADDRESS.**—

(A) **IN GENERAL.**—The term “customer tax address” means—

(i) with respect to the sale of a digital good or digital service that is received by the customer at a business location of the seller, such business location;

(ii) if clause (i) does not apply and the primary use location of the digital good or digital service is known by the seller, such location;

(iii) if neither clause (i) nor clause (ii) applies, and if the location where the digital good or digital service is received by the customer, or by a donee of the customer that is identified by such customer, is known to the seller and maintained in the ordinary course of the seller's business, such location;

(iv) if none of clauses (i) through (iii) applies, the location indicated by an address for the customer that is available from the business records of the seller that are maintained in the ordinary course of the seller's business, when use of the address does not constitute bad faith;

(v) if none of clauses (i) through (iv) applies, the location indicated by an address for the customer obtained during the consummation of the sale, including the address of a customer's payment instrument, when use of this address does not constitute bad faith; or

(vi) if none of clauses (i) through (v) applies, including the circumstance in which the seller is without sufficient information to apply such paragraphs, the location from which the digital good was first available for transmission by the seller (disregarding for these purposes any location that merely provides for the digital transfer of the product sold), or from which the digital service was provided by the seller.

(B) **EXCLUSION.**—For purposes of this paragraph, the term “location” does not include the location of a server, machine, or device, including an intermediary server, that is used simply for routing or storage.

(3) **DELIVERED OR TRANSFERRED ELECTRONICALLY; PROVIDED ELECTRONICALLY.**—The term “delivered or transferred electronically” means the delivery or transfer by means other than tangible storage media, and the term “provided electronically” means the provision remotely via electronic means.

(4) **DIGITAL CODE.**—The term “digital code” means a code that conveys only the right to obtain a digital good or digital service without making further payment.

(5) **DIGITAL GOOD.**—The term “digital good” means any software or other good that is delivered or transferred electronically, including sounds, images, data, facts, or combinations thereof, maintained in digital format, where such good is the true object of the transaction, rather than the activity or service performed to create such good, and includes, as an incidental component, charges for the delivery or transfer of the digital good.

(6) **DIGITAL SERVICE.**—

(A) **IN GENERAL.**—The term “digital service” means any service that is provided electronically, including the provision of remote

access to or use of a digital good, and includes, as an incidental component, charges for the electronic provision of the digital service to the customer.

(B) **EXCEPTIONS.**—The term “digital service” does not include a service that is predominantly attributable to the direct, contemporaneous expenditure of live human effort, skill, or expertise, a telecommunications service, an ancillary service, Internet access service, audio or video programming service, or a hotel intermediary service.

(C) **CLARIFYING DEFINITIONS.**—For purposes of subparagraph (B)—

(i) the term “ancillary service” means a service that is associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services;

(ii) the term “audio or video programming service”—

(I) means programming provided by, or generally considered comparable to programming provided by, a radio or television broadcast station; and

(II) does not include interactive on-demand services, as defined in paragraph (12) of section 602 of the Communications Act of 1934 (47 U.S.C. 522(12)), pay-per-view services, or services generally considered comparable to such services regardless of the technology used to provide such services;

(iii) the term “hotel intermediary service”—

(I) means a service provided by a person that facilitates the sale, use, or possession of a hotel room or other transient accommodation to the general public; and

(II) does not include the purchase of a digital service by a person who provides a hotel intermediary service or by a person who owns, operates, or manages hotel rooms or other transient accommodations;

(iv) the term “Internet access service” means a service that enables users to connect to the Internet, as defined in the Internet Tax Freedom Act (47 U.S.C. 151 note), to access content, information, or other services offered over the Internet; and

(v) the term “telecommunications service”—

(I) means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(II) includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing, without regard to whether such service is referred to as voice over Internet protocol service; and

(III) does not include data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information.

(7) **DISCRIMINATORY TAX.**—The term “discriminatory tax” means any tax imposed by a State or local jurisdiction on digital goods or digital services that—

(A) is not generally imposed and legally collectible by such State or local jurisdiction on transactions involving similar property, goods, or services accomplished through other means;

(B) is not generally imposed and legally collectible at the same or higher rate by

such State or local jurisdiction on transactions involving similar property, goods, or services accomplished through other means;

(C) imposes an obligation to collect or pay the tax on a person, other than the seller, than the State or local jurisdiction would impose in the case of transactions involving similar property, goods, or services accomplished through other means;

(D) establishes a classification of digital services or digital goods providers for purposes of establishing a higher tax rate to be imposed on such providers than the tax rate generally applied to providers of similar property, goods, or services accomplished through other means; or

(E) does not provide a resale and component part exemption for the purchase of digital goods or digital services in a manner consistent with the State's resale and component part exemption applicable to the purchase of similar property, goods, or services accomplished through other means.

(8) **MULTIPLE TAX.**—

(A) **IN GENERAL.**—The term “multiple tax” means any tax that is imposed by one State, one or more of that State's local jurisdictions, or both on the same or essentially the same digital goods and digital services that is also subject to tax imposed by another State, one or more local jurisdictions in such other State (whether or not at the same rate or on the same basis), or both, without a credit for taxes paid in other jurisdictions.

(B) **EXCEPTION.**—The term “multiple tax” shall not include a tax imposed by a State and one or more political subdivisions thereof on the same digital goods and digital services or a tax on persons engaged in selling digital goods and digital services which also may have been subject to a sales or use tax thereon.

(9) **PRIMARY USE LOCATION.**—

(A) **IN GENERAL.**—The term “primary use location” means a street address representative of where the customer's use of a digital good or digital service will primarily occur, which shall be the residential street address or a business street address of the actual end user of the digital good or digital service, including, if applicable, the address of a donee of the customer that is designated by the customer.

(B) **CUSTOMERS THAT ARE NOT INDIVIDUALS.**—For the purpose of subparagraph (A), if the customer is not an individual, the primary use location is determined by the location of the customer's employees or equipment (machine or device) that make use of the digital good or digital service, but does not include the location of a person who uses the digital good or digital service as the purchaser of a separate good or service from the customer.

(10) **SALE AND PURCHASE.**—The terms “sale” and “purchase”, and all variations thereof, shall include the provision, lease, rent, license, and corresponding variations thereof.

(11) **SELLER.**—

(A) **IN GENERAL.**—The term “seller” means a person making sales of digital goods or digital services.

(B) **EXCEPTIONS.**—A person that provides billing service or electronic delivery or transport service on behalf of another unrelated or unaffiliated person, with respect to the other person's sale of a digital good or digital service, shall not be treated as a seller of that digital good or digital service.

(C) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall preclude the person providing the billing service or electronic delivery or transport service from entering into a contract with the seller to assume the tax

collection and remittance responsibilities of the seller.

(12) **SEPARATE AND DISCRETE TRANSACTION.**—The term “separate and discrete transaction” means a sale of a digital good, digital code, or a digital service sold in a single transaction which does not involve any additional charges or continued payment in order to maintain possession of the digital good or access to the digital service.

(13) **STATE OR LOCAL JURISDICTION.**—The term “State or local jurisdiction” means any of the several States, the District of Columbia, any territory or possession of the United States, a political subdivision of any State, territory, or possession, or any governmental entity or person acting on behalf of such State, territory, possession, or subdivision and with the authority to assess, impose, levy, or collect taxes.

(14) **TAX.**—

(A) **IN GENERAL.**—The term “tax” means any charge imposed by any State or local jurisdiction for the purpose of generating revenues for governmental purposes, including any tax, charge, or fee levied as a fixed charge or measured by gross amounts charged, regardless of whether such tax, charge, or fee is imposed on the seller or the customer and regardless of the terminology used to describe the tax, charge, or fee.

(B) **EXCLUSIONS.**—The term “tax” does not include an ad valorem tax, a tax on or measured by capital, a tax on or measured by net income, apportioned gross income, apportioned revenue, apportioned taxable margin, or apportioned gross receipts, or a State or local jurisdiction business and occupation tax imposed on a broad range of business activity in a State that enacted a State tax on gross receipts after January 1, 1932, and before January 1, 1936.

SEC. 208. EFFECTIVE DATE; APPLICATION.

(a) **GENERAL RULE.**—This title shall take effect 60 days after the date of enactment of this title.

(b) **EXCEPTIONS.**—A State or Local jurisdiction shall have 2 years from the date of enactment of this title to modify any State or local tax statute enacted prior to date of enactment of this title to conform to the provisions set forth in sections 204 and 205 of this title.

(c) **APPLICATION TO LIABILITIES AND PENDING CASES.**—Nothing in this title shall affect liability for taxes accrued and enforced before the effective date of this title, or affect ongoing litigation relating to such taxes.

SEC. 209. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.

Not later than 3 years after the date of the enactment of this title, the Comptroller General of the United States shall carry out, and submit to Congress a report on the results of, a study that identifies—

(1) which specific statutes and regulations of each State are invalidated as a result of this title; and

(2) the amount of revenue lost (if any) by such State (and local government of such State) by the effect of this title on each such statute and each such regulation so affected.

SEC. 210. SAVINGS PROVISION.

If any provision or part of this title is held to be invalid or unenforceable by a court of competent jurisdiction for any reason, such holding shall not affect the validity or enforceability of any other provision or part of this title unless such holding substantially limits or impairs the essential elements of this title, in which case this title shall be deemed invalid and of no legal effect as of the date that the judgment on such holding is final and no longer subject to appeal.

SA 765. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . TERMINATION OF AUTHORITY.

No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales that occur after December 31, 2018.

SA 766. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 7. PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS.

(a) **IN GENERAL.**—Chapter 95 of the Internal Revenue Code of 1986 is amended by striking section 9008.

(b) **CLERICAL AMENDMENT.**—The table of sections of chapter 95 of such Code is amended by striking the item relating to section 9008.

(c) **CONFORMING AMENDMENTS.**—

(1) **AVAILABILITY OF PAYMENTS TO CANDIDATES.**—The third sentence of section 9006(c) of the Internal Revenue Code of 1986 is amended by striking “, section 9008(b)(3).”.

(2) **REPORTS BY FEDERAL ELECTION COMMISSION.**—Section 9009(a) of such Code is amended—

(A) by adding “and” at the end of paragraph (2);

(B) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(C) by striking paragraphs (4), (5), and (6).

(3) **PENALTIES.**—Section 9012 of such Code is amended—

(A) in subsection (a)(1), by striking the second sentence; and

(B) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(4) **AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.**—The second sentence of section 9037(a) of such Code is amended by striking “and for payments under section 9008(b)(3).”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to elections occurring after December 31, 2012.

SA 767. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PREVENTING THE CREATION OF DUPLICATIVE AND OVERLAPPING FEDERAL PROGRAMS.

(a) **REPORTED LEGISLATION.**—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking “and (b)” and inserting “(b), and (c)”;

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

“(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”.

(b) **CONSIDERATION OF LEGISLATION.**—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

“6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

“(b) The analysis and explanation required by this subparagraph shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

“(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

“(1) a significant disruption to Senate facilities or to the availability of the Internet; or

“(2) an emergency as determined by the leaders.”.

SA 768. Mr. LEE (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) **REQUIREMENT TO ENACT REMOTE SELLER LIABILITY DEFENSE LAWS.**—

(1) **IN GENERAL.**—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) unless such State has enacted a law which provides remote sellers protection, through an affirmative defense to an action

brought by the State or any locality within the State, from liability with respect to sales and use taxes required to be collected and remitted to the State under the authority granted by this Act.

(2) **EXCEPTION.**—A State or locality may overcome the affirmative defense described in paragraph (1) only if it carries its burden of establishing that—

(A) it has directly notified the remote seller of the obligation to collect and remit sales and use taxes and such remote seller has received such notification;

(B) it directly provided software from a certified software provider and appropriate training on using such software; and

(C) the remote seller has failed to use the software provided by the State.

SA 769. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. . PROTECTING ONLINE SALES INTERMEDIARIES FROM ACTIONS IN CONNECTION WITH CERTAIN VIOLATIONS OF PRIVACY.

(a) **IN GENERAL.**—Online sales intermediaries shall not be subject to—

(1) criminal or civil actions by a State or locality in connection with the refusal to transfer information relating to sales records in connection with the enforcement of sales and use taxes on remote sellers who do not have a legal nexus to the State or locality, except in cases where such action relates to a court order, a warrant, or compliance with an ongoing criminal investigation relating to an individual case; and

(2) actions by remote sellers or customers relating to the transfer of any such records covered by an exception to paragraph (1).

(b) **NO INFERENCE.**—Nothing in this Act shall be construed as authorizing States or localities to impose record keeping requirements on online sales intermediaries or remote sellers who have no nexus to the State or locality.

SA 770. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. SENSE OF THE SENATE REGARDING RETIREMENT SAVINGS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Social Security Board of Trustees projects that the combined Old-Age and Survivors Insurance (OASI) and the Disability Insurance (DI) trust funds will be exhausted by 2033.

(2) The Social Security Board of Trustees also projects that after the OASI and DI trust funds are exhausted, incoming receipts will only be able to cover around 75 percent of the scheduled annual benefits in 2033.

(3) Employer-based retirement savings, personal savings, and Social Security can combine to provide Americans with meaningful income replacement upon retirement.

(4) Defined contribution plans have a substantial impact on interstate commerce and are affected with a national interest.

(5) 67,000,000 participants are currently covered by approximately 670,000 private sector-defined contribution plans.

(6) The President's budget proposal for fiscal year 2014 seeks to "limit an individual's total balance across tax-preferred accounts to an amount sufficient to finance an annuity of not more than \$205,000 per year in retirement, or about \$3,000,000 for someone retiring in 2013."

(7) The President's proposal targets private sector-defined contribution plans while providing no cap on government-defined benefit and pension plans.

(8) Savings in traditional retirement accounts are invested and grow tax free, but the money is fully taxed during the withdrawal phase.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that the Government of the United States—

(1) should not endeavor to define reasonable levels of retirement savings for individuals and their families;

(2) should not limit the balances of traditional IRA, Roth IRA, 401(k), and defined contribution plans; and

(3) should encourage individuals to responsibly save and invest for their retirement.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 24, 2013, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "A Status Update on the Development of Voluntary Do-Not-Track Standards."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Trans-Pacific Partnership: Opportunities and Challenges."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m., to hold a hearing entitled, "International Development Priorities in the FY 2014 Budget."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to

conduct a hearing entitled "The Economic Importance of Financial Literacy Education For Students" on April 23, 2013, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 24, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled "The President's Fiscal Year 2014 Budget for Tribal Programs."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 24, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m. in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled "Call to Action: VA Outreach and Community Partnerships."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. DURBIN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on April 24, 2013, to conduct a hearing entitled "The National Plan to Address Alzheimer's Disease: Are We On Track to 2015?"

The Committee will meet in room 106 of the Dirksen Senate Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Armed Services Committee be authorized to meet during the session of the Senate on April 24, 2013, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Financial and Contracting Oversight be authorized to meet during the session of the Senate on April 24, 2013, at 10

a.m. to conduct a hearing entitled "Oversight and Business Practices of Durable Medical Equipment Companies."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on April 24, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 24, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, on behalf of Senator COONS, I ask unanimous consent that Amitai Bin-Nun, a fellow in his office, be granted floor privileges for Thursday, April 25.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Sheerin Gryloo, Elizabeth McCauley, and Anna Porto of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration, en bloc, of the following resolutions, which were submitted earlier today: S. Res. 111, S. Res. 112, S. Res. 113, and S. Res. 114.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 114

Mr. REID. Mr. President, S. Res. 114 concerns a request for testimony, documents and representation in a federal criminal action pending in Arizona Federal district court. The prosecution and defense have requested the production of a limited number of documents and testimony, if necessary, from current and former employees of the Offices of Senator JOHN MCCAIN and former Senator Jon Kyl. Senator MCCAIN and former Senator Kyl would like to cooperate with these requests by authorizing the production of relevant documents and employee testimony from their offices.

The enclosed resolution would authorize the production of relevant documents and employee testimony from the offices of Senator MCCAIN and former Senator Kyl. It would also authorize the Senate Legal Counsel to represent any current or former employees of those offices from whom evidence may be sought in this case.

Mr. WHITEHOUSE. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 799

Mr. WHITEHOUSE. I understand there is a bill at the desk. I ask for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 799) to provide for a sequester replacement.

Mr. WHITEHOUSE. I now ask for a second reading and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will receive a second reading on the next legislative day.

ORDERS FOR THURSDAY, APRIL 25, 2013

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, April 25, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees with the majority controlling the first half and the Republicans controlling the final half; further, that following morning business, the Senate recess for 1 hour to allow for a Senators-only briefing; and that when the Senate reconvenes, the Senate resume consideration of S. 743, the Marketplace Fairness Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. Mr. President, I have been asked to inform the body that the filing deadline for all first-degree amendments to S. 743 is 1 p.m. tomorrow. Unless an agreement is reached, the cloture vote on S. 743 will occur on Friday morning.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Thursday, April 25, 2013 at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 24, 2013:

THE JUDICIARY

JANE KELLY, OF IOWA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT.

EXECUTIVE OFFICE OF THE PRESIDENT

SYLVIA MATHEWS BURWELL, OF WEST VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.

EXTENSIONS OF REMARKS

A TRIBUTE TO ROSE GARJIAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to honor a resident of Los Angeles, California, and a 105-year-old survivor of the Armenian Genocide—Rose Garjian.

Rose Garjian, then Rose Dedeian, was born on May 1, 1908, in the city of Kilis, located in south-central Turkey. Her father, Zakar Dedeian, worked as a shoemaker and cobbler, and her mother, Maritsa Dedeian, worked as a teacher. When the government of the Ottoman Empire launched a campaign of fear, destruction and death in the Spring of 1915, Ms. Garjian was only six-years-old. Her father hurriedly took his family to a small neighboring village to go into hiding from the Turks.

Ms. Garjian remembered the episode last year in an interview recalling that her father did not tell them why they had to go, only that they should hurry. "We left our home, and went to the desert," said Garjian. "My father took us to hide, he tried to take us away from the Turks."

While the Dedeian family was in hiding, the Ottoman government committed genocide against the Armenian people through wholesale massacre, forced marches through blistering deserts across the villages and cities of eastern Anatolia.

When the killings ended eight years later, more than a million and a half Armenian men, women and children were dead, and the world's oldest Christian nation had been shattered—with its survivors scattered around the world.

The Dedeian family moved to Lebanon, where Ms. Garjian attended Catholic School, learning French and Arabic. There, she met her husband Robert Garjian, a successful cobbler, who had come from the United States to marry her.

Once in the United States, Ms. Garjian gave birth to two daughters, Ellen and Mary. She is a dedicated wife, mother, grandmother, and great grandmother, with six grandchildren, twelve great-grandchildren, and two great-grandchildren. One family member spoke of her caring nature, saying "her home was always open to family members visiting or immigrating to the United States."

After her husband passed away in 1986, Ms. Garjian continued to dedicate herself to her family and community. She served as a volunteer for the Valley Guild of the Arat Home—where she now lives—and was active in the Armenian community where she was a member of the Massis Church in Los Angeles, treasurer for the Marash Women's Group, member of the United Armenian Congregational Church, and is one of the founding members of Aleppo College.

After her husband passed away in 1986, Ms. Garjian continued to dedicate herself to her family and community.

Garjian served as a volunteer for the Valley Guild of the Arat Home—where she now lives—and was active in the Armenian community where she was a member of the Massis Church in Los Angeles, treasurer for the Marash Women's Group, member of the United Armenian Congregational Church, and is one of the founding members of Aleppo College.

I ask that all Members join me in honoring a wonderful woman, Rose Garjian, for her remarkable story, dedication to family and exceptional service to the community.

RECOGNIZING THE NURSES AT SOUTH NASSAU COMMUNITIES HOSPITAL FOR NATIONAL NURSES WEEK

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to ask that we acknowledge the significant contributions nurses make to our society on a daily basis. This year, the week of May 6th is National Nurses Week. During this week, we are asked to pause and recognize the courageous men and women who serve our communities as nurses. The American Nurses Association has designated this week to honor nurses and incorporate one of the most famous nurses, Florence Nightingale, in the ceremony as well.

I would like to draw special attention to the nurses at South Nassau Communities Hospital. The men and women of South Nassau Communities Hospital show a consistent dedication to ensuring and improving the health of their community. For over 80 years, these men and women have worked diligently to improve the lives of Long Islanders. The tradition passed down throughout the years was exemplified by the selfless efforts of the nurses at the hospital during Superstorm Sandy. I was inspired by their efforts in assisting people of Long Island gravely affected by Sandy. They rose to the occasion without hesitation or complaint providing care to people in their time of great need. And they did so without expecting any expectation of glory.

These men and women exemplify the great values of America on a daily basis. They set an excellent standard for each of us to live up to. I wanted to take this moment to honor them and thank them. We do not say it often enough to our public servants, but without the men and women of the nursing profession, America would be a much different place. The care provided by the nurses at Nassau South Communities hospital is vital to the life of Long

Island. I want to take this opportunity to thank them for everything they do for our neighbors and communities.

BAY COUNTY CENTENNIAL

HON. STEVE SOUTHERLAND II

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. SOUTHERLAND. Mr. Speaker, I rise today to honor the place that I am proud to call home: Bay County, Florida.

One hundred years ago today, Bay County was established by act of the Florida legislature, igniting a century of growth and opportunity for a close-knit community that still cherishes its rich history and tradition.

Bay County is located in the heart of north-west Florida, overlooking 41 miles of sugar-white sand beaches along the Gulf of Mexico's emerald green waters. With an additional 270 square miles occupied by pristine lakes, springs, streams and the magnificent St. Andrew's Bay, Bay County has become a national destination for tourists, fishermen, boaters, and water sports enthusiasts.

While Bay County's beaches and diverse inland areas attract over eight million visitors each year, it is the people who live and work there that give us our unique spirit. A small community of little more than 11,000 in 1920, Bay County now embodies the drive of a diverse and growing population totaling more than 170,000 people.

Bay County's workforce is among the best educated and most highly prepared in Northwest Florida, with institutions of higher learning that rival any in the region. Its economic engine is fueled not by tourism alone, but also by thriving small businesses, nationally recognized companies, major manufacturers and one of the newer airports in America. And, as the home of Tyndall Air Force Base, Naval Support Activity Panama City, and more than 22,000 veterans, Bay County enjoys a rich military history.

On this date, April 24, 2013, the day of Bay County's centennial, I am proud to join with friends, neighbors, and local and county officials from Panama City, Panama City Beach, Lynn Haven, Springfield, Parker, Callaway, Mexico Beach, and the unincorporated areas of our county to celebrate our proud past and bright future.

HONORING JACK AND VIOLET
HAROUNIAN

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to honor Jack and Violet Harounian, Dinner

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Chairpersons of the Aleh Foundation Awards Dinner.

Aleh Foundation's distinguished Dinner Chairperson Jack Harounian was born in Teheran, Iran in 1928. Jack had hoped to attend Teheran University Medical School to help the local Jewish community but was accepted in Dental College. Because of the outbreak of World War II and the very difficult day to day economic situation, he was not able to attend. At age 18, after passing exams, Mr. Harounian became the youngest staff member of the Imperial Bank of Iran office in Teheran. At age 20, he volunteered to attend the War Faculty and became a Battalion Officer of King Mohammad Reza Shah Pahlavi. In that position Jack served for 18 months in "Padeghan Jay" near Mehrabad Airport in Teheran. He then returned to the bank at a higher position until Prime Minister Dr. Mohammad Mosaddegh nationalized the banking and oil industry in Iran. Jack got married in 1957 to his lovely bride Violet Ohebshalom at the age of 29 in Tehran and they enjoyed a honeymoon in Israel in 1957. Today they are blessed with two daughters, one son and 11 grandchildren.

Mr. Harounian moved the family to the U.S. in 1970. After he started a business importing woolen piece goods, then shifted to become an exporter of handmade oriental rugs. After three decades he became one of the largest rug exporters in the U.S. At age 20, when the State of Israel was established, and later, at the time of their honeymoon, Jack began to think how he could help the people of Israel and Jews around the world. Some 25 years ago he decided to help hospitals and upgrade the quality of health-care services in Israel. In, 1980 he organized and led fund raising efforts on behalf of Magen David Hospital in Calcutta, India.

In 1990, Violet miraculously survived a very serious illness. In the words of Jack, "G-d gave me back my wife." In appreciation, he agreed to become the International Chairman of Iranian Friends of Shaare Zedek Medical Center in Jerusalem. In that position, Mr. Harounian began to raise funds for Shaare Zedek, not just in New York but across the country and around the world. In all of these trips he had the warm support and encouragement of Violet who is deeply proud of her husband's efforts to care for the sick and disabled in Israel.

He has worked tirelessly on behalf of Shaare Zedek, year after year, putting in countless hours of time each week. At his own expense, Mr. Harounian has placed ads in all major Persian language news media in New York and Los Angeles as well as in the Jewish Week and Jerusalem Post. Jack takes his responsibility as International Chairman very seriously. On behalf of Shaare Zedek he has travelled to Boston, Washington D.C., Chicago, Miami, and overseas to Germany, Switzerland, France, Australia, New Zealand, England and Spain to meet with members of the local Persian Jewish community. Jack has personally paid for all hotels and air expenses for himself and his wife.

In recognition of his exceptional activities which have greatly benefited the health and well-being of the people of Jerusalem, Jack was honored at the Iranian Community Solidarity Gala Dinner Dance in celebration of Je-

rusalem's 2000 birthday in 1996, sponsored by Shaare Zedek.

This was followed two years later by Mr. Harounian being designated by Prime Minister Ehud Olmert a "Trustee of the City of Jerusalem" at festivities in Jerusalem celebrating Israel's 50th birthday. This is a special, rare honor of distinction that is presented to those individuals outside Israel who have made an exceptional contribution toward the betterment of the people of Jerusalem.

Because of his widespread reputation as a philanthropist supporting Israel, Jack was approached by the Aleh Foundation in 2001. He was deeply moved to hear about the dream of building a Rehabilitation Village. The estimated cost of the project was a daunting \$45 million.

After visiting the Aleh Center in Jerusalem and meeting with our special children and talking with the exceptional staff, Mr. Harounian threw himself wholeheartedly into this endeavor. Jack was kind enough to open his beautiful home in Kings Point for a fund-raising event that featured Prime Minister Ehud Olmert as the guest speaker. Mr. Harounian is an esteemed honorary board member. He makes it a priority to participate in all of the Aleh Foundation's fund raising events in NY and in Israel and spends an enormous amount of time introducing friends, neighbors and business associates to the vital work of the Foundation.

Over the years Mr. Harounian has devoted countless hours of his time, energy and money to helping Aleh expand its extraordinary facilities while continuing his wonderful work for Shaare Zedek and many other worthy causes in Israel. When asked why he worked so hard on behalf of the Aleh Foundation, Mr. Harounian replied, "It is wonderful that 12,000 parents can go to work each day with peace of mind, knowing that the Aleh Foundation, with its excellent and caring staff is taking care of their disabled children."

Mrs. Violet Harounian, besides warm support and encouragement, donated a very special ambulance to Magen David Adom in 1900 to Israel. She is active, in many other non-profit organizations in Israel such as Hadasah and Ort and so on. It is a distinct honor and a privilege to have Jack and Violet serve as Dinner Chairpersons of Aleh Foundation Awards Dinner celebrating 29 years of service to disabled children in Israel.

MATT LEWIS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Matt Lewis for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Matt Lewis is an 8th grader at Moore Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Matt Lewis is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive

to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Matt Lewis for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING MR. GEORGE J. PAPPAS

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today on behalf of myself, Representative CONAWAY from Texas, Representative LOBIONDO from New Jersey, Representative NUNES from California, Mr. ROGERS from Michigan, and Representative THORNBERRY from Texas to honor Mr. George J. Pappas, Professional Staff Member of the Permanent Select Committee on Intelligence and retired United States Army Lieutenant Colonel.

During his time with the House Intelligence Committee, Mr. Pappas traveled extensively on bi-partisan congressional delegations, leading world-wide congressional trips for individual Members of Congress and group delegations. He has specific knowledge and expertise in engaging partner allies and emerging democracies from Eastern Europe, East Asia, and Western Africa. He advised bipartisan Members of the House on issues related to national security, cyber security, nuclear non-proliferation, global conflict, military intelligence operations, and institutional organizations within the Department of Defense.

Before serving as an exceptional policy advisor, he dedicated 24 years to active military service, holding a number of command and staff assignments including Deputy Commander United States Special Operation Command—Korea and Chief of Civil Affairs, United States Forces Korea. He also served as Operations Officer, Company Commander and Special Forces Detachment Command, 10th Special Forces Group (Airborne); and Battery Commander and Brigade Fire Support Office in the 82nd Airborne Division.

His awards and decorations include the Legion of Merit, Bronze Star Medal, two Defense Meritorious Service Medals, three Meritorious Service Medals, Joint Service Commendation Medal, Army Commendation Medal, Joint Service Achievement Medal, Four Army Achievement Medals, Armed Forces Expeditionary Medal, Global War on Terrorism Service Medal, Korea Defense Service Medal, National Defense Service Ribbon, Army Service Ribbon, three Overseas Service Ribbons, two Joint Meritorious Unit Awards, two Army Superior Unit Awards, and the Master Parachutist Badge, Special Forces Tab.

Mr. Pappas received his Bachelor of Arts in History from Saint Bonaventure University and his Masters of Science in Resource Management from Troy University. His military education includes the Field Artillery Officer Basic and Advanced Courses, Defense Language Institute Foreign Language Center, Special

Forces Qualification Course, Air Command and Staff College, U.S. Army Force Management School, and the Armed Forces Staff College.

Mr. Speaker, George Pappas has dedicated his career in service of his country, and I ask that you join with me today to acknowledge Mr. George J. Pappas for his tremendous contributions to the security of the United States of America.

IN REMEMBRANCE OF MR.
DONALD S. FEIGENBAUM

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. NEAL. Mr. Speaker, I rise today to acknowledge the life and significant accomplishments of Donald S. Feigenbaum. Donald regrettably passed away on March 5th at the age of 87 at Berkshire Place in his beloved hometown of Pittsfield, Massachusetts.

Donald was born in Pittsfield, the son of S. Frederick and Hilda Vallin Feigenbaum. He attended Union College as an electrical engineering major and received his degree in 1946. Union College later recognized Donald as an "Outstanding Engineering Alumnus" and awarded him an Honorary Degree of Doctor of Science. Donald also received an Honorary Doctor of Humane Letters degree from the University of Massachusetts and a Doctor of Science degree from the Massachusetts College of Liberal Arts. Union College named its administration building the "Armand and Donald S. Feigenbaum Hall," in honor of the financial and professional contributions made to the college by Donald and his brother.

After serving in the Navy as a Seabee, Dr. Feigenbaum began his career with the General Electric Company in Schenectady, New York where he became a pioneer developer of value engineering, which has become a basic to product design and manufacturing in America.

In 1957, Dr. Feigenbaum became the General Manager of the International Systems Company, guiding the company to a leadership position within the systems technology industry. In 1960, Donald and his brother Armand founded the General Systems Company, a global leader in designing and installing proprietary management operating systems.

Donald and his brother Armand co-authored the book, "The Power of Management Capital," which laid out a new direction for management not only in industry, but healthcare, education, public administration, and technology as well. The book has been influential worldwide and the brothers have toured the globe extensively sharing their ideas. In recognition of their influence, the Feigenbaum Leadership Excellence Award was established by the Middle East Quality Association to encourage the adoption of total quality management.

Donald has made significant personal, professional and financial contributions to civic, educational, and charitable organizations. His commitment to the betterment of his home

county is reflected by his membership on the Board of Directors of the Berkshire Economic Development Corporation, the Board of Trustees of the Berkshire Athenaeum, the Board of Overseers of the Hancock Shaker Village, the Board of Trustees of the Berkshire Museum, the Board of Trustees of the Colonial Theater Association, the Board of Trustees of the Colonial Theatre Association, the Board of Trustees of the Berkshire Theatre Festival, the Board of Directors of the Rotary Club of Pittsfield Foundation, and as a corporator of the Berkshire Medical Center.

Donald, with his brother Armand funded the creation of the Feigenbaum Hall of Innovation at the Berkshire Museum. The extensive permanent exhibition that opened in 2008 presents the numerous achievements of Berkshire County residents in science, technology, and management, as well as innovations in the arts and other disciplines. The brothers have been key in the development of the Michael Walsh Trail on West Stockbridge Mountain, the Hilda Vallin Feigenbaum Berkshire Authors room in the Berkshire Athenaeum, the Feigenbaum Forum at Union College, the Feigenbaum Forum at the University of Massachusetts' Medical School, and the restoration of the Colonial Theatre in Pittsfield. To continue their legacy of philanthropy, Donald and his brother Armand established the Feigenbaum Foundation.

Mr. Speaker and fellow members, please join me in recognizing the life and accomplishments of Dr. Donald Feigenbaum.

HONORING CAROL BURRIS ON
BEING NAMED HIGH SCHOOL
PRINCIPAL OF THE YEAR

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to commend Carol Burris on being named New York State's 2013 High School Principal of the Year. Principal Burris has proudly served as Rockville Centre's South Side High School's Principal for 13 years. She was chosen as Principal of the Year by the School Administrators Association of New York State because of her exceptional contributions to the educational process and her commitment to her students and the community. It was because of her tireless efforts that so many were moved to submit letters of nomination for this award.

Praised for her bold ideas to improve the education system, Ms. Burris is well known for her opposition to using standardized test scores as an evaluation tool for teachers and the use of tracking at the high school level. She believes that tracking, which separates students by achievement level for all classroom subjects, limits a student's academic potential. This belief led her to establish paths of more rigorous study and increased opportunity for every student at South Side High School. She established a mandate that all 11th graders complete the very challenging English class, International Baccalaureate Language and Literature. Her high standards for all stu-

dents—regardless of social, economic, or racial background—resulted in 99% of her students, including 95% of minority students, graduating with a Regents diploma last year. These extraordinary results have led to U.S. News and World Report to select South Side High School as the top-ranked high school on Long Island.

Ms. Burris is known as a leader amongst her coworkers and students. She works with teachers to regularly to collaborate, develop new ideas for lesson plans, improve instruction tools, align curriculum to be highly effective. The impact of her leadership on her school and her students is evident. Please join me in honoring Carol Burris for the momentous achievement of becoming New York State's Principal of the Year.

HONORING KEVIN JOSEPH NOYES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kevin Joseph Noyes. Kevin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Kevin has been very active with his troop, participating in many scout activities. Over the many years Kevin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Kevin has contributed to his community through his Eagle Scout project. Kevin built, painted and installed crosses at a local cemetery for the "Day of Remembrance" event remembering Civil War participants in Macon, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Kevin Joseph Noyes for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

THE NINETY-EIGHTH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. MARKEY. Mr. Speaker, *parev, pari yegak* (Hello, welcome!).

I am very proud to represent Watertown, Massachusetts in Congress. Watertown has the third highest percentage of Armenian-Americans of any community in the Nation. I am also a proud member of the Congressional Caucus on Armenian Issues led by Representatives Pallone and Grimm.

The Armenian-American community is one of the greatest success stories in this Nation's history. I was meeting recently with a group of my Armenian-American constituents to discuss

some of the current issues affecting US-Armenian relations and I commented that in my experience, I have never met an unsuccessful Armenian!

As an Irish-American, I know what it is like to come from a troubled land. My grandfather and grandmother came to Boston from Ireland in 1902. Just as the core of the Irish-American community was formed out of the refugees of the Potato famine and the Irish Civil War, the core of the Armenian-American community was formed from those who fled the Genocide and their descendants.

Today, we remember and commemorate the Armenian Genocide, the first of many genocides we saw in the 20th Century. The Armenian Genocide that began in 1915 is sometimes called the "forgotten genocide," but we must never forget!

I was proud to be present at the opening of the Armenian Heritage Park in Boston in May of last year. This beautiful park and its haunting monument are a lasting testament to the 1.5 million Armenians who were slaughtered by the Ottoman Empire. This monument reminds us that we must be ever vigilant and not allow such horrors to occur again.

In order to prevent future genocides, however, we must recognize those of the past. For many years the U.S. House of Representatives has had before it a resolution which clearly affirmed that the Armenian Genocide did occur.

I have been a strong supporter and vocal cosponsor of this resolution in every Congress, and I remain so today.

Almost one-hundred years have passed since the Armenian Genocide, yet the suffering will continue for Armenians and non-Armenians alike as long as the world allows denial to prevail.

Already, 43 states and 22 nations have officially recognized the Armenian Genocide, and it is long overdue for the United States to do the same.

Unfortunately, the Republic of Armenia's challenges have continued even after it gained its independence from the Soviet Union in 1991.

In the face of ongoing blockades from Turkey and Azerbaijan, the United States must provide assistance to Armenia while working to reestablish the Turkish government's commitment to normalized relations in order to ensure peace and stability in the Caucasus region. I strongly support these efforts.

The Armenian people are true survivors. Despite the reappearing themes of invasions and land loss that the Armenians have dealt with for over 3,000 years, coupled with the loss of between one-half and three-quarters of their population in the early 20th century, the people of Armenia have prevailed.

The journey of the Armenian people continues today, with our shared responsibility to ensure that the Armenian people are able to build their own, independent and prosperous future.

I look forward to continuing to work with the Armenian-American community to address the issues facing this longtime friend and important ally of the United States. Together we can continue to build something positive, something hopeful, something good for the future—an Armenia that is respected and honored by its allies and neighbors.

And this *cannot* come without universal acknowledgement of the horror that was the Armenian Genocide.

Shnorhagal em (Thank you).

RECOGNIZING WOMEN OF INFLUENCE

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to honor 32 women who were recognized as New Mexico "Women of Influence" for 2013.

It is important to highlight women in our communities who are achieving incredible success as local business and community leaders. Albuquerque Business First partnered with the local business community to evaluate a record number of nominations for the Women of Influence awards.

I understand the challenges of being a small business owner and overcoming hurdles that are all-too-common for women in a male-dominated culture. I appreciate and applaud this year's honorees, each of whom has contributed to the state of New Mexico in unique and exciting ways.

New Mexico's Women of Influence include CEO's, educators, entrepreneurs, and leaders in financial services, government, health and fitness, non-profits and technology firms.

Business Services:

Virginia R. Dugan, Esquire, Atkinson & Kelsey, P.A., Annette Gardiner, President, New Mexico Gas Company, Debra P. Hicks, PE/LSI, President and CEO, Pettigrew & Associates, P.A., Jennifer Hise, Vice President, CEMCO, Inc., Laurie Monfietto, Vice President of Human Resources, PNM Resources, Dorothy Stermer, Manager, Sandia National Laboratories, Dr. Sandra Taylor-Sawyer, Director, NM Small Business Development Center, CEO, Dream Givers, LLC, Independent Associate, LegalShield.

Education:

Barbara Bergman, Interim Dean, University of New Mexico School of Law, Marilyn Melendez Dykman, Director, University of New Mexico Veterans Resource Center, Dr. Viola E. Florez, Professor and PNM Education Endowed Chair, University of New Mexico College of Education.

Entrepreneur:

Sherry M. Keeney, President/CEO, PECOS Management Services, Inc., Janice J. Lucero, CEO/Owner, MVD Express, Susan MacLean, President & CEO, The Solutions Group, DeAnn Sena O'Connor, Creative Director, dso creative.

Financial Services:

Karen M. Bard, Wealth Management Advisor, Merrill Lynch, Dohnia Dorman, MBA, VP of Marketing, Rio Grande Credit Union, Part-Time Adjunct Lecturer II, UNM, Tammy S. Jaramillo, Director of Administration, Burt & Company CPAs, LLC.

Government:

Mary Ann Chavez-Lopez, Executive Director, El Camino Real Housing Authority, Ann Lerner, Film Liaison, City of Albuquerque,

Katherine Carroll Martinez, Director, Construction Industries Division/Manufactured Housing Division, Regulation and Licensing Department, State of New Mexico.

Health/Fitness:

Kristie Bair, J.D., President, Bair Medical Spa, Gayle Dine'Chacon, MD, Surgeon General, Navajo Nation, Associate Professor, UNM School of Medicine, E. DeAnn Eaton Azar, CEO, Haverland Carter Lifestyle Group, Kim E. Hedrick, Vice President Strategic Business Development, University of New Mexico Medical Group, Inc., Mary G. Martinez, Franchise Owner/CEO, Home Instead Senior Care.

I congratulate these women leaders and thank them for their contributions to New Mexico.

CELEBRATING THE RETIREMENT OF DR. GENE BUIINGER

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. MARCHANT. Mr. Speaker, I rise today in recognition and to celebrate the retirement of Dr. Gene Buinger as the Superintendent of Schools for the Hurst-Euless-Bedford Independent School District (HEB-isd). Dr. Buinger served the 24th district of Texas with pride and success in his tenure as the Superintendent of the HEB-isd.

Dr. Buinger began his successful career with HEB-isd in June of 1999. In his 14 years as the Superintendent, Dr. Buinger turned HED-isd into a school system that prepares all children for college or the work force. Dr. Buinger selflessly instituted a variety of initiatives to bolster the school districts reach in their student's education. Implementation of the International Baccalaureate and International Business Initiative within the HEB-isd offers secondary students an opportunity they may not get in other school districts.

Dr. Buinger implemented these programs during his tenure to ensure that the students coming from the HEB-isd would be able to gain entry to the world's most prestigious universities. As Superintendent, Dr. Buinger's ISD increased Texas Assessment of Knowledge and Skills performance by 20 percent in some areas virtually eliminating the achievement gap among all student groups.

Mr. Speaker, with Dr. Buinger's retirement, the 24th District of Texas celebrates a great leader in the fight for a stronger education for our nation's youth. I am honored to recognize Dr. Buinger for his service to the HEB-isd. His experience and expertise will be sorely missed. I ask all my distinguished colleagues to join me in congratulating Dr. Buinger on a tremendous career as well as wishing him the best in his future endeavors.

HONORING JACOB R. BEAUCHAMP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob R.

Beauchamp. Jacob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jacob has contributed to his community through his Eagle Scout project. Jacob built, painted and installed shelving and cubbies at Ray of Hope Pregnancy Care Ministries in Macon, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Jacob R. Beauchamp for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MARISOL RODRIGUEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Marisol Rodriguez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Marisol Rodriguez is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Marisol Rodriguez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Marisol Rodriguez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,794,429,148,215.24. We've added \$6,166,467,852,284.57 to our debt in 4 years. This is \$6.1 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

RECOGNIZING THE NATIONAL DAY OF PRAYER

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. NUGENT. Mr. Speaker, I rise today to recognize the National Day of Prayer.

On May 2nd, 2013, hundreds of people across Florida's eleventh district will come together to observe the 62nd annual National Day of Prayer.

The call to prayer is a tradition as old as America itself. Our founding fathers were so firm in their belief in God that they frequently turned to prayer for blessing and in times of need. Thomas Jefferson believed that the God who gives us life also gives us liberty and that as Americans we must acknowledge his mercy and guidance.

In 1952, Congress passed a resolution establishing an annual day of prayer. This resolution was later amended and signed by President Reagan to permanently establish the first Thursday of May as the National Day of Prayer.

This day holds special meaning as it serves as an important reminder of the role faith has played, and continues to play, in our everyday lives.

Therefore, I, RICHARD B. NUGENT, Member of Congress representing the eleventh district of Florida, do hereby recognize the district's observance of the 62nd National Day of Prayer.

CRANE HIGH SCHOOL BASKETBALL—MISSOURI CLASS 2 STATE CHAMPIONS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. LONG. Mr. Speaker, I rise today to congratulate the Crane Lady Pirates Basketball Team for winning the Missouri Class 2 Girls State Championship.

The win capped off a commanding season in which the Lady Pirates won 30 games, including a 21-game winning streak. Members of the team include Maggie McMenamy, Allie Hagler, Addie Reel, Riley Israel, Loni Johnson, Jalee Johnson, Kylie Vaught, Lexi Vaught, Emma Lander, Sam Bunting, Justeen Mahan, Kylee Moore, Shelby Roder, and Keren Belin. It was through their hard work and dedication that they achieved such a high level of success.

I also want to recognize Head Coach Jeremy Mullins and Assistant Coaches Billy R. Redus and Maranda Vaught. They developed a powerhouse program, and they should be commended on developing these young women into strong leaders on and off the court.

The Crane community is justifiably proud of this extraordinary group of talented student-athletes. I urge my colleagues to join me in congratulating the Crane Lady Pirates as they celebrate their Class 2 Girls State Championship.

HONORING TAYLOR J. LONG

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Taylor J. Long. Taylor is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 180, and earning the most prestigious award of Eagle Scout.

Taylor has been very active with his troop, participating in many scout activities. Over the many years Taylor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Taylor has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Taylor J. Long for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

A TRIBUTE TO MR. CLYDE RANDAL STRICKLAND

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. MCINTYRE. Mr. Speaker, I rise today to pay tribute to the longtime pastor of the Stedman Pentecostal Holiness Church Mr. Clyde Randal Strickland, known as Randal by his friends and his congregation. Mr. Strickland passed away on March 30, and he will be remembered as a caring pastor who led by example, describing himself as a shepherd, not a policeman. He will be dearly missed.

Randal Strickland was born in January, 1951, as one of six children to Randolph and Laverne Strickland. Mr. Strickland was given his grandfather's name, Clyde, but everybody in his congregation and the tight-knit Stedman community knew him as Randal. Mr. Strickland first met his wife, June Hancock, when she was in fourth grade and he in fifth. They dated throughout high school and attended Coker College in South Carolina together. Mr. Strickland discovered his calling as a pastor when he was asked to temporarily fill the position at Stephenson Avenue Pentecostal Holiness in Savannah, Georgia. He then moved to Stedman, North Carolina and served the Stedman Church for 30 years.

Mr. Strickland baptized hundreds of people and officiated over 100 weddings, including that of one of his own daughters. Over his lifetime he earned the love and admiration of his congregation, the people of Stedman, and all who met him.

Mr. Strickland is survived by his wife, June H. Strickland; children, Joanna Gray and husband Jim, Lynn Jeffrey and husband Travis, and Phillip Strickland and wife Ashley; grandchildren, Judah, Julianna, Jacob and Jennalyn Gray, and Cooper and Caden Jeffrey, all of Stedman; mother, Laverne Strickland; brothers, Allen Strickland, Doug Strickland and

Wayne Strickland; and sisters, Darlene Fisher and Anita Williams.

Mr. Speaker, may we never forget the goodness, humility, service, and character that defined the life of Randal Strickland. May God continue to bless all of his loved ones, and may we all strive to carry on his ministry and good work.

HONORING MAYOR TERRY YORKE
LAROIX, JR.

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the exceptional life of Alameda's first elected mayor, the Honorable Terry Yorke LaCroix, Jr. Born and raised in the City of Alameda, Mayor LaCroix was known for his love of the community and volunteered countless hours to public service. His strong leadership bolstered Alameda and the surrounding community during crucial transitions, and even times of tragedy. With his passing on March 19, 2013, we look to Mayor LaCroix's legacy and the outstanding quality of his life's work.

Born on October 24, 1924 to Vivian and Terry LaCroix, Sr., he attended St. Joseph Catholic School and Alameda High School before leaving to serve in World War II. In the U.S. Army Air Corps, he trained on C-47s, served as a flight engineer, and flew in the China-Burma-India theatre.

After marrying the love of his life, Patricia ("Patty"), in 1947, the couple settled in Alameda where they raised six daughters. During his early career working as a manager at Alameda's Del Monte plant and, later, over the course of a long career as a banking executive, Terry LaCroix became deeply involved with civic life.

As an Alameda City Councilmember from 1963 to 1969, Terry gained the trust and respect of colleagues and community members alike. And, in 1969, he became Alameda's first elected mayor, serving the City dutifully until 1975. As Mayor, he proudly defeated a 1972 proposal called "Southern Crossing," which would have built a bridge linking the idyllic island community to San Francisco. In another bid to preserve Alameda's traditional infrastructure, Mayor LaCroix limited building construction and housing density to combat overdevelopment.

On February 7, 1973, Mayor LaCroix was faced with public tragedy when a U.S. Navy aircraft accidentally collided with an Alameda apartment building, killing the pilot and 10 bystanders and causing a fire that damaged the area. His leadership in guiding first responders and community assistance, as well as easing relations between local residents and the naval air station, helped pave way for the process of healing.

Among his many other distinctions and community associations, Terry LaCroix served as Chairman of Alameda County Criminal Justice Planning Board, President of the Mayor's and Councilmen's League of California Cities, President of Kiwanis Club, Chairman of Alameda Park and Recreation Department, and

on the Board of Directors of Providence Hospital (now Summit Medical Center in Oakland).

Together, he and his wife enjoyed sailing, traveling, and volunteering—providing their services at Redding, California's Mercy Medical Center and on the Board of Trustees well into retirement. A man of great faith, Terry also served as a Eucharistic minister and as chairman for many annual fundraisers at St. Joseph's Catholic Church in Redding. He was a loving grandfather to ten and a great-grandfather to three great-granddaughters.

Today, we mourn the loss of a community stalwart and a respected leader who helped shape the City of Alameda and the surrounding area during his political career. Mayor Terry Yorke LaCroix, Jr., leaves behind a strong legacy of character, integrity, and love for his community. I offer my sincerest condolences to his surviving family and to the many friends and associates whose lives he touched over the course of his long and fruitful life. He will be deeply missed.

U.S. PRODUCTS SHOULD NOT AID
INTERNET CENSORSHIP

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. SMITH of New Jersey. Mr. Speaker, about 2 billion people in the world regularly communicate or get information on the Internet. Well over half a billion people of these people do so in repressive countries. As the Internet use has become a vital and even the standard means to disseminate beliefs, ideas and opinions, so we see a growing number of countries that censor or conduct surveillance on the Internet, in conflict with internationally recognized human rights laws and standards.

The Internet, in many countries, has been transformed from a freedom plaza to big brother's best friend. The technologies to track, monitor, block, filter, trace, remove, attack, hack, and remotely take over internet activity, content and users has exploded. Many of these technologies are made in the U.S.A. Many of them have important and legitimate law-enforcement applications. But, sadly, many of them are also being exported, every day, to some of the most unsavory governments in the world—whose use of them is far from legitimate. Every day we learn about more activists being arrested through the use of newly-developed technologies—much of it American technology—in China, Belarus, Egypt, Syria and many other countries around the world. The stakes are life and death for online democracy activists, and they deserve our support and protection.

We only have to look around the globe at Belarus, Iran, China, and Vietnam to see horrific examples of the internet gone wrong. I have introduced the Global Online Freedom Act of 2013 (GOFA), H.R. 491, that addresses this fundamental threat to the democracy activists abroad.

GOFA requires the State Department to beef up its reporting on Internet freedom in the annual Country Report on Human Rights Practices, and to identify by name Internet-re-

stricting countries. This country designation will be useful not only in a diplomatic context in helping to advance Internet freedom through naming and shaming countries, but will also provide U.S. technology companies with the information they need in deciding how to engage in repressive foreign countries.

And GOFA addresses what Google's Eric Schmidt calls the "dark side" of the digital revolution. This bill will prohibit the export of hardware or software that can be used for surveillance, tracking and blocking to the governments of Internet-restricting countries. Current export control laws do not take into account the human rights impact of these exports and therefore do not create any incentive for U.S. companies to evaluate their role in assisting repressive regimes. GOFA will not only help stop the sale of these items to repressive governments, but will create an important foreign policy stance for the United States that will help ensure that dissidents abroad know we are on their side, and that U.S. businesses are not profiting from this repression.

This export control law is long overdue, and thoroughly consistent with the approach Congress has taken, for example, in restricting exports of certain crime control equipment to China. It makes no sense for us to allow U.S. companies to sell technologies of repression to dictators, and then turn around and have to spend millions of dollars to develop and deploy circumvention tools and other technologies to help protect dissidents from the very technologies that U.S. companies exported to their persecutors.

Mr. Speaker, I believe the United States has a unique role to play in preserving online freedom; and export controls can send a strong message to repressive governments that the Internet must not become a tool of repression.

HONORING GRANT DONOVAN
EDWARD DOUGLAS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Grant Donovan Edward Douglas. Donovan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Donovan has been very active with his troop, participating in many scout activities. Over the many years Donovan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Donovan has contributed to his community through his Eagle Scout project. Donovan painted and remodeled the foyer of the Macon Presbyterian Church in Macon, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Grant Donovan Edward Douglas for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MADAHI CABRERA-MARQUEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Madahi Cabrera-Marquez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Madahi Cabrera-Marquez is a 9th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Madahi Cabrera-Marquez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Madahi Cabrera-Marquez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

COMMEMORATION OF THE
ARMENIAN GENOCIDE

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mrs. LOWEY. Mr. Speaker, I rise today to commemorate the 98th anniversary of the Armenian Genocide. This yearly commemoration is a testament to the lives and legacy of the 1.5 million Armenians who lost their lives, and is emblematic of our commitment to keeping the Armenian nation and culture alive.

Today, as we revisit this dark period in world history, we must be mindful of the lessons learned from this tragedy. We have witnessed that blind hatred and senseless prejudice tear at the very fabric of our society, even today. The victims of the Armenian Genocide, the Holocaust, ethnic cleansings in Kosovo, Rwanda, and Sudan, and acts of vicious terrorism remind us of the human cost of hate. We must do everything in our power to prevent these kinds of senseless tragedies from happening again.

We remember the past and pledge our support for ensuring a positive and secure future for the Armenian nation and its people. Armenians now live all around the world, including many in my District and throughout the United States. As the Ranking Member of the House State and Foreign Operations Appropriations Subcommittee, I support our yearly package of assistance to Armenia, including funds available for activities that further a peaceful resolution to the conflict in Nagorno-Karabakh. I have also cosponsored legislation calling on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights violations and the ethnic cleansing during the Armenian Genocide.

Finally, as an active member of the Armenian Caucus, it is my pleasure to continue working on behalf of the U.S.-Armenia relationship in Congress.

In honoring the memory of the victims of the Armenian Genocide, we must commit to building a strong, prosperous, and stable Armenia. I am proud to be a partner in this effort and thank my colleagues who have also pledged their support.

DOMINICAN MEDICAL ASSOCIATION
SIXTEEN YEAR ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. RANGEL. Mr. Speaker, today I stand to recognize the 16th anniversary of The Dominican Medical Association. An organization dedicated to providing information on disease prevention, education, and counseling to New York City Communities.

The Dominican Medical Association or DMA was founded on April 26, 1997, by a group of physicians from the Dominican Republic. Their mission has been to educate communities on health issues and to assist newly arrived physicians from abroad in obtaining jobs in their respected fields, providing them with the tools needed to pass the medical boards, and integrating them into the local medical community.

Last year was one of multiple accomplishments for the Dominican Medical Association. In line with its mission a total of 1119 people were served through health fairs, medical conferences, forums, symposiums, and trainings. The vast majority served through the DMA are Hispanics living throughout all of New York's Boroughs.

Information and knowledge on health is vital. My beloved village of Harlem and many areas of my district are predominately inhabited by minorities who have been affected by many health concerns that are the direct result of lack of knowledge on preventative care. Obesity is just an example of one of the diseases that has plagued our communities but it is an epidemic that can be stopped and the DMA works tirelessly and has worked for quite some time to be a part of this movement to get our communities on a healthy track. The DMA's outreach programs help to enlighten our communities, helping them to make better health conscious decisions about the way they live.

As the representative to the largest Dominican population in the country it gives me great pride to see a thriving organization not only rooted in that heritage but one that works to provide information for a predominantly Hispanic demographic. The youths of my district and those all over New York have a brighter future because of organizations like the DMA and their mission to spread knowledge and awareness.

Mr. Speaker, I ask you and my colleagues to join me in honoring this remarkable organization and all of the good that they do.

LINH HOANG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Linh Hoang for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Linh Hoang is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Linh Hoang is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Linh Hoang for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

NEOSHO HIGH SCHOOL WRESTLING—MISSOURI CLASS 3
STATE CHAMPIONS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. LONG. Mr. Speaker, I rise today to congratulate the Neosho High School wrestling team for winning the Missouri Class 3 State Championship.

Their win is the third state wrestling title in four years, which is a remarkable feat. They showed grit and determination throughout the season, and they came from behind to win the title once again. Members of the team include: Kyler Rea, John Williams, River Buttram, Dakota McGarrar, Nate Rodriguez, Jason Box, Kyle Hostetter, Sam Williams, Chance Branstetter, Jacob Brock, Ben Elledge, Christian Lopez, Aaron Clardy; and managers Emily Massey, Raegan Kibler, Madysen Reiboldt, and Macy Smith.

I want to recognize Christian Lopez for winning the individual title in his weight class. With the team championship on the line, it was his win that gave his team the points they needed for victory. It was a commanding performance under pressure.

I also want to congratulate senior Nate Rodriguez for winning the individual title in his weight class. The four-time Academic All-State student finished his high school career with three state championships and a final record of 210-13, which places Nate as Missouri's all-time career record holder, which is an extraordinary accomplishment.

The coaching staff, which includes Head Coach Jeremy Phillips, Assistant Coaches Cody Crocker, Josh Sonis, Brett Watkins, and Tyler Gordon, Volunteer Assistant Brandon Russow, and Trainer James Bolin, has developed a powerhouse wrestling program, and

they should be commended on an amazing accomplishment and a job well done.

The team, with the help of its coaches and the support of their families and community, persevered through the turmoil of the season and the trials of the state championships. Together, they grew as individuals and as a team, and their successes show what can be achieved through hard work, dedication, and belief.

HONORING JONATHAN P.
WEMHOFF

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jonathan P. Wemhoff. Jonathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 180, and earning the most prestigious award of Eagle Scout.

Jonathan has been very active with his troop, participating in many scout activities. Over the many years Jonathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jonathan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jonathan P. Wemhoff for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

LABEAT ALIJA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Labeat Alija for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Labeat Alija is a 12th grader at Pomona High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Labeat Alija is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Labeat Alija for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING MIGUEL MARTINEZ

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. LEWIS. Mr. Speaker, I rise to recognize the hard work and contributions of Miguel Martinez, a valued member of my staff.

For the past four years, Miguel has served as my tax and benefits counsel; he is my key staff person for Ways and Means Committee tax, retirement, and pension policy. In addition to handling financial services and small business issues, Miguel is a passionate advocate and advisor on LGBT issues and immigration reform. It is rare to find a person who not only understands these complicated issues, but can also simplify their importance for the average person. He is an intellectual with a soul.

We were lucky to find Miguel, who treats every one of my constituents with dignity, respect, and welcomes them with true southern hospitality. An Atlanta native with Caribbean roots in Puerto Rico, Miguel graduated from Emory University and American University's Washington College of Law. Before joining my office, he practiced tax, employee benefit, and commercial transaction at Paley Rothman Law Firm.

Together, we have worked on countless successes—like a tax relief bill for workers affected by airline bankruptcies, improvements and extensions of the homebuyer tax credit, fighting for small businesses and low-income individuals in the tax code. Simply said, Mr. Speaker, Miguel is one of the best congressional staffers with whom I have ever had the privilege and honor of working.

Although Miguel is leaving my office to become the Director of Government Relations and Tax Counsel for the Information Technology Industry Council (ITI), he will always remain a part of the John Lewis family. I wish him continued success and happiness in his future endeavors.

HONORING THE 150TH ANNIVERSARY OF HOSPITAL FOR SPECIAL SURGERY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, it gives me great pleasure to recognize the 150th anniversary of Hospital for Special Surgery (HSS), which will be celebrated on May 1, 2013. The hospital, which is located in my district on the Upper East Side of Manhattan, was established in 1863 as a 28-bed hospital for children with severe disabilities and has grown to become an international leader in orthopedics and rheumatology for children and adults. It has been ranked #1 in the country for orthopedics for three consecutive years by U.S. News & World Report and has been among the top ranked hospitals in orthopedics and rheumatology for 22 consecutive years. Through its long and successful history, HSS

has always maintained its specialized focus on improving patients' quality of life and getting them back to work and leisure. Today, the skilled medical staff at HSS perform some 27,000 surgeries each year, helping patients from across the United States and around the world maintain active lives.

Demand for the hospital's services has almost doubled in the past six years, and I am confident that this trend will accelerate as people of all ages live more actively than ever before. People travel far and wide for the unsurpassed level of care provided by the hospital—in 2012, patients came from every state and 90 countries. HSS physicians are the official team doctors for the New York Giants, New York Mets, New York Knicks, Brooklyn Nets, New York Liberty, and New York Red Bulls. Despite these high-profile relationships, everyday athletes and non-athletes are treated the same as elite athletes at the hospital.

HSS nurses have been widely recognized for their excellence and caring. In 2012, Hospital for Special Surgery became the first hospital in New York State to earn Magnet Recognition by the American Nurses Credentialing Center—the nation's highest honor for nursing excellence for the third consecutive time.

In addition to outstanding clinical care, HSS conducts research that directly improves the lives of people with arthritis, mobility disorders, severe injuries, and autoimmune diseases. For example, in the 1970s a team of HSS surgeons and engineers pioneered the first modern total knee implant, called the total condylar knee, which led the way for millions of people with advanced knee arthritis to live active lives with limited pain. More recently, the modular shoulder replacement and other significant HSS implant designs improved the lives of so many more. HSS scientists continue to make breakthrough discoveries about the causes of autoimmune diseases, providing exciting new opportunities for drug therapies.

Building on a rich legacy of pioneering achievement in the fields of orthopedics and rheumatology, HSS will meet the future with the same unwavering commitment to fulfill its mission in patient care, research, and education it has exhibited in the last 150 years. HSS is dedicated to finding new solutions to improve the lives of patients by striving for the highest levels of quality, making discoveries in the laboratory, pursuing innovative technologies, and training physicians who will influence and lead the fields of orthopedics and rheumatology around the world.

Hospital for Special Surgery's unique culture of excellence and dedication to patients continues to be its strength, and will ensure its success in the future. I congratulate the hospital on this important anniversary and invite Members to join me in extending appreciation for its past, present, and future accomplishments.

HONORING JOHN PATRICK RYAN
DWIGGINS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize John Patrick Ryan

Dwiggins. Jack is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Jack has been very active with his troop, participating in many scout activities. Over the many years Jack has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jack has contributed to his community through his Eagle Scout project. Jack created and installed glow-in-the-dark pull chains for the call lights at a local nursing home.

Mr. Speaker, I proudly ask you to join me in commending John Patrick Ryan Dwiggins for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MARIA HERNANDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Maria Hernandez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Maria Hernandez is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Maria Hernandez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Maria Hernandez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

COMMEMORATING THE ARMENIAN GENOCIDE

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. NUNES. Mr. Speaker, I rise today to commemorate the Armenian Genocide, one of the bloodiest, most tragic occurrences of the twentieth century.

In 1915, the Ottoman Empire began implementing a program to systematically exterminate its Armenian population. Committing crimes so vast that they nearly defy belief, the Ottomans resorted to death marches, human burnings, mass starvation, extermination camps, and other outrages that still shock the human conscience. More than a million people were slaughtered in the carnage.

It is hard to imagine anyone today visiting Armenia's Tzitzmagapert, the genocide monu-

ment and memorial, without being shaken by the experience, as I was. The site is a permanent reminder of the horrifying depravity mankind is capable of when unshackled from any notion of mercy or compassion.

That the Armenian people could recover from such a tragedy, and recover from the ensuing decades of Soviet rule, to establish an independent state in which they control their own destiny, is a tribute to the amazing resiliency and love of freedom harbored by the Armenian nation.

On this anniversary of the beginning of the Genocide, let us remember and honor the victims of this terrible crime.

IN MEMORY OF THE HONORABLE
JAMES EDWARD SHEFFIELD

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor and remember the Honorable James Edward Sheffield—husband, father, trailblazer, airman, judge, lawyer, law professor, community leader, humanitarian and friend. Judge Sheffield left this world on March 28, 2013, at age 80. He is survived by his wife of 56 years, Patricia Allen Sheffield, two daughters, Joi Elisa Sheffield and Shari Leta Sheffield, both lawyers, and a host of family members and friends.

Born during the Great Depression in Hot Springs, Ark., he was one of nine children of a railroad Pullman porter's family. He worked his way through junior college and three other college-level schools, including the University of Illinois, where he earned a bachelor's degree in political science in 1955. He served 3½ years in the Air Force and was honorably discharged in 1959.

He was a district executive with the Frederick Douglass District of the Robert E. Lee Council, Boy Scouts of America, in Richmond from 1959 to 1963, responsible for providing the Scouting program to the African-American community. While also an honor law student at Howard University, he clerked for the chief counsel of the U.S. Commission on Civil Rights in Washington, D.C. He also clerked for Spottswood Robinson, the first African American judge on the U.S. Court of Appeals for Washington, D.C., and Dean of the Howard Law School.

In 1963, Judge Sheffield earned a law degree from the Howard University Law School. From 1963 to 1965, he worked in U.S. Attorney General Robert F. Kennedy's Honor Program at the U.S. Department of Justice, Court of Claims Section, in Washington, D.C. representing the federal government in litigation brought against it. Following his tenure there, he returned to Richmond and set up a law practice. And from September 1964 to late 1966, he was a full-time law professor at the Howard University Law School. Thereafter, he returned to Richmond to resume the practice of law.

In 1974, he became the first African-American Judge in Virginia. He was appointed by then Governor Mills E. Godwin, Jr., to the

Richmond Circuit Court to fill an un-expired term created by an appointment from that court to the Virginia Supreme Court. He was subsequently elected by the Virginia General Assembly to a full-term on the Circuit Court and was later elected Chief Judge of the Court by his 7 peers.

Judge Sheffield was a member of the Virginia State Bar and the District of Columbia Bar, and served as President of the Old Dominion Bar Association. He also served as an assistant professor of law at the University of Richmond's T.C. Williams School of Law and as lecturer at the University of Virginia School of Law.

In 1980, President Jimmy Carter nominated him for a federal judgeship for the U.S. District Court for the Eastern District of Virginia. However, due to the strength of racism still affecting our Senate representatives at that time, he was not confirmed.

In 1984, Judge Sheffield resigned from the Circuit Court to return to the practice of law. Shortly thereafter, he became a partner in the law firm of Little, Parsley & Myelitis, PC, in Richmond, and in later years returned to solo practice in the Jackson Ward section of Richmond.

Judge Sheffield was very active in civic affairs in the Richmond community and beyond. A member of the Ebenezer Baptist Church, he was chairman of the church's Board of Trustees and chairman of its Building Council. He was also on the Board of Directors of Chippenham Hospital and Children's Hospital in Richmond, was a 32nd degree Mason, a member of the Downtown Club of Richmond, the Focus Club, The Guardsmen, Kappa Alpha Psi Fraternity, the N.A.A.C.P., the Richmond First Club, the Richmond Urban League, the Richmond Urban Forum and was the 1982–83 Regional Sire Archon of the Southeast Region of Sigma Pi Phi Fraternity (Alpha Beta Boule). He was also a member of the Board of Visitors of Virginia Commonwealth University and a member of the Board of Trustees for St. Paul's College.

Judge Sheffield was the recipient of numerous honors and awards, some of which include: the Citizenship Award, Astoria Beneficial Club, 1974; Citizenship and Service Award, King Solomon Lodge No. 27, Free and Accepted Masons, 1974; Citizen of the Year Award, Phi Phi Chapter, Omega Psi Phi Fraternity, 1975; Model Judiciary Program Participation Award, YMCA, 1977; Citizenship Award, Lynchburg Chapter of the N.A.A.C.P., 1979; John Mercer Langston Outstanding Alumnus Award for 1980, Howard University School of Law Student Bar Association; and the Kenneth David Kaunda Award for Humanism, at the United Nations, from Zambia, 1981. At the request of the Nigerian government, Judge Sheffield delivered a paper to Nigerian judges comparing that nation's constitution to that of the U.S., and was a member of a delegation of constitutional experts and jurists invited to help Nigeria transition from military rule to the rule of law under a constitution.

Judge Sheffield will be missed, not only by family and friends, but also by the many people who benefitted from his legal expertise on the bench, in the private practice of law, as a law professor, and by his good works in the

Richmond community and beyond. In accomplishments as well as contributions, he was a giant among us.

HONORING SKYLER EVAN THOMAS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Skyler Evan Thomas. Skyler is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Skyler has been very active with his troop, participating in many scout activities. Over the many years Skyler has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Skyler has contributed to his community through his Eagle Scout project. Skyler did painting and remodeling work at Macon Diversified Industries, the home of the local sheltered workshop for those with developmental disabilities, in Macon, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Skyler Evan Thomas for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

WILL ROARK SENECA HIGH SCHOOL WRESTLING

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize Will Roark for winning the Missouri Class 1 State wrestling championship in the 120 pound division.

The win capped off a commanding season for Will, a sophomore who went 54-1 this season. His record after two seasons stands at 109-4, a truly impressive record. Will reached this level of success through hard work and dedication. In his off-season and regular season matches, he would often choose to wrestle opponents in higher weight categories, accepting the challenge as a way to improve.

Will was also voted District 2 Class 1 Wrestler of the Year.

Will's hard work also extends to the classroom, and the results show: he is a two-time Academic All-State scholar.

This win is a vindication of his efforts. His work to improve on the mat and in the classroom is truly commendable, and I urge my colleagues in congratulating Will on his championship win.

STEERING THROUGH A SEA OF CHANGE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Ms. ESHOO. Mr. Speaker, on April 16, 2013 Taiwan's President Ma Ying-jeou took part in a video conference with the Center on Democracy, Development, and the Rule of Law at Stanford University in my Congressional District. The event was chaired by former U.S. Secretary of State Condoleezza Rice, and featured a panel including the Center's Director Dr. Larry Diamond, Dr. Francis Fukuyama, and retired Admiral Gary Roughead. After opening greetings by Secretary Rice, President Ma delivered an address entitled "Steering through a Sea of Change" which follows.

STEERING THROUGH A SEA OF CHANGE—SPEECH BY PRESIDENT MA YING-JEOU, REPUBLIC OF CHINA (TAIWAN), VIDEO CONFERENCE WITH CENTER ON DEMOCRACY, DEVELOPMENT, AND THE RULE OF LAW, STANFORD UNIVERSITY—APRIL 16, 2013

I. OPENING REMARKS

Professor (Condoleezza) Rice, Professor (Larry) Diamond, Professor (Francis) Fukuyama, Admiral (Gary) Roughead, distinguished guests, faculty members and students of Stanford University, ladies and gentlemen: Good evening!

It's your evening now, but it's our morning here in Taipei. Before I start, I want to pay my deep condolences to the victims of the explosion that happened at the Boston Marathon on Monday. My prayers and thoughts are with their family members. In the meantime, I also strongly condemn the violence on behalf of the government of the Republic of China (Taiwan). Let's start.

It is a great pleasure to address my friends at Stanford University this evening. Stanford University has long been a distinguished center of learning. Under the guidance of Professor Diamond, the Center on Democracy, Development, and the Rule of Law, through the Journal of Democracy, has made incomparable contributions to the study of democracy. Since Taiwan represents a shining example of how democracy can take root in the Chinese-speaking world, it is only fitting to join you today for this video-conference.

II. CHANGES IN EAST ASIA

Since I took office as President of the Republic of China in 2008, the geopolitical situation in East Asia has undergone tremendous change. Five years ago, there were two flash points: the Korean Peninsula and the Taiwan Strait. Today, the Korean Peninsula is at an unprecedented level of tension: North Korea has conducted a third nuclear test explosion, and in the aftermath of the resulting UN sanctions continues its saber rattling, even claiming that it has abrogated the 1953 Armistice Agreement that ended Korean War fighting 60 years ago. In contrast, tensions in the Taiwan Strait have been greatly reduced, and relations between Taiwan and mainland China continue to advance toward peace and prosperity.

This does not necessarily mean, however, that only one potential source of instability remains in East Asia. Geopolitical competition in both the East China Sea and the South China Sea is growing more intense even as the drive toward regional economic

integration continues. In addition, three of the major players in East Asia—mainland China, South Korea and Japan—have changed leadership in the last eight months, while here in Taiwan, I was elected to a second term of office early last year.

Thus, amidst the uncertainty resulting from such changes, the Republic of China on Taiwan remains firmly committed to fostering peace and stability, and is a strong proponent of the liberal values cherished by democracies worldwide. It is against this backdrop that I would like to discuss how my administration has steered Taiwan through this sea of change.

III. HOW CROSS-STRAIT RAPPROCHEMENT WAS ACHIEVED

I decided to seek rapprochement with mainland China long before I took office in 2008. To ensure peace in the Taiwan Strait after some sixty tumultuous years, my administration had to meet both the challenges of establishing mutual trust between the two sides of the Taiwan Strait and of rebuilding Taiwan's strength so that peace could be guaranteed.

From the start, the "1992 Consensus" was a critical anchoring point for Taiwan and mainland China to find common ground on the otherwise intractable issue of "one China." The consensus, reached between the two sides in 1992, established a common understanding of "one China with respective interpretations". With this understanding as the foundation, my administration designed a number of modus operandi that broadly defined how Taiwan would pursue peace and prosperity with mainland China. These included iteration of the "Three No's"—"No Unification, No Independence, and No Use of Force"—under the framework of the Republic of China Constitution. This formulation, grounded de jure in the 1947 Constitution of the Republic of China, sets clear parameters for how both parties can work to move the relationship forward in a positive direction without misunderstandings or hidden agendas, so as to build mutual trust and achieve mutual benefit for the people on either side of the Taiwan Strait.

"Beating swords into ploughshares" requires pragmatism and the wisdom to remain focused on what can be accomplished in spite of past differences. So we then called for "mutual non-recognition of sovereignty, mutual non-denial of governing authority" allowing both sides to pursue substantive exchanges without being derailed by disagreements over sovereignty issues.

We also spelled out clearly to the other side, as well as to the Taiwan public, how we intended to proceed with the cross-strait dialogue. The priority of issues for the two sides to address would be "pressing matters before less pressing ones, easy matters before difficult ones, and economic matters before political ones". My administration firmly believed in setting a clear agenda from the start, to prevent the cross-strait dialogue being bogged down by intractable issues when we could see that agreement might be found on many others. The goal is to build mutual trust which is fundamental for long-term progress in developing a peaceful cross-strait relationship. I firmly believe that this "building-blocks" approach is the only way to achieve lasting peace in the Taiwan Strait.

The result of this is 18 agreements concluded between Taiwan and mainland China over the past five years, covering such issues as direct flights, tourism, economic cooperation, intellectual property rights, nuclear safety, and mutual judicial assistance. Let

me just give you an example of how things stand now. Five years ago, there were no scheduled flights between Taiwan and the mainland. Now there are 616 scheduled flights per week. Five years ago, 274,000 mainland people visited Taiwan. In 2012, there were 2.5 million people. When the SARS epidemic first broke out in 2003, mainland China completely ignored Taiwan's needs and concerns. But when the H7N9 avian flu struck recently, public health experts from both sides began working together to check its spread.

Over the next three years, the two sides are expected to complete negotiations on trade in services and trade in goods under the 2010 Economic Cooperation Framework Agreement (ECFA). Both sides will also greatly expand the level of educational and cultural exchanges. For example, the number of students from mainland China studying in Taiwan, which currently is 17,000 a year, is expected to rise, and there will be more cross-strait cultural cooperation. Each side also intends to set up offices in major cities on the other side to take better care of the 7 million people and over 160 billion US dollars' worth of goods and services that moved across the Taiwan Strait last year alone. As a result, cross-strait relations are now the most stable and peaceful that they have been in over 60 years.

IV. TAIWAN'S ENHANCED INTERNATIONAL PRESENCE

As cross-strait relations continue to develop peacefully, Taiwan is gaining an enhanced international presence. The clear parameters articulated by my administration as we began resumption of the cross-strait dialogue counter any mistaken attempt to link Taiwan's greater international participation to an agenda of "two Chinas," "one China, one Taiwan," or "Taiwan Independence." Taiwan today strives to conduct itself as a responsible stakeholder, that is, as a facilitator of peace, a provider of humanitarian aid, a promoter of cultural exchanges, a creator of new technology and business opportunity, and the standard bearer of Chinese culture.

The international community has seen recently how Taiwan depicts itself as a responsible stakeholder and facilitator of peace. Last August, my administration proposed an East China Sea Peace Initiative urging that negotiation take precedence over confrontation regarding the sovereignty dispute over the Diaoyutai Islets. The following November, Taipei and Tokyo began negotiations on an East China Sea fishery agreement. Sixteen rounds of such talks had been held since 1996 but no agreement was ever reached. This time, both sides decided to jointly conserve and manage fishery resources in the Agreement Area of the East China Sea without changing their respective territorial and maritime claims regarding the Diaoyutai Islets. A fishery agreement was thus signed six days ago which safeguards the security of fishing boats from both sides in the Agreement Area, which is twice the size of Taiwan. This agreement marks a historic milestone in the development of Taiwan-Japan relations, and sets a good example of how the concerned parties can find ways to settle their dispute and preserve peace and stability in the region at the same time.

Our efforts over the past five years to enhance Taiwan's participation in the international community have also resulted in concrete progress. The Republic of China has kept intact its diplomatic relations with its 23 allies, and has enhanced its substantive relations with other countries. For instance,

we signed an investment agreement with Japan in 2011, and are working to sign economic cooperation agreements with Singapore and New Zealand, respectively, in the near future. Meanwhile, our health minister has attended the World Health Assembly (WHA) of the WHO as an official observer since 2009, the same year as Taiwan acceded to the Government Procurement Agreement (GPA) of the WTO. For five years in a row, former Vice President Lien Chan at my request has attended as "leader's representative" at the Leaders' Meeting of the Asia-Pacific Economic Cooperation (APEC) forum. On March 19 this year I led an official delegation to attend the investiture of Pope Francis, the first time for a Republic of China president to meet with a pope in the last 71 years, ever since the two countries established diplomatic ties in 1942. Taiwan's enhanced international presence attests to a virtuous cycle of improved cross-strait relations that encourages greater international support for allowing Taiwan further opportunities to play its role as a responsible stakeholder. This in turn further enhances regional peace and stability, which is in the best interest of the international community.

V. TAIWAN-U.S. TIES: SECURITY, ECONOMIC, AND CULTURAL

My administration is fully aware that strength is fundamental to achieving peace. When I took office five years ago, my administration worked promptly to restore high-level trust between Taipei and Washington. As former Secretary of State Hillary Clinton said in 2011 in Honolulu, Hawaii, Taiwan is an important security and economic partner of the United States. We deeply appreciate the relationship we have with the United States, including US arms sales to Taiwan. Only with a sufficient self-defense capability can Taiwan confidently engage in a dialogue with mainland China. The stability engendered by America's enhanced presence in the Western Pacific will certainly help.

The United States is Taiwan's third largest trading partner but remains the most important source of our technology. However large a trading partner mainland China is to Taiwan, the United States has always been an important trade and investment partner to Taiwan. The ICT (information and communication technology) industries are Taiwan's most important export sector and they are the largest recipient of U.S. investment. We definitely want to deepen our economic ties with the United States. After successfully resolving the beef import issue last year, the Republic of China resumed trade negotiations with the U.S. under the 1994 Taiwan-US Trade and Investment Framework Agreement (TIFA). Obviously, Taiwan needs to accelerate its pace of trade liberalization. For the good of its economic prosperity and national security, Taiwan cannot afford to be left out of the Trans-Pacific Partnership (TPP) and the Regional Comprehensive Economic Partnership (RCEP).

Culturally, American values and its high academic standards have attracted Chinese students since Yung Wing became the first Chinese student to study in the U.S. back in 1847. Generations of Chinese students who studied in the United States have brought American values back to their homeland, making tremendous contributions to China's modernization, including the 1911 revolution. Today, the United States still remains the most sought-after academic destination for Taiwan students.

Taiwan is grateful to the United States for letting Taiwan join the Visa Waiver Program

beginning in November last year. The Republic of China is the 37th nation in the world to secure that status, and the only one that does not have formal diplomatic relations with the United States. The more than 400,000 Taiwan visitors to the U.S. each year not only take in American culture and natural scenery, they also shop very seriously in the United States and thus help reduce the U.S. trade deficit with Taiwan. In a word, relations between the Republic of China and the United States have continued to thrive and grow since the end of formal diplomatic ties in 1979.

Nevertheless, Taiwan still faces many challenges, with only limited resources at its disposal. In formulating Taiwan's national security strategy, my administration has steered Taiwan toward a tripartite national security framework. The first part involves institutionalization of the rapprochement with mainland China so that neither side would ever contemplate resorting to non-peaceful means to settle their differences. The second part involves making Taiwan a model world citizen by upholding the principles of a liberal democracy, championing free trade and providing foreign aid to the international community. The third part involves strengthening national defense capability. This national security strategy is formulated to facilitate peaceful and positive development of cross-strait ties while remaining grounded in a pragmatic realization of the challenges we face. In other words, Taiwan and the United States share the same values and interests in preserving regional peace and stability.

VI. TAIWAN'S ULTIMATE VALUE: A BEACON OF DEMOCRACY

States in a security partnership frequently fear being entrapped or abandoned by their partners. In the past, some in the United States have expressed concern that as mainland China rises, Taiwan might someday entrap the United States in an unnecessary conflict with mainland China. Others fear that Taiwan is tilting toward mainland China, thus "abandoning" the United States. Both arguments imply that the United States should reduce support for Taiwan. But neither view is warranted. My administration's pursuit of rapprochement with mainland China has clearly helped preserve and enhance peace in the Taiwan Strait. My administration's adherence to the Constitution of the Republic of China legally rules out any possibility of a reckless change in the status quo.

Taiwan has so much in common with the United States, from our love of democracy, to respect for human rights and the rule of law, to support for free trade, and even to an intense passion for basketball and baseball! We are also crazy about Jeremy Lin and Chien-Ming Wang. Taiwan cherishes its long-standing friendship with the United States and will always cherish the values and culture that the Chinese people have developed over five thousand years. Preserving the Republic of China has immense importance that goes far beyond the borders of Taiwan. For the first time in Chinese history, we in Taiwan have proved that democracy can thrive in a Chinese society. It presents a shining ray of hope to the 1.3 billion Chinese people on the mainland. I know how much this means to the government and people of the United States, just as it does to my administration and the people of Taiwan.

Ladies and gentlemen, my administration will steer this democracy through the sea of change in East Asia. We will endeavor to strengthen peace and prosperity in the Taiwan Strait; and, in the meantime, we will

strive for an enhanced international presence for Taiwan that allows it to play its role as a responsible stakeholder in the international community. I feel nothing but confidence about the future of the Republic of China!

Thank you.

HONORING AARON JOEL LAUGHLIN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Aaron Joel Laughlin. Aaron is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 81, and earning the most prestigious award of Eagle Scout.

Aaron has been very active with his troop, participating in many scout activities. Over the many years Aaron has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Aaron has contributed to his community through his Eagle Scout project. Aaron organized, procured funding for and oversaw the construction of a sidewalk between the Macon Senior Citizen Housing and the Wal-Mart and C&R Supermarket in Macon, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Aaron Joel Laughlin for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MATIOK MATHIANG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Matiok Mathiang for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Matiok Mathiang is a 9th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Matiok Mathiang is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Matiok Mathiang for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING COLONEL EDGAR J. YANGER ON THE OCCASION OF HIS RETIREMENT FROM THE UNITED STATES ARMY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Colonel Edgar J. Yanger on the occasion of his retirement from the United States Army after 32 years of service.

Colonel Yanger was born and raised on Guam, the eldest son of Felizardo and Cecilia Taitano Yanger. He has served our country with distinction since 1981, when he was commissioned as a Second Lieutenant in the U.S. Army Corps of Engineers following his graduation from the University of Hawaii at Manoa. He later earned a Master's of Architecture degree from the University of Hawaii, and was assigned to the Los Angeles District, Army Corps of Engineers, first as the Deputy Resident Engineer of Fort Irwin, California, and then as the Construction Program Manager for projects in California, Arizona and Nevada. His work included the planning and management of numerous military and Base Realignment and Closure (BRAC) construction projects.

Colonel Yanger's exemplary service also includes assignments as the Chief of Operations for the Director of Military Support (DOMS) in the Army Operations Center in the Pentagon; in this position, he was the principal action officer for the Department of Defense support to all local, state or federal government emergency or disaster requests, including DoD support for Typhoon Paka in Guam, the 1998 Northeast Ice Storm, Hurricane Bonnie and support for the recovery of the John F. Kennedy Jr. plane crash. He also served as a BRAC Program Manager with the Army's Installation Management Agency in the Pentagon responsible for BRAC construction projects, environmental cleanup and property transfers in California, Alaska and Hawaii. Additionally, he served as the Chief of Staff for the Korea Region Office, Installation Management Agency, as well as the Director of the Army's BRAC Program from 2006 to 2007, and was responsible for executing a \$20 billion program of legacy and new 2005 BRAC requirements.

In 2007, Colonel Yanger was chosen to serve as a Board member on the Army's Discharge Review Board, a Secretary of the Army level Board responsible for the review of 3,000 discharge cases annually. He was appointed President of the ADRB in 2008, and in 2010 was as the Director of the Military Review Boards (MRB). Although he retired in 2011, he was recalled to active duty to serve an additional two years on the MRB. During this time, he improved the timeliness and accuracy of case reviews, and personally rendered decisions on more than 13,000 applications to the MRB.

Colonel Yanger's exemplary service earned him numerous awards and military decorations including the Legion of Merit with oak leaf cluster, the Joint Meritorious Unit Award, Defense Meritorious Service Medal, Army Meritorious Service Medal with four oak leaf clus-

ters, Army Commendation Medal with two oak leaf clusters, Army Achievement Medal, Humanitarian Service Medal, and Airborne Badge.

On behalf of the people of Guam and a grateful nation, I commend Colonel Edgar J. Yanger for his many years of dedicated service to our country. He has demonstrated exceptional meritorious service during his career with the United States Army and has proved himself to be a distinguished leader. I wish the very best to Colonel Yanger, his wife, Doris, and their two adult children, E. Jonathan and Melina.

TIER RANKINGS AND THE FIGHT AGAINST HUMAN TRAFFICKING

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. SMITH of New Jersey. Mr. Speaker, last week, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing that examined the role of tier rankings in the fight against human trafficking.

Many of those who joined us last week have been in this fight from the beginning—from the year 2000 when my Trafficking Victims' Protection Act created not only the Office to Monitor and Combat Trafficking in Persons at the Department of State, but also the annual Trafficking in Persons (TIP) Report.

At the time, I don't think anyone could have predicted that this report would become the international gold standard and primary means of anti-trafficking accountability around the world. From the halls of parliaments to police stations in remote corners of the world, this report is being used to focus anti-trafficking work in 186 countries on the key areas of prevention, prosecution, and protection.

The fact that it has been so successful is a credit to the hard and careful work of the Office to Monitor and Combat Trafficking in Persons. Each year, this office evaluates whether the government of a country is fully complying with the minimum standards for the elimination of human trafficking, or, if not, whether the government is making significant efforts to do so.

The record is laid bare for the world to see and summarized in a tier ranking. Tier I countries fully meet the minimum standards. Tier II countries do not meet the minimum standards but are making significant effort to do so. Tier III countries do not meet the standards and are not making significant effort to do so. Along with the embarrassment of being listed on Tier III, Tier III countries are open to sanction by the U.S. government.

Since the TIP Report's inception, more than 120 countries have enacted anti-trafficking laws and many countries have taken other steps required to significantly raise their tier rankings—citing the TIP Report as a key factor in their increased anti-trafficking response. In the 2003 Trafficking in Persons Reauthorization Act, I and my colleagues in Congress created the Tier II Watch List. This list was intended to encourage anti-trafficking progress

in a country that took positive anti-trafficking steps late in the evaluation year—especially those countries that took last-minute measures to avoid a Tier III designation. We wanted to reward good faith efforts and encourage them to continue.

However, some countries made a habit of last minute efforts and failed to follow through year after year, gaming the system. Consequently, in 2008, Congress created an “automatic downgrade” for any country that had been on the Tier II Watch List for two years but had not taken significant enough anti-trafficking measures to move to Tier II. The President can waive a Tier III downgrade for two additional years if there is “credible evidence” that the country has a written and sufficiently resourced plan to meet the minimum standards.

The “automatic downgrade” would protect the integrity of the tier system and ensure it worked properly to inspire real progress in the fight against human trafficking.

It has now been four years since the two-year limit, or four years-with-a-waiver limit, was instituted. China, Russia, Uzbekistan, Republic of Congo, Iraq, and Azerbaijan have now had at least four full years of warning that they would face downgrade to Tier III if they did not make significant efforts to prosecute traffickers, protect victims, and prevent trafficking. Now their time on the Tier II Watch List is up.

In last week’s hearing, we took a close look at the records of these countries in 2012. If these countries have once again failed to make significant efforts to meet the minimum standards, the State Department must downgrade them or risk undermining the credibility and demonstrated power of the TIP Report.

I am particularly concerned about the Government of China’s record. The Government of China has been on the Tier II Watch List for eight consecutive years in large part because its plan to fight human trafficking is inadequate, unevenly implemented, and the Government of China has not been making significant efforts to comply with the minimum standards. Law enforcement in China is still not trained to identify or respond properly to sex or labor trafficking victims. I have heard reports that local police are often unwilling to help parents find missing children who may be enslaved in local brick kilns, and that officials have been known to profit from brick kilns that exploit children.

As we heard from a brave trafficking survivor last week, the Government of China continues to forcibly repatriate North Korean trafficking victims who face severe punishment, including execution, upon their return to North Korea. Moreover, the Government of China’s continued one-child policy has decimated China’s female population. Tens of millions of women and girls are missing from the population, making China a regional magnet for sex and bride trafficking as men reach marrying age but cannot find a mate. The Government of China is failing not only to address its own trafficking problems, but is creating an incentive for human trafficking problems in the whole region.

The Government of Uzbekistan’s record is also of great concern, as the government itself continues to force hundreds of thousands of

school-age children and adults to work in fields during the cotton harvest each year.

The Government of the Republic of Congo, despite making some progress in 2010 with the passage of a law that would prevent child trafficking, has failed in the last two years to convict a single person under that law despite the pervasive child trafficking in their country.

The Government of Russia has had nine years of warning that without significant change, they too would be downgraded. However, the Government of Russia does not have in place formal procedures for identification and referral of trafficking victims by law enforcement, labor inspectors, and other government officials. The Government of Russia still has not established a government body to organize government anti-trafficking activities, nor does it adequately fund shelters or services for trafficking victims. Russian citizens are trafficked from Russia to countries all over the globe as well as within Russia, and yet the Government of Russia does not have a national trafficking education or prevention plan.

The Government of Azerbaijan continues to use administrative fines for traffickers, allowing traffickers to write-off the crime of trafficking as a simple business expense that is less expensive than hiring their workers.

The Government of Iraq has been on the Watch List since the TIP Report first began to hold them accountable in 2009. Like trafficking victims elsewhere in the world, the victims in Iraq need protection, those who are vulnerable to trafficking need prevention measures, and traffickers need to be brought to justice.

The importance of accurate Tier rankings cannot be overstated. Over the last 12 years, we have seen countries begin in earnest the hard work of reaching the minimum standards after the TIP Report accurately exposed—with a Tier III ranking—each country’s failure to take significant action against human trafficking. By the same token, a premature boost to Tier II, such as what occurred with Vietnam last year, may not only undermine progress, but fail to inspire it. The tier rankings were meant to be, and in large part have become, a powerful tool in the fight against human trafficking.

ARMENIAN GENOCIDE ANNIVERSARY

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. HOLT. Mr. Speaker, as a member of the Armenian Caucus, I am pleased to continue to lend my support to the Armenian-American community and the people of Armenia in any way that I can. I support strongly the work that all the members of the Armenian American community do to foster strong ties between America and Armenia.

This month we mark a somber and important anniversary.

Ninety-eight years ago, the Ottoman empire committed one of the largest crimes against humanity in world history. The systematic annihilation of over a million Armenian men, women and children is a crime that cannot be forgotten. We will not allow it to be forgotten.

I know that many will say that the Armenian deaths occurred in the midst of war and social disruption and so we cannot call it genocidal killing, or that we cannot even say accurately how many people died and how they died. Such arguments avoid the evidence. The evidence shows that more than a million Armenians died at the hands of the Ottoman empire.

Further, some will complain that these statements unfairly besmirch the dignity and reputation of today’s Turks. I would say that recognizing genocide from nearly a century ago need not sully the reputation of modern-day Turks any more than accounts of disreputable, brutal or atrocious behavior of early settlers in the Americas, or of Germans in the 1930s and 1940s, or South Africa under apartheid, or other historical regimes reflect badly on those nations today, unless those nations refuse to acknowledge and learn from past evils and mistakes.

I’m also pleased that so many of my colleagues have joined me in supporting continued U.S. government aid and support for Armenia and the people of Nagorno Karabakh. These remain challenging times for the people of Armenia and Nagorno-Karabakh, and I hope our colleagues on the Appropriations Committees in the House and Senate honor our request for that aid to continue.

On this anniversary of the genocide against the Armenian people, let us recommit ourselves to ensuring that the truth about this heinous event is acknowledged by every country in the world.

HONORING THE ARCHIE HIGH SCHOOL WHIRLWINDS GIRL’S BASKETBALL TEAM

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mrs. HARTZLER. Mr. Speaker, I rise today to recognize the Archie High School Whirlwinds girls basketball team for finishing with a perfect regular season for the first time in school history.

I want to commend them for their outstanding teamwork, sportsmanship and training throughout the 2012–2013 season.

I applaud each and every one of them for their contribution to the team and the hard work necessary to achieve this accomplishment. The team was astutely guided by head coach Troy Schulte, and assistant coach Charles Plattner, and the basketball players included seniors Kara Fisher, Kaily Kurzweil, Stefani Simms, and Mallory Wiskur; juniors Leslie Iseman and Jordan Schulte; sophomores Tiffany Greenwood, Samantha Ogden, Taylor Plattner, and Mary Kurzweil; and freshman Arely Guajardo, Mallory Lyons, Brooke Wiskur and Quincy Young.

In closing, Mr. Speaker, I ask all my colleagues to join me in applauding the history, goals and accomplishments associated with Archie High School girls basketball, and extend to the 2012–2013 team the most heartfelt congratulations for completing a perfect regular season.

LINYEINER GONZALEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Linyeiner Gonzalez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Linyeiner Gonzalez is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Linyeiner Gonzalez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Linyeiner Gonzalez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

**MEETING THE CHALLENGE OF
DRUG-RESISTANT DISEASES IN
DEVELOPING COUNTRIES**

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. SMITH of New Jersey. Mr. Speaker, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing that examined a deadly phenomenon involving both natural and man-made elements—diseases that are resistant to most or all available methods of treatment. While this is a growing problem of increasing concern throughout the world, the subcommittee focused yesterday on the impact of such diseases—known as “superbugs”—in developing countries and the challenges to preventing and treating these diseases in this part of the world.

There is a family of germs that occur normally in everyone's digestive system. They can cause infections when they get into the bladder, blood or other areas where they don't belong. That is the natural part of this growing problem. Gut flora are absolutely essential for health and an effectively functioning immune response. There are about 100 trillion microorganisms in our digestive systems—ten times the number of cells in our bodies. Most of them help break down the foods we eat. Those that are not helpful are usually can be treated with existing medicines, such as antibiotics.

The man-made part is that antibiotics have been used increasingly to treat naturally occurring germs, but many of them have become resistant to such treatment. These so-called “superbugs” pose a threat because of overuse or misuse of antibiotics, but they also pose a threat because of what some call a “drug discovery void,” in which there has been

insufficient research and development of new medicines to treat emerging mutating infections.

This situation recently has become much more serious. In the last 10 years, these drug-resistant diseases have been identified in patients in more than 200 hospitals in 42 states in this country. Over that period, their prevalence rate has increased from 1 percent of patients to 4 percent for those in short-term care, but for patients in long-term care facilities, the rate is as high as 18 percent. Half of all patients who contract these diseases do not survive.

Methicillin-resistant *Staphylococcus aureus*, or MRSA, one of the better known of these superbugs, now kills as many as 19,000 Americans each year and a similar number in Europe. That is higher than the annual rate of deaths from HIV and AIDS.

Last year, the World Health Organization identified strains of gonorrhea and tuberculosis that are currently completely untreatable, as well as a new wave of what might be called “super superbugs” with the mutation known as NDM1. These frightening new strains were first seen in India, but they have now spread worldwide. The spread of the H7N9 bird flu in China is causing considerable concern—with more than 100 confirmed cases and 22 deaths reported thus far. According to Agence France Presse, WHO said yesterday that there is still no evidence that H7N9 was spreading in a “sustained” way between people in China.

According to WHO, artemisinin, when used in combination with other drugs, is now considered the world's best treatment against malaria, but malarial parasites resistant to artemisinin have emerged in western Cambodia, along the border with Thailand.

In the developed world, we pride ourselves on having top-flight medical care widely available to patients. If we lose half of all patients who contract these drug-resistant diseases, what about patients in the developing world, where statistics are often scarce and effective medical care can be even scarcer? Using accepted protocols for treating these diseases, their rate of infection can be curbed.

In Israel, infection rates in all 27 of its hospitals fell by more than 70 percent in one year with a coordinated prevention program. By following accepted protocols for handling these diseases, the Colorado Department of Public Health and Environment and the Florida Department of Health both have stopped outbreaks of these drug resistant diseases in recent years. But what about hospitals in developing countries?

For example, the brain drain has sent trained medical personnel in Africa in search of better working conditions and pay in the developed world. The lack of equipment and supplies that partly led to this brain drain would facilitate the rapid spread of drug resistant diseases in these countries. What would be simple interventions, including removing temporary medical devices such as catheters or ventilators from patients as soon as possible, is less likely under current conditions in developing world hospitals. Adding to this problem is the presence of expired and counterfeit drugs. Patients whose lives could be saved may not be because of inadequate medical care. Unfortunately, because so many

countries do not maintain and report statistics on medical issues, we have little idea how serious the situation is today in developing countries in Africa and elsewhere around the world.

In our interconnected world, that means that infected people in the developing and developed countries pose a mutual threat.

Last month, a Nepalese man was detained at the Texas border while trying to make an illegal crossing from Mexico. Officials found he was infected with an extensively drug resistant strain of tuberculosis and had carried this potentially deadly airborne disease through 13 countries over three months—from his home country of Nepal through South Asia, Brazil, Mexico and finally the United States. Who can say how many people he infected during this long journey?

Conversely, six years ago an American infected with multi-drug resistant tuberculosis traveled from this country to France, Greece and Italy before returning through the Czech Republic and Canada. Upon his return to the U.S., he became the first person subjected to a Centers for Disease Control and Prevention isolation order since 1963.

Clearly, both developed and developing nations must work together to prevent and treat for these diseases and find a way to implement the new strategies in an era of constrained budgets and loosening control of authority in far too many countries. However, the Administration's proposed FY 2014 budget calls for a 19 percent cut in funding for tuberculosis programming at a time we need such capacity the most.

**HONORING EILEEN AND MIKE
LONG**

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. GRIMM. Mr. Speaker, I rise today to congratulate Eileen and Mike Long on their fiftieth wedding anniversary, and to celebrate the lasting bond of love and happiness they have shared during their life together.

Mike, a born and raised New Yorker, has led a proud career of public service. A former Marine and New York City Councilman, he has unquestioningly served his country and the residents of Brooklyn. He continues his service today as the Chairman of the New York State Conservative Party.

Eileen served the people of Staten Island and Brooklyn honorably as an aide to both Representative Susan Molinari and Representative Vito Fossella.

Mike and Eileen were married in 1963 and are the proud and loving parents of nine children and seventeen grandchildren and one great grandchild.

Mr. Speaker, on behalf of the 11th Congressional District of New York, I ask all my distinguished colleagues to join me in congratulating Eileen and Mike Long on their fiftieth wedding anniversary and wishing them fifty more.

IN RECOGNITION OF THIS YEAR'S
NRECA COMMUNITY SERVICE
AWARD FOR COMMUNITY IN-
VESTMENT

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. WALZ. Mr. Speaker, each year, the National Rural Electric Cooperative Association recognizes one co-op whose dedication to increasing energy access in rural America has made a significant difference in their community. The 2013 winner of the NRCA's Community Service Award for Community Investment hails from a small town called Welcome, Minnesota.

Federated Rural Electric has created jobs and helped to improve the quality of life in rural Minnesota by improving access to electricity in a cost effective and efficient manner.

Federated Rural Electric helped AGCO Corporation, a worldwide manufacturer and distributor of agricultural equipment, in their efforts to expand its Minnesota facility and add over 200 jobs. Last April, I had the opportunity to visit AGCO and see the great work they are doing to create jobs and grow their local economy in Jackson, Minnesota.

In addition to supporting AGCO, Federated Rural Electric has served over 9,000 residents of southern Minnesota. Federated has made invaluable contributions to rural Minnesota communities.

Today, I'm proud to honor Federated Rural Electric for its support of reliable energy and dedication to Minnesota's rural population.

LILIANA MERAZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Liliana Meraz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Liliana Meraz is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Liliana Meraz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Liliana Meraz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

COMMEMORATING THE ARMENIAN
GENOCIDE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. WAXMAN. Mr. Speaker, today we solemnly commemorate the 98th anniversary of the Armenian genocide. Over the course of eight years, the Armenian Christian population was systematically terrorized, murdered, and driven out of their country. In 1914, two million Armenians were living under the Ottoman Empire; by 1922, only 388,000 remained. Today we remember the victims of these atrocities and vow that their suffering will not be forgotten.

The horror of the Armenian Genocide was surpassed only by the silence that followed it. To this day, the Turkish government prohibits recognition of its predecessor's dark history, and has pressured others to adhere to the same base standard. The United States has a moral obligation to acknowledge the horrors of the past, just as we must recognize all genocides as crimes against humanity. Recognition of the Armenian Genocide is long overdue.

As a member of the Congressional Caucus on Armenian Issues, I hope that my colleagues will join me in paying solemn tribute to those who lost their lives and those who have survived such terrible atrocities. Let us stand up to governments that persecute their people, and reaffirm our commitment to the victims of injustice.

REPUBLIC HIGH SCHOOL BOYS
BASKETBALL TEAM CHAMPION-
SHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. LONG. Mr. Speaker, I rise today to congratulate the Republic High School Boys Basketball Team for winning the Missouri Class 4 State Championship.

Winning the state championship is a proud moment these boys achieved through team work and commitment. Members of the team include: Ty Abney, Jake Fletcher, Derric Mertes, Grant Hancock, Marcus Miller, Dylan Bekemeier, Canyon Smith, Cody Geiger, Chase Hoffmann, Dillen Ramsey, Dakota Fortner, Josh Vaughn, Jordan Kerr, Brock Yocum, and managers Tyler O'Dell and Zach McGill. Through their hard work and dedication they finished the season with an overall record of 28-4 and the Missouri Class 4 State Championship.

I also want to commend the coaching staff, which includes Head Coach Trevor Fisher, Dan Stander, and Donny Call, for a job well done. This season was Coach Fisher's first year at the program, and he certainly begins his head coaching career on a strong foundation.

The Republic Basketball Team had tremendous support throughout their season; their friends, family, and fans attended the tour-

naments, cheered them on throughout the basketball season and followed them to Columbia for the state championship. Over 500 fans welcomed the team home for a victory celebration.

This win is a proud moment for the team and the community, and I urge my colleagues in congratulating the team on their victory.

HONORING THE VILLAGE OF
MANLIUS, NEW YORK, ON ITS BI-
CENTENNIAL

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. MAFFEI. Mr. Speaker, I want to extend my congratulations to the Village of Manlius, New York on the occasion of its Bicentennial Celebration. I am honored to join the Central New York community in celebrating the Village of Manlius on this historic occasion.

The history of the Village is well documented and we proudly share that history with members of our community. The Village of Manlius became the first village in Onondaga County in 1813. At that time, very few communities throughout New York had been granted similar powers by the state to govern themselves. The City of Syracuse was still swamp-land in 1813 and did not come into existence until the construction of the Erie Canal in the 1820s.

Before the construction of the Erie Canal, Manlius was an important business location as people traveled along the Cherry Valley Turnpike and Seneca Turnpikes. In fact, the growing Village was defined as one of the most prominent business locations in Onondaga County. The Village continued to grow as a suburb of Syracuse, and by the 1960s, became the fastest growing village in New York State. In 1973, a portion of the Village was listed on the National Register of Historic Places as the Manlius Village Historic District.

Villages are often cited as providing the services that are closest to the residents. The Village of Manlius has offered residents high quality services and locals take pride in all their village has to offer. The Village is widely known for its picturesque Swan Pond, the Village Center, the Manlius Fire Department and the charming commercial district. The Memorial Day Parade and 4th of July celebration are annual events that bring together people from across the region to celebrate all that is good about living in a community with such rich history.

For 200 years the Village of Manlius has served as a vital part of Onondaga County and Central New York. There is so much to be proud of and I am grateful and fortunate to have such a vibrant community within the district I represent. Once again, congratulations to the Village of Manlius and good luck in the next 100 years!

TRIBUTE TO FORMER RIVERSIDE COUNTY SHERIFF LARRY D. SMITH

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. CALVERT. Mr. Speaker, I rise today with my colleague RAUL RUIZ to pay tribute to a hero from our Congressional districts, Sheriff Larry D. Smith. Today, I ask that the House of Representatives honor and remember Sheriff Smith, who dedicated his life in service to our community. On Friday, April 19, 2013 Larry passed away at the age of 68 at his home in La Quinta, California after fighting a long battle with cancer and pneumonia.

Larry received a bachelor's degree in public management from Pepperdine University. His 36-year career in law enforcement began in 1966 in the small town of Blythe, California near the Colorado River, where Larry was a deputy sheriff. As he earned promotions throughout his career, he brought up many deputies through the ranks, including current Riverside County Sheriff Stan Sniff. In 1987, Smith was promoted to Chief Deputy Sheriff in Riverside County. As Chief of the Corrections Division, he oversaw the financing and construction of two modern jails, including the Southwest Detention Center in French Valley that opened in 1993.

As Larry was completing his law studies and planning on retiring to open a practice, then-Sheriff Cois Byrd encouraged him to run for Sheriff of Riverside County. He was challenged in his first term, but ran unopposed for his second. During Larry's tenure as sheriff, he presided over a department that currently has 3,000 deputies and police 17 cities, in addition to 300 square miles of unincorporated areas. He also helped the county acquire land from the federal government that eventually became the Ben Clark Training Center near March Air Reserve Base, where law enforcement officers and firefighters from throughout the state train. The county's largest jail, the Larry D. Smith Correctional Facility in Banning, bears his name. Larry was also the first man to serve as both sheriff and coroner after the two departments merged.

Larry served our community for eight years from 1994–2002, and was the 11th of 13 men to serve as sheriff in the department's 120-year history. He was succeeded by Sheriff Bob Doyle. Even after Larry had retired, he would still offer his counsel to his successors on corrections, a field in which he was considered an expert. He also mentored other sheriffs as President of the California State Sheriffs Association and strongly advocated education for his deputies.

According to his wife Toni, Larry's approach to his career was influenced by his Midwestern roots. She said, "He was a very dignified, humble man. He was an Illinois farm kid who saw good in everyone . . . He always talked about doing things for the right reason, not just in big things or in small things, but in all things."

Larry was also active in the Palm Desert Community Presbyterian Church, where he mentored pastors on running an organization,

and programs for those battling addiction. A scholarship will be established in his name to help people afford to attend the Ranch Recovery Center in Desert Hot Springs, which provides treatment alternatives for drug and alcohol abuse, according to his wife.

On Saturday, May 4, 2013 a memorial service will be held at the Palm Desert Community Presbyterian Church in Palm Desert, California. Smith is survived by his wife, a daughter and two sons.

The dangers our police officers face every day often go unnoticed and without remark. Each story is unique and humbling for those of us who, far from the dangers they have faced, live our lives in relative comfort and ease. In the case of Sheriff Smith, he was blessed to have the love and strength of his family to help him along the way. I extend my condolences to Larry's family and friends; although Larry may be gone, the light and goodness he brought to the world remain and will never be forgotten.

RECOGNIZING MICHAEELEN EARLE CROWELL

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. LEWIS. Mr. Speaker, I rise to congratulate Mrs. Michaelen Earle Crowell on her recent promotion from legislative director to chief of staff to Senator BERNIE SANDERS (I-VT). It is a well-deserved honor.

For eight years, Michaelen served as my legislative director, managed my legislative staff, and strategized successful initiatives like health care reform, the Voting Rights Act reauthorization, and the crafting of the Voter Empowerment Act. When Michaelen joined my staff in 2005, she brought balance, leadership, and practical experience to our Ways and Means Committee health care and Oversight Subcommittee work.

A native of Lowell, Massachusetts, Michaelen is a seasoned policy expert and strategist. She grew up in a family engrained in progressive politics, and Capitol Hill was a natural fit. Nearly 20 years ago, she began her congressional career as a research assistant on the Committee on Labor and Human Resources to my good friend, Senator Edward M. Kennedy.

Michaelen went on to earn undergraduate and law degrees from Boston University. She then gained first-hand experience with health care law in Massachusetts and New Hampshire, before moving to Atlanta to practice health care, business, and civil law. She also returned to her public service roots—providing counsel during the transition and inauguration of Mayor Shirley Franklin and serving as legislative director and counsel for the newly-elected Congresswoman Denise Majette (D-GA) who served the congressional district which neighbors the one I represent.

Although we miss Michaelen and her beautiful family—her husband James and children Jac and Ellie—I wish them continued success and happiness, and I congratulate her from the bottom of my heart on her recent promotion.

COMMEMORATING THE ARMENIAN GENOCIDE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to commemorate the genocide of Armenians committed by the Ottoman Empire. We have a grave obligation, in truth and justice, to acknowledge this genocide against Armenians. This House is obligated, as is the government of the United States, and all peoples and governments around the world. That obligation is all the more grave because the Turkish government—our friend and ally—aggressively denies this genocide.

The facts surrounding the genocide are well known and established beyond any doubt whatsoever. Beginning in April 1915, following years of pogroms and other repressive measures, Ottoman authorities undertook the systematic annihilation of as many as one and a half million Armenians through shootings, mass burnings, gassing, poisoning, drowning, forced labor, or death marches into the Syrian desert. The scale and ferocity of these atrocities were unprecedented in the modern era. The Honorable United States Ambassador to the Ottoman Empire 1913–1916 Henry Morgenthau characterized the policy of the Ottoman government as a "campaign of race extermination" and was instructed by Secretary of State Robert Lansing to continue his protests along with the officials of many other countries, including allies of the Ottomans. Most tellingly, the post-World War I Turkish government indicted the top leaders involved in the "organization and execution" of the policy and in the "massacre and destruction of the Armenians." The chief organizers were all condemned to death for their crimes, though the verdicts of the courts were not enforced.

As is well known, Raphael Lemkin did not coin the term "genocide" until 1944, almost 30 years after the Ottoman massacre of Armenians. But in his groundbreaking work on the subject, Lemkin cited the case of the Armenians as the classic example of genocide. His idea of genocide as an offense against international law was widely accepted by the international community and was one of the legal bases of the trial of Nazi leaders at Nuremberg.

Despite the overwhelming preponderance of evidence of the Ottoman government's policy of annihilation of Armenians and the virtually universal acceptance of the Armenian case as a classic example of genocide, the government of the modern state of Turkey refuses to acknowledge the crimes of the previous regime as the responsibility of the Ottoman government or as a case of genocide. Indeed, the Turkish government even has undertaken the persecution of those Turks who recognize the genocide.

One day the Turkish government will acknowledge the genocide. That will be a great day for Turkey—for the moral air of the country—and a truly patriotic gesture, a sign of spiritual strength. The sooner the better! The United States does a disservice to Turkey and its people by facilitating genocide denial by not

pressing Turkey harder to acknowledge the truth.

KYLE BEDFORD

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kyle Bedford for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kyle Bedford is a 12th grader at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kyle Bedford is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kyle Bedford for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 25, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 7

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SH-216

Committee on Energy and Natural Resources

To hold hearings to examine H.R. 527, to amend the Helium Act to complete the

privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers.

SD-366

10 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of James Knight, of Alabama, to be Ambassador to the Republic of Chad, and Deborah Kay Jones, of New Mexico, to be Ambassador to Libya, both of the Department of State.

SD-419

MAY 8

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-232A

10 a.m.

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, and any pending nominations.

SD-430

Joint Economic Committee

To hold hearings to examine immigration and its contribution to our economic strength.

TBA

MAY 9

10 a.m.

Committee on Appropriations

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies

To hold hearings to examine an overview of the Federal Housing Administration.

SD-138

MAY 16

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine certain nominations.

SD-430

MAY 22

10 a.m.

Joint Economic Committee

To hold hearings to examine the current economic outlook.

SH-216

JUNE 11

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed Na-

tional Defense Authorization Act for fiscal year 2014.

SD-G50

11 a.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

Committee on Armed Services

Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

3:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

JUNE 12

9:30 a.m.

Committee on Armed Services

Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

2:30 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 13

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 14

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

HOUSE OF REPRESENTATIVES—Thursday, April 25, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 25, 2013.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CLIMATE CHANGE IS HERE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, I rise today because last week my district experienced its second “storm of the century” in the last 3 years, its third since 2008. More than 7 inches of rain turned the streets of Hinsdale, Elmhurst, Franklin Park, and Albany Park into rivers.

Clearly, we need to revisit our definition of the 100-year storm; because, while some may doubt the reality of climate change, it is a fact that stronger, more destructive storms are pounding our region with distressing regularity and resulting in huge costs. While some don’t believe in climate change, I hope they believe in funding flood control. We owe it to our constituents.

I spent most of this past weekend touring the flooded streets and basements throughout my district. Everywhere I went, I encountered residents who had lost their homes, their belongings, and their peace of mind. The residents I talked to wanted to know two things: What was their government

going to do to help, and why was this happening again so soon after the horrific flooding of 2010?

I told people that my office would do everything it could to bring Federal disaster relief to their homes and businesses; but, unfortunately, Federal help for big States can be an uphill fight. Aid is based, in part, on a population-based formula that penalizes larger States like Illinois. Big States have to suffer more damage before meeting the aid threshold.

This process of rewarding aid is unfair, and we need to change it. I raised this concern last summer with my colleagues on the Transportation and Infrastructure Committee. I was pleased to see language in Superstorm Sandy legislation requiring FEMA to review its processes in rewarding disaster aid. But reviews and bill language are of little immediate consolation to people who have lost their homes or businesses. With 44 counties declared a disaster area after last week’s flood, we don’t need another study. The people of my district and others across the State need our help.

FEMA needs to act—and act without delay—to get Illinois back on its feet. Every town in my district has projects that will help lessen the impact of the next storm. Storm sewer improvements, berms, swales, planting more wetlands, permeable pavers, detention ponds, and the Deep Tunnel Project can lessen or even prevent disaster.

We need to find the funds for these local projects that will avert the next flood and ultimately save millions in tax dollars in damages. For the Chicago area, that means demanding the \$35 million per year in Federal funding that is needed to complete the McCook and Thornton reservoirs. These reservoirs are part of a larger flood mitigation plan put in place over 20 years ago by the Army Corps of Engineers. The Federal Government is now holding up their completion because of budget issues.

Local budgets are just a start, though. We also need to address the question of why 100-year storms are recurring so often. Climate change is here, and we must address it now. With a sensible energy policy, development of alternative energy sources, and commonsense conservation, we can begin to confront one of the great challenges of our time. If we don’t, then the storms of last week in the Midwest and last fall on the east coast will be the new normal, and that’s a normal none of us can afford.

ARMY RESERVE BIRTHDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to honor the United States Army Reserve, which celebrates 105 years of service defending our country this week.

These citizen-soldiers are actively engaged citizens in our communities and volunteers in the Army who are ready to step in and fulfill any mission. They are our friends, our family, our neighbors, coaches and teachers, police and firefighters. Reservists are in nearly every profession across every community in the Nation.

Our Nation has now been at war for a decade, yet a smaller percentage of our citizens have been in the Armed Forces. The Army Reserve offers a reminder that our Nation rests on the strength of brave soldiers who volunteer to step forward and make tremendous sacrifices.

Today, I wish a special 105th birthday to all the men and women serving in the United States Army Reserve and welcome some of them to Capitol Hill to participate in Army Day, to remind us all of the sacrifices that they make every day to defend this country.

To the men and women of the United States Army Reserve, I salute you. Thank you.

END HUNGER NOW—CHILDHOOD HUNGER IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, today I rise to talk about the national shame of child hunger in America. I wish it didn’t exist, but we can’t ignore the fact that there are more than 16 million kids in America who are food insecure. Quite simply, that means more than 16 million children went hungry in 2011. That’s unconscionable and that is unacceptable.

Hunger has no place in the richest, most prosperous nation on Earth. Letting anyone in this country go without food is bad enough, but letting children go hungry is more than heartbreaking; it’s just plain wrong. Yet we let it happen every day in America—16 million children, Mr. Speaker. That means one in five kids in America go to bed hungry and wake up hungry at some point in their lives during the year. That

means one in five kids don't know when their next meal is coming.

We are allowing more than 16 million kids to wake up hungry, go to school hungry, and go to sleep hungry. We are allowing more than 16 million kids to be deprived of proper nutrition, the nutrition contained in good, healthy food that helps children's minds and bodies properly develop. We are allowing more than 16 million kids to struggle at school and have problems with learning simply because they suffer from hunger.

Child hunger has many impacts. Kids who don't eat enough good, healthy food will not develop properly. They have more health problems and require more costly health care than children who don't have to worry about hunger. Sometimes the lack of food results in developmental problems and learning disabilities. Other times, hunger simply doesn't allow kids to concentrate. These problems can lead to under-education, which can have long-term effects, including a lifetime of low-paying jobs and even unemployment.

America has several antihunger safety net programs to deal with hunger. Some of these programs are specifically designed for children. SNAP, formerly known as food stamps, is the biggest antihunger program in the Federal Government. It does a good job, but there are still many ways that it can be improved.

Over many years, we have also created the National School Breakfast Program and the National School Lunch Program; and in order to meet increased demand, we now have after school snack and meal programs. But these programs are inadequate in many ways. The breakfast and lunch programs provide either a free or a reduced price meal. The free meal is available to those kids whose families are quite poor; but the reduced price meals are available to kids of families who are poor, but not poor enough to qualify for the free plan. This means there are days, and even weeks, when a child's family simply may not have enough money to pay for the reduced price meal. That's a serious problem.

Another problem is that breakfasts are typically served before school starts, meaning that poor kids have to get themselves to school early just to get a good meal. This can create a stigma where these kids get teased and bullied because they're poor, but it can also result in a pattern where these children don't have regular access to a school breakfast if their parents can't get them to school on time or if the school buses don't deliver them early enough to be able to benefit from this breakfast. Organizations like the EOS Foundation in Massachusetts and States like West Virginia are working to fix this by promoting Breakfast at the Bell programs, a solution I strongly

And then there are weekends, where schools aren't open. Food banks, churches, synagogues, mosques, and other antihunger organizations are filling that gap with food backpacks that are given out on Friday afternoons.

□ 1010

Mr. Speaker, as a candidate, then-Senator Obama pledged to end childhood hunger by 2015. It was a good idea then, and it's a good idea now. We worked hard, and many of us pushed for a comprehensive childhood hunger plan. We even wore those buttons to show our support.

Mr. Speaker, 2015 is only 2 years away. There is no way we are going to meet that goal, but it doesn't mean we should give up. Now is the time to redouble our efforts. Now is the time to make the pledge to end hunger now. And that's not just a clever tag line. No, Mr. Speaker, we can end hunger now if we start with the commitment to develop a comprehensive plan to do so.

That's why I continue to call for Presidential leadership on this serious matter. We need a White House Conference on Food and Nutrition to develop a comprehensive plan that will address all aspects of hunger in America, especially child hunger. We need this conference to bring all the stakeholders, like the Eos Foundation, the Governor, and other political leaders from West Virginia and other States and other organizations that are not typically in the antihunger movement. We need faith-based leaders, CEOs, leaders of food banks, pediatricians, schools, and nutritionists together in one room to develop a comprehensive plan, take assignments and make it work. If we do this, we can end hunger now.

Mr. Speaker, hunger is a political condition. We have everything we need to end it. We lack the political will.

I urge my colleagues to make this issue a priority. End hunger now.

CENSUS BUREAU ECONOMIC QUESTIONNAIRE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. POSEY) for 5 minutes.

Mr. POSEY. Mr. Speaker, generally, we believe that what's good for the goose is good for the gander. That's why I was a little bit shocked when it was brought to my attention by a number of my colleagues that they received an economic census in the mail—a very complex, 14-page document asking them in very great detail about their business, about their suppliers, about their cost, about who they sell to, and who their customers are. These were received by mom-and-pop businesses, sometimes just mom businesses, no pop—one-person businesses. One said:

It will take me two days to fill out this questionnaire. I have to work. If I don't work 2 days, my business will go down the drain.

I wondered how important this information was, so I wrote a letter to the Department of Commerce and the Census Bureau to ask just a few questions about it. I asked about their constitutional authority to do that, and they gave me their statutory authority. I'll talk about their letter in a minute. Then, while they didn't have time to answer my letter on a timely basis, they did have time to send another relatively harassing letter to the businesses threatening them with more penalties—a fine—and just scared the daylights out of them if they did not take time to return that form.

I finally got my response from them, and what I found was that they didn't answer all my questions. I asked them:

Please provide me with the information describing the universe the economic census questionnaires were mailed to and how they were selected.

No answer.

One constituent who received a questionnaire was a sole proprietor with no other employees; another was a sole proprietor with two employees.

Please provide me a summary, if you have one, as to how many of the businesses to which economic censuses were mailed were sole proprietors or small businesses or corporations? How many would you consider to be large corporations? Were there any Fortune 500 companies?

They didn't tell me.

Please tell me how many Federal employees from your agencies were involved in the development and execution of the economic census. Do you not need to count Postal Service time while delivering or returning the forms?

No answer.

Please provide me with the names of any Federal employees associated with the development of the economic census that have ever owned or operated any business whatsoever in the private sector.

They did not answer.

Please provide me with the identity of any Federal agency which has ever provided the kind of detailed financial information and operating information to citizens that you've requested from the people you are supposed to serve.

No answer.

The cost of completing the questionnaire will be costly for small business. How much do you anticipate the cost of labor will be to a business to comply with your request to complete the questionnaire?

No answer.

Please advise how the information gleaned from these questionnaires will be used.

They gave me some generalizations.

Please explain the benefit you anticipate the public will gain from the questionnaire.

Well, sort of. They said it would help them look at statistics.

Please provide me with a one-page summary of major activities performed by your agencies. Please cite the number of times you perform each activity and the cost of performing each activity on a unit cost basis. The aggregate cost of all performing activity should be equal to the exact amount

of money that was passed through your agencies during a 1-year period.

Of course, they did not answer that. They have no problem demanding that information from the private sector, but the government sector is completely unwilling to go through the least little amount of trouble to provide Congress with that same information.

We are often thought to believe that what's good for the goose is good for the gander, and so I will persist on trying to get answers to those questions for the constituents in my district, and hopefully for those in your districts that have also been interested.

AWARDING CONGRESSIONAL GOLD MEDAL TO
PUERTO RICO'S 65TH INFANTRY REGIMENT

Mr. POSEY. Mr. Speaker, I would also like to say I am pleased to be here today and joined by Resident Commissioner PIERLUISI in support of a bill awarding the Congressional Gold Medal to Puerto Rico's 65th Infantry Regiment, also known as the Borinqueneers.

When the Korean war erupted in 1950, the soldiers of the regiment served in a segregated unit, despite President Truman's order desegregating the military 2 years earlier.

Army commanders doubted the effectiveness of these Puerto Rican troops, calling them "rum and Coca-Cola soldiers." They were required to use separate showering facilities and ordered under penalty of court-martial not to speak Spanish. They were even told to shave their mustaches until "they gave proof of their manhood."

Despite this adversity, the Regiment embraced their Hispanic heritage, calling themselves "Borinqueneers" after the Taino word for Puerto Rico.

The Regiment served with distinction during the Battle of Chosin Reservoir in December 1950. Fighting alongside the 1st Marine Division, they covered one of the greatest strategic withdrawals in military history. Fighting in temperatures as low as Negative 37 degrees, the Borinqueneers were among the last defenders of Hungnam harbor, and suffered tremendous casualties during the evacuation.

The Regiment later participated in numerous battles, conducting the last recorded battalion-size bayonet charge in Army history. Though they struggled with a grave shortage of trained non-commissioned officers and personnel policies that pushed it to the breaking point, they overcame these challenges, fighting valiantly, and earning the respect and admiration of their commanders.

The Borinqueneers are part of a proud tradition of service in the face of adversity that includes the Tuskegee Airmen, Montford Point Marines, Navajo Code Talkers and the Japanese-American 442nd Regimental Combat Team—all of whom have already received the Congressional Gold Medal.

I therefore rise in support of the Borinqueneers—the Forgotten soldiers of a Forgotten war—and urge all of my colleagues to join us by cosponsoring this legislation to ensure that the Borinqueneers receive their long overdue recognition.

SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, sequester starts with "S." That stands for "stupid." It is an irrational policy with no common sense attached to it, and it is a policy that we are headlong pursuing as a result of the actions of the majority in this House. It is a policy that the President of the United States opposes, it is a policy that the majority in the United States Senate opposes, and it is a policy that all of the Members of the Democratic Party in this House oppose.

My friend on the floor here shakes his head, but he voted for a bill. It was called Cut, Cap, and Balance. And Cut, Cap, and Balance said we have a target, but if we don't meet it what happens? Sequester happens—sequester happens.

The Republicans passed that through this House long before any deal was made not to default on our national debt, which included a provision for sequester so that we would achieve Speaker BOEHNER's objective articulated March of 2011 on Wall Street that we would cut dollar for dollar the increase in the debt. That's why we have a sequester. It starts with "S." It is a stupid policy. It is a negative policy. It is a policy that is hurting America.

CHRIS VAN HOLLEN, the ranking Democrat of the Budget Committee, offered an amendment four times to replace the sequester and achieve the same savings. It was rejected, not once, not twice, not three times, but all four times by the Republican majority. They wouldn't even allow it to be made in order to be put on this floor to have a debate on and a vote. This transparent new leadership that we were supposed to have wouldn't even allow a vote on this issue.

□ 1020

Now the Senate has passed a budget which the Republicans have been crying wolf about forever. The Senate passed a budget. It replaces sequester. It achieves the savings that we need to achieve over time. The Ryan budget was passed, which is tantamount to sequester. So now we're asking to go to conference, but we haven't gone to conference.

This week has been a lost week. You've heard about a lost weekend. This week, this House has done practically nothing. Now we're going to take 2 days, today and tomorrow, to consider a bill about helium that could be passed in 10 minutes, which is noncontroversial and passed out of committee by a voice vote.

Will we deal with sequester, which is causing America such grief right now? We will not.

It is a shameful performance by the Congress of the United States. It is an irresponsible performance by the ma-

jority leadership of this House that we will not have the opportunity to replace this irrational, stupid, noncommonsense policy we call "sequester."

Some Republicans say, well, this is the President's policy. That's baloney. It's not true. It's a fraud. The President is against this policy. The Senate Democrats are against this policy, and House Democrats are against this policy. If I were the majority leader, as I once was, this policy would not have gone into effect, and I want the American people, Mr. Speaker, to know that.

There were some who pretended, oh, it will have no effect. Well, it's having an effect on the flying public right now; and on the Food and Drug Administration, in overseeing food safety, it's going to have an effect. There are 70,000 children who qualify for Head Start who are not going to have a seat in Head Start.

Ladies and gentlemen of this House, we ought to be doing some real work this week, not putting bills on the floor and then taking them off the floor because, very frankly, the majority party can't get its act together. We're now having a helium bill on the floor for 2 days. We're not even going to vote on the helium bill today—we're going to vote on the rule—and at about 2:30 today, we're going to adjourn.

My, my, my. What a hard workday. We're not dealing with the budget. We're not dealing with the budget conference. We're not dealing with getting this country on a fiscally sustainable path. We're not dealing with getting rid of the sequester. We're dealing with a noncontroversial helium bill that could pass in 10 minutes in this House.

America, Mr. Speaker, is angry, and I don't blame them. I'm angry, too. America is disgusted with us. I don't blame them. I'm disgusted with us as well. I don't blame Mr. and Mrs. America for saying that Congress is not doing its work. They're right. We're not. We were sent here to serve the American people and our country and make it stronger, and we're not doing that. We're failing to come together and reach compromise and consensus for positive action in our country.

How sad, Mr. Speaker. How sad for our country. How sad for our people. How sad for our families. There are good people on both sides of this aisle, but we're not coming together to do our duty for America. How sad.

ELIZABETH SMART

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, several years ago in Salt Lake City, Utah, there was a happy family—a mom and a dad, six kids—happy as they could be. On the typical summer day of June 5, 2002, the kids and the family had their

prayers. Two of the girls went up to their room. The older girl read to the younger girl. They went to sleep.

And then the nightmare began.

In the middle of the night, the older girl, who was a 14-year-old child, was awakened. The man who woke her up had a knife to her throat. The younger girl woke up, too, but was in fear and shock and terror and could not physically even move. So the kidnapper took the 14-year-old girl, climbed out the window with her, and at knifepoint, they left in the middle of the night. Finally, the younger girl was able to get some type of composure and tell her parents what had happened.

The police get involved, and they start looking for Elizabeth Smart, but they didn't find her that night, and they didn't find her the next day because Elizabeth Smart had been kidnapped by an individual who took her to a secluded place. The first thing he wanted to do, of course, was to abuse her—and he did. He sexually assaulted her, and he sexually assaulted her, and he sexually assaulted her. He tied her between two trees, Mr. Speaker, and sexually assaulted her. He did everything he wanted to do to her for 9 months.

That 14-year-old girl was gone, kidnapped—parents scared to death and worried about one of their six children. The police were looking, but they never found her, not for 9 months.

This evil person who kidnapped Elizabeth arranged a fake marriage to try to marry her even though he was married to another individual lawfully. So the wife, the abuser, and Elizabeth Smart stayed in hiding in the Salt Lake City area. The abuser occasionally would leave and take Elizabeth Smart with him, but he would tell her, "If you ever scream and tell anybody, I will kill your family."

She believed that. A 14-year-old girl obviously would believe that, so she never cried out because she didn't want anything bad to happen to her wonderful family. Meanwhile, Mom and Dad and the brothers and the sisters every day hoped—but no results in finding her.

When she would go out with the evil-doer, forcibly, he would even put a wig over her head and a veil. He would disguise her so that, if people in the Salt Lake City area knew Elizabeth Smart, they wouldn't recognize her.

Finally, after 9 months, Elizabeth Smart was with the evildoer who sexually assaulted her—and with his wife—and a police car stopped. The police officer started questioning Elizabeth Smart. She didn't say anything because she remembered that the evildoer said he would kill her family. Unbeknownst to Elizabeth, her sister had given the police a sketch of the person who had kidnapped her. The police took Elizabeth Smart to the police sta-

tion, and after a few minutes, in comes her father.

She was rescued after 9 months—The criminals went to prison.

Elizabeth Smart is now 27 years of age, and she has used this awful tragedy of being kidnapped and sexually assaulted as a child in order to help other sexual assault victims in this country. She started the Elizabeth Smart Foundation. A couple of weeks ago, she was in Houston. She spoke very forcefully to a group of women—several hundred—about being abused.

So, this Victims' Rights Week, Mr. Speaker, I want to honor Elizabeth Smart and all of those other sexual assault victims—especially children—who have been assaulted by evil people in this country, and let us remember to support them totally in their recovery. And that's just the way it is.

□ 1030

AWARDING THE CONGRESSIONAL GOLD MEDAL TO THE 65TH INFANTRY REGIMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, today Congressman BILL POSEY of Florida and I will introduce bipartisan legislation to award a Congressional Gold Medal to the 65th Infantry Regiment, a famed U.S. Army unit known as the Borinqueneers composed almost entirely of soldiers from the U.S. territory of Puerto Rico that overcame discrimination and earned praise and respect for its comeback performance in the Korean war.

The Congressional Gold Medal is considered the most distinguishing form of recognition that Congress, acting on behalf of a grateful Nation, can bestow upon an individual or group in recognition of outstanding and enduring achievement. As our legislation states:

The highly decorated 65th Infantry Regiment is deserving of this award because of its "pioneering military service, devotion to duty and many acts of valor in the face of diversity."

Between 1950 and 1953, the regiment participated in some of the fiercest battles of the Korean war; and its toughness, courage, and loyalty earned the admiration of those who had previously harbored reservations about Puerto Rican soldiers based on stereotypes.

One individual whose misconceptions were shattered was William Harris, who served as the regiment's commander during the early stages of the war. Harris recounts that he was reluctant to take command of the unit because, like many U.S. military leaders, he assumed that Puerto Rican soldiers were not as capable as other troops. Following the war, Harris recalled that

his skeptical attitude did not survive first contact with the enemy and that, in fact, his experience ultimately led him to regard the men of the 65th as the best soldiers he had ever seen.

Another individual who came to hold the 65th in high esteem was General Douglas MacArthur. In March 1951, after months of heavy engagements with the enemy in which the 65th played a critical role, General MacArthur wrote the following:

The Puerto Ricans forming the ranks on the gallant 65th Infantry on the battlefields of Korea by valor, determination and a resolute will to victory give daily testament to their invincible loyalty to the United States. They are writing a brilliant record of achievement in battle, and I'm proud, indeed, to have them in this command. I wish that we might have many more like them.

By the time fighting came to a close in Korea in July 1953, soldiers in the 65th had earned 10 Distinguished Service Crosses, about 250 Silver Stars, over 600 Bronze Stars, and nearly 3,000 Purple Hearts. As a collective, the regiment won numerous awards, including two Presidential Unit Citations, the Nation's highest unit-level recognition for extraordinary heroism. The unit's disproportionately high casualty rate underscored the fact that it had been serving on the front lines, face to face with the enemy at the very tip of the spear.

In a 2010 obituary that appeared in *The New York Times* for 87-year-old Modesto Cartagena, one of the most decorated soldiers from the regiment, it was observed that in Korea:

Puerto Rican soldiers surmounted not only the Communist enemy, but also prejudicial attitudes.

This same point was made with particular eloquence in 2000 by Secretary Louis Caldera during a ceremony honoring the regiment when he said that the soldiers of the 65th were fighting to protect the people of South Korea, even as they struggled against the injustice in the ranks of the military that they loved and served so well.

Mr. Speaker, in the face of unique challenges, the men of the 65th regiment served our Nation with great skill and tremendous grace. Their contributions to our country have been recognized in many forms. Streets and parks bear their name. Monuments and plaques memorialize their accomplishments. And cities and States have approved resolutions in their honor. I believe it is time that Congress pay tribute to the 65th, and so I ask my colleagues to join me in the effort to award the regiment with the Congressional Gold Medal.

END FORCED UNION DUES IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa (Mr. KING) for 5 minutes.

Mr. KING of Iowa. Mr. Speaker, I'm here today to ask my colleagues to join me in supporting an end to forced union dues in America. I'm talking about the National Right to Work Act, which I recently reintroduced here in the 113th Congress as H.R. 946.

Every American should have the power to negotiate with their employer about the terms of their employment, but no American should be forced to pay union dues just to get or keep a job. However, when Congress enacted the National Labor Relations Act in 1935, it established monopoly bargaining, and that monopoly bargaining conscripts workers who want nothing to do with the union into paying union dues. That doesn't sound like the America that I know.

In 1947, Congress admitted this provision violated the rights of workers; but because the votes weren't there to fully repeal this provision, they opted instead to allow the States to opt out of the NLRA's monopoly bargaining statute. That was a provision that the States, though, had to pass laws to exempt themselves.

To date, 24 States have enacted these right-to-work laws; and because of that, they have been able to mitigate the negative effects of our misguided Federal labor law on their citizens and their economy. Iowa is one of those States.

But the fact remains that Congress created this problem in the first place by making forced unionization the default position for all States. Since Congress created this problem, it is Congress' responsibility to correct it. The National Right to Work Act does so without adding a single new word to the Federal Code by simply erasing the forced-dues clauses in the Federal statute.

While the votes weren't there to repeal this provision in 1947, they should be there today because we now have decades of data to compare forced-dues States and workplace-freedom States. The results of this nationwide experiment suggest that the National Right to Work Act would create a huge boost in our economy; and, therefore, I urge Congress to take up the National Right to Work Act.

IN HONOR OF MITCHELL DEE JONES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Utah (Mr. MATHESON) for 5 minutes.

Mr. MATHESON. Mr. Speaker, I rise today to honor the life of an inspirational young man from my district. Mitchell Dee Jones from Herriman, Utah, passed away on March 2 of this year after a lifelong battle with Duchenne muscular dystrophy.

Mitch was a beloved son, brother, friend, and Latter-day Saint. He lived life to the fullest and loved others self-

lessly. In the very best ways, Mitch was a typical 10-year-old boy playing board games, building with Legos, four-wheeling, camping, and enjoying the outdoors in Utah with his family. His sense of humor, of adventure, and of devotion to his family touched thousands. Both in his life and in his passing, Mitch's dignity and gentleness, strength of spirit, and quiet resolve reveal his exceptional character.

I hope you will join me today in honoring the life of this very special young man who brought others together, who touched lives in a profound way, and who inspired us all.

Mitch's parents, Chris and Natalie Jones, have humbly shared their family's journey with our community in Utah and with countless others around the world. They opened their lives and Mitch's story so they might serve others, bringing an important awareness and a better understanding of their son's condition and that of others with Duchenne muscular dystrophy.

I urge my colleagues on both sides of the aisle to learn more about Mitch's story and about Duchenne muscular dystrophy by following his father's Facebook journal called "Mitchell's Journey."

This coming Monday, on April 29, the city of Herriman, Utah, will honor Mitch's life with the recognition of Mitchell Jones Day. Here in our Nation's Capital, we can join together to do the same by familiarizing ourselves with the disease that ultimately took Mitch's life.

Duchenne muscular dystrophy is a genetic muscular disorder that most often affects young boys and is characterized by a progressive muscle weakness and degeneration. It is typically diagnosed early in life and is usually fatal in the late teens or early twenties. For some, like Mitch, the disease progresses quickly and affects the voluntary muscles of limbs and torso and eventually the involuntary muscle function of the heart and lungs.

As legislators, it is stories like Mitch's that should remind us of the magnitude of our decisions about time and resources. The course we chart for our country is real for families like the Joneses in every congressional district. I believe as a country we have endless potential to improve outcomes of Duchenne muscular dystrophy and so many other diseases that our children face; and I think this should be a bipartisan effort.

As we work in service of our constituents, I hope we will all reflect on the Joneses in Herriman, Utah, and the priorities of real American families. These are citizens who inspire us to work harder, to do better, to solve problems, and to make a difference.

Mitch's legacy is one of love and compassion of an inspiring young man who faced every challenge with bravery and faith. Here in Congress we should

strive to live and serve in the same way.

□ 1040

STRENGTHENING OUR STRATEGIC ALLIANCES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. TURNER) for 5 minutes.

Mr. TURNER. Mr. Speaker, the American public always decries the partisan tone that happens here on this House floor, and I'm always amazed when people come down to the House floor and rail on Republicans and Democrats and try to place blame. I'm always particularly amazed when someone comes to the House floor and blames the Republicans for a bill that they voted for. I voted against sequestration, and I certainly agree with Mr. HOYER's current statements of how bad sequestration is. It just would have been nice if the consistency was there in the actual voting record besides just the attempt to blame Republicans.

This clearly was a project that was proposed by the President. I opposed it because I knew it was going to wreak havoc on our national security. And I wish those who now see its folly actually had voted against it when it was on the House floor.

But, Mr. Speaker, I'm here today to talk about energy security. It continues to play an important role in global relationships and dialogue. In my role as chairman of the U.S. delegation to the NATO Parliamentary Assembly, many foreign leaders and officials have expressed to me the need to diversify energy resources away from one source or from unstable regions.

As we all know, the United States is currently experiencing a surplus of natural gas production, helping to keep the price low compared with global rates. This is creating opportunities to boost job growth right here at home and for U.S. natural gas to compete in the global marketplace.

In fact, a recent Department of Energy commissioned report found that increasing exports of natural gas would have positive economic benefits for our country. In my home State of Ohio, exploration and development in the Utica Shale would have a \$5 billion economic impact and create or support nearly 66,000 jobs in Ohio by 2014.

Increasing natural gas exports would not only help reduce our trade deficit and create job opportunities for American workers but would also help key allies diversify their energy sources, bolster their energy and national security, and strengthen our strategic alliances. Many of our allies are heavily reliant on natural gas from either one country or from unstable regions and are paying significantly higher prices.

Several of the largest natural gas importers are also NATO members with

strong national security ties to the United States. In recent years, several European countries have experienced natural gas supply disruptions from Russia, the largest supplier of natural gas to Europe. Turkey relies on 20 percent of its natural gas from Iran.

Earlier this year, Islamist militants attacked a natural gas facility in Algeria, which is the third-largest exporter of natural gas to Europe.

Japan, a strategic ally in Asia and already the world's largest importer of natural gas, may need to seek greater imports of natural gas as a result of the 2011 nuclear plant disaster. Japan already relies on 42 percent of its natural gas from Russia, the Middle East, and North Africa.

The surplus of U.S. natural gas production is already having an impact on global natural gas markets. Natural gas previously destined for the United States, but no longer needed as a result of our domestic increased production, has been diverted to other markets. For example, in 2012, nearly half of the natural gas supplied to Europe was purchased under spot contracts. Helping our allies diversify their energy resources is important to strengthening our partnerships and bolstering security.

Under section 3 of the Natural Gas Act, companies seeking to export natural gas must receive permits from the Department of Energy, which determines if such exports are in the public interest. Export permits to U.S.-free trade countries are automatically approved. Non-free trade countries must go through a process.

In general, when it comes to exporting U.S. goods, we often talk about barriers in other countries for U.S. producers that they must overcome to sell their products, but in this instance we have a domestic barrier that prevents us from exporting our natural gas to consumers willing and eager to buy.

There are currently 20 applications before the Department of Energy from companies seeking approval to export natural gas. As the DOE evaluates these applications, I hope it takes into consideration the domestic economic benefits.

I have authored bipartisan and bicameral legislation, H.R. 580, the Expedited LNG for American Allies Act, which would make approval of export licenses to NATO countries and Japan automatic. This bill creates a process that allows the addition of other foreign countries to this list if the Secretary of State deems, in consultation with the Secretary of Defense, that it would be in our national interest.

Exporting U.S. natural gas presents opportunities to create American jobs while helping to bolster our strategic alliances. I urge all of my colleagues to support this important bill that would have great economic impacts for the United States.

HONORING GOSPEL MUSIC PIONEERS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, later on today, the President will join my fellow Texans in West, Texas, to mourn the loss of so many who died in a tragic plant explosion last week. Many of them were first responders. And many who will come to mourn and celebrate life and the life of West, Texas, are those who have been harmed and injured. I will join them in spirit, as I know my colleagues here today will.

That's why as I rise today to commemorate and salute two gospel music titans, it becomes even more appropriate to salute my friend, James "Jazzy" Jordan and Mr. Don Jackson, for they understand the value and message of gospel music.

Gospel music holds a special place in the American experience. Gospel music was a release from suffering and hardship, but it was also a form of praise and protest. I would like to thank Jazzy Jordan for understanding that as we introduced in 2008 the Gospel Music Heritage legislation that establishes September in the United States of America as Gospel Music Heritage Month.

We hope as we have faced these tragedies over the last couple of weeks that Americans, no matter what their religious background or nonreligious background, will find relief in this joyful and comforting music. Spirituals once sung by slaves transformed into gospel songs sung by free people who had their own space and place to express their emotions and tell their stories in music—those spirituals have been translated into gospel music.

Gospel music could express the joys and sorrows of so many people. All of us remember and have often sung the song "Amazing Grace," created by one who saw this wonderful resilience of their life when they thought they had been lost. That is truly American and American gospel music.

We know the early founders: Thomas Dorsey, Mahalia Jackson, James Vaughan, James Cleveland, and now today Kirk Franklin, and Yolanda Adams, among so many. And then those who were influenced by gospel music: Sam Cooke, Al Green, Elvis Presley, Aretha Franklin, Whitney Houston, Little Richard, Buddy Holly, among many.

Jazzy Jordan understands that and is now head of The Jordan Webster Group, a film and music production house in Washington, D.C. A brilliant businessman, he has a great love of gospel music. We are grateful for his service to Verity Gospel Music Group, now known as RCA Inspiration. Mr. Jordan was a founding board member of the Gospel Music Heritage Founda-

tion and cochair, with gospel music advocate Mr. Carl Davis of my district, of the Evolution of Gospel Celebration which kicks off Gospel Music Heritage Celebration in the Nation's capital. Mr. Jordan was executive producer for Gold, Platinum, Grammy, Stellar, and Dove award-winning projects. Throughout his career, he served as a creative producer and has marketed and promoted many award-winning CDs and gospel artists that have included Kirk Franklin, and as well worked with DJ Jazzy Jeff and Will Smith—"Fresh Prince."

Oh, he knows music. And to tell you that he does, he has engaged and worked with the likes of Kirk Franklin, as I said, Marvin Sapp, Donnie McClurkin, Fred Hammond, Heather Kyle Walker, Donald Lawrence, Richard Smallwood, Byron Cage, John P. Kee, Jay Moss, Crystal Aikin, Deitrick Haddon, and DeWayne Woods. Mr. Jordan is truly one who lives his life in commemorating and cultivating and nurturing the gospel tradition, the gospel tradition which has now spread beyond the borders of this Nation.

He is joined by Mr. Don Jackson, the founder, chairman, and CEO of the 41-year-old Central City Productions, now the founder and organizer of the Stella Awards.

I am grateful that Mr. Jackson thought it was important to recognize those who excelled in gospel music. He graduated from Northwestern University and entered a career in media and broadcasting with a number of stations, WBEE and WVON, a top radio station in Chicago. As he founded Central City Marketing in 1970, his company over 41 years involved itself in encouraging and helping others promote their issues. He had involvement in promotion and sales and production of media and television.

□ 1050

But his first gospel music awards show in the United States, the Stellar Awards, was produced by his company. The Stellar Awards honors gospel music artists, writers, and industry professionals.

He is one who has featured so many artists, such as the Clark Sisters, Kirk Franklin, Da' T.R.U.T.H., Mary Mary, and many others.

Mr. Speaker, as I close, let me simply say, these two men are more than deserving of being American icons, and we congratulate them for loving, cherishing, and promoting gospel music.

Mr. Speaker, I rise to recognize two of America's pioneers in gospel music: Mr. James "Jazzy" Jordan and Mr. Don Jackson. Jazzy Jordan and Don Jackson are titans in the field of Gospel Music. Over the last 30 years their combined efforts have elevated this unique American art form to national and international prominence.

Gospel music holds a special place in the American experience. Just as Jazz is well

known far from our nation's shores, the spread of gospel music has also become popular around the world. Gospel music holds a unique place in the African experience—its roots are deep in the black church. For generations, gospel music could only be heard on Sunday mornings where African American people gathered to worship.

Church was a place where black people felt truly free and safe to express themselves. Gospel music was a release for suffering and hardship—it was a form of praise and protest. Spirituals once sung by slaves transformed into gospel songs sung by free people who had their own space—and place to express their emotions and tell their stories in music.

Gospel music could express the joys and sorrows of black people in ways that touched those who were not African American. There were lessons to be learned for the artists and the listeners. Famous jazz and rock-and-roll artists perfected their singing styles by visiting black churches to listen to gospel music.

Gospel music traditions produced many memorable voices and musical pioneers in the history of our country; singers like Thomas Dorsey, Mahalia Jackson, James Vaughan, Roberta Martin, Virgil Stamps, Diana Washington, James Cleveland, The Mighty Clouds of Joy, Kirk Franklin, Yolanda Adams, and The Winans among many others.

Gospel music has inspired and influenced other music art forms and artists that include Sam Cooke, Al Green, Elvis Presley, Marvin Gaye, Aretha Franklin, Whitney Houston, Little Richard, Ray Charles, Buddy Holly, Alan Jackson, Dolly Parton, Mariah Carey, Bob Dylan, and Randy Travis.

I stand in the well of the House to honor two men who are my friends who also are great contributors to the American experience by preserving and cultivating new converts to the gospel music. Through their efforts gospel music has in a very short time period expanded beyond the black church to a broader global audience.

Mr. James "Jazzy" Jordan is head of The Jordan Webster Group, a film and music production house in Washington, DC. Mr. Jordan is a brilliant businessman with a love of gospel music, which he fully expressed in his leadership of the Verity Gospel Music Group now known as RCA Inspiration. Mr. Jordan is a founding board member of the Gospel Music Heritage Foundation and is Co-Chair along with Gospel Music Advocate Carl Davis of the "Evolution of Gospel Celebration" that Kicks off Gospel Music Heritage Celebration in the Nation's Capital.

Over his 30 year career, Mr. Jordan was executive producer for Gold, Platinum, GRAMMY®, Stellar and Dove award-winning projects. Throughout his career, Jordan has served as executive producer or has marketed or promoted many award-winning CDs for gospel artists that included Kirk Franklin and R. Kelly. He also, worked with DJ Jazzy Jeff and The Fresh Prince (Will Smith) on their album Parents Just Don't Understand, which sold over four million copies; Salt N' Pepa on their Very Necessary album, which sold over five million copies; Joe on his top selling CDs All That I Am, which was a platinum selling album, and My Name Is Joe, which sold over three million copies; and three of R. Kelly's

CDs—R. Kelly, R. and TP—2.Com, which all sold more than three million copies.

The other person I want to recognize is Mr. Don Jackson, the founder, chairman and CEO of the 41-year-old CENTRAL CITY PRODUCTIONS a national television production, sales, and syndication Company based in Chicago, Illinois.

Mr. Jackson after graduating from Northwestern University entered a career in media and broadcasting with WBEE & WVON radio. He was someone to watch—and for good reason—he became youngest and first African American sales manager at WVON, the top radio station in the Chicago media market at the time. He had to work hard and be extremely smart to reach such notable success at such a young age.

In 1970, Mr. Jackson founded CENTRAL CITY MARKETING. His company for over 40 years has specialized in marketing, promotion, sales, and the production of media and television programs for African Americans. The first Gospel Music Awards show in the United States, the Stellar Awards, was produced by CENTRAL CITY MARKETING. The Stellar Awards honor Gospel Music Artists, writers, and industry professionals for their contributions to the Gospel Music Industry. The Stellar Awards program is syndicated in over 140 markets nationwide.

The Stellar Awards has featured well known gospel artists that include the Clark Sisters, Kirk Franklin, Da' T.R.U.T.H., Tye Tribbett, Mary Mary, Heather Headley, CeCe Winans, Marvin Sapp, Yolanda Adams, Donnie McClurkin, and Tamela Mann. Atlanta, Chicago, Houston, Los Angeles, Nashville, and New York have been the location of the Stellar Awards programs. Through his efforts, the spread of gospel appreciation is traveling far beyond our nation's shore and finding new converts every day.

Because of the efforts to these two men scholars now know—if you want to truly understand the black American experience—you must understand the music of that experience and a way to do this is through gospel music.

I ask my colleagues to join me in applauding the life achievements of Mr. Don Jackson and Mr. James "Jazzy" Jordan.

40 YEARS OF MEDIA MARKETING EXPERIENCE

Don Jackson is the founder, chairman, and CEO of 41-year-old CENTRAL CITY PRODUCTIONS, Inc., a national television production, sales, and syndication company based in Chicago, IL.

Mr. Jackson is a Chicago native who graduated from Marshall High School, where he played on the school's 1960 state championship basketball team. He also started on the 1961 Marshall basketball team, which won 3rd place in the state championship. He attended Northwestern University on a basketball scholarship and was captain of the University's 1965 Wildcat basketball team. Mr. Jackson earned his B.S. in Radio, TV, and Film from Northwestern in 1965.

After graduating from Northwestern, Mr. Jackson worked in the media and broadcast industries in sales at WBEE & WVON radio. He became the youngest and first African American sales manager at WVON, the top radio station in the Chicago market at the time.

In 1970, Mr. Jackson founded CENTRAL CITY MARKETING, INC. For over four dec-

ades the company has specialized in marketing, promotion, sales, and the production of media and television programs for African Americans.

Today, CENTRAL CITY PRODUCTIONS, INC., is the full-service company that produces, syndicates, and manages advertising sales for all of the company's local and national television programs. Central City Productions' mission is to develop, produce, and market television programming which is designed to communicate positive, uplifting images of Black people all over the world.

Under his guidance and vision, CCP has launched many new and unique television programs to Black Americans nationwide. Many of these programs have more than 30 years of consecutive airing over local and national television.

Mr. Jackson also gives back to the community as a member of several organizations. He is the former chairman of the board of the DuSable Museum of African American History. He has also previously served on the boards of Northwestern University, Junior Achievement of Chicago, Columbia College, Gateway Foundation and Chicago Transit Authority Board.

In addition, Mr. Jackson is the founder and a member of A.B.L.E. (Alliance of Business Leaders and Entrepreneurs), which is the first business organization bringing Black Leaders together in the business community to network, to address business issues and to provide a legacy for future African American entrepreneurs.

He has received numerous awards for his business accomplishments and community involvement. Mr. Jackson is married to Rosemary Jackson. The couple has two adult children and two grandsons, Donovan and Dain. Their daughter Rhonda is a graduate of Syracuse University, and their son Baba Dainja graduated from the University of Minnesota.

JAMES "JAZZY" JORDAN

James "Jazzy" Jordan is head of The Jordan Webster Group, a film and music production house in Washington, DC. Projects to be released this summer are "Your Husband Is Cheating On Us" starring JD Lawrence, A reality TV series The Football Moms with Reggie Bush's mother Denise, Adrian Peterson's mother Bonita and others.

Mr. Jordan is also developing a theatrical film titled "ColorBlind" starring JD Lawrence and directed by Bill Duke, he is filming a new comedy TV series for Comedian Michael Colyar, taping this summer at The Howard Theater in DC.

He most recently was Executive Vice President/General Manager of Verity Gospel Music Group (VGMG). A division of Sony Music Entertainment, INC., it is the largest gospel music company in the world.

The VGMG roster of artists includes: Kirk Franklin, Marvin Sapp, Donald McClurkin, Fred Hammond, Hezekiah Walker, Donald Lawrence, Richard Smallwood, Kurt Carr, 21:03, Byron Cage, John P. Kee, J. Moss, Crystal Aikin, Deitrick Haddon, Dewayne Woods, and others.

Over his 30-year career, Jordan has worked in a variety of areas within the music industry, including retail, radio broadcasting and marketing. These experiences have given him a 360-degree view of the music business and uniquely equipped him to shepherd artists to success. Jordan was in charge of all operations for Verity Gospel Music Group, Jordan lent his business acumen and expertise to the consistently successful label. He has served as executive producer for Gold,

Platinum, GRAMMY®, Stellar and Dove award-winning projects such as *Hello Fear* and *The Fight Of My Life* (Kirk Franklin), *Thirsty* and *Here I Am* (Marvin Sapp), *Live In London* (Donnie McClurkin), *Show Up* (John P. Kee), and many others.

Jordan has held senior executive positions at Tommy Boy, RCA and PolyGram record labels. In 1995, he was named Vice President of Black Music Marketing at Jive Records. At Jive, Jordan not only played a vital role in the label's success in urban music, he also helped to launch Verity Records and catapulted it into the most successful gospel record label to date.

Throughout his career, Jordan has served as executive producer or has marketed or promoted over 50 award-winning CDs for artists ranging from Will Smith to Kirk Franklin. He worked with DJ Jazzy Jeff and the Fresh Prince (Will Smith) on their album *Parents Just Don't Understand*, which sold over four million copies; *Salt N' Pepa* on their *Very Necessary* album, which sold over five million copies; Joe on his top selling CDs *All That I Am*, which was a platinum selling album, and *My Name Is Joe*, which sold over three million copies; and three of R. Kelly's CDs—*R. Kelly*, *R.* and *TP2.Com*, which all sold more than three million copies.

A man of many interests and skills, in 2006 Jordan was one of only two African Americans to have ownership in an Indy 500 racecar (the other was NBA All-Star Carmelo Anthony). Jordan's car placed 12th in the race.

SEQUESTRATION AND THE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WATERS) for 5 minutes.

Ms. WATERS. Mr. Speaker, I rise today to discuss the impacts that sequestration is having on our country. Although I did not support the decisions that led to sequestration, I remain committed to protecting the American people from the most harmful and potentially dangerous outcomes related to sequestration.

Sequestration simply means budget cuts, extraordinary budget cuts. Every moment we spend here in Washington should be spent working to improve the lives and opportunities for the American people. To that end, we should be focused on legislation to avert sequestration and improve our economy.

As our minority whip said here this morning, we've passed a budget off the floor of the House. It's the Ryan budget, and it protects sequestration. It wants all of the cuts to take place. On the Senate side, they've passed a budget that does away with the onerous sequestration budget cuts. Now we need a conference committee, simply meaning, we need both sides to come together and resolve their differences and move on with having a budget for this country. But the Republicans are saying "no."

And as it was mentioned by our minority whip, we're here in Washington, D.C., fiddling while Rome burns. We're not taking care of any real business.

They will not bring a conference committee together to resolve these differences.

The simplest way to describe the sequester is to say that this was an avoidable, self-inflicted wound. A vocal Republican opposition over the budget led to an agreement, which ultimately resulted in this sequestration decision.

Republican leadership has failed to bring to the floor this week measures to build our economy. We should be focused on salient measures designed to grow our economy and create jobs.

Republican leadership has also failed to fully address the issues arising from sequestration; although, it is clear that these cuts are arbitrary, indiscriminate, and far too blunt.

The American people may be aware of the obvious impacts of sequestration, such as the closing of national parks and the elimination of tours at the White House; however, Americans might not be aware of how sequestration can impact important parts of their lives and this economy.

Let's take air travel. Some of you have heard about what is going on in our airports. Imagine that you're trying to get to the airport to catch a flight to attend your daughter's wedding or graduation or to see about a sick relative, or you're a business traveler trying to meet a potential client for the first time. Well, sequestration could soon impact all of your travel plans.

Due to sequestration, the Federal Aviation Administration addressed the shortage in their funding by furloughing 47,200 employees and are expected to close certain airports. As a result, we're witnessing airplanes remaining on the tarmac for hours. The traveling public is expecting flight delays and cancellations at airports all across the country. The impact of sequestration is being felt by the thousands of travelers who utilize our airways every day. And, ladies and gentlemen, it's going to get worse.

Along with flight delays, airline travelers can expect increased wait times in airport security lines because the Transportation Security Administration has also had to furlough screening agents in response to sequestration.

I represent Los Angeles International Airport, which is the sixth busiest airport in the world and the third busiest airport in the United States. I understand the impact that flight delays will have, not only on those traveling for leisure, but also on the airline industry and business travelers.

These furloughs are problematic for airports of any size. The importance of the air traffic controllers at LAX and across the country cannot be understated. God forbid that there should be an accident that could have been averted. No explanation could possibly make amends for the resulting loss of life. This is simply unacceptable.

Ladies and gentlemen, I could talk about a lot more, national security, housing, health care, all of that, but the fact of the matter is this is unnecessary. I'm absolutely disappointed. I want this Congress to get on with the business of getting a budget and representing the people that sent them here to represent them.

NATIONAL SECURITY

Last week, we were all horrified to watch the bombings at the 117th Boston Marathon. We all applauded the valiant and successful efforts of law enforcement. Even so, the intelligence community who diligently worked with local law enforcement to ultimately capture a bombing suspect is not immune from the impacts of sequestration.

As a direct result of sequestration the National Intelligence Community could receive 4 billion dollars in cuts. Consider a recent statement from National Intelligence Director James Clapper. He stated "sequestration forces the intelligence community to decrease all intelligence actions and functions without regard to the impact on our mission. It is my judgment, as our nation's senior intelligence officer, that sequestration jeopardizes our nation's safety and security, and this jeopardy will increase over time."

We all watched on television as the Federal Bureau of Investigation, FBI, Hostage Rescue Team bravely apprehended the surviving Boston bombing suspect. It is at these moments the American public can witness the training and skill of FBI agents. Yet, even the FBI is not protected from sequestration.

Last month, FBI Director Robert Muller estimated that sequestration would decrease the FBI's budget by \$550 million for this fiscal year. As 60 percent of the FBI's budget pays for personnel, Director Muller anticipates that he will have to plan for the possibility of furloughs in the FBI.

According to Director Muller "any furlough would pose a risk to FBI operations particularly in the areas of counter terrorism and cyber."

I believe the American people understand the importance of protecting our national security, especially at a time when our nation faces threats both foreign and domestic. But again, due to sequestration the FBI and other members of the national intelligence community who play a vital role in protecting our nation may be given shorter hours or furloughed. These are the sort of insidious impacts that unfortunately, may not get anyone's attention until something tragic happens. There are real life consequences if the sequester is not lifted.

PUBLIC HEALTH

The effect on public health could be equally devastating. Sequestration could cut \$3.7 billion from funding for the Department of Health and Human Services. A myriad of programs will be negatively impacted by these cuts. For example, cuts to Community Health Centers could leave one million low-income and uninsured patients without basic health services.

If we do not act to end the effects of sequestration, there could be 45,000 fewer breast and cervical cancer screenings for low-income women. Further, nearly 485,000 seniors could lose access to disease prevention programs.

Even the gains we have made in HIV/AIDS awareness, screening, and care may also be hampered by sequestration. The anticipated cuts to HIV screening could result in 424,000 fewer HIV tests. Further, cuts to the AIDS Drug Assistance Program could leave 7,400 HIV/AIDS patients in need of treatment without life-saving AIDS medications. Finally, the National Institutes of Health would be cut by \$1.6 billion. That's \$1.6 billion less money available for cutting-edge research by scientists seeking cures for diseases like cancer, diabetes, and Alzheimer's disease. These are only a handful of the unintended consequences of blind sequestration required cuts.

HOUSING

When it comes to housing—according to the Center on Budget and Policy Priorities, these cuts come at a time when the number of low-income families in need of housing assistance has been rising substantially. Currently, there are long waiting lists for vouchers in almost every community, and homelessness remains a persistent problem.

The United States Department of Housing and Urban Development estimates that about 125,000 individuals and families, including elderly and disabled individuals, may lose assistance and be at risk of becoming homeless. These effects, while not immediate, would be devastating to the millions of low-income families who depend on these federal programs for shelter, a basic life necessity.

Sequestration cuts would also result in more than 100,000 formerly homeless people, including veterans, being removed from their current housing or emergency shelter programs, putting them at substantial risk of becoming homeless.

WIC AND HEAD START

The sequester could also have a negative impact on federally funded programs that provide services to women and children. Essential programs like Head Start and Early Head Start may have to turn away up to 70,000 children and families. These families rely on their services for quality childcare and parenting education initiatives.

Even Women, Infants and Children, WIC, that provides nutritious food, counseling on healthy eating, and health care referrals to low-income pregnant and postpartum women, infants, and children under age 5 who are at nutritional risk faces cut. Secretary Tom Vilsack at the U.S. Department of Agriculture warned back in February that as a result of the sequester WIC will only be able to provide services for 600,000 of the 9 million low-income families currently served.

CONCLUSION

Mr. Speaker, sequestration has already taken a toll on families, businesses, and communities across the country. At a time when we are working to rebuild our economy, sequestration will cost American workers millions of dollars in lost wages and businesses billions of dollars in lost revenue.

Sequestration will have impacts that we might not consider here today. It will impact our national security efforts. It will impact our air travel and it will even impact the food we eat. We must work to avert these thoughtless cuts.

It is time for Republicans to stop refusing to move forward in our work to pass a budget

that reflects our nation's values. It is time to do the right thing for the American people and lift the sequester.

SEQUESTER AND THE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. CÁRDENAS) for 5 minutes.

Mr. CÁRDENAS. Mr. Speaker, I rise today to address the number of times that Congress has dropped the ball when it comes to our budget. But I'm also here to say that we can fix it.

Last year, Congress passed the only law I have ever seen that was designed to never be enforced. It's called sequestration.

Sequestration was actually designed to cut spending across the board in a way that was so offensive and so illogical that it could never survive as a law. It was a law that was meant to unify both sides of the aisle in an effort to develop a comprehensive deal to fix the economy and our deficit.

A responsible Congress could have stopped those ridiculous cuts. In fact, I agree with Senator MARK WARNER, who happens to be a former Governor, who had to balance his State of Virginia's budget, and I quote, he called this "stupid."

Mr. VAN HOLLEN, whom I work with on the Budget Committee, introduced commonsense legislation that would have responsibly reduced our deficit and ended the sequester. Unfortunately, the Republican majority refused to allow an up-or-down vote on this floor for that straightforward legislation. They doubled down on irresponsible policies based on an economic math that we now know is completely flawed.

It reminded me of a story. Two guys are in a lifeboat, and the one holding the oars says, "This is a bad situation, and one of us ain't gonna make it." It doesn't take a genius to figure out who the guy with the oars is talking about.

All of us are in this lifeboat together, and we know where the majority stands. They're not rowing for the middle class. They're just fighting to protect millionaires and make sure their special interests keep their tax breaks.

We know families, businesses, and communities continue to be hurt by what we do or don't do here in Washington. You've all seen it. FAA furloughs are causing flight delays, just one example of how we're continuing to hurt our economy.

We can do better. We can write a legitimate, measured budget for this country.

Mr. Speaker, return this House to regular order. Our House has a budget. The Senate has a budget. Let's go to conference and start negotiating a real American budget. The American people deserve some certainty, and they certainly deserve to know what priorities

are important to their elected representatives.

For those watching at home, why is a conference committee so important? Because there are vast differences between the budgets currently on the table. A conference committee negotiates, in full view of the public, on principles and priorities that set funding for the next fiscal year.

Let's talk about this like my Republican colleagues' favorite thing to talk about. Let's talk about it like people do at the kitchen table.

If paychecks are cut or an unforeseen emergency happens in a family, families don't just pay 10 percent less on their mortgage or require 10 percent less of the medications they depend on. Instead, we make smart cuts. We stop buying the things we don't need, but we don't stop educating our children. At least in my house, my wife and I don't decide what's important to us and ignore everyone else.

□ 1100

That doesn't work in families, and it doesn't work in Washington. We sit down like adults—at least we should in Congress—around some kitchen table and figure out what we can buy and what we can't. We work through today's needs and plan for our future. We don't stop investing in our families. Like Senator WARNER said, that would be stupid.

The House and the Senate need to get around the table—any table. If you can't find a table here in the Capitol, come to my kitchen table. We must create an American budget that invests in job growth and educating our future workforce. We can make cuts—but cuts that make sense. Let's root out the waste, fraud, and abuse and cut tax loopholes to make sure everyone pays their fair share.

The American people have shown us what to do. Let's get around a table. Let's name conferees and show the people who sent us here that we can be responsible and keep the promise of the American Dream a reality.

Ladies and gentlemen, I have been honored to be elected at the State legislative level in California, I have been honored to be a council member, and now, since January of this year, I have been a Member of this body. And I'm very, very disappointed. In business, at home, and in elected office, I've never seen a situation so stagnant, so stale and damaging to the people who sent us here to represent them.

HONORING NAZARINE J. BELLARDINI

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. OWENS) for 5 minutes.

Mr. OWENS. Mr. Speaker, I rise today to honor the life of a constituent and World War II veteran, Nazarine J. Bellardini of Norwood, New York.

Mr. Bellardini served the Nation in the Air Force during World War II. After he was honorably discharged in 1948, he returned home to upstate New York and married his wife, Caroline, in 1950.

Like so many World War II veterans, Mr. Bellardini helped build the modern middle class. After the war, Mr. Bellardini worked at the 7UP Bottling Company in Utica, New York. In 1957, he was initially employed at the State University of New York at Potsdam in the mailroom.

Mr. Bellardini retired from Potsdam as the plant superintendent for heating, ventilation, and refrigeration. His behind-the-scenes work was vital to the success of the thousands of students who attended SUNY Potsdam during his tenure.

In his retirement, Mr. Bellardini remained active as a member of the Potsdam Elks Lodge, the VFW, the American Legion, and the Knights of Columbus. He was also an avid hunter.

He will be greatly missed by those left behind, including his son, his sister, two daughters, six grandchildren, as well as four great-grandchildren.

Like so many of that generation, he lived by the motto: "I was just doing my job." That is something we in Washington should clearly emulate.

I thank you for joining with me in honoring Mr. Bellardini's life and his service to our country.

IT IS NEVER OKAY TO DISREGARD OUR MOST BASIC PRIVACY RIGHTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. HARTZLER) for 5 minutes.

Mrs. HARTZLER. I rise today in response to a situation which is currently causing a great deal of concern among law-abiding citizens in my home State of Missouri.

We have learned, through the diligent work of State Senator Kurt Schaefer and others in State government, that the Missouri Department of Revenue, which issues concealed-carry permits in our State, has improperly allowed this sensitive, personal information to be shared with the Federal Government. This egregious disregard for privacy rights led last week to the resignation of the director of the State Department of Revenue.

While Missourians are pleased that this inappropriate sharing of information has been discovered, we are still trying to determine why information on who is legally licensed to carry concealed firearms was surrendered to Federal authorities in the first place.

I stand with Missouri's elected representatives as they pursue all legal avenues to learn why the Missouri Department of Revenue displayed such blatant disregard for the rights of our honest, law-abiding citizens.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 4 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day. Lead us this day in Your ways, that our Nation might be guided along the roads of peace, justice, and goodwill.

Grant strength and wisdom to our Speaker and the Members of both the people's House and the Senate, to our President and his Cabinet, and to our Supreme Court.

Bless as well the moral and military leaders of our country, and may those who are the captains of business, industry, and unions learn to work together toward the mutual benefit of all.

Grant us the courage to develop a sound energy program for the good of all. Bestow on the Members of Congress the perseverance to provide a framework that protects the rights and concerns of all Americans in the wake of terrible violence in our land and the wisdom to forge a fair and equitable immigration reform, that together we might look ahead to ever greater goals for the continued growth of our Nation.

May all that is done within the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. BROWNLEY) come forward and lead the House in the Pledge of Allegiance.

Ms. BROWNLEY of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests

for 1-minute speeches on each side of the aisle.

WORKING FAMILIES FLEXIBILITY ACT OF 2013

(Mr. KLINE asked and was given permission to address the House for 1 minute.)

Mr. KLINE. Mr. Speaker, I rise today on behalf of the Minnesotans I serve who tell me simply: it's about time.

I rise today on behalf of a South St. Paul mom and dad who find it difficult to balance work and family and feel they are not spending enough time with their children.

I rise today on behalf of the Minnesota National Guard and all our brave men and women in uniform who are deployed while their spouses single-handedly juggle work and household responsibilities.

I rise today on behalf of a college student from Shakopee and millions like her working full-time while pursuing an undergraduate degree.

And I rise today on behalf of an Eagan couple, who, like more than 50 million working Americans, spend at least 8 hours a week providing care for aging relatives, a challenge when balancing the demands of a job.

Mr. Speaker, outdated Federal policy denies many workers the chance to spend more time with their children or care for an aging relative. Accordingly, the Education and Workforce Committee approved legislation last week that will fix this outdated policy and help more Americans balance family and work.

Mr. Speaker, Americans sacrifice a great deal to provide for their families, and I agree with my Minnesotan constituents and most Americans: it is about time.

DON'T DISCOURAGE CROSS-BORDER TRAVEL

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I was alarmed to discover that the Department of Homeland Security's budget request proposed a study of the imposition of a fee—a tax—for passengers and pedestrians at our northern land border crossing.

Western New York is home to two rail and three vehicle crossings, including the Peace Bridge, the second busiest northern border crossing. Integrating the economies of western New York and southern Ontario is essential to our economic strength, and nationally 300,000 people cross our Canadian border by vehicle each day and spend an estimated \$235 million.

Last year, the American and Canadian Governments signed a historic Beyond-the-Border agreement to bolster cross-border travel. The imposition of a

border toll will discourage cross-border travel and goes against the spirit of this historic agreement.

Mr. Speaker, we should be encouraging increased economic activity between the United States and Canada, not stifling it. This proposal is completely unacceptable and must be withdrawn immediately.

SIMPLIFY AND STRENGTHEN FEDERAL SCHOOL AID PROGRAMS

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, for many young people, higher education has become a very expensive dream because of rising costs. The average new graduate is struggling to pay off more than \$25,000 in debt while hunting for a job in this stagnant economy.

While Washington can play a role in fixing the problem, we cannot look to the Federal Government alone to fix this problem. Instead, we must work with State governments, schools, students, and parents to find a solution.

Within the past decade, costs have risen 66 percent beyond the rate of inflation. Instead of trying to work with schools, the Federal Government has been busy implementing policies that increase their costs. My colleagues and I on the Higher Education and Workforce Training Subcommittee are looking at how to simplify and strengthen Federal aid programs.

It's obvious more needs to be done to help students and families make the best decision possible about their education at a price they can afford. My goal is to continue to identify and remove unnecessary and costly burdens from this process and put the dream of higher education in reach of more students.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, climate change, in my view, is real, it's urgent, and we must make progress or ignore it at our peril. But whether we agree or disagree, whether you're a climate change believer or denier, there are things that we can do together for the benefit of the environment and the economy.

We can focus the debate on energy efficiency; we can save money through making our homes and buildings more energy efficient; we can put people back to work and buy American products; and, in the process, we can cut down on harmful carbon emissions and make progress on climate change and strengthen our economy.

That is why I've joined with my friend from West Virginia, DAVID

McKINLEY, in introducing the Energy Savings and Industrial Competitiveness Act, which proposes practical solutions to bolster energy efficiency. This bill will speed our transition to a more energy efficient economy—increasing America's economic competitiveness in energy security—and build jobs.

By finding areas where we actually do agree and working together, we can make progress on the environment and on the economy.

MAKE LIFE EASIER FOR AMERICAN FAMILIES

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Whether it's jobs or our Nation's debt, the economy is still the number one issue for hardworking Americans. But, instead of supporting initiatives like the Keystone pipeline, something that would create 20,000 jobs and help secure our energy supply, this administration continues to pursue the same failed economic policies. Their budget adds over \$8 trillion to the debt, raises taxes by another trillion dollars, and they continue to support a burdensome health care law that does nothing to address the issue of rising costs.

The House is working on solutions to create a stronger, healthier economy with more jobs and opportunities for all Americans. We have passed legislation to replace the sequester, to balance the budget, to repeal the President's health care law, and we're working on reforming our broken Tax Code to make it more fair and efficient.

It's time for the administration to get on board: stop creating problems like politically motivated flight delays and start helping to make life easier for American families.

□ 1210

HONORING ALAMEDA COUNTY LEADERS

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Tomorrow, the Alameda County Labor Council will be hosting their annual Unionist of the Year awards dinner where local labor leaders will be recognized for their tireless advocacy on behalf of hardworking Americans.

One of these great leaders is Obay Van Buren, who will be honored with the Unionist of the Year award. Obay has been a member of the Plumbers and Steamfitters Local 342 for 30 years. Obay is also on the board of directors for Tri-CED Community Recycling, a company which gives many former offenders and at-risk youth a chance at

life. This organization proudly serves both Hayward and Union City in my district.

Also honored will be California's Attorney General Kamala Harris, an Alameda County native who also, like me, served in the Alameda County District Attorney's Office and will be honored as the Warrior Woman of the Year. Attorney General Harris is committed to defending the interests of working families who are the backbone of our economy.

Other honorees include Rachel Bryan, Jason Gumataotao, Tanya Pitts, Tamara Perine, Bud Beal, and Christine Garrett.

Once again, congratulations to all honorees. Alameda County appreciates your efforts to ensure that worker rights and benefits are always protected.

REMEMBERING PRIVATE FIRST CLASS BARRETT L. AUSTIN

(Mr. DUNCAN of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. DUNCAN of South Carolina. Mr. Speaker, I rise today with heavy heart to honor a military hero and one of my constituents, and a casualty of war. Private First Class Barrett L. Austin died on April 21 after being a casualty, I believe, of an IED while serving his country in Afghanistan. Barrett Austin was just 20 years old. He was assigned to A Company, 4th Brigade Special Troops Battalion, 3rd Infantry Division, out of Fort Stewart, Georgia. Private First Class Austin was a beloved son, husband, friend, and soldier from the Dacusville-Easley, Pickens County area of South Carolina.

My heart goes out to his wife, his parents, and all of those who called Barrett a friend. This true American hero has made the true sacrifice in defense of our great Nation, and we owe him our eternal gratitude. This Nation remains the greatest on Earth because of people like Barrett Austin, and we must never forget the true cost of the freedoms that we enjoy.

So on behalf of the Third District of South Carolina and the entire Nation, we thank you, Barrett, for your sacrifice. Our thoughts and prayers continue to be with the entire Austin family. May God bless them, and may God continue to bless America.

SUPPORTING SPECIALTY CROPS

(Ms. DELBENE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELBENE. Mr. Speaker, I rise today to introduce a bipartisan resolution in support of specialty crops, with support from Members of Congress across the country. Specialty crops,

such as fruits and vegetables, are a significant part of agriculture, with annual production valued at over \$50 billion. This is about half of the value of all U.S. crops, but specialty crops aren't given the same attention or financial support as our traditional commodities.

Specialty crops are a major source of economic activity, jobs, and our Nation's food supply. Every State has at least some specialty crop production, and my district is no different. In Whatcom and Skagit counties, hundreds of specialty crops are grown, totaling millions in sales each year. Specialty crops grown on farms in Snohomish and King counties provide fresh, quality foods to our schools, restaurants, and farmers markets.

As Congress begins to consider another farm bill, it is important to acknowledge how vital specialty crops are to our country. I urge my colleagues to join me in supporting this resolution, and I look forward to continuing to work together to ensure that programs in support of specialty crops are highlighted and fully funded.

NATIONAL AUTISM AWARENESS MONTH

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, I rise today to recognize National Autism Awareness Month. We once lived in a world where polio was an epidemic that killed kids and left others with debilitating paralysis. Thankfully, medical and scientific advances largely have eliminated the threat from this and many other dreaded diseases and conditions. Yet our understanding of autism remains an unsolved puzzle.

Mr. Speaker, autism affects too many children, including my nephew Trey, and strains families, as I know firsthand. It is time to commit ourselves as a Nation to solving this modern epidemic so autism can be prevented, treated, and cured tomorrow like polio is today.

HONORING SEAN SMITH

(Mr. VARGAS asked and was given permission to address the House for 1 minute.)

Mr. VARGAS. Mr. Speaker, I rise today in honor of Sean Smith, an information technology specialist killed in the September 11, 2012, terrorist attack in Benghazi, Libya. Sean was called "one of our best" at the State Department by former Secretary of State Hillary Clinton.

Originally from San Diego, California, Sean enlisted in the Air Force in 1995. In 2002, he was awarded the Air Force Commendation Medal and joined the United States Foreign Service.

President Barack Obama stated:

Sean Smith lived to serve, first in the Air Force, then at the State Department. He knew the perils of his calling. And there in Benghazi, far from home, he laid down his life in the service to all of us.

Sean was also a loving husband and a proud father. He was devoted to his wife, Heather, and to his two children, Samantha and Nathan.

Mrs. Smith said of her late husband:

Sean supported the mission of diplomacy and served his country with pride and optimism.

I wish to offer my deepest condolences and the deepest condolences of this House to the Smith family. Please know that your family will continue to be in our prayers and our thoughts. And thank you and your late husband for your selfless service to our country. May God bless you.

TRUTH TELLING WITH FLIGHT DELAYS

(Mr. RIBBLE asked and was given permission to address the House for 1 minute.)

Mr. RIBBLE. Mr. Speaker, I rise today to give the American people some truth telling about what is going on with the FAA and flight delays. We have been told this is all the result of the sequester. And yet in 2001, there were about 30,000 takeoffs per day in the United States, and they did that with about \$6 billion worth of funding. Today, takeoffs are only 20,000 a day, and they have \$10 billion of funding. In 2001, there were 14,000 air traffic operators, and today there are 14,000 air traffic operators.

So if it's not a demand problem because demand went down, if it's not a people problem because they have the same people, and it's not a resource problem because they have about 100 percent more money, what is the problem?

I contend to you, Mr. Speaker, it's a political problem. It's time to tell the administration to stop playing politics with the American people.

GUN SAFETY

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, last week was a profoundly disturbing week for those of us from Connecticut and for Americans as a whole. When this body, when the institution of Congress failed to do anything to promote gun safety in the face of the tragedy at Newtown, this institution let the American people down.

When a Senator on the Republican side with an "A" rating from the NRA and a Senator from the Democratic side with an "A" rating from the NRA put forward a background check measure that fails, we fail.

Look, we can and we should debate what kind of weapons Americans should have a right to. We can and we should debate how many bullets can go into a magazine. There is no principled argument for why we should not check out someone who wants to buy a weapon. And yet, we couldn't make that argument in the Congress of the United States.

So as a result, some time soon, a terrorist will buy a gun at a gun show. Some time soon, a violent felon will buy a gun online. And as a result, Americans will die. And this institution will bear the blame. This was not a proud moment, Mr. Speaker, for the Congress of the United States.

KILAH DAVENPORT CHILD PROTECTION ACT

(Mr. PITTENGER asked and was given permission to address the House for 1 minute.)

Mr. PITTENGER. Mr. Speaker, I rise today on behalf of the Kilah Davenport Child Protection Act. Just a year ago, a 3-year-old girl was rammed against a wall head first, suffering irreparable brain damage and being paralyzed for the rest of her life. When the DA went to prosecute, he found in North Carolina that the sentencing was limited to 4 to 7 years, a very minimum sentence for such an egregious act. Upon further review, we found that other States also have such minimum sentencing, some with no minimum whatsoever.

Mr. Speaker, our act would provide that there would be a minimum sentence of 10 years to receive Federal grants for child abuse. We commend this legislation to this respected body and ask for their support.

□ 1220

GET RID OF SEQUESTRATION

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. The simple question is asked, why are we in such a dilemma of complexity and absolutely abandoning the American people? That's what sequestration is all about.

And I know it's hard to tell a story again, but sequestration came about because a whole sizeable population of Members, Republican Members, did not want to pay America's bills.

But we can, as a bipartisan, collective body that responds to America, avoid the loss of 2 million jobs and a .6 percent drag on the economy and \$67.8 million lost for primary and secondary education in Texas, \$51 million lost for education of children with disabilities, and 4,800 Head Start seats lost. We can come together.

We can pass H.R. 900, which gets rid of the sequestration, or we can call for the budget conferees to, once and for all, address the question of America.

The reason why we have a slowdown of FAA, it's because the people are furloughed. You can have 50,000 FAA air traffic controllers; but if they're furloughed, they can't work.

Let's work on behalf of the American people—have the budget conferees now pass H.R. 900, get rid of the sequestration.

THE SENATE IMMIGRATION BILL PROVIDES COVER FOR TERRORISTS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the Senate immigration bill provides cover for suspected terrorists and others who would do us harm. After 6 months, it legalizes millions of people in the country illegally. They can then get work permits, Social Security cards, and driver's licenses. This gives them a legitimate cover to travel and plot attacks.

And mass legalization will encourage others to enter the country illegally so they too can obtain cover documents.

Any immigration bill should put the safety of Americans first. We should go slowly before giving amnesty to millions of illegal immigrants long before we have secure borders.

SIBLING VISAS

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Twenty-four years, a quarter century. Imagine not being able to see your brother or sister for 24 years. That's how long our sibling visa backlogs can be right now in our broken immigration system.

The Senate immigration bill does many good things to fix this broken system and reduces the backlog of family visas. This means that all those families who have been waiting for so many years can finally be reunited. But for the future it gets rid of the sibling category entirely.

What this means is that if someone immigrates here and becomes a citizen, she can petition for her parents to come in short order; but because this bill gets rid of the sibling category, the 22-year-old brother with Down syndrome would have to be left behind to be all by himself. That's not right.

Fixing our broken immigration system is so important. But let's make sure that immediate family members can be reunited.

RAISING AWARENESS ABOUT THE ATROCITIES COMMITTED BY KERMIT GOSNELL

(Ms. ROS-LEHTINEN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to raise awareness about the grave atrocities committed by Kermit Gosnell against innocent lives at his Philadelphia abortion clinic. Witnesses called the clinic a "house of horrors" and described a procedure known as "snipping," in which the backs of babies' necks are cut with scissors to "ensure fetal demise."

Abortion clinics across our Nation take the lives of 1.2 million babies every year. This is murder, and it must be stopped. We have the responsibility to protect the unborn, as well as the sanctity of all innocent human life.

These wholesale murder clinics continue to take innocent lives. The prosecution of Kermit Gosnell is a positive step toward stopping our Nation's slide toward unrestricted abortions.

CLIMATE CHANGE SOLUTIONS

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute.)

Mr. HUFFMAN. Mr. Speaker, across this country, we are seeing the ruinous effects of climate change, from more powerful storms in the East, to persistent drought and catastrophic wildfires in the West.

We are not powerless in the face of this threat. We know what we have to do: slow our emissions of greenhouse gases, deploy clean energy solutions.

But we also must do another thing. We must manage our forest lands to be part of the solution instead of part of the problem. Healthy forests can actually help remove carbon dioxide from the environment, from the atmosphere.

We sometimes hear about technologies that, in the future, may be able to do this, may be able to capture and store carbon dioxide; but we have natural infrastructure that can do it right now. And a great example of that is from my own district in California, the Pacific Forest Trust.

They've been working for over 20 years with landowners, as well as local, State and Federal officials, to conserve and manage forests to capture carbon. Their work with forest conservation easements is paying off for wildlife, for landowners, and also for our climate.

Their Van Eck forest in Humboldt County was the first forest emissions reduction project registered under California's climate change law.

PLAYING POLITICS WITH THE SEQUESTER

(Mr. BUCSHON asked and was given permission to address the House for 1 minute.)

Mr. BUCSHON. Mr. Speaker, I'm here to comment on the administration playing politics in an attempt to maximize the impact of his sequester on the

American people and, in this case, the aviation system and the traveling public.

The FAA's operating budget has grown by nearly 110 percent, more than double in the last 17 years, as domestic flights are down 27 percent. The FAA's share of the sequester represents \$600 million of their \$16 billion annual budget, about 5 percent.

Does anyone out there believe a Federal Government bureaucracy can't find this level of savings without affecting the American people? Well, I don't.

Rather than furloughing air traffic controllers to make a political point, the FAA should cut wasteful and unnecessary spending.

Mr. Speaker, these cuts should not significantly impact the aviation system, but the administration is failing to show leadership and is trying to score political points.

RECOGNITION OF NATIONAL MINORITY HEALTH MONTH

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, I have the pleasure of being cochair of the Congressional Asian Pacific American Caucus on Healthcare with my colleague from California, Representative BARBARA LEE, who happens to be here in the Chamber as well.

I'd like to take this opportunity to recognize National Minority Health Month. Despite medical advances that save many lives in our country, there's been limited progress in ending the racial and ethnic disparities in health.

Groups like Asian Americans, Native Hawaiians, and Pacific Islanders have higher rates of diabetes, certain types of cancer and obesity, conditions that are expensive to treat and have lasting consequences.

In my district of Sacramento County, we have a large Hmong population. Some cancer rates in the Hmong are 16 times higher than in the White population, and their cancer is much more likely to be diagnosed at a later stage.

That's one reason why this month I introduced the bipartisan resolution recognizing National Minority Cancer Awareness Week with my colleague, Representative RODNEY DAVIS. We must invest in research, innovation, and diagnosis to end this disparity. I celebrate National Minority Health Month.

HONORING MONTANA'S WORLD WAR II VETERANS

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, I rise today to recognize the 86 Montana

World War II veterans who recently made their way to Washington, D.C., as part of the Big Sky Honor Flight. I'm so proud that the Honor Flight program exists, and I'm deeply thankful to all the volunteers that made this possible.

As the son of a U.S. Marine, I have a deep appreciation for the sacrifices our veterans have made in service to our Nation. But I was struck by something that one of our Montana World War II vets said while sitting before the World War II monument just this past Monday. He said this: "At the end of my life, I look around this memorial and I see the power of this Nation."

It's true. The monuments that line our National Mall do remind us of the strength and perseverance of the United States.

But, Mr. Speaker, I look at our veterans and our servicemembers, from the members of the Greatest Generation to the men and women serving our Nation today, and in them I see the power of this Nation, founded in a commitment to freedom and an unwavering dedication to service.

□ 1230

IN OPPOSITION TO THE FULL FAITH AND CREDIT ACT

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise in opposition to the Full Faith and Credit Act, H.R. 807. This bill would allow the Secretary of the Treasury to take all necessary actions to ensure U.S. public debt obligations are paid when due and allows the Secretary to forego obligations not related to public debt. What this means, essentially, is all foreign debt will take precedence over repaying important domestic programs, such as Social Security. We should pass legislation that Social Security be paid for first, not the foreign debt. Social Security is not contributing one penny to our national debt. We must remember that it's one of the most important commitments that America has made to its citizens.

The U.S. Government has purchased credit known as "special obligations" from Social Security. The credits are backed by "the full faith and credit of the U.S. Government," with the promise to redeem these credits. I support repaying the Social Security trust fund before any other debt is paid. Pay Social Security first before we pay other countries.

REPEALING HEALTH CARE LAW

(Mr. WESTMORELAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTMORELAND. Mr. Speaker, it was 3 years ago when President Obama and congressional Democrats pushed through their government takeover of health care. In those 3 short years, the law has already cost the American people over \$2 trillion and has raised taxes another \$1 trillion—and the law isn't even fully enacted yet. And what do we have to show for it? Higher government spending, higher taxes, higher deficits, higher health insurance premiums, and a lower quality of health care.

Companies all over the country are being forced to cut costs by laying off current employees or cutting their hours, putting on hold hiring new employees, and halting expansion. That is bad for American workers and bad for our economy.

House Republicans are committed to defunding, delaying, and dismembering ObamaCare and will continue to fight for the American people to get rid of this terrible law and replace it with real reforms that will make our health care stronger. As one senior Democratic Senator said, ObamaCare is a "train wreck."

FUNDING THE NATIONAL INSTITUTES OF HEALTH

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Many people have been concerned about the sequester and the effects it has had on airplane flights. And I am, too. People are delayed a half hour, an hour, or whatever, and that's bad. But the biggest thing people ought to be upset about the sequester is the fact that it takes \$1.6 billion out of the National Institutes of Health.

Mr. Speaker, each person in this room at one time will face a rendezvous with destiny. Whether that rendezvous is cancer, heart disease, stroke, Alzheimer's, AIDS, diabetes, or Parkinson's, the National Institutes of Health is working for cures and treatments. By taking \$1.6 billion from what is our personal Department of Defense, we are going to put certain people at risk for death and for trauma. That is wrong. There is no more important funding that we do than the National Institutes of Health. That's our opportunity to save people's lives.

I will introduce a bill to take that funding out of the sequester. I ask my colleagues in a bipartisan manner to put the people first. The real enemy is disease. Fund the National Institutes of Health fully.

ENOUGH IS ENOUGH

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, the greatest amount of opportunity,

the greatest amount of success for the greatest number of people—ensuring that the American Dream lives for all—that's what we want. That's our goal. And our constituents know that the path to that goal demands real solutions.

Sadly, all we hear from the President and the other side is to just stay the course. More failed policies, more debt, more taxes, less American energy, more government control of health care, more dependency on government, less economic growth. That's their plan. And it simply isn't working for American families.

And now the President is forcing air travel delays, blaming the action on the sequester. The FAA is spending right now exactly what it spent in 2010. So these are Obama flight delays. The truth is that any spending reduction at the FAA could easily be gained by cutting waste, not necessary services.

President Obama, stop playing politics with the American people. We in Congress are used to it, but the public doesn't deserve it. Enough is enough.

CONGRATULATING OAK PARK UNIFIED SCHOOL DISTRICT

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWNLEY of California. Mr. Speaker, I rise today to congratulate one of Ventura County's most distinguished school districts, Oak Park Unified School District, for winning the Sustainability Award from the U.S. Department of Education. Oak Park Unified was one of just 14 school districts in the entire Nation to receive this award, which recognizes schools and school districts for their exemplary efforts in reducing energy usage, promoting better health care, and providing better quality environmental education to their students.

Oak Park Unified Elementary School students are taking produce from their school garden and greenhouse to a local free clinic where they explain the impacts of diabetes to their patients and how to grow and enjoy healthy foods. Last year, another team of students sponsored the district-wide Week of Whales and won the Presidential Environmental Youth Award.

I am so honored to represent the Oak Park Unified School District and am proud of their dedication to sustainability and to protecting the environment.

NATIONAL SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH AND NATIONAL DNA DAY

(Mr. PEARCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEARCE. Mr. Speaker, April is National Sexual Assault Awareness and Prevention Month. In fact, today is National DNA Day, where we commemorate the discovery of DNA's double helix and the subsequent scientific advancements.

DNA has revolutionized public safety and criminal justice in this country. It helps solve unsolved crimes. Since its inception in 1994, the DNA database system has solved more than 200,000 cold cases that provided closure to over 200,000 families. It assists prosecutors in taking criminals off the streets. It also exonerates the innocent, having freed more than 300 convicted criminals.

Katie Sepich was a 22-year-old graduate student at New Mexico State University in my district. In August of 2003, she was brutally raped, burned, strangled to death, and abandoned at a dumpsite. But Katie Sepich was a fighter, having the DNA of her offender under her fingernails. Through DNA, they were able to find and convict her offender and put him in jail.

The bill, which was signed into law here in this Congress last year, helps the State collect evidence. DNA has transformed our justice system and provided closure for families.

FLOODING IN ILLINOIS

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. I rise today to talk about the recent flooding that has impacted families across my region. From Rockford to the Quad Cities to Peoria, Illinois, and in so many towns in between, communities large and small are suffering due to this month's record flooding. Among the worst hit areas of my region is London Mills, which is in the far southern part of my congressional district. Many there are suffering.

Amanda Franklin of London Mills lost her home, many of her possessions, and even her children's drawings that she has held onto since they were in kindergarten.

Bethene Weber, who is 78 years old, lost her home of almost half a century to the flooding.

There are far too many heart-breaking stories from across my region.

While keeping in mind those who are still recovering, I'd like to thank the first responders, the relief workers, and others who have volunteered their time and their energy to help those in need. Illinoisans are generous and compassionate, as well as resilient and hard-working. I have no doubt we will recover from this flooding. But, Mr. Speaker, this type of disaster could happen anywhere. As we continue to debate the issues of the day, I call on all of us to keep in mind the people

who are suffering and be there for them in their time of need.

□ 1240

OUTRAGE OVER AIR TRAFFIC CONTROL FURLOUGH

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, I rise today, as I am outraged by the actions that this White House is putting on the American public, unnecessary hardship in their furloughing of air traffic controllers. This is not necessary.

Out of a \$10 billion operating budget, they have almost \$3 billion of nonpersonnel operation costs that they can make cuts there first. It would include \$500 million for consultants, \$325 million for supplies and travel, and \$143 million to address their 46 fleet of aircraft. Aircraft travel in this time period is down 27 percent. This is unnecessary.

Today we hear reports of air traffic controllers reporting that they've been instructed by management to make it as tough as possible on the traveling public. This is nothing but political rhetoric to gain and put pressure on the Congress to pass more tax increases. I think it's a despicable attitude for this White House, and we should address it with the American public. It's despicable and it's outrageous.

MINORITY HEALTH MONTH

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, on behalf of Congresswoman LEE and myself, I rise to commemorate April as the 13th annual Minority Health Month.

Before 2001, there was no national conversation about health disparities. Since then, the Congressional Tri-Caucus has been tireless in efforts to educate Congress and the country about the disproportionate burden of premature death and preventable illness in our minority communities.

Due to the advocacy of the Tri-Caucus, the ACA contained groundbreaking policies to reduce disparities, such as expanding Medicaid eligibility, increasing resources for community health clinics, and institutionalizing Federal efforts to achieve health equity.

In spite of these important advancements, more must be done. It is critical to adequately fund proven health equity programs and pass the next steps of the Tri-Caucus Health Equity bill, which, on behalf of the Tri-Caucus, I will introduce this fall.

Health justice will be achieved when every man, woman, and child in Amer-

ica has an equal opportunity to live a healthy life, regardless of who they are or where they live.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

APRIL 25, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 25, 2013 at 9:15 a.m.:

Appointments:
Advisory Committee on the Records of Congress.

National Advisory Committee on Institutional Quality and Integrity.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

PROVIDING FOR CONSIDERATION OF H.R. 527, RESPONSIBLE HELIUM ADMINISTRATION AND STEWARDSHIP ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 178 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 178

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-9. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report,

may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. On any legislative day during the period from April 27, 2013, through May 3, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. The Committee on Education and the Workforce may, at any time before 5 p.m. on Tuesday, April 30, 2013, file a report to accompany H.R. 1406.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I further ask that all Members have 5 legislative days during which they may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. This resolution provides a structured rule for the consideration of H.R. 527, the Responsible Helium Administration and Stewardship Act. It makes several amendments in order, which were compliant with the rules of this House. In fact, four of the five amendments suggested to the Rules Committee will be presented. The only one that was rejected is one that was duplicative of one that was added in here. So everything that the Members cared enough about to file in an appropriate way have been accommodated for the discussion we will

have be having today on this particular bill. It provides for 1 hour of general debate, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. It's a very fair and good rule.

Mr. Speaker, I am pleased to stand before the House today in support of this rule and the underlying piece of legislation, H.R. 527, the Responsible Helium Administration and Stewardship Act, as opposed to the irresponsible helium administration and stewardship act one could assume coming from the other body.

The underlying legislation is a bipartisan bill and enjoys a broad base of support on both sides of the aisle, including the sponsor, the chairman of the Natural Resources Committee, Mr. HASTINGS of Washington, and the Natural Resources Committee ranking member, Mr. MARKEY. In fact, H.R. 527 was favorably reported out of the Committee on Natural Resources on February 14 on a voice vote, and there were no dissenting votes.

I'd like to thank the chairman of the Natural Resources Committee, the gentleman from Washington (Mr. HASTINGS), for his work on this commonsense bill and approach.

Mr. Speaker, helium is an essential and vital element and a commodity that we all depend on in countless ways. It's used widely in the scientific community, but also in the health care industry. It's vital to the proper functioning of MRI equipment in hospitals. It's vital in the production of electronics, such as microchips and superconductors. Helium is essential for science. It's essential for our NASA space program. Helium is a byproduct of natural gas production.

In short, we have heard from people for a long time that what Congress needs to do is come together and work in a bipartisan way, find a compromise and present a solution that can actually solve some of the problems we're facing. This is exactly what this particular bill does do.

□ 1250

This is exactly what this particular bill does do.

The leadership, both Republicans and Democrats on the committee, have crafted a bill in which they have come together and presented a compromise. We should be happy with this day. We should be celebrating this particular bill on the floor because it's a perfect example of government done right.

When an elderly lady will call my district office and complain that her Social Security check has not arrived, the most important issue of government to her is her Social Security check. To me and my staff, the most important issue of government for us should be getting her Social Security check. I do not have the arrogance to

try and tell her that, look, take the broad view of government, your issue is so small in conjunction to everything we're doing, it should be ignored until we do something more complicated first. No. You find the problem and you solve that particular problem.

This is one of the situations we have here today. The concept of helium is a potential problem if we don't change the law that regulates it. It will affect people in the manufacturing sector and in the health care sector. It will hurt real people.

What we should celebrate is the fact that today Republicans and Democrats have come together and done what the people have requested and found a problem and suggested a good, commonsense solution to a problem in a rational and reasonable way. That is what we have before us today, Mr. Speaker.

I reserve the balance of my time.

Mr. MCGOVERN. I want to thank the gentleman from Utah (Mr. BISHOP) for yielding me the customary 30 minutes, and yield myself such time as I may consume.

Mr. Speaker, I want to begin by thanking the majority for bringing up a bipartisan bill. It's not often that this majority works in a bipartisan way on legislation. In fact, it's a rarity. But, in this case, Chairman HASTINGS worked with Ranking Member MARKEY to produce a bill that should pass the House with very, very little opposition.

In fact, we have a streamlined process here in the House for noncontroversial bills like this. It's called the suspension calendar. This is a perfect bill for the suspension calendar. We could be done with this bill in 40 minutes. We could debate, vote, and send it to the Senate so they could send it to the President.

But, instead, the majority is stretching this bill out over 2 days—2 days, Mr. Speaker, to consider a bill that isn't controversial and will pass overwhelmingly, 2 days to consider this bill when there are so many other urgent challenges that this majority continues to ignore, 2 days on the Responsible Helium Administration and Stewardship Act. That's a lot of hot air even for this House. So while we're spending a ridiculous amount of time on this bill, the Republican majority continues to ignore the economy.

The gentleman from Utah is right when he says that this could potentially be a problem if we don't address this issue of helium, but that's not until the end of the fiscal year. We have some major problems right now this very second that the majority of this House continues to ignore, challenges that impact our constituencies all over this country.

This sequester that my friends on the other side embraced is still going into effect. We've already seen cuts to programs like Meals on Wheels and on

food pantries and WIC recipients and Head Start facilities, just to name a few.

I would like to enter into the RECORD, Mr. Speaker, a news item that appeared on a Fox affiliate out in Utah entitled, "Sequestration forces food pantry closure."

We started hearing reports about airport delays because of the sequester's impact on the FAA. And I really got a kick out of my Republican colleagues coming down here kind of expressing their astonishment that there were airport delays as a result of sequestration. They actually had the temerity to complain about those delays.

I asked my friends on the other side of the aisle: What did you think would happen when you voted for unnecessary, arbitrary, senseless across-the-board cuts? My Republican friends remind me of Claude Rains in "Casa blanca." They are shocked—shocked—that voting to slash funding for air traffic controllers would result in their flights being delayed.

Well, I want my friends to understand one thing. There are consequences to their actions. There are consequences to the sequestration.

The truth, Mr. Speaker, is that deficit reduction is an important goal, but deficit reduction alone is not an economic policy. We know that mindless austerity budget cuts like this stupid sequester are not going to help our economy grow and help people get jobs and help get our economy back on the kind of footing we all want it to be on.

When Bill Clinton was President, when he rescued the economy in the 1990s, he did so through job creation, investing in our economy. We expanded the tax base by increasing the workforce, bringing more revenue into the Federal Government and thereby reducing the deficit.

And here's the funny thing. Despite the apocalyptic gloom and doom of some on the other side of the aisle, believe it or not, the deficit is actually shrinking faster than expected. And the best thing we can do is to help speed up that process by investing in our people and creating jobs. We should be promoting growth through infrastructure projects and job-training programs. We should be creating long-term demand through research and development, not cutting the National Institutes of Health's research budget, not cutting the National Science Foundation. We should be supporting these areas that create innovation and opportunity. We should be investing in our young people, preparing our students for the 21st century economy, but we're not doing any of that today—any of that today.

And, yes, the bill before us that we're dealing with right now is fine, no problems. Yes, Republicans and Democrats worked together on this in a way that is sadly uncommon for this current

Congress, but we aren't doing enough to solve our biggest problems.

Tomorrow, when we adjourn after this overlong debate on this helium bill, we're going to take another week off—the sixth week of recess that this House of Representatives has taken since January—the sixth weeklong recess with all that's going on. With all of the difficulty that people all across this country are dealing with because of the sequestration, we're taking another week off.

Mr. Speaker, I think we should do more, we can do more, we must do more, and we certainly can do better. So while I have no problem with this bill, and while, if we don't deal with this helium issue come the end of the fiscal year there may be a problem, we'll deal with it fast enough. Right now there are urgent issues that we need to face, not just airline delays. There are people in this country who have fallen through the cracks. There are people in this country struggling who are seeing their benefits slashed because of the sequestration. There are research facilities all across this country that are terminating important medical research programs because of the sequestration. We ought to deal with that.

And one other thing, Mr. Speaker. My friends on the other side of the aisle a few weeks ago made a big hoo-ha and sent all kinds of press releases about how they were going to force the House and the Senate to pass budgets, otherwise we would lose our salaries.

Well, the House passed a budget, a lousy budget, but the House passed a budget. The Senate passed a budget, as well. So you have two budgets. Why doesn't the House move to go to conference? Why aren't we trying to reconcile the differences between the House and the Senate to try to get our budgetary situation under control? We're not doing that. We're not doing anything, quite frankly, that we need to do at this moment.

So I would urge my colleagues, this is a fine bill, vote for it, bipartisan support. Mr. HASTINGS, Mr. MARKEY, it's all good, but we're spending 2 days on this? Give me a break.

I reserve the balance of my time.

[From fox13now.com, Mar. 29, 2013]

SEQUESTRATION FORCES FOOD PANTRY

CLOSURE

(By Zach Whitney)

MURRAY, UT.—For months, the threat of sequestration has had organizations tightening their budgets. But as those federal cuts take effect, it appears those in need are taking the biggest hit.

Salt Lake Community Action Program closed its Murray food pantry last week. The food pantry was one of five locations that serve over 1,000 people every month. Now those people will have to go somewhere else, with even less to go around.

"The potential is for a perfect storm where there's less help available and it's harder for people to get by," says Crossroads Urban Center Executive Director Glenn Bailey.

Crossroads Urban Center relies on private donations for funding, but says they're prepared for a potential increase in traffic as sequestration cuts begin to impact other parts of the valley.

"There's a lot of uncertainty as far as groups that have something to do with providing a social safety net," says Bailey. "That certainly includes food pantries. Particularly if they have significant government funding."

The closure of the SLCAP food pantry in Murray is a big hole in that safety net. Neighborhood Pantry Manager Mary Anderson says the federal cuts left them little choice.

"The pantries have had to take a 10 percent budget cut," Anderson says. "We operate on Community Development Federal Block Grants, which are government programs."

Customers from the Murray pantry are being diverted to SLCAP's pantry on Redwood Road. But Anderson says it's a big inconvenience for a group of people who are already struggling.

"The need has been increasing a lot," says Anderson. "Over 200% [in the past five years]. But also our other programs."

Anderson says the organization's Head Start program has also taken a significant cut due to sequestration. Affordable housing programs are another on the chopping block. Bailey says that perpetuates the problem, since those are typically the people who also rely on the food pantry.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I wish to thank the gentleman from Massachusetts for his kind words about the process that we are doing here. It is nice to be complimented on a bill which we have done correctly and done right. I would suggest, though, that it is wise of us to actually bring it here to the floor, rather than put it on a suspension calendar.

There were several Representatives that wished to have a chance to speak to this and amend it. We are dealing with amendments to this particular bill, which is, once again, why you bring it to the floor, otherwise they would be closed from that process.

□ 1300

I also appreciate his comments about sequestration. I am very happy that he mentioned that because, not only did I vote against the original law that established it, but I voted twice for solutions to it well before sequestration was ever established. Both of those bills passed in a bipartisan way and were sent over to the Senate. The Senate responded by doing nothing, which is typical of a lot of things that simply happen around this place.

In 1925, when the issue of helium was first addressed by Congress, we made a mistake. The idea at the time was that dirigibles would be the source of aviation for the future, and therefore helium was extremely successful. It's not the first time we've been wrong. The fact that we have steps leading out the east side of this Capitol Building, going in that direction, is because, when this

was originally laid out and established and built, everyone knew that Washington, D.C., would grow to the east. We've been wrong from the very inception of this governmental city. But in 1925, the Federal Government enacted legislation which created a Federal Helium Reserve, and the Federal Government basically has had a monopoly on the helium market ever since.

After World War II, the demand for helium increased dramatically, so Congress passed the Helium Act in 1960 to provide incentives for the private natural gas industry to strip helium from its natural gas wells and sell it to the government, which then placed it in the Federal Helium Reserve, eventually leading to a supply large enough to supply all of the U.S. Federal and domestic needs as well as the ability to sell some overseas. The 1960 legislation required that the Federal Government set prices on the sale of helium, which would cover the costs of the Federal Government for its purchase and storage.

Since the 1990s, the Federal demand for helium has dropped significantly while the private demand has increased. So, in 1996, Congress passed the Helium Privatization Act, which was intended to lead to the phasing out of the Federal role in helium production and storage with a view towards allowing market forces to work within the private sector for its production and reducing the cost to the Federal Government. The 1996 law required the government to price helium, not on market prices, but only on the minimum price necessary to recover \$1.3 billion in Federal debt that was incurred to build this helium reserve.

The Federal Government will be able to pay off that \$1.3 billion debt sooner than was anticipated—another cause for celebration. That doesn't happen very often in this government either; but unless the particular law we have on the books now is amended, it will close the reserve, leaving no new domestic sources of helium. The industry would be forced to look overseas to such producers as Algeria and Qatar and Russia to fill their needs.

In essence, if we do not deal with this particular bill, there will be a harm that will impact real people. I'm sorry that fixing this harm is not good enough for some, but it is something that needs to be done, and it needs to be done in an open way, which will allow us to discuss some amendments people wish to present towards this particular bill.

The National Academy of Sciences issued a report in 2010 which addressed this issue, as did the General Accounting Office. H.R. 527 is based largely upon the recommendations of these reports, and it makes revisions to the law to continue the effort to divest the Federal Government from its current role as a monopoly on helium produc-

tion in an orderly, three-phased process. A new approach will better incorporate market forces into the production and the sale of helium, and it will ensure the future supply of helium to the Federal Government and to private users; and it will ensure that it will not be interrupted.

It is important that Congress take a proactive step through the passage of this legislation in order to avoid disruptions in our helium supplies worldwide; and it would have, if we did not, a far-reaching negative consequence. This legislation is a model of how important bipartisan legislation which addresses real issues and real problems for real people can, indeed, be achieved in Congress. It's a good bill and a fair rule.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. I yield myself such time as I may consume.

I would just like to remind my colleagues that, again, as we are debating this bill—which I'm not saying we shouldn't pass—even with all of the amendments, we could probably spend, maybe, a total of an hour on this bill and get all of those things taken care of. I have no problem with passing the bill.

What I do have a problem with is the fact that this Republican majority continues to ignore the economy. This Republican majority continues to ignore the very, very harsh consequences of the sequestration that they thrust upon this country, that they voted for, that they will not allow us to bring up an alternative to fix.

I want to read for my colleagues and insert into the RECORD an article that appeared in *The Washington Post* on April 3. It's entitled, "Cancer Clinics are Turning Away Thousands of Medicare Patients. Blame the Sequester."

It reads:

Cancer clinics across the country have begun turning away thousands of Medicare patients, blaming the sequester budget cuts.

Oncologists say the reduced funding, which took effect for Medicare care on April 1, makes it impossible to administer expensive chemotherapy drugs while staying afloat financially. Patients at these clinics would need to seek treatment elsewhere, such as at hospitals that might not have the capacity to accommodate them.

When the gentleman says that he's sorry that this helium bill isn't good enough for some, he's right. It isn't good enough for me. It isn't good enough for the majority of people on my side of the aisle who believe that we ought to be fixing this problem that many cancer patients are facing right now, that we ought to be fixing the problem of the delays in our airlines, that we ought to be fixing the problems of these budget cuts to programs like WIC—that's the Women, Infants, and Children program—and food banks. I could go right down the list.

So there are urgent things for us to do, not to spend 2 days on helium—that

is totally unnecessary—and then take another week off, to adjourn for another week, while all of these cuts continue to go into effect, these cuts which have a really nasty and negative effect on our economy. We ought to be doing our job here, not kicking the can down the road.

[From the *Washington Post*, Apr. 3, 2013]

CANCER CLINICS ARE TURNING AWAY THOUSANDS OF MEDICARE PATIENTS. BLAME THE SEQUESTER.

(By Sarah Kliff)

Cancer clinics across the country have begun turning away thousands of Medicare patients, blaming the sequester budget cuts.

Oncologists say the reduced funding, which took effect for Medicare on April 1, makes it impossible to administer expensive chemotherapy drugs while staying afloat financially.

Patients at these clinics would need to seek treatment elsewhere, such as at hospitals that might not have the capacity to accommodate them.

"If we treated the patients receiving the most expensive drugs, we'd be out of business in six months to a year," said Jeff Vacirca, chief executive of North Shore Hematology Oncology Associates in New York. "The drugs we're going to lose money on we're not going to administer right now."

After an emergency meeting Tuesday, Vacirca's clinics decided that they would no longer see one-third of their 16,000 Medicare patients.

"A lot of us are in disbelief that this is happening," he said. "It's a choice between seeing these patients and staying in business."

Some who have been pushing the federal government to spend less on health care say this is not the right approach.

"I don't think there was an intention to disrupt care or move it into a more expensive setting," said Cathy Schoen, senior vice president of the Commonwealth Fund, which recently released a plan for cutting \$2 trillion in health spending. "If that's the case, we're being penny-wise and a pound-foolish with these cuts."

Legislators meant to partially shield Medicare from the automatic budget cuts triggered by the sequester, limiting the program to a 2 percent reduction—a fraction of the cuts seen by other federal programs.

But oncologists say the cut is unexpectedly damaging for cancer patients because of the way those treatments are covered.

Medications for seniors are usually covered under the optional Medicare Part D, which includes private insurance. But because cancer drugs must be administered by a physician, they are among a handful of pharmaceuticals paid for by Part B, which covers doctor visits and is subject to the sequester cut.

The federal government typically pays community oncologists for the average sales price of a chemotherapy drug, plus 6 percent to cover the cost of storing and administering the medication.

Since oncologists cannot change the drug prices, they argue that the entire 2 percent cut will have to come out of that 6 percent overhead. That would make it more akin to a double-digit pay cut.

"If you get cut on the service side, you can either absorb it or make do with fewer nurses," said Ted Okon, director of the Community Oncology Alliance, which advocates for hundreds of cancer clinics nationwide.

"This is a drug that we're purchasing. The costs don't change and you can't do without it. There isn't really wiggle room."

Okon's group has sent letters to legislators urging them to exempt cancer drugs from the sequester or, as a back-up, only shave 2 percent off the money they receive to administer the medications.

Doctors at the Charleston Cancer Center in South Carolina began informing patients weeks ago that, due to the sequester cuts, they would soon need to seek treatment elsewhere.

"We don't sugar-coat things, we're cancer doctors," Charles Holladay, a doctor at the clinic, said. "We tell them that if we don't go this course, it's just a matter of time before we go out of business."

Cancer patients turned away from local oncology clinics may seek care at hospitals, which also deliver chemotherapy treatments.

The care will likely be more expensive: One study from actuarial firm Milliman found that chemotherapy delivered in a hospital setting costs the federal government an average of \$6,500 more annually than care delivered in a community clinic.

Those costs can trickle down to patients, who are responsible for picking up a certain amount of the medical bills. Milliman found that Medicare patients ended up with an average of \$650 more in out-of-pocket costs when they were seen only in a hospital setting.

It is still unclear whether hospitals have the capacity to absorb these patients. The same Milliman report found that the majority of Medicare patients—66 percent—receive treatment in a community oncology clinic, instead of a hospital.

Non-profit hospitals will likely have an easier time bearing the brunt of the sequester cuts. A federal program known as 340B requires pharmaceutical companies to give double-digit discounts to hospitals that treat low-income and uninsured patients.

Eastern Connecticut Health Network began preparing for additional volume after a local oncology practice sent out notice that it would stop seeing certain cancer patients.

"What we're trying to do in the hospital is prepare for this," ECHN spokesman Eric Berthel said. "We're making sure we have access to the pharmaceutical companies and that we have appropriate staff on hand. We're hoping the oncology practice will be successful in renegotiating this. It's so fresh, so we're pretty unsure."

Some cancer clinics are counting on the federal government to provide relief, and continuing to see patients they expect to lose money on.

"We're hoping that something will change, as legislators see the impact of this," Ralph Boccia, director of the Center for Cancer and Blood Disorders in Bethesda, Md., said. "I don't think we could keep going, without a change, for more than a couple of months."

An analysis prepared by his clinic estimates that, if the full 2 percent cut takes effect, between 50 and 70 percent of the drugs it administers would become money losers.

Boccia estimates that 55 percent of his patients are covered by Medicare, making any changes to reimbursement rates difficult to weather.

"When I look at the numbers, they don't add up," he said. "Business 101 says we can't stay open if we don't cover our costs."

At this point, I yield 3 minutes to the ranking member of the Committee on Natural Resources' Subcommittee on

Energy and Mineral Resources, the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank my friend from Massachusetts, a superb Member of Congress, Mr. MCGOVERN. I join him in saying that this legislation represents an unwarranted delay on what should be a noncontroversial piece of legislation.

H.R. 527 is a bill carefully written by Chairman HASTINGS, in consultation with me and with Ranking Member MARKEY, with Representative FLORES, and with many individuals and organizations that depend on a reliable, fairly priced supply of helium. Now, most Americans give no thought to our supply of helium; but a reliable supply of helium is essential for health care imaging, for electronics manufacturing, and for many, many other activities important to Americans today and in the future.

In line with the recommendations of the National Academy of Sciences, which my friend from Utah mentioned, the bill succeeds in averting a global helium crisis that would result from the closure of the Federal Helium Reserve at the end of this fiscal year. The bill also fixes the mechanism for helium pricing so that we can now provide a fair market price to users and a positive return to taxpayers. So I support the bipartisan agreement represented here in H.R. 527.

Yet by bringing this legislation to the floor under a rule, which is really not necessary, with amendments and by scheduling a debate today, which will end, maybe, an hour or two from now—and amendments tomorrow, which will take an hour or so, stretched over 2 days—the leadership has created a deliberate, irresponsible delay. We could have dispensed with this in 10 minutes. My colleague said 60 minutes—okay. Let's be generous—60 minutes—but we could have dispensed with this.

Instead, we spend 2 days on this, and in the 2 days we spend on this, we are not considering legislation to create jobs, to provide education and training for workers, to consider a conference on the budget resolutions of the House and the Senate, or legislation to undo the sequester imposed by the Republican majority and now affecting airport delays and Head Start limitations and lost food inspections and delayed medical research and so many other things. The bill could have been considered and adopted under a suspension of the rules, but instead we are here debating a rule.

It's an important issue. We've proposed a workable solution. There is no controversy that I know of on this, so let's pass H.R. 527 without delay and get on to all of these other issues. It's not as if there aren't important problems facing this country.

□ 1310

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the words that were given by the gentleman from New Jersey. He is far too modest. You are a co-sponsor of this bill. It's a good bill. It was worked out well. This is not an unwarranted delay bill. This is an important bill that solves problems for real people.

Once again, even though I think what you have done with your bill is a very good job, there are others in this body who are not on the Natural Resources Committee who would disagree, and that is why they have proposed amendments. The only way to allow those amendments to be discussed on the floor is not through suspension, but going through regular order.

I appreciate also the comments that were made by other speakers as to issues that we're taking. I do take one sense of umbrage at the idea that we're going on a vacation again. I do not know how some people try to view the district work period—to some it may be a vacation, but for me it is not. When I go back to the district, at that time, I'm constantly in meetings and going to places to meet with constituents and find out how the actions and ideas of this body impact real people.

I note just in the history of Congress there occasionally have been Speakers who did not like to allow people to go back and talk to their constituents. You have the opportunity, if you're here all the time, of hiding from constituents and not necessarily having that interface. So, one Speaker, every time that particular Speaker allowed Members to go back and interface with the districts and the constituents in the districts, they always came back with a different opinion that had to be remolded and reshaped.

Some people don't like the idea of actually interfacing. Some people think if we never go back and talk to our constituents, that we're hiding from them. That is why the district work period, to me, is not a vacation. It's not a recess from what we're doing. It's a chance to actually expand what we're doing so when we come back here we make wiser decisions, or at least have a true understanding and implication of what it does and how Congress impacts the real workings that deal with real people. I appreciate that.

I also appreciate, once again, the concepts of sequestration. The gentleman from Massachusetts, I think, makes some nice points about sequestration. I think he's in the wrong spot, though. This body has, numerous times before sequestration went into effect, passed laws to blunt the impact of sequestration to solve the problem. We need to talk to our friends on the other side of this building who refuse to even discuss any of those bills that were

passed in this body to solve the problem before it hit. It was a great speech, wrong people. You need to be talking to an element that is a lot more elderly than we are over on this side, and I say that with grey hair.

Also, Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me respond to my friend from Utah by simply saying that I think going on a week-long recess while people are being furloughed, while cuts in medical research go forward, while we see cuts in programs like WIC and cuts in programs like food banks and scientific research, I think going on recess with all of this happening, quite frankly, is unconscionable. That's running away from our responsibility here in this Congress and running away from our responsibility to our constituents.

The Democrats have had an alternative to sequestration. Mr. VAN HOLLEN has tried on countless occasions to have the Rules Committee allow him the opportunity to bring his alternative to the floor. He's been turned down every single time.

Again, I really appreciated my Republican friends who came down here and were upset about the flight delays. They're upset about the flight delays because, quite frankly, that impacts them directly. What was missing from their outrage were the cuts in WIC, the cuts in food banks, the cuts in medical research and the furloughs. Why aren't they complaining about that as well? Maybe because it doesn't affect them directly.

But I think the idea of leaving here for a week with this sequestration in play is an absolute disgrace, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, once again, a nice conversation. We need to have that conversation with my friends in the Senate. We've already sent two bills over there they haven't addressed. I don't know how many more we need to address, but it would be nice if the Senate did something.

With that, I yield as much time as she may consume to the gentlelady from Florida (Ms. ROS-LEHTINEN), a member of the Rules Committee.

Ms. ROS-LEHTINEN. I thank the gentleman for the time.

I so agree with what the gentleman has been discussing, which is the difference between recess and district work period. It is so important for Members of Congress to maintain close attention and close ties with the constituents we so proudly represent. If we don't go back home, if we don't meet with constituents, if we don't talk to the Lions Clubs and the Rotary Clubs and Chambers of Commerce and everyday people who come to our congressional offices every day seeking help

and remedy from the bureaucracy of the Federal Government, we would really not know what is going on in our congressional districts.

Many people prefer to move up to DC, and they get the Beltway fever and they rarely go back home. I think that's the wrong approach. I value the time that we get to be in our district so we can be in touch with our constituents. I'm lucky enough that Miami is not too far from DC. We have many flights every day, and so I'm able to go home every weekend to be with my constituents. But it's difficult to really plan very much without knowing for sure that you're going to be home for an extended period of time, so I value the district work period.

This Saturday, for example, what is my day like? Well, we have a student award ceremony where we're giving awards to every student who has gotten good grades, who's had good attendance, who's been most improved throughout the year. Then we'll also be having an art competition at another local school. I'll be meeting with human rights activists who have come from Cuba to talk about the deteriorating human rights condition. We'll be having a get-together with the Dade County Farm Bureau. It's a very extended day that can only be possible when we have these district work periods.

On the issue of sequestration itself, as the gentleman, my colleague on the Rules Committee, has pointed out time and time again, the House has dealt with the sequestration problem not once, but twice. We have passed bills and given them to the Senate. And I agree with the gentleman from Utah when he says it's time for the Senate to do its job. We have sent them the legislation. It's time for them to debate it, send it back to us, and let's have a conference and see on what points we can or cannot agree.

But if we keep passing bill after bill and the Senate just sits on its hands—as it likes to do—and doesn't pass meaningful legislation, doesn't even care to debate it, it's very difficult for us to get ourselves out of this sequestration jam.

We are willing to work with the Senate, and we've made that point very clear. And the way that we deliver that message very clearly is by sending not one, but two bills over to the other body. We would like those bills to be debated, and we would like them to settle on legislation that we can both agree on that will not be a perfect bill, but will address some of the major holes that we have with sequestration, whether it's airport delays—whether they're real or manufactured—whether they're problems of people accessing the social service safety net that we want to provide for the most needy of our constituency.

So I thank the gentleman for the time so that I can highlight that this is

not recess, that this is district work period. I don't know how others handle their week at home, but I can tell you I've got a full calendar, and it means working hard for the people in this job that I really hold in such high esteem. I never forget that the people I work for are the people with whom I'm going to meet next week, and those are my constituents, the residents of the 27th District of Florida.

So we can't be successful Members of Congress unless we're in touch with the people we represent. I enjoy that opportunity. Of course, I get to go back to a lovely district like Miami, Florida. But whatever district you represent, it's important to be in touch with our constituents so they can tell us their needs, and then we can come back here and fight so their needs are addressed in legislation like the legislation we sent to the Senate not once, but twice, dealing with these sequestration cuts and the devastating impacts it has on our community.

So I thank the gentleman from Utah for his time. I hope that people understand, especially our constituents understand, the value of district work periods and that it will keep us more attuned to our constituency and better able to address the needs that they are facing each and every day.

We know that those needs are great. There is no way that we're saying, There is no problem with sequestration; this is fine. Nobody is saying that. These are real problems. We need to solve them. We have a plan to do it, and we've done it twice.

So I thank the gentleman for the time, and I will continue to try to work in a bipartisan manner in our Rules Committee, as well as in our Foreign Affairs Committee, to see what we can do to make our Nation safer, to secure our future for the next generation.

I'm proud to have with me here, Madison, a young lady who is from St. Louis, Missouri. Today is Take Our Children to Work Day. Madison is not my child, but she belongs to all of us; and I want to make sure that the future for Madison is a bright future where she doesn't graduate from college with terrible debt, where she has a lot of opportunities available to her, where she knows that every path is available and open to her, that there will be no problem for her, whether she's male or female, what nationality, what religion, what ethnic background. This is the land of opportunity and this is the land of equality. I want that for all of the children of the United States of America. And I think having Madison here with me today is a very important point to say to my colleagues: We want a bright future for Madison. We don't want to have her be shouldering this massive debt that we're piling onto the next generation.

□ 1320

If we continue to be not careful stewards of the taxpayer dollars, that's what we'll be passing off to Madison—insurmountable debt and a huge problem for her as she advances in her career.

So I thank the gentleman from Utah for the opportunity so we can highlight the next generation of Americans, the Madisons, who are going to inherit, we hope, a better society. And if we do our job right, they will be able to inherit that better society.

I thank the gentleman for the time.

The SPEAKER pro tempore (Mr. WOMACK). Members are advised to not make reference to persons on the floor as guests of the House.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentlelady from Florida for her comments. I appreciate the fact that she has a beautiful district in southern Florida, and I appreciate the fact that she's going to spend her recess going to a student awards ceremony to honor kids who have a good attendance record.

But with all due respect, Mr. Speaker, I think my colleague's time, and in effect all of our time, would be better spent trying to solve the sequestration problem, trying to avoid deep cuts in medical research that will cost jobs, that will delay advancements in medical science, that perhaps could find cures for diseases like Alzheimer's or Parkinson's or diabetes. By the way, if we found a cure for one of those diseases, it would help make Medicare and Medicaid solvent forever and ever and ever. So investment actually does pay off.

I appreciate the fact that she brought a guest on the floor here today, a young student. But I would simply say that the sequestration cuts education. Sequestration actually cuts education. It will be more difficult to fund our schools. It will be more difficult to be able to provide students with the financial aid that they need to go to college because of the sequestration.

So with all due respect about all of the wonderful things that my colleagues will be doing during their recess, it is still a recess. It is a week that we are not dealing with the budget. It is a week we are not dealing with sequestration.

And by the way, I understand that it has become fashionable to blame the Senate for everything, but when it comes to the budget, the House has passed a budget. The Senate has passed a budget. We're waiting for the House to go to conference. So we're going to vote in a little while, and then that's it for the day. We're done. We're done for the day. Why aren't we going to conference with the Senate on a budget? Why are we not doing something meaningful?

So with that, Mr. Speaker, I again respect the itinerary of my colleague

from Florida, but I'll tell you, there are lot of workers who are being furloughed who are expecting us to come to some sort of solution so they don't lose a week or a month's pay, which will make it more difficult for them to pay their mortgage and their utility bills, and for their kids. This is urgent, and we're not dealing with it.

I reserve the balance of my time.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Committee on Rules.

Ms. SLAUGHTER. Mr. Speaker, I rise again today, as I have ever since we started this term in January, to talk about the lack of work that this House of Representatives has produced and how absolutely devastating it is to the public and how angry they are that week after week we do absolutely nothing here of any importance.

One-House bills—this week, I think, is a prime example of that. We came in, went into the Rules Committee, put a rule that we knew would not go to the Senate, and we knew the President would veto it. But we spent time on it until suddenly some groups got very angry about it and said, Well, you'd better not vote for that. It was pulled off the floor yesterday after we'd done the rule. And everybody who voted for the rule is already on record that they wanted that bill to pass. I think that's important. If they were trying to escape making some conservative groups mad, they've done that already.

But FRANK PALLONE, Representative PALLONE from New Jersey, who was managing that bill for the Democrats, got no notice at all that the bill was not going to be taken up, and was standing here almost open-mouthed when he found out he had nothing to do.

Now this bill we have here today could have been done on suspension without any question. There's nothing here—helium. This whole thing is filled with hot air.

And the sequestration—I've said and said as recently as yesterday that Congressman VAN HOLLEN has come to the Rules Committee three times, and four times he has tried to get a bill on the floor which would take away sequestration and would provide all of the money by other means, sensitive ways to cut, that sequestration is going to take. But no, he didn't have a chance to do it.

So now we're going to worry about airplanes, which is important because I live in a district that does not necessarily have the best flight schedules, but I'm also concerned about the cancer patients in this country who are not getting their shots because of sequestration. I'm worried about the at least 70,000 young kids who have been

cut out of Head Start because of sequestration.

The answer for us here is to make Van Hollen in order for tomorrow and take away sequestration and follow his bill, and we'll get the same amount of money.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield an additional 1 minute to the gentlewoman.

Ms. SLAUGHTER. Sequestration was an awful thing. The whole idea of it made absolutely no sense. And it was so stupid that I think that most Members in this House really thought they'd never see it; that nobody in here would be dumb enough to do that. Mr. MCGOVERN and I were smart enough to vote against it, weren't we, JIM? So if you voted for it, it's your bill. But let me tell you, we need to get rid of sequestration. We have a chance to do that tomorrow. Obviously for the optics of the thing, we have to stay here and do something because we haven't done anything this whole week. If we're going to do something, make it meaningful. Let's take away sequestration. Let's get people back to work. The people who are on unemployment who are barely making it, poor souls, because they can't find a job because the economy is so bad, are having that cut as well.

We have done enormous harm with this folly, and we have an opportunity to heal it. Let VAN HOLLEN's bill come to the floor tomorrow. In a bipartisan way, let's discuss that with our leadership and your leadership, bring that out here, and bring this thing to a close.

What we're suffering now and what people are seeing now with flight delays is only a small piece of it. Every day it's going to get worse. And we will rue the day we had all of these opportunities with Mr. VAN HOLLEN to get rid of it, and certainly we will rue the day if we don't make it in order for tomorrow when we're apparently trying to make work.

Mr. BISHOP of Utah. Mr. Speaker, if one needs an MRI, this helium bill is extremely significant. If one needs to use microchips, this helium bill is significant. This bill solves problems of real people. And I recognize that we have other issues that people wish to discuss. That's great. This one is one that we should do now and get it over to the Senate and see if once again the Senate actually will do something, at least on this issue, which has bipartisan support. It's a good bill.

I'm going to reserve the balance of my time, but I'm ready to move on as soon as the other side is.

Mr. MCGOVERN. Mr. Speaker, I'll close, but I would be interested to know whether anybody on the other side can tell me when we might go to conference on the budget? The House has passed a budget. The Senate has

passed a budget. I thought the whole point of getting the Senate to pass a budget was to go to conference and try to work out the differences. I don't know whether anybody on the other side of the aisle has any information on when we might go to conference. It's the House's responsibility to ask for a conference. I'm just trying to get a sense. If not today, will it be tomorrow? Surely it won't be next week because we're on break next week. Anybody?

Okay, thank you for that informative answer.

Mr. Speaker, let me close by saying I have no problem with this helium bill. There is value to passing this bill. It doesn't have to be passed today. It could be passed anywhere up until the end of this fiscal year, but I'm fine with passing it today. It's not controversial. This could pass really quickly, but we are stretching it over 2 days for reasons that none of us can quite fathom.

□ 1330

But the problem is not with the helium bill. The problem is with what we're not doing. And as we speak, there are people who are losing their jobs. There are people who are being furloughed. There are cancer patients who are not getting access to their treatments. There are poor women who benefit from the WIC program who are not getting that benefit. There are food banks that are being closed all around this country.

There is medical research that is being curtailed. There is scientific research that is being curtailed, all while we speak. And all this is vitally important to our economy. All this is vitally important to our economy. And yet we're doing nothing. We're doing nothing. We're just going to kind of wait it out.

And what we're saying on this side of the aisle is we ought to do something. We ought to be debating what is urgent right now before the American people, and that is the cuts that are impacting them as a result of sequestration. That's what we should be talking about right now. That's what we should be debating. I don't know why that's such a controversial idea.

But we're not. We're going to do this bill, which is not urgent, and we're going to go home for a week, the sixth week of recess since January, the sixth week of recess.

And, again, I appreciate the fact that we all have busy schedules when we go home—I do as well—but the idea of leaving here while people are being furloughed, while families are being hurt, I just find unconscionable.

And so our complaint is with the fact that we're not addressing the central issue before the American people today, and that is these devastating cuts. And I would like to think that we

could get some clue from somebody that, at some point in the near future, we would be able to deal with it.

Just one final point. My friends on the other side of the aisle embrace this idea of sequestration, so my friends own it. I think it's your responsibility to at least provide us the forum to find a way out of it.

I will close by saying, Mr. Speaker, that, again, we have no problem with the helium bill. We could do this in an hour, with all the amendments. That's how noncontroversial it is.

But the idea that we're stretching it over 2 days, and we're not dealing with these devastating cuts and sequestration, I think, is just wrong.

With that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I have enjoyed being held accountable for the Senate's inaction on some of these issues. However, we do have a bill before us that is a good bill, that solves a real problem, and that helps real people. And I promise you that if we use this bill, or if we pass this bill, which has amendments that suggests that there has to be some controversy applied, that if, indeed, we were to pass this bill we would make the desert bloom.

Mr. Speaker, in a moment, I will offer an amendment to the rule. The amendment will provide suspension authority for potential consideration of additional measures prior to the district work period next week where we will be meeting with people.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Mr. Speaker, I offer an amendment to the resolution.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the resolution, add the following:

SEC. 5. It shall be in order at any time through the legislative day of April 26, 2013, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 177, not voting 24, as follows:

[Roll No. 124]

YEAS—231

Aderholt	Gosar	Palazzo
Alexander	Gowdy	Paulsen
Amash	Graves (GA)	Pearce
Amodei	Graves (MO)	Perry
Bachmann	Griffin (AR)	Peters (CA)
Bachus	Griffith (VA)	Petri
Barber	Grimm	Pittenger
Barletta	Guthrie	Pitts
Barr	Hall	Poe (TX)
Benishek	Hanna	Pompeo
Bentivolio	Harper	Posey
Bera (CA)	Harris	Price (GA)
Bilirakis	Hartzler	Radel
Bishop (UT)	Hastings (WA)	Reed
Black	Heck (NV)	Reichert
Blackburn	Herrera Beutler	Renacci
Bonner	Holding	Ribble
Boustany	Horsford	Rice (SC)
Bridenstine	Hudson	Rigell
Brooks (AL)	Huelskamp	Roby
Brooks (IN)	Huizenga (MI)	Roe (TN)
Broun (GA)	Hultgren	Rogers (AL)
Buchanan	Hunter	Rogers (KY)
Bucshon	Hurt	Rogers (MI)
Calvert	Issa	Rohrabacher
Camp	Jenkins	Rokita
Campbell	Johnson (OH)	Rooney
Cantor	Johnson, Sam	Ros-Lehtinen
Capito	Jones	Roskam
Carney	Jordan	Ross
Carter	Joyce	Rothfus
Cassidy	Kelly (PA)	Royce
Chabot	King (IA)	Runyan
Chaffetz	King (NY)	Ryan (WI)
Coble	Kingston	Salmon
Coffman	Kinzinger (IL)	Scalise
Cole	Kline	Schweikert
Collins (GA)	Labrador	Scott, Austin
Collins (NY)	LaMalfa	Sensenbrenner
Cook	Lamborn	Shimkus
Costa	Lance	Shuster
Cotton	Lankford	Simpson
Crawford	Latham	Sinema
Crenshaw	Latta	Smith (NE)
Culberson	LoBiondo	Smith (NJ)
Daines	Long	Smith (TX)
Davis, Rodney	Lucas	Southerland
DeFazio	Luetkemeyer	Stewart
Denham	Lummis	Stivers
Dent	Maffei	Stockman
DeSantis	Marino	Terry
DesJarlais	Massie	Thompson (PA)
Diaz-Balart	McCarthy (CA)	Thornberry
Duckworth	McCaul	Tiberi
Duffy	McClintock	Tipton
Duncan (SC)	McHenry	Turner
Duncan (TN)	McIntyre	Upton
Ellmers	McKeon	Valadao
Farenthold	McKinley	Wagner
Fincher	McMorris	Walberg
Fitzpatrick	Rodgers	Walden
Fleischmann	Meadows	Walorski
Fleming	Meehan	Weber (TX)
Forbes	Messer	Webster (FL)
Fortenberry	Mica	Wenstrup
Fox	Miller (FL)	Westmoreland
Franks (AZ)	Miller (MI)	Whitfield
Frelinghuysen	Miller, Gary	Wilson (SC)
Gabbard	Mullin	Wittman
Garcia	Mulvaney	Wolf
Gardner	Murphy (FL)	Womack
Garrett	Murphy (PA)	Woodall
Gerlach	Neugebauer	Yoder
Gibbs	Noem	Yoho
Gibson	Nugent	Young (AK)
Gingrey (GA)	Nunes	Young (IN)
Gohmert	Olson	
Goodlatte	Owens	

NAYS—177

Andrews	Brownley (CA)	Clarke
Barrow (GA)	Bustos	Clay
Bass	Butterfield	Cleaver
Beatty	Capps	Clyburn
Becerra	Capuano	Cohen
Bishop (GA)	Cárdenas	Conyers
Bishop (NY)	Carson (IN)	Cooper
Blumenauer	Cartwright	Courtney
Bonamici	Castor (FL)	Crowley
Brady (PA)	Castro (TX)	Cuellar
Braley (IA)	Chu	Cummings
Brown (FL)	Cicilline	Davis (CA)

Davis, Danny	Kuster	Rahall
DeGette	Langevin	Rangel
Delaney	Larsen (WA)	Richmond
DeLauro	Larson (CT)	Roybal-Allard
DelBene	Lee (CA)	Ruiz
Deutch	Levin	Ruppersberger
Dingell	Lewis	Ryan (OH)
Doggett	Lipinski	Sánchez, Linda T.
Doyle	Loeb sack	Sánchez, Loretta
Edwards	Lofgren	Sarbanes
Ellison	Lowenthal	Schakowsky
Engel	Lowe y	Schiff
Enyart	Lujan Grisham	Schrader
Eshoo	(NM)	Schwartz
Esty	Luján, Ben Ray	Scott (VA)
Farr	(NM)	Scott, David
Fattah	Maloney,	Serrano
Foster	Carolyn	Sewell (AL)
Frankel (FL)	Maloney, Sean	Shea-Porter
Fudge	Matheson	Sherman
Gallo	Matsui	Sires
Garamendi	McCarthy (NY)	Slaughter
Green, Al	McCollum	Smith (WA)
Green, Gene	McDermott	Speier
Grijalva	McGovern	Swalwell (CA)
Gutierrez	McNerney	Takano
Hahn	Meeks	Thompson (CA)
Hanabusa	Meng	Thompson (MS)
Hastings (FL)	Michaud	Tierney
Heck (WA)	Moore	Titus
Higgins	Moran	Tonko
Himes	Nadler	Tsongas
Hinojosa	Napolitano	Van Hollen
Holt	Neal	Vargas
Honda	Negrete McLeod	Veasey
Hoyer	Nolan	Vela
Huffman	O'Rourke	Velázquez
Israel	Pallone	Visclosky
Jackson Lee	Pascarell	Walz
Jeffries	Pastor (AZ)	Wasserman
Johnson, E. B.	Payne	Schultz
Kaptur	Pelosi	Waters
Keating	Perlmutter	Watt
Kelly (IL)	Peters (MI)	Waxman
Kennedy	Peterson	Welch
Kildee	Pingree (ME)	Wilson (FL)
Kilmer	Pocan	Yarmuth
Kind	Price (NC)	
Kirkpatrick	Quigley	

NOT VOTING—24

Barton	Grayson	Polis
Brady (TX)	Hensarling	Rush
Burgess	Johnson (GA)	Schneider
Conaway	Lynch	Schock
Connolly	Marchant	Sessions
Cramer	Markey	Stutzman
Flores	Miller, George	Williams
Granger	Nunnelee	Young (FL)

□ 1356

Ms. CASTOR of Florida and Mrs. NAPOLITANO changed their vote from "yea" to "nay."

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF CLASSIFIED BRIEFING REGARDING SYRIA AND NORTH KOREA

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, today, the administration has confirmed that the Assad regime in Syria has crossed a dangerous, game-changing red line, using chemical weapons against its own citizens.

The Syrian conflict has raged for many months, and nearly 100,000 Syrian civilians have been killed. The conflict now threatens to spill over Syria's

borders, destabilizing key American allies. This dangerous conflict threatens American national security interests in the region.

I wanted to take this opportunity, Mr. Speaker, to urge Members to attend the classified briefing that the administration will be providing tomorrow morning at 9:30 a.m. in the CVC auditorium. Secretary of State Kerry, Deputy Secretary of Defense Ash Carter, Vice Chairman of the Joint Chiefs Admiral Sandy Winnefeld, and Deputy Director of National Intelligence Robert Cardillo will be there to brief Members on the situations in both Syria and in North Korea.

With that, Mr. Speaker, I'd like to say to Members that we won't be having another vote in this series.

□ 1400

APPOINTMENT AS MEMBER OF HIT POLICY COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 13101 of the HITECH Act (Pub. L. 111-5), and the order of the House of January 3, 2013, of the following individual on the part of the House to the HIT Policy Committee:

Mrs. Gayle Harrell, Stuart, Florida

HOUR OF MEETING ON TOMORROW

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 1445

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that Representatives RUNYAN, GRIMM, LOBIONDO, and BISHOP of New Jersey be removed as cosponsors of H.R. 1445.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

RESPONSIBLE HELIUM ADMINISTRATION AND STEWARDSHIP ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 527.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 178 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 527.

The Chair appoints the gentleman from Kansas (Mr. YODER) to preside over the Committee of the Whole.

□ 1403

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes, with Mr. YODER in the chair.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from New Jersey (Mr. HOLT) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself as much time as I may consume.

Today, I rise in support of H.R. 527. This bill is necessary to protect our economy from the impending helium shortage and to inject free-market principles into our Federal helium program.

The Federal Helium Reserve was first created after World War I, when we imagined a world where blimps would be the future of air travel and vital to our national security efforts. Although this effort took a different course, that didn't stop the Federal Government from spending money on this program and stockpiling helium continuously through the 1980s. By the 1990s, it became clear that the Reserve had a declining usefulness and had racked up a \$1.3 billion debt.

In response, Congress in 1996 passed legislation to implement reforms to the program and require the sale and privatization of the Reserve by 2015, or when the debt was paid off, whichever came first.

However, since this original decision to close the Reserve, both the demand and uses for helium have dramatically changed. This has created a situation where the Reserve's debt will be paid off sooner than expected—nearly 2 years earlier—in October of this year. But, while the debt will have been paid off, there will still be helium in the Reserve. By law then, the current Federal helium program will end and the Bureau of Land Management, or BLM, will no longer have the authority to sell the remaining 11 billion cubic feet of helium. It's important to note, too,

Mr. Chairman, that the Reserve contains half of our U.S. domestic supply and 30 percent of the world's helium supply.

If Congress fails to act before October, we will artificially drop the helium supply and cause a global helium shortage that will cost jobs and severely disrupt our economy. Despite what many think, helium is not just used for party balloons. It is essential to our 21st century economy. Without helium we wouldn't have lifesaving MRI machines, computer chips, fiber optic cables, or other devices used for defense needs.

The bill before us today is truly a bipartisan plan that I'm pleased to have worked on with the lead Democrat on the Natural Resources Committee, Mr. MARKEY from Massachusetts, as well as our other colleagues on the committee, Mr. FLORES of Texas and Mr. HOLT of New Jersey.

First, this bill would implement a new operating system for the Federal Helium Reserve over the next decade that would include semiannual auctions. This will ensure that we prevent a helium shortage and that the Reserve stays open until nearly all of the helium supply is sold.

□ 1410

Second, it will build on the reforms made in 1996 and inject more free market principles into the sales process to get a better and fairer return for American taxpayers.

Over the last decade, the Federal Government has been selling helium from the Reserve significantly below market price. As you can see from this chart—and this is based on BLM data—the new demands for helium have caused the market price to rise much higher than the Federal Government's pricing formula and much faster than BLM's ability to track market prices.

So, as a result, this has cost taxpayers tens of millions of dollars. This has been confirmed by reports and testimony from both the Government Accountability Office, the GAO, and the Department of the Interior Inspector General. The big gap is right here. This is what we are selling it for, and this is what the market price is.

In addition, the current program restricts sales to only a few companies through an allotment system that is essentially an oligarchy for Federal helium. Nearly 100 percent of our helium supply is being put into the hands of four refiners that directly benefit from the low Federal pricing formula while other competitors are locked out. The current cheap price of helium gives an unfair market advantage to these handful of companies.

Implementing semiannual helium auctions will inject much-needed competition into the program and help establish a fair market price for helium. According to the CBO, this bill will

bring in over \$340 million to the Treasury over the next 10 years. The bill also includes important reforms to increase transparency and to prevent supply disruptions.

Now, Mr. Chairman, over 20 groups representing the end users of refined helium—and these are high-tech manufacturers of semiconductors, aerospace technologies, medical devices, chemicals, fiber optics, and scientific research—all have called for the passage of this legislation. Although this bill enjoys broad bipartisan support, I do want to take a moment to directly address some concerns that have been raised throughout this legislative process.

First, doing nothing is not an option. While I recognize that many people don't believe that the Federal Government should be in the helium business—and I would agree—we must recognize the realities of our current situation. Helium is too essential to our economy to essentially cut off the valve at the Reserve. We need this bill to protect our economy from severe disruptions and to provide additional time for the new development of alternative domestic helium resources so that our country and economy are prepared for when the Reserve does close. However, this bill will make sure that we are building on the reforms of the 1996 act and that we are managing and selling the helium in a more responsible manner.

Second, maintaining the status quo is not an option. Under conditions in the current law, the entire program comes to an end this October. Simply authorizing the continuation of the current program does nothing to address the current issues with the Federal pricing formula and the need to implement free market reforms. We cannot keep selling helium to a handful of companies. Instead, we need an open helium market that encourages more bidders, more competition, and more accurate pricing in order to get the best return for the taxpayers.

What we need then, Mr. Chairman, is no more lucrative handouts, no more government picking winners. What we need is good ole American competition.

Finally, this bill will do absolutely nothing to interfere with private business contracts, and it will not create instability within the helium market. With or without this legislation, the existing helium program and existing contracts all will end in October of this year. This bill violates no contracts because none will exist when certain conditions in current law expire, which we think will be this October. This is why Congress must act before October to establish a new helium program to finalize the sell-off of the helium from the Reserve.

The bill will protect our economy from a harmful helium shortage and implement much-needed reforms to up-

date the Federal Helium Program so that it better reflects the uses and demands for helium in the year 2013.

Mr. Chairman, this is a good bill, and it's a bipartisan bill. I'm glad I had support in working with my colleagues across the aisle on the committee, and I urge the passage of this legislation.

With that, I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of H.R. 527, and I begin by commending and thanking Chairman HASTINGS for his outstanding bipartisan leadership on this legislation and on other things before the committee. This bill was drafted in close cooperation with the Democratic minority, and I thank the chairman of the committee. He worked with Ranking Member MARKEY and me and with Representative FLORES; and we've put together, I think, a solid piece of legislation. The legislation is an example of how we can work together. I wish it were moving faster on the floor today and tomorrow, but it is a cooperative undertaking.

As the chairman said, helium is critical for magnetic resonance imaging, MRI machines; for NASA rocket operation; for high-tech manufacturing; and for all sorts of scientific research. For many of these applications, there is no replacement for helium with its truly unique properties. Farsighted legislators established a Federal stockpile many decades ago, which was good; and as important uses of helium were recognized over the decades, we can be thankful that the stockpile existed.

The frenzy of privatization under the Gingrich era in Congress has now made this legislation necessary. Our Nation's Federal Helium Reserve supplies nearly half of the helium used in the United States; and if Congress fails to pass this legislation, by the end of the current fiscal year, the Interior Department's authority to continue operating the Reserve will expire. If this is allowed to happen, nearly half of America's helium supply would be cut off overnight, creating truly a crisis in health care, in research, in electronic manufacturing, and in many other areas. That's the immediate problem that this legislation would solve; but there is a second, potentially more severe, problem to be addressed.

At the current withdrawal rates, we have only 5 to 7 years of helium available from the Reserve. Reviews by the National Academy of Sciences, by the Government Accountability Office, and by the Interior Department Inspector General's Office have all concluded that we are not selling the Nation's helium at market prices. Since Federal helium comprises such an enormous percentage of the global supply, with the price set and controlled by the Interior Department as required under the guidelines established some years

back, the global price of helium is artificially low.

The current system isn't just a bad deal for taxpayers; it has also distorted the global helium market. If we continue to avoid a solution, as some have advocated, we could find ourselves facing even more severe helium shortages and price spikes when the Federal Reserve is largely exhausted a few years from now and when there may be insufficient alternative supplies to turn to.

That's why we must reform our Nation's helium policy, put the market-based signals in place that will help provide an incentive to bring new supplies on line. The failure to enact reforms of the helium program, such as those contained in this legislation, could mean an increased reliance on insecure and irregular helium supplies from Russia, Algeria, Qatar, and other foreign sources. It could mean higher prices for American industry and for researchers.

There have already been interruptions in supply. National labs have testified before our committee that helium deliveries necessary for their research have already been subject to interruptions.

□ 1420

The bipartisan legislation before us today would address both of these impending crises. H.R. 527 would extend the life of the Federal Helium Reserve past the end of this year and ensure a fair return to taxpayers on this federally owned resource. It would generate more than \$300 million for American taxpayers as estimated by the Congressional Budget Office. The bill will increase competition, transparency, and participation in helium markets, which will help shift commercial helium reliance from the Reserve to private sources.

The principles of this bill are consistent with the recommendations made by the National Academy of Sciences in 2010 to improve the helium program by expanding participation and openness in helium markets.

It will protect Federal users, such as NASA and the National Labs, as well as the scientific community by ensuring that they have priority access to this federally owned resource in the short term and exclusive access in the longer term.

This bill was created with input from the Department of the Interior, the White House Office of Science and Technology Policy, and many scientific researchers. It has the support of the American Physical Society and many other groups and many helium users, such as corporations like General Electric, Siemens, Philips, Intel, Applied Materials, Dow Chemical, IBM, Texas Instruments, and many others. It's a product of close work between the majority and the minority members of the committee.

Again, I thank the majority for providing that collaboration with us. It's a good bill. It provides a workable solution to a real problem. I urge its adoption.

I wish we could deal with this bill promptly and all the amendments promptly. We could be done in less than an hour, and then we could turn our attention to other concerns that Americans have, such as jobs and education, training for workers, a conference committee to reconcile the differences between the House and the Senate budget resolutions, removing the thoughtless sequester that the majority imposed on the country affecting air traffic control and food inspections and Head Start slots and medical research and many other things. But instead, we will postpone the consideration of the amendments until tomorrow, I'm sorry to say, and eat up valuable time that we could spend dealing with America's pressing problems. Nevertheless, I look forward to the passage of this bill, and I urge my colleagues to support it.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), a valuable member of the Natural Resources Committee.

Mr. WITTMAN. Mr. Chairman, I rise in support of H.R. 527, the Responsible Helium Administration and Stewardship Act.

H.R. 527 is important legislation for our Nation's high-tech, defense, medical, and scientific industries. It will ensure the continued operation of and sales of helium from the Federal Helium Reserve, providing a stable and secure supply of a critical material for the next several years.

This legislation represents a significant step forward in addressing the concerns associated with the helium supply from the Federal Helium Reserve. This also creates a situation where we have a reliable source of helium that's critical to the strategic interests of this Nation.

This bill also provides for the continued operation of the Reserve and the sale of helium to private entities, thereby helping to ensure a stable and secure supply of helium in the near term.

It provides price transparency through clear reporting requirements for both the Bureau of Land Management and for those who purchase helium. And for many industries throughout the United States, this reliability and transparency is absolutely critical.

H.R. 527 is important and is urgently needed to address this Nation's helium supply in making sure, too, that we keep in mind the implications it has for both our national and our homeland security.

I'd like to applaud Chairman HASTINGS and Ranking Member MARKEY for their work on this bill, and I urge my colleagues to support it.

Mr. HOLT. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. I thank the gentleman.

Mr. Chairman, like a kid at a carnival, I rise in full support of H.R. 527, the Responsible Helium Administration and Stewardship Act of 2013.

Mr. Chairman, I'm relieved, and I'm sure that the American people are relieved as well, that Congress is finally going to do something about one of the most pressing issues of the day, that is, we've got to ensure access to helium for all.

Surely, those harmed by sequestration and those harmed by the Republican failure to appoint budget conferees appreciate the House spending 2 full legislative days on this most critical issue. The American people certainly understand the fact that 48 hours of this House's precious time was necessary to pass such a noncontroversial bill.

I'm pleased to support this bill, which shows that this Tea Party Congress will make the tough choice to keep children's birthday parties on schedule and give industries that rely on helium the lift that they deserve. Imagine, Mr. Chairman, a world without balloons. How can we make sure that there is not the injustice of there being no helium for comedians to get that high-pitched voice that we all hold near and dear to our hearts? Imagine a world without balloons. To date, the House has chosen to just simply float above it all.

Finally, we are going to do something for the American people, and we should all pat ourselves on the back for that. Too often lately, this body has sat deflated, not for a lack of hot air, mind you, but seriously, ladies and gentlemen, unlike a noble element, this House has failed to act on Americans' real concerns.

There are serious reasons to support this bill, and I do look forward to supporting it. The substance of this bill is not the focus of my sarcasm today, Mr. Chairman. My point is that America would be much better off if this Tea Party Republican Congress brought to the floor issues that mean the most to Americans, like appointing a conference committee to work out a budget with the Senate.

The CHAIR. The time of the gentleman has expired.

Mr. HOLT. If the gentleman needs more time, I gladly yield an additional 30 seconds.

Mr. JOHNSON of Georgia. Sadly, Republicans are just blowing in the wind and can't seem to tether themselves down to take on such an important task. They float off in different directions unable to appoint conferees to negotiate with the Senate.

Yesterday, despite the gravity of the matter, the Tea Party Republicans couldn't even agree on their own health care bill, which was named the Helping Sick Americans Now Act. With a title like that, I'm helium flabbergasted that they could not pass that bill.

□ 1430

Yesterday we spent all day debating that bill, and today after their failure to pass it, they've pretty much decided that sick Americans can wait. We need laughing gas because of the inability of the Republican House to deal with the difficult issues. It's real sad; we need some laughing gas. The sequestration is delaying flights and harming our economy.

The CHAIR. The time of the gentleman has again expired.

Mr. HOLT. I yield an additional 15 seconds to the gentleman.

Mr. JOHNSON of Georgia. With sequestration delaying flights and harming our economy, our Nation needs a little gas. Say what you will, but this is just the best thing that we can do here. So I'd like to float a simple idea: stop wasting our time. Let's get to the business that is meaningful for Americans. I support this bill.

Mr. HASTINGS of Washington. Mr. Chairman, I want to ask my friend from New Jersey, I have at this point no further requests for time. One additional speaker may be coming, but I'm prepared to close.

Mr. HOLT. We have at least one more speaker, and my closing.

Mr. HASTINGS of Washington. I reserve the balance of my time.

Mr. HOLT. I yield 3 minutes to the gentleman from New York (Mr. TONKO) who counts among his constituents many who work in technical industries and laboratories who depend on helium and understand that although there are a lot of easy jokes about helium, this is a serious matter. It is a serious matter that we should move along with promptly.

Mr. TONKO. Mr. Chairman, I thank Representative HOLT. I want to thank Chairman HASTINGS and Representative MARKEY and Representative HOLT and other members of the Natural Resources Committee for working steadfastly together to bring this important bill to the floor.

The Federal Helium Reserve was created in 1925, long before today's many uses of helium were envisioned. Now this element has become an essential ingredient to our Nation's research, medical, technology, manufacturing, space, and defense activities. Helium is used in welding and in the manufacturing of fiber optic cable and semiconductors. Medical imaging has become a vital tool in the health care system, and every MRI requires helium. The list of applications for this element is long and touches many important industries.

When the current law passed in 1996, the situation with respect to helium's value and usage was quite different, and there was an expectation that additional private sources of helium would be developed and then of course enter the market. For a variety of reasons, that has not yet happened on a sufficient enough scale to ensure a stable supply of helium to meet our national demand for this basic element.

The Federal Government, through the Bureau of Land Management, needs to remain engaged in this market for an additional period of time. The United States reserve is about 40 percent of the worldwide supply of helium. The many industries and research institutions that rely on helium cannot afford a disruption in its supply.

The national storage facility is unique, and there are many characteristics of the helium market that are distinctly different from the markets of most commodities. These factors are likely the reasons a more robust private supply of helium has not yet emerged to replace our Federal Government's role. H.R. 527 provides additional time to phase down the Federal Government's role in the helium market and to allow a private market to develop.

There is no substitute for helium in many of its crucial applications. Passage of this legislation is critical to maintaining high-wage, high-skilled jobs in my district, the 20th Congressional District of New York, throughout New York State for that matter, and in many other States across our great country. It is essential that we work with the Senate to get a law signed this year to provide certainty to helium suppliers and users.

I recognize there are some who are uncomfortable with certain aspects of this legislation. It is not a perfect bill, and if the expected development of private supplies of helium does not occur, we need to revisit this issue in the future.

For the present, though, this bill offers a reasonable compromise that keeps helium flowing onto the market, and that is what we need now. I urge my colleagues to support H.R. 527 and maintain a reliable supply of this vital ingredient for the sake of research and industry.

Mr. HASTINGS of Washington. Mr. Chairman, I'm pleased to yield 3 minutes to the gentleman from Colorado (Mr. LAMBORN), the chairman of the subcommittee dealing with this issue.

Mr. LAMBORN. I thank the chairman of the full committee for allowing me to speak. I rise in strong support of H.R. 527, the Responsible Helium Administration and Stewardship Act.

Our House Natural Resources Committee passed this bipartisan legislation by voice vote, and I encourage my colleagues in the full House to do the same. The Responsible Helium Admin-

istration and Stewardship Act adds free market reforms to the current system. The current system allows a small number of companies to have access to and benefit from the taxpayer resource, which is helium, but it's a good thing to broaden the base of those who are most benefiting from this resource.

There is currently some instability in the marketplace for American companies that are the end users of helium. These companies employ thousands of Americans, and they rely upon a dependable supply of helium for their business every day. This includes defense companies, medical companies, manufacturing companies, and a variety of users.

Numerous government reports—from the Department of Interior Inspector General to the Government Accountability Office to the National Academy of Sciences—have all come to the same conclusion: we need to reform the current system.

The current system allows a select group of companies to buy a critical Federal resource at significantly below market value to the exclusion of other companies. There are historical reasons how this situation developed, but we have to look to the future and what's best for the economy moving forward.

As a result, the American people are potentially being denied tens or even hundreds of millions of dollars of additional revenue because this Federal taxpayer resource is sometimes being sold at under-market values.

It should be noted that over 20 organizations and end-user companies representing high-tech manufacturers of semiconductors, aerospace technologies, life-saving medical devices, chemicals, fiber optic, and scientific researchers who require helium as an essential part of their daily business support this bill. H.R. 527 will ensure that these industries employing thousands of Americans and vital to the United States can obtain a reliable and secure source of helium while ensuring American taxpayers that they receive the best possible market value for this taxpayer resource.

H.R. 527 will end the current allotment system and add free market components to the BLM helium program. This will increase transparency between companies and the BLM and ensure that purchasers of helium will have timely access to the pipeline to ensure delivery of the helium that they have purchased.

This bill is supported by the ITI, and I urge your support of this legislation.

INFORMATION TECHNOLOGY
INDUSTRY COUNCIL,
Washington, DC, April 25, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: On behalf of the Information Technology Industry Council (ITI), I write to express the importance of H.R. 527, the Responsible Helium Administration and Stewardship Act to the high-tech industry. ITI supports the passage of H.R. 527 and we will consider scoring votes in support of final passage of the bill in our 113th Congressional Voting Guide.

Helium is critical to a variety of advanced, high-tech manufacturing processes, as well as cutting-edge scientific research. It is irreplaceable in many of these processes, as there is no known substitute. The Federal Government controls 40% of the world's helium supply, and without Congress enacting legislation by the end of this fiscal year, the Federal Government's authority to sell helium to the private sector will expire. Such a supply disruption would be catastrophic to the private sector entities that require helium for their manufacturing processes. H.R. 527 would prevent such a problematic situation by ensuring the Federal Government has authority to continue selling helium to the private sector through an auction process.

The United States' information technology industry is the strongest in the world, driving economic growth, creating new businesses, and generating jobs. On behalf of ITI's member companies, I thank you for bringing this legislation to the floor to prevent any possible helium supply disruptions, and urge you and your colleagues to pass H.R. 527, the Responsible Helium Administration and Stewardship Act.

Sincerely,

DEAN C. GARFIELD,
President and CEO.

Mr. HOLT. Mr. Chairman, I appreciate the comments of the gentleman from Colorado, the chair of the Energy and Mineral Subcommittee. He reiterates the important uses of helium, and I would add that any American patient or doctor who uses MRIs, which depend on helium, or any American who uses modern electronics whose manufacture depends on helium, or anyone who depends on so many other things for which helium is essential, should be grateful that decades ago farsighted legislators created the stockpile to preserve helium.

We now have before us the need to make sure that helium isn't sold at fire-sale prices. We need to make sure that we have a reliable supply for these important uses. We need to make sure that the Interior Department is not forced out of the business prematurely. The Interior Department has expressed support for the approach taken by this legislation.

Again, I commend and thank the chairman for his bipartisan leadership to bring this sensible legislation to the floor. I hope that the other body will act quickly and follow our lead and

pass this legislation so we do not experience supply disruptions and price spikes later this year. I urge passage of this bill.

I yield back the balance of my time.

□ 1440

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as has been pointed out on both sides, this is a very important piece of legislation. Our free economy is made up of a lot of different parts, and it's hard—as a matter of fact, it's impossible—to regulate all of those parts. The market does it a whole lot better.

But in this situation, because of past actions of Congress, there was a stockpile of Federal helium, and it became more and more valuable; but market prices weren't being got for that available commodity. This issue addresses that until the markets can catch up in several years in order to make sure there is a supply of helium.

And I'm glad to have worked in a bipartisan way with my colleagues on the Natural Resources Committee. We'll deal with the amendment process tomorrow. That's why we have a rule. There are several Members who wanted to improve, from their point of view, this piece of legislation, and you can't do that, obviously, on a suspension calendar, as has been suggested. You have to go through the rule process, and we will do that tomorrow.

So, in the meantime, Mr. Chairman, I urge adoption of this legislation, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Chair, I rise in support of the Responsible Helium Administration and Stewardship Act, a bipartisan bill that will prevent a global helium shortage that could limit high-tech manufacturing and critical scientific research.

Recognizing the value of our helium resources, the government established a Federal Helium Reserve in the 1960s. In 1996, Congress enacted legislation to privatize the Reserve and sell off its supply. Unfortunately, that sale has been conducted at below-market rates even as demand for helium, which is critical for hospitals, manufacturing, and research, has increased. Moreover, under that 1996 law, the Reserve will have to stop operations this October, cutting our domestic supply by nearly half and causing a worldwide shortage.

Today's legislation creates a new, auction-based program for selling helium from the Reserve, preventing the shortage and ensuring that taxpayers get fair value for this resource. It's a common sense solution to a serious problem and I urge my colleagues to support it.

Ms. JACKSON LEE. Mr. Chair, I rise today in support of H.R. 527, the "Responsible Helium Administration and Stewardship Act," which will renew the Department of the Interior's (DOI) authority to continue operating the Federal Helium Reserve beyond this fiscal year.

I want to thank Chairman HASTINGS and Ranking Member MARKEY for their hard work in shepherding this legislation, which enjoys strong bipartisan support, to the floor.

Mr. Chair, I support H.R. 527 because it is an important first step in updating our nation's helium policy by increasing transparency and fostering competitive helium markets, while providing a better return for American taxpayers.

Currently, the United States is the largest helium producer in the world. The most recent data from the United States Geological Survey indicates that at over 20 billion cubic meters, the total helium reserves and resources of the United States represents roughly 40 percent of the world's helium supply.

Helium is primarily used in magnetic resonance imaging (MRI) devices in hospitals, but is also used as a coolant for superconductors, as well as in cryogenics, welding, chromatography, and various other uses.

The Federal Helium Reserve is a strategic reserve located at the Cliffside Storage Facility in Potter County, Texas, near the city of Amarillo. Created in 1925, its original function was to ensure supplies of helium to the federal government for defense, research, and medical purposes.

Through the Helium Privatization Act of 1996, the Federal Helium Reserve evolved to serve four purposes: (1) operating and maintaining a helium storage reservoir and pipeline system view map; (2) providing crude helium gas by contract with private companies; (3) evaluating the Nation's helium-bearing gas fields; and (4) providing responsible access to federal land for managed recovery and disposal of helium.

While the Interior Department currently has the authority to continue funding and operating the Federal Helium Reserve, this authority is set to expire at the end of this fiscal year. Upon expiration, and absent Congressional action, our national supply of helium faces severe turmoil in the form of substantial price increases and market disruptions for American consumers and businesses.

Moreover, the Federal Helium Reserve, which constitutes a large portion of the global supply, is instrumental in controlling price. The large quantity of helium in the reserves means that the Interior Department effectively determines prices paid for helium around the world.

Numerous reports indicate that the Interior Department may be selling helium at below market value, which may have the effect of stifling private investment in new helium supplies. As a result, we risk facing a shortage in coming years as helium supplies diminish.

H.R. 527 addresses this problem by transitioning helium sales to a competitive auction system, thus ensuring a steady supply of helium and allowing users to bid on crude helium from the reserve. Consequently, the law of supply and demand would dictate price rather than having the price controlled by a central authority.

Ideally, I would have liked to see more discretion afforded to the Secretary of the Interior in this bill, particularly with respect to the minimum price charged for crude helium.

The bill requires the Secretary to make a determination as to the minimum sale price at auctions in accordance with various factors,

including a confidential survey of domestic helium transactions with the reserve, as well as recent market prices as reflected by auction sales.

Currently under the bill, the Secretary would have the discretion to adjust the minimum price by up to 10 percent if the survey is not reflective of the current market value of helium or if a higher minimum price may result in greater conservation of helium.

However, market fluctuations in recent years have often been in excess of 10 percent. Providing the Secretary with greater discretion to adjust the minimum price in accordance recent trends is desirable to ensure that prices track market value as closely as possible.

In my view, the bill would be improved if the Secretary's discretion were enlarged to authorize adjustments to the minimum price by an amount not to exceed 20 percent.

But taken as a whole, H.R. 527 is a positive step in the right direction. And I want to express my appreciation again to Chairman HASTINGS and Ranking Member MARKEY for their good work.

Mr. Chair, I urge my colleagues in joining me in voting for H.R. 527, "Responsible Helium Administration and Stewardship Act."

Mr. PAULSEN. Mr. Chair, I rise in support of this important legislation which will ensure U.S. manufacturers of medical devices, computer chips, and balloons continue to have reliable access to helium. Helium is a critical element to the manufacturing and operation of these innovative and competitive industries and their products.

The Federal Helium Reserve is scheduled to close this year. If that should happen, a global helium shortage would disrupt business in these industries and could cause the loss of thousands of American jobs.

In my home state of Minnesota, a large balloon company continues to manufacture their products here in the United States. They depend on reliable access to helium not only to stay in business, but also to continue research and development, innovative engineering, manufacturing, and quality control for their balloon products.

But a helium shortage would negatively impact more than just balloon manufacturing. It would also harm the high tech and medical device communities as well. Approximately 250,000 Americans are employed in the manufacturing of computer chips using helium. These chips are used in GPS, smart phones, and MRI machines. Helium is also used to cool the magnets in MRI machines.

We must pass this legislation to prevent major shocks to these important industries. I urge my colleagues in the Senate to act soon to ensure critical access to helium for the medical device, IT, and balloon industries and to protect these American jobs.

Mr. HONDA. Mr. Chair, I regret that I am unable to be in Washington, DC, today to cast a vote in support of H.R. 527, The Responsible Helium Administration and Stewardship Act. This bipartisan, commonsense plan will prevent a global helium shortage, protect jobs and the economy, and ensure a fairer return for taxpayers while we take the time to determine a long-term strategy to deal with our nation's helium needs.

Representing Silicon Valley, I know firsthand how dependent high-tech manufacturing and

scientific research labs are on helium. Helium is needed by hospitals for life-saving medical diagnostic tools like magnetic resonance imaging, and it is critical to our national defense.

Unfortunately, the frenzy to slash the government that accompanied the Gingrich Republican revolution in 1996 led to legislation to sell and privatize the Federal Helium Reserve and caused the situation we face today—in October, the Reserve will no longer be able to sell the remaining 11 billion cubic feet of helium, which will create an immediate worldwide helium shortage and cut the domestic supply by nearly half.

H.R. 527 will prevent this shortage and promote market-based reforms by implementing a three-phase system for operating the Federal Helium Reserve until the Reserve is emptied of helium. In addition, it will ensure that taxpayers get a fair return for this resource. While this bill is not the long-term strategy on helium that we need, it does prevent a short-term crisis and allow time for a transition to a new paradigm.

Numerous industry groups and companies based in my Silicon Valley district have expressed their support for the bill, and I join them in expressing my support for H.R. 527. I would also like to express my support for the Collins/Scott Amendment, the Holt Amendment, and the Thornberry Amendment, and my opposition to the Dent/Higgins/Esty Amendment.

The CHAIR. All time for general debate has expired.

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BRIDENSTINE) having assumed the chair, Mr. YODER, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes, had come to no resolution thereon.

THE GOSNELL TRIAL

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, Kermit Gosnell is a real-life Hannibal Lecter. Gosnell operated an abortion clinic that severed the necks of hundreds of babies and stuffed their bodies into freezers, plastic bags, and cat-food tins. Soon, a jury in Pennsylvania will decide his fate.

Mr. Speaker, the Gosnell case must give us a moment of reflection. Have 40 years of abortion on demand seared our national conscience and given us a false refuge behind euphemisms like "choice"?

More than 3,000 unborn children die in abortion clinics every day in this country. While none of these deaths attract the headlines of the Gosnell case, each loss is a tragedy. Each of these defenseless babies is just as innocent as Gosnell's victims, just as human as you and I, and just as precious as our own children.

There is no moral distinction between killing a baby 5 minutes after birth or ending her life 5 minutes or even 5 days before delivery.

In the coming weeks, more questions will be asked: Who referred patients to Gosnell's house of horrors, and what can be learned from these atrocities?

Today, we all ought to reexamine our national conscience.

THE GOSNELL TRIAL

(Mr. ROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSS. Mr. Speaker, every day, over 3,200 children are aborted in this great country, the same country that is called the land of the free and the home of the brave. This isn't just unacceptable; it's a horrific tragedy.

And my heart goes out to all women who feel that abortion is the only option. God made them special and made their children special too. These children aren't free and will never have the option to be brave.

Currently, in Philadelphia, Kermit Gosnell, an abortion doctor, is on trial for multiple counts of murder. One count is for a woman who died during an abortion at his clinic.

The horrific findings in Mr. Gosnell's clinic serve as just one more devastating wake-up call. As a country, we should work to protect everyone, including women and children.

When will we be bold enough to enact serious changes?

These children are precious and are truly gifts. We should not use any taxpayer dollars to fund abortion. And I also believe that we should prohibit abortions for unborn babies who are more than 20 weeks old in utero, which is why I recently cosponsored the District of Columbia Pain-Capable Unborn Child Protection Act.

THE GOSNELL TRIAL

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, the Jeffrey Dahmer-like murder trial of an abortionist named Kermit Gosnell is replete with shocking testimony of beheadings, unfathomable abuse, spinal cord snippings, death, and body parts in jars.

But how different, really, is Gosnell's "house of horrors" from the abortions

that occur in clinics around the country every single day? Not much. Not much at all.

Mr. Speaker, will Americans ever be told the horrifying details as to how and how often abortionists dismember, decapitate, and chemically poison innocent babies?

Last week, reporter Timothy Carney asked participants in a call hosted by the pro-abortion group RH Reality Check:

What is the distinction between what Gosnell did and what a late-term abortionist like Leroy Carhart does?

Professor Tracy Weitz responded:

When a procedure that usually involves collapsing the skull is done, it is usually done when the fetus is still in the uterus, not when the fetus has been delivered.

That's it? It's just a matter of where, in the womb or not, that this violence against children is construed to be okay?

Where is the outrage over 55 million children victims who have been killed by abortion, and where is the appalling lack of compassion?

Why the empathy deficit for the victims, women and children, especially by our President, President Barack Obama?

Women and children deserve better.

THE GOSNELL TRIAL

(Mr. HUELSKAMP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUELSKAMP. Mr. Speaker, there's been a lot of talk in recent months about a "war on women," but those using the term to attack pro-life supporters should look a little closer to home for the real war on women.

Abortion proponents would like us to believe that the atrocities being discussed at the murder trial of Philadelphia abortion provider Gosnell are neither standard nor acceptable practice in the abortion industry. But evidence indicates otherwise.

The so-called Aid For Women abortion clinic in Kansas City has also been the subject of several investigations into the care provided to women and the cleanliness of the facility with reports very similar to those coming out of the Gosnell trial.

And with abortion providers all up and down the east coast referring patients to Gosnell's clinic, I find it hard to believe that no one knew of the conditions, the wretched conditions at this clinic. That is where the real war on women and war on children is occurring.

THE GOSNELL TRIAL

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Mr. Speaker, sometimes it's just so bad that we don't even want to look at it. Sometimes it's just so awful we want to turn our face away. But we can't.

Shayquana Abrams was a 17-year-old when she went to see a doctor named Gosnell. He performed an abortion on her. Afterwards, she was diagnosed with a grapefruit-sized abscess and a clot near her heart. It took her 2 years to recover. She was just a child, Mr. Speaker.

This Dr. Gosnell waged his own private war on women. And for what? For profit.

Now, thankfully, he's on trial; and, thankfully, more and more people are learning about this.

Maybe, Mr. Speaker, we just don't want to look because it is so awful. Maybe it's challenging our very premises, our very understanding of what this choice for abortion really leads to. But we have to look, and we have to recognize how deeply we are inflicting wounds upon our very selves.

Mr. Speaker, women deserve better. Our Nation can do better. Why not help young women like Shayquana and let the healing begin?

□ 1450

THE GOSNELL TRIAL

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, I join my colleagues to continue to shine the light on the human rights abuses that are the subject of the Kermit Gosnell trial in Philadelphia.

Dr. Gosnell's practice included a procedure he called "snipping." This appalling procedure ended the lives of some of the youngest members of the human family.

A culture of life needs to reject the philosophy that gives rise to such horror, and no organization that would support the ending of such young lives should receive one dime of Federal funding.

THE GOSNELL TRIAL

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, I rise to highlight the deeply disturbing case of Dr. Kermit Gosnell, who is currently charged with four counts of first-degree murder and one count of third-degree murder related to the botched abortions at a Pennsylvania clinic. Former employees have testified that he delivered babies and then killed them by snipping their spinal cords with scissors. One staffer described this procedure as "literally a beheading."

Mr. Speaker, life is precious; therefore, every abortion is a tragedy. But this case exposes the full horror of abortion carried to its logical end. As columnist Kirsten Powers recently wrote, the difference between late-term abortion in the womb and the murder of a newborn infant is simply "merely a matter of geography."

In response to a nearly total lack of coverage by mainstream media, myself and many Members who stand today here, including MARSHA BLACKBURN, STEVE SCALISE, and a whole cadre of folks that are speaking today, wrote to the heads of the major TV networks demanding that they cover this and other high-profile abortion controversies.

Thankfully, this case has begun to receive the attention it deserves, and Americans are discovering that this is not about pro-choice versus pro-life, but about basic human rights.

WORKFORCE DEVELOPMENT INVESTMENT ACT

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. This week, I am introducing commonsense legislation to encourage public and private partnerships to help meet the needs of New Hampshire students and businesses. The Workforce Development Investment Act would give tax incentives to firms that partner with educators to improve workforce development and job training for students.

Training a highly skilled, 21st century workforce is critical for growing our economy, creating jobs, and strengthening the middle class. When we invest in our workforce, more employers will invest in the United States; and in the Granite State, our students will be more competitive in the job market, and our businesses will be more successful in the global economy.

Right now, there are companies like WH Bagshaw in Nashua, New Hampshire, that are looking to hire but struggling to find workers with the right skills for the job. My bill would help close this skills gap by providing incentives for businesses to team up with educators to teach our students the skills they need to compete and succeed.

This is a commonsense proposal, and I urge your support.

THE GOSNELL TRIAL

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Mr. Speaker, it's difficult for me to even speak about this subject today. I'm a woman who's been privileged to give birth to 5 children, and I've also taken 23 children

into my home as foster children. It's very hard for me to imagine, Mr. Speaker, that a doctor in this country, a doctor who took an oath to do no harm, would, in fact, kill a woman at his abortion clinic and he would sever the heads of four babies that were born alive—and potentially others—and commit one gruesome act after another.

Shamelessly, the mainstream media has all but gone silent and failed to cover this horrific violence against women.

No one, Democrat or Republican, believes in violence against women. We abhor it. But there's nothing that even comes close to what's happened in this abortion clinic in Pennsylvania. The officials in Pennsylvania and the State Department of Health, unfortunately—it appears, willfully—ignored this heinous crime. It also appears that this has been ignored now across our Nation.

Well, we won't ignore it. And I thank God for the men who stood up here today to stand for women and against violence against women. I lend my voice and my support to that effort as well.

VA CLAIMS, OPERATIONS, AND RECORDS EFFICIENCY ACT

(Mrs. KIRKPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIRKPATRICK. Mr. Speaker, today, I introduced a bipartisan piece of legislation to help tackle the substantial backlog of veterans' claims. My bill is called the VA Claims, Operations, and Records Efficiency Act, or CORE. It directs the Department of Defense to enact an efficient electronic transfer of veterans' records instead of the outdated paperwork process that is currently being used.

The average veteran waits more than 250 days for a decision on a claim. About 175 days of that time is the VA waiting for the DOD to send the complete records. In Arizona's District One, one of my veterans' caseworkers is helping several vets who waited more than 2 years. This wait time is simply unacceptable. Federal agencies must leave paperwork in the past and adopt an efficient electronic approach.

I thank my colleague, Chairman COFFMAN, for cosponsoring this bill. Helping our veterans isn't a partisan issue; it's a national responsibility. Let's end the backlog so we can keep the promises we've made to our veterans.

THE GOSNELL TRIAL

(Mr. BENTIVOLIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENTIVOLIO. I am glad our country is having a conversation about gun violence. It's about the children, we say. I am glad our country is discussing immigration reform. It's about the children, we say. I am glad we are finally having a conversation about our trillion-dollar deficit. It's about the children, we say. Every day, this Chamber debates and votes on legislation, all in the name of the children, we say.

Well, Baby A was a child. He had 10 fingers and 10 toes and he moved. He moved before those scissors were jabbed in the back of his head and he moved in reaction to the pain he felt.

Baby B had 10 fingers and 10 toes. He kicked in his mother's womb. His mother was a child herself—scared, frightened, looking for an adult to help her.

Dr. Gosnell, his staff, the health department, and even national pro-choice organizations were in no way concerned with these women, their health or well-being. Instead, these entities either turned a blind eye or they were more devoted to a political ideology rather than the sounds of babies drowning in toilets.

THE GOSNELL TRIAL

(Mr. LANKFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANKFORD. In Philadelphia, an abortion clinic murder trial is about to go to the jury next week for the death of four children and one adult. The one adult was killed by an overdose of drugs that she was given during the abortion procedure. The four children represent many children that were delivered completely, and then their spinal cord was cut while they were outside the womb.

The defense has said those children would have died anyway. They were small. The drugs they had been given would have killed them already in the surgical destruction that happened during the actual abortion procedure. So those children don't matter. They shouldn't count as a murder. They wouldn't have lived anyway.

I'm going to ask two questions. One is: What is the difference of 3 feet between delivering a child and snapping their spinal cord or killing them in the womb? And the second is: Why would we do this to children in the first place?

I'd love for you to meet Olivia. She goes to high school with my daughter. She was born in 1996 at 1 pound, 2 ounces, just over 20 weeks at delivery, the very same as these children that were killed that day and many days in that Philadelphia abortion clinic.

We have got to stand for life. We cannot be a Nation that does this to our children.

□ 1500

THE GOSNELL TRIAL

(Mr. SCALISE asked and was given permission to address the House for 1 minute.)

Mr. SCALISE. Mr. Speaker, I rise to raise awareness about the trial that's going on in Philadelphia.

Dr. Kermit Gosnell is on trial right now for the murder of at least four babies who were born alive as a result of a botched abortion, as well as a mother who was murdered during the process of an abortion at the hands of Dr. Gosnell.

Now, just a few days ago, more than 70 Members of Congress sent a letter to the heads of the three major networks asking why they're not giving fair coverage to this trial. I think we all recognize if Dr. Gosnell used an AK-47 instead of a scalpel, the media coverage would rival a natural disaster. Yet barely a peep comes from the mainstream media because it happened to be an abortion doctor who was actually performing abortions.

This is one of those untold stories in our country that we all need to stand up for, Mr. Speaker. That's why we're here today. We're going to continue to stand up for the lives of the unborn and for their rights.

THE GOSNELL TRIAL

(Mr. GOSAR asked and was given permission to address the House for 1 minute.)

Mr. GOSAR. Mr. Speaker, today, I join my colleagues to express my disgust and anger at the barbaric actions of Dr. Kermit Gosnell.

The facts of this case are gut-wrenching. As a father, a Catholic, and a health care provider, I believe in protecting the unborn.

This case isn't only about upholding the sanctity of life, but it is also about patient care and safety. Further, it shows many in the mainstream media will turn a blind eye to the murder of infants if it suits their political agenda.

Regardless of one's abortion position, no one can defend Gosnell's practices, yet his criminal case proceeds without the national outcry for justice that we have heard on other murder cases. Do we value the lives of infants or the health care of mothers who endured such horrific medical care?

The lack of oversight allowing Dr. Gosnell to operate under horrific conditions, perform late-term abortions and murder babies should be scrutinized in the same manner as other serial killers. My hope is our actions today shed light on this case and start a conversation to be sure that this never happens again.

THE GOSNELL TRIAL

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise with my colleagues today to ask why the media has not reported on this atrocity that's been going on related to Dr. Gosnell. I rise as a Member of Congress, but also a minister.

I read an article just recently on this very issue that really brought to my attention what the problem is, why the media won't report. The article, talking about Dr. Gosnell, said:

He regularly and illegally delivered live, viable babies in the third trimester of pregnancy—and then murdered these newborns by severing their spinal cords with scissors.

He overdosed his patients with dangerous drugs, spread venereal disease among them with infected instruments, perforated their wombs and bowels—and, on at least two occasions, caused their deaths.

Over the years, many people came to know that something was going on here. But then, Mr. Speaker, it ends by saying, "But no one put a stop to it."

Until we stand as citizens of the United States, until ministers in the pulpit stand and speak for life itself, God-given, until we return to our foundational principles, the media, our Presidents, no one else will listen to the cries of these innocents. Mr. Speaker, it is time for America to stand in their defense.

THE GOSNELL TRIAL

(Mr. ROE of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. ROE of Tennessee. Mr. Speaker, I stand today to express my horror at the accusations made in the trial of Kermit Gosnell, an abortionist in Pennsylvania. If these charges are true, they're horrific.

Let me speak from my heart. I am an OB/GYN physician who has delivered almost 5,000 babies. In my heart of hearts, I cannot imagine what must have gone on in the guise of health care in that abortionist clinic. It is physically nauseating for me to think about what this doctor did.

Life is a precious miracle, and the children who lost their lives in Philadelphia were blessed with this miracle only to have it so cruelly ripped away from them. Regardless of whether one is pro-life or pro-abortion, we should all agree that these children deserved a chance at life.

This country carries a responsibility and duty to protect those who do not have a voice, including the unborn children of America that represent our greatest silent minority. They're the most innocent among us and deserve the protections we afford to all other people in this great country.

One of government's most important duties is to protect the most vulner-

able among us. I pledge to continue to remember and to strive toward this.

If found guilty, I expect the full weight of the law to be used to punish the accused.

I simply will finish by saying, as a reminder to all of us, what a precious gift of life our children are.

THE GOSNELL TRIAL

(Mr. PERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PERRY. Mr. Speaker, I stand here again today to speak for the underprivileged women and children who suffered under the horrible acts of Dr. Gosnell. And again, as a father of two little girls, just like President Obama, I challenge President Obama to lead in this unspeakable case. It's time for the President to finally acknowledge these acts.

Mr. President, your silence on this issue is deafening. It's deafening, isn't it? When will you stand up and say that we must protect these women and children and ensure their safety? These acts are reprehensible and require your leadership without delay.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

FAA FLIGHT DELAYS

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICE of South Carolina. I rise to speak about an entirely different topic today. And my topic pales in comparison to the death of children at the hands of this awful clinic, so please excuse me for the diversion.

What I rise to speak about today is the sequester and the effects on the Federal Aviation Administration. You see, in my State of South Carolina, our budget is actually less than it was 5 years ago. Whereas, in the last 5 years, the Federal budget has risen by 29 percent. In a time when hardworking Americans are tightening their belts, when State and local governments are tightening their belts, the Federal budget is up 29 percent. We run record deficit after record deficit. Yet with sequester, we're seeking a 2.4 percent cut—after a 29 percent rise in the last 5 years, 2.4 percent.

My State has cut its budget with minimal disruption because the Governor and the legislature have worked together to do exactly that, minimize disruption. This administration, on the other hand, is making every effort to make this 2.4 percent cut as painful as they possibly can.

FAA FLIGHT DELAYS

(Mrs. BROOKS of Indiana asked and was given permission to address the

House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Having served in the city of Indianapolis city government, as well as working for the Federal Government as a United States Attorney and serving my citizens, that's what I thought Federal Government, city governments, and local governments were supposed to do—and State governments. And I've worked at a State higher ed institution. That's what public institutions are supposed to do. They are supposed to serve, and they are supposed to serve citizens.

Many of us travel by air frequently, and we're grateful with the relative ease which air travel allows us to visit, whether it's distant loved ones or travel to conduct business.

Government is vitally important in the service to citizens in air travel. But once again, the Federal Aviation Administration is finding it more important to play politics with air travel and air service than to serve the citizens, which is what government is supposed to do.

The FAA has decided to implement President Obama's sequester by furloughing employees, like their air traffic controllers—vitally important to the service and safety of our country—and causing delays in up to 40 percent of U.S. flights.

This isn't the only way the FAA could save money. There are many other ways the FAA could save money, and they were provided the flexibility to save that money. But instead, in 2010 alone, the FAA spent \$8 million on employee conferences. There are many ways they are not serving us.

□ 1510

FAA FLIGHT DELAYS

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, FAA furloughs of air traffic controllers and threats to delay flights represent an absolutely colossal failure of this administration. The FAA and the Obama administration knew about sequestration. In fact, the FAA knows, and this chart shows that, in fact, air traffic is down some 27 percent in the last decade.

FAA failed to make reductions where air traffic has actually been reduced. The FAA knows which airports they can reduce their workforce. We've got a report here that outlines in detail where we have more air traffic controllers than we need.

The Obama administration is poking Congress and the American people, the flying public, in the eye. There's no reason for this mess. I will tell you this: if Ronald Reagan were President, this whole fiasco would have been over Monday morning.

FAA FLIGHT DELAYS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, these FAA flight delays have been in effect for less than a week and already the American people are suffering. FAA's financial mismanagement is now costing Americans time and money, and yet the administration has done nothing to reverse it.

At a time when families are traveling to see their kids graduate from college, fly across the country to take care of their elderly parents, and make business trips to help support their families, these delays are inexcusable. That's why House Republicans voted twice to replace President Obama's sequester with reasonable and responsible spending cuts—because we wanted to prevent things like this from happening.

So I encourage all of you when you travel home this week to talk to people in your hometown airports, take pictures and engage the people you meet about what they're experiencing and then tweet those stories using the hashtag: #ObamaFlightDelays. And, above all, please join me in encouraging the administration to stop playing politics with the American people.

FAA FLIGHT DELAYS

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, this week, the Chicago Tribune published an editorial that stated what many of us have known for months: the administration is playing political games by attempting to make the sequestration as painful as possible on Americans, especially traveling Americans.

The FAA furloughs announced this week, they're not just wrong, they're irresponsible. The bottom line is the FAA has the flexibility to find money and minimize the impact to the traveling public. Even more concerning is that the FAA has chosen not to implement the furloughs in a way that could protect the most critical air traffic control operations and facilities. They are indiscriminately furloughing everyone in the FAA.

Air traffic controllers are being furloughed at the same rate as non-controllers, and furloughs are being applied at the same rate regardless of the airport size. Waterloo in Iowa is not Chicago O'Hare. The FAA needs to manage better, and they need to do it now.

There is still time for the administration and the FAA to reverse course on these decisions and start making the right decision instead of trying to simply score political points by playing the political game of chicken.

FAA FLIGHT DELAYS

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. Mr. Speaker, we have seen these political games played before with sequestration, and the American people have responded unfavorably every time. This decision to furlough air traffic controllers by the FAA is no different.

Staff shortages as a result of these furloughs led to more than 2,250 flight delays in the first 2 days alone, greatly—greatly—inconveniencing the schedules of many people trying to travel across our country. These delays are all unnecessary.

There are \$2.7 billion in nonpersonnel operational costs that the House Transportation Committee has identified and which could be examined before furloughs that ultimately hurt the American people. The FAA and this administration have decided to inconvenience the American traveler instead of using its flexibility within the agency to enact these cuts in a responsible manner.

When air traffic controllers are being furloughed, yet workers helping implement ObamaCare have been unaffected, it becomes clear on where this administration's priorities are.

I am very concerned with Democrats using this latest example of a manufactured crisis to cut workers, not waste.

FAA FLIGHT DELAYS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, we live in a representative Republic, and so the people expect us at our different levels of government to go to Washington, go to your local State capitols and get the job done and do it right. We appoint people to get these jobs done for us that you expect, whether the President does the appointments or somehow the House and the Senate approve them. And yet Washington, D.C., has fallen down on the job; this administration has fallen down on the job on this issue of FAA and air traffic controllers and delays that can affect real American people.

It's really shameful that we are manipulated in such a way, because what we've seen in recent years, actually since 1996, the budget for FAA has increased 110 percent. And now in this fiscal crisis, this country has seen where everybody is having to cut back, whether personally in our own lives or in government, that we're finding ways to try and trim the cost of doing business of government a little bit.

A 4 percent cut in FAA resulting in 40 percent of our flights being delayed, that's an outrage. It should be an outrage to every individual that we're being manipulated this way at a time,

with a \$16-plus trillion deficit, we can't get this right.

So, missed connections, we're hurting the American public with these delays. We've got to do better. I ask the administration to do better.

CPC HOUR: IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from California (Ms. LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. LEE of California. Mr. Speaker, first, let me just say I'm very pleased to anchor this Congressional Progressive Caucus Special Order on Iraq with my colleague from California, Congresswoman MAXINE WATERS.

Let me also take a moment to thank Congresswoman WATERS, who is the founder of the Out of Iraq Caucus. Congresswoman WATERS had the vision and the determination to pull together Members of the House who really needed some space, who needed to be able to provide legislative strategies and to beat the drum to end this war in Iraq. The country owes Congresswoman WATERS a debt of gratitude, and we thank you very much for that.

I also want to acknowledge Congresswoman Lynn Woolsey, who retired from Congress at the end of last year, but who loomed so large during this Special Order, given her incredible leadership in working to end the war in Iraq and to bring our troops home. She is and remains our sister in arms when it comes to working for global peace and security for our children, all of our collective work.

It was no wonder that many observers called Congresswomen WATERS, Woolsey, and myself "The Triad," but it was actually Congresswoman Woolsey who coined this term in our formation.

□ 1520

We are here today to reflect back on the 10-year anniversary of the start of the unnecessary, immoral, and costly war and to remember and pay tribute to the sacrifices of our troops, those who lost their lives, the injured, their families, and their loved ones, many of whom are still grappling with the scars and the impact of the war. We are also here to reflect on the costs of this war in blood and treasure. On the costs of this war: \$800 billion, 4,486 soldiers, an untold number of Iraqi civilians, countless refugees, and also on the lost opportunity costs of this war to our country.

Instead of spending \$800 billion on Iraq, we could have created jobs, rebuilt our crumbling infrastructure or invested in our schools to provide every child with a 21st century education. Sadly, this list goes on and on. It is especially painful when we understand that this war never should have

happened in the first place. It was a war of choice. It was unnecessary; it was immoral; and it was wrong.

Over 10 years now in the run-up to the war, there were those of us in Congress and millions of people in the antiwar movement who fought the launch of this war. We had questions about weapons of mass destruction claims. We pushed for hearings; we called for a full debate; and we called to halt the rush to war.

In October 2002, the Bush administration pushed for invading Iraq. During that time, I was on the Foreign Affairs Committee. I proposed an amendment, which the Rules Committee made in order. We brought that amendment to the floor, which would have required the United Nations to continue with weapons inspections. At that time, I stated on this House floor that unilateralism is really not the answer. If Iraqi weapons of mass destruction are a problem to the world community, yes, we must confront it. We must do so through the United Nations, and we must determine whether or not there are weapons of mass destruction in Iraq. There were 72 of my colleagues who voted in favor of this amendment, which would have led us to the same conclusion that so many soldiers lost their lives and limbs to reach—that there were no weapons of mass destruction in Iraq. We all know the tragedy that followed.

The Bush administration launched its war of choice, claimed its “mission accomplished,” and chose to send pallets of shrink-wrapped cash and more of our brave young men and women to fight on and on—despite the fact that there was no real military solution to the quagmire that the Bush administration created.

It is important to remember that this war did not go unchallenged, that there was a tremendous groundswell of opposition and that that was critical in demanding its end and in helping to bring it to a close, finally, under President Obama. In Congress, this opposition was centered around the Out of Iraq Caucus, which Congresswoman WATERS, whom I mentioned earlier, founded, and Congresswoman Woolsey and I helped cofound. This was in 2005. Together, we held ad hoc hearings that the Republican congressional leadership refused to hold or participate in. We held press conferences, wrote op-eds, and took the floor to sound the alarm.

Here I need to acknowledge, as I know Congresswoman WATERS will—because I know this is a very important benchmark to acknowledge—that Congresswoman Woolsey on this point delivered 441 floor speeches over the last decade to call for the war’s end.

We worked with our grassroots allies, like MoveOn, Win Without War, Progressive Democrats of America, the Friends Committee on National Legis-

lation, United for Peace and Justice, Peace Action, and with great leaders like Tom Hayden and others, to help build a movement to bring our troops home.

I recall vividly when we marched here in Washington, D.C., past the White House, with hundreds of thousands of protesters in opposition to the war. These marches and rallies and actions happened all across this country. I have to say, in northern California and especially in the East Bay and in San Francisco—the entire Bay Area of California—they were really at the forefront of this effort. Of course we worked the legislative process as hard as we possibly could. There were many members of the Out of Iraq Caucus who led important legislative efforts to end the war:

I recall clearly the efforts of Congresswoman Woolsey, who offered the very first sense of Congress resolution calling for an end to the war and to bring our troops home. From what I remember, she received approximately 132, 133 votes for that resolution, but that was another defining moment;

There was a resolution that I offered very early on to repeal the doctrine of preemption—that’s preemptive war. In other words, let’s start a war to prevent a future war, which the President claimed in waging the war in Iraq;

There was the McGovern amendment, led by Congressman MCGOVERN, who led on the effort to bring a responsible end to the war by calling for a timetable;

Then, of course, my annual Lee amendment: to limit the funding for the safe, timely, and orderly withdrawal of our troops. What this Lee amendment was trying to accomplish was to stop the funding and to end combat operations but to protect our troops and contractors and bring them home.

One of my amendments, the Lee amendment, eventually was signed into law, which was to prohibit permanent bases in Iraq. Now that is and was and continues to be the law of the land. There were so many other efforts led by members of the Out of Iraq Caucus—from amendments, to resolutions, to letters, and to floor actions.

I want to yield now to my colleague from California and just, once again, thank her for her tremendous leadership in case she has to leave early before this hour ends.

Ms. WATERS. I would like to take a moment to express my sincere gratitude and appreciation for Congresswoman BARBARA LEE.

I want to thank her for having the vision to organize today’s activities and to say to me and to our other friend Lynn Woolsey: let us not let this moment pass without reminding this country that it was 10 years ago that we were involved in the invasion of Iraq. Let us talk about the con-

sequences of that, and let us do everything that we can to continue to be a voice for peace.

I want to thank you, BARBARA LEE, not only for today, but I am reminded of the courageous action that you took when you warned us, when there was legislation authorizing the use of military force, that we should have all been against it. However, you were the lone vote in the House of Representatives who voted against that authorization. So I thank you for your work, for your guidance, and for your leadership.

You are absolutely correct. In June of 2005, I became the chair and a founding member of the Out of Iraq Congressional Caucus, along with you, Representative BARBARA LEE, and, of course, our friend Representative Lynn Woolsey. As a matter of fact, we became known as “The Triad.” I want you to know that a combination of actions that we took helped to galvanize this Congress and to increase attention on this very issue. I will never forget the over 441 speeches that were made on the floor by our friend Congresswoman Woolsey. She is not here today because she has retired, but we will always remember the care and concern that she gave to this issue.

On March 19, 2003, the brave men and women of our Armed Forces were ordered into service in Iraq. In the following years, nearly 4,500 of those servicemembers did not return home to the United States, and tens of thousands would come back wounded, injured—their lives changed forever.

I voted against the war authorization in the first place, and in hindsight, I know there are many Members who also wish they had voted against it. It was in that spirit that the Out of Iraq Caucus was established: to bring to the House of Representatives an ongoing debate about the war in Iraq and to urge the return of U.S. servicemembers to their families as soon as possible. The Out of Iraq Caucus provided a real voice in Congress for the individuals and groups who supported these efforts.

We had a membership of nearly 80 Representatives from diverse constituencies. As a caucus, we kept in close communication with congressional leadership and with committee chairmen to drive Congress toward our objective of ending the war in Iraq. We also worked with other congressional caucuses and national organizations to hold hearings, press conferences, and town hall meetings to educate the American people and to pressure the Bush administration to conclude the war in Iraq.

□ 1530

At the time, our most important legislative goal was to end the Iraq war and bring our troops home to their families. Our work helped define the national debate on how this could be accomplished.

We again organized community rallies against a war, we marched in parades, we held press conferences, we worked with the mothers of many of our young men and women who were in the war, who were serving in the war, and we worked with many of the veterans organizations.

I, too, offered a series of legislation to buttress our opposition that our troops must be safely and speedily redeployed from Iraq and that we must work to restore peace in Iraq.

I introduced bills such as H.R. 3134, Responsible Security in Iraq Act; H.R. 5488, Iraqi Displacement Coordinator; H.R. 7215, Human Costs in Iraq Act; H. Res. 1326, Honor Iraq's Sovereignty; and, of course, H. Res. 1519, Press Freedom in Iraq.

On the 1-year anniversary of the founding of the Out of Iraq Caucus, I launched a campaign to inform the public about H.J. Res. 73. Ms. LEE, you will remember John Murtha, the former Member of this House who is now deceased who introduced H.J. Res. 73, now known as The Murtha Plan, which established a reasonable timetable for the redeployment of our troops from Iraq. We all worked with him on that legislation, and we honor him even today for his wisdom and his foresight.

I want to do just one thing before I have to leave, and that is read a letter to President Bush that we all sent funding only for redeployment of troops, if you recall. By the following year in 2007, we as a caucus delivered a letter to President Bush signed by 92 Members of Congress, which stated our intent to only support war funding for the safe and orderly redeployment of our U.S. troops from Iraq.

In the letter, we cited the tremendous human and financial costs of the President's failed Iraq policy. And because of you, BARBARA LEE, I'd like to share this letter because you were in the leadership of this. It said:

Dear Mr. President: We are writing to inform you that we will only support appropriating additional funds for U.S. military operations in Iraq during fiscal year 2008 and beyond for the protection and safe redeployment of all our troops out of Iraq before you leave office.

More than 3,600 of our brave soldiers have died in Iraq. More than 26,000 have been seriously wounded. Hundreds of thousands of Iraqis have been killed or injured in the hostilities and more than 4 million have been displaced from their homes. Furthermore, this conflict has degenerated into a sectarian civil war; and U.S. taxpayers have paid more than \$500 billion, despite assurances that you, your key advisers gave our Nation at the time you ordered the invasion in March 2003 that this military intervention would cost far less and would be paid from Iraq oil revenues.

Remember that?

We agree with a clear and growing majority of the American people who are opposed to continued, open-ended U.S. military operations in Iraq, and we believe it is unwise

and unacceptable for you to continue to unilaterally impose the staggering costs and the soaring debt on Americans currently and for generations to come.

Sincerely.

And it was signed by all 93 Members at that time.

Our efforts gained momentum; and by late 2008, President Bush signed the Status of Forces agreement, which mandated that the U.S. shall completely withdraw from Iraq no later than December 31, 2011, and all U.S. combat forces shall withdraw from Iraq cities before June 3, 2009.

As a caucus, we continue to hold hearings and briefings, as well as speaking on this very floor until President Obama, who initially opposed the war, approved an 18-month redeployment plan that would begin in September of 2009 and end in December of 2011.

Ms. LEE, I'm sorry that I'm going to have to leave the floor because I have a meeting scheduled with the members of our caucus of the Financial Services Committee. But I'd like to say before I leave, again, thank you for your leadership; thank you for your wisdom; thank you for having always been identified as a woman of peace, a woman who understood and believed and worked for peace and who has always believed that whatever our differences are in the world, that we must find ways to have the kind of diplomacy that can resolve these differences.

Some people think that this is not possible, but I know that those of us who believe this will continue to fight and to work for peace on Earth and goodwill toward all men and women.

Ms. LEE of California. Congresswoman WATERS, thank you so much for that very eloquent and profound statement and for your kind remarks. Let me just say to you also that you have been a woman who has always believed that peace is possible and peace is patriotic. So I just want to thank you for your leadership, for being here with us, and just say how proud we are that you are our Financial Services ranking member also. Thank you.

Let me take a moment now to yield to the gentleman from California, Congressman MARK TAKANO, who has been way out there in terms of opposing this war from day one.

Thank you again for being here.

IMMIGRATION REFORM

Mr. TAKANO. I want to thank the gentlelady from California for yielding me some time.

I'm going to switch subjects a little as I want to rise today to express my support for the immigration proposal released last week by the bipartisan group of Senators called the Gang of Eight.

While this bill is not perfect and I have serious doubts about several provisions in it, it shows that both sides of the aisle can work together on issues

facing our Nation, that Democrats and Republicans can work together.

I am pleased that the proposal provides a pathway to citizenship, a fast track for DREAMers, an increase in the number of high-skilled worker visas and an opportunity for immigrants, who have been deported on non-criminal grounds, to apply for readmittance if they have a spouse or children in the United States.

I do, however, have some concerns regarding the legislation, including the fact that it fails to address binational eligible LGBT families.

More than a dozen countries allow same-sex partner-sponsoring, including Australia, Brazil, Canada, Denmark, Finland, France, Israel, New Zealand, Norway, South Africa, Sweden, the United Kingdom, and many more.

The United States should be no different.

Keeping these loving families apart is wrong, and it's bad for the economy.

Take the story of southern California residents Brian and Michael. They met in 2005, became engaged next year in Paris and were married during the brief window during which same-sex marriage was legal in California.

Brian, who's been an educator for over 20 years, teaches humanity courses at a magnet school during the day and at Los Angeles Community College at night.

His husband, Michael, came to the United States from Malaysia on a student visa in 2005, and since then has been the perfect example of the kind of immigrant we want to keep here. He has earned a master's degree in nursing and is currently working on a doctorate in the same field.

Michael and Brian have shared their lives for almost 10 years and cannot even travel internationally to see Michael's family because of the visa restrictions placed on them.

What's going to happen to Michael when he completes his education? Are we really going to break up this family? Are we really going to send a well-trained medical professional back?

The debate on reforming our immigration system is not over. I plan on working with Members of Congress from both sides of the aisle, from both Houses, to ensure that binational LGBT families are given the same opportunities as everyone else.

□ 1540

Ms. LEE of California. Let me go back now to the 10th anniversary of this unfortunate war, Mr. Speaker.

I'm going to introduce now into the RECORD tonight a timeline of some of what we have talked about tonight because they should be remembered and because these efforts and the efforts of the movement that ended this war finally did make a difference, although obviously not as quickly as we wanted; but we did make a difference together.

After years of speaking out and as the toll of the Iraq war stretched the patience of the American people, public opinion started turning. People began asking what were we doing in Iraq. Iraq had no weapons of mass destruction, as the Bush administration told us. Iraq had not been involved in the 9/11 attacks, as suggested by the Bush administration.

Then-Secretary of State Colin Powell made a presentation at the United Nations that was greatly misleading, stating that Iraq possessed extremely dangerous weapons of mass destruction. Some of you may remember the smoking cloud that he talked about. It was just really very, very tragic. He described biological weapons factories on wheels, and estimated that Iraq had between 100 and 150 tons—no, I believe it may have been 500 tons—of chemical weapons stockpiled. All of those claims about weapons of mass destruction turned out to be false.

Secretary of State Powell's own chief of staff, Colonel Lawrence Wilkerson, later said about his own participation in the deception at the United Nations, he said:

I participated in a hoax on the American people, the international community, and the United Nations Security Council.

Iraq did not present a clear and present danger to the United States. Secretary Powell and his staff, they knew this. President Bush, he knew this. Vice President Cheney, he knew this. But they wanted their war and they deceived the United Nations and scared the American public to justify their war of choice.

I distinctly remember the day in May 2003, 10 years ago next week, when President Bush stood on the deck of the USS *Abraham Lincoln* and proclaimed "Mission Accomplished." Of course, the mission was far from accomplished. The war was to drag on for another 8 years.

President Obama committed to ending the war during his campaign; and he, of course, did as President. While the war in Iraq is over, its legacy continues and the lessons still have yet to be learned. We need to look closely at the decisions made, understand the mistakes and misjudgments, and ensure that we never again repeat such a tragedy.

In Ghana, in the Akan language of Ghana, there is a mythical bird that's a symbol. It's called Sankofa. It's a bird flying forward looking back, and the message is that in order to not make the same mistakes as we move forward, we have to look back and we have to know our history. We have to know where we have come from, what we have done in order to move forward, and we should learn from those mistakes. Sankofa.

The Special Inspector General for Iraq Reconstruction issued its final report to Congress just last month, de-

tailoring billions and billions of dollars lost to waste, fraud, and abuse. The occupation of Iraq was characterized by poor planning by the Bush administration, who ignored State Department and USAID analysis envisioning protracted U.S. involvement in Iraq requiring substantial spending for many years.

The Pentagon was left in charge of managing postwar Iraq, and Defense Secretary Donald Rumsfeld famously underestimated the resources needed to stabilize the country. When Lieutenant General Jay Gardner told Secretary Rumsfeld that the United States might need to spend billions of dollars to rebuild Iraq, Rumsfeld responded:

If you think we're going to spend a billion dollars of our money over there, you are sadly mistaken.

Well, of course, it was Mr. Rumsfeld who was sadly mistaken, and the American public who was sadly misled, and the Iraqi people who sadly suffered from the chaos and destruction unleashed by ideologues who used Iraq as a laboratory for a light-footprint war.

Mr. Speaker, unfortunately, those lost opportunities and tragic mistakes are not behind us.

I would like to take a moment now and yield to my friend and colleague, a woman who has consistently been against the war and has stood for peace all of her life, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE. I thank the gentlelady from California, and I particularly thank you for your astuteness on bringing us together. If I might reflect on memory lane that was very painful, we traveled a lot together, and I think of the moments in history on the Iraq war. The rising up of the American people was powerful, from San Francisco to places in between, to the quarter of a million people that walked down 53rd and 57th Street in New York on a cold morning in January.

People all over America recognized that it was not these brave men and women that you see here. And I brought pictures of wonderful families and men and women who were called to serve who we continue to honor and appreciate. I thought it was important to acknowledge that our soldiers have families. We see it all the time. My district is near Ellington Field, and it is increasingly becoming a base utilizing the talents of young Americans who are willing to volunteer. So I take this 10th anniversary, as well, to pay tribute to them and those who still serve in foreign fields around the world. We know that they still serve in Iraq and Afghanistan.

So we come here today on the 10th anniversary simply to ask the question: Why? And when we ask the question why, it is not a selfish question on behalf of Members of Congress. It is a question on behalf of those brave men and women who, no matter who calls

them as Commander in Chief and for what cause, they accept the cause. For that reason, it is imperative that we understand the battle into which we send them.

In the Iraq war, it was alleged there were weapons of mass destruction. We have come to a fairly complete conclusion that there were no such weapons. We all knew Saddam Hussein, and none of us adhered to his despotic and horrible governance. But I will tell you, my colleagues thought the same thing, that our approach should have been different. The bloodshed not only of the young men and women that you see here, some of their comrades were lost, but the millions, the numbers of Iraqi people who themselves, their lives were lost and of course still continue to be in danger.

The Iraq war saw more than 4,400 brave men and women who wore the United States uniform make the ultimate sacrifice, and tens upon tens of thousands who in actuality were wounded. Over 32,000 of the men and women who came home suffered wounds. But as we know, those numbers have risen. Some 3,000 of the wounded call Texas their home, 500 lost their lives. We know the scars that were left on families—mother, fathers, children, and wives. We realized that we needed to make a better judgment.

As the tragedy unfolded in Boston, one of the emergency physicians, one of the medical professionals, said they knew exactly what it was because they had been to Iraq, and they understood the sound of the IEDs. How many of our brave men and women encountered these makeshift IEDs that tore through their body and either killed them or completely amputated or caused the amputation of their arms or legs and the disfigurement of their face. We see them now. We call them wounded warriors. We call them heroes, and certainly those who followed in Afghanistan.

But this 10th year reminds us to ask: Have we made the progress that we should have? The gentlelady spoke of the moneys, \$800 billion that has directly contributed to the Nation's deficit, and the amount of money that was supposed to be used for restoration; and because there was no infrastructure in Iraq, we made our Army personnel be the little government.

□ 1550

We made soldiers be the ones that had to interact with the village leaders and the chiefs, and carry monies to them. No, nothing accounted for; just good intentions, following orders. But we cannot account for those dollars. We don't know if they made a difference. We don't know if they helped bring Iraqis home. We don't know if they helped build schools or hospitals.

So I think it is important to note that when we make decisions regarding

war, we need to think about soldiers holding their families and loving their families. We need to think about the better way to go, and we need to ask those whose war we fight—Saddam Hussein is gone—the people whose war we fight, the conflict between the Shiites and Sunnis.

We need to understand our history as to whether or not a war that would see the loss of all these brilliant young people, divide families, whether or not we can bring some measure of peace, some comfort, some stability.

And I'd venture to say today that we have not. And I say this to the head of Iraq, the leader, Mr. Maliki, for his participation in the ongoing conflict in Iraq, because that is the case.

There is no coming together of the Shiites and Sunnis. There is a cluster of a government that hides in the walls, that does not go out and try to bring peace to the people. And I give you one example, Mr. Speaker, that troubles me over and over again—it is the Iranians who left Iran.

We know the conflicted issues and alliances were all, if you will, misunderstood; old alliances, friends and enemies. We understand that. But this is supposed to be a peaceful nation now, and there are Iranians who fled the despotic Iran, and have become, in essence, enemies of Iran.

They started out in Camp Ashraf. They were called rebels and terrorists. They have now been vindicated, and they're not called that anymore.

But let me tell you what the present government of Iraq allows. They allow, in the camp that was Camp Ashraf that is now Camp Liberty, bombs to go in from the Iraqi soldiers. They allow no medical care to come into that particular camp.

Just yesterday, the Friends of Iran, American Iranians were here, and they had 10 people or more, their faces, who had died in that camp because the government of Iraq, the government that we shed blood for, that we asked to be a peaceful nation, is, in essence, attacking people on their soil who are unarmed, who are not interested in war, who fled because they'd been persecuted.

And they don't allow them to get access to cars, access to hospitals, and so people die from sicknesses because they could not get care.

When we go into battle and send our troops into battle, shouldn't we ask the question of what is the ultimate result?

We understand that democracy in its structure that is here in the United States cannot only be the structure that fits every community, every nation, every faith. But what I would say to you is that we bring one of those C-130s, big C-130s that many of us have rode on to go into Iraq. And I spent many hours there, nothing in comparison, of course, to those who served, but

I'm grateful I had the opportunity to go and serve and see those individuals who served, and to sit down with those from Texas and to break bread with them.

When we land one of those C-130s, why don't we know, and shouldn't we know our purpose, our goal, what is our ultimate direction that we would like to see?

Not the dominance of the United States over this nation that we help but to be able to know that they, too, stand for democracy and peace.

I want to thank the gentlelady from California for allowing me to share this time with her, and to say, it's important to remind us of the 10th anniversary, one, to say thank you, for when we land these C-130s and these men and women come out ready for battle, they are wearing our uniform and our flag but, at the same time, we must ask the question, for what? For what results? For what long-range results? For what peace? For we owe that to them.

I ask that we consider those in Camp Liberty and we find relief for them. I thank the gentlelady very much.

Mr. Speaker, I rise in solidarity with my fellow members of the Congressional Progressive Caucus to speak in recognition of the 10th Anniversary of the Iraq war. I want to thank my colleagues, Representatives LEE and WATERS for anchoring this Special Order.

On March 19, 2003 President Bush launched invasion of Iraq ten years ago under a cloud of questions about the motivations for the invasion. Today we see the toll of this war on our young military men and women, their families and communities across our nation.

First and foremost, I would like to thank our troops who served in the Iraq war, but more broadly I would like to thank all members of the armed forces for their courage and heroism under circumstances that few of us could imagine. As Members of Congress we have, regardless of our view of the wisdom of entering into armed conflict with Iraq, have always stood in strong and unwavering solidarity with our troops.

Part of our role as representatives in Congress is to give voice to the plight of our constituents that include men and women in the armed forces—many of them served tour after tour after tour without break; and in the beginning of the war had insufficient equipment to protect them from IEDs which cost the nation countless lives and left many with traumatic life changing injuries.

We cannot forget their sacrifice and heroism in the face of what was asked of them. In April of last year the great city of Houston, which I am proud to represent, hosted a Bayou City-style parade honoring the homecoming of the American troops. This gesture of thanks defines the support that Houston has for our troops in any situation.

During the course of the Iraq War more than 4,400 brave men and women in uniform made the ultimate sacrifice and over 32,000 were wounded. Of these brave men and women more than 500 of the fallen and 3,000 of the wounded call Texas their home.

In 2003 I fought with many of my colleagues in the Congressional Progressive Caucus to

ensure that the order to proceed with the Iraq War did not pass the House, but our efforts were not successful.

Although we have withdrawn from Iraq it is imperative to understand that the withdrawal is not synonymous with the end of the war on terror. It has been my stance since the beginning of the war that there are different steps that must be taken to combat terror—which include diplomatic and humanitarian efforts.

The war also had an economic cost to our nation, which we are still paying and will continue to pay until our colleagues on the other side of the aisle resolve to battle the economic threat at home with the vigor of the fight against a less than creditable threat many thought they saw in Iraq 10 years ago.

The monetary cost of the war exceeded \$800 billion, which directly contributed to the nation's deficit that is now trying to be mended by the Sequester. More worrisome, the long-term costs from the results of the war are expected to exceed \$3 trillion.

Since our withdrawal, insurgencies have erupted across the country of Iraq. Iraq has been seen to gravitate towards Iran, a nation that has openly been hostile towards U.S. mission, and one that has proven to be a source of destabilization in the area.

The remedies to these issues once again come from intelligence and diplomatic channels that do not include invasions like the one the United States so hastily entered into with Iraq.

The tactical withdrawal from Iraq can be seen with some high regard as a template for how to end the war in Afghanistan, and exit the region safely and decisively. As a nation we must turn away from this past decade of occupying countries in the name of fighting terror. These endless occupations delay the creation of opportunity within our own nation, which must be one of the priorities as we attempt to overcome the economic hardships facing the nation.

In closing, I would once again like to extend my deepest gratitude to our troops fighting across the nation on the 10th Anniversary of the Iraq War, and would like to thank my Congressional Progressive Caucus colleagues again for hosting this event.

In this post-Iraq time we must turn our attention to helping our men and women who have fought bravely overseas to ensure our freedom and the promotion of democracy.

Earlier this week a new Veterans Affairs outpatient clinic was opened in the Houston area, which will shorten the distance between Houston veterans and the care they need. The nearly 30,000 square foot establishment provides primary health care, mental healthcare, women's specialty care, x-rays, optometry, physical therapy, occupational therapy, ENT (ear, nose and throat) and audiology. The new center will have a fully operational laboratory by July, as well as a visiting cardiologist and surgical physician's assistant for minor procedures.

The new clinic is expected to service 7,000 to 8,000 veterans within its first year of operation and create more than 50 paying jobs.

The Houston area clinic is one of many community-based clinics that have been established in response to the growing number of Iraq and Afghanistan veterans returning

from war. It is vital that we keep these veterans, and current soldiers, in mind as we develop policies to ensure their care and wellbeing.

Ms. LEE of California. Let me thank the gentlelady from Texas for that very profound statement and presentation. And just let me say to you that, as the daughter of a 25-year veteran of the Armed Forces, I am deeply thankful for your bringing forth the faces of our Armed Forces.

And also, talking about the obstacles now that they're facing upon their return, I'm especially concerned with the widespread and often undiagnosed incidents of PTSD and the alarming suicide rates among our soldiers.

The back claims, the Veterans Affairs losing records, denying claims that are clearly service-related. I want to acknowledge Congresswoman JACKIE SPEIER and her work in our area and throughout the country to try to address the backlog of claims of our veterans who don't deserve to be treated this way.

Since the invasion of Iraq 10 years ago, over 2,000 current and former servicemembers have committed suicide. The lessons from this tragedy cannot be any clearer. It's a lot easier to get into war than to get out of one.

It's my hope, Mr. Speaker, that this reckless and shortsighted decision will mark a turning point in American history, and that we will be more careful about war and use all of the tools of American power, as Congresswoman Woolsey so eloquently talked to us about and introduced over and over again, SMART security that should be used in resolving disputes, including diplomacy.

Let me ask you, Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 21 minutes remaining.

Ms. LEE of California. I would like to know if the gentlelady from Texas has anything else to say. Otherwise, we will close.

Let me just use a bit more time and say that there's no military solution in Afghanistan either, so we must absorb that fact and learn, again, what we learned in Iraq. And we need to bring the war in Afghanistan to an accelerated end.

We need to stop throwing good money after bad, poorly conceived and poorly managed reconstruction efforts, and bring our troops home now.

And we need to repeal the 2001 Authorization For the Use of Military Force, which Congresswoman WATERS mentioned, which I voted against right after the horrific events of 9/11. This overly broad blank check has underwritten the past decade of perpetual war.

I have a resolution, H.R. 198, it's the Repeal of the Authorization For the Use of Military Force. This will remove one of the underlying legal justifica-

tions for targeted drone killings that has been invoked over and over again, this time, targeted killings, to justify a wide range of activities, including warrantless surveillance and wiretapping activities, and, yes, a blank check for war anywhere, any time, for any length of time.

I hope those who are listening and who care about this, go back and read that resolution of 9/14. What it said was the President, and I'm paraphrasing now, but it was the President is authorized to use force against any nation, organization, individual, deemed connected to terrorism and the 9/11 attacks.

Now, this was in 2001. 2001. No end game, no timetable, a blank check, perpetual war until this is repealed. So Congress really needs to reassert its constitutional authority in the matters of war. Our Founding Fathers were very deliberate in placing war-making powers in this body. In a democracy, such as ours, we have this system of checks and balances.

On 9/14, we did not have a full debate. From what I remember, it may have been an hour, it may have been 2 hours. But we did not fully debate that blank check and what that meant by authorizing then-President Bush, now President Obama and any future President, to use force in perpetuity.

□ 1600

We can no longer abdicate our constitutional duties allowing any President to engage in hostilities without debate, without oversight, and without accountability.

And I want to commend Senator DURBIN for conducting hearings this week looking at the constitutionality and the rationale for targeted killings using drones. This was a very important hearing. I was able to sit through some of that hearing, and it was very revealing. Actually, there was a young man from Yemen who received a State Department scholarship. He went to school here, had gone back to Yemen, and his village was devastated by drones.

So you can see what's happening now. There are more and more hostilities, unfortunately, toward the United States, unless we get this policy straight about the lethal use of drones and have congressional oversight and debate and really exercise our constitutional responsibility to really declare war, if that's what we're going to do.

And so as we embark into this new age of modern warfare, we do need rules. We need oversight; we need accountability; and we need to develop an international legal framework on drones.

And we understand asymmetrical warfare and the new world in which we live. None of us have our head in the sand about that. We just need to make sure that Congress has a role in debat-

ing exactly how we're going to, if we're going to, and when the appropriate use of force is necessary.

For me, personally, I believe in SMART Security; and I know that that will lead to a world that our children deserve and is worthy of our children's future.

So let's put this decade of perpetual warfare behind us. We should bring our troops home. We should invest in our veterans and our children, create jobs here at home and really begin to invest in our future for the sake of our children and our grandchildren.

I have this chart here to show you just in terms of the fiscal implications of what these policies have brought. When you look at the deficit, with the war and the economic policies of the Bush era, the tax cuts, we're looking at this line right here. Had these unfortunate policies not occurred, our deficit would be down here. This is very clear. This was put forth by the Congressional Budget Office in February. These are their estimates.

It's very clear, I hope, to everyone that the failed economic policies of the Bush administration and the wars in Iraq are the major contributing factors to the economic crisis that we find ourselves in. And so, aside from the human toll that this 10-year war and the war in Afghanistan has taken, we have a real crisis now, an economic crisis in this country that we need to come to grips with. Our senior citizens did not cause this crisis. Our children did not cause this crisis. The poor, our middle class individuals, and families did not cause this crisis. And we cannot forget what has taken place over the last 10 years of this unbelievably terribly sad time in our history, where we lost so many lives and we lost so much time in terms of rebuilding our country for the future of our children.

I yield back the balance of my time.

KEY IRAQ VOTES FROM THE 109TH CONGRESS

H. CON. RES. 35 [109th]

Latest Title: Expressing the sense of Congress that the President should develop and implement a plan to begin the immediate withdrawal of United States Armed Forces from Iraq.

Sponsor: Rep Woolsey, Lynn C. [D-CA-6] (introduced 1/26/2005) Cosponsors: 34

Committees: House International Relations

Latest Major Action: 1/26/2005 Referred to House committee. Status: Referred to the House Committee on International Relations.

H. RES. 82 [109th]

Latest Title: Disavowing the doctrine of preemption.

Sponsor: Rep Lee, Barbara [D-CA-9] (introduced 2/9/2005) Cosponsors: 15

Committees: House International Relations

Latest Major Action: 2/9/2005 Referred to House committee. Status: Referred to the House Committee on International Relations.

H. AMDT. 214 [109th]

(A009)

Amends: H.R. 1815

Sponsor: Rep Woolsey, Lynn C. [D-CA-6] (offered 5/25/2005)

AMENDMENT PURPOSE:

An amendment numbered 26 printed in House Report 109-96 to express the sense of Congress that the President should develop a plan for the withdrawal of U.S. military forces from Iraq, and submit this plan to the congressional defense committees.

STATUS:

5/25/2005 6:20 p.m.: Amendment (A009) offered by Ms. Woolsey. (consideration: CR H4035-4040, H4043; text: CR H4035)

5/25/2005 7:53 p.m.: On agreeing to the Woolsey amendment (A009) Failed by recorded vote: 128-300 (Roll no. 220).

H. CON. RES. 197 [109th]

Latest Title: Declaring that it is the policy of the United States not to enter into any base agreement with the Government of Iraq that would lead to a permanent United States military presence in Iraq.

Sponsor: Rep Lee, Barbara [D-CA-9] (introduced 6/30/2005) Cosponsors: 86 Committees: House International Relations

Latest Major Action: 6/30/2005 Referred to House committee. Status: Referred to the House Committee on International Relations.

H. AMDT. 750 [109th]

(A050)

Amends: H.R. 4939

Sponsor: Rep Lee, Barbara [D-CA-9] (offered 3/16/2006)

AMENDMENT PURPOSE:

An amendment to prohibit the use of funds from being available to enter into a basing rights agreement between the United States and Iraq.

STATUS:

3/16/2006 4:39 p.m.: Amendment (A050) offered by Ms. Lee. (consideration: CR H1107-1110; text: CR H1107)

3/16/2006 5:04 p.m.: On agreeing to the Lee amendment (A050) Agreed to by voice vote.

H.R. 5875 [109th]

Latest Title: Iraq War Powers Repeal Act of 2006.

Sponsor: Rep Woolsey, Lynn C. [D-CA-6] (introduced 7/25/2006) Cosponsors: 26 Committees: House International Relations

Latest Major Action: 7/25/2006 Referred to House committee. Status: Referred to the House Committee on International Relations.

SECOND AMENDMENT RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

Mrs. HARTZLER. When I was 10 years old, I got my first job. It would require skill and perseverance and patience, and it would have a real potential economic impact on our family hog farm. My dad hired me. He paid me 15 cents a unit.

What was my job? It was shooting sparrows around our farm. At that time, there was a disease going around rural America, and sparrows were taking it from farm to farm. So it had a real practical purpose.

But, as I'm a parent now, I look back on it. I used to tag around with my dad all the time, and I wonder maybe if he just kind of wanted to give me something to do, in addition to a job.

But I had a lot of fun that summer going around the grain bins and the sheds on our farm and our buildings and trying to catch that bird unawares. And I think over the entire summer, I may have earned around 45 cents. So it wasn't a big money maker, but I sure had a lot of fun.

And I learned some important things. I learned that using firearms can be a fun hobby and hunting can be fun; also, that using firearms can have a real practical purpose. And over the years, I've shot a lot of different kind of firearms now and different sizes, but I really appreciate what our Founding Fathers did when they established our Second Amendment and gave us that as our basic right.

This afternoon, my colleagues and I want to highlight not only why the Second Amendment is important to us and to the people in our districts, but how it is also important to this country. We want to dispel the myths that decisions about how to address violence are based on facts and not emotions.

As a lifelong gun owner as well as a former public schoolteacher, I appreciate the thoughtful discussion that our country has been having after the tragic school shooting in Newtown, Connecticut. My heart has gone out to those families, as I know everyone in America's heart has, and our prayers as well. We want to understand the desire to stop the violence. I share that goal but believe that many of the proposals being put forth miss the mark. So let's look at some of the proposals and compare them to the facts.

One proposal that is being talked about and has been talked about is to ban what's called assault rifles. Well, the fact is that lawbreakers ignore the laws. Banning firearms would only take guns away from our law-abiding citizens and ensure that lawbreakers have guns.

I was watching TV a couple of weeks ago, and I saw the sponsor of the Senate bill to ban these assault rifles and she was giving a rationale why she thought it was important. She was saying, Well, gangs in California have assault rifles, and we've got to get these off the streets and out of the hands of our gang members, so we need to pass this bill. And I just kind of scratched my head and thought, Do you really believe that gang members are going to listen and pay attention to a law that Washington, DC, passes? They break laws every day. I really can't see them getting together and having an organizational meeting and saying, Well, let's have the legislative report and have the gentleman, the gang member, say, Well, they passed a new law in D.C., so I guess we can't use assault rifles anymore.

We've got to look at the facts about whether passing this law would really address violence. In this case, it certainly wouldn't.

As far as that legislation, also the word "assault" is an adjective. It is not a gun. What gun control advocates call an assault rifle is actually a regular rifle with only a few cosmetic differences on the outside, such as a pistol grip, a hand guard, and a removable magazine. It is misleading to label firearms with negative words in order to advance a gun control agenda.

The fact is that more deaths have been inflicted using fists and knives and baseball bats than with a gun. In fact, one-and-a-half times as many homicides are committed with blunt objects such as a baseball bat, over two times as many homicides with fists, and five times as many with knives.

So why aren't proponents of bans on firearms calling baseball bats assault baseball bats or assault knives? Well, the reason is because the American people know that objects are only tools of people who wish to do others harm. They are not the cause. Now, it's a slogan, it's a bumper sticker, but it is true: guns don't kill people; people do.

So that's one proposal that I think misses the mark.

Another proposal is to create universal background checks. Well, the fact is that the vast majority of gun sales already have background checks with the sale, because all firearm sales through dealers must complete the instant background check. The only transactions that do not require the background checks are sales between individual gun owners; and they are not the problem. Requiring law-abiding citizens to have to go to a dealer and get a background check on their neighbor in order to sell him a gun would do little to stop mass killings.

Imposing the new law would not have stopped the Sandy Hook killer. He stole the guns he used to carry out his evil scheme. The same with the Aurora, Colorado, shooter in the movie theater. He actually had passed a background check. So passing a new law like this does not really address the issue.

□ 1610

It's time for all of us to address the real issue of how to protect our children and schools rather than to use a tragedy to impose more government control on law-abiding citizens or infringe on our Second Amendment rights.

Several of my colleagues are going to join me today to share their insights into why the Second Amendment matters to them and their constituents, and to discuss how to address the real issues of violence in our country.

I would like to start off with my fellow colleague from the great State of Missouri (Mr. LUETKEMEYER). So gentleman, what would you like to share about our Second Amendment rights?

Mr. LUETKEMEYER. Thank you, Congresswoman HARTZLER. It's always

good to work with another fellow Member from Missouri, the Show Me State, where we can give some folks a little insight as to what's going on.

Mr. Speaker, when I was growing up in rural Missouri, firearms were a regular part of my life. Beyond learning how to safely handle firearms while hunting and shooting, I learned also to respect them. Like so many parents, I made sure those same lessons were instilled in my own children.

It is because of the efforts of parents or adults who can have a positive influence on a child that the culture of safety and respect toward firearms have been so well maintained in rural America. Our communities and families work very hard to ensure this heritage, and it is very upsetting when lawmakers—many of whom know nothing about firearms—attempt to place limitations on our Second Amendment right to keep and bear arms.

The Second Amendment is, in fact, a primary constitutional right that sets America far apart from nations around the world. Our Founders got this right. They knew ensuring the right of a citizen to keep and bear arms would always be vital to ensuring personal freedoms.

I have spent my time as an elected official—first in the Missouri State House of Representatives, and now in Congress—working to protect the Second Amendment. However, not only is it important to protect the right to own the gun; it is also important to protect the privacy of the information about the ownership of the gun and the conceal-carry permits and things like that.

I will give you an example. In my State just recently—in fact, we're barely finished working on this—it has come to our attention that the Department of Revenue and Highway Patrol, in working in conjunction with the Social Security Administration's Inspector General, was looking into getting control of the conceal-carry permit list of all the folks in the State of Missouri to compare it for mental health disability fraud in our State. While we were satisfied in going through all the different informational checks and crosschecks with regard to the Federal side of this—that they did everything legally they were supposed to do as well as the information was protected and not compromised—it still pointed out some of the looseness and sloppiness that went on with regards to the way that the State folks handled our information. To me, that is something that we have to be constantly watchful for.

Someone once said the price of freedom is eternal vigilance. I think with regard to Second Amendment rights, it certainly is something that is very true.

Mrs. HARTZLER. I thank you, gentleman. I think well said there. Our

rural heritage is based on our Second Amendment rights, and well said.

Certainly, being from Missouri, I appreciate your work—and we've worked together on this. This is a very real concern. I call it the Department of Revenue debacle.

I certainly appreciate State Senator Kurt Schaefer and others there in Missouri who have been on the forefront of getting to the bottom of this and how our conceal-carry list was released to Federal authorities without all of the permissions and all of the safety guards in place. That is very, very disturbing. So thank you for your work on that and for your comments.

I would now like to yield to a new Member here, who has just hit the ground running and who brings so much to our whole delegation with his service. I appreciate the gentleman from New York (Mr. COLLINS), and I would be happy to yield time to you, gentleman.

Mr. COLLINS of New York. I want to thank both the gentlewoman and gentleman from Missouri for their comments.

Mr. Speaker, I come to the House floor this afternoon to stand in support of the Second Amendment. I also proudly stand here in support of all the law-abiding gun owners in New York's 27th Congressional District and all across our country.

As a father and a grandfather, the recent violent tragedies in our country have left my heart heavy. But as a gun owner with a carry permit, I proudly carry my dad's Ithaca .45 from World War II. As a Member of Congress representing thousands of law-abiding gun owners, I join my colleagues and say we refuse to allow these tragedies to be used for political gain.

These recent crimes should not be used as a pretense to weaken our constitutional rights. And law-abiding citizens should not fall victim to additional laws and regulations which have no impact on reducing crime.

Let us not kid ourselves. What was recently proposed in the Senate and what has recently become law in my home State of New York would have done nothing to prevent the Newtown or Christmastime shootings of firefighters in Webster, a community just outside my district.

I strongly support the Second Amendment and the right of an individual to protect themselves and their family. The actions of depraved killers should not punish law-abiding gun owners. And the actions of this Congress should not pick away at the rights guaranteed by our Constitution.

Mrs. HARTZLER. Thank you, gentleman. That is well said. Tragedies should not be used for political gain. That is so true. We want to get at the heart of what causes violence and how to protect children, and not just pass laws that wouldn't even address the problem.

I'm glad to see my colleague from South Dakota here. She is quite a champion of gun rights. We're looking forward to hearing your comments, lady, about the Second Amendment.

Mrs. NOEM. Well, thank you. I appreciate that, and I thank the gentlelady from Missouri for her leadership on this issue.

You know, people sacrificed for the rights that we have. The Constitution is so important to me. It's important to the people of South Dakota and to my family, and the Second Amendment is very dear to our heritage.

That's why I wanted to come to the floor today, because I wanted to talk about how the Constitution guarantees us the individual's right to keep and bear arms. That's why I strongly support the Second Amendment.

This right isn't abstract to me. It's part of my family's heritage, and it's my State's culture. I am a gun owner and a member of the Congressional Sportsmen's Caucus. I'll continue to fight and defend this right for the people of South Dakota and for our way of life.

You know, the Second Amendment has been described in many different ways over the years, such as it is there to support our natural rights of self-defense. It is there for resistance of oppression. It even was described as a civic duty to act in concert in the defense of the State. These are all reasons that we need to make sure that we are continuously talking about the benefits of this right, what it means to mothers and fathers who are protecting their families, and what it means to us growing up in a country where people sacrificed, bled and died to protect the rights that we had.

You know, growing up in South Dakota, I've always had an enormous amount of respect and appreciation for the outdoors and for hunting. If you aren't familiar with South Dakota, I'll tell you that hunting is a very important part of it. It's one of our greatest traditions and ways of life across the State.

I grew up hunting and taking hunting trips—sometimes for weeks on end, one- or two-week trips to the mountains to hunt with my dad and my brothers. It was good family quality time. We had a lot of conversations while we were enjoying the outdoors.

The first person that taught me how to hunt and to carry a gun correctly was my grandmother. She and I and her black lab BJ would go out and spend hours together. It was during those times that she not only taught me the proper way to handle a firearm and to enjoy the wildlife, but also life lessons that I don't think I would have gotten if I hadn't spent that much time with her in the outdoors enjoying that heritage.

This belief in the Second Amendment is critically important to South Dakotans, and I certainly appreciate the

fact that I had the opportunity to enjoy it. Now I have the chance with my own kids and with my husband, Brian.

Opening day of pheasant season is always big in South Dakota. It's a family reunion, but obviously there are many, many friends that show up for that as well. It starts with a big breakfast. We all gather together for good entertainment and conversation until it's time to go out and start enjoying the day together. It's a tradition that we don't want to lose. Every year, sportsmen and -women flock to South Dakota to enjoy this tradition and take advantage of our State's abundance of hunting and wildlife.

I want to give you a few facts about South Dakota. With over 700,000 acres of public hunting land, South Dakota is home to the Nation's best pheasant hunting, and it's the pheasant hunting capital of the world. In fact, last year, pheasant hunters were able to put 1.55 million roasters in their game bags.

In 2011 alone, the pheasant hunting season had an economic impact of over \$225 million to our State. It's our number two industry as tourism, and a big part of that happens during the hunting season. A majority of the money spent from that \$225 million comes in from out-of-state visitors.

Hunting and maintaining a healthy habitat for wildlife is one of the great things that I appreciate about South Dakota, and it's why I'm so proud to call it home.

During the debates that have occurred here in Washington, DC, recently, I received many, many—thousands, actually—letters from South Dakotans. I just want to read a couple of excerpts from a couple of those if I have the chance.

The first one was from Kevin in Aberdeen. He said:

I urge you to oppose any and all antigun legislation that will simply penalize law-abiding gun owners. Instead, focus on improvements to our Nation's mental health system and enhancing school security, while respecting our Second Amendment rights.

Mike, who is also from Aberdeen, in talking about a bill that had been proposed said:

This is clearly the wrong answer for a real issue. Taking away a right that has been proven to save lives time and again is the wrong reason against obvious mental issues and security lapses.

□ 1620

The last one I want to touch on is from Greg. He says:

I agree that work needs to be done to keep weapons out of the hands of mentally ill individuals, but this isn't the answer. I regularly use a rifle that would be banned under some proposed legislation when controlling coyotes and the rabbit populations on my farm. I've also used the rifle for controlling prairie dog populations on other landowner property, in addition to hunting on public lands.

That's one of the things you don't talk about a lot. For many people in the middle of the country out in western South Dakota, they simply wouldn't be able to be in business anymore if they didn't have the opportunity to control predators that could wipe out their entire livestock herd. The Second Amendment guarantees them the right to have the ability to do that.

This is just a small glimpse into the traditions that we have in South Dakota and the heritage that gun ownership offers all of us.

I want to thank the gentlelady for giving me the opportunity to talk about that. The Second Amendment is critically important. It needs to be defended, and I was very proud to stand here and do that with you today.

Mrs. HARTZLER. Thank you, lady. It was sure important, I think, that those voices from South Dakota would be heard and how it is a part of a heritage of so many people in this country and how it has very practical and real benefits to the citizens. We need to focus on solutions that are based on facts and not emotions.

One thing that the lady talked about is that it is a constitutional right. And I wanted to just reiterate that the U.S. Supreme Court has affirmed that gun ownership is an individual right. In *District of Columbia v. Heller*, the U.S. Supreme Court held that DC's complete gun ban infringes on the Second Amendment rights of the DC citizens, and it clarified that the Second Amendment guarantees a fundamental individual right to have a firearm in the home.

So this isn't something just that was talked about and established years ago when our country was founded; it has been upheld recently. We are very thankful for that and want to continue to protect that right.

We have a gentleman here from Texas, who I'm sure knows all about rights and wants to share a little bit about Texas views on why it's important to have our Second Amendment rights. This is BLAKE FARENTHOLD, and I yield to the gentleman.

Mr. FARENTHOLD. Thank you very much.

As I was listening to the gentlelady from South Dakota (Mrs. NOEM), her stories about growing up around firearms and the quality time that she spent with her grandmother learning marksmanship and learning gun safety and learning about life in the outdoors really struck home with me.

I remember growing up with my grandfather, driving around the ranch learning to shoot a .22, moving up and learning how to shoot a shotgun and learning how to do so safely. In Texas, gun control is hitting what you aim at, and that's part of growing up, with an understanding of firearm safety and marksmanship. It's part of many

American's lives, just like it was a part of my life.

I got a lot of letters as the debate about gun control was going through the Senate, as well, urging me to continue to stand up for the Second Amendment rights that our Founding Fathers realized was so important—the right to bear arms; the right that those in the Revolutionary War fought for.

One of the letters came just this week from a student and a Boy Scout named Caleb. He said:

Dear Representative Farenthold:

I wanted to thank you for your beliefs on gun control in our State. I believe that we all have a right to bear arms and protect ourselves if we are in harm.

And that really kind of sums up the feeling of a lot of folks in Texas and a lot of the farmers and ranchers that I represent.

As Representative NOEM was talking about, spending time shooting with her children, one of the things that I look back on in raising my daughters—they are now in college—and you look back and think, well, what should I have done? I should have spent more time outside with them. I should have spent more time passing on some of the things that I've learned. But there's still an opportunity.

Morgan, my 24-year-old daughter, came to me just a couple of weekends ago when I was back home in Corpus Christi and said, "Dad, can we take a concealed-carry class together this summer?" So that's on the agenda for when I'm back in Texas is passing on the tradition of the safe and responsible use of firearms in my family.

I'm looking forward to spending time with her in that concealed-carry class, and I hope it instills in her the same passion that I have for the sport of shooting. If this plays out well, we're going to spend time on the skeet range; we're going to spend some time out hunting. It's something that I'm really looking forward to. It's an important part of America. It's an important part of folks' family lives.

The Second Amendment has got to be protected, and the traditions of safe firearms use in this country needs to continue for a myriad of reasons—just more reasons than I can list.

I see you've got quite a few other people here who want to talk about their experiences with the Second Amendment and their beliefs, so I'm not going to eat up all the time. Thank you.

Mrs. HARTZLER. Thank you very much, BLAKE. I'll look forward to hearing how it goes in August with your daughter there.

I think you made a really great point about the important role of protection and how firearms provide a very practical and very, very vital role in self-protection. Estimates range anywhere from 83,000 times a year up to perhaps 1 million times a year citizens of this

country use firearms in order to protect themselves. In Missouri, let me share with you just a couple of examples.

In 2008, there was a woman in Cape Girardeau who endured a horrific crime. Someone broke into her apartment through a window and she was raped. Two days later she came home and that person was there again. She had the window repaired, but they were there. This time, though, she was prepared. She had borrowed a friend's shotgun, and she protected herself this time with the shotgun and the outcome was totally different and the person is in jail now.

There's another example in Kansas City. There was a man who had a restraining order against someone who was trying to do him harm. He entered his home and, once again, he was attacked by this person with a knife. But, thanks to having a gun in the home, he was able to stop him, and that person is behind bars as well.

We could go on with many, many examples, but Americans every day use their Second Amendment rights to protect and defend their families and themselves. It is so important that we keep that ability to do that. That's why our Founding Fathers established this right.

Now I would like to turn to my friend from Michigan, TIM WALBERG, to share your thoughts on the Second Amendment. Gentleman, thank you for being here.

Mr. WALBERG. I thank the gentlelady, my friend from Missouri, for holding this opportunity for us to speak on the Second Amendment.

I've often said at town hall meetings that we're talking about the Second Amendment to the U.S. Constitution, the Second Amendment in the Bill of Rights, that namely speaks to the issue that was declared so strongly in the Declaration of Independence, that document, one of two documents that could be considered the greatest man-made documents ever penned, the Declaration of Independence and then the Constitution.

The Bill of Rights understood what the Declaration said, that all men are created equal and endowed with certain unalienable rights, namely, the right to life, liberty, and the pursuit of happiness.

I think the Framers and Founders understood with the First Amendment, the right to free speech and the freedom of religion, but also that understanding that the right to life involved making sure that I could defend myself, protect myself, care for myself, feed myself with the use of a weapon in the field in hunting, but not simply that. Mr. Speaker, I will say, it was there to make sure that a citizen, a free citizen of the United States, was able to care for himself or herself, his family or her family, in any shape or form.

And so I see the First Amendment as important, but I see equally important the Second Amendment, the right to keep and bear arms. And as my friend Ted Nugent says: "Keep" is defined as "It's mine. It's not yours. You're not going to take it from me."

Very simple. Very simple.

I think we need to understand as there are laws that are being thought of, well-intentioned even, and yet laws that really aren't based in reality of what takes place around civilization, when it understands that we need to make sure that we don't step on other people's rights and their freedoms and their opportunities, yet there is a place when we must be prepared to defend ourselves so that those rights can be carried on, not only for ourselves, but for those that count on us to care.

□ 1630

In a famous quote, Benjamin Franklin said it this way:

They that can give up essential liberty to obtain a little temporary safety deserve neither safety nor liberty.

Well said.

I think there are people with well-meaning intentions right now that aren't thinking of the fact that liberty comes with a cost, that it comes with the responsibility and an accountability to continue on to make sure that liberty continues, not only for me, but for you and everyone else, and that liberty is protected from those who would take away our freedoms, our rights, even our lives.

I like to hunt, and I love to trapshoot, and I love to shoot skeets, and I love to shoot sporting clay, and I love to target practice. On my farm, we have a target range, and my wife uses it as well. In fact, she uses it better than I do with a pistol. Yet with the fun and enjoyment that can come from being trained, we also understand the concerns that are there as with any tool, as my dad taught me. He taught me not only how to shoot a gun and about the inherent dangers that were there that also demanded my responsibility and accountability, but he also taught me how to use a radial saw. He said it would work very well in doing the things it was meant for, but you have to be careful with it.

So, yes, we who believe in the Second Amendment believe that there ought to be training and that people ought to care for how they use their weapons, but we believe they ought to be allowed for us to freely use as they were intended for all good purposes. I grew up on the south side of Chicago. Leroy Brown and Junkyard Dog were my neighbors. I love that area of Calumet City where I grew up, but I also know that there are dangers. I also know that protection is required and that the protection to fit the need and the concern is what must be there.

So I would say to my friend and colleague, as well as to the Speaker and to

those who might listen to these words, that the Second Amendment is not the problem; and the law-abiding citizen who carries out the responsibilities of the Second Amendment is not the problem. Most of us fit in that category. Nothing in the bill that was put forth in the Senate, or any other thoughts, would take care of those criminals. It would not have changed the Boston bombers in their ability to get and to use for criminal, terrorist purposes any change or impingement on the Second Amendment. They would have still committed their atrocities, and they would have still gotten their weapons. The only negative impact would have been on law-abiding citizens, the ability to keep and to bear arms, to protect themselves—to carry out the constitutional right.

So I thank the gentlelady from Missouri for allowing us to speak on this issue.

Hopefully, some would hear the common sense of it all and not just hear what some would say: that if we appreciate weapons, we are warmongers or that we are living in danger and producing danger in other people's lives. The fact is just the opposite: we are there to ensure safety, ensure liberty and to make sure that people are protected against criminals who would abuse us regardless of what the law or the Constitution says.

I will defend that, and I thank my colleagues for standing for this reality and truth for the Second Amendment.

Mrs. HARTZLER. Thank you, Mr. WALBERG. Well said.

I like how you point out that the right to life is tied to the Second Amendment—to be able to defend ourselves and protect that life. That is so true. Also, it's not a safety issue. In fact, violent crime has dropped by 72 percent since 1993 in this country; and, actually, there has been a 47 percent increase in U.S. households that have guns. We now have 47 percent of us who own a gun, and crime has gone down. So an excellent point there.

I would like to yield to my friend from Louisiana, Representative STEVE SCALISE. He is a champion of our Second Amendment.

Thank you for coming.

Mr. SCALISE. I want to thank my colleague, Mrs. HARTZLER from Missouri, for hosting this leadership hour to talk about our Second Amendment rights and for yielding time as well.

I am very proud to rise in strong support of our Second Amendment rights and also in opposition to many of these bills that have been floating around Congress that would take away those rights that are so precious to all Americans. Those rights were so important that the Second Amendment to the Constitution—part of our Bill of Rights, the first set of amendments to our Constitution—enshrined this right to the American people to bear arms.

This wasn't a right that they just gave to the militia, to the military, to our local law enforcement. This was a right that was granted to all Americans because it was so precious and important.

We were all shocked and saddened by the murders at Sandy Hook; but I think what is also disappointing is, when you have these tragedies, unfortunately, there are people—Washington politicians—who try to take advantage of those tragedies, who then come behind and try to impose their own agendas in the name of somebody else. When you look at a lot of these bills that have been filed, they have absolutely nothing to do with those murders or with any of these other tragedies that we've seen.

You look at Sandy Hook. He stole the gun. The gun was from his mother. He murdered his own mother. I think they counted over 40 different laws that were broken by the Sandy Hook murderer. Then somebody is going to tell you that one more law, which makes it harder for law-abiding citizens to get a gun, would have stopped him from doing that when, in fact, he didn't even break the laws that they're proposing.

So I think people see through that. People realize that these bills are, unfortunately, the same bad ideas that have been floating around for decades by people who just want to take away our Second Amendment rights. They just don't share those same beliefs that our Founding Fathers had when they felt that it was so important that all American citizens have these protections.

I am proud to come from Louisiana. We call ourselves a Sportsman's Paradise. There, when you talk about the Second Amendment, we're not just talking about hunting. Some people want to say that the Second Amendment is really just about hunting. It's not about hunting. It's about a lot more than hunting. It's about the ability for people to protect themselves.

I was in New Orleans after Hurricane Katrina. During those days, there were some very dark days. We had a few weeks, not just hours or days, where you couldn't pick up the phone and call 911. There was no 911 system. In many cases, there was no power for weeks. You couldn't get law enforcement to come if there were somebody trying to come and loot your house or worse, so the citizens at home in their houses with their guns was the only protection that people had for not just days, but for weeks after Hurricane Katrina.

One of the more frightening things that happened after Hurricane Katrina—there were many frightening things that happened during Katrina—but after Katrina, local law enforcement gave an order to have the police actually go door to door in the city of New Orleans and confiscate guns from law-abiding citizens. It actually hap-

pened. It has been well documented to the point where I was in the State legislature at the time, and I filed legislation to prevent that from ever being able to happen again. In fact, the NRA, which is so decried by all of these gun control advocates, actually stood up and said that it's wrong for government to go door-to-door and take your guns from you.

People said, Oh, that can never happen in America.

Yet, it happened. It happened in an American city—in New Orleans.

After Katrina, there is actual video footage of a woman, Ms. Connie. She was in her house in uptown New Orleans, and the police actually came to her house to take her gun. She didn't want to give up her gun, and they tackled her. They broke her collarbone. I actually brought her to testify for my bill. I am proud to say my bill passed back then and that no longer can anybody in Louisiana take away your guns even during a natural disaster. Fortunately, because of the NRA's leadership, they made this a national law. It's now a national law. But that actually happened.

So this Second Amendment right is incredibly sacred, and it's unfortunate that some try to take advantage of disasters to go and try to chip those rights away. That's why we're here today, and that's why I'm proud of my colleague from Missouri and of so many others who are here to stand up for that right that we all hold dear.

Mrs. HARTZLER. Thank you very much, STEVE.

It's very helpful, I think, to be reminded of the firsthand account of what can happen and what did happen in Louisiana when the government came to take the guns away from the citizens there. We don't ever want to see that happen again because, like you said, it's imperative for personal protection besides its being a personal right. So thank you for sharing that. I appreciate it.

□ 1640

Mrs. HARTZLER. Well, we have my friend and colleague from Indiana, who's come to join us here, MARLIN STUTZMAN.

You brought a couple of guests here with you today to be a part of our Special Order?

Mr. STUTZMAN. I did.

Mrs. HARTZLER. Very good. Well, I yield to you. I want to hear what you have to share.

Mr. STUTZMAN. I thank the lady from Missouri for yielding. I brought my two sons, Payton and Preston, along today. So it's a father and son outing here. Payton asked if he could come along to hear us talk about the Second Amendment.

We, of course, we're farmers back in Indiana, and I grew up with BB guns. And Payton now has his little BB gun

and a 410/22, and Preston has a little BB gun. So we enjoy the sport out on the farm.

I want to just thank you for bringing this issue to the floor today because it's such an important issue for our country, and obviously a lot of things have happened over the past several years that brings this issue to us appropriately. I believe that we do need to have a discussion not only about our Second Amendment rights, but about gun safety and how each of us as Americans who owns a gun is responsible.

Of course, my wife, Christy, and I are grieving, along with our family which is grieving for those who lost loved ones in Newtown and, of course, in Arizona, Colorado, Virginia and so many other places. We've had some cases in Fort Wayne of just irresponsibility, but also intended murder. But, of course, as we saw what happened in Boston, bad people can take any device and hurt people with those devices, and it is always sad to see.

But one of the things that I know from constituents back home is that they don't expect knee-jerk reactions from Washington when it comes to legislation. And now I would like to just quote a couple of quotes from our Founding Fathers that I think are so important and quotes about our Second Amendment rights.

George Washington said, "A free people ought to be armed."

Thomas Jefferson says that, "The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."

He also says, "The beauty of the Second Amendment is that it will not be needed until they try to take it."

I think that is why this motivates people to contact their Members of Congress, to let them know how they feel.

Madam Speaker, we are a democracy that is represented by people we send to Washington. As we saw the votes unfold in the Senate, I think that each one of those Members in the Senate was representing the people that they were elected by. Of course, the President was very critical of the Senate after they were not able to pass a bill that he had wanted. But when he is criticizing them, he is criticizing each one of those particular Members and also the people that sent them to the United States Senate. To watch each different vote take place, I think it tells us that Americans across the country are not about just knee-jerk reactions but about responsibility when it comes to gun ownership, and it also shows their passion about protecting the Second Amendment. Many of these Members in the Senate did not want to vote for tighter gun control laws because they were representing the people from their particular States.

So I believe that last week the American people spoke. It wasn't just the

Senate. The American people, through their representatives, said that they don't want stricter gun legislation. We've already tried Senator FEINSTEIN's so-called "assault weapons" ban in the nineties and it failed to reduce murder rates then, and it would, I believe, fail to reduce murder rates now. The American people understand that, and I believe that the United States Senate understands that, as well. They've seen this before.

So while we watched the Senate work through the gun legislation, there was one particular amendment that I thought was very intriguing, and that was the amendment that Senator CORNYN from Texas offered. That was an amendment that—I have a bill filed here in the House, H.R. 578. It's called the Respecting States' Rights and Concealed Carry Reciprocity Act of 2013, which basically allows law abiding citizens that have a concealed weapon permit to carry across State lines to those States that do have concealed carry permits.

Senator CORNYN offered a very similar amendment to the underlying bill in the Senate. It almost passed. It was within three votes of passing, which I thought was very interesting that while the President was trying to enact stricter gun legislation, a bill that would actually let us as Americans travel across the country almost passed in the Senate. I think that sends a strong message to all of us as Americans that the Senate does understand and respect the importance of the Second Amendment but also is interested in letting those folks who are abiding by the law to also carry throughout the country.

The bill that I've authored understands that instead of pursuing ineffective gun controls, we really do need to strengthen the protections for law abiding citizens who exercise their right to self-defense every day.

One other comment is that my bill would simply make sure that law abiding gun owners who legally carry a concealed weapon in their home State may do so in other States. Illinois does not have a permit, so they would not be allowed to carry there, but just about every other State does.

I think Americans have seen over the past couple of weeks that both sides of the aisle see that sweeping gun control legislation is misguided and it is an attack on law-abiding gun owners, and it is designed to advance another agenda instead of really saving lives.

I believe what we really should be focused on is the people behind the weapon, the people that plant the bomb, the people that are taking these particular tools and hurting other people, whether it's with a ball bat or a crowbar or any other sort of device that people could pick up with their hands and hurt others. We really need to focus on the mental challenges that these peo-

ple have. There has to be. There is information that we know about these particular people, and I believe that's who we need to focus on.

We as Americans need to make sure that we teach our children safety. If someone has decided to purchase a gun, they have a responsibility to understand how that particular weapon operates and the safety measures that go along with it, just like I learned in my hunter safety course when I was 12 years old, and also by my father, who threatened me many times if any more windows were shot out that I was going to be paying for them.

There are so many different exciting and joyful opportunities that families can do together as a family with firearms, but also there is a great responsibility that comes along with that.

Also, as the quotes that I read before from our Founding Fathers show, there is an even greater right behind that, a principle behind that, that we do have a responsibility not only to protect ourselves but to protect other citizens that we live with.

So thank you for bringing this issue to the floor, and thank you to all of those who have spoken, as well. I believe that as we continue these discussions that it should be thoughtful, that it be careful, and we in Congress have a responsibility to let people know that we do understand that this issue is an important matter. But as we've seen in the votes from the Senate, people want to know gun safety is the most important issue that we're dealing with.

□ 1650

Mrs. HARTZLER. Absolutely. Very well said. I appreciate your comments, and I'm so glad you brought Payton and Preston along. I was sharing earlier that I got my start on the farm with my BB gun as well. I'm glad to hear you're well on your way to having a lot of years of fun hunting and doing it safely with your father teaching you.

My friend from Indiana brought up so many great points. The quotes from the Founding Fathers really bring home what this is all about and why it is so important that we as a country retain the right as citizens to be able to protect ourselves, not just from individuals, but from the government even. Well said there.

As far as the Senate vote, I think you brought up an excellent point as well, that the American people really did speak. I think overwhelmingly the American people understand that taking away guns or putting new restrictions on law-abiding citizens is not going to address the problems of violence in our society, and it would not have prevented the tragedy that occurred in Connecticut or any of the other shootings that we have experienced. So we need to, as I said earlier, focus on the facts and not on emotions.

I wanted to share with you some of the comments from people in my dis-

trict. I think lots of times people in the country have the pulse of what is common sense and what is wise policy for our country, more so than in the heat of the moment sometimes with some things that have gone on here at the Capitol.

This is an example from Samantha of what happened recently in our district in Randolph County, and I think she has a very interesting perspective on this. She said:

I am a citizen of Randolph County, and on Easter Sunday, two men went on a crime spree in our area and shot two very close friends of mine, pistol whipped an elderly lady, and killed a woman from Moberly. These suspects were on the run from police for over 12 hours, including overnight. The residents of this area didn't sleep well not knowing what was going on. Houses were on lockdown. It was a horrible feeling knowing the armed men were able to get away from police officers for several hours and not knowing where they would go next.

As a mother, I was terrified for my family. Knowing that we were protected in case these perpetrators came in our neighborhood was the only thing that made that night even bearable. Please vote to keep our Second Amendment rights. It is our right to protect ourselves from these criminals who will always be able to get guns no matter what they do, such as drugs, because drugs are illegal as well. If they want them, they will get them. Let normal, law-abiding citizens keep their guns to protect themselves. We should not have them taken away because there are people who are irresponsible for them. Those people will get guns no matter what, but law-abiding citizens need to be able to protect our families. It is our right, just as freedom of speech is, and should not be taken away.

Well said, Samantha. I think that is a perfect example of what happens potentially when a crime is occurring, and how important it is for families to be able to defend themselves in that event.

Here's a comment from Carol from Lowry City. She said in an email to me:

By definition, criminals do not care about laws. They will acquire guns and whatever weapon they want to use for their nefarious activity regardless of what the law is. The only thing that this unconstitutional gun grab will do is put innocent, law-abiding citizens in harm's way by preventing them from protecting themselves, their property and their family. If stringent gun control which stripped Second Amendment rights from the people were the answer to alleviating violence, then the city of Chicago would be a model of safety. Instead, Chicago, which has some of the most strict gun control laws in the Nation, led the country in number of deaths related to firearms at 532. The people could not protect themselves against the criminal activity around them, and many paid for it with their lives.

I wanted to share some statistics from the World Health Organization. It lists, and you probably can't see it, but two pages' worth of countries here that have a higher percentage of murders per 100,000 citizens than we do. You have countries everywhere from the Bahamas, Puerto Rico, Jamaica, Panama, Brazil, Greenland, Costa Rica,

Russia, British Virgin Islands, Philippines, Uruguay, Thailand, and on and on. Two pages of countries that have very high murder rates, and yet here is the United States below all of them. And you know what all of these other countries have in common? All of these countries have banned guns 100 percent from their citizens.

So this validates what Carol from Lowry City said to me in her email, that when you take guns away from individuals, crime rates actually go up because criminals will have the guns and the law-abiding citizens won't be able to protect themselves. I thought that was a really good point that she makes.

Here's a comment in an email from Vicki Jo from Clinton, Missouri. She said:

I would like you to know that I do not support more regulations on any guns, accessories, or ammunition. These items are only tools some people choose to use as weapons against others. I feel the Second Amendment gives me the freedom to own and operate any firearm that I choose. I'm a hunter and, if needed, would use my firearms for protection from harm. I feel that more attention needs to be spent on those dealing with mental illness and pose a threat to others' welfare. We law-abiding citizens don't need more laws to take more freedoms away from us. Please pursue the violators of these crimes and not their ill-chosen tools.

Well said.

Larry from Mexico, Missouri, said:

Guns can do no harm by themselves. They are no more harmful than any large vehicle like a truck or bus that has mass or weight as a part of their structure.

It's interesting that Larry would say that because yesterday I saw a clip on the news of someone who actually went after someone else in a car. The other person was on a bicycle, and they tried to kill them. They were able to save the person. Thankfully, he wasn't hurt, but they are still looking for the person in the car. So are we going to ban cars because they can be used to kill people? Of course not, because what we need to do is find the person who was trying to commit the crime.

Continuing on, Larry says:

Sick individuals can take any truck and drive it into a school or mall, killing our loved ones just as a gun can. I don't want anyone to be hurt or die, but feel that this path of legislation is wrong. As others have suggested, we need to focus on people. People are the motor driving the gun, truck, bus or any other object. The focus has to become helping the mentally ill.

And we have Jessica from Warrensburg. She said:

If a fraction of the time, energy, money and passion that went into debating gun control went toward establishing a more efficient national or State mental health outreach campaign, perhaps we would have less heartbreaking tragedies involving individuals who felt unheard, isolated, and alienated. A commonly heard phrase is guns don't kill people, people kill people. If that is true, What are we doing to help people?

I think that brings up the point of mental health issues in our country

and how we should be focusing more on these killers and what caused them or led them to do it. What about violent video games? If you look at the Newtown, Connecticut, shooter as well as the Aurora, Colorado, shooter, Madam Speaker, you'll find that both of them spent an inordinate amount of time playing violent video games where they actually were carrying out scenarios of shooting people. How come we aren't hearing proposals talking about that from gun control advocates or from those who say that they want to do this to help children. Let's get to the heart of the issue here.

We have Kelly from Sedalia who adds:

The one thing all of these misguided proposals have in common is that they won't reduce crime. Criminals by definition are law breakers. They are not deterred by laws against murder, rape, armed robbery, et cetera; and they won't be affected by additional gun control laws on top of the tens of thousands of existing laws we have on the books at every governmental level. Again, I urge you to oppose any and all anti-gun legislation that will simply penalize law-abiding gun owners and instead focus on improvements to our Nation's mental health system and enhancing school security while respecting our Second Amendment rights.

The gentleman from Indiana brought up some really good points awhile ago, and we share a lot in common. We both come from a farm background, and we both still have a farm today. We both have children still in school, and we enjoy sharing our heritage. I say to the gentleman, my daughter, we've had a lot of fun with her, teaching her how to shoot a gun and going out also in our pasture. We have an area that we've blocked off, and we target shot, and it's a lot of fun and she enjoys it. But just as importantly as it being enjoyable, I think just being familiar with guns and for the potential of having self-protection is so important, as well. And I know you would agree.

□ 1700

Mr. STUTZMAN. Absolutely. I think that as Payton, our oldest, we've given him a bow and arrow, and he has his straw bales out in the back of the barn. And I think that any time he goes out, we always talk to him about look what's beyond your target and make sure that you're not shooting in a direction towards a house or towards any other one that's behind there.

And it really does come down to awareness and responsibility and making sure that any time you're shooting, whether it's a bow and arrow, or whether it's a baseball, for that matter, throwing a baseball or shooting a firearm, that there is an awareness always around you.

I know we see a lot of the tragedies that happen in cities, whether it could be from a stray bullet, and that's where we need to continue to focus on those people, whether it's through our

churches, whether it's through charitable organizations, through schools, education, and helping people understand the great responsibility that comes with firearms.

I feel fortunate to be raised on a farm where I could start at a very young age and was taught the lessons of responsibility with gun ownership. And then we're teaching the same with Payton and Preston.

There is that point of fun and the enjoyment of having firearms as you're out in the woods or wherever you're at. But it also goes deeper than that. And I think that's why the Second Amendment goes to the very heart of Americans and how we were founded. Obviously, the men who fought in the Revolutionary War needed to have the access to a gun to defend themselves against the Redcoats at the time, and so they obviously had to learn the same thing.

And it wasn't just to defend themselves from another army. It was also a tool used to provide food for themselves.

We're very fortunate in so many ways that we don't have the responsibility of using a gun on a daily basis like people used to. With that, people don't use a firearm as often, and they do have a responsibility to make sure that they're trained when they do purchase one, and recognizing those that are around them when they're using them.

But again, it goes to the heart of us as Americans and defending our freedom. And if it has to absolutely come to that, to defeat tyranny. That is what Thomas Jefferson mentioned about the Second Amendment.

Mrs. HARTZLER. It's certainly a deterrent, I think, from any government who would want to take on their citizens. And you look at this list that I was sharing, two pages of people and countries who have very high murder rates. I feel for the people of those countries.

I can't imagine what that would be like to live in a country where you're basically helpless. You and your family are helpless. You are totally open to and vulnerable to anyone, whether it's somebody in government, a rogue government, or a criminal who wants to do yourself or your family harm, and you don't have that ability to protect yourself.

Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mrs. BROOKS of Indiana). The time of the gentlewoman has expired.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from California (Mr. VARGAS) for 30 minutes.

Mr. VARGAS. Madam Speaker, I rise today to speak on our Nation's need for comprehensive immigration reform. I did want to, however, congratulate my friend, MARLIN STUTZMAN, and his family. What a beautiful family. And it was a delight looking over and seeing both boys. What a terrific family.

I come today, though, to thank, really, the faith community in this country that has come together around comprehensive immigration reform. It's been interesting to see how, literally, every denomination, every faith group, has come together and said that we must have comprehensive immigration reform because of the values that they have, as religious people and religious groups, but also, more importantly, the religious values that we share as Americans.

So I want to thank all of the groups that have been praying for us, that have come to the Capitol to speak to us, to say, open up your hearts, open up your minds and take a look at the stranger among you.

I would like to read a letter that I received yesterday that, I think, puts it into context, certainly in the Judeo-Christian context, and that was a letter that I received from Rabbi Ron Stern from the Stephen S. Wise Temple in Los Angeles, California.

He wrote this:

Among the fundamental stories of the Jewish people is the classic telling of the experience of slavery in Egypt.

The story is not only told each year during the Passover Seder held by Jews around the world but it is also referenced repeatedly as the rationale for many Jewish ethical principles.

The tradition teaches us that we must always remember that we were strangers in a strange land, that we were powerless immigrants with no choice but to rely upon the grace and mercy of others who not only had power over our subsistence, but sometimes over our lives.

The truth of the Exodus story for the Jewish people is eternal because we have often been wanderers in lands that were not our own.

Subsequent to the Exodus story, the first encounter with the landless powerlessness occurred nearly 2,500 years ago in the land of Babylonia.

It was there that we also learned the strength that comes when a people exits the shadows and is able to take its place in the light of the Nation's destiny. A vibrant Jewish community thrived there for thousands of years as citizens of a Persian nation.

Elsewhere in the world over the centuries Jews encountered wandering, rootlessness and powerlessness in Europe, Russia and Northern Africa. With each move, we endured the insecurity of foreigners never fully welcomed in a land that benefited from our labor and our skills.

The all too infrequent eras of stability, security and peace were welcomed isles of harmony that allowed our people to prosper.

Because of our history, because of our collective memory of wandering and existing as immigrants in lands that were not our own from birth, because we were wanderers who traveled to nations looking for better fortunes and left nations where fortune and

safety eluded, the Jewish people have a mission to extend compassion and embrace to others who seek the very security that we often sought for ourselves.

Now that we have found peace, comfort, stability and strength in this great country, we demand nothing less than that for others who seek these essential components of life for themselves and for their families.

Eleven million immigrants have cared for our children, attended our schools, worked in our factories, fought our wars, frequented our businesses, and made our way of life possible.

The time is now for those who have become a part of our American fabric through the sweat of their hands to be given the place in our society that we cherish for ourselves as well: citizens of the United States of America.

Sincerely, Rabbi Ron Stern.

I want to thank Rabbi Stern. I think that he, along with so many others, have really set the stage for something that I think is not only overdue but that we're going to do, and that is, we're going to look into our hearts, and we're going to see that the stranger among us is not so strange.

It was interesting that the rabbi mentioned fought our wars. For those of us that have been working with immigrants, I think probably the saddest things, the saddest occurrences that we've encountered are these, when military men and women have spouses who are undocumented.

□ 1710

A good example is a story I gave before, and I'll give it again, it was so compelling.

Here in the Capitol, on the Senate side, we heard testimony from an Army soldier who had, unfortunately, been injured. He came home and his wife is taking care of him and his young family. And what he's had to do is line the car windows and all over the car with stickers that say, "Injured Soldier," "Go Army," and all sorts of other stickers that show that he is someone that went and fought for us overseas. And the reason he does this, he says, is because he doesn't want to get pulled over for some small traffic violation because his wife is the only one that's able to drive, and she could be deported because she's undocumented.

And probably even more compelling, we had, afterwards, a member of the Marines come forward and say, tragically, that he is fearful when he is sent overseas, but not of dying, interestingly. He said that he served two tours of duty in Iraq. He said that he was scared the whole time he was there, but not of what I thought. He said, You wouldn't guess. He said, I'm going back now to Afghanistan, and I have the same fear. And you know what his fear is? His fear is not of dying. Interestingly and starkly, he said, That's what Marines do. We fight and we die. I'm not afraid of that. I'm afraid that my wife will get deported because she's undocumented. I'm afraid

that my wife will get deported. That's what his fear is, that his wife may be deported.

He says, What then will happen to not only my wife but my children? I'm off in Afghanistan doing what I think is right, defending our country, defending our liberty, and at the same time my wife could get deported to a nation she doesn't really even know anymore. She came as a child. She came from Mexico. How is that fair?

And I can tell him, Of course, that's not fair. But I think that more and more of us are hearing these stories. And I thank him for his bravery to come forward because it does, in fact, put his family in peril because she could get deported. But I thank him and I thank the other brave members of the military that have come forward and given us their stories. I've heard from many now.

Now I would like to take a moment to share with you a letter written by the Evangelical Immigration Table to us here in the United States Congress.

They wrote:

Dear Speaker Boehner and Leader Pelosi, Congratulations to you and your campaign teams on your election victories.

Our Nation faces many great challenges and opportunities. We pray that God will lead and guide your steps and provide you with the wisdom during the years ahead. As evangelical leaders, we live every day with the reality that our immigration system doesn't reflect our commitment to the values of human dignity, family unity, and respect for the rule of law that define us as Americans.

Initiatives by both parties to advance commonsense fixes to our immigration policies have stalled in the years past. With your leadership, this can change. In the next Congress, Republicans and Democrats need to come together to pass and implement a national immigration strategy that addresses our Nation's broken immigration system. We commit to supporting you. We are already working across the country to educate and mobilize our fellow evangelical Christians to support just immigration laws. Support for reform is growing in our churches, denominations, campuses, and communities.

As an aside, it is. And we see it here at the Capitol. We see more and more church groups and pastors coming and speaking to us, and speaking to us in a very united way and a very compassionate way and a very values-filled way, saying that we have to do something. And I thank them again for that.

They go on:

We stand ready to support legislation that reflects our Christian values and builds the common good. We are driven by moral obligation rooted deeply in our faith to address the needs of immigrants in our country. Compassionate and just treatment of immigrants is a frequent topic in the Scripture. The Hebrew word for immigrant, "ger", occurs 92 times throughout the Bible.

We respectfully request that you meet personally with leadership from the Evangelical Immigration Table in the first 92 days of the next Congress to discuss bipartisan immigration reform legislation that:

One, guarantees secure national borders;

Two, respects the God-given dignity of every person;

Three, ensures fairness to taxpayers;

Four, protects the unity of the immediate family;

Five, establishes a path toward legal status and/or citizenship for those who qualify and those who wish to become permanent residents;

Six, respects the rule of law.

These principles are endorsed by the signers of this letter and by more than 150 other prominent evangelical leaders from around the Nation. The principles reflect a growing convergence with the position of other religious, civic, business, labor, and law enforcement leaders.

We urge you to reach across the aisle and to work to create a bipartisan solution that reflects our values, creates just and humane immigration laws, and moves us forward together.

The letter was signed by Leith Anderson, President, National Association of Evangelicals; Stephan Bauman, President and CEO, World Relief; David Beckmann, President, Bread for the World; Noel Castellanos, CEO, Christian Development Community Association; Robert Gittelsohn, President, Conservatives for Comprehensive Immigration Reform; Richard Land, President, Ethics and Religious Liberty Commission of the Southern Baptist Convention; Samuel Rodriguez, President, National Hispanic Christian Leadership Conference; Gabriel Salguero, President, National Latino Evangelical Coalition; Richard Stearns, President, World Vision United States; and Jim Wallis, President and CEO of Sojourners.

So why have all of these evangelical leaders and why have so many other faith groups come together and said with a unified voice that we have to have comprehensive immigration reform? Well, as they say, the reason is because of their values. Because they believe in the Bible and they believe that the stranger among us must be treated as ourselves. In fact, interestingly, some of them quote Leviticus.

In Leviticus, of course, it says that you shall love the alien, the stranger, as you love yourselves, because you have to remember that you once were strangers, too, in the land of Egypt.

And so I thank all of these religious leaders, all of these faith communities that have come together. Interestingly, I can't recall another time when you've had so many different religious faith groups, pastors, reverends, and rabbis come together with one voice and say, This is the path forward; we all agree. But we have it here.

The nice thing about it is that I think we are getting to a point where we are going to agree that we have to have a comprehensive immigration package that reflects the values that they have spoken to, the values that we hold dear as Americans, and I think that we are going to get there. And I thank each and every one of them that prays for us because I am a person of

faith. I do believe that prayers work. I can feel their fervent prayers here. We can all hear them here. It's a wonderful thing.

I do want to read a few more letters and a few more quotes from these same evangelical leaders because I think it's important to get a feel for how unanimous they are that we have to have comprehensive immigration reform that really reflects our best values, our better angels. So here's a press release from the evangelical leaders to amplify the call for bipartisan immigration reform with radio ads in key States.

□ 1720

Dr. Richard Land, president, Ethics and Religious Liberty Commission of the Southern Baptist Convention:

Evangelical Christians who listen to Christian radio tend to be well educated in the Scriptures and politically engaged. Reaching them with this message about God's heart for immigrants and the importance of immigration solutions rooted in Biblical values will be absolutely critical for building the political will we need to pass meaningful reforms in 2013.

Our political leaders need to hear from our constituents and from their constituents and know that evangelical Christians are strongly behind them if they have the moral courage to act on the values we see in Matthew 25 and other places in the Scripture concerning welcoming the stranger.

I thank Dr. Richard Land. When he says that he hopes that we hear from our constituents, we are hearing from them. In fact, we're also hearing from Dr. Richard Land and other leaders in the evangelical churches that have come here to say, if you have any distrust in your heart for the immigrant, the stranger, or even hate, put it aside. Instead, follow your heart and understand that the immigrant, the stranger among you, deserves your love, your attention, your values.

I think it's happening here. Again, I don't think it's by accident, I think it's by their prayers. I think it's by them coming together with a united voice and saying we have to do what is right. And I thank them.

I'd like to read now from Reverend Dr. Uth, senior pastor of the First Baptist Church of Orlando. The reason I want to read the pastor's notes is because the pastor not only talks about reform, he comes from a particular area, Orlando. This is his quote:

There's a consistent message throughout Scripture, and it's a command to welcome and to treat fairly all people, but especially the stranger and the foreigner in your land. When we fail to welcome the stranger, in essence we fail to welcome Christ.

And so Christians in our church, when they learn about God's heart for the immigrant and what the Bible has to say, their hearts are open because we are a people of faith, and it is our desire to live out that faith in our world.

Coupled with that, when they meet these immigrants, when they have personal encounters, all of a sudden this issue has a face, it has a story. And it's in that meeting

that transformation happens and has happened here for us. We know that the time is now for this discussion.

I thank the pastor. I thank him because he's right. But I also thank him because I think his prayers, his supplications are being answered. I think the prayers of his congregation are being answered. We are coming together, and we are coming together in a bipartisan way.

There are many other things that we disagree on. I've been here not very long, but I can already tell you there are a lot of things that we disagree on. But more and more, we're coming together around the issue of comprehensive immigration reform, and we're coming together because it's the right thing to do.

In fact, the voices now—and they're few and they're shrill—seem to be a real outlier now. They seem to be far out, nowhere in the mainstream. Instead, we're down to the nitty-gritty and we're trying to figure out the small things. I think that that's very good; I think that that's healthy.

I appreciate, again, the candor that we've had on this discussion. It is a pleasure to have the discussion on immigration be so humane and values-based. But also, some of the interests around the country are coming together too.

I sit on the Agriculture Committee, and we were having a committee hearing on horticulture and specialty crops. Almost immediately, the discussion went to comprehensive immigration reform because it's one of the most important things for the agricultural community. Interestingly, they said that the bill in the Senate is not perfect, the bill that we're going to produce here is not perfect, but it's getting close. They're saying that there's a lot of agreement between those that work in the field and represent them and those that are the farmers. When do you see that? It seldom happens. Again, I think it's happening because of the prayers of the pastors.

I do want to read a few more of them because they've sent so many of them now to my office, and also because I appreciate what they're doing. They're making a difference here. I also want to show that it's not only in Orlando, in one part of the country; it's all over the country that pastors and religious groups are coming together to pray for us, to encourage us to move forward on comprehensive immigration reform. So I would like to read from Reverend Dr. Fleming, senior pastor, Champion Forest Baptist Church in Houston, Texas:

We're beginning now to see immigrants as us. We live together, we work together, we serve together, we're all in this together, and the notion of welcoming the outsider and the stranger and inviting them in has been key to that. We see the immigrant as a person created in the image of God. They're husbands and wives, they're parents, they're children.

Oftentimes our broken immigration system causes great suffering in the homes and in the families and in the people's lives.

I believe, and my experience has been here in Texas that conservative Christians and evangelicals are rising to support a Biblical approach to this very complex issue.

I thank him. I thank Dr. Reverend David Fleming, senior pastor, Champion Forest Baptist Church of Houston, for his courage, for his prayers, for his encouragement, for his heart, and for his insight. I think it's very insightful. I want to quote him:

We're beginning now to see immigrants as us. We live together, we work together, we serve together, we're all in this together, and the notion of welcoming the outsider and the stranger and inviting them in has been key to that.

In fact, they have been invited in. I've had the great honor now to speak to many pastors, and evangelization has happened with many of the undocumented people that have come to our Nation.

Now, in fact, as the marine that I spoke of earlier, as well as the soldier, oftentimes they meet their spouses in church and they get married. Then we put them in a situation that if they legally want to live together their spouse has to leave the country for 10 years. Can you imagine that? The marine, who is again going to be deployed overseas, for his wife to be here legally she would have to leave the country for 10 years, what would she do with the children? Does she take them with her? They're American citizens. Does she go to this country that she really doesn't know anymore? How can that be right? How can that be fair? How can that be just? How can that be Christian? How can those be our values? They're not our values. That's why I thank Pastor Dr. David Fleming for stepping forward and saying it's time that we change.

Now, I happen to be a Catholic, so I'd like to quote now Archbishop Jose Gomez, the archbishop of Los Angeles and chairman of the USCCB Committee on Migration. He says this:

Our collective faith groups are prepared to support just and humane reform of a broken immigration system. With the President's leadership and cooperation between both parties in Congress, we can achieve this goal within the year.

We agree with the President and the bipartisan Senate leaders who are stressing the importance of a path to citizenship for the undocumented. We should not sanction a permanent underclass in our society.

Never to correct an archbishop; however, I would add that also the good work that's being done bipartisanship here, too, in this House, in the Congress, and you will soon see a bill.

I thank and I pray every day for the members of that group that are working hard—often under great stress—to come forward with a bill, a change in the law, that represents our better angels. It represents our values as Americans, as Christians, as Jews, as people of faith. So I thank them.

I'd also like to quote Reverend Samuel Rodriguez, president of the National Hispanic Christian Leadership Conference:

Today's meeting invigorated me with hope and optimism. The President's resolve in conjunction with evangelical support facilitate the prescription for a comprehensive resolution addressing America's immigration crisis. I am convinced that with prayer and prophetic activism, we will live out Matthew 25 and welcome the stranger in the name of Jesus.

□ 1730

Of course he quotes famously Matthew 25. Matthew 25, of course, is the judgment where Jesus himself says how we will be judged as a nation. I hope you go back and read that part of Scripture.

Jesus says:

"When I was hungry, you gave me to eat. When I was thirsty, you gave me to drink. When I was naked, you clothed me. When I was ill, you cured me. When I was a stranger, you welcomed me. When I was a prisoner, you visited me."

Then of course the sheep will ask:

"When do we do that, Jesus?"

"When you did it to the least of my brothers."

That's what Reverend Samuel Rodriguez was quoting and most Christian groups quote. It's so profoundly who we are: the welcoming of the stranger, Christ among us.

Madam Speaker, I know I don't have much time left. I appreciate deeply the time that I was given today to speak to my colleagues and to speak to hopefully a larger crowd that I have great faith, I have great faith that we are coming together and we're coming together in a way that we will produce a bill that we can all be proud of and hopefully that we will all support but that will have bipartisan support. And it won't be an accident. It will be because of the prayers of these pastors. It will be because of the courage of Rabbi Stern. It will be because of all the encouragement that we've received from the faith communities outside of this House. It is because of their fervent love and support for the immigrant, the stranger, that we will have a just law, and I thank them.

Madam Speaker, thank you for the opportunity today. I yield back the balance of my time.

ATROCITIES OF ABORTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Arizona (Mr. FRANKS) for 30 minutes.

Mr. FRANKS. Thank you, Madam Speaker.

Madam Speaker, there was a time when the rules of Congress forbid anyone to petition this Congress against slavery. For some inexplicable reason,

once in a while, it seems mankind becomes completely blind to a monstrosity. History is replete with such examples. It seems we are never quite so eloquent as we are when we decry the crimes of the past generation, and yet we seem as staggeringly blind as some of our most sightless predecessors when it comes to facing and rejecting atrocities in our own time.

Whether it was slavery, the Nazi Holocaust, or the many human genocides across history, the patterns were the same. Innocent human beings, children of God all, were systematically dehumanized and then subjected to the most horrifying inhumanity. All the while, human society as a whole hardened their hearts and turned away.

But, Madam Speaker, truth and time travel on the same road. And although it was often agonizingly slow, the truth of these tragic inhumanities in our past began to dawn on people of reason and good will. Their hearts first and then their minds began to change.

I've often asked myself: What was it that changed their minds? What changed the minds of those who had previously embraced an invincible ignorance to hide from themselves the horror of what was happening to their innocent fellow human beings?

Madam Speaker, if I only really knew or if I knew how to express it because, you see, today such a conundrum looms before humanity once again, those most glaring examples of which are things like the trial in Philadelphia of Dr. Kermit Gosnell. In the words of the grand jury report, Gosnell had a simple solution for unwanted babies. He killed them. He didn't call it that, Madam Speaker. He called it "ensuring fetal demise." The way he ensured fetal demise was by sticking scissors in the back of the baby's neck and cutting the spinal cord. He called it "snipping." Over the years there were hundreds of "snippings."

When authorities entered the clinic of Dr. Gosnell, they found a torture chamber for little babies that I do not have the words or the stomach to adequately describe. Suffice it to say that Dr. Gosnell ran a systematic practice in his late-term abortion clinic to cut the spines of those babies who had survived his attempt to abort them.

Every American with the slightest shred of compassion for the innocent should learn the truth of this case for themselves, Madam Speaker, because perhaps the greatest tragedy of all surrounding this case is that it is not as rare as those in the media would try to convince us.

Six months after the Supreme Court legalized abortion on demand in the United States, Dr. Peter A.J. Adam, an associate professor of pediatrics at Case Western University, reported to the American Pediatric Research Society concerning research he and associates had conducted on 12 babies up to

20 weeks old who had been born alive from hysterotomy abortion. These men decapitated these little babies and cannulated the internal carotid arteries. They then kept these little heads alive with heart-lung machines in order to study them. Like the victims of Dr. Gosnell, their spines had been completely sliced through and the painful agony that they were feeling is beyond our imagination, Madam Speaker.

Americans were outraged when they learned that the Russians had kept the heads of dogs alive in the 1950s. Yet, when asked, Peter Adams responded to the criticism of keeping these little human heads alive. He responded by saying:

Our society has declared the fetus dead and abrogated its rights. I don't see any ethical problem. Whose rights are we going to protect once we've decided the fetus won't live?

In another case, Madam Speaker, Dr. Abu Hayat, the Manhattan abortionist who severed the arm of a baby girl later born alive, is reportedly the first physician in the United States to be jailed for an illegal third-trimester abortion since the infamous 1973 *Roe v. Wade* decision.

Sixty-three-year-old Abu Hayat was convicted of having knowingly performed an abortion on Rosa Rodriguez in October of 1991. The 7- to 8-month-old baby girl she carried, baby Ana Rosa Rodriguez, was born the next day, but one of her arms was missing at the shoulder because of Dr. Hayat's botched abortion. Hayat was also convicted of assault on the woman because, in the middle of the abortion, he stopped to demand an additional \$500. When the woman's husband couldn't come up with the additional money, she was sent home semiconscious and still bleeding.

Madam Speaker, my heart goes out to those like Rosa Rodriguez, and especially to her, who sooner or later had to face the question from her baby daughter, Mommy, where is my arm? Oh, Madam Speaker, it beggars human imagination to try to take in the crushing emotional burden that the abortion industry in this country has heaped upon so many American mothers.

Madam Speaker, I will not expound upon the cases of abortionist Dr. Scott Rieke or abortionist Gordon Goei or Malvin Roy Weisberg in the infamous Weisberg incident in Woodland Hills, California. However, I will tell you, Madam Speaker, that they involved thousands of unborn children, many of them in their third trimester, in what can be described as a torturous and mass desecration of innocent unborn babies.

Would it be too much to hope for, Madam Speaker, that Members of this body and Americans in general might research these tragedies for themselves, given the cataclysmic implica-

tions for any society who turns a blind eye to such atrocities against the most innocent and helpless of its members?

□ 1740

If our society is to survive with our humanity intact, our moral impulse toward our fellow human beings must first survive. Madam Speaker, that is why it is so important for people to see for themselves the inhumanity of what is being done to these little victims. Maybe it would not change everyone's mind, but it has changed many minds. One such example gained a lot of media coverage.

Abby Johnson spent 9 years working at a Texas Planned Parenthood clinic—first as a volunteer and then as clinic director. At one point, she was asked to assist during a routine abortion procedure. Amazingly, this was the first time in those 9 years that Abby had actually watched on an ultrasound an abortion being performed. She recounts holding the transducer over the mother's midsection and observing the display of the baby's movements on the screen. She then watched as the abortion proceeded and as the unborn baby attempted unsuccessfully to escape the probe.

She said:

I could see the whole profile of the baby. I could see the probe. I could see the baby try to move away from the probe, and I just thought: What am I doing? Then I thought: never again.

Two weeks later, looking out the clinic window and seeing two members of Coalition for Life standing outside, praying, Johnson walked out of the clinic and joined them, and she has never looked back.

Then there was the case of Brenda Shafer, a nurse who was so radically pro-abortion that she told her teenage daughters that they would be forced to have an abortion if they ever got pregnant; but only 3 days of working in an abortion clinic was more than she could handle.

She speaks of going in on her third and final day and watching as the doctor performed three partial-birth abortions, including one procedure on a 6-month-old baby boy with Down syndrome. She watched as the little boy's arms and legs were delivered, his little fingers clapping and unclapping, his feet kicking before the vacuum tube was inserted into the baby's head. He went completely limp—only to be discarded as if he were nothing more than a rag.

Brenda said:

I have been a nurse for a long time, and I have seen a lot of death—people maimed in auto accidents, gunshot wounds, you name it—and I have seen surgical procedures of every sort; but in all of my professional years, I had never witnessed anything like this. For a long time, sometimes still, I had nightmares about what I saw in the clinic that day.

Former abortion provider Nita Whitten tells a similarly gut-wrenching

story of a young teenage girl who was pressured by her mother to have an abortion. The doctors had inserted what is called a "laminaria" to allow the abortion to be performed. Nita describes the young girl going into the bathroom and screaming at the top of her lungs for her mother, screaming over and over "It's a baby. It's a baby" after she saw the baby that was aborted in the toilet.

For this little girl, who will forever be scarred by what she saw, there was no debate about whether her baby was just a blob of tissue. Unlike the ostensibly educated abortionists, this girl realized intuitively what science has long argued: conception creates a genetically unique human life—a baby.

All of these people shared a common thread when they were confronted with the brutality and the reality of abortion. They could no longer deny the truth that abortion is the murder of a defenseless child. It's easy for those of us who are far removed from the actual abortion clinics—those who do not have to confront the unspeakable pain caused within the doors of those clinics every day—to idealize and justify abortion on demand.

They tell themselves that they are really fighting for women. They convince themselves that that little flicker they see on the ultrasound screen, as the baby is savagely torn apart in his own mother's womb, is not the tiny beating heart of another living being. They lie to themselves year after year, ignoring the truth that every 5-year-old child knows instinctively. They desensitize themselves to the horrors and the reality until the violent destruction of a defenseless baby is viewed as if it were nothing more than having one's tonsils removed.

Indeed, this is the hope and the goal of monsters like Kermit Gosnell or Abu Hayat or Scott Rieke or Gordon Goei or Malvin Weisberg, just to name a few.

When Abby Johnson, Brenda Shafer, Nita Whitten, and so many others like them saw what abortion really was, they changed their minds. I would never suggest that I clearly know what sparked the change in their hearts, but I am convinced that it is the same spark in the human soul that has turned the tide of blood and tragedy and hatred and inhumanity throughout history. And, Madam Speaker, I am also convinced that it is mankind's only hope.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BURGESS (at the request of Mr. CANTOR) for today and the balance of the week on account of attending the opening of the George W. Bush Presidential Library in Dallas, Texas.

Mr. SESSIONS (at the request of Mr. CANTOR) for today and the balance of the week on account of attending the opening of the George W. Bush Presidential Library in Dallas, Texas.

Mr. MARCHANT (at the request of Mr. CANTOR) for today and the balance of the week on account of attending the opening of the George W. Bush Presidential Library in Dallas, Texas.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on April 25, 2013, she presented to the President of the United States, for his approval, the following bill.

H.R. 1246. To amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

ADJOURNMENT

Mr. FRANKS of Arizona. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 26, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1262. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — Project-Level Predecisional Administrative Review Process (RIN: 0596-AD07) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1263. A letter from the Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Food Ingredients and Sources of Radiation Listed and Approved for Use in the Production of Meat and Poultry Products [Docket No.: FSIS-2011-0018] (RIN: 0583-AD47) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1264. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flumioxazin; Pesticide Tolerances [EPA-HQ-OPP-2012-0139; FRL-9381-7] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1265. A letter from the Under Secretary, Department of Defense, transmitting a biennial strategic plan for the Defense Advanced Research Projects Agency for 2012; to the Committee on Armed Services.

1266. A letter from the Under Secretary, Department of Defense, transmitting authorization of 11 officers to wear the authorized

insignia of the grade of major general or brigadier general; to the Committee on Armed Services.

1267. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Chartering and Field of Membership Manual for Federal Credit Unions (RIN: 3133-AE02) received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1268. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Identity Theft Red Flags Rules (RIN: 3235-AL26) received April 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1269. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's "Report to Congress on Dual Language Learners in Head Start and Early Head Start Programs"; to the Committee on Education and the Workforce.

1270. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Change of Address; Biologics License Applications; Technical Amendment [Docket No.: FDA-2013-N-0011] received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1271. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Reactive Blue 247 Copolymers [Docket Nos.: FDA-2011-C-0344 and FDA-2011-C-0463] received April 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(2)(E)(ii) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R04-OAR-2012-0402; FRL-9798-6] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1273. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Santa Barbara County Air Pollution Control District and South Coast Air Quality Management District [EPA-R09-OAR-2012-0828; FRL-9776-6] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1274. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; New Source Review-Prevention of Significant Deterioration [EPA-R04-OAR-2012-0662; FRL-9798-5] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1275. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Region 4 States; Prong 3 of Section 110(a)(2)(D)(i) Infrastructure Requirement for the 1997 2006 Fine Par-

ticulate Matter National Ambient Air Quality Standards [EPA-R04-OAR-2012-0814; FRL-9799-8] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1276. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Monterey Bay Unified and Santa Barbara County Air Pollution Control Districts [EPA-R09-OAR-2012-0886; FRL-9778-4] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1277. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Santa Barbara and San Diego County Air Pollution Control Districts [EPA-R09-OAR-2013-0426; FRL-9794-4] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1278. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Butte County Air Quality Management District and Sacramento Metropolitan Air Quality Management District [EPA-R09-OAR-2012-0914; FRL-9776-8] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1279. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Regional Reliability Standard PRC-006-NPCC-1 — Automatic Underfrequency Load Shedding [Docket No.: RM12-12-000; Order No. 775] received April 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1280. A letter from the Chief of Staff, Media Bureau, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Reallocation of Channel 2 from Jackson, Wyoming to Wilmington, Delaware, Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations [MD Docket No.: 13-73] (RM-11695) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1281. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revisions to Reliability Standard for Transmission Vegetation Management [Docket No.: RM12-4-00; Order No. 777] received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1282. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Amendments to Existing Validated End-User Authorizations: CSMC Technologies Corporation in the People's Republic of China (PRC) [Docket No.: 13032279-3279-01] (RIN: 0694-AF90) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1283. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Implementation of the Defense Trade Cooperation Treaty Between the United States and Australia (RIN: 1400-AD38) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1284. A letter from the Chief, Branch of FS, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing the Yellow-Billed Parrot With Special Rule, and Correcting the Salmon-Crested Cockatoo Special Rule [Docket No.: FWS-R9-ES-2011-0075]; [4500030115] (RIN: 1018-AY28) received April 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1285. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Southwestern Willow Flycatcher [Docket No.: FWS-R2-ES-2011-0053] (RIN: 1018-AX43) received April 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1286. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC502) received April 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1287. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 50 Feet (15.2 Meters) Length Overall using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC585) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1288. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Catch Sharing Plan [Docket No.: 130123063-3207-02] (RIN: 0648-BC75) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1289. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Framework Adjustment 7 [Docket No.: 121128658-3161-02] (RIN: 0648-BC72) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1290. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Sector Exemptions; Final Rule Implementing a Targeted Acadian Redfish Fishery for Sector Vessels [Docket No.: 120813331-3122-02] (RIN: 0648-XC164) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1291. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Adminis-

tration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC584) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1292. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Trawl Rationalization Program; Reconsideration of Allocation of Whiting [Docket No.: 120313185-3252-01] (RIN: 0648-BC01) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1293. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC590) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1294. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 feet (18.3 meters) Length Overall Using Jig of Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC596) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1295. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 120924487-3221-02] (RIN: 0648-XC263) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1296. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program [Docket No.: 111207737-2141-02 and 111211375-2102-02] (RIN: 0648-XC569) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1297. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic [Docket No.: 001005281-0369-02] (RIN: 0648-XC570) received April 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1298. A letter from the Acting Under Secretary and Acting Director, Department of

Commerce, transmitting the Department's final rule — Setting and Adjusting Patent Fees; Correction [Docket No.: PTO-C-2013-0010] (RIN: 0651-AC86) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1299. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lubbers Cup Regatta; Spring Lake, MI [Docket No.: USCG-2013-0210] (RIN: 1624-AA00) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1300. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Pelican Island Causeway, Galveston, Channel, TX [Docket No.: USCG-2013-0063] (RIN: 1625-AA09) received April 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1301. A letter from the Deputy Assistant Chief Counsel for Safety, Department of Transportation, transmitting the Department's final rule — Vehicle/Track Interaction Safety Standards; High-Speed and High Cant Deficiency Operations [Docket No.: FRA-2009-0036, Notice No. 2] (RIN: 2130-AC09) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1302. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2005-22523; Directorate Identifier 2005-NM-058-AD; Amendment 39-17379; AD 2013-0507] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1303. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0847; Directorate Identifier 2008-NM-056-AD; Amendment 39-17375; AD 2013-05-03] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1304. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0597; Directorate Identifier 2012-NM-054-AD; Amendment 39-17377; AD 2013-05-05] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1305. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Commercial Driver's License Testing and Commercial Learner's Permit Standards [Docket No.: FMCSA-2007-27659] (RIN: 2126-AB59) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1306. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Systems for Telephonic Notification of Unsafe Conditions at Highway-Rail and Pathway Grade Crossings (RIN: 2130-AC38) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1307. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT

LTD. Airplanes [Docket No.: FAA-2008-0070; Directorate Identifier 2007-CE-098-AD; Amendment 39-17398; AD 2008-07-11 R1] (RIN: 2120-AA64) received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1308. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Round Mountain, TX [Docket No.: FAA-2012-0771; Airspace Docket No. 12-ASW-7] received April 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1309. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Grants to States for Construction or Acquisition of State Homes (RIN: 2900-AO60) received April 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LOBIONDO (for himself, Mr. BRADY of Pennsylvania, and Mr. JONES):

H.R. 1721. A bill to direct the Secretary of Defense to prohibit the performance of Department of Defense flight demonstration teams outside the United States; to the Committee on Armed Services.

By Mr. MCKINLEY (for himself, Mr. ENYART, Mr. GRIFFITH of Virginia, and Mr. ROE of Tennessee):

H.R. 1722. A bill to direct the Secretary of Labor to conduct a review of the forms related to obtaining workers' compensation benefits under the Federal Black Lung Benefits Program; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY (for herself, Mr. CONYERS, Ms. EDWARDS, Ms. MCCOLLUM, Mr. YARMUTH, Ms. LEE of California, and Mr. GUTIERREZ):

H.R. 1723. A bill to amend the Internal Revenue Code of 1986 to impose increased rates of tax with respect to taxpayers with more than \$1,000,000 taxable income, and for other purposes; to the Committee on Ways and Means.

By Mr. HARPER (for himself, Mr. COLE, Mr. BARLETTA, Mr. HULTGREN, Ms. JENKINS, Mr. MEEHAN, and Mrs. WALORSKI):

H.R. 1724. A bill to eliminate taxpayer financing of presidential campaigns and party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on House Administration, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mrs. BEATTY, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Mrs. CAPPs, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CHU, Mr. CONYERS, Mr. DEFazio, Mr. DEUTCH,

Mr. DOGGETT, Mr. ENYART, Ms. ESTY, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. GRIJALVA, Ms. HAHN, Mr. HIGGINS, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JONES, Mr. KILDEE, Ms. KUSTER, Ms. LEE of California, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. NEAL, Mr. NOLAN, Ms. NORTON, Mr. PASCRELL, Mr. PASTOR of Arizona, Mr. PETERS of Michigan, Mr. RANGEL, Mr. RUSH, Mr. RYAN of Ohio, Ms. SHEA-PORTER, Ms. SPEIER, Mr. TONKO, Ms. WATERS, Ms. DELAURO, Mr. LARSEN of Washington, Ms. KAPTUR, and Ms. SINEMA):

H.R. 1725. A bill to amend title 38, United States Code, to provide for unlimited eligibility for health care for mental illnesses for veterans of combat service during certain periods of hostilities and war; to the Committee on Veterans' Affairs.

By Mr. POSEY (for himself and Mr. PIERLUISI):

H.R. 1726. A bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALZ (for himself, Mr. FORTEBERRY, Mr. GIBSON, and Mr. PETERSON):

H.R. 1727. A bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 1728. A bill to repeal certain appropriations riders that limit the ability of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to administer the Federal firearms laws; to the Committee on the Judiciary.

By Mrs. KIRKPATRICK (for herself and Mr. COFFMAN):

H.R. 1729. A bill to direct the Secretary of Defense to provide the service records of veterans to the Secretary of Veterans Affairs in an efficient, electronic format; to the Committee on Armed Services.

By Mr. ENGEL (for himself and Ms. NORTON):

H.R. 1730. A bill to amend the Communications Act of 1934 to prohibit mobile service providers from providing service on mobile devices that have been reported stolen, to require such providers to give consumers the ability to remotely delete data from mobile devices, to prohibit the alteration or removal of mobile device identification numbers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHRADER (for himself, Mr. DENHAM, Mr. FARR, Mr. FITZPATRICK, Mr. CAMPBELL, and Mr. HUFFMAN):

H.R. 1731. A bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes; to the Committee on Agriculture.

By Ms. BASS (for herself, Mr. MARINO, Mr. CHABOT, Mr. FARENTHOLD, Mr. GRIJALVA, Ms. JACKSON LEE, Mr.

MCDERMOTT, Mr. JOHNSON of Ohio, Ms. MOORE, Mrs. NAPOLITANO, Mr. POLIS, Mr. RANGEL, and Mr. VARGAS):

H.R. 1732. A bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent human trafficking of children and serve the needs of children who are victims of human trafficking, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN (for herself, Mr. MATHESON, Mr. GRIFFITH of Virginia, Mr. GRIMM, Mr. DESJARLAIS, Mrs. BLACK, and Mr. BILIRAKIS):

H.R. 1733. A bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. CICILLINE, Mr. CONNOLLY, Mr. CONYERS, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFazio, Ms. DELAURO, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. GRIJALVA, Mr. LARSON of Connecticut, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE, Mr. MORAN, Ms. NORTON, Ms. PINGREE of Maine, Ms. SHEA-PORTER, and Ms. SLAUGHTER):

H.R. 1734. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Financial Services.

By Mr. CASSIDY:

H.R. 1735. A bill to amend the Patient Protection and Affordable Care Act to provide for participation in the Exchange of the President, Vice President, and Executive cabinet officials in same manner as Members of Congress and Congressional staff; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself, Mr. POLIS, Mr. BEN RAY LUJÁN of New Mexico, Ms. BORDALLO, and Ms. ROYBAL-ALLARD):

H.R. 1736. A bill to amend the Elementary and Secondary Education Act of 1965 to recruit, prepare, and support principals through capacity-building measures that will improve student academic achievement in high-need schools; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself, Mr. KINZINGER of Illinois, Mr. RYAN of Ohio, Mr. MICHAUD, Mr. CICILLINE, Mr. LOEBSACK, Ms. DUCKWORTH, Ms. LEE of California, and Mr. RODNEY DAVIS of Illinois):

H.R. 1737. A bill to amend the Internal Revenue Code of 1986 to allow manufacturing

businesses to establish tax-free manufacturing reinvestment accounts to assist them in providing for new equipment and facilities and workforce training; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. BECERRA, Mr. BLUMENAUER, Mr. CROWLEY, Mr. KIND, Mr. LARSON of Connecticut, Mr. CARSON of Indiana, Mr. LEWIS, Mr. MCDERMOTT, Mr. PASCRELL, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHWARTZ, Mr. LEVIN, Mr. VAN HOLLEN, Mr. HINOJOSA, Mr. ANDREWS, Mrs. CAPPS, Mr. CÁRDENAS, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. COHEN, Mr. CUELLAR, Mr. CUMMINGS, Ms. FUDGE, Mr. GALLEGU, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. LOEBSACK, Ms. MATSUI, Ms. MCCOLLUM, Ms. MOORE, Mr. PASTOR of Arizona, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SIREN, Ms. SPEIER, Mr. THOMPSON of Mississippi, Mr. VELA, Mr. WELCH, Mr. YARMUTH, Mr. POCAN, Ms. JACKSON LEE, Mrs. NEGRETE MCLEOD, Mr. VARGAS, Mr. TONKO, Mr. DEFAZIO, Mr. GRIJALVA, Ms. EDWARDS, Ms. WILSON of Florida, Ms. TITUS, Mrs. DAVIS of California, Mr. NADLER, Mr. RUSH, Ms. BASS, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CLEAVER, Mr. DOYLE, Mr. FATTAH, Mr. DEUTCH, Mr. KILDEE, and Mr. PRICE of North Carolina):

H.R. 1738. A bill to amend the Internal Revenue Code of 1986 to extend and modify the American Opportunity Tax Credit, and for other purposes; to the Committee on Ways and Means.

By Mr. ENYART (for himself and Mr. ISRAEL):

H.R. 1739. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to pay provisional benefits for certain nonadjudicated claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FORBES (for himself and Mr. LIPINSKI):

H.R. 1740. A bill to intensify stem cell research showing evidence of substantial clinical benefit to patients, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOODLATTE (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 1741. A bill to establish a dairy producer margin insurance program for the purpose of protecting dairy producer income by paying participating dairy producers margin insurance payments when actual dairy producer margins are less than a threshold level, and for other purposes; to the Committee on Agriculture.

By Mr. HECK of Nevada (for himself, Mr. WEBSTER of Florida, Mr. GARDNER, Mr. RENACCI, Mr. KILMER, Mr. BUCSHON, and Mr. CARNEY):

H.R. 1742. A bill to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes; to the Committee on Financial Services.

By Mr. HOLT (for himself, Mr. GRIJALVA, Ms. CASTOR of Florida, Ms. SLAUGHTER, Mrs. CAPPS, Mr. POLIS, and Mr. MARKEY):

H.R. 1743. A bill to amend the Oil Pollution Act of 1990 to require responsible parties to pay the full cost of offshore oil spills, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HORSFORD:

H.R. 1744. A bill to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and Lincoln County, Nevada, to extend the authority to purchase certain parcels of public land, and for other purposes; to the Committee on Natural Resources.

By Mr. ISRAEL (for himself and Mr. KING of New York):

H.R. 1745. A bill to direct the Administrator of the Federal Aviation Administration to issue regulations regarding secondary cockpit barriers; to the Committee on Transportation and Infrastructure.

By Mr. KING of Iowa:

H.R. 1746. A bill to amend the National Labor Relations Act to protect employer rights; to the Committee on Education and the Workforce.

By Ms. KUSTER:

H.R. 1747. A bill to allow employers a credit against income tax as an incentive to partner with community colleges or other educational institutions to improve workforce development and job training for students; to the Committee on Ways and Means.

By Mr. LARSEN of Washington (for himself, Ms. BROWN of Florida, Mr. BLUMENAUER, Ms. LEE of California, Ms. DEGETTE, Mr. ELLISON, Mr. GRIJALVA, Mr. HONDA, Mr. FARR, Ms. CHU, Mr. SMITH of Washington, Mr. BECERRA, Mr. COHEN, Ms. NORTON, Mr. LEWIS, Ms. BORDALLO, Ms. SCHWARTZ, Mr. RUSH, Mr. JOHNSON of Georgia, Mr. DEUTCH, Ms. MOORE, Ms. SPEIER, Mr. LYNCH, Mr. CARSON of Indiana, Mr. RANGEL, Mr. TONKO, Mr. CLAY, Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. CUMMINGS, Ms. DELBENE, Mr. BISHOP of Georgia, Mr. MCDERMOTT, Ms. WILSON of Florida, and Mr. SERRANO):

H.R. 1748. A bill to amend the Help America Vote Act of 2002 to permit an individual who is subject to a requirement to present identification as a condition of voting in an election for Federal office to meet such requirement by presenting a sworn written statement attesting to the individual's identification, and for other purposes; to the Committee on House Administration.

By Ms. LEE of California (for herself, Ms. BROWN of Florida, Mr. CAPUANO, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. CONYERS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. RANGEL, Mr. RUSH, Ms. SCHAKOWSKY, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Ms. WATERS, Mrs. BEATTY, Ms. ROYBAL-ALLARD, Mr. THOMPSON of Mississippi, and Mr. RICHMOND):

H.R. 1749. A bill to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LUETKEMEYER (for himself, Mr. WESTMORELAND, and Mr. GARY G. MILLER of California):

H.R. 1750. A bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes; to the Committee on Financial Services.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. POLIS, Mr. CONYERS, Mr. GRIJALVA, Ms. WILSON of Florida, Mr. CICILLINE, Ms. LEE of California, Mr. POCAN, Mr. KEATING, Mrs. DAVIS of California, Mr. LOWENTHAL, Mr. NADLER, Ms. MOORE, Mr. ENGEL, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. ELLISON, and Ms. TITUS):

H.R. 1751. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARINO:

H.R. 1752. A bill to amend the Food and Nutrition Act of 2008 to require retail food stores to collect, and report to the Secretary of Agriculture, detailed information that identifies food items purchased with benefits provided under the supplemental nutrition assistance program; and to require the Secretary to compile and publish such information; to the Committee on Agriculture.

By Mr. PALLONE (for himself, Mr. BISHOP of New York, Mr. RUNYAN, Mr. GRIMM, and Mr. LOBIONDO):

H.R. 1753. A bill making supplemental appropriations for the National Oceanic and Atmospheric Administration for fisheries disasters, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS of Michigan (for himself, Mr. ROSS, and Mr. ELLISON):

H.R. 1754. A bill to establish pilot programs to encourage the use of shared appreciation mortgage modifications, and for other purposes; to the Committee on Financial Services.

By Mr. POLIS (for himself, Mr. ANDREWS, Mr. COHEN, Ms. BASS, Mr. CONNOLLY, Mrs. BEATTY, Mr. CONYERS, Mr. BECERRA, Mr. COOPER, Mr. BISHOP of New York, Mr. COURTNEY, Mr. BLUMENAUER, Mr. CROWLEY, Ms. BONAMICI, Mr. CUMMINGS, Mr. BRADY of Pennsylvania, Mrs. DAVIS of California, Mr. BRALEY of Iowa, Mr. DEFAZIO, Mrs. CAPPS, Ms. DEGETTE, Mr. CÁRDENAS, Mr. DELANEY, Mr. CARNEY, Ms. DELAUNO, Mr. CARSON of Indiana, Ms. DELBENE, Mr. CARTWRIGHT, Mr. DEUTCH, Ms. CASTOR of Florida, Mr. DINGELL, Mr. CASTRO of Texas, Mr. DOGGETT, Ms. CHU, Mr. DOYLE, Mr. CICILLINE, Ms. DUCKWORTH, Ms. CLARKE, Ms. EDWARDS, Mr. CLAY, Mr. ELLISON, Mr. ENGEL, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GARCIA, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN,

Ms. HANABUSA, Mr. HANNA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJAN of New Mexico, Mr. LYNCH, Ms. MATSUI, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. MARKEY, Mr. MATHESON, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Ms. PELOSI, Mr. PETERS of Michigan, Mr. PETERS of California, Ms. PINGREE of Maine, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHRADER, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SINEMA, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TIERNEY, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VEASEY, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. CAPUANO, Mr. DENT, Mr. GRAYSON, Mr. O'ROURKE, Mr. HOYER, Mr. MCNERNEY, Mr. SIREN, and Ms. BROWNLEY of California):

H.R. 1755. A bill to prohibit employment discrimination on the basis of sexual orientation or gender identity; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 1756. A bill to authorize the Secretary of Defense to transport to any country, without charge, supplies that have been furnished by a nonprofit organization and that are intended for distribution to members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. POSEY (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 1757. A bill to direct the Secretary of Health and Human Services to conduct or support a comprehensive study comparing total health outcomes, including risk of autism, in vaccinated populations in the United States with such outcomes in unvaccinated populations in the United

States, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself, Mr. DIAZ-BALART, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, and Mr. GARCIA):

H.R. 1758. A bill to increase the portion of community development block grants that may be used to provide public services, and for other purposes; to the Committee on Financial Services.

By Mr. RUIZ (for himself, Mr. CÁRDENAS, Mrs. KIRKPATRICK, Mr. BARBER, Mrs. NEGRET MCLEOD, Mr. TAKANO, and Mr. COOK):

H.R. 1759. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress quarterly reports on the timeliness in which the Department of Veterans Affairs receives certain information from other departments or agencies of the United States; to the Committee on Veterans' Affairs.

By Mr. SCHIFF:

H.R. 1760. A bill to establish an entrepreneur-based immigrant category for alien entrepreneurs who have completed or are in the process of completing a degree in Science, Engineering, Math or a technology-related field; to the Committee on the Judiciary.

By Mr. TERRY:

H.R. 1761. A bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY:

H.R. 1762. A bill to provide a biennial budget for the United States Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mrs. DAVIS of California, Ms. WILSON of Florida, Mr. PRICE of North Carolina, Mrs. CAPPS, Ms. WATERS, Ms. ROYBAL-ALLARD, Mr. LOWENTHAL, Mr. HONDA, Mr. HECK of Washington, Ms. DELBENE, Mr. PETRI, and Mr. GARAMENDI):

H.R. 1763. A bill to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education; to the Committee on Education and the Workforce.

By Ms. SLAUGHTER (for herself, Mr. BURGESS, Ms. SCHAKOWSKY, and Ms. SPEIER):

H. Res. 180. A resolution recognizing the sequencing of the human genome as one of the most significant scientific accomplishments of the past 100 years and expressing support for the designation of April 25, 2013, as "DNA Day"; to the Committee on Energy and Commerce.

By Mr. BRALEY of Iowa (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Res. 181. A resolution supporting the goals and ideals of Workers' Memorial Day in order to honor and remember the workers who have been killed or injured in the workplace; to the Committee on Education and the Workforce.

By Ms. DELBENE (for herself, Mr. VARGAS, Mr. DEFazio, Mr. BENISHEK, Mr. HASTINGS of Washington, Mr. SEAN PATRICK MALONEY of New York, Ms. KUSTER, Mr. SCHRADER, Mr. MCGOVERN, Mr. GARAMENDI, and Mr. REICHERT):

H. Res. 182. A resolution expressing the sense of the House of Representatives that specialty crops are a vital part of agriculture in the United States, that the Committee on Agriculture should propose funding for programs that support specialty crops priorities, and that legislation should be passed that includes funding reflecting specialty crops as a growing and important part of United States agriculture; to the Committee on Agriculture.

By Mr. ROHRABACHER:

H. Res. 183. A resolution expressing the sense of the House of Representatives that the Broadcasting Board of Governors should broadcast and direct Azeri language content into the Islamic Republic of Iran and Baloch language content into the Islamic Republic of Iran and the Islamic Republic of Pakistan; to the Committee on Foreign Affairs.

By Mr. ROHRABACHER:

H. Res. 184. A resolution expressing the sense of the House of Representatives that the United States should immediately remove all members of the United States Armed Forces from Afghanistan and pursue alternative strategies, which do not require large deployments of ground combat forces of the Armed Forces, in order to create a stable Afghanistan that is not a base for international terrorism; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of Rule XII, memorials were presented and referred as follows:

6. The SPEAKER presented a memorial of the Senate of the State of Tennessee, relative to Senate Joint Resolution No. 38 urging the Congress to adopt a balanced federal budget; to the Committee on the Budget.

7. Also, a memorial of the House of Representatives of the Commonwealth of Kentucky, relative to House Concurrent Resolution No. 109 urging the Congress to persuade the EPA to withdraw its proposed Greenhouse Gas New Source Performance Standard for Electric Generating Units; to the Committee on Energy and Commerce.

8. Also, a memorial of the Senate of the State of Kansas, relative to Senate Resolution No. 1737 recognizing the many contributions made by the citizens of the Republic of Azerbaijan; to the Committee on Foreign Affairs.

9. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to Senate Resolution reaffirming the friendship between the Commonwealth of Massachusetts and Taiwan; to the Committee on Foreign Affairs.

10. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Resolution No. 6022 recognizing the many contributions made by the citizens of

the Republic of Azerbaijan; to the Committee on Foreign Affairs.

11. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 53 supporting those peaceful political actions that will result in the final reunification of Ireland; to the Committee on Foreign Affairs.

12. Also, a memorial of the House of Representatives of the State of New Mexico, relative to House Joint Memorial No. 22 requesting the Congress to provide full funding to cover the costs associated with the benefits received by Indian tribes and the United States; to the Committee on Natural Resources.

13. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 4 memorializing the Congress to amend the Constitution relative to authorizing states to rescind certain federal laws; to the Committee on the Judiciary.

14. Also, a memorial of the House of Representatives of the State of New Mexico, relative to House Memorial 7 calling for the New Mexico delegation to vote in favor of legislation that would remove the deadline for ratification of the equal rights amendment; to the Committee on the Judiciary.

15. Also, a memorial of the House of Representatives of the State of New Mexico, relative to House Joint Memorial No. 34 urging the New Mexico delegation to vote in favor of the reauthorization of the Violence Against Women Act; to the Committee on the Judiciary.

16. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Concurrent Resolution No. 32 requesting Congress to recognize the legacy of the Late Senator Daniel K. Inouye by designation of the Kilauea Point Lighthouse on the Island Kauai, Hawaii, as the Daniel K. Inouye Kilauea Point Lighthouse; to the Committee on Transportation and Infrastructure.

17. Also, a memorial of the House of Representatives of the State of New Mexico, relative to House Joint Memorial 7 requesting that the Congress reauthorize Section 5056 of the Water Resource Development Act of 2007; to the Committee on Transportation and Infrastructure.

18. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 3 asking that the Department of Health and Human Services resolve the long-standing Medicare Liability owed to Tennessee related to Special Disability Workload cases; jointly to the Committees on Energy and Commerce and Ways and Means.

19. Also, a memorial of the Legislature of the Territory of Guam, relative to Resolution No. 10-32 requesting that the President send the World Health Organization Framework Convention on Tobacco Control to the Senate for ratification; jointly to the Committees on Foreign Affairs and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LOBIONDO:

H.R. 1721.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution of the United States of America

By Mr. MCKINLEY:

H.R. 1722.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 18 of the Constitution: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SCHAKOWSKY:

H.R. 1723.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII.

By Mr. HARPER:

H.R. 1724.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. CARTWRIGHT:

H.R. 1725.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8 of the Constitution states "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

The power to spend for the general welfare is one of the broadest grants of authority to Congress in the United States Constitution. The scope of the national spending power was brought before the United States Supreme Court in a landmark case in 1937 dealing with the newly enacted Social Security Act. In *Steward Machine Co. v. Davis* the Court sustained a tax imposed on employers to provide unemployment benefits to individual workers.

Subsequent Supreme Court decisions have not questioned Congress's policy decisions as to what kinds of spending programs are in pursuit of the "general welfare," and so numerous programs have been funded in such diverse areas as education, housing, veterans' benefits, the environment, welfare, health care, scientific research, the arts, community development, and public financing of election campaigns.

By Mr. POSEY:

H.R. 1726.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 of the Constitution of the United States: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Article I, Section 8, Clause 12 of the Constitution of the United States: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Article I, Section 8, Clause 16 of the Constitution of the United States: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Article I, Section 8, Clause 18 of the Constitution of the United States: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other vested by this Constitution in the Government of the United States Department or Officer thereof

By Mr. WALZ:

H.R. 1727.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. RANGEL:

H.R. 1728.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. KIRKPATRICK:

H.R. 1729.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. ENGEL:

H.R. 1730.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution. Congress has the power to enact this legislation, as well, under Article 1, Section 8, Clauses 1, 3 and 18.

By Mr. SCHRADER:

H.R. 1731.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to act under Article I, §8, clause 3—the Commerce Clause.

By Ms. BASS:

H.R. 1732.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mrs. BLACKBURN:

H.R. 1733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. CAPUANO:

H.R. 1734.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec. 8, Clause 3: "The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. CASSIDY:

H.R. 1735.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Mrs. DAVIS of California:

H.R. 1736.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Ms. DELAURO:

H.R. 1737.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8., Clause 1.

By Mr. DOGGETT:

H.R. 1738.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8 and the 16th Amendment of the Constitution.

By Mr. ENYART:

H.R. 1739.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. FORBES:

H.R. 1740.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. GOODLATTE:

H.R. 1741.

Congress has the power to enact this legislation pursuant to the following:

The ability to regulate interstate commerce pursuant to Article I, Section 8, Clause 3."

By Mr. HECK of Nevada:

H.R. 1742.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. HOLT:

H.R. 1743.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S. Constitution

By Mr. HORSFORD:

H.R. 1744.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, and Article IV, Section 3, Clause 2.

By Mr. ISRAEL:

H.R. 1745.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. KING of Iowa:

H.R. 1746.

Congress has the power to enact this legislation pursuant to the following:

This legislation contains a clarification that is intended to limit the scope of an existing statute. As such, this bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Ms. KUSTER:

H.R. 1747.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States) of the United States Constitution.

By Mr. LARSEN of Washington:

H.R. 1748.

Congress has the power to enact this legislation pursuant to the following:

As described in Article I, Section 1 "all legislative powers herein granted shall be vested in a Congress."

By Ms. LEE of California:

H.R. 1749.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LUETKEMEYER:

H.R. 1750.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, Article 1, Section 7, Clause 2 of the Constitution allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has been passed by both chambers and signed into law by the President.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1751.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MARINO:

H.R. 1752.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. PALLONE:

H.R. 1753.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 9, clause 7

Article I, section 8, clause 1

By Mr. PETERS of Michigan:

H.R. 1754.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. POLIS:

H.R. 1755.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution; clause 18 of section 8 of article I of the Constitution; section 5 of Amendment XIV to the Constitution.

By Mr. POSEY:

H.R. 1756.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 of the Constitution of the United States:

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Article I, Section 8, Clause 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. POSEY:

H.R. 1757.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States:

The Congress shall have Power to regulate Commerce with foreign Nations, and among

the several States, and with the Indian Tribes.

Article I, Section 8, Clause 18 of the Constitution of the United States

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof

By Ms. ROS-LEHTINEN:

H.R. 1758.

Congress has the power to enact this legislation pursuant to the following:

Article I—The Legislative Branch.

Section 1: The Legislature:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 8:

Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Clause 18. The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUIZ:

H.R. 1759.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. SCHIFF:

H.R. 1760.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution. Article I, Section 8, Clause 4 of the Constitution.

By Mr. TERRY:

H.R. 1761.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Cl. 1

By Mr. THORNBERRY:

H.R. 1762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imports and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

Article I, Section 5, Clause 2: Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

By Ms. TITUS:

H.R. 1763.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 35: Mr. BRIDENSTINE.
H.R. 38: Mr. KIND.
H.R. 96: Mr. CICILLINE.
H.R. 164: Mr. ROONEY and Mr. LoBiondo.
H.R. 176: Mr. BARR and Mr. SCALISE.
H.R. 180: Mr. MAFFEI and Mr. RANGEL.
H.R. 183: Mr. MAFFEI and Ms. LORETTA SANCHEZ of California.
H.R. 184: Mr. POCAN and Ms. LINDA T. SANCHEZ of California.
H.R. 258: Mrs. WALORSKI.
H.R. 262: Mr. MAFFEI.
H.R. 301: Mr. GRIFFIN of Arkansas.
H.R. 303: Mr. PETERSON.
H.R. 320: Mrs. BEATTY and Mr. O'ROURKE.
H.R. 351: Ms. LORETTA SANCHEZ of California and Mr. DeSANTIS.
H.R. 358: Mr. BUCSHON.
H.R. 484: Mr. LATTI.
H.R. 485: Ms. ESHOO.
H.R. 494: Mr. BILIRAKIS, Mr. REED, and Mr. ISSA.
H.R. 508: Mr. PETERS of Michigan and Mr. LOEBSACK.
H.R. 515: Mr. CAPUANO.
H.R. 531: Ms. WILSON of Florida, Mr. BUTTERFIELD, and Mr. WELCH.
H.R. 535: Mr. CARNEY, Ms. TSONGAS, Ms. NORTON, Mr. CÁRDENAS, and Mr. TAKANO.
H.R. 543: Mr. BENTIVOLIO and Mr. DOGGETT.
H.R. 565: Mr. LOEBSACK and Mrs. DAVIS of California.
H.R. 577: Mr. BRIDENSTINE and Mr. BROUN of Georgia.
H.R. 627: Mr. ENGEL, Mr. CARSON of Indiana, Ms. ZOE LOFGREN, Mr. LARSON of Connecticut, and Mr. DIAZ-BALART.
H.R. 630: Ms. WATERS, Ms. FRANKEL of Florida, and Mr. GARAMENDI.
H.R. 647: Ms. ESTY, Mr. BUTTERFIELD, and Mr. LATTI.
H.R. 671: Mr. HUFFMAN.
H.R. 675: Mrs. KIRKPATRICK, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. SLAUGHTER.
H.R. 679: Mr. KIND, Mr. O'ROURKE, Mr. CARNEY, Mr. DAINES, Mr. LATTI, and Mrs. BUSTOS.
H.R. 685: Mr. MILLER of Florida.
H.R. 693: Mr. BARR.
H.R. 698: Mr. CLAY, Mr. RANGEL, Mr. SCHIFF, and Mr. GRIFFIN of Arkansas.
H.R. 713: Mr. KIND, Mr. BRALEY of Iowa, Ms. BORDALLO, Mr. LIPINSKI, Ms. MOORE, and Mrs. MCCARTHY of New York.
H.R. 724: Mr. BISHOP of Georgia.
H.R. 755: Mr. CÁRDENAS.
H.R. 763: Mr. LATHAM, Mr. HASTINGS of Washington, Mr. HECK of Nevada, Mr. WHITFIELD, and Mr. HUNTER.
H.R. 769: Mr. LOWENTHAL, Mrs. NAPOLITANO, Mr. RUPPERSBERGER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON LEE, and Mr. MAFFEI.
H.R. 794: Mr. GRAYSON.
H.R. 807: Mr. LATTI.
H.R. 811: Mr. COLE.
H.R. 831: Mr. SWALWELL of California, Mrs. BEATTY, Mr. PIERLUISI, and Mr. COBLE.

H.R. 847: Mr. CAPUANO.
H.R. 851: Mr. TAKANO and Ms. DeLAURO.
H.R. 855: Mr. BISHOP of New York.
H.R. 864: Mr. LARSON of Connecticut, Mr. COHEN, Mr. DEUTCH, Mr. GOODLATTE, and Mr. WILSON of South Carolina.
H.R. 881: Mr. HONDA.
H.R. 904: Mrs. CAPPS and Mr. SEAN PATRICK MALONEY of New York.
H.R. 920: Mr. BISHOP of New York.
H.R. 924: Mr. GRIJALVA.
H.R. 949: Ms. FUDGE.
H.R. 952: Mr. COLLINS of New York.
H.R. 958: Mr. HUFFMAN.
H.R. 960: Mr. CASSIDY.
H.R. 961: Mr. POCAN, Ms. MENG, Mr. TONKO, Mr. HONDA, Ms. CLARKE, and Mr. NOLAN.
H.R. 984: Mr. SHIMKUS, Mr. MCKINLEY, and Mr. BRADY of Pennsylvania.
H.R. 990: Mr. BISHOP of Georgia.
H.R. 997: Mr. STOCKMAN.
H.R. 1020: Mr. WALBERG, Mrs. WALORSKI, Mr. BROUN of Georgia, Mr. HUFFMAN, Ms. SEWELL of Alabama, Mr. LIPINSKI, Mr. ROGERS of Michigan, Mr. MCCAUL, Mr. HUDSON, and Ms. BROWN of Florida.
H.R. 1027: Mr. DINGELL, Mr. LEVIN, Ms. SCHAKOWSKY, Mr. CARTWRIGHT, and Mr. POCAN.
H.R. 1030: Mr. TAKANO.
H.R. 1038: Mrs. CAPPS.
H.R. 1041: Mr. RANGEL.
H.R. 1091: Mr. GOHMERT and Mr. LONG.
H.R. 1129: Mr. FARENTOLD.
H.R. 1150: Mr. DeFAZIO.
H.R. 1154: Mr. DeFAZIO and Ms. ESHOO.
H.R. 1175: Mr. DeFAZIO.
H.R. 1182: Mr. LAMALFA.
H.R. 1199: Mr. LIPINSKI, Mr. RUSH, Mr. SABLAN, and Mr. MARKEY.
H.R. 1209: Mr. CASTRO of Texas, Mr. ISSA, Mr. HECK of Washington, Mrs. HARTZLER, Mr. KING of Iowa, Mr. SCHOCK, and Mr. OWENS.
H.R. 1242: Mr. NUNNELEE.
H.R. 1249: Mr. BARTON, Mr. YOUNG of Indiana, Mr. BENISHEK, Mr. LATTI, and Mr. HUELSKAMP.
H.R. 1250: Mr. VALADAO.
H.R. 1276: Mr. SARBANES, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. ROBY, Ms. NORTON, Ms. DeLAURO, Mr. RIGELL, Mr. VAN HOLLEN, Mr. MCGOVERN, Mr. COLLINS of New York, Ms. FUDGE, Mr. GRIMM, Mr. CONNOLLY, Ms. EDWARDS, and Ms. TSONGAS.
H.R. 1282: Mrs. MCCARTHY of New York.
H.R. 1286: Mrs. CHRISTENSEN, Ms. VELÁZQUEZ, Mr. CLYBURN, Ms. BASS, and Mrs. LOWEY.
H.R. 1303: Mr. NUNNELEE, Mrs. KIRKPATRICK, Mr. PAULSEN, and Mr. POE of Texas.
H.R. 1313: Mr. JORDAN.
H.R. 1338: Mr. SARBANES.
H.R. 1339: Mr. KEATING.
H.R. 1341: Mr. GRAVES of Georgia.
H.R. 1344: Mr. POCAN and Mr. JOHNSON of Ohio.
H.R. 1354: Mr. MICHAUD, Mr. COLE, Mrs. KIRKPATRICK, Ms. DELBENE, Mr. ROSKAM, Mr. STIVERS, and Mr. NEAL.
H.R. 1355: Mr. POE of Texas and Mr. WESTMORELAND.
H.R. 1389: Ms. TITUS, Mr. BRADY of Pennsylvania, Mr. PETERS of Michigan, and Mr. WAXMAN.
H.R. 1406: Mr. ROTHFUS, Mr. LAMBORN, and Mr. WEBSTER of Florida.
H.R. 1413: Ms. SINEMA and Mr. MATHESON.
H.R. 1414: Mrs. NAPOLITANO, Ms. DELBENE, and Mrs. LOWEY.
H.R. 1416: Mr. BISHOP of New York, Mr. VEASEY, Mr. WITTMAN, and Mrs. NOEM.
H.R. 1427: Mr. CRENSHAW and Mr. CARSON of Indiana.
H.R. 1431: Mr. JOYCE, Mr. ENGEL, Mr. HASTINGS of Florida, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1449: Mr. TURNER, Ms. NORTON, Mr. LATHAM, Mr. RYAN of Ohio, Mr. WAXMAN, Ms. SEWELL of Alabama, Mr. THOMPSON of Pennsylvania, Ms. WILSON of Florida, Mr. CASSIDY, Mr. BROOKS of Alabama, Mr. YOHIO, Mr. STIVERS, Mr. MEEHAN, and Mrs. BEATTY.
H.R. 1466: Ms. SHEA-PORTER, Mr. LEWIS, Mr. CARSON of Indiana, Mr. MCGOVERN, Mr. CLAY, and Ms. CLARKE.
H.R. 1494: Mr. MILLER of Florida and Mr. YOUNG of Florida.
H.R. 1496: Mr. FRANKS of Arizona and Mr. FINCHER.
H.R. 1526: Mr. WALDEN.
H.R. 1528: Mr. CRAWFORD, Mr. SMITH of Nebraska, Mr. HASTINGS of Florida, Mr. HANNA, and Mr. VALADAO.
H.R. 1565: Mr. CICILLINE.
H.R. 1572: Mr. BARR and Mr. HUDSON.
H.R. 1586: Mr. LANKFORD.
H.R. 1595: Mr. MCNERNEY and Ms. WATERS.
H.R. 1605: Ms. ESTY.
H.R. 1613: Mr. POE of Texas and Mr. MCCAUL.
H.R. 1620: Mr. RUIZ.
H.R. 1622: Mr. ELLISON.
H.R. 1626: Mr. LONG.
H.R. 1630: Ms. DeGETTE, Mr. MCGOVERN, Ms. SPEIER, Mrs. KIRKPATRICK, Mr. LOEBSACK, Ms. ESHOO, and Mr. CICILLINE.
H.R. 1634: Mr. YOUNG of Indiana, Mr. TIBERI, and Mr. ROSKAM.
H.R. 1638: Mr. STOCKMAN.
H.R. 1640: Mr. KEATING and Mr. RAHALL.
H.R. 1643: Mr. HECK of Washington.
H.R. 1652: Ms. BROWN of Florida, Mr. HONDA, Mr. MAFFEI, and Mr. VEASEY.
H.R. 1659: Ms. KUSTER.
H.R. 1661: Mr. BUTTERFIELD, Mr. MCINTYRE, Mr. ELLISON, Ms. NORTON, Mr. GRIJALVA, Mr. CONNOLLY, Mr. LOEBSACK, and Mr. RYAN of Ohio.
H.R. 1685: Mr. MCNERNEY and Mr. WELCH.
H.R. 1692: Ms. WATERS and Mr. BISHOP of Georgia.
H.R. 1693: Mr. THORNBERRY and Ms. SHEA-PORTER.
H.R. 1700: Mr. RANGEL.
H.J. Res. 36: Mr. MULVANEY and Mr. DUNCAN of South Carolina.
H.J. Res. 41: Mr. GIBSON.
H. Res. 30: Mr. SHERMAN and Mr. ROYCE.
H. Res. 36: Mr. FORTENBERRY, Mr. STEWART, Mr. CAMPBELL, and Mr. FLEISCHMANN.
H. Res. 72: Mr. MARCHANT.
H. Res. 86: Mr. GOODLATTE.
H. Res. 94: Ms. DeGETTE.
H. Res. 104: Ms. WILSON of Florida.
H. Res. 108: Mr. CÁRDENAS.
H. Res. 112: Mr. COFFMAN and Mr. TONKO.
H. Res. 131: Mr. CARSON of Indiana.
H. Res. 147: Mr. GRIFFIN of Arkansas, Mr. WALBERG, and Mr. MILLER of Florida.
H. Res. 153: Mr. LABRADOR.

H. Res. 167: Mr. CARTWRIGHT and Mr. POE of Texas.

H. Res. 170: Mr. STOCKMAN and Mr. SESSIONS.

H. Res. 173: Mr. LANKFORD and Mr. TIPTON.

H. Res. 174: Mr. MURPHY of Florida, Ms. WILSON of Florida, Mr. MORAN, Mr. CARTWRIGHT, Ms. BROWN of Florida, Mr. COSTA, Ms. SPEIER, Mr. HOLT, Ms. ZOE LOFGREN, Mr. SWALWELL of California, Mr. MAFFEI, Mr. BISHOP of Georgia, Ms. SHEA-PORTER, Mrs. BEATTY, Mr. COHEN, Mr. BISHOP of New York, Mr. PAYNE, Ms. KUSTER, Mr. SHERMAN, and Mrs. MCCARTHY of New York.

H. Res. 177: Mr. STIVERS, Mr. HULTGREN, Mr. WEBER of Texas, Mr. WESTMORELAND, Mr. TIBERI, and Mr. LAMBORN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1445: Mr. BISHOP of New York, Mr. RUNYAN, Mr. GRIMM, and Mr. LOBIONDO.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

7. The SPEAKER presented a petition of the Commissioner of Gray County, Texas,

relative to a Resolution affirming the rights of our citizens under the 2nd Amendment; to the Committee on the Judiciary.

8. Also, a petition of the Board of Supervisors, Monterey County, California, relative to Resolution No. 13-089 urging the Congress to enact comprehensive immigration reform; to the Committee on the Judiciary.

9. Also, a petition of the Pima County Board Supervisors, Arizona, relative to Resolution No. 2013-19 urging the Congress to enact comprehensive immigration reform; to the Committee on the Judiciary.

SENATE—Thursday, April 25, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. John Edgerton, Old South Church, Boston, MA.

The guest Chaplain offered the following prayer:

Along with the heartbroken of Boston, let us pray.

O God, remember this assembly, which you acquired long ago. Have regard for Your covenant, for the dark places of the land are full of the haunts of violence. Your foes have roared; they have roared within Your holy place; they set up their emblems there. They said to themselves: We will utterly subdue them. But it is God who executes justice, putting down one and lifting up another. For in the hand of the Lord, there is a cup with foaming wine, well mixed. God will pour a draught from it, and the wicked of the Earth shall drain it to the dregs.

Lord, You were favorable to Your land. Restore us again, O God of our salvation. Will You not revive us again, so that Your people may rejoice in You? Let me hear what the Lord will speak. Peace. God speaks peace to the people, to the faithful, to those who turn to the Lord in their hearts. Steadfast love and faithfulness will meet. Righteousness and peace will kiss each other. Faithfulness will spring up from the ground, and righteousness will look down from the sky. It is You who have said so, O God.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 25, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 10:30 this morning. The majority will control the first half, the Republicans the final half. At 10:30 the Senate will recess for an hour to allow for a Senators-only briefing. When the Senate reconvenes, we will resume consideration of the Marketplace Fairness Act. Yesterday I filed cloture on this legislation. As a result the filing deadline for all first-degree amendments is 1 p.m. today. Unless an agreement is reached, Senators should expect a cloture vote on Friday morning.

That was a wonderful prayer. I appreciated it very much.

I would now yield to my friend, the senior Senator from Massachusetts.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

WELCOMING THE GUEST CHAPLAIN

Ms. WARREN. Mr. President, thank you.

Every April a large blue-and-gold banner flies above the entryway at Old South Church, with words from Isaiah: "May you run and not grow weary, walk and not faint." Old South Church sits on the finish line for the Boston Marathon, a distinguished and historical spot that has earned its name, "Church of the Finish Line."

Today I welcome Rev. John Edgerton of Old South Church, the Church of the Finish Line, and thank him for coming here to share his faith, resilience, and fortitude.

Less than 2 weeks ago, on the Sunday before the marathon, Old South Church welcomed athletes, friends, families, supporters, and marathon volunteers into the church for the annual premarathon "Blessing of the Athletes."

On Marathon Monday, just after 12 p.m., the bells of Old South Church

rang in the men's winner of the Boston Marathon, Lelisa Desisa Benti, as he crossed the finish line.

Later that day two blasts from hidden bombs rocked the crowded final stretch on the Boston Marathon. One explosion occurred mere feet from the front of the church. In an instant, Old South Church, the marathon church, the Church of the Finish Line, joined the rest of Boston in helping, comforting, and praying.

The Old South Church was first gathered in 1669 by a group of colonists who wanted to create a more inclusive and welcoming congregation. Since then, it has played an integral role in Boston's history. Meetings that led to the Boston Tea Party were held at the church, and in the 19th century church members were active in the abolitionist movement.

Although Old South Church was closed for more than a week following the explosion, its ministry remained open. This past Sunday I attended an interfaith service, jointly performed by Old South Church and other local religious institutions, at the corner of Boylston and Berkeley Streets, a few blocks from the site of the bombing. I stood with hundreds of worshipers from a variety of faiths in downtown Boston, praying, signing, remembering. This perseverance and dedication to faith and community is why Boston has not grown weary; it is why Boston has not fainted; it is why Boston is strong.

Reverend Edgerton, thank you for the blessing you brought to the Senate today. I join you in praying for our hometown and for our Nation as we face the challenges ahead. The qualities you and your church exemplify, the spirit of openness and inclusiveness, the power of healing and prayer, and the strength of community are what will bring Boston through these difficult times. I am honored that you joined us today.

I yield the floor.

MEASURE PLACED ON THE CALENDAR—S. 799

Mr. REID. Mr. President, S. 799 is at the desk and due for a second reading; is that right?

The PRESIDING OFFICER (Mr. SCHATZ). The Senator is correct.

The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 799) to provide for a sequester replacement.

Mr. REID. Mr. President, I object to any further proceeds with respect to this bill at this time.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

Mr. REID. Mr. President, I now yield to the junior Senator from Massachusetts, Mr. COWAN.

WELCOMING THE GUEST CHAPLAIN

Mr. COWAN. Mr. President, I am pleased to rise this morning to join Senator WARREN in honoring our guest Chaplain from Boston, Rev. John Edgerton, and I thank him for his words this morning.

In the wake of the recent tragedies in Massachusetts, I am glad to welcome a representative of Boston's spiritual community to deliver our invocation today. Reverend Edgerton's church, the Old South Church, is located on Boylston Street, not more than 100 yards past the finish line of the great Boston Marathon.

Since the first marathon 117 years ago, the Old South Church has been known as the Church of the Finish Line. Every year, the Sunday before Patriots' Day, the Old South Church holds a service to bless those running the marathon the very next morning. The service this year included the theme music from "Chariots of Fire" and the Olympics as well as a prayer for the athletes. Marathoners from around the Commonwealth, Nation, and world congregate at the Old South Church seeking community, faith, and strength for the upcoming race.

Last Monday explosions rocked the finish line at Boylston Street and brought chaos to the front door of the Old South Church. For over a week the church's doors remained closed, as did much of the neighborhood, as investigators scoured the block for evidence. But today, as we pray here for those lives lost and those still recovering, Old South Church will open its doors once again and pray for our city, our Commonwealth, and our citizens.

As we do in times of hardship and heartbreak, we rely on the guidance of community leaders such as Reverend Edgerton and take comfort in their words. It is through their guidance and wisdom that we find the strength to rebound from tragedy and to find hope to move forward.

In churches all across Massachusetts this week, from the Back Bay to Dorchester and from Medford to Stoneham, bells will toll in their steeples and worshippers of all faiths will gather to remember the lives of Officer Sean Collier, Lingzi Lu, Krystle Campbell, and Martin Richard, and to pray for the scores who were injured.

Again next year, we look forward to the Sunday before Marathon Monday when runners will again gather at the Old South Church to receive their blessings before the running of the 118th Boston Marathon. We will always

remember, and we will recover. We are thankful to have leaders such as Reverend Edgerton to guide us as we do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

HONORING THE VICTIMS OF THE BOSTON BOMBINGS

Ms. WARREN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 115, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 115) commending the heroism, courage, and sacrifice of Sean Collier, an officer in the Massachusetts Institute of Technology Police Department, Martin Richard, an 8-year-old resident of Dorchester, Massachusetts, Krystle Campbell, a native of Medford, Massachusetts, Lu Lingzi, a student at Boston University, and all the victims who are recovering from injuries caused by the attacks in Boston, Massachusetts, including Richard Donohue, Jr., an officer in the Massachusetts Bay Transportation Authority Police Department.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COWAN. I am honored to join the senior Senator from the Commonwealth of Massachusetts in this resolution to honor those who were injured or who lost their lives last week as a result of the attack on the Boston Marathon and during the manhunt to apprehend the suspects.

In this resolution the Senate commends the heroism, courage, and sacrifices of Sean Collier, an officer in the Massachusetts Institute of Technology police force, and Richard Donohue, Jr., an officer in the Massachusetts Bay Transportation Authority police force.

Officer Collier was a 26-year-old native of Wilmington, MA, and was on the force for just over a year in his dream job, a police officer. Before joining the ranks at MIT, Officer Collier served as a civilian employee with the Somerville Police Department, and likely because of his outstanding service at MIT he was going to be invited to return to Somerville in June of this year, this time as an officer.

On Thursday evening last, Officer Collier was murdered in the line of duty, allegedly by the men suspected in the Boston Marathon bombings of last week. MIT Police Chief John DiFave said the following about Officer Collier:

Sean was one of these guys who really looked at police work as a calling. He was born to be a police officer.

Officer Collier was compassionate and stood out for his ability to connect personally with the students and community he served. We will never forget his devotion to protecting the community of MIT and serving as a police officer. He will be sincerely missed. I honor the exemplary service of Officer

Collier and I extend my deepest sympathies to his family.

Last week MBTA police officer Richard Donohue, Jr. was working to protect the public at the Boston Marathon, and early Friday morning he raced to assist Cambridge police as they pursued the suspect who shot an MIT officer in Watertown, MA. What Officer Donohue may not have known was that officer down at MIT was his friend and fellow police academy classmate Sean Collier.

In the ensuing gun battle, showing remarkable courage and disregard for his own safety, Officer Donohue endured a barrage of gunfire and explosives unleashed by these suspects, and he himself was seriously wounded. Officer Donohue is recovering from his wounds and remains in critical but stable condition. I wish to thank Officer Donohue for his service, and I wish him a speedy recovery. As he heals, our thoughts are with the entire Donohue family, especially his wife Kim and their young son, who are a constant presence at his hospital bedside.

Ms. WARREN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 115) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The majority leader.

MARKETPLACE FAIRNESS ACT

Mr. REID. Mr. President, the Senate operates by cooperation and consent. So it is unfortunate that we could not reach an agreement yesterday to consider amendments to the Marketplace Fairness Act, a measure that will provide parity between brick-and-mortar retailers and online stores.

A few Senators have held up this important legislation—and I mean a few—legislation which proponents have advocated for 11 years. The able sponsors of this bill—Senators ENZI, DURBIN, and ALEXANDER—are continuing to work to get an agreement on a list of amendments upon which the Senate could vote.

Three-quarters of the Senate support this measure. A number of those who do not vote with us do not oppose this legislation, they are doing it for other reasons. This is overwhelmingly important legislation, but, as we saw with the background check measure and the other gun matters last week, here in the Senate a minority of Senators can block even measures with overwhelming support. We found that on

background checks. This bill is no exception. Despite 75 votes to proceed to the Marketplace Fairness Act, just a few individual Senators are vowing to derail this legislation. Absent consent, we will vote on closure on this measure an hour after we convene tomorrow.

I remain open to an agreement to consider amendments to this legislation. The proponents of this legislation have worked for a long time to move forward. They worked all day yesterday and the day before to come up with a list of amendments. No one is trying to prevent amendments, except a handful of Senators. I am eager to conduct an open debate on this bill, but time is winding down. One way or another we are going to finish work on this measure before we leave for our in-state work period, even if it takes the weekend. Those people—that handful of people—should understand that. The calendar is simply too full to allow this important measure to hold over until next month.

The Senate must complete work on job-creating water resource legislation and a farm bill during the May work period so we can move forward on the immigration debate in June. We have had eight Senators who have spent days, weeks, working on an immigration bill. We have a bipartisan bill coming to the Senate with a system to fix our broken immigration system, just like we have a bipartisan bill on the Senate floor today.

The only way we get things done around here is with Senators working together. The immigration bill is a good example of that, and this bill is a good example. We cannot let a few people stand in the way of fairness. That is what this is all about.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Mr. President, last week one of our most senior Democratic colleagues, a primary author of ObamaCare, referred to the law's implementation as "a train wreck." He warned: "Small businesses have no idea what to do." They have no idea "what to expect." He also expressed concern that the health insurance exchanges for consumers and small businesses could turn into a fiasco. I agree with him. I think just about everyone in my conference agrees with him.

Here is the difference. This is not some grand revelation to Republicans. We have been saying this since day one. We said a government takeover of health care would raise health care costs and premiums. We said it would raise taxes on the middle class. We said it would force millions of Americans to

give up insurance plans they liked and wanted to keep. We said it would bury families and small businesses in a literal mountain of regulations, and we said it would cost our country jobs. We shouted these things from the rooftop throughout the health care debate. A few of us have even said it would be a "train wreck."

Until now, the President's allies mostly ignored or brushed off our concerns. But do you know what. With each passing day, it appears clearer and clearer that we were right to sound the alarm.

Only now are Washington Democrats starting to come around to the reality of what they passed. Perhaps they thought a "yes" vote on this bill would somehow magically cure our country's health care challenges without any cost increases, without hurting the middle class, and without the massive, unnavigable bureaucracy that is being erected literally as I speak.

That is the problem. That is why we are stuck in this mess. Our constituents did not send us here to robotically fall in line behind bad legislation and then pat ourselves on the back for "doing something." They sent us here to eventually elevate public policy and to think about the medium- and long-term consequences of our actions.

Look, ObamaCare's mounting challenges shouldn't come as much of a surprise. It is not just that Republicans have warned about them for so long or that experts echoed our concerns. A lot of the problems in this 2,700-page bill should have been pretty self-evident right from the start.

In some ways I am glad to see more and more Washington Democrats and their allies come around to the reality of what they have done.

Earlier this year Democrats helped us repeal the CLASS Act, for instance. Last month, the Senate voted overwhelmingly, 79 to 20, to repeal the law's job-killing medical device tax. Last week we saw a union reverse course and come out for repeal of the law. I would hope more would come out and join us in repealing it in its entirety, root and branch. I am optimistic we will see more common sense take root in the days to come as the country learns more about this law and the harm it is causing families, businesses, and taxpayers. I suspect we will.

When administration officials are reduced to hoping that the law's implementation will not amount to "a third world experience," then you know there is trouble on the way.

That is why I have also called on the President to address the Nation and give an honest accounting of what many Americans can expect as this law starts to come online: the higher costs, the premium increases, the taxes, the loss of health care plans they like and want to keep. All of that is happening.

We asked him to do this in his State of the Union speech. He should have, because the longer he waits to lay out the truth for the American people, the more people are going to get blindsided by all of this. That is simply not right. The President shouldn't waste any more time. In the meantime, Americans can rest assured Republicans will keep working to repeal this law. I hope more of the President's allies will join us in this fight as well, because all of us owe our country better than this.

For the sake of my constituents in Kentucky and for the sake of Americans across the country, I urge my friends on the other side to join with Republicans and stop the train wreck, stop this train wreck before things get even worse.

MARKETPLACE FAIRNESS ACT

On the matter currently before the Senate, I wish to make the following observation about the Internet sales tax bill. Earlier this week I announced my opposition to this bill, which I don't think is in the best interests of Kentuckians or its taxpayers in general. I know everyone in the Chamber doesn't feel that way. This bill may pass. There are Members on both sides who support it. Before it does, I hope the Senate will at least have some chance to offer amendments.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DONNELLY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DONNELLY pertaining to the introduction of S. 810 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DONNELLY. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXCESSIVE GOVERNMENT WASTE

Mrs. FISCHER. Mr. President, a recent Washington Post headline has grabbed national attention. It reads: U.S. Government spends \$890,000 on nothing.

It almost sounds like a bad joke, but this is no laughing matter. The Post reported:

This year, the government will spend at least \$890,000 on service fees for bank accounts that are empty. At last count, Uncle Sam has 13,712 such accounts with a balance of zero.

The American people are no strangers to reports of excessive government waste, from robotic squirrel research to Moroccan pottery classes. This latest example, however, comes at a particularly frustrating moment, as thousands of Americans are stuck waiting for hours in airport terminals with delayed flights—the result of the Federal Aviation Administration's decision to furlough thousands of air traffic controllers due to sequestration. The Post astutely noted:

If you are a federal worker on furlough this week—or an airline passenger delayed by federal furloughs—you might want to save your blood pressure and go read another story.

Federal law requires the government to reduce overall spending by 5 percent in each agency, totaling \$85 billion for the remainder of this fiscal year. While the \$890,000 currently spent on unused bank accounts may seem like a drop in the bucket, it nonetheless proves there is plenty of fat to trim in Federal spending. We can do that, and we can do it without directly impacting essential government services and jobs.

The same holds true with the FAA. Similar to many Nebraskans, I remain concerned about the Federal Government's failure to effectively target these required but necessary budget cuts. Of particular concern is the FAA's complete mismanagement of the cost reductions which has resulted in unnecessary travel delays all across this Nation. Since 1996, the FAA's operations budget has grown by an astounding 109 percent, from \$4.6 billion to \$9.7 billion. A mere 5-percent budget cut would simply return the FAA to the 2010 funding levels.

Despite 2 years to prepare for these budget reductions, the FAA chose to provide Congress and the airline industry with less than 1 week's notice regarding its plans to furlough its workforce, showing complete disregard for the traveling public.

The FAA has insisted on targeting air traffic controllers, rather than solely focusing on lower priority personnel to ensure morale. I wonder if anyone

has checked in with the folks waiting in airport terminals—and waiting in those terminals for hours—to determine their current morale. The FAA has 47,000 employees, of which 15,500 are air traffic controllers. While I appreciate the hard work of many Federal employees, air traffic controllers should be the last ones on the FAA's budgetary chopping block.

Rather than selectively ratcheting up the pain of Federal budget cuts on American citizens with these long delays, the FAA should, instead, focus on cutting its \$500 million consultant slush fund or the \$325 million spent on supplies and travel.

For months, the administration has argued it lacks the flexibility to target the required budget cuts in a smart, responsible manner—in a smart, responsible manner—that mitigates the impact on the public. To that end, I have cosponsored several legislative efforts to provide this administration with the tools to ensure that essential Federal employees continue to provide these vital services, such as our control tower operations.

Most recently I cosponsored the Essential Services Act, which would simply require each Federal agency head to identify and exempt essential employees from any furlough policies by using the same standards that were created by multiple administrations during previous government shutdowns.

Unfortunately, the President and my Democratic colleagues continue to oppose any of these measures to both achieve needed savings without tax hikes and preserve our important government functions.

Notably, FAA Administrator Michael Huerta recently testified at a Senate hearing that he does, in fact, have discretion to prioritize the spending cuts. If that is true, then it appears the FAA is more interested in scoring political points rather than cutting its \$2.7 billion in nonpersonnel operation costs.

I am very disappointed in Administrator Huerta's lack of forthrightness with this Congress. When asked at the same hearing about the FAA's possible furlough strategy, Mr. Huerta provided only general statements. Hours later, FAA officials provided detailed furlough plans to airlines—a disturbing move to hide the ball from lawmakers, who were left without the opportunity to mitigate the impact of these extensive furloughs.

I stand here ready to work with the President and any of my colleagues who are committed to making these budget cuts in a smart, effective, and efficient manner, a manner that preserves essential government services.

I thank the chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise today to discuss a serious problem con-

fronting the American traveling public and our economy, and later today I will be introducing a bill to remedy this problem. I am very pleased to be joined by several of my Senate colleagues as original cosponsors, including Senator MARK UDALL, Senator RISCH, Senator ROBERTS, Senator ISAKSON, and I expect several more cosponsors to join in this effort over the course of the day.

As the ranking member of the Transportation Appropriations Subcommittee, I have followed the issue of FAA delays and furloughs very closely. In fact, the first thing this morning I met with Secretary of Transportation LaHood and FAA Administrator Huerta to discuss this problem and my proposed solution.

The challenges the FAA faces this fiscal year are daunting. Not only is the agency operating under a continuing resolution but sequestration compounds the problem. It is important that sequestration be implemented in a way that ensures safety and minimizes the impact on travelers as well as on jobs in the hospitality and airline industries.

The FAA recently announced its plans to achieve its sequestration savings by implementing furloughs of air traffic controllers, closing contract towers, eliminating midnight services, among other cuts.

I personally believe the FAA had other choices and could have avoided many of these disastrous outcomes, but there is no doubt that personnel does make up a great deal of the agency's budget and that some furloughs undoubtedly would have been necessary. Whether it was necessary for the FAA to concentrate so many of the cuts in the area of air traffic controllers is an entirely different question. In any event, my bill would restore funding for these essential programs and would do so—and this is an important point—without increasing the funding for the FAA or for the Department of Transportation.

Let me give a little bit of background. The FAA began furloughing 47,000 employees this past Sunday, including nearly 15,000 air traffic controllers. This is essentially 10 percent of its workforce, which equates to one furlough day per biweekly pay period for approximately 11 days through September 30. The FAA also plans to eliminate midnight shifts in more than 70 control towers across the country and will close more than 149 air traffic control towers at airports with fewer than 150,000 flight operations or 10,000 commercial operations per year. In addition, the agency is slated to reduce preventive maintenance and equipment provisioning and support for all National Airspace System equipment.

These are simply irresponsible cuts that have real and detrimental impacts on the traveling public, on the airline industry, on the hospitality industry,

and they will cause widespread delays to the air transportation system. It is estimated as many as 6,700 flights could be delayed each day, more than double the worst day of flight delays last year.

In fact, there is one estimate that just since Sunday, 5,800 delays have occurred because of the actions taken by the FAA. This reduction in staffing of air traffic controllers has been the primary cause of at least one out of every three delays since the furloughs began, and the problem is only going to get worse.

To give an example: On Monday there were 2,660 delayed flights, of which 1,200 were due to the furloughs. What is even more troubling is this is only the beginning, and soon we will be approaching the peak travel season. Some airports may experience delays of up to 3 hours during peak travel times, and we know these delays cause a ripple throughout the entire system. What is going to happen is that air travelers are going to decide to cancel trips and will not even bother to go on brief vacations because they don't want to spend 3 hours sitting on the tarmac waiting for their flights to take off.

The FAA acknowledges these service reductions will adversely affect commercial, corporate, and general aviation operators. The agency expects that as the airlines estimate the potential impact of the furloughs, they will be forced to change their schedules, cancel flights, and lay off employees. At a time when our economy is already fragile, that is the last thing we need to happen.

The legislation I am introducing with several of my colleagues, including Senator MARK UDALL, is called the Reducing Flight Delays Act of 2013. Here is how it would work: It would provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent the furloughs of essential employees at the FAA, and certainly air traffic controllers qualify as essential employees.

Specifically, it would give the Secretary the authority to transfer an amount not to exceed \$253 million to prevent the furloughs of the air traffic controllers and other essential employees in order to reduce flight delays and at the same time to maintain a safe and efficient national airspace system. Our bill would accomplish this goal by allowing a one-time shift of unused moneys in the Airport Improvement Program to the operations account.

I first raised this idea of using the AIP carryover balances as a solution at our Republican policy lunch on Tuesday. Since that time, many of my colleagues from both sides of the aisle have indicated interest in this approach.

I want to emphasize our legislation has been vetted by the general counsel

offices at both the FAA and the Secretary's office, so we know it works. Secretary LaHood told me this morning it is an effective, workable solution.

I want to explain further exactly how this would work. Each year funds are distributed according to a formula under the Airport Improvement Program to airports across the country, but each year there are moneys that cannot be used by these airports by the end of the fiscal year. Those moneys come back to the FAA in Washington, and they are then usually reallocated through a competitive grant program.

Last year it was as much as \$700 million that came back to Washington to be reallocated. This year the amount of unused funds is estimated to be approximately \$400 to \$450 million. So we would take \$253 million of that \$400-plus million and use those funds to avoid these very damaging furloughs. The rest of the funds would, as usual, be reallocated to airports that need them through a competitive grant program.

I want to be clear: This is the discretionary portion of the Airport Improvement Program. It in no way affects the entitlement funds that airports are guaranteed to receive. The program has sufficient funding to support this effort. Moreover, this is a one-time shift. It does not in any way provide a permanent change in this program.

There would also be sufficient funds to fully fund and continue operating the contract tower programs, which so many of our colleagues—particularly Senator MORAN—have supported and been concerned about.

This is a commonsense solution. It doesn't involve additional money. It is a one-time shift of unused moneys. It does not make a permanent change in the Airport Improvement Program. It will solve the problem, avoid the need for these delays, for layoffs, and avoid harming our economy at a time when we can least afford to do so.

The Airport Improvement Program is a very important program. It does support infrastructure at our Nation's airports. We are simply taking the unused funds that are generally reallocated and instead using a portion of these funds to avoid these disastrous implications of the direction the FAA has chosen.

Our bill should be recognized as a one-time solution in order to avert these serious national impacts.

I urge my colleagues to support this bill, and I hope we can act very promptly to solve this problem.

Thank you, Mr. President.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess for 1 hour.

Thereupon, the Senate, at 10:31 a.m., recessed until 11:30 a.m. and reassembled when called to order by the Presiding Officer (Mr. SCHATZ).

MARKETPLACE FAIRNESS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 743, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Pending:

Reid (for Enzi) amendment No. 741, of a perfecting nature.

Durbin amendment No. 745 (to amendment No. 741), to change the enactment date.

Mr. ENZI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, pending on the floor is S. 743. This is a bill which, in its simplest terms, will allow the States to ask Internet retailers, when they sell in the State, to collect sales tax. Currently, every State requires consumers to pay the sales tax, but it is not collected at the point of purchase. So this legislation will respond to a 20-year-old Supreme Court decision that said to Congress: You have to write a law to do this. This is the law.

Senator ENZI and I, Senator HEIDI HEITKAMP, as well as Senator LAMAR ALEXANDER, we have all worked together on this legislation on a bipartisan basis.

This measure was before the Senate last week. It is not a long bill; it is 11 pages. It is certainly within the grasp of any Senator to secure and read it and understand it. It is very straightforward.

We have had efforts made on the Senate floor to delay consideration of this measure. We have taken three votes on it over the past month or so. The first vote under the budget resolution was a generic vote: Do you support the idea or not? Seventy-five Senators voted in the affirmative—a dramatic commitment from the Democratic side and a majority commitment from the Republican side to this measure. We then faced a vote on cloture—in other words, closing down the debate—on the

motion to proceed. We had that vote on Monday. Seventy-four Senators voted to proceed. Yesterday, on the actual motion to proceed: 75 Senators. So this is clearly an issue where a substantial majority of the Senate believes we should move forward and pass this legislation.

We have invited our colleagues—Senator ENZI and I have—if they have amendments, to file their amendments. They have had 6 days—6 days—to prepare the amendments and file them. The deadline is an hour and a half from now for filing amendments. So far we have received 31 amendments.

We sat down last night and said: Let's pick a good number of these amendments. Call them. Let's debate them. Let's vote on them. Let's act like the Senate. Let's see how that works.

We started to do that. We came up with a list. Included in that list are amendments being offered by people we know are going to vote against this bill, so they are not friendly amendments. They are adversarial amendments. But that is all right. Isn't that what we are here for—debate it out; express your point of view; we will express ours; let's vote. I think that is fair. No one can criticize us for not being open to that. We are not trying to fix the outcome. We are ready to bring this to full debate. But when we contacted the Senators who are opposed to the bill and said, call your amendments, they said, we are not ready.

I wish those Senators who said they were not ready could meet the Senators we run into in the hall who say, when is this going to end, when can I go home, because the two of them need to get in conversation. We want to do this in a timely, thoughtful way because it is a critically important issue. But we cannot do it unless our colleagues will come to the floor of the Senate and offer their amendments.

Yesterday we had one amendment we thought was simple and easy. It is an amendment that said: We will not impose across America a tax for you to use the Internet—the Internet Freedom Act it is called. It is bipartisan. Senator MARK PRYOR of Arkansas, a Democrat, and Senator BLUNT of Missouri, a Republican, came together and offered to extend the current policy of the United States on Internet freedom.

Senator ENZI and I looked at that and said: We can put that in this bill. That is something with which we agree. We are not imposing any new taxes in this bill—none. So that is certainly a statement of policy with which we would agree.

We brought this to the floor, and a Senator from Oregon came and objected to considering that amendment yesterday. So yesterday, no amendments. Now we are told that as to any amendments we bring to the floor today, there will be more objections.

I do not think this makes the Senate look very good. I do not think this is in the best interests of this institution nor our government. We were elected to roll up our sleeves and go to work and address the problems facing this country. We understand that with 100 people there will be differences of opinion. We are supposed to engage in civil debate on the floor and then vote. But to lunge from one filibuster to the next and have Members coming to the floor and objecting to amendments puts us in a terrible position.

I have served in the minority, as Senator ALEXANDER and Senator ENZI do at this point. The one thing you really want in the minority is a chance to offer an amendment, to express your point of view, even if you lose. Now we are offering that opportunity, and unfortunately there is a resistance to it. Well, we are going to try it. We are going to test it. If the people who are going to continue to try to block any debate on this bill want to come forward, I hope they will face questions from colleagues as to what their intent is.

Ultimately, we will finish this bill before we go home. If it means staying through the weekend—if that satisfies some Members—we will do it. But it is a terrible waste of opportunity. We have gone 2 straight days with no votes on amendments. And Senators ENZI, ALEXANDER, HEITKAMP and I believe it is time for the Senate to be the Senate. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, 3 times Senators have voted, either with 74 or 75 votes, in favor of this legislation—a majority of Democratic Senators and a majority of Republican Senators. On Monday we were ready for amendments, but the small group of Senators who oppose it objected. On Tuesday we asked to have time given back so we could begin amendments. There was an objection. On Wednesday the Senator from Arkansas asked for a 10-year moratorium on Internet taxes, and there was an objection. And we are ready today, as we will see.

Sometimes we Republicans feel as though Democrats keep us from offering amendments. Whether that is ever true, this is different. In this case, Democrats and Republicans—a small group—are blocking the majority of us, Democrats and Republicans, who want to go forward with the bill and who have been ready to consider amendments since Monday.

We respect the points of view of those 24 or 25 Senators who disagree with us, but with 3 votes of 74, 75 votes, can we not have our amendments, bring this to a conclusion, send it to the House of Representatives, and let it go through the process it needs to go through?

So this is different. This is both sides—a small group—blocking amend-

ments the large majority on each side wants to move forward with.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I have an amendment at the desk, No. 771, offered on behalf of myself and Senator KING, and I would ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I am only doing it, I would advise my colleagues—who I know feel strongly about it—Chairman BAUCUS wanted to be able to address this issue. That is the purpose of my reservation.

The PRESIDING OFFICER. Is there objection?

The Senator from Montana.

Mr. BAUCUS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maine.

Ms. COLLINS. Mr. President, let me express my frustration and dismay over the objection that has been lodged against considering a very reasonable amendment to this bill.

This is a bipartisan amendment. It is offered by the Independent Senator from Maine, Mr. KING, and me. It has widespread support. It is a very reasonable amendment that simply gives businesses more time to comply with the provisions of this bill. It is consistent with the purpose of this bill and does not undermine it in any way. It simply recognizes that 90 days is simply too short a period of time for implementation of the software and other changes that would be required under this legislation.

I think there is, however, a broader issue. This is a bipartisan bill—a bill that I am a cosponsor of, a bill that has widespread support, a bill that the Governor of Maine strongly supports because of the revenue it would bring in that is now lost to the State even though it is owed to the State.

It is a bill that has widespread support among Main Street retailers who see customers come into their stores, take up the time of their clerks, and then whip out an iPhone to order the exact same merchandise online solely for the purpose of evading the sales tax that is due on the item.

So this bill is a matter of fairness. It imposes no new taxes. In fact, there is a prohibition on taxing the Internet. As Senator ALEXANDER has pointed out and Senator DURBIN has said—and Senator ENZI, who has worked so many years on this bill—this bill has widespread, bipartisan support.

Here we are stymied by a small group of Members on both sides of the aisle

who will not even allow us to debate and consider a bipartisan amendment that simply delays the effective date of this bill by a year to allow businesses more time to make the software changes they need to make in order to ensure they are in full compliance with the bill.

We have reached a very disappointing and unsatisfactory result if that is where we are. If there is opposition to our amendment, I am sure the opponents would have every opportunity to speak against our amendment and to vote against our amendment. But to not allow our amendment to be considered, which is completely relevant to this bill, an amendment that simply alters the date of implementation, is beyond my comprehension. I do not understand it. I think it is wrong. I think it is what frustrates the American people. It is an example of the kind of gridlock that is very frustrating to the American public.

The only good thing I can say about this gridlock is it is bipartisan in this case. But that is a very small comfort indeed. So, again, all our amendment would have done, had we been allowed to consider it, is put a 1-year delay in the final implementation and also say implementation could not begin during the retailers' busiest time of the year; that is, the holiday season.

This was intended to provide adequate lead time for retailers to undertake the complex steps that may be needed: the software changes, the training, et cetera. Retailers are going to have to begin early anyway, but with this 1-year delay we know they will be prepared to fully implement the Marketplace Fairness Act.

Again, it is very disappointing to me that this commonsense amendment that is designed to improve the underlying bill cannot be considered at this time. I have been very pleased to work with my colleague from Maine, Senator KING, on this amendment. He may have some comments as well. I also wish to thank the sponsors of the bill for working very hard with us on this legislation.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I rise to associate myself with the comments from the senior Senator from Maine on this amendment. I consider it virtually a technical amendment. It simply changes the implementation date under the bill so that companies will have adequate time to be sure they integrate the software supplied by the States into their systems and also integrate the definition of which items in their inventory are covered and not covered according to different definitions across the country.

As we know, the software is to be supplied by the States. This is simply, as I say, a change in the implementation date in order to ensure that our

online retailers are able to serve their customers adequately and without any interruption of service or otherwise have problems.

I too am puzzled by what is going on here. When I came to Washington in January, I knew in many cases the Senate had to get 60 votes in order to move forward with legislation under rule XXII. This is a piece of legislation that has actually had three votes so far. Each one has been between 70 and 75 votes. If we cannot do anything with a three-quarters majority, then I think the American people are going to say: What gives? Nothing is going to happen even on a piece of legislation that gets over 70 votes on three consecutive times.

I have listened to the debate. I have listened to the arguments from the Senators from three of the four States. I do think it is interesting—there are four States in this country that do not have sales taxes. Three of the four are strenuously objecting to this bill; one of them is not. In fact, one of the Senators from the State of Delaware indicated that he believed this could be an advantage to his State because people would come to Delaware rather than buy something online and avoid the sales tax in a neighboring State.

There is nothing in this bill that will compel the citizens of Oregon or Montana or New Hampshire to pay a sales tax. Something has been argued that this is somehow coercive on companies in those States to collect the sales tax. I would respond by saying if they do not want to collect the sales tax, they do not have to sell into those States that have a sales tax. There is no coercion. They are voluntarily marketing into Maine or Vermont or Texas or wherever there is a sales tax. If they want to avoid the strictures of this bill, they can do so voluntarily.

To me, this makes total common sense. I will conclude with a story that was in our Portland newspaper just this week with regard to this bill of a real-life company that I, in fact, shop at, Johnson Sporting Goods.

The proprietress was talking about people coming into her store, looking at items, feeling them, trying them on, deciding if they liked them, and then walking out and buying the wetsuit or the scuba equipment or whatever it was online. She said: We have become a showroom for Internet marketers. The problem is if this keeps up, we are not going to be here anymore.

It is just fundamentally unfair to our retail community in our towns, which make up the backbone of the commercial district in every town in America, that they are being put at a disadvantage, a 5- or 6- or 7- or whatever percent it is disadvantage with regard to the sale of products.

I, frankly, am puzzled. I just do not understand the vehemence of the opposition from the nonsales-tax States. I

guess in those States one cannot even utter the words "sales tax," let alone do something that will not burden their citizens in any way, shape, or form except for the companies that will collect a sales tax under the software that is provided by the States. So I do not understand why we cannot move forward with these amendments.

We are here, I thought, to do the Nation's business. I think we should do so. So I rise to support the amendment. I hope we can move to the consideration of the amendment and other amendments that will come forward and move this bill through the process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I rise in support of the amendment by the Senators from Maine. I think it makes a lot of sense. It is symbolic too. Here we have a bipartisan amendment, we have a Republican Senator and an Independent Senator. The Independent Senator is a former Governor, as I once was.

The reason I support the amendment is because it gives more time for anybody who might be affected by this amendment to adjust to it. That is never a bad idea—almost never a bad idea in the Senate.

It gets us to our goal a few months later than we had thought. It makes sure those who might be affected can adjust. Of course, many people who call my office are surprised to learn that it does not affect anyone unless they have revenues of more than \$1 million a year. So about 99 percent of people who sell things online or in catalogs are not affected.

Of course, it does not affect Internet taxes; we have a law against Internet taxes. In fact, another bipartisan amendment by the Senator from Arkansas and the Senator from Missouri was to extend the 10-year moratorium on Internet taxes. That was objected to.

The Collins-King amendment is imminently reasonable. I think it strengthens the bill. It is offered in a good spirit. Some may wish to go faster, but I think it is sensible and reasonable. I fully support it.

I would reiterate that we were ready to accept amendments on Monday, but there was an objection—not a partisan objection but by Democrats and Republicans, a small number.

We were ready on Tuesday to go ahead with amendments, but there was an objection, a bipartisan objection to going forward. We were ready on Wednesday with a bipartisan proposal to put on the 10-year extension of the Internet tax, but there was an objection.

This is like—I have used this before, but this is like joining the Grand Old Opry and not being allowed to sing. This is what we are supposed to do. We

are supposed to bring up these bills, consider reasonable amendments, and vote on them.

We are at noon on Thursday. We have not been allowed to do what we could have finished on Tuesday. So I greatly respect the Senators on the other side. I know their feelings; we have strong feelings too. As a former Governor, I do not think it is any of Washington's business to continue to keep us from making decisions about our own taxes and tax structures. Some people say they do not trust the States. Most of the people in my State do not trust Washington to make decisions about spending. We do a heck of a lot better job of making decisions about taxes and spending and collections than people do here.

So we pretty well made up our minds. Three times now we have had 74, 75 votes for this bill. We are ready to proceed. We have several amendments that have been filed, some by those who oppose the bill. That is fine. Bring them up. Let's vote on them. They may make good sense, just like this amendment makes good sense.

So I thank the Senators from Maine for being constructive, for making a commonsense proposal to the bill. I support it. I hope that very soon we can debate it and vote on it and finish this legislation.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I objected to the last amendment for a very simple reason. The author of the amendment is making my case. This amendment makes my case. What is my case? My case is this bill should go to committee. It has so many problems, unthought-through, unintended consequences. This amendment recognizes that. This amendment says delay; delay for a year. Why delay? Because there are so many problems, because there are so many problems.

The way to solve the problem is for us to deal with the problem in committee. That is the solution. I have made that point many times, many different places: the floor of the Senate, different private meetings. Finally, people are starting to realize all of their problems with this bill. Slowly they are starting to read it. Slowly they are starting to think about it. Slowly it is starting to sink in: Oh, my gosh, I did not think of that. Oh, that problem too affects businesses, not just businesses in nonsales-tax States, businesses across the country, all cross the country.

This amendment makes my case. This amendment seeking a 1-year delay makes my case that there must be problems; we have to delay this bill. That is the basic reason I think we should not pass this bill. We should send it to the committee.

I pledge to Members, my colleagues, my friends, the Finance Committee,

which I chair, will hold a markup on this bill in the next work period. I made that pledge. I made that pledge. We can work on all of the problems this bill creates and solve them the best we can during the markup.

I have heard no good reason we should not go to the committee. This bill was placed straight on the floor calendar, no committee consideration, none whatsoever—none. The Committee of jurisdiction had no opportunity to look at this bill, none. I think it should, especially when I make a pledge that we will mark it up in the next work period after this next recess.

What reasons have I heard why we should not do that? I have heard none whatsoever.

All the reasons I have heard are: Well, gee, Senator, we asked to do this a while ago, several months ago. That is no answer. I say now we will do it. I, for the life of me, can't understand why we don't solve this in the right forum. The right forum is the committee of jurisdiction. We can't do this on the Senate floor without hearings, without consideration.

Senators who have been here a couple of years know the good legislation we have passed around here is legislation from the committee, where staffs go over all the different amendments and they work things out. The Senators work things out, and they try to find compromises, solutions, not for the first time on the floor when the Senators make speeches. They don't think and look for solutions on the floor of the Senate. They just make speeches.

I am suggesting the good place we don't make speeches is in the committee of jurisdiction, the Finance Committee, where we can work out some of these problems. That is the reason I have been objecting and will continue to object. This is a travesty, the way this bill is being considered in the Senate.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Maine.

Ms. COLLINS. Madam President, I feel compelled to respond to the comments of my good friend and colleague from Montana. First, let me say I am sorry to learn of his decision to leave the Senate, to retire from the Senate, because I have enjoyed working with him over the years.

I do want to make several points. Senator MIKE ENZI of Wyoming, who came to the Senate the same year I did in 1997, has been talking about this bill for at least a decade. He has introduced it many times before. There has been ample opportunity for there to be consideration by the committee, and the committee chose not to consider his bill. This is not a new concept in any way. It has been talked about and debated at length over the past decade.

Moreover, I would note the amendment I have offered, along with my colleague from Maine, does not in any

way change the basic thrust of this legislation. In fact, both Senator KING and I are cosponsors of the underlying bill.

If this bill were so problematic for retailers across the country, why would it have the support of so many retailers across the country? Why would it have the support of national organizations representing retailers across the country?

This is not a complicated bill in concept. What it says is if a retailer is selling into another State, it needs to collect the sales tax and remit it to that State. That is not a complicated concept.

This issue has been litigated before the Supreme Court, another indication it is not a new concept, that it has been carefully considered. The idea that somehow this bill has sprung out of nowhere without proper consideration is not supported by its long history.

In fact, during the budget resolution when we voted on this measure and it received such a strong vote—I think it was something like 70 to 75 votes—I went over to MIKE ENZI and congratulated him because he finally had gotten a preliminary vote on legislation he had been working on for literally more than a decade.

I don't think this is a complicated concept. It is not creating a new tax; it is not imposing a new tax; it is not taxing the Internet. All it is doing is making sure States that have sales taxes receive the revenue they are owed. That is not a complicated concept.

Is it going to require retailers to make changes in their software, particularly large retailers that are selling all over the country? Keep in mind, this bill exempts small retailers. It exempts those with sales of under a million dollars, so they are not affected at all. Is it going to require some changes to be made in software and training by large retailers? Yes, it is. That is why we have offered this commonsense amendment to improve but not change the underlying bill that says rather than giving 90 days for businesses to comply with the sale, let's give them a year so they can fully get the software changes made and installed, their staff trained, and ensure full, complete, and accurate compliance. That is all the Collins-King amendment does. It does not in any way change the thrust of this bill or the underlying provisions of this bill. It simply allows more time for compliance.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, first let me join the Senator from Maine in expressing to the Senator from Montana my regret that he is retiring. He has had a long and distinguished career here, and I have enjoyed working with him and look forward to working with him the rest of this year and next year. He has a history of independent thinking and working across

party lines, which is valuable in the Senate.

On the point the Senator from Maine made—and I see the Senator from Montana may want to say something, so I will be brief. The bill as proposed, the Marketplace Fairness Act, the pending act, has a 6-month implementation period. This would add 6 months to that so there would be a total of a year for implementation of the bill. This is a reasonable period of time.

As far as the bill going to Finance Committee, it has been in the Finance Committee. Nothing would have pleased the sponsor of the bill more than for the chairman and other members of the committee to bring the bill up, mark it up, and send it to the floor, but they didn't do that.

As Senator COLLINS said, Senator ENZI has been introducing different bills for the last decade or so. But he introduced this very basic bill, about 11 or 12 pages, S. 1832, on November 9, 2011. It was referred to the Finance Committee. In April of 2012 there was a Finance Committee hearing on State and local tax issues, including the Marketplace Fairness Act. The Senator from Montana referred to that in his remarks the other day, so there was some other hearing on this very bill in April of 2012. That is a year ago.

Then the Senate Commerce Committee in August held a full hearing on this bill involving many Senators with a lot of testimony, and I was there. It is certainly arguable that the Commerce Committee is at least as involved in this issue as the Finance Committee, because while the Parliamentarian has sent it to the Finance Committee, it has nothing to do with the Tax Code, zero. In any event, that is where it has been.

In this Congress, the Marketplace Fairness Act was introduced, this very 11-page bill, in the second month of this year and referred to the Finance Committee. Sixteen Senators have asked for it to be heard and marked up.

It is certainly the prerogative of the chairman to decide in a busy committee what he has time to do and not to do. It certainly seemed to everyone that the Finance Committee had become a dungeon for the bill and not a place where it was likely to ever come out. I believe that is exactly why rule XIV is in the Senate rules, to allow the majority leader to take a bill, bypass the committee, and bring it to the floor. One that has had this much thought, this much consideration, is an excellent candidate for that.

The cure for that, it seems to me, is to take these amendments and work them through, consider them on the floor, debate them, vote them, and continue the process. Send the bill to the House and let the House do what it will, have a conference if it is necessary. There are plenty of opportunities to deal with the bill.

The point is the Finance Committee ought to have the bill. The Finance Committee has had the bill. The Finance Committee wouldn't act on the bill. Now we are past the point of sending it back to the Finance Committee. It is before us. It has votes of 74 or 75 Members of the Senate. It has the majority of each side. We have been ready ever since Monday to consider the amendments that have been offered to the bill by both proponents and opponents of the legislation.

I would hope the Senators who oppose the bill will not object to the amendments but will participate in the process and allow us to move forward on the bill.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. First, I want to deeply thank my two colleagues who previously spoke, Senator COLLINS of Maine and Senator ALEXANDER of Tennessee, for their nice, warm compliments. I deeply appreciate that. It means a lot to me because they are both very fine Senators. They are terrific, as a matter of fact.

A couple of points to clear the record. Senator COLLINS said Senator ENZI has been working on this bill for about a decade. That is not accurate. There was an earlier bill called the streamline act, or something like that. I have forgotten what it was. It was an attempt at a compact among States to address this issue. They worked on it and worked on it and worked on it for close to a decade and then couldn't agree. I think 24 States agreed, the remaining States did not agree, so that was the end of that.

This bill is to ram through what other States would not agree to and to try to find "the lowest common denominator." That is basically what this bill is, a new bill. This bill has had, to my knowledge, no vetting at all by any committee in any significant way.

This bill has been referred to the Finance Committee. As the Senator from Tennessee points out, the Finance Committee has not reported out the bill. That is true. Frankly, we know one good reason why it hasn't is because we have been meeting very frequently at the staff levels. My staff of the Finance Committee with the staffs of those who are sponsors of the bill are working out different potential and actual complexities and problems of the bill. There have been a lot of meetings.

I asked my staff, if someone were to be a fly on the wall, were those meetings in good faith? They were in good faith to try to find the answers to the questions. The answer is yes. That is their belief. There have been a lot of meetings to try to work out some of these problems which clearly exist.

Obviously one big problem is represented by the amendment that has been—not offered but consent was

asked that it could be offered, asking for a 9-month delay. I cannot think of any reason for a 9-month delay except to say, hey, 90 days isn't working. That is just an example of some of the problems and imperfections of this bill that could have been addressed in committee, and there are many of them. But, no, this bill didn't go to committee.

I stand here again and tell the world, the Senate Finance Committee will report out this bill in the next work period if it has an opportunity to do so and work out all of these different problems, rather than trying to willy-nilly ram this through the floor and preventing changes from being corrected in a good, solid way.

Let me make a prediction. Those who are for ramming this bill on the floor without letting it go to committee are doing themselves a disservice, because it makes it more likely this bill will not become law. If the proponents of this bill want this legislation to become law, what they should have done is say yes, let's go to the Finance Committee; the chairman of the Finance Committee has agreed to take it up; he has agreed publicly to markup, not just a hearing. We have had a hearing already. We would have a markup on this bill in the next work period. Then the differences would be worked out and some of the problems solved. Then the bill comes to the floor, and it will not be opposed, probably, at least not in the same way it is opposed now. Then it will more than likely be passed by the other body or at least worked through the other body. That is the better way to do it.

This way, not going to committee and straight to the floor, reduces the probability that this bill is going to become law. I, frankly, am going to object to other amendments because I do not believe the proper way to do legislation is only on the floor and not go through the proper development in committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Madam President, this is a challenge the States have been confronted with since 1992—a challenge of trying to get equity for Main Street businesses. The Supreme Court told us that Congress is best equipped to make a determination on how we implement something that would level the playing fields for Main Street businesses under our notion of what constitutes appropriate regulation and controls of interstate commerce.

The challenge was passed over 20 years ago to Congress, and the Main Street businesses have been waiting for 20 years for equity, for fairness, and for a system that does not discriminate against them. Only in Washington, DC, could waiting 20 years for a solution we are debating today be considered ramming something through Congress.

Only in Washington, DC, can a 20-year delay for equity and justice and fairness in our tax policy be considered too soon for a debate.

This is an 11-page bill. This is a very simple bill. I can attest, having been here only a short period of time, to the fact that most Senators have very capable staff. Quite honestly, most Senators have an enormous capacity to read this 11-page bill, understand it, and appreciate what the bill says and to make a determination. In fact, this concept—just in concept—received an overwhelming vote from this body. This bill, in consideration now in two votes, has received an overwhelming show of support because colleagues know their Main Street businesses have waited too long. They know we need to accomplish something. We need to move forward.

We need to do what is easy because we have so many hard things to do in the Congress. We have a budget out of control, we have an energy policy we need to prepare for the future, and we have challenges with sequestration and making sure we are making the right investments in our future. We have big issues. I would suggest that what we are looking at, albeit a small issue in this body, is a big issue for Main Street businesses.

We heard from a woman just a couple days ago—a woman named Teresa—who runs a little pet food store. She has trained all of her people on what is great nutrition. So when clients or customers come in, she can talk about the age of their pets, she can talk about what the nutritional problems are and give them advice and then, she said, only to watch them walk out the door with that advice and order that product on the Internet.

One might say that is competition or whatever. But she is not afraid of competition. Her challenge is that if they buy in her store, the sales tax her city and State will charge is 9½ percent. So she is immediately at a 9½-percent disadvantage. Yet they use her expertise.

I would like someone to explain to me how we can't be moved by a story such as that and to correct the inequity; how we can't be sophisticated enough as legislators to read an 11-page bill and understand what it says with all the staffing we have.

I am confident, as we go forward, we are doing what is right. Any State that doesn't want to participate, any State that doesn't want to collect remote sales tax in this fashion, either streamlined or under the alternative process provided in the bill, does not have to pursue this collection mechanism. They can continue to do what they are doing.

The bill talks about a remote seller who has sales over \$1 million. This young woman said to us, when she was talking about her pet store, that she also runs a little online business. We

asked: How would you feel? She said: I could only hope for \$1 million of online sales. I would be glad to collect the tax if that was my business. She is a small businesswoman.

So if we can't bring equity now, then when? We have been waiting 20 years. We have an opportunity to show this country and show those Main Street businesses, show our friends and neighbors who support the Little League, who support our school newspapers, who support our communities, that someone in this body cares. In fact, the majority of people in this body cares. In fact, a supermajority of this body cares, and we are listening to you. Maybe, in some small way—in some very small way—we will have told them Washington is still a place where people will listen and respond and actually get something done. That is what we are trying to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I wish to thank the Senator from North Dakota for her comments and her involvement for over 20 years. I feel like a newcomer, with just the 12 years I have been trying to get this passed. Wyoming has recognized the need for it and has had the desire for it. We were one of the first to join the streamlined sales tax effort, and I think we were joined by a number of our surrounding States. The purpose of that, of course, was to make it simpler so it would be easier for people to collect the tax.

I wish to congratulate the Senators from Maine for putting forward what I consider to be kind of a phase-in part. Of course, there are a lot of people who would like to have it done a lot faster than that, but this would allow 1 year for people to get their program up and running. Part of that time would be taken by the free software that has to come from the States. It will take them a while to get that together, although everybody is hearing from eBay a little bit, and eBay already has one of those sales tax programs. It costs 15 bucks a month if you want to collect sales tax in the States, so it isn't like it is something impossible.

I know L.L.Bean is going through a major computer switchover right now, so they know how difficult that is, and if it were compounded at the same time by having the sales tax collected, it could create some difficulties. In checking around, we have gotten the suggestion there be 1 year allowed before they had to start collecting the taxes.

There is another small provision that says from October 31 through December 31 there wouldn't be a conversion because that is the Christmas season. In retail, that is the big season. If they can't concentrate on their customers at that point in time, they are not going to make their money. It makes

the whole year just in those couple of months there. So there is an exclusion the program wouldn't go into effect during that period of time.

So there is this kind of a phase-in for everybody to get everything ready. I know it is a lot more time than what States would like to have. They would like to begin collecting the taxes in 90 days, if they were able to get their program in place in 90 days. But we think that is reasonable. They brought that to the floor, but it was objected to even getting to debate it. So we don't get to vote on that.

Around here a lot of times people say: It is a filibuster if you don't get to, and if there is cloture, then everybody ought to vote against cloture until everybody gets their amendments. How can you do your amendments if one person can object—and has. I think there would probably be three or four who would object, maybe six or eight who would object. But it is hard to do the amendments, and that should definitely not be the reason for anybody to vote against final cloture on this bill and get it enacted. Hopefully, we can still get some amendments through the process. Anything that is germane after cloture can still be voted on.

I know there are a lot of proposals out there. Some of those proposals, of course, deal with something other than what would be germane to this bill. There would be major changes in the tax structure in other ways. We have tried to keep this to an 11-page bill. We tried to keep it simple, keep it to one topic. It is something anybody can read and understand. In fact, I don't remember a bill that has had language quite as clear.

I thank the Senator from Tennessee, Mr. ALEXANDER, for all his concentration. He looked at the 80-plus page bill we had, which had a lot more stuff in it, and said why don't we make this into a States rights bill. Once we took that approach to it, it made all the language much simpler. We just needed some basics for them to have to participate, and so that is why it is an 11-page bill. We will not see an 11-page bill come through here very often. I would guess some of the amendments being proposed—that have nothing to do with the collection of sales tax—are probably more extensive in pages than what this bill is.

We are hoping people will stick to germane and relevant—or at least relevant; that is a little broader than germane, and we can do some amendments.

But if there is going to be an objection—and I was just in a meeting where I was assured this is going to happen, and there is going to be an objection every time, no matter what the amendment is—I am very disappointed in that.

I do want to point out there is a small seller exemption. If you are a retailer and you do less than \$1 million of sales online during a year, you don't come under this bill. You don't do anything different than what you are doing right now. For a lot of small businesses, \$1 million would be a lot of money. I have heard some proposals that maybe we go to \$10 million or \$20 million. That affects some big retailers that don't want to do it. But to small retailers, \$1 million is a lot of sales when it is just the ones that are done online. We are not talking about their total sales—what they do in their stores. We are just talking about the ones where they put up their Web site and they get orders and they ship out those orders. If that exceeds \$1 million, the next year they would have to start collecting it.

So not only, with the Collins amendment, would there be 1 year built into the time before they would have to start doing it, there would also be another year before they would hit the \$1 million, and if they do not hit the \$1 million, then they have another year and another year and another year until they do. Of course, having been a small businessman, I am pulling for all of them to exceed \$1 million.

Most small businesses I know would be so tickled to hit \$1 million they would think maybe this wouldn't be such a bad deal. This is definitely giving some emphasis to online sales. It is much easier now to get a Web site. In fact, the Small Business Administration has been going from State to State and providing people who will do free Web sites for people who attend a seminar on how to do online sales. I commend the Small Business Administration for doing that. I think it has helped a number of businesses that haven't been able to expand beyond the few thousand dollars they are selling in their own stores to increase their sales. We hope everybody gets to exceed \$1 million.

There is another part of that \$1 million that is kind of interesting. If you are a nursery—and we heard an example of a nursery last night—and you are doing big sales, the chances are pretty good some of those big sales are to other nurseries. If a product is sold to somebody else to be resold, there isn't a sales tax. So that wouldn't count in the \$1 million.

We did hear an example during the press conference of a contractor in a State and the other contractor got all his stuff online and from out of State and on a \$150,000 contract was able to undercut him by 10 percent. It was just a \$150,000 project—a category that small businessmen specialize in—but he was beat out by an out-of-State person who didn't pay sales tax on the products they were bringing into the State and using in construction.

So we do have a small seller exemption. There is also simplification in the

bill, and I would be happy to go through that. We haven't had any suggestions for more simplification, at least from those who understand what the simplification is. One of the reasons that is fairly simple now is because computers have come a long way. I don't know how many people here have purchased something online, but when you do, you put in your address where you want something shipped, and when you go over to see what the bill is going to be, not only will there be the price of the product, but there will be a sales tax. In a number of States, people have volunteered to collect it, and for the number of people who have volunteered to collect it, we really appreciate that.

I cannot believe that Senator COLLINS' request to bring up an amendment that would allow a phase-in, that would give everybody extra time, would be objected to, but, as I said, when we checked we found out that everything is going to be objected to, which will bring us to a cloture vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I know the Senator from Louisiana is coming. When he comes, I will be through.

I say to the Senator from Wyoming who just said that apparently there is an intention to object to any amendment, just to review, we started Monday.

We could have started amendments Monday if there were no objection, but there were objections, bipartisan objection.

On Tuesday we said that instead of going the full 30 hours of debate, let's give the time back and let's start the amendments. Bipartisan objection.

On Wednesday we brought up the bipartisan proposal of Senator BLUNT and Senator PRYOR to extend the moratorium on the Internet tax. There is already a moratorium on taxing the Internet. You cannot have it. That is the law. We were going to extend it for 10 years. Objection.

Then today Senator COLLINS and Senator KING say: Instead of implementing this in 6 months, let's do it in a year. Objection.

If it continues this way—and I say to the Senator from Wyoming, this is the way I figure the procedure—if there is no consent, always objection to any amendment from both a few Republicans and a few Democrats, then we will have a vote on cloture tomorrow. That would be tomorrow afternoon, I guess—tomorrow morning. Probably for the fourth time, 74 or 75 of us will vote for the Marketplace Fairness Act. Then we will stay here until Saturday afternoon for the full 30 hours, and we will have a vote on the two amendments and final passage. That will be Saturday afternoon. And probably an-

other 74 or 75 votes for that, I hope. That is what will happen if a few Democrats and a few Republicans continue to say: No amendments.

I want to make sure no one on our side of the aisle stands up and says they, the Democrats, are blocking amendments, because they are not. Most Democrats and most Republicans want to offer and vote on amendments. A few Democrats and a few Republicans say no. I believe that is where we are procedurally, if that persists.

I completely respect the point of view of other Senators. I never question a Senator's vote. That is his or her prerogative, and it is their prerogative to keep us here until Saturday afternoon if that is what they wish to do. But that is not really a very good way for the Senate to work when we have three-fourths of us, a majority on both sides of the aisle, who are for something and we are ready to move through it with amendments and improvements and debates. This is not a good procedure, but it is procedure.

This is the season for parades in Tennessee. On weekends and Fridays, I go home. I have a rule of thumb: Walk in parades. I put on my red-and-black plaid shirt that I walked across Tennessee in. I walked in the Saint Patrick's Day parade in Erin. I walked in the Mule Day parade in Columbia—100,000 people there, lots of mules there. I always try to walk at the front of the Mule Day parade for obvious reasons. And tomorrow I was looking forward to walking in the parade at the Paris Fish Fry. But if we continue to object to every amendment to this bill, I will not get to walk in the Paris Fish Fry tomorrow, but we will pass the bill on Saturday, and I suspect we will pass it with 74 to 75 votes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

NATIONAL PEDIATRIC BRAIN CANCER AWARENESS DAY

Mrs. FISCHER. Mr. President, I rise today in support of a resolution designating September 26, 2013, as "National Pediatric Brain Cancer Awareness Day."

Childhood is a time for growing—growing bodies, growing minds, and growing hearts. It is a time for bike rides that end in skinned knees and sleepovers in backyard forts. It is a time for wondrous stories of Neverland and family board games. It is a time to learn the difference between right and

wrong and the difficult discipline of homework. It is a time—a very brief time—given to us by God to live without fear or physical pain or without burdens and responsibilities.

For too many children, though, childhood is very different. Too many children in this country are forced to grow up far too quickly. The stark realities of hunger and poverty mature them and some have no choice but to learn the hard lessons of courage from the cruel, unyielding teacher of sickness.

Despite this hasty transition from storybooks to the harsh realities of life, these children remain beacons of hope. They inspire us. They challenge us to overcome our own trials which seem trivial in comparison to the heavy burdens they shoulder. They prompt us all to believe in the power of miracles because they have no other choice.

One such child is a friend of mine. He is a personal hero. His name is Jack Hoffman. Jack Hoffman is a 7-year-old boy. He was born and raised in Atkinson, NE.

Jack's early years passed like those of many children his age who live in Nebraska communities. He learned to fish and hunt. He went for long bike rides. He played sports. He started school. He made friends with many of his classmates. I am willing to bet little Jack has also had a fight or two with his siblings.

But childhood for Jack took a quick and unexpected turn on April 22, 2011—almost exactly 2 years ago—when Jack suffered a life-threatening seizure. Upon examining him, doctors had shocking news: Jack had brain cancer.

Jack immediately underwent surgery to remove this cancerous mass on his brain, but the surgery did not bring about the results they hoped for. As doctors desperately sought an answer, Jack's young body continued to be riddled with seizures. Within 5 months, he endured a second brain surgery which removed 95 percent of the remaining tumor. But despite this success, in April 2012 the MRI showed that Jack's cancer had returned and doctors determined it was inoperable. So Jack quickly began 60 weeks of chemotherapy, employing an outdated regimen used by doctors for over 25 years.

Unfortunately, diminished research funding for pediatric brain cancer has stunted medical advancements, so treatment options remain limited. But Jack and his parents didn't despair. They remain hopeful and determined to discover God's will in their hardships.

In a recent Omaha World-Herald story, Jack's father Andy is quoted as saying:

I don't know why God chose Jack to have this. But I do know that we can make something good out of it, and that's promote the improvement of treatments of this disease.

So the Hoffmans set out, they set out on a mission to raise awareness for pediatric brain cancer.

This is a rare but devastating disease that poses unique health and developmental problems for the 3,000 child patients who are diagnosed each year. Jack and other children suffering from brain cancer endure seizures, difficulty speaking, and trouble with their balance. The list, unfortunately, goes on. They spend long periods of time away from their families, friends, and classmates. They miss school, they miss football games, and they miss out on childhood.

The Hoffmans' fundraising efforts through the Team Jack campaign have yielded over \$300,000, and it is all for pediatric brain cancer research.

Although there are countless worthy charities across our country, my husband Bruce and I feel a special connection with Team Jack, and we have worked very closely with the Hoffman family to increase awareness of pediatric brain cancer.

While Jack and his family have been friends of mine for many years, he was first introduced to most Americans when he became an overnight football star—complete with his own trading card—and he did this at the Huskers spring football game on April 6, 2013. Jack suited up with football pads and a No. 22 jersey, and little Jack ran 69 yards. He scored a touchdown in front of 60,000 screaming fans in our Memorial Stadium in Lincoln, NE.

In a single dash across the gridiron, little Jack Hoffman touched the hearts of millions of Americans, and that includes 7.6 million YouTube viewers, and he increased awareness of pediatric brain cancer.

It didn't take a touchdown, though, to make Jack a hero. He smiles through the pain. His courage and his resilience represent the very best of the human spirit and the very best of our Nation.

I admire the Hoffmans for their unwavering commitment to transform this very personal trial into a force for good. I am deeply grateful for all they have done to find a cure.

Today the Senate commends the Hoffmans, Team Jack, and all those Americans who work tirelessly to battle and bring attention to pediatric brain cancer. The resolution Senator KLOBUCHAR and I are submitting recognizes the unique struggles of pediatric brain cancer for their patients and their families. It commends scientists, researchers, and health care providers working to modernize and improve the diagnosis and treatment options; and, importantly, it designates September 26, 2013, as "National Pediatric Brain Cancer Awareness Day" to encourage efforts toward the early diagnosis and treatment and ultimate cure for this disease.

So at this time I ask unanimous consent that the Senate proceed to the consideration of S. Res. 116, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 116) designating September 26, 2013, as "National Pediatric Brain Cancer Awareness Day".

There being no objection, the Senate proceeded to consider the joint resolution.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 116) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mrs. FISCHER. Thank you, Mr. President. I yield the floor.

MARKETPLACE FAIRNESS ACT OF 2013—Continued

Mrs. FISCHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTER

Mr. COBURN. I wanted to spend a minute as we have had a lot of discussions over the pain that is being caused by the American traveling public and businesses on the FAA. We heard the majority leader say we couldn't do the sequester because we still have the same amount of money, and there is no way we could cut the \$40 billion out of our budget over the next 6 months.

I thought I would just draw a little comparison for us so we could actually see the Federal budget, and then we could make a comparison to the average family budget. Here is the Federal budget. This is last year's Federal budget. We spent \$3.7 trillion, we took in \$2.46 trillion, and we had a deficit of \$1.32 trillion. We added to our total debt, so we have come to a total debt now of \$17.57 trillion. The sequester cuts are \$85 billion, and \$85 billion sounds like a lot of money.

Now let's compare it to the average family household in America. The median household income in America last year was \$53,000. By the way, in real dollars that is less than what it was in 1989—less than what it was in 1989.

If we spent money in households the way the Federal Government spends money, we would have spent \$81,000. We would have only earned \$53,000, but we would have spent \$81,000. We would have had an annual credit card debt that we would have chalked up of \$28,000 doing exactly what the Federal Government does, which would have made our total credit card debt \$375,000.

We are spending \$81,000, and if we cut the amount of spending in the sequester as a percentage of the total Federal budget as to the median family income in America, we would have cut \$182. That kind of puts it in perspective.

How many families would continue to be able to operate this way? They wouldn't. No credit card company would continue to give them \$28,000 worth of credit card debt. They certainly wouldn't let them run up \$375,000 and then say: Oh, by the way, what are you doing about getting your finances in order? Your response would be: I have cut \$182 out of my budget this next year.

What we are seeing is a farce when we talk about we can't cut \$44 billion or \$88 billion out of the Federal budget over a year's period. It is an absolute farce.

Then when you talk about the FAA, in fact, they have less controllers now than they did in 2010. If you look at the budget requested in 2013, there is about a \$300 million difference between the sequester level and, actually, it is the same as in 2010.

What the FAA and the administration are telling us is there is no way they can possibly do anything to associate less inconvenience and less delayed flights. Yesterday there were 6,800 flights delayed to make it hurt.

I want to enter something into the RECORD that came up on my whistleblower site. This is an employee of the FAA and what they were told in a meeting on Monday by management. Here is what they were told.

"I hope this is the appropriate channel to contact you through." I am not going to say who works for the FAA and asked me to e-mail you. We want to "let you know that the FAA management has stated in meetings that they need to make the furloughs as hard as possible for the public so that they understand how serious it is. Due to this there is management trying to make everyone take the same furlough day so that the FAA shuts down completely on that day. Union employees are supposed to be able to pick their furlough day, but are being pushed by management to take the same day as everyone else. Example, recently there was a meeting between"—and I am not going to say between which group of employees, but at the FAA, "management, and union where the union reminded a manager that he cannot force them to take off the same day. A union

employee wants Wednesdays off so another employee, under the managers orders, tried to make the union employee change his mind. When the union employee asked why, the other employee said to prove a point. I do not know if any of this information is useful or not. If it is I will contact you with more information.

Well, the fact is, if that is really going on, that the management at FAA is trying to make union employees all take the same day off, what is that about? Is that about airline travel in America or is that trying to make the sequester hurt? Is that about \$182 out of your budget and we can't even do that?

We have the government's management manipulating a program so that it hurts the American public? How cynical, how un-American is that.

I would ask unanimous consent to submit this e-mail for the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

Sent: Wednesday, April 24, 2013 8:16 AM

To: Coburn, Whistleblower (Coburn)

Subject: FAA Furlough

SEN. COBURN: I hope this is the appropriate channel to contact you through. My wife works for the FAA and asked me to email you for her. She wanted me to let you know that the FAA management has stated in meetings that they need to make the furloughs as hard as possible for the public so that they understand how serious it is. Due to this there is management trying to make everyone take the same furlough day so that the FAA shuts down completely on that day. Union employees are supposed to be able to pick their furlough day, but are being pushed by management to take the same day as everyone else. Example, recently there was a meeting between employees, management, and union where the union reminded a manager that he cannot force them to take off the same day. A union employee wants Wednesdays off so another employee, under the managers orders, tried to make the union employee change his mind. When the union employee asked why, the other employee said to prove a point. I do not know if any of this information is useful or not. If it is I can get my wife to contact you with more information.

Mr. COBURN. Here is another from an FAA supervisor: I am an air traffic control supervisor. I am writing you because I don't want to lose my job but, more importantly, I don't want to see safety across the Nation be deteriorated at the risk of the lives of aviators. Sir, I don't need to remind you about the importance of safety and would like to talk to you about what could have happened on the day OSU played OU 16 February 2013. Please call me day or night.

The fact is there is a bigger story behind that, which I will make a speech on tomorrow, to actually detail what is going on.

When we hear there is no risk to safety, and here is a supervisor saying there is, what are we doing? This is a contrived farce to make the American

people think we can't cut \$182 out of an \$81,000 budget, put in simple family budget terms, or we can't cut \$85 billion out of a \$3.7 trillion budget.

When we get down and look at it in those terms, everybody in America knows it is possible to do that. Everybody knows all it takes is some common sense and the utilization of priorities that are in the best interests of the country, not the best interest of any political party or political philosophy, to actually accomplish this.

I must say I am disappointed in the Department of Transportation. I am disappointed in the FAA that they would be so callous as to carry this forward.

I also want to make some comments about the remarks of the majority leader 2 days ago about the tea party. I have to say I adamantly disagree. The tea party people I know from Oklahoma and the Midwest love our country. They want an effective, efficient government. They want a government that follows the Constitution. They want the rule of law to be supported all the time.

He related and compared them to anarchists. Nothing could be further from the truth. Are there some crazy opinions on both sides of the extremes in both parties? You bet. But the vast majority of people in America understand over the last few years they have had to do more with less at the same time the government is doing less with more.

To indict a group of people who care just as much about this country but see a different way of solving the problems, who say we should live within our means, that we shouldn't borrow against our children's future, that we should follow the Constitution, that we should follow the enumerated powers, that we should honor the Bill of Rights—that we should honor the Bill of Rights asking us to do the very things that our oath calls on us to do—to me, the fact that the majority leader would attack that group of people as a class and relate their motives to that of anarchy is very shameful. They even make the comparison, but it is also made out of ignorance.

Everybody in this country wants the best in the long term. There is a difference in our view of how we get there, but there is no difference that we do have a Constitution, and it is not un-American to think we ought to honor our oath to that Constitution; that we ought to truly follow the Bill of Rights and not pass laws that abandon it; that we truly ought to embrace the enumerated powers.

Over the last 3 years the GAO has shown us where \$250 billion a year in waste is, and yet the Congress has done nothing. Senator FEINSTEIN and I eliminated \$6 billion a year in terms of the ethanol blenders credit. That is the only thing that has gone through in 3

years that even comes close to addressing what the GAO has recommended out of \$250 billion.

You can understand why people might be cynical of Washington—because we don't have our nose pointed in the right direction. We continue to pass laws that ignore the enumerated powers.

One of the results of that is \$250 billion of duplicative programs which have no true metrics on them. If they were all working, that would be fine. But, in fact, most aren't.

I think it needs to be countered that there are a lot of disparate views in our country, but the motivation behind them is really love of country. Whether they are on the hard left or on the hard right, it is just a different path. To compare that group of people to anarchists is both insensitive, inaccurate, and outrageous. What we need in our country today is leadership that pulls us together, not leadership that divides us further. What we are seeing is just the opposite.

I would ask my fellow Americans if they think on a comparative basis we couldn't cut \$182 out of an \$81,000 budget, if that is too much, especially since the fact that this budget has grown 89 percent in the last 10 years while their income has gone down 5 percent. Which is the better way? Should we raise your taxes and spend more of your money or should we actually decrease and eliminate tremendous amounts of wasteful, ineffective, and inefficient government spending and not sacrifice the future of our children?

I don't think the answer is complicated. I think most of America would agree that we could get \$182 out of \$81,000. That is the comparative ratio of \$85 billion out of \$3.7 trillion and what we heard the majority leader say that is impossible to do. It is only impossible to do this because we don't want to do it.

I have spent 8 years outlining waste in the Federal Government. Very few of my colleagues have helped eliminate that waste. The reason is they are double minded. In their hearts they want the best for the country, but they also want to get reelected. Every one of those duplicative, wasteful programs has a constituency.

So parochialism trumps patriotism in the Senate. That is the only explanation for why we haven't addressed what the GAO has plainly said is duplication, waste, and actual stupidity.

When we have over 100 job training programs, 47 for the nondisabled, and all but 3 of them do exactly the same thing, and most of those do not have a metric—in fact, none of them have a metric to say whether they are effective—and we will not reform it, we are saying we do not care; we cannot cut \$182.

When we have 110 teacher training programs, and none of those has a met-

ric, across 9 different agencies, not in the Department of Education, and none of those has a metric. We spend about \$4 billion a year on them, and we do not know if they are effective and we will not conform them into 1, even if it is a role for the Federal Government, or into 2, and eliminate and get some consolidated savings, what we are saying is we cannot cut \$182 out of an \$81,000 budget.

You see, the problems are not insolvable. There is no attempt being made to solve them. So we get a choice, America gets a choice: Continue to operate as we are, and what we are actually going to do is put handcuffs on our children and shackle their legs and take away the opportunity of a life equal to ours. We are stealing that from them.

When we have the majority leader of the Senate say it is impossible for us to cut \$182 out of an \$81,000 budget, what we are saying is our priorities are wrong. I can go through the list. We have 204 science, technology, engineering, and math programs. Twenty-one different agencies run those. Half of them are at the Defense Department. None of them has a metric to see if they are working. They are well intended. Why do we have 204 science and technology programs? Nobody can answer that question. We just have them because somebody saw a need but did not look to see what we were already doing or make what we were already doing work. It is not rocket science. It is common sense. There is not a thimbleful of it in Washington. There is not a thimbleful of common sense in Washington; otherwise, we would be addressing these programs. We would not have a statement saying there is no way we can cut \$85 billion out of a \$3.7 trillion budget. America does not believe that.

Now we have sequester and a refusal by the administration to even accept flexibility if we were to grant it, or any request for reprogramming to make it better for the American people. What we have is a political stunt by the FAA that not only inconveniences travelers but puts people at risk, markedly affects business, and changes people's lives. When you think about those people who are not going to make the funeral of one of their loved ones because of this stunt or are not going to be at a graduation because of this stunt or the airlines and the significant losses they are incurring every day because of this stunt, you have got to ask: Who in the world is leading this country and where did they get their motivation? It is an embarrassment.

The fact is the Senate has not acted in the best interests of the country in the long term, and what we have denied—the fact is we cannot cut \$182 out of an \$81,000 budget. We cannot do that; it is too hard. But nobody in America believes that. Nobody believes it. So what we do is call up all of the heart-

wrenching things we can to say how terrible it is but do not talk about the real fact that we are living way outside of our means. We are living on the backs of our children. Every day we are stealing their future and we refuse to admit to the very real concept that that is morally wrong. It is especially morally wrong when we, if we did our jobs properly, would not be doing it.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I understand there are going to be objections to amendments, but I am going to offer them anyway and let people object. One of the ways the Senate is running now is that we have spent 3 days doing nothing, so I am going to talk about my amendments. If they get objected to, fine. But the fact is the American people should know what we are doing rather than spending all our time in quorum calls.

So I will be calling up several amendments. If they are objected to, I will spend the time talking about those amendments. I have no intention of losing the floor until I have finished calling up all my amendments and talking about each of them.

I just gave a talk on the tremendous waste that is in this government, but there is a lot of other waste and ways to solve it. Most of these amendments have bipartisan sponsors or have had in the past, and they are about good government. I understand there will be objections, and that is fine. Members can defend the objection and the fact that there are not going to be any amendments on the bill, but I am going to offer mine anyway.

The first amendment I would like to call up is amendment No. 753 and I ask unanimous consent for its consideration.

The ACTING PRESIDENT pro tempore. Is there any objection to setting aside the pending amendment?

Mr. DURBIN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. COBURN. I will discuss amendment No. 753, and I appreciate the objection by the Senator from Illinois to that amendment.

We have over \$4 billion owed to the Federal Government by Federal employees in past due taxes. I am not talking about taxes that have been adjudicated or settled or that have been worked out. I am talking about taxes owed today that haven't been paid. The Federal Government has the ability to garnish those wages, but they will not.

The way we get rid of a \$1 trillion deficit is \$1 billion at a time. On active Federal employees right now there is \$1.1 billion in tax arrears and \$2.2 billion from retired. That is undisputed. I am not talking about disputed. This is undisputed and hasn't been paid. So if there is an agreement that has been worked out, if they are working it out, that is fine, this amendment does nothing.

We are laying off people at the FAA. A portion of these people at the FAA, whether it be in communications or a secretary or whatever, owes the Federal Government thousands of dollars, but we are asking somebody else to take a furlough day rather than either terminating this other individual or garnishing their wages. Something is wrong with that picture.

This amendment says we are going to do that. We are going to actually enforce the rule of law and we will apply it equally to Federal employees as we apply it to everybody else in this country.

This will save, over the next 2 to 3 years, about \$3 billion. Yet I can't bring up this amendment. I understand the dynamics that are ongoing. I have no personal animosity toward Senator BAUCUS or Senator DURBIN for objecting to the amendment. I know what is happening. But the fact is we can't bring up an amendment to save us \$3 billion.

The Marketplace Fairness Act is going to pass this body. Everybody knows that. But what we can't do is the regular work of the American people and we can't get a vote on an amendment that would actually save us \$3 billion.

Mr. DURBIN. Would the Senator yield for a question?

Mr. COBURN. I would be happy to yield to my colleague from Illinois.

Mr. DURBIN. The Senator from Oklahoma is my friend, and we have worked together on many occasions. I wish to state for the RECORD, because he knows it and I wish to put it on the RECORD, that we have what is called a blue-slip problem. There are no Federal taxes as part of the underlying bill. In fact, no taxes—no new taxes. If we add a provision, which the Senator has suggested—and he has six or eight amendments each dealing with the Internal Revenue Code, and many of them very meritorious—they would be objected to and the bill would be rejected in the House because revenue measures have to originate in the House of Representatives.

So it is a technical, procedural objection and does not reflect my feelings about the substance or about the sponsor.

Mr. COBURN. I understand that, but I think this amendment has no technical problem because it does not raise new revenues. It is simply a direction for performance of the Federal Govern-

ment, which is the marketplace fairness. We are directing what will happen to the States and the involvement of the Federal Government in it. So there may very well be a blue-slip problem with some of the others, but I don't think there is with this one.

The point is here we sit. I just gave a speech saying it is \$182 out of a \$81,000 budget we say we can't cut. That is the equivalent family situation I just lined up here, and here is a way to get \$3.2 billion that is owed and due back into the Federal coffers and we are not going to allow it.

So we could allow the amendment and then table it. The fact is we don't want to do that either. In talking to my House colleagues, it is going to be a while, if ever, if this bill actually sees the light of day. So we ought to be voting on the things that will actually make a difference.

I don't disagree it is unfair on the Marketplace Fairness Act. I think the exclusion level is way too low for any business to be able to afford to comply with it, but that is another story. The very fact is we are not doing what we could do to collect the revenue we are due now. This is an example of just saying: Start enforcing the law. Start using the tools at hand at the Treasury and the different agencies. Yet we are not going to get to vote on that. We ought to vote. If they want to table it, fine, but not to allow an amendment to come up? We are not postcloture, but we are not allowing an amendment, which means I don't have the right to modify a bill or even have a vote on modifying the bill.

I understand what is going on, but I think that is a significant amendment. Most Americans don't know Federal employees who are actively working today owe that kind of money to the Federal Government. Yet nothing is being done about it and no consequence for not paying. I guarantee if you are out there and you are not paying, you are feeling the full force of the IRS.

I ask unanimous consent to bring up amendment No. 751 and set aside the pending amendment.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object, I appreciate I have to object, but I want the Senator from Oklahoma to please explain the amendment.

Mr. COBURN. Can I actually have it read and then the Senator from Illinois object after having it read?

Mr. DURBIN. Whatever way the Senator from Oklahoma wishes to explain it. I will object at this point.

I am sorry. I understand that can't be done.

Mr. COBURN. All right. Let me explain a minute, and the Senator can object ahead of time or later. It doesn't matter when.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. COBURN. This is an amendment to require a report from the Treasury Department on the abuse of tax-exempt status by charitable organizations. What we have seen in studies by the GAO and the IG is that many professional athletes set up charitable organizations and then use them inappropriately to pay the expenses of their lives. All we are asking from the IRS is to take a good look at this. Let's not allow this aspect of a very well-intended tax law to be utilized to skirt expenses and taxes.

On March 31, 2013, ESPN investigative unit "Outside the Lines" released the findings of an in-depth look at 115 different charitable organizations founded by prominent athletes. They gave extensive details of that investigation. What they outlined was that 74 percent of these nonprofits fell short of one or more of the acceptable guidelines for nonprofit operating standards. That means they are operating outside the law or do not meet the requirements for a charitable organization. Yet nothing has been done about it.

Here again they are asking for oversight, asking for us to do the right thing, asking us to get the money that is actually due the Federal Government. We are not going to get a vote on it. We are not going to have an ability to vote on it. We are not going to direct the IRS to actually do that and actually recapture some of the money that is actually due to the Federal Government.

All it is is a study: Tell us how bad this problem is and what you are going to do about it. How are you going to fix it? But, no, we are not going to do that. We are going to continue to allow the process to go on so that some of the most wealthy people in our country continue to pay less taxes than what they owe because Congress is dysfunctional.

I am not going into the individuals who were named in the ESPN story. I think it created quite a stir in the media. Yet we have seen no action either in the House or the Senate in this area. All we are asking with this amendment is the number of charitable organizations that existed 10 years ago; the number that had their tax-exempt status revoked each year since 2007; the number and nature of the allegations of the problems made to the Internal Revenue Service with respect to charitable organizations that were founded in this area of expertise for charitable organizations and what the IRS has done about it over the last 6 years; a description of the challenges the Internal Revenue Service faces in trying to enforce and oversee such organizations; the number of criminal investigations of charitable organizations conducted by the IRS since 2010—in other words, what are you doing about the problem—and then finally an explanation of any problems the Internal Revenue

Service has had with the U.S. attorneys in prosecuting criminal violations of tax-exempt and charitable organizations.

Mr. DURBIN. Will the Senator yield for a question?

Mr. COBURN. I am happy to.

Mr. DURBIN. I would like to say I would vote for that in a second and I am not ruling out the possibility of agreeing to allow the Senator to offer this as an amendment to the bill. Please let us see if it raises a blue slip issue, which we mentioned earlier, which is a procedural issue, which means if it has a revenue measure in it initiated in the Senate, it would be subject to a blockage or objection in the House, which we are trying to avoid.

This is a measure Senator ENZI worked on for 12 years. I have worked on it for several years. We would like to get this measure up for a vote and for approval in the House. If the Senator from Oklahoma is offering a measure that would not jeopardize that, I am at least going to entertain that idea, and I will talk to my staff about it.

Mr. COBURN. I appreciate the comments of my colleague, and question.

The next amendment I would like to call up is amendment No. 767, which requires all legislation to be reviewed before it is considered by the Senate to determine whether duplicative or overlapping programs are created. I ask that that amendment be called up and the pending amendment be set aside.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DURBIN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. COBURN. Here is one that doesn't get anything as far as a blue slip. What we now have is 3 years' worth of reports by the General Accountability Office showing at least \$250 billion in questionable programs that are markedly duplicative of one another. This is multiple areas, and I have them now memorized and all the new ones too. It is layer after layer, agency after agency, program after program.

This is a bipartisan amendment. All this says is that before we create another program in the Senate, we have a report from the Congressional Research Service: Does this duplicate a program that is already out there? If we continue doing what we are doing, we are going to continue to get GAO reports that we are creating programs that duplicate what we are already doing.

It is not the fact that maybe our intent is good, it is the fact that we don't know what is out there now—except GAO does now—and how will we ever know until we put a requirement on ourselves to quit creating new duplicative programs? What the commonsense

man would say is that if you have programs that are doing things and they are not working, don't create another one, fix the ones you have. Yet we refuse to do that. Committee after committee refuses to do the oversight.

There is a bill sitting right now awaiting our determination, coming from the House, that reformed 36 job-training programs that the GAO said were failing and were duplicative and didn't have the metrics, and they converted those to 6, 36 out of 47 because the committee that did this, the SKILLS Act, only had jurisdiction over them. They created six programs, and they put metrics on it. We spend \$19.8 billion on those 47 programs. We are going to achieve wonderful savings. But the most important thing we are going to do with the SKILLS Act is we are actually going to give somebody a skill with the money we spend rather than wasting 80 percent in the job-training programs we have, and that is what the oversight says. When you look at it, that is what it says.

For us to not continue adding to the problem, this is an amendment—it does not have a blue slip problem, so what is wrong with considering this amendment? I ask my colleague, what is wrong with considering this amendment? This is common sense. It works. It will actually cause us to not do stupid things in the future. It will actually help us to be better stewards of the public's money. Yet we are going to object to bringing it up.

Mr. DURBIN. If the Senator will yield?

Mr. COBURN. I will be happy to yield.

Mr. DURBIN. Just to restate, we are going through—I think the Senator has six or eight amendments. We are going through those in a good-faith effort to find those which would complement what we are doing and not create a problem substantively. My objection at this moment should not be taken as an objection beyond this moment. We would like to work with the Senator in good faith to do this.

Mr. COBURN. I thank my colleague. I will make my mark on what I am going to reoffer in the future.

I ask unanimous consent to call up amendment No. 766 and have the pending amendment set aside.

The ACTING PRESIDENT pro tempore. Is there objection to setting aside the pending amendment?

Mr. DURBIN. Reserving the right to object, I do not know the substance of the amendment.

Mr. COBURN. I am happy to let the Senator object ahead of time, as he obviously is going to.

Mr. DURBIN. I object. It is a good-faith objection. I hope the Senator understands.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. COBURN. Every 4 years the Federal Government spends \$200 million so

both political parties can have a party. We are \$17.4 trillion in debt as we speak at this moment. That is \$50 million a year. The way to get rid of a billion-dollar debt is \$50 million at a time. The way to get rid of a trillion-dollar debt is \$1 billion at a time. Do we really have the capability right now to borrow \$200 million every 4 years for parties for the Democratic and Republican conventions and charge it to our children? All this does is put in a prohibition that we are not ever going to do that again. That is not a wise expenditure of taxpayer money. It is probably not constitutional. It has never been challenged. It certainly does not fall within the enumerated powers of the Constitution, article I, section 8. So it is another way of saving us some money.

I would just repeat my point. We have the FAA out there intentionally causing pain and harm to the American public today, and we have the Senate intentionally not doing what will solve those problems—intentionally not doing what will solve those problems. We are not trying to find the waste. We are not offering bills to eliminate the waste. We are not offering bills to eliminate duplication. We are not trying to refine programs to make them better. We are not trying to save Medicare and we are not trying to save Social Security—the very things that are very important in terms of what is getting ready to happen to us.

We cannot point to the administration and say they are cynical without pointing to ourselves as well. Here is \$200 million that we spend every 4 years. Why don't we quit spending it? If the political parties—I have never been to a political convention in my life, but if they want to have a party, they ought to pay for it and we should not charge it to DICK DURBIN's grandkids or MIKE ENZI's grandkids or TOM COBURN's grandkids or anybody else's grandkids, which is what we are doing.

We are probably not going to get a vote on this amendment either, which shows again that our focus is not on what is most important for our country; our focus is on us. We have not set about to solve the big problems for our country.

This is a no-brainer. There are not many people other than those people in the political hierarchy of each party who would be against this. Yet it is not even going to get a vote. What does that say to the American people? Sure, it is only \$200 million. Two hundred million dollars. Two hundred thousand thousands. We talk about millions as if they are nothing. Most of our fellow citizens will have trouble making that amount of money in their lifetime, and we flip it off as nothing.

This is a simple amendment. It has been objected to. I understand. I have no animosity toward my colleague. I

understand what is going on. But do we really want to solve problems for the American people or do we just want to play this game some more? It is disturbing. It has to be disturbing to the average American.

In the last 5 years the average Oklahoma family has truly struggled to get by, and we have been one of the more fortunate States. But they made very hard choices about their priorities. They have had kids go to an instate school who didn't want to because they couldn't afford to go to an out-of-State school. They have driven a car 2 or 3 years longer than they wanted to and put money into an old automobile because they could not afford to go the other way. They have changed the way they enjoy themselves as a family because of what we have done. They have made hard choices. They have gone through the priorities in their lives and said: What is important based on the amount of money we have?

That is not just in Oklahoma; in every State in this country they have done that. Everybody has done that but the Federal Government—the Federal Government. And once we do take \$182 out of a \$150,000 family budget, which I showed an example of earlier, what we are told is, we can't do that. There is no way. It is impossible. We can't do that.

Then we have a demonstrated, overt exacerbation of something that was not caused by the sequester, that could have been averted, to prove a point that we cannot cut a penny from the Federal budget.

When \$100 billion a year in Medicare and Medicaid fraud is ongoing in this country, we are talking about trimming the availability of Medicare services to seniors, and we have not solved that problem. We are not believable anymore; we are not trustworthy anymore.

This is a very simple, straightforward amendment. I know \$200 million doesn't sound like much in Washington, but it is a ton in Muskogee, OK. I will offer my amendment again and there will be objections. What will probably happen is that I will not have a chance to offer it again because it is not germane to the bill, and then when we get postcloture, it will be ruled non-germane.

We will not have a chance for Senator DURBIN or Senator ENZI to object in the future because of the rules we are operating under. We are not going to have any amendments until we get postcloture, which means everything I have talked about so far is not even going to be considered.

We could consider them. We could allow them to be voted on. We could demonstrate to the American people we are actually interested in trying to solve some of the problems up here, but we decided we will not do that. It is pretty frustrating to me as a Senator,

but it has to be terribly disappointing to the average American.

I have just outlined about \$5 billion worth of savings with the four amendments I have talked about. We are not going to get to vote on them. Now, \$5 billion is almost Oklahoma's entire State budget for 1 year. This is easy, simple stuff to do. Mark my words, we will never vote on one of these amendments associated with this bill. Since we don't have real amendment opportunities anymore in the Senate, they will only come forward when the majority leader decides he wants to vote on them. He has been very recalcitrant in offering to vote on hardly anything that will actually make a difference in our future in terms of finances.

I am going to talk about the other amendments I wish to bring up. I will not make the Senator from Illinois object to them, so I will just talk about them.

Amendment No. 29, which I will not call up, is an amendment on something I think is terribly unfair. If this amendment were passed, it would only save us \$90 million a year. Does anyone realize the Professional Golfer's Association is a tax-free organization? They raise billions of dollars every year, but the money that goes into the PGA is tax free—that actually goes into the organization. They are a 501(c)6 tax-exempt organization. Not only does it include the PGA tour, it includes the National Football League, the National Hockey League, and it includes the LPGA.

Can anybody tell me why they are tax-exempt other than it is under a loophole we have created? So if they were not tax-exempt and they paid their taxes as other organizations that are in the business of making money, the IRS would collect about \$95 million more a year from just these four organizations.

Professional baseball saw the light and gave this up. They said it was not right. They did it a number of years ago. They said it is not right. Yet we continue to allow the well-heeled in our country to take advantage of the Tax Code as we raise taxes on everybody else. I think this is something we ought to fix.

A lot of my colleagues on my side of the aisle don't like this. I think it is inherently unfair that the very profitable sports organizations in our country don't pay taxes on the income their parent organizations make. I am not saying they don't do some positive things.

The President talked about paying your fair share. This is one that is not fair. Let's make it fair. Let's collect that money. It is not going to make any difference in what they do.

There are a few more organizations to add to this list: The ATP, WTP, the U.S. Tennis Association, Professional Rodeo and Cowboy Association, the Na-

tional Hot Rod Association, as well as the ones I mentioned earlier also get this benefit.

People say this is going to impact their teaching certification or their charitable activities. They already have a 501(c)3. All of these organizations have a 501(c)3. They have a (c)6 just so they don't have to pay taxes. They have a charitable organization for all of their charitable stuff as well as their certifications.

This amendment will take the extra \$90-some million and give it back to the American people. By giving that money back, it is giving it back to our kids because that is \$90 million we are not going to borrow against their future.

The final amendment I will mention is on subsidies for millionaires for gambling losses. I will admit to Senator DURBIN that this one does have a blue slip. For anyone who reports \$1 million in adjusted gross income a year in this country, they have an unlimited amount of gambling losses they can offset against that.

I am not a big fan of gambling. If it was a great business, we would all be gambling and be better off, but we are not. Most of us are losers when we try to gamble. The fact is the high rollers in this country get to deduct their gambling losses, and it is a large amount of money.

We also don't have any cutoff in terms of taking advantage of a lot of other expenses, which is for a speech another day, but here is one that is not necessarily great for society, yet we incentivize because we give an unlimited availability of deduction for the very wealthy. It ought to be something we change.

Mr. DURBIN. Will the Senator yield for a question?

Mr. COBURN. I will be happy to.

Mr. DURBIN. I am not much of a gambler myself. I make a voluntary tax payment every once in a while and buy a lottery ticket, although I realize I will never win.

Refresh my memory—and the Senator probably knows this—do I recall that the only deduction for gambling losses is against gains in gambling and not against ordinary income?

Mr. COBURN. It is against gains in gambling. The Senator is correct.

Mr. DURBIN. I thank the Senator.

Mr. COBURN. Nevertheless, we give an advantage to those with an adjusted gross income of \$1 million or more a year. What we have done is given the well-heeled and well-connected an advantage the average American citizen cannot do. I cannot recall, but this morning I read the exact amount of revenue. The point is it is the principle.

Over the next few months will—regardless of this bill, its outcome—the Congress start addressing the real problems facing our country? We just

passed \$740 billion worth of increased income taxes and payroll taxes at the end of the year. Supposedly we will start cutting \$85 billion over the next 12 months. We will see if that actually happens, as we have grown the government 89 percent over the last 10 years, while the average American family income has declined 5 percent over the same time.

I made the statement earlier—and it can be checked on any Web site—if we go by inflation-adjusted dollars, the average American is where they were in 1989. If we look at the size of government, it is almost four times that size. It doesn't seem to me we are accomplishing a whole lot as far as elevating the prosperity of Americans, but we have certainly elevated the prosperity of the Federal Government, and we have certainly undermined the prosperity of our children.

I am worried about our country. I am worried about the loss of confidence in this body. I am worried about our abandonment of common sense. I am worried about the fact that we ignore the enumerated power and then we wonder why we get GAO reports that talk about the duplication and things that are not effective.

There is a great role for government in a lot of areas in this country, but in many areas we are not effective and certainly not efficient. The reasons our Founders put the enumerated power in was so the decisions that could be made on so many things would be made at the local level so it would be done effectively and efficiently.

When we have this year's GAO report showing that there is \$98 billion worth of duplicative waste—\$250 billion over the last 3 years of duplicative waste—and we don't do anything about it, what we are saying is it is not important. The future is not important, having the confidence of the American people is not important, our kids' future is not important, and don't worry, we will be able to pay all the debt back.

I will close with this: There are a lot of biblical principles about paying interest and going into debt. Last year we paid about \$223 billion in interest costs. If we took our historical pattern over the last 30 years of what our interest is, we are actually paying the same interest we were 25 years ago on one-fourth the debt.

If we took our historical interest rate, which is about 5.88 percent, and applied it to where we are today, what we would see is our interest costs would be \$880 billion a year. That is going to happen to us pretty soon. Nobody knows for sure when, but interest rates are not going to stay at zero for the Federal Government. We are not going to have the Federal Reserve continuing to print money, and if we do, then the value of our dollar is going to decline and we will all get taxed

through the decrease in value of whatever we have or hold.

The point I want to make is that the interest payment doesn't help the poorest person in this country, it doesn't help the single mom, it doesn't help the kid in Head Start, it doesn't help our schools, it doesn't help our military, it doesn't help our foreign service. It doesn't help anybody except the person who has our debt.

Don't we have an obligation to not let that happen? Don't we have an obligation to start addressing the very real problems in front of us? Not one dollar we pay in interest helps anybody in America in the long-term net way.

Last year the Chinese dumped \$250 trillion of our debt. We ought to ask ourselves why. Their perception is that as their currency appreciates, our currency is eventually going to depreciate.

As my friends in Oklahoma say, one of the reasons we are doing so well right now is we are the best-looking horse in the glue factory. We look good because everybody else is looking so bad. We are lulled into a position of thinking we, in fact, can get away with continuing to do what we have done for years in Washington when, in fact, we cannot.

I appreciate the time on the floor and my colleagues' consideration of my amendments. I understand what is happening. I am not happy about what is happening in the Senate. I think we ought to be working on solving real problems. They are the biggest problems in front of our country. Saving Medicare is important. In 13 months, Social Security disability is going to be out of money. Those people who are truly disabled are going to see a cut in their benefits. We are not going to be able to address that.

The time for us to be acting is now.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I appreciate the comments from the Senator from Oklahoma and have enjoyed working with him the entire time he has been here. He brings up a lot of important issues, part of which is the financial shape our country is in right now. I noticed his comment that we are the best-looking horse in the glue factory and so people are pouring money into the United States.

I went to one of the bond issue auctions where we and some people from other countries were willing to take a negative interest rate in order to buy our bonds, which means they think we are the best hope there is out there. But that could change pretty quickly, and 5.88 percent is the average, which changes to \$880 billion a year, which is a lot more than we spend on defense. So we need to be looking at some of those issues.

It is difficult to get a bill up around here. It is difficult to get a vote on an

amendment around here. I know, because I have been working on the bill that is on the floor for 12 years, hoping to get an opportunity on the floor. So I would love to give Senators all the amendments they want; I was just hoping their amendments might be relevant—not germane, necessarily, relevant—to what we are doing; that it would be something about the sales tax collection. Those ought to come up. But when amendments are brought up as a result of frustration because people haven't been able to bring them up before—or some have even been brought up before and voted down—I would hope they would kind of constrain themselves on trying to make those an amendment to this bill.

Yes, there ought to be an easier way to get things going around here, and I think that would be in kind of a bipartisan way. This is a bipartisan bill. It is even bicameral. We have Republicans and Democrats on the House end working with us, conferring with us, hopefully, so something can be done, and here, of course, it is Republicans and Democrats—more than half of the people—who are supporting this bill.

As I said, I have worked for 12 years to get the bill to this point, and it usually gets blocked at the committee level. This time it didn't go to committee. I prefer bills to go to committee, but if we can't get them to committee and we get an opportunity to bring one up, we do.

One of the difficulties we have here is there are a lot of things that have to be done in the Senate, there are a lot of things people want to have done in the Senate, and there are a lot of things that have tremendous appeal throughout the United States or at least among certain people.

It is my understanding the next thing we are going to go to is water, and if my colleagues want to talk about a sensitive issue in the West, talk about water. My State gets an average of 16 inches—yes, that is right, just 16 inches—of rainfall a year. Other States get 16 inches in a month. We are considered high desert, and we are conscious of our water. So we will be interested in the water bill.

Following that, I think, is the immigration bill which has gotten a lot of publicity. There are a lot of people working on it, and there are a lot of opinions that I think are actually being worked into some kind of a bill.

Again, if we had a process where people could bring their bills up step by step, we could probably go through with a lot more. Because one of the complaints around here is bills often wind up to be a couple thousand pages long and it is hard to digest that. It is hard to bring the American people along on it. But the bill we are talking about here is an 11-page bill, and I think it is probably one of the most readable bills people have ever had to

work on. An 11-page bill shouldn't probably take very long around here, but it takes just as long as any other bill. So I am hoping for this one chance we have to shore up some of the State, county, and town revenues, particularly since they are not going to be able to come to the Federal Government for money.

In fact, the Federal Government is taking money away from them right now and is talking about even more ways of taking money away from the States, the towns, the counties, and the municipalities.

What we did recently in that sequester bill is we took 5.3 percent out of the Federal Government's payment in lieu of taxes. They know they own properties in the States that, if they were in private hands, would result in property tax, but they are in the Federal Government's hands, and the States can't tax the Federal Government. But the Federal Government said, We know that is wrong, so we will pay a tax. The Federal Government decided what that tax would be and they don't raise it, so it has no relationship to the actual value of the property and what that property would raise if it were in private hands, which is why there are some appeals around here to sell off Federal property. But this year the Federal Government said, Well, yes, we owe that, and we haven't been increasing it so it is way below what the property tax ought to be, but we are going to cut you out of another 5.3 percent. I know people across America didn't have a choice of saving 5.3 percent of the money before sending it to the Federal Government, but the Federal Government is saying, For the taxes we owe, we are going to take 5.3 percent out of it first. So there are a lot of things there that are going to infringe on States and counties and municipalities.

I used to be a mayor so I know what the money is going to be used for and I know an essential part of that comes from sales tax—in States that have sales tax—and in those States the property tax is usually pretty low. But if they continue to lose revenue on the remote sales that take their revenue away, they are going to have to probably raise some of those taxes. I know there is a desire to force them to reduce some tax in exchange for whatever tax they get from this, but they have been losing tax and they are going to be losing tax.

This is a States rights bill. That is how we got it shortened down so much. The States actually have to take some action in order to be able to do this. I hope we don't try to dictate to the States what they do with whatever money they raise from this. But, again, that is a possibility on an amendment.

I am sorry the Senator from Oklahoma isn't on the Finance Committee anymore because there is the possi-

bility, as we are doing tax reform right now, to talk about a number of these things he brought up, including gamblers who get to deduct their losses and the 501(C)(6) corporations that are tax-free. We need to be talking about whether some of those things should be tax-free, what their purpose is, where the money goes, how much is in the private sector, and what it is used for. Of course, I have been on the Finance Committee and I have been going through these discussions on reforming the taxes, and every time we get into it, we think of a lot more things we could be spending money on. So sometimes we talk about raising the tax instead of making it fairer and simpler. The two things can actually be separate. The policy of how we spend the money is supposed to be appropriation and authorization from the committees. The committees say what they think the money ought to be spent on and then the appropriators are supposed to stay within those limits. But that isn't the way it exactly happens.

If we are going to have fairer and simpler taxes, they are going to have to be fairer and simpler. I know Senator WYDEN has a principle that is a one-pager. That would be nice, if it were only one page to fill out for our taxes. Of course, that means getting rid of a lot of things we have come to take as standard policy in our taxes. Again, a lot of those could be handled another way and they could be more forthright and more honest on what exactly we are doing, and probably fairer to the recipients of some of the tax expenditures we get.

I appreciate the amendments brought up by the Senator. I hope others will come and at least explain their amendments, but I hope they will try to stick to amendments that actually affect the sales tax provisions. If we try to put on some other kind of taxes or take off some other kind of taxes, we are actually getting into the Ways and Means in the House which has the right to start all of these kinds of issues, and they call that a blue slip. That means they object to it and it is done for. So if we end up with one of those for this bill, what it actually does is kind of kill the bill.

I am hoping after all the years of work that we don't kill the bill, particularly since we found a way to simplify it and make it a States rights situation, so States have to take some action and so the States understand the action they are taking. I am hoping we can do that. But I appreciate those explanations and perhaps there are some of those that somebody won't object to. I don't object.

At this point, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. DURBIN. Madam President, my friend and colleague from Utah Senator HATCH is going to give a speech in a moment. I would like to say before he speaks that after he has spoken, I am going to ask for a unanimous consent which renews an earlier request but expands it, and the request is going to be that we call up three amendments, two of which have been objected to already, and a third one, Senator HATCH's amendment.

For my colleagues who are following this debate in their office, the three amendments we are talking about are amendment No. 740, offered by Senators PRYOR and BLUNT, a bipartisan amendment that relates to the Internet Freedom Act, a 10-year extension, which was objected to yesterday; and then I will ask for consent that we go from that, after an agreed to time for debate, to amendment No. 771, offered by Senators COLLINS and KING, another bipartisan amendment that relates to the effective date of the underlying legislation; and then, to Senator HATCH, I would say that we are going to include in this unanimous consent request his amendment No. 754, which I believe he is going to speak to now on the floor, which relates to the substance of the underlying bill, S. 743.

I am not asking for the consent at this moment but giving notice to my colleagues that this is a request that will be made after Senator HATCH has spoken.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, on Monday, before the cloture vote on the motion to proceed to the Marketplace Fairness Act, I came to the floor to discuss the need to reinstate the committee process in the Senate.

I have come to the floor many times over the past few months to talk about the importance of restoring regular order. I know a number of my colleagues share the same concerns. Yet here we are today debating another piece of legislation that has not gone through the full committee. It has not gone through the full committee process, and, once again, it appears we will be getting less than optimal results.

I think the legislation before us is a prime example of why regular order is so essential. The Marketplace Fairness Act is a complicated piece of legislation that deserves more thorough examination.

I think the bill is well-intentioned, and I am not fundamentally opposed to it. But make no mistake, there are problems with this legislation as it is currently drafted, problems that likely

could have been avoided if the Finance Committee had been given an opportunity to fully consider the bill.

I also understand the feelings of those who feel otherwise. But the committee chairman offered to have a hearing on a set date, a markup on a set date, and go to the floor. I thought that was a pretty good offer.

I am not here today to talk about the process failures we have had with regard to this legislation. I think I have made that point, and others have as well. Instead, I am going to take a few minutes to talk about just a few of the specific problems I see with this legislation and how I propose to fix them.

I have filed an amendment that would address some of my concerns. I believe my amendment would make this bill more workable for businesses and consumers around the country.

For example, my amendment would implement a 5-year sunset on the taxing authority provided under this legislation. Like I said, this is a complicated bill, and we are not precisely sure what the impact is going to be.

Whenever Congress deals with legislation this complex, unintended consequences are to be expected. I believe we need to ensure that Congress has an opportunity to revisit these issues once we have had a chance to see how this bill is implemented. A 5-year sunset would provide that opportunity, but that is not enough. If we are really serious about preventing unintended consequences, we need to change some of the specific provisions of the bill.

One particular troublesome aspect of this bill is the preemption provision. In order to downplay the need for regular order on this legislation, proponents of the Marketplace Fairness Act have repeatedly claimed that the bill has been around in some form or another for over 10 years. And, in a sense, that is true.

However, none of the previous versions of this bill—including the version that was introduced just 18 months ago—have included a preemption provision.

Specifically, this provision states that this legislation “shall not be construed to preempt or limit any power exercised by a State or local jurisdiction under the law of such State or local jurisdiction or under any other Federal law.”

At first glance this sounds innocuous, but why was it only added to this latest version of the bill? Why was it not included in previous drafts?

My concern is that this provision seeks to address an issue that the authors of the Streamlined Sales and Use Tax Agreement have been wrestling with for years, which is that States are reluctant to surrender any taxing authority at all.

I always have been a proponent of States rights. I have fought hard to preserve the right of States to regulate

issues within their own spheres in a number of contexts. But we need to recognize, with this provision in place, we would be backing up State laws with Federal enforcement. By passing this legislation as it currently stands, we would be essentially signing off on laws that have not even been written yet.

I think it is only reasonable to consider whether we should, after passing this bill, expect more aggressive State sales tax laws to be enacted with the promise of Federal authority to enforce them.

My amendment would help us avoid the potential problems with this preemption provision by simply striking it from the bill. As I stated, this is a new provision that deserves more careful examination before being enacted into law.

If the Finance Committee had been given an opportunity to examine this provision more thoroughly, it is possible these concerns could have been addressed. But that is not the world in which we are living. Under the current circumstances, this provision should be removed from the bill.

I should point out that I am not the only person expressing concern about the potential impact of enforcing new State sales tax laws with Federal authority. That is an important issue.

Earlier this week the Securities Industry and Financial Markets Association released a statement saying:

We believe the impact of this legislation on trade and services has not been adequately explored by Congress. The bill could lead to unexpected costs being passed on to consumers of financial services, including sales taxes on services or state-level stock transaction taxes.

On Monday, I quoted from a letter delivered to Senators from the American Society of Pension Professionals and Actuaries that argued:

The legislation would allow states to impose a financial transaction tax that would apply to American workers' 401(k) contributions and other transactions within workers' accounts.

These are not concerns that can just be cast aside. These are experts in the financial services industry saying there is a set of problems with the way this bill is drafted.

I am not saying the Marketplace Fairness Act will automatically create these new taxes on financial services. But unless we are sure the legislation would prohibit such taxes, we may be handing a blank check of Federal power to States that are becoming increasingly aggressive with regard to tax enforcement.

That is why my amendment requires the Government Accountability Office to study whether, and under what circumstances, the authority granted under this legislation might allow States to impose taxes on financial transactions or retirement contributions.

My amendment provides a simple, straightforward way to address a potentially serious problem with the Marketplace Fairness Act. My amendment would also require the GAO to conduct a study on the costs incurred by remote sellers in complying with the new sales tax requirements that would be imposed by States under this bill.

There are serious questions regarding the economic impact of this legislation. We are talking about a bill that would impose new costs on businesses throughout the country—costs that will most certainly impact the ability of these companies to grow and expand.

I do not need to tell you that these are perilous economic times.

What impact will the Marketplace Fairness Act have on job creation? We simply do not know. This study would help provide us with some answers. But we need to do more to ensure that this legislation will not harm small businesses throughout the country.

Another concern I have with this bill is that it could potentially create a situation in which small remote sellers are routinely audited by multiple States at the same time. This would be a severe impediment to small business growth and job creation. I think we need to ensure that this legislation does not impose administrative burdens that crush small remote sellers under an avalanche of paperwork.

To help address this concern my amendment would institute a 3-year statute of limitations on State audits of remote sellers. This would provide a uniform rule for State sales tax audits, one that mirrors the current Federal statute of limitations in situations where fraud is not alleged.

One of the major driving forces behind this legislation is the fact that over the years, the number of tangible goods purchased over the Internet has increased exponentially. Proponents of the Marketplace Fairness Act believe it is necessary to level the playing field between Internet and brick-and-mortar businesses.

While this is a fair point, it does not address the issues surrounding the sale of digital goods. Digital goods are often consumed in places that are not at the location of either the buyer or the seller. That being the case, applying State sales taxes to the purchase of digital goods presents a number of problems that are simply not contemplated or resolved under this bill.

Some of my colleagues in the Senate have spent time working on legislation in this area. In addition, the Streamlined Sales and Use Tax Agreement has also considered this issue. However, the legislation before us is completely silent on this and other matters.

These issues demand more consideration than will be possible under this bill. That is why my amendment includes a carve-out for digital goods.

Exempting digital goods from the sales taxes authorized by this legislation will give Congress an opportunity to examine this matter more fully and provide a solution that makes sense.

Another problem with this legislation is that it does not take into account the costs businesses will face as they transition into this new sales tax system. There is just no way around it. This bill represents a change to long-standing policy that will require many companies to incur additional costs.

For example, as the bill stands as written, businesses that sell into multiple States will likely have to incorporate multiple software packages into their operations or create their own program. Anybody who thinks about it can see that is a big set of problems.

Furthermore, an online retailer will still be required to pay interchange fees on all transactions regardless of whether the amounts transacted represent the tax or the price of the item purchased. My amendment would help to address this problem by providing for compensation for remote sellers that will be required to withhold and remit sales taxes as a result of this legislation.

A simple, fair system of vendor compensation will help businesses overcome the difficulties of transitioning into the new sales tax regime. The amendment would phase out vendor compensation over a 5-year period. It would begin at 10 percent of amounts collected for 2 years, 8 percent of amounts collected for an additional 2 years after that, and then 6 percent of amounts collected for 1 year. I think this is a reasonable provision. I think it would solve a lot of the problems folks are raising on this bill.

This is a simple approach. It would go a long way to ensuring that businesses, particularly small businesses, are not unduly harmed by this legislation. If you hadn't noticed, the common theme running through all of the provisions of my amendment is a desire to protect small businesses. I think we all want to ensure small businesses are allowed to grow, expand, and create jobs. While I do not think the proponents of this bill want to intentionally harm small businesses, I do not think they have done enough to protect them from the burdens this 11-page piece of legislation would impose.

Let me give you one more example. Businesses making less than \$1 million a year in remote sales would be exempt from the sales taxes authorized under this legislation. That may sound like a fair concession, but it warrants further examination. First of all, previous versions of the bill set the exemption at \$5 million a year. Why has that number been reduced over time? Is it an arbitrary number that sounds good or is there a specific target in mind? These are the questions I have when I look at that number. My concern with

placing the exemption at \$1 million is it could subject smaller regional companies and individual sellers to sales tax burdens in States where they only do a small amount of business. In our already fragile economy the last thing we want to do is discourage the businesses from growing, expanding, and creating new jobs. My amendment would set the exemption at \$10 million a year in remote sales. It would also index the level of the exemption to inflation to ensure it does not shrink as the years go by.

I recognize coming up with the exact definition of a small business is no easy task. Any number we use will necessarily be a rough figure because it has to encompass different industries and different business models. But setting the exemption at \$10 million would protect small businesses in a number of different sectors and ensure we are not discouraging expansion and investment in those types of companies.

I have a number of concerns with the Marketplace Fairness Act as it is currently drafted. These are just some of the concerns I have. I have more, but I thought I would at least make these concerns noticeable by talking about them on the floor. My amendment would go a long way toward resolving these concerns. I respect my colleagues who have worked on this legislation over the years. But I want to work with them to improve the bill.

I respect the distinguished Senator from Tennessee, the distinguished Senator from Wyoming, the distinguished Senator from Illinois. They are sincere, they are dedicated, they believe they are right. I wish to work with them to improve this bill. Everyone knows if we pass this bill in its current form the House is not going to take it. So we may be doing a thankless act here rather than working, as legislators should do, to improve the bill, make it acceptable, hopefully make it so both Houses will take it, and the President will sign it. But as you can see, there are simply too many problems and too many unanswered questions surrounding this legislation for me to support it as it is.

As I have stated, I believe these problems could easily be resolved by a simple return to regular order. Indeed, if the Finance Committee had been given an opportunity to fully examine this legislation, many of these problems would undoubtedly have been solved already. There are people who do not want this bill; I understand that. The chairman of the committee does not want this bill. But he was willing, knowing he would lose, to go ahead with a committee markup, a committee hearing, and a committee battle on the floor.

As I said, that is not the world we are living in. Once again, I want to work with my colleagues to improve this

bill. I hope they will listen to my concerns and consider the changes my amendment would make. If no changes are made to this legislation, if it is forced through the Senate without any real improvement, I am going to have to vote no. That is not where I want to be, but that is what I would have to do. We have already missed some real opportunities to examine and improve this legislation. I hope we can change course and take a good look at all of these implications surrounding this particular bill.

I ask unanimous consent that the pending amendments be set aside, and that it be in order to call up the following amendments en bloc: Collins 744 or 771; Ayotte 759, as amended; Coats 765; Thune 765, with a GAO study; Thune 778, with a GAO study; Coburn 753; Coburn 767; Thune 743; Lee 768; Ayotte 763; Hatch 754; Portman 772; Cruz 794; Coats 797; Portman 792; Paul 755; Cruz 799; Ayotte 776.

I further ask unanimous consent that each amendment be limited to no more than 1 hour for debate equally divided in the usual form; I further ask consent that following the use or yielding back of time on each of the amendments, the Senate proceed to a vote in relation to each amendment with no intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

MR. DURBIN. Reserving the right to object, this is the first time I have seen this list. It has 17 Republican amendments on it. An hour apiece with a vote would probably take us around the clock or close to it. I wish to review this list with the Senator from Utah and others interested. I said earlier I was going to make a unanimous consent request. I will not make it at this very moment, but I will be making a unanimous consent request within minutes, which will include at least two of the amendments that are on his list, and it will be a starting point. I will object to the request at this moment.

THE PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

MR. COWAN. Madam President, I rise both early and late in my Senate career in strong support of the Marketplace Fairness Act, legislation that Massachusetts-based merchants and Massachusetts municipalities tell me is long overdue.

First, let me congratulate Senators DURBIN, ENZI, ALEXANDER, and HEITKAMP for their tireless efforts over many years on this issue. I strongly encourage my colleagues to vote for this measure and to continue working with the House so we can finally see it enacted into law.

As I see it, in a sense, this legislation finishes the job that was started in the House by former Congressman, now

Senator, WYDEN and former Congressman Christopher Cox, when they first introduced the Internet Tax Freedom Act. That law, which Congress first enacted in 1998, officially declared that the Internet and electronic commerce should not bear a higher tax burden than traditional commerce.

Standing here in 2013, knowing how commerce has evolved, how consumer behavior and expectations have evolved, and how technology itself has evolved, I am happy to report Congress largely has been successful. State tax laws do not discriminate against electronic commerce. These transactions do not need any special protection from State tax collectors. Quite the contrary. On the contrary. Now so much commerce routinely is conducted on line, the pendulum has swung in the other direction. It is time to ensure our State tax laws are uniformly applied no matter how a transaction is consummated.

For more than 300 years, New England Main Streets have been anchored by local merchants who not only offer consumers important goods and services but are key employers for our communities. Those Main Street establishments have always been and will always remain an important part of the fabric of our communities.

Today in Massachusetts, the retail sector employs 550,000 people in 60,000 locations across our 351 cities and towns. They represent 17 percent of all the jobs in the Commonwealth—an important percentage, yet one which has declined from a decade ago.

Consumers today are fortunate to have unlimited choices, meaning extremely competitive pricing from retailers and great service in order to obtain and retain customers. That is good for both the consumer and the economy, but it also means retailers necessarily must have very tight margins in order to stay competitive on price. Those tight margins mean many small businesses thrive or die on a daily basis based upon consumer trends and purchasing decisionmaking.

Those of us in government should foster consumer choice and competition but, equally important, we must also take care to prevent unfair market incentives that drive consumers to spend or not spend at certain establishments based upon government policy and decisions.

I find it interesting that many news reports about the bill we are debating now seemed to lead with the headline “tax-free shopping on the Internet is about to come to a halt.” Let’s be clear about one thing. There was never such a thing as tax-free shopping over the Internet in States such as mine and so many other States that have a sales or use tax. Under the Commonwealth’s sales and use tax law—and the laws that exist in 44 other States in this Nation—if you owe a tax when you walk

into a store to buy an item, then you owe a tax when you go online, buy it, and have it shipped to your house. You heard me correctly. If you live in Massachusetts or one of the other 44 States that collect sales tax, you owe taxes today on those Internet purchases already.

For 45 years, Massachusetts merchants have competed against sellers in our neighbor State, New Hampshire, which has no sales tax. Some Massachusetts consumers choose to hop in their cars and drive up Route 93 to make purchases. I understand the frustration of Massachusetts merchants, particularly since the tax is still actually due to the Commonwealth in the form of a consumer-remitted use tax.

For the past decade, the growth in competition based upon sales tax collection avoidance hasn’t been from north of the Massachusetts border but, rather, from desktop and laptop computers and today from smart phones and tablets. Consumers who are reeled in by the tax avoidance marketing messages of certain sellers don’t have to drive to New Hampshire. Avoiding the State sales tax takes only a few keystrokes on their phones.

Billions of sales that otherwise would go to Massachusetts employers are annually sent elsewhere. Those losses are real for our Main Streets, for our retailers, our retail employers, for all our cities and towns, and the losses are growing every year. The annual sales tax loss in Massachusetts is currently estimated to be \$335 million. That number grows to \$400 million when you include lost income and property taxes from declining employment and darkened storefronts. If we don’t act, if we don’t pass this bill, that number will grow to over \$1 billion by the year 2020. Allow me to repeat that. That is \$1 billion in losses to my State.

A sale is a sale is a sale. With today’s technology, it shouldn’t matter how it is transacted or where it is transacted. Government must be blind and be a nonfactor in our competitive consumer marketplace and in our application of taxation to that market. We understand this fact in Massachusetts. Increasingly, many online sellers recognize this reality too.

Last year I worked with Gov. Deval Patrick to negotiate with amazon.com to begin collecting and remitting the Massachusetts sales tax. Amazon did the right thing for Massachusetts employers, workers, our schools, services, and for our cities and towns. Amazon recognized that they use our infrastructure, the airports, the highways, and streets to deliver goods to consumers. Furthermore, they understood that their customers who purchase from them use those very same services in Massachusetts and enjoy our vibrant downtown. Amazon and many of the other businesses that support this legislation have stores in multiple

States. They have made their online presence and their brick-and-mortar presence seamless to consumers. They already collect and remit applicable sales tax and follow all the other business rules in the States where they do business. If other States want to compete for their customers in the great Commonwealth of Massachusetts, they also should play by all of our rules, including the obligation to collect and remit our sales tax.

It used to be the case that if you wanted to reach a broader marketplace, you opened a location there. You complied with all the State laws that applied in those jurisdictions because it was worth it to expand your reach and build a broader customer base. Why isn’t it the same thing now? Why have we been so unwilling to apply the same rules to online businesses that we do to businesses in our States?

This is not an unreasonable proposal. Every time a business opens a physical space in my State, they set down roots there. They create jobs there. They support our communities, and they contribute to the cost of local services. That means they collect and remit sales taxes on the purchases made by the customers who enter their front door. Every open business in the Commonwealth and every consumer in the Commonwealth understands this relationship. Why should we allow an online business transaction better treatment than we provide to our own folks? Outsiders should not be treated better than insiders. Everybody should be treated equitably.

That is all this bill will do. It will allow a State government to require the same sales tax collection obligations of businesses that sell to State residents online that it does to businesses that sell to State residents on Main Street—nothing different, nothing more burdensome.

There has been a lot of misunderstanding about what this bill does, so let me try to clear it up. This bill will not create a new tax obligation for anyone who doesn’t already have one. If you live in a State that already imposes sales and use taxes, online merchants will add the sales tax to your purchase in the same way the neighborhood retailer does. If you live in a State without a sales tax, nothing changes for you—nothing. If you don’t pay a tax at a store on Main Street, you won’t pay one on the Web. It is that simple.

This bill will not crush small businesses. When I served in State government, small business owners and their associations repeatedly called on us to beg Congress to level the playing field. Those same small business owners are the people who sent us here to represent their interests. When our bosses—the people—tell us they want us to act, they should not have to beg. We should act on the will of the people.

Let me be clear about how this bill will work. Businesses that have less than \$1 million in remote sales will be exempt from compliance. States that want businesses to collect and remit the sales tax already due will be required to provide those businesses with the software to do it free of charge. The State will set up a simplified process so that businesses only have one point of contact with the State on collections and audits. No business will have to navigate the thousands of taxing jurisdictions opponents of this bill are so fond of asserting.

If a business really does not want to comply, it is easy: they can forgo the customers in that State. If they do, I assure you, those consumers—a very resourceful group—will quickly fill that void with another business that is willing to follow a State's business rules.

This bill will not impose a tax on financial transactions. I admit that when I heard this assertion, it worried me and many of my constituents, so I went back and I read the bill again. This charge is fiction.

The bill is crystal clear. I quote:

Nothing in this Act shall be construed as encouraging a State to impose sales and use taxes on any goods or services not subject to taxation prior to the date of the enactment of this Act.

I come from State government, as do several of my colleagues in this body. Trust me, budgeting on the State level is a little different from the process that plays out here in Congress. In Massachusetts we rely on a combination of income taxes and sales taxes to cover the costs of the services our citizens tell us they want and need and provide the appropriate measure of investments—in education, infrastructure, and innovation—we know is necessary for a growing and prosperous State economy. Sales tax revenues represent almost one-quarter of our total tax collections.

Sales taxes are a difficult revenue source, I understand, because they are so dependent upon broader economic conditions. As we saw during the recent recession, when people are out of work or believe their jobs are threatened, they pull back on spending. In fact, many small businesses in my State and in others, I am sure, were told by banks that lines of credit needed to be tightened because consumers were pulling back. It was an unfortunate domino effect that our Main Street businesses are still struggling to overcome. Yet, as they were trying to hang on, they also watched the customers walk into their stores, browse the merchandise, take out a cell phone, and walk out, opting to buy a product from an online retailer that could ignore the State sales tax collection. Guess what. Now there is an app for that.

Our States have limited sources of revenue and significant obligations and

investments to fund. We know the reality of this situation—that no matter how much our consumers prefer to shop online rather than on the street, they do not and cannot call a virtual ambulance or an online firetruck. We need to do all we can to keep our businesses in business. We need to ensure them a level playing field in which to compete. We need to protect the integrity of our tax laws that ensure we can provide essential services to our residents.

I have listened carefully to the objections to the bill that have been raised by others here on the floor, in the correspondence sent to my office, and the many tweets on my Twitter feed. While I am sympathetic to some of the assertions made against this bill, respectfully, I am not persuaded by them. There are just too many consumers, small businesses, and struggling communities in the Commonwealth of Massachusetts that are shouldering an ever-growing burden because Congress has yet to join forces with the States to help us efficiently enforce our tax laws in a 21st-century marketplace.

I urge my colleagues to support this bill.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, let me first thank my colleague from Massachusetts for an excellent statement in support of the legislation pending on the floor.

Let me remind my colleagues that I am planning to make a unanimous consent request on several amendments. I have asked Senator AYOTTE from New Hampshire to come forward with amendments to be included on this list, and I am hoping she will do that momentarily. After Senator PAUL of Kentucky, who is seeking recognition, concludes his statement, I would like to make this unanimous consent request.

May I ask the Senator from Kentucky if he would be kind enough to tell me how long he will be speaking on the floor.

Mr. PAUL. Between 3 and 5 minutes.

Mr. DURBIN. Without objection, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

NEUROFIBROMATOSIS 2

Mr. PAUL. My nephew Mark Pyeatt has neurofibromatosis 2, NF2, but that is not who he is. He is an indomitable spirit, a courageous young man, a man who knows and faces each day certain that he is one with his God. He is like many young people on Earth—he is in search of the truth. He reads, he thinks, but he no longer hears.

Neurofibromatosis 2 is characterized by recurrent neurologic tumors. Its signature tumor affects the auditory nerves and destroys the hearing. Its relentless course eventually takes all of the hearing. I have never heard Mark complain.

While my signing is only rudimentary, most of his immediate family are proficient, and at Christmas dinner for 40 family members, nearly everyone is trying to learn some signing. The grandkids sing, "Happy Birthday, Jesus. I am so glad you came." The whole family is learning to communicate with their hands. I mostly like to learn insults so I can taunt Mark on the golf course. I can't use most of the signs he taught me on the Senate floor. I don't know this for certain, but I think the seven words George Carlin said you can't say on TV, I think you can't sign them on TV either. I love the way names for people in sign language are created only by the deaf. Mark's mother Lori is "L" to the ear because she is on the phone all the time. My wife Kelley is "K" sweet. My middle son Duncan is "D" in a hoop because he likes basketball.

Neurofibromatosis 2 is a rare disease. Some call it an orphan disease. Orphan diseases face certain obstacles that others do not. Money is typically allocated to research based on how prevalent a disease is. For rare diseases, the resources are likewise rare.

In order for investors to invest in a cure for neurofibromatosis 2, regulatory obstacles need to be cleared. We need to allow foreign drug studies to be accepted in the United States and not repeated. We need to have speedy approval of drugs that are already being used by the general population in other countries.

My chief of staff's sister Karen has pulmonary fibrosis—another orphan disease. She is 40 years old with a young daughter, and she is likely only alive today through a fluke in the system. She takes a medication that is part of an experimental trial in the United States but has been on the general market in Japan for years. If she didn't live near a research center and if her family couldn't afford to pay \$1,500 a month out-of-pocket, she wouldn't receive this drug, even though it is legal in Japan.

The drug should have been cleared already, but we are not doing a good enough job of trying to get drugs cleared. It went through trials here. It has already been approved in Europe and Japan, but 200,000 Americans who have a rare deadly terminal disease are being denied this drug.

We all want safety in the drugs and in the cures for disease. We all acknowledge this is a balancing act. We should all acknowledge the regulatory obstacles and burdens new drugs face in our country are oppressive and counterproductive.

My hope is by putting a face to two orphan diseases—my nephew Mark, with neurofibromatosis, and my staff member's sister Karen, with pulmonary fibrosis—this situation will be made more personal. These are people who are close to our families, and we

hope others will come to realize we must do something to get rid of government obstacles to cures for rare diseases.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I have reached out during the statement of the Senator from Kentucky to try and find the Senator from New Hampshire. I know she has a busy schedule, and I couldn't find her to ask her for her amendments to include on this list. I am going to go ahead and make the unanimous consent request, and I give her my word when she comes to the floor I will be happy to amend it to include two of her amendments, which offer I made to her earlier and I wish to make again.

I ask unanimous consent that the pending Enzi amendment be set aside and it be in order for the following amendments to be called up: the Collins-King amendment No. 771, the Pryor-Blunt amendment No. 740, and Hatch amendment No. 754; further, that no second-degree amendments be in order to any of these amendments prior to votes in relation to the amendments.

Unless someone has another suggestion, I am going to suggest we have 20 minutes of debate equally divided between opponents and proponents of each amendment.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object, Madam President.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, over the last few days, I have spent a good chunk of my waking hours trying to find some common ground, some opportunity to bring both sides together. I have repeatedly put specifics on paper and provided those specifics to the proponents of this legislation. By and large—and I believe there is a little bit of a Senate code when one talks around here—the response has been: They have 75 votes, and that is kind of it. But I have been trying to deal with the issues that have been raised.

For example, my colleague from Illinois sincerely believes that unless Oregon's small businesses are not coerced into enforcing out-of-state laws, that Oregon is going to become a small business haven. He says Oregon has to be coerced by this bill or it is going to be a small business haven. I would just say to my colleagues that is not the reality of what we see in the Pacific Northwest every day.

Washington State has a sales tax. Oregon does not have a sales tax. So if my colleague from Illinois was right, we would be seeing moving vans all the time coming across the borders from Washington State to Oregon because somehow Oregon was going to be an Internet tax haven.

We all know States rights means States take different approaches with respect to this issue. To me, what we ought to be looking at are approaches that bring people together. So I offered Senator DURBIN a chance to test out this question of whether Oregon would be an Internet tax haven and try it out for a period of time. That was unacceptable.

So now this amendment includes the Pryor-Blunt legislation, which, for example, says we ought to reauthorize the Internet Tax Freedom Act. Colleagues, I wrote that legislation. It says in section 2 you can't have discriminatory taxes on electronic commerce. The Internet tax freedom proposal Senator DURBIN seeks to include in his base bill is basically trying to add some sugar into a very bitter cup of coffee. He is taking our legislation, which has been a real boost for the economy, and trying to put it into this very bitter cup of coffee that is his legislation.

I just don't think that makes a lot of sense. This bill is going to make it possible—the base bill—for discriminatory treatment of electronic commerce because online retailers in communities across the country are going to be subjected to burdens that brick-and-mortar retailers would not be subject to.

I know my colleague from Montana wishes to speak on this as well, but I would just close by saying I will have to object to the Senator's request because this particular amendment, including the bill I wrote, in effect, is akin to adding sugar to the bitter cup of coffee. The base bill offered by the proponents undermines the Internet Tax Freedom Act by allowing the very discrimination on electronic commerce the Internet Tax Freedom Act was all about.

This effort needs more time to bring about some common ground. I will close with this. Our technology policy over the last few years has been built on three kinds of principles:

No. 1, we would take voluntary steps. We wouldn't use coercion. This bill uses coercion. In fact, it was the voluntary steps, starting with some of the first laws that encouraged investment in social media, that were so important. This bill moves away from any semblance of voluntariness.

No. 2, I have outlined the discriminatory aspect of the legislation where we are going to have brick-and-mortar retailers not have to do certain things that online people do.

Finally, No. 3, what is just breathtaking is this gives foreign retailers a leg up on a Montana business, on an Oregon business, and, frankly, it gives a leg up on every business in the United States because the foreign retailer will not be subjected to what a business in our country is subjected to.

I know my colleague from Montana wants to speak on this issue as well, so

I am going to maintain my reservation so my colleague can speak, but I will have to object.

The PRESIDING OFFICER. The Senator can object or not object.

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I am happy the Senator from Oregon is objecting. I am not going to get into how many times the Senator from Illinois and anybody else wrote the Finance Committee to work on this bill. That is frankly irrelevant, and it is not a discussion that is worth getting into. It misses the whole point. The whole point is whether this is sound legislation. The whole point, in my judgment, is we should try to find a process where we do make this sound legislation.

I think I am known around here as not somebody to unnecessarily hold up legislation. I have been here it will be close to 36 years, and that is not my style. That is not who I am. It is not in my DNA. I am someone who wants to work out things fairly, work both sides fairly but not stand and filibuster, not delay for the sake of delay or to try to get leverage. That is not what I do. I think, by and large, that is not very productive.

I have said many times, and I will say it again, we can improve upon this bill if we would go to the Finance Committee and work on the bill the next work period and report the bill out. I have made that commitment; that the Finance Committee will have a markup on this legislation in the next work period and report it out so we can work on a lot of problems that are in this bill. There are a lot of them.

One of the problems that comes to my mind—and I haven't had time to analyze it; nobody has had time to analyze it because there is no forum for it. Sure, Senator ENZI has worked on this for many years, but that was another provision. That was other legislation which States rejected because they couldn't reach agreement. So Senator ENZI found another solution, which is the bill he has introduced, and that has not ever been, to my knowledge, thoroughly examined in any committee.

One of the problems I have is audits—out-of-State audits. Nothing in this bill protects States from an out-of-State audit which is oppressive in duration. This bill says there will only be a single audit. How long is a single audit? How many years is a single audit? How much pressure will an out-of-State taxing authority push on another State's seller—a single seller or a bunch of sellers? What is a single audit; a single audit for all the sellers in a State or a single audit per seller? This legislation doesn't say.

What is the enforcement provision? What if a taxing authority from one State wants to go to another State,

feeling that State is not living up to the provisions of this bill? What protection does that State have from an out-of-State taxing authority, an out-of-State audit? There is none here, but there could be. There could be protections if we go to committee and reasonably find a way to deal with this.

Those are just some of the problems with this bill, and there are many others that have not really been thought through—many others. I have deep respect for Senators standing on the floor and pointing out their States are losing some revenue. I understand that argument. But most of those States don't go the next step. Most of those Senators don't go the next step. They have not read the bill. I have read it all. It is right here. It is 11 pages.

As I have pointed out, with respect to audits, with respect to enforcement, there is no protection whatsoever. There are some nice wishful words in this bill, but when we stop to think about it, if someone is a small businessperson, they start asking a lot of questions. What does that out-of-State taxing authority do to me? What does it do to me, an out-of-State taxing authority?

We are not talking about a Federal taxing authority. We are talking about an out-of-State taxing authority as it affects me as a seller in my home State. Whether you are a sales tax State is irrelevant. Let's take Massachusetts and a remote seller in the State of Massachusetts. Let's say, for example, some other State feels that remote seller in Massachusetts isn't properly adhering to the provisions of this bill. Let's say it is a California taxing authority and it goes to the remote seller in the State of Massachusetts and audits that remote seller and brings an enforcement action against that remote seller in the State of Massachusetts—I don't know—or if you are a nonsales tax State, such as the State of Oregon or Montana.

There are a lot of questions. Frankly, I believe very strongly it makes much more sense for this legislation to go to the appropriate committee where we can work on it, especially when the committee has made a promise to report that bill out in the next work period. I grant you it will be a short period of time to work on it, during the next work period, but that is the compromise between those who want this bill up now—who want to ram it through, ram it through—with no significant committee consideration on the one hand and on the other hand having several weeks to work it out and report the bill to the floor.

For that reason, I join my friend from Oregon in objecting to these amendments. We can't write the bill on the floor of the Senate. We have to go to committees where we can work things out.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I respect my colleagues from Oregon and Montana, but I respectfully disagree with the way they have described the situation.

We are talking about asking Internet retailers around America, when they make a sale, to collect the sales tax on that sale. That is it.

My colleague, Senator HEITKAMP from North Dakota, was tax commissioner in her State and took a case to the Supreme Court 20 years ago about the collection of sales tax for remote sales—catalog sales, mail order operations.

She took the case to the Supreme Court, across the street, and 20 years ago they said: Congress, you have to fix this problem.

She had hoped she found the solution, but they said, no, you can't fix it State by State. Congress has to fix this problem.

Here we are 20 years later. Senator ENZI of Wyoming has been working on this issue for 12 years. I have joined him for the last 3 or 4, partnering with him in this effort. This is not a new issue. It is not new to me, not new to Senator HEITKAMP or anyone on the floor. As far as this version of the bill, this version of the bill was introduced, if I am not mistaken, in February—is that correct? This version of the bill, 11 pages—by Federal standards, this is not a big, complex piece of legislation.

We asked for hearings before the Finance Committee and we did not get our wish. We brought it directly to the floor. I wish it would have been heard before the Finance Committee. Perhaps they would have made some adjustments or changes that might have been beneficial. But it reached the point where we said we have to get this done. After all these years, we have to get this done.

Why do we have to get it done? First, understand if you happen to be a person who has made a sacrifice and opened a small business in your hometown—think in terms of your sporting goods store to start with—you invested your capital. You and your spouse are there every single day. You are part of the community, to sponsor that Little League team. They came around asking for money for the United Way and you say our sporting goods store always gives to you. We are part of this community.

Then the customers walk in the door and sit down and say I want to try on that pair of running shoes, maybe try the next larger size. Do you have a different color? Once they find the right running shoe, they say, can I write down a few numbers here? And you know what happens next. They walk out the door, go home, get on the Internet, and buy that product without paying sales tax on it. So that sporting

goods store down on the corner or at the mall is a showroom for goods they are not selling.

We are trying to change that. We are trying to make sure if you sell goods in a State, you collect the sales tax of that State. We do not create any new taxes. The tax we are collecting is already owed by the consumer. We certainly do not create any new Federal taxes whatsoever. It is just a matter of collection.

Why are we tied up in knots here? The two States represented by the last two Senators to speak, Oregon and Montana, have no sales tax. There are three other States that have no State sales tax: Alaska, Delaware and New Hampshire. You would think from their arguments, the coercion they are talking about, we are trying to impose a sales tax on Oregonians or Montanans. That is not true. If this bill passes, Oregonians will not be required to pay a penny in sales tax whether they buy over the counter or over the Internet. The only people who will be affected by this are Internet retailers in that State who choose to sell their products in States that have a sales tax. We put an exemption in this bill and said if your Internet retailer has less than \$1 million in sales the previous year, you are exempt; you do not have to collect sales tax.

Let's take a look at the specific States that are objecting to this bill. Of the roughly 1,000 Internet retailers who will be affected by this bill across the United States, there are 11 in the State of Oregon. Five already collect sales tax. Let me read their names because you will know them right off the bat: Adidas of Oregon already collects sales tax, Columbia Sportswear is already collecting sales tax, Nike is already collecting sales tax, Harry & David—I have gotten that as a gift once in a while—already collects sales tax. Five of the 11 Internet retailers in Oregon already collect sales tax. This is no new burden on them.

What we are talking about, then, is six Internet retailers in Oregon that I assume do not want to collect sales tax.

In Montana there are two Internet retailers with Web sales above the exemption in this bill—actually there are four in the list of Internet retailers, but one already collects sales tax and the other one is below the exemption level so they are not covered by this bill.

When I hear this objection about stopping this bill and the impact it is going to have on these States, we are talking about five businesses in Oregon, one or two businesses in Montana. That is what it is about.

But it is about much more, because these sales tax revenues are important to States and localities and local units of government. This is the money they use to avoid raising your property

taxes and income taxes. This is the money they use to provide basic services for the people who live in the communities around these local stores and it is a question of leveling the playing field for the businesses as well.

What happened today, happened yesterday, and this morning? We attempted to bring to the floor amendments to this bill—and I would say that three of the five amendments we were bringing to the floor were being offered by Senators who oppose the bill. We know it. They don't want to see this bill pass. They want to try to change the bill, perhaps even jeopardize the bill. We are prepared to debate their amendments. How much more fair can you be? We have opened this bill to amendments, we have opened it to amendments that are critical of the bill, and the Senators object to our even debating them.

To the folks on C-SPAN, I am sorry, call for a refund because the Senate is not going to be the Senate today. We are not going to debate. We are not going to vote. We are in the midst of a filibuster where we are trying to bring amendments to the floor for an actual debate and a vote on a bill and we are being stopped from doing that. Is that why we ran for this office, so we can find ways to stop debate, stop amendments? I think not. I think we are sent here to do a job. If someone has a good idea on this bill, I am ready to consider it. The Internet freedom amendment we talked about here is a bipartisan amendment. Senator PRYOR, a Democrat of Arkansas, Senator BLUNT, Republican of Missouri, came together and said we want to extend for 10 years the prohibition against taxing people for using the Internet. I am for that. I am for that amendment. I want to consider it and I want to vote for it.

The Senator from Oregon said, oh, that is a spoonful of sugar in a bitter cup of coffee. For goodness sake, what we are trying to do is improve this legislation, and if he has a good idea, offer it as an amendment. We have opened it—Senator ENZI on the Republican side, I have opened it on the Democratic side. Bring your amendments to the floor. We are ready to debate them. But for the last 2 days consistently, those from no-sales-tax States have stopped every effort to bring an amendment to a vote.

I think that is unfortunate. Eventually this matter will be brought to a vote. We have had three different votes already—75 votes in favor of it, 74 votes in favor of it, and 75 votes. Clearly a bipartisan majority of the Senate wants to finally meet the challenge the Supreme Court gave us 20 years ago. We want to get this done. We put a lot of effort into it—no one more than Senator ENZI of Wyoming.

I thank Senator ALEXANDER of Tennessee and Senator HEITKAMP from North Dakota. I am going to yield the

floor at this point and say to my colleagues, I don't know what it takes for the Senate to be the Senate. This notion of sitting here staring at one another, hoping we never get to a vote, is a disappointment, not only to those of us on the floor but I think to those who have a lot more hope for the Senate.

The PRESIDING OFFICER (Mr. COONS). The Senator from Wyoming.

Mr. ENZI. Mr. President, I want to make a couple of comments on what has transpired here this afternoon and for the last several days. One of the toughest things to do is to pass a bill. One of the easiest things to do is to kill a bill. You can do that simply by creating some confusion. Around here you can do it by applying some rules and suggesting that part of the process could be backtracked and done differently and done over.

It is pretty hard to get a bill to the floor. It doesn't happen very much. It could happen easier, it could happen more often. When you get one here, there are still a lot of ways to kill a bill and that is kind of what we are seeing because there are some people who say: Gee, if we don't get our amendment, we are going to kill the bill. We are going to vote against cloture, which is the only way to move on in the Senate because we like debate, we like pretty much unlimited debate.

Debate can be constructive. There are things that need to be done on bills. I heard several good ideas. They have been objected to, so we are not going to get to actually vote on those. But one thing as an accountant that I want to bring up is this thing about audits, because that can loom pretty strong for a business. Audit is something that we know from the IRS and it is very scary. But the audits they are talking about are not going to happen to nearly the extent they think they are going to happen. Somebody will have to be avoiding the sales tax entirely and they will have to have a very strong suspicion that they exceed \$1 million online in a year before they will ever audit because it costs money to audit. Especially it would cost money if you went over the border to another State to audit. Then there are some difficulties with being able to collect what is discovered in the audit. But it is only done when something seems very wrong.

One of my clients I worked with for 10 years had big sales in the oilfield—lots of sales in the oilfield. We got audited on sales tax once in 10 years. I am pleased to say they did not find anything. It took them 2 weeks to do the audit and that was a very big business. It was very technical stuff. Of course they looked at it because a lot of them are very big sales. There are some confusing things in the sales too. But you have to have an audit in there for a little bit of honesty. So that is why that is in there. But it is not going to be

something the States are going to jump on because it has some costs.

If you are a government that wants to do audits—I remember when I was in the Wyoming legislature they used to talk about how much return they got out of their audit. They would get \$20 or \$30 to the \$1 of cost. Consequently they used that as an argument for hiring even more auditors because they would find a lot more money. The intent of an audit is not to find \$1 for every dollar that is expended. It is to find \$20 or \$30, somebody who is violating the law in a big way so you can afford the cost of the audit. That of course keeps all of the people a little bit more honest. So audit has to be in here but audit is being blown out of proportion, probably so we can try to kill the bill. I hope that is not the intention.

They talked about needing to go to committee. I have gotten a couple of hearings on this in 12 years but have never been able to get a markup in the committee. This process has gotten this bill to the floor and I am hoping everybody will listen to their retailers and help out on this bill and get it finished. I can tell you, being in charge of this bill and one of the drafters of this bill, it is not a popularity contest you are winning. It is just the right thing to do. It is what the States need if they are going to have the revenue to provide all of the services that are in the municipalities—whether it is police or fire protection or cleaning the streets or whatever is done there, plus all of the charitable work people in the communities do too, because that is the sense of community they have so they contribute. All of that is going to dry up.

If you ask your municipality how much money they get out of sales tax, I think the minimum one of them will say is 30 percent. Probably the maximum is 70 percent. But that is a lot of budget and that is declining as the Internet grows and the sales happen without the tax. So I hope people will help pass this bill and get this into effect. It is only an 11-page bill. That is a miracle around here. It is possible for people to read the bill.

I thank the Senator from Massachusetts and appreciate the comments he made. He is new to the Senate but he obviously read the bill. I am very impressed with the comments he made. I hope people will help pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I will be very brief. I want to respond to a couple of claims that have been made, especially with how they relate to foreign corporations. I think there is a sense that foreign corporations have absolutely no State tax obligations no matter what they do in their State or what their presence is.

I want to clarify a couple of points. People argue that foreign corporations that make remote sales will have an advantage over domestic companies. We need to understand that is not true. The Marketplace Fairness Act treats foreign corporations the same as it treats domestic corporations, and by that I mean corporations which are incorporated in the 50 States in our country.

All online retailers who make over \$1 million in remote sales, regardless of where the retailer is located, must collect and remit sales tax to States that require it. States currently have and do exert jurisdiction over foreign companies. In fact, States collect different types of tax from foreign companies even when those companies are exempt from Federal taxation.

Locating facilities—there has been a big argument here—means people will now move their operations to Canada and operate out of a foreign country. That has its own brand of problems for any corporation that would consider that, and I will outline some of those.

Locating facilities outside of the 46 States while still selling to the U.S. consumers would actually increase some costs for retailers and complicate the sales process. Locating farther away from customers would increase shipping costs. Many online retailers are moving their distribution and other facilities closer to their consumers so they can be more responsive to their customers. In fact, we are seeing 1-day shipping or same-day shipping.

International sales may be subject to duties. Foreign currency exchanges may be needed to conduct the sale, and so it is a whole brave new world. It is a very complicated world.

The other thing is there is a big discussion about how to enforce it. States can currently request information from Customs and Border Protection about international shipments into their States so they know what products are coming in and where they come from.

I want to take a moment to explain how this works. As my colleagues have heard in this discussion on the floor, I, in fact, was the tax commissioner of the State of North Dakota who initiated the action in Quill, but that is not the extent of my experience. I also spent a great deal of time—in fact, 6 years of my life—as a tax commissioner collecting sales and use taxes.

We frequently have people go across the border and shop in Canada or spend a weekend in Canada. Their Customs reports are filed. We typically would send a sales tax auditor up to review those Customs reports and send use tax collection statements out as a result of that. That kind of compliance is already happening.

States also have enforcement options available to them to ensure that foreign corporation compliance is completed, including liens and other kinds of discussions.

I want to offer a CRS report on this issue, which said:

Finally, some have noted that U.S. based retailers may respond to the expanded state tax collection authority by shifting operations outside the U.S. to avoid the collection burden. The costs of moving operations and increased shipping costs, however, would seem greater than any benefit conferred by avoiding the collection burden.

Again, as my colleagues have heard over and over, we have heard about how expensive this is. Yet we have vendors out there. In fact, eBay is charging no more than \$15 a month to provide this service to businesses they have.

Some may say, Well, that is all fine and good, Senator HEITKAMP, I don't believe that actually happens. I requested some information from our current tax commissioner in the tax department in North Dakota because I know a little bit about sales and use tax, and I know we actually have foreign corporations—Canadian corporations—that are, in fact, licensed or permitted as retailers.

In fact, the State tax department records show that in calendar year 2011 we collected \$1.6 million from Canadian companies that were registered and actually remitted the tax. So anyone listening understands the level of business North Dakota is doing; our sales tax is 5 percent. There was a big leap in 2012 as we saw almost \$3.8 million. That is, I am sure, due to Canadian companies supplying North Dakota corporations and North Dakota businesses in the oilfield.

We already do this, and very many Canadian companies already know what these requirements are, just like a North Dakota domiciled company that does business and takes advantage of the Canadian marketplace will be subject to Manitoba taxes or subject to Sasquatchian taxes. We know what our obligations are.

It is very important that we do not mix concepts here. I think the Senate is a place where they do understand foreign tax treaties. But provinces of Canada and States such as North Dakota are subnationals, which is their classification within trade law. They are not bound by very many of these treaties. They are not obligated under these foreign tax agreements we hear over and over, and it is not make-believe. The reality is that in States such as North Dakota, we collect taxes from Canadian companies.

I yield the floor.

THE PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that as soon as I finish my brief remarks, the Senator from Montana be recognized to respond to the remarks of the Senator from North Dakota.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, this is not a partisan bill. There are times I am on

the floor advocating for partisan advantage, but that is not what we have here. We have managers of this bill who have worked very hard for a long time, and this is where we are now. We are to a point where there have been a number of amendments offered, there have been objections made, and so no amendments are allowed to be debated or voted on, and that is where we find ourselves procedurally.

As the manager of the Senate, I am left with no option except to look to the next alternative to try and move things along, which will be after midnight tonight. At 12:30 a.m. or 1 a.m. this morning, we would have a vote on cloture on the bill.

I say to my friends who oppose this—and I know they believe in their opposition to it fervently—it is a big waste of time. We have had overwhelming votes twice. Whether we vote after midnight tonight or at 6 p.m. this evening, it will still be the same result. So I would hope those who oppose this will take a look at this and maybe arrive at a point so we can have a vote earlier. If that doesn't happen, everyone should understand we are going to come here sometime after midnight tonight and move forward on this legislation. After that, of course, it is only a majority vote to complete this legislation.

The managers are still ready to allow amendments to be offered. It is getting late in the day. The 30 hours is grinding to a halt. I hope we can get something done and move on.

THE PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I wish to ask the Senator from North Dakota a question. I guess I will ask the question through the Chair.

Mr. President, I wonder if the Senator from North Dakota would tell me where in this bill—and I have read it—a State would have the authority to audit and bring enforcement action against a remote seller in any other country, such as China. Where in this bill does the State of North Dakota have the taxing authority to go to a remote seller in China that is selling goods in North Dakota? Where in the bill does it say that? What is the language in the bill which allows any State to bring enforcement action against a remote seller in any other country?

Ms. HEITKAMP. Mr. President, I say to the Senator from Montana, what the bill exerts jurisdiction over is remote sellers. It does not differentiate whether they are foreign nationals or domestic corporations. In State law we have the ability to enforce State laws against anyone who is obligated under the jurisdiction of the State to comply. I will tell the Senator that the jurisdiction in here is not over States. It is not over Oregon or New Hampshire. It is

over a remote seller. It does not differentiate anywhere in this bill in terms of a remote seller.

I will also tell the Senator that as the former tax commissioner of the State of North Dakota, I have enforced State tax laws against foreign corporations just as foreign corporations have enforced their provincial laws against North Dakota domiciled companies. It happens every day in America.

Mr. BAUCUS. Mr. President, I have another question. This is very similar to the context of this bill, and that is, I have asked the Senator from North Dakota many times to provide me with the authority for that proposition. I am wondering if the Senator from North Dakota could provide me the authority for that proposition rather than just asserting it. What is the authority? Is there a case? Is there a Federal law? Is there a Supreme Court case on that authority? I wish to know.

Ms. HEITKAMP. Mr. President, and my friend from Montana, we will provide the citations and the Supreme Court cases that talk about the exertion of jurisdiction over foreign corporations by State taxing authorities.

I will offer up this document which outlines that we are not parties to foreign treaties: *Nelson v. Sears, Roebuck & Co.*, which is a 1941 Supreme Court case. *Felt & Tarrant Manufacturing v. Gallagher*, which is a 1939 U.S. Supreme Court case.

It is a well-established and long-standing precedent in this country that if a company is doing business as a foreign company in a State or in our jurisdictions, we have jurisdiction and can apply our State law and our State taxing authority over a foreign company that has jurisdiction and nexus in our—

Mr. BAUCUS. The Senator just said the magic word. The Senator is talking about States where there is nexus. I ask for the proposition where there is no nexus. That is the whole point of a lot of this discussion here.

The point in Quill is that in a State where there is no nexus, a sales tax cannot be enforced. Where there is nexus, it can be enforced. I will bet those cases the Senator cited have to do with whether a State is doing business in another State, and that is nexus. We are not talking about that here. We are talking about remote sellers where there is not nexus and not doing business in the State.

Let's say there is a remote seller in China selling merchandise in North Dakota. I will bet dollars to doughnuts those cases have nothing to do with remote sellers generally.

I will make a second point, that I think North Dakota will have a hard time enforcing the provisions of this bill in some province in China. Is North Dakota going to go to Hunan Province and have the Premier of Hunan Province enforce this? I doubt it. It is not just China, it is any other country.

The Senator is confusing nexus from remote sellers, and that is not the point here. The point is remote sellers. That is just one of the problems of this bill when we start looking at it and start thinking about it and what is in it. That is why this bill should have gone to committee in the first place so we could correct it.

One other point, and I don't think this is understood by very many Senators. This is not just a nonsales-tax issue, by any stretch of the imagination. For example, let's say two States—and they are both sales-tax States. There is a remote seller in one State—let's say Massachusetts—selling to a State such as California, and both have sales taxes. Under this legislation, California State taxing authority could audit the online seller in Massachusetts if it wants to and bring an action against that online seller in Massachusetts.

So this applies to remote sellers in all States. This is not just nonsales-tax States but all States. This bill allows all States to bring enforcement actions and audit actions against remote sellers in any State. This bill does that. That is what it provides. This is not just a nonsales-tax State question. This is a question that affects all small businesses, all remote sellers all around the country in addition to the point I mentioned earlier—and I cannot for the life of me think any State can bring an enforcement action in many countries around the world where that remote seller does not have nexus in the State in question. This is another reason why this bill is fraught with problems and why it should have gone to committee in the first place.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I wish to clarify one point about nexus versus commerce clause, and I think it has been misstated about tax jurisdiction.

There was a case decided in the 1950s called *National Bellas Hess* that said remote sellers do not have nexus nor can we apply the collection burden because of the commerce clause. When it was decided, what was decided is that, yes, North Dakota had nexus over Quill. We could not apply the sales tax because it was in violation of the commerce clause.

The nexus standards have changed from physical presence to economic activity and that is why we are here. We cannot, in my opinion, as a body—and as a lawyer who has studied this area—we cannot change the nexus standards by any statute in this body, so every State will have to defend their own application of nexus.

What we are talking about is not nexus; it is commerce clause jurisdiction—the ability to apply it and not violate the interstate commerce clause.

So I think we need to be very careful about our terminology.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to engage the Senator from North Dakota, if I may, in a colloquy for a few minutes on the subject, so we may speak through the Chair to each other.

The PRESIDING OFFICER. Does the Senator from North Dakota agree?

Ms. HEITKAMP. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. The Senator from Montana has raised a good question about audits. Let me say to the Senator from North Dakota, I wish to paint a picture, and I wish to ask the Senator from North Dakota to help me because she may be one of the newer Members of this body, but she knows more about this subject than most of us put together because of her experience, with all respect to all the Senators already here in the Senate. I wish to paint a picture of what would happen if we don't act.

We are talking about audits. We are talking about businesses. Let's think about what we are talking about. I want to look to Washington from Nashville, TN, or from some other State capital—the requests that States are making of us is that if I am a Governor of Tennessee or a legislature, I want to be able to make the decision myself as a sovereign State about whether people who sell in our State are treated in the same way.

A person may be a catalog seller or an Internet seller or a brick-and-mortar seller, but if an entity is going to sell in our State and we have decided we are going to have a sales tax instead of an income tax, if we require the local business to collect the tax, we are going to require everybody who sells there to collect the tax. If an entity wants to sell in our State, that is what they need to do. If they want to drive in our State, they follow our speed limit. They follow our criminal laws. If one lives in our State, they pay our income tax. If someone sells in our State, wherever they are in the world, we want them to collect the tax and send it to us. That is what we are talking about, treating everybody the same in that way.

So the obvious thing comes up: What about all these different jurisdictions? We hear a lot about 9,600 taxing jurisdictions, and I live in Maryville, TN. So the city might have a sales tax and the State might have a sales tax and they might be different than what the next city is.

So my question to the Senator from North Dakota is—what this law does is it streamlines these 9,600 jurisdictions. It simplifies the whole process to make it easier for out-of-State sellers. It takes advantage of the technology of

the Internet so there could be a single tax return for each State, a single audit for each State, and States often work together with audits and there can only be one audit per year; in other words, it reduces this burden.

Of course, if an entity is in Kansas and they are selling in Tennessee, they may be subject to an audit and they file a report every year electronically. But, according to this, there can only be one a year.

What if we didn't pass this law? Let's say I am an enterprising Governor of Tennessee, which I once was, and I say, the Senate can't get anything done. They can't even agree when they have 75 people on both sides of the aisle who already have voted 3 times for the bill. So I have given up on them. So I am going back to the Supreme Court 20 years later, after Senator HEITKAMP wins as tax collector for North Dakota, and I am going to say, back then, 20 years ago, we didn't know anything about the Internet and this case came to the Supreme Court and the Court said it is too much of a burden on interstate commerce for you to require out-of-State sellers with no physical presence in the State to do the same thing you already require your in-state sellers to do on taxes that are already owed—taxes that are already owed. I am going to go back to the Court and say things have changed. Times are different. I can take my computer out and I can put in my ZIP Code and type in "Williams-Sonoma," figure out the sales tax I owe when I buy my ice cream freezer online, and they can collect it and send it to the State of Tennessee. So it is not any sort of burden on interstate commerce.

It is my right as a sovereign State to make everybody who wants to sell online or by catalog into the State of Tennessee—I am going after them. I am going after them if they don't collect the tax. Then, my friends in Mississippi see me do that and they do it too and then Kentucky does it and then the next State does it and then all 9,600 taxing jurisdictions go after this single remote seller.

They might come back to the Senate and say: Why didn't you guys do your job a few years ago? Why didn't you simplify this system? Why didn't you create something that was easy, which limited our liability, which made the States provide us with the software that makes this work, which limited the audits to one a year, which limited the tax to one per State? Why didn't you make it so even a smaller seller—99 percent of the Internet sellers are exempt from this act—a smaller seller wouldn't have to worry about it?

So I ask the Senator from North Dakota if she would respond, given her 20, 30 years of experience in this whole issue, am I exaggerating? What would it be like if the State of Tennessee got tired of the Senate not being able to

act after all this time and went back to the Supreme Court and won the case and Tennessee and North Dakota and all the other States started enforcing their laws against remote sellers?

Ms. HEITKAMP. Mr. President, in response to my friend from Tennessee, the first thing I will say is the tools we have today were not available 20 years ago. The simplification, the immediacy of buying a \$15 opportunity from e-bay so you can collect sales tax in all jurisdictions on products that are unique to each State, that was not even a thought when we litigated Quill. Yet we came pretty close to convincing the Court this should be allowed under the interstate commerce clause. I think, at the end of the day, the Court decided that case because they were concerned mainly about retroactivity. But now, if we compare the experience of 20 years ago to what we know in terms of data availability and the ease of administration today, which is being further streamlined by requiring a streamlined tax, one single tax base—what do I mean by that? The city of Fargo imposes sales tax. Let's assume for a moment we allow them to tax different products than what the State taxes. This requires one tax per product. We don't get to have different tax bases. So we have streamlined that piece that concerned the Court at the time. When we think about it, local sales taxes were not unique and were prevalent even at the time we litigated Quill.

This argument was overwhelming for the Court. They looked at the burden on interstate commerce, coupled with the potential of retroactive application, which would have meant huge audits where there was no opportunity to collect, and said: You know what. We think this is better left to Congress. We share an obligation with Congress on interstate commerce. We think Congress can do the right thing.

The world has changed since then. What we know that Internet sellers know about us today is remarkable. Can we imagine litigation, I say to my friend from Tennessee, where we show that we simply order—in my case one plus-size blouse—and we get all kinds of plus-size ads on the side. Some people think that is kind of insulting, but I think it is an interesting evaluation of how much these retail sellers know about us individually. If they can know that, they can collect the sales tax.

The other piece of this that is new in this statute that I think further compels us is we are not talking about the small mom-and-pops. The other reason why I am supporting this legislation is I have small beekeepers who make wax candles and maybe they put those wax candles on the Internet; maybe they make \$20,000, \$30,000 a year selling wax candles. I don't want them, after further litigation, to have a burden of sales tax collection. They are small mom-and-pops, and we are talking about \$1 million.

So, in many ways, this legislation is pro-small business, it is pro-streamlining tax. If we let this go back to the Court with a better argument than we are not burdening interstate commerce, with an argument that we can do it for \$15 a month, the Court is going to be persuaded that there is no impediment to interstate commerce, and that is the risk we run by not acting and not acting soon.

Mr. ALEXANDER. Mr. President, I thank the Senator for her knowledge and her contribution to the debate. Of course, what she is emphasizing is that if we do act, we simplify things for the small businessperson. For one thing, we exempt anyone whose revenues are less than \$1 million. That, by some economists' studies, is 99 percent of all Internet sellers. If we don't act and a case is won in the Supreme Court today, that is different than 20 years ago. There is no \$1 million exemption—there is no \$1 million exemption—and there is exposure to 9,600 tax districts if they win that case.

So the thing to think about is if we do our job, and the Supreme Court said 20 years ago we are the ones to do it—and 74 or 75 of us 3 times now have indicated we think we should through this 12-page bill, we will provide an exemption for virtually all Internet sellers, we will create rules that simplify, and we will give States the opportunity to do what States should have the opportunity to do. My heavens, I hear some people say—and I have said this on the floor—Washington didn't trust the States to make these decisions about tax matters. Nobody in Tennessee trusts Washington to make decisions about tax matters. So what this bill does is say to the State of Tennessee or Delaware, it is your business; you decide it. If what you want to do is collect tax from some of the people who owe it and not all of the people who owe it—States have the right to be right; States have the right to be wrong. That is what the 10th Amendment is about. In some States, they will use the money to pay teachers more for teaching well.

In the State of Ohio they have already decided if this passes, they are going to lower the income tax. The Governor of Idaho said he already has his eye on a tax he would like to lower. If we can collect taxes from everybody who already owes them—and that is the important point to make. We are not talking about new taxes; we are talking about taxes people aren't paying that they owe. So why should I have to pay my tax, and if the Senator from Delaware is in the same similar situation, why should he not have to pay? So in each State, the same people ought to have to pay.

Art Laffer, the distinguished economist who wrote a good column in the Wall Street Journal endorsing this idea of marketplace fairness, said the best

tax, if there has to be a tax, is one that affects the largest number of people at the lowest possible rate. If we have a 10-percent sales tax in Tennessee and 25 percent of the people who buy things are not paying a tax they owe, they ought to be paying it. They ought to be paying it. If they all pay it, we can lower the rate for everybody. That is what—we are not deciding that here; we are just deciding the States could have the right to decide.

But the important point of the Senator from North Dakota is that if we act, we are protecting the small seller by creating the \$1 million exemption. We are protecting the small seller or any remote seller by saying you have a limited liability, a limited number of audits, a limited number of States to do it in, and if we don't act and the Supreme Court hears this case, Katy bar the door, and out-of-State sellers all over the world will be coming to the Congress and saying: Why didn't you do your job?

So there is a good reason why we have a majority of Democrats who have voted three times to express their support for this bill and a majority of Republicans who have done the same. There is a good reason why leading observers across the country, from the chairman of the American Conservative Union and others who don't like to see States picking and choosing between winners and losers—there is a good reason all of those people support this. And there is a good reason it is an 11-page bill. It is a simple idea.

We have sovereign States. States make their own tax laws. Unless States, by their tax laws, create an unconstitutional burden on an out-of-State seller, it is no business of ours. We should create the environment the court says to give them the freedom to make those decisions for themselves. Some may do it one way, some may do it another, but States have the right to be right, States have the right to be wrong, and we have the responsibility to recognize the constitutional framework of our country which was created by sovereign States.

Thank you, Mr. President.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent to be able to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. SESSIONS. Mr. President, we have an attempt to move and rush

through the Senate an immigration bill before the American people can absorb what is in it. I think this is a very bad policy. The bill was introduced at 2 a.m. 8 days ago. It was set for markup in the committee today. Our diligent staff has been trying to read it and absorb it, and they are having a great deal of difficulty sifting through this complicated 844-page bill.

Senator GRASSLEY, the ranking Republican on the committee, has asked for the bill to be put over for 1 week. Next week is a recess, so now it will come up in 2 weeks to be presented and passed out of committee.

On Monday, we had a hearing. I will not say it was a circus, but it was impossible to absorb all the information. Twenty-three witnesses testified, one right after the other, 5 or so minutes each. The Senators who were here on Monday—not a lot—had 5 minutes of questioning and not much was resolved. They did not know what was in the bill either. They were just testifying about policy, basically. Nobody could explain exactly how the bill is going to work.

So people say: You should be able to handle a bill like that. You should be able to read an 844-page bill.

So I just want to show why this is a pretty complicated process and why a piece of legislation such as this has to be carefully read. It is not easy to do so.

So this is page 65 of the bill that I will show you. It deals with an issue I talked about yesterday. Secretary Napolitano issued a prosecutorial directive and guidance to ICE officers that was so upsetting to the ICE officers that they sued her and their Director, Mr. Morton, in Federal court, saying she is directing them not to follow plain U.S. law.

I brought it up in the hearing, and Chairman LEAHY said: Well, a lot of people file lawsuits. Very few win. Well, yesterday or the day before yesterday, the Federal judge basically ruled in favor of the officers and said a Secretary of DHS has no authority to issue guidelines that counteract plain mandatory Federal law. So, basically, the Secretary was saying: Do not remove certain people from the country that current law says must be removed. She was refusing to do what the law of the United States says. This is one of the reasons we have such a problem reforming and fixing immigration law. It is because the American people have little or no confidence in the willingness of our officials to even follow present law, much less new law.

They have planned to fix this in the bill so now the Secretary would have even more power. In the legislation we have already found maybe 200 references to waivers and discretion of the Secretary. But look at page 65:

(B) WAIVER.—

(i) IN GENERAL.—The Secretary may waive the application of subparagraph (A)(i)(III) or

any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

(ii) EXCEPTIONS.—

Exceptions to that.

The discretionary authority under clause (i) may not be used to waive—

(I) subparagraph (B), (C), (D)(ii), (E), (G), (H), or (I) of section 212(a)(2);

(II) section 212(a)(3);

(III) subparagraph (A), (C), (D), or (E) of section 212(a)(10). . . .

So if I am a Senator, and I am trying to protect the interests of the people of the United States to understand what a piece of legislation means, I have to go back and read every one of those subparagraph exceptions.

This is gobbledygook. My staff tells me every time they go back and read it, they see more difficulty. I have not even had a chance to look at this. Oh, but do not worry about it, we have set up a vision. We have a vision of this great immigration bill that is going to be comprehensive and fix all our problems. Trust us. Do not worry about it. You will find out what is in it later. Right? Just like health care, I guess.

This is not a way to do business. The immigration policy of the United States is just as important as the health care policy of the United States.

I am not going to consent to this bill. We ought to find out what is in it. It goes on more and more and more, this kind of gobbledygook.

Continuing:

(IV) with respect to misrepresentations relating to the application for registered provisional immigrant status, section 212(a)(6)(C)(i).

And it goes on.

It is not right to say that people who are concerned about the legislation are obstructing the process. We are trying to find out what the bill does.

A headline yesterday in the Christian Science Monitor said: How many people will be made legal under this bill? It then quoted one of the supporters of the bill as saying: We don't know.

So I asked at the Judiciary Committee this morning—one of the sponsors was there, Senator SCHUMER—I asked: Do you want to tell us how many people are going to be legalized under the bill? Oh, we don't know.

So we do not know that. We do not know answers to other questions, such as: How much will the bill cost the Treasury of the United States? What kind of expenses will be incurred? What is the total number of people who will be admitted?

What we have discovered has revealed that the legislation fails to live up to virtually all the promises that have been made about it so far. I hate to say that, but that is the truth.

Let me list a few instances. These are promises we have been told are taken care of or will be effectuated by the legislation if we just vote for this good bill. Just vote for it. It is 844 pages. Just vote for it. Here are some of the things:

We were told the bill would be enforcement first. But the plan confers immediate legalization in exchange for future promises of plans for enforcement, many of which will likely never occur. We have plain law now that requires removal in lots of cases that the Secretary is failing to follow.

In fact, a major loophole that jeopardizes the entire border security section commands that the Secretary of DHS grant current illegal immigrants permanent legal status and, therefore, a guaranteed path to eventual citizenship after 10 years if just one of the so-called triggers that is supposed to ensure enforcement is prevented from occurring by a lawsuit. So all they have to do is to keep an enforcement trigger tied up in court for ten years, and then the people are not going to be deported if the enforcement does not occur.

We were told the Secretary would be required to build a fence at the border. We passed a law in 2007 that required 700 miles of double-strength fencing at the border—not the whole border but 700 miles. How many miles have been built since then? Thirty. Congress passed a law that said we would do this enforcement in the future, but it has not occurred.

We were told the bill would reduce the deficit. We have been told it will reduce the deficit and strengthen Social Security and Medicare. But the effect will be to legalize large numbers of low-skilled immigrants. Over half of those illegally here today do not have a high school diploma and will add trillions to the unfunded liabilities of Medicare, Social Security, and the President's new ObamaCare health care bill.

We are talking about trillions of dollars when Social Security and Medicare need to be strengthened, not weakened; and the numbers are not going to be disputed. It is not going to strengthen Social Security and Medicare, as many advocates say. It is going to weaken it, and it is also going to weaken the financial stability of the ObamaCare legislation.

We were told illegal immigrants would not have access to public benefits, but the bill ensures that millions of illegal immigrants will immediately be eligible for State and local public assistance. If people need something, need health care, they are going to get it somewhere. Some will get formal benefits in as short as 5 years and will be eligible for all Federal welfare programs at the time of the grant of citizenship.

We were told there was a 10-year path to green cards or permanent legal resi-

dence and a 13-year path before one could become a citizen. But 2 to 3 million of those who are in the country illegally are expected to assert that they came into the country as younger people and, therefore, would be eligible for citizenship in 5 years under this remarkably broad DREAM Act provision that removes any age cap on the persons who can assert that they came as a youth. Even those who had been removed from the country can come back and claim the benefits of this bill.

Illegal agriculture workers will also get green cards in 5 years. Individuals working illegally in agriculture today would be able to get legal permanent resident status in just 5 years. This would enable them to receive benefits of some kind. We were told this legislation was for illegal immigrants who have deep roots in the country. But the amnesty is extended to recent arrivals, including those who may have come here alone just over a year ago.

Millions would be legalized who overstayed their visas. People who are not even living in the country anymore could return and receive benefits and legal status. Those who have been deported multiple times could receive benefits under this legislation. That is just what is in this complex 844-page bill.

We were told the legislation would curtail the administration's aggressive undermining of Federal law. That somehow the law was going to be enforced more. But it provides the Secretary of Homeland Security with even more discretion than she has today. It is filled with grants of waiver power and discretionary power. The American people are very dubious of the willingness of our government to do anything that would consistently and effectively enforce laws.

I believe the American people's heart is right about the issue of immigration. I believe the American people should be respected and their opinions valued. What are they saying? They say: We need a lawful system of immigration. People should be treated fairly. They believe in immigration. Right now we are bringing in 1 million people a year legally. The American people say that is about right, although a recent poll showed that over half of the American people believe that number is too high. They would like to see it brought down some at this time of unemployment and falling wages.

They still strongly favor immigration for America. They are not mad at immigrants. They do not hate immigrants. They do not dislike them. They respect people who want to come to America. They understand the desire of good people around the world who would like to come to America. But what they are angry about is people in high office flatly telling them time and time again: We are going to fix this system, we are going to make it lawful,

and we will make it one that you can be proud of. Then they do not do it. They say they are going to build a fence, and it does not get built. They say they passed a law that requires removal of certain people who violate the law; they do not get removed. The American people are right about this. It is Congress and the President who have not been fulfilling the right standard.

We were told there would be strict standards for amnesty, but the bill grants amnesty for those who have been convicted of multiple crimes. There are a whole host of exceptions to ineligibility. We were told the bill would make us safer. But Mr. Chris Crane, the head of the ICE association, said it will not; that immigration officers have been undermined. They have voted—the 7,000-member association voted no confidence in Mr. Morton, their supervisor. They filed a lawsuit for the failure of their officials to allow them to enforce the law, basically complaining about their supervisors directing them to violate the law.

That is what they complained about. That is what the judge seemed to take very seriously. We were told this would move us toward a merit-based, high-skilled immigration system with a responsible future flow that would be more effective in identifying people who could be successful in America. This might be the biggest and most dangerous flaw of all. It does not look like it is going to move our numbers in any way in that direction.

The bill would remove limitations on the number of visas for spouses and children of green card holders. That would apply to both those here illegally and all current and future legal immigrants. It would clear the 4.5 million illegal immigration backlog of people who filed to come under chain migration, family migration. Only so many were supposed to be admitted per year. You file and wait until your time comes up, then you get admitted. So, apparently, the drafters of the bill felt bad because people said: You are giving people who came illegally advantage over those who have been waiting their time.

So how did they solve that? That is a pretty brilliant way to solve it. They agreed to let everybody who has filed to come in immediately and exempt from them from the caps. That would solve the problem all right.

Those who are approved under the DREAM Act, persons who came as younger individuals, can obtain green cards on an expedited status for their spouses and children. We have to be careful that we do not create a system that allows aging parents to be brought to the country in large numbers. That will be a burden on us. Truly, we have to be thoughtful about that. We have to be responsible. As a member of the Budget Committee, we are looking at

these numbers. We have to reduce our costs, not add to it wherever possible.

The agriculture worker program is expanded, giving the Secretary of Homeland Security almost unchecked authority to increase the visas to whatever number he or she sees fit. Think about this: The Christian Science Monitor asked: How many will be illegal immigrants will be admitted?

I asked the bill sponsors and supporters today in committee: How many would be admitted over the next 10 years?

Under current law, we should be admitting about 1 million people a year, the largest number any Nation in the world allows, to come into our country legally. That would be 10 million over 10 years. Under this bill, we believe the number would be 30 million-plus.

Let me say to my colleagues, I respect their work and their efforts. I know we have always valued immigration in our country, but it is time to create a system that serves the national interest, a lawful system where those who violate the law are not rewarded, those who do not violate the law are validated, a system that brings in the kind of person that has the best chance to be successful and not be a ward of the State or charge of the State.

There are a lot of things that we really need to do: protect our national security, have a system and a policy that we are proud of, that is morally defensible. I am afraid this bill is not there. That is why I am concerned about it. I look forward to doing the best I can to examine it carefully.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, over the course of the next several weeks, I hope to come to the floor and visit with my colleagues about the immigration bill that will soon be going through the Judiciary Committee. Today I want to share my thoughts on the parts that deal with the border security section of S. 744.

The immigration bill is very likely to allow millions of people who entered our country illegally or overstayed their visa to receive legal status and eventually green cards. However, it is very unlikely to result in true border security. The bill provides that those in a probationary status—and that is known in this legislation as “registered provisional immigrant status”—be given green cards as soon as the Secretary of Homeland Security certifies that four conditions have been satisfied.

On page 11 of the bill it lays out the process. The Secretary certifies that the border and fencing strategies, and those strategies are ones that she wrote, are substantially deployed, operational, and completed. She also has to implement a mandatory employ-

ment verification program and electronic exit system at airports and seaports. The authors of the bill envision that this will happen in 5 or 10 years down the road.

There are three reasons this process is problematic: First, the Secretary has unbridled discretion to conclude that the four provisions have been satisfied even if they have not been satisfied. The Secretary determines if the strategic plans are substantially deployed, operational, and completed according to requirements of the law. For example, the Secretary could say she is using an electronic exit system by collecting visa and passport information even if that system is not totally effective. The bill establishes no deadline for implementing any of these conditions.

Second, the bar is set very low for certifying that these conditions have been met. One of the four triggers to green card is a summation of a border fencing strategy. The bill defines in one sentence in section 5 the contents of that border fencing strategy condition. At a hearing on Tuesday before our Judiciary Committee, Secretary Napolitano testified that fencing was not a priority of this administration.

Considering how sensitive of an issue this is, one would not think she would say that. She did not really want \$1.5 billion to be designated just for fencing. She implied that no more fencing was needed. Well, ask the people down on the border if that is true. She testified that the Department would prefer flexibility to use technologies other than fences. She stated that if she determined that little or no additional funding were necessary for fencing, she might then be able to certify this condition very quickly.

Third, litigation could ensure that legalization could occur in 10 years, regardless of whether any and all of the four border security triggers in the bill are met. The bill does this in four ways: First, green cards can be issued if litigation of any kind prevents any conditions from being met. Second, green cards can be issued if the Supreme Court rules that the implementation of any of the conditions is unconstitutional. Third, green cards can be issued if the Supreme Court grants review of litigation on the constitutionality of the implementation of these conditions. I note that this provision is especially ill-considered because it could trigger green cards merely because the Supreme Court agreed to review the condition's constitutionality, a highly likely event even if the Court later upheld that.

Fourth, the bill restricts litigation challenging one particular decision of the Secretary to a constitutional challenge only. But that limitation expressly does not apply to litigation challenging implementation of the conditions. Litigation brought against the

conditions can be based on any legal theory.

Under the bill, if any court in this country issues a stay on implementing one of the conditions, then green cards are to be issued after 10 years.

The bill does not specify what sort of ruling must prevent implementation or even that the ruling be based on the merits, nor does the bill require that appeals run their course, even if the appeal upholds the condition. It says that the Secretary “shall permit”—and this is mandatory language—“shall permit” applications for adjustment to LPR status if “litigation . . . has prevented one of the conditions from being implemented.”

Under the plain language of the bill, 10 days after the day that any court prevents any of the border security conditions from being implemented, then, of course, the floodgates for green cards are to be opened. And nothing in the bill stops the administration from agreeing to a consent decree that prevents one of the conditions from being met.

Because I listened to over 7 hours of testimony on Monday and because on Tuesday the Secretary of Homeland Security shared her thoughts, I summarize to this one statement: During all that time, not one person disputed the fact that legalization begins upon the mere submission of both a southern border security and fencing strategy. Thus, the undocumented become legal after the plans are submitted despite the potential that the plans could be flawed and inadequate.

If enacted today, the bill would provide no pressure on this Secretary or future Secretaries to actually secure the border.

Secretary Napolitano has stated that the border is stronger than ever before. She even indicated that Congress should not hold up legalization by adding border security measures and requiring them to be a trigger for the program.

I am concerned that the bill we will be taking up repeats the mistakes we made in 1986. Maybe people will resent my referring to 1986, but I do that because I went through this before, and we thought we were doing it absolutely right in 1986. We didn't secure the border then and assumed legalization alone would stop the flow of more people crossing the border without papers.

Simply, we screwed up. We need to learn a lesson because the basis of this whole legislation is that the borders will be secured. The people don't want some phony language that allows the Secretary to circumvent congressional intent.

I urge all my colleagues to really understand what the bill does in regard to border security and, in the process, to make sure the same mistakes of 1986 aren't repeated and to insist that the border be secured instead of trusting what the Secretary says.

In regard to this whole issue, there has been a lot of finger-pointing going on in Washington in the past 2 weeks as it relates to immigration. It is a lot like the weeks and months after 9/11. What warning signs were missed about the brothers who bombed the Boston Marathon? Law enforcement and intelligence agencies tell conflicting stories. Bureaucracies are gearing up to do battle over who dropped the ball. They are preparing their defenses. They are leaking bits and pieces of information favorable to themselves.

Meanwhile, Congress and the public have a growing number of questions. I have written to the Department of Homeland Security and the FBI. Senator PAUL and I have written on another matter to the FBI. But the Senate Judiciary Committee has not yet received clear answers to our questions, and there are very serious questions about whether our government has forgotten the lessons of 9/11.

The most important of those lessons is this: When extremist fanatics say they want to wage war against us, we should take them seriously. Our government was reportedly warned on multiple occasions that one of these brothers had become a radical jihadist. Do we still have agencies failing to follow up, failing to share information, and failing to connect the dots?

In this morning's Washington Post, the editorial board asked, "Is the FBI focused enough on the real bad guys?" The editorial pointed out that in addition to the older brother in Boston, several people who have been investigated by the FBI have gone on to commit attacks. The Post cited 2 examples: the man who shot 2 soldiers at a Little Rock military recruiting office in 2009 and the man who was accused of shooting and killing 13 people at Fort Hood later that year.

According to the editorial, "Meanwhile, the FBI has devoted considerable resources to sting operations . . . sometimes on what look like dubious grounds." For example, the FBI launched an elaborate sting operation in Boston against a man planning to attack the U.S. Capitol with a remote-controlled model airplane loaded with grenades.

The Post concluded:

In [some cases], it's not clear that a sometimes far-fetched plot would have gone forward without the encouragement and help of FBI informants.

That is a very good point. It may be easier for an FBI informant to draw someone into a far-fetched plan, but it is harder to detect the real terrorist plot, such as the one in Boston. Unfortunately, it is connecting the dots that keeps us safe, not those easy sting operations.

Other warning signs about the older brother may have been missed because tips about him weren't shared between law enforcement. The older brother's

best American friend was murdered in an unusual triple homicide. My office has been told that local authorities investigating the murder were unaware of the warnings from Russia about his radicalization. Thus, those local authorities in turn apparently didn't know they should make the FBI aware of the murder.

Four months later the older brother traveled to Russia, just as the Russian Government had warned us. The FBI claims it was unaware of the older brother's trip, even though the Homeland Security Department says its systems alerted them to the travel. Did the Homeland Security Department fail to share that information with the FBI?

The immigration reform bill, with all of its bells and whistles, can't make agencies share information with each other. That bill is supposed to require background checks on the 12 million people who are in our country undocumented. Yet it seems we have a hard time doing successful background checks just on those here legally.

Lack of information-sharing and failure to see real warning signs are probably things that no bill will fix. What has to change is the culture, and, of course, that begins at the top. It requires true leadership.

At the end of the day, this is about much more than who dropped the ball. It is about learning from mistakes and doing a better job next time. In order to do that, we need real transparency about what happened, not just talking points from agencies trying to deflect the blame.

The immigration bill before the Senate will make enforcement of immigration laws more inefficient, time-consuming, and ineffective.

I would refer my colleagues to section 3502 of the bill. That section governs immigration court proceedings. Under current law, people here illegally who are going through removal proceedings are not entitled to legal counsel at government expense, and the Justice Department is not required to provide that. However, this section opens the law wide, making taxpayers foot the bill for attorneys who will represent people here who are undocumented. It provides that "the Attorney General, in the Attorney General's sole and unreviewable discretion, may appoint or provide counsel to aliens in" removal proceedings.

The heading of the section implies that court proceedings would run more efficiently, when in actuality the goal is to ensure that people here illegally have every opportunity to fight removal orders. Some of these aliens could be dangerous. They certainly don't deserve free counsel whenever the Attorney General is inclined. Making it harder to deport aliens who should be deported will make it harder to deter aliens from entering the country

illegally. Of course, there are organizations, such as law firms, law school clinics, and others, that provide pro bono legal services to aliens at no cost to the taxpayers.

The bill's language is just so astounding. There are very few statutes that say that any government official can do anything in his or her "sole and unreviewable discretion." That means no oversight. However, time and again throughout this bill this language pops up. It means that no court can stop what that official wants to do. That is hard to square with our principles of democracy and a government based on the principles of checks and balances.

Ironically, the title for the section implies that this measure would "reduce costs," but in fact it only increases the costs for taxpayers. This measure to provide legal counsel for people here illegally would be paid for from the newly created fund known as the Comprehensive Immigration Reform and Trust Fund. This fund, on the date of enactment, will have \$6.5 billion, which is transferred from the General Treasury. How much will this section cost? We won't know until CBO scores it, but it won't be borne by the people in the removal proceedings, and that is going to be hard for the American people to swallow.

Anything that makes deportation harder or that makes deportation proceedings more likely to be about delaying tactics should be avoided, but the immigration bill appears to desire those results as goals. We should decline that invitation to mischief that is going to be a direct result.

DRUG PREVENTION AND TREATMENT PROGRAMS

Mr. President, I have long been a strong advocate for the responsible stewardship of taxpayer dollars.

Throughout my career I have sent countless requests, letters, and conducted numerous investigations all in the interest of preventing waste, fraud, and abuse of taxpayer dollars. Today, we are confronted with a government that is recklessly spending tax dollars and running up a huge Federal budget deficit and debt. We are also confronted with the need to tighten the government's belt when it comes to this reckless spending.

One area where we need to do a better job of responsibly using taxpayer dollars is through our drug treatment and prevention efforts. I have a strong commitment to ensure drug abuse does not flourish in communities throughout the country. I have championed numerous efforts to prevent drug abuse before it starts including my sponsorship of the Drug Free Communities grant program.

Drug abuse is very costly to society. The National Survey on Drug Use and Health estimates that 22.5 million Americans aged 12 and older used drugs in 2011. This is clearly a problem that needs to be addressed in an aggressive but wise manner.

Senator FEINSTEIN and I requested the Government Accountability Office to conduct a study of the Federal drug treatment and prevention programs that has recently been released. This report and another, which annually reports on the duplication or overlapping of Federal programs, states that out of 76 drug abuse prevention and treatment programs 59 or nearly 80 percent had evidence of overlapping efforts. In Fiscal Year 2012, 4.5 billion taxpayer dollars were allocated to these programs.

The Government Accountability Office reported that some programs, including the Drug Free Communities program, have a low risk for duplication because they have coordinated their efforts among their respective administering agencies. However, 29 of the 76 programs surveyed reported that no staff have coordinated with other agencies or programs to reduce duplication. This is almost 40 percent of all Federal drug prevention and treatment programs. The report further states that the Office of National Drug Control Policy, which is responsible for coordinating the government's anti-drug efforts, has not systematically assessed drug abuse prevention and treatment programs to examine the extent of overlap or opportunities for coordination.

It is with disappointment that I learned that the President has proposed a significant increase in his Budget to many of these programs. Specifically, the President has proposed a \$1.5 billion increase for drug treatment programs, which is an increase of 18 percent from fiscal year 2012. Many of these programs have good intentions and may even do good work, but in a time when we are making many painful cuts throughout most federal agencies and programs to rein in spending should we be making such large increases?

Further, should we be spending more taxpayer dollars on programs that are duplicating efforts before they correct their problems? The last thing we need to be doing now is chasing good money after bad, and this is what the President is proposing with his budget.

Before we start increasing any program budget, we must first ensure that program is responsibly tracking and utilizing every taxpayer dollar it currently has and not wasting it by duplicating the work of another program. One example of success in eliminating duplication can be found with the National Drug Intelligence Center.

This center had repeatedly been listed as a duplicating agency for a number of years. The funding for this center was eventually eliminated in fiscal year 2011 while the work of the center has been consolidated.

I am pleased that the Office of National Drug Control Policy agrees with the recommendation of the Govern-

ment Accountability Office report to assess the extent of overlap and duplication across all drug prevention and treatment programs by identifying where agencies can better coordinate their efforts. Yet these actions should have been taken years ago. However, it is with disappointment that I saw no mention of any effort to assess prevention and treatment programs in the President's recently released 2013 National Drug Control Strategy.

In fact, it appears that the President wants to expand many of the programs that currently do not coordinate efforts in his strategy. An assessment must be done and actions must be taken to eliminate waste before any expansions take place.

Failure to adhere to the Government Accountability Office recommendation will result in more wasted taxpayer dollars and less recipients benefitting from those dollars. The people most vulnerable to drug abuse, our Nation's youth, require our best efforts with the limited resources we have to ensure they receive the proper education and professional help so that they can grow into healthy adults. By failing to carefully safeguard taxpayer dollars, we are failing our children and grandchildren. We must do better.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture on S. 743 occur this evening at 5:35 p.m.; further, that if cloture is invoked, all postcloture time be considered expired at 5 p.m. Monday, May 6; the Durbin amendment No. 745 then be withdrawn; that no other second-degree amendments be in order; that the Senate then proceed to vote in relation to the Enzi-Durbin amendment No. 741; that upon disposition of the amendment, the Senate proceed to vote on passage of the bill, as amended, if amended; finally, that the filing deadline for second-degree amendments be 4 p.m. Monday, May 6.

Mr. President, just briefly, I appreciate very much the fact this is a consent agreement I had nothing to do with. I appreciate all the good work of everyone who was involved in this.

The ACTING PRESIDENT pro tempore. Is there any objection to the request?

Without objection, it is so ordered.

The clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Harry Reid, Richard J. Durbin, Heidi Heitkamp, Martin Heinrich, Amy Klobuchar, Al Franken, Sherrod Brown,

Brian Schatz, Benjamin L. Cardin, Angus S. King, Jr., Richard Blumenthal, Sheldon Whitehouse, John D. Rockefeller IV, Joe Manchin III, Thomas R. Carper, Tom Harkin, Patrick J. Leahy.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Mr. FLAKE), the Senator from Ohio (Mr. PORTMAN), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "nay."

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 30, as follows:

[Rollcall Vote No. 111 Leg.]

YEAS—63

Alexander	Fischer	Menendez
Baldwin	Franken	Mikulski
Begich	Gillibrand	Moran
Bennet	Graham	Murphy
Blumenthal	Hagan	Murray
Blunt	Harkin	Nelson
Boozman	Heinrich	Pryor
Brown	Heitkamp	Reed
Cantwell	Hirono	Reid
Cardin	Isakson	Rockefeller
Carper	Johanns	Sanders
Casey	Johnson (SD)	Schatz
Cochran	Kaine	Schumer
Collins	King	Sessions
Coons	Klobuchar	Shelby
Corker	Landrieu	Stabenow
Cowan	Leahy	Udall (CO)
Donnelly	Levin	Udall (NM)
Durbin	Manchin	Warner
Enzi	McCain	Warren
Feinstein	McCaskey	Whitehouse

NAYS—30

Ayotte	Heller	Risch
Barrasso	Hoeben	Roberts
Baucus	Inhofe	Rubio
Burr	Johnson (WI)	Scott
Chambliss	Kirk	Shaheen
Coats	Lee	Tester
Coburn	McConnell	Thune
Crapo	Merkley	Toomey
Grassley	Murkowski	Vitter
Hatch	Paul	Wyden

NOT VOTING—7

Boxer	Flake	Wicker
Cornyn	Lautenberg	
Cruz	Portman	

The PRESIDING OFFICER. On this vote the yeas are 63, the nays are 30. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

VOTING EXPLANATION

• Mrs. BOXER. Madam President, I was unable to attend the roll call vote that occurred on April 25, 2013 because of a family obligation. Had I been present, I would have voted in favor of the motion to invoke cloture on S. 743, the Marketplace Fairness Act.

As electronic commerce has grown dramatically, new policies are necessary to maintain a level playing field so that businesses of all types can both compete and prosper. This bipartisan bill has the support of a broad coalition of Governors, mayors, business leaders, and labor groups, and is especially important to our local governments. I look forward to working with my colleagues to ensure that implementation of these changes is manageable for small businesses in California and elsewhere.●

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to a period of morning business, and during that period of time Senators be allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

Mr. COONS. Madam President, I ask unanimous consent to enter into a colloquy with the Senator from Alaska for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY STRATEGY

Mr. COONS. Madam President, Senator MURKOWSKI of Alaska is a strong leader on energy issues, and I am proud to work with her on the Energy and National Resources Committee. It is fitting that we are here despite representing different States from different regions of the country to talk about an issue we believe can bring us together.

Republicans and Democrats alike can agree that when it comes to American energy, we need a comprehensive, all-of-the-above strategy, and that is the only way we are going to succeed in securing homegrown and affordable sources of energy for the next generation.

In my view, oil and gas are not going away anytime soon. If renewable sources of energy are going to grow and become central players in the American energy marketplace, we have to make sure they are operating on a level playing field. Right now the playing field is anything but equal.

For nearly 30 years, traditional sources of energy have had access to a very beneficial tax structure called

Master Limited Partnerships. This is a financing arrangement that taxes projects like a partnership, a pass-through, but trades their interests like a corporate stock. This prevents double taxation and leaves more cash available for distribution back to investors.

This allows limited partners and general partners to come together and invest capital in a Master Limited Partnership and form an operating company. For the last 30 years, that has been used in natural gas, oil, and coal mining, predominately in pipelines but also in fossil fuels.

Not surprisingly, this structure means MLPs have had access to private capital at a lower cost, and that is something capital-intensive projects, such as oil pipelines, badly need. Frankly, it is something alternative energy projects in the United States need more than ever.

Let's work together and level this playing field. Let's remove the restriction that allows only traditional energy projects, such as, oil, gas, coal, and pipelines, to form MLPs. It is literally in the original statute that only nonrenewable forms of energy are eligible. In my view, we should open it up to include clean and renewable energy and then let the free market take it from there. So this week, Senator MURKOWSKI and I joined Republicans and Democrats from the House and the Senate to introduce the Master Limited Partnerships Parity Act of 2013—a bill that will do just that. We are grateful for the support of Senators JERRY MORAN of Kansas and DEBBIE STABENOW of Michigan, as well as Congressman TED POE of Texas, MIKE THOMPSON of California, PETER WELCH of Vermont, and CHRIS GIBSON of New York, who are original cosponsors.

Our bill does not change these benefits for traditional energy sources at all. It doesn't touch existing MLPs and their well-established benefits for coal and oil and natural gas; it just allows renewable energy projects to compete fairly by also accessing this tax advantage capital formation field. It gives an equal chance for success for projects using energy from wind and the Sun, the heat of the Earth, and biomass; breakthrough technologies to consumers with affordable homegrown energy for generations to come.

This bill is this year a new and improved version of the Master Limited Partnership Parity Act from last year. We introduced a version last year that earned strong support from Republicans and Democrats, as well as outside experts and the business community. This year we are expanding the scope of the bill to also include additional energy projects that qualify as MLPs: waste heat to power, carbon capture and storage, biochemicals, and energy efficiency in buildings. We wanted to include a broader array of clean energy resources because that is

how we can get the best competition and deliver the most affordable and efficient energy to consumers from Delaware to Alaska and across our whole country.

MLPs are complicated financial structures, but our bill is very simple. It is just a few pages long. It makes one simple tweak to the Tax Code to bring these renewable energy and clean energy projects into the existing structures of MLPs. It is the embodiment of what I have heard from many colleagues in the last 3 years, that we should not be picking winners and losers in energy technology, and we should have an "all of the above" strategy.

This change, in my view, will bring a significant new wave of private capital off the sidelines and into the renewable energy marketplace. It allows the private sector to look at clean energy in a whole new way. Today, master limited partnerships have reached a market capitalization of close to \$450 billion with about 80 percent of it devoted to traditional energy projects—oil and gas—and the majority of that to pipelines. Access to this kind of scale of private capital could drive the investment that is essential to creating new jobs in a fast growing new field.

It would also, in my view, bring some fairness, some modernization to this well-established section of our Tax Code. As the Presiding Officer knows, our Tax Code hasn't been broadly modernized in decades. In the mid-1980s, Congress enacted provisions to establish MLPs for oil and gas, timber and coal, and midstream energy industries. This tax benefit hasn't been significantly changed, expanded, or modernized in nearly 30 years.

Just to be clear, we are not talking about taking away any of these benefits for any existing beneficiary industry, just updating them to recognize the modern market reality of new energy technologies and to reflect the changing investment opportunities in the emerging markets of renewable energy. In fact, one of the lead cosponsors of this legislation in the House, Congressman TED POE—Judge POE—a Texas Republican, said at a recent press event we did that over the course of his career, he has represented as many oil refineries as any other Member of Congress. Yet he sees this as an efficient and effective opportunity to expand from its traditional use of pipelines of oil and gas to the broader energy marketplace of the United States, and he is confident expanding this structure to include clean sources of energy would create jobs.

I wish to ask the Senator from Alaska, Ms. MURKOWSKI, if she has seen the same thing in Alaska. Does the Senator from Alaska see this as an opportunity that will help us grow an "all of the above" energy strategy for the United States?

Ms. MURKOWSKI. I say to my friend, the Senator from Delaware, yes. In fact, I view this as an opportunity. I view this as a positive direction as we build out an energy policy that works for the entire country.

The Senator's question is specific to my home State of Alaska, an area that is known for its enormous potential with our fossil fuels, our oil, our natural gas, and the opportunities that have been available to a State such as mine where we have the more traditional fossil fuels. But we are also a State that is rich with potential for renewable energy resources whether it is geothermal, whether it is marine hydrokinetic, whether it is ocean energy potential, harnessing the tides, harnessing the waves; whether it is biomass, whether it is wind, which we have abundant capacity for; whether it is solar, which we don't often get a lot of credit for, but, yes, we, too, have solar.

So from my perspective as a Senator from Alaska, I am looking to try to find those areas where we can branch out, where we can move the energy discussion to what we are all talking about now, which is an "all of the above" policy. In order to truly have an "all of the above" policy and to avoid picking winners and losers, as the Senator from Delaware has noted, then it is important that when we talk about how we finance these energy projects—and we all know there are considerable dollars at stake with any energy project—then let's work to provide a level of parity, and that is exactly what this bill does.

My hat goes off to the Senator from Delaware. His leadership on this bipartisan measure is extremely important. I can recall when the Senator first came to talk to me about it, and I said: We need to really do wholesome tax reform. I haven't changed my mind on that. But what I have recognized is that if we are to work to build out our energy sector, if we are to work to advance our "all of the above" policy, then we need to be a little more expansive in how we are going to look to the financing opportunities.

So I agreed to join the Senator from Delaware as a cosponsor of the Master Limited Partnership Parity Act because fundamentally, at its base, it is about fairness and opportunity. That is a pretty good place to be sitting.

I think too often in this Nation debates about our energy policy kind of devolve into this advocacy where we show preferential treatment for one sector or another sector. As the Senator from Delaware and I have discussed, I am absolutely an advocate for an "all of the above" approach. I have spelled that out in a blueprint that I have shared with so many of my colleagues called "Energy 2020," which we released earlier this year. But I do think that with the legislation the

Senator from Delaware has spearheaded, we have identified a way to further our progress in that direction.

Right now, the oil and gas sector is able to benefit from the master limited partnership structure, and it is a good thing because it has helped to raise billions of dollars in private markets for much needed pipeline infrastructure. We are going to need that as we work to keep up with the natural gas boom we are having in this country—how we build new infrastructure, how we take care of existing infrastructure. So we need to have these financing mechanisms. That is all great. But why not expand that out to the renewable sector? Currently, as the Senator from Delaware points out, the law does not allow for that. It is time to fix that. So what we do with this legislation is extend the parity to the renewable sector so that businesses that are pursuing investments in biomass, energy efficiency, and other areas are able to structure as an MLP.

I wish to pause here for a moment because I just came back from a bipartisan, bicameral meeting where we were talking about the energy agenda for this Congress moving forward. Of course, as a nation looking at a \$16.8 trillion debt, everything we do we have to figure out how we are going to pay for it. When we think about the energy efficiency initiative—and I note our colleague, Senator SHAHEEN from New Hampshire, is on the floor with us.

Senator SHAHEEN and Senator PORTMAN have spearheaded a great piece of legislation focusing on energy efficiency. We think about how we move that forward because that is going to require dollars. Where do we find those dollars? There are not enough rocks with enough money underneath them to advance this. So if we can expand the opportunities for financing to include our renewables and to include energy efficiencies, this is how we move it forward.

Bottom line, when we are talking about the dollars. This is only going to happen if the private markets think the math makes sense. The investments and the structures of the entities that are making them very well might not occur, but, again, that is not our job. We are not here to pick winners and losers. If it is good, if it works, it will happen. But we are helping to provide a financing mechanism that is fair and creates opportunities. Our job, which this bill highlights, is to provide that level playing field. This is about equality of opportunity, not equality of outcome. We can't guarantee that outcome, but what we can do is kind of level the playing field in terms of what options are available.

This bill enables the renewable sector to structure a certain way. I am certainly glad to be supporting it with the Senator from Delaware. I think we have some momentum. I was talking to

some folks up in New York where I addressed an energy financial forum, and what everybody was interested in was not what is happening on the R&D side; it was so much interest in the master limited partnership and its ability to expand to other areas; how we can take a tool that has worked very well for us in the oil and gas sector and push it out to renewables and efficiency.

So I think the momentum is there, and I applaud Senator COONS for his leadership in that regard.

The Senator from Delaware also mentioned the expanded scope. Again, I think that is an important aspect of this bill. I am excited about where we are right now, and I look forward to working with the Senator from Delaware as we build out our renewable energy future here.

Mr. COONS. Madam President, I thank the Senator from Alaska. I am grateful for her joining me as an original cosponsor and for her being a strong and engaged advocate for this approach at the conference in New York and in conversations with colleagues and in the image she has laid out. She has been a real champion for a commonsense, "all of the above" visionary path forward that will move us on the committee and in the Congress.

As the ranking member of Energy and Natural Resources, the support of the Senator from Alaska is central and significant. I am also glad the chairman is working with me. Senator WYDEN, in a recent public setting, referred to this as "exactly the right approach." I believe, as does the Senator from Alaska, the bill will unleash private capital; that it will help create jobs, modernize our Tax Code, and make it more fair; and I think that is why it has earned support from Republicans and Democrats in the House and in the Senate, but also at some senior levels in the administration.

Former Secretary of Energy Steven Chu said the MLP Parity Act would make "a world of difference and have a profound effect on private capital and investment." Our, hopefully, incoming Energy Secretary, Ernest Moniz, also pointed toward the MLPs as a great opportunity to increase clean energy financing and put it on a level platform.

This legislation has earned backing from business leaders, from investors, from outside experts, from academics. Two experts in energy finance, Felix Mormann and Dan Reicher, from Stanford's Steyer-Taylor Center for Energy Policy and Finance, shared their thoughts in an editorial in the New York Times.

They wrote:

If renewable energy is going to become fully competitive and a significant source of energy in the United States, then further technological innovation must be accompanied by financial innovation so that clean energy sources gain access to the same low-cost capital that traditional energy sources like coal and oil and gas enjoy.

Our financial innovation has to keep up with our energy innovation. It is just that simple. That is why more than 250 companies and organizations have recently signed a letter supporting our Master Limited Partnerships Parity Act. They range from Fortune 500 NRG to the American Wind Energy Association, the Solar Energy Industries Association, the American Council on Renewable Energy, and many more.

Just one more quote, if I might. David Crane, who is the CEO of NRG Energy, said:

The MLP Parity Act is a phenomenal idea. It's a fairly arcane part of the tax law, but it's worked well and has been extremely beneficial to private investment in the oil and gas space. The fact that it doesn't currently apply to renewables is just a silly inequity in our current law.

Well, one of the things the folks we work for expect us to do is to find ways to move forward together, to find ways to nail down and address inequities in the law, and this is one we can fix with a simple, straightforward bill.

I am so grateful for the cosponsorship of the Senator from Alaska and her leadership, and I agree with her that we are seeing growing momentum behind this free market approach. Does the Senator from Alaska wish to add anything else as we advocate for this bill?

Ms. MURKOWSKI. I thank the Senator from Delaware for his leadership as well as for the opportunity to speak to this issue on the floor today. As we talk about the momentum, I think we recognize that oftentimes there will be good ideas that are discussed and debated but often don't get that full body support that allows a good thought to materialize into policy. I want to let the Senator from Delaware know how committed I am to advancing this good policy.

The Senator mentioned the reference to financial innovation, and I think, perhaps, in view of what we have seen in past years with a little bit of chaos on Wall Street and in our banks with derivatives, et cetera, that some people might be concerned about this new financial innovation. We are not recreating the wheel. This has been, as the Senator from Delaware points out, a financing mechanism that has been available to a certain sector of the energy industry for a considerable period of time. And it has benefited them.

This is not financial innovation in that we are building something out of whole cloth and hoping it works. We know it works. What we are trying to do with this is contained in the title. This is bringing about parity, allowing for an extension of a good financing mechanism that will benefit our energy sector throughout the country.

Again, I do not mean to repeat myself, but when we talk about an "all of the above" energy policy, I think we

need to appreciate that there are some things we do from a policy perspective that hinder us from achieving that "all of the above." When we put in regulatory hurdles or when we put in place limitations that would limit our ability to move that "all of the above," then we need to look critically at that, we need to look at how we could address this. So I think the effort, again, to allow for real fairness, equal opportunity, is critical to us.

I want to wrap up my remarks by saying that I think it is important that what we are doing is allowing for this level playing field within the energy sector. So we are not talking about stripping oil and gas pipelines of their eligibility for the MLP status and replacing it with renewables. This is not a swapping-out deal. I would not support that if that were the case. I would also not support it if it extended a false sense of parity by making, let's just say, only wind available for MLP status or only solar. But, as the Senator has noted, this bill includes it all.

We just had a hearing in the Energy Committee this week on hydropower. There is a great bill coming out of the Energy and Natural Resources Committee. I cannot wait until we get it to the floor. Hydropower holds enormous potential for our Nation. When we talk about kind of the backbone of the American energy system, fossil fuels are kind of it right now, but then hydropower is by far the backbone of the renewable energy sector. About 60 percent of our renewable energy comes from hydropower.

So what we are doing is opening this MLP structure to our renewable resources. But it goes beyond. It is kind of like the Ginsu knife: there is more. It includes the marine hydrokinetics, the biorefineries, alternative fuels, biomass, energy efficient buildings, which I have spoken to, storage, solar, wind, and more.

Again, there is no guarantee that we are going to see billions of dollars of private capital that is going to flood immediately into these sectors. We cannot guarantee the outcomes. But we are trying to ensure equal opportunity across an enormous scope of energy sources.

I again thank the Senator for his leadership on this issue, his stick-to-itiveness. I do think that as we move the issues of tax reform forward, as we move more energy matters through the bodies of the Congress, folks will look at this as a sensible and rational way to approach how we build out an energy sector in this country of which we can all be proud. I thank the Senator for his leadership, and I am so pleased to be part of the effort.

Mr. COONS. I thank Senator MURKOWSKI.

If we are going to lead on energy or in anything, we have to listen to each other and we have to work together. I

have been so grateful for the way Senator MURKOWSKI and Senator WYDEN have worked closely together and moved the Energy and Natural Resources Committee forward.

As the Senator referenced, we had a great hearing earlier this week on the Shaheen-Portman bill—the energy efficiency bill on which Senator SHAHEEN of New Hampshire has worked so well with Senator PORTMAN of Ohio—and also some bipartisan bills on hydropower.

It is my real hope that this strong bipartisan bill—opening up master limited partnerships to energy efficiency, to hydropower, and to a dozen other clean and renewable sources of energy—this sort of simple, straightforward, commonsense, bipartisan bill that creates opportunity, will allow the private sector to then marry up with the innovations of researchers and help with the deployment of new energy sources.

At the end of the day, we in Congress—the Federal Government—have to set a realistic policy pathway forward to sustain innovations in the energy market and then let the financial markets work to their fullest potential. The Master Limited Partnerships Parity Act moves us closer to that goal and that day.

I thank Senator MURKOWSKI for her leadership and for being here with me today, and I thank Senator MORAN and Senator STABENOW, our original Senate cosponsors, and our House counterparts. By leveling the playing field for fair competition, this market-driven solution can provide vital support to the kind of comprehensive, "all of the above" energy strategy we all need to power our country for generations to come.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I came to the floor this evening to address what is known as the Marketplace Fairness Act, but before I do that, I wish to applaud Senator COONS for his work on the master limited partnerships legislation. I think it is a great bipartisan approach to one of our energy needs. I also applaud Senator MURKOWSKI for her leadership on the Energy Committee and for her willingness to work in a bipartisan way to try to move an energy agenda from which this country can benefit. I thank both Senators very much for their efforts, and I look forward to working with both of them on the Shaheen-Portman energy efficiency legislation, which I know that committee heard this week. I really appreciate the efforts to move that forward as well. So I thank both Senators very much.

MARKETPLACE FAIRNESS ACT

Mrs. SHAHEEN. Madam President, I really came down to the floor today to

continue my opposition to the Internet sales tax legislation that is before us.

The proponents of this legislation claim it is about “fairness,” but when you really think about it, this bill is anything but fair. In fact, it creates an unfair situation for small businesses in a number of ways.

First, the legislation is particularly unfair for businesses in my State of New Hampshire and in the other four States in this country that do not collect a sales tax.

I filed amendments, as I know a number of my colleagues have—my colleague from New Hampshire, Senator AYOTTE, has filed a number of amendments—that I hope can help address this issue. But I think it is important for everyone here, especially those who are concerned with creating new red-tape, to understand how this legislation is going to affect small businesses.

This proposal is going to put new regulatory burdens on small companies across the country, not just in New Hampshire. As a result, it is going to put those small businesses at a disadvantage, making it harder for them to compete with large online retailers.

As a former small business owner myself, I understand how time-consuming regulations and compliance requirements can be. Make no mistake, the bureaucratic nightmare we are going to be creating for small businesses under this legislation is real. I think it is worth talking for a minute about what that process is going to look like for the small online retailers.

In a recent piece for the *Daily Beast*, writer Megan McArdle went through what the process would be like for a small business. She pointed to the SBA guidebook for small businesses when they collect sales taxes in multiple States. The guidebook tells small businesses:

Generally, states require businesses to pay the sales taxes they collect quarterly or monthly. You'll have to use a special tax return for sales taxes, and report all sales, [all] taxable sales, [all] exempt sales and amount of tax due. Not paying on time can result in penalties. As always, check with your state or local government about the process in your location.

McArdle points out that, despite claims from the proponents of the Marketplace Fairness Act that tax collection will be easy and streamlined, the bottom line for a small business is that “you’ve still got to keep fifty states worth of records and file 40-odd states worth of returns.”

McArdle went on to say:

For Amazon—the actual target of these laws—this is trivial. Their staff of crack accountants can probably roll these things out before their Monday morning coffee break. For a small vendor, however, that’s a whole lot of paperwork.

And that is what this legislation is really about—those small business owners who are working hard to grow their companies. They do not need an

additional paperwork burden to distract them from running their companies.

Let me provide one example. There is a small company in the town of Epsom, NH. It is called Michele’s Sweet Shoppe. Michele’s sells popcorn and other gourmet treats both at their brick-and-mortar store in Epsom and online. This is a small business that is growing, and it wants to create jobs. They sell locally in New Hampshire at their brick-and-mortar store, but a big part of their future strategy for growth is taking advantage of new markets through the Internet.

Under this legislation, however, there is an arbitrary ceiling on this company’s growth because as they get closer to \$1 million in online revenue—as they have said to me—they are going to have to ask themselves, is it worth going through the bureaucratic nightmare of complying with 46 different States’ sales taxes? Unfortunately, for them and for too many other businesses, the answer is more than likely to be no.

For Amazon and online retailers, this is not even a question. This is exactly the reason why this bill is good for big businesses and bad for small businesses. It makes it harder for small mom-and-pop stores to compete.

Small businesses—certainly in New Hampshire and in most of the country—are really the economic engine of our economy. Two out of three of the new businesses that are going to be created are going to be created by small business. We should really think twice before we pass this kind of legislation that will keep them from growing and that is really designed to help those big businesses.

I support a number of amendments to this bill. I would like to see them at least voted on. I hope some might be adopted because I think they would make the legislation fairer for small businesses. One of those is a bipartisan amendment we have worked on with Senator TOOMEY to raise the threshold for small businesses under the legislation. I have also filed an amendment to address a fundamental flaw in the legislation that I think must be addressed because this legislation is anything but fair to States such as New Hampshire, States such as Alaska, Montana, the other States in this country that do not collect a sales tax.

This is a proposal that fundamentally violates State sovereignty. It enables one State to impose the enforcement of its laws on the 49 other States and territories without their approval, and it provides zero benefit for the non-sales tax States while it creates an additional and unnecessary burden on our small businesses. That is why I filed an amendment to create an exemption for businesses in States such as New Hampshire. States will be able to force New Hampshire companies to collect

sales taxes—especially when our States get no benefit whatsoever—and this amendment is designed to prevent that.

I am disappointed this evening that it does not look as though we are going to be allowed to vote on any of these amendments, although I am still hopeful that we might get a hearing.

I urge my colleagues, again, to think twice about this legislation. I urge them to look at the amendments when they are filed—if we are able to get an amendment process—and to think about supporting those amendments so the legislation really could live up to its billing as the Marketplace Fairness Act because right now it certainly does not meet that standard for the State of New Hampshire and our small businesses.

Thank you very much, Madam President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I appreciate being here in the Chamber to hear the comments from my friend the Senator from New Hampshire. As she has noted, there is a small handful of States that for a host of different reasons have chosen not to impose a sales tax on their residents. As she has very well stated, this so-called Marketplace Fairness Act is not fair. It is not fair to those States that have put in place other mechanisms. Yet what we are doing through this legislation that we have pending on the floor right now is to tell States such as New Hampshire to tell States such as Alaska regardless of what your State chose to do, those who are engaged in online sales and activity are going to be scooped into the requirement of whatever State in which the individual purchasing your product lives.

To me, that is absolutely not fairness within the marketplace. I think the people in Alaska, when they think about their marketplace, are looking at where they are and assuming their State’s laws are going to be what they are dealing with. I thank the Senator for her comments, and in laying out very well how this measure impacts these few States.

Maybe that is our problem. Maybe we do not have enough of us in terms of those States that have opted to not move forward with a sales tax. We are at a point in the evening where we had a vote to move on. We are told we are going to be taking up this measure when the Senate returns in about a week. It is my understanding at this point in time there will be no amendments allowed despite the efforts of many of my colleagues to help address, to help bring about some fairness to this legislative measure. We will not be allowed to do that. It is a real challenge today as we discuss this, recognizing that these few States might be

impacted disproportionately in a way that I think does not demonstrate any level of fairness.

Mrs. SHAHEEN. Will the Senator yield for a question?

Ms. MURKOWSKI. Certainly.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. My friend from Alaska and I, as she pointed out, represent States neither of which has a sales tax. Would the Senator agree with me that if this passes it sets a dangerous precedent that says at any point this Congress could impose on States such as ours, despite what we have chosen to do in our home States, a tax we may totally disagree with, and that that is a very dangerous precedent for us to set?

Ms. MURKOWSKI. I would absolutely agree. As the Senator points out, it is Alaska, Oregon, Montana, Delaware, and New Hampshire that are in this situation. Basically, if this legislation were to pass, the message to those within these States is it does not make any difference what your State laws are with regard to a State sales tax. It does not make any difference, because we have made this directive back here that there is going to be uniform application. I have a tough time with that. I think our States may be somewhat similarly situated in the sense that there is a real sense of States rights, State sovereignty. I believe your motto is "Live Free or Die." We feel pretty independent up North as well. I do feel this is a hard push against States' rights and their ability to impose local taxes within their State boundaries.

I am very concerned about the direction we have taken. I note again, for the States without sales tax and use taxes like these five States my colleagues and I have been talking about, and that are not members of the Streamlined Sales and Use Tax Agreement, this legislation creates an inherent unfairness.

Again, I do think it is somewhat ironic that the bill's sponsors chose to call it the Marketplace Fairness Act. We have noted here on the floor what the requirements under this legislation would mean. Senator SHAHEEN from New Hampshire has indicated exactly what it means to a small business. A remote seller in Alaska who makes an online sale to someone in Vermont who is a member of the Streamlined Sales and Use Tax Agreement will have to comply, collect, and file a return in the State of Vermont. The seller otherwise has zero connection to Vermont.

So it does beg the question, is this fair? I would contend not. Does it present a burden on interstate commerce? Absolutely. The drafters of this bill will argue it creates no new taxes, but I would also respectfully disagree. This bill essentially forces States such as ours to adopt its requirements to ensure parity. Currently no State can im-

pose its local sales tax on another, short of meeting constitutional nexus requirements. So we have made clear that you cannot do that.

This legislation again scoops in everybody. States that wish to enter into agreements with other States for this purpose are able to do so. Let those individual States decide whether they want to participate in the Streamlined Use and Tax Agreement but do not mandate it. That is what this measure would do. Only 24 States could agree to do this.

You have to ask, is 24 States a mandate for Congress? I do not think so. Again, it begs the question, is this fair? Absolutely not. This law presents a backdoor mandate to States such as Alaska, such as New Hampshire, to effectively adopt a sales tax. I think Congress has to respect a State's right to determine how to implement and how to enforce its tax laws and not impose how it must do so.

The Senator has mentioned the burden on small business owners, and the Senator spoke to an article that detailed some of the concerns. This is an issue that has generated considerable interest in my State. I have had over 600 constituents who have written to me in opposition to this bill.

Here are a couple of the examples of the mail I am getting. I have a constituent in Fairbanks, AK, who says:

I am a small business woman selling books off of my Web site. I do not want to be a tax collector for other States. I especially do not want my customers running off to other non-tax parts of the world.

I have got another constituent who owns a business in Anchorage who writes:

I do not support a measure that would allow individual States to collect sales taxes on any on-line purchases regardless of which State an on-line retailer is located. As a small business owner, this legislation will affect me, because I often have clients that start our transaction out of State, and we do not have the staff to handle collecting taxes for 50 States.

Then, finally, a constituent from Eagle River writes:

As a former small business owner, I am very aware of the constant and increasing burden that government subjects our businesses to. Requiring on-line businesses to collect local sales taxes would be a horrendous administrative burden that would undoubtedly cause many businesses to fail. Governments at all levels should be trying to encourage businesses to succeed, rather than trying to squeeze every last dollar of revenue out of the businesses and their customers.

These are three examples of some of the correspondence I have received from folks who are worried about the burden it is going to inflict on our small business owners. Of course, we hear this from all of the other States, certainly heard it just now from the Senator from New Hampshire.

The communities I mentioned we have been hearing from are all on the road system, as we call it in Alaska,

are bigger communities. But in many of our rural communities, for those that are offroad, where economies are very limited, there is no major business, there are no big stores. We have been encouraging folks in our villages to use the Internet to bring the world marketplace to your door, and to sell their products on line, and to sell—whether it is arts and crafts or whatever it may be. So we are encouraging them to do this.

Now the concern we are hearing is, I do not want to be the one who is the tax collector for California taxes. I am trying to get myself up and going and make a business, make an economy in a very small area.

I know there is a carveout or an exemption for the smaller businesses. I think that is critical. That is important. That is going to help the very small mom-and-pop operators. But I think we recognize it will have a burden on our small businesses, not only in Alaska but around the country.

The ability of a small business owner to comply with the reporting requirements that will be required by this bill, which would include the 50 States plus the District of Columbia and the U.S. territories, I think deters new startups. I think it acts as a hurdle, if you will. I do not think our businesses need that, particularly now. We already have regulatory burdens that our small businesses are concerned and worried about. I do not think we need to impose that on these States that have, again, made that determination that they would not apply a sales tax within their State boundaries.

So for these reasons, as well as so many of the reasons that have been outlined by others on this floor earlier, I cannot support this measure. We will see whether we have got the opportunity to have any amendments in the week following our recess. Again, I feel it was important to express the concerns of many of the individuals I represent in the State of Alaska.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Madam President, are we in morning business?

The PRESIDING OFFICER. We are.

IMMIGRATION

Mr. RUBIO. Madam President, I wanted to speak for a few minutes here on the floor as we finish the business of this work period and we return to our home States for about a week. We will be back here on May 6. At that time, I

will continue this important conversation we are having on a number of issues. But one of them is this issue of immigration, which was recently back in the news as a result of some efforts we have had here.

Let's begin by describing the reality the United States faces today. First and foremost, this is a country that does not need to be convinced of the benefits of legal immigration, because virtually every single one of us, including those watching here now, the people who work in this building and across this country, are all but a generation or two removed from someone who came here from somewhere else. So we do not need to be convinced of the virtues of immigration, because we have lived them. We see them every single day. In fact, we read about them as well in terms of great innovations that have changed the American economy and made this country different from any in the history of the world.

There may be some debate, but not much, about the value, the importance of legal immigration to the United States. The problem we face is we have a legal immigration system right now that is broken. It has not worked well in a very long time. Efforts to reform it over the last 20 to 30 years have failed.

Let me describe what is wrong with our immigration process. No. 1, it is bureaucratic and complicated. It is very difficult to navigate the legal immigration process, the result of long backlogs and a bureaucracy that has to be dealt with.

You have to lawyer up just to legally come here. That comes with its own set of problems.

The second problem is the illegal immigration system, quite frankly, isn't based on the 21st century. It is actually based on the middle part of the last century and a very different economic time in our world and certainly in our country.

That is why you are not going to get a lot of debate from people when you say we need to have a legal immigration system that reflects the modern era, that reflects our global economy, that reflects our knowledge-based economy. We need a legal immigration system that is good for America's economy. That means a lot of different things.

For agriculture, it means the ability to find workers when they need them, and that is usually most of the time—foreign workers who come as guests and work on a temporary basis or even on a year-round basis but a way to access those workers in a legal way. It also means to continue the flow of legal immigrants to the United States through a safe but reliable and non-bureaucratic process that is cost-effective and encourages people to come here legally. It also means, by the way, that in some industries and some sec-

tors from time to time you will need guest workers, people who are not going to stay permanently but people who fill in the gaps, particularly in times of very low unemployment when you cannot find a domestic worker to do that work. You need a legal way to be able to do all these things.

Perhaps the most important initiative we need is a legal immigration system that is based on merit and on skill. Right now the legal immigration system is based on whether you know someone who lives here. If you know someone who lives here as a family member, they can bring you with them. It is this term you hear a lot about: "chain migration." There is nothing inherently wrong with that. The problem is today our economy has changed, and our immigration system has to change with it.

I think there is a growing consensus around the country that we need a legal immigration system that is no longer solely based on whether you know a family member who lives here but, rather, having one that is built on whether you are going to bring a special skill, talent or fill a certain void that exists in our economy today.

The second problem with our legal immigration system is that our laws are not being enforced. I can tell you that in the last 9 or 10 days since we introduced a bipartisan bill that we are working on as a starting point for this debate, if there is one thing that has become abundantly clear, it is the complete lack of trust people have in the Federal Government and its ability or willingness to enforce our laws.

I want you to know that of all the impediments that stand in the way of immigration reform, none looms larger than that lack of trust in the Federal Government. I would say that lack of trust in the Federal Government is pervasive across every policy, but it is especially pronounced on the issue of legal immigration.

Too many people simply do not believe the Federal Government is enforcing the law or is willing to enforce the law. As a result, it is going to make efforts for immigration reform very difficult, unless we are able not just to convince people but to show people that the measures we are pursuing in immigration reform are efforts that once and for all will begin to deal with this problem effectively.

The third problem we have is this reality that we have millions of human beings living in this country illegally. Some came legally and overstayed the visa. They came and they were supposed to be here for 90 days and they stayed. Others crossed the border illegally.

The point is, by the way, of the people who overstayed, that is about 40 percent. In my home State of Florida it is much larger. The point is we have millions of people living in this coun-

try right now who are illegally here, people who do not have a right to be here legally. No one has the right to violate the immigration laws of the United States.

On the other hand, the decisions that created that problem were made in 1985 and in 1986, when I remind people that I was in ninth grade. As a policymaker, what I now confront is this reality that we have 9, 10, 11 million human beings living in the United States in violation of our immigration laws. To add to that, most of these people have been here more than a decade. They have children who are U.S. citizens. They may even own property. They work, they are here, and they are never going to go back. We have to deal with that fundamental reality as well.

With all that in mind, this is how I decided to get involved in this immigration reform debate. Let me explain. There is very little political benefit to this issue, believe me.

No. 1, I would rather be on the floor debating issues such as taxes, debt, and the impediment they place on our economy and its growth. I hope we can get to those issues. This is also an important issue, and it was an issue that was going to come up.

I remind Members of my party we are not the majority here. I wish we were, and we will continue to make that happen. But we are not the majority, and this issue is going to come up on the floor of the Senate with or without us.

It is a legitimate problem the country faces. Therefore, I decided it was best for us to be engaged and try to come up with something that works. That is why I endeavored to get involved in this issue, and that is why I continue to be involved.

As a result, I have laid out some pretty clear principles about what I think immigration reform should look like. It should modernize our system. It should create real systems for enforcement so we never have this problem again. It deals with the people who are here illegally in a way that is compassionate and humane, true to our heritage as a compassionate people but also in a way that ensures it is not fair to the people who did it right and doesn't encourage people to do this wrong in the future. Those are my principles.

Based on those principles, I entered into negotiations with seven other Senators to work on a bill that begins as a starting point of this debate. I have heard criticism about that process. People say, well, it is a secret process; it is behind doors.

Let me clue everybody in on something. Every bill around here is drafted at the beginning in someone's office. Most people here, when they draft a bill or an amendment to bring to the floor, they don't do it in some auditorium. They are working on it in their office with their staff. That is just the

starting point. That bill has to be filed. We are not voting upon a sheet of paper. We are voting on a bill that people read and analyze.

That is what this bill is. It is a starting point. It is eight Senators, four Democrats and four Republicans, who spent 2 to 3 months working on a bill that we present to our colleagues and say this is what we were able to come up with. Now it is your turn to make it better.

We actually have a process to do that, and here is how this process works. I don't mean to be patronizing, but it is important to remind people of that process.

Here is how that process works. You file a bill. Committees hold hearings on that bill. Then they do what they call markup. Basically, what it means, for those watching at home, is a bunch of Senators sit around and they literally vote on changing the bill. People offer ideas about how to make it better and how to change it. That is an important process. That has to happen, and it has to happen with this bill. Two weeks from today they will begin that process.

I have heard my colleagues come to the floor some and express concerns about different provisions in the bill. I don't have time to rebut every point but, frankly, they raise some very valid points too. Suffice it to say, some of the concerns they have are not valid, and I think we can address that with them. Others are just disagreements, and they need to be worked out through the legislative process.

Here is my encouragement to my colleagues who don't agree with the bill we have crafted. Change it. Let's work on changing it. If you believe that what we have today is broken, if you believe the status quo on immigration is chaos and a disaster, if that is what you believe, as I do, then let's solve it. The way we solve it is by working together. In essence, don't just be against it. Offer ideas to change it.

For example, if you don't think the border security provisions of the bill we have drafted are strong enough or enforceable enough, offer some ideas to change them. Right now I stand on the floor of the Senate and I ask any of my colleagues who have a bill to guarantee border security to please bring it to my office. Please offer it as an amendment. I continue to extend that offer. I am looking for ideas to improve what we have drafted.

Quite frankly, I think we can get it to be even better. I think those of us who worked on it would agree. If people disagree with the way we modernized the legal immigration system—let's say they think we don't bring enough high-tech workers or enough farmworkers—change it. File an amendment to change it.

Here is what I would say. Unless you actually believe we don't need to do

anything—and listen, if you believe that is valid, that is fine—if you believe that what we have is OK, if you believe we don't need to do anything about immigration, just leave it the way it is, then that is fine. I respect that view. I disagree with it, but I respect it.

If what you think that what we have is a disaster—and I think that is most of us—then let's work on it together to change it. In essence, don't view the bill we drafted as something that is being shoved down your throat, because it is not. View it as a starting point product upon which we can build something that I hope most of us can support.

If you are opposed to this bill or elements of it, try to change it. Try to improve it. That is why we have something called the amendment process. By the way, that is just in the Judiciary Committee. Beyond that, it has to come to the floor of the Senate, where I expect there to be open debate, where I expect there to be an open amendment process. If it passes here, then it has to go to the House and we have to work with them to get a product we all agree on.

Here is my point. If you are going to be against anything no matter what we file or, no matter what, you just don't want to do immigration reform, then that is fine. If you believe, as I do, that our legal immigration system is broken and needs to be modernized, then let's work to change it. If you believe we need to be realistic about the fact that we have 11 million human beings in this country who are going to be here for the rest of their lives, whether we deal with them or not, and that it is not good for America to have that many people here whom we don't know, have no idea who they are, where they are, and many of them are not paying taxes, then let's work together to find a way to deal with it.

If you believe our laws are not being enforced and we need to pass laws that force the administration—this one and a future one—to enforce our law, let's change it. Let's work on something that comes up with that.

I am all ears. I am open-minded about that and so are my colleagues. Let's not leave it the way it is. The way it is is chaos. It is bad for our country. What we have today is not good for the United States. Our job as policymakers is not just to come and criticize, our job is to come and to make a difference. Our job is not just to come to the floor and make speeches or go back home and give speeches or do television interviews, our job is not just to poke holes, our job is to plug holes too. Our job is not just to criticize but to make better. What we have now doesn't work. It is not good for our country. We can't leave it this way.

We have a chance now to truly improve it. This is not an effort to force

anything down anyone's throat. This bill we have worked on is a starting point. It is not a take-it-or-leave-it proposition. It never has been. To pretend it is isn't fair. To pretend that somehow something is being crafted that is being forced down someone's throat with no options to amend it or make it better, that is not true. You know that.

I have talked to almost all of my colleagues here and extended an open hand and said let's work together to make this better. I truly think we have to.

Is this the most important issue America faces? No. We owe \$17 trillion, and we have no idea how we are going to pay it back. We have an economy that is not growing, and we need to do something about it. This is an important issue and, by the way, it is related to that issue. There actually is a growing consensus that we have a chance to do something about it once and for all.

Let's work together. Let's work together to come up with a solution that modernizes our legal immigration system so it is good for our economy, that once and for all forces the administration, this one and a future one, to enforce our immigration laws. Once and for all this will deal with the 11 million people who are here illegally in a way that is fair and compassionate but also fair to the people who did it right and also in a way to ensure this never, ever happens again.

I hope when we come back in a few days we will begin to work on that together for the good of our country and the future of our great Nation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceed to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATER RESOURCES DEVELOPMENT ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 44, S. 601.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 44, S. 601, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Harry Reid, Barbara Boxer, Thomas R. Carper, Tom Harkin, John D. Rockefeller IV, Patrick J. Leahy, Debbie Stabenow, Christopher A. Coons, Charles E. Schumer, Bill Nelson, Benjamin L. Cardin, Jon Tester, Mary L. Landrieu, Mark Begich, Joe Manchin III, Richard J. Durbin, Mark L. Pryor.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived, and that the cloture vote occur on Monday, May 6, following the disposition of the Marketplace Fairness Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBSERVING WORLD IP DAY

Mr. LEAHY. Madam President, this Friday, April 26, is "World IP Day," when countries around the world celebrate the role of intellectual property in encouraging innovation and creativity. It is an opportunity for us to acknowledge the authors, artists, and musicians who enrich our lives; the inventors whose work is transforming our digital economy; and creators around the world.

Whether you are an inventor, a creative artist, or a small business owner protecting your brand, you deserve the benefit of your work. By protecting those works, we incentivize future developments that benefit us all. As lawmakers, our goal must be to provide strong and effective protections for creators, while ensuring that their creations can be appreciated, used, and enjoyed. This policy is central to the American economy, where 35 percent of our GDP is generated by IP-related industries. A vibrant intellectual property system fosters growth not only in our country, but also around the world.

Earlier this month, I introduced legislation that would strengthen an innovation program created by the Patent and Trademark Office, the Patents for Humanity Program. The Patents for Humanity Program rewards a select number of exceptional innovators who apply their intellectual property to address global humanitarian needs. At the first Patents for Humanity Awards ceremony 2 weeks ago, I was proud to honor inventors who had worked to improve the diagnosis of devastating diseases, supply access to clean water, and

combat the spread of dangerous counterfeit drugs. Our patent system protects that life-changing work and, in the case of the Patents for Humanity Program, helps promote its use for the global good.

As we find ways to incentivize and promote widespread innovation, we must uphold the vital protections that allow innovators to grow and thrive. We must work to deter and prevent the theft of intellectual property, which hurts creators, costs jobs, and impedes economic growth. In our interconnected age, no country, or even group of countries, can address that problem alone. More than ever, we need to work together to recognize the value of intellectual property so that inventors and creators around the world may receive the benefit of their work and continue to create it.

We must also come together to streamline processes that will help innovators to fuel growth in the future. Eighteen months ago, Congress took an important step with passage of the Leahy-Smith America Invents Act, which modernized our patent system for the 21st century and helped harmonize our laws with systems around the world. Last December, I was pleased to expand on those improvements with passage of the Patent Law Treaties Implementation Act, which will help American inventors by simplifying and expediting the process for obtaining patent protections overseas.

There is more Congress can do to improve the patent system and address the problem of patent trolling, by increasing transparency and accountability. I intend to work in a bipartisan and bicameral manner on legislation that will ensure the real party in interest of a patent is disclosed, protect unknowing and innocent purchasers of allegedly infringing products from unwarranted suits, and continue to improve patent quality, and we will explore other means to make trolling activity unprofitable.

Our intellectual property system supports the creative and inventive talents of our citizens and provides the vital fuel of our economy. I hope others will join me in celebrating World IP Day.

AMERICA INVENTS ACT

Mr. SCHUMER. Mr. President, In September of 2011 this body debated and passed landmark patent legislation which was subsequently signed by the President and is now law.

The America Invents Act—AIA—updated, for the first time in many years, the way patents are issued and prosecuted, and in some instances the means by which businesses defend themselves against lawsuits filed by the ever-growing cottage industry of patent assertion entities.

The AIA made many important improvements to our patent law. But

more needs to be done. Even in just the short time since the bill passed, the problem of so-called "patent trolls" has continued to grow exponentially. In fact, patent trolls cost operating companies \$29 billion in 2011 alone. Many of these suits are the result of poor-quality patents being asserted by highly litigious parties against ordinary businesses, large and small, who are left with only unacceptable options: pay a costly licensing fee, settle a court case to avoid litigation costs, or expend millions in litigation fees in hope of prevailing at the end of the day in court.

This has been especially problematic in the universe of technology startups—a booming industry in New York in particular. These small businesses have everything going for them—good ideas, smart employees, and loyal customers. But they risk being entirely undercut by a clever patent troll who takes advantage of them in court. In fact, I have heard from businesses that actually had to fold as a result of a single poor-quality patent lawsuit. This is anathema not only to a pro-growth business culture, but also to the very principles of the intellectual property system.

I believe we can address this problem, and I believe there is a clear and simple way to do so; in fact, we have a model in Section 18 of the AIA. Section 18, the Schumer-Kyl provision, established a post grant review by the experts at the PTO of covered business method patents—the very patents which have been wreaking havoc in the courts and in boardrooms across the country. Section 18 allows a petitioner to request that the PTO review a covered patent and if they find it more likely than not to be invalid, to take a second look at it and return a decision promptly.

During debate of Section 18, I took the opportunity to make clear that District Courts should stay proceedings in patent cases if the PTO is reviewing the same patents because the PTO decision regarding the patent's standing would prove dispositive in court and obviate the need for further court proceedings.

I am pleased to note that district judges have been giving deference to the legislative history and that in at least 2 cases, have stayed their proceedings pending a PTO decision. Section 18 is not only providing patent holders and accused infringers with an alternative to court, but judges are able to better manage their dockets through the use of this new post-grant proceeding.

In the approximately 6 months since the process authorized by Section 18 began, around 20 patents have been challenged through it at the PTO. And those cases are being considered at the PTO in a more cost-effective way than litigation.

It is apparent that Section 18 is working the way we intended; the only problem with it is that it is too limited in two respects: first, it was only authorized as a temporary program and second the types of patents that are allowed to be considered under it are limited. For this reason, I will be introducing a bill when we return from recess to improve Section 18 by removing its temporary status and making more "likely invalid" business-method patents eligible for review. I look forward to working with Chairman LEAHY and my colleagues on the Judiciary Committee on legislation to improve further the patent granting and patent prosecution system. A great place to start is to make sure the experts at the PTO get a chance to review low-quality patents against relevant prior art so that they cannot be used as a weapon against legitimate business.

RECOGNIZING THE 30TH ANNIVERSARY OF THE MAUREEN AND MIKE MANSFIELD FOUNDATION

Mr. BAUCUS. Mr. President, Senator TESTER and I wish to recognize the 30th anniversary of the Maureen and Mike Mansfield Foundation.

Nearly 30 years ago Congress passed legislation authorizing funds for a foundation honoring Mike Mansfield. Mike was the pride of Montana, and represented the State in the U.S. Congress from his election to the House of Representatives in 1942 to his retirement from the Senate in 1977. Mike Mansfield once said he reached the height of his political aspirations when he was elected senator from Montana. Montanans remember him fondly as a national leader who put Montana first.

Mr. TESTER. Mr. President, respect and admiration for Mike Mansfield reached beyond his Montana roots to Washington, where he shaped the character of the modern Senate as the longest-serving Senate Majority Leader. It also reached across the Pacific, where he combined his voice of wisdom and sense of moderation with his love of Asian culture and became the longest-serving U.S. ambassador to Japan.

Mr. BAUCUS. Mike Mansfield was enamored with the Far East when he traveled there as a young United States Marine in the 1920s. This early experience shaped his outlook on the Pacific Basin and the world. He went on to teach East Asian history at the University of Montana, and was a leading expert on Asia while in Congress. He then continued his life of public service as U.S. Ambassador to Japan from 1977 to 1989. He and his wife Maureen shared a love for Asia and a commitment to building relationships that would support strong U.S.-Asia relations.

Mr. TESTER. The Mansfield Foundation has been committed to carrying out this mission since it was estab-

lished in 1983. For the past 30 years, the Foundation has offered important opportunities for U.S. and Asian leaders in government and business to exchange views and build relationships that strengthen cooperation between our countries. These exchanges, policy dialogues, and research and education opportunities are the legacies of Mike Mansfield's passion for broader cultural understanding.

Mr. BAUCUS. For example, the Mike Mansfield Fellowship Program, a centerpiece of the Foundation's work, has been building a corps of U.S. Federal Government employees with Japan expertise since it was established by Congress in 1994. This program allows U.S. officials to gain practical experience working in the Japanese government. More than 100 Fellows representing 23 U.S. agencies and the U.S. Congress have entered the Fellowship Program since its establishment. The Foundation's other programs include:

Exchanges that allow U.S. and Asian government officials, researchers and policy experts to explore best practices, expand their contacts, and gain expertise and experience. The many exchanges organized by the Foundation include Washington, D.C. visits for members of Japan's Diet, Korea's National Assembly, and the Chinese government.

Policy dialogues that facilitate substantive discussions on complex U.S.-Asian issues including international trade, national security, the rule of law, energy and environmental challenges.

Programs that identify and foster new generations of American Asia experts with the goal of strengthening dialogue, research, and cooperation between the United States and Asia into the future.

Research and education initiatives, including support for the Maureen and Mike Mansfield Center at the University of Montana.

Mr. TESTER. Mike Mansfield served Montanans in Congress as a fair player who was focused on building consensus. He recognized the importance of fostering relationships between the United States and our friends across the Pacific. For 30 years, his vision for U.S.-Asia relations has continued through the work of the Mansfield Foundation. We are pleased to recognize the Foundation's 30th anniversary and to commend the Foundation for its continued efforts to build bridges of understanding with the region that Mike and Maureen Mansfield long recognized as the place "where our future lies."

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Ms. LANDRIEU. Madam President, today, young women and men from Louisiana and the Washington, DC,

area are my special guests for Take Our Daughters and Sons to Work Day. We were joined by over 100 young women and men here at the Capitol today with their parents, grandparents, and guardians to participate in work in the Senate.

I want to acknowledge the Ms. Foundation that started the national Take Our Daughters and Sons to Work Day program over 20 years ago. I would like to particularly thank Leader REID and Leader MCCONNELL for opening up the Senate floor today for these wonderful young people.

I ask unanimous consent that the names of the young women and men be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Donald Cravins III, from Opelousas, LA, son of Donald and Yvette Cravins;

Antonio Clayton Jr., from Oscar, LA, son of Tony and Paula Clayton;

Giselle Mayorkas, from Washington, DC, daughter of Alejandro and Tanya Mayorkas; Kathleen Boulet, from Lafayette, LA, daughter of David and Monique Boulet;

Gabriella Trentacoste, from Gretna, LA, daughter of Gerard and Theresa Trentacoste; Olivia Sensenbrenner, from New Orleans, LA, daughter of Paige Sensenbrenner and Madeline Landrieu;

Laura Lagomasino, from Fairfax, VA, daughter of Whitney Reitz;

Louis Lagomasino, from Fairfax, VA, son of Whitney Reitz;

Sarah Campbell, from Washington Grove, MD, daughter of Paul Campbell and Wendy Harris;

Karrington Knight, from New Orleans, LA, daughter of Brian and Lori Knight;

Lindsey Shankle, from New Orleans, LA, daughter of Kim Harper;

Isabella Hotard, from New Orleans, LA, daughter of Jim and Jane Hotard;

Niels Mitchell from Washington, DC, son of Luke and Kirsten Mitchell;

Madison Smith from New Orleans, LA, daughter of Glen and Marilyn Smith;

Macie Grubbs from Gretna, LA, daughter of Kevin and Melissa Grubbs.

Please join me in welcoming my exceptional guests, and their family members who have accompanied them, to the United States Senate.

ADDITIONAL STATEMENTS

REMEMBERING DOUGLAS CARPENTER

• Mr. JOHNSON of South Dakota. Madam President, I rise to honor a man who dedicated his life to his family and community, Douglas "Doug" Carpenter. On April 17, 2013, Mr. Carpenter passed away in his Watertown, SD, home at the age of 87.

Born in the small South Dakota town of Fedora, Mr. Carpenter was raised with his nine brothers and sisters. After graduating from Fedora High School, he enlisted with the U.S. Army and served as a bandsman for 2 years during World War II. Mr. Carpenter's

musical aptitude was recognized on numerous occasions. He served over 20 years as first chair trombone and trombone soloist with the South Dakota Army National Guard.

Music became a focus of study for Mr. Carpenter. He graduated from Dakota Wesleyan University in 1950 and, later, received his masters of music from the University of South Dakota. After meeting his loving wife, Donna, he taught courses including band and singing in Geddes, Tripp, and eventually Watertown. Together, Mr. and Mrs. Carpenter raised a beautiful family and shared their love of music with students and the community.

Mr. Carpenter was the director of the Watertown Municipal Band for more than 45 years, and was recognized for his musical achievements and outstanding dedication to his students. In 1975, he was elected Teacher of the Year. The same year he retired from teaching, 1987, the American Bandmasters Association honored him and, in 1992, the South Dakota Bandmasters Association inducted him into their Hall of Fame. The Watertown community acknowledged his expertise by granting him the privilege of serving as the adjudicator for many parades, marching contests, and music competitions.

The countless contributions and selfless dedication of Mr. Carpenter will not be forgotten. I extend my deepest condolences to the Carpenter family; his children Barry Carpenter, Kay Prchal, Lee Ann McCallum, and David Carpenter; his nine grandchildren, two great grandchildren, two sisters, and many nieces and nephews. South Dakota lost a truly talented and giving friend.●

RECOGNIZING MEADOW BRIDGE HIGH SCHOOL

● Mr. MANCHIN. Madam President, today I wish to speak with great pride about a high school in my home State of West Virginia and the important role it is playing in our American democracy—Meadow Bridge High School in Fayette County.

For the 12th year in a row, 100 percent of the senior class at Meadow Bridge High School is registered to vote. This is a truly incredible accomplishment, and I am unaware of any school in our great State—or any school anywhere in the country, for that matter—that has registered every student in their senior class every year for the past 12 years.

Young voters eligible to vote today are 44 million strong—more than one-fifth of the country's electorate—and they are changing the face of American democracy.

They are engaged in their communities, they are passionate about issues, and they are politically aware. In the most recent elections, they have turned out in record numbers.

They may be the future of our country, but their voices—and their votes—count NOW.

This is just what West Virginia's own Jennings Randolph expected when he was working relentlessly in the Senate to win passage of the 26th Amendment to our Constitution—the Amendment that lowered the voting age in America from 21 to 18. It became law in 1971, and our country is all the better for it.

Every vote counts. And every voter has not only a right but also a responsibility to take an active role in our electoral process.

I tell young people all the time that you cannot just sit on the sidelines—you have to get in the game and get active, especially when it is the future of America that is at stake. Democracy is not a spectator sport.

When I served as Secretary of State in West Virginia, from 2000 to 2004, one of my top priorities was to educate our young people about the electoral process and encourage them to get involved. That was the purpose of the Sharing History and Reaching Every Student Program, also known as the SHARES program.

I am proud to say that before I left the office of Secretary of State, we had registered 42,000 high school students to vote. And, of course, those efforts have continued for the past dozen years since the SHARES program began, but nowhere more successfully than at Meadow Bridge High School.

It would be remarkable enough if 100 percent of any high school senior class was registered to vote. But to accomplish that 12 years in a row is truly extraordinary—not just a testament to the dedication of the school's staff but also a reflection of the students' commitment to their community and civic responsibility.

In fact, Principal Al Martine reports that the students themselves now take on the challenge of reaching the 100 percent registration mark. It's a matter of pride and patriotism.

The right to vote is so precious because it is the right by which all our other rights are protected. So by getting our young adults involved, we are preparing them to be active and passionate defenders of our rights as Americans.

This is not a Democrat or Republican issue, but one that all Americans can and should embrace, the way the students, faculty and staff at Meadow Bridge High School have done. And I congratulate them on the example they have set for high school seniors everywhere.●

REMEMBERING ROBERT EARL HOLDING

● Mr. RISCH. Madam President, my colleague, Senator MIKE CRAPO joins me today in recognizing the extraordinary life of Robert Earl Holding.

Idaho has lost a great visionary with his recent passing. As an entrepreneur, he saw potential in many businesses, including the Idaho resort Sun Valley.

Earl Holding came from modest means. It is well-documented how he started his business empire with the purchase of a motel called Little America in Green River, WY. He expanded the chain and added gas and oil businesses that operate in the western United States.

Earl purchased the Sun Valley Resort in 1977 and he had a long-term vision for the resort that was business as well as a labor of love.

Restoring Sun Valley Resort to its glory days took great attention to detail and substantial investment. He built ski lodges with stunning views, added high-speed quad lifts and state-of-the-art snowmaking equipment. Earl worked to create a superb skiing experience that brought Idahoans and out of staters to its slopes to an extent that wasn't possible in the past. His focus on excellence resulted in Sun Valley being regularly ranked as a top snow skiing destination.

His transformation of Sun Valley, coupled with his involvement in the 2002 Winter Olympics and the hosting of the 2009 International Special Olympics at the Sun Valley Nordic Center, led to his induction into the U.S. Ski and Snowboard Hall of Fame in 2011.

Earl renovated the Sun Valley Lodge more than once and upgraded the resort's golf course. He made Sun Valley into a year-round resort that allowed area businesses to expand and create new jobs. Local governments and residents have greatly appreciated his vision and long-term commitment to the resort.

Sun Valley is a special place to my wife, Vicki, and me. Our whole family has spent numerous nights in the Sun Valley Lodge—a tradition we continue to this day. It was always a pleasure to run into Earl and his wife, Carol and sit and talk in such a beautiful place. They were very gracious and it was always an enjoyable time with them.

We cannot forget in every step of the way, he had a wonderful partner in Carol. They were a great team and for every story of Earl waiting tables, there is a story of Carol cleaning rooms. For 64 years, they were partners in every sense of the word. Our thoughts and prayers are with Carol and their three children during this time.

Earl Holding was a devoted husband and father and an accomplished businessman. He had integrity in his business dealings and was loyal to his employees. He valued his customers and he was generous in many ways.

Idaho and America has had a great man pass from our midst, but we are all better off because of his presence.●

TRIBUTE TO FREDRICK MAYER

• Mr. ROCKEFELLER. Madam President, I would like to speak today about a remarkable constituent of mine, Mr. Fredrick Mayer. His story is one of truly incredible bravery, and Mr. Mayer is one of the great unsung heroes of World War II. His selfless patriotism and unique service to the United States merit our recognition.

Born to a Jewish family in Germany, Mr. Mayer was forced to flee the rise of nazism in his home country, and as a young man he immigrated to the United States with his family. After the attack on Pearl Harbor, Mr. Mayer enlisted in the U.S. Army. There, his talents were quickly recognized, and Mr. Mayer was soon recruited into the Office of Strategic Services, OSS—a predecessor to the CIA. Once in the OSS, Mr. Mayer was presented with an unimaginably dangerous mission—to be clandestinely sent back into Nazi territory to collect critical military intelligence from behind enemy lines.

Mr. Mayer accepted his mission with full knowledge that as a Jewish-American spy, he would almost surely be killed if he was captured. Having escaped Nazi Germany only years earlier, he also accepted this mission with a unique appreciation for the injustices that were being done by Nazi forces and with a deep sense of duty to help his new home country—the United States—put an end to those injustices.

What happened next is perhaps best told in the words of Mr. Mayer's commanding officer in a May 31, 1945, written assessment of Mr. Mayer's performance:

Technical Sergeant Mayer parachuted into enemy occupied territory and remained there for three months, gathering secret intelligence and rallying Austrian resistance elements. During this period Technical Sergeant Mayer exhibited not only the highest degree of courage under constant risk of his life, but remarkable qualities of leadership and organization which made it possible for him to contact and win the support of anti-Nazi elements of all classes and walks of life, and eventually to arrange the surrender of Innsbruck to American troops.

Ultimately, Mr. Mayer spent nearly 3 months living behind enemy lines, often wearing a German officer's uniform and using forged papers to move openly without capture. In that guise, Mr. Mayer covertly organized a network of anti-Nazi Austrians and clandestinely collected vital intelligence that was then relayed by his radio operator to OSS headquarters in Italy. According to now unclassified documents, Mr. Mayer collected and relayed information on a wide array of critical subjects—important Nazi war factories, schedules relating to the movement of Nazi troops and material to and from the battlefield, the status of Nazi defenses at key tunnels, bridges, and highway bottlenecks, and the whereabouts of Mussolini, Daladier, and Hitler.

In one case, intelligence gathered by Mr. Mayer about the assembly and schedules of 26 military trains that were being sent to the Italian front led to the trains' destruction and blocked the Brenner Pass completely until well after the war ended.

After months of successful operations, Mr. Mayer was betrayed by one of his contacts. He was then arrested by the Gestapo and brutally tortured while in captivity. Nevertheless, throughout the harsh interrogations, Mr. Mayer refused to give up the location of his radio operator.

As a prisoner, Mr. Mayer was able to use his language skills and quick thinking to convince his captors to grant him a meeting with senior Nazi officers, and as American troops approached, he helped persuade the Nazi commanders to surrender Innsbruck—likely preventing a final battle with U.S. forces that would have resulted in even greater casualties.

In the end, Mr. Mayer led what is now regarded as one of the most successful OSS covert operations of World War II—Operation GREENUP. His bravery, remarkable in any context, is even more noteworthy given his willingness to selflessly return to enemy territory, not far from the childhood home he was forced to flee. He did this to help win the war, and he did this in service to the United States.

Mr. Mayer is now 92 years old and lives in Charles Town, WV. He is a very humble man who does not brag about his wartime accomplishments. Thankfully, that deep humility does not mean that his amazing story has been lost, and I am honored to recognize Fred's service here today.●

REMEMBERING GIFFORD PHILLIPS

• Mr. UDALL of New Mexico. Madam President, today I wish to remember Gifford Phillips, who passed away on April 17 at the age of 94. Over the course of a long life, Gifford was a truly great champion of the arts. He was also a friend to all who had the good fortune to know him. My wife Jill and I count ourselves among that very fortunate number.

Gifford was born on June 30, 1918, in Chevy Chase, MD, into a prominent family. He began life with great advantages, but also with a great loss. His father, James Phillips, died that same year from the influenza epidemic when Gifford was just 4 months old.

The Phillips family has long been a dedicated benefactor of the arts in our country. The Phillips Collection in Washington, DC, was begun in 1921 by Gifford's uncle, Duncan Phillips. Duncan founded the museum in memory of his brother, James, and their father, who had died in 1917. Mourning these profound losses, Duncan Phillips found solace in art. "Sorrow all but overwhelmed me," he later recalled. "Then

I turned to my love of painting for the will to live."

Gifford no doubt also learned these lessons well: that privilege without generosity is hollow, that life brings the pain of grief but also the joy of art. He lived his life in a way that reflected that understanding. In doing so, he was a credit to a renowned family, and he helped enrich the culture of our nation.

His life as an art philanthropist began early, when he donated a painting by Cezanne to the Phillips Collection in memory of his father. Gifford and Joann, his wife of 60 years, were not just avid collectors of art but tireless advocates for art. Richard Diebenkorn. Mark Rothko. Claire Falkenstein—these are just a few of the contemporary artists they championed.

Gifford was a successful businessman, but it was his passion for the arts and his political activism that seemed to most animate his life. As a patron of the arts and as a political activist, he wanted to share his advantages with others. And he had a great deal of fun along the way. He was a prominent supporter of George McGovern's Presidential campaign in 1972 and, to his delight, earned a place on President Nixon's enemies list.

Like his Uncle Duncan, the words "founded by" often precede his name. Gifford founded *Frontier* magazine, a west coast political monthly, with editor Phil Kirby in 1949. He published it until 1966, when it merged with the *Nation* magazine. He was the founding chairman of the Contemporary Art Council at the Los Angeles County Museum of Art in 1961.

In 1989, he and Joann began the Chamiza Foundation in Santa Fe to support Pueblo culture. The Chamiza Foundation was recognized by the New Mexico Legislature in 2009 for its efforts to sustain the cultural continuity of New Mexico's Pueblo tribes.

Gifford Phillips will be remembered for his generous spirit, for his passion for the arts, for his commitment to social justice. Gifford found joy in art, in those lasting creations that inspire us, that move us, and that make us more fully human. He wanted others to share that joy, and it is his great legacy that people from all walks of life, for generations to come, will do so.

Jill and I were proud to call Gifford Phillips a friend. We extend to Joann and the Phillips family our sincere condolences.●

RECOGNIZING THE FREDERICKSBURG BIG BAND

• Mr. WARNER. Madam President, I am pleased to honor the Fredericksburg Big Band for their significant contribution to culture and charitable organizations in central Virginia.

In March of 1966 the Fredericksburg Big Band was formed when a group of

musicians gathered at the old American Legion Hall in Fredericksburg and began a revival of 1930s and 1940s big band music. They initially began playing simply because they enjoyed the music. Later that year the band was asked to play for the King George Fall Festival and began making public appearances. Soon after, they had the idea of playing for charities because these civic-minded musicians wanted to make a difference for people in their communities. The mission of the band soon became to provide music at charity events throughout the central Virginia area. The band continues that tradition to this day.

Since the inception of the band in March of 1966, it has performed at many charity events in the central Virginia area and helped local organizations to collectively raise well over \$2 million. Of notable mention are two long standing events: The Fredericksburg Big Band has performed a September concert sponsored by the Salvation Army Women's Auxiliary since 1988 and Fredericksburg Parks and Recreation has sponsored the Fredericksburg Big Band March concert at the University of Mary Washington since 1987 as a means for the band to give back to the community.

The Big Band consists of local business and music professionals who donate their time to the group's mission, including past directors Philip Heim, DuVal Hicks, Richard Phillips, Joseph Ulman, and current director Stephen Sanford, who has been a member of the band since 1975. The current members of the band are: Stephen Sanford, director; Ron Pronk, Karen Blake, Jeremy Cooper, Terry Rooker, and John Robie on saxophone; Paul Rawlins, Stephen Sanford, Earl Sam, and Jim Breakiron on trombone; Marc Weigel, Kevin Shipe, James Canty, and Dave Greenfield on trumpet; Kathryn Hichborn on keyboard; Frankie Blackburn on guitar; Michael Rinckey on string bass; Dave Fosdick and Ray Homoroc on drums; and Mary Jo Prouty as vocalist. Current substitutes include Luke Grey on string bass, Gary Carper on trombone and Mike Sanders on trumpet.

Despite the many changes in the Fredericksburg Big Band membership over the past 47 years, their mission of supporting charitable organizations and their dedication to keeping the sound of the big band alive remains strong. I ask the U.S. Senate to join me in congratulating the Fredericksburg Big Band on their civic-minded, philanthropic success and dedication to the arts.●

TRIBUTE TO W. RUSSELL RAMSEY

● Mr. WARNER. Madam President, I rise today to congratulate my friend Russ Ramsey as he completes his successful tenure as the chairman of the

Board of the George Washington University. After 15 years on the board of trustees—six as chairman—Russ will step down this June. Over the last few years he has overseen the remarkable growth and success of GW and worked to focus the institution on opportunities in Virginia, throughout the region, and around the globe.

He has presided over a renewal in GW's commitment to their Virginia Science and Technology Campus. That campus now totals more than 100 acres and includes 17 research laboratories in areas such as high-performance computing, renewable energy, and computational biology. Perhaps most importantly, it is the home to GW's new School of Nursing—the first of GW's 10 schools to be located in the Commonwealth. Chairman Ramsey has overseen the creation of a Virginia committee of the board of trustees, the development and acquisition of new buildings on the VSTC, innovative partnerships with institutions like the Textile Museum, and the redevelopment of Barcroft Field in collaboration with Arlington County.

Beyond GW's efforts in Virginia, Chairman Ramsey has worked to elevate GW to the status of a world-class institution leading the search for GW's 16th president, Dr. Steven Knapp, overseeing a remarkable growth in fundraising, and guiding GW to make new investments in scientific research, technology transfer and entrepreneurship.

Russ Ramsey is himself a successful entrepreneur, having built multibillion-dollar businesses primarily in the fields of investment banking and money management. He is most widely known as cofounder of Friedman, Billings, Ramsey Group. In 2001, he founded Ramsey Asset Management, a long/short equity hedge fund based in McLean, VA, where he is chairman, CEO, and CIO today.

He attended the George Washington University School of Business on a baseball scholarship and earned his bachelor of business administration in 1981. He is a native Washingtonian and lives with his wife Norma and their four children in Northern Virginia. Through the W. Russell and Norma G. Ramsey Foundation, they are actively committed to philanthropic causes dedicated to at-risk families through education and health programs. The Ramseys are founding investors of Venture Philanthropy Partners, which has invested nearly \$80 million in nonprofits in the greater Washington area over the last 10 years.

Please join me in congratulating my friend Russ Ramsey for all of his contributions to the George Washington University, the Commonwealth of Virginia, and the greater Washington region.●

RECOGNIZING REBEKAH FORMAN

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Rebekah Forman for her continued hard work as an intern in my Cheyenne office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Rebekah is a native of Sheridan, WY, and a graduate of Sheridan High School. She currently attends the Larimer County Community College. She has once again demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Rebekah for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING BRANDI HAUPT

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Brandi Haupt for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Brandi is a native of Casper, WY, and is a graduate of Kelly Walsh High School. She currently attends Casper College, where she is majoring in chemistry and prepharmacy. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Brandi for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING DUSTIN HONAKER

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Dustin Honaker for his hard work as an intern in my Republican policy committee office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Dustin is a native of Rock Springs, WY. He is a graduate of the University of Wyoming, where he earned a degree in political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Dustin for the dedication he has shown while working for me and

my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING BROUCK KUCZYNSKI

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Brouck Kuczynski for her hard work as an intern in my Republican policy committee office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Brouck is a native of Virginia and a graduate of Villanova University in Pennsylvania. She currently attends the University of Pittsburgh School of Law, where she is expected to graduate in a few weeks. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Brouck for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING CHRIS PERRY

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Chris Perry for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Chris is from Casper, WY, and a graduate of Natrona County High School. He currently attends Casper College, where he is majoring in business administration. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Chris for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING AMBER PRICE

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Amber Price for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Amber is a native of Gilbert, AZ. She graduated from the University of Cali-

fornia, San Diego, with a degree in political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Amber for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING ADAM STAHL

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Adam Stahl for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Adam is a native of Guilford, CT, and a graduate of the University of Rochester, where he earned a degree in history. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Adam for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING CRAIG THOMAS

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Craig Thomas for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Craig is a native of Rock Springs, WY. He grew up in Fairfax, VA, where he graduated from Oakton High School. Craig currently attends the University of Alabama, where he is majoring in business management. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Craig for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING MICHAEL TRUJILLO

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Michael

Trujillo for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Michael is a native of Laramie and a graduate of Laramie Senior High School. He currently attends the University of Wyoming, where he is majoring in political science and journalism. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Michael for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:46 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 360. An act to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement.

H.R. 1071. An act to specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 799. A bill to provide for a sequester replacement.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-1326. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-056, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1327. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Azoxystrobin; Pesticide Tolerances" (FRL No. 9384-2) received in the Office of the President of the Senate on April 23, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1328. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus mycoides isolate J; Time-Limited Exemption from the Requirement of a Tolerance" (FRL No. 9383-1) received in the Office of the President of the Senate on April 23, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1329. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral William R. Burke, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1330. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the Department of the Navy, received in the Office of the President of the Senate on April 23, 2013; to the Committee on Armed Services.

EC-1331. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Yemen that was originally declared in Executive Order 13611 on May 16, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-1332. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-1333. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Definitions of 'Predominantly Engaged In Financial Activities' and 'Significant' Nonbank Financial Company and Bank Holding Company" (RIN7100-AD64) received in the Office of the President of the Senate on April 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1334. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Evaluations of Explosions Postulated to Occur at Nearby Facilities and on Transportation Routes Near Nuclear Power Plants" (Regulatory Guide 1.91) received in the Office of the President of the Senate on April 23, 2013;

to the Committee on Environment and Public Works.

EC-1335. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Oregon: Open Burning and Enforcement Procedures" (FRL No. 9793-5) received in the Office of the President of the Senate on April 23, 2013; to the Committee on Environment and Public Works.

EC-1336. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Volatile Organic Compounds Emissions Reductions Regulations" (FRL No. 9806-6) received in the Office of the President of the Senate on April 23, 2013; to the Committee on Environment and Public Works.

EC-1337. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed On or Before December 1, 2008, and Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators" (FRL No. 9802-3) received in the Office of the President of the Senate on April 23, 2013; to the Committee on Environment and Public Works.

EC-1338. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—May 2013" (Rev. Rul. 2013-11) received in the Office of the President of the Senate on April 23, 2013; to the Committee on Finance.

EC-1339. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Clearing Exemption for Swaps Between Certain Affiliated Entities" (RIN3038-AD47) received in the Office of the President of the Senate on April 22, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1340. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the 2012 annual report on voting practices in the United Nations; to the Committee on Foreign Relations.

EC-1341. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102-1) for the December 22, 2012-February 19, 2013 reporting period; to the Committee on Foreign Relations.

EC-1342. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-014); to the Committee on Foreign Relations.

EC-1343. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Documentation of Immigrants Under the Immigration and Nationality Act, as Amended" (RIN1400-AD39) received during adjournment

of the Senate in the Office of the President of the Senate on April 19, 2013; to the Committee on Foreign Relations.

EC-1344. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the issuance of a determination to waive certain restrictions on maintaining a Palestine Liberation Organization (PLO) Office in Washington and on the receipt and expenditure of PLO funds for a period of six months; to the Committee on Foreign Relations.

EC-1345. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on mining activities as required by the Mine Improvement and New Emergency Response Act of 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-1346. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Dual Language Learners in Head Start and Early Head Start Programs"; to the Committee on Health, Education, Labor, and Pensions.

EC-1347. A communication from the Members of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Congressional Justification of Budget Estimates Report for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-1348. A communication from the Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program, Part 2" (RIN1205-AB69) received in the Office of the President of the Senate on April 22, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1349. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "2012 Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities"; to the Committee on Homeland Security and Governmental Affairs.

EC-1350. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of the St. Louis, MO; Southern Missouri; Cleveland, OH; and Pittsburgh, PA, Appropriated Fund Federal Wage System Wage Areas" (RIN3206-AM70) received in the Office of the President of the Senate on April 23, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1351. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1352. A communication from the Acting Director, Environmental Protection Agency, transmitting, pursuant to law, the Agency's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1353. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's fiscal

year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1354. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement the Technical Corrections to the Leahy-Smith America Invents Act as to Inter Partes Review" (RIN0651-AC83) received in the Office of the President of the Senate on April 16, 2013; to the Committee on the Judiciary.

EC-1355. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Annual Report to Congress for the Office of Justice Programs' Bureau of Justice Assistance for fiscal year 2011; to the Committee on the Judiciary.

EC-1356. A communication from the Chief of the Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Importation of Defense Articles and Defense Services—U.S. Munitions Import List" (RIN1140-AA46) received in the Office of the President of the Senate on April 22, 2013; to the Committee on the Judiciary.

EC-1357. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Methylone Into Schedule I" (Docket No. DEA-357) received in the Office of the President of the Senate on April 15, 2013; to the Committee on the Judiciary; to the Committee on the Judiciary.

EC-1358. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Registry for Attorneys and Representatives" (RIN1125-AA39) received in the Office of the President of the Senate on April 15, 2013; to the Committee on the Judiciary.

EC-1359. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Forwarding of Asylum Applications to the Department of State" (RIN1125-AA65) received in the Office of the President of the Senate on April 15, 2013; to the Committee on the Judiciary.

EC-1360. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1361. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Evidence that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1362. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Appellate Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1363. A communication from the Chief Justice of the Supreme Court of the United

States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1364. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1365. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Debt Collection Recovery Activities of the Department of Justice for Civil Debts Referred for Collection Annual Report for Fiscal Year 2012"; to the Committee on the Judiciary.

EC-1366. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending June 30, 2012"; to the Committee on the Judiciary.

EC-1367. A communication from the Chairman of the United States Commission on Civil Rights, transmitting, pursuant to law, the Commission's Strategic Plan for fiscal years 2014-2018; to the Committee on the Judiciary.

EC-1368. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery Management Plan; Amendment 19" (RIN0648-BC48) received in the Office of the President of the Senate on April 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1369. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XC575) received in the Office of the President of the Senate on April 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1370. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XC582) received in the Office of the President of the Senate on April 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1371. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010. . . ." (RIN3065-AJ85) received during recess of the Senate in the Office of the President of the Senate on April 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1372. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Ad-

ministration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Provisions for Fees Related to Hazardous Materials Endorsements and Transportation Worker Identification Credentials" ((49 CFR Part 1572) (Amendment No. 1572-10)) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC-1373. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, a report entitled "Energy Conservation Program: Energy Conservation Standards for Distribution Transformers" (RIN1904-AC04) received in the Office of the President of the Senate on April 24, 2013; to the Committee on Energy and Natural Resources.

EC-1374. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Innovative Products and Treatments to Achieve Abstinence From Tobacco Use, Reductions in Consumption of Tobacco, and Reductions in the Harm Associated With Continued Tobacco Use"; to the Committee on Health, Education, Labor, and Pensions.

EC-1375. A communication from the Diversity and Inclusion Programs Director, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1376. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, the Board's fiscal year 2012 Annual Performance Report and the fiscal years 2013-2014 Annual Performance Plan; to the Committee on Homeland Security and Governmental Affairs.

EC-1377. A communication from the Director, Office of Diversity Management and Equal Opportunity, Office of the Under Secretary of Defense (Readiness and Force Management), transmitting, pursuant to law, a compilation of fiscal year 2012 reports from the Department of Defense Components relative to the implementation of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 607. A bill to improve the provisions relating to the privacy of electronic communications.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DONNELLY:

S. 810. A bill to require a pilot program on an online computerized assessment to enhance detection of behaviors indicating a risk of suicide and other mental health conditions in members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND:

S. 811. A bill to amend the Emergency Food Assistance Act of 1983 to provide for the increased purchase of Kosher and Halal food and to modify the labeling of the commodities list under the emergency food assistance program to enable Kosher and Halal food bank operators to identify which commodities to obtain from local food banks; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself and Ms. MURKOWSKI):

S. 812. A bill to authorize the Secretary of the Interior to take actions to implement the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico; to the Committee on Energy and Natural Resources.

By Mr. REID (for Mr. LAUTENBERG (for himself, Mrs. SHAHEEN, Mrs. BOXER, Mrs. GILLIBRAND, Mrs. MURRAY, Ms. WARREN, and Mr. MURPHY)):

S. 813. A bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes; to the Committee on Foreign Relations.

By Mr. REID (for Mr. LAUTENBERG):

S. 814. A bill to provide stronger penalties for violations of the Chemical Facility Anti-Terrorism Standards; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mr. HARKIN, Mr. KIRK, Ms. COLLINS, and Ms. BALDWIN):

S. 815. A bill to prohibit employment discrimination on the basis of sexual orientation or gender identity; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 816. A bill to amend the Omnibus Public Land Management Act of 2009 to provide for the conduct of stewardship end result contracting projects; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself and Mr. ROCKEFELLER):

S. 817. A bill to exempt the Federal Aviation Administration from sequestration, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. UDALL of Colorado, Mr. RISCH, Mr. TOOMEY, Mrs. HAGAN, Mr. ISAKSON, and Mr. ROBERTS):

S. 818. A bill to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent furloughs by the Federal Aviation Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR:

S. 819. A bill to amend title 38, United States Code, to require a program of mental health care and rehabilitation for veterans for service-related post-traumatic stress disorder, depression, anxiety disorder, or a related substance use disorder, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN (for herself, Ms. STABENOW, and Ms. COLLINS):

S. 820. A bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself, Mr. BROWN, Mr. COWAN, Mr. CASEY, Mr.

SANDERS, Mr. SCHUMER, Mr. HARKIN, and Mr. FRANKEN):

S. 821. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish in the Department of Agriculture a Healthy Food Financing Initiative; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 822. A bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITEHOUSE:

S. 823. A bill to authorize the appropriation of \$500,000,000 for fiscal year 2014 to provide grants to States for surface transportation projects of national and regional significance; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mrs. SHAHEEN, Mr. BEGICH, Mr. BLUMENTHAL, Mr. BROWN, Mr. LAUTENBERG, Mr. LEAHY, Mr. MERKLEY, and Mr. UDALL of New Mexico):

S. 824. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS (for himself and Mr. BURR):

S. 825. A bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REID (for Mr. LAUTENBERG (for himself, Mr. BLUMENTHAL, Mr. HARKIN, and Mr. DURBIN)):

S. 826. A bill to amend the Internal Revenue Code of 1986 to reform and enforce taxation of tobacco products; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. NELSON, Mr. DURBIN, Mr. REED, and Mr. WHITEHOUSE):

S. 827. A bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. NELSON, Mr. DURBIN, Mr. REED, and Mr. WHITEHOUSE):

S. 828. A bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. HAGAN:

S. 829. A bill to improve the financial literacy of students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. ROCKEFELLER, Mr. HOEVEN, Ms. LANDRIEU, Mr. PORTMAN, and Mr. VITTER):

S. 830. A bill to amend the Federal Water Pollution Control Act to clarify and confirm the authority of the Environmental Protection Agency to deny or restrict the use of defined areas as disposal sites for the discharge

of dredged or fill material; to the Committee on Environment and Public Works.

By Mr. COATS (for himself, Mr. LEE, Mr. BARRASSO, Mr. CHAMBLISS, Mr. COBURN, Mr. CRAPO, Mr. ENZI, Mr. HOEVEN, Mr. ISAKSON, Mr. RISCH, Mr. VITTER, Mr. WICKER, Mr. SESSIONS, and Mr. HATCH):

S. 831. A bill to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2017, under the Surface Mining Control and Reclamation Act of 1977; to the Committee on Energy and Natural Resources.

By Mr. DONNELLY:

S. 832. A bill to require the Secretary of Veterans Affairs to carry out pilot programs on furnishing case management services and assisted living to children of Vietnam veterans and certain Korea service veterans born with spina bifida and children of women Vietnam veterans born with certain birth defects, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself and Mr. FRANKEN):

S. 833. A bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself and Mr. FRANKEN):

S. 834. A bill to amend the Child Care and Development Block Grant Act of 1990 to ensure access to high-quality child care for homeless children and families, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. MENENDEZ, Ms. STABENOW, Mr. ROCKEFELLER, Mr. BROWN, Mr. CARDIN, Mr. WHITEHOUSE, and Mr. DURBIN):

S. 835. A bill to amend the Internal Revenue Code of 1986 to extend and modify the American Opportunity Tax Credit, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. BAUCUS, Mr. ROCKEFELLER, Mr. WYDEN, Ms. STABENOW, Mr. MENENDEZ, Mr. CARDIN, Mr. CASEY, Mrs. MURRAY, Mr. LAUTENBERG, Mrs. GILLIBRAND, Mr. COWAN, Mr. WHITEHOUSE, Mr. REED, Ms. HIRONO, Mr. HARKIN, Mr. LEVIN, Mrs. BOXER, Mr. BLUMENTHAL, Mr. BEGICH, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BENNET, Ms. WARREN, Mr. JOHNSON of South Dakota, Mr. MERKLEY, and Mr. MURPHY):

S. 836. A bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit and make permanent certain tax provisions under the American Recovery and Reinvestment Act of 2009; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. LEAHY, Mr. BROWN, Mr. TESTER, Mr. CASEY, Ms. KLOBUCHAR, Mr. UDALL of New Mexico, Mr. MERKLEY, Mr. FRANKEN, and Mr. JOHNSON of South Dakota):

S. 837. A bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. 838. A bill to amend the Internal Revenue Code of 1986 to protect employees in the building and construction industry who are

participants in multiemployer plans, and for other purposes; to the Committee on Finance.

By Mr. NELSON (for himself, Mr. ROCKEFELLER, Mr. SCHATZ, and Ms. HIRONO):

S. 839. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FRANKEN (for himself and Mr. BENNET):

S. 840. A bill to recruit, support, and prepare principals to improve student academic achievement at eligible schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. 841. A bill to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself and Mr. GRASSLEY):

S. 842. A bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program; to the Committee on Finance.

By Mr. INHOFE:

S. 843. A bill to limit the amount of ammunition purchased or possessed by certain Federal agencies for a 6-month period; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SANDERS (for himself, Ms. MIKULSKI, and Mr. BROWN):

S. 844. A bill to amend the Elementary and Secondary Education Act of 1965 in order to support the community schools model; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. MORAN):

S. 845. A bill to amend title 38, United States Code, to improve the Department of Veterans Affairs Health Professionals Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DURBIN:

S. 846. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 847. A bill to amend the Marine Mammal Protection Act of 1972 to allow the importation of polar bear trophies taken in sport hunts in Canada before the date on which the polar bear was determined to be a threatened species under the Endangered Species Act of 1973; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself and Mr. GRASSLEY):

S. 848. A bill to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET (for himself, Mr. BAUCUS, and Mr. UDALL of Colorado):

S. 849. A bill to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship contracting projects,

and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ALEXANDER (for himself, Mr. JOHANNIS, Mr. ENZI, Mr. ROBERTS, Mr. BLUNT, Mr. INHOFE, Mr. ISAKSON, Mr. SCOTT, Mr. KIRK, Mr. RUBIO, Mr. COBURN, and Mr. RISCH):

S. 850. A bill to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS:

S. 851. A bill to amend title 38, United States Code, to extend to all veterans with a serious service-connected injury eligibility to participate in the family caregiver services program; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 852. A bill to improve health care furnished by the Department of Veterans Affairs by increasing access to complementary and alternative medicine and other approaches to wellness and preventive care, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. COLLINS (for herself, Mr. ROCKEFELLER, Mr. THUNE, Mr. UDALL of Colorado, Mr. RISCH, Mrs. HAGAN, Mr. ROBERTS, Mr. ISAKSON, Mr. TOOMEY, Mrs. MCCASKILL, Ms. MURKOWSKI, Mr. WARNER, Mr. CHAMBLISS, Mr. NELSON, Mr. BEGICH, and Mr. HELLER):

S. 853. A bill to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes; considered and passed.

By Mr. MERKLEY (for himself, Mr. FRANKEN, and Mr. BEGICH):

S. 854. A bill to improve student academic achievement in science, technology, engineering, and mathematics subjects; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON:

S. 855. A bill to increase the portion of community development block grants that may be used to provide public services, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHANNIS (for himself, Mr. WYDEN, and Mrs. FISCHER):

S.J. Res. 14. A joint resolution amending title 36, United States Code, to designate the last Friday in April as Arbor Day; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. WARREN (for herself, Mr. COWAN, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAM-

BLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 115. A resolution commending the heroism, courage, and sacrifice of Sean Collier, an officer in the Massachusetts Institute of Technology Police Department, Martin Richard, an 8-year-old resident of Dorchester, Massachusetts, Krystle Campbell, a native of Medford, Massachusetts, Lu Lingzi, a student at Boston University, and all the victims who are recovering from injuries caused by the attacks in Boston, Massachusetts, including Richard Donohue, Jr., an officer in the Massachusetts Bay Transportation Authority Transit Police Department; considered and agreed to.

By Mrs. FISCHER (for herself and Ms. KLOBUCHAR):

S. Res. 116. A resolution designating September 26, 2013, as "National Pediatric Brain Cancer Awareness Day"; considered and agreed to.

By Mr. CASEY (for himself and Mr. FRANKEN):

S. Res. 117. A resolution recognizing and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. UDALL of Colorado, Mr. ISAKSON, and Mr. JOHANNIS):

S. Res. 118. A resolution supporting the designation of April as Parkinson's Awareness Month; considered and agreed to.

By Mr. COONS (for Mr. WICKER (for himself, Mr. COONS, Mr. RUBIO, Mr. BOOZMAN, Mr. COCHRAN, Mr. CARDIN, Mr. INHOFE, Mr. KIRK, Mr. ISAKSON, Mrs. MURRAY, Mr. DURBIN, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. BROWN)):

S. Res. 119. A resolution supporting the goals and ideals of World Malaria Day; considered and agreed to.

By Mr. LEAHY (for Mr. WICKER (for himself, Mr. LEAHY, Mr. SCHUMER, and Mr. GRASSLEY)):

S. Res. 120. A resolution supporting the mission and goals of 2013 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of, and services available to assist, victims and survivors of crime in the United States; considered and agreed to.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 121. A resolution expressing support for the designation of May 1, 2013, as "Silver Star Service Banner Day"; considered and agreed to.

By Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. REID, Mr. MENENDEZ, Mr. UDALL of New Mexico, Mr. ENZI, and Mr. CRUZ):

S. Res. 122. A resolution recognizing the historic significance of the Mexican holiday of Cinco de Mayo; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 123. A resolution congratulating the University of Minnesota women's ice hockey team on winning its second straight National Collegiate Athletic Association Women's Ice Hockey Championship; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 124. A resolution to authorize testimony in writing, documents, and representation in *Whitnum v. Town of Greenwich*, et al; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CRAPO, Mr. DURBIN, Mrs. MURRAY, Ms. LANDRIEU, and Mr. LAUTENBERG):

S. Res. 125. A resolution designating April 30, 2013, as "Día de los Niños: Celebrating Young Americans"; considered and agreed to.

By Mr. REID (for Mr. LAUTENBERG):

S. Res. 126. A resolution recognizing the teachers of the United States for their contributions to the development and progress of our country; to the Committee on Health, Education, Labor, and Pensions.

By Ms. AYOTTE (for herself and Mrs. SHAHEEN):

S. Res. 127. A resolution commemorating the 10-year anniversary of the loss of the State symbol of New Hampshire, the Old Man of the Mountain; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 138

At the request of Mr. VITTER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 154

At the request of Mr. COBURN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 154, a bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban.

S. 226

At the request of Mr. TESTER, the name of the Senator from Massachu-

setts (Ms. WARREN) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 257

At the request of Mr. BOOZMAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 257, a bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-State tuition rate, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 313

At the request of Mr. CASEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 375

At the request of Mr. TESTER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 381

At the request of Mr. BROWN, the name of the Senator from Texas (Mr.

CORNIN) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 411

At the request of Mr. ROCKEFELLER, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 502

At the request of Mr. CASEY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 502, a bill to assist States in providing voluntary high-quality universal pre-kindergarten programs and programs to support infants and toddlers.

S. 534

At the request of Mr. TESTER, the names of the Senator from Montana (Mr. BAUCUS), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 541

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 577

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 635

At the request of Mr. BROWN, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. PORTMAN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 675

At the request of Ms. AYOTTE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 675, a bill to prohibit contracting with the enemy.

S. 728

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 728, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 749

At the request of Mr. CASEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 751

At the request of Mr. COATS, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 751, a bill to amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm.

S. 783

At the request of Mr. WYDEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 790

At the request of Mrs. MCCASKILL, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 790, a bill to require the United States International Trade Commission to recommend temporary duty suspensions and reductions to Congress, and for other purposes.

S. 794

At the request of Mr. HOEVEN, the name of the Senator from New Mexico (Mr. HEINRICH) was withdrawn as a cosponsor of S. 794, a bill to prevent an increase in flight delays and cancellations, and for other purposes.

At the request of Mr. HOEVEN, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 794, *supra*.

S. 798

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 798, a bill to address equity capital requirements for financial institutions, bank holding companies, subsidiaries, and affiliates, and for other purposes.

S. 805

At the request of Mr. ROCKEFELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 805, a bill to improve compliance with mine and occupational safety and health laws, and empower workers to raise safety concerns, prevent future mine and other workplace tragedies, and establish rights of families of victims of workplace accidents, and for other purposes.

S. CON. RES. 15

At the request of Mr. HARKIN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

AMENDMENT NO. 746

At the request of Mr. MERKLEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 746 intended to be proposed to S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

AMENDMENT NO. 747

At the request of Mr. MERKLEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 747 intended to be proposed to S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

AMENDMENT NO. 749

At the request of Mr. TOOMEY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 749 intended to be proposed to S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

AMENDMENT NO. 757

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 757 intended to be proposed to S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

AMENDMENT NO. 760

At the request of Ms. AYOTTE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 760 intended to be proposed to S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DONNELLY:

S. 810. A bill to require a pilot program on an online computerized assessment to enhance detection of behaviors indicating a risk of suicide and other mental health conditions in members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

Mr. DONNELLY. Mr. President, I wish to take time to speak about an important issue that needs immediate attention, suicide among our servicemembers and veterans. Last year, we lost more servicemen and women to suicide than we lost in combat in Afghanistan.

In 2012, approximately 349 members of the U.S. military, including Active-Duty, Guard, and Reserve, committed suicide—more than the total number of servicemembers who died in combat operations. This number does not even include the more than 6,000 veterans we lost last year to suicide. This is unacceptable. This has to end.

Today, I am introducing my first bill as a Senator, the Jacob Sexton Military Suicide Prevention Act of 2013. We are doing this to address this pervasive issue. This bill seeks to better identify servicemembers struggling with mental health issues and to ensure they receive the assistance they need before resorting to this tragic act.

I named this bill after a member of the Indiana National Guard, Jacob Sexton, a native of farmland Indiana, who tragically took his life in 2009 while home on a 15-day leave from Afghanistan. His death came as a shock to his family and his friends as well as his fellow Guard members.

This is a picture of Jacob while on duty. He is an American hero. He did everything he could to serve his country and to help people from another country, to help people around the world live a better life.

A couple months ago, I heard from Jacob's dad Jeff, and I have since learned about his childhood in Indiana, Jacob's service to our Nation, and the

big heart he always showed through his dedication to bringing winter coats to all the kids he met in Afghanistan during his deployment.

Jeff, along with his wife and Jacob's mom Barbara, has since become an advocate for suicide prevention. They want to make sure what happened to Jacob doesn't happen to anyone else. They helped inspire this bill, and I thank them for their dedication to preventing these tragedies for other parents and loved ones of men and women in uniform.

This is a collage made in honor of Jacob by his mom Barbara, and it is a reflection of who he was, the things he did, the people he served, and the wonderful spirit of "can do" and "how can I help my country" that permeated who he was. My hope is we can help men and women similar to Jacob who are struggling with mental health issues to get the help they need before they resort to taking their own life.

The facts on military suicides are stark. According to the Department of Veterans Affairs and the Centers for Disease Control, at least 30,000 veterans and military members have committed suicide since the Department of Defense began closely tracking these numbers in 2009. It is important to note suicide is not necessarily linked to deployments abroad. Since the Defense Department Suicide Prevention Office began keeping detailed records in 2008, less than half of suicide victims had deployed and few were involved in combat.

Most of DOD's existing suicide prevention programs work within the context of deployments. As we draw down in Afghanistan and away from the strain of multiple deployments, it is time to find a more integrated solution that does not rely on the deployment cycle to the servicemember's mental health. Instead, research has shown that other risk factors, such as relationship issues, legal or financial issues or substance abuse play a larger role in suicides than a servicemember's deployment history.

We have heard this firsthand from crisis intervention officers right in my home State of Indiana. Further, many of these suicide victims did not communicate their intent to take their own life nor did they have known behavioral health issues. Given the facts before us, what does the current mental health system look like? The current mental health systems for both Active and Retired military rely on a servicemember's or a veteran's willingness to self-report suicidal thoughts and to seek out assistance. The backup to this system is if family members, peers or coworkers identify changes in behavior and then recommend their loved one or friend seek assistance.

How do we improve this system? The Jacob Sexton Military Suicide Prevention Act of 2013 would establish a pilot

program in each of the military services and also the Reserve components to integrate annual mental health assessments into a servicemember's periodic health assessment—or PHA. That is an annual review designed to track whether a servicemember is fit to serve. The pilot program would expand that review to include a more detailed mental health review and to identify those risk factors for mental illness so servicemembers can receive preventive care and help.

By building on the system that monitors the member from induction to transition into veteran status, an expanded review, including a mental health assessment, would create a holistic picture of a servicemember's readiness to serve. The servicemember can carry this record with them as they leave the service, and it could help inform any future claims for veterans' benefits.

The Jacob Sexton Military Suicide Prevention Act would also integrate a first-line supervisor's input. The first-line supervisor plays an important role in a servicemember's life and may be aware of relationships or financial problems but not be able to address them unless the servicemember speaks up. Sometimes these problems affect performance. The supervisor's input would help identify potential triggers for stress and suicidal tendencies or problems in work performance.

The results of the whole questionnaire would be reviewed by mental health specialists. If problems or risk factors are identified, servicemembers would be referred to behavioral health specialists for further evaluation and medical care.

I included in this legislation—and this is critical—privacy protections to ensure information collected through the survey is used only for medical purposes. It cannot be used for promotion, retention or disciplinary purposes. I strongly believe a servicemember should not bear any consequence for reporting on their mental health or trying to seek out mental health assistance.

Finally, as I think we should expect of all government programs and proposals, my bill would require an assessment as to whether it is actually working. To determine the effectiveness of the program and the ways to move forward, this bill would require a report from the Department of Defense to Congress on the impact of the program in identifying behavioral health concerns and interventions in suicides.

We have lost far too many men and women such as Jacob. Let us come together in a bipartisan fashion to honor the memories of Jacob and all those Americans we have lost by working to improve our ability to spot warning signs before it is too late. I urge my colleagues to support this legislation on behalf of those who sacrifice so much for our Nation every day.

By Mrs. FEINSTEIN (for herself, Ms. STABENOW, and Ms. COLLINS):

S. 820. A bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Egg Products Inspection Act Amendments of 2013 with Agriculture Committee Chairwoman DEBBIE STABENOW and Senator COLLINS as original cosponsors.

This legislation establishes a single, national standard for the humane treatment of egg-laying hens.

The bill text represents a historic compromise between the United Egg Producers, who represent about 90 percent of the eggs produced in the United States, and the Humane Society, the Nation's largest animal-welfare organization.

The bill is supported by 14 agriculture and egg producer groups, the four major veterinary groups involved in avian medicine, five consumer organizations, and hundreds more groups nationwide.

Nearly 10 years ago, voters started taking an interest in insuring that their eggs were being produced humanely. This resulted in State level legislation and a number of initiatives, including Proposition 2 in California, to reform the agriculture industry.

Many of these efforts were successful. State laws governing egg production were enacted in 6 states, and a patchwork of differing state-based regulation has emerged.

Compounding the problem is the lack of a standard for egg labeling. This makes it difficult for consumers to know exactly what they are purchasing and understand what the labels mean.

This situation has two principal effects.

First, the uncertainty stifles economic growth in this important industry. Egg producers now face difficult choices when it comes to investing in their businesses. Why expand facilities and invest in new technologies when rules may change and invalidate your investment? Why expand into new markets when those new markets may be closed to you in just a few short years?

Second, consumers are limited in their ability to make choices. At the supermarket, consumers are bombarded with different labels, "humanely-raised," "cage-free," and "all-natural." But the definitions of these labels vary, and even when they are consistent the terms are vague. One person's "all-natural" may not be another person's "all-natural." One company's "cage-free" may not be another company's "cage-free."

This legislation addresses both problems.

It increases the size of hen cages over the next 18 years and adds enrichments

like perches and nests so chickens can engage in natural “chicken” behaviors, like scratching and nesting.

It outlaws the practice of depriving hens of food and water, a once-common practice to increase egg production.

It sets minimum air quality standards for hen houses, protecting workers and birds.

It establishes clear requirements for egg labeling so consumers know whether the eggs they buy come from hens that are caged, cage-free, free-range, or housed in enriched cages.

Farmers with 3,000 birds or fewer are exempted from the provisions of this legislation.

Also, organic, cage-free and free-range egg producers will be unaffected by the housing provisions of the bill. However, they may see increased sales, as consumers are able to more clearly tell what is available on store shelves as a result of the labeling provisions.

The legislation offers significant phase-in time to allow producers to make the necessary changes in the regular course of replacing their equipment. It is my understanding that hen cages generally last 10 to 15 years. So the 18-year phase-in included in the bill should offer sufficient time to implement changes to enriched cages.

This legislation is important in part because it represents a compromise between old adversaries.

In this agreement, egg producers and the Humane Society have joined forces to meet consumer demand, address concerns of the animal welfare community and resolve a decade-old struggle. The result is a bill widely supported by the industry, animal welfare advocates and consumers.

It is an example of commonsense cooperation in what has historically been a contentious space.

This bill also reflects changes already being made because of consumer demand. McDonalds, Burger King, Costco, Safeway and other companies are already phasing in new humane handling requirements for the production of the food that they sell.

Further, a survey by an independent research company, the Bantam Group, found that consumers support the industry transitioning to larger cages with enrichments by a ratio of 12 to 1.

Importantly, the Congressional Budget Office scores this legislation as having no cost, and a study by Agralytica, a consulting firm, found that this legislation would not have a substantial price effect on consumers. That means we can achieve these goals at little to no cost to taxpayers and consumers.

This legislation has been endorsed by leading scientists in the egg industry, the American Veterinary Medical Association and the two leading avian veterinary groups. Studies show these new cages can result in lower mortality and higher productivity for hens, making them more efficient for egg producers.

As many of my colleagues know, the legislation was the subject of a June 2012 Senate Agriculture Committee hearing. The hearing was attended by egg farmers from around the country—Georgia, Michigan, California, Mississippi, Iowa, Indiana, Minnesota, Ohio—all united in their support for uniform regulations.

The Secretary of Agriculture himself suggested that the legislation is a good example of “thinking differently,” and possibly even a way to get more Americans to support the farm bill and other rural issues. As he pointed out, egg producers deserve to know the rules of the road.

The agreement in this bill is just the sort of reasonable thinking and compromise that we need more of in Washington.

I urge you to join me in supporting this legislation.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 822. A bill to protect crime victims’ rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am proud to introduce the Justice for All Reauthorization Act of 2013. The Justice for All Act, originally enacted in 2004, was an unprecedented bipartisan piece of criminal justice legislation. It was the most significant step Congress had taken in many years to improve the quality of justice in this country. I am pleased to be joined this year by Senator CORNYN as an original cosponsor of this legislation. I know that Senator CORNYN shares my commitment to ensuring public confidence in the integrity of the American justice system.

It is fitting that we introduce this bill now, during Crime Victims’ Rights week, as we honor the victims of crime across the country, and reaffirm our commitment to seeking justice on their behalf. That commitment feels particularly important now, in light of this year’s horrific events in Boston and Newtown. Nothing can eliminate the pain inflicted by those tragedies, but we can work together to ensure that the needs of those families are met so that they can find healing and begin to rebuild their lives.

This legislation takes important steps to strengthen rights for victims

of crime. For example, it establishes an affirmative right to be informed of their rights under the Crime Victims’ Rights Act and other key laws, and it takes several steps to make it easier for crime victims to assert those rights in court.

In addition to being Crime Victims’ Rights Week, today is National DNA Day and it is appropriate to acknowledge the power DNA testing has had in improving our criminal justice system. One example of that impact has been in the testing of rape kits. This legislation reauthorizes the Debbie Smith DNA Backlog Reduction Act, which has provided significant funding to reduce the backlog of untested rape kits so that victims need not live in fear while kits languish in storage. That program is named after Debbie Smith who waited years after being attacked before her rape kit was tested and the perpetrator was caught. She and her husband Rob have worked tirelessly to ensure that others will not experience the ordeal she went through. I thank Debbie and Rob for their continuing help on this extremely important cause.

The legislation also includes significant measures to improve the administration of justice in our courts, including the use of post-conviction DNA testing. The bill is built on the work I began in 2000, when I introduced the Innocence Protection Act, which sought to ensure that defendants in the most serious cases receive competent representation and, where appropriate, access to post-conviction DNA testing necessary to prove their innocence in those cases where the system got it grievously wrong.

The Innocence Protection Act became a key component of the Justice for All Act. The act also included vital provisions to ensure that crime victims would have the rights and protections they need and deserve and that States and communities would take major steps to reduce the backlog of untested rape kits and ensure prompt justice for victims of sexual assault. These and other important criminal justice provisions made the Justice for All Act a groundbreaking achievement in criminal justice reform.

The programs created by the Justice for All Act have had an enormous impact, and it is crucial that we reauthorize them. Unfortunately, it is clear that simply reauthorizing the existing law is not enough. Significant problems remain, and we must work together to address them.

In the years since the Justice for All Act passed, we have seen too many cases of people found to be innocent after spending years in jail. A California man, Brian Banks, was exonerated after spending five years in prison for a rape he did not commit. He recently signed with the Atlanta Falcons and will realize his dream of playing

professional football. Brian's story had a happy ending, but too many wrongly convicted people are not as lucky. It is an outrage when an innocent person is punished, and this injustice is compounded when the true perpetrator remains on the streets, able to commit more crimes. We are all less safe when the system gets it wrong.

To that end, this legislation strengthens the Kirk Bloodsworth Post Conviction DNA Testing Grant Program, one of the key programs created in the Innocence Protection Act. Kirk Bloodsworth was a young man just out of the Marines when he was arrested, convicted, and sentenced to death for a heinous crime that he did not commit. He was the first person in the United States to be exonerated from a death row crime through the use of DNA evidence.

This program provides grants to States for testing in cases like Kirk's where someone has been convicted, but where significant DNA evidence was not tested. The last administration resisted implementing the program for several years, but we worked hard to see the program put into place. Now, money has gone out to a number of States, and is having an impact. The legislation we introduce today clarifies the conditions set for this program so that participating States are required to preserve key evidence, which is crucial, but are given further guidance about how to do so in a way that is attainable and will allow more states to participate.

This legislation takes important steps to ensure that all criminal defendants, including those who cannot afford a lawyer, receive effective representation. It requires the Department of Justice to assist States in developing an effective and efficient system of indigent defense. I know as a former prosecutor, that the system only works as it should when each side is well represented by competent and well-trained counsel. Fifty years after the Supreme Court's landmark decision in *Gideon v. Wainwright*, it is past time to ensure that all criminal defendants have effective representation before government authority takes away their liberty.

The bill also asks States to produce comprehensive plans for their criminal justice systems, which will help to ensure that criminal justice systems operate effectively as a whole and that all parts of the system work together and receive the resources they need.

The bill reauthorizes and improves key grant programs in a variety of areas throughout the criminal justice system. Importantly, it increases authorized funding for the Paul Coverdell Forensic Science Improvement Grant program, which is a vital program to assist forensic laboratories in performing the many forensic tests that are essential to solving crimes and prosecuting perpetrators.

In these times of tight budgets, it is important to note that this bill would make all of these improvements while responsibly reducing the total authorized funding under the Justice For All Act and that many of these changes will help States, communities, and the Federal Government save money in the long term.

I thank the many law enforcement and criminal justice organizations that have helped to pinpoint the needed improvements that this law attempts to solve and I appreciate their ongoing support in seeing it passed.

Today, we rededicate ourselves to building a criminal justice system in which the innocent remain free, the guilty are punished, and all sides have the tools, resources, and knowledge they need to advance the cause of justice. Americans need and deserve a criminal justice system which keeps us safe, ensures fairness and accuracy, and fulfills the promise of our constitution. This bill will take important steps to bring us closer to that goal.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Justice for All Reauthorization Act of 2013".

SEC. 2. CRIME VICTIMS' RIGHTS.

(a) IN GENERAL.—Section 3771 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

"(9) The right to be informed of the rights under this section and the services described in section 503(c) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice.";

(2) in subsection (d)(3), in the fifth sentence, by inserting " , unless the litigants, with the approval of the court, have stipulated to a different time period for consideration" before the period; and

(3) in subsection (e)—

(A) by striking "this chapter, the term" and inserting the following: "this chapter:

"(1) COURT OF APPEALS.—The term 'court of appeals' means—

"(A) the United States court of appeals for the judicial district in which a defendant is being prosecuted; or

"(B) for a prosecution in the Superior Court of the District of Columbia, the District of Columbia Court of Appeals.

"(2) CRIME VICTIM.—

"(A) IN GENERAL.—The term";

(B) by striking "In the case" and inserting the following:

"(B) MINORS AND CERTAIN OTHER VICTIMS.—In the case"; and

(C) by adding at the end the following:

"(3) DISTRICT COURT; COURT.—The terms 'district court' and 'court' include the Superior Court of the District of Columbia."

(b) CRIME VICTIMS FUND.—Section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is amended—

(1) by inserting "(A)" before "Of the sums"; and

(2) by adding at the end the following:

"(B) Amounts made available under subparagraph (A) may not be used for any purpose that is not specified in subparagraph (A)."

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS FOR CRIME VICTIMS.

(a) CRIME VICTIMS LEGAL ASSISTANCE GRANTS.—Section 103(b) of the Justice for All Act of 2004 (Public Law 108-405; 118 Stat. 2264) is amended—

(1) in paragraph (1), by striking "\$2,000,000" and all that follows through "2009" and inserting "\$5,000,000 for each of fiscal years 2014, 2015, 2016, 2017, and 2018";

(2) in paragraph (2), by striking "\$2,000,000" and all that follows through "2009," and inserting "\$5,000,000 for each of fiscal years 2014, 2015, 2016, 2017, and 2018";

(3) in paragraph (3), by striking "\$300,000" and all that follows through "2009," and inserting "\$500,000 for each of fiscal years 2014, 2015, 2016, 2017, and 2018";

(4) in paragraph (4), by striking "\$7,000,000" and all that follows through "2009," and inserting "\$11,000,000 for each of fiscal years 2014, 2015, 2016, 2017, and 2018"; and

(5) in paragraph (5), by striking "\$5,000,000" and all that follows through "2009," and inserting "\$7,000,000 for each of fiscal years 2014, 2015, 2016, 2017, and 2018".

(b) CRIME VICTIMS NOTIFICATION GRANTS.—Section 1404E(c) of the Victims of Crime Act of 1984 (42 U.S.C. 10603e(c)) is amended by striking "this section—" and all that follows and inserting "this section \$5,000,000 for each of fiscal years 2014, 2015, 2016, 2017, and 2018.".

SEC. 4. DEBBIE SMITH DNA BACKLOG GRANT PROGRAM.

Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended by striking "fiscal years 2009 through 2014" and inserting "fiscal years 2014 through 2018".

SEC. 5. RAPE EXAM PAYMENTS.

Section 2010(d)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-4(d)(2)) is amended by striking "enactment of this Act" and inserting "enactment of the Violence Against Women Reauthorization Act of 2013".

SEC. 6. ADDITIONAL REAUTHORIZATIONS.

(a) DNA TRAINING AND EDUCATION FOR LAW ENFORCEMENT.—Section 303(b) of the Justice for All Act of 2004 (42 U.S.C. 14136(b)) is amended by striking "\$12,500,000 for each of fiscal years 2009 through 2014" and inserting "\$5,000,000 for each of fiscal years 2014 through 2018".

(b) SEXUAL ASSAULT FORENSIC EXAM PROGRAM GRANTS.—Section 304(c) of the Justice for All Act of 2004 (42 U.S.C. 14136a(c)) is amended by striking "\$30,000,000 for each of 2014 through 2018" and inserting "\$15,000,000 for each of fiscal years 2014 through 2018".

(c) DNA RESEARCH AND DEVELOPMENT.—Section 305(c) of the Justice for All Act of 2004 (42 U.S.C. 14136b(c)) is amended by striking "\$15,000,000 for each of fiscal years 2005 through 2009" and inserting "\$5,000,000 for each of fiscal years 2014 through 2018".

(d) FBI DNA PROGRAMS.—Section 307(a) of the Justice for All Act of 2004 (Public Law 108-405; 118 Stat. 2275) is amended by striking "\$42,100,000 for each of fiscal years 2005 through 2009" and inserting "\$10,000,000 for each of fiscal years 2014 through 2018".

(e) DNA IDENTIFICATION OF MISSING PERSONS.—Section 308(c) of the Justice for All Act of 2004 (42 U.S.C. 14136d(c)) is amended by striking "fiscal years 2005 through 2009" and inserting "fiscal years 2014 through 2018".

SEC. 7. PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT GRANTS.

Section 1001(a)(24) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(24)) is amended—

(1) in subparagraph (H), by striking “and” at the end;

(2) in subparagraph (I), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(J) \$25,000,000 for each of fiscal years 2014 through 2018.”

SEC. 8. IMPROVING THE QUALITY OF REPRESENTATION IN STATE CAPITAL CASES.

Section 426 of the Justice for All Act of 2004 (42 U.S.C. 14163e) is amended—

(1) in subsection (a), by striking “\$75,000,000 for each of fiscal years 2005 through 2009” and inserting “\$30,000,000 for each of fiscal years 2014 through 2018”; and

(2) in subsection (b), by inserting before the period at the end the following: “, or upon a showing of good cause, and at the discretion of the Attorney General, the State may determine a fair allocation of funds across the uses described in sections 421 and 422”.

SEC. 9. POST-CONVICTION DNA TESTING.

(a) IN GENERAL.—Section 3600 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B)(i), by striking “death”; and

(B) in paragraph (3)(A), by striking “and the applicant did not—” and all that follows through “knowingly fail to request” and inserting “and the applicant did not knowingly fail to request”; and

(2) in subsection (g)(2)(B), by striking “death”.

(b) PRESERVATION OF BIOLOGICAL EVIDENCE.—Section 3600A(c) of title 18, United States Code, is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

SEC. 10. INCENTIVE GRANTS TO STATES TO ENSURE CONSIDERATION OF CLAIMS OF ACTUAL INNOCENCE.

(a) IN GENERAL.—Section 413 of the Justice for All Act of 2004 (42 U.S.C. 14136 note) is amended—

(1) in the matter preceding paragraph (1), by striking “fiscal years 2005 through 2009” and inserting “fiscal years 2014 through 2018”; and

(2) by striking paragraph (2) and inserting the following:

“(2) for eligible entities that are a State or unit of local government, provide a certification by the chief legal officer of the State in which the eligible entity operates or the chief legal officer of the jurisdiction in which the funds will be used for the purposes of the grants, that the State or jurisdiction—

“(A) provides DNA testing of specified evidence under a State statute or a State or local rule or regulation to persons convicted after trial and under a sentence of imprisonment or death for a State felony offense, in a manner intended to ensure a reasonable process for resolving claims of actual innocence that ensures post-conviction DNA testing in at least those cases that would be covered by section 3600(a) of title 18, United States Code, had they been Federal cases, and, if the results of the testing exclude the applicant as the perpetrator of the offense, permits the applicant to apply for post-conviction relief, notwithstanding any provision of law that would otherwise bar the application as untimely; and

“(B) preserves biological evidence, as defined in section 3600A of title 18, United States Code, under a State statute or a State or local rule, regulation, or practice in a manner intended to ensure that reasonable measures are taken by the State or jurisdiction to preserve biological evidence secured in relation to the investigation or prosecution of, at a minimum, murder, non-negligent manslaughter and sexual offenses.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 412(b) of the Justice for All Act of 2004 (42 U.S.C. 14136e(b)) is amended by striking “\$5,000,000 for each of fiscal years 2005 through 2009” and inserting “\$10,000,000 for each of fiscal years 2014 through 2018”.

SEC. 11. ESTABLISHMENT OF BEST PRACTICES FOR EVIDENCE RETENTION.

(a) IN GENERAL.—Subtitle A of title IV of the Justice for All Act of 2004 (Public Law 108-405; 118 Stat. 2278) is amended by adding at the end the following:

“SEC. 414. ESTABLISHMENT OF BEST PRACTICES FOR EVIDENCE RETENTION.

“(a) IN GENERAL.—The Director of the National Institute of Justice, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall—

“(1) establish best practices for evidence retention to focus on the preservation of biological evidence; and

“(2) assist State, local, and tribal governments in adopting and implementing the best practices established under paragraph (1).

“(b) DEADLINE.—Not later than 1 year after the date of enactment of this section, the Director of the National Institute of Justice shall publish the best practices established under subsection (a)(1).

“(c) LIMITATION.—Nothing in this section shall be construed to require or obligate compliance with the best practices established under subsection (a)(1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Justice for All Act of 2004 (Public Law 108-405; 118 Stat. 2260) is amended by inserting after the item relating to section 413 the following:

“Sec. 414. Establishment of best practices for evidence retention.”.

SEC. 12. EFFECTIVE ADMINISTRATION OF CRIMINAL JUSTICE.

(a) SHORT TITLE.—This section may be cited as the “Effective Administration of Criminal Justice Act of 2013”.

(b) STRATEGIC PLANNING.—Section 502 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3752) is amended—

(1) by inserting “(a) IN GENERAL.—” before “To request a grant”; and

(2) by adding at the end the following:

“(6) A comprehensive State-wide plan detailing how grants received under this section will be used to improve the administration of the criminal justice system, which shall—

“(A) be designed in consultation with local governments, and all segments of the criminal justice system, including judges, prosecutors, law enforcement personnel, corrections personnel, and providers of indigent defense services, victim services, juvenile justice delinquency prevention programs, community corrections, and reentry services;

“(B) include a description of how the State will allocate funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

“(C) describe the process used by the State for gathering evidence-based data and devel-

oping and using evidence-based and evidence-gathering approaches in support of funding decisions; and

“(D) be updated every 5 years, with annual progress reports that—

“(i) address changing circumstances in the State, if any;

“(ii) describe how the State plans to adjust funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

“(iii) provide an ongoing assessment of need;

“(iv) discuss the accomplishment of goals identified in any plan previously prepared under this paragraph; and

“(v) reflect how the plan influenced funding decisions in the previous year.

“(b) TECHNICAL ASSISTANCE.—

“(1) STRATEGIC PLANNING.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments requesting support to develop and implement the strategic plan required under subsection (a)(6).

“(2) PROTECTION OF CONSTITUTIONAL RIGHTS.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments, including any agent thereof with responsibility for administration of justice, requesting support to meet the obligations established by the Sixth Amendment to the Constitution of the United States, which shall include—

“(A) public dissemination of practices, structures, or models for the administration of justice consistent with the requirements of the Sixth Amendment; and

“(B) assistance with adopting and implementing a system for the administration of justice consistent with the requirements of the Sixth Amendment.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out this subsection.”.

(c) APPLICABILITY.—The requirement to submit a strategic plan under section 501(a)(6) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by subsection (b), shall apply to any application submitted under such section 501 for a grant for any fiscal year beginning after the date that is 1 year after the date of enactment of this Act.

SEC. 13. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this Act shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2014, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

By Mr. SANDERS (for himself and Mr. BURR):

S. 825. A bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SANDERS. Mr. President, as Chairman of the Senate Committee on Veterans' Affairs, I rise to introduce the Homeless Veterans Prevention Act of 2013. I would like to thank Ranking Member BURR for joining me to introduce this bill. At a time when too many veterans are sleeping in the streets, in cars, and on couches, the Department of Veterans Affairs has taken on an aggressive initiative to end homelessness among veterans by 2015.

This high level commitment has led to a 17 percent decrease in the homeless veteran population between 2009 and 2012. These declining numbers are a reflection of the combined efforts of VA and its Federal, State, local, tribal, and community partners as they work to eliminate veteran homelessness by 2015. However on one night in January 2012, an estimated 62,000 veterans were still without a place to call home. We must continue to work toward removing any remaining barriers to housing for veterans.

The legislation we are introducing today would reaffirm this commitment by improving upon VA's programs to prevent and end homelessness among veterans. VA's transitional housing programs for homeless veterans must modernize to ensure that they are meeting the needs of the homeless veterans they are serving. With increasing numbers of women joining the military and eventually becoming veterans, VA is facing a growing homeless women veteran population. Many of these women are single mothers or have experienced military sexual trauma, making their housing needs even more complex.

The Government Accountability Office and VA's Office of the Inspector General both found that homeless women veterans were not able to safely access services through VA's transitional housing programs. The Homeless Veterans Prevention Act of 2013 would remove these barriers by requiring grantees to ensure that facilities can safely serve the needs of the populations that will be living there. It also would allow VA to reimburse grantees for housing the children of homeless veterans, keeping families together and encouraging parents to come forth and be housed without having to worry about splitting their families up.

As VA focuses on resolving homelessness, instead of just managing it, housing stability is increasingly a focus. This bill also modifies the transitional housing program to allow VA to incentivize grantees to avoid the challenges that veterans completing time-limited transitional housing programs can face as they search for permanent housing. More specifically, this bill allows VA to focus on housing stability by allowing certain transitional housing grantees to turn a portion of their transitional housing units into permanent housing units as veterans are stabilized and linked to support services.

Access to stable and safe housing is a priority, but it is also critical to find ways to prevent homelessness among veterans who are at-risk of becoming homeless. This bill would also increase access to legal services and dental care for our veterans, two things that homeless veterans themselves have identified as unmet needs. Access to these services would greatly increase their chances of finding gainful employment, avoid foreclosure or eviction, obtain identification, and deal with legal issues that have resulted from the criminalization of homelessness, among other things.

Veterans have a number of services and resources available to meet their needs. At its very simplest, homelessness among veterans is preventable when all of these programs work together to lift a veteran up. Conversely, homelessness occurs when a veteran slips through the cracks. We cannot sit by idly and allow another veteran to slip through the cracks. We must reach out and let them know when, where and how to get the help that they need and that they have earned.

This is not a full summary of all the provisions within this legislation. However, I hope that I have provided an appropriate overview of the major benefits this legislation would provide.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Homeless Veterans Prevention Act of 2013”.

SEC. 2. IMPROVEMENTS TO GRANT PROGRAM FOR COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.

(a) MODIFICATION OF AUTHORITY TO PROVIDE CAPITAL IMPROVEMENT GRANTS FOR PROGRAMS THAT ASSIST HOMELESS VETERANS.—Subsection (a) of section 2011 of title 38, United States Code, is amended, in the matter before paragraph (1)—

(1) by striking “or modifying” and inserting “, modifying, or maintaining”; and

(2) by inserting “privately, safely, and securely,” before “the following”.

(b) REQUIREMENT THAT RECIPIENTS OF GRANTS MEET PHYSICAL PRIVACY, SAFETY, AND SECURITY NEEDS OF HOMELESS VETERANS.—Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(6) To meet the physical privacy, safety, and security needs of homeless veterans receiving services through the project.”.

SEC. 3. INCREASED PER DIEM PAYMENTS FOR TRANSITIONAL HOUSING ASSISTANCE THAT BECOMES PERMANENT HOUSING FOR HOMELESS VETERANS.

Section 2012(a)(2) of title 38, United States Code, is amended—

(1) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(2) in subparagraph (C), as redesignated, by striking “in subparagraph (D)” and inserting “in subparagraph (E)”;

(3) in subparagraph (D), as redesignated, by striking “under subparagraph (B)” and inserting “under subparagraph (C)”;

(4) in subparagraph (E), as redesignated, by striking “in subparagraphs (B) and (C)” and inserting “in subparagraphs (C) and (D)”;

and

(5) in subparagraph (A)—

(A) by striking “The rate” and inserting “Except as otherwise provided in subparagraph (B), the rate”; and

(B) by striking “under subparagraph (B)” and all that follows through the end and inserting the following: “under subparagraph (C).”

“(B)(i) Except as provided in clause (ii), in no case may the rate determined under this paragraph exceed the rate authorized for State homes for domiciliary care under subsection (a)(1)(A) of section 1741 of this title, as the Secretary may increase from time to time under subsection (c) of that section.

“(ii) In the case of services furnished to a homeless veteran who is placed in housing that will become permanent housing for the veteran upon termination of the furnishing of such services to such veteran, the maximum rate of per diem authorized under this section is 150 percent of the rate described in clause (i).”.

SEC. 4. AUTHORIZATION OF PER DIEM PAYMENTS FOR FURNISHING CARE TO DEPENDENTS OF CERTAIN HOMELESS VETERANS.

Subsection (a) of section 2012 of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) Services for which a recipient of a grant under section 2011 of this title (or an entity described in paragraph (1)) may receive per diem payments under this sub-

section may include furnishing care for a dependent of a homeless veteran who is under the care of such homeless veteran while such homeless veteran receives services from the grant recipient (or entity).”.

SEC. 5. REQUIREMENT FOR DEPARTMENT OF VETERANS AFFAIRS TO ASSESS COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall assess and measure the capacity of programs for which entities receive grants under section 2011 of title 38, United States Code, or per diem payments under section 2012 or 2061 of such title.

(b) ASSESSMENT AT NATIONAL AND LOCAL LEVELS.—In assessing and measuring under subsection (a), the Secretary shall develop and use tools to examine the capacity of programs described in such subsection at both the national and local level in order to assess the following:

(1) Whether sufficient capacity exists to meet the needs of homeless veterans in each geographic area.

(2) Whether existing capacity meets the needs of the subpopulations of homeless veterans located in each geographic area.

(3) The amount of capacity that recipients of grants under sections 2011 and 2061 and per diem payments under section 2012 of such title have to provide services for which the recipients are eligible to receive per diem under section 2012(a)(2)(B)(ii) of title 38, United States Code, as added by section 3(5)(B).

(c) USE OF INFORMATION.—The Secretary shall use the information collected under this section as follows:

(1) To set specific goals to ensure that programs described in subsection (a) are effectively serving the needs of homeless veterans.

(2) To assess whether programs described in subsection (a) are meeting goals set under paragraph (1).

(3) To inform funding allocations for programs described in subsection (a).

(4) To improve the referral of homeless veterans to programs described in subsection (a).

(d) REPORT.—Not later than 180 days after the date on which the assessment required by subsection (b) is completed, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on such assessment and such recommendations for legislative and administrative action as the Secretary may have to improve the programs and per diem payments described in subsection (a).

SEC. 6. REPEAL OF REQUIREMENT FOR ANNUAL REPORTS ON ASSISTANCE TO HOMELESS VETERANS.

(a) IN GENERAL.—Section 2065 of title 38, United States Code, is hereby repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by striking the item relating to section 2065.

SEC. 7. REPEAL OF SUNSET ON AUTHORITY TO CARRY OUT PROGRAM OF REFERRAL AND COUNSELING SERVICES FOR VETERANS AT RISK OF HOMELESSNESS WHO ARE TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023 of title 38, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 8. PARTNERSHIPS WITH PUBLIC AND PRIVATE ENTITIES TO PROVIDE LEGAL SERVICES TO HOMELESS VETERANS AND VETERANS AT RISK OF HOMELESSNESS.

(a) IN GENERAL.—Chapter 20 of title 38, United States Code, is amended by inserting after section 2022 the following new section:

“§2022A. Partnerships with public and private entities to provide legal services to homeless veterans and veterans at risk of homelessness

“(a) PARTNERSHIPS AUTHORIZED.—Subject to the availability of funds for that purpose, the Secretary may enter into partnerships with public or private entities to fund a portion of the general legal services specified in subsection (c) that are provided by such entities to homeless veterans and veterans at risk of homelessness.

“(b) LOCATIONS.—The Secretary shall ensure that, to the extent practicable, partnerships under this section are made with entities equitably distributed across the geographic regions of the United States, including rural communities and tribal lands.

“(c) LEGAL SERVICES.—Legal services specified in this subsection include legal services provided by public or private entities that address the needs of homeless veterans and veterans at risk of homelessness as follows:

“(1) Legal services related to housing, including eviction defense and representation in landlord-tenant cases.

“(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, and estate planning.

“(3) Legal services related to income support, including assistance in obtaining public benefits.

“(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

“(d) CONSULTATION.—In developing and carrying out partnerships under this section, the Secretary shall, to the extent practicable, consult with public and private entities—

“(1) for assistance in identifying and contacting organizations described in subsection (c); and

“(2) to coordinate appropriate outreach relationships with such organizations.

“(e) REPORTS.—The Secretary may require entities that have entered into partnerships under this section to submit to the Secretary periodic reports on legal services provided to homeless veterans and veterans at risk of homelessness pursuant to such partnerships.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by adding after the item relating to section 2022 the following new item:

“2022A. Partnerships with public and private entities to provide legal services to homeless veterans and veterans at risk of homelessness.”.

SEC. 9. EXPANSION OF DEPARTMENT OF VETERANS AFFAIRS AUTHORITY TO PROVIDE DENTAL CARE TO HOMELESS VETERANS.

Subsection (b) of section 2062 of title 38, United States Code, is amended to read as follows:

“(b) ELIGIBLE VETERANS.—(1) Subsection (a) applies to a veteran who—

“(A) is enrolled for care under section 1705(a) of this title; and

“(B) for a period of 60 consecutive days, is receiving—

“(i) assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)); or

“(ii) care (directly or by contract) in any of the following settings:

“(I) A domiciliary under section 1710 of this title.

“(II) A therapeutic residence under section 2032 of this title.

“(III) Community residential care coordinated by the Secretary under section 1730 of this title.

“(IV) A setting for which the Secretary provides funds for a grant and per diem provider.

“(2) For purposes of paragraph (1), in determining whether a veteran has received assistance or care for a period of 60 consecutive days, the Secretary may disregard breaks in the continuity of assistance or care for which the veteran is not responsible.”.

SEC. 10. EXTENSIONS OF AUTHORITIES.

(a) COMPREHENSIVE SERVICE PROGRAMS.—Section 2013 of title 38, United States Code, is amended by striking paragraphs (4) through (6) and inserting the following:

“(4) \$250,000,000 for each of fiscal years 2012 through 2014.

“(5) \$150,000,000 for fiscal year 2015 and each subsequent fiscal year.”.

(b) HOMELESS VETERANS REINTEGRATION PROGRAMS.—Section 2021(e)(1)(F) of such title is amended by striking “2013” and inserting “2014”.

(c) TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2031(b) of such title is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(d) CENTERS FOR THE PROVISION OF COMPREHENSIVE SERVICES TO HOMELESS VETERANS.—Section 2033(d) of such title is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(e) HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 2041(c) of such title is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(f) FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.—

(1) IN GENERAL.—Paragraph (1) of section 2044(e) of such title is amended by adding at the end the following new subparagraph (F):

“(F) \$300,000,000 for fiscal year 2014.”.

(2) TRAINING ENTITIES FOR PROVISION OF SUPPORTIVE SERVICES.—Paragraph (3) of such section is amended by striking “2012” and inserting “2014”.

(g) GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.—Section 2061(d)(1) of such title is amended by striking “for each of” through “shall be available” and inserting “for each of fiscal years 2007 through 2014, \$5,000,000 shall be available”.

(h) TECHNICAL ASSISTANCE GRANTS FOR NONPROFIT COMMUNITY-BASED GROUPS.—Section 2064(b) of such title is amended by striking “2012” and inserting “2014”.

(i) ADVISORY COMMITTEE ON HOMELESS VETERANS.—Section 2066(d) of such title is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

By Mr. BROWN (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. BAUCUS, Mr. ROCKEFELLER, Mr. WYDEN, Ms. STABENOW, Mr. MENENDEZ, Mr. CARDIN, Mr. CASEY, Mrs. MURRAY, Mr. LAUTENBERG, Mrs. GILLIBRAND, Mr.

COWAN, Mr. WHITEHOUSE, Mr. REED, Ms. HIRONO, Mr. HARKIN, Mr. LEVIN, Mrs. BOXER, Mr. BLUMENTHAL, Mr. BEGICH, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BENNET, Ms. WARREN, Mr. JOHNSON of South Dakota, Mr. MERKLEY, and Mr. MURPHY):

S. 836. A bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit and make permanent certain tax provisions under the American Recovery and Reinvestment Act of 2009; to the Committee on Finance.

Mr. DURBIN. Mr. President, today, Senator BROWN and I are introducing important legislation to extend tax relief to working families: The Working Families Tax Relief Act of 2013.

This legislation will ensure that taxes do not increase on working families in the coming years, and will expand an effective incentive to work.

The Working Families Tax Relief Act of 2013 is pro-family, pro-work legislation that would permanently extend critical refundable tax credit provisions that have helped lift millions of working families out of poverty.

These provisions were only extended for 5 years in the American Taxpayer Relief Act, the same bill that permanently lowered the estate tax for the wealthiest Americans.

The Child Tax Credit, CTC, and the Earned Income Tax Credit, EITC, are refundable tax credits that encourage work, help families make ends meet, and lead to healthier and better educated children.

Both the Senate-passed budget and the President's FY 2014 budget request call for making these provisions permanent.

Consistent with the original goals for the EITC, the Working Families Tax Relief Act would help the only group that our Tax Code pushes into poverty: childless workers.

The EITC was designed to help childless workers offset their payroll tax liability. In reality, employees bear the burden of both the employee and employer portion of the payroll tax.

As a result, a typical single childless adult will begin to owe Federal income taxes in addition to payroll taxes when his or her income is still significantly below the poverty line. These changes will result in a full-time worker receiving the minimum wage to be eligible for the maximum earned income credit amount.

This may sound complicated, but these CTC and EITC provisions have real-world impacts.

An analysis of Census data showed that these CTC provisions lifted 900,000 people above the poverty line in 2011, using a poverty measure that counts not only cash income but also taxes and government benefits.

According to recent estimates, letting the expanded CTC expire will in-

crease taxes on 12 million families who will see the size of their CTC credit shrink, and 5 million families will no longer be eligible for the credit at all.

The EITC has long been one of the most effective anti-poverty measures in our toolkit. In 2011, according to the Internal Revenue Service, the EITC lifted 6.6 million Americans out of poverty, 3.3 million of whom were children.

In Illinois last year, 1 million taxpayers claimed the EITC and received an average credit of about \$2,300. That money isn't a hand-out, it is food on the table, school clothes for children and maybe a little bit left over to buy Christmas presents.

When Ronald Reagan signed the 1986 Tax Reform package, he had this to say about its provisions that expanded the EITC:

The Earned Income Tax Credit is the best anti-poverty, the best pro-family, the best job creation measure to come out of Congress.

I could not have said it better myself.

I thank Senator BROWN for his leadership on this, as a new member of the Finance Committee.

I look forward to working with him and many of my colleagues to ensure that these provisions are included in tax reform.

By Mr. HARKIN (for himself, Mr. LEAHY, Mr. BROWN, Mr. TESTER, Mr. CASEY, Ms. KLOBUCHAR, Mr. UDALL of New Mexico, Mr. MERKLEY, Mr. FRANKEN, and Mr. JOHNSON of South Dakota):

S. 837. A bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HARKIN. Mr. President, for many years we have witnessed with great regret the aging of America's farmers and ranchers and the decline in the number of agricultural operations in our country. Simply put, our nation will be stronger and better if more beginning farmers and ranchers are able to succeed those who inevitably retire and leave the business. We need new generations of farmers and ranchers to produce critical supplies of food, fuel, and fiber, to care for and conserve our soil, water, and other natural resources, and to contribute as members of healthy and vibrant rural communities. Many people across America yearn for an opportunity to get a start and build a successful agricultural operation, yet they face daunting challenges and obstacles.

The legislation we are introducing today will help families and individuals across our nation apply their talents, motivation, and dedication to start and continue farm and ranch operations and revitalize rural America. Beginning farmers and ranchers will benefit from practical assistance in this bill,

including effective training and mentoring, better access to and careful use of credit, enhanced support for conservation, and help in starting and succeeding in profitable enterprises such as value-added businesses.

We have previously adopted a number of successful initiatives to assist beginning farmers and ranchers, including in the 2002 and 2008 farm bills enacted when I was proud to serve as chairman of the Agriculture, Nutrition, and Forestry Committee. This bill will extend, build upon, and strengthen existing programs and initiatives and ensure their continued effectiveness and success.

A key feature of the Beginning Farmer and Rancher Opportunity Act of 2013 is to extend and strengthen the beginning farmer and rancher development program, which we enacted in 2008. In this program, USDA provides competitively-awarded grants to qualified organizations that deliver training and education for beginning farmers and ranchers. This new legislation makes it a new priority for USDA to issue grants to support agricultural rehabilitation and vocational training for military veterans and to deliver training and education to help veterans who are beginning farmers and ranchers. The bill also would extend and increase mandatory funding for this development program to \$20 million in each of fiscal years 2014 through 2018.

This legislation also strengthens in several ways the assistance USDA provides to enable beginning farmers and ranchers to assemble the financial resources they need to start and build a successful operation. It codifies in statute a microloan program in which young beginning farmers and ranchers who qualify could borrow up to \$35,000 for operating expenses at reduced interest rates and with simplified paperwork. Also included in this bill is mandatory funding at \$5 million a year to carry out the individual development accounts pilot program that was enacted in the 2008 farm bill. Grants under this pilot program would support State-level individual development account initiatives to help beginning farmers and ranchers build savings that can then be invested in their agricultural operations. Several other provisions of the bill update and improve the existing USDA programs to help beginning farmers and ranchers obtain loans for operating expenses, land purchases, and conservation practices.

To encourage and assist beginning farmers and ranchers in maintaining and adopting sound conservation practices, the bill extends and strengthens several initiatives enacted in previous farm bills. Of special importance, the bill expands the options and financial incentives for maintaining conservation on land that comes out of Conservation Reserve Program, CRP, contracts if it is leased or sold to begin-

ning farmers or ranchers. Beginning farmers and ranchers would also receive more help through the Farm and Ranch Land Protection Program, enhanced whole-farm conservation planning and technical assistance, and increased advanced conservation cost-share payments.

Other features of the bill will help beginning and socially disadvantaged farmers and ranchers better understand and utilize insurance programs and risk management systems. In order to help beginning farmers and ranchers build markets and increase income through adding value to their commodities, the bill enhances opportunities for beginning farmers and ranchers to receive USDA value-added producer grants and provides new, increased mandatory funding for such grants. It also creates a special USDA veterans agricultural liaison position to focus upon helping veterans understand and benefit from USDA programs, especially those for beginning farmers and ranchers.

In conclusion, I am proud of the initiatives we have previously enacted to help beginning farmers and ranchers create and pursue opportunities and realize their goals and dreams. By building on the success of the existing programs, this legislation will lend more help to beginning farmers and ranchers and in doing so strengthen American agriculture, our rural communities, and our nation as a whole. I am grateful to the cosponsors of this bill and urge all of my colleagues to support it.

By Mr. DURBIN:

S. 846. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I rise today to introduce the Family and Medical Leave Inclusion Act. This bill, which I have also introduced in the previous two Congresses, would extend the important protections of the Family and Medical Leave Act to grandparents, grandchildren, siblings, adult children, and same-sex spouses and domestic partners throughout America.

I am pleased to introduce this bill with a coalition of Senators who are committed to ensuring justice and equality for all Americans. I would like to thank Senators LEAHY, WHITEHOUSE, SANDERS, MURRAY, COONS, GILLIBRAND, LAUTENBERG, and BLUMENTHAL for standing with me in support of the Family and Medical Leave Inclusion Act.

In 1993, Congress passed the Family and Medical Leave Act to, among other things, protect American workers facing either a personal health crisis, or that of a close family member.

People in the workforce who suffer a serious illness or significant injury should be able to take time to heal, recover, and follow their doctors' orders, without the added stress of worrying about their job status. They should be able to return to their workplaces strong, healthy, and ready to be productive again. Thanks to the FMLA, they can take the needed time knowing that their jobs will be there when they recover.

Most employees, however, are not solely concerned about their own health and wellbeing. They are also concerned about the health and wellbeing of those they love. The FMLA gave workers with a child, parent, or spouse that was sick or injured, an opportunity to provide the needed care and support, knowing that their jobs would still be there when they returned.

When it was passed, the FMLA was an important and historic expansion of our nation's laws. Unfortunately, as families have evolved and expanded, we've learned that the FMLA does not adequately nor equally protect all American families. Under current law, it is impossible for many employees to be with their loved ones during times of medical need.

As I stated when I first introduced this bill, Congress followed the lead of many large and small businesses when it enacted the FMLA. Twenty years ago, many of these businesses had already recognized and addressed the need for employees to take time off to care for themselves or a loved one that was battling a serious health condition. These companies had put in place systems that gave their employees time to heal themselves or their family members, and ensured that those employees would return to work as soon as they could.

The FMLA took the model these companies provided and brought the majority of the American workforce under the same protections.

We once again have an opportunity to learn from the best practices of American businesses who have adjusted their personnel policies and benefit packages to better meet the needs of American families, as we find them today. These businesses have assessed the composition of their workforces and realized that, in order to meet the evolving needs of their employees and enhance productivity, they needed to go one step further than the protections provided by the FMLA.

It's time that we do the same here in Congress, and recognize in law that a healthy workforce, regardless of sexual orientation, is a critical component of a healthy, modern, and efficient national economy. The Human Rights Campaign, a leading civil rights organization that strongly supports the Family and Medical Leave Inclusion Act, reports that at least 580 major

American corporations, 17 States, and the District of Columbia now extend FMLA benefits to include leave on behalf of same-sex partners and spouses. Moreover, as of January 1st of this year, 47% of Fortune 500 companies provided health benefits to same-sex partners.

When the FMLA was signed into law, it was narrowly tailored to cover individuals caring for a very close family member. The law sought to cover that inner circle of people, where the family member assuming the caretaker role would be one of very few, if not the only person, who could do so. That idea has not changed.

What has changed are the people who might be in that inner circle. The nuclear American family has grown, sometimes by design, and sometimes by necessity. More and more, that inner circle of close family might include a grandparent or grandchild, siblings, or same-sex domestic partners in loving and committed relationships.

As the law stands right now, too many of these people are excluded from the protections of the FMLA.

In these tough economic times, when unemployment is high and those with jobs are doing everything they can to keep them, we all know the value of job security. Hardworking Americans should not have to make the impossible choice between keeping their jobs and providing care and support for loved ones in their time of need. Twenty years ago, the FMLA ensured that millions of Americans did not have to make that choice. Now, the time has come to bring this protection into the 21st century and ensure that the security afforded by the FMLA is available to a broader range of American workers.

There are many who would understandably question what this kind of change in the law would cost the business community. Ensuring that workers can take the time they need to recover from a health emergency not only benefits an individual family, it benefits the community where the family lives and the businesses for which the family members work.

As I have stated in the past, the FMLA is already a very good law; it is already in place and it is working. It provides for unpaid leave when the need arises, and it only applies to businesses that have enough employees on hand to handle the absence of a single worker without too great a burden.

Ninety percent of the leave time that has been taken under the FMLA has been so that employees can care for themselves or for a child in their care, and those situations are already covered under the law as it stands. What the Family and Medical Leave Inclusion Act would do is provide a little more flexibility, and recognize that there are a few more people in that inner circle of family who we might call upon, or who might call upon us.

We can all agree that family is the first and best safety net in times of personal crisis. Families need to be given the realistic ability to provide that assistance. What the Family and Medical Leave Inclusion Act does is give those family members the ability to help their loved ones in ways that only they can, without fear of losing their jobs in the process.

The Family and Medical Leave Inclusion Act enhances the FMLA. Like the FMLA when it was passed two decades ago, the Family and Medical Leave Inclusion Act is long overdue. Our legislation contains reasonable changes that reflect what many of our nation's most successful businesses have already done and it accurately represents the modern American family.

The Family and Medical Leave Inclusion Act is supported by over 80 organizations from the business, civil rights, LGBT, and labor communities, including: the National Association of Working Women; AFSCME; American Academy of Pediatrics ACLU; Families USA; Gay and Lesbian Advocates and Defenders, GLAD; Human Rights Campaign; People for the American Way; SEIU and; The Leadership Conference on Civil and Human Rights.

The Family and Medical Leave Inclusion Act is the right thing to do, and I hope we can join together and pass it on a bipartisan basis.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Family and Medical Leave Inclusion Act".

SEC. 2. LEAVE TO CARE FOR A SAME-SEX SPOUSE, DOMESTIC PARTNER, PARENT-IN-LAW, ADULT CHILD, SIBLING, GRANDCHILD, OR GRANDPARENT.

(a) DEFINITIONS.—

(1) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 101(12) of such Act (29 U.S.C. 2611(12)) is amended—

(A) by inserting "a child of an individual's domestic partner," after "a legal ward,"; and

(B) by striking "who is—" and all that follows and inserting "and includes an adult child.".

(2) INCLUSION OF GRANDCHILDREN, GRANDPARENTS, PARENTS-IN-LAW, SIBLINGS, AND DOMESTIC PARTNERS.—Section 101 of such Act (29 U.S.C. 2611) is further amended by adding at the end the following:

"(20) DOMESTIC PARTNER.—The term 'domestic partner', used with respect to an employee, means—

"(A) the person recognized as the domestic partner of the employee under any domestic partner registry or civil union law of the State or political subdivision of a State where the employee resides, or the person who is lawfully married to the employee under the law of the State where the employee resides and who is the same sex as the employee; or

"(B) in the case of an unmarried employee who lives in a State where a person cannot marry a person of the same sex under the laws of the State, a single, unmarried adult person of the same sex as the employee who is in a committed, personal (as defined in regulations issued by the Secretary) relationship with the employee, who is not a domestic partner to any other person, and who is designated to the employer by such employee as that employee's domestic partner.

"(21) GRANDCHILD.—The term 'grandchild', used with respect to an employee, means any person who is a son or daughter of a son or daughter of the employee.

"(22) GRANDPARENT.—The term 'grandparent', used with respect to an employee, means a parent of a parent of the employee.

"(23) PARENT-IN-LAW.—The term 'parent-in-law', used with respect to an employee, means a parent of the spouse or domestic partner of the employee.

"(24) SIBLING.—The term 'sibling', used with respect to an employee, means any person who is a son or daughter of the employee's parent.

"(25) SON-IN-LAW OR DAUGHTER-IN-LAW.—The term 'son-in-law or daughter-in-law', used with respect to an employee, means any person who is a spouse or domestic partner of a son or daughter of the employee."

(b) LEAVE REQUIREMENT.—Section 102 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking "spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent" and inserting "spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandparent, or sibling"; and

(B) in subparagraph (E), by striking "spouse, or a son, daughter, or parent" and inserting "spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling";

(2) in subsection (a)(3), by striking "spouse, son, daughter, parent," and inserting "spouse or domestic partner, son, daughter, parent, son-in-law or daughter-in-law, grandparent, sibling,";

(3) in subsection (e)—

(A) in paragraph (2)(A), by striking "spouse, parent," and inserting "spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, sibling,"; and

(B) in paragraph (3), by striking "spouse, or a son, daughter, or parent," and inserting "spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling,"; and

(4) in subsection (f)—

(A) in paragraph (1), by striking "a husband and wife" and inserting "2 spouses or 2 domestic partners"; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "that husband and wife" and inserting "those spouses or those domestic partners"; and

(ii) in subparagraph (B), by striking "the husband and wife" and inserting "those spouses or those domestic partners".

(c) CERTIFICATION.—Section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) is amended—

(1) in subsection (a), by striking "spouse, or parent" and inserting "spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, or sibling"; and

(2) in subsection (b)—

(A) in paragraph (4)(A), by striking "spouse, or parent and an estimate of the

amount of time that such employee is needed to care for the son, daughter, spouse, or parent" and inserting "spouse, domestic partner, parent, parent-in-law, grandparent, or sibling and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, domestic partner, parent, parent-in-law, grandparent, or sibling"; and

(B) in paragraph (7), by striking "parent, or spouse" and inserting "spouse, domestic partner, parent, parent-in-law, grandparent, or sibling";

(d) EMPLOYMENT AND BENEFITS PROTECTION.—Section 104(c)(3) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2614(c)(3)) is amended—

(1) in subparagraph (A)(i), by striking "spouse, or parent" and inserting "spouse, domestic partner, parent, parent-in-law, grandparent, or sibling"; and

(2) in subparagraph (C)(ii), by striking "spouse, or parent" and inserting "spouse, domestic partner, parent, parent-in-law, grandparent, or sibling".

SEC. 3. FEDERAL EMPLOYEES.

(a) DEFINITIONS.—

(1) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 6381(6) of title 5, United States Code, is amended—

(A) by inserting "a child of an individual's domestic partner," after "a legal ward,"; and

(B) by striking "who is—" and all that follows and inserting "and includes an adult child.".

(2) INCLUSION OF GRANDCHILDREN, GRANDPARENTS, PARENTS-IN-LAW, SIBLINGS, AND DOMESTIC PARTNERS.—Section 6381 of such title is further amended—

(A) in paragraph (11)(B), by striking "and" and inserting a semicolon;

(B) in paragraph (12), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

"(13) the term 'domestic partner', used with respect to an employee, means—

"(A) the person recognized as the domestic partner of the employee under any domestic partner registry or civil union law of the State or political subdivision of a State where the employee resides, or the person who is lawfully married to the employee under the law of the State where the employee resides and who is the same sex as the employee; or

"(B) in the case of an unmarried employee who lives in a State where a person cannot marry a person of the same sex under the laws of the State, a single, unmarried adult person of the same sex as the employee who is in a committed, personal (as defined in regulations issued by the Office of Personnel Management) relationship with the employee, who is not a domestic partner to any other person, and who is designated to the employer by such employee as that employee's domestic partner;

"(14) the term 'grandchild', used with respect to an employee, means any person who is a son or daughter of a son or daughter of the employee;

"(15) the term 'grandparent', used with respect to an employee, means a parent of a parent of the employee;

"(16) the term 'parent-in-law', used with respect to an employee, means a parent of the spouse or domestic partner of the employee;

"(17) the term 'sibling', used with respect to an employee, means any person who is a son or daughter of the employee's parent; and

"(18) the term 'son-in-law or daughter-in-law', used with respect to an employee,

means any person who is a spouse or domestic partner of a son or daughter of the employee."

(b) LEAVE REQUIREMENT.—Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking "spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent" and inserting "spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandparent, or sibling, of the employee, if such spouse, domestic partner, son, daughter, parent, parent-in-law, grandparent, or sibling"; and

(B) in subparagraph (E), by striking "spouse, or a son, daughter, or parent" and inserting "spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling";

(2) in subsection (a)(3), by striking "spouse, son, daughter, parent," and inserting "spouse or domestic partner, son, daughter, parent, son-in-law or daughter-in-law, grandparent, sibling,"; and

(3) in subsection (e)—

(A) in paragraph (2)(A), by striking "spouse, parent" and inserting "spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, sibling"; and

(B) in paragraph (3), by striking "spouse, or a son, daughter, or parent," and inserting "spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling,".

(c) CERTIFICATION.—Section 6383 of title 5, United States Code, is amended—

(1) in subsection (a), by striking "spouse, or parent" and inserting "spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, or sibling"; and

(2) in subsection (b)(4)(A), by striking "spouse, or parent, and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, or parent" and inserting "spouse, domestic partner, parent, parent-in-law, grandparent, or sibling and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, domestic partner, parent, parent-in-law, grandparent, or sibling".

By Mr. REED (for himself and Mr. GRASSLEY):

S. 848. A bill to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing the PCAOB Enforcement Transparency Act of 2013 along with my colleague Senator GRASSLEY. This bill will allow the Public Company Accounting Oversight Board, PCAOB, to make public disciplinary proceedings it has brought against auditors and audit firms earlier in the process.

Slightly over 10 years ago, our markets fell victim to a series of massive financial reporting frauds, including those involving Enron and WorldCom. Public companies had produced fraudulent and materially misleading financial statements, which artificially drove their stock prices up and misrepresented their overall profitability. Once the fraud was discovered, investor

confidence plummeted, as did the markets themselves. We all took a step back after this crisis and asked ourselves how such massive financial fraud in public reporting companies could have gone undetected for so long.

The Senate Committee on Banking, Housing, and Urban Affairs conducted a series of hearings on issues that were raised by the revelations raised by fraud at Enron and other public companies. The hearings produced consensus on a number of underlying causes, including weak corporate governance, a lack of accountability, and inadequate oversight of accountants charged with auditing a public company's financial statements.

In order to address the gaps and structural weaknesses revealed by the investigation and hearings, the Senate passed the Sarbanes-Oxley Act of 2002 in a 99 to 0 vote.

The Sarbanes-Oxley Act ensured that corporate officers were directly accountable for their financial reporting and for the quality of their financial statements. The law also created a strong, independent board to oversee the conduct of the auditors of public companies, the Public Company Accounting Oversight Board.

The PCAOB is responsible for overseeing auditors of public companies in order to protect investors who rely on independent audit reports on the financial statements of public companies. The Board operates under the oversight of the U.S. Securities and Exchange Commission (SEC).

The PCAOB oversees more than 2,400 registered auditing firms, as well as the thousands of audit partners and staff who contribute to a firm's work on each audit. The Board's ability to commence proceedings to determine whether there have been violations of its auditing standards or rules of professional practice is an important component of its oversight.

However, unlike other oversight bodies, such as the SEC, the U.S. Department of Labor, the Federal Deposit Insurance Corporation, the U.S. Commodity Futures Trading Commission, the Financial Industry Regulatory Authority, and others, the Board's disciplinary proceedings are not allowed to be public unless the parties consent. Of course, parties subject to disciplinary proceedings have no incentive to consent to publicizing their alleged wrongdoing and thus these proceedings remain cloaked behind a veil of secrecy. In addition, the Board's decisions in disciplinary proceedings are not allowed to be publicized until after the complete exhaustion of an appeals process, which can often take several years.

The PCAOB's nonpublic disciplinary proceedings create a lack of transparency that invites abuse and undermines the Congressional intent behind the establishment of the PCAOB, which

was to shine a bright light on auditing firms and practices, and to bolster the accountability of auditors of public companies to the investing public.

Over the last several years, bad actors have taken advantage of the lack of transparency by using it to shield themselves from public scrutiny and accountability. PCAOB Chairman James Doty has repeatedly stated in testimony provided to both the Senate and House of Representatives over the past two years that the secrecy of the proceedings “has a variety of unfortunate consequences” and that such secrecy is harmful to investors, the auditing profession, and the public at large.

In one example, an accounting firm that was subject to a disciplinary proceeding continued to issue no fewer than 29 additional audit reports on public companies without any of those companies knowing about the PCAOB disciplinary proceedings. In other words, investors and the public company clients of that audit firm were deprived of relevant and material information about the proceedings against the firm and the substance of any violations.

There are several reasons why the Board’s enforcement proceedings should be open and transparent. First, as I have already noted, the closed proceedings run counter to the public proceedings of other government oversight bodies. Indeed, nearly all administrative proceedings brought by the SEC against those it regulates public companies, brokers, dealers, investment advisers, and others are open, public proceedings. The PCAOB’s secret proceedings are not only shielded from the public, but from Congress as well. How can the public and Congress properly evaluate the Board’s oversight of auditors and audit firms, and its enforcement program, when no one is entitled to know any of the details of these administrative proceedings, including whether a proceeding has even been initiated?

Second, the incentive to litigate cases in order to continue to shield conduct from the public as long as possible frustrates the process and requires the expenditure of needless resources by both litigants and the PCAOB.

Third, agencies such as the SEC have observed the benefits of open and transparent disciplinary proceedings, which include the benefit of informing peer audit firms of the type of activity that may give rise to enforcement action by the regulator. In effect, transparency of proceedings can serve as a deterrent to misconduct because of a perceived increase in the likelihood of “getting caught.” Accordingly, the audit industry as a whole would also benefit from timely, public, and non-secret enforcement proceedings.

Our bill will make hearings by the PCAOB, and all related notices, orders,

and motions, transparent and available to the public unless otherwise ordered by the Board. This would make the PCAOB’s procedures similar to those of the SEC for analogous matters.

Increasing the transparency and accountability of audit firms subject to disciplinary proceedings instituted by the PCAOB is a critical component of efforts to bolster and maintain investor confidence in our financial markets, and should better protect companies as well from problematic auditors.

I hope our colleagues will join Senator GRASSLEY and me in taking the legislative steps necessary to enhance transparency in the PCAOB’s enforcement process.

By Mr. SANDERS:

S. 851. A bill to amend title 38, United States Code, to extend to all veterans with a serious service-connected injury eligibility to participate in the family caregiver services program; to the Committee on Veterans’ Affairs.

Mr. SANDERS. Mr. President, as Chairman of the Senate Committee on Veterans’ Affairs, I am proud to introduce the Caregivers Expansion and Improvement Act of 2013, which will address the important needs of veterans’ caregivers.

For generations, as the men and women of our armed forces returned home with serious injuries sustained overseas, their wives, husbands, parents and other family members stepped in to care for them. These family members have often provided this care at significant personal sacrifice. These caregivers’ dedication to caring for the needs of their injured veterans has often resulted in lost professional opportunities and reduction in income.

Under the Caregivers and Veterans Omnibus Health Services Act of 2010, important services and benefits were made available to seriously injured post-9/11 veterans and their families. These changes improved the lives of caregivers by giving them the support they need which, in turn, improved the lives of veterans. These services and benefits for caregivers include a tax-free monthly stipend, travel expenses, health insurance, mental health services and counseling, caregiver training and respite care for caregivers of seriously injured post-9/11 veterans. However, these services were not made available to pre-9/11 veterans with equally serious injuries and whose caregivers were in equal need of support.

Many caregivers of pre-9/11 veterans have been caring for injured veterans for years with no support from the federal government. It is time to provide equal benefits to veterans and their family members from all eras. My legislation does just that.

I urge my colleagues to join me in supporting equal treatment of the care-

givers of our Nation’s veterans and co-sponsor my legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 851

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Caregivers Expansion and Improvement Act of 2013”.

SEC. 2. EXTENSION TO ALL VETERANS WITH A SERIOUS SERVICE-CONNECTED DISABILITY OF ELIGIBILITY FOR PARTICIPATION IN FAMILY CAREGIVER PROGRAM.

Section 1720G(a)(2)(B) of title 38, United States Code, is amended by striking “on or after September 11, 2001”.

By Mr. SANDERS:

S. 852. A bill to improve health care furnished by the Department of Veterans Affairs by increasing access to complementary and alternative medicine and other approaches to wellness and preventive care, and for other purposes; to the Committee on Veterans’ Affairs.

Mr. SANDERS. Mr. President, as Chairman of the Senate Committee on Veterans’ Affairs, I am proud to introduce the Veterans Health Promotion Act of 2013, which will address veterans’ health and wellness.

The most recent statistics show that VA is providing health care to over 6.5 million individual veterans each year, including over 674,000 veterans from the most recent wars in Iraq and Afghanistan. These veterans are enrolling in VA at a rate of 56 percent, higher than any other group of veterans from previous conflicts. These veterans are receiving some of the best health care this nation has to offer. They can access this care at medical centers, outpatient clinics, vet centers, mobile clinics and through telemedicine.

Despite this access to care, many veterans still struggle with their overall wellbeing. Therefore, it is not enough to treat veterans who are very sick. When we focus solely on disease and illness, we miss the broader goal of wellness. We must expand our understanding of the care options necessary to improve veterans’ lives. Therefore, I am introducing legislation which would do just that—expand veterans’ access a full spectrum of care including wellness and Complementary and Alternative Medicine—known as CAM.

VA has made significant strides in providing CAM at VA medical centers. As the name describes, CAM therapies can serve as a complement to traditional care or, for some veterans, as an alternative. There is a growing body of evidence to support the value of these therapies but greater understanding can be achieved through the expansion of these services to more veterans. The

legislation I am introducing today would do just that.

This expansion would occur through the Veterans Health Administration's Center of Innovation, which is developing, demonstrating and evaluating veteran-centered health care policies. To date, VA has established five such centers. My legislation would increase the number of these Centers of Innovation, establishing at least one in each of VA's 23 Veterans Integrated Service Networks. My legislation would create a total of fifteen pilot sites to provide CAM therapies to veterans throughout the nation. Five of the pilot sites would be located at VA's Polytrauma Centers, which care for veterans with the most complex injuries. The remaining ten would provide CAM therapies within primary care settings.

Additionally, my legislation would require VA to study barriers to providing and promoting preventive and holistic approaches to health care, including CAM and wellness, in the primary care setting. When we understand these barriers we can find a way to break them down, furthering opportunities to enhance the overall health and sense of wellbeing among veterans.

The legislation would also authorize grants to state and city agencies, and community-based nonprofit organizations to provide combat veterans and their family members access to wellness programs. By leveraging these outside organizations while improving their collaboration with VA, we can improve access to wellness programs without sacrificing VA's valuable model of care coordination.

An important component for maintaining a healthy lifestyle is physical activity. One of the best ways to improve the health of a population is to increase access to opportunities for physical activity. When coupled with a healthy diet, physical fitness can help promote weight loss and lower the risk of diabetes, heart attack and stroke. Therefore, my legislation would create a pilot program to provide fitness center memberships for overweight and obese veterans, in consultation with their VA health care provider. The pilot program would be over a 2-year period at 10 pilot sites. Additionally, the legislation would require VA to partner with fitness centers to improve access for veterans.

Finally, we must ensure CAM, wellness and fitness options are not only available to veterans, but are also utilized by veterans. Therefore, my legislation would require VA to study the barriers that exist across VHA in providing and promoting preventative and holistic approaches to health care, to include Complementary and Alternative Medicine and Wellness, in the primary care setting in order to enhance their overall health and sense of wellbeing among veterans.

I urge my colleagues to support this legislation and I look forward to work-

ing with them to continue to improve health care access for our veterans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 852

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Health Promotion Act of 2013".

SEC. 2. DESIGNATION AND OPERATION OF CENTERS OF INNOVATION FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE IN HEALTH CARE RESEARCH, EDUCATION, AND CLINICAL ACTIVITIES.

(a) DESIGNATION AND OPERATION OF CENTERS OF INNOVATION.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 7330B. Centers of innovation for complementary and alternative medicine in health care research, education, and clinical activities

"(a) DESIGNATION AND OPERATION.—The Secretary, acting through the Director of the Office of Patient Centered Care for Cultural Transformation, shall designate and operate at least one center of innovation for complementary and alternative medicine in health research, education, and clinical activities in each Veterans Integrated Service Network.

"(b) FUNCTIONS.—The functions of the centers of innovation designated and operated under subsection (a) are as follows:

"(1) To conduct research on the furnishing of complementary and alternative medicine in health care.

"(2) To develop specific models to be used by the Department in furnishing services to veterans consisting of complementary and alternative medicine.

"(3) To provide education and training for health care professionals of the Department on—

"(A) the furnishing of services consisting of complementary and alternative medicine to veterans; or

"(B) providing referrals to veterans for the receipt of such services.

"(4) To develop and implement innovative clinical activities and systems of care for the Department for the furnishing of services consisting of complementary and alternative medicine to veterans.

"(c) GEOGRAPHIC DISPERSION.—The Secretary shall ensure that the centers designated and operated under this section are located at health care facilities that are geographically dispersed throughout the United States.

"(d) FUNDING.—(1) There is authorized to be appropriated to the Secretary such sums as may be necessary for the support of the research and education activities of the centers operated under this section.

"(2) Activities of clinical and scientific investigation at each center operated under this section—

"(A) shall be eligible to compete for the award of funding from funds appropriated for the Medical and Prosthetics Research Account; and

"(B) shall receive priority in the award of funding from such account to the extent that funds are awarded to projects for research on the care of rural veterans.

"(e) COMPLEMENTARY AND ALTERNATIVE MEDICINE DEFINED.—In this section, the term 'complementary and alternative medicine' shall have the meaning given that term in regulations the Secretary shall prescribe for purposes of this section, which shall, to the degree practicable, be consistent with the meaning given such term by the Secretary of Health and Human Services."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

"7330B. Centers of Innovation for complementary and alternative medicine in health care research, education, and clinical activities."

SEC. 3. PILOT PROGRAM ON ESTABLISHMENT OF COMPLEMENTARY AND ALTERNATIVE MEDICINE CENTERS WITHIN DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.

(a) PILOT PROGRAM REQUIRED.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out, through the Office of Patient Centered Care and Cultural Transformation of the Department of Veterans Affairs, a pilot program to assess the feasibility and advisability of establishing complementary and alternative medicine centers within Department medical centers to promote the use and integration of complementary and alternative medicine services for mental health diagnoses and pain management.

(b) DURATION OF PROGRAM.—The pilot program shall be carried out during the three-year period beginning on the date of the commencement of the pilot program.

(c) LOCATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program by establishing not fewer than 15 complementary and alternative medicine centers in 15 separate Department medical centers as follows:

(A) Five Department medical centers designated by the Secretary as polytrauma centers.

(B) Ten Department medical center not designated by Secretary as polytrauma centers.

(2) CONSIDERATIONS.—In selecting locations for the pilot program, the Secretary shall consider the feasibility and advisability of selecting locations in—

(A) rural areas;

(B) areas that are not in close proximity to an active duty military installation; and

(C) areas representing different geographic locations, such as census tracts established by the Bureau of the Census.

(d) PROVISION OF SERVICES.—Under the pilot program, the Secretary shall provide covered services to covered veterans through the complementary and alternative medicine centers established under subsection (c)(1).

(e) COVERED VETERANS.—For purposes of the pilot program, a covered veteran is any veteran who has—

(1) a mental health condition diagnosed by a clinician of the Department; or

(2) a pain condition for which the veteran has received a pain management plan from a clinician of the Department.

(f) COVERED SERVICES.—

(1) IN GENERAL.—For purposes of the pilot program, covered services are services consisting of complementary or alternative medicine.

(2) ADMINISTRATION OF SERVICES.—Covered services shall be administered under the pilot program as follows:

(A) Covered services shall be administered by clinicians who exclusively provide services consisting of complementary or alternative medicine.

(B) Covered services shall be included as part of the Patient Aligned Care Teams initiative of the Office of Patient Care Services, Primary Care Program Office.

(C) Covered services shall be made available to both—

(i) covered veterans with mental health conditions or pain conditions described in subsection (e) who have received traditional treatments from the Department for such conditions; and

(ii) covered veterans with mental health conditions or pain conditions described in subsection (e) who have not received traditional treatments from the Department for such conditions.

(g) **VOLUNTARY PARTICIPATION.**—The participation of a veteran in the pilot program shall be at the election of the veteran and in consultation with a clinician of the Department.

(h) **REPORTS TO CONGRESS.**—

(1) **QUARTERLY REPORTS.**—Not later than 90 days after the date of the commencement of the pilot program and not less frequently than once every 90 days thereafter for the duration of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the efforts of the Secretary to carry out the pilot program, including a description of the outreach conducted by the Secretary to veterans and community organizations to inform such organizations about the pilot program.

(2) **FINAL REPORT.**—

(A) **IN GENERAL.**—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the pilot program.

(B) **CONTENTS.**—The report submitted under subparagraph (A) shall include the following:

(i) The findings and conclusions of the Secretary with respect to the pilot program, including with respect to the utilization and efficacy of the complementary and alternative medicine centers established under the pilot program.

(ii) Such recommendations for the continuation or expansion of the pilot program as the Secretary considers appropriate.

SEC. 4. PILOT PROGRAM ON USE OF WELLNESS PROGRAMS AS COMPLEMENTARY APPROACH TO MENTAL HEALTH CARE FOR VETERANS AND FAMILY MEMBERS OF VETERANS.

(a) **PILOT PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall carry out a pilot program through the award of grants to public or private nonprofit entities to assess the feasibility and advisability of using wellness programs to complement the provision of mental health care to veterans and family members eligible for counseling under section 1712A(a)(1)(C) of title 38, United States Code.

(2) **MATTERS TO BE ADDRESSED.**—The pilot program shall be carried out so as to assess the following:

(A) Means of improving coordination between Federal, State, local, and community providers of health care in the provision of mental health care to veterans and family members described in paragraph (1).

(B) Means of enhancing outreach, and coordination of outreach, by and among pro-

viders of health care referred to in subparagraph (A) on the mental health care services available to veterans and family members described in paragraph (1).

(C) Means of using wellness programs of providers of health care referred to in subparagraph (A) as complements to the provision by the Department of Veterans Affairs of mental health care to veterans and family members described in paragraph (1).

(D) Whether wellness programs described in subparagraph (C) are effective in enhancing the quality of life and well-being of veterans and family members described in paragraph (1).

(E) Whether wellness programs described in subparagraph (C) are effective in increasing the adherence of veterans described in paragraph (1) to the primary mental health services provided such veterans by the Department.

(F) Whether wellness programs described in subparagraph (C) have an impact on the sense of well-being of veterans described in paragraph (1) who receive primary mental health services from the Department.

(G) Whether wellness programs described in subparagraph (C) are effective in encouraging veterans receiving health care from the Department to adopt a more healthy lifestyle.

(b) **DURATION.**—The Secretary shall carry out the pilot program for a period of three years beginning on the date that is 90 days after the date of the enactment of this Act.

(c) **LOCATIONS.**—The Secretary shall carry out the pilot program at facilities of the Department providing mental health care services to veterans and family members described in subsection (a)(1).

(d) **GRANT PROPOSALS.**—

(1) **IN GENERAL.**—A public or private nonprofit entity seeking the award of a grant under this section shall submit an application therefor to the Secretary in such form and in such manner as the Secretary may require.

(2) **APPLICATION CONTENTS.**—Each application submitted under paragraph (1) shall include the following:

(A) A plan to coordinate activities under the pilot program, to the extent possible, with the Federal, State, and local providers of services for veterans to enhance the following:

(i) Awareness by veterans of benefits and health care services provided by the Department.

(ii) Outreach efforts to increase the use by veterans of services provided by the Department.

(iii) Educational efforts to inform veterans of the benefits of a healthy and active lifestyle.

(B) A statement of understanding from the entity submitting the application that, if selected, such entity will be required to report to the Secretary periodically on standardized data and other performance data necessary to evaluate individual outcomes and to facilitate evaluations among entities participating in the pilot program.

(C) Other requirements that the Secretary may prescribe.

(e) **GRANT USES.**—

(1) **IN GENERAL.**—A public or private nonprofit entity awarded a grant under this section shall use the award for purposes prescribed by the Secretary.

(2) **ELIGIBLE VETERANS AND FAMILY.**—In carrying out the purposes prescribed by the Secretary in paragraph (1), a public or private nonprofit entity awarded a grant under this section shall use the award to furnish serv-

ices only to individuals specified in section 1712A(a)(1)(C) of title 38, United States Code.

(f) **REPORTS.**—

(1) **PERIODIC REPORTS.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to Congress a report on the pilot program.

(B) **REPORT ELEMENTS.**—Each report required by subparagraph (A) shall include the following:

(i) The findings and conclusions of the Secretary with respect to the pilot program during the 180-day period preceding the report.

(ii) An assessment of the benefits of the pilot program to veterans and their family members during the 180-day period preceding the report.

(2) **FINAL REPORT.**—Not later than 180 days after the end of the pilot program, the Secretary shall submit to Congress a report detailing the recommendations of the Secretary as to the advisability of continuing or expanding the pilot program.

(g) **WELLNESS DEFINED.**—In this section, the term “wellness” shall have the meaning given that term in regulations prescribed by the Secretary.

SEC. 5. PILOT PROGRAM ON HEALTH PROMOTION FOR OVERWEIGHT AND OBESE VETERANS THROUGH SUPPORT OF FITNESS CENTER MEMBERSHIP.

(a) **PILOT PROGRAM REQUIRED.**—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, through the National Center for Preventive Health, carry out a pilot program to assess the feasibility and advisability of promoting health in covered veterans, including achieving a healthy weight and reducing risks of chronic disease, through support for fitness center membership.

(b) **COVERED VETERANS.**—For purposes of this section, a covered veteran is any veteran who—

(1) is determined by a clinician of the Department of Veterans Affairs to be overweight or obese as of the date of the commencement of the pilot program; and

(2) resides in a location that is more than 15 minutes driving distance from a fitness center at a facility of the Department that would otherwise be available to the veteran for at least eight hours per day during five or more days per week.

(c) **DURATION OF PILOT PROGRAM.**—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(d) **LOCATIONS.**—

(1) **IN GENERAL.**—In carrying out the pilot program, the Secretary shall select—

(A) not less than five medical centers of the Department at which the Secretary shall cover the full reasonable cost of a fitness center membership for covered veterans within the catchment area of such centers; and

(B) not less than five medical centers of the Department at which the Secretary shall cover half the reasonable cost of a fitness center membership for covered veterans within the catchment area of such centers.

(2) **CONSIDERATIONS.**—In selecting locations for the pilot program, the Secretary shall consider the feasibility and advisability of selecting locations in the following areas:

(A) Rural areas.

(B) Areas that are not in close proximity to an active duty military installation.

(C) Areas in different geographic locations.

(e) **PARTICIPATION.**—

(1) **MAXIMUM NUMBER OF PARTICIPANTS.**—The number of covered veterans who may

participate in the pilot program at a location selected under subsection (d) may not exceed 100.

(2) **VOLUNTARY PARTICIPATION.**—The participation of a covered veteran in the pilot program shall be at the election of the covered veteran in consultation with a clinician of the Department.

(f) **MEMBERSHIP PAYMENT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), in carrying out the pilot program, the Secretary shall pay the following:

(A) The full reasonable cost of a fitness center membership for covered veterans within the catchment area of centers selected under subsection (b)(1)(A) who are participating in the pilot program.

(B) Half the reasonable cost of a fitness center membership for covered veterans within the catchment area of centers selected under subsection (b)(1)(B) who are participating in the pilot program.

(2) **LIMITATION.**—Payment for a fitness center membership of a covered veteran may not exceed \$50 per month of membership.

(g) **REPORTS.**—

(1) **PERIODIC REPORTS.**—Not later than 90 days after the date of the commencement of the pilot program and not less frequently than once every 90 days thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on activities carried out to implement the pilot program, including outreach activities to veterans and community organizations.

(2) **FINAL REPORT.**—Not later than 180 days after the date of the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the pilot program detailing—

(A) the findings and conclusions of the Secretary as a result of the pilot program; and

(B) recommendations for the continuation or expansion of the pilot program.

SEC. 6. PILOT PROGRAM ON HEALTH PROMOTION FOR VETERANS THROUGH ESTABLISHMENT OF DEPARTMENT OF VETERANS AFFAIRS FITNESS FACILITIES.

(a) **PILOT PROGRAM REQUIRED.**—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of promoting health in covered veterans, including achieving a healthy weight, through establishment of Department of Veterans Affairs fitness facilities.

(b) **COVERED VETERANS.**—For purposes of this section, a covered veteran is any veteran who is enrolled in the system of annual patient enrollment established and operated by the Secretary under section 1705 of title 38, United States Code.

(c) **DURATION OF PILOT PROGRAM.**—The pilot program shall be carried out during the three-year period beginning on the date of the commencement of the pilot program.

(d) **LOCATIONS.**—

(1) **IN GENERAL.**—The Secretary shall carry out the pilot program by establishing fitness facilities in Department facilities as follows:

(A) In not fewer than five Department of Veterans Affairs medical centers selected by the Secretary for purposes of the pilot program.

(B) In not fewer than five outpatient clinics of the Department selected by the Secretary for purposes of the pilot program.

(2) **CONSIDERATIONS.**—In selecting locations for the pilot program, the Secretary shall

consider the feasibility and advisability of selecting locations in the following areas:

(A) Rural areas.

(B) Areas that are not in close proximity to an active duty military installation.

(C) Areas in different geographic locations.

(e) **LIMITATION ON EXPENSES.**—In establishing and supporting a fitness facility in a facility of the Department under the pilot program, the Secretary may expend amounts as follows:

(1) For establishment and support of a fitness facility in a Department of Veterans Affairs medical center, not more than \$60,000.

(2) For establishment and support of a fitness facility in an outpatient clinic of the Department, not more than \$40,000.

(f) **RENOVATIONS AND PURCHASES.**—Subject to subsection (e), the Secretary may, in carrying out the pilot program, make such renovations to physical facilities of the Department and purchase such fitness equipment and supplies as the Secretary considers appropriate for purposes of the pilot program.

(g) **PROHIBITION ON ASSESSMENT OF USER FEES.**—The Secretary may not assess a fee upon a covered veteran for use of a fitness facility established under the pilot program.

(h) **VOLUNTARY PARTICIPATION.**—The participation of a covered veteran in the pilot program shall be at the election of the covered veteran.

(i) **REPORTS.**—

(1) **PERIODIC REPORTS.**—Not later than 90 days after the date of the commencement of the pilot program and not less frequently than once every 90 days thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on activities carried out to implement the pilot program, including outreach activities to veterans and community organizations.

(2) **FINAL REPORT.**—Not later than 180 days after the date of the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the pilot program detailing—

(A) the findings and conclusions of the Secretary as a result of the pilot program; and

(B) recommendations for the continuation or expansion of the pilot program.

SEC. 7. STUDY OF BARRIERS ENCOUNTERED BY VETERANS IN RECEIVING COMPLEMENTARY AND ALTERNATIVE MEDICINE FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) **STUDY REQUIRED.**—The Secretary of Veterans Affairs shall conduct a comprehensive study of the barriers encountered by veterans in receiving complementary and alternative medicine from the Department of Veterans Affairs. In conducting the study, the Secretary shall—

(1) survey veterans who seek or receive hospital care or medical services furnished by the Department, as well as veterans who do not seek or receive such care or services;

(2) administer the survey to a representative sample of veterans from each Veterans Integrated Service Network; and

(3) ensure that the sample of veterans surveyed is of sufficient size for the study results to be statistically significant.

(b) **ELEMENTS OF STUDY.**—In conducting the study required by subsection (a), the Secretary shall study the following:

(1) The perceived barriers associated with obtaining complementary and alternative medicine services from the Department.

(2) The satisfaction of veterans with complementary and alternative medicine in primary care.

(3) The degree to which veterans are aware of eligibility requirements for, and the scope of services available under, complementary and alternative medicine furnished by the Department.

(4) The effectiveness of outreach to veterans on the availability of complementary and alternative medicine for veterans.

(5) Such other barriers as the Secretary considers appropriate.

(c) **DISCHARGE BY CONTRACT.**—The Secretary shall enter into a contract with a qualified independent entity or organization to carry out the study required by this section.

(d) **MANDATORY REVIEW OF DATA BY CERTAIN DEPARTMENT DIVISIONS.**—

(1) **IN GENERAL.**—The Secretary shall ensure that the head of each division of the Department specified in paragraph (2) reviews the results of the study conducted under this section. The head of each such division shall submit findings with respect to the study to the Under Secretary for Health and to other pertinent program offices within the Department with responsibilities relating to health care services for veterans.

(2) **SPECIFIED DIVISIONS.**—The divisions of the Department specified in this paragraph are the following:

(A) The centers for innovation established under section 7330B of title 38, United States Code, as added by section 2.

(B) The Health Services Research and Development Service Scientific Merit Review Board.

(e) **REPORTS.**—

(1) **REPORT ON IMPLEMENTATION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the status of the implementation of this section.

(2) **REPORT ON STUDY.**—

(A) **IN GENERAL.**—Not later than 45 days after the date of the completion of the study, the Secretary shall submit to Congress a report on the study required by subsection (a).

(B) **CONTENTS.**—The report required by subparagraph (A) shall include the following:

(i) Recommendations for such administrative and legislative proposals and actions as the Secretary considers appropriate.

(ii) The findings of the head of each division of the Department specified under subsection (d)(2) and of the Under Secretary for Health.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary \$2,000,000 to carry out this section.

SEC. 8. COMPLEMENTARY AND ALTERNATIVE MEDICINE DEFINED.

In this Act, the term “complementary and alternative medicine” shall have the meaning given such term under section 7330B of title 38, United States Code, as added by section 2.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 115—COM-
MENDING THE HEROISM, COUR-
AGE, AND SACRIFICE OF SEAN
COLLIER, AN OFFICER IN THE
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY POLICE DEPART-
MENT, MARTIN RICHARD, AN 8-
YEAR-OLD RESIDENT OF DOR-
CHESTER, MASSACHUSETTS,
KRYSTLE CAMPBELL, A NATIVE
OF MEDFORD, MASSACHUSETTS,
LU LINGZI, A STUDENT AT BOS-
TON UNIVERSITY, AND ALL THE
VICTIMS WHO ARE RECOVERING
FROM INJURIES CAUSED BY THE
ATTACKS IN BOSTON, MASSA-
CHUSETTS, INCLUDING RICHARD
DONOHUE, JR., AN OFFICER IN
THE MASSACHUSETTS BAY
TRANSPORTATION AUTHORITY
TRANSIT POLICE DEPARTMENT

Ms. WARREN (for herself, Mr. COWAN, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 115

Whereas, in the aftermath of the deadly bombings that occurred on Patriots' Day, April 15, 2013, during the running of the 117th Boston Marathon, the residents of Massachusetts and the people of the United States witnessed the incredible bravery, dedication, and sacrifice of law enforcement officers, first responders, and citizen heroes;

Whereas Sean Collier of Wilmington, Massachusetts, an officer in the Massachusetts

Institute of Technology (referred to in this preamble as "MIT") Police Department, gave his life in the line of duty, the ultimate sacrifice;

Whereas Officer Sean Collier was protecting the students of MIT when he was killed as he sat in his police cruiser;

Whereas Officer Sean Collier was known by his family, friends, and co-workers as a generous, kind, friendly, and devoted individual and officer;

Whereas the people of the United States join with the family of Officer Sean Collier, the MIT community, and the residents of Massachusetts in mourning the loss of Officer Sean Collier, a dedicated, hardworking, and respected young police officer;

Whereas the people of the United States remember Martin Richard, an 8-year-old boy from Dorchester, Massachusetts;

Whereas Martin Richard loved to play sports and draw pictures, and was dearly loved by his family, friends, classmates, and community;

Whereas the people of the United States will always remember and strive to live by the poignant and powerful message from Martin Richard: "No more hurting people. Peace.";

Whereas the people of the United States remember Krystle Campbell, who grew up in Medford, Massachusetts and attended every Boston Marathon since she was a young girl;

Whereas Krystle Campbell will be remembered as a selfless and caring person who was always there for others;

Whereas the people of the United States are inspired by Krystle Campbell and her kind act of caring for her grandmother, who was recovering from an operation;

Whereas the people of the United States remember Lu Lingzi, who came to the United States from China to study statistics at Boston University;

Whereas, on the morning of the Boston Marathon on April 15, 2013, Lu Lingzi posted on a social media site that she was enjoying her day;

Whereas Lu Lingzi is a reminder of our common humanity, and that senseless acts of terrorism, such as the bombings that occurred during the running of the Boston Marathon, are crimes that have no borders;

Whereas Richard Donohue, Jr., an officer in the Massachusetts Bay Transportation Authority Transit Police Department, worked a shift at the Boston Marathon on Monday, April 15, 2013, and was wounded early in the morning on Friday, April 19, 2013, when he raced to assist officers from the MIT and City of Cambridge Police Departments as they pursued the Boston Marathon bombing suspects in Watertown, Massachusetts;

Whereas, during the ensuing shootout with the Boston Marathon bombing suspects, Officer Richard Donohue, Jr., and other officers, acting with complete disregard for their own safety, withstood a barrage of gunfire and explosives unleashed by the suspects;

Whereas, during the shootout with the Boston Marathon bombing suspects, Officer Richard Donohue, Jr., was seriously wounded by a bullet that nearly took his life;

Whereas Officer Richard Donohue, Jr., is recovering from his injuries and remains in critical but stable condition; and

Whereas the people of the United States pray for all the people who were wounded during the attacks, and pledge to assist them in any way possible to help them recover from their injuries: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the people of the United States honor the memories of Officer Sean Collier, Martin Richard, Krystle Campbell, and Lu Lingzi, and express deep condolences to their families and friends;

(2) Officer Sean Collier and Officer Richard Donohue, Jr., represent the best of Massachusetts and of law enforcement;

(3) the people of the United States convey profound gratitude and prayers for a complete recovery to Officer Richard Donohue, Jr., and to all of the other victims who are recovering from injuries caused by the attacks in Boston, Massachusetts;

(4) the service and sacrifice of Officer Sean Collier and Officer Richard Donohue, Jr., will never be forgotten by the residents of Massachusetts or the people of the United States, and will forever serve as an example of incredible bravery and sacrifice; and

(5) the people of the United States express thanks to the men and women of law enforcement in the United States for their unwavering determination, courage, and resolve to bring to justice the people responsible for the bombings that occurred during the running of the 117th Boston Marathon.

SENATE RESOLUTION 116—DESIG-
NATING SEPTEMBER 26, 2013, AS
"NATIONAL PEDIATRIC BRAIN
CANCER AWARENESS DAY"

Mrs. FISCHER (for herself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 116

Whereas pediatric brain cancer, although rare, is the leading cause of cancer deaths among children and poses substantial health and developmental problems for an average of 3,000 child patients and their families in the United States each year;

Whereas children with brain cancer receive treatment at various types of medical establishments, including pediatric hospitals, pediatric oncology centers, and adult cancer facilities;

Whereas the parents, siblings, and families of children with brain cancer face unique difficulties, including ensuring the continuing education and development of children undergoing intensive surgical procedures, chemotherapy, and treatment;

Whereas children with brain cancer courageously face significant psychological, emotional, and social challenges due to their illness and the amount of time spent at treatment facilities away from their families, classmates, and friends;

Whereas a number of organizations, including the Team Jack Legacy Fund, in partnership with CureSearch for Children's Cancer, have worked diligently to raise awareness, encourage diagnosis, and find an ultimate cure to pediatric brain cancer; and

Whereas, on April 6, 2013, 7-year-old pediatric brain cancer patient Jack Hoffman joined the lineup of the University of Nebraska Cornhuskers football team for its spring football game, wearing football pads and a number 22 jersey, and ran 69 yards to score a touchdown in front of more than 60,000 fans at Memorial Stadium in Lincoln, Nebraska, touching the hearts of millions of Americans and raising awareness of pediatric brain cancer: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 26, 2013 as "National Pediatric Brain Cancer Awareness Day"; and

(2) commends—

(A) children battling brain cancer, and their families and friends, for their courage and perseverance;

(B) organizations, including the Team Jack Legacy Fund and the University of Nebraska, that raise awareness and encourage the accurate and early diagnosis of the rare but devastating disease of pediatric brain cancer; and

(C) the researchers, scientists, and healthcare providers who are dedicated to treating and finding a cure for pediatric brain cancer.

SENATE RESOLUTION 117—RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH

Mr. CASEY (for himself and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 117

Whereas, on average, a person is sexually assaulted in the United States every 2 minutes;

Whereas the Department of Justice reports that more than 200,000 people in the United States are sexually assaulted each year;

Whereas nearly 1 in 5 women and 1 in 71 men have been victims of rape at some point in their lives;

Whereas the Department of Defense received 3,158 reports of sexual assault involving members of the Armed Forces in fiscal year 2010;

Whereas children and young adults are most at risk of sexual assault, as 44 percent of sexual assault victims are under 18 years of age, and 80 percent are under 30 years of age;

Whereas sexual assault affects women, men, and children of all racial, social, religious, age, ethnic, and economic groups in the United States;

Whereas women, men, and children suffer multiple types of sexual violence, including acquaintance, stranger, spousal, and gang rape, incest, child sexual molestation, forced prostitution, trafficking, forced pornography, ritual abuse, sexual harassment, and stalking;

Whereas it is estimated that the percentage of completed or attempted rape victimization among women in institutions of higher education is between 20 and 25 percent over the course of a college career;

Whereas, in addition to the immediate physical and emotional costs, sexual assault has associated consequences that may include post-traumatic stress disorder, substance abuse, major depression, homelessness, eating disorders, and suicide;

Whereas only 41 percent of sexual assault victims pursue prosecution by reporting their attack to law enforcement agencies;

Whereas two-thirds of sexual crimes are committed by persons who are not strangers to the victims;

Whereas sexual assault survivors suffer emotional scars long after the physical scars have healed;

Whereas, because of advances in DNA technology, law enforcement agencies have the potential to identify the rapists in tens of thousands of unsolved rape cases;

Whereas aggressive prosecution can lead to the incarceration of rapists and therefore

prevent those individuals from committing further crimes;

Whereas national, State, territory, and tribal coalitions, community-based rape crisis centers, and other organizations across the United States are committed to increasing public awareness of sexual violence and its prevalence, and to eliminating sexual violence through prevention and education;

Whereas important partnerships have been formed among criminal and juvenile justice agencies, health professionals, public health workers, educators, first responders, and victim service providers;

Whereas free, confidential help is available to all survivors of sexual assault through the National Sexual Assault Hotline, more than 1,000 rape crisis centers across the United States, and other organizations that provide services to assist survivors of sexual assault;

Whereas, according to a 2011 survey of rape crisis centers by the National Alliance to End Sexual Violence, 50 percent of the rape crisis centers have experienced a reduction in staffing, 65 percent of the rape crisis centers have a waiting list for services, and funding and staffing cuts have resulted in 67 percent of the rape crisis centers having to reduce the amount of hours they spend dedicated to prevention and awareness;

Whereas individual and collective efforts reflect the dream of the people of the United States for a country where individuals and organizations actively work to prevent all forms of sexual violence and no sexual assault victim goes unserved or ever feels that there is no path to justice; and

Whereas April is recognized as "National Sexual Assault Awareness and Prevention Month": Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that—

(A) National Sexual Assault Awareness and Prevention Month provides a special opportunity to educate the people of the United States about sexual violence and to encourage the prevention of sexual assault, the improved treatment of survivors of sexual assault, and the prosecution of perpetrators of sexual assault;

(B) it is appropriate to properly acknowledge the more than 20,000,000 men and women who have survived sexual assault in the United States and salute the efforts of survivors, volunteers, and professionals who combat sexual assault;

(C) national and community organizations and private sector supporters should be recognized and applauded for their work in promoting awareness about sexual assault, providing information and treatment to survivors of sexual assault, and increasing the number of successful prosecutions of perpetrators of sexual assault; and

(D) public safety, law enforcement, and health professionals should be recognized and applauded for their hard work and innovative strategies to increase the percentage of sexual assault cases that result in the prosecution and incarceration of the offenders;

(2) the Senate strongly recommends that national and community organizations, businesses in the private sector, institutions of higher education, and the media promote, through National Sexual Assault Awareness and Prevention Month, awareness of sexual violence and strategies to decrease the incidence of sexual assault; and

(3) the Senate supports the goals and ideals of National Sexual Assault Awareness and Prevention Month.

SENATE RESOLUTION 118—SUPPORTING THE DESIGNATION OF APRIL AS PARKINSON'S AWARENESS MONTH

Ms. STABENOW (for herself, Mr. UDALL of Colorado, Mr. ISAKSON, and Mr. JOHANNIS) submitted the following resolution; which was considered and agreed to:

S. RES. 118

Whereas Parkinson's disease is a chronic, progressive, neurological disease and is the second most common neurological disease in the United States;

Whereas there is inadequate comprehensive data on the incidence and prevalence of Parkinson's disease, nevertheless it is estimated that the disease affects 500,000 to 1,500,000 people in the United States and the prevalence will more than double by 2040;

Whereas there are millions of Americans who are caregivers, family members, and friends greatly impacted by Parkinson's disease every day;

Whereas it is estimated that the economic burden of Parkinson's disease is \$14,400,000,000, including indirect costs to patients and family members each year;

Whereas although research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown;

Whereas there is no objective test or biomarker for Parkinson's disease, and the rate of misdiagnosis can be high;

Whereas the symptoms of Parkinson's disease vary from person to person and include tremors, slowness of movement, difficulty with balance, swallowing, chewing, speaking, rigidity, cognitive impairment, dementia, mood disorders, such as depression and anxiety, constipation, skin problems, and sleep difficulties;

Whereas there is currently no cure, therapy, or drug to slow or halt the progression of Parkinson's disease;

Whereas medications mask some symptoms of Parkinson's disease for a limited amount of time each day, often with dose-limiting side effects, and ultimately lose their effectiveness, leaving the person unable to move, speak or swallow; and

Whereas increased education and research are needed to find more effective treatments with fewer side effects and, ultimately, an effective treatment or cure for Parkinson's disease: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of April as Parkinson's Awareness Month;

(2) supports the goals and ideals of Parkinson's Awareness Month;

(3) continues to support research to find better treatments, and eventually, a cure for Parkinson's disease;

(4) recognizes the people living with Parkinson's who participate in vital clinical trials to advance the knowledge of the disease; and

(5) commends the dedication of State, local, regional, and national organizations, volunteers, researchers and millions of Americans across the United States working to improve the quality of life of persons living with Parkinson's disease and their families.

SENATE RESOLUTION 119—SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY

Mr. COONS (for Mr. WICKER (for himself, Mr. COONS, Mr. RUBIO, Mr. BOOZMAN, Mr. COCHRAN, Mr. CARDIN, Mr. INHOFE, Mr. KIRK, Mr. ISAKSON, Mrs. MURRAY, Mr. DURBIN, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. BROWN)) submitted the following resolution; which was considered and agreed to:

S. RES. 119

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being preventable and treatable;

Whereas fighting malaria is in the national security interest of the United States, as reducing the risk of malaria protects members of the Armed Forces of the United States serving overseas in malaria-endemic regions, and reducing malaria deaths helps to lower risks of instability in less developed countries;

Whereas support for efforts to fight malaria is in the diplomatic and moral interest of the United States, as that support generates goodwill toward the United States and highlights the values of the people of the United States through the work of governmental, non-governmental, and faith-based organizations of the United States;

Whereas efforts to fight malaria are in the long-term economic interest of the United States because those efforts help developing countries identify at-risk populations, provide better health services, produce healthier and more productive workforces, advance economic development, and promote stronger trading partners;

Whereas 35 countries, the majority of which are in sub-Saharan Africa, account for 91 percent of malaria deaths in the world;

Whereas young children and pregnant women are particularly vulnerable to and disproportionately affected by malaria;

Whereas malaria greatly affects child health, as children under the age of 5 account for an estimated 86 percent of malaria deaths each year;

Whereas malaria poses great risks to maternal and neonatal health, causing complications during delivery, anemia, and low birth weights, with estimates that malaria infection causes approximately 400,000 cases of severe maternal anemia and between 75,000 and 200,000 infant deaths annually in sub-Saharan Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria during recent years have made significant progress and helped save hundreds of thousands of lives;

Whereas the World Malaria Report 2012 by the World Health Organization states that in 2011, approximately 53 percent of households in sub-Saharan Africa owned at least one insecticide-treated mosquito net, and household surveys indicated that 90 percent of people used an insecticide-treated mosquito net if one was available in the household;

Whereas, in 2011, approximately 153,000,000 people were protected by indoor residual spraying;

Whereas the World Malaria Report 2012 further states that between 2000 and 2010—

(1) malaria mortality rates decreased by 26 percent around the world;

(2) in the African Region of the World Health Organization, malaria mortality rates decreased by 33 percent; and

(3) an estimated 1,100,000 malaria deaths were averted globally, primarily as a result of increased interventions;

Whereas the World Malaria Report 2012 further states that out of 99 countries with ongoing transmission of malaria in 2012, 11 countries are classified as being in the pre-elimination phase of malaria control, 10 countries are classified as being in the elimination phase, and 5 countries are classified as being in the prevention of introduction phase;

Whereas continued national, regional, and international investment in efforts to eliminate malaria, including prevention and treatment efforts, the development of a vaccine to immunize children from the malaria parasite, and advancements in insecticides, are critical in order to continue to reduce malaria deaths, prevent backsliding in areas where progress has been made, and equip the United States and the global community with the tools necessary to fight malaria and other global health threats;

Whereas the United States Government has played a leading role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative and the contribution of the United States to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas, in May 2011, an independent, external evaluation, prepared through the Global Health Technical Assistance Project, examining 6 objectives of the President's Malaria Initiative, found the President's Malaria Initiative to be a successful, well-led component of the Global Health Initiative that has "earned and deserves the task of sustaining and expanding the United States Government's response to global malaria control efforts";

Whereas the United States Government is pursuing a comprehensive approach to ending malaria deaths through the President's Malaria Initiative, which is led by the United States Agency for International Development and implemented with assistance from the Centers for Disease Control and Prevention, the Department of State, the Department of Health and Human Services, the National Institutes of Health, the Department of Defense, and private sector entities;

Whereas the President's Malaria Initiative focuses on helping partner countries achieve major improvements in overall health outcomes through improved access to, and quality of, healthcare services in locations with limited resources; and

Whereas the President's Malaria Initiative, recognizing the burden of malaria on many partner countries, has set a target of reducing the burden of malaria by 50 percent for 450,000,000 people, representing 70 percent of the at-risk population in Africa, by 2015: Now, therefore, be it

Resolved, That the Congress—

(1) supports the goals and ideals of World Malaria Day, including the target of ending malaria deaths by 2015;

(2) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(3) commends the recent progress made toward reducing global malaria morbidity, mortality, and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(4) welcomes ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(5) recognizes the goals, priorities, and authorities to combat malaria set forth in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110-293; 122 Stat. 2918);

(6) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to combat malaria and to work with developing countries to create long-term strategies to increase ownership over malaria programs; and

(7) encourages other members of the international community to sustain and increase their support for and financial contributions to efforts to combat malaria worldwide.

SENATE RESOLUTION 120—SUPPORTING THE MISSION AND GOALS OF 2013 NATIONAL CRIME VICTIMS' RIGHTS WEEK TO INCREASE PUBLIC AWARENESS OF THE RIGHTS, NEEDS, AND CONCERNS OF, AND SERVICES AVAILABLE TO ASSIST, VICTIMS AND SURVIVORS OF CRIME IN THE UNITED STATES.

Mr. LEAHY (for Mr. WICKER (for himself, Mr. LEAHY, Mr. SCHUMER, and Mr. GRASSLEY)) submitted the following resolution; which was considered and agreed to:

S. RES. 120

Whereas, in 2011, there were nearly 6,000,000 victims of violent crime and more than 17,000,000 victims of property crime in the United States;

Whereas, according to National Crime Victimization Survey, non-fatal violent crime increased by 17 percent and property crime increased by 11 percent in the United States between 2010 and 2011;

Whereas, according to the Federal Bureau of Investigation Uniform Crime Reporting, "law enforcement agencies throughout the nation reported an increase of 1.9 percent in the number of violent crimes brought to their attention for the first 6 months of 2012 when compared with figures reported for the same time in 2011";

Whereas a just society acknowledges the impact of crime on individuals, families, schools, and communities by protecting the rights of crime victims and ensuring that resources, and services are available to help rebuild lives;

Whereas, despite impressive accomplishments during the last 40 years in increasing the rights of, and services available to, crime victims and survivors, many challenges remain to ensure that all victims are—

(1) treated with dignity, fairness, and respect;

(2) offered support and services regardless of whether victims report crimes committed against them; and

(3) recognized as key participants within the criminal, juvenile, Federal, tribal, and civil justice systems in the United States when victims do report crimes;

Whereas victims and survivors of crime in the United States need and deserve support and assistance to help them cope with the often devastating consequences of crime;

Whereas, during each of the last 31 years, communities across the United States have

joined Congress and the Department of Justice in commemorating National Crime Victims' Rights Week to celebrate a shared vision of a comprehensive and collaborative response that identifies and addresses the many needs of crime victims and survivors;

Whereas Congress and the President agree on the need for a renewed commitment to serving all victims of crime in the 21st century;

Whereas the theme of 2013 National Crime Victims' Rights Week, celebrated from April 21 through April 27, 2013, is "New Challenges, New Solutions", which highlights the many challenges that confront the fields of crime victim assistance, justice, and public safety; and

Whereas the people of the United States recognize and appreciate the continued importance of promoting the rights of, and services for, crime victims, and of honoring crime victims, survivors, and those who provide services for them; therefore be it

Resolved, That the Senate—

(1) supports the mission and goals of 2013 National Crime Victims' Rights Week to increase individual and public awareness of—

(A) the impact of crime on victims and survivors; and

(B) the challenges to achieving justice for victims, and the many solutions that can meet these challenges; and

(2) recognizes that dignity, fairness, and respect constitute the very foundation of how crime victims and survivors should be treated.

SENATE RESOLUTION 121—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2013, AS "SILVER STAR SERVICE BANNER DAY"

Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted the following resolution, which was considered and agreed to:

S. RES. 121

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2013, is an appropriate date to designate as "Silver Star Service Banner Day"; Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2013, as "Silver Star Service Banner Day" and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 122—RECOGNIZING THE HISTORIC SIGNIFICANCE OF THE MEXICAN HOLIDAY OF CINCO DE MAYO

Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. REID, Mr. MENENDEZ, Mr. UDALL of New Mexico, Mr. ENZI, and Mr. CRUZ) submitted the following resolution; which was considered and agreed to:

S. RES. 122

Whereas May 5, or "Cinco de Mayo" in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which Mexicans who were struggling for independence and freedom fought the Battle of Puebla;

Whereas Cinco de Mayo has become widely celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French army, confident that its battle-seasoned troops were far superior to the less-seasoned Mexican troops, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered and ill-equipped, but highly spirited and courageous, Mexican army;

Whereas, after 3 bloody assaults on Puebla in which more than 1,000 French soldiers lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous spirit that Mexican General Ignacio Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination while, in the United States, the Union Army battled Confederate forces in the Civil War;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United States was built by people from many countries and diverse cultures who were willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas, in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez, the president of Mexico during the Battle of Puebla, once said, "El respeto al derecho ajeno es la paz" ("Respect for the rights of others is peace"); and

Whereas many people celebrate Cinco de Mayo during the entire week in which the date falls: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic struggle of the people of Mexico for independence and freedom, which Cinco de Mayo commemorates; and

(2) encourages the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

SENATE RESOLUTION 123—CONGRATULATING THE UNIVERSITY OF MINNESOTA WOMEN'S ICE HOCKEY TEAM ON WINNING ITS SECOND STRAIGHT NATIONAL COLLEGIATE ATHLETIC ASSOCIATION WOMEN'S ICE HOCKEY CHAMPIONSHIP

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 123

Whereas, on Sunday, March 24, 2013, the University of Minnesota Gophers won the 2013 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Women's Ice Hockey Championship;

Whereas the 2013 NCAA Women's Ice Hockey Championship is the second straight national championship for the University of Minnesota women's ice hockey team;

Whereas, on Friday, March 22, 2013, the University of Minnesota defeated Boston College in overtime in the Frozen Four semifinal game by a score of 3 to 2 to advance to the national championship game;

Whereas the national championship game was played before a sold-out crowd at the Ridder Arena in Minneapolis, Minnesota;

Whereas the University of Minnesota won the 2013 NCAA Women's Ice Hockey Championship by defeating Boston University by a score of 6 to 3;

Whereas, by winning the national championship game, the University of Minnesota improved upon its NCAA record for consecutive home wins, claiming its 27th straight victory at Ridder Arena and tying Harvard University for the record for most consecutive home wins;

Whereas the University of Minnesota finished the 2012-2013 season with an unprecedented record of 41 wins, 0 losses, and 0 ties; and

Whereas the University of Minnesota had a postseason record of 7 wins and 0 losses, becoming the first team in the 13-year history of NCAA women's ice hockey to finish the season with a perfect record; Whereas University of Minnesota President Eric Kaler and Athletic Director Norward Teague demonstrated great leadership bringing athletic success to the University of Minnesota: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped the University of Minnesota win the 2013 National Collegiate Athletic Association Women's Ice Hockey Championship.

SENATE RESOLUTION 124—TO AUTHORIZE TESTIMONY IN WRITING, DOCUMENTS, AND REPRESENTATION IN WHITNUM V. TOWN OF GREENWICH, ET AL.

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 124

Whereas, in the case of *Whitnum v. Town of Greenwich*, et al., Case No. 11-1402, pending in Connecticut federal district court, the plaintiff has requested the production of testimony and documents from Senator Richard Blumenthal and the production of documents from the Senator's office;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rules VI and XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Senator Richard Blumenthal is authorized to produce testimony in writing and relevant office documents in the case of *Whitnum v. Town of Greenwich*, et al., except concerning matters for which a privilege or objection should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent the Senator, his office, and any employee of the Senator's office from whom evidence may be sought, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 125—DESIGNATING APRIL 30, 2013, AS “DÍA DE LOS NIÑOS: CELEBRATING YOUNG AMERICANS”

Mr. MENENDEZ (for himself, Mr. REID, Mr. CRAPO, Mr. DURBIN, Mrs. MURRAY, Ms. LANDRIEU, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 125

Whereas many countries throughout the world, and especially within the Western hemisphere, celebrate “Día de los Niños”, or “Day of the Children”, on April 30 each year, in recognition and celebration of the future of their country—their children;

Whereas children represent the hopes and dreams of the people of the United States and children are the center of families in the United States;

Whereas the people of the United States should nurture and invest in children to preserve and enhance economic prosperity, democracy, and the spirit of the United States;

Whereas, according to the 2011 American Community Survey by the Bureau of the Census, approximately 17,400,000 of the nearly 52,000,000 individuals of Hispanic descent living in the United States are children under the age of 18, representing more than 33 percent of the total Hispanic population residing in the United States;

Whereas Hispanics, the youngest and fastest growing ethnic community in the United States, continue the tradition of honoring

their children on Día de los Niños, and wish to share this custom with the rest of the United States;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and children are responsible for passing on family values, morality, and culture to future generations;

Whereas the importance of literacy and education is most often communicated to children through their family members;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members and encourage children to explore and develop confidence;

Whereas the designation of a day to honor the children of the United States will help affirm the significance of family, education, and community for the people of the United States;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their future, articulate their aspirations, and find comfort and security in the support of their family members and communities;

Whereas the National Latino Children's Institute, serving as a voice for children, has worked with cities throughout the United States to declare April 30, 2013, to be “Día de los Niños: Celebrating Young Americans”, a day to bring together Hispanics and other communities in the United States to celebrate and uplift children; and

Whereas the children of a country are the responsibility of all of the people of that country, and people should be encouraged to celebrate the gifts of children to society: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 30, 2013, as “Día de los Niños: Celebrating Young Americans”; and
(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the United States to observe the day with appropriate ceremonies, including activities that—

(A) center around children and are free or minimal in cost so as to encourage and facilitate the participation of all people;

(B) are positive and uplifting, and help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about one another's cultures and share ideas;

(D) include all members of a family, especially extended and elderly family members, so as to promote greater communication among the generations within a family, which will enable children to appreciate and benefit from the experiences and wisdom of their elderly family members;

(E) provide opportunities for families within a community to get acquainted; and

(F) provide children with the support they need to develop skills and confidence and find the inner strength, will, and fire of the human spirit to make their dreams come true.

SENATE RESOLUTION 126—RECOGNIZING THE TEACHERS OF THE UNITED STATES FOR THEIR CONTRIBUTIONS TO THE DEVELOPMENT AND PROGRESS OF OUR COUNTRY

Mr. REID (for Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on

Health, Education, Labor, and Pensions:

S. RES. 126

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to children in the United States;

Whereas the purpose of “National Teacher Appreciation Week”, which is May 6, 2013, through May 10, 2013, is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations host teacher appreciation events in recognition of “National Teacher Appreciation Week”: Now, therefore, be it

Resolved, That the Senate—

(1) thanks teachers for their service;

(2) promotes the profession of teaching; and

(3) recognizes students, parents, school administrators, and public officials who participate in teacher appreciation events during “National Teacher Appreciation Week”.

SENATE RESOLUTION 127—COMMEMORATING THE 10-YEAR ANNIVERSARY OF THE LOSS OF THE STATE SYMBOL OF NEW HAMPSHIRE, THE OLD MAN OF THE MOUNTAIN

Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 127

Whereas retreating glaciers carved the White Mountains, leaving behind the Old Man of the Mountain (referred to in this preamble as the “Old Man”) as a sentinel to gaze across their granite majesty;

Whereas granite ledges formed the profile of the Old Man, framed by the sweeping curve of the shoulder of a mountain;

Whereas the native son of New Hampshire and distinguished Member of the Senate, Daniel Webster, wrote: “Men hang out their signs indicative of their respective trades; shoe makers hang out a gigantic shoe; jewelers a monster watch, and the dentist hangs out a gold tooth; but up in the Mountains of New Hampshire, God Almighty has hung out a sign to show that there He makes men”;

Whereas both the proud visage and the steadfastness of the Old Man embodied the character traits of independence, strength, and a dedication to live free that are embedded in Granite Staters;

Whereas the home of the Old Man, New Hampshire, possesses a clear sense of its place in the history of the United States as—

(1) the first State to adopt its own constitution;

(2) the State whose ratification of the Constitution of the United States helped bring forth this country; and

(3) the State that, as host of the first presidential primary in the United States, has a continuing role in each election of the President;

Whereas the Old Man was visited by sightseers from around the world, who found strength and inspiration in his image;

Whereas visits to the Old Man have inspired reverence for that which is irreplaceable;

Whereas, for 10 millennia, the Old Man survived legendary winds, snow, rain, and ice;

Whereas, on May 3, 2003, the time-worn granite ledges of the visage of the Old Man released their hold on the mountain and fell into history;

Whereas the loss of the Old Man forever changed the face of New Hampshire and was felt by all people of the State accustomed to living under his watchful gaze;

Whereas the Old Man, who lived in the heart of the White Mountains, now lives on in the hearts of the people of New Hampshire; and

Whereas, while Granite Staters mourn the loss of their granite man, they pay tribute with a long glance up at the bare face of the grey mountain and a pause in remembrance of the first citizen of the beloved State: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 10th anniversary of the loss of the Old Man of the Mountain;

(2) encourages the people of the United States to preserve the legacy of the Old Man of the Mountain;

(3) recognizes the inspiration provided by the Old Man of the Mountain to generations of Granite Staters and visitors to the State of New Hampshire; and

(4) recognizes the Old Man of the Mountain as a symbol of liberty, freedom, and independence.

AMENDMENTS SUBMITTED AND PROPOSED

SA 771. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table.

SA 772. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 773. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 756 submitted by Mr. PAUL and intended to be proposed to the bill S. 743, supra; which was ordered to lie on the table.

SA 774. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 755 submitted by Mr. PAUL and intended to be proposed to the bill S. 743, supra; which was ordered to lie on the table.

SA 775. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 776. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 777. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 778. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 779. Mr. HOEVEN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 780. Mr. TOOMEY submitted an amendment intended to be proposed by him to the

bill S. 743, supra; which was ordered to lie on the table.

SA 781. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 782. Mr. VITTER (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 783. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 784. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 785. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 786. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 787. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 788. Ms. COLLINS (for herself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 789. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 790. Mrs. McCASKILL (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 743, supra; which was ordered to lie on the table.

SA 791. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 792. Mr. COATS (for Mr. PORTMAN (for himself, Mr. COATS, and Ms. AYOTTE)) submitted an amendment intended to be proposed by Mr. COATS to the bill S. 743, supra; which was ordered to lie on the table.

SA 793. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 794. Mr. COATS (for himself, Mr. PORTMAN, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

SA 795. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 771. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . LIMITATION ON INITIAL COLLECTION OF SALES AND USE TAXES FROM REMOTE SALES.

Notwithstanding the last sentence of section 2(a) or the second sentence of section

2(b), a State may not begin to exercise the authority under this Act—

(1) before the date that is 1 year after the date of the enactment of this Act; and

(2) during the period beginning on October 1 and ending on December 31 of the first calendar year beginning after such date of enactment.

SA 772. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 2, insert "Such term shall not include any sale made through the mail" after "Act."

SA 773. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 756 submitted by Mr. PAUL and intended to be proposed to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ____ . MODIFICATIONS TO ESTATE, GIFT, AND GENERATION-SKIPPING TRANSFER TAXES.

(a) MODIFICATIONS TO ESTATE TAX.—

(1) EXCLUSION AMOUNT.—Paragraph (3) of section 2010(c) of the Internal Revenue Code of 1986 is amended to read as follows:

"(3) BASIC EXCLUSION AMOUNT.—For purposes of this section, the basic exclusion amount is \$3,500,000."

(2) MAXIMUM ESTATE TAX RATE.—The table in subsection (c) of section 2001 of such Code is amended by striking "Over \$1,000,000" and all that follows and inserting the following:

Over \$1,000,000 but not over \$1,250,000.	\$345,800, plus 41 percent of the excess of such amount over \$1,000,000.
Over \$1,250,000 but not over \$1,500,000.	\$448,300, plus 43 percent of the excess of such amount over \$1,250,000.
Over \$1,500,000	\$555,800, plus 45 percent of the excess of such amount over \$1,500,000."

(b) MODIFICATION TO GIFT TAX EXCLUSION AMOUNT.—Paragraph (1) of section 2505(a) of the Internal Revenue Code of 1986 is amended to read as follows:

"(1) the applicable credit amount in effect under section 2010(c) for such calendar year (determined as if the basic exclusion amount in section 2010(c)(2)(A) were \$1,000,000), reduced by ""."

(c) MODIFICATIONS OF ESTATE AND GIFT TAXES TO REFLECT DIFFERENCES IN CREDIT RESULTING FROM DIFFERENT EXCLUSION AMOUNTS.—

(1) ESTATE TAX ADJUSTMENT.—Section 2001 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(h) ADJUSTMENT TO REFLECT CHANGES IN EXCLUSION AMOUNT.—

"(1) IN GENERAL.—If, with respect to any gift to which subsection (b)(2) applies, the applicable exclusion amount in effect at the time of the decedent's death is less than such amount in effect at the time such gift is made by the decedent, the amount of tax computed under subsection (b) shall be reduced by the amount of tax which would

have been payable under chapter 12 at the time of the gift if the applicable exclusion amount in effect at such time had been the applicable exclusion amount in effect at the time of the decedent's death and the modifications described in subsection (g) had been applicable at the time of such gifts.

“(2) LIMITATION.—The aggregate amount of gifts made in any calendar year to which the reduction under paragraph (1) applies shall not exceed the excess of—

“(A) the applicable exclusion amount in effect for such calendar year, over

“(B) the applicable exclusion amount in effect at the time of the decedent's death.

“(3) APPLICABLE EXCLUSION AMOUNT.—The term ‘applicable exclusion amount’ means, with respect to any period, the amount determined under section 2010(c) for such period, except that in the case of any period for which such amount includes the deceased spousal unused exclusion amount (as defined in section 2010(c)(4)), such term shall mean the basic exclusion amount (as defined under section 2010(c)(3), as in effect for such period).”

(2) GIFT TAX ADJUSTMENT.—Section 2502 of such Code is amended by adding at the end the following new subsection:

“(d) ADJUSTMENT TO REFLECT CHANGES IN EXCLUSION AMOUNT.—

“(1) IN GENERAL.—If the taxpayer made a taxable gift in an applicable preceding calendar period, the amount of tax computed under subsection (a) shall be reduced by the amount of tax which would have been payable under chapter 12 for such applicable preceding calendar period if the applicable exclusion amount in effect for such preceding calendar period had been the applicable exclusion amount in effect for the calendar year for which the tax is being computed and the modifications described in subsection (g) had been applicable for such preceding calendar period.

“(2) LIMITATION.—The aggregate amount of gifts made in any applicable preceding calendar period to which the reduction under paragraph (1) applies shall not exceed the excess of—

“(A) the applicable exclusion amount for such preceding calendar period, over

“(B) the applicable exclusion amount for the calendar year for which the tax is being computed.

“(3) APPLICABLE PRECEDING CALENDAR YEAR PERIOD.—The term ‘applicable preceding calendar year period’ means any preceding calendar year period in which the applicable exclusion amount exceeded the applicable exclusion amount for the calendar year for which the tax is being computed.

“(4) APPLICABLE EXCLUSION AMOUNT.—The term ‘applicable exclusion amount’ means, with respect to any period, the amount determined under section 2010(c) for such period, except that in the case of any period for which such amount includes the deceased spousal unused exclusion amount (as defined in section 2010(c)(4)), such term shall mean the basic exclusion amount (as defined under section 2010(c)(3), as in effect for such period).”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying, and generation-skipping transfers and gifts made, after December 31, 2013.

SA 774. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 755 submitted by Mr. PAUL and intended to be proposed to the bill S. 743, to restore States’ sov-

ereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE —CORPORATE TAX DODGING PREVENTION

SEC. .01. SHORT TITLE.

This title may be cited as the “Corporate Tax Dodging Prevention Act”.

SEC. .02. DEFERRAL OF ACTIVE INCOME OF CONTROLLED FOREIGN CORPORATIONS.

Section 952 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) SPECIAL APPLICATION OF SUBPART.—

“(1) IN GENERAL.—For taxable years beginning after December 31, 2013, notwithstanding any other provision of this subpart, the term ‘subpart F income’ means, in the case of any controlled foreign corporation, the income of such corporation derived from any foreign country.

“(2) APPLICABLE RULES.—Rules similar to the rules under the last sentence of subsection (a) and subsection (d) shall apply to this subsection.”.

SEC. .03. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) SPECIAL RULES RELATING TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a large integrated oil company to a foreign country or possession of the United States for any period shall not be considered a tax—

“(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

“(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

“(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

“(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means, with respect to any foreign country or possession of the United States, a person who—

“(A) is subject to a levy of such country or possession, and

“(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

“(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘generally applicable income tax’ means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign

country or possession on income derived from the conduct of a trade or business within such country or possession.

“(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

“(i) persons who are not dual capacity taxpayers, and

“(ii) persons who are citizens or residents of the foreign country or possession.

“(4) LARGE INTEGRATED OIL COMPANY.—For purposes of this subsection, the term ‘large integrated oil company’ means, with respect to any taxable year, an integrated oil company (as defined in section 291(b)(4)) which—

“(A) had gross receipts in excess of \$1,000,000,000 for such taxable year, and

“(B) has an average daily worldwide production of crude oil of at least 500,000 barrels for such taxable year.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHELD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SEC. .04. REINSTITUTION OF PER COUNTRY FOREIGN TAX CREDIT.

(a) IN GENERAL.—Subsection (a) of section 904 of the Internal Revenue Code of 1986 is amended to read as follows:

“(a) LIMITATION.—The amount of the credit in respect of the tax paid or accrued to any foreign country or possession of the United States shall not exceed the same proportion of the tax against which such credit is taken which the taxpayer's taxable income from sources within such country or possession (but not in excess of the taxpayer's entire taxable income) bears to such taxpayer's entire taxable income for the same taxable year.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. .05. TREATMENT OF FOREIGN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES AS DOMESTIC CORPORATIONS.

(a) IN GENERAL.—Section 7701 of the Internal Revenue Code of 1986 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

“(p) CERTAIN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES TREATED AS DOMESTIC FOR INCOME TAX.—

“(1) IN GENERAL.—Notwithstanding subsection (a)(4), in the case of a corporation described in paragraph (2) if—

“(A) the corporation would not otherwise be treated as a domestic corporation for purposes of this title, but

“(B) the management and control of the corporation occurs, directly or indirectly, primarily within the United States,

then, solely for purposes of chapter 1 (and any other provision of this title relating to chapter 1), the corporation shall be treated as a domestic corporation.

“(2) CORPORATION DESCRIBED.—

“(A) IN GENERAL.—A corporation is described in this paragraph if—

“(i) the stock of such corporation is regularly traded on an established securities market, or

“(ii) the aggregate gross assets of such corporation (or any predecessor thereof), including assets under management for investors, whether held directly or indirectly, at any

time during the taxable year or any preceding taxable year is \$50,000,000 or more.

“(B) GENERAL EXCEPTION.—A corporation shall not be treated as described in this paragraph if—

“(i) such corporation was treated as a corporation described in this paragraph in a preceding taxable year,

“(ii) such corporation—

“(I) is not regularly traded on an established securities market, and

“(II) has, and is reasonably expected to continue to have, aggregate gross assets (including assets under management for investors, whether held directly or indirectly) of less than \$50,000,000, and

“(iii) the Secretary grants a waiver to such corporation under this subparagraph.

“(C) EXCEPTION FROM GROSS ASSETS TEST.—Subparagraph (A)(ii) shall not apply to a corporation which is a controlled foreign corporation (as defined in section 957) and which is a member of an affiliated group (as defined in section 1504, but determined without regard to section 1504(b)(3)) the common parent of which—

“(i) is a domestic corporation (determined without regard to this subsection), and

“(ii) has substantial assets (other than cash and cash equivalents and other than stock of foreign subsidiaries) held for use in the active conduct of a trade or business in the United States.

“(3) MANAGEMENT AND CONTROL.—

“(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of a corporation is to be treated as occurring primarily within the United States.

“(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that—

“(i) the management and control of a corporation shall be treated as occurring primarily within the United States if substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States, and

“(ii) individuals who are not executive officers and senior management of the corporation (including individuals who are officers or employees of other corporations in the same chain of corporations as the corporation) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the corporation described in clause (i).

“(C) CORPORATIONS PRIMARILY HOLDING INVESTMENT ASSETS.—Such regulations shall also provide that the management and control of a corporation shall be treated as occurring primarily within the United States if—

“(i) the assets of such corporation (directly or indirectly) consist primarily of assets being managed on behalf of investors, and

“(ii) decisions about how to invest the assets are made in the United States.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning on or after the date which is 2 years after the date of the enactment of this Act.

SA 775. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for

other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—

(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) WAGES OR OTHER REMUNERATION.—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting requirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this section:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) EMPLOYEE.—The term “employee” has the same meaning given to it by the State in which the employment duties are performed, except that the term “employee” shall not

include a professional athlete, professional entertainer, or certain public figures.

(3) PROFESSIONAL ATHLETE.—The term “professional athlete” means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) PROFESSIONAL ENTERTAINER.—The term “professional entertainer” means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) CERTAIN PUBLIC FIGURES.—The term “certain public figures” means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(6) EMPLOYER.—The term “employer” has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee's employment duties are performed, in which case the State's definition shall prevail.

(7) STATE.—Notwithstanding section 4(8), the term “State” means any of the several States.

(8) TIME AND ATTENDANCE SYSTEM.—The term “time and attendance system” means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee's employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee's wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(9) WAGES OR OTHER REMUNERATION.—The term “wages or other remuneration” may be limited by the State in which the employment duties are performed.

(e) EFFECTIVE DATE; APPLICABILITY.—

(1) EFFECTIVE DATE.—This section shall take effect on January 1 of the 2d year that begins after the date of the enactment of this Act.

(2) APPLICABILITY.—This section shall not apply to any tax obligation that accrues before the effective date of this Act.

SA 776. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) REQUIREMENT FOR REMOTE SELLER COMPENSATION.—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) unless such State adopts and implements a requirement providing a remote seller compensation for the collection and remittance of sales and use taxes in an amount equal to any costs or expenses incurred by the remote seller for the collection and remittance of such taxes.

(e) REQUIREMENT TO ENACT REMOTE SELLER LIABILITY DEFENSE LAWS.—

(1) IN GENERAL.—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) unless such State has enacted a law which provides remote sellers protection, through an affirmative defense to an action brought by the State or any locality within the State, from liability with respect to sales and use taxes required to be collected and remitted to the State under the authority granted by this Act.

(2) EXCEPTION.—A State or locality may overcome the affirmative defense described in paragraph (1) only if it carries its burden of establishing that—

(A) it has directly notified the remote seller of the obligation to collect and remit sales and use taxes and such remote seller has received such notification;

(B) it directly provided software from a certified software provider and appropriate training on using such software; and

(C) the remote seller has failed to use the software provided by the State.

SA 777. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) REQUIREMENT FOR REMOTE SELLER COMPENSATION.—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) unless such State adopts and implements a requirement providing a remote seller compensation for the collection and remittance of sales and use taxes in an amount equal to any costs or expenses incurred by the remote seller for the collection and remittance of such taxes.

SA 778. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLE II—DIGITAL GOODS AND SERVICES TAX FAIRNESS

SEC. 201. SHORT TITLE.

This title may be cited as the “Digital Goods and Services Tax Fairness Act of 2013”.

SEC. 202. MULTIPLE AND DISCRIMINATORY TAXES PROHIBITED.

No State or local jurisdiction shall impose multiple or discriminatory taxes on the sale or use of a digital good or a digital service.

SEC. 203. SOURCING LIMITATION.

Subject to section 206(a), taxes on the sale of a digital good or a digital service may only be imposed by a State or local jurisdiction whose territorial limits encompass the customer tax address.

SEC. 204. CUSTOMER TAX ADDRESS.

(a) SELLER OBLIGATION.—

(1) IN GENERAL.—Subject to subsection (e)(2), a seller shall be responsible for obtaining and maintaining in the ordinary course of business the customer tax address with respect to the sale of a digital good or a digital service, and shall be responsible for col-

lecting and remitting the correct amount of tax for the State and local jurisdictions whose territorial limits encompass the customer tax address if the State has the authority to require such collection and remittance by the seller.

(2) CERTAIN TRANSACTIONS.—When a customer tax address is not a business location of the seller under clause (i) of section 207(2)(A)—

(A) if the sale is a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (iii), (iv), and (v) of section 207(2)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 207(2)(A); and

(B) if the sale is not a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (ii), (iii), (iv), and (v) of section 207(2)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 207(2)(A).

(b) RELIANCE ON CUSTOMER-PROVIDED INFORMATION.—A seller that relies in good faith on information provided by a customer to determine a customer tax address shall not be held liable for any additional tax based on a different determination of that customer tax address by a State or local jurisdiction or court of competent jurisdiction, except if and until binding notice is given as provided in subsection (c).

(c) ADDRESS CORRECTION.—If a State or local jurisdiction is authorized under State law to administer a tax, and the jurisdiction determines that the customer tax address determined by a seller is not the customer tax address that would have been determined under section 207(2)(A) if the seller had the additional information provided by the State or local jurisdiction, then the jurisdiction may give binding notice to the seller to correct the customer tax address on a prospective basis, effective not less than 45 days after the date of such notice, if—

(1) when the determination is made by a local jurisdiction, such local jurisdiction obtains the consent of all affected local jurisdictions within the State before giving such notice of determination; and

(2) before the State or local jurisdiction gives such notice of determination, the customer is given an opportunity to demonstrate in accordance with applicable State or local tax administrative procedures that the address used is the customer tax address.

(d) COORDINATION WITH SOURCING OF MOBILE TELECOMMUNICATIONS SERVICE.—

(1) IN GENERAL.—If—

(A) a digital good or a digital service is sold to a customer by a home service provider of mobile telecommunications service that is subject to being sourced under section 117 of title 4, United States Code, or the charges for a digital good or a digital service are billed to the customer by such a home service provider; and

(B) the digital good or digital service is delivered, transferred, or provided electronically by means of mobile telecommunications service that is deemed to be provided by such home service provider under section 117 of such title,

then the home service provider and, if different, the seller of the digital good or digital service, may presume that the customer's place of primary use for such mobile telecommunications service is the customer tax address described in section 207(2)(B) with respect to the sale of such digital good or digital service.

(2) DEFINITIONS.—For purposes of this subsection, the terms “home service provider”, “mobile telecommunications service”, and “place of primary use” have the same meanings as in section 124 of title 4, United States Code.

(e) MULTIPLE LOCATIONS.—

(1) IN GENERAL.—If a digital good or a digital service is sold to a customer and available for use by the customer in multiple locations simultaneously, the seller may determine the customer tax addresses using a reasonable and consistent method based on the addresses of use as provided by the customer and determined in agreement with the customer at the time of sale.

(2) DIRECT CUSTOMER PAYMENT.—

(A) ESTABLISHMENT OF DIRECT PAYMENT PROCEDURES.—Each State and local jurisdiction shall provide reasonable procedures that permit the direct payment by a qualified customer, as determined under procedures established by the State or local jurisdiction, of taxes that are on the sale of digital goods and digital services to multiple locations of the customer and that would, absent such procedures, be required or permitted by law to be collected from the customer by the seller.

(B) EFFECT OF CUSTOMER COMPLIANCE WITH DIRECT PAYMENT PROCEDURES.—When a qualified customer elects to pay tax directly under the procedures established under subparagraph (A), the seller shall—

(i) have no obligation to obtain the multiple customer tax addresses under subsection (a); and

(ii) not be liable for such tax, provided the seller follows the State and local procedures and maintains appropriate documentation in its books and records.

SEC. 205. TREATMENT OF BUNDLED TRANSACTIONS AND DIGITAL CODES.

(a) BUNDLED TRANSACTION.—If a charge for a distinct and identifiable digital good or a digital service is aggregated with and not separately stated from one or more charges for other distinct and identifiable goods or services, which may include other digital goods or digital services, and any part of the aggregation is subject to taxation, then the entire aggregation may be subject to taxation, except to the extent that the seller can identify, by reasonable and verifiable standards, one or more charges for the nontaxable goods or services from its books and records kept in the ordinary course of business.

(b) DIGITAL CODE.—The tax treatment of the sale of a digital code shall be the same as the tax treatment of the sale of the digital good or digital service to which the digital code relates.

(c) RULE OF CONSTRUCTION.—The sale of a digital code shall be considered the sale transaction for purposes of this title.

SEC. 206. NO INFERENCE.

(a) CUSTOMER LIABILITY.—Subject to the prohibition provided in section 202, nothing in this title modifies, impairs, supersedes, or authorizes the modification, impairment, or supersession of any law allowing a State or local jurisdiction to impose tax on and collect tax directly from a customer based upon use of a digital good or digital service in such State.

(b) NON-TAX MATTERS.—This title shall not be construed to apply in, or to affect, any non-tax regulatory matter or other context.

(c) STATE TAX MATTERS.—The definitions contained in this title are intended to be used with respect to interpreting this title. Nothing in this title shall prohibit a State or

local jurisdiction from adopting different nomenclature to enforce the provisions set forth in this title.

SEC. 207. DEFINITIONS.

In this title, the following definitions shall apply:

(1) **CUSTOMER.**—The term “customer” means a person that purchases a digital good, digital service, or digital code.

(2) **CUSTOMER TAX ADDRESS.**—

(A) **IN GENERAL.**—The term “customer tax address” means—

(i) with respect to the sale of a digital good or digital service that is received by the customer at a business location of the seller, such business location;

(ii) if clause (i) does not apply and the primary use location of the digital good or digital service is known by the seller, such location;

(iii) if neither clause (i) nor clause (ii) applies, and if the location where the digital good or digital service is received by the customer, or by a donee of the customer that is identified by such customer, is known to the seller and maintained in the ordinary course of the seller's business, such location;

(iv) if none of clauses (i) through (iii) applies, the location indicated by an address for the customer that is available from the business records of the seller that are maintained in the ordinary course of the seller's business, when use of the address does not constitute bad faith;

(v) if none of clauses (i) through (iv) applies, the location indicated by an address for the customer obtained during the consummation of the sale, including the address of a customer's payment instrument, when use of this address does not constitute bad faith; or

(vi) if none of clauses (i) through (v) applies, including the circumstance in which the seller is without sufficient information to apply such paragraphs, the location from which the digital good was first available for transmission by the seller (disregarding for these purposes any location that merely provides for the digital transfer of the product sold), or from which the digital service was provided by the seller.

(B) **EXCLUSION.**—For purposes of this paragraph, the term “location” does not include the location of a server, machine, or device, including an intermediary server, that is used simply for routing or storage.

(3) **DELIVERED OR TRANSFERRED ELECTRONICALLY; PROVIDED ELECTRONICALLY.**—The term “delivered or transferred electronically” means the delivery or transfer by means other than tangible storage media, and the term “provided electronically” means the provision remotely via electronic means.

(4) **DIGITAL CODE.**—The term “digital code” means a code that conveys only the right to obtain a digital good or digital service without making further payment.

(5) **DIGITAL GOOD.**—The term “digital good” means any software or other good that is delivered or transferred electronically, including sounds, images, data, facts, or combinations thereof, maintained in digital format, where such good is the true object of the transaction, rather than the activity or service performed to create such good, and includes, as an incidental component, charges for the delivery or transfer of the digital good.

(6) **DIGITAL SERVICE.**—

(A) **IN GENERAL.**—The term “digital service” means any service that is provided electronically, including the provision of remote access to or use of a digital good, and includes, as an incidental component, charges

for the electronic provision of the digital service to the customer.

(B) **EXCEPTIONS.**—The term “digital service” does not include a service that is predominantly attributable to the direct, contemporaneous expenditure of live human effort, skill, or expertise, a telecommunications service, an ancillary service, Internet access service, audio or video programming service, or a hotel intermediary service.

(C) **CLARIFYING DEFINITIONS.**—For purposes of subparagraph (B)—

(i) the term “ancillary service” means a service that is associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services;

(ii) the term “audio or video programming service”—

(I) means programming provided by, or generally considered comparable to programming provided by, a radio or television broadcast station; and

(II) does not include interactive on-demand services, as defined in paragraph (12) of section 602 of the Communications Act of 1934 (47 U.S.C. 522(12)), pay-per-view services, or services generally considered comparable to such services regardless of the technology used to provide such services;

(iii) the term “hotel intermediary service”—

(I) means a service provided by a person that facilitates the sale, use, or possession of a hotel room or other transient accommodation to the general public; and

(II) does not include the purchase of a digital service by a person who provides a hotel intermediary service or by a person who owns, operates, or manages hotel rooms or other transient accommodations;

(iv) the term “Internet access service” means a service that enables users to connect to the Internet, as defined in the Internet Tax Freedom Act (47 U.S.C. 151 note), to access content, information, or other services offered over the Internet; and

(v) the term “telecommunications service”—

(I) means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(II) includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing, without regard to whether such service is referred to as voice over Internet protocol service; and

(III) does not include data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information.

(7) **DISCRIMINATORY TAX.**—The term “discriminatory tax” means any tax imposed by a State or local jurisdiction on digital goods or digital services that—

(A) is not generally imposed and legally collectible by such State or local jurisdiction on transactions involving similar property, goods, or services accomplished through other means;

(B) is not generally imposed and legally collectible at the same or higher rate by such State or local jurisdiction on trans-

actions involving similar property, goods, or services accomplished through other means;

(C) imposes an obligation to collect or pay the tax on a person, other than the seller, than the State or local jurisdiction would impose in the case of transactions involving similar property, goods, or services accomplished through other means;

(D) establishes a classification of digital services or digital goods providers for purposes of establishing a higher tax rate to be imposed on such providers than the tax rate generally applied to providers of similar property, goods, or services accomplished through other means; or

(E) does not provide a resale and component part exemption for the purchase of digital goods or digital services in a manner consistent with the State's resale and component part exemption applicable to the purchase of similar property, goods, or services accomplished through other means.

(8) **MULTIPLE TAX.**—

(A) **IN GENERAL.**—The term “multiple tax” means any tax that is imposed by one State, one or more of that State's local jurisdictions, or both on the same or essentially the same digital goods and digital services that is also subject to tax imposed by another State, one or more local jurisdictions in such other State (whether or not at the same rate or on the same basis), or both, without a credit for taxes paid in other jurisdictions.

(B) **EXCEPTION.**—The term “multiple tax” shall not include a tax imposed by a State and one or more political subdivisions thereof on the same digital goods and digital services or a tax on persons engaged in selling digital goods and digital services which also may have been subject to a sales or use tax thereon.

(9) **PRIMARY USE LOCATION.**—

(A) **IN GENERAL.**—The term “primary use location” means a street address representative of where the customer's use of a digital good or digital service will primarily occur, which shall be the residential street address or a business street address of the actual end user of the digital good or digital service, including, if applicable, the address of a donee of the customer that is designated by the customer.

(B) **CUSTOMERS THAT ARE NOT INDIVIDUALS.**—For the purpose of subparagraph (A), if the customer is not an individual, the primary use location is determined by the location of the customer's employees or equipment (machine or device) that make use of the digital good or digital service, but does not include the location of a person who uses the digital good or digital service as the purchaser of a separate good or service from the customer.

(10) **SALE AND PURCHASE.**—The terms “sale” and “purchase”, and all variations thereof, shall include the provision, lease, rent, license, and corresponding variations thereof.

(11) **SELLER.**—

(A) **IN GENERAL.**—The term “seller” means a person making sales of digital goods or digital services.

(B) **EXCEPTIONS.**—A person that provides billing service or electronic delivery or transport service on behalf of another unrelated or unaffiliated person, with respect to the other person's sale of a digital good or digital service, shall not be treated as a seller of that digital good or digital service.

(C) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall preclude the person providing the billing service or electronic delivery or transport service from entering into a contract with the seller to assume the tax collection and remittance responsibilities of the seller.

(12) **SEPARATE AND DISCRETE TRANSACTION.**—The term “separate and discrete transaction” means a sale of a digital good, digital code, or a digital service sold in a single transaction which does not involve any additional charges or continued payment in order to maintain possession of the digital good or access to the digital service.

(13) **STATE OR LOCAL JURISDICTION.**—The term “State or local jurisdiction” means any of the several States, the District of Columbia, any territory or possession of the United States, a political subdivision of any State, territory, or possession, or any governmental entity or person acting on behalf of such State, territory, possession, or subdivision and with the authority to assess, impose, levy, or collect taxes.

(14) **TAX.**—

(A) **IN GENERAL.**—The term “tax” means any charge imposed by any State or local jurisdiction for the purpose of generating revenues for governmental purposes, including any tax, charge, or fee levied as a fixed charge or measured by gross amounts charged, regardless of whether such tax, charge, or fee is imposed on the seller or the customer and regardless of the terminology used to describe the tax, charge, or fee.

(B) **EXCLUSIONS.**—The term “tax” does not include an ad valorem tax, a tax on or measured by capital, a tax on or measured by net income, apportioned gross income, apportioned revenue, apportioned taxable margin, or apportioned gross receipts, or, a State or local jurisdiction business and occupation tax imposed on a broad range of business activity in a State that enacted a State tax on gross receipts after January 1, 1932, and before January 1, 1936.

SEC. 208. EFFECTIVE DATE; APPLICATION.

(a) **GENERAL RULE.**—This title shall take effect 60 days after the date of enactment of this title.

(b) **EXCEPTIONS.**—A State or Local jurisdiction shall have 2 years from the date of enactment of this title to modify any State or local tax statute enacted prior to date of enactment of this title to conform to the provisions set forth in sections 204 and 205 of this title.

(c) **APPLICATION TO LIABILITIES AND PENDING CASES.**—Nothing in this title shall affect liability for taxes accrued and enforced before the effective date of this title, or affect ongoing litigation relating to such taxes.

SEC. 209. SAVINGS PROVISION.

If any provision or part of this title is held to be invalid or unenforceable by a court of competent jurisdiction for any reason, such holding shall not affect the validity or enforceability of any other provision or part of this title unless such holding substantially limits or impairs the essential elements of this title, in which case this title shall be deemed invalid and of no legal effect as of the date that the judgment on such holding is final and no longer subject to appeal.

SA 779. Mr. HOEVEN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. PREVENTION OF INCREASES IN FLIGHT DELAYS AND CANCELLATIONS.

(a) **SHORT TITLE.**—This section may be cited as the “Dependable Air Service Act of 2013”.

(b) **PREVENTION OF INCREASES REQUIRED.**—The Secretary of Transportation shall ensure that flight delays and cancellations do not result from furloughs of employees of the Federal Aviation Administration implemented as a result of any rescission or reduction in funding for fiscal year 2013 provided for under—

(1) a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A));

(2) section 3002 or 3004 of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6); or

(3) section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 and 901a).

(c) **FUNDING.**—In carrying out subsection (b), the Secretary of Transportation may—

(1) use amounts available for the operations of the Federal Aviation Administration for fiscal year 2013 as of the day before the date of the enactment of this Act; or

(2) notwithstanding division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), or a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A))—

(A) increase the amount available for the operations of the Federal Aviation Administration for fiscal year 2013 by an amount the Secretary determines to be necessary to ensure that flight delays and cancellations do not result from the furloughs described in subsection (b); and

(B) reduce amounts made available for other programs of the Department of Transportation for fiscal year 2013 by an amount equal to the amount by which funding for the operations of the Federal Aviation Administration is increased under subparagraph (A).

SA 780. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, strike lines 4 through 7 and insert the following:

paragraph (H);

(iii) certification procedures for persons to be approved as certified software providers; and

(iv) remote sellers that collect and remit sales and use taxes under this Act with compensation in an amount that is equal to not less than—

(I) 3 percent of the sales and use taxes collected and remitted to such State during the 36-month period following the date that the exercise of authority under this Act commences; and

(II) 2 percent of the sales and use taxes collected and remitted to such State thereafter.

SA 781. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 6, strike line 18 and all that follows through page 7, line 8, and insert the following:

(c) **SMALL SELLER EXCEPTION.**—

(1) **IN GENERAL.**—A State is authorized to require a remote seller to collect sales and use taxes under this Act only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding the applicable amount (as determined under paragraph (2)). For purposes of determining whether the applicable amount in this subsection is met—

(A) the sales of all persons related within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986 shall be aggregated; or

(B) persons with 1 or more ownership relationships shall also be aggregated if such relationships were designed with a principal purpose of avoiding the application of these rules.

(2) **APPLICABLE AMOUNT.**—For purposes of paragraph (1), the applicable amount shall be equal to—

(A) if the preceding calendar year is 2012, \$1,500,000; and

(B) if the preceding calendar year is 2013 or any year thereafter, \$1,000,000.

SA 782. Mr. VITTER (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PARTICIPATION OF PRESIDENT, VICE PRESIDENT, MEMBERS OF CONGRESS, POLITICAL APPOINTEES, AND CONGRESSIONAL STAFF IN THE EXCHANGE.

(a) **IN GENERAL.**—Section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is amended to read as follows:

“(D) PRESIDENT, VICE PRESIDENT, POLITICAL APPOINTEES, MEMBERS OF CONGRESS, AND CONGRESSIONAL STAFF IN THE EXCHANGE.—

“(i) **IN GENERAL.**—Notwithstanding chapter 89 of title 5, United States Code, or any provision of this title the President, the Vice President, each political appointee, each Member of Congress, and each Congressional employee shall be treated as a qualified individual entitled to the right under this paragraph to enroll in a qualified health plan in the individual market offered through an Exchange in the State in which the individual resides.

“(ii) **POLITICAL APPOINTEE.**—In this subparagraph, the term ‘political appointee’ means any individual who—

“(I) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(II) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(III) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.

“(iii) **CONGRESSIONAL EMPLOYEE.**—In this subparagraph, the term ‘Congressional employee’ means an employee whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect as if included in the Patient Protection and Affordable Care Act.

SA 783. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) **COMPENSATION FOR COMPLIANCE COSTS.**—

(1) **IN GENERAL.**—In the case of a remote seller that collects and remits sales and use taxes to a State pursuant to the authority granted under this Act, such State shall fully reimburse the seller for any costs or expenses related to the collection and remittance of such taxes (as determined pursuant to paragraph (2)).

(2) **DETERMINATION OF REIMBURSEMENT RATE.**—For purposes of this subsection, the rate and method of reimbursement shall be determined by the Secretary of the Treasury, pursuant to such criteria as are determined appropriate by the Secretary.

SA 784. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, between lines 20 and 21, insert the following:

(g) **LIMITATION ON PENALTIES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, in the case of a remote seller that is required to collect and remit sales and use taxes to a State pursuant to the authority granted under this Act, a State may only bring an action against the remote seller pursuant to this Act for failure to properly collect and remit such taxes when due and for any interest due on such amounts.

SA 785. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) **COMPENSATION FOR COSTS RELATED TO AUDITS.**—

(1) **IN GENERAL.**—In the case of a remote seller that collects and remits sales and use taxes to a State pursuant to the authority granted under this Act, the State shall fully reimburse the seller for any costs or expenses related to any audit by such State regarding the collection and remittance of such taxes (as determined pursuant to paragraph (2)), provided that the seller has not been determined to have knowingly violated the requirements under this Act.

(2) **DETERMINATION OF REIMBURSEMENT AMOUNT.**—For purposes of this subsection, the amount and method of reimbursement shall be determined by the Secretary of the Treasury, pursuant to such criteria as are determined appropriate by the Secretary.

SA 786. Mr. MERKLEY submitted an amendment intended to be proposed by

him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) **AUDIT EXCEPTION.**—

(1) **IN GENERAL.**—For purposes of the authority granted under subsections (a) and (b), a remote seller shall not be subject to an audit by a State regarding collection or remittance of sales and use taxes with respect to remote sales that are sourced to such State if the seller has been subject to an audit by any State pursuant to such authority during the preceding 24 months.

(2) **DEFINITION.**—For purposes of paragraph (1), the term "non-sales tax state remote seller" means a remote seller that is headquartered in and has a majority of its full-time employees located in a State that does not maintain a statewide sales tax or equivalent use tax.

SA 787. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. COMPLIANCE BY REMOTE SELLERS BASED OUTSIDE OF THE UNITED STATES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the provisions of this Act shall not take effect for any non-sales tax state remote seller unless the Secretary of the Treasury has certified that the United States has entered into agreements with other nations that would require remote sellers based outside of the United States to collect and remit sales and use taxes with respect to remote sales sourced to a State, provided that such agreements impose such requirements on the predominant quantity of the cumulative total of such remote sales by such remote sellers within the United States.

SA 788. Ms. COLLINS (for herself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. AUTHORIZATION TO TRANSFER CERTAIN FUNDS TO PREVENT FURLONGHS BY THE FEDERAL AVIATION ADMINISTRATION.

(a) **SHORT TITLE.**—This section may be cited as the "Reducing Flight Delays Act of 2013".

(b) **AUTHORIZATION OF TRANSFER.**—Notwithstanding division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), any other provision of law, or a sequestration order issued or to be issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A)), the Secretary of Transportation may transfer during fiscal year 2013 an amount equal to the amount specified in subsection (d) to the appropriations account providing for the operations of the Federal Aviation Administration, for any activity or activities funded by that account, from—

(1) the amount made available for obligation in that fiscal year as discretionary grants-in-aid for airports pursuant to section 47117(f) of title 49, United States Code; or

(2) any other program or account of the Federal Aviation Administration.

(c) **AVAILABILITY AND OBLIGATION OF TRANSFERRED AMOUNTS.**—An amount transferred under subsection (b)(1) shall—

(1) be available immediately for obligation and expenditure as directly appropriated budget authority; and

(2) be deemed as obligated for grants-in-aid for airports under part B of subtitle VII of title 49, United States Code, for purposes of complying with the limitation on incurring obligations during that fiscal year under the heading "GRANTS-IN-AID FOR AIRPORTS" under title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55; 125 Stat. 647), and made applicable to fiscal year 2013 by division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6).

(d) **AMOUNT SPECIFIED.**—The amount specified in this subsection is the amount, not to exceed \$253,000,000, that the Secretary of Transportation determines to be necessary—

(1) to prevent during fiscal year 2013 furloughs of employees of the Federal Aviation Administration whom the Secretary determines are necessary for ensuring a safe and efficient air transportation system; and

(2) to continue during that fiscal year the operations of air traffic control towers that were operational as of January 1, 2013, under the contract tower program of the Federal Aviation Administration.

SA 789. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. EFFECTIVE DATE.

This Act shall not take effect until the date on which the United States International Trade Commission determines, and reports to Congress, that the provisions of this Act will not injure remote sellers located in the United States as a result of the exclusion of remote sellers located outside of the United States from taxation pursuant to this Act.

SA 790. Mrs. McCASKILL (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON BONUSES AND AWARDS.

(a) **DEFINITIONS.**—In this section—

(1) the terms "agency" and "employee" have the meanings given such terms in section 4501 of title 5, United States Code;

(2) the term "bonus" means—

(A) an award under subchapter I of chapter 45 of title 5, United States Code; and

(B) an award under section 5384 of title 5, United States Code; and

(3) the term "sequestration period" means a period beginning on the date on which a sequestration order is issued under section 251

or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a) and ending on the last day of the fiscal year to which the sequestration order applies.

(b) **PROHIBITION.**—Notwithstanding any other provision of law, an agency may not award a bonus to an employee—

(1) during a sequestration period; or

(2) that relates to any period of service performed during a fiscal year during which a sequestration order is issued under section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a).

SA 791. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON ADMISSION TO THE UNITED STATES OF TAX EVADERS.

Section 212(d)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(A)) is amended—

(1) in clause (i), by striking “and clauses (i) and (ii) of paragraph (3)(E)” and inserting “clauses (i) and (ii) of paragraph (3)(E), and paragraph (10)(E)”;

(2) in clause (ii), by striking “and clauses (i) and (ii) of paragraph (3)(E)” and inserting “clauses (i) and (ii) of paragraph (3)(E), and paragraph (10)(E)”.

SA 792. Mr. COATS (for Mr. PORTMAN (for himself, Mr. COATS, and Ms. AYOTTE)) submitted an amendment intended to be proposed by Mr. Coats to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . REVENUE-NEUTRALITY LIMITATION.

(a) **IN GENERAL.**—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) of section 2 unless such State has enacted into law a reduction in taxes by an amount not less than the net revenue collected and remitted to such State by reason of the authority granted under such subsections, as determined on an annual, biennial, or permanent basis.

(b) **COMPLIANCE.**—

(1) **IN GENERAL.**—The Governor of each State which exercises the authority granted under this Act shall certify in writing compliance with subsection (a) no later than 18 months after the State exercises the authority granted by this Act.

(2) **NO JUDICIAL REVIEW.**—The compliance of a State with subsection (a) shall not be subject to judicial review.

(c) **NET REVENUE.**—For purposes of subsection (a), the term “net revenue” means gross revenues reduced by the amount of any costs incurred in the collection of taxes on remote sales and related administrative costs.

SA 793. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States'

sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. PREVENTION OF INCREASES IN FLIGHT DELAYS AND CANCELLATIONS; CONTINUED OPERATION OF CONTRACT TOWER PROGRAM.

(a) **SHORT TITLE.**—This section may be cited as the “Dependable Air Service Act of 2013”.

(b) **PREVENTION OF INCREASES REQUIRED.**—The Secretary of Transportation shall ensure that flight delays and cancellations do not result from furloughs of employees of the Federal Aviation Administration implemented as a result of any rescission or reduction in funding for fiscal year 2013 provided for under—

(1) a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A));

(2) section 3002 or 3004 of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6); or

(3) section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 and 901a).

(c) **FUNDING FOR PREVENTING FURLOUGHS.**—In carrying out subsection (b), the Secretary of Transportation may—

(1) use amounts available for the operations of the Federal Aviation Administration for fiscal year 2013 as of the day before the date of the enactment of this Act; or

(2) notwithstanding division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), or a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A))—

(A) increase the amount available for the operations of the Federal Aviation Administration for fiscal year 2013 by an amount the Secretary determines to be necessary to ensure that flight delays and cancellations do not result from the furloughs described in subsection (b); and

(B) reduce amounts made available for other programs of the Department of Transportation for fiscal year 2013 by an amount equal to the amount by which funding for the operations of the Federal Aviation Administration is increased under subparagraph (A).

(d) **ADDITIONAL AMOUNT FOR CONTRACT TOWER PROGRAM.**—

(1) **IN GENERAL.**—There is appropriated to the Secretary of Transportation \$130,000,000 for fiscal year 2013 for the contract tower program of the Federal Aviation Administration.

(2) **ADDITIONAL AMOUNT.**—The amount appropriated pursuant to paragraph (1) shall be in addition to amounts appropriated for the Federal Aviation Administration under title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55; 125 Stat. 641), as made available by section 1101(a)(7) of division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6).

(3) **OFFSET.**—Of amounts appropriated for fiscal years before fiscal year 2013 that remain available for obligation as of the date of the enactment of this Act and that are not designated an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, the following

amounts are rescinded from the following accounts:

(A) “Department of Transportation, Federal Aviation Administration, Facilities and Equipment”, \$23,861,002.

(B) “Department of Transportation, Federal Aviation Administration, Research, Engineering, and Development”, \$26,183,998.

SA 794. Mr. COATS (for himself, Mr. PORTMAN, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . REVENUE-NEUTRALITY LIMITATION.

(a) **IN GENERAL.**—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) of section 2 unless such State has enacted into law a reduction in taxes by an amount not less than the net revenue collected and remitted to such State by reason of the authority granted under such subsections, as determined on an annual, biennial, or permanent basis.

(b) **COMPLIANCE.**—

(1) **IN GENERAL.**—The Governor of each State which exercises the authority granted under this Act shall certify in writing compliance with subsection (a) no later than 18 months after the State exercises the authority granted by this Act.

(2) **NO JUDICIAL REVIEW.**—The compliance of a State with subsection (a) shall not be subject to judicial review.

(c) **NET REVENUE.**—For purposes of subsection (a), the term “net revenue” means gross revenues reduced by the amount of any costs incurred in the collection of taxes on remote sales and related administrative costs.

SA 795. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, between lines 20 and 21, insert the following:

(g) **PREVENTING DISCRIMINATION IN COMPENSATION FOR COMPLIANCE COSTS.**—

(1) **IN GENERAL.**—In the case of a State that provides reimbursement (other than through a State tax deduction for ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business) for expenses related to collection and remittance of sales and use taxes to sellers that are located within the State, such State shall provide an equivalent rate and method of reimbursement to any remote seller for expenses related to the collection and remittance of sales and use taxes on remote sales sourced to that State.

(2) **ADMINISTRATION.**—The Secretary of the Treasury may issue such regulations or guidance as may be necessary for the administration of the requirements described in paragraph (1).

NOTICES OF HEARINGS

Mr. President, I would like to announce that the Committee on Indian

Affairs will meet during the session of the Senate on May 15, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing "To Receive the Views and Priorities of Interior Secretary Jewell with Regard to Matters of Indian Affairs."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

Mr. WYDEN. Mr. President, I would like to advise you that the Senate Committee on Energy and Natural Resources will hold a business meeting on Wednesday, May 8, 2013 at 11:30 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending calendar business.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on May 8, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing to receive testimony on the following bills: S. 434, to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation and the State of Montana, and for other purposes, and S. 611, to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act, and for other purposes.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 25, 2013, at 8:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 25, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate subcommittee hearing on April 25, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 25, 2013, at 9:30 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 25, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIA AND PACIFIC AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 25, 2013, at 2 p.m., to hold a East Asia and Pacific Affairs subcommittee hearing entitled, "Rebalance to Asia II: Security and Defense: Cooperation and Challenges."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. PAUL. Mr. President, I ask unanimous consent that Justin Hamilton, an intern in my office, and Steven Phan of the Sergeant at Arms' office be allowed the privileges of the floor for today's session and that Stephen Phan be allowed to stand next to me to interpret my remarks into American sign language.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent the Senate proceed to executive session to consider nominations 24, 25, 61, and 89.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the nominations be confirmed en bloc, the motion to reconsider be considered made and laid on the table, there be no intervening action or debate, and that no further motions be in order to any of the nominations, any statements be printed in the RECORD, and the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF THE TREASURY

Christopher J. Meade, of New York, to be General Counsel for the Department of the Treasury.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

William B. Schultz, of the District of Columbia, to be General Counsel of the Department of Health and Human Services.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Jenny R. Yang, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2017.

IN THE DEPARTMENT OF JUSTICE

Karol Virginia Mason, of Georgia, to be an Assistant Attorney General.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that at a time to be determined by me, in consultation with Senator MCCONNELL, the Senate proceed to executive session to consider Calendar No. 42; there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote with no intervening action or debate on the nomination; that the motion to reconsider be considered made and laid on the table, with no intervening action or debate, and no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD, and that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

REDUCING FLIGHT DELAYS ACT OF 2013

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to S. 853, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 853) to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Before we hear from my friend from Maine, I appreciate very much her tenacity, her diligence, and that of Senator ROCKEFELLER and others. This is something that has been difficult, but I think it is the right thing to do. Hopefully when we get back, we can have something broader in scope than just this.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I am delighted that the Senate will pass a bipartisan bill to resolve a serious problem confronting the American traveling public and our economy. I thank the majority leader, Senator REID, the minority leader, the Republican leader, Senator MCCONNELL, and all the staff who have worked so hard to make this happen.

I am very pleased to be joined in sponsoring this bill by many of our colleagues, including Senator ROCKEFELLER, Senator THUNE, Senator MARK UDALL, Senator RISCH, Senator ROBERTS, Senator ISAKSON, Senator MCCASKILL, Senator HAGAN, the Presiding Officer, Senator TOOMEY, Senator CHAMBLISS, Senator MURKOWSKI, Senator WARNER, Senator BEGICH, Senator NELSON, and Senator HELLER.

As the ranking member of the Appropriations Transportation Subcommittee, I have been very concerned about the serious delays that have been caused by the FAA furloughs of air traffic controllers. In fact, Secretary of Transportation LaHood and FAA Administrator Huerta met with me this morning to discuss this problem and our proposed solution.

The Collins-Rockefeller-Thune-Udall bill would restore the funding for these essential air traffic controller positions, and that should prevent the onerous delays that were occurring and were only going to get worse as the traveling season reached its peak this summer. That would have had a ripple effect throughout the hospitality industry in particular and caused job losses that we can ill afford.

I just wish to point out that there literally have been thousands of flights delayed since the furloughs went into effect, and I am so happy we were able to work together across the aisle in a bipartisan way to resolve this problem.

The FAA recently began furloughing 47,000 employees this past Sunday, which includes nearly 15,000 air traffic controllers. This is essentially 10 percent of its workforce, which equates to one furlough day per bi-weekly pay period, for a maximum of 11 days through September 30th.

The challenges the FAA faces this fiscal year are daunting; not only is the agency operating under a continuing resolution but sequestration compounds the problem. It is important that sequestration is implemented in a way that ensures safety and minimizes the impact on the traveling public as well as jobs in the hospitality and airline industries. FAA recently announced its plans to achieve savings by implementing furloughs of air traffic controllers.

These cuts have already caused widespread delays to the air transportation system and were expected to get worse. It is estimated that as many as 6,700 flights would be delayed each day, more than double the worst day of

flight delays last year. This reduction in staffing of air traffic controllers has been the primary cause of one out of every three delays since the furloughs began.

In fact, on Monday alone, there were 2,660 delays, of which 1,200 were due to the furloughs, and 2,000 delays on Tuesday, of which 1,025 due to the reduced staff. What was even more troubling is that soon we will be approaching the summer peak travel season. Some airports may experience delays of up to three hours during peak travel times.

The FAA acknowledges that these service reductions will adversely affect commercial, corporate, and general aviation operators. The FAA expects that as airlines estimate the potential impacts of these furloughs, they will be forced to change their schedules, cancel flights, and lay off employees.

Our bill, The Reducing Flight Delays Act of 2013, would provide the Secretary of Transportation the flexibility to transfer certain funds to prevent furloughs of essential employees at the FAA. It would give the Secretary the authority to transfer an amount not to exceed \$253 million to prevent essential employees at the FAA, such as air traffic controllers, from being furloughed in order to reduce flight delays while maintaining a safe and efficient national airspace system.

My bill would accomplish this goal by allowing a one-time shift of unused monies in the Airport Improvement Program to Operations. I first raised the idea of using AIP carryover balances as a solution at the policy lunch on Tuesday, and many of my colleagues indicated interest in this approach. Our bill has been vetted by the General Counsel offices at both the FAA and the Secretary's office. Secretary LaHood told me this morning that it is an effective, workable solution.

The transfer would come largely from carryover balances within the Airport Improvement Program (AIP). To be clear: this is the discretionary portion of the program and in no way affects the entitlement funds airports are guaranteed to receive. The program has sufficient funding to support this effort. Historically, AIP carryover balances range between \$400–450 million and has not been below \$300 million in the last decade. In fact, last year there was approximately \$700 million of these carryover balances.

Over the past several years, the aviation industry has faced tough economic hardships. I recognize that aviation plays a critical role in driving economic growth, jobs and investment across the country. The Airport Improvement Program is a very important program which supports infrastructure at our nation's airports.

This bill should be recognized as a one-time solution in order to avert the serious national impacts that have re-

sulted from the decisions made by the FAA.

I urge my colleagues to support this bill, and I am grateful to both the Majority and Minority Leaders.

I thank them for their cooperation in making this happen. It is nice to know that when we work together, we really can solve problems.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, we were able to accomplish two very important things this week. One is the final passage of the Internet tax issue, but that is because it was a bipartisan issue, and we were able to get this done.

Madam President, I ask unanimous consent that the bill be read three times and passed and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 853) was ordered to be engrossed for a third reading, was read a third time, and passed, as follows:

S. 853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Reducing Flight Delays Act of 2013”.

SEC. 2. AUTHORIZATION TO TRANSFER CERTAIN FUNDS TO PREVENT REDUCED OPERATIONS AND STAFFING OF THE FEDERAL AVIATION ADMINISTRATION.

(a) IN GENERAL.—Notwithstanding division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6), any other provision of law, or a sequestration order issued or to be issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A)), the Secretary of Transportation may transfer during fiscal year 2013 an amount equal to the amount specified in subsection (c) to the appropriations account providing for the operations of the Federal Aviation Administration, for any activity or activities funded by that account, from—

(1) the amount made available for obligation in that fiscal year as discretionary grants-in-aid for airports pursuant to section 47117(f) of title 49, United States Code; or

(2) any other program or account of the Federal Aviation Administration.

(b) AVAILABILITY AND OBLIGATION OF TRANSFERRED AMOUNTS.—An amount transferred under subsection (a)(1) shall—

(1) be available immediately for obligation and expenditure as directly appropriated budget authority; and

(2) be deemed as obligated for grants-in-aid for airports under part B of subtitle VII of title 49, United States Code, for purposes of complying with the limitation on incurring obligations during that fiscal year under the heading “GRANTS-IN-AID FOR AIRPORTS” under title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112–55; 125 Stat. 647), and made applicable to fiscal year 2013 by division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6).

(c) AMOUNT SPECIFIED.—The amount specified in this subsection is the amount, not to

exceed \$253,000,000, that the Secretary of Transportation determines to be necessary to prevent reduced operations and staffing of the Federal Aviation Administration during fiscal year 2013 to ensure a safe and efficient air transportation system; and Provided that none of the funds transferred under this subsection may be obligated unless the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 5 days in advance of such transfer.

Mr. REID. Madam President, I ask unanimous consent that if the Senate receives a bill from the House and the text of that bill is identical to S. 853, the bill then be considered read three times and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 118, S. Res. 119, S. Res. 120, S. Res. 121, S. Res. 122, S. Res. 123, S. Res. 124, and S. Res. 125.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 124

Mr. REID. Mr. President, this resolution concerns a request for testimony in writing, documents, and representation in a pro se civil action pending in Connecticut federal district court. In this action, the plaintiff claims that a bar mitzvah was held in the Greenwich Town Hall, allegedly in violation of the Constitutions of the United States and the State of Connecticut.

The plaintiff has issued a subpoena to Senator BLUMENTHAL, who attended a Town Hall event preceding the alleged bar mitzvah, and to his office, requesting the production of a deposition by written questions from the Senator and documents. Senator BLUMENTHAL would like to cooperate by providing testimony in writing and relevant documents. The enclosed resolution would authorize the production of written testimony from the Senator and relevant office documents, where appropriate. It would also authorize the Senate Legal Counsel to represent the Senator, his office, and any employee of the Senator's office from whom evidence may be sought in this case.

S. RES. 122

Mr. UDALL of Colorado. Mr. President, I have submitted, with Senators CORNYN, REID, ENZI, MENENDEZ, UDALL of New Mexico, and CRUZ, a resolution commemorating Cinco de Mayo.

We all love Cinco de Mayo for the food and festivities that we have grown so accustomed to across our country. However, we commemorate Cinco de Mayo in order to celebrate the joint

history and values that are shared by both Mexicans and Americans. Cinco de Mayo is a day that reminds us that the citizens of Mexico possess the same courage that we, as Americans, value in ourselves. For that reason, the commemoration of Cinco de Mayo has transcended from being a celebration of the victorious Battle of Puebla that Mexico won over France, to a celebration of courage and a recognition of all contributions that the Mexican-American community has had both in Colorado and in our great Nation. Celebrating Cinco de Mayo brings pride to both the Mexican-American community and all Americans.

The courage displayed by Mexican forces on May 5, 1862, parallels the courage that we as Americans have used to overcome adversity and thrive since our founding. The victory of the beleaguered force of Mexican troops at the Battle of Puebla weakened France's immense resources and limited its ability to meddle in America's Civil War. As Mexico sought to defend itself from European aggression, the Battle of Puebla reminds us that the foundation of the United States was also built through battles in which the United States often found itself as the underdog. Through courage, perseverance, and the willingness to fight and die for freedom, our Nation has become stronger. These contributions that the Mexican-American community has had in our Nation should be celebrated as part of our country's history.

While Cinco de Mayo remains a Mexican national holiday, the commemoration of this holiday has become imbedded in American culture. Both in Colorado and throughout our Nation, the contributions of the millions of Mexican-American families are seen throughout our communities. As in years past, I continue to encourage my fellow Coloradans to celebrate Cinco de Mayo by remembering and educating but also by coming together with friends and neighbors to enjoy food, music, and dancing.

Mr. REID. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid on the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Public Law 101-509, the reappointment of Steve Zink, of Nevada, to the Advisory Committee on the Records of Congress.

The Chair announces, on behalf of the Republican leader, pursuant to the provisions of Section 3166 of Public Law 112-239, the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Michael R. Anastasio of New Mexico.

The Chair, on behalf of the Republican leader, pursuant to Public Law 111-5, appoints the following individual to the Health Information Technology Policy Committee: Dr. Scott Gottlieb of Connecticut.

APPOINTMENTS AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or inter-parliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, APRIL 26, 2013 THROUGH MONDAY, MAY 6, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted on the following dates and times, and that following each pro forma session the Senate adjourn until the next pro forma session: Friday, April 26 at 11:30 a.m., Tuesday, April 30 at 10 a.m., and Friday, May 3 at 2 p.m.; and that the Senate adjourn on Friday, May 3 until 2 p.m. on Monday, May 6, 2013; that on Monday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 5:30 p.m. with Senators permitted to speak for up to 10 minutes each; further, I ask unanimous consent that the previous order with respect to S. 743 be modified to provide that at 5:30 p.m., the Senate resume consideration of S. 743, all postcloture time be considered expired, and all other provisions remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, I appreciate the Chair's patience.

There will be up to three rollcall votes Monday, May 6: two votes in

order to complete the Marketplace Fairness Act and a third vote on the motion to invoke cloture on the motion to proceed to WRDA.

I am told we may not have to have that third vote.

ADJOURNMENT UNTIL 11:30 A.M.
TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:41 p.m., adjourned until Friday, April 26, 2013, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

BRENT FRANKLIN NELSEN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2016, VICE GAY HART GAINES, TERM EXPIRED.

FEDERAL RETIREMENT THRIFT INVESTMENT
BOARD

WILLIAM S. JASIEN, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING OCTOBER 11, 2015, VICE TERRENCE A. DUFFY, TERM EXPIRED.

POSTAL REGULATORY COMMISSION

NANCI E. LANGLEY, OF HAWAII, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING NOVEMBER 22, 2018. (REAPPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

HOWARD A. SHELANSKI, OF PENNSYLVANIA, TO BE ADMINISTRATOR OF THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, VICE CASS R. SUNSTEIN, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MICHELLE J. HOWARD

CONFIRMATIONS

Executive nominations confirmed by the Senate April 25, 2013:

DEPARTMENT OF THE TREASURY

CHRISTOPHER J. MEADE, OF NEW YORK, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

WILLIAM B. SCHULTZ, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JENNY R. YANG, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2017.

DEPARTMENT OF JUSTICE

KAROL VIRGINIA MASON, OF GEORGIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

EXTENSIONS OF REMARKS

A TRIBUTE TO TYLER WEIG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Tyler Weig for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

To be named a Hero of the Heartland, Tyler Weig took it upon himself to change a life forever by donating his own kidney to a stranger in need. Tyler was inspired to donate by researching the vast need for healthy kidneys and discovering nearly 95,000 people across the country and more than 500 Iowans currently on a waiting list. It's fitting, then, that Mr. Weig's selfless action has started the longest kidney transplant chain in Iowa's history. So far, the chain started by Tyler's lifesaving donation has helped five recipients who were facing a combined waiting list of 12 years. Tyler's commitment to a cause bigger than himself is a life-changing example that our State can be proud of.

Mr. Speaker, Mr. Weig's actions that earned him the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Tyler on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

IN RECOGNITION OF COLONEL
CHRISTOPHER O. MOHAN, USA

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. BISHOP of Utah. Mr. Speaker, for the past two years, Tooele Army Depot, Utah, has been led by an outstanding officer whose record of achievement certainly deserves recognition.

Colonel Christopher O. Mohan, USA, assumed command of Tooele Army Depot on July 19, 2011.

From the moment he assumed command, Colonel Mohan's commitment to worker safety became apparent. He implemented solid safety policies and procedures and, as a result, in 2012–2013, the depot achieved more than 350 consecutive days without a loss-time injury. This was the best record in Joint Munitions Command as well as Army Materiel Command, AMC. In 2013, the depot continues to prepare for the Voluntary Protection Program, VPP, Star Status.

In 2013, the Army implemented the Logistics Modernization Program, LMP. Under Colonel Mohan's guidance, the installation continued to succeed with implementation of LMP, which modernizes the systems and processes associated with managing the Army's supply chain at the national and installation levels. LMP also permits the planning, forecasting, and rapid order fulfillment leading to streamlined supply lines, improved distribution, a reduced theater footprint, and a warfighter who is equipped and ready to respond to present and future threats.

Colonel Mohan's leadership led the depot to excel in continuous improvement efforts. In 2011–2012, significant savings were realized through this concerted depot wide effort, with a LLS (\$916K) and Value Engineering (\$1.2) combined total savings and cost avoidance that exceeds \$2.1 million. Considering the depot's \$64 million annual budget, a savings of over \$2 million is a major accomplishment for a small installation with approximately 473 personnel. The realization of these savings was a result to successful partnering with all directorates on the base, and assisting them with their goals and simplifying the process. This year he continued a focus on furthering simple LEAN techniques such as taking "5S" techniques throughout all of Tooele's shops. He also continued to promote Visual Management Boards, which serve as directorate and lower scoreboards.

Tooele Army Depot exceeded the Value Engineering goal last year by 16 percent, and continued that trend this year, exceeding the goal by 23 percent with actual savings of \$1.2 million which is even more remarkable taking place during a difficult time of defense budget cuts and limited dollars for projects and infrastructure.

Colonel Mohan's guidance was instrumental in continuing to utilize simplified acquisition procedures that maximize the use of standard commercial items and services procured using combined solicitation and synopsis. Tooele Army Depot has promoted the use of the Government Purchase Card to the maximum extent practicable. Usage for FY12 was 11,003 purchase card transactions and Tooele's percentage of purchase card orders placed was 99 percent, exceeding the Army goal of 90 percent.

In 2012, Tooele Army Depot shipped approximately 34,892 tons of conventional ammunition and received 36,328 tons of conventional ammunition. Colonel Mohan supported the Ammunition community in demilitarizing 3460 tons of outdated ammunition.

During Colonel Mohan's command, the Garrison Office exceeded the Joint Munitions Command, JMC, Commanding General's goal of reducing energy consumption by 10 percent with a total energy consumption reduction of 15 percent. In addition, Tooele has reduced energy consumption 96.68 percent from its Army Energy and Water Reporting System, AEWRS, 2003 base year. Tooele's wind turbine produced approximately 2.051 MW of power during 2012.

Colonel Mohan contributed to the organization and planning of the 1.5MW Stirling solar electrical generation project. A groundbreaking for this planned and funded alternative energy project occurred in August 2012, and will lead to the eventual installation of 430 power dishes over 30 acres of depot property. In recognition of the importance of this project, Colonel Mohan was privileged to host a visit by the Chairman of the Joint Chiefs of Staff, General Dempsey, as well as top Army officials and State and Local government officials, to this groundbreaking event.

Colonel Mohan's guidance and leadership led the depot to excel in financial management. During 2012, the planned revenue was \$60 million, but actually received \$74.5 million. Planned direct labor hours were 441K and actual labor hours used as 464.7K. 2012 was the third consecutive year that Tooele Army depot execution rate was reduced.

Colonel Mohan's command of Tooele Army Depot will conclude on July 10, 2013, as he will assume another assignment of leadership within the Army Materiel Command.

In conclusion, Mr. Speaker, I join with all of the Utah Congressional Delegation in thanking Colonel Christopher Mohan for his distinguished service to Tooele Army Depot, to the State of Utah, to the United States Army, and to the Nation. He leaves behind an admirable record of dedicated leadership that is to be commended, and we wish him and his family the best in their new endeavors.

RECOGNIZING THE ARMENIAN
GENOCIDE

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. SARBANES. Mr. Speaker, today I rise to honor the memory of the innocents that perished in 1915 during the Armenian Genocide.

With a systematic barbarism visited upon them, countless Armenians made their way to Syria seeking refuge from persecution. Today,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the world is aghast at the horrific violence engulfing Syria and the Armenian people are once again threatened with upheaval and dislocation.

Each year, the United States Congress has the opportunity to stand with justice and recognize the Armenian Genocide. Such action would fortify America's moral standing in the family of nations and send a strong message to our NATO ally Turkey that it must examine the dark chapters of its past and the discriminatory impulses of its present.

Turkey has repeatedly thwarted efforts by Congress and successive administrations to recognize the Armenian Genocide by threatening all manner of retaliation should recognition be accorded. I submit that we do no favors to Turkey by acquiescing in its cynical campaign. Turkey's path to the European Union, its abysmal relations with its ethnic and religious minorities, particularly its violent conflict with the Kurdish people, would all improve if the Armenian Genocide was addressed openly and honestly.

As we approach the 100th anniversary of the Armenian Genocide in 2015, it is time for the United States to formally recognize this tragic chapter in world history and to bring some measure of peace and healing to those of Armenian descent.

CELEBRATING "LITTLE WALTER"
AND THE INAUGURAL LITTLE
WALTER MUSIC FESTIVAL

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. ALEXANDER. Mr. Speaker, I rise today in celebrating "Little Walter" and the inaugural Little Walter Music Festival which will strike a chord in Alexandria, LA, on Saturday, May 4, 2013. Additionally, I would like to call attention to this much-anticipated festival for enhancing economic development and quality of life by unifying and celebrating Louisiana's interests.

The festival, honoring Rock & Roll Hall of Famer, Blues sideman and bandleader Little Walter, will take place on the Red River. Headlining the event is the "Louisiana Music Hall of Fame, LMHOF, Little Walter Legends." Multiple Louisiana Blues harp artists, LMHOF member Henry Gray, who played with Little Walter in Chicago, and a cast of Louisiana Blues All Stars will help usher "Little Walter" into The Louisiana Music Hall of Fame with a presentation from LMHOF President Mike Shepherd. Closing the event is a jam session featuring Lady Liz Neville, former lead vocalist in the Hotel Bentley's Mirror Room, along with the LMHOF "Legends" band on Little Walter's classic hits, "Juke" and "My Babe."

Little Walter, born Marion Walter Jacobs near what is now Spring Bayou Road in the small town of Marksville, LA, revolutionized the sound of the Blues harmonica through amplification just by clapping a microphone to the harmonica as he played. He spent several years in Alexandria before making his way to Chicago to eventually become a member of Muddy Waters band, where he began recording his unique style of Blues. According to his

2008 Rock & Roll Hall of Fame induction, Little Walter "could make a harmonica moan and roar like a full horn section or produce an unearthly, haunting wail."

Mr. Speaker, I ask my colleagues to join me in wishing the Little Walter Music Festival the best of luck, and for its part in retaining the charm and spirit of our region. Lastly, I rise in celebration of Little Walter and his accomplishments making the Blues sound what it is today.

IN RECOGNITION OF THE
VESTAVIA HILLS HIGH SCHOOL
WE THE PEOPLE TEAM

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. BACHUS. Mr. Speaker, it is an honor to commend the We the People program for its continuing commitment to promoting civic knowledge and responsibility among students in our elementary schools and high schools. As a source of special pride, I would like to bring the House's attention to the representatives of the State of Alabama in this year's 26th annual national competition, the Vestavia Hills High School academic team from the Sixth District.

We the People helps to shape our next generation of leaders by instilling the principles of good citizenship and active participation in the democratic process. More than one million students from every state take part in this program each year. Students learn to be enlightened citizens by studying the enduring ideas of America's founders and the principles of constitutional government.

After competing locally in a hearing-styled, question and answer competition based on the U.S. Constitution, the top performing teams are invited to Washington to participate in the national finals on Capitol Hill. It is here that they gain firsthand knowledge of Article I, Section I of our Constitution—the legislative branch—by competing in a format that simulates the congressional hearing process. As Chairman Emeritus, I am pleased to announce that the Financial Services Committee hearing room will be used in this year's competition.

It takes hard work and commitment to qualify for the We the People national finals. At this time, I would like to extend recognition to the students from Vestavia Hills High School who are representing the State of Alabama. With teachers Mrs. Amy Maddox and Mrs. Jane Schaefer, I congratulate: Christian Sitarz, Carrie Clower, Reagan Cline, Patrick Sipe, Rachel Caskey, Aashka Patel, Anna Dennis, Enrico Camata, Daniel Moran, Amy Li, Sisi Zheng, Peter Adamo, Farhan Khan, Luis Jimenez, Hopson Nance, Hannah Skjellum, Botong Ma, Joseph Stahl, Molly Rhodes, Brian Stahl, Shannon Bewley, Marisa Pierluisi, and Kaustubh Udipi.

The knowledge and commitment demonstrated by all of the students who take part in We the People should give us all great confidence in the future of our precious American democracy.

HONORING THE CENTENNIAL OF
THE BOROUGH OF ALBURTIS

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. DENT. Mr. Speaker, I rise today, to honor the people of the Borough of Alburdis, both past and present as they prepare to celebrate the Borough's Centennial.

Mr. Speaker, the Borough of Alburdis is located in Lehigh County. It was formally incorporated on May 9, 1913 out of the neighboring town of Alburdis and the village of Lockridge.

While it was incorporated in 1913, the Borough's history dates back into the 1850's. As with so many communities across the United States, development was sparked by the arrival of the railroads. These included the Philadelphia and Reading, the Catasauqua and Fogelsville and the East Pennsylvania railroads. In fact the Borough takes its name from Edward K. Alburdis, a civil engineer and Board Director of the Philadelphia and Reading Railroad.

The railroads were drawn by the presence of iron ore in the area. The village of Lockridge grew as a result of the presence of the Lockridge Iron Company operating an iron furnace, Lockridge Furnace, in the area. Housing and a church sprang up around the furnace.

In a testament to the spirit, skill and entrepreneurial spirit of the people who lived in the area, other industries soon developed including a silk mill, shirt factories, and a shoe factory in the late 1800s.

Alburdis had a population of 700 people in 1914; on the advent of its Centennial, 2,300 people now call the one square mile Alburdis Borough their home.

Eventually, in 1921, Lockridge Furnace ceased operation. Lehigh County bought the property in 1970 and now the former industrial site serves the community as the picturesque Lockridge Park and Museum which opened its doors in 1976, the year of America's Bicentennial.

The Furnace serves the people of Alburdis as a wonderful recreational site and a great draw for those interested in the history of Lehigh County. Indeed, the residents' commitment to their heritage is shown by their outstanding historical preservation efforts on display in Alburdis' downtown.

Mr. Speaker, it is my great honor to represent the people of Alburdis in the Congress of the United States at the time of their Centennial celebration and, with the blessings of Divine Providence; it is my great hope that one hundred years from now another Representative of the United States Congress stands in this Chamber to offer their words of praise in support of the intrepid people of Alburdis on the occasion of its Bicentennial.

RECOGNIZING THE NATIONAL DAY OF REASON

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. HONDA. Mr. Speaker, I rise today to recognize Thursday, May 2, 2013 as the National Day of Reason.

The National Day of Reason celebrates the application of reason and the positive impact it has had on humanity. It is also an opportunity to reaffirm the Constitutional separation of religion and government.

I have the privilege of representing Silicon Valley, where every day scientists and engineers employ the scientific method and apply reason to develop innovative technologies that help advance humanity. The application of reason, more than any other means, has proven to offer hope for human survival upon Earth, improving conditions within the universe, and cultivating intelligent, moral and ethical interactions among people and their environments.

Our Founding Fathers based the Constitution of the United States, the basic document governing the affairs of people within the United States, upon philosophical principles that have their origins in the historical Age of Reason. It is important that on the National Day of Reason, we take time to remember and celebrate this history, including the First Amendment's guarantee of freedom of religion and freedom from the imposition of religion by the state. Our nation's founders knew that the best way to protect religious freedom was to keep the government separate from religion.

The National Day of Reason is also a time to continue the effort our Founding Fathers began to form a more perfect union. Every year, events such as food drives and blood drives are held on this day in which Americans help their fellow citizens and our nation as a whole. These community service events are just some of the many ways Americans will be working to help those in need on the Day of Reason and throughout the year.

I encourage all citizens, residents and visitors to join in observing this day and focusing upon the employment of reason, critical thought, the scientific method, and free inquiry to the resolution of human problems and for the welfare of human kind.

THE 98TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. ENGEL. Mr. Speaker, yesterday marked the ninety-eighth anniversary of the onset of the Armenian Genocide, one of the ugliest chapters in the bloodiest century in recorded human history. Over the course of the Genocide, 1.5 million innocent Armenians were slaughtered; those Ottoman Armenians that survived were the tiny and miraculous remnant of a forced march conducted by the Ottomans under the most savage of conditions.

Those murders were not only a tragedy for the Armenian people, who bear its scars to this day. The barbarity inflicted on the Armenians also opened the floodgates on a century of genocide and ethnic-cleansing. We've all seen Hitler's sneering statement "Who after all speaks today of the annihilation of the Armenians?" That statement makes clear the link between indifference to the Armenians and the murder of six million Jews. And it expresses the mindset of so many thuggish leaders after Hitler, leaders convinced that their nationalist aims could easily be achieved through a policy of murder that carried no punishment. The victims of this mindset have spanned the globe, as we know too well.

"Who after all speaks today of the annihilation of the Armenians?" Mr. Speaker, I want to affirm today that we do remember, and we remember with reverence. We recall with sorrow the massive loss of life as the result of a deliberate policy of murder. We also know that we owe it to humanity and history to remember, if only to help erect a deterrent against future such tragedies. And let me add that Turkey owes it to the Armenians to acknowledge and come to terms with what its forbears perpetrated—and, at a minimum, to apologize. Turkey also owes that to itself, too, for Turkish society will be stronger for having ended the charade of denying what the whole world knows to be true.

Mr. Speaker, to the Armenian people, including the very few remaining survivors, I want to express my great sorrow and deepest condolences. And I say to them, as we say regarding the Holocaust, "Never again."

21ST ANNUAL NATIONAL ASSOCIATION OF LETTER CARRIERS NATIONAL FOOD DRIVE

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. JORDAN. Mr. Speaker, it is with pleasure that I show my support for the 21st Annual National Association of Letter Carriers National Food Drive, which will take place on Saturday, May 11, 2013.

Every year, NALC members across the country work together to execute the largest one-day food drive in the United States. To participate, those who are able to make a donation need only place a box of non-perishable food items by their mailbox. On May 11, letter carriers will pick up the contributions along their route and pass them along to local food banks.

Donations to the NALC stay local and help feed needy Americans in our own communities.

I urge my colleagues to stand with me and support the 21st Annual NALC National Food Drive.

IN HONOR OF MARANATHA BAPTIST CHURCH

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. JONES. Mr. Speaker, I would like to take a moment to honor Maranatha Baptist Church in Jacksonville, North Carolina.

This month, Maranatha Baptist Church will celebrate 30 years of faithful service to the Lord and to the citizens of Onslow County. The church especially has a heart to reach the servicemen and women in the area for Christ.

The first members of Maranatha Baptist Church met in a small pawn shop under the leadership of Pastor Randy See. His work laid the foundation for the congregation to expand and move first to a piece of property on Anne Street and then to the church's current location on Onslow Drive.

Following in the footsteps of Randy See, Pastors Don Jones, Chuck Lindley, and Jon McConkey have blessed Maranatha Baptist Church with their leadership over the course of the last three decades. Each of these men contributed uniquely to the growth of the church from its humble beginning to the well-known community that it has become.

I am honored to represent Maranatha Baptist Church, and I am pleased to have the congregation and current Pastor Jon McConkey recognized by the United States Congress as they celebrate 30 years of service to Onslow County.

HONORING THE 2013 RECIPIENTS OF THE OWENS COMMUNITY COLLEGE ALUMNI ASSOCIATION OUTSTANDING SERVICE AWARDS

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. JORDAN. Mr. Speaker, the Owens Community College Alumni Association takes great pride in its annual Outstanding Service Awards celebration, now in its tenth year. The awards honor the selfless contributions of area police, fire, and emergency medical service professionals to our communities. I wanted to share the inspiring stories of two of my constituents who will be recognized at this year's ceremony.

Last April, A.J. Green of Gibsonburg was a passenger on a bus traveling on the Ohio Turnpike. The bus collided with another vehicle that had been involved in a multi-vehicle accident. It was subsequently hit by another vehicle unable to stop due to dark, rainy conditions. The bus driver was knocked unconscious and was trapped behind the steering wheel, which was rendered inoperable by the wreck. Together with another passenger, A.J., who serves with the Lindsey Volunteer Fire Department, took control of the bus and shut off the engine. He then guided the passengers to safety at a nearby travel plaza where they were attended by emergency personnel.

A.J. has since coordinated a bus safety training day for area police, fire, and other

emergency responders, turning this catastrophe into a learning experience. The association is presenting him with the 2013 Outstanding Firefighter Award for his exceptional efforts.

Keith Loreno, fire chief for the City of Fostoria, will be presented with the 2013 Outstanding Service to Community Award. Chief Loreno's three-decade career began with the Perkins Township Fire Department, where he served as a firefighter/emergency medical technician. Since then, he has worked as a corrections officer, a deputy sheriff, a top official with the Division of the State Fire Marshal, and as owner of an ambulance service.

Keith's devotion to volunteerism is an example to all who know him. A United Way board trustee, he has worked to ensure successful fundraising campaigns to aid vital community organizations. He also spearheads an annual clothing drive campaign and coordinates smoke-detector giveaway programs. His dedication to civic duty is further shown in his work with local students: Chief Loreno runs a Safety Town program for preschool children and coordinates mock-crash events to teach teenagers about the dangers of drinking and driving.

Mr. Speaker, this year's Outstanding Service Awards celebration will be held on Friday, April 26. I appreciate the opportunity to join the Owens Community College Alumni Association in recognizing the ongoing commitment and sacrifices of these first responders.

IN MEMORY OF CHIEF WARRANT
OFFICER 2 JARETT YODER

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. MEEHAN. Mr. Speaker, I rise today with my colleagues from Pennsylvania, the Honorable CHARLES W. DENT and the Honorable JIM GERLACH, for the solemn purpose of remembering and honoring the life of Chief Warrant Officer 2 Jarett Yoder. On April 9, 2013, CW2 Yoder was tragically killed while serving our country. CW2 Yoder was just 26 years old when his AH-64 Apache Helicopter crashed in Nangarhar Province Afghanistan. A Berks County, Pennsylvania native, CW2 Yoder was a 2005 graduate of Oley Valley High School in Oley, Pennsylvania and attended Reading Area Community College.

CW2 Yoder joined the military in 2005, first serving in Company C of the 1st Battalion of the 111th Infantry of the Pennsylvania National Guard as an infantryman. He was then deployed to Iraq in 2008 with Company C and the rest of the Guard's 56th Stryker Brigade. In 2010, he then transitioned to the role of an aviation life support equipment officer and Apache pilot.

CW2 Yoder was an exceptional Pennsylvanian and American who served his state and country with honor and great courage. His military decorations include the Army Commendation Medal, Army Reserve Component Achievement Medal, Combat Infantryman Badge, and Driver and Mechanic Badge.

We send our deepest condolences to CW2 Yoder's wife, Heather Garay-Yoder, and his

parents, Gary and Diane Yoder. CW2 Yoder goes to his rest with the eternal thanks of a most grateful nation.

HONORING COLONEL MARK C.
GARDENER

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor Colonel Mark C. Gardener and to recognize his lifetime of service to our country.

On June 28, Col. Gardener will retire from the Georgia National Guard after thirty years of sacrifice and service to this great nation.

While he currently serves as the Georgia National Guard's State Inspector General, he has worked in many different capacities. In 1983, Col. Gardener's first assignment was with U.S. Army Missile Command, and he has since been assigned to infantry, maintenance, and forward support duties across the world. His career has taken him to Korea, Panama, Afghanistan, Iraq, and several military installations here in the United States.

For his distinguished leadership throughout his career, Col. Gardener has been awarded with decorations like the Legion of Merit with Oak Leaf Cluster, the Joint Service Commendation Medal, the Meritorious Service Medal with six Oak Leaf Clusters, the Army Achievement Medal, the National Defense Service Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korea Defense Service Medal, the Army Reserve Service Medal, the Parachutist Badge, and the Air Assault Badge.

Col. Gardener has played an invaluable role in the U.S. Armed Forces for decades and he will surely be missed.

Mr. Speaker, on behalf of the 11th District of Georgia, my deepest thanks to Col. Gardener for devoting his life the upholding the Constitution of the United States and to the protection of its citizens. I wish him a happy—and well-deserved—retirement.

CONGRATULATING THE AUXILIARY
OF THE JFK MEDICAL CENTER
FOUNDATION ON ITS 50TH
ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. PALLONE. Mr. Speaker, I rise today to honor the Auxiliary of the JFK Medical Center Foundation on the occasion of its 50th anniversary. Since 1962, the Auxiliary has provided critical fundraising for special projects and contributed countless hours of volunteer service that directly impact and improve the lives of patients served by JFK Medical Center. Due to the remarkable efforts of the Auxiliary over a half-century of service, JFK Medical Center has grown into a highly respected

health care facility that provides clinical excellence to the people of Edison Township, Middlesex County, and throughout Central New Jersey.

The Auxiliary actually predates JFK Medical Center by five years. Indeed, the idea of building a hospital in Edison was little more than a dream of late Edison Mayor Anthony M. Yelencsics when he called local resident Joanne Wira in March 1962 to request her assistance in seeing his vision come to fruition. Mayor Yelencsics asked Mrs. Wira to create an Auxiliary to support the creation of a hospital that would serve the rapidly expanding populations of Edison, Woodbridge, Metuchen, and surrounding communities.

Mrs. Wira accepted the challenge and served as the first President of the Auxiliary, which held its initial meeting on November 19, 1962 with 163 women in attendance. The Auxiliary's first pledge was made at that meeting: \$30,000 to fund the construction of the future hospital's Gift Shop and Coffee Shop. This seemed like an enormous undertaking at the time, but it has been dwarfed by the subsequent efforts of the Auxiliaries. By the time the hospital opened its doors on August 7, 1967 as a 205-bed facility (it has since expanded to 498 beds), the Auxiliary had contributed over \$110,000 in pledges raised from the community.

Over the years, the Auxiliary has contributed significantly to every major expansion of JFK Medical Center, including \$500,000 towards the construction of the JFK Johnson Rehabilitation Institute, JRI, in the mid-1970s. Over the past three decades, JRI has developed into a national leader in rehabilitation care and performs cutting-edge research that has benefited patients worldwide, including service members returning from Iraq and Afghanistan with traumatic brain injuries.

The Auxiliary's work continues unabated today. At the Auxiliary's annual Fall General Meeting in 2012, final payment was made on the most recent pledge of \$2.5 million, which benefitted the JFK Emergency Pavilion Expansion Project. Its cumulative contributions to JFK Medical Center now exceed \$15 million.

Unsurprisingly, the Auxiliaries are not resting on their laurels and already are moving forward with raising funds to meet their newest pledge of \$3 million, the largest pledge to date. These funds are earmarked to benefit JFK Medical Center's new 5th floor Maternity and Pediatrics facility, which will offer private rooms to every patient so as to allow mother and newborn to be physically proximate and extend every comfort to fathers and other family members. The Auxiliary has presented JFK Medical Center with the first \$100,000 contribution towards the pledge as it moves seamlessly into its second 50 years.

Mr. Speaker, the tremendous efforts of the Auxiliary of the JFK Medical Center Foundation over the past 50 years are to be highly commended. The civic pride and community spirit demonstrated by the Auxiliaries is remarkable. I particularly would like to single out the efforts of the Auxiliary leadership, especially current Auxiliary President Barbara Braynock and the Auxiliary Board, for volunteering their time and effort to this great cause, and note their great collaboration with the JFK Board of Directors and President & CEO Ray Fredricks.

In closing, Mr. Speaker, I once again would like to congratulate the Auxiliary of the JFK Medical Center Foundation for 50 years of incredible service to their community. I have no doubt that the next 50 years will build upon this great legacy.

HONORING DR. DEWEY BROWDER

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mrs. BLACKBURN. Mr. Speaker, the mark of a great community is found in its leadership. Hard working, always professional, and dedicated to long-term vision are the key qualities of a strong local leader. The mark of a great country is found in those willing to serve her cause. I rise today to honor a leader of a great community and country, Dr. Dewey Browder.

From mentoring students at Austin Peay State University to highlighting veterans in Montgomery County, Dr. Browder's hard work helped make Clarksville a nobler place to call home. His awards are numerous and far too few for his contributions. Serving as a member of the Kiwanis Club, the Mayor's Veterans Service Organization, the Civil War Sesquicentennial Commission, the Clarksville-Montgomery County Military Affairs Committee, and the Wings of Liberty Museum, Dr. Browder's time, talents, and treasures are unmatched.

Shaping the next generation of students, of veterans, and of citizens is a sacred act. I ask my colleagues to join me in honoring Dr. Dewey Browder. Along with his family, friends, and coworkers, I offer my gratitude for his life's work.

TRI-CAUCUS HEALTH CHAIRS, LEAD BY ROYBAL-ALLARD, OR- GANIZED ONE-MINUTES IN RE- COGNITION OF NATIONAL MINOR- ITY HEALTH MONTH

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Ms. LEE of California. Mr. Speaker, I rise as co-chair of the Congressional Asian Pacific American Caucus Healthcare Task Force to recognize April as National Minority Health Month.

Communities of color—in California and throughout the country—continue to face persistent health disparities and barriers to quality care.

By expanding access to care, education, and prevention, we have the tools necessary to address this issue—and we must use them.

That is why I was pleased by yesterday's announcement of the new National Standards on Culturally and Linguistically Appropriate Services, which is needed to ensure that all individuals receive health care that is high quality and meets their diverse needs.

And while successful implementation of the Affordable Care Act is critical to ensuring our

communities have access to quality, affordable, culturally competent care, we must do more.

This is why the congressional tri-caucus continues to champion the Health Equity and Accountability Act.

I urge my colleagues to join us in securing health equity for all.

CONGRATULATING THE U.S. ARMY RESERVE

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to recognize the U.S. Army Reserve on their 105th anniversary, and to thank the almost 201,000 reserve soldiers across the country—including 8,000 from my home state of Georgia—for their dedication and service to our great nation.

In 1908, Congress' creation of the Medical Reserve Corps became the official predecessor of today's Army Reserve.

In 1916, the program was transformed into the Organized Reserve Corps in order to provide a peacetime resource of trained soldiers for use in unexpected conflict. Since then, the Reserve has continued evolving in order to meet the needs of our citizens and respond to global threats.

Currently, the Army Reserve makes up almost 20 percent of the total U.S. Army, and is comprised of soldiers who are specially trained in areas such as engineering, mechanics, and medical expertise.

Mr. Speaker, I ask my colleagues to join me in thanking the soldiers of the United States Army Reserve for their sacrifice and congratulating them as they celebrate 105 years of patriotic service.

INTRODUCTION OF A RESOLUTION RECOGNIZING THE SEQUENCING OF THE HUMAN GENOME AS ONE OF THE MOST SIGNIFICANT SCI- ENTIFIC ACCOMPLISHMENTS OF THE PAST 100 YEARS AND EX- PRESSING SUPPORT FOR THE DESIGNATION OF APRIL 25, 2013 AS "DNA DAY"

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Ms. SLAUGHTER. Mr. Speaker, I rise today to celebrate the 60th anniversary of James D. Watson and Francis H.C. Crick's discovery of the double-helical structure of DNA. Their discovery launched a field of inquiry that explained how DNA encoded biological information and how that information is duplicated and inherited. This field of study has led to untold scientific advances in the past 60 years.

I also rise today to celebrate the 10th anniversary of the completion of the Human Genome Project. This month, ten years ago, an international consortium of scientists led by

the National Human Genome Research Institute and the Department of Energy announced the successful sequencing of an entire human genome, the genetic blueprint that makes each of us who we are.

The past ten years have seen a revolution in biomedical research, sparked by the completion of the Human Genome Project. With the availability of a compendium of all our genes, scientists have been able to link diseases to the genes that cause them, learn about how those diseases progress, develop therapies to stop them, and ultimately improve the health and welfare of the American people. We now sit at the cusp of a new era in medicine, genomic medicine, where we can use a person's genetics to target therapies for their specific illness. Genomic medicine will allow us to give the right treatment to the right patient at the right time. These advances in healthcare would not have been possible without the Human Genome Project.

Although genetic information can be enormously valuable to patients and their doctors, it also has the potential to be abused. In 1995, knowing that these scientific advances were coming and that people would have fears about how their personal information might be used, I introduced the Genetic Information Nondiscrimination Act (GINA). GINA protects people from losing their health insurance or their job based simply upon their genetic makeup. More importantly, it alleviates people's fear of participating in research studies that benefit all of us through the advancement of medicine, because they know the results cannot be used to discriminate against them. Although it took us 14 years to get GINA passed into law, every step of the battle was worthwhile, as evidenced by the tremendous progress medicine has made since the completion of the Human Genome Project.

Not only did the Human Genome Project give us insights into human health, it also fueled two decades of remarkable economic growth. The past decade has seen great advancements in the technology necessary to decipher a genome. Sequencing the first human genome cost over \$1 billion dollars and took 6–8 years to complete. Today, it costs less than \$5,000 and can be done in 2–3 days. These advances have been made possible because federal investment in research has been translated into commercial technology by U.S. entrepreneurs and companies. According to a recent study, each dollar of federal money that was invested in the Human Genome Project resulted in \$141 of economic activity, resulting in more than \$796 billion dollars of economic impact and the creation of hundreds of thousands of jobs over the last two decades. These figures underscore the essential nature of federal research and development in driving U.S. innovation.

I urge my colleagues to join me in taking this opportunity to designate April 25th as "DNA Day", when we honor the 10th anniversary of the completion of the Human Genome Project, the 60th anniversary of Watson and Crick's discovery of the structure of DNA, and all of the remarkable advancements our scientific community has made to the health of our nation's people.

HONORING THE MONTCLAIR AMBULANCE UNIT'S 60TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Montclair Ambulance Unit, located in the Township of Montclair, New Jersey, which is celebrating its 60th Anniversary.

In the early part of the 20th century, Emergency Medical Services were just beginning to organize formally. As populations increased, towns began to establish their own ambulance services, including the Township of Montclair. In December 1952, the first meeting of the Montclair Ambulance Unit took place, and appointed Lawrence W. Sanders as chairman. During that first meeting, trustees and the first officers were also appointed. Donald Miller was elected as Vice-President, Donald Hobart as Secretary, Fred Scharfenberg as Treasurer, and Chairman Sanders was elevated to President.

In the next six months, the new Montclair Ambulance Unit organized; formulating by-laws, obtaining a Cadillac Ambulance, and finding the necessary space and equipment. Finally, on June 20, 1953, the unit officially began operations with its first assignment, which was a discharge from Montclair Community Hospital. After nearly two years of operation, in March of 1955, the Trustees of Montclair Ambulance Unit began a search for their own headquarters to accommodate members and rigs. After nearly six months, in August of that same year, negotiations began for 69 Portland Place, a location strategically situated close to Valley Road and Bloomfield Avenue. By January of 1956, Gabriel Aiello signed over the deed and gave the Montclair Ambulance Unit its first official home. Prior to this the unit had been operating out of the Red Cross building on Park Street, and storing the ambulance at the Arthur K. Brown Funeral Home.

By 1958, the Montclair Ambulance Unit had responded to 2,620 requests for service, had an active membership of fifty-seven men and six women, and several administrative volunteers from the Junior League who worked in the office and initiated the "phone tree" when requests came in. With the impending retirement of Montclair Ambulance Unit's first Captain, Captain MacLachlan, the trustees decided to create a paid position to handle the day-to-day business operations. In 1962, after an extensive search, the unit contracted John Rankin for this role. A new Captain, R. Stan Berry, was elected by the active members. Again in 1964, a new Director was named; a retired Montclair Police Officer Frederick "Bud" Kupper.

The year 1970 marked another milestone year for the Montclair Ambulance Unit, as they relocated their headquarters to what is now 86 Valley Road. This location served the unit for the next 35 years. By 2005, the Montclair ambulance unit sold the Valley Road building, and moved to the old Walnut Street Firehouse, renovated and provided at a nominal rate by the Township of Montclair. The pro-

ceeds from the sale helped to finance operations, the maintenance of the ambulance fleet and the cost of equipment, and the staff of highly trained EMTs. Since the first meeting in 1952, the Montclair Ambulance Unit has responded to over 175,000 requests for service, and overcome the challenges of lack of volunteerism, higher standards of training for staff, and the changes in the economic, political, and social world. The unit now has an around the clock, career staff whose training covers the entire range of EMS. Additionally, they follow an effective, new organization model consistent with other public safety entities. They have added a Chief and Deputy Chief of Operations, a full time Lieutenant, two part time Sergeants, and a Special Events Coordinator.

In addition to responding to medical emergencies and transportations, the Montclair Ambulance Unit has always also responded to all fires in Montclair to aid the Montclair Fire Department while simultaneously providing mutual aid to surrounding towns, and, post 9/11, provided service to New York City. In 2012, the Unit became a New Jersey EMS Task Force agency, which allows it to be requested for aid in any declared emergency in New Jersey or across state lines, should the need arise. Most recently, they provided aid following Superstorm Sandy. Over the years the Montclair Ambulance Unit has improved and expanded services, and gone above and beyond expectations in the community. Currently, the Montclair Ambulance Unit operates a fleet of four Basic Life Support Ambulances licensed by the New Jersey Department of Health, and three support vehicles, including two supervisor/first response vehicles, and a Special Operations vehicle provided by the Department of Homeland Security. They continue to provide professional, responsive, patient-first care, and are dedicated to being a community based, industry leading, emergency medical service organization.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Montclair Ambulance Unit as they celebrate their 60th Anniversary.

HONORING CHIEF MASTER
SERGEANT PETER W. LINCOLN

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor Chief Master Sergeant Peter W. Lincoln and to recognize his lifetime of service to our country.

On August 1, Chief Master Sgt. Lincoln will retire after 26 years of sacrifice and service to this great Nation.

While he currently serves as the National Superintendent for Officer Accessions at Air Force Reserve Recruiting in Georgia's Robins Air Force Base, he has worked in many different capacities. In 1987, Lincoln was first assigned to the 437th Avionics Maintenance Squadron in Charleston, South Carolina, and he has since been deployed to Iraq during Operation Desert Storm, amongst other contin-

gencies across the globe. Since January of 1996, Lincoln has become a nationally recognized recruiter for his service in Ohio, Alabama, and Georgia.

In his role as a recruiter for 18 years, Chief Master Sgt. Lincoln has recruited 6500 new airmen, which include eight hundred physicians, and one thousand nurses. For his efforts, he has been decorated with a Top Recruiter of the Year Award, a Top National Physician Recruiter Award, two Century Club recognitions, and three Top National Health Professional Recruiter Awards.

Lincoln attributes much of his success to the support of his wife Kimberly, his children Robert, Lauren, Emily, Alonna, Matthew, and Stephanie; and his grandchildren Carley, Riley, Cheyenne, Preston, and Katie; his grandparents Maudie and Armond Paiser; his parents Nancy and Robert; and the rest of his family.

Chief Master Sgt. Lincoln has played an invaluable role in the U.S. Armed Forces for decades and he will surely be missed.

Mr. Speaker, on behalf of the 11th District of Georgia, my deepest thanks to Chief Master Sgt. Lincoln for devoting his life to the upholding the Constitution of the United States and to the protection of its citizens. I wish him a happy—and well-deserved—retirement.

HONORING CHARLES ROBERTS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Charles Roberts. Charles is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Charles has been very active with his troop, participating in many scout activities. Over the many years Charles has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Charles has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Charles Roberts for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. SMITH of Nebraska. Mr. Speaker, on April 23 and 24, 2013, I was out of town due to a family situation. Unfortunately, I was not present for rollcall votes 118, 119, 120, 121, 122, and 123.

Had I been present, I would have voted "yea" on all six.

HONORING BILLY STOKES

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. DUNCAN of Tennessee. Mr. Speaker, recently the Halls Shopper News in my district profiled a long-time friend of mine, Billy Stokes.

Billy is a very patriotic American and someone I really admire and respect. This article is a great tribute to him, and I call it to the attention of my Colleagues and other readers of the RECORD.

[From the Halls/Fountain City Shopper News, April 22, 2013]

WORKING-CLASS HERO

(By Betty Bean)

Billy Stokes was playing quarter tonk with a guy named Moses when he had a sudden flash of clarity.

A 1970 Rule High School graduate, Billy had gotten a job tending bar at Sam & Andy's after the University of Tennessee had invited him to take a quarter off, and somehow that quarter stretched out into a year and a half as he whiled away slow afternoons between lunch and happy hour with his friends.

"It dawned on me that in 18 months, none of us had moved an inch. So I went back to school and got my degree," he said.

Forty-plus years later, he's a lawyer with a reputation for being aggressive, competent, thorough, and for winning some huge settlements. A politically active Republican who doesn't mind occasionally going off the reservation—like when he supported Madeline Rogero for mayor in a nonpartisan city race—he's got a Rule High School baseball cap on one side of the shelf behind his desk and a Jellico cap on the other side.

In his desk drawer sits a picture, soon to be framed, of the tiny shotgun house in Lonsdale where he grew up. He's also got a picture of the Howard Johnson's where his mother waited tables and the ET&WNC truck his father drove for a living.

On another wall there are pictures of him with presidents, senators and governors, including several from his stints as state commissioner of employment security and as special assistant to the governor during the Don Sundquist administration, including one of him dressed in full Santa Claus drag sitting on the back of his Harley-Davidson.

"I'm an old school dude. I like to ride motorcycles, go fishing and am pretty much true to my southern Appalachian roots. I'm probably a typical Scots-Irish male. Whether you got money or I got money, we're all even. Doesn't matter who you are.

"Redneck? That's all right with me. Pre-tentious is probably not something anybody calls me—I hope. RINO (Republican In Name Only)? I don't care. Madeline Rogero was by far the best candidate in that field of three. A chief executive needs to be a competent manager."

GROWING UP

His family originally came from Saxton, Ky., just across the state line from Jellico, before they moved to Knoxville. His mother, Thelma, is 89 and still living independently. His father, J.P., died in 1999 and was a truck driver for a company called East Tennessee/Western North Carolina—ET-WNC.

"We called it 'Eat Taters and Wear No Clothes'."

When he was little, he spent weekends in Jellico with his grandparents while his mother waited tables in the D&M, which formally stood for Davenport and Miller, but was popularly called the Devil's Mansion. He's the youngest of three children, and Stokes says his family was faring much better financially by the time he hit adolescence.

"Jimmy Hoffa negotiated a national contract for the Teamsters, and I was the only kid at home, so I had it a lot easier than my brother and sister. I grew up working-class and that's what we need more of today."

So how did this son of a Teamster become a Republican?

"You'll have to remember—Hoffa didn't have much use for the Kennedys. A lot of Teamsters were Republicans at that time."

After he finished up at Rule, Stokes enrolled in Maryville College to play football, but injured his "good" shoulder. He'd already had surgery on his left shoulder after his senior season.

That forced a decision:

"Being short and slow, I decided to quit football and go to UT."

BECOMING A COP

After his Sam & Andy's epiphany, he went back to school full-time, supporting himself by working at the General Products warehouse. He graduated in 1975 with a major in psychology and minors in political science and sociology, and started thinking about what to do next.

Like so many Lonsdale boys before him, he became a cop.

Theondrad "Sarge" Jackson, a retired sergeant from both the U.S. Army and the Knoxville Police Department and proprietor of Sarge's BBQ on Texas Avenue (famous for its C'mon Back Smoke) helped him get hired under a federal program at KPD. He was there for less than two years when the new safety director decided to eliminate the program.

"I got laid off in June of '76 and started law school in September of '76. That's when I met Richard Bean."

He counts the director of the Richard Bean Juvenile Detention Center as one of the three most influential men in his life, along with his father and longtime Republican political boss Loy Smith. Two old police officers—Rass Scruggs and Calvin Housewright, recommended that Bean hire Stokes while he was in law school.

"I benefitted from the good ol' boy system. I worked 3-11 and Juvenile Judge Richard Douglass gave me the key to his office with his law library and I'd sneak over to the court side to study. During finals, Richard would go home and eat supper and then come in and work for me while I'd go sit in the judge's office and study. We were on the quarter system, so we'd go through this every two or three months, and Richard would take care of me because he wanted me to get through law school. We were kindred spirits. I brag about working full-time through law school, but if Richard hadn't helped me, I never could have done it."

Stokes got his law degree in 1979 and joined the Army JAG Corps, where he served three years.

Another thing Bean did for him was to introduce him to Bay Crawford, a schoolteacher from Roanoke who worked at Shannondale Elementary School. They've been married for 33 years, have two daughters, three granddaughters and a grandson on the way. They are also active members of Second Presbyterian Church.

ENTERING POLITICS

Stokes came back home in 1982 and went to work for Bond, Carpenter and O'Connor,

and became president of the 5th District Republican Club (at Bean's urging). In 1984, Bean and Loy Smith urged Stokes to run for county GOP chair. He served nearly four years.

"It required me to be a lot more partisan than I normally am. I'm an old school conservative and I believe that compromise is not only possible but beneficial. Howard Baker and Bob Dole are my heroes."

He has good memories of his two years with Sundquist, particularly of working with leaders of both parties on the 1996 Workers Compensation Act, and of taking on the state's tire recycling program. His favorite memory is the time he spent as Tennessee's point person on the Ocoee Olympic events at a time when the Atlanta Olympics committee was considering pulling the plug on kayaking and canoeing.

He returned to Knoxville in 1997, and two things happened that altered his world:

Loy Smith died suddenly, and Stokes' law partner, Daryl Fansler, a Democrat, ran for chancellor. Stokes supported Fansler, upsetting many Republicans.

After Fansler departed for the bench, Stokes put together the highly successful firm that has become Stokes, Williams, Sharp & Davies.

In 2004, he took on something that he calls "a serious miscalculation," running against state Rep. Jamie Hagood for state Senate and losing badly.

"I'd suffered a pretty serious injury the year before in a fall-down, and I decided that life is short and you better grab it fast. I had some people encouraging me, and a lot of great help and I'd always wanted to serve in that capacity.

"But I ran an inept campaign. I wish I hadn't gotten beat quite so badly and I let a lot of good people down, but otherwise I've moved on."

And then he grinned:

"Tim Hutchison got beat worse."

HONORING CHRISTOPHER SEWARD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Christopher Seward. Christopher is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Christopher has been very active with his troop, participating in many scout activities. Over the many years Christopher has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Christopher has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Christopher Seward for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

SEXUAL ASSAULT AWARENESS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to raise awareness of an issue that harmfully affects many individuals both in my district and throughout the United States. April represents Sexual Assault Awareness Month, which was instituted as a means to spread the word about the frequency and aftermath of sexual assault, as well as to garner support for community programs focused on prevention.

April 26th marks the 2nd Annual "Wear Teal to Work Day," an event organized by the Network of Victim's Assistance (NOVA), a community group located in my district with a mission to support, counsel, and empower victims of sexual assault. Several businesses and organizations throughout Pennsylvania have readily agreed to endorse this initiative, and I applaud them for their contributions.

INTRODUCTION OF FAMILY AND MEDICAL LEAVE INCLUSION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, it is time to bring our nation's federal workplace policies into the 21st Century. Signed into law 20 years ago this past February, the Family and Medical Leave Act (FMLA) provides protections to almost 60 percent of the American workforce. This means approximately 90 million workers are covered and eligible for leave under current FMLA policies that allow for up to 12 weeks of unpaid leave from work to care for a new baby or to care for a spouse, child under age 18, or parent who has a serious health condition. While this leave has provided critical work protections to individuals in times of great need, this landmark law does not go far enough in accommodating our modern workforce and families.

Polls related to recent cases before the Supreme Court show that more and more Americans support marriage equality and recognize the need to extend federal rights and privileges to all American families. With that goal in mind, I am introducing the Family and Medical Leave Inclusion Act that will allow same sex spouses and partners, grandparents, and other loved ones eligible to take family and medical leave to care for a sick family member. Under current federal law, such individuals do not qualify for FMLA, making it impossible for some employees to be with their loved ones during times of medical need.

Almost 600 employers, including more than two hundred fortune 500 companies, several states, the District of Columbia, and some local jurisdictions have extended these protections to individuals not originally included in the original Family and Medical Leave Act. The legislation I am introducing today would allow an employee to take unpaid leave from

work if his or her same-sex spouse or domestic partner has a serious health condition. It also permits employees to take FMLA to care for a parent-in-law, adult child, sibling, grandchild or grandparent if that person has a serious health condition. Additionally, given repeal of don't ask don't tell, this legislation includes domestic partners of service members as permissible candidates for FMLA.

I thank Senator RICHARD DURBIN for introducing this legislation on the Senate side as well as my colleagues who have signed on as original supporters. I urge swift passage of this bill.

ARMENIAN GENOCIDE ANNIVERSARY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. WOLF. Mr. Speaker, this week marked the 98th anniversary of the Armenian genocide.

I have long been a cosponsor of a resolution introduced in multiple sessions of Congress which reaffirms the United States record on the Armenian genocide.

The Armenian genocide, in which 1.5 million perished, is widely recognized as the 20th century's first genocide. Raphael Lemkin, the Jewish legal scholar who coined the word genocide and tirelessly advocated for international law defining it and preventing it, was driven largely by what happened to the Armenians.

Since that time, the world has witnessed unfathomable horrors during the Nazi-perpetrated Holocaust and subsequent genocides in Bosnia, Cambodia, Rwanda and Sudan. And too often, the world has been silent in the face of such brutality despite claims of "Never Again."

In fact, Sudanese president Omar Bashir, an internationally-indicted war criminal charged with genocide and crimes against humanity, continues to travel the globe with virtual impunity.

Adolph Hitler, in describing his murderous plans and seeking to silence those with reservations, famously said, "Who, after all, speaks today of the annihilation of the Armenians?"

There is power in speaking the truth, even about atrocities that occurred nearly a century ago, so that others with evil aims will not be empowered by our silence.

Sadly President Obama, despite his campaign promises, has once again failed to characterize the brutal slaughter of one and half million people as genocide.

CONGRATULATING NORWICH TOWNSHIP CITIZENS ON THEIR BICENTENNIAL ANNIVERSARY

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. STIVERS. Mr. Speaker, I rise today to congratulate the citizens of Norwich Township,

located in Franklin County, on their bicentennial anniversary.

Though the first pioneers west of the Scioto River and South of Hayden Run arrived in 1807, the Township was not officially founded until 1813—a year after the City of Columbus, 56 years before the City of Hilliard was incorporated, and 10 years after Ohio was admitted into the union.

Norwich Township boasts a rich history. The township's one-room schoolhouse known as "Smiley's Grove" opened in 1814, and by 1878 the school system was fully integrated. In fact, many early settlers in Norwich were emancipated slaves.

One of the largest limestone deposits in the world can be found in the southeast corner of Norwich, bringing scores of jobs to the area at the turn of the century.

Wesley Chapel Methodist Church is a historical landmark in the township. It was organized in 1832, and a public cemetery was added on adjacent to the church in 1836. This fall, citizens will celebrate their bicentennial anniversary with a historical walk beginning at the cemetery.

Mr. Speaker, I would like all Members of Congress to join me in congratulating Norwich Township and its residents as they celebrate their bicentennial anniversary.

COMMENDING PRESIDENT NURSULTAN NAZARBAYEV OF THE REPUBLIC OF KAZAKHSTAN

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to commend the Republic of Kazakhstan on the 10th anniversary of President Nursultan Nazarbayev's initiative in establishing the Congress of Leaders of World and Traditional Religions.

In the 111th Congress, the U.S. House of Representatives unanimously passed H. Res. 535, a Resolution I introduced to commend the Congress of Leaders of World and Traditional Religions for calling upon all nations to live in peace and mutual understanding.

The Congress of Leaders of World and Traditional Religions has always been based on the premise that religion can be an important arbiter for resolving political differences and conflicts, and I am pleased that The Congress of Leaders of World and Traditional Religions has created a platform for building bridges of mutual understanding. The Congress has become an effective forum for leaders of world religions to promote a united approach to the critical issue of interreligious dialogue.

The Congress of Leaders of World and Traditional Religions also has become a full-fledged platform for multi-track-discussions on the most pressing issues of international religious affairs. Kazakhstan's capital, Astana, has hosted four high-profile gatherings of senior clerics from Islam, Christianity, Buddhism, Judaism, Hinduism, Taoism and other faiths. It was my privilege to attend a gathering of the Congress which included participation from The Church of Jesus Christ of Latter-day

Saints, the Christian denomination of which I am a member.

A symbol of tolerance, Astana was a center for interreligious discussions during Kazakhstan's 2010 OSCE Chairmanship and the subsequent Organization of Islamic Cooperation Ministerial Chairmanship in 2011–2012. As a secular state with a predominantly Muslim population, Kazakhstan has been working to promote tolerance and interreligious dialogue since the first days of its independence. As the world was recovering from the aftermath of 9/11, Kazakhstan responded to international grievances by convening a Congress of Leaders of World and Traditional Religions.

President Nazarbayev also has met with Pope Benedict XVI and other high-ranking representatives of the Vatican, focusing discussions on the necessity for further development of interreligious dialogue. The visit of John Paul Pope II in Kazakhstan in 2001 as well as a visit to the Vatican by President Nursultan Nazarbayev in 2009 indicates that an active bilateral cooperation exists.

In February 2013, the Chairman of Kazakhstan's Senate and Head of the Secretariat of the Congress of Leaders of World and Traditional Religions Kairat Mami also met with Pope Benedict XVI at the Vatican and expressed gratitude to the Holy See for support of the Congress.

During these meetings, Pope Benedict XVI praised the efforts of President Nazarbayev in preserving intercultural understanding and accord, and wished success, especially in the strengthening of peace.

At the Vatican, Kazakhstan's Chairman of the Agency for Religious Affairs Kairat Lama Sharif and the Cardinals of the Holy See also discussed the prospects of the Congress of Astana and the deepening of interreligious relations. As Angelo Sodano, Dean of the College of Cardinals of the Holy See, stated, "I think that the idea of the President of Kazakhstan Nursultan Nazarbayev to hold the Congress of Leaders of World and Traditional Religions is very important. This is a great contribution to the development of interreligious dialogue. And very big work has been conducted for the past 10 years. This year the diplomatic relations between Kazakhstan and the Vatican is 21. During all this time the mutual aspiration for interreligious and intercultural concord only has strengthened."

An organized photo exhibition at the Vatican was devoted to the 10th anniversary of the Congress, and the photo exhibition will now be displayed in the U.S. Capitol during a reception to be held on May 7, 2013. I am honored to participate in this worthy cause.

Once more, I commend President Nazarbayev for his visionary leadership. President Nazarbayev is a man committed to peace, and I stand with him as he spares no effort to advance understanding. For historical purposes, I thank him for establishing the Congress of Leaders of World and Traditional Religions, and for promoting religious dialogue between people of all faiths.

AUTISM AWARENESS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to raise awareness for the 2 million individuals in the U.S. that have autism. Autism is a brain disorder that affects the mental development of children all across the United States.

Autism is a disease that is being thrust into the national spotlight. One in every 88 children in the United States is now affected by it. That number is a ten-fold increase in prevalence over a period of just 40 years. Indeed, autism is the fastest growing developmental disability in the United States.

Some solace is found in the fact that many organizations are making great strides in promoting awareness of autism. One that is active in my district is the Autism Cares Foundation, located out of Richboro, PA. It is organizations such as this that are on the front lines of combating the challenge that autism is presenting to this country. I am proud of the people at Autism Cares and those in organizations like it that are committed to building awareness and outreach as they continue to serve families living with autism.

BLACK JANUARY AND KHOJALY MASSACRE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Ms. BORDALLO. Mr. Speaker, I rise to discuss several matters of importance to Azerbaijan. I note that January 20, 2013 marked the 23rd anniversary of an historic and tragic day in the history of the country of Azerbaijan. On the night of January 19, 1990, 26,000 Soviet troops invaded the capital city of Baku and surrounding areas. By the end of the next day, more than 130 people had died, 611 were injured, 841 were arrested and 5 were missing. This event is memorialized as "Black January," and, for the citizens of the Republic of Azerbaijan this event left an indelible mark on the minds of all citizens.

Soviet troops entered Azerbaijan under the pretext of restoring public order, while actually aiming to forcefully end peaceful demonstrations for independence. However, Soviet incursion further incited aspirations of Azerbaijani people to regain their independence after 70 years of Soviet rule.

In the end, Azerbaijan's pro-Moscow regime grew weaker and by 1991, popular pressure resulted in restoration of independence of Azerbaijan. On August 30, 1991, Azerbaijan's Parliament adopted the Declaration on the Restoration of the State Independence of the Republic of Azerbaijan, and on October 18, 1991, the Constitutional Act on the State Independence of the Republic of Azerbaijan was approved. November 1991 marked the beginning of international recognition of Azerbaijan's independence. The United States opened an embassy in Baku in March 1992 and it has re-

mained committed to aiding Azerbaijan in its transition to democracy and its formation of an open market economy.

Some historical observers have noted that the violence inflicted on the citizens of Baku may have been intended to send a message to other Soviet republics that similar aspirations of nationalism would not be tolerated. In the wake of this horrific act and inspired by the strength of the Azerbaijani people's belief in the principles of democracy, the Republic of Azerbaijan has maintained its independence for more than 16 years, despite lingering economic and social problems from the Soviet era. Today, Azerbaijan has developed into a thriving country with double digit growth, in large part due to a freely-elected president and parliament, free market reforms led by the energy sector, and most importantly, no foreign troops on its soil.

The road to independence, sovereignty and territorial integrity for the Azerbaijani people has not come without adversity and sacrifice. Although Azerbaijan thrives today, the people of Azerbaijan recognize those who lost their lives on Black January in 1990 and honor their sacrifice through their commitment to the ideals of democracy. As we reflect on this terrible tragedy, we who believe in the tenets of freedom and the hope of democracy should recognize the incredible sacrifice made by the people of Azerbaijan and by free people all around the world.

I also rise to commemorate the 21st anniversary of the Khojaly massacre perpetrated by Armenian armed forces on February 25 through February 26, 1992 in the town of Khojaly in the Nagorno-Karabakh region of Azerbaijan. Khojaly, now under the occupation of Armenian armed forces, was the site of the largest killing of ethnic Azerbaijani civilians in the course of the Armenia-Azerbaijan conflict.

Khojaly, once the home to 7,000 people, was completely destroyed. Six hundred thirteen people were killed, of which 106 were women, 83 were children and 56 were purported to have been killed. In addition, 1,275 people were taken hostage, 150 went missing and 487 people became disabled. Also in the records maintained, 76 of the victims were teenagers, 8 families were wiped out and 25 children lost both of their parents while 130 lost one of their parents. According to Human Rights Watch and other international observers, the Armenian Armed forces were reportedly aided by the Russian 366th Motor Rifle Regiment.

At the time, Newsweek magazine reported: "Azerbaijan was a charnel house again last week: a place of mourning refugees and dozens of mangled corpses dragged to a makeshift morgue behind the mosque. They were ordinary Azerbaijani men, women and children of Khojaly, a small village in war-torn Nagorno-Karabakh overrun by Armenian forces on 25–26 February. Many were killed at close range while trying to flee; some had their faces mutilated, others were scalped."

As part of the Khojaly population that tried to escape, they encountered violent ambushes that led to abuses, torture, mutilation and death. The Russian organization, Memorial, stated that 200 Azerbaijani corpses were brought from Khojaly to Agdam within four days.

Time magazine published the following description: "While the details are argued, this much is plain: something grim and unconscionable happened in the Azerbaijani town of Khojaly 2 weeks ago. So far, some 200 dead Azerbaijanis, many of them mutilated, have been transported out of the town tucked inside the Armenian-dominated enclave of Nagorno-Karabakh for burial in neighboring Azerbaijan. The total number of deaths—the Azerbaijanis claim 1,324 civilians have been slaughtered, most of them women and children—is unknown."

The extent of the cruelty of this massacre against women, children and the elderly was unfathomable. This anniversary reminds us of the need to redouble efforts to help resolve the Armenia-Azerbaijan conflict. The United States as a Co-Chair of the OSCE Minsk Group should intensify its efforts to reach a resolution of this protracted conflict.

Mr. Speaker, Azerbaijan is a strong ally of the United States in a strategically important and complex region of the world. I ask my colleagues to join me and our Azerbaijani friends in commemorating the tragedy that occurred in the town of Khojaly as well as Black January.

A TRIBUTE TO ED JOHNSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Ed Johnson for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

As principal of Whittier Elementary School in Indianola, Ed Johnson works to improve children's lives every day. But to fifth grader Logan Major, Principal Johnson is truly a lifesaver. During a typical lunch period, Logan was eating a carrot that, without warning, obstructed his air supply. Upon seeing this student in distress, Ed wasted no time successfully performing the Heimlich maneuver to avert the life-threatening situation. While Principal Johnson may just see his actions as part of another day on the job, his quick thinking and professional response left an entire community grateful for his commitment to schoolchildren and their safety. Principal Johnson is an example of leadership that our state can be proud of.

Mr. Speaker, Mr. Johnson's actions that earned him the title a "Hero of the Heartland" are a testament to the humble, hardworking

and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Ed on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Ms. ROYBAL-ALLARD. Mr. Speaker, I inadvertently missed one of the three rollcall votes on Wednesday, April 24, 2013. Had I been present, I would have voted in this manner:

Rollcall vote No. 122—On agreeing to the Rule Resolution, H. Res. 175, Providing for consideration of H.R. 1549, Helping Sick Americans Now Act—"no."

HONORING THE VETERANS OF THE HONOR FLIGHT OF THE QUAD CITIES

HON. DAVID LOESACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. LOESACK. Mr. Speaker, today, over ninety Iowa veterans of World War II, the Korean War, and the Vietnam War will travel to our nation's capital. Together, they will visit the monuments that were built in their honor by a grateful nation.

We owe these heroes a debt of gratitude. For many, today will be the first time they will see the National World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial. I can think of no greater honor than to be able to greet them and thank Iowa's—and our nation's—heroes for their service to our country.

That is why I am deeply honored to join them for their visit to the National World War II Memorial to personally thank these heroes for their service to our nation and to pay tribute to the incredible sacrifice they made for our country.

Today's Honor Flight brings together three generations of veterans who will travel together and support one another throughout their trip. It brings together members of the Greatest Generation who defended and then rebuilt our nation to make it even stronger. It also brings together veterans who were never given the homecoming they deserved. Many of the Vietnam Veterans travelling on the Honor Flight will act as volunteer guardians for their fellow veterans—truly bringing together generations of those who have served our nation.

This trip demonstrates that we as a state and as a country will never forget the debt we owe those who have worn our nation's uniform. Iowa's veterans will be able to visit their monuments because their fellow Iowans refused to let their service go unrecognized.

Their generosity is truly humbling and should inspire us all to continue to work each and every day on behalf of those who serve our nation.

I am tremendously proud to welcome the Honor Flight of the Quad Cities and Iowa's veterans of the Second World War, the Korean War, and the Vietnam War to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

CONGRATULATING DOCTOR KEN ELMASSIAN

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. ROGERS of Michigan. Mr. Speaker, I rise to congratulate Doctor Ken Elmassian on his new position as President of the Michigan State Medical Society.

Doctor Elmassian is truly one of the great medical professionals and a leader in his community. After graduating from the Michigan State University College of Osteopathic Medicine in 1976, Doctor Elmassian completed a residency program in anesthesiology. His impressive career then began in Flint as an attending anesthesiologist at Flint Osteopathic Hospital. After returning to Lansing, he served as the Director of Cardiac Anesthesiology at McLaren Greater Lansing where he held many leadership positions including the chair of the Credentials Committee, member of the Critical Care Committee, vice-chair of the Department of Anesthesia, Medical Staff Secretary, and Chief of Staff as well as a member of the Board of Trustees.

These prestigious positions and titles do not take away Doctor Elmassian's focus and understanding of how patient health and professional development interact within the broader context of our state and local communities. He has held numerous leadership positions in the Ingham County Medical Society (ICMS) as delegate to the Michigan State Medical Society, chair of the Legislative Committee, past treasurer, and past president and continues to serve the ICMS as a member of its Board of Directors.

As an active member of the Michigan State Medical Society, Doctor Elmassian has served on the Board of Directors and on both the Legislative and Financial Committees of the Board. He also enthusiastically participated for many years on the Committee on State Legislation and Regulations, as well as the MDPAC Board, the Committee on Federal Legislation, as well as other committees and task forces.

Doctor Elmassian's philosophy of engagement puts patients before politics. He believes that organizational relationships, ongoing interaction with state and federal policymakers, and coalition building are integral to developing sound health policy. It is Doctor Elmassian's philosophy that together we will achieve better outcomes for patients and providers.

As a licensed commercial pilot, Doctor Elmassian enjoys vacationing in Glen Arbor in the summer, reading biographies, the opera,

mountain treks in New Hampshire, and exercising, all of which he enjoys most with his family, which includes his wife, Georgina and their sons, Joshua and Zachary.

I ask that the House of Representatives join me in thanking Doctor Elmassian for his exemplary service to his community and congratulating him on his installation as President of the Michigan State Medical Society.

A TRIBUTE TO ANNE MURR

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Anne Murr for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

Anne Murr was named a Hero of the Heartland through her efforts as Drake University's Coordinator of the Adult Literacy Center. For more than 20 years, Anne has continued to do everything she can to change lives at the center, from playing support roles to educating and coordinating activities. Outside of her office hours, Anne also plans community-wide events to connect students, tutors and community members. Anne's work as a teacher and a leader has enriched lives and the world around her. She is truly an example our state can be proud of.

Mr. Speaker, Ms. Murr's actions that earned her the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Anne on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

SALUTE TO COAST GUARD STATION, PORT CANAVERAL FOR SERVICE IN SUPPORT OF AMERICA'S SPACE SHUTTLE PROGRAM

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. POSEY. Mr. Speaker, I rise today to congratulate the brave men and women of the

Coast Guard Station, Port Canaveral on their reunion which is set to take place on May 4, 2013. I rise to commend the meritorious service and commitment of Coast Guard Station Port Canaveral Active Duty, Reserve, and Auxiliary personnel who supported National Aeronautics and Space Administration (NASA) Space Shuttle missions. Their service was critical to the safety of the public and the Shuttle missions. A special thanks, also, to retired Admiral G. Robert Merrilees, who has kept a watchful eye on the Space Coast and played a significant role in this celebration of service.

On April 12, 1981, the Coast Guard Station, Port Canaveral began their service in support of NASA's Space Transportation Program (STS) program and provided that support for 135 manned space flight missions. Responsible for over 550 square miles surrounding the Kennedy Space Center, the Port Canaveral station managed STS recovery and safety missions for 30 years. These resolute men and women successfully carried out their mission to ensure the safety not only of the Shuttle, but also for over 200,000 viewers per Shuttle mission.

This dedication and mission accountability would not be possible without the contributions and calculated efforts of over 100 personnel that supported each launch.

Coast Guard Station Port Canaveral personnel played a substantial role as first responders to the Space Shuttle *Challenger* tragedy on January 28, 1986. Contributing 1,300 hours surveying 150,000 square miles of ocean surface throughout an 11 day mission and recovery operation, Station Port Canaveral deserves recognition for its stamina, professionalism, and commitment to mission execution. Their service was exemplary throughout their 30-year space shuttle support mission.

I offer my sincere gratitude and thanks to Coast Guard Station Port Canaveral and the men and women who served active duty, reserve and auxiliary roles in support of our Space Shuttle program between April 12, 1981 and February 24, 2011. May the Space Coast and our nation always remember the service of these brave men and women.

THE DAIRY FREEDOM ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the Dairy Freedom Act with my colleague, the gentleman from Georgia, DAVID SCOTT.

This legislation will ensure that the American public will not run into another "DAIRY CLIFF." Last Congress, we did not get to vote on a Farm Bill because, among other things, there was a major problem with the dairy policy section.

Every member that represents a Congressional District with dairy farmers is acutely aware of how our current programs failed dairy farmers and the hardship these families experienced. There is no single farm district member who disagrees on the need for funda-

mental reform of our dairy program. We all agree on the need to reform and improve our current dairy policies—and our bill would do just that. However, our bill would strike the proposed "dairy market stabilization program." This highly controversial piece would attempt to manage the U.S. milk supply, and in the process penalize both consumers of dairy products, and dairy farmers who expand their operations. This program was proposed to be included in the extension of the 2008 Farm Bill—but it was resoundingly rejected by the House and Senate leadership. Do we really want to run into this wall again? I don't think so if we want to get a Farm Bill done this year.

I would ask Chairman LUCAS and Ranking Member PETERSON to include the Dairy Freedom Act, what we consider to be the compromise, in the Chairman's Mark of the Farm Bill. Our bill is largely based on the Dairy Security Act offered last Congress by Ranking Member COLLIN PETERSON (D-MN) and is anticipated to be included again in the underlying Farm Bill. The only fundamental difference is that it would exclude the supply management program, and require more fiscally responsible risk management insurance premium levels for large farmers.

Supply management runs contrary to the goals of limited government and economic growth. A supply control program that will directly intervene in markets and increase milk prices will ultimately hurt producers as well as dairy food manufacturers by stifling industry growth. A national dairy policy that allows the market to determine prices paid—with the addition of a new risk management tool such as Margin Protection Insurance—will help dairy producers withstand unforeseen market conditions. This is no different than how other commodities are treated in the Farm Bill.

Our bill also represents a true compromise on dairy policy. We agree that our dairy programs need to be reformed and we have accepted over 80% of the proposals that have been made by Ranking Member COLLIN PETERSON. We agree a strong safety net is needed for dairy farmers. What we reject is the idea that government also needs to intervene in dairy markets by controlling milk production, and ultimately milk prices.

Many have labeled the disagreement about supply management as a fight between dairy producers and dairy processors. The truth, however, is that because supply management programs are designed to have government artificially manipulate prices, they are opposed by a wide variety of groups. Consumer advocates point out that increased dairy prices mean families will be forced to stretch their food budgets further, and perhaps purchase less nutritious products than dairy. Food manufacturers, retailers and restaurants know that increased dairy prices will hurt their businesses as well. And, finally, all of our major, non-cooperative owned dairy exporters agree that supply management will have a negative impact on their ability to be reliable suppliers in the world market.

Dairy regulations are complex, outdated and inefficient. Proposed reforms in the Farm Bill should not reduce exports, cut jobs, and add more regulations. The Dairy Title should allow the dairy industry a chance to compete and

grow without government regulating the amount of milk a farmer can produce. Our citizens and the world population deserve an abundant, affordable and sustainable food supply.

Mr. DAVID SCOTT and I have developed a viable, bipartisan alternative. Join us to support a revenue insurance program that will help dairy producers without including a government controlled supply management program.

A TRIBUTE TO ANNE THOMAS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Anne Thomas for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

To be named a Hero of the Heartland, Anne Thomas of Clive started the local organization "Let's Soar Together" in 2006 with a group of her friends. Let's Soar Together filled a need in her community to advocate for children with special needs and provide support and resources for their families. Ms. Thomas' organization has donated dozens of iPads and iPods to children with behavioral disorders and autism in the Waukee School District, built adaptive swings for Maple Grove Elementary School, and donated more than a thousand dollars to the Waukee YMCA to install a playground with adaptive play equipment. Anne's commitment to a cause greater than herself continues to change lives and benefit her community.

Mr. Speaker, Ms. Thomas' actions that earned her the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Anne on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

CONGRATULATING HOMEBOY INDUSTRIES ON THEIR 25TH ANNIVERSARY

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate Homeboy Industries, a non-profit organization which offers comprehensive reintegration services including job skills training and social services to former Los Angeles gang members, on their 25th anniversary.

In 1988, Jesuit priest Father Greg Boyle began Homeboy Industries to address the need for employment opportunities among local youth. Today, Homeboy Industries is much more than a jobs program. Homeboy Industries gives young people who have lost their childhood to gangs a chance to take back their lives as adults by providing former gang-involved youth with tattoo removal, case management and legal services, as well as mental health and substance abuse counseling.

Thanks to Father Boyle's leadership during the past 25 years, Homeboy Industries has grown from a small job development program in the Boyle Heights neighborhood of Los Angeles into the largest, most comprehensive and most successful gang prevention, intervention, and rehabilitation program in the country.

According to a recent study from the Vera Institute of Justice, the five most common reintegration priorities self-reported by individuals exiting Los Angeles County Jail are: employment, housing, substance abuse, relationships, and staying out of trouble. Through the jobs and support services Homeboy Industries provide, men and women in the LA region are finding these needs met. Homeboy Industries has a 70 percent rate of retaining clients in services, while similar programs across the country have 20-30 percent rates of retention. When weighed against the 70 percent recidivism rate nationally among ex-offenders, Homeboy Industries' ability to engage clients in the process of reintegration and personal transformation is particularly revealing. This organization shows the benefits of investing in impoverished communities that have been impacted by gang violence.

Between 240 and 280 people are hired every year in restaurants and stores owned and operated by Homeboy Industries throughout Los Angeles. When hiring, Homeboy Industries doesn't look for diplomas or job experience. They look for visible gang tattoos and juvenile arrest records. As a business, Homeboy Industries isn't concerned with profits or executive bonuses. Their concern is with their staff and ending the cycle of gang violence one person at a time.

Once again I congratulate Homeboy Industries and their inspirational founder and leader, Father Greg. I had the good fortune and honor of representing Father Greg and Homeboy Industries for nearly 25 years, first in the California State Assembly and then in the U.S. House of Representatives. In closing, I want to express my deepest admiration both for Fa-

ther Greg's tireless and dedicated efforts and for all former gang members seeking to change their lives and end the culture of gang violence once and for all.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,794,349,827,897.30. We've added \$6,167,472,778,984.22 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING STEVEN ORTIZ

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor the 2013 recipient of the Ellis Island Medal of Honor. Hailing from Willington, Connecticut, Steven Ortiz is the first Costa Rican-American to receive this honor in award's 27-year history.

Steven is the founder and director of The Good Samaritan Project, which donates new and slightly worn clothing throughout Latin America and has provided educational scholarships in Costa Rica. His clear global vision, leadership and philanthropic spirit has ensured that his organization is run completely by volunteers and that 100 percent of donations are used for charitable purposes.

Steven serves in the Massachusetts Air National Guard as the Commander and conductor of the Air National Guard Band of the Northeast. Under his leadership, the band's various ensembles provide support for military units and civilian events, and perform for tens of thousands of people every year throughout the Nation.

He has taught at the elementary, middle, and high school levels in both public and private schools in Connecticut and has led ensembles at the collegiate level. As an undergraduate student, Ortiz founded the Danbury Youth Band and has provided numerous instruments at no cost to children at home and abroad. He has facilitated thousands of hours of free and low-cost music instruction in an effort to keep children safe and engaged in productive activities, while ensuring they learn valuable life lessons.

The Ellis Island Medal of Honor is a prestigious award presented to an immigrant who dedicates his life to helping others, preserves and celebrates the history, traditions and values of his ancestry while proving himself as a valuable citizen of the United States. Recipients like Steven strive for tolerance and acceptance among ethnic, racial, and religious

groups in our nation and abroad and above all, they share their personal or professional gifts for the benefit of humanity. I ask that my colleagues join with me in congratulating Steven Ortiz on his impressive achievement.

A TRIBUTE TO DOUG ARMSTRONG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Doug Armstrong for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

As a Senior Fire Medic for the Des Moines Fire Department, Doug Armstrong is dedicated to the welfare of his community on a daily basis. In April of last year, while enjoying an off-duty dinner, Mr. Armstrong noticed an elderly man choking on a piece of meat. Upon seeing the man in distress, Doug wasted no time successfully performing the Heimlich maneuver to avert the life-threatening situation. Even while off-duty, his quick thinking and professional response left an entire community grateful for his actions. Whether on or off the job, Doug is an example that our state can be proud of.

Mr. Speaker, Mr. Armstrong's actions that earned him the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Doug on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

IN HONOR OF MICHAEL ALFORD

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. JONES. Mr. Speaker, I would like to take a moment to honor Michael Alford, who has recently been recognized as this year's TIME Automobile Dealer of the Year.

The TIME Dealer of the Year award is presented to an individual who displays both professional excellence and dedication to serving the community. Mr. Alford has exemplified

both of these characteristics as the president of Marine Chevrolet Cadillac in Jacksonville, North Carolina, where he resides with his wife Alicia and their three children.

Before becoming involved with the automobile industry, Mr. Alford enjoyed a successful career in banking. After purchasing Marine Chevrolet Cadillac from his father-in-law in 1997, he successfully applied many of the skills he had acquired in banking to his new position. Under Mr. Alford's leadership, sales at Marine Chevrolet Cadillac have nearly doubled.

Mr. Alford's expertise positively impacted not only his car dealership, but also his community. The presence of Marine Corps Base Camp Lejeune in Onslow County causes the population to fluctuate often, and Mr. Alford has worked regularly with government officials since 2007 to alleviate the negative consequences of these changes. He also served North Carolina as a member of the Board of Transportation.

Mr. Alford has been a blessing to the residents of Eastern North Carolina in many capacities. His success at Marine Chevrolet Cadillac has allowed him to become a leader in Onslow County, a position in which he has excelled. I am grateful for Mr. Alford's service and pleased to have him recognized by the United States Congress.

IN RECOGNITION OF THE NATIONAL POLICE DEFENSE FOUNDATION ANNUAL AWARDS DINNER HONOREES

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. PALLONE. Mr. Speaker, I rise today to recognize Nicholas Turturro, Jack Garcia, Tyree Bacon, Christine Levinson, the Honorable BILL PASCRELL, JR., the Honorable Lenin Voltaire Moreno Garcés, Jose Zhanay and Norma Delgado as they are honored by the National Police Defense Foundation. Each of these distinguished honorees has made significant contributions to the law enforcement community.

Man of the Year honoree Nicholas Turturro has portrayed police officers in a positive light as an actor. He worked on "NYPD Blue" as Detective James Martinez for seven seasons and currently plays Sergeant Anthony Renzulli on "Blue Bloods." He earned two Emmy nominations for Outstanding Supporting Actor in a Drama Series for his role on "NYPD Blue." In addition to his law enforcement roles on these television dramas, Mr. Turturro has made appearances in several movies and other television shows.

Lifetime Achievement Award recipient SSA Jack Garcia (Ret) served with the Federal Bureau of Investigation (FBI) for 26 years. He served as an undercover FBI Agent for 24 years, working on over 100 operations against domestic and foreign organized crime groups, corrupt politicians, corrupt police officers and drug dealers. SSA Garcia also helped with National Security Investigations and national and international terrorism cases. He serves

as a member of various organizations, including the FBI Agents Association, the Society of Former Special Agents of the FBI and the NYPD Honor Legion among many others. Today, SSA Garcia utilizes his vast expertise as a lecturer as well as Managing Director of security firm Pathfinder Consultants International, Inc.

Valor Award honoree Lt. Tyree Bacon is a New York State Court Officer. During the September 11, 2001 terrorist attack, Lt. Bacon rescued a woman from Tower Two as it collapsed and killed 3 of the responders. He has received numerous commendations for his heroic actions, including the Medal of Excellent Service and Medal of Valor from New York State and the Senior Court Officers Association. In addition to his service as a court officer, Lt. Bacon is an Ocean Beach Police Department officer and Lieutenant of Islip Volunteer Fire Department Ladder Company One. Lt. Bacon also dedicated 20 years of service to the United States Air Force Reserve, rising to the rank of Master Sergeant.

Profiles in Courage Award recipient Christine Levinson is the wife of Robert Levinson, retired FBI Supervisory Special agent who was kidnapped in Iran while there on private investigation business. Since his disappearance on March 9, 2007, Mrs. Levinson has dedicated her time to finding her husband. She has met with several officials, including President Obama, then Secretary of State Hillary Clinton and FBI Director Robert Mueller to impress upon them the importance of the case. She also travelled to Iran with one of her sons and met with Iranian officials in an effort to locate SSA Levinson. Mrs. Levinson continues to search tirelessly for her husband.

Legislator of the Year recipient Congressman BILL PASCRELL, JR. is currently serving his ninth term as the Representative for New Jersey's 9th Congressional District. Mr. PASCRELL is a supporter of firefighters and veterans, authoring the Firefighter Investment and Response Enhancement (F.I.R.E.) Act and fighting for Purple Heart eligibility for victims of traumatic brain injury. He is also an advocate for police officers, creating the Community Oriented Policing Services (COPS) program and has fought to continue the program. Mr. PASCRELL served honorably in the U.S. Army and U.S. Army Reserve.

Humanitarian Award honoree Lenin Voltaire Moreno Garcés has served as the Vice President of Ecuador since 2007. As a paraplegic, Vice President Moreno advocates for those with disabilities. His work on behalf of the disabled community has earned him several recognitions, including a nomination for the 2012 Nobel Peace Prize.

One of two Member of the Year honorees, Jose Zhanay is the National Police Defense Foundation's (NPDF) Delegate to Ecuador. He immigrated to the United States from Ecuador when he was 16 years old and worked his way up to opening his own jewelry company at the age of 21. A member of the NPDP since its founding, Mr. Zhanay has worked to help Ecuadorian children and U.S. police officers in need of medical assistance. He also dedicates his time to various other organizations and has received numerous commendations for his work.

Another Member of the Year honoree, C.O. Norma Delgado (Ret.) served as a Corrections

Officer for the New York Department of Corrections for 16 years. A native of Peru, Mrs. Delgado has worked hard in pursuit of the American Dream. She worked various jobs and attended Bronx Community College in pursuit of a nursing degree and became employed at Jacobi Hospital in the Bronx. Her venture into law enforcement service began on the advice of NPDF Director Joseph Occhipinti. Mrs. Delgado is the recipient of the National Police Defense Foundation Special Achievement Award and the New York City Department of Corrections Hispanic Society's Roberto Clemente Award. She currently serves as the Administrator of the Operation Kids program of the NPDF.

Mr. Speaker, please join me in congratulating Nicholas Turturro, SSA Jack Garcia (Ret.), Lt. Tyree Bacon, Christine Levinson, the Honorable BILL PASCRELL, the Honorable Lenin Voltaire Moreno Garcés Jr., Jose Zhanay and C.O. Norma Delgado (Ret.) on their recognition by the National Police Defense Foundation and thanking them for their immeasurable contributions to the community.

A TRIBUTE TO TRAVIS HAMILTON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 25, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Travis Hamilton for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

To be named a Hero of the Heartland, Travis Hamilton of Johnston dedicated himself to helping sick children through charity and a

touching tale of personal sacrifice. Travis is the Director of the Guns-N-Hoses Hockey event, an annual hockey game pitting Des Moines-area police against fire department and EMS employees to raise money for local charities. In the two years Mr. Hamilton has coordinated the event, it has raised \$50,000 for Children's Cancer Connection and Make a Wish Iowa. Travis also coordinated the event Transplant for Trae to raise money for his son, who needed a kidney transplant at only 17 months old. Travis was able to raise over \$20,000, and he ultimately donated his own kidney to Trae. Through his examples of true selflessness, Mr. Hamilton continues to change lives and be a leader that our State can be proud of.

Mr. Speaker, Mr. Hamilton's actions that earned him the title a "Hero of the Heartland" are a testament to the humble, hardworking and helpful people who make up the great State of Iowa. I invite my colleagues in the House to join me in congratulating Travis on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.